AGENDA
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
5803 THUNDERBIRD
LAGO VISTA, TX
APRIL 18, 2024 AT 5:30 PM

AMENDED

(Executive Session Item C Added)

JOIN MEETING VIA VIDEO CONFERENCE

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/287633597

You can also dial in using your phone.
United States: +1 (571) 317-3112

Access Code: 287-633-597

CALL TO ORDER, CALL OF ROLL

Kevin Sullivan, Mayor
Chelaine Marion, Mayor Pro-Tem
Shane Saum, Council Member
Stephanie Smith, Council Member
Rob Durbin, Council Member
Paul Roberts, Council Member
Paul Prince, Council Member

EXECUTIVE SESSION
Convene into a closed Executive Session pursuant to;

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071)

B. Consultation with Legal Counsel and deliberation regarding evaluation, duties or discipline of a public officer (Mayor). (Texas Government Code Sections 551.071 and 551.074)

C. Consultation with Legal Counsel and deliberation regarding legal issues related to Resolution 24-2056 (RAAPOA). (Texas Government Code Section 551.071)

ACTION ON EXECUTIVE SESSION ITEMS (action and/or vote may be taken on the following agenda items):
Reconvene from Executive Session into open session to act as deemed appropriate in City Council's discretion regarding:

A. Consultation with Legal Counsel concerning all regular meeting agenda items requiring confidential, attorney/client advice (as needed). (Texas Government Code Section 551.071)

B. Consultation with Legal Counsel and deliberation regarding evaluation, duties, or discipline of a public officer (Mayor). (Texas Government Code Sections 551.071 and 551.074)

C. Consultation with Legal Counsel and deliberation regarding legal issues related to Resolution 24-2056 (RAAPOA). (Texas Government Code Section 551.071)

PLEDGE OF ALLEGIANCE, PLEDGE TO TEXAS FLAG

CITIZEN COMMENTS
In accordance with the Open Meetings Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items not on the agenda.

To participate in the citizen comments portion of the meeting, you must submit a completed form. If you are attending the meeting in the City Council Chambers you must complete the form available at that location and provide it to the Mayor prior to the start of the meeting. If you will be participating using the online videoconferencing tool, you must complete the form and submit it by email in accordance with the instructions included within the form. It is found on the City's website at the link below. The Council will reconvene from executive session at or around 6:30 p.m.

Citizen Participation Registration Form

ITEMS OF COMMUNITY INTEREST

Pursuant to Texas Government Code Section 551.0415, the City Council may report on any of the following items:

a. Expression of thanks, gratitude, and condolences.
b. Information regarding holiday schedules.
c. Recognition of individuals, i.e. Proclamations.
d. Reminders regarding City Council events.
e. Reminders regarding community events.
f. Health and safety announcements.

STAFF AND COUNCIL LIAISON REPORTS

1. Routine Reports from City staff.

2. Routine Reports from City Council Board/Commission/Committee Liaisons.
   - Economic Development Advisory Committee, Councilor Saum
   - Golf Course Advisory Committee, Councilor Saum
   - Governmental Affairs, Councilor Saum
   - Water Issues; Lower Colorado River Authority Board, Texas Water Development Board, and other entities as appropriate; Councilor Saum
   - Parks & Recreation Advisory Committee, Councilor Smith
   - Turnback Canyon Trail Conservancy, Councilor Smith
   - Airport Advisory Board, Councilor Durbin

- Planning & Zoning Commission, Councilor Durbin
- Board of Adjustment, Mayor Pro Tem Marion
- Lago Vista Independent School District, Mayor Pro Tem Marion
- Lago Vista Starry Skies, Mayor Pro Tem Marion
- Building and Standards Commission, Councilor Roberts
- Library Advisory Board, Councilor Prince
- Lago Vista Property Owner's Association, Councilor Prince
- Youth Advisory Committee, Mayor Sullivan
- Keep Lago Vista Beautiful, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- CapMetro, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan

CONSENT AGENDA

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

3. Consider denial of a request from Chandler Sampson for a waiver of the entire maximum fee of ten thousand dollars ($10,000.00) in lieu of the otherwise required protected tree replacement obligation applicable to a building permit issued for a single-family residence at 1307 Robin Trail.

4. Consider approval of Resolution No. 24-2057; a Resolution by the City Council of the City of Lago Vista, Texas appointing individuals to serve as members on the Youth Advisory Committee.

5. Consider approval for City matching funds for the Public Works and Economic Adjustment Assistance program grant and the Economic Development Planning and Technical Assistance program grant.

ACTION ITEMS

6. Discussion, consideration, and possible action on approving Change Orders #1 and #2 submitted by Bennett Paving for RFP 24-03 Street Resurfacing Project for a total amount of $56,137.00.

7. Discussion, consideration, and possible action on approving the Final Wastewater Master Plan.

8. Discussion, consideration, and possible action on future projects to be presented by Keep Lago Vista Beautiful.

9. Discussion, consideration, and possible action regarding entering into water/wastewater partnerships with other water systems in Texas.

10. Discussion, consideration, and possible action regarding the creation of a Bond Oversight Committee or expanding the scope of a current committee.

11. Discussion, consideration, and possible action regarding the creation of a pilot program for citizen monitoring of road projects.

12. Discussion, consideration, and possible action to schedule a mid-year review of the City Manager.

13. Discussion, consideration, and possible action regarding the City of Lago Vista Personnel Policies and Procedures, including Section 16, Grievances, approved October 2016.

14. Discussion, consideration, and possible action regarding Fourth of July celebrations.

15. Discussion, consideration, and possible action regarding engaging an outside consultant to conduct a Water/Wastewater Utility Rate Study.

ADJOURNMENT

IT IS HEREBY CERTIFIED that the above amended Notice was posted on the Bulletin Board located at all times in City Hall in said City at 2:45 p.m. on the 15th day of April 2024.

_____
Lucy Aldrich, City Secretary

THIS MEETING SHALL BE CONDUCTED PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.001 ET SEQ. AT ANY TIME DURING THE MEETING THE COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION ON ANY OF THE ABOVE POSTED AGENDA ITEMS IN ACCORDANCE WITH THE SECTIONS 551.071, 551.072, 551.073, 551.074, 551.075 OR 551.076.

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

AT THIS MEETING AT THE STATED LOCATION, A QUORUM OF THE CITY COUNCIL WILL BE PHYSICALLY PRESENT, AND THIS NOTICE SPECIFIES THE INTENT TO HAVE A QUORUM PRESENT THERE, AND THE MEMBER OF THE CITY COUNCIL PRESIDING OVER THE MEETING WILL BE PHYSICALLY PRESENT AT THAT LOCATION. ONE OR MORE MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE IN THIS MEETING REMOTELY, AND IF SO, VIDEOCONFERENCE EQUIPMENT PROVIDING TWO-WAY AUDIO AND VIDEO DISPLAY AND COMMUNICATION WITH EACH MEMBER WHO IS PARTICIPATING BY VIDEOCONFERENCE CALL WILL BE MADE AVAILABLE.

AGENDA ITEM NO. 1

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Lucy Aldrich, City Secretary

SUBJECT: Routine Reports from City staff.

FINANCIAL IMPACT: N/A

AGENDA ITEM NO. 2

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Lucy Aldrich, City Secretary

SUBJECT: Routine Reports from City Council Board/Commission/Committee Liaisons.

- Economic Development Advisory Committee, Councilor Saum
- Golf Course Advisory Committee, Councilor Saum
- Governmental Affairs, Councilor Saum
- Water Issues; Lower Colorado River Authority Board, Texas Water Development Board, and other entities as appropriate; Councilor Saum
- Parks & Recreation Advisory Committee, Councilor Smith
- Turnback Canyon Trail Conservancy, Councilor Smith
- Airport Advisory Board, Councilor Durbin
- Planning & Zoning Commission, Councilor Durbin
- Board of Adjustment, Mayor Pro Tem Marion
- Lago Vista Independent School District, Mayor Pro Tem Marion
- Lago Vista Starry Skies, Mayor Pro Tem Marion
- Building and Standards Commission, Councilor Roberts
- Library Advisory Board, Councilor Prince
- Lago Vista Property Owner's Association, Councilor Prince
- Youth Advisory Committee, Mayor Sullivan
- Keep Lago Vista Beautiful, Mayor Sullivan
- Capital Area Council of Governments, Mayor Sullivan
- CapMetro, Mayor Sullivan
- Texas Department of Transportation, Mayor Sullivan

FINANCIAL IMPACT: N/A

AGENDA ITEM NO. 3

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Roy Jambor, Development Services

SUBJECT: Consider denial of a request from Chandler Sampson for a waiver of the entire maximum fee of ten thousand dollars ($10,000.00) in lieu of the otherwise required protected tree replacement obligation applicable to a building permit issued for a single-family residence at 1307 Robin Trail.

BACKGROUND: Despite the guilty plea from the contractor representing the property owner regarding the notice of violation, there are no additional penalties related to the removal of protected trees beyond what was outlined in the permit application or the removal of those trees before the permit was issued. However, it's worth noting that the current version of the ordinance was exceeded by more than 100 percent without any additional penalty imposed. Despite this realization and the contractor's guilty plea, the property owner did not reconsider the request, which was initially submitted prior to the disposition of the related matter in municipal court.

The included packet consists of three separate parts. The first is the applicant's formal request which includes asserted justification. Following is the Development Service Department staff's response to that assertion which is virtually identical to the same information we provided to the municipal prosecutor that resulted in a guilty plea by the property owner's contractor after originally requesting a trial. The final section includes the ordinance provisions that are presumably relevant.

FINDINGS: The Development Services Department staff sees no rational basis to justify the request; therefore, city staff recommends denial of the request for a waiver. As stated in our reply included with this agenda item, the request is seemingly equivalent to a repeal of the tree protection ordinance for the financial benefit of this one individual only. Whatever misunderstanding or misinterpretation of the tree preservation ordinance might have in fact occurred, it did not increase the amount of the required fee in lieu of replacement as the maximum amount had already been exceeded by a significant

amount.

FINANCIAL IMPACT: If the waiver request is approved, the Development Services Department Staff will initiate a fee refund request to the Finance Department in the amount of $10,000.00. That amount will presumably be withdrawn from the budget account that is presumably earmarked as described in Chapter 14, the Lago Vista Zoning Ordinance.

ATTACHMENTS:
Replacement Tree Fee Waiver Request - 1307 Robin Trail.pdf

April 18, 2024 City Council Meeting

Tree Replacement Fee Waiver Request

1307 Robin Trail (Single Family Residence Permit 10928)

Applicant’s Submittal

Re: FW: City Council Agenda Item Request - 02-01-24

Chandler Sampson <chandlersampson@gmail.com>

Tue 4/2/2024 2:24 PM

To:Kevin Sullivan <Mayor@lagovistatexas.gov>
Cc:Roy Jambor <Roy.Jambor@lagovistatexas.gov>;Tracie Hlavinka <Tracie.Hlavinka@lagovistatexas.gov>

5 attachments (1 MB)

City Council Formal request - 04-02-2024.pdf; Project 10928 - 1307 Robin Trail.pdf; LagoVistaBasePermitREport.pdf; Online Portal - Permit issue date.png; 1- Stop work order.jpg;

Good afternoon, Mr. Mayor,

Please see my attached formal fee waiver request in hopes of being placed on the agenda for 4/18 City Council meeting. I have also gone ahead and reattached the previously sent supporting documents. Please let me know if you have any questions.

Kind regards,

Robert Chandler Sampson

Re: 1307 Robin Trl

Lago Vista, Texas, 78645

Chandlersampson@gmail.com

346-397-0205

04/02/2024

Lago Vista City Council

5803 Thunderbird St, Unit 101,

Lago Vista, TX 78645, United States

Dear Members of the City Council,

I hope this letter finds you well. I am writing to address two issues regarding a recent project for which I obtained a permit from the city. Firstly, I would like to discuss the tree mitigation fee associated with the removal of certain trees on my property. Secondly, I wish to address an inadvertent misunderstanding regarding the issuance of the permit and subsequent fines imposed.

Regarding the tree mitigation fee, I initially submitted a landscape plan with my permit application to replace the trees that were slated for removal. However, subsequent inspection by a certified arborist revealed that the trees in question suffered from severe core rot, necessitating their removal for safety reasons. I have attached the arborist report for your reference. As per my understanding, when trees exhibit such severe damage, the replacement or fee requirement is waived. Therefore, I respectfully request that the tree mitigation fee be waived in this instance.

Secondly, I would like to address the misunderstanding regarding the issuance of the permit and subsequent fines. Upon receiving approval for my project, I believed the permit had been issued and proceeded with the work accordingly. However, I later received a red tag and fines stating that the permit had not been issued prior to commencing work. Attached herewith are documents confirming the issuance of the permit on 06/29, as well as the red tag received on 07/03.

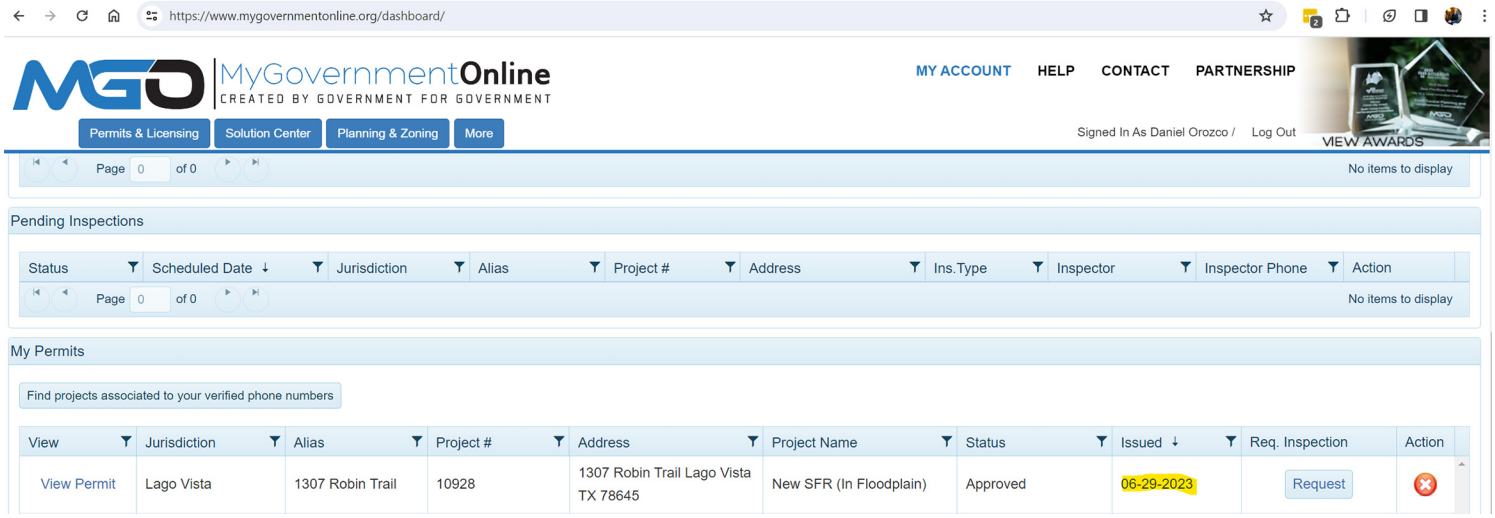
I sincerely apologize for any miscommunication or oversight on my part. It was never my intention to circumvent any regulations or cut corners. I am fully committed to adhering to the proper procedures and regulations set forth by the city. In light of this misunderstanding, I kindly request that the fines incurred as a result of this oversight be waived.

I appreciate your attention to these matters and thank you for considering my requests. If there is any additional information needed from my end, please do not hesitate to contact me at 346-397-0205 or Chandlersampson@gmail.com.

Thank you for your time and understanding.

Sincerely,

Robert Chandler Sampson


https://www.mygovernmentonline.org/dashboard/
MyGovernmentOnline
CREATED BY GOVERNMENT FOR GOVERNMENT
MY ACCOUNT
HELP
CONTACT
PARTNERSHIP
Permits & Licensing
Solution Center
Planning & Zoning
More
Signed In As Daniel Orozco / Log Out
VIEW AWARDS
Page 0 of 0
No items to display
Pending Inspections
Status
Scheduled Date
Jurisdiction
Alias
Project #
Address
Ins.Type
Inspector
Inspector Phone
Action
Page 0 of 0
No items to display
My Permits
Find projects associated to your verified phone numbers
View
Jurisdiction
Alias
Project #
Address
Project Name
Status
Issued
Req. Inspection
Action
View Permit
Lago Vista
1307 Robin Trail
10928
1307 Robin Trail Lago Vista TX 78645
New SFR (In Floodplain)
Approved
06-29-2023
Request

City of Lago Vista
5803 Thunderbird Dr
Lago Vista TX 78645

Project Number	**10928**
Project Date	**4/19/2023**
Expiration Date	**6/29/2024**

Development Permit

Physical Address 1307 Robin Trail
Lago Vista, TX, 78645

Jurisdiction Notes

Contact Information

Owner	Applicant	Contractor
Robert C Sampson, Maysa Ribeiro Do Nascimento Po box 5532, Lago Vixta, Tx, 78645 346-397-0205	Oceanfront Realty, LLC. Daniel Orozco 6745 Calhoun Rd, Houston, TX, 77021	Oceanfront Realty, LLC. Daniel Orozco 6745 Calhoun Rd Houston TX 77021
Work Phone / Home Phone / Cell Phone	Work Phone / Home Phone / Cell Phone 7133841700	Work Phone / Home Phone / Cell Phone (713)384-1700

Conditions & Restrictions

No Condtions or Restrictions

Zone:

Total Sq. Footage:	0.00	**Contract Value:**	$0.00
Project Total:	$56886.03	**Amount Paid:**	$9,371.03
Balance Due:	$47,515.00		

Type: Residential Plumbing (Single Family) (1770),Residential Mechanical (Single Family) (1774),Residential Electrical (Single Family) (1781),Residential Water Deposit (3340),Construction Admin. Fee (15776),Sewer Extension (Manual Entry) (17358),Short Service (21273),Short Service (21273),Building Permit - Street Repair (30651),Building Permit Fee (30652),Residential Plan Review (30663),Tree Mitigation (32567),2022 Water Service Impact Fee (45316),Roadway Impact Fee (46306),2022 Sewer Service Impact Fee (47261),Sheathing (52211),Stucco Lathe (52212)

Payments

Received Date	Payment ID	Payment Type	Ref. Number	Amount	Description

Elevation Certificate Reference #:	48453CO195
The First Floor Elevation is:	723'
The Base Flood elevation lies in:	722'
Flood Zone:	AE

Project Signatures

Signature:	Daniel Orozco	**Signature:**	
Applicant:	Daniel Orozco	**Officer:**	
Signature:	Daniel Orozco	**Building Official:**	
Contractor:	Oceanfront Realty, LLC.	**Official Name:**	Carl Phinney

City of Lago Vista
5803 Thunderbird Dr
Lago Vista TX 78645

Project Number	**10928**
Project Date	**4/19/2023**
Expiration Date	**6/29/2024**

Development Permit

Physical Address 1307 Robin Trail
Lago Vista, TX, 78645

Jurisdiction Notes

Contact Information

Owner	Applicant	Contractor
,	Oceanfront Realty, LLC. Daniel Orozco 6745 Calhoun Rd, Houston, TX, 77021	,
Work Phone Home Phone Cell Phone	Work Phone Home Phone Cell Phone 7133841700	Work Phone Home Phone Cell Phone

Conditions & Restrictions

No Condtions or Restrictions

Zone:

Total Sq. Footage:	0.00	**Contract Value:**	$0.00
Project Total:	$56886.03	**Amount Paid:**	$56886.03
Balance Due:	$0.00		

Type: Residential Plumbing (Single Family) (1770),Residential Mechanical (Single Family) (1774),Residential Electrical (Single Family) (1781),Building Permit - Street Repair (30651),Short Service (21273),Short Service (21273),Sewer Extension (Manual Entry) (17358),Construction Admin. Fee (15776),Residential Water Deposit (3340),Residential Plan Review (30663),Building Permit Fee (30652),Roadway Impact Fee (46306),Sheathing (52211),Stucco Lathe (52212),Tree Mitigation (32567),2022 Sewer Service Impact Fee (47261),2022 Water Service Impact Fee (45316)

Payments

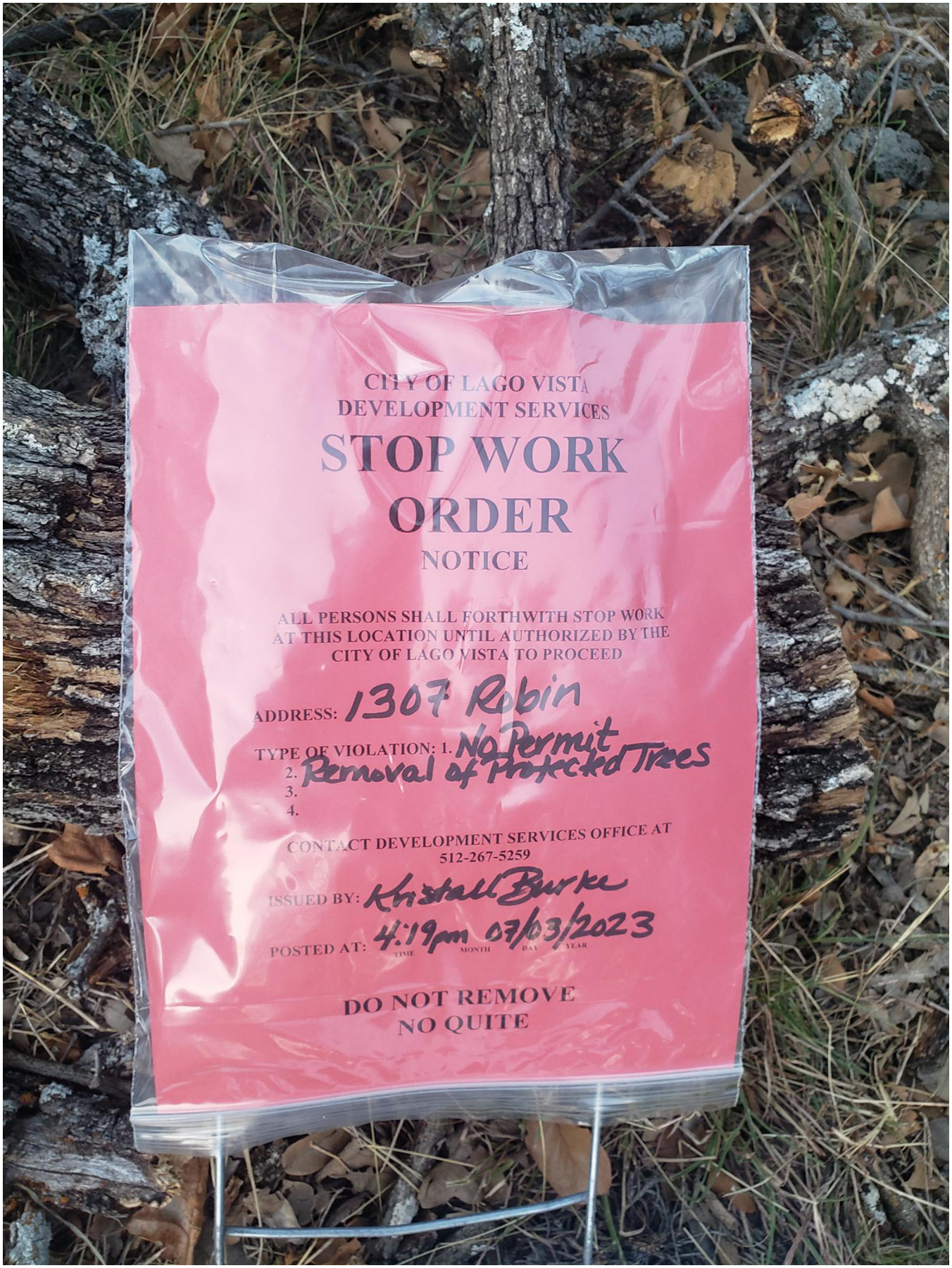
Received Date	Payment ID	Payment Type	Ref. Number	Amount	Description
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$200.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
11/14/23	12940777	Online	Paid by Owner via CC on 7/2/23	$2336.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
11/14/23	12940777	Online	Paid by Owner via CC on 7/2/23	$4672.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$100.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$100.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$100.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees

07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$1713.03	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$75.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
07/12/23	12742732	Charge	Paid by Owner via CC on 7/2/23	$75.00	Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
11/14/23	12940783	Online		$10000.00	
11/15/23	12941732	Check	19001247	$2630.00	ck#19001247
11/15/23	12941732	Check	19001247	$3486.00	ck#19001247
11/15/23	12941732	Check	19001247	$3000.00	ck#19001247
11/15/23	12941732	Check	19001247	$3000.00	ck#19001247
11/15/23	12941732	Check	19001247	$17420.00	ck#19001247
11/15/23	12941732	Check	19001247	$871.00	ck#19001247
11/15/23	12941735	Check		$100.00	ck#111

Elevation Certificate Reference #:	
The First Floor Elevation is:	
The Base Flood elevation lies in:	
Flood Zone:	

Project Signatures

Signature:		**Signature:**	
Applicant:	Daniel Orozco	**Officer:**	
Signature:		**Development Director:**	
Contractor:		**Official Name:**	Roy Jambor


CITY OF LAGO VISTA
DEVELOPMENT SERVICES
STOP WORK
ORDER
NOTICE
ALL PERSONS SHALL FORTHWITH STOP WORK
AT THIS LOCATION UNTIL AUTHORIZED BY THE
CITY OF LAGO VISTA TO PROCEED
ADDRESS: 1307 Robin
TYPE OF VIOLATION: 1. No Permit
2. Removal of Protected Trees
3.
4.
CONTACT DEVELOPMENT SERVICES OFFICE AT
512-267-5259
ISSUED BY: Kristall Burke
POSTED AT: 4:19pm 07/03/2023
TIME MONTH DAY YEAR
DO NOT REMOVE
NO QUITE

April 18, 2024 City Council Meeting

Tree Replacement Fee Waiver Request

1307 Robin Trail (Single Family Residence Permit 10928)

Development Services Department Response

STAFF REPLY

As can be seen in the formal request from the property owner, the Development Services Department was copied on that correspondence. We were subsequently asked to reply to that information. Moreover, the substance of that request is ostensibly identical to the information provided to the staff by the prosecutor (Mr. Gunnar Seaquist). He received that information from the property owner's contractor as an alleged defense to the civil and criminal charges that resulted in a citation for the associated violations of the tree preservation ordinance provisions found in Chapter 14 and Appendix A of the Lago Vista Code of Ordinances. The relevant ordinance provisions are included in this packet with all potentially significant language highlighted for the convenience of the City Council.

That staff response resulted in a subsequent guilty plea by the defendant (Oceanfront Realty, LLC of Houston) and the request for a trial was withdrawn before the scheduled date following that guilty plea. In the interest of brevity, we will endeavor to summarize the much lengthier original response provided to the prosecutor related to these same allegations.

- The information submitted by the property owner alternatively refers to the amount as a fee (which is correct) and a penalty or fine, which was in fact imposed (outside of anything associated with the municipal court proceedings). Although the ordinance provides for the fee to be doubled when a tree is removed without prior approval through a permit, the violation was so extensive that the $10,000 maximum was reached without the assessment of any such "penalty" or "fine." The fee paid was instead exactly what would have been required if no violation had occurred and the applicant instead accurately identified the trees that were removed.
- Along those lines, the request also asserts that the trees that were removed were the ones that were identified in the "landscape plan with my permit application." In fact, (as explained in the notice of violation issued by the former Code Enforcement Official on July 5, 2023 (prior to the issuance of any permit or payment of any permit fees), the plan review that was finally successful (after several failed prior attempts, many of which involved inaccurate acknowledgement of the required tree replacement obligation) suggested that a total of 38 caliper-inches of protected trees would be removed. Instead, 91 caliper-inches of protected trees were removed.
- The property owner implies that reason additional trees might have been removed was a report by a "certified arborist" that trees suffered from "severe core rot, necessitating their removal for safety reasons." Although that report was not provided, the staff has received a copy and included it in this packet. First note that there is no state certification of arborists in Texas. What this individual possesses is a certification from the ISA (the International Society of Arboriculture) for what he himself describes as being a "sales arborist," a phrase commonly used to refer to someone that sells tree maintenance services. The prerequisite for obtaining this credential is any two-year associates degree with a least two courses related to arboriculture and two years experience working in the field. The ISA also does not use the term "sales arborist."
- Perhaps most importantly it should be noted that the report was dated September 22, 2023, based on observations completed on September 21, 2023, more than two months after the Code Enforcement Official discovered the violation and photographed the same trees. There is an appreciable difference between the appearance of those same trees

in the photographs in that report and those taken by the Code Enforcement Official that we have included in the packet (and that incorporate a date and time stamp).

- In addition to the far more advanced state of “heart wood rot” (a fungus that will spread rapidly when exposed to air and moisture), it should also be noted that photographs taken by the Code Enforcement Official already document the results of beetle infestation. That infestation could only have occurred well after the trees were cut and had been lying on the ground long enough to suffer moisture damage sufficient to attract wood-boring beetles. The Development Services Department staff is well acquainted with the results of beetle infestation in wood buildings following severe water damage.
- The property owner erroneously asserts that “forgiveness than permission” is part of our ordinance. Instead, our procedures are quite clear that only diseases that are identified at the time of the tree survey (a dated copy is included in the packet that makes no mention of any observed disease) shall not yield a replacement obligation. Moreover, only contagious diseases such as oak wilt exempted from that requirement and even then the ordinance provides the authority for certification in advance of such action. For other requests involving potentially diseased trees, even those not noted as possibly diseased as expected on the required tree survey certified by a registered professional land surveyor, we have the application form in the packet that is used to evaluate and approve such requests, often pursuant to a report from an arborist or registered landscape architect as the ordinance states. You will note that it specifically references that it is for the removal of protected trees independent of a “current or pending building permit application.”
- Let’s also carefully examine the nature of the observations of the “sales arborist” engaged by the property owner at least two months following receipt of the notice of violation and after the trees had been lying horizontally on the property for more than two months. As already mentioned, the beetle infestation clearly occurred after the trees were cut as evidenced by the pattern observable in the staff photographs but conspicuously missing from the “sale arborist” report. The allegations of “heart wood rot” involve a similar anomaly. The “advanced state of decay” clearly progressed after the trees were cut as can be seen by comparing the earlier photographs taken by the Code Enforcement Official with the much later photographs supplied by the “sale arborist.” Nonetheless, some limited evidence of “heart wood rot” can be seen in the earlier photographs also.
- As mentioned above, “heart wood rot” is a fungus. More importantly, it is seldom fatal as it is routinely discovered when trimming branches and leaves from an infected tree. Those branches can be removed and the cut treated (with paint) which effectively prevents any spreading of the fungus. Even if it exists in other portions of the tree, the bark effectively prevents it from spreading when not exposed to air and moisture. As a result, it is clearly not the type of contagion that is exempted by the local ordinance without prior approval of a subsequent removal. This assertion by the property owner is analogous to an attempt to defend a murder charge by noting that the autopsy revealed that the victim had heart disease that might have prematurely ended his life anyway.
- The property owner secondly asserts that the violations were the result of a “misunderstanding regarding the issuance of permit and subsequent fines.” The material submitted includes a “screenshot” from a vendor website that does not include enough detail to identify the information that was actually transmitted electronically to the applicant on that date (June 29, 2023) which was a few days before the notice of

violation, but undoubtedly well after the trees had been removed since the beetle infestation had already occurred. However, we have provided a copy of the actual document in the packet that this “screenshot” refers to. It is very clear that this document is instead an offer to complete the permit application process (including fee payments) and not a completed and approved permit that has not yet been signed by either the applicant or a representative of the City. We have marked relevant language for your convenience.

- Even the document that the property owner submits that includes the signature of his contractor and a representative of the City is misleading as it omits the very clear email message that was sent requesting the payment of all fees and the signing of that same document as a prerequisite to the issuance of that permit. The staff has provided a “screenshot” that shows that this request was transmitted on July 5, 2023 (after the notice of violation and the cutting of the protected trees that was more than double any of the varying submitted landscaping plans and tree mitigation agreements) requesting $56,586.03 in required fees. Coincidentally, that same “screenshot” sent on June 29, 2023, documents the date that the applicant was informed of the opportunity to proceed to pay fees and sign documents because the review was successfully completed. It of course did not contemplate the protected tree violation that had already occurred. We have also included a “screenshot” that shows it was provided to the staff and uploaded on July 17, 2023. Again, that was well after the notice of violation was issued.
- Several additional facts should be noted. The payment submitted by the applicant pursuant to the request for $56,586.03 was instead only $9,371.03. That is confirmed by the property owner in two separate documents submitted with this request. It clearly indicates that the full amount was not tendered until November 15, 2023. That is the actual effective date of this permit reflected in our records which is only shortly after the applicant completed the required contractor registration process. Nonetheless, the staff has provided a “screenshot” showing both the dates, the amounts and methods of all payments received to date, with the amount requested on June 29, 2023 confirmed as having not been until a check was provided on November 15, 2023.
- Moreover, the current assertion of a “miscommunication or oversight” is materially different than the claim made by the property owner to the former prosecutor, her assistant and the Development Services Department staff at the initial scheduled court date. The claim made on that occasion was that the ordinance was being misinterpreted by the same staff that helped draft it, before noting that nothing of this nature was in the Houston Code of Ordinances. Nonetheless, the only thing that the current fee assessment includes and that the waiver requests seeks to avoid is the same maximum tree replacement obligation of $10,000 that would have resulted if the permit had been approved with those same trees indicated for removal. It is also less than half of what would have been required in the absence of that maximum replacement fee, which was not included in the original version of that ordinance. As such, the staff can find no rational basis for the request that is not tantamount to a repeal of the ordinance to cure a violation that has already resulted in a guilty plea.

Mayor
Ed Tidwell

Mayor Pro-Tem
Paul Prince

CITY OF LAGO VISTA TEXAS

Council Members
Gage Hunt
Rob Durbin
Chelaine Marion
Paul Roberts
Kevin Sullivan

July 5, 2023

CERTIFIED MAIL 7021 2720 0002 5651 3906 SENT
RETURN RECEIPT REQUESTED

Oceanfront Realty, LLC
Attn: Daniel Octavio Orozco
6745 Calhoun Rd.
Houston, TX 77021

Notice of Violation

RE: Ordinance violation @ 1307 Robin, Lago Vista, TX 78645

Dear Mr. Orozco,

The City of Lago Vista Development Services viewed on Monday, July 3, 2023 that protected trees were removed from this property. A Stop Work Order was posted onsite as the building permit for this project had not been issued. These actions are a violation of the Building and Zoining Ordinance for the City of Lago Vista.

BUILDING ORDINANCE

Sec 3.110 Permits And/Or Approvals
Permits shall only be obtained under the following rules and regulations.

(a) Work Requiring Approval and/or Permit.

1. **It is unlawful for any person or entity to erect, construct, enlarge, alter, perform repairs, move, improve, remove, convert, demolish any building, structure or mobile home, or to install plumbing, electrical, mechanical, or irrigation systems governed by the aforementioned codes or state statutes, without first obtaining a city permit. An owner may make minor improvements and repairs on any structure without a permit provided such improvements and repairs are not regulated by this section or other ordinances and/or building codes. An owner planning such improvements and/or repairs shall first contact the city to determine in each instance whether or not a permit is required. The city manager, the building official, a building**

inspector or their designee shall have the right to inspect all such improvements and/or repairs.

(j) Permit Fees. The city manager or his/her designee may, in writing, suspend or revoke a permit used under the provisions of this section whenever the permit is issued in error, or on the basis of incorrect information or for violations of the provisions of this article or any other city ordinance.

1. The city has established fees to cover the costs of applications, plan review, inspections and other expenses incurred by the city in the administration of this article. Where work, for which a permit is required by this article, is commenced prior to obtaining a required permit, the fees specified shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this article in the execution of the work nor from any other penalties prescribed herein. The applicant will be required to comply with all ordinances.

ZONING ORDINANCE

Section 20 Tree Preservation And Landscaping Requirements

"Protected Tree" shall mean any tree, except an ashe juniper with a main trunk diameter of ten (10) inches or larger measured at forty (40) inches above ground.

(c) Removal of protected trees. Permit required.

(1) No person shall remove or cause the removal of any protected trees without first securing a separate permit or a construction permit that includes the removal of such tree or trees except as follows:
(A) within the "allowable building area" as noted in subsection (e)(7) below, and
(B) as provided for in subsection (m) below.

(e) (7) If it is not possible or feasible to provide for the replacement of the total number of inches of protected trees to be removed, the owner or controlling agent of the property shall pay a fee to the City of Lago Vista in lieu of tree replacement in accordance with Appendix A, Fee Exhibit "A" (3)
Schedule. Any such fees collected by the City shall be placed in a special fund and the use of these funds shall be restricted for the planting of trees on City property or other areas as determined by the City Council.

(n) Failure to Comply.
(1) Failure to obtain a permit prior to the removal of a protected tree will result in a permit fee which is double the fee per caliper inch as the fee established in the Fee Ordinance for the City.

FEE ORDINANCE

ARTICLE 7.000 ZONING AND ANNEXATION FEES

(j.) Protected tree replacement fee: $250.00 per inch, with a maximum of $10,000 for one or two-family residential properties.

Personnel from the City of Lago Vista found five protected trees that were cut down without a permit. The tree numbers were taken from the tree survey you submitted with the building application.

Tag # 1 – Post Oak -19”

Tag # 4 – Elm -15.5”

Tag # 6 – Post Oak -22.5”

Tag # 7 – Live Oak -13”

Tag #9 – Live Oak -21.5”

A total of 91.5” of protected trees were removed from this property. The tree mitigation you submitted for your building project indicated 38” of trees would be replaced but no financial mitigation was entered for the difference in tree removal. The maximum tree mitagation fee of $10,000 has been added to the building project and is due to the City for the protected tree removal.

For your information, the City of Lago Vista Code of Ordinances are available online on the City of Lago Vista website, www.lagovistatexas.gov.

As a result of the unlawful removal of these protected trees without a permit, citations CE-011003, CE-011004 and CE-011005 will be issued to you for the violations.

Your initial appearance before the Lago Vista Municipal Court is set for August 8, 2023 at 9:00 AM. If you have any questions regarding your court date, please contact our municipal court clerks office at 512-267-9419.

If you wish to discuss this matter, please feel free to contact this office at 512-527-3539. We will be more than happy to work with you in order to achieve compliance, and we thank you in advance for your assistance and cooperation.

Best regards,

Kristall Burke
City of Lago Vista
Code Enforcement Officer
kristall.burke@lagovistatexas.gov

Enclosures: Citations CE-011003
CE-011004
CE-011005

September 22, 2023

Chandler Sampson
Email chandlersampson@gmail.com
Phone 346-397-0205

Re: Tree Evaluation on property located at 1307 Robin Trail Lago Vista, TX 78645

To whom it may concern:

An evaluation of the recently taken down trees at the address 1307 Robin Trail Lago Vista, TX 78645 was performed on September 21, 2023. At the time of the evaluation, it was found that the trees that were taken down had heart wood rot and were in an advanced state of decay. Based on the included tree survey report for the lot, the trees identified as #1, #4, #6, #7, #8 (Post Oak, Elm, Post Oak, Live Oak, Elm respectively) were all showing advanced decay as well as Borer Beetle damage.

These trees needed to be removed to clear the property of potential hazards. Attached are photos showing the decay and damage to the trees upon inspection. (See included pictures)

Please let me know if any further information is needed regarding the state of these recently taken-down trees identified herein.

Philip Prukop
Monster Tree Service of Greater Austin
Sales Arborist
ISA Cert ID: TX-4735A
Email: pprukop@whymonster.com
Phone: 512-803-6461









BOUNDARY AND TREE SURVEY OF LOT 25, BLOCK C, EMERALD BEND, SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 36, PAGE 2, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

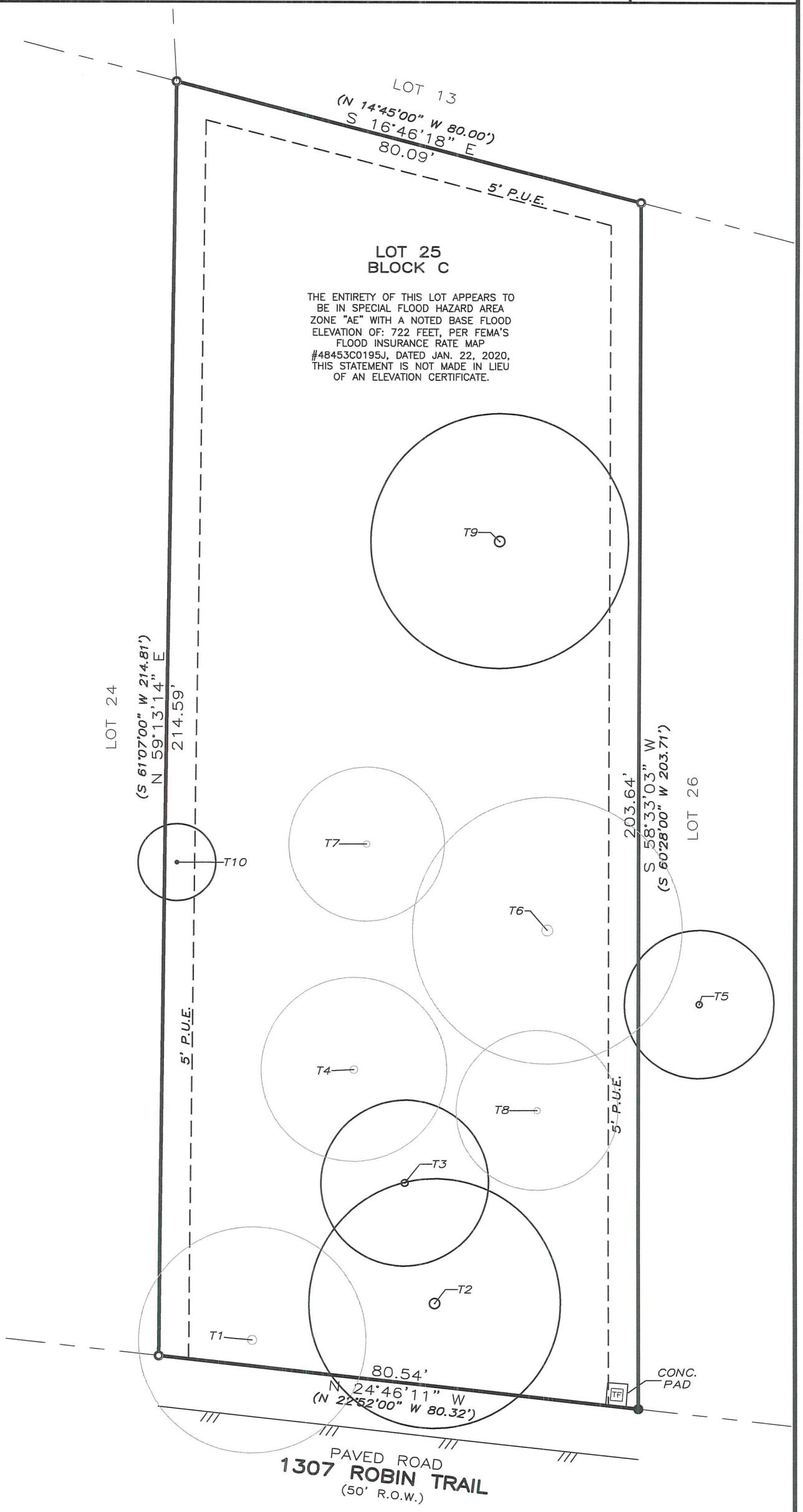
JOB NO: 211586
DRAWN: JRB
F.C.: CB/DR/LR

BOUNDARY & TREE SURVEY

UPDATED AUG. 16, 2023

Scale: 1" = 20'
BEARINGS CITED HEREON BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983, TEXAS CENTRAL ZONE.

TREE LIST			
TAG#	TYPE	CHARACTERISTICS	DIAMETER (INCHES)
1		REMOVED	
2	POST OAK	SINGLE	21
3	LIVE OAK	SINGLE	14
4		REMOVED	
5	ELM	SINGLE	12.5
6		REMOVED	
7		REMOVED	
8		REMOVED	
9	LIVE OAK	SINGLE	21.5
10	LIVE OAK	SINGLE	6.5



LEGEND	
●	1/2" IRON ROD FOUND WITH NO CAP (UNLESS OTHERWISE NOTED)
o	METAL PIPE FOUND
///	PAVEMENT
TF	TRANSFORMER
CONC.	CONCRETE
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY
( )	RECORD INFORMATION
P.R.T.C.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS

NOTES:
1) ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE PER THE PLAT OF RECORD - VOLUME 36, PAGE 2, P.R.T.C.

THE ENTIRETY OF THIS LOT APPEARS TO BE IN SPECIAL FLOOD HAZARD AREAS PER FEMA'S FLOOD INSURANCE RATE MAP #48453C0195J, DATED JAN. 22, 2020, THIS STATEMENT IS NOT MADE IN LIEU OF AN ELEVATION CERTIFICATE.

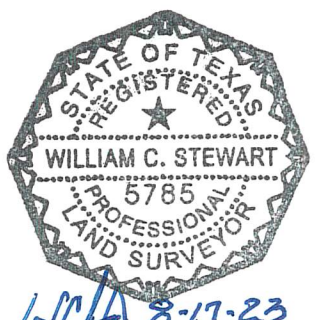
SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. OTHER EASEMENTS AND/OR RESTRICTIONS NOT SHOWN HEREON MAY AFFECT.

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF WILLIAMSON §

THAT SURVEYOR FOR TEXAS LAND SURVEYING, INC., HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

Texas Land Surveying, Inc.
-A Land Surveying Firm-
3613 Williams Drive, Suite 903 - Georgetown, Texas 78628
(512) 930-1600 www.texas-ls.com
TBPLS FIRM NO.10056200

IF THIS DOCUMENT DOES NOT CONTAIN THE STAMP AND SEAL OF THE UNDERSIGNED SURVEYOR, IT IS AN UNAUTHORIZED/ILLEGAL COPY. TEXAS LAND SURVEYING, INC. ASSUMES NO LIABILITY FROM THE USE OF ANY UNAUTHORIZED/ILLEGAL DOCUMENT.



8-17-23

Witness my hand and seal this the 16th Day of AUGUST, 2023 A.D.

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07.03.2022 03:57


07.03.2022 03:57


07.03.2022 03:57


07.03.2022 03:57


07.03.2022 03:59


07.03.2022 03:59


07.03.2022 04:00


07.03.2022 04:01


07.03.2022 04:01


07.03.2022 04:01


07.03.2022 04:02


07.03.2022 04:02


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07.03.2022 04:03


07.03.2022 04:03


07.03.2022 04:04


07.03.2022 04:04


07.03.2022 04:07


07.03.2022 04:07


07.03.2022 04:08


07.03.2022 04:09


07.03.2022 04:10


07.03.2022 04:21

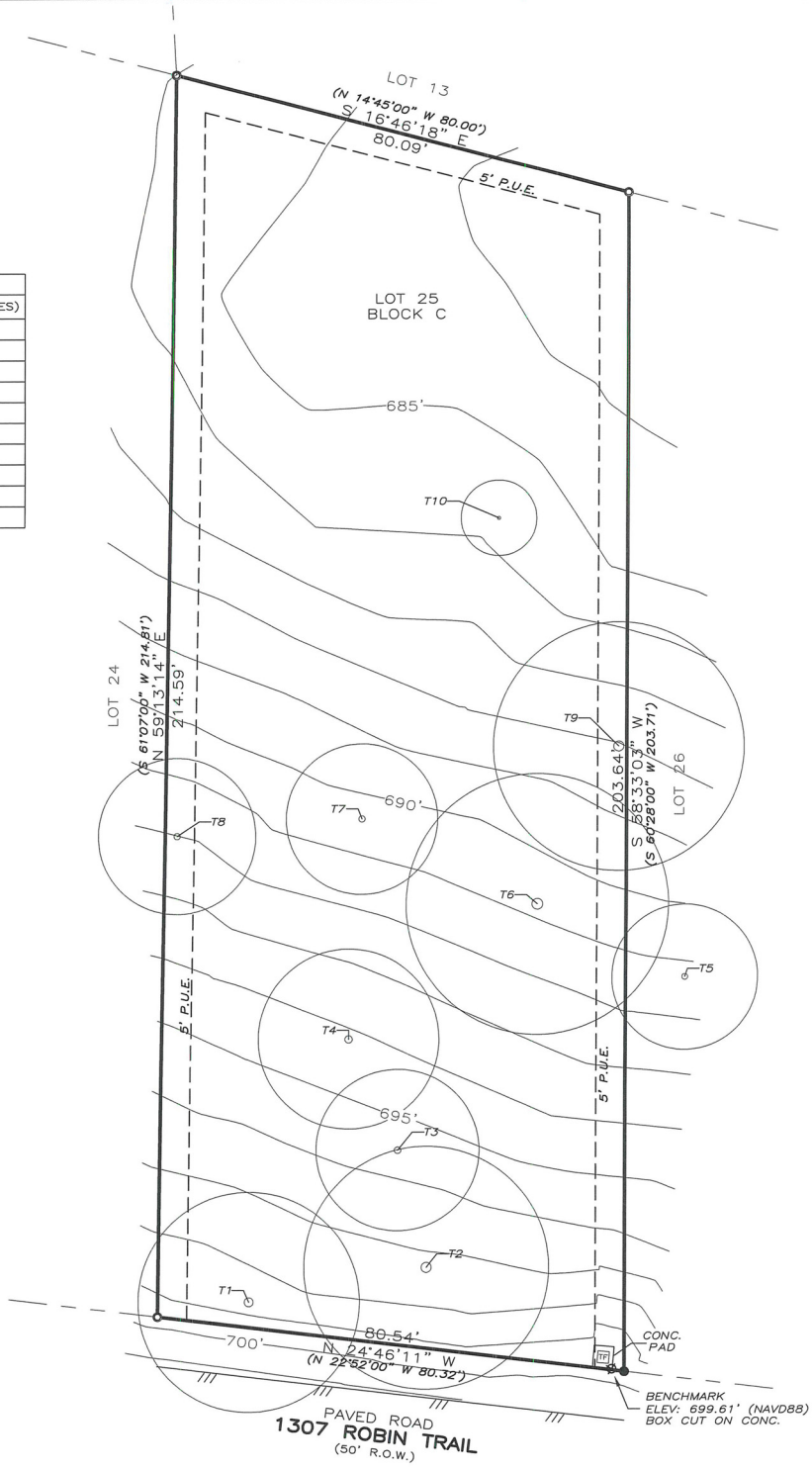

CITY OF LAGO VISTA
DEVELOPMENT SERVICES
STOP WORK
ORDER
NOTICE
ALL PERSONS SHALL FORTHWITH STOP WORK AT THIS LOCATION UNTIL AUTHORIZED BY THE CITY OF LAGO VISTA TO PROCEED
ADDRESS: 1307 Robin
TYPE OF VIOLATION: 1. No Permit
2. Removal of Protected Trees
3.
4.
CONTACT DEVELOPMENT SERVICES OFFICE AT 512-267-5259
ISSUED BY: Kristall Burke
POSTED AT: 4:19pm 07/03/2023
TIME MONTH DAY YEAR
DO NOT REMOVE
NO QUITE
07.03.2022 04:21

BOUNDARY, TOPOGRAPHY AND TREE SURVEY OF LOT 25, BLOCK C, EMERALD BEND, SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 36, PAGE 2, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

JOB NO:	211586
DRAWN:	JRB
F.C.:	CB/DR

Scale: 1" = 20'
BEARINGS CITED HEREON BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983, TEXAS CENTRAL ZONE.

TREE LIST			
TAG#	TYPE	CHARACTERISTICS	DIAMETER (INCHES)
1	POST OAK	SINGLE	19
2	POST OAK	SINGLE	21
3	LIVE OAK	SINGLE	14
4	ELM	SINGLE	15.5
5	ELM	SINGLE	12.5
6	POST OAK	SINGLE	22.5
7	LIVE OAK	SINGLE	13
8	ELM	SINGLE	13.5
9	LIVE OAK	SINGLE	21.5
10	LIVE OAK	SINGLE	6.5



LEGEND	
●	1/2" IRON ROD FOUND WITH NO CAP (UNLESS OTHERWISE NOTED)
o	METAL PIPE FOUND
///	PAVEMENT
TF	TRANSFORMER
CONC.	CONCRETE
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY
( )	RECORD INFORMATION
P.R.T.C.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS

NOTES:
1) ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE PER THE PLAT OF RECORD - VOLUME 36, PAGE 2, P.R.T.C.

CONTOUR LINES SHOWN ARE FROM A TOPOGRAPHICAL SURVEY PERFORMED OCTOBER 13, 2021 AND HAS NOT BEEN UPDATED OR ADJUSTED FOR THIS EXHIBIT.

SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. OTHER EASEMENTS AND/OR RESTRICTIONS NOT SHOWN HEREON MAY AFFECT.

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF WILLIAMSON §

THAT SURVEYOR FOR TEXAS LAND SURVEYING, INC., HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AND THAT SAID PROPERTY ADJOINS A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE ENTIRETY OF THIS LOT APPEARS TO BE IN SPECIAL FLOOD HAZARD AREAS PER FEMA'S FLOOD INSURANCE RATE MAP #48453C0195J, DATED JAN. 22, 2020. THIS STATEMENT IS NOT MADE IN LIEU OF AN ELEVATION CERTIFICATE.

Texas Land Surveying, Inc.
—A Land Surveying and Geoscience Firm—
3613 Williams Drive, Suite 903 — Georgetown, Texas 78628
(512) 930-1600/(512) 930-9389 fax www.texas-ls.com
TBPLS FIRM NO.10056200 GEOSCIENCE FIRM NO.50538

STATE OF TEXAS
REGISTERED
KENNETH LOUIS CRIDER
5624
PROFESSIONAL
LAND SURVEYOR

Witness my hand and seal this the 1st Day of DECEMBER, 2022 A.D.

IF THIS DOCUMENT DOES NOT CONTAIN THE RED STAMPED SEAL OF THE UNDERSIGNED SURVEYOR, IT IS AN UNAUTHORIZED/ILLEGAL COPY. TEXAS LAND SURVEYING, INC. ASSUMES NO LIABILITY FROM THE USE OF ANY UNAUTHORIZED/ILLEGAL DOCUMENT.

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LAGO VISTA
TEXAS

CITY OF LAGO VISTA
DEVELOPMENT SERVICES
P.O. BOX 4727
LAGO VISTA, TX 78645

Tel. (512) 267-5259 *Fax (512) 267-5265*

APPLICATION FOR PROTECTED TREE REMOVAL PERMIT

(independent of current or pending building permit application)

Date submitted: _____

Applicant's name: _____

Applicant's mailing address: _____

Subject property address: _____

Applicant's email: _____

Explain the nature or basis of the request (attach additional pages if necessary)

_____

_____

_____

_____

Applicant's signature **Date**

_____

Approval signature **Date**

Applicable approval conditions

_____

_____

Passed Plan Review Notification

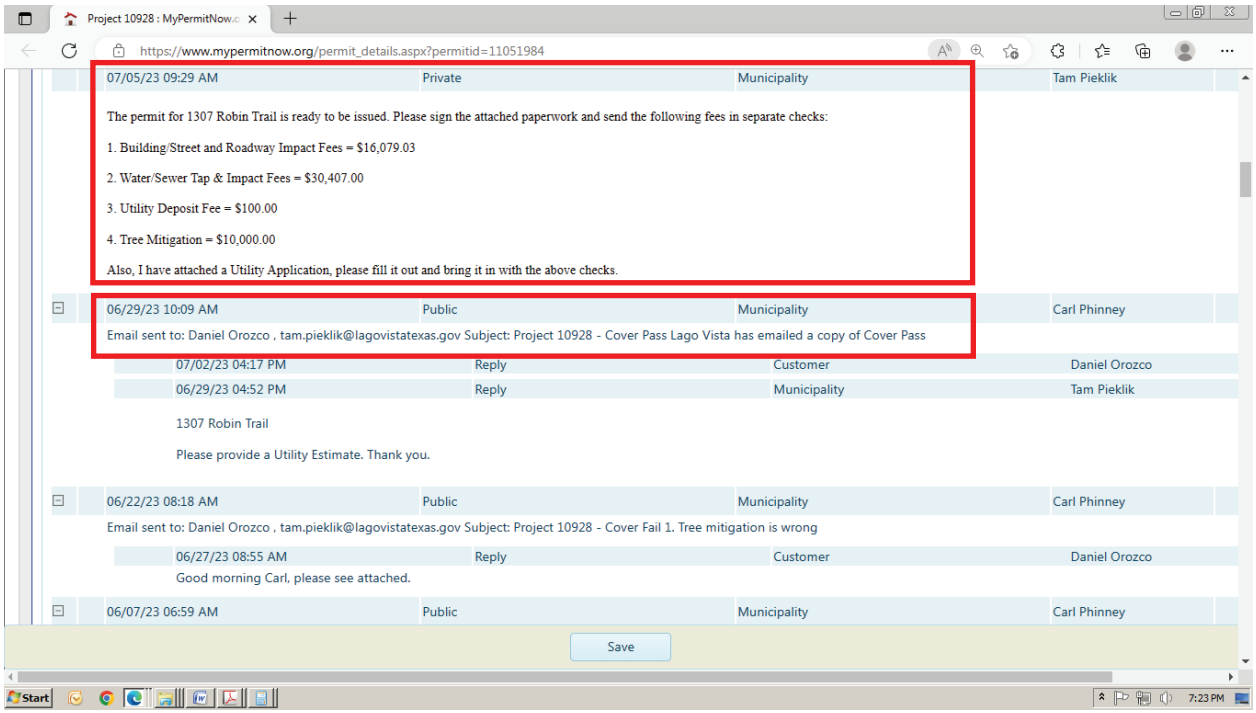
Dear Applicant,

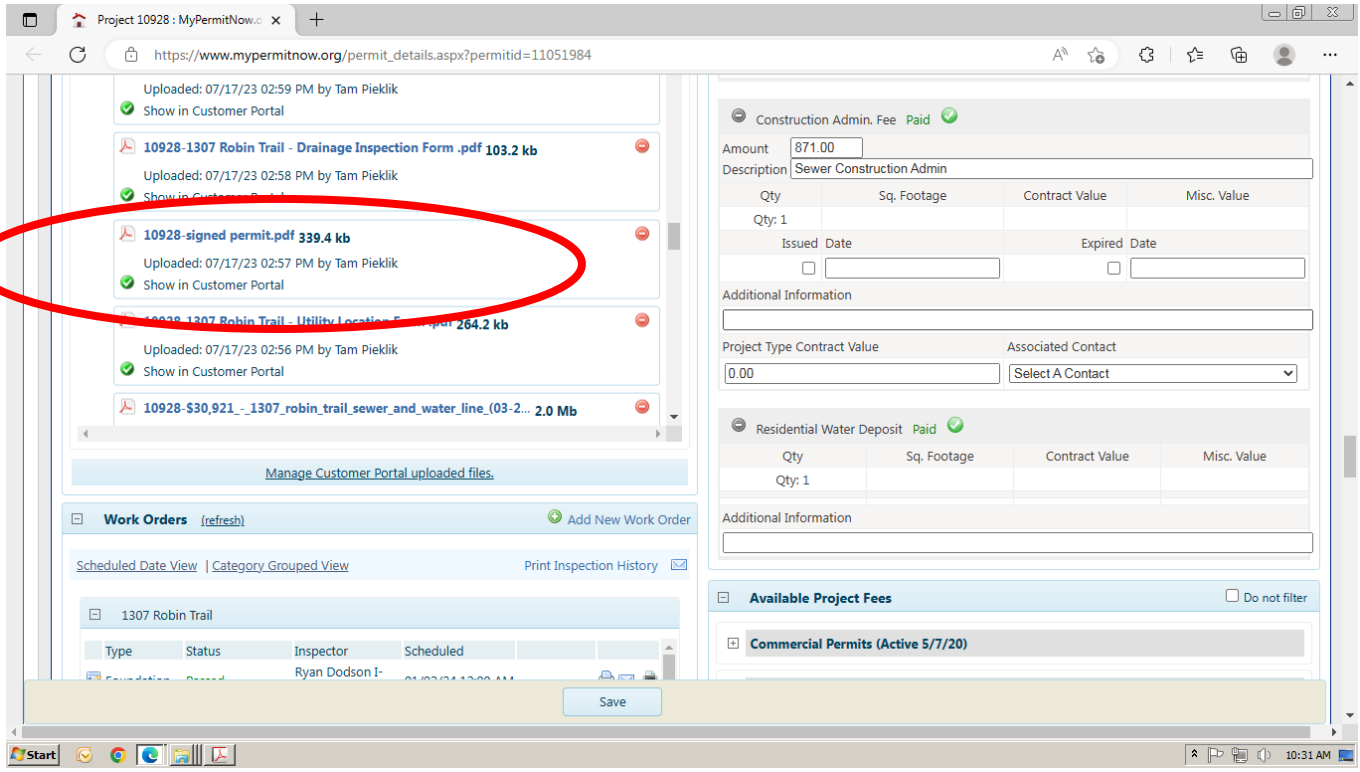
The Building Permit corresponding to this notification has been reviewed and accepted by the Building Official of Lago Vista or his approved representative and is ready to proceed forward. Please note you must adhere to all notes on the plan review document attached as well as all notes listed below. By proceeding forward, you agree to comply with all the Codes, Requirements, and Ordinances of the City of Lago Vista. Your permit is now being reviewed for final issuance by our Administrative Staff and will be available for download at www.mygovernmentonline.org, please read and follow the instructions below to create your online account to access your permit Note the City of Lago Vista requires Permit Holders to perform all the steps below through My permits Now.

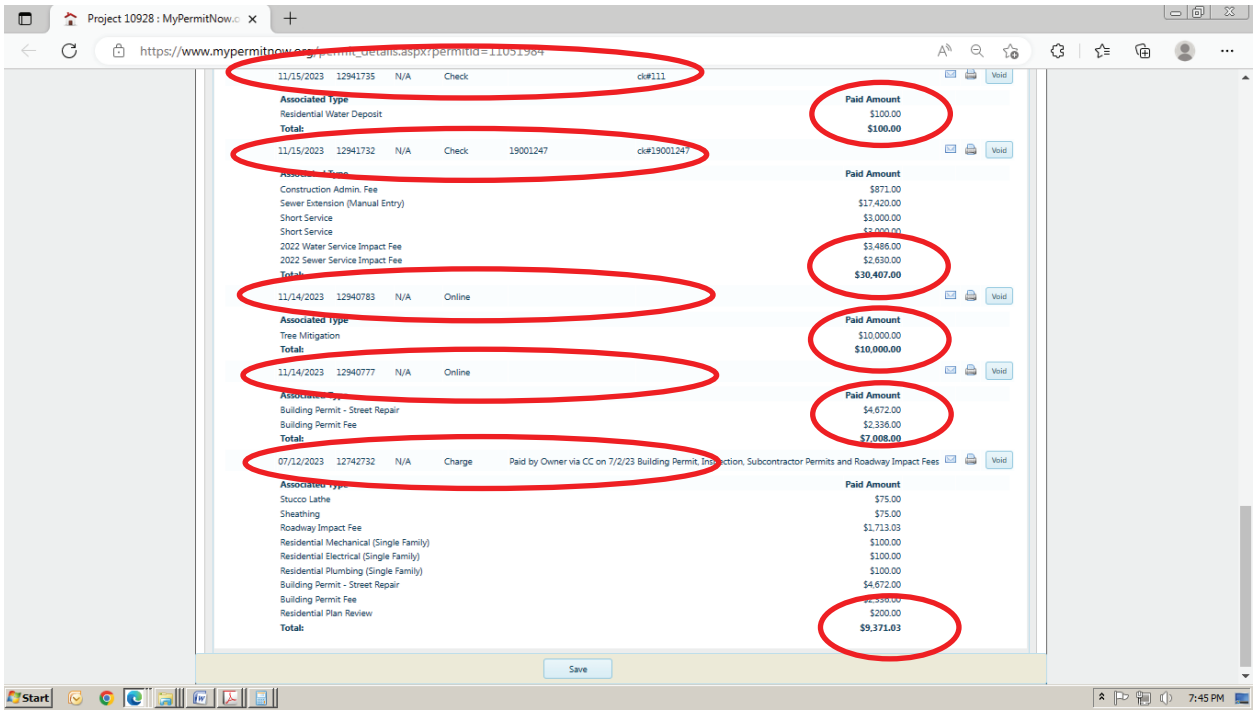
(1) Uploading all required documentation.
(2) Scheduling Inspections.
(3) Providing additional required information.
(4) Receiving return paperwork including Certificate of Occupancy.
(5) Pay Fees.

The City of Lago Vista will notify Applicants and permit holders when information is required but it is the Applicant/Permit Holders responsibility to provide that information to move forward.

By proceeding with this application you have agreed that all the laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. Electrical, Mechanical, Plumbing, and other Permits are to be obtained separate.


Project 10928 : MyPermitNow.c
https://www.mypermitnow.org/permit_details.aspx?permitid=11051984
07/05/23 09:29 AM Private Municipality Tam Pieklik
The permit for 1307 Robin Trail is ready to be issued. Please sign the attached paperwork and send the following fees in separate checks:
1. Building/Street and Roadway Impact Fees = $16,079.03
2. Water/Sewer Tap & Impact Fees = $30,407.00
3. Utility Deposit Fee = $100.00
4. Tree Mitigation = $10,000.00
Also, I have attached a Utility Application, please fill it out and bring it in with the above checks.
06/29/23 10:09 AM Public Municipality Carl Phinney
Email sent to: Daniel Orozco , tam.pieklik@lagovistatexas.gov Subject: Project 10928 - Cover Pass Lago Vista has emailed a copy of Cover Pass
07/02/23 04:17 PM Reply Customer Daniel Orozco
06/29/23 04:52 PM Reply Municipality Tam Pieklik
1307 Robin Trail
Please provide a Utility Estimate. Thank you.
06/22/23 08:18 AM Public Municipality Carl Phinney
Email sent to: Daniel Orozco , tam.pieklik@lagovistatexas.gov Subject: Project 10928 - Cover Fail 1. Tree mitigation is wrong
06/27/23 08:55 AM Reply Customer Daniel Orozco
Good morning Carl, please see attached.
06/07/23 06:59 AM Public Municipality Carl Phinney
Save
Start
7:23 PM


Project 10928 : MyPermitNow.c
https://www.mypermitnow.org/permit_details.aspx?permitid=11051984
Uploaded: 07/17/23 02:59 PM by Tam Pieklik
Show in Customer Portal
10928-1307 Robin Trail - Drainage Inspection Form .pdf 103.2 kb
Uploaded: 07/17/23 02:58 PM by Tam Pieklik
10928-signed permit.pdf 339.4 kb
Uploaded: 07/17/23 02:57 PM by Tam Pieklik
Show in Customer Portal
264.2 kb
Uploaded: 07/17/23 02:56 PM by Tam Pieklik
Show in Customer Portal
10928-$30,921_-_1307_robin_trail_sewer_and_water_line_(03-2... 2.0 Mb
Manage Customer Portal uploaded files.
Work Orders (refresh)
Add New Work Order
Scheduled Date View | Category Grouped View
Print Inspection History
1307 Robin Trail
Type
Status
Inspector
Scheduled
Ryan Dodson I-
Construction Admin. Fee Paid
Amount 871.00
Description Sewer Construction Admin
Qty
Sq. Footage
Contract Value
Misc. Value
Qty: 1
Issued Date
Expired Date
Additional Information
Project Type Contract Value
Associated Contact
0.00
Select A Contact
Residential Water Deposit Paid
Qty
Sq. Footage
Contract Value
Misc. Value
Qty: 1
Additional Information
Available Project Fees
Do not filter
Commercial Permits (Active 5/7/20)
Save
Start
10:31 AM


Project 10928 : MyPermitNow.c
11/15/2023 12941735 N/A Check ck#111
Associated Type Paid Amount
Residential Water Deposit $100.00
Total: $100.00
11/15/2023 12941732 N/A Check 19001247 ck#19001247
Paid Amount
Construction Admin. Fee $871.00
Sewer Extension (Manual Entry) $17,420.00
Short Service $3,000.00
Short Service
2022 Water Service Impact Fee $3,486.00
2022 Sewer Service Impact Fee $2,630.00
$30,407.00
11/14/2023 12940783 N/A Online
Associated Type Paid Amount
Tree Mitigation $10,000.00
Total: $10,000.00
11/14/2023 12940777 N/A Online
Paid Amount
Building Permit - Street Repair $4,672.00
Building Permit Fee $2,336.00
Total: $7,008.00
07/12/2023 12742732 N/A Charge Paid by Owner via CC on 7/2/23 Building Permit, Inspection, Subcontractor Permits and Roadway Impact Fees
Paid Amount
Stucco Lathe $75.00
Sheathing $75.00
Roadway Impact Fee $1,713.03
Residential Mechanical (Single Family) $100.00
Residential Electrical (Single Family) $100.00
Residential Plumbing (Single Family) $100.00
Building Permit - Street Repair $4,672.00
Building Permit Fee
Residential Plan Review $200.00
Total: $9,371.03
Void
Save
Start
7:45 PM

April 18, 2024 City Council Meeting

Tree Replacement Fee Waiver Request

1307 Robin Trail (Single Family Residence Permit 10928)

Relevant Ordinance Provisions

CHAPTER 14

ZONING

*****

Section 20 Tree Preservation And Landscaping Requirements

(a) Definitions. The following definitions shall apply to this section:

"Allowable Building Area" shall mean the area below and extending thirteen (13) feet beyond the building foundation, including any patios or porches.

"Clear cutting" shall mean the removal of substantially all trees from any property by any means other than a flood, tornado or other natural disaster.

"Native Tree" means any Live Oak, Spanish Oak, Cedar Elm, Shin Oak, Bald Cypress, Post Oak, Pecan, Bur Oak or other such tree indigenous to Central Texas.

"Permeable Surface" shall mean any ground surface that allows for the absorption of water and is not covered by a structure or materials that would prevent the absorption of water.

"Protected Tree" shall mean any tree, except an ashe juniper with a main trunk diameter of ten (10) inches or larger measured at forty (40) inches above ground.

"Shrub" shall mean a self-supporting perennial plant which has leaves.

"Small Native Tree" means Texas Madrone, Black Cherry, Texas Mountain Laurel, Evergreen Sumac, Mexican Buckeye, Flameleaf Sumac, or Texas Persimmon.

"Tree" shall mean any self-supporting woody perennial plant which has a trunk and branches. It may appear to have several stems or trunks as in several varieties of oak and ashe juniper. A tree has a more or less definitely formed crown, usually attaining a mature height of at least eight (8) feet.

"Tree Survey" shall mean a diagram or drawing, prepared by a registered professional land surveyor unless specifically exempted below, which accurately depicts the location and approximate size of all protected trees on a lot and shall include a legend that identifies and differentiates protected trees to be removed and those to be retained.

"Yard Area" shall mean the front, side and rear-yard areas as required under the zoning ordinance and the zoning district requirements applicable thereto.

(b) Clear cutting of trees and replacement of trees. Clear cutting of all trees from any property shall be restricted based upon the requirements of this section.

(c) Removal of protected trees. Permit required.

(1) No person shall remove or cause the removal of any protected trees without first securing a separate permit or a construction permit that includes the removal of such tree or trees except as follows:

(A) within the "allowable building area" as noted in subsection (e)(4)(A) below, and

(B) as provided for in subsection (m) below.

(2) All permits that include the removal and/or replacement of a protected tree or trees shall be issued by the City of Lago Vista through its Development Services Department. The City staff, Planning and Zoning Commission and the City Council may consider tree removal and replacement as an element of any application for development approval over which they have authority.

(3) Applications for the tree removal and/or replacement permit that are distinct from other construction permit applications must be made in the format designated by the City and shall be signed by the owner of the affected property or their designated representative. All tree removal and/or replacement permit applications shall include a current tree survey depicting the location of all protected trees on the property on which the tree or trees to be removed are located. Subject to prior written documentation from the Development Services Department verifying the size of no more than three protected trees proposed for removal, a registered professional land surveyor shall not be required to certify the required tree survey. The fees charged for the issuance of the permit and the removal and/or replacement of protected trees shall be established by the Lago Vista City Council through its Fee Ordinance.

(4) The approval of a site development plan or building permit for a particular tract of property may serve as the Protected Tree Removal Permit so long as the required tree survey is included along with the site development plan or the building permit application and the removal of specific protected trees is appropriately identified. All removal and/or replace fees shall be paid prior to the issuance of either a temporary or permanent certificate of occupancy.

(5) A Protected Tree Removal Permit may include authorization for the removal of one or more protected trees on a particular lot.

(6) A Protected Tree Removal Permit shall not be required in those instances in which the City of Lago Vista has determined that removal of the protected tree is necessary in order to prevent the spread of Oak Wilt or other disease in accordance with Subsection (m)(1) below, and/or to eliminate a hazard to public health or safety as deemed necessary by any federal, state or local authority.

(7) The permit authority may approve the tree removal, deny the removal, approve removal with replacement, require a fee for removal in accordance with subsection (e)(6) below, or any combination thereof.

(d) Nonpoint Pollution Permit Required. In any case of tree removal involving the disturbance of soil, such as with the use of heavy equipment, stump removal, or removal/clearing of ground cover, a nonpoint source pollution permit in accordance with the Highland Lakes Watershed Ordinance adopted by the City is required.

(e) Replacement of Protected Trees Required.

(1) Every effort shall be made to allow for as many protected trees, native trees and small native trees to remain on the property as possible. During the building design phase, courtyards, alcoves, and innovative shapes shall be considered. Winding sidewalks and driveways shall also be employed to preserve protected trees when possible. Parking lots shall be designed to incorporate and preserve as many protected trees as possible. Patios and decks shall be designed and located to avoid protected trees.

(2) Any person removing or causing the removal of a protected tree or trees from any property within the City of Lago Vista without a permit issued in accordance with this chapter shall be required to provide for the replacement of the protected trees or otherwise comply with the provisions of this section.

(3) Selection of replacement trees shall include trees listed in subsection (k) of this section and shall be a minimum of two (2) inches caliper measured forty (40) inches above ground level.

(4) The cumulative total caliper inches of replacement trees shall be required to meet or exceed the cumulative total caliper inches of any and all protected trees removed from a tract or property as follows:

(A) Caliper inches of protected trees in the allowable building area shall be replaced or assessed fees at a ratio of 1:1;

(B) Caliper inches of protected trees between 10 inches and 36 inches in diameter measured at forty inches above the ground shall be replaced or assessed fees at a ratio of 1.5:1, reduced to 1:1 if minimum 3-inch caliper replacements trees are provided; and

(C) Caliper inches of protected trees larger than 36 inches in diameter measured at forty inches above the ground shall be replaced or assessed fees at a ratio of 2:1, reduced to 1.5:1 if minimum 3-inch caliper replacement trees are provided.

(5) The placement of replacement trees shall not be allowed within any public utility or drainage easements, natural drainage ways or in any location which limits site distances for vehicular traffic along roadways, rights-of-way, or driveway/roadway intersections.

(6) Replacement trees for nonresidential and multifamily development shall be located as follows:

(A) within a buffer area between the development and one- or two-family zoned property or residences;

(B) in an area between parking lots and a street;

(C) in an area between building(s) and a street; and/or

(D) within parking lots.

(7) If it is not possible or feasible to provide for the replacement of the total number of inches of protected trees to be removed, the owner or controlling agent of the property shall pay a fee to the City of Lago Vista in lieu of tree replacement in accordance with Appendix A, Fee Schedule. Any such fees collected by the City shall be placed in a special fund and the use of these funds shall be restricted for the planting of trees or other greenery, for development or improvements of trails, or for development or improvement of pocket parks as determined by the City Council.

(8) In addition to the required tree survey, all protected trees to be removed shall be depicted on the site plan for the project, including those in the allowable building area. The fee for any removed protected tree that can be detected on aerial or other available imagery, but not documented on the required tree survey shall be assessed as if 36 caliper inches, measured 40 inches above the ground.

(f) Multifamily and Nonresidential Development. All multifamily and nonresidential developments within the City are required to submit a Landscape Plan as part of the Site Development Plan and Design Review required for obtaining a permit. While the City encourages the use of native vegetation, xeriscaping and other forms of landscaping to promote water conservation and to retain the natural appearance of the community, all landscape plans and the resulting landscape shall meet the minimum standards of this section.

(1) Landscaping in multifamily and non-residential areas shall be in compliance with the landscape plan approved by the City of Lago Vista and in accordance with this section.

(2) Areas of permeable surface, except the areas of retention and/or detention ponds, shall be landscaped with areas designated as lawn, rock garden or plant bedding area. All such area shall have sufficient topsoil to support indicated plant life and comply with the erosion control requirements within Chapter 3. The City encourages the use of grasses such as buffalo grass to promote water conservation. Areas designated plant bedding shall have sufficient topsoil and other required materials to support the scheduled plants. The landscaped areas shall be separated from parking and other paved areas by concrete, stone or brick curbing.

(3) A minimum number of trees and their location shall be according to the following:

(A) Within parking lots: One shade (not ornamental) tree for every eight parking spaces. Trees may be clustered and uniform planting is not required.

(B) Within areas between a parking lot and a street: One tree for every 40 linear feet of street. Planted trees shall be at least 20 feet from another tree. Trees under existing power lines shall be ornamental trees.

(C) Within residential buffers: Where the development adjoins land used or zoned for one- or two-family development: one shade (not ornamental) tree for every 25 linear feet uniformly spaced.

(D) Planted trees shall be in planting area of at least 64 square feet and no dimension shall be less than eight feet.

(4) Trees required by this section shall be a minimum caliper of two (2) inches measured forty (40) inches from the ground and six (6) feet in height when planted, and shall be one of the species listed in subsection (k), or any other ornamental trees approved by the City.

(5) Retention and Detention Ponds. Exterior walls of retention and/or detention ponds above grade level shall be faced with stone, brick or similar decorative facing, or screening by planting of shrubbery or vines of a type suitable for this area, and as approved by the City.

(6) An owner shall maintain required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices. An owner who receives notification from the City that plants on site are dead, diseased or severely damaged shall remove the plants within sixty (60) days from receipt of such notification and

shall replace the plants within six (6) months after notification or within the next planting season whichever comes first. Any owner who is required to replace plants must use the same species and size of plants shown on the approved landscaping plan or equivalent quality and size.

(g) Landscaping in One- and Two-Family Residential Areas.

(1) Prior to the issuance of a Certificate of Occupancy, area of permeable surface within the boundaries of a one- or two-family residential property shall be landscaped with front and side areas designated as lawn, rock garden or plant bedding area. All such areas shall have sufficient topsoil to support indicated plant life and comply with the erosion control requirements within Chapter 3. The City encourages the use of grasses such as buffalo grass in order to promote water conservation. The areas designated plant bedding shall have sufficient topsoil and other required materials to support the provided plants. At least six (6) shrubs will be required to be located on the property preferably in the plant bedding area.

(2) A minimum number of trees per lot are required as provided in the following:

Lot Size	**Number of trees required**
1–8000 square feet	2
8,001–10,000 square feet	3
10,001–14,000 square feet	4
14,001–18,000 square feet	5
18,001 square feet or more	6

(3) An owner shall maintain:

(A) required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices;

(B) the required number of shrubs and trees; and

(C) required accessory building screening and landscaping.

(4) An owner who receives notification from the City that plants on site are dead, diseased or severely damaged or missing shall remove the plants within sixty (60) days from receipt of such notification and/or shall replace required plants within six (6) months after notification or within the next planting season whichever comes first. Any owner who is required to replace plants must use the same species and size of plants shown on the approved landscaping plan of equivalent quality and size.

(h) Alternative Landscape Plan. In lieu of meeting the requirements of this section, an applicant may submit an alternative landscape plan to the approving authority. The plan should be superior to what could be achieved from following the specifications of this section.

(i) Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy, properties will be inspected to ensure compliance with any approved landscape plan for the development and with this section. Failure to comply with the approved landscape plan and/or the provisions of this section may result in a denial of the Certificate of Occupancy by the City.

(j) Tree Protection During Construction and Tree Protection Zone.

(1) During any construction or land development, the developer or property owner shall take reasonable care to avoid damaging any trees that are to remain on the lot or site. The developer or property owner shall not allow any cleaning of equipment or tools nor the disposal of any waste material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc, under the canopy of any tree or groups of trees. Trees to remain after construction is complete should be protected from possible injury during construction. Tree protection measures shall be shown on the required landscape plan.

(2) For trees that are to be preserved, a root protection zone according to the following shall be established. The area of the root protection zone shall be at least an area with a radius of six inches for each inch of main trunk measured 40 inches above the ground. The area need not be uniform and can be at no point closer than five feet from the trunk. There shall be no disturbance in the root protection zone. The root protection zone of more than one tree may overlap. The maximum size of the root protection zone shall be 1,000 sq. ft.

(k) Preferred Trees. Replacement trees required by the provisions above and any new required trees to be planted shall be a minimum of two (2) inches caliper measured forty (40) inches from the ground and six (6) feet in height when planted, and shall be one of the following species of tree or any other ornamental trees approved by the City. Planting shall be completed in accordance with best practices established in the Tree Care Kit published by the Texas A&M AgriLife Extension Service and the Native Tree Growing Guide for Central Texas available from the City of Austin.

American Elm	American Smoketree	Bald Cypress
Big tooth Maple	Blanco crab apple (ornamental)	Bur Oak
Carolina Buckthorn	Cedar Elm	Chinese Flame
Chinese Pistachio	Chinquapin Oak	Crape Myrtle (ornamental)
Chitalpa	Deciduous Holly (ornamental)	Desert Willow (ornamental)
Elm	Flame leaf Sumac	Lacebark
Live Oak	Mexican Buckeye	Mexican Plum
Monterey Oak	Montezuma Cypress	Pecan
Rough Leaf Dogwood	Texas Persimmon	Texas Red Bud (ornamental)
Western Soapberry		

(l) Removal/Eradication of stumps required.

(1) In the event that any trees of any kind are cut on a lot, the owner of the lot or the owner's agent will be required to remove, grind or otherwise eradicate the stump of the cut trees in a manner in which the stump will not be noticeable from surrounding properties or the street right-of-way. Stump removal shall occur within 60 days of cutting.

(2) For purposes of this section, a stump will not be considered visible if the top of the stump does not exceed two (2) inches above the surface of the lot at location of the stump.

(3) Removal of one or more stumps from a lot through excavation or bulldozing will require the installation of temporary and permanent erosion and sedimentation controls as deemed necessary by the City of Lago Vista and compliant with the requirements within Chapter 3. Re-vegetation of any area disturbed by the removal of trees or stumps must be accomplished with sixty (60) days of the removal absent the express written permission of the permitting authority. Erosion and sedimentation controls must be maintained in an appropriate manner to ensure their effectiveness and aesthetic appearance until such time as new vegetation is permanently established in the disturbed area(s).

(m) Exceptions. The following shall be exemptions to this section.

(1) Trees certified as dead or diseased by an arborist or registered landscape architect at the time of a tree survey required by any permit shall not result in a replacement obligation under the provisions of this section. In addition, any or all trees on a property that are infested with a contagious disease, such as oak wilt, shall be promptly removed in accordance with the requirements of other chapters within the Lago Vista Code of Ordinances. When certified by an arborist or registered landscape architect, removal of trees with a contagious disease shall not result in a replacement obligation. However, any dead or dying tree not caused by a contagious disease but required as a result of permitted improvements shall be replaced as specified herein. The City may require certification by an arborist or licensed landscape architect to verify that a tree is dying.

(2) During the state of an emergency, as declared by the City, the requirements of this chapter may be temporarily waived for a period of time as may be deemed necessary by the City.

(3) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this chapter only in relation to those trees planted and growing on the premises of said licensee, which are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensee's business.

(4) Utility companies franchised by the City may not remove trees without a permit, except in emergency situations which endanger public safety and welfare by interfering with utility service that is contained within rights-of-way or easements.

(5) Fire department personnel actively engaged in fighting a fire may remove as many trees as necessary to aid in containment or suppression of the fire.

(6) Any lot which does not have, as of the effective date of this chapter, the minimum number of required trees or shrubs shall be exempt from any requirement to add trees or shrubs unless a building permit, design review or site development plan review is requested for that property. However, this exception shall not exempt a property owner from the requirement to replace dead or diseased trees under the provisions of (m)(1) above.

(n) Failure to Comply.

(1) Failure to obtain a permit prior to the removal of a protected tree will result in a permit fee which is double the fee per caliper inch as the fee established in the Fee Ordinance for the City of Lago Vista.

(2) Failure to comply with this chapter may result in the imposition of additional fees and penalties as contained in this section.

(3) In those cases in which a tree is removed without permit and that tree may have been a protected tree under this chapter the City will rely on any and all available evidence to determine if a violation of this chapter has occurred. For enforcement purposes the City will consider that any stump remaining on the property which is ten (10) inches or more in diameter measured at ground level or higher was a stump of a protected tree as defined by this chapter. See also Section (e)(7) above.

(4) Failure to install landscaping as required by this chapter shall be considered a violation of the building permit and a violation of this chapter. The construction shall not be considered complete until all landscaping is installed as required.

HISTORY

Amended by Ord. 20-06-04-01 on 6/4/2020
Amended by Ord. 23-08-03-03 on 8/3/2023

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APPENDIX A

FEE SCHEDULE

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ARTICLE 7.000 ZONING AND ANNEXATION FEES

(a) Rezoning request (except for PDD), one acre of less: $250.00.

(b) Rezoning request (except for PDD), for more than 1 acre: $250.00 + plus $50.00 per acre.

(c) PDD rezoning request:

(1) Concept Plan only: $250.00 plus $50.00 per acre ($1,000.00 minimum).

(2) Detail Plan only: $500.00 plus $50.00 per acre ($2,000.00 minimum).

(3) Combined Concept and Detail Plan: $500.00 plus $50.00 per acre ($2,500.00 minimum).

(d) Annexation and zoning request (including PDD): No charge.

(e) Disannexation request: $150.00.

(f) Special use permit application fee: same as rezoning request.

(g) Conditional use approval: $250.00.

(h) Short-term occupancy permit: $50.00.

(i) Zoning Ordinance Variance and Special Exception Requests: $250.00.

(j) Protected tree replacement fee: $250.00 per inch, with a maximum of $10,000 for one or two-family residential properties.

(k) Home-based business.

(1) Permit: $50.00.

(2) Permit renewal (every 2 years): $50.00.

(3) Conditional use permit or appeal of denial of permit: $250.00.

(l) Zoning Verification Letter: $75.00.

(m) Predevelopment Meeting: $500.00 for first two hours, $100.00 for each additional hour (a credit of 50 percent of fee will apply to application fee when submitted).

(n) Comprehensive Plan amendment request.

(1) Future Land Use Map, 1 acre or less and any other plan component: $250.00.

(2) Future Land Use Map, for more than 1 acre: $250 plus $50 per acre.

(o) Appeal request (administrative determination): $250.00 plus professional cost plus 15% ($1,000 initial escrow account deposit required).

(p) Amendments to a previous design review approval pursuant to Section 6.105(b)(3) of Chapter 14: $250.00

HISTORY

Amended by Ord. 20-04-16-01 on 4/16/2020
Amended by Ord. 21-01-07-01 on 1/7/2021
Amended by Ord. 21-12-02-04 on 12/2/2021
Amended by Ord. 22-11-17-02 on 11/17/2022
Amended by Ord. 23-01-19-03 on 1/19/2023

*****

AGENDA ITEM NO. 4

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Mayor Sullivan, City Council

SUBJECT: Consider approval of Resolution No. 24-2057; a Resolution by the City Council of the City of Lago Vista, Texas appointing individuals to serve as members on the Youth Advisory Committee.

BACKGROUND: City Council annually appoints members to the Youth Advisory Committee.

FINDINGS: Staff recommends City Council approve the resolution, accepting YAC Council Liaison Mayor Sullivan's nominations of Avery Korock, Anna Piedra Diaz, Makenna Fiscus, and Bailey Burlew to serve on the Youth Advisory Commission with terms expiring in May of their senior years and reappoint Jeff DiGiovanni as the adult member for a two-year term expiring May 31, 2026.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
24-2057 YAC Appointments Resolution.pdf

CITY OF LAGO VISTA, TEXAS

RESOLUTION 24-2057

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS APPOINTING INDIVIDUALS TO TERMS AS MEMBERS ON THE YOUTH ADVISORY COMMITTEE

WHEREAS, the City Council has cause in pursuit of their legislative duties on behalf of the citizens of Lago Vista to receive formal input from citizens of various ages on a variety of issues, and

WHEREAS, the City Council approved resolution 18-1744 establishing a Youth Advisory Committee with members selected in accordance with requirements contained in an amendment to Chapter 9 of the Lago Vista Code of Ordinances, and

WHEREAS, the City Council approved Ordinance 22-03-03-04 on March 3, 2022, increasing the number of youth members from seven to nine and removing the requirement that the youth members be a resident of the City of Lago Vista, and

WHEREAS, it is important to appoint individuals who see this as a worthwhile opportunity to perform meaningful community service and obtain valuable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

THAT, the City Council of the City of Lago Vista, Texas, does hereby appoint Avery Korock, Anna Piedra Diaz, Makenna Fiscus, and Bailey Burlew, as members with terms that expire in May, of their senior years and reappoints Jeff DiGiovanni as the adult member for a two-year term expiring May 31, 2026.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 18th day of April 2024.

_____
Kevin Sullivan, Mayor

ATTEST:

_____
Lucy Aldrich, City Secretary

On a motion by Councilor _____, seconded by Councilor _____, the above and foregoing instrument was passed and approved.

AGENDA ITEM NO. 5

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Eric Zeno, Economic Development

SUBJECT: Consider approval for City matching funds for the Public Works and Economic Adjustment Assistance program grant and the Economic Development Planning and Technical Assistance program grant.

BACKGROUND: City Council approved up to $100,000 in matching funds in the 2023-2024 Economic Development Budget for the 2024 budget cycle.

The City's contracted Grant Writer is requesting $7,000 from the matching funds for the Public Works and Economic Adjustment Assistance program grant and is also requesting matching funds of $5,000 for the Economic Development Planning and Technical Assistance program grant.

Both grant proposals seek funds to conduct a Multipurpose Facility Feasibility Study.

FINANCIAL IMPACT: If approved, the matching funds will be deducted from the $100,000 matching fund account. There will still be $88,000 available to continue to pursue other grants that require matching funds.

ATTACHMENTS:
PWEAA EDA Combo. (1) (1).pdf
Grant City Manager letter of support.pdf
Grant City Manager letter of support 2.pdf

Strategic Planning Goals



- Create one comprehensive plan that encompasses the goals of tourism, chamber, economic development, community development, and resident needs
- Housing affordability
- Technology/broadband adoption
- Community engagement
- Education and workforce development
- Economic development through business support, diversification of the local economy, and promotion of entrepreneurship and small business development

Strategic Planning



What is it?

A process undertaken to set clear goals, identify priorities,,and to establish a roadmap for sustainable economic growth and prosperity.

Why do we need it in Lago Vista?

- *Economic analysis* (to understand the current landscape, strengths, weaknesses, opportunities, and threats)
- *Stakeholder engagement* (involve a variety of stakeholders and: local businesses,,community members,,government agencies, and, nonprofit orgs.,, etc.)
- *Goal setting* (establishes clear, measurable goals for economic development)
- Community Communication (ensures transparency and engagement to help build support and collaboration)
- *Partnerships & collaborations* (helps leverage collective resources and expertise)

Grant Information Sheet

Project: COMPREHENSIVE FEASIBILITY STUDY (MULTIPURPOSE CENTER)

Grant Title:

- *Public Works and Economic Adjustment Assistance Program*

Funding Agency/Organization:

- *EDA (Economic Development Administration)*

Grant Purpose/Overview:

- *Support construction, non-construction, planning, technical assistance, and RLF projects that leverage existing regional assets and support the implementation of strategies that advance economic prosperity in distressed communities.*

Eligibility Criteria:

- *State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions*

Grant Amount:

- *$600,000-$5M*

Application Requirements:

- *Match commitment letter, stating the dollar amount, and if it's cash or in-kind*
  - *Max of 80% of the project can be funded through the grant*
  - *Bank statement, showing the city has the funds in-hand*
- *Unemployment rate & per capita income from the BLS.gov*

Key Dates:

- *Application Opening Date: N/A*
- *Application Deadline: N/A*
- *Award Notification Date: N/A*

Duration of Grant:

- *12-24 months for strategy or planning grants*

Application Process:

- *Apply through EDGE*

Contact Information for Queries:

- *https://www.eda.gov/contact/*

Additional Resources/Links:

- *eda.gov*

Grant Information Sheet: EDA Technical Assistance & Planning Grant Program

Project Focus: COMPREHENSIVE FEASIBILITY STUDY (MULTIPURPOSE CENTER)

Grant Title:

- *EDA Technical Assistance & Planning Grant Program*

Funding Agency/Organization:

- *EDA*

Grant Purpose/Overview:

- *Providing workforce development opportunities*
- *Partnership planning*
    - *Investments to facilitate the development, implementation, revision, or replacement of Comprehensive Economic Development Strategies (CEDS), which are designed to help regions leverage their unique assets to help create and retain high-quality jobs*

Eligibility Criteria:

- *City, state, government entity, etc.*

Grant Amount:

- *[Indicate the funding amount available, whether it's a fixed amount or a range.]*
- *Match not required, but would carry a lot of weight*

Application Requirements:

- *Match commitment letter*
    - *$5,000 cash*
- *Bank statement showing the city has the funds in-hand*

Key Dates:

- *Application Opening Date: N/A*
- *Application Deadline: N/A*
- *Award Notification Date: N/A*

Duration of Grant:

- *12-18 months, typically*
- *But up to 3 years to 100% complete any funded project*

Application Process:

- *Apply through the EDA's application portal*

Contact Information for Queries:

- *Austin Regional Office*
  Jorge Ayala, Regional Director
  903 San Jacinto, Suite 206, Austin, TX 78701
  (512) 381-8150 Main Office

Additional Resources/Links:

- *eda.gov*

LAGO VISTA
TEXAS

Tracie Hlavinka
City Manager
City of Lago Vista
5803 Thunderbird Street, Suite #101
Lago Vista, Texas 78645

April 2, 2024

U.S. Economic Development Administration (EDA)
FY 2023 EDA Public works and Economic Adjustment Assistance Program (PWEAA)
U.S. Department of Commerce
1401 Constitution Avenue, NW, Suite 7104
Washington, DC 20230

Subject: Commitment of Matching Funds for PWEAA Program

Dear U.S. Economic Development Administration Representative,

I am writing on behalf of the city of Lago Vista, Texas in support of the application submitted by Lago Vista for the FY 2023 EDA Public Works and Economic Adjustment Assistance Program for the project titled Multipurpose Facility Feasibility Study. The city enthusiastically supports this project and has committed to providing matching funds to help ensure its success.

We understand the importance of matching funds in leveraging grant money to maximize the impact of the project. In line with this, we are committed to providing $7,000 in the form of cash as matching funds. These funds will be made available upon the successful award of the grant to the city of Lago Vista for the specified project.

We believe that our commitment to match funding will not only support the financial needs of the project but also demonstrates our shared dedication to the local and small businesses that make up and keep our ecosystem thriving. Our organization is fully prepared to fulfill this commitment and will ensure that the funds are disbursed in a timely manner in accordance with the requirements set forth by the grant. Please do not hesitate to contact me at 512-267-1155, extension 100, if you require any additional information or documentation regarding this commitment. We look forward to the potential opportunity to collaborate with the EDA and the PWEAA program to achieve the remarkable objectives outlined in this grant proposal.

Thank you for considering this application and for the vital support your grant program provides to initiatives like this one.

Sincerely,

Tracie Hlavinka

Tracie Hlavinka, City Manager
City of Lago Vista
tracie.hlavinka@lagovistatexas.gov | 512-267-1155, ext. 100

LAGO VISTA
TEXAS

Tracie Hlavinka
City Manager
City of Lago Vista
5803 Thunderbird Street, Suite #101
Lago Vista, Texas 78645
April 2, 2024

EDA-AUS-TA-AURO-2021-2006848
Planning and Local Technical Assistance Grant Program
Economic Development Administration

Dear Economic Development Administration,

I am writing on behalf of the City of Lago Vista, Texas to express our enthusiastic interest in applying for the Planning and Local Technical Assistance Grant Program provided by the EDA. We believe that our community-led project, Comprehensive Feasibility Study, closely aligns with the goals and priorities outlined in your grant guidelines.

To ensure the success and sustainability of our proposed project, the City of Lago Vista, Texas is committed to providing a financial match to complement the funding requested from the EDA. Our financial commitment includes monetary contributions, as detailed below:

Monetary Contribution
We commit to providing $5,000 in cash as a financial match for the Planning and Local Technical Assistance Grant Program. These funds will be utilized to offset the amount of funding that the city is requested from the EDA.

Matching Funds Assurance
We understand the importance of financial accountability and assure you that the committed matching funds will be secured and made available for the project's implementation. We are committed to adhering to the financial guidelines set forth by EDA and the Planning and Local Technical Assistance Grant Program.

We believe that our commitment to providing a financial match demonstrates the dedication of the City of Lago Vista, Texas to the project's success and its lasting impact on our community. We are prepared to provide any additional information, documentation, or participate in discussions to further discuss our financial match commitment.

Thank you for considering our application, and we appreciate the opportunity to contribute to the positive transformation of our community through the Planning and Local Technical Assistance Grant Program.

Sincerely,



Tracie Hlavinka, City Manager
City of Lago Vista
tracie.hlavinka@lagovistatexas.gov | 512-267-1155, ext. 100

LAGO VISTA
TEXAS

Tracie Hlavinka
City Manager
City of Lago Vista
5803 Thunderbird Street, Suite #101
Lago Vista, Texas 78645

April 2, 2024

U.S. Economic Development Administration (EDA)
FY 2023 EDA Public works and Economic Adjustment Assistance Program (PWEAA)
U.S. Department of Commerce
1401 Constitution Avenue, NW, Suite 7104
Washington, DC 20230

Subject: Commitment of Matching Funds for PWEAA Program

Dear U.S. Economic Development Administration Representative,

I am writing on behalf of the city of Lago Vista, Texas in support of the application submitted by Lago Vista for the FY 2023 EDA Public Works and Economic Adjustment Assistance Program for the project titled Multipurpose Facility Feasibility Study. The city enthusiastically supports this project and has committed to providing matching funds to help ensure its success.

We understand the importance of matching funds in leveraging grant money to maximize the impact of the project. In line with this, we are committed to providing $7,000 in the form of cash as matching funds. These funds will be made available upon the successful award of the grant to the city of Lago Vista for the specified project.

We believe that our commitment to match funding will not only support the financial needs of the project but also demonstrates our shared dedication to the local and small businesses that make up and keep our ecosystem thriving. Our organization is fully prepared to fulfill this commitment and will ensure that the funds are disbursed in a timely manner in accordance with the requirements set forth by the grant. Please do not hesitate to contact me at 512-267-1155, extension 100, if you require any additional information or documentation regarding this commitment. We look forward to the potential opportunity to collaborate with the EDA and the PWEAA program to achieve the remarkable objectives outlined in this grant proposal.

Thank you for considering this application and for the vital support your grant program provides to initiatives like this one.

Sincerely,

Tracie Hlavinka

Tracie Hlavinka, City Manager
City of Lago Vista
tracie.hlavinka@lagovistatexas.gov | 512-267-1155, ext. 100

LAGO VISTA
TEXAS

Tracie Hlavinka
City Manager
City of Lago Vista
5803 Thunderbird Street, Suite #101
Lago Vista, Texas 78645
April 2, 2024

EDA-AUS-TA-AURO-2021-2006848
Planning and Local Technical Assistance Grant Program
Economic Development Administration

Dear Economic Development Administration,

I am writing on behalf of the City of Lago Vista, Texas to express our enthusiastic interest in applying for the Planning and Local Technical Assistance Grant Program provided by the EDA. We believe that our community-led project, Comprehensive Feasibility Study, closely aligns with the goals and priorities outlined in your grant guidelines.

To ensure the success and sustainability of our proposed project, the City of Lago Vista, Texas is committed to providing a financial match to complement the funding requested from the EDA. Our financial commitment includes monetary contributions, as detailed below:

Monetary Contribution
We commit to providing $5,000 in cash as a financial match for the Planning and Local Technical Assistance Grant Program. These funds will be utilized to offset the amount of funding that the city is requested from the EDA.

Matching Funds Assurance
We understand the importance of financial accountability and assure you that the committed matching funds will be secured and made available for the project's implementation. We are committed to adhering to the financial guidelines set forth by EDA and the Planning and Local Technical Assistance Grant Program.

We believe that our commitment to providing a financial match demonstrates the dedication of the City of Lago Vista, Texas to the project's success and its lasting impact on our community. We are prepared to provide any additional information, documentation, or participate in discussions to further discuss our financial match commitment.

Thank you for considering our application, and we appreciate the opportunity to contribute to the positive transformation of our community through the Planning and Local Technical Assistance Grant Program.

Sincerely,



Tracie Hlavinka, City Manager
City of Lago Vista
tracie.hlavinka@lagovistatexas.gov | 512-267-1155, ext. 100

AGENDA ITEM NO. 6

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Taylor Whichard, Public Works

SUBJECT: Discussion, consideration, and possible action on approving Change Orders #1 and #2 submitted by Bennett Paving for RFP 24-03 Street Resurfacing Project for a total amount of $56,137.00.

BACKGROUND: The street resurfacing project known as RFP 24-03 began in mid February and was completed by the first week of March. The original contract amount was $878,286.50 which was funded by remaining funds from the 2017 CO's. During this project, there were some quantity overages due to a minor miscalculations while putting together the bid package. This was due to the streets not being installed at standard widths, cul-de-sacs not being installed correct, etc. As a result, the total contract amount billed based on the base bid was $913,532.95, which can be found in the attached invoices. This consumed all of the remaining funds in the 2017 CO's.

Change Order #1, which totals $34,784.50 was to extend the Bronco Ln resurfacing. Originally the bid was just from Blueberry to Bobcat Cv. After consideration, and approval from both the Director and City Manager, we authorized Bennett Paving to extend this section to Bison. Bronco Lane is now completely repaved as a result.

Change Order #2, which totals $21,352.50, was to tie into all of the existing driveways. The reason for this change order is because not all of the streets were installed at a standard width, and builders didn't tie directly into the existing asphalt, or what was left of the asphalt. It was decided to repave up to all of our residents driveways instead of leaving a small gap. As a result, it exceeded the quantity that was originally bid.

FINDINGS: Since these two change orders exceed both the Director of Public Works, and City Manager's approval authority, it is being brought to Council for formal approval so the contactor can get paid for the work they performed. When putting together the bid package, these quantities were not accounted for, but

needed to take place for a complete paving project.

Since all of the remaining 2017 CO funds have been expended, the $56,137.00 in change orders will come out of the Street Department's, Street materials budget.

FINANCIAL IMPACT: $56,137.00 from GL# 10-530-5410.

ATTACHMENTS:
2024-03-20 _ RFP 24-03 _ Street Resurfacing _ Quantity Invoice _ Approved.pdf
2024-03-20 _ RFP 24-03 _ Street Resurfacing _ Striping Invoice _ Approved.pdf
2024-03-14 _ RFP 24-03 _ Street Resurfacing _ Change Order #1 _ Bronco Rd Addition.pdf
2024-03-14 _ RFP 24-03 _ Street Resurfacing _ Change Order #2 _ Driveway Tie-ins.pdf

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4610

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
RFP No. 24-03 Street Resurfacing (Invoice for paving work done through 2/23/2024)				
GENERAL CONDITIONS & PAVING				
Mobilization, bonds & insurance	1	EA	4,000.00	4,000.00
Remove & dispose of traffic buttons	1	EA	100.00	100.00
Traffic control	1	EA	15,000.00	15,000.00
3rd party geotechnical coring & testing for compaction & thickness for each road	1	EA	15,000.00	15,000.00
MacArther:				
Milling and disposal of existing pavement + 8" of base	827	sqyd	10.00	8,270.00
Install 8" of black base	827	sqyd	49.10	40,605.70
Pavement 2" HMAC Type "D"	827	sqyd	16.25	13,438.75
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	46	LF	5.00	230.00
Dakota Circle:				
Milling and disposal of existing pavement	6,887	sqyd	2.00	13,774.00
Pavement 2" HMAC Type "D"	6,887	sqyd	16.25	111,913.75
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	48	LF	5.00	240.00
Dakota Cove:				
Milling and disposal of existing pavement	705	sqyd	1.9872	1,401.00
Pavement 2" HMAC Type "D"	705	sqyd	16.25	11,456.25
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Santa Rosa Ave. East (From American to Santa Paula):				
Milling and disposal of existing pavement	5,840	sqyd	2.00	11,680.00

Subtotal	

Total 3/20/24

2017 Bonds Total = $899,055.95

RFP- 24-06

Total	
Payments/Credits	
Balance Due	

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4610

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
Pavement 2" HMAC Type "D"	5,840	sqyd	16.25	94,900.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	48	LF	5.00	240.00
Bacon Cove:				
Milling and disposal of existing pavement	618	sqyd	2.00	1,236.00
Pavement 2" HMAC Type "D"	618	sqyd	16.25	10,042.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Democracy Cove:				
Milling and disposal of existing pavement	905	sqyd	2.00	1,810.00
Pavement 2" HMAC Type "D"	905	sqyd	16.25	14,706.25
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Warbonnet Cove:				
Milling and disposal of existing pavement	694	sqyd	2.00	1,388.00
Pavement 2" HMAC Type "D"	694	sqyd	16.25	11,277.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
HIGH Drive from National Dr. to Rockwood Dr.:				
Milling and disposal of existing pavement	4,405	sqyd	2.00	8,810.00
Pavement 2" HMAC Type "D"	4,405	sqyd	16.25	71,581.25
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	48	LF	5.00	240.00
Buffalo Trail (Bronco to Bullet):				
Milling and disposal of existing pavement	1,660	sqyd	2.00	3,320.00
Pavement 2" HMAC Type "D"	1,660	sqyd	16.25	26,975.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	60	LF	5.00	300.00
Bunker Cove:				

Subtotal	

Total	
Payments/Credits	
Balance Due	

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4610

Bill To	Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645	City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
Milling and disposal of existing pavement	610	sqyd	2.00	1,220.00
Pavement 2" HMAC Type "D"	610	sqyd	16.25	9,912.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Buchanan Cove:				
Milling and disposal of existing pavement	1,288	sqyd	2.00	2,576.00
Pavement 2" HMAC Type "D"	1,288	sqyd	16.25	20,930.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Bronco Lane from Blueberry to Bobcat Cv:				
Milling and disposal of existing pavement	3,214	sqyd	2.00	6,428.00
Pavement 2" HMAC Type "D"	3,214	sqyd	16.25	52,227.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Jones Cove:				
Milling and disposal of existing pavement	480	sqyd	2.00	960.00
Pavement 2" HMAC Type "D"	480	sqyd	16.25	7,800.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Surrey Ln (From Stirrup Cv to Sierra Trail):				
Milling and disposal of existing pavement	2,211	sqyd	2.00	4,422.00
Pavement 2" HMAC Type "D"	2,211	sqyd	16.25	35,928.75
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Newberry Cove:				
Milling and disposal of existing pavement	716	sqyd	2.00	1,432.00
Pavement 2" HMAC Type "D"	716	sqyd	16.25	11,635.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00

Subtotal	
Total	
Payments/Credits	
Balance Due	

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4610

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
Niagra Cove:				
Milling and disposal of existing pavement	1,466	sqyd	2.00	2,932.00
Pavement 2" HMAC Type "D"	1,466	sqyd	16.25	23,822.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Noris Cove:				
Milling and disposal of existing pavement	727	sqyd	2.00	1,454.00
Pavement 2" HMAC Type "D"	727	sqyd	16.25	11,813.75
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Owens Lane (From Owens Cove to Crystal):				
Milling and disposal of existing pavement	1,600	sqyd	2.00	3,200.00
Pavement 2" HMAC Type "D"	1,600	sqyd	16.25	26,000.00
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Stirrup Cove:				
Milling and disposal of existing pavement	471	sqyd	2.00	942.00
Pavement 2" HMAC Type "D"	471	sqyd	16.25	7,653.75
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Santa Paula Avenue (From American Dr. to end):				
Milling and disposal of existing pavement	2,213	sqyd	2.00	4,426.00
Pavement 2" HMAC Type "D"	2,213	sqyd	16.25	35,961.25
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Valley Forge:				
Milling and disposal of existing pavement	720	sqyd	2.00	1,440.00
Pavement 2" HMAC Type "D"	720	sqyd	16.25	11,700.00

Subtotal	
Total	
Payments/Credits	
Balance Due	

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4610

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Whitney Cove:				
Milling and disposal of existing pavement	1,018	sqyd	2.00	2,036.00
Pavement 2" HMAC Type "D"	1,018	sqyd	16.25	16,542.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00
Wilson Avenue:				
Milling and disposal of existing pavement	5,346	sqyd	2.00	10,692.00
Pavement 2" HMAC Type "D"	5,346	sqyd	16.25	86,872.50
Tie-in to existing pavement (remove 2"x24' wide pvmt.)	24	LF	5.00	120.00

Bennett Paving Inc.is not responsible for utilities less than 12 inches deep. Payment is due upon completion. Due to changes in oil prices, estimate is valid for 30 days.
Bennett Paving Inc.agrees to carry General Liability and Workers Compensation insurance for labor furnished on this project.

Subtotal	$899,055.95
Total	$899,055.95
Payments/Credits	$0.00
Balance Due	**$899,055.95**

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/29/24	4627

Bill To	Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645	City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
RFP No. 24-03 Street Resurfacing (Invoice for striping done through 2/29/2024) FINAL INVOICE				
MacArther: Solid yellow 4" thermoplastic stripe (Double)	283	LF	8.00	2,264.00
MacArther: Solid white 4" thermoplastic edge stripe (Single)	504	LF	4.00	2,016.00
MacArther: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Dakota Circle: Solid white 24" x 12' thermoplastic marker (Stop Bar)	2	ea	370.00	740.00
Dakota Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Santa Rosa Ave. East (From American to Santa Paula): Solid white 24" x 12' thermoplastic marker (Stop Bar)	2	ea	370.00	740.00
Bacon Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Democracy Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Warbonnet Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
HIGH Drive from National Dr. to Rockwood Dr.: Solid white 24" x 12' thermoplastic marker (Stop Bar)	2	ea	370.00	740.00
Buffalo Trail (Bronco to Bullet): Solid white 24" x 12' thermoplastic marker (Stop Bar)	2	ea	370.00	740.00
Bunker Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Buchanan Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Jones Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Surrey Ln (From Stirrup Cv to Sierra Trail): Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Newberry Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Niagra Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00

Subtotal	
Total	
Payments/Credits	
Balance Due	

Tech Llvd 3/20/24

Remaining Balance of 2017 Bonds to be used.

Difference to be paid From 10-530-5410

RFP-24-06

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/29/24	4627

Bill To	Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645	City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
Noris Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Owens Lane (From Owens Cove to Crystal): Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Stirrup Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Santa Paula Avenue (From American Dr. to end): Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Valley Forge: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Whitney Cove: Solid white 24" x 12' thermoplastic marker (Stop Bar)	1	ea	370.00	370.00
Wilson Avenue: Solid white 24" x 12' thermoplastic marker (Stop Bar)	2	ea	370.00	740.00
Blue traffic button reflectors	18	ea	11.50	207.00

Bennett Paving Inc.is not responsible for utilities less than 12 inches deep. Payment is due upon completion. Due to changes in oil prices, estimate is valid for 30 days.
Bennett Paving Inc.agrees to carry General Liability and Workers Compensation insurance for labor furnished on this project.

Subtotal	$14,477.00
Total	$14,477.00
Payments/Credits	$0.00
Balance Due	**$14,477.00**

BENNETT PAVING INC.

PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4620

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
RFP No. 24-03 Street Resurfacing - Change Order: Bronco Lane				
Milling and disposal of existing pavement	1,906	sqyd	2.00	3,812.00
Pavement 2" HMAC Type "D"	1,906	sqyd	16.25	30,972.50

Bennett Paving Inc.is not responsible for utilities less than 12 inches deep. Payment is due upon completion. Due to changes in oil prices, estimate is valid for 30 days.
Bennett Paving Inc.agrees to carry General Liability and Workers Compensation insurance for labor furnished on this project.

Subtotal	$34,784.50
Total	$34,784.50
Payments/Credits	$0.00
Balance Due	**$34,784.50**

BENNETT PAVING INC.
PO Box 2309
Leander, TX 78646
Phone # 512-740-8603
Fax # 512-355-4193

Invoice

BPI #	Date	Invoice #
	2/23/24	4651

Bill To
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Job Location
City of Lago Vista 5803 Thunderbird Street Lago Vista, TX 78645

Rep	Terms
BPB	Due on receipt

Description	Qty	U/M	Rate	Amount
RFP No. 24-03 Street Resurfacing - Change Order #2				
Milling and disposal of existing pavement: Various driveway tie-ins.	1,170	sqyd	2.00	2,340.00
Pavement 2" HMAC Type "D": Various driveway tie-ins.	1,170	sqyd	16.25	19,012.50

Bennett Paving Inc.is not responsible for utilities less than 12 inches deep.
Payment is due upon completion. Due to changes in oil prices, estimate is valid for 30 days.
Bennett Paving Inc.agrees to carry General Liability and Workers Compensation insurance for labor furnished on this project.

Subtotal	$21,352.50
Total	$21,352.50
Payments/Credits	$0.00
Balance Due	**$21,352.50**

AGENDA ITEM NO. 7

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Taylor Whichard, Public Works

SUBJECT: Discussion, consideration, and possible action on approving the Final Wastewater Master Plan.

BACKGROUND: In 2022 it was recognized that a waste water master plan and working model was needed in order to effectively manage growth in the City of Lago Vista. It is also a necessary tool for Public Works to utilize to analyze each new development's demand on the system. With each new development, Public Works will now be able to provide the City Council with improvements (if any) needed to the system as a result of their demand during review of the Development Agreement.

FINDINGS: There are a significant number of improvements needed to the wastewater system as result of the recent development boom. Freese and Nichols was able to prioritize the system improvements based on immediate, mid-range and long-term timelines. As best as they could, they estimate the costs associated with each project based on present value dollars. These improvements will be placed into a long-term CIP schedule in the near future.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
2024-02-04 _ Waster Water Master Plan _ Final.pdf



CITY OF LAGO VISTA

WASTEWATER MASTER PLAN

2024

PREPARED BY:

Freese and Nichols, Inc.
10431 Morado Circle, Suite 300
Austin, Texas 78759
512-617-3100

FREESE AND NICHOLS

Innovative approaches
Practical results
Outstanding service

WASTEWATER MASTER PLAN

Prepared for:

City of Lago Vista



FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144



FREESE AND NICHOLS, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-2144

City of Lago Vista
5803 Thunderbird St. #101
Lago Vista, TX 78645

Prepared by:

FREESE AND NICHOLS, INC.
10431 Morado Circle, Suite 300
Austin, Texas 78759
512-617-3100

LGV22265

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Appendix A – Lift Station Site Visit Inspection Sheets
Appendix B – Lift Station Rehabilitation Cost Sheets
Appendix C – Detailed Wastewater CIP Cost Sheets

EXECUTIVE SUMMARY

The City of Lago Vista (City) is a growing community located in central Texas, within Travis County. Lago Vista currently provides sewer service to over 5,200 connections and counting. The service area is projected to grow by over 3,200 connections in the next 10 years and over 14,600 connections by buildout. Defining a capital improvement plan (CIP) for accommodating this growth in an efficient and cost-effective manner, while also focusing on the maintenance of wastewater system assets, is the primary goal of this Wastewater Master Plan. Freese and Nichols, Inc. (FNI) has prepared this report to provide the City of Lago Vista with a planning tool that will serve as a guide for short-term and long-term improvements to the wastewater system.

Historical and Projected Growth

Projected development and land use are important elements in the analysis of wastewater collection systems. Present and future wastewater flows determine the size and location of system improvements necessary to serve residential populations, commercial, and institutional enterprises. A variety of circumstances can influence the rate of future development within cities. Growth projections were developed in terms of wastewater connections to the City's collection system. **Table ES-1** presents growth projections used in the Master Plan 5-year, 10-year, and buildout planning phases.

Table ES-1. Connection Projections

Planning Year	Wastewater Connections
2023	5,200
2028	6,637
2033	8,470
Buildout	19,801

Wastewater System Analysis

Lago Vista's existing wastewater system consists of 91 miles of low-pressure sewer mains, 18 miles of wastewater gravity mains, 20 lift stations and 15 miles of associated force mains. Low-pressure pipeline diameters range in size from 1-inch to 10-inches, Gravity pipeline diameters range in size from 2-inches to 15-inches, and force main diameters range from 3-inches to 18-inches. The wastewater system is served by one wastewater treatment plant with a permitted capacity of 1.0 million gallons per day (MGD) average annual daily flow (AADF).

To determine the historical trends in systemwide average daily flow and per-connection flow needed for existing and future system analysis, FNI reviewed historical wastewater flow data from 2015 through 2022. Future average daily wastewater flows were calculated by applying per-connection flow rates to the total number of projected connections for each planning period. **Table ES-2** lists the wastewater flow projections for Lago Vista in units of MGD.

Table ES-2. Summary of Average Wastewater Flow Projections

Planning Year	Wastewater Connections	Average Day Flow (MGD)
2023	5,200	0.70
2028	6,637	0.90
2033	8,470	1.14
Buildout	19,801	2.67

Risk Based Assessment

In addition to capacity analysis, FNI performed lift station risk-based assessments (RBA) to address the need for renewing existing assets in deteriorating or failing condition. FNI and City staff conducted site visits and assigned scores for the condition of all City operated lift stations, summarized in **Table ES-3**. FNI developed lift station renewal CIP projects based on the assessed risk scores, summarized in **Table ES-4**.

Table ES-3. Lift Station Condition Score

Lift Station	Overall Condition Score	Overall Rating
17th Lift Station	2.50	Good
Alfalfa	2.05	Good
Bar K	3.10	Poor
The Cove	2.50	Good
Destination	2.60	Fair
Driving Range	2.10	Good
High Drive	2.15	Good
The Inn	3.00	Fair
Lower Boone	3.30	Poor
MacArthur	3.55	Very Poor
Mira Lago	2.90	Fair
Old Burnet Rd	2.85	Fair
Pool	1.75	Good
Santo Carlo	3.30	Poor
Tessera	2.25	Good
Truman	2.45	Good
Turner	3.40	Poor
Upper Boone	2.75	Fair
Veranda Walk	2.65	Fair
WWTP	3.10	Poor

Table ES-4. Lift Station Rehabilitation Recommendations

Rehabilitation Priority Order	Lift Station	Estimated Rehabilitation Cost
1	MacArthur Lift Station Condition Rehabilitation	$82,500
2	Santa Carlo Lift Station Condition Rehabilitation	$97,500
3	Mira Lago Lift Station Condition Rehabilitation	$7,100
4	17th Lift Station Condition Rehabilitation(1)	$59,700
5	Turner Lift Station Condition Rehabilitation	$562,700
6	Bar K Lift Station Condition Rehabilitation(1)	$71,100
7	WWTP Influent Lift Station Condition Rehabilitation(1)	$258,400
8	The Inn Lift Station Condition Rehabilitation	$242,100
9	Lower Boone Lift Station Condition Rehabilitation	$97,100
10	Old Burnet Lift Station Condition Rehabilitation	$65,300
11	Destination Way Lift Station Condition Rehabilitation	$150,500
12	Upper Boone Lift Station Condition Rehabilitation	$13,400
13	Veranda Walk Lift Station Condition Rehabilitation	$7,100
14	Tessera Lift Station Condition Rehabilitation(2)	$18,000
15	Alfalfa Lift Station Condition Rehabilitation	$66,900
16	Driving Range Lift Station Condition Rehabilitation	$87,300
17	The Cove Lift Station Condition Rehabilitation	$15,200

(1) 5-Year CIP Capacity Improvement
(2) 10-Year CIP Capacity Improvement

Wastewater System Capital Improvements

FNI developed a wastewater capital improvement plan (CIP) that will effectively and efficiently continue to convey existing and future flow to the City's wastewater treatment plant. The recommended improvements will provide the required capacity and reliability to meet projected wastewater flows through a service area buildout scenario. FNI assessed the wastewater collection system under maximum flows, and improvements were grouped into the three phases in which they become necessary. FNI recommends that these projects be constructed generally in the order listed; however, development patterns may make it necessary to construct some projects sooner or later than anticipated. **Table ES-5** summarizes the costs, in 2023 dollars, of the recommended wastewater system capital improvements plan for Lago Vista.

Table ES-5. Summary of Wastewater Capital Improvements Plan

Phase	Cost
2028 (5-year)	$41,859,200
2033 (10-year)	$6,635,900
Buildout	$42,386,900

1.0 INTRODUCTION

The City of Lago Vista (City) is a growing community located in central Texas, within Travis County. Lago Vista currently provides sewer service to over 5,200 connections and counting. The population within the service area is projected to grow by over 3,200 connections in the next 10 years and over 14,600 connections by buildout. Defining a capital improvement plan (CIP) for accommodating this growth in an efficient and cost-effective manner, while also focusing on the maintenance of wastewater system assets, is the primary goal of this Wastewater Master Plan. Freese and Nichols, Inc. (FNI) has prepared this report to provide the City of Lago Vista with a planning tool that will serve as a guide for short-term and long-term improvements to the wastewater system.

1.1 SCOPE OF WORK

Freese and Nichols, Inc. (FNI) was retained in 2022 by the City of Lago Vista to prepare a Wastewater Master Plan. Master Plan goals were to evaluate the integrity of the existing wastewater system and to recommend a phased capital improvement plan (CIP) of the service area for 5-year, 10-year, and buildout planning scenarios The recommended improvements will serve as a basis for the design, construction and financing of facilities required to meet the City's wastewater capacity needs. The major elements of the scope of this project included:

- Wastewater Connection Projections
- Wastewater Flow Projections
- Wastewater Model Build and Analysis
- Lift Station Risk-Based Assessment
- Wastewater Capital Improvement Plans
- Wastewater Master Plan Report

1.2 LIST OF ABBREVIATIONS

Table 1-1 provides a list of abbreviations used in this report.

Table 1-1. List of Abbreviations

Abbreviation	Full Nomenclature
AADF	Annual Average Daily Flow
CCN	Certificate of Convenience and Necessity
CIP	Capital Improvement Plan
ETJ	Extra Territorial Jurisdiction
FNI	Freese and Nichols, Inc.
GIS	Geographic Information System
gpm	gallons per minute
LS	Lift Station
MGD	Million Gallons per Day
OPCC	Opinion of Probable Construction Cost
P2HF	Peak 2-Hour Flow
RBA	Risk-Based Assessment
RDII	Rainfall Derived Inflow and Infiltration
SCADA	Supervisory Control and Data Acquisition
TCEQ	Texas Commission on Environmental Quality
WWTP	Wastewater Treatment Plant

2.0 HISTORICAL AND PROJECTED GROWTH

Growth projections are an important component of the wastewater master planning process. The magnitude and distribution of the growth in residential and non-residential development will dictate where future infrastructure is required. It is important to note that projecting future population is challenging, especially for relatively small geographic areas like cities because it can be difficult to predict how fast or slow development will occur when there are a variety of circumstances that can have an impact. FNI assessed parcels within the City's sewer CCN and ETJ against a number of factors to locate parcels likely to develop over the next 10 years and by system buildout. City staff provided FNI with a list of potential master development communities with wastewater entitlements to connect that were prioritized based on the staff's understanding on the timing and movement of developers. Additionally, FNI identified other subdivided parcels within City Limits as "likely to develop" in due time as the system builds out. Master developments with wastewater entitlements identified by City staff were prioritized to develop first, followed by fill-in parcels identified by FNI. Timing and sizing of capital improvements are related to existing needs as well as the amount, location, and urgency of projected growth. The following sections describe the process used to develop wastewater connection growth projections.

2.1 SERVICE AREA

The service area assessed for the Wastewater Master Plan generally consists of the Sewer Certificate of Convenience and Necessity (CCN). A CCN is a state-regulated agreement in which the CCN holder is required to provide continuous and adequate utility service to all its retail customers, and in turn is protected from encroachment by other retail service providers. The current boundaries of Lago Vista's sewer CCN encompasses the entirety of the City Limits. The boundary is defined by FM 1431 to the north-northwest and the Colorado River to the west and south. The boundary to the east is less easily defined as some large areas are either incorporated (Destination Way and Shoreline Ranch) or excluded (Rancho Cielo, Lago Ranchos, and Travis Hollow) from the City Limits and CCN.

In addition to service provided within its CCN boundaries, Lago Vista provides wastewater wholesale service to The Hollows Subdivision in Jonestown, Texas. **Figure 2-1** illustrates the wastewater service area evaluated as part of the Wastewater Master Plan.

FIGURE 2-1
CITY OF LAGO VISTA
WASTEWATER SYSTEM SERVICE AREA

LEGEND

- Road
- Water Body
- City Limit
- ETJ Boundary
- Other City Limit

LIFT STATION SERVICE AREAS

- 17th Lift Station
- Alfalfa
- Bar K
- Driving Range Lift Station
- High Dive Lift Station
- Lower Boone Lift Station
- MacArthur Lift Station
- Mira Lago Lift Station
- Santa Carlo Lift Station
- Tessera
- The Cove Lift Station
- The Inn
- Truman Lift Station
- Turner Lift Station
- Upper Boone Lift Station
- Veranda Walk Lift Station
- WWTP

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2.2 HISTORICAL CONNECTIONS

Projecting future growth is an integral part of the master plan process. The projections serve as the basis for future wastewater loads that will be utilized to determine needed improvements. An initial estimate of the existing number of connections to the wastewater system was developed based on development data and geocoded wastewater meter billing provided by the City. The historical wastewater connections and year-over-year growth rates are summarized in **Table 2-1**.

Table 2-1. Historical Wastewater Connections

Year	Wastewater Connections	Average Annual Connection Growth Rate
2015	2,720	--
2016	2,818	3.6%
2017	2,934	4.1%
2018	3,150	7.4%
2019	3,434	9.0%
2020	3,740	8.9%
2021	4,015	7.4%
2022	4,279	6.6%
2023	5,200	21.5%
Average Growth Rate		**8.6%**
Average Growth Rate (Excluding 2023)		**6.7%**
Projected Growth Rate		**5.0%**

2.3 DEVELOPER ENTITLEMENTS

To aid in determining where new growth would occur, FNI utilized input from City staff on location of known future developments and associated number of residential connections of each development at buildout as well as estimated timeline of construction for each development. The City of Lago Vista Department for Development Services has approved multiple master development communities and allowed for the allotment of dedicated connections to be served by the City's wastewater system. While some developer agreements have stipulations for a minimum number of constructed homes in a given time period to avoid penalty of lost entitlements, there is no standard term of limitations for the holding period of the entitlements. City staff informed FNI with estimates for buildout time, ultimate buildout, and rate of buildout for each master development community to incorporate into this master plan.

Table 2-2 summarizes the known developments, associated number of entitled buildout connections, and assumed number of connections built by planning period.

Table 2-2. Wastewater Entitlements

Entitlements	Entitled Connections	Active Connections	2028 Connections (5-Year)	2033 Connections (10-Year)	Buildout Connections
Peninsula	200	0	0	0	100
Firefly Cove	325	0	0	0	325
Winn Ranch	1,222	0	200	400	1,222
Groseclose	350	3	25	50	350
Montechino	432	0	50	106	432
Shoreline Ranch	568	0	0	0	568
Villas at Keegans Crossing	151	0	0	0	151
The Hollows	532	35	100	200	532
Tessera	1,055	315	500	1,000	1,055
Turnback Ranch	724	0	350	724	724
Total Entitled	**5,559**	**353**	**1,225**	**2,480**	**5,459**

2.4 PROJECTED GROWTH

Growth in connections through the planning years was determined by evaluating historical wastewater connection trends, review of new customer connection data, and working with City staff to identify areas of potential growth for the 2028, 2033 and Buildout planning periods. Future wastewater connections are projected to grow at 5.0 % per year. Summaries of these projections are in **Table 2-3**.

Table 2-3. Projected Wastewater Connections

Year	Wastewater Connections
2023 (Existing)	5,200
2028 (5-Year)	6,637
2033 (10-Year)	8,470
Buildout	19,801

Once a total connection count was calculated based on the overall 5% growth rate assumption, the parcels likely to be developed were phased for 5-year, 10-year, and buildout growth. Proposed master development communities with wastewater connections entitled were assumed to develop in accordance with City staff projections and were prioritized first in a given planning period. Following the entitled areas, parcels identified by FNI based on state tax code designations and sewer service availability were

prioritized second. Lastly, fill-in growth of pre-platted parcels were used to match the proposed future connections for each planning period.

To identify large areas likely to develop in the next 10 years, parcels were selected if they were not a part of impending developments, proximity to existing pressure or gravity sewer mains, and likely developable land use types as identified by state tax code designations (C1, D1, or E1). Large areas were loaded with a density of 2 connections per acre. Though there are some large areas that can still be built out with multiple connections on site, much of the City of Lago Vista is pre-platted for single family residential use on a plot-by-plot basis. Pre-platted parcels with an area greater than 0.1 acre were loaded with 1 connection. Pre-platted parcels with an area greater than 1.0 acre were loaded with the density of 2 connections/acre with the assumption that the parcel could be subdivided.

To summarize where growth is projected to occur, all parcels identified for future development were combined into seven unique growth zones. **Table 2-4** summarizes the anticipated additional connections per planning year for each of the growth zones. **Figure 2-2** illustrates the growth zones and all parcels identified for growth in each of the growth zones.

Table 2-4. Added Connections By Growth Zone Between Planning Periods

Growth Zone	2028 Connections	2033 Connections	Buildout Connections
1	152	190	1,856
2	254	310	2,358
3	116	169	1,527
4	285	121	2,057
5	65	100	332
6	535	874	686
7	10	26	560
8	20	43	1,555
Total	**1,437**	**1,833**	**10,931**

2.5 GROWTH IN THE ETJ

In addition to known growth in the City Limit there is also anticipated growth in the Extra-Territorial Jurisdiction (ETJ), which is a buffer around the city limits that grants a city the right to unilaterally annex an area within its ETJ. Excluding the Balcones Canyonlands National Wildlife Refuge, there is approximately 6,698 acres within the City's ETJ that could be incorporated into City Limits or into the City's water and wastewater CCNs. At 2 connections per acre, the ETJ area could accommodate an additional 13,396 connections. For the purposes of this Master Plan, expansion of the CCN to areas within the City's ETJ was not considered in sizing of infrastructure.

Tessera
1055 Entitled Connections
302 Active Connections

Growth Zone 6
Entitlements: Tessera and Turnback Ranch
Added Connections
2028 (5-Year): 535
2033 (10-Year): 874
Buildout: 686

Semi-Public Land

Growth Zone 8
Non-Entitled Undeveloped Area: 332 ac
Undeveloped Platted Parcels: 918
Added Connections
2028 (5-Year): 20
2033 (10-Year): 43
Buildout: 1,555

Growth Zone 7
Non-Entitled Undeveloped Area: 122 ac
Undeveloped Platted Parcels: 366
Added Connections
2028 (5-Year): 10
2033 (10-Year): 26
Buildout: 560

Turnback Ranch
724 Entitled Connections
0 Active Connections

Growth Zone 3
Non-Entitled Undeveloped Area: 554 ac
Undeveloped Platted Parcels: 442
Added Connections
2028 (5-Year): 116
2033 (10-Year): 169
Buildout: 1,527

Growth Zone 5
Entitlement: The Hollows
Added Connections
2028 (5-Year): 65
2033 (10-Year): 100
Buildout: 332

The Hollows
532 Entitled Connections
35 Active Connections

Villas at Keegans Crossing
151 Entitled Connections
0 Active Connections

Growth Zone 4
Entitlements: Villas at Keegans Crossing, Shoreline Ranch, and Monetechino
Non-Entitled Undeveloped Area: 170 ac
Added Connections
2028 (5-Year): 285
2033 (10-Year): 121
Buildout: 2,057

Shoreline Ranch
568 Entitled Connections
0 Active Connections

Growth Zone 2
Entitlements: Firefly Cove and Winn Ranch
Non-Entitled Undeveloped Area: 370 ac
Undeveloped Platted Parcels: 557
Added Connections
2028 (5-Year): 254
2033 (10-Year): 310
Buildout: 2,358

Growth Zone 1
Entitlement: Peninsula
Non-Entitled Undeveloped Area: 599 ac
Undeveloped Platted Parcels: 1,081
Added Connections
2028 (5-Year): 152
2033 (10-Year): 190
Buildout: 1,856

Groseclose
350 Entitled Connections
0 Active Connections

Montechino
432 Entitled Connections
3 Active Connections

Firefly Cove
325 Entitled Connections
0 Active Connections

Peninsula
200 Entitled Connections
0 Active Connections

Winn Ranch
1222 Entitled Connections
0 Active Connections

Colorado River

Lake Travis

JONESTOWN

LAKEWAY

POINT VENTURE

BRIARCLIFF

FIGURE 2-2
CITY OF LAGO VISTA
EXISTING AND PROJECTED CUSTOMERS

LEGEND

Growth Zone Boundary
1
2
3
4
5
6
7
8

Road
Water Body
City Limit
ETJ Boundary
Developable Parcel (Multiple Colors)
Semi-Public Land
Entitlement

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3.0 WASTEWATER FLOWS

Wastewater flows in a municipal collection system vary by time of day, wastewater discharge source and weather conditions. Average daily flow is defined as the total wastewater flow over a one-year period divided by the number of days in that year. Wastewater treatment plants are typically sized in terms of average daily flow. Collection systems are sized to convey peak wastewater flow consisting of three components: peak dry weather flow, infiltration, and inflow. Infiltration is the seepage of groundwater into sewer pipes and manholes below the ground surface. It is estimated as the difference between the minimum nighttime flow during dry weather, low groundwater periods and the maximum nighttime flow during high groundwater periods, which occur immediately after a storm event. Inflow is storm water runoff from paved and non-paved areas flowing into manholes and sewer cleanouts. The collection system must be able to convey the peak flow that results from design level storm events without overflowing.

3.1 HISTORICAL WASTEWATER FLOWS

FNI analyzed yearly wastewater treatment plant flow data provided by the City from 2015 to 2022 to determine the historical trends in systemwide average daily flow and per-connection flow for Lago Vista and wholesale wastewater connections. The collection system per-connection flow rate ranged from a low of 95 gallons per connection in 2022 to a high of 152 gallons per connection in 2015 with an average of 119 gallons per connection. **Table 3-1** summarizes historical Lago Vista's wastewater flows.

Table 3-1. Historical Wastewater Flows

Year	Wastewater Connections	Average Day Flow (MGD)	Average Day Flow Per Connection (gpd)
2015	2,720	0.41	152
2016	2,818	0.38	136
2017	2,934	0.36	124
2018	3,150	0.38	120
2019	3,434	0.37	107
2020	3,740	0.40	108
2021	4,015	0.46	116
2022 (through March)	4,279	0.41	95
Average	**-**	**0.40**	**119**
Maximum	**-**	**0.46**	**152**

3.2 PROJECTED AVERAGE WASTEWATER FLOW

Average day wastewater flows were projected for the existing, 2028, 2033, and buildout planning scenarios by applying an average, per-connection flow to the additional wastewater connections. The future per-connection wastewater flows were assumed to remain the same as the established average per-connection wastewater flows. Recent data points to a stagnating trend of daily average treatment volumes, resulting in a decreasing per-connection production of wastewater. Despite the low wastewater production in 2019 and 2020, for the purposes of this analysis, it was assumed that these reduced volumes may not be representative of likely future discharge patterns. Consequently, a conservative average discharge rate of 135 gallons per connection per day was assigned for future year projections. The resulting wastewater flow projections compared with historical flows seen at the wastewater treatment plant are summarized in **Figure 3-1**. Even though area within the City's ETJ was not considered for sizing of infrastructure in this Master Plan, it is important to note the potential impact to the ultimate sizing of the City's existing wastewater treatment plant. Based on the projected wastewater flow per connection and the projected growth within the ETJ of 13,396 connections, the City would receive an additional 1.81 MGD of average day dry weather flow.

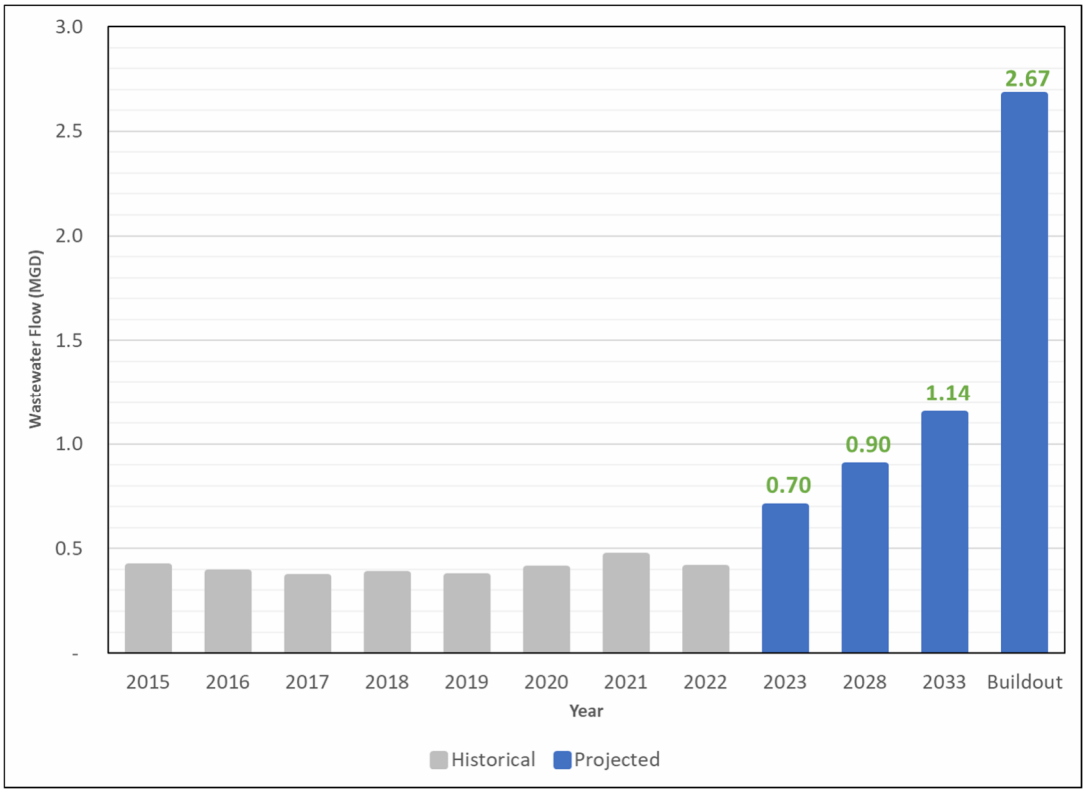


Figure 3-1. Historical and Projected Average Day Wastewater Flow

4.0 EXISTING AND FUTURE WASTEWATER SYSTEM ANALYSIS

The existing wastewater collection system consists of 91 miles of low-pressure sewer mains, 18 miles of wastewater gravity mains, 20 lift stations and 15 miles of associated force mains, and one wastewater treatment plant. **Figure 4-2** illustrates the existing wastewater collection system.

4.1 EXISTING WASTEWATER SYSTEM

4.1.1 Wastewater Lines

The existing wastewater system consists of a total of 124 miles of sewer pipe. Pipeline diameters range in size from 1-inch to 10-inches for pressure pipes, 2-inches to 15-inches for gravity pipes, and 3-inches to 18-inches for force mains. **Figure 4-1** illustrates the percentage of pipe length by diameter and main type.

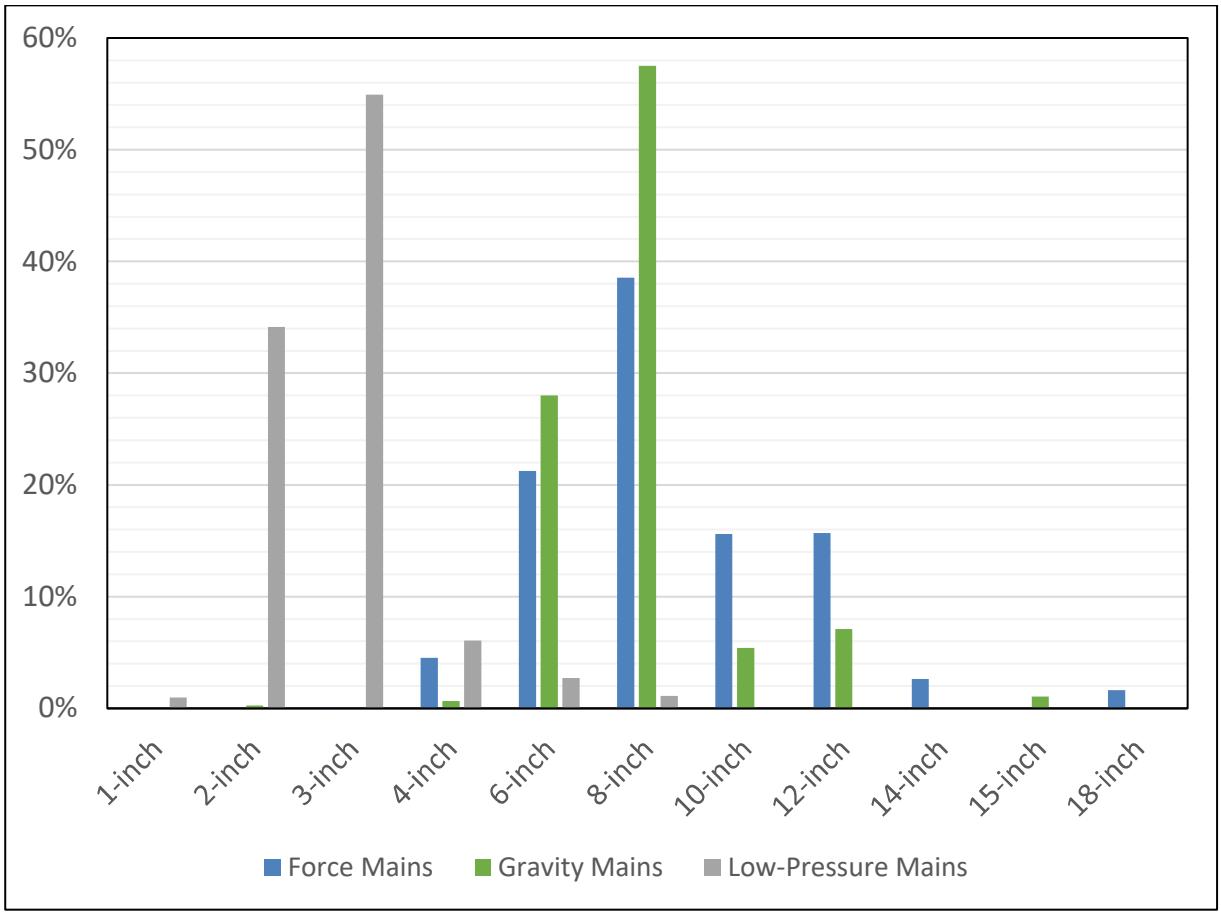


Figure 4-1 Pipeline Diameter by Length and Main Type

FIGURE 4-2

CITY OF LAGO VISTA

EXISTING WASTEWATER SYSTEM

LEGEND

- Lift Station
- Wastewater Treatment Plant
- 8" and Smaller Wastewater Line
- 10" and Larger Wastewater Line
- 4" and Smaller Force Main
- 6" and Larger Force Main
- Road
- Water Body
- City Limit
- ETJ Boundary
- Other City Limit

Lift Station Service Areas

- 17th Lift Station
- Alfalfa
- Bar K
- Driving Range Lift Station
- High Dive Lift Station
- Lower Boone Lift Station
- MacArthur Lift Station
- Mira Lago Lift Station
- Santa Carlo Lift Station
- Tessera
- The Cove Lift Station
- The Inn
- Truman Lift Station
- Turner Lift Station
- Upper Boone Lift Station
- Veranda Walk Lift Station
- WWTP

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4.1.2 Pressure Sewer Systems

The wide topographical range of the Lago Vista sewer CCN and limestone subsurface makes the conditions for a traditional gravity sewer system difficult and expensive. In lieu of multiple lift stations and force main networks to pump above or around hills, the Lago Vista sewer system relies heavily on a low-pressure sewer collection system. The low-pressure force mains can be installed in shallow trenches, which is financially advantageous considering the geology of the Hill Country.

A low-pressure collection system utilizes a small storage tank and pump located at each service connection. A storage tank for a residential customer is generally less than 50 gallons and a working volume of 1 pump cycle, about 8-15 gallons. As the storage tank reaches its full capacity, the grinder pump housed inside the storage tank will activate and discharge through a pressurized service lateral to the low-pressure collection system at a rate of 10-15 gallons per minute.

Per article 13.500 (Household Grinder Pumps) of the City's Municipal Code, grinder pumps are to be owned and maintained by the property owner as long as specifications and materials of the pump meet standards set by the utility department. Revised in 2004, the City's construction standards and details for grinder pump installation (Grinder Pump Installation, Construction Standards and Details No. WW-18, Building Code Sheet 7-1) require a minimum of a 2-horsepower pump. While grinder pumps are common, the pumps can vary significantly with respect to functionality based on the type of grinder pump and specifications. Grinder pumps are manufactured as either a centrifugal or progressive cavity pump.

Centrifugal pumps, commonly used in lift stations with dedicated force mains, are selected when the head and flow condition for the force main system is well-defined and unaffected by competing pumps. Force main systems are typically a closed system with only one active facility in operation to create a localized peak hydraulic gradient. For this reason, the pump can be designed with a flatter curve in which the optimal design point for its operation corresponds with the design headloss condition created by the force main and the desired flow rate. In systems with multiple centrifugal pumps, like multiple lift stations pumping to a common force main, varying head conditions within the force main network will cause the pumps to operate to the left of its curve (high head, low flow) as more pumps turn on and pressure builds in the force main, and to the right of its curve (low head, high flow) when fewer pumps are on and pressure in the force main is lower. The difference in flow output from the left side of the pump curve where a pump's flow rate can be reduced to a point where the outflow is less than the inflow can cause the water level in the upstream storage tank to rise to a point of overflow. On the other end, when a pump operates

too far to the right on its curve and doesn't have the downstream restriction needed for its proper operation, the pump can overheat and burn out. Varying operation conditions (no pumps on to many pumps on) with high topographical variation in a common force main network results in centrifugal pumps to operate on every part of its curve that results in times in which high amounts of flow are produced and times in which low amounts of flow are produced.

Progressive cavity pumps typically require motors sized between 1 to 1½ hp and produce consistent discharge flow rates across a wide spectrum of head ranges (i.e., the pump curve is steep). Progressive cavity pumps work well in systems with a wide range of head conditions because the flow rate is consistent regardless of the fluctuating head condition in the system. For this reason, progressive cavity pumps are not selected by engineers when designing lift stations with their own dedicated force main system and the head condition is known and static. The highlighted use of progressive cavity pumps is in systems with varying head conditions. Whether the condition is high head or low head, the pump discharges flow in a tight and consistent range. An example of progressive cavity and centrifugal pump curves is illustrated in **Figure 4-3**.

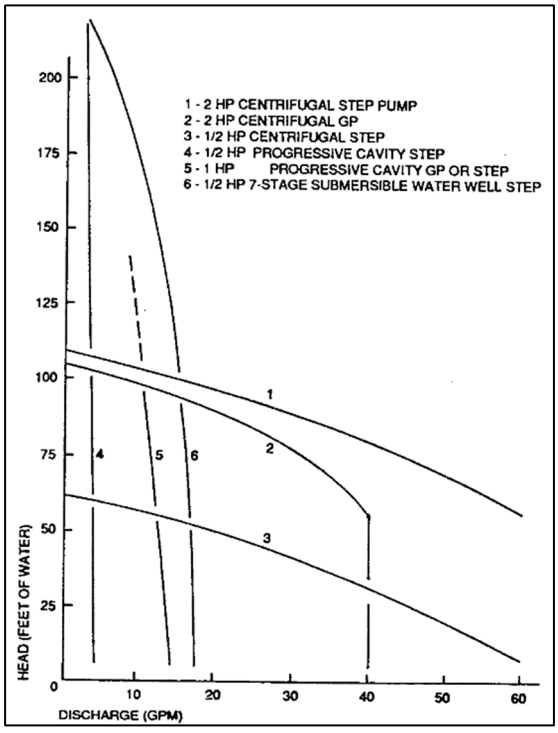


Figure 4-3. Head-Discharge Curves for Typical GP and STEP Systems

U.S. Environmental Protection Agency (US EPA). 1991 Alternative Wastewater Collection Systems. EPA 625/1-91/024. Washington, DC: US Environmental Protection Agency.

On an average dry weather day, the production of wastewater in a low-pressure dominated sewer system should be equal to that of a gravity sewer system. In a gravity sewer system, flows generally move more slowly and attenuate in collection system pipelines. The effect of attenuation of flow in a gravity pipeline is a diurnal pattern that consists of relatively higher flows during high wastewater production times (mornings and evenings), and relatively lower flows when customers use less water (middle of the night). Due to the travel time and attenuation, flow through a gravity system can be seen as continuous at a downstream collection point. Wastewater generation in low-pressure systems differs due to the collection basin on the upstream end of the grinder pump, and the pressurized sewer system with presumably no in-line storage or excess capacity. Wastewater is attenuated at the site of the customer while the pressurized collection system downstream is immediately impacted by pressurized flows generated at individual connection points. The pressurized collection system downstream is immediately impacted by pressurized flows generated at individual connection points. The resulting flow response can indicate a more drastic instantaneous peak due to the absence of freeboard within the pipe. No buffer exists to attenuate the intermittent flows generated at individual pumping locations. Multiple pumps in operation simultaneously will create conditions with higher velocities and establish the basis for pipeline sizing. Due to the binary status of pumps and short pump run times (1-2 minutes) there is less likelihood of multiple pumps in a stretch of main to be on at one given point in time. As more customers are connected to longer sewer mains, the likelihood of multiple pumps operating simultaneously should increase. The maximum number of pumps in operation simultaneously has been empirically derived and summarized in **Figure 4-4**. This table was used as the basis for determining peak flows in pressure mains. The corresponding peak flow rates were then used to determine the minimum and maximum number of customers connected upstream of a given pipe segment and the necessary corresponding pipe size to achieve flushing velocity (greater than 2 ft/s) and avoid excessive peak velocities (below 6 ft/s). The minimum and maximum number of standard grinder pumps per pipe size are summarized in **Table 4-1.** This table was used as the basis for determining capacity in pressure mains in the existing system assessment as CIP development.

Table 3 MAXIMUM NUMBER OF GRINDER PUMP CORES OPERATING DAILY	
Number of Grinder Pump Cores Connected	Maximum Daily Number of Grinder Pump Cores Operating Simultaneously
1 2–3 4–9 10–18 19–30	1 2 3 4 5
31–50 51–80 81–113 114–146 147–179	6 7 8 9 10
180–212 213–245 246–278 279–311 312–344	11 12 13 14 15
345–377 378–410 411–443 444–476 477–509	16 17 18 19 20
510–542 543–575 576–608 609–641 642–674	21 22 23 24 25
675–707 708–740 741–773 774–806 807–839	26 27 28 29 30
840–872 873–905 906–938 939–971 972–1,004	31 32 33 34 35

Figure 4-4. E-One Maximum Number of Grinder Pump Cores Operating Daily
Low Pressure Sewer Systems Using Environment One Grinder Pumps (E/One, 2008, p.14)

Table 4-1. Number of Connections per Pipe Diameter

Pipe Size	Minimum Flows			Maximum Flows		
	Flow Rate (gpm) At 2 ft/s	Number of Pumps Operating Simultaneously	Minimum Number of Pumps	Flow Rate (gpm) At 6 ft/s	Number of Pumps Operating Simultaneously	Maximum Number of Pumps
1-inch	4.9	0	0	14.7	1	1
2-inch	19.6	1	0	58.8	4	18
3-inch	44.1	3	4	132.2	10	179
4-inch	78.3	6	31	235.0	18	443
6-inch	176.3	14	279	528.8	42	1,285(1)
8-inch	313.3	25	642	940.0	75	2,440(1)

(1) FNI Extrapolated

4.1.3 Lift Stations

Lift stations are necessary where wastewater must be pumped to a higher elevation or where there is insufficient grade to convey flow entirely by gravity. Because of the topographical change across the City's wastewater service area, Lago Vista operates 20 lift stations throughout the service area. The lift stations vary in size from small lift stations that serve a public pool to the three primary regional lift stations that serve as the collection point before sending flow to the WWTP. The hierarchy of lift stations is illustrated in **Figure 4-5**. 17th, Driving Range, and Turner LS pump roughly a third each of the total daily flow to the WWTP and are crucial facilities in the wastewater system. The City provided an inventory of pump manufacturer information for active lift stations, where available. This information was used, in coordination with the pump manufacturer, to obtain the pump curves and estimate the flow with the largest pump out of service (i.e., the "firm capacity"). For duplex lift stations, the one-pump flow is the firm capacity. The summation of individual pump capacities for each lift station presented in **Table 4-2** as the *Existing Total Capacity* should not be interpreted as the actual total capacity with all pumps running. Multiple pumps operating simultaneously do not have a totalized output equal to the sum of rated capacity of each pump operating alone because the additional flow generated by multiple pumps discharging into a common force main increases head loss, and pump output decreases the higher the head it must pump against. A field draw down test would be required to understand the field rating for a given lift station.

Figure 4-5. Lift Station Hierarchy

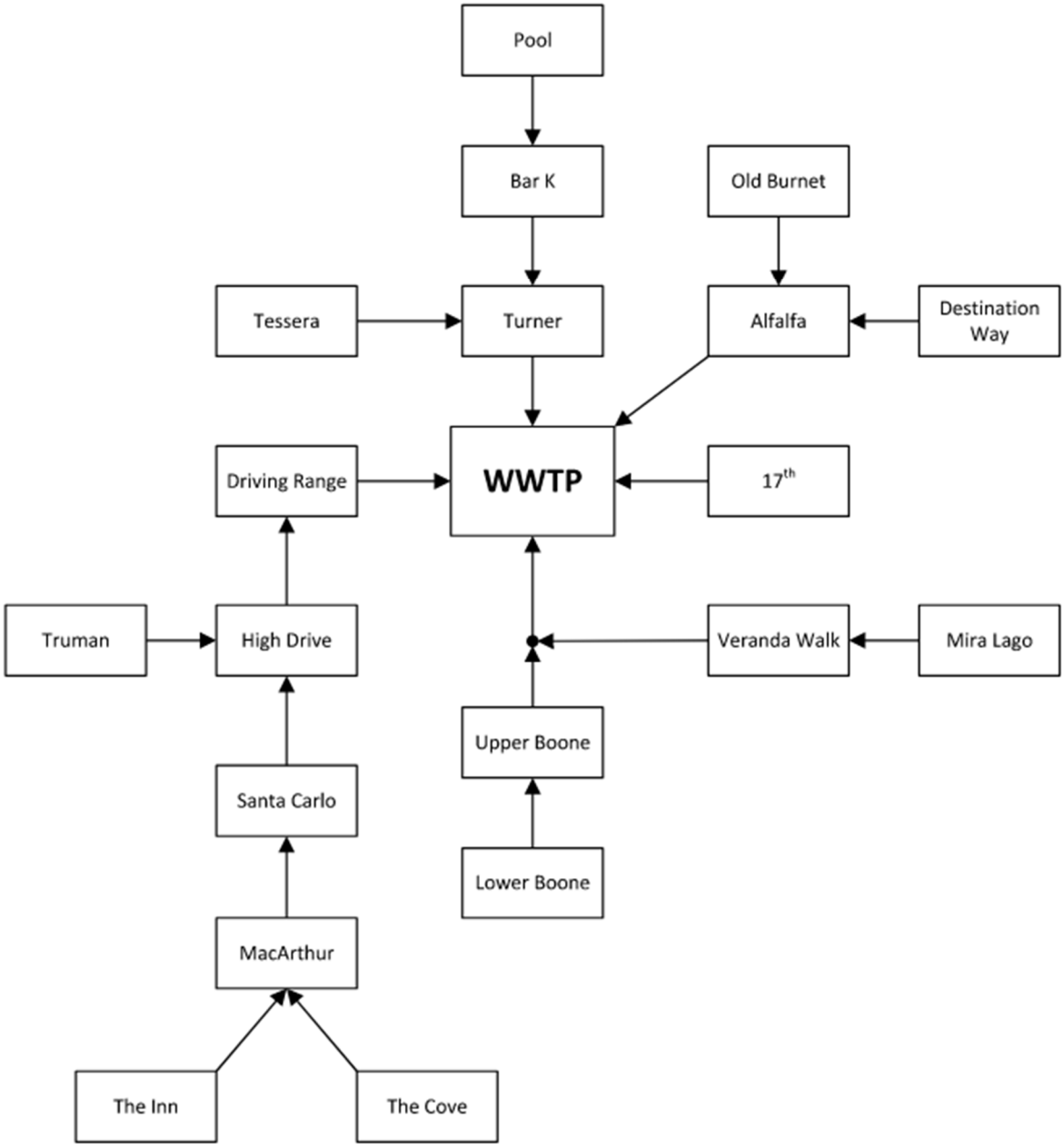


Table 4-2. Existing Lift Station Capacities

Lift Station	Number of Pumps	Existing Total Capacity(1) (gpm)	Existing Firm Capacity (gpm)
17th	2	880	440
Alfalfa	2	1,056	528
Bar K	2	1,120	560
Destination Way	2	--(2)	--(2)
Driving Range	2	2,828	1,414
High Dive	2	1,800	900
Lower Boone	2	900	450
MacArthur	2	1,120	560
Mira Lago	2	--(2)	--(2)
Pool	2	--(2)	--(2)
Old Burnet Rd	2	1,200	600
Santa Carlo	2	1,440	720
Tessera	2	640	320
The Cove	2	378	189
The Inn	2	521	261
Truman	2	449	249
Turner	3	3,330	2,220
Upper Boone	2	600	300
Veranda Walk	2	--(2)	--(2)
WWTP	3 Active (1 Offline)	2,680	1,680

(1) Total Capacity presented herein is the sum of all individual, rated pump capacities.
(2) Pump curve unavailable

4.1.4 Wastewater Treatment Plant

The wastewater system is served by a single wastewater treatment plant owned and operated by the City of Lago Vista. The wastewater treatment plant is located on a 5-acre site at 21001 Seminole Drive, Lago Vista, Texas, just east of the Texas Colorado River. The WWTP is a conventional activated sludge plant with a current permitted capacity of 1.0 MGD average annual daily flow (AADF) and no permitted peak 2-hour flow (P2HF). **Table 4-3** summarizes the current permitted effluent limits of the wastewater treatment plant.

Table 4-3. Existing Permitted Effluent Requirements

Effluent Parameter	Daily Average Limit
$CBOD_5$	10 mg/l
TSS	15 mg/l
NH_3-N	N/A
E. coli	120 colonies/100 ml

4.2 COLLECTION SYSTEM CAPACITY ANALYSIS

The existing collection system was evaluated to determine deficiencies in its ability to adequately convey wastewater through its lift stations and pipelines to the WWTP and to provide a baseline for the current level of service. The critical flow condition for analyzing a wastewater collection system is the time of day where the maximum number of grinder pumps are active during a peak wet weather event. Due to the reliance on a low-pressure sewer main network, pressurized by customer-owned grinder pumps, wet weather contribution is expected to be lower relative to gravity dominant collection systems. For this reason, flows conveyed by the collection system are primarily the result of direct discharge from customers. Direct discharge from customers represents the non-irrigation water consumption at a given connection point. The rate of wastewater production at a moment is equal to the rated capacity of each individual grinder pump tied to a low-pressure main multiplied by the number of grinder pumps operating simultaneously. The desktop analysis used to assess the available capacity for assets in the collection system used the maximum flow generated by grinder pumps operating simultaneously to estimate the peak velocity in pressure mains and the available wet weather peaking factor in gravity mains. This assessment was conducted for the existing system and repeated for future system scenarios with the addition of projected customers.

Existing and future system analyses were conducted to identify deficiencies in the existing wastewater collection system and to guide development of a wastewater capital improvements plan (CIP) that will improve the existing system and provide capacity for projected wastewater flows through the buildout. Various combinations of improvements and modifications were investigated to determine the most appropriate approach for conveying projected flows, while integrating gravity pipelines where possible. Goals considered in the development of the CIP included increasing system reliability, improving and simplifying system operations, and maintaining proper velocities in pressurized pipes. The following sections summarize the findings of the collection system capacity analysis.

4.2.1 Collection System Analysis

A collection system model is a valuable tool used to simulate the flow conditions in a wastewater collection system. FNI developed a desktop model network of the Lago Vista Wastewater System using AutoDesk's InfoWorks ICM® software. The model was built utilizing the City's Geographic Information System (GIS) data. FNI validated invert elevations, manhole depths, and lift station parameters utilizing as-built plans where available and inferred pipe depth where needed based on the ground elevation.

Once the physical elements of the model were developed, wastewater flows were allocated to the model nodes. The distribution, or allocation, of wastewater flows is a crucial step in the development of a model. This distribution was achieved using the addresses of wastewater customers from sewer billing data provided by the City. The wastewater billing data included the water usage type which could be related to the monthly total consumption in gallons for every customer type from July 2022. The active meters were geocoded using parcel and street centerline data. Geocoding is a GIS technique used to generate a geographic location (x-y coordinates) from an address. If the meter was adjacent to a gravity sewer main, wastewater flows were spatially allocated by joining the meters to the nearest model node and assigning the associated flow to that node. If the meter was adjacent to a low-pressure sewer main, the number of connections was spatially allocated by joining the meters to the nearest node.

Using the model network, the existing collection system was evaluated to assess the ability of the system to adequately convey wastewater flows through pipelines to the WWTP. A desktop analysis was performed by summing the flow upstream of a given pipe segment to determine the steady state dry weather flow rate for each pipe segment. With the average dry weather flow known at each pipe segment, the flow was compared with the carrying capacity of the pipe. Due to largely absent pipe invert information, pipe slopes were inferred with engineering judgment. Where the ground slope was adverse, the pipe inverts were assumed to be anywhere between 5 and 10 feet below the ground level. Where the ground level did not change much from pipe segment to pipe segment, TCEQ minimum design slope was assumed for the corresponding pipe diameter. The pipe diameter, generated pipe slope, and a Manning's roughness factor of 0.013 were used to determine the carrying capacity of gravity sewer pipes, $Q_{\text{-capacity}}$.

The critical flow condition for analyzing a wastewater collection system dominated by low-pressure sewer mains is when the maximum number of grinder pumps are active. The maximum number of pumps for a given pipe segment was determined by **Table 4-1** for this analysis. Foul flow via rainfall derived inflow and infiltration (RDII) was excluded from the analysis of low-pressure sewer mains with the assumptions that

the outward pressure of the low-pressure mains would prevent subterraneous infiltration and the lack of manholes does not provide for the opportunity of above ground inflow into a low-pressure system. An instantaneous calculation of the maximum number of pumps likely to be on, multiplied by a standard grinder pump output of 12.5 gallons/minute set the calculation for the maximum flow rate through a pressure pipe. Capacity for low-pressure gravity mains was accessed based on the maximum velocity of wastewater flow that corresponds to the maximum flow rate generated from the calculation described above. Velocities were categorized into the following ranges:

- 0-2 feet/second – Incapable of meeting a 2 ft/s flushing velocity, but capable of accommodating future customers upstream
- 2-4 feet/second – Capable of meeting a 2 ft/s flushing velocity and capable of accommodating future customers upstream
- 4-6 feet/second – Capable of meeting a 2 ft/s flushing velocity, but nearing its maximum capacity
- Greater than 6 feet/second – High velocity, needs to be upsized

The capacity of gravity sewer mains was determined by summing the maximum flow rate generated by pressure sewer customers upstream and the discrete flow rate generated by gravity-served customers – the projected average flow rate multiplied by the number of connections served. This total results in a totalized flow through the gravity sewer, $Q_{\text{-calculated.}}$ The flow rate through a gravity wastewater pipeline divided by the capacity, or $Q_{\text{-calculated}}/q_{\text{-capacity}}$, was the basis to determine the excess capacity in the gravity pipeline in terms of a dry weather to wet weather peaking factor. The calculated $Q_{\text{-calculated}}/q_{\text{-capacity}}$ results in the excess carrying capacity of a wastewater line, or what wet weather peaking factor the wastewater line could handle under the existing dry weather conditions. Generally, a wet weather peaking factor of 4.0 is reasonable to use for collection system planning purposes. In consideration of the prevalence of low-pressure pipes in the collection system, a reduction in peak wet weather contribution to the collection was assumed. For the purposes of this master plan, a peaking factor of 3.0 was used as the driver for recommended capital improvements in gravity sewer pipes. **Figure 4-6** is a color-coded map that illustrates the q/Q value for each wastewater main for the existing system analysis.

To serve the future growth, Lago Vista must rehabilitate, replace, or upsize existing infrastructure and provide additional service to areas of growth where little or no infrastructure currently exists. The existing wastewater system was evaluated at the 2028, 2033, and buildout planning scenarios to determine the effects of future growth**. Figure 4-6**, **Figure 4-7**, **Figure 4-8,** and **Figure 4-9** illustrate the existing system

and its response to a maximum pump-on scenario with future planning year flows. Predicted overflows in the existing system are worsened by projected growth, particularly in the southernmost part of the collection system. Growth upstream of LS-9 requires additional capacity in the gravity main and at LS-9 itself. The effects of increasing the pumping capacity of LS-9 will require upsizing the already-constrained gravity main between LS-9 and LS-7. Growth in the western part of the system will result in flows exceeding the capacity of lift stations, but merely increasing pumping capacity will result in excessive force main velocities (7.0 ft/s or higher). Gravity main solutions in the western part of the service area, where possible, will need to be studied as an alternative to upsizing lift stations and manifold force mains to eliminate the complications of operating a manifold force main system. Wastewater system capital improvement projects were developed to accommodate anticipated growth through the 2040 planning year and resolve capacity deficiencies projected to occur in the future system analysis.

Tessera
Peak Flow: 188 gpm
Firm Capacity: 320 gpm

Pool
Peak Flow: 0 gpm
Firm Capacity: Not Known

Bar K
Peak Flow: 48 gpm
Firm Capacity: 560 gpm

Turner
Peak Flow: 660 gpm
Firm Capacity: 2220 gpm

Old Burnet Rd
Peak Flow: 0 gpm
Firm Capacity: 600 gpm

Alfalfa
Peak Flow: 88 gpm
Firm Capacity: 528 gpm

Destination Way
Peak Flow: 0 gpm
Firm Capacity: Not Known

17th
Peak Flow: 677 gpm
Firm Capacity: 440 gpm

WWTP
Peak Flow: 2005 gpm
Firm Capacity: 1680 gpm

Driving Range
Peak Flow: 692 gpm
Firm Capacity: 1414 gpm

High Dive
Peak Flow: 640 gpm
Firm Capacity: 900 gpm

Truman
Peak Flow: 176 gpm
Firm Capacity: 249 gpm

Upper Boone
Peak Flow: 125 gpm
Firm Capacity: 600 gpm

Lower Boone
Peak Flow: 125 gpm
Firm Capacity: 300 gpm

Santa Carlo
Peak Flow: 91 gpm
Firm Capacity: 720 gpm

MacArthur
Peak Flow: 67 gpm
Firm Capacity: 560 gpm

The Cove
Peak Flow: 117 gpm
Firm Capacity: 378 gpm

The Inn
Peak Flow: 130 gpm
Firm Capacity: 521 gpm

Veranda Walk
Peak Flow: 38 gpm
Firm Capacity: Not Known

Mira Lago
Peak Flow: 13 gpm
Firm Capacity: Not Known

Winn Ranch
Peak Flow: 0 gpm
Firm Capacity: Not Known

FIGURE 4-6
CITY OF LAGO VISTA
EXISTING WASTEWATER SYSTEM
EXISTING SYSTEM ANALYSIS
LEGEND

- Water Body
- Insufficient Capacity
- Unknown Capacity
- Sufficient Capacity
- Wastewater Treatment Plant
- Road
- City Limit
- ETJ Boundary
- Other City Limit

Model Predicted Excess Gravity Main Capacity

- 2x DWF or Less
- 2-3x DWF
- 3-4x DWF
- 4-6x DWF
- 6x DWF or More

Model Predicted Pressure Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

Model Predicted Force Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

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CITY OF LAGO VISTA TEXAS

0 1,400 2,800
SCALE IN FEET

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User Name: 02874

Tessera
Peak Flow: 251 gpm
Firm Capacity: 320 gpm

Pool
Peak Flow: 0 gpm
Firm Capacity: Not Known

Bar K
Peak Flow: 593 gpm
Firm Capacity: 560 gpm

Old Burnet Rd
Peak Flow: 0 gpm
Firm Capacity: 600 gpm

Turner
Peak Flow: 707 gpm
Firm Capacity: 2220 gpm

Alfalfa
Peak Flow: 104 gpm
Firm Capacity: 528 gpm

17th
Peak Flow: 552 gpm
Firm Capacity: 440 gpm

WWTP
Peak Flow: 2505 gpm
Firm Capacity: 1680 gpm

Destination Way
Peak Flow: 0 gpm
Firm Capacity: Not Known

Driving Range
Peak Flow: 1066 gpm
Firm Capacity: 1414 gpm

High Dive
Peak Flow: 829 gpm
Firm Capacity: 900 gpm

Truman
Peak Flow: 192 gpm
Firm Capacity: 249 gpm

Veranda Walk
Peak Flow: 244 gpm
Firm Capacity: Not Known

Mira Lago
Peak Flow: 50 gpm
Firm Capacity: Not Known

Upper Boone
Peak Flow: 138 gpm
Firm Capacity: 600 gpm

Lower Boone
Peak Flow: 125 gpm
Firm Capacity: 300 gpm

Santa Carlo
Peak Flow: 81 gpm
Firm Capacity: 720 gpm

MacArthur
Peak Flow: 293 gpm
Firm Capacity: 560 gpm

The Cove
Peak Flow: 118 gpm
Firm Capacity: 378 gpm

The Inn
Peak Flow: 155 gpm
Firm Capacity: 521 gpm

Winn Ranch
Peak Flow: 72 gpm
Firm Capacity: Not Known

Colorado River

Lake Travis

JONESTOWN

BRIARCLIFF

FIGURE 4-7
CITY OF LAGO VISTA
EXISTING WASTEWATER SYSTEM
2028 SYSTEM ANALYSIS
LEGEND

- Water Body
- Insufficient Capacity
- Unknown Capacity
- Sufficient Capacity
- Wastewater Treatment Plant
- Road
- City Limit
- ETJ Boundary
- Other City Limit

Model Predicted Excess Gravity Main Capacity

- 2x DWF or Less
- 2-3x DWF
- 3-4x DWF
- 4-6x DWF
- 6x DWF or More

Model Predicted Pressure Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

Model Predicted Force Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

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CITY OF LAGO VISTA TEXAS

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Tessera
Peak Flow: 426 gpm
Firm Capacity: 320 gpm

Pool
Peak Flow: 0 gpm
Firm Capacity: Not Known

Bar K
Peak Flow: 769 gpm
Firm Capacity: 560 gpm

Turner
Peak Flow: 884 gpm
Firm Capacity: 2220 gpm

Old Burnet Rd
Peak Flow: 0 gpm
Firm Capacity: 600 gpm

Alfalfa
Peak Flow: 141 gpm
Firm Capacity: 528 gpm

17th
Peak Flow: 688 gpm
Firm Capacity: 440 gpm

WWTP
Peak Flow: 3191 gpm
Firm Capacity: 1680 gpm

Destination Way
Peak Flow: 0 gpm
Firm Capacity: Not Known

Driving Range
Peak Flow: 1165 gpm
Firm Capacity: 1414 gpm

High Dive
Peak Flow: 915 gpm
Firm Capacity: 900 gpm

Truman
Peak Flow: 204 gpm
Firm Capacity: 249 gpm

Upper Boone
Peak Flow: 138 gpm
Firm Capacity: 600 gpm

Lower Boone
Peak Flow: 138 gpm
Firm Capacity: 300 gpm

Santa Carlo
Peak Flow: 94 gpm
Firm Capacity: 720 gpm

MacArthur
Peak Flow: 307 gpm
Firm Capacity: 560 gpm

The Cove
Peak Flow: 130 gpm
Firm Capacity: 378 gpm

The Inn
Peak Flow: 155 gpm
Firm Capacity: 521 gpm

Veranda Walk
Peak Flow: 363 gpm
Firm Capacity: Not Known

Mira Lago
Peak Flow: 50 gpm
Firm Capacity: Not Known

Winn Ranch
Peak Flow: 144 gpm
Firm Capacity: Not Known

FIGURE 4-8
CITY OF LAGO VISTA
EXISTING WASTEWATER SYSTEM
2033 SYSTEM ANALYSIS
LEGEND

- Water Body
- Insufficient Capacity
- Unknown Capacity
- Sufficient Capacity
- Wastewater Treatment Plant
- Road
- City Limit
- ETJ Boundary
- Other City Limit

Model Predicted Excess Gravity Main Capacity

- 2x DWF or Less
- 2-3x DWF
- 3-4x DWF
- 4-6x DWF
- 6x DWF or More

Model Predicted Pressure Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

Model Predicted Force Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

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CITY OF LAGO VISTA TEXAS

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Tessera
Peak Flow: 687 gpm
Firm Capacity: 320 gpm

Pool
Peak Flow: 0 gpm
Firm Capacity: Not Known

Bar K
Peak Flow: 1663 gpm
Firm Capacity: 560 gpm

Turner
Peak Flow: 1971 gpm
Firm Capacity: 2220 gpm

Old Burnet Rd
Peak Flow: 100 gpm
Firm Capacity: 600 gpm

Alfalfa
Peak Flow: 429 gpm
Firm Capacity: 528 gpm

Destination Way
Peak Flow: 100 gpm
Firm Capacity: Not Known

17th
Peak Flow: 712 gpm
Firm Capacity: 440 gpm

WWTP
Peak Flow: 7225 gpm
Firm Capacity: 1680 gpm

Driving Range
Peak Flow: 2315 gpm
Firm Capacity: 1414 gpm

High Dive
Peak Flow: 1689 gpm
Firm Capacity: 900 gpm

Truman
Peak Flow: 420 gpm
Firm Capacity: 249 gpm

Santa Carlo
Peak Flow: 110 gpm
Firm Capacity: 720 gpm

MacArthur
Peak Flow: 475 gpm
Firm Capacity: 560 gpm

The Cove
Peak Flow: 168 gpm
Firm Capacity: 378 gpm

The Inn
Peak Flow: 157 gpm
Firm Capacity: 521 gpm

Upper Boone
Peak Flow: 250 gpm
Firm Capacity: 600 gpm

Lower Boone
Peak Flow: 225 gpm
Firm Capacity: 300 gpm

Veranda Walk
Peak Flow: 1367 gpm
Firm Capacity: Not Known

Mira Lago
Peak Flow: 169 gpm
Firm Capacity: Not Known

Winn Ranch
Peak Flow: 441 gpm
Firm Capacity: Not Known

FIGURE 4-9
CITY OF LAGO VISTA
EXISTING WASTEWATER SYSTEM BUILDOUT SYSTEM ANALYSIS

LEGEND

- Water Body
- Sufficient Capacity
- Insufficient Capacity
- Sufficient Capacity
- Wastewater Treatment Plant
- Road
- City Limit
- ETJ Boundary
- Other City Limit

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CITY OF LAGO VISTA TEXAS

Model Predicted Excess Gravity Main Capacity

- 2x DWF or Less
- 2-3x DWF
- 3-4x DWF
- 4-6x DWF
- 6x DWF or More

Model Predicted Pressure Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

Model Predicted Force Main Velocity

- 0 - 2 ft/s
- 2 - 4 ft/s
- 4 - 6 ft/s
- Greater than 6 ft/s

0 1,400 2,800
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4.2.2 Wastewater Facility Analysis

Lift station capacity was analyzed under peak wet weather flow conditions. FNI recommends that new lift stations and lift station expansions be sized in accordance with TCEQ requirements. TCEQ Chapter 217.61 (c) states that "the firm pumping capacity of a lift station must handle the expected peak flow." Firm pumping capacity at a lift station is defined as the maximum pumping capacity with the largest pumping unit out of service. Because of the complex interaction of service grinder pumps, the peak flows into each lift station were established as the maximum number of grinder pump cores operating simultaneously based on the sum of all low-pressure sewer customers upstream and the E-One maximum number of grinder pumps on **Figure 4-4.** A wet weather peaking factor of 3 was applied to all gravity flow to assess lift station wet weather capacity. **Table 4-4** summarizes the existing capacity of each lift station as well as the future peak wet weather flow that the lift station is projected to convey based on the current alignments of the existing wastewater system. Through the capital improvement project development process, proposed collection system improvements will re-route some flows resulting in higher projected peak flow rates at some lift stations and lower projected peak flow rates at other lift stations. Future lift station sizing will ultimately be based on the projected buildout flow rate. Lift stations in need of capacity improvements where the difference between the projected buildout flow rates greatly exceeds the projected 2033 flow rate will be recommended to be phased such that the wet well will be oversized for the planning year in order to accommodate future flows and an additional pump.

Table 4-4. Projected Average Day and Peak Wet Weather Flow into Lift Stations

Lift Station	Existing Firm Capacity (Total Capacity[2]) gpm	Projected Peak Wet Weather Flow gpm			
		2023	2028	2033	Buildout
17th	440 (880)	677	**889**	**948**	**2,671**
Alfalfa	528 (1,056)	88	104	141	429
Bar K	560 (1,120)	448	**593**	**769**	**1,663**
Destination Way	--[1]	0	0	0	100
Driving Range	1,414 (2,828)	692	1,066	1,165	**2,315**
High Dive	900 (1,800)	640	829	**915**	**1,689**
Lower Boone	450 (900)	125	125	138	225
MacArthur	560 (1,120)	267	293	307	475
Mira Lago	--[1]	13	50	50	169
Old Burnet Rd	600 (1,200)	0	0	0	100
Pool	--[1]	~0	~0	~0	~0
Santa Carlo	720 (1,440)	91	81	94	110
Tessera	320 (640)	188	251	**426**	**687**
The Cove	189 (378)	117	118	130	168
The Inn	261 (521)	130	155	155	157
Truman	249 (499)	176	192	204	**420**
Turner	2,220 (3,330)	660	707	884	1,971
Upper Boone	300 (600)	125	138	138	250
Veranda Walk	--[1]	38	244	363	1,367
Winn Ranch	--[1]	0	72	144	441
WWTP	1,680 (2,680)	2,005	**2,505**	**3,191**	**7,225**

(1) Pump Curve Unavailable

(2) Total Capacity presented herein is the sum of all individual, rated pump capacities.

Based on the growth projections described in **Section 2** and the projected wastewater flows described in **Section 3**, Lago Vista will have adequate WWTP capacity through the 2028 planning scenario assuming all flow continues to be conveyed to the existing plant. Around the 2027-2028 time period, the WWTP influent flow is projected to exceed the 75% rule that stipulates improvements to the WWTP must be in-design to accommodate future flows. Improvements to increase the WWTP's ability to treat up to 1.5 MGD on an annualized average daily flow basis would provide the buffer beyond the 2033 planning year. As the wastewater collection system continues to grow and receive more wastewater, the wastewater treatment plant will ultimately need to be able to treat 2.57 MGD of annualized average daily flow at system buildout. **Figure 4-10** illustrates the projected flows into the WWTP for the next 10 years.

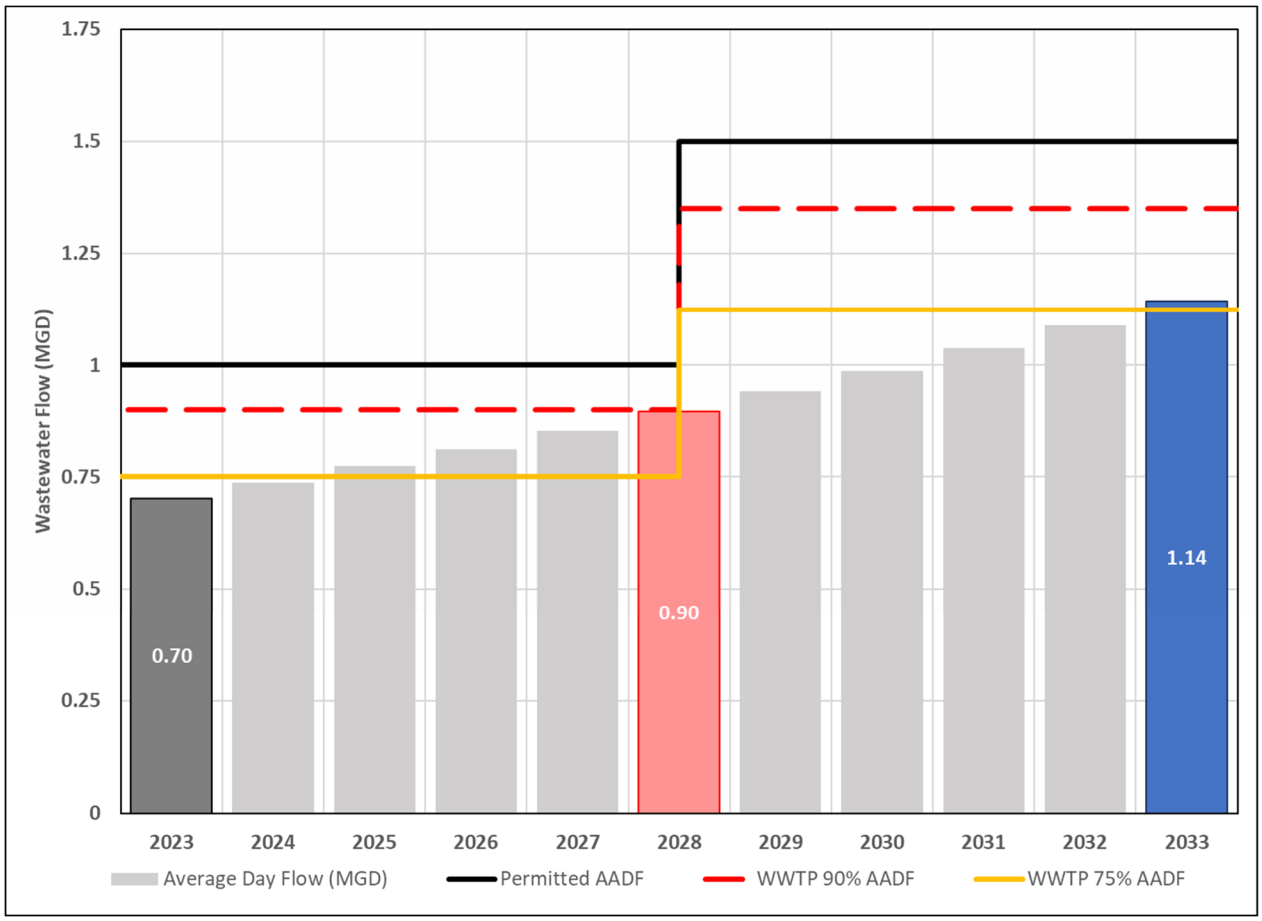


Figure 4-10. Projected Average Day Flow into the WWTP

4.2.3 Flow Monitoring Considerations

The model assessment described in the sections above are based on average day flows verified at the wastewater treatment plant. The loading of flows is based on billed wastewater customers' service location and assumed flow rates at a given time. Flows at intermediate locations throughout the collection system could not be validated due to the closed nature of the low-pressure collection system and minimal segments of gravity mains.

The low-pressure sewer collection system is a challenge to validate sewer flows; however, there are alternatives to validating flows elsewhere in the system. Options include SCADA monitoring at each lift station, deployment of in-pipe depth and velocity sensors in gravity sewer pipes as more gravity pipes are constructed, and pressure recorders on the low-pressure sewer mains. Monitoring of lift stations through SCADA will require a depth reading, pump on/off status, and the rate of flow being pumped out from each pump. A calculation from these parameters will give the City the ability to develop diurnal wastewater patterns for the service area that terminates at each lift station. Flow monitors in gravity pipes will only be available as more gravity sewer mains are installed in the collection system. Flow monitors in the existing sewer network would either be too heavily influenced by upstream lift station operations or collect flow from too small of a service area to be worthwhile for the expenditure of temporary flow monitoring. Pressure recorders may be placed on low-pressure sewer lines; however, this will only give a pressure reading that has to relate back to the number of grinder pumps on and a flow rate for each grinder pump.

5.0 LIFT STATION RISK BASED ASSESSMENT

As part of the Wastewater Master Plan, FNI performed a risk-based assessment (RBA) of all lift stations in the Lago Vista service area. The aim of the RBA was to help develop a more comprehensive CIP that includes both growth related improvements and renewal improvements.

Lago Vista operates and maintains 20 lift stations within the wastewater collection system. The first step in the RBA process involved site visits and condition assessments of all lift station facilities. FNI conducted lift station site visits with City staff on July 7 and 8, 2022. The site visit team was composed of master planning engineers, facility design engineers, electrical engineers, and utility staff. The team took photos of each site and collectively decided scores for each of the condition parameters before leaving the site. These condition scores allowed FNI to compile a list of renewal improvements that, alongside the capacity improvement recommendations, form a comprehensive CIP. Rehabilitation costs, by lift station, are summarized in **Figure 5-5**. These rehabilitation projects do not add additional capacity to the wastewater collection system and must be paid for from the utility fund rather than impact fees. Detailed cost sheets of renewal improvements for all lift stations are summarized in **Appendix B.** Rehabilitation costs of lift stations, without increasing the capacity of a lift station, are not impact fee eligible. The cost to rehabilitate lift stations will need to be funded from operations-related funds maintained by the utility.

In an RBA, an asset's condition score is used to represent its likelihood of failure. Condition parameters and scoring are based on a combination of physical data (e.g., material, age, field condition assessment, etc.), and operational data (maintenance history), which are used to develop a best estimate of the assumed condition of each component. A summary of condition scores and their definitions are presented in **Table 5-1**.

Table 5-1. Condition Assessment Scoring for Lift Station Components

Condition Rating	Scoring Guidelines
1	Very good condition: no improvements recommended to maintain function
2	Good condition: minor improvements recommended to maintain function
3	Fair condition: improvements recommended to improve performance or efficiency
4	Poor condition: improvements recommended to maintain reliability
5	Very poor condition: rehabilitation or replacement required

The lift station components and corresponding condition weighting used in the condition assessment are summarized in **Table 5-2**. The weighting factor was assigned to each component group based on its relative importance to the overall function of the lift station. During the site visit, the team took pictures and assigned a condition score to each parameter based on the visual inspection and operational history provided by Lago Vista staff.

Table 5-2. Condition Assessment Component Groups and Weighting

Component Group	Weight Factor
Pumps and Motors	20%
Electrical – MCC, Back-up Power, Cables	20%
Instrumentation – SCADA, Alarms	10%
Structure – Wet Well Walls, Top Slab, Hatches	20%
Piping and Valves	15%
Mechanical – Ventilation, Odor Control	10%
Site – Drainage, Access Drive, Security, Fencing	5%

An example lift station inspection sheet is shown on **Figure 5-1**. Completed inspection sheets for assessed lift stations can be found in **Appendix A.** Once the visual inspections were completed, ranges were developed for each category, based on the condition scores of individual components, to assign a category score from very good to very poor. The condition designation and corresponding condition score range are summarized in **Table 5-3**. During the inspections, it was observed that the existing on-site odor control Biocube™ systems were not being used. Staff noted the internal media is expensive and has not been refilled. Most of the lift station facility sites, as well as the pumps and motors were deemed to be in good condition. The overall lift station condition scores, as well as the lowest condition score and corresponding component, are summarized in **Table 5-4.**

Table 5-3. Condition Score Ranges

Condition Rating	Minimum	Maximum
Very Good	0.00	1.50
Good	1.51	2.50
Fair	2.51	3.00
Poor	3.01	3.50
Very Poor	3.51	5.00

Turner Lift Station

Inspection Date: 7/7/2022
Address: 5900 1/2 Lakeshore Drive Lago Vista Tx

Facility Information

Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	3
Total Capacity (Firm):	3,330 gpm (2,220 gpm)
Horsepower:	68.7
Monitoring:	
Generator:	

Scoring Guidelines

1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	4	20%	0.80	Utility CTs, weather heads, and conduit entering the main disconnect show signs of corrosion. ATS shows signs of water intrusion. MCC HMI is not functional, does not have as built drawings and/or one-lines and comms bucket is open and has a fan blowing on it due to overheating. Electrical room is full of storage items. Half of the light fixtures are not working properly. Conduits penetrating pull box shows signs of corrosion underneath. Most hardware for odor control system is completely corroded. Generator is not properly grounded. Generator tank shows signs of corrosion. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	3	10%	0.30	Auto dialer is unplugged and unused. SCADA cabinet does not contain any drawings. Existing flow meter (DF868) is not online and it is not working.
Structure - Wet Well Walls, Top Slab, Hatches	4	20%	0.80	No safety grating. Corrosion on pump rails and wet well lining, especially near inflow. Corrosion/rust around hatch seals.
Piping and Valves	4	15%	0.60	Significant corrosion on valves in valve vault. Corrosion on discharge piping.
Mechanical - Ventilation, Odor Control	4	10%	0.40	Biocube odor control system not functioning at the site. No proper wet well ventilation (vertical vent has 5-gallon bucket placed over it). Breaker for odor control is flipped off. Aerators were installed in 2021.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Rust on fence barbed wire. Vegetation has enveloped small section of site fence. Manual gate looks in good condition. No cameras or door access.
Condition Rating	-	100%	**3.40**	

Site is 480Y/277V.
Arc flash labels are missing.
No cameras, manual gate, manual lock. Arc flash labels are missing.
Fats, oils, and grease are still an issue as LS serves nearby restaurants. This is moderated by the aerators installed in 2021.
Radio communications, there is fiber nearby but it is old.
Generator back up power, 250kW.
Complaints of odor from nearby residents.
Window AC unit for electrical room.

Figure 5-1. Example Lift Station Inspection Sheet

Table 5-4. Lift Station Condition Score Summary

Lift Station	Overall Condition Score	Overall Rating	Lowest Component Condition Rating	Lowest Rated Component(s)
17th Lift Station	2.50	Good	5	Piping and Valves
Alfalfa	2.05	Good	4	Mechanical
Bar K	3.10	Poor	4	Structure, Piping and Valves, Site
The Cove	2.50	Good	4	Site
Destination	2.60	Fair	4	Piping and Valves, Mechanical
Driving Range	2.10	Good	4	Site
High Drive	2.15	Good	3	Pumps and Motors
The Inn	3.00	Fair	4	Electrical, Instrumentation, Mechanical
Lower Boone	3.30	Poor	4	Pumps and Motors, Mechanical
MacArthur	3.55	Very Poor	5	Structure, Piping and Valves
Mira Lago	2.90	Fair	5	Electrical
Old Burnet Rd	2.85	Fair	4	Mechanical
Pool	1.75	Good	3	Mechanical
Santo Carlo	3.30	Poor	5	Mechanical
Tessera	2.25	Good	4	Mechanical
Truman	2.45	Good	3	Pumps and Motors, Electrical, Site
Turner	3.40	Poor	4	Electrical, Structure, Piping and Valves, Mechanical
Upper Boone	2.75	Fair	4	Mechanical
Veranda Walk	2.65	Fair	4	Electrical
WWTP	3.10	Poor	4	Instrumentation, Structure, Mechanical

Table 5-5. Lift Station Rehabilitation Projects Summary

Rehabilitation Priority Order	Lift Station	Estimated Rehabilitation Cost
1	MacArthur Lift Station Condition Rehabilitation	$82,500
2	Santa Carlo Lift Station Condition Rehabilitation	$97,500
3	Mira Lago Lift Station Condition Rehabilitation	$7,100
4	17th Lift Station Condition Rehabilitation(1)	$59,700
5	Turner Lift Station Condition Rehabilitation	$562,700
6	Bar K Lift Station Condition Rehabilitation(1)	$71,100
7	WWTP Influent Lift Station Condition Rehabilitation(1)	$258,400
8	The Inn Lift Station Condition Rehabilitation	$242,100
9	Lower Boone Lift Station Condition Rehabilitation	$97,100
10	Old Burnet Lift Station Condition Rehabilitation	$65,300
11	Destination Way Lift Station Condition Rehabilitation	$150,500
12	Upper Boone Lift Station Condition Rehabilitation	$13,400
13	Veranda Walk Lift Station Condition Rehabilitation	$7,100
14	Tessera Lift Station Condition Rehabilitation(2)	$18,000
15	Alfalfa Lift Station Condition Rehabilitation	$66,900
16	Driving Range Lift Station Condition Rehabilitation	$87,300
17	The Cove Lift Station Condition Rehabilitation	$15,200
18	Truman Lift Station Condition Rehabilitation	None
19	High Drive Lift Station Condition Rehabilitation(2)	None
20	Pool Lift Station Condition Rehabilitation	None

(1) 5-Year CIP Capacity Improvement
(2) 10-Year CIP Capacity Improvement

6.0 WASTEWATER SYSTEM CAPITAL IMPROVEMENT PLAN

The recommended CIP improvements presented on **Figure 6-1** will provide the required capacity and reliability to meet projected peak flows through the buildout scenario. All of the recommended projects add capacity to the wastewater collection system and are eligible for impact fees. Locations shown for new pipelines and other recommended improvements were generalized. Specific pipeline alignments and facility sites will need to be determined as part of the design process. All dollar values presented in this section can be assumed to be nominal values with a price base of 2023. If values are to be used in a year other than 2023, they should be adjusted for factors that affect nominal prices over time, as appropriate.

Using the collection system model to analyze the wastewater collection system, improvements were phased into the three planning periods in which they become necessary. Improvements to the capacity of the wastewater treatment plant and effluent pond are front-loaded in the proposed near-term (5-year) CIP. The existing deficiencies contribute to observed and model-predicted surcharging and sanitary sewer overflows and act as bottlenecks to providing wastewater service in future growth areas. Sewer main capacity improvements were biased toward gravity solutions, where possible, to more easily accommodate future growth. Because of the topography of the collection system service area, some gravity sewer main replacement alternatives are not possible. **Table 6-1** summarizes a Class 5 opinion of probable construction costs (OPCC) of the wastewater system CIP projects. Capital costs were calculated for the major sewer pipelines but do not include costs for individual service connections or internal subdivision lines. Additionally, fees associated with design, surveying, environmental studies, geotechnical studies, land acquisition, legal fees, etc. are not included In OPCCs. This OPCC is a prediction based on available information at the present time to represent a forecast of conditions at some point in the future. As such, an OPCC is necessarily an approximation and thus, has an inherent level of uncertainty. Unit prices and quantities associated with each line item shown in the OPCC are subject to some variability. In addition, most large-scale construction projects encounter cost requirements during bidding and/or construction that could not have been reasonably identified during the design phase. A 30% contingency cost was assigned to the unknowns in the definition of the project. It is intended to account for construction costs that have not yet been identified due to the project's maturity and should be expected to be fully used for construction. Detailed descriptions of the projects and their associated costs are included in **Appendix C**.

FIGURE 6-1
CITY OF LAGO VISTA
WASTEWATER CAPITAL IMPROVEMENT PLAN
LEGEND

- Road
- Water Body
- City Limit
- ETJ Boundary
- Semi-Public Land
- WWTP — Wastewater Treatment Plant
- LS — Lift Station
- Gravity Main
- Pressure Main
- Force Main

Growth Zone Boundary

1 2 3 4 5 6 7 8

CIP PROJECT

- Existing
- 2028
- 2033
- Buildout
- Extension

FREESE AND NICHOLS

CITY OF LAGO VISTA TEXAS

Growth Zone 6 · Growth Zone 7 · Growth Zone 8 · Growth Zone 3 · Growth Zone 5 · Growth Zone 4 · Growth Zone 2 · Growth Zone 1

Semi-Public Land

Tessera — New 687 gpm LS

Bar K — New 850 gpm LS — 850 gpm Expansion

WWTP — New 7,225 gpm LS

1.5 MGD WWTP Expansion (1) — Effluent Pond Liner Rehabilitation (2)

17th — New 712 gpm LS

Driving Range — New 2,315 gpm LS

High Dive — New 1,689 gpm LS

Truman — New 420 gpm LS

Veranda Walk — New 1,367 gpm LS

Pool · Turner · Alfalfa · Old Burnet Rd · Destination Way · Upper Boone · Lower Boone · Santa Carlo · MacArthur · The Cove · The Inn · Mira Lago · Winn Ranch

Colorado River · Lake Travis · JONESTOWN · POINT VENTURE · LAKEWAY · BRIARCLIFF

0 1,400 2,800
SCALE IN FEET

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Table 6-1. Wastewater System Capital Improvements Capacity Projects Summary

Project No.	Project Name	Cost ($)
1	WWTP Expansion	$16,519,800
2	WWTP Effluent Pond Improvements	$2,514,400
3	24-inch Lakefront Drive Gravity Main Replacement	$1,467,000
4	Parliament Cove Gravity Main Replacement – Segment 1	$3,455,300
5	Patriot Drive 15-inch Gravity Main	$1,194,400
6	Highland Lake Drive 12-inch Gravity Main	$631,400
7	Twisting Trail Pressure Main Relief 18-inch Gravity Main	$2,134,800
8	High Drive/Outpost Trace Gravity Main	$1,953,300
9	Parliament Cove Gravity Main Replacement – Segment 2	$1,644,800
10	Tessera Pressure Main Replacement	$3,627,500
11	Miscellaneous Pressure Main Capacity Replacement	$3,209,100
12	New Bar K Lift Station	$1,997,400
13	New 17th Lift Station	$1,510,000
	Short Term (2020 – 2025) Total	**$41,859,200**
14	Patriot Drive Pressure Main Replacement	$812,600
15	Lower Boone Drive Pressure Main Replacement	$428,000
16	Rockwood Drive Pressure Main Replacement	$394,000
17	Bar K Ranch Road Pressure Main Replacement	$787,300
18	High Drive Lift Station Improvements and New Force Main	$3,829,700
19	Tessera Lift Station Improvements	$384,300
	Intermediate (2026 – 2030) Total	**$ 6,635,900**
20	New Influent WWTP Lift Station	$7,808,400
21	New Driving Range Lift Station and 16-inch Force Main	$6,575,100
22	National Drive 18-inch Gravity Main	$3,080,000
23	New Veranda Walk Lift Station and 12-inch Force Main	$4,383,200
24	Bar K Lift Station Expansion	$183,900
25	Timber Trail to Bar K Lift Station Gravity Main	$4,921,400
26	Lohman Ford Road to 17th Hole Lift Station Gravity Main	$5,251,900
27	Truman Lift Station Replacement Pumps	$180,900
28	Growth Zone 1 Buildout Pressure Main Replacement	$1,877,700
29	Growth Zone 2 Buildout Pressure Main Replacement	$811,100
30	Growth Zone 3 Buildout Pressure Main Replacement	$4,002,400
31	Growth Zone 4 Buildout Pressure Main Replacement	$578,800
32	Growth Zone 5 Buildout Pressure Main Replacement	$572,400
33	Growth Zone 7 Buildout Pressure Main Replacement	$903,000
34	Growth Zone 8 Buildout Pressure Main Replacement	$1,256,700
	Long Term (2031 – 2040) Total	**$ 42,386,900**
	Wastewater Capital Improvement Plan Total	**$ 90,882,000**

6.1.1 2023 through 2028 Wastewater System Improvements

The timing of projects is based on projected demands. Some projects may be initiated sooner than indicated because of development pressure or rehabilitation urgency.

1. WWTP Expansion

   This project expands the existing wastewater treatment plant's annual average daily flow capacity from 1.0 MGD to 1.5 MGD and peak 2-hour peak flow discharge to 6.0 MGD. In the expansion, the effluent quality is to remain as Type 2 discharge per TAC Chapter 217. This cost estimate is inclusive of project contingency, basic engineering cost, as well as construction inspection and services costs. The improvements to the WWTP are an estimate based on the assumption that some existing process units and structures are suitable for use. Condition and potential structural damage to existing process units may result in higher cost estimates for the WWTP expansion. In addition to treatment plant improvements, three1,500 gpm pumps are recommended to fill the one existing blank slot in the influent wet well and replace the two existing 600 gpm pumps. The increased capacity at the influent lift station will be able to accommodate peak flows beyond the projected 2033 planning period. This project is needed as the City is approaching 75% of the permitted average daily flow. The City will need to be in the design of a WWTP expansion once a 3-month average daily flow reaches 90% of the permitted effluent flow rate.

2. WWTP Effluent Pond Improvements

   This project consists of repairs to the Effluent Pond No. 17 and improvements to the Effluent Pond No. 2. Improvements to the ponds will consist of an expansion in storage capacity at Pond No. 2, rehabilitation of the concrete basin at Pond No. 17, and the replacement of a new HDPE and geotextile liner at Pond No. 17. Cracks in the liner of Pond No. 17 are cause for replacement. While dewatered, inspection of the concrete and underdrain system will justify any potential need for additional rehabilitation efforts. Improvements to Pond No. 2's storage capacity will provide the excess capacity to serve as bypass storage when Effluent Pond No. 17 is being repaired as well as bypass storage for any future cleaning and maintenance required at Pond No. 17.

3. 24-inch Lakefront Drive Gravity Main Replacement

   This project includes a 24-inch gravity sewer line beginning at Arrowhead Point and ending at the existing Driving Range LS. The proposed gravity main is needed to relieve existing capacity deficiencies as determined by the existing system analysis. The existing 8-inch has significant grade, however the main is undersized to receive flow from High Drive LS and has a history of sanitary sewer overflows along Lakefront Drive. This main will be sized to accommodate buildout flows from Growth Zone 1 as well as some flows redirected from Growth Zone 2.

4. Parliament Cove Gravity Main Replacement - Segment 1

   This project consists of a 24-inch gravity sewer line to replace an existing 12-inch sewer along Parliament Cove, ending at the existing High Drive LS. The existing 12-inch sewer main along Parliament Cove has a history of sanitary sewer overflows. The overflows are due in part to the sewer main being undersized and also in part to a low-lying manhole. The increased size of the sewer main will increase the conveyance capacity in the pipe and relieve the area of localized capacity constraints identified in the existing system analysis. This project will be sized for buildout flows in Growth Zone 1.

5. Patriot Drive 15-inch Gravity Main

   This project consists of a 15-inch gravity sewer line to replace an existing 12-inch sewer along Parliament Cove, ending at the existing High Drive LS. The existing 12-inch sewer main along Parliament Cove has a history of sanitary sewer overflows. The overflows are due in part to the sewer main being undersized and also in part to a low-lying manhole. The increased size of the sewer main will increase the conveyance capacity in the pipe and relieve the area of localized capacity constraints identified in the existing system analysis. This project will be sized for buildout flows in Growth Zone 1.

6. Highland Lake Drive 12-inch Gravity Main

   This project includes a 12-inch gravity sewer line that receives flow from the Inn LS and directs flow to the MacArthur LS. The proposed gravity main increases the conveyance capacity to MacArthur LS and relieves existing capacity deficiencies, as determined by the existing system analysis. The existing 10-inch and 6-inch gravity main on Highland Lake Drive are low lying, with little excess ground cover. As such, the risk of sanitary sewer overflows is

high in the event of minor surcharge. Sewer flow can be contained within the pipe if the pipe size is increased.

7. Twisting Trail Pressure Main Relief 18-inch Gravity Main

   This project includes an 18-inch gravity sewer line beginning at Twisting Trail and National Drive and ending at the existing Driving Range LS. The proposed gravity main is needed to relieve existing capacity deficiencies in the low-pressure sewer mains along Twisting Trail as determined by the existing system analysis. This main will be sized to accommodate buildout flows from part of Growth Zone 2 and all of Growth Zone 4 to be serviced by a future extension of the 18-inch sewer line along National Drive (Project #22).

8. High Drive/Outpost Trace Gravity Main

   This project includes a 12-inch gravity sewer line beginning at Outpost Trace and Oak Dale Drive and ending at the existing High Drive LS. The proposed gravity main redirects flow to relieve existing capacity deficiencies in the downstream low-pressure sewer mains as determined by the existing system analysis. This main will be sized to accommodate buildout flows from part of Growth Zone 2.

9. Parliament Cove Gravity Main Replacement – Segment 2

   This project includes segments of 15-inch and 12-inch gravity sewer lines beginning at American Drive and Boggy Ford Road and ending at the upstream end of Project #4. The proposed gravity mains receive flow from the buildout of the lower portion of Growth Zone 1. The need for this project was determined from the existing system analysis and will be sized for buildout flows. This project is dependent upon the construction of Project #4.

10. Tessera Pressure Main Replacement

    This project line item is a package of short segments of low-pressure wastewater lines in the collection system of the Tessera development to improve capacity. The projects consist of upsizing sewer lines ranging from 2-inches to 3-inches throughout the development. The recommendation to replace pressure pipes with larger diameter pipes will reduce maximum velocities in a maximum pump-on scenario. This project is not impact fee eligible as many of the areas where pipes are recommended to be replaced are fully built out. The recommended improvements will need to be financed by an internal utility fund.

11. Miscellaneous Pressure Main Capacity Replacement

    This project line item is a package of short segments of low-pressure wastewater lines in various parts of the collection system to improve capacity. The projects consist of sewer lines ranging in size from 2-inches to 6-inches throughout the service area. The recommendation to replace pressure pipes with larger diameter pipes will reduce maximum velocities in a maximum pump-on scenario.

12. New Bar K Lift Station

    This project includes a new wet well at the existing Bar K location and improves the pumping capacity to 850 gpm. Additional capacity is required to accommodate future flows. This project is dependent upon growth in Growth Zones 6, 7 and 8.

13. New 17th Lift Station

    This project includes a new wet well at the existing 17th hole lift station location and improves the pumping capacity to 712 gpm. Additional capacity is required to accommodate future flows. This project is dependent upon growth in Growth Zone 6.

6.1.2 2029 through 2033 Wastewater System Improvements

14. Patriot Drive Pressure Main Replacement

    This project includes a 6-inch low-pressure sewer main beginning at Redbird Drive and Blue Jay Boulevard and ties into the proposed 15-inch gravity main of Project #7. The proposed pressure main accommodates buildout flows as a result from growth in Growth Zone 1. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

15. Lower Boone Drive Pressure Main Replacement

    This project includes a 4-inch low-pressure sewer main beginning at Boone Drive and Continental Drive and ties into the existing Lower Boone LS. The proposed pressure main accommodates buildout flows in the Lower Boone LS service area. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

16. Rockwood Drive Pressure Main Replacement

    This project includes a 3-inch low-pressure sewer main beginning at Boone Drive and Continental Drive and ties into the existing Lower Boone LS. The proposed pressure main

accommodates buildout flows in the Lower Boone LS service area. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

17. Bar K Ranch Road Pressure Main Replacement

    This project includes 6-inch and 4-inch low-pressure sewer mains along Bar K Ranch Road. The proposed pressure main project accommodates buildout flows generated from Growth Zone 8 and will be needed as more customers begin to populate the area. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

18. High Drive Lift Station Improvements and New Force Main

    This project includes a new lift station at the existing High Drive LS location to improve the pumping capacity to 1,689 gpm and replace the existing force main with a 12-inch force main. The design flow rate will accommodate projected buildout flow. This project is dependent upon growth in Growth Zones 1 and 2.

19. Tessera Lift Station Improvements

    This project includes a replacement of pumps at the existing Tessera LS to improve the pumping capacity to 687 gpm. A force main improvement from the Tessera LS is currently under design and will provide adequate capacity for the future flows from the lift station. The design flow rate will accommodate projected buildout flow. This project is dependent upon the buildout of the Tessera development. The projected capacity of this lift station will be dependent upon request for wastewater service connection within the ETJ, should an expansion of the ETJ and CCN be considered.

6.1.3 Buildout Wastewater System Improvements

20. New Influent WWTP Lift Station

    This project consists of a new 7,225 gpm influent lift station at the existing WWTP. A newly constructed wet well, pumps, and piping are required to accommodate future projected buildout peak wet weather flows.

21. New Driving Range Lift Station and 16-inch Force Main

    This project consists of a new 2,315 gpm Driving Range LS and associated 16-inch force main. This project is required to accommodate buildout of Growth Zones 1, 2, and 4.

22. National Drive 18-inch Gravity Main

    This project includes segments of 18-inch and 12-inch gravity sewer lines beginning at Boggy Ford Road and connects to the upstream end of the proposed 18-inch sewer main of Project #4. This project is dependent upon the buildout of the proposed Winn Ranch as well as the buildout of Growth Zone 4.

23. New Veranda Walk Lift Station and 12-inch Force Main

    This project consists of a new 1,367 gpm Veranda Walk LS and associated 12-inch force main. The proposed 12-inch force main disconnects local low-pressure sewer connections, so additional 3-inch and 4-inch pressure pipe will be required to reconnect existing pressure sewer customers. This project is dependent upon the buildout of the Winn Ranch development as well as Growth Zone 4. It was assumed the Winn Ranch development sewer customers would be served by a low-pressure sewer system. Should the development be served by a gravity sewer system, the future capacity of the proposed Veranda Walk improvement should be increased to accommodate additional foul flow from wet weather events.

24. Bar K Lift Station Expansion

    This project consists of adding an additional pump at the Bar K lift station in the empty pump slot created as a part of Project #11. This lift station expansion is necessary to accommodate peak flows generated from the buildout of Growth Zones 7 and 8.

25. Timber Trail to Bar K Lift Station Gravity Main

    This project includes segments of 18-inch, 15-inch, and 12-inch gravity sewer lines beginning near Bar K Ranch Road and FM 1431 and connects to the improved Bar K LS of Project #11. This project is largely dependent upon the buildout of Growth Zone 8. This project may be split into two segments, should Growth Zone 7 buildout quicker than Growth Zone 8.

26. Lohman Ford Road to 17th Hole Lift Station Gravity Main

    This project includes segments of 18-inch and 12-inch gravity sewer lines beginning at Lohmans Ford Road and ending at the 17th. This project is dependent upon the buildout of the proposed Villas at Keegans Crossing as well as the development of the 140-acre parcel across the street from the proposed development.

27. Truman Lift Station Replacement Pumps

    This project consists of the replacement pumps at Truman LS to bring the capacity of the lift station to 420 gpm. This improvement is necessary as peak flows increase in the buildout planning period. Considerations for improvements to the wet well and piping should be made upon replacement of the pumps as the condition of the components may deteriorate until this project is required and may necessitate replacement.

28. Growth Zone 1 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 1. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

29. Growth Zone 2 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 2. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

30. Growth Zone 3 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 3. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

31. Growth Zone 4 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 4. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

32. Growth Zone 5 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 5. The timing of the pressure main

replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

33. Growth Zone 7 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 7. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

34. Growth Zone 8 Buildout Pressure Main Replacement

    This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 8. The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

APPENDIX A
Lift Station Site Visit Inspection Sheets

Turner Lift Station

Inspection Date: 7/7/2022
Address: 5900 1/2 Lakeshore Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	3
Total Capacity (Firm):	3,330 gpm (2,220 gpm)
Horsepower:	68.7
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	4	20%	0.80	Utility CTs, weather heads, and conduit entering the main disconnect show signs of corrosion. ATS shows signs of water intrusion. MCC HMI is not functional, does not have as built drawings and/or one-lines and comms bucket is open and has a fan blowing on it due to overheating. Electrical room is full of storage items. Half of the light fixtures are not working properly. Conduits penetrating pull box shows signs of corrosion underneath. Most hardware for odor control system is completely corroded. Generator is not properly grounded. Generator tank shows signs of corrosion. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	3	10%	0.30	Auto dialer is unplugged and unused. SCADA cabinet does not contain any drawings. Existing flow meter (DF868) is not online and it is not working.
Structure - Wet Well Walls, Top Slab, Hatches	4	20%	0.80	No safety grating. Corrosion on pump rails and wet well lining, especially near inflow. Corrosion/rust around hatch seals.
Piping and Valves	4	15%	0.60	Significant corrosion on valves in valve vault. Corrosion on discharge piping.
Mechanical - Ventilation, Odor Control	4	10%	0.40	Biocube odor control system not functioning at the site. No proper wet well ventilation (vertical vent has 5-gallon bucket placed over it). Breaker for odor control is flipped off. Aerators were installed in 2021.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Rust on fence barbed wire. Vegetation has enveloped small section of site fence. Manual gate looks in good condition. No cameras or door access.
Condition Rating	-	100%	**3.40**	

Site is 480Y/277V.
Arc flash labels are missing.
No cameras, manual gate, manual lock. Arc flash labels are missing.
Fats, oils, and grease are still an issue as LS serves nearby restaurants. This is moderated by the aerators installed in 2021.
Radio communications, there is fiber nearby but it is old.
Generator back up power, 250kW.
Complaints of odor from nearby residents.
Window AC unit for electrical room.

WWTP Lift Station

Inspection Date: 7/7/2022
Address: 5206 1/2 Country Club Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	4
Total Capacity (Firm):	
Horsepower:	10
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	No MCC drawings. Outdoor Electrical room lights are not functional. Electrical room seems to be used as storage a ladder is located within the working space of the MCC. Multiple pull boxes and condulets are missing covers. No panel schedules.
Instrumentation - SCADA, Alarms	4	10%	0.40	No SCADA drawings. SCADA cabinet at LS has major corrosion. Flygt control system
Structure - Wet Well Walls, Top Slab, Hatches	4	20%	0.80	Significant corrosion on pump rails and wet well lining, especially near inflow. Corrosion/rust/deterioration around hatch seals. Safety grating in fair condition.
Piping and Valves	3	15%	0.45	Some corrosion on valves and piping in valve vault. Corrosion on discharge piping.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper wet well ventilation (vertical vent is capped). Breaker for odor control is flipped off.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Automatic gate and security cameras with key card access control. Radio communications but fiber nearby.
Condition Rating	-	100%	**3.10**	

Pole mounted transformer rack.
Arc flash labels are missing.
Odor control cube is not functional.
Radio communications, recently installed a 50'-0" antenna.
Generator back up power, 350kW. Located indoors with motorized roll up doors.

17th Lift Station

Inspection Date: 7/7/2022
Address: 21200 Greenshore Cove Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	880 gpm (440 gpm)
Horsepower:	5
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	A lot of debris in wet well (miscellaneous materials/plastics), but no problems with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	Main disconnect mounting hardware shows signs on minor corrosion. Electrical equipment appears in good conditions. Canopy appears to have major corrosion. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	1	10%	0.10	Flygt control system Radio communication.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Minor corrosion on pump rails. Hatches in good condition. Wet well walls/lining in fair condition.
Piping and Valves	5	15%	0.75	Severe corrosion on piping and valves in valve vault. Minor corrosion on wet well piping.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in fair condition. Breaker for odor control is flipped off.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Manual gate. No security cameras or access controls. Gravel access road is very uneven. May be difficult to access with vehicle in adverse weather conditions.
Condition Rating	-	100%	**2.50**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
Radio communications.
No back up power. Not a major issue during power outages.
Odor control cube not functional but smell is not major complaint.
A lot of debris in wet well.

Driving Range Lift Station

Inspection Date: 7/7/2022
Address: 21409 Lakefront Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	2,828 gpm (1,414 gpm)
Horsepower:	47
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	Utility meter pole mounted on an inaccessible location. Generator enclosure shows signs of corrosion. Two motor controllers located outside under a canopy. Canopy in good condition. Termination box shoes minor sounds of corrosion. Light inside motor controller not functional. site light fixture is broken and not functional. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	Radio antenna not plugged into anything.
Structure - Wet Well Walls, Top Slab, Hatches	2	20%	0.40	Safety grating in good condition. Minor lining corrosion near wet well hatches. Wet well lining and pump rails in good condition. One wet well hatch has broken (rusted) handle.
Piping and Valves	2	15%	0.30	Minor corrosion on wet well discharge piping and on piping/valves in valve vault. Valve vault has concrete bottom instead of rock bottom, and is holding water.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in good condition.
Site - Drainage, Access Drive, Security, Fencing	4	5%	0.20	Site has miscellaneous equipment/debris near site fence. Fence is in poor condition with barbed wire knocked down in some areas. Fence enveloped by vegataion in multiple areas. Non-Automatic motorized gate - key pad. No cameras. Motorized gate chain shows signs of major corrosion.
Condition Rating	-	100%	**2.10**	

Site is 480Y/277V. Utility pole in poor condition.
Arc flash labels are missing.
Radio communications.
Generator back up power, 125kW.
Lights do not switch off.

High Dive Lift Station

Inspection Date: 7/7/2022
Address: 21649 High Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	1,800 gpm (900 gpm)
Horsepower:	15
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	3	20%	0.60	Crews reported Pump #2 sometimes overheats and automatically shuts off. Crew member has to come to site to manually turn pump back on (approximately once a month).
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	Generator shows signs on minor corrosion. Generator enclosure latch is loose. One motor starter in ATS under electrical canopy in good condition. Minor water intrusion in ATS. Service disconnect is mounted on utility pole next to utility meter. Conduits show signs of minor corrosion. Pull box shows signs on minor corrosion. Flygt system. Motor controller shows signs of water intrusion and corrosion. Outdoor light not in functional condition. main disconnect is locked. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	High level float.
Structure - Wet Well Walls, Top Slab, Hatches	2	20%	0.40	No safety grating, despite deep wet well. Hatches in good condition. Wet well and components in good condition.
Piping and Valves	2	15%	0.30	Minor corrosion on valve vault piping. Valves in good condition.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in good condition.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Metal fence with two gates. No security camera or access
Condition Rating	-	100%	**2.15**	

Site is 480Y/277V. Utility pole in poor condition.
Arc flash labels are missing.
Radio communications.
Generator back up power, 80kW.
Very deep wet well. Staff noted previous effort to clean cost $10k.
Staff suggested 3'rd rail could house agitator.

Truman Lift Station

Inspection Date: 7/7/2022
Address: 2809 Patriot Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	499 gpm (249 gpm)
Horsepower:	3.9
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	3	20%	0.60	Crews reported Pump #2 sometimes overheats and automatically shuts off. Crew member has to come to site to manually turn pump back on.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	Main disconnect shows signs of minor corrosion. One motor controller located outside with no canopy. No back up power. Major water intrusion inside motor controller. Light switch broken no maintenance pad for ease of access to electrical equipment. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	High and Low level float. Typically only utilize high level. SCADA screen is functional.
Structure - Wet Well Walls, Top Slab, Hatches	2	20%	0.40	No safety grating. Hatches in good condition. Wet well and components in good condition. Precast wet well cylinders installed slightly offset.
Piping and Valves	2	15%	0.30	Minor corrosion in valve vault.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in good condition.
Site - Drainage, Access Drive, Security, Fencing	3	5%	0.15	Site fence showing age. Barbed wire misplaced in some areas. Vegetation interfering with fence in one area. Manual gate, no security cameras or access controls.
Condition Rating	-	100%	**2.45**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
Radio communications.
No back up power. Not a major issue during power outages.

Santa Carlo Lift Station

Inspection Date: 7/7/2022
Address: 21203 Santa Carlo Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	1,440 gpm (720 gpm)
Horsepower:	
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	One motor controlled enclosure mounted under a canopy. Canopy shows signs of rust. Electrical rack hardware shows major signs of corrosion as well as other mounting hardware Motor controller enclosure shows signs of water intrusion. No light maintenance vault opening located right in front of electrical rack. Inconvenient for maintenance. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	3	10%	0.30	Have communication issues. Site should be on auto dialer but there is an antenna and radio on site.
Structure - Wet Well Walls, Top Slab, Hatches	4	20%	0.80	Asphalt supporting wet well top slab has sunk, creating a gap between. No safety grating. Concrete is deteriorating at the pump rail connection to top slab. Missing nut on pump rail connection to top slab. Pump rails in good condition. Valve vault hatch has significant rust/corrosion. Wet well lining corroded near hatch.
Piping and Valves	4	15%	0.60	Significant corrosion on piping/valves in valve vault. Some corrosion on wet well discharge piping.
Mechanical - Ventilation, Odor Control	5	10%	0.50	No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in imminent failure condition (rust and corrosion).
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Manual gate, no security cameras or access controls
Condition Rating	-	100%	**3.30**	

Site is 120/240V. Underground utility feed. Utility meter requires some landscaping.
Arc flash labels are missing.
Radio communications.
No back up power. Not a major issue during power outages.
Staff suggested manhole overflowing on Highland Drive, near MacArthur LS, overflows caused by Santo Carlo LS.

The Inn Lift Station

Inspection Date: 7/7/2022
Address: 1906 1/2 American Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	521 gpm (261 gpm)
Horsepower:	5
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	4	20%	0.80	One motor controller enclosure located outside with no canopy. There is not enough working space clearance between the generator and ATS, 32". Generator is not in good condition and does not run well. ATS is also not in good condition and often have issues with it. Enclosure and tank show signs of corrosion. Motor controller enclosure shows signs of major corrosion and water intrusion.
Instrumentation - SCADA, Alarms	4	10%	0.40	No SCADA. No alarms.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Some deterioration of wet well exterior near the top. Pump rails, hatch, wet well interior in good condition. Pump rails connected directly to discharge piping.
Piping and Valves	2	15%	0.30	No valve vault. Minor rust on valves/valve piping.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No ventilation.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	manual gate, no security cameras or access controls. Fencing shows minors signs of corrosion
Condition Rating	-	100%	**3.00**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
Generator backup power, 25kW. This site is a concern during power outages due to proximity to the water.
Odor control cube not functional. Have minor odor control issues.

MacArthur Lift Station

Inspection Date: 7/7/2022
Address: 20901 Highland Lakes Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	1,120 gpm (560 gpm)
Horsepower:	15
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	3	20%	0.60	No operational issues with pumps/motors indicated. Crews keep this lift station at a low "high mark" setting to provide extra protection from effluent reaching nearby creek; this is causing the pumps to operate on a very short pump cycle time. Crews have to occasionally break up debris/FOG in wet well with water hose/sprinkler.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	One motor controller mounted on the back of a wall with no canopy. Wooden structure not in good conditions. There is some lights behind structure but there no power anymore. Have issues with all power outlets. Utility meter an inconvenient location. Need major tree trimming. No site lighting. have issues with maintenance at night. signs of corrosion on electrical equipment mounting hardware. step down transformer shows signs of major corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	Radio communication. Only use high level floats. Valve position broken. SCADA screen is responsive Control schematics mislabeled "Bar K"
Structure - Wet Well Walls, Top Slab, Hatches	5	20%	1.00	No safety grating. Significant corrosion of wet well ceiling near hatch. One pump rail had its bolts sheared off and fell into the wet well. Deterioration in top slab concrete near hatch. Corrosion on pump rail and wet well lining. Wet well hatch in good condition. Valve vault hatch in poor condition with significant rust/corrosion.
Piping and Valves	5	15%	0.75	Significant corrosion on wet well discharge piping and piping/valves in valve vault. Staff suspects the backflow preventer is not operating.
Mechanical - Ventilation, Odor Control	3	10%	0.30	No odor control at the site; crews indicated there is no motivation to add order control at this time. Makeshift ventilation.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Minor vegetation interferance with site fence. manual gate with no security cameras and no access controls.
Condition Rating	-	100%	**3.55**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
In the process of updating radios.
No back up Power.
Odor control cube not functional. Have minor odor control issues. Need to replace cube medium but it is too pricey.
Wall built for overflow.
LS short cycles: 40 seconds on, 10 seconds off continously.
LS cycles set short as to not overflow upstream gravity mains into the lake.

The Cove Lift Station

Inspection Date: 7/7/2022
Address: 2705 1/2 Highland Lake Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	378 gpm (189 gpm)
Horsepower:	7.4
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	Pull box shows signs on water intrusion and corrosion LS opening right in front of electrical rack. Inconvenient for maintenance. Major debris intrusion in motor controller enclosure. Main disconnect is locked and shows signs of minor corrosion. One motor controller enclosure with no canopy. Cable mounting hardware at wet wells show signs of minor corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	Floats tend to get stuck on solenoids. Typically only use high level floats/alarms. Have 4 floats and one pressure probe. SCADA screen is responsive
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	Pump rails in good condition, one bolt/nut at pump rail/top slab connection needs to be replaced. No safety grating. Minimal liner deterioration near wet well hatch. Hatches in good condition. Manual gate, no security cameras or access controls.
Piping and Valves	2	15%	0.30	Piping and valves in good-fair condition. One of the two check valves has recently been replaced.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Ventilation in good condition.
Site - Drainage, Access Drive, Security, Fencing	4	5%	0.20	Landscaping hazard within site. Fence enveloped by vegetation, affecting fence integrity. Manual gate, no security cameras or access controls.
Condition Rating	-	100%	**2.50**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
In the process of updating radios.
No back up Power.
Check valves recently replaced.

Tessera Lift Station

Inspection Date: 7/8/2022
Address: 8010 1/2 Tessera Pkwy Lago Vista Tx

Facility Information

Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	640 gpm (320 gpm)
Horsepower:	
Monitoring:	
Generator:	

Scoring Guidelines

1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	Minor corrosion on cable mounting hardware. One motor controller under a canopy mounted, minor debris inside panel. Generator in good condition. Main disconnect located behind generator. Not a good location. Burnt mark inside terminal/pull box and signs of corrosion
Instrumentation - SCADA, Alarms	1	10%	0.10	Radio communications. SCADA screen not responsive.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Hatches in good condition. Some corrosion on pump rails, one needs bolt replacment at connection to wet well hatch. Electrical wiring hanger in wet well has loose bolts.
Piping and Valves	2	15%	0.30	Valve vault in good condition. Minor corrosion on wet well discharge piping and in valve vault.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Manual gate, no security cameras or access controls.
Condition Rating	-	100%	**2.25**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
Radio communications.
Generator back up power, 102kW.

Pool Lift Station

Inspection Date: 7/8/2022
Address: 8012 Bar K Ranch Road Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	
Horsepower:	5
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	1	20%	0.20	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	No maintenance light. One motor controller enclosure not under a canopy. Minor rust on electrical equipment and cable hardware. No back up power Unable to locate main disconnect.
Instrumentation - SCADA, Alarms	1	10%	0.10	Auto dialer communications - no radio
Structure - Wet Well Walls, Top Slab, Hatches	2	20%	0.40	No safety grating. Wet well walls, hatch, pump rails in good condition.
Piping and Valves	2	15%	0.30	Wet well piping in good condition. Valve vault piping and valves in fair condition.
Mechanical - Ventilation, Odor Control	3	10%	0.30	No odor control at the site; crews indicated there is no motivation to add order control at this time. No ventilation.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Manual gate. Extra tall fence. No security cameras or access controls.
Condition Rating	-	100%	**1.75**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
No back up power, no issues with power outages at this site because it's small.
LS is more a supplemental to hydraulics system. Only used seasonally.

Bar K Lift Station

Inspection Date: 7/8/2022
Address: 21502 1/2 Paseo De Vaca Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	1,120 gpm (560 gpm)
Horsepower:	15
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	Electrical equipment mounting hardware shows signs of major corrosion. Motor controller shows signs of minor water intrusion. No backup power at this site but have issues when there is a power outage. One motor controller located outside with no canopy.
Instrumentation - SCADA, Alarms	3	10%	0.30	Radio communications but constantly have communication losses and need to reset themselves.
Structure - Wet Well Walls, Top Slab, Hatches	4	20%	0.80	Top slab connection to wet well wall is deteriorating, rebar is exposed and cracks have formed in wet well wall exterior. Two holes in wet well wall plugged with concrete cylinders (not air-tight). No safety grating, hatch in good condition. Major corrosion of wet well ceiling around hatch. Pump rails connected to discharge piping in good condition.
Piping and Valves	4	15%	0.60	Wet well discharge piping in poor condition due to corrosion. No valve vault. Valves and piping in fair condition.
Mechanical - Ventilation, Odor Control	2	10%	0.20	No odor control at the site; crews indicated there is no motivation to add order control at this time. Ventilation in good condition.
Site - Drainage, Access Drive, Security, Fencing	4	5%	0.20	Site fence in fair condition, barbed wire rusted and misplaced in some areas. Manual gate, no security cameras or access controls. Fence shows signs of corrosion.
Condition Rating	-	100%	**3.10**	

Site is 480Y/277V. Main disconnect mounted on utility pole next to meter.
Arc flash labels are missing.
Radio communications.
No back up power. Not a major issue during power outages.
Site adjacent to drainage ditch, though staff indicated the LS has no history of flooding.

Old Burnet Rd Lift Station

Inspection Date: 7/8/2022
Address: 19201 1/2 Old Burnet Road Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	1,200 gpm (600 gpm)
Horsepower:	23
Monitoring:	Yes
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated. Thick layer of solid FOG/debris in wet well; crews break this up with water hose/sprinkler.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	One motor controller located under a canopy. Motor controller shows signs of minor water intrusion. ATS and generator both show signs of wasps nests. Pull box show signs of water intrusion. Generator is not functional but have not had issues with power outages in this area.
Instrumentation - SCADA, Alarms	3	10%	0.30	Radio communications, SCADA screen not functional.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	Safety grating in good condition. Wet well hatch in good condition. Pump rails showing corrosion in lower level. Wet well liner in good condition.
Piping and Valves	3	15%	0.45	Wet well discharge piping showing significant corrosion in some areas. Unable to assess valve vault; crew could not get valve vault hatch open while on site. Duct tape on pump rail.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Manual gate. No security cameras or access controls
Condition Rating	-	100%	**2.85**	

Site is 480Y/277V. Utility pole located inside the fence.
Arc flash labels are missing.
Radio communications.
Generator back up power, 100kW.
ATS enclosure was not fully closed when we arrived but was properly closed after the site visit.
Low inflow rate, long detention, and foaming at wet well surface.

Alfalfa Lift Station

Inspection Date: 7/8/2022
Address: 19700 Alfalfa Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	3
Total Capacity (Firm):	1,056 gpm (528 gpm)
Horsepower:	23
Monitoring:	Yes
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated. Aerator running in wet well to break up FOG/debris.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	One motor control enclosure has minor debris. Unsure about generator condition.
Instrumentation - SCADA, Alarms	3	10%	0.30	SCADA screen is not functional, could be do to overheating. There is a hole cut out by the pipping with what appears a signal cable.
Structure - Wet Well Walls, Top Slab, Hatches	1	20%	0.20	Safety grating, wet well lining, pump rails in great condition.
Piping and Valves	2	15%	0.30	Wet well piping in good condition. Minimal corrosion in valve vault. Valve vault piping and valves in good condition.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. Aerator installed in wet well.
Site - Drainage, Access Drive, Security, Fencing	1	5%	0.05	Site in good condition. Vegetation growing within fence in a couple places. manual gate, no security cameras or access controls.
Condition Rating	-	100%	**2.05**	

Site is 480Y/277V. Underground utility feed.
Arc flash labels are missing.
Radio communications.
Generator back up power, 100kW.
ATS enclosure was not fully closed when we arrived but was properly closed after the site visit.

Destination Way Lift Station

Inspection Date: 7/8/2022
Address: 5900 1/2 Destination Way Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	
Horsepower:	11
Monitoring:	Yes
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated. Thick layer of solid FOG/debris in wet well; crews break this up with water hose/sprinkler.
Electrical – MCC, Back-up Power, Cables	2	20%	0.40	One motor controller located under a canopy. Motor controller shows sign on minor water intrusion. Maintenance light not functional. minor signs of what intrusion in motor control center.
Instrumentation - SCADA, Alarms	1	10%	0.10	Radio communications, no major issues with communication. HMI is responsive and don't have major communication issues
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	Safety grating and wet well hatch in good condition. Pump rails have corrosion in lower level of wet well. Wet well hatch handle is rusted/corroded.
Piping and Valves	4	15%	0.60	Wet well discharge piping showing major corrosion. Unable to assess valve vault; crew could not get valve vault hatch open while on site.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No ventilation.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Manual gate. No security cameras. No access controls.
Condition Rating	-	100%	**2.60**	

Site is 480Y/277V. Underground feed.
Arc flash labels are missing.
Radio communications.
Generator back up power, 100kW.
Significant foam generating on liquid surface.

Veranda Walk Lift Station

Inspection Date: 7/8/2022
Address: 19139 1/2 Veranda Walk Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	
Horsepower:	
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated. Thick layer of solid FOG/debris in wet well; crews break this up with water hose/sprinkler.
Electrical – MCC, Back-up Power, Cables	4	20%	0.80	Main disconnect is in poor condition and handle shows signs of major corrosion. One door on generator enclosure is broken. Generator enclosure and tank show minor signs of corrosion. Generator does not run ok. interface is not functional and is probably obsolete due to the age. Needs programing updates. One motor controller enclosure mounted under a canopy. Soft starter mounted in enclosure on inconvenient location and hard to maintenance. Motor controller enclosure shows signs on minor water intrusion. site light fixture has major debris inside fixture termination box shows signs of water intrusion.
Instrumentation - SCADA, Alarms	1	10%	0.10	radio communications. SCADA screen is responsive. Only really use high level float alarms
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Hatches in good condition. Wet well liner deteriorating near hatch. Pump rails in good condition.
Piping and Valves	3	15%	0.45	Some corrosion on wet well piping, especially around bolts. Corrosion showing on bolts in valve vault and on valve wheels.
Mechanical - Ventilation, Odor Control	2	10%	0.20	Mulch required for odor control system. Odor control system not in operation currently. Ventilation in new condition.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Vegetation has begun to envolope site fence in multiple areas. Manual gate, no security cameras or access controls
Condition Rating	-	100%	**2.65**	

Site is 480Y/277V. Underground feed, utility transformer located within fence. Utility splice box located inside the fence near the utility transformer.
Arc flash labels are missing.
Radio communications.
Generator back up power, 50kW. generator panel was most likely broken by Generac but was never replaced.
51" between generator and utility transformer, 42" between electrical rack and generator.
Operators are not a big fan of ABB soft starters, prefer mechanical SSRV instead of digital.
CP USA provides maintenance for entire motor controller panel, both power and controls.

Mira Lago Lift Station

Inspection Date: 7/8/2022
Address: 4804 1/2 Mira Lago Way Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	
Horsepower:	11
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	No operational issues with pumps/motors indicated.
Electrical – MCC, Back-up Power, Cables	5	20%	1.00	Main disconnect shows signs of major corrosion and should be replaced immediately. Depending on utility standards, it does not appear there is enough working space clearance Infront of the transformer and location of main disconnect. Minor signs of corrosion on hardware in ATS Signs of corrosion on generator tank and one generator enclosure panel is not functional. One motor controlled mounted under a canopy. Motor controller enclosure shows signs of water intrusion. Termination box shows signs of corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	Radio communications, no major issues.
Structure - Wet Well Walls, Top Slab, Hatches	2	20%	0.40	No safety grating on wet well. Hatches and valve vault safety grating in good condition. Pump rails in good condition but have two corroded bolts at the hatch.
Piping and Valves	3	15%	0.45	Discharge piping in good condition. Corrosion showing in valve vault piping and valves.
Mechanical - Ventilation, Odor Control	3	10%	0.30	Mulch required for odor control system. Odor control system not in operation currently. Ventilation in new condition.
Site - Drainage, Access Drive, Security, Fencing	3	5%	0.15	Some vegetation interfering with fence in some areas. Bent iron posts in site gate have left a hole in the gate. Manual gate, no security cameras or access controls. Major damage to fence from vehicle collision.
Condition Rating	-	100%	**2.90**	

Site is 480Y/277V. Underground feed, utility transformer located within fence. Utility splice box located inside the fence near the utility transformer. Have had issues with utility transformer on site before, it blew up once and current transformer has a major dent.
Arc flash labels are missing.
Radio communications.
Generator back up power, 60kW
Big discharge pipe, small pumps.
Nearly no flow to this lift station - 1 large ranch.

Upper Boone Lift Station

Inspection Date: 7/8/2022
Address: 3609 Boone Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	600 gpm (300 gpm)
Horsepower:	15
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	2	20%	0.40	Pumps have been replaced in recent years.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	existing pull box with spare conductors for future expansion. Has not been used. Electrical canopy and pull box mounting hardware show signs of major corrosion. Signs of major water intrusion in motor control panel and termination cabinet. Existing motor size is too large Main disconnect is locked. Experience transient power surges which trips motor starters. have replaced parts for the starters before. Cable mounting hardware at wet wells show signs of major corrosion.
Instrumentation - SCADA, Alarms	2	10%	0.20	Radio communications, SCADA screen is responsive.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Wet well hatch in good condition. Valve vault hatch has significant rust/corrosion. Pump rails in good condition with minimal corrosion. Electrical wiring hanger in wet well showing corrosion. Wet well has extension that was added after initial construction. There is a hole for an old vent/conduit in wet well wall which will spill effluent before wet well floods. This hole may also cause I&I in some rain events.
Piping and Valves	3	15%	0.45	Some corrosion on wet well piping, especially around flanges/bolts. Piping and valves in valve vault in fair condition showing corrosion. Check valve has a broken arm and can't tell position. Staff indicated force main breaks outside of lift station site are common.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. Aerator included in wet well.
Site - Drainage, Access Drive, Security, Fencing	2	5%	0.10	Site appears to drain rainwater into wet well/valve vault area, increasing potential for I&I and rusting. Manual gate, no security cameras of access controls.
Condition Rating	-	100%	**2.75**	

Site is 480Y/277V. Underground feed.
Arc flash labels are missing.
Radio communications.
No back up power.
When site overflows it gets into the motor controller.
Recently needed to get motor and pumps rebuilt since originals are obsolete.
Significant foam generating on water surface.

Lower Boone Lift Station

Inspection Date: 7/8/2022
Address: 3401 Boone Drive Lago Vista Tx

Facility Information	
Year Installed:	
Type of Facility:	Lift Station
Number of Pumps:	2
Total Capacity (Firm):	900 gpm (450 gpm)
Horsepower:	15
Monitoring:	
Generator:	

Scoring Guidelines	
1	Very good condition, no improvements recommended to maintain function
2	Good condition, minor improvements recommended to enhance performance
3	Fair condition, improvements recommended to improve performance or efficiency
4	Poor condition, improvements recommended to maintain reliability
5	Eminent failure, rehabilitation or replacement required

CONDITION ASSESSMENT

Component Group	Component Condition Rating	Weight Factor	Weighted Component Rating	Comments
Pumps and Motors	4	20%	0.80	One of the pumps has a corroded connection to its discharge piping, causing effluent to spray out. Layer of FOG/debris in wet well; crews break this up with water sprinkler.
Electrical – MCC, Back-up Power, Cables	3	20%	0.60	One motor controller mounted under an electrical canopy. Electrical canopy hardware shows signs of corrosion. Motor controller shows signs of water intrusion. Main disconnect is locked. Pull box with spare conduit for expansion but have not increased loads and are unused.
Instrumentation - SCADA, Alarms	3	10%	0.30	Radio communications. Screen is non-responsive. Have issues with overheating.
Structure - Wet Well Walls, Top Slab, Hatches	3	20%	0.60	No safety grating. Wet well hatch in good condition. Pump rails in good condition with minimal corrosion. Wet well has extension that was added after initial construction; there is potential for leaks during emergency situations with high wet well level. Valve vault hatch has significant rust/corrosion.
Piping and Valves	3	15%	0.45	Some corrosion on wet well piping, especially around flanges/bolts. Piping and valves in valve vault in fair condition showing corrosion.
Mechanical - Ventilation, Odor Control	4	10%	0.40	No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. No proper ventilation. Yard sprinkler used in attempt to soften surface foam.
Site - Drainage, Access Drive, Security, Fencing	3	5%	0.15	Site appears to drain rainwater into wet well/valve vault area, increasing potential for I&I and rusting. Manual gate, no cameras or security access controls. Poor site grading.
Condition Rating	-	100%	**3.30**	

Site is 480Y/277V. Underground feed.
Arc flash labels are missing.
Radio communications.
No back up power.
When site overflows it gets into the motor controller.

APPENDIX B
Lift Station Rehabilitation Cost Sheets

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 1 — **Phase: Rehab**

Project Name: **MacArthur Lift Station Condition Rehabilitation**

Project Description:

Replace an existing 4" swing check valve, 4" gate valve, 4" ductile iron piping, and backflow preventer. Reconnect to existing 4" discharge pipe.

Project Drivers:

No safety grating. Significant corrosion of wet well ceiling near hatch. One pump rail had its bolts sheared off and fell into the wet well. Deterioration in top slab concrete near hatch. Corrosion on pump rail and wet well lining. Wet well hatch in good condition. Valve vault hatch in poor condition with significant rust/corrosion. Significant corrosion on wet well discharge piping and piping/valves in valve vault. Staff suspects the backflow preventer is not operating.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Bypass Pumping	1	LS	$ 15,000	$ 15,000
2	Replace Existing 4" Swing Check Valve	2	EA	$ 5,950	$ 11,900
3	Replace Existing 4" Gate Valve	2	EA	$ 1,700	$ 3,400
4	Reconnect to Existing 4" Discharge Piping	4	EA	$ 3,000	$ 12,000
5	Replace Existing 4" Ductile Iron Piping, Flange	45	LF	$ 170	$ 7,650
6	Replace backflow preventer	1	EA	$ 2,850	$ 2,850
				SUBTOTAL:	**$ 52,800**
		CONTINGENCY		30%	$ 15,900
				SUBTOTAL:	**$ 68,700**
		ENG/SURVEY		20%	$ 13,800
				SUBTOTAL:	**$ 82,500**
				Estimated Project Total:	**$ 82,500**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 2 — **Phase: Rehab**

Project Name: Santa Carlo Lift Station Condition Rehabilitation

Project Description:

Installation of new safety grate, door replacement, penetration concrete coating and pump guide rail reconnection on wet well access hatch. Replace existing 4" swing check valve, 4" gate valve, 2" air release valve and reconnect to existing 4" C-900 PVC discharge piping. Install new 10ft tall 6" SS vent and repair asphalt.

Project Drivers:

Asphalt supporting wet well top slab has sunk, creating a gap between. No safety grating. Concrete is deteriorating at the pump rail connection to top slab. Missing nut on pump rail connection to top slab. Pump rails in good condition. Valve vault hatch has significant rust/corrosion. Wet well lining corroded near hatch. Significant corrosion on piping/valves in valve vault. Some corrosion on wet well discharge piping. No odor control at the site; crews indicated there is no motivation to add order control at this time. Wet well has vent in imminent failure condition (rust and corrosion).

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Wet Well Access Hatch (48"X68") New Safety Grate Installation and Door Replacement	1	EA	$ 4,000	$ 4,000
2	Wet Well Access Hatch (48"X68") Penetration Concrete Coating and Pump Guide Rail Reconnection	1	EA	$ 1,000	$ 1,000
3	Wet Well Top Slab Concrete Support Beam	5	CY	$ 1,275	$ 6,375
4	Miscellaneous Asphalt Repair	1	LS	$ 5,900	$ 5,900
5	Replace Existing 4" Swing Check Valve	2	EA	$ 5,950	$ 11,900
6	Replace Existing 4" Gate Valve	2	EA	$ 1,700	$ 3,400
7	Replace Existing 2" Air Release Valve	2	EA	$ 4,250	$ 8,500
8	Reconnect to Existing 4" C-900 PVC	4	EA	$ 2,950	$ 11,800
9	Core Existing Wet Well Top Slab (10")	1	EA	$ 1,500	$ 1,500
10	Install New 10ft Tall, 6" SS Vent	1	EA	$ 8,000	$ 8,000
				SUBTOTAL:	**$ 62,400**
		CONTINGENCY		30%	$ 18,800
				SUBTOTAL:	**$ 81,200**
		ENG/SURVEY		20%	$ 16,300
				SUBTOTAL:	**$ 97,500**
				Estimated Project Total:	**$ 97,500**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 3 — **Phase: Rehab**

Project Name: **Mira Lago Lift Station Condition Rehabilitation**

Project Description:

Main disconnect to be replaced immediately. Address space clearance issue in front of transformer and location of main disconnect to meet utility standards. Address corrosion and water intrusion issues on corresponding equipment.

Project Drivers:

Main disconnect shows signs of major corrosion and should be replaced immediately. Depending on utility standards, it does not appear there is enough working space clearance Infront of the transformer and location of main disconnect. Minor signs of corrosion on hardware in ATS Signs of corrosion on generator tank and one generator enclosure panel is not functional. One motor controlled mounted under a canopy. Motor controller enclosure shows signs of water intrusion. Termination box shows signs of corrosion.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	480V, 100A Service Entrance Disconnect in NEMA 3R	1	EA	$ 3,650	$ 3,650
2	Demolition	1	LS	$ 800	$ 800
				SUBTOTAL:	**$ 4,500**
				CONTINGENCY 30%	$ 1,400
				SUBTOTAL:	**$ 5,900**
				ENG/SURVEY 20%	$ 1,200
				SUBTOTAL:	**$ 7,100**
				Estimated Project Total:	**$ 7,100**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 4 — **Phase: Rehab**

Project Name: **17th Lift Station Condition Rehabilitation**

Project Description:

Replace existing 4" swing check valve, 4" plug valve, and 2" air release valve. Then reconnect to existing 4" C-900 PVC discharge piping.

Vicinity Map

Project Drivers:

Severe corrosion on piping and valves in valve vault. Minor corrosion on wet well piping.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Replace Existing 4" Swing Check Valve	2	EA	$ 5,950	$ 11,900
2	Replace Existing 4" Plug Valve	2	EA	$ 2,975	$ 5,950
3	Replace Existing 2" Air Release Valve	2	EA	$ 4,250	$ 8,500
4	Reconnect to Existing 4" C-900 PVC Discharge Piping	4	EA	$ 2,950	$ 11,800
				SUBTOTAL:	**$ 38,200**
		CONTINGENCY		30%	$ 11,500
				SUBTOTAL:	**$ 49,700**
		ENG/SURVEY		20%	$ 10,000
				SUBTOTAL:	**$ 59,700**
				Estimated Project Total:	**$ 59,700**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 5 — **Phase: Rehab**

Project Name: **Turner Lift Station Condition Rehabilitation**

Project Description:

Reroute incoming 10" force main. New safety gate installation and door replacement of the wet well access hatch. Replace existing pump guide rails. Replace existing 8" swing check valve, 8" gate valve, 8" ductile iron class 250 discharge piping and repair coatings. remove existing Biocube odor control system and install a new system.

Project Drivers:

Utility CTs, weather heads, and conduit entering the main disconnect show signs of corrosion. ATS shows signs of water intrusion. MCC HMI is not functional, does not have as built drawings and/or one-lines and comms bucket is open and has a fan blowing on it due to overheating. Significant corrosion on valves in valve vault. Corrosion on discharge piping. Biocube odor control system not functioning at the site. No proper wet well ventilation (vertical vent has 5-gallon bucket placed over it). Breaker for odor control is flipped off. Aerators were installed in 2021. Electrical room is full of storage items. Half of the light fixtures are not working properly. Conduits penetrating pull box shows signs of corrosion underneath. Most hardware for odor control system is completely corroded. Generator is not properly grounded. Generator tank shows signs of corrosion. Cable mounting hardware at wet wells show signs of minor corrosion. No safety grating. Corrosion on pump rails and wet well lining, especially near inflow. Corrosion/rust around hatch seals.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	600A, 480V MCC in NEMA 1 Enclosure (Radio Communication)	1	EA	$ 36,250	$ 36,250
2	Demolition - Turner LS	1	LS	$ 1,000	$ 1,000
3	Misc. Electrical (Grounding, Lights, Receptacles, etc) - Turner LS	1	LS	$ 2,000	$ 2,000
4	Cable and Conduit - Turner LS	1	LS	$ 2,330	$ 2,330
5	Power System Studies - Turner LS	1	LS	$ 2,500	$ 2,500
6	Start-up and Testing - Turner LS	1	LS	$ 2,500	$ 2,500
7	Bypass Pumping (1100 gpm, 166 ft)	1	LS	$ 30,000	$ 30,000
8	Bypass Manhole (6ft Diameter, 10 ft Deep)	1	EA	$ 25,300	$ 25,300
9	Bypass Pumping Tie in to Existing LS 10" Discharge Force Main	1	LS	$ 24,000	$ 24,000
10	Incoming 6" PVC Gravity Main Temporary Reroute and Plug	20	LF	$ 184	$ 3,680
11	Incoming 10" Force Main Reroute	25	LF	$ 288	$ 7,200
12	10" Resilient Wedge Gate Valves (for incoming 10" FM reroute)	2	EA	$ 11,700	$ 23,400
13	Wet Well Access Hatch (36"X48") New Safety Grate Installation and Door Replacement	3	EA	$ 4,000	$ 12,000
14	Wet Well Access Hatch (36"X48"X8") Penetration Concrete Coating	3	EA	$ 1,150	$ 3,450
15	Valve Vault Access Hatch (36"X48") New Safety Grate Installation	3	EA	$ 1,500	$ 4,500

City of Lago Vista

Lift Station Rehabilitation Cost Estimate					Date: 10/20/22
16	Replace Existing Pump Guide Rails	48	LF	$ 138	$ 6,624
17	Wet Well Concrete Coating	81	SY	$ 863	$ 69,903
18	Replace Existing 8" Swing Check Valve	3	EA	$ 8,400	$ 25,200
19	Replace Existing 8" Gate Valve	3	EA	$ 9,600	$ 28,800
20	Repair Coatings	1	LS	$ 5,000	$ 5,000
21	Remove existing Biocube odor control system	1	LS	$ 5,000	$ 5,000
22	Install New Odor Control System	1	LS	$ 40,000	$ 40,000
				SUBTOTAL:	**$ 360,700**
		CONTINGENCY		30%	$ 108,300
				SUBTOTAL:	**$ 469,000**
		ENG/SURVEY		20%	$ 93,800
				SUBTOTAL:	**$ 562,800**
				Estimated Project Total:	**$ 562,800**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 6 — **Phase: Rehab**

Project Name: **Bar K Lift Station Condition Rehabilitation**

Project Description:

Demolish the existing top slap and install a new top slab. Addition of a new safety grate to the wet well access hatch and repair concrete. Replace existing 4" ductile iron class 250 discharge piping, exiting chain link fence, and the dual leaf swing gate.

Project Drivers:

Top slab connection to wet well wall is deteriorating, rebar is exposed and cracks have formed in wet well wall exterior. Two holes in wet well wall plugged with concrete cylinders (not air-tight). No safety grating, hatch in good condition. Major corrosion of wet well ceiling around hatch. Pump rails connected to discharge piping in good condition. Wet well discharge piping in poor condition due to corrosion. No valve vault. Valves and piping in fair condition. Site fence in fair condition, barbed wire rusted and misplaced in some areas. Manual gate, no security cameras or access controls. Fence shows signs of corrosion.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Bypass Pumping (560 gpm, 58 ft)	1	LS	$ 15,000	$ 15,000
2	Demolish Existing Top Slab	1	LS	$ 2,875	$ 2,875
3	Install New Top Slab, Reuse Existing Access Hatch	1	LS	$ 4,600	$ 4,600
4	Wet Well Access Hatch New Safety Grate	1	EA	$ 2,000	$ 2,000
5	Concrete Repair (two wet well cylinder holes)	1	LS	$ 1,725	$ 1,725
6	Replace Existing 4" Ductile Iron Class 250 Discharge Piping, FLG	40	LF	$ 120	$ 4,800
7	Replace Existing Chain Link Fence	90	LF	$ 94	$ 8,460
8	Replace Existing Dual Leaf Swing Gate (8ft)	1	EA	$ 6,000	$ 6,000
				SUBTOTAL:	**$ 45,500**
		CONTINGENCY		30%	$ 13,700
				SUBTOTAL:	**$ 59,200**
		ENG/SURVEY		20%	$ 11,900
				SUBTOTAL:	**$ 71,100**
				Estimated Project Total:	**$ 71,100**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 7 — **Phase: Rehab**

Project Name: **WWTP Influent Lift Station Condition Rehabilitation**

Project Description:

Address corrosion on corresponding equipment. Upgrade wet well ventilation. Replace existing pump guide rails. Remove existing 6" HDG steel vent and install a new 10ft tall 8 SS vent.

Project Drivers:

No SCADA drawings. SCADA cabinet at LS has major corrosion. Flygt control system. Significant corrosion on pump rails and wet well lining, especially near inflow. Corrosion/rust/deterioration around hatch seals. Safety grating in fair condition. No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper wet well ventilation (vertical vent is capped). Breaker for odor control is flipped off.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Demolition - WWTP	1	LS	$ 1,000	$ 1,000
2	Relay Panel in NEMA 4X Enclosure	1	LS	$ 6,250	$ 6,250
3	Misc. Electrical (Grounding, Lights, Receptacles, etc) - WWTP	1	LS	$ 700	$ 700
4	Cable and Conduit - WWTP	1	LS	$ 1,800	$ 1,800
5	Start-up and Testing - WWTP	1	LS	$ 1,000	$ 1,000
6	WWTP Bypass Pumping	1	LS	$ 30,000	$ 30,000
7	Wet Well Access Hatch (48"X60"X8") Penetration Concrete Coating	2	EA	$ 1,150	$ 2,300
8	Replace Existing Pump Guide Rails	50	LF	$ 138	$ 6,900
9	Wet Well Concrete Coating	120	SY	$ 863	$ 103,560
10	Remove Existing 6" HDG Steel Vent; Plug Concrete Penetration	1	LS	$ 1,500	$ 1,500
11	Core Existing Wet Well Top Slab (12")	1	EA	$ 1,500	$ 1,500
12	Install New 10ft Tall, 8" SS Vent	1	EA	$ 9,000	$ 9,000
				SUBTOTAL:	**$ 165,600**
		CONTINGENCY		30%	$ 49,700
				SUBTOTAL:	**$ 215,300**
		ENG/SURVEY		20%	$ 43,100
				SUBTOTAL:	**$ 258,400**
				Estimated Project Total:	**$ 258,400**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 8 — **Phase: Rehab**

Project Name: The Inn Lift Station Condition Rehabilitation

Project Description:

Add canopy to motor controller enclosure outside. Address working space clearance between generator and ATS 32". Upgrade generator and ATS. Address corrosion and water intrusion on corresponding equipment. Install a new 10ft tall 4" SS vent.

Vicinity Map

Project Drivers:

One motor controller enclosure located outside with no canopy. There is not enough working space clearance between the generator and ATS, 32". No SCADA. No alarms. No odor control at the site; crews indicated there is no motivation to add order control at this time. No ventilation.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Demolition - The Inn	1	LS	$ 2,500	$ 2,500
2	Motor Controller in NEMA 3R, 2 NEMA 1 Starters, and SCADA	1	LS	$ 18,750	$ 18,750
3	25kW, 480 V Generation in Weather Enclosure	1	EA	$ 86,250	$ 86,250
4	100A, 480 V ATS, Service Entrance Rated, NEMA 3R Enclosure	1	LS	$ 1,890	$ 1,890
5	Misc. Electrical (Grounding, Lights, Receptacles, etc) - The Inn	1	LS	$ 2,000	$ 2,000
6	Cable and Conduit - The Inn	1	LS	$ 19,390	$ 19,390
7	Electrical Pullboxes - The Inn	1	EA	$ 3,500	$ 3,500
8	Instrumental (Floats) - The Inn	4	LS	$ 580	$ 2,320
9	Power System Studies - The Inn	1	LS	$ 5,000	$ 5,000
10	Start-up and Testing - The Inn	1	LS	$ 5,000	$ 5,000
11	Core Existing Wet Well Manhole Wall (8")	1	LS	$ 1,500	$ 1,500
12	Install New 10ft Tall, 4" SS Vent	1	EA	$ 7,000	$ 7,000
				SUBTOTAL:	**$ 155,100**
		CONTINGENCY		30%	$ 46,600
				SUBTOTAL:	**$ 201,700**
		ENG/SURVEY		20%	$ 40,400
				SUBTOTAL:	**$ 242,100**
				Estimated Project Total:	**$ 242,100**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 9 — **Phase: Rehab**

Project Name: **Lower Boone Lift Station Condition Rehabilitation**

Project Description:

Bypass pumping and add new pump connection to existing discharge pipe. Install a new 10ft tall 4" SS vent and a wet well aerator.

Vicinity Map

Project Drivers:

One of the pumps has a corroded connection to its discharge piping, causing effluent to spray out. Layer of FOG/debris in wet well; crews break this up with water sprinkler. No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. No proper ventilation. Yard sprinkler used in attempt to soften surface foam.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Bypass Pumping	1	LS	$ 15,000	$ 15,000
2	New Pump Connection to Existing Discharge Pipe	1	EA	$ 8,400	$ 8,400
3	Core Existing Wet Well Manhole Wall (8")	1	LS	$ 1,500	$ 1,500
4	Install New 10ft Tall, 4" SS Vent	1	EA	$ 7,000	$ 7,000
5	Install Wet Well Aerator	1	EA	$ 30,300	$ 30,300
				SUBTOTAL:	**$ 62,200**
		CONTINGENCY		30%	$ 18,700
				SUBTOTAL:	**$ 80,900**
		ENG/SURVEY		20%	$ 16,200
				SUBTOTAL:	**$ 97,100**
				Estimated Project Total:	**$ 97,100**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 10 — **Phase: Rehab**

Project Name: Old Burnet Lift Station Condition Rehabilitation

Project Description:

Remove an existing 4" HDPE vent; cap and install a new 10 ft tall 6" SS vent.

Project Drivers:

No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Remove Existing 4" HDPE Vent; Cap	1	LS	$ 2,000	$ 2,000
2	Core Existing Wet Well Top Slab (10")	1	EA	$ 1,500	$ 1,500
3	Install New 10ft Tall, 6" SS Vent	1	EA	$ 8,000	$ 8,000
4	Install Wet Well Aerator	1	EA	$ 30,300	$ 30,300
				SUBTOTAL:	**$ 41,800**
		CONTINGENCY		30%	$ 12,600
				SUBTOTAL:	**$ 54,400**
		ENG/SURVEY		20%	$ 10,900
				SUBTOTAL:	**$ 65,300**
				Estimated Project Total:	**$ 65,300**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 11 — **Phase: Rehab**

Project Name: **Destination Way Lift Station Condition Rehabilitation**

Project Description:

Replace an existing 4" swing check valve, 4" gate valve, 1" air release valve, 4" C-900 PVC Discharge piping, 4" ductile iron discharge piping, and an existing valve vault access hatch. Remove an existing 4" HDPE Vent; cap, and install a new 10 ft tall 6" SS vent.

Project Drivers:

Wet well discharge piping showing major corrosion. Unable to assess valve vault; crew could not get valve vault hatch open while on site. No odor control at the site; crews indicated there is no motivation to add order control at this time. No ventilation.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Bypass Pumping	1	LS	$ 15,000	$ 15,000
2	Replace Existing 4" Swing Check Valve	2	EA	$ 5,950	$ 11,900
3	Replace Existing 4" Gate Valve	2	EA	$ 1,700	$ 3,400
4	Replace Existing 1" Air Release Valve	2	EA	$ 3,000	$ 6,000
5	Reconnect to Existing 4" C-900 PVC Discharge Piping	4	EA	$ 2,950	$ 11,800
6	Replace Existing 4" Ductile Iron Discharge Piping, FLG	18	LF	$ 138	$ 2,484
7	Replace Existing Valve Vault Access Hatch 30"x30"	1	EA	$ 4,000	$ 4,000
8	Remove Existing 4" HDPE Vent; Cap	1	LS	$ 2,000	$ 2,000
9	Core Existing Wet Well Top Slab (10")	1	EA	$ 1,500	$ 1,500
10	Install New 10ft Tall, 6" SS Vent	1	EA	$ 8,000	$ 8,000
11	Install Wet Well Aerator	1	EA	$ 30,300	$ 30,300
				SUBTOTAL:	**$ 96,400**
		CONTINGENCY		30%	$ 29,000
				SUBTOTAL:	**$ 125,400**
		ENG/SURVEY		20%	$ 25,100
				SUBTOTAL:	**$ 150,500**
				Estimated Project Total:	**$ 150,500**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 12 — **Phase: Rehab**

Project Name: Upper Boone Lift Station Condition Rehabilitation

Project Description:

Install a new 10ft tall 4" SS vent.

Vicinity Map

Project Drivers:

No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. Aerator included in wet well.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Core Existing Wet Well Manhole Wall (8")	1	LS	$ 1,500	$ 1,500
2	Install New 10ft Tall, 4" SS Vent	1	EA	$ 7,000	$ 7,000
				SUBTOTAL:	**$ 8,500**
		CONTINGENCY		30%	$ 2,600
				SUBTOTAL:	**$ 11,100**
		ENG/SURVEY		20%	$ 2,300
				SUBTOTAL:	**$ 13,400**
				Estimated Project Total:	**$ 13,400**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 13 — **Phase: Rehab**

Project Name: **Veranda Walk Lift Station Condition Rehabilitation**

Project Description:

Main disconnect needs to be replaced. Address corrosion and water intrusion issues on corresponding equipment.

Project Drivers:

Main disconnect shows signs of major corrosion and should be replaced immediately. Depending on utility standards, it does not appear there is enough working space clearance Infront of the transformer and location of main disconnect. Minor signs of corrosion on hardware in ATS Signs of corrosion on generator tank and one

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	480V, 100A Service Entrance Disconnect in NEMA 3R	1	EA	$ 3,650	$ 3,650
2	Demolition	1	LS	$ 800	$ 800
				SUBTOTAL:	**$ 4,500**
		CONTINGENCY		30%	$ 1,400
				SUBTOTAL:	**$ 5,900**
		ENG/SURVEY		20%	$ 1,200
				SUBTOTAL:	**$ 7,100**
				Estimated Project Total:	**$ 7,100**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 14 — **Phase: Rehab**

Project Name: **Tessera Lift Station Condition Rehabilitation**

Project Description:

Remove Existing 4" HDPE vent; cap and install new 10ft tall 6" SS vent.

Project Drivers:

No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Remove Existing 4" HDPE Vent; Cap	1	LS	$ 2,000	$ 2,000
2	Core Existing Wet Well Top Slab (10")	1	EA	$ 1,500	$ 1,500
3	Install New 10ft Tall, 6" SS Vent	1	EA	$ 8,000	$ 8,000
				SUBTOTAL:	**$ 11,500**
		CONTINGENCY		30%	$ 3,500
				SUBTOTAL:	**$ 15,000**
		ENG/SURVEY		20%	$ 3,000
				SUBTOTAL:	**$ 18,000**
				Estimated Project Total:	**$ 18,000**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 15 — **Phase: Rehab**

Project Name: **Alfalfa Lift Station Condition Rehabilitation**

Project Description:

Remove an existing 6" HDPE vent; cap and install a new 10 ft tall 8" SS vent.

Project Drivers:

No odor control at the site; crews indicated there is no motivation to add order control at this time. No proper ventilation. Aerator installed in wet well.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Remove Existing 6" HDPE Vent; Cap	1	LS	$ 2,000	$ 2,000
2	Core Existing Wet Well Top Slab (12")	1	EA	$ 1,500	$ 1,500
3	Install New 10ft Tall, 8" SS Vent	1	EA	$ 9,000	$ 9,000
4	Install Wet Well Aerator	1	EA	$ 30,300	$ 30,300
				SUBTOTAL:	**$ 42,800**
		CONTINGENCY		30%	$ 12,900
				SUBTOTAL:	**$ 55,700**
		ENG/SURVEY		20%	$ 11,200
				SUBTOTAL:	**$ 66,900**
				Estimated Project Total:	**$ 66,900**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 16 — **Phase: Rehab**

Project Name: **Driving Range Lift Station Condition Rehabilitation**

Project Description:

Remove debris and clear site. Replace existing vinyl coated chain link fence and 15ft ornamental access gate

Project Drivers:

Site has miscellaneous equipment/debris near site fence. Fence is in poor condition with barbed wire knocked down in some areas. Fence enveloped by vegetation in multiple areas. Non-Automatic motorized gate - key pad. No cameras. Motorized gate chain shows signs of major corrosion.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Remove Debris/Clear Site	1	LS	$ 4,000	$ 4,000
2	Replace Existing Vinyl Coated Chain Link Fence	360	LF	$ 94	$ 33,840
3	Replace Existing 15-foot Ornamental, Motorized Access Gate	1	EA	$ 18,000	$ 18,000
				SUBTOTAL:	**$ 55,900**
		CONTINGENCY		30%	$ 16,800
				SUBTOTAL:	**$ 72,700**
		ENG/SURVEY		20%	$ 14,600
				SUBTOTAL:	**$ 87,300**
				Estimated Project Total:	**$ 87,300**

Comments:

City of Lago Vista

Lift Station Rehabilitation Cost Estimate — **Date: 10/20/22**

Construction Project Number: 17 — **Phase: Rehab**

Project Name: **The Cove Lift Station Condition Rehabilitation**

Project Description:

Remove debris and clear site. Remove then replace existing fence by the vegetation.

Project Drivers:

Landscaping hazard within site. Fence enveloped by vegetation, affecting fence integrity. Manual gate, no security cameras or access controls.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Remove Debris/Clear Site	1	LS	$ 4,000	$ 4,000
2	Remove and Replace Existing Fence by Vegetation	60	LF	$ 94	$ 5,640
				SUBTOTAL:	**$ 9,700**
		CONTINGENCY		30%	$ 3,000
				SUBTOTAL:	**$ 12,700**
		ENG/SURVEY		20%	$ 2,600
				SUBTOTAL:	**$ 15,300**
				Estimated Project Total:	**$ 15,300**

APPENDIX C
Detailed Wastewater CIP Cost Sheets

City of Lago Vista
CIP Cost Summary

Project Number	Project Name	Cost
Short Term Projects		
1	WWTP Expansion	$ 16,519,800
2	WWTP Effluent Pond Improvements	$ 2,514,400
3	24-inch Lakefront Drive Gravity Main Replacement	$ 1,467,000
4	Parliament Cove Gravity Main Replacement - Segment 1	$ 3,455,300
5	Patriot Drive 15-inch Gravity Main	$ 1,194,400
6	Highland Lake Drive 12-inch Gravity Main	$ 631,400
7	Twisting Trail Pressure Main Relief 18-inch Gravity Main	$ 2,134,800
8	High Drive/Outpost Trace Gravity Main	$ 1,953,300
9	Parliament Cove Gravity Main Replacement - Segment 2	$ 1,644,800
10	Tessera Pressure Main Replacement	$ 3,627,500
11	Miscellaneous Pressure Main Capacity Replacement	$ 3,209,100
12	New Bar K Lift Station	$ 1,997,400
13	New 17th Lift Station	$ 1,510,000
	Short Term Total	**$ 41,859,200**
Intermediate Projects		
14	Patriot Drive Pressure Main Replacement	$ 812,600
15	Lower Boone Drive Pressure Main Replacement	$ 428,000
16	Rockwood Drive Pressure Main Replacement	$ 394,000
17	Bar K Ranch Road Pressure Main Replacement	$ 787,300
18	High Drive Lift Station Improvements and New Force Main	$ 3,829,700
19	Tessera Lift Station Improvements	$ 384,300
	Intermediate Total	**$ 6,635,900**
Long Term Projects		
20	New Influent WWTP Lift Station	$ 7,808,400
21	New Driving Range Lift Station and 16-inch Force Main	$ 6,575,100
22	National Drive 18-inch Gravity Main	$ 3,080,000
23	New Veranda Walk Lift Station and 12-inch Force Main	$ 4,383,200
24	Bar K Lift Station Expansion	$ 183,900
25	Timber Trail to Bar K Lift Station Gravity Main	$ 4,921,400
26	Lohman Ford Road to 17th Hole Lift Station Gravity Main	$ 5,251,900
27	Truman Lift Station Replacement Pumps	$ 180,900
28	Growth Zone 1 Buildout Pressure Main Replacement	$ 1,877,700
29	Growth Zone 2 Buildout Pressure Main Replacement	$ 811,100
30	Growth Zone 3 Buildout Pressure Main Replacement	$ 4,002,400
31	Growth Zone 4 Buildout Pressure Main Replacement	$ 578,800
32	Growth Zone 5 Buildout Pressure Main Replacement	$ 572,400
33	Growth Zone 7 Buildout Pressure Main Replacement	$ 903,000
34	Growth Zone 8 Buildout Pressure Main Replacement	$ 1,256,700
	Long Term Total	**$ 42,386,900**
	CIP Total	**$ 90,882,000**

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 1 — **Phase:** Short

Project Name: WWTP Expansion

Project Description:

This project expands the existing wastewater treatment plant's annual average daily flow capacity from 1.0 MGD to 1.5 MGD and peak 2-hour peak flow discharge to 6.0 MGD. In the expansion, the effluent quality is to remain as Type 2 discharge per TAC Chapter 217. This cost estimate is inclusive of project contingency, basic engineering cost, as well as construction inspection and services costs. The improvements to the WWTP are an estimate based on the assumption that some existing process units and structures are suitable for use. Condition and potential structural damage to existing process units may result in higher cost estimates for the WWTP expansion. In addition to treatment plant improvements, 3 - 1,500 gpm pumps are recommended to fill the one existing blank slot in the influent wet well and replace the 2 existing 600 gpm pumps.

Project Drivers:

This project is needed as the City is approaching 75% of the permitted average daily flow. The City will need to be in design of a WWTP expansion once a 3-month average daily flow reaches 90% of the permitted effluent flow rate.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	WWTP Expansion	1	LS	$ 10,000,000	$ 10,000,000
2	New 1,500 GPM Pumps - WWTP Influent LS	3	EA	$ 350,000	$ 1,050,000
				SUBTOTAL:	**$ 11,050,000**
		CONTINGENCY		30%	$ 3,315,000
				SUBTOTAL:	**$ 14,365,000**
		ENG/SURVEY		15%	$ 2,154,800
				SUBTOTAL:	**$ 16,519,800**
				Estimated Project Total:	**$ 16,519,800**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 2 — **Phase:** Short

Project Name: WWTP Effluent Pond Improvements

Project Description:

This project consists of repair to the Effluent Pond No. 17 and improvements to the Effluent Pond No. 2. Improvements to the ponds will consist of an expansion in storage capacity at Pond No. 2, rehabilitation of the concrete basin at Pond No. 17, and the replacement of a new HDPE and geotextile liner at Pond No. 17.

Project Drivers:

Cracks in the liner of Pond No. 17 are cause for replacement. While dewatered, inspection of the concrete and underdrain system will justify any potential need for additional rehabilitation efforts. Improvements to Pond No. 2's storage capacity will provide the excess capacity to serve as bypass storage when Effluent Pond No. 17 is being repaired as well as bypass storage for any future cleaning and maintenance required at Pond No. 17.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Effluent Pond No. 2 Improvements	1	LS	$ 760,540	$ 760,540
2	Effluent Pond No. 17 Repair	1	LS	$ 801,080	$ 801,080
				SUBTOTAL:	**$ 1,561,700**
		CONTINGENCY		40%	$ 624,700
				SUBTOTAL:	**$ 2,186,400**
		ENG/SURVEY		15%	$ 328,000
				SUBTOTAL:	**$ 2,514,400**
				Estimated Project Total:	**$ 2,514,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 3 — **Phase:** Short

Project Name: 24-inch Lakefront Drive Gravity Main Replacement

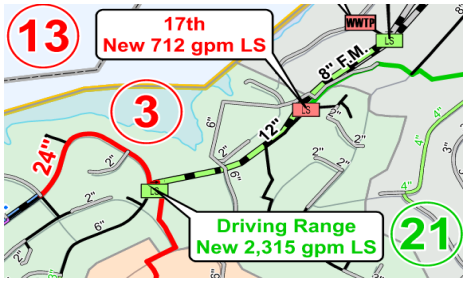
Project Description:

This project includes a 24-inch gravity sewer line beginning at Arrowhead Point and ending at the existing Driving Range LS.

Project Drivers:

The proposed gravity main is needed to relieve existing capacity deficiencies as determined by the existing system analysis. The existing 8-inch has significant grade, however the main undersized to receive flow from High Drive LS and has a history of sanitary sewer overflows along Lakefront Drive. This main will be sized to accommodate buildout flows from Growth Zone 1 as well as some flows redirected from Growth Zone 2.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	24" Pipe 8- 16 feet deep	1,813	LF	$ 528	$ 957,106
2	60" Diameter Manhole	4	EA	$ 6,000	$ 24,000
				SUBTOTAL:	**$ 981,200**
		CONTINGENCY		30%	$ 294,400
				SUBTOTAL:	**$ 1,275,600**
		ENG/SURVEY		15%	$ 191,400
				SUBTOTAL:	**$ 1,467,000**
				Estimated Project Total:	**$ 1,467,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 4 — **Phase:** Short

Project Name: Parliament Cove Gravity Main Replacement - Segment 1

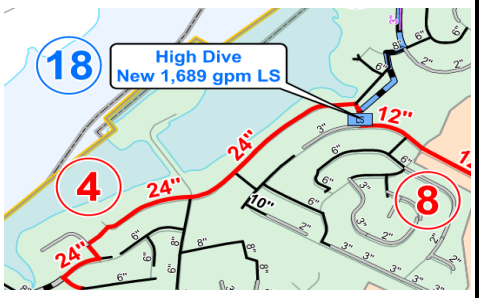
Project Description:

This project consists of a 24-inch gravity sewer line to replace an existing 12-inch sewer along Parliament Cove, ending at the existing High Drive LS.

Project Drivers:

The existing 12-inch sewer main along Parliament Cove has a history of sanitary sewer overflows. The overflows are due in part to the sewer main being undersized and also in part to a low-lying manhole. The increased size of sewer main will increase the conveyance capacity in the pipe and relieve the area of localized capacity constraints identified in the existing system analysis. This project will be sized for buildout flows in Growth Zone 1.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	24" Pipe > 16 feet deep	649	LF	$ 576	$ 373,939
2	24" Pipe 8- 16 feet deep	1,899	LF	$ 528	$ 1,002,408
3	24" Pipe < 8 feet deep	1,556	LF	$ 480	$ 746,928
4	60" Diameter Manhole	7	EA	$ 6,000	$ 42,000
5	Asphalt Pavement Repair	1,459	LF	$ 100	$ 145,900
				SUBTOTAL:	**$ 2,311,200**
		CONTINGENCY		30%	$ 693,400
				SUBTOTAL:	**$ 3,004,600**
		ENG/SURVEY		15%	$ 450,700
				SUBTOTAL:	**$ 3,455,300**
				Estimated Project Total:	**$ 3,455,300**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 5 — **Phase:** Short

Project Name: Patriot Drive 15-inch Gravity Main

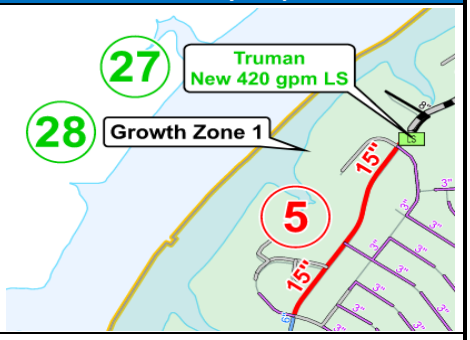
Project Description:

This project includes a 15-inch gravity sewer line beginning at Redbird Drive and Patriot Drive and ending at the existing Truman LS.

Project Drivers:

The proposed gravity main relieves existing capacity deficiencies, as determined by the existing system analysis, and is sized to accommodate buildout flows from part of Growth Zone 1.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	15" Pipe 8- 16 feet deep	2,002	LF	$ 330	$ 660,759
2	15" Pipe < 8 feet deep	315	LF	$ 300	$ 94,620
3	60" Diameter Manhole	4	EA	$ 6,000	$ 24,000
4	Asphalt Pavement Repair	195	LF	$ 100	$ 19,500
				SUBTOTAL:	**$ 798,900**
		CONTINGENCY		30%	$ 239,700
				SUBTOTAL:	**$ 1,038,600**
		ENG/SURVEY		15%	$ 155,800
				SUBTOTAL:	**$ 1,194,400**
				Estimated Project Total:	**$ 1,194,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 6 — **Phase:** Short

Project Name: Highland Lake Drive 12-inch Gravity Main

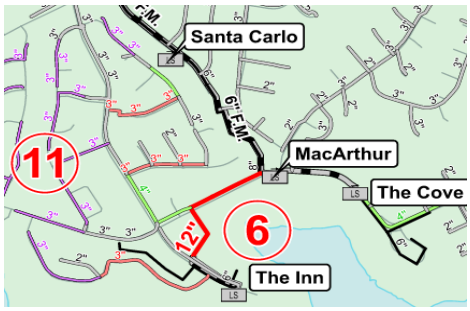
Project Description:

This project includes a 12-inch gravity sewer line that receives flow from The Inn LS and directs flow to the MacArthur LS.

Project Drivers:

The proposed gravity main increases the conveyance capacity to MacArthur LS and relieves existing capacity deficiencies, as determined by the existing system analysis. The existing 10-inch and 6-inch gravity main on Highland Lake Drive are low lying, with little excess ground cover. As such, the risk of sanitary sewer overflows are high in the event of minor surcharge. Sewer flow can be contained within the pipe if the pipe size is increased.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" Pipe > 16 feet deep	161	LF	$ 288	$ 46,397
2	12" Pipe < 8 feet deep	1,429	LF	$ 240	$ 342,960
3	60" Diameter Manhole	3	EA	$ 6,000	$ 18,000
4	Asphalt Pavement Repair	149	LF	$ 100	$ 14,900
				SUBTOTAL:	**$ 422,300**
		CONTINGENCY		30%	$ 126,700
				SUBTOTAL:	**$ 549,000**
		ENG/SURVEY		15%	$ 82,400
				SUBTOTAL:	**$ 631,400**
				Estimated Project Total:	**$ 631,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 7 — **Phase:** Short

Project Name: Twisting Trail Pressure Main Relief 18-inch Gravity Main

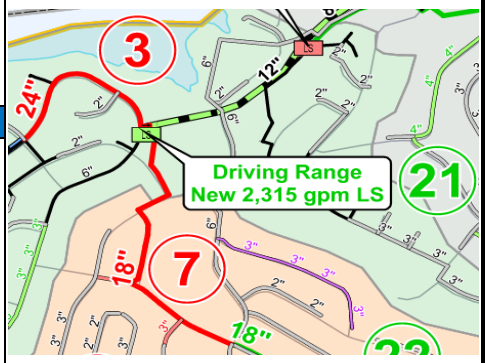
Project Description:

This project includes an 18-inch gravity sewer line beginning at Twisting Trail and National Drive and ending at the existing Driving Range LS.

Project Drivers:

The proposed gravity main is needed to relieve existing capacity deficiencies in the low-pressure sewer mains along Twisting Trail as determined by the existing system analysis. This main will be sized to accommodate buildout flows from part of Growth Zone 2 and all of Growth Zone 4 to be serviced by a future extension of the 18-inch sewer line along National Drive (Project #22).

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	21" Pipe > 16 feet deep	744	LF	$ 504	$ 375,026
2	18" Pipe > 16 feet deep	307	LF	$ 432	$ 132,667
3	18" Pipe 8- 16 feet deep	1,902	LF	$ 396	$ 752,994
4	60" Diameter Manhole	5	EA	$ 6,000	$ 30,000
5	Asphalt Pavement Repair	1,372	LF	$ 100	$ 137,200
				SUBTOTAL:	**$ 1,427,900**
		CONTINGENCY		30%	$ 428,400
				SUBTOTAL:	**$ 1,856,300**
		ENG/SURVEY		15%	$ 278,500
				SUBTOTAL:	**$ 2,134,800**
				Estimated Project Total:	**$ 2,134,800**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**
Construction Project Number: 8 — **Phase:** Short
Project Name: High Drive/Outpost Trace Gravity Main

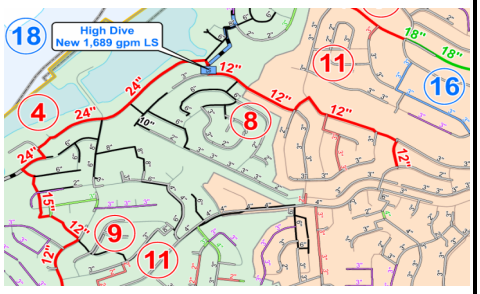
Project Description:

This project includes a 12-inch gravity sewer line beginning at Outpost Trace and Oak Dale Drive and ending at the existing High Drive LS.

Project Drivers:

The proposed gravity main redirects flow to relieve existing capacity deficiencies in the downstream low-pressure sewer mains as determined by the existing system analysis. This main will be sized to accommodate buildout flows from part of Growth Zone 2.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	24" Pipe 8- 16 feet deep	16	LF	$ 528	$ 8,395
2	12" Pipe > 16 feet deep	1,144	LF	$ 288	$ 329,357
3	12" Pipe 8- 16 feet deep	3,212	LF	$ 264	$ 847,994
4	60" Diameter Manhole	7	EA	$ 6,000	$ 42,000
5	Asphalt Pavement Repair	787	LF	$ 100	$ 78,700
				SUBTOTAL:	**$ 1,306,500**
		CONTINGENCY		30%	$ 392,000
				SUBTOTAL:	**$ 1,698,500**
		ENG/SURVEY		15%	$ 254,800
				SUBTOTAL:	**$ 1,953,300**
				Estimated Project Total:	**$ 1,953,300**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 9 — **Phase:** Short

Project Name: Parliament Cove Gravity Main Replacement - Segment 2

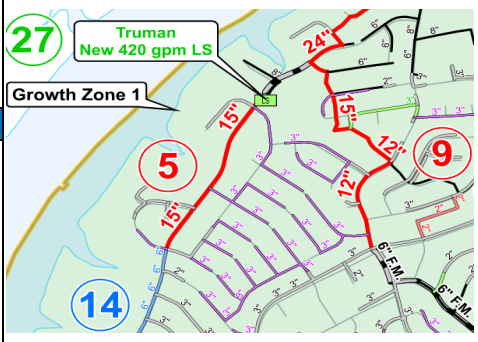
Project Description:

This project includes segments of 15-inch and 12-inch gravity sewer lines beginning at American Drive and Boggy Ford Road and ending at the upstream end of Project #4.

Project Drivers:

The proposed gravity mains receive flow from the buildout of the lower portion of Growth Zone 1. The need for this project was determined from the existing system analysis and will be sized for buildout flows. This project is dependent upon the construction of Project #4.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	15" Pipe 8- 16 feet deep	1,214	LF	$ 330	$ 400,488
2	12" Pipe 8- 16 feet deep	1,984	LF	$ 264	$ 523,697
3	60" Diameter Manhole	5	EA	$ 6,000	$ 30,000
4	Asphalt Pavement Repair	1,459	LF	$ 100	$ 145,900
				SUBTOTAL:	**$ 1,100,100**
		CONTINGENCY		30%	$ 330,100
				SUBTOTAL:	**$ 1,430,200**
		ENG/SURVEY		15%	$ 214,600
				SUBTOTAL:	**$ 1,644,800**
				Estimated Project Total:	**$ 1,644,800**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 10 — **Phase:** Short

Project Name: Tessera Pressure Main Replacement

Project Description:

This project line item is a package of short segments of low-pressure wastewater lines in the collection system of the Tessera development to improve capacity.

Project Drivers:

The projects consist of upsizing sewer lines ranging from 2-inch to 3-inch throughout the development. The recommendation to replace pressure pipes with larger diameter pipes is to reduce maximum velocities in a maximum pump-on scenario.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	12" Pipe 8- 16 feet deep	201	LF	$ 264	$ 53,038
2	8" Pipe < 8 feet deep	353	LF	$ 160	$ 56,544
3	8" Force Main < 8 feet deep	322	LF	$ 144	$ 46,368
4	4" Force Main < 8 feet deep	2,041	LF	$ 72	$ 146,930
5	3" Force Main < 8 feet deep	13,560	LF	$ 54	$ 732,245
6	60" Diameter Manhole	3	EA	$ 6,000	$ 18,000
7	Asphalt Pavement Repair	13,732	LF	$ 100	$ 1,373,200
				SUBTOTAL:	**$ 2,426,400**
		CONTINGENCY		30%	$ 728,000
				SUBTOTAL:	**$ 3,154,400**
		ENG/SURVEY		15%	$ 473,200
				SUBTOTAL:	**$ 3,627,600**
				Estimated Project Total:	**$ 3,627,600**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 11 — **Phase:** Short

Project Name: Miscellaneous Pressure Main Capacity Replacement

Project Description:

This project line item is a package of short segments of low-pressure wastewater lines in various parts of the collection system to improve capacity.

Project Drivers:

The projects consist of sewer lines ranging in size from 2-inch to 6-inch throughout the service area. The recommended pressure main replacements are to keep velocities below 6 ft/s under maximum use conditions.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	6" Force Main < 8 feet deep	593	LF	$ 108	$ 64,066
2	4" Force Main < 8 feet deep	1,792	LF	$ 72	$ 129,038
3	3" Force Main < 8 feet deep	9,289	LF	$ 54	$ 501,628
4	2" Force Main < 8 feet deep	2,090	LF	$ 36	$ 75,236
5	Asphalt Pavement Repair	13,765	LF	$ 100	$ 1,376,470
				SUBTOTAL:	**$ 2,146,500**
		CONTINGENCY		30%	$ 644,000
				SUBTOTAL:	**$ 2,790,500**
		ENG/SURVEY		15%	$ 418,600
				SUBTOTAL:	**$ 3,209,100**
				Estimated Project Total:	**$ 3,209,100**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 12 — **Phase:** Short

Project Name: New Bar K Lift Station

Project Description:

This project includes a new wet well at the existing Bar K location and improves the pumping capacity to 850 gpm. Additional capacity is required to accommodate future flows.

Project Drivers:

This project is intended to increase the pumping capacity to accommodate growth in Growth Zones 6, 7 and 8.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 850 GPM Lift Station - Bar K LS	1	LS	$ 1,336,000	$ 1,336,000
				SUBTOTAL:	**$ 1,336,000**
		CONTINGENCY		30%	$ 400,800
				SUBTOTAL:	**$ 1,736,800**
		ENG/SURVEY		15%	$ 260,600
				SUBTOTAL:	**$ 1,997,400**
				Estimated Project Total:	**$ 1,997,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 13 — **Phase:** Short

Project Name: New 17th Lift Station

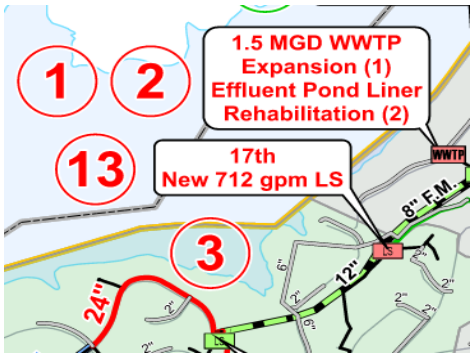
Project Description:

This project includes a new wet well at the existing 17th hole lift station location and improves the pumping capacity to 712 gpm.

Project Drivers:

Additional capacity is required to accommodate future flows. This project is dependent upon growth in Growth Zone 6.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 712 GPM Lift Station - 17th LS	1	LS	$ 1,010,000	$ 1,010,000
				SUBTOTAL:	**$ 1,010,000**
		CONTINGENCY		30%	$ 303,000
				SUBTOTAL:	**$ 1,313,000**
		ENG/SURVEY		15%	$ 197,000
				SUBTOTAL:	**$ 1,510,000**
				Estimated Project Total:	**$ 1,510,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**
Construction Project Number: 14 — **Phase: Medium**

Project Name: Patriot Drive Pressure Main Replacement

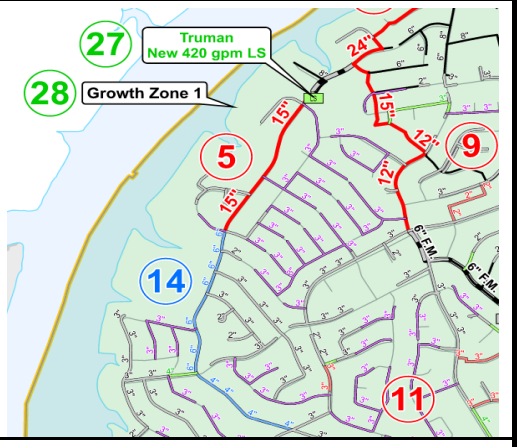
Project Description:

This project includes a 6-inch low-pressure sewer main beginning at Redbird Drive and Blue Jay Boulevard and ties into the proposed 15-inch gravity main of Project #9.

Project Drivers:

The proposed pressure main accommodates buildout flows as a result from growth in Growth Zone 1. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	6" Force Main < 8 feet deep	2,141	LF	$ 108	$ 231,271
2	4" Force Main < 8 feet deep	1,530	LF	$ 72	$ 110,146
3	Asphalt Pavement Repair	2,020	LF	$ 100	$ 202,000
				SUBTOTAL:	**$ 543,500**
				CONTINGENCY 30%	$ 163,100
				SUBTOTAL:	**$ 706,600**
				ENG/SURVEY 15%	$ 106,000
				SUBTOTAL:	**$ 812,600**
				Estimated Project Total:	**$ 812,600**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 15 — **Phase:** Medium

Project Name: Lower Boone Drive Pressure Main Replacement

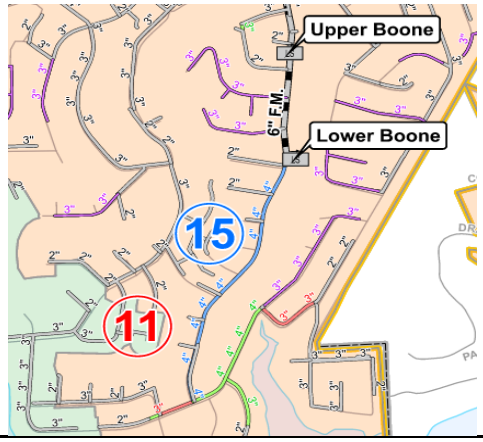
Project Description:

This project includes a 4-inch low-pressure sewer main beginning at Boone Drive and Continental Drive and ties into the existing Lower Boone LS.

Project Drivers:

The proposed pressure main accommodates buildout flows in the Lower Boone LS service area. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	3,046	LF	$ 72	$ 219,290
2	Asphalt Pavement Repair	669	LF	$ 100	$ 66,900
				SUBTOTAL:	**$ 286,200**
			CONTINGENCY	30%	$ 85,900
				SUBTOTAL:	**$ 372,100**
			ENG/SURVEY	15%	$ 55,900
				SUBTOTAL:	**$ 428,000**
				Estimated Project Total:	**$ 428,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 16 — **Phase:** Medium

Project Name: Rockwood Drive Pressure Main Replacement

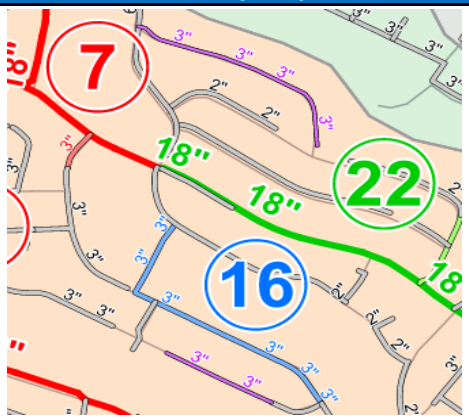
Project Description:

This project includes a 3-inch low-pressure sewer main beginning at Boone Drive and Continental Drive and ties into the existing Lower Boone LS. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

Project Drivers:

The proposed pressure main accommodates buildout flows in the Lower Boone LS service area.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	3" Force Main < 8 feet deep	2,078	LF	$ 54	$ 112,234
2	Asphalt Pavement Repair	1,512	LF	$ 100	$ 151,200
				SUBTOTAL:	**$ 263,500**
		CONTINGENCY		30%	$ 79,100
				SUBTOTAL:	**$ 342,600**
		ENG/SURVEY		15%	$ 51,400
				SUBTOTAL:	**$ 394,000**
				Estimated Project Total:	**$ 394,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 17 — **Phase:** Medium

Project Name: Bar K Ranch Road Pressure Main Replacement

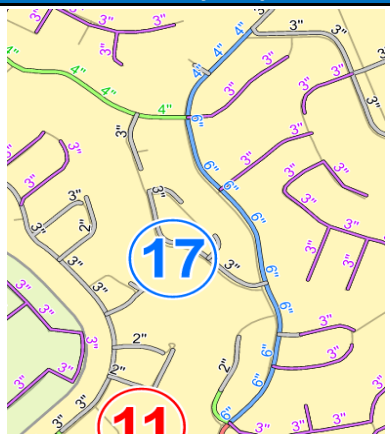
Project Description:

This project includes 6-inch and 4-inch low-pressure sewer mains along Bar K Ranch Road. A gravity main could not be installed in place of the proposed pressure main due to the ground topography.

Project Drivers:

The proposed pressure main project accommodates buildout flows generated from Growth Zone 8 and will be needed as more customers begin to populate the area.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	6" Force Main < 8 feet deep	2,947	LF	$ 108	$ 318,254
2	4" Force Main < 8 feet deep	945	LF	$ 72	$ 68,018
3	Asphalt Pavement Repair	1,403	LF	$ 100	$ 140,300
				SUBTOTAL:	**$ 526,600**
		CONTINGENCY		30%	$ 158,000
				SUBTOTAL:	**$ 684,600**
		ENG/SURVEY		15%	$ 102,700
				SUBTOTAL:	**$ 787,300**
				Estimated Project Total:	**$ 787,300**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 18 — **Phase:** Medium

Project Name: High Drive Lift Station Improvements and New Force Main

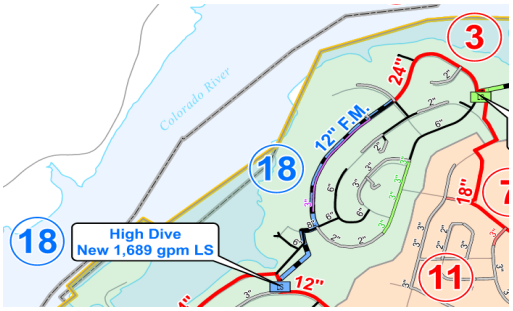
Project Description:

This project includes a new lift station at the existing High Drive LS location to improve the pumping capacity to 1,689 gpm and replace the existing force main with a 12-inch force main.

Project Drivers:

The design flow rate will accommodate projected buildout flow
This project is dependent upon growth in Growth Zones 1 and 2.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 1,689 GPM Lift Station - High Drive LS	1	LS	$ 1,797,000	$ 1,797,000
2	12" Force Main < 8 feet deep	3,214	LF	$ 216	$ 694,224
3	Asphalt Pavement Repair	703	LF	$ 100	$ 70,300
				SUBTOTAL:	**$ 2,561,600**
		CONTINGENCY		30%	$ 768,500
				SUBTOTAL:	**$ 3,330,100**
		ENG/SURVEY		15%	$ 499,600
				SUBTOTAL:	**$ 3,829,700**
				Estimated Project Total:	**$ 3,829,700**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 19 — **Phase:** Medium

Project Name: Tessera Lift Station Improvements

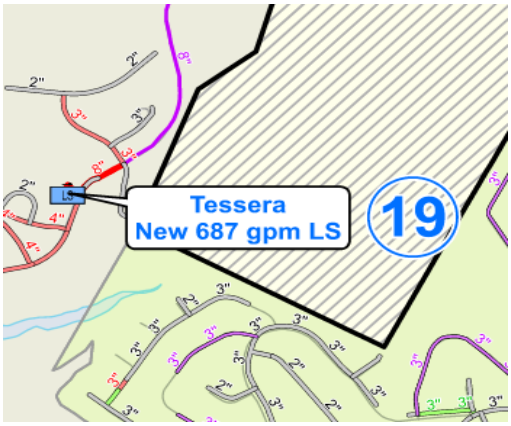
Project Description:

This project includes a replacement of pumps at the existing Tessera LS to improve the pumping capacity to 687 gpm.

Project Drivers:

A force main improvement from the Tessera LS is currently under design and will provide adequate capacity for the future flows from the lift station The design flow rate will accommodate projected buildout flow This project is dependent upon the buildout of the Tessera development. The projected capacity of this lift station will be dependent upon request for wastewater service connection within the ETJ, should an expansion of the ETJ and CCN be considered.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 687 GPM Pumps - Tessera LS	2	EA	$ 128,500	$ 257,000
				SUBTOTAL:	**$ 257,000**
		CONTINGENCY		30%	$ 77,100
				SUBTOTAL:	**$ 334,100**
		ENG/SURVEY		15%	$ 50,200
				SUBTOTAL:	**$ 384,300**
				Estimated Project Total:	**$ 384,300**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**
Construction Project Number: 20 — **Phase: Buildout**

Project Name: New Influent WWTP Lift Station

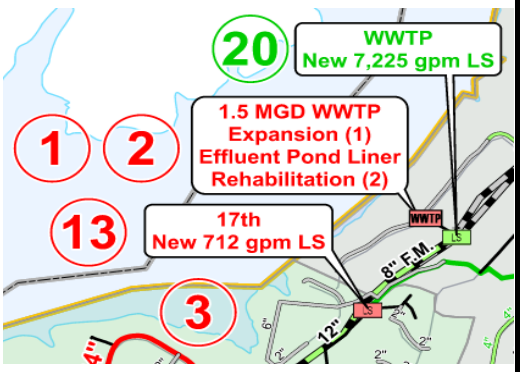
Project Description:

This project consists of a new 7,225 gpm influent lift station at the existing WWTP.

Project Drivers:

A newly constructed wet well, pumps, and piping are required to accommodate future projected buildout peak wet weather flows.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 7,225 GPM WWTP Influent LS	1	LS	$ 5,223,000	$ 5,223,000
				SUBTOTAL:	**$ 5,223,000**
		CONTINGENCY		30%	$ 1,566,900
				SUBTOTAL:	**$ 6,789,900**
		ENG/SURVEY		15%	$ 1,018,500
				SUBTOTAL:	**$ 7,808,400**
				Estimated Project Total:	**$ 7,808,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 21 — **Phase:** Buildout

Project Name: New Driving Range Lift Station and 16-inch Force Main

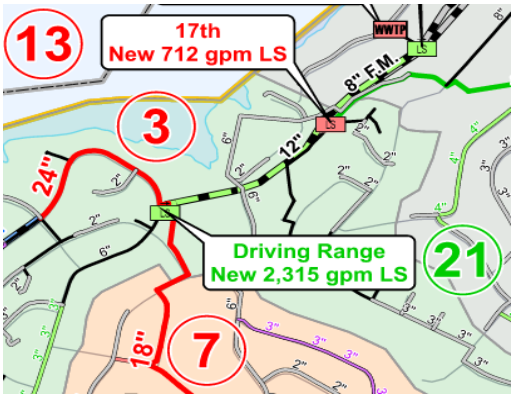
Project Description:

This project consists of a new 2,315 gpm Driving Range LS and associated 16-inch force main.

Project Drivers:

This project is required to accommodate buildout of Growth Zones 1, 2, and 4.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 2,315 GPM Lift Station - Driving Range LS	1	LS	$ 3,582,000	$ 3,582,000
2	16" Force Main < 8 feet deep	2,833	LF	$ 288	$ 815,904
				SUBTOTAL:	**$ 4,398,000**
		CONTINGENCY		30%	$ 1,319,400
				SUBTOTAL:	**$ 5,717,400**
		ENG/SURVEY		15%	$ 857,700
				SUBTOTAL:	**$ 6,575,100**
				Estimated Project Total:	**$ 6,575,100**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 22 — **Phase:** Buildout

Project Name: National Drive 18-inch Gravity Main

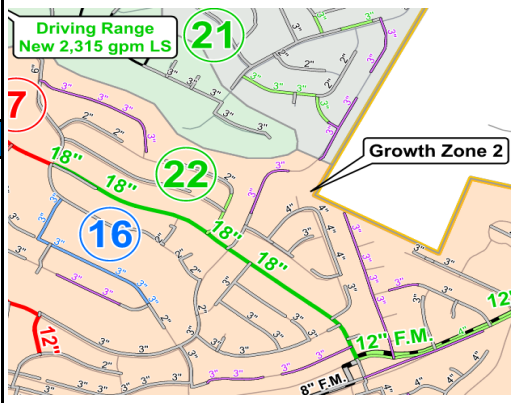
Project Description:

This project includes segments of 18-inch and 12-inch gravity sewer lines beginning at Boggy Ford Road and connects to the upstream end of the proposed 18-inch sewer main of Project #7.

Project Drivers:

This project is dependent upon the buildout of the proposed Winn Ranch as well as the buildout of Growth Zone 4.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	18" Pipe > 16 feet deep	444	LF	$ 432	$ 191,678
2	18" Pipe 8- 16 feet deep	3,358	LF	$ 396	$ 1,329,847
3	18" Pipe < 8 feet deep	479	LF	$ 360	$ 172,404
4	3" Force Main < 8 feet deep	592	LF	$ 54	$ 31,957
5	60" Diameter Manhole	7	EA	$ 6,000	$ 42,000
6	Asphalt Pavement Repair	2,922	LF	$ 100	$ 292,200
				SUBTOTAL:	**$ 2,060,100**
			CONTINGENCY	30%	$ 618,100
				SUBTOTAL:	**$ 2,678,200**
			ENG/SURVEY	15%	$ 401,800
				SUBTOTAL:	**$ 3,080,000**
				Estimated Project Total:	**$ 3,080,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 23 — **Phase:** Buildout

Project Name: New Veranda Walk Lift Station and 12-inch Force Main

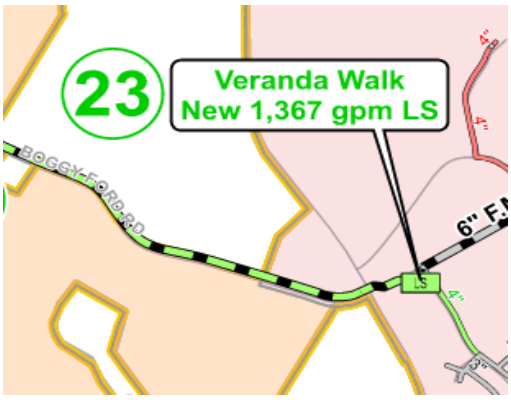
Project Description:

This project consists of a new 1,367 gpm Veranda Walk LS and associated 12-inch force main. The proposed 12-inch force mains disconnects local low-pressure sewer connections, so additional 3-inch and 4-inch pressure pipe will be required to reconnect existing pressure sewer customers.

Project Drivers:

This project is dependent upon the buildout of the Winn Ranch development as well as Growth Zone 4. It was assumed the Winn Ranch development sewer customers would be served by a low-pressure sewer system. Should the development be served by a gravity sewer system, the future capacity of the proposed Veranda Walk improvement should be increased to accommodate additional foul flow from wet weather events.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 1,367 GPM Veranda Walk Lift Station	1	LS	$ 1,355,000	$ 1,355,000
2	12" Force Main < 8 feet deep	5,774	LF	$ 216	$ 1,247,206
3	4" Force Main < 8 feet deep	1,773	LF	$ 72	$ 127,649
4	3" Force Main < 8 feet deep	419	LF	$ 54	$ 22,599
5	Asphalt Pavement Repair	1,793	LF	$ 100	$ 179,300
				SUBTOTAL:	**$ 2,931,800**
		CONTINGENCY		30%	$ 879,600
				SUBTOTAL:	**$ 3,811,400**
		ENG/SURVEY		15%	$ 571,800
				SUBTOTAL:	**$ 4,383,200**
				Estimated Project Total:	**$ 4,383,200**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate	**June 9, 2023**
Construction Project Number: 24	**Phase: Buildout**
Project Name:	**Bar K Lift Station Expansion**

Project Description:

This project consists of adding an additional pump at the Bar K lift station in the empty pump slot created as a part of Project #12.

Project Drivers:

This lift station expansion is necessary to accommodate peak flows generated from the buildout of Growth Zones 7 and 8.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 850 GPM Pump - Bar K Expansion	1	EA	$ 123,000	$ 123,000
				SUBTOTAL:	**$ 123,000**
		CONTINGENCY		30%	$ 36,900
				SUBTOTAL:	**$ 159,900**
		ENG/SURVEY		15%	$ 24,000
				SUBTOTAL:	**$ 183,900**
				Estimated Project Total:	**$ 183,900**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 25 — **Phase:** Buildout

Project Name: Timber Trail to Bar K Lift Station Gravity Main

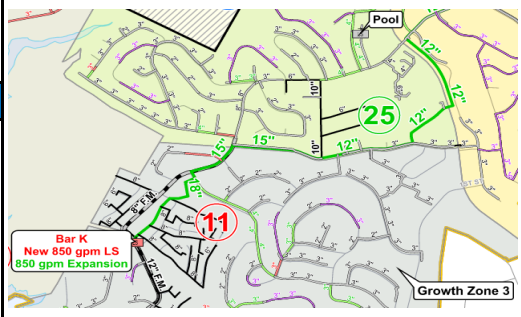
Project Description:

This project includes segments of 18-inch, 15-inch, and 12-inch gravity sewer lines beginning near Bar K Ranch Road and FM 1431 and connects to the improved Bar K LS of Project #12.

Project Drivers:

This project is largely dependent upon the buildout of Growth Zone 8. This project may be split into two segments, should Growth Zone 7 build out quicker than Growth Zone 8.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	18" Pipe 8- 16 feet deep	1,715	LF	$ 396	$ 679,259
2	15" Pipe 8- 16 feet deep	2,468	LF	$ 330	$ 814,341
3	12" Pipe > 16 feet deep	508	LF	$ 288	$ 146,160
4	12" Pipe 8- 16 feet deep	4,890	LF	$ 264	$ 1,290,828
5	8" Force Main < 8 feet deep	475	LF	$ 144	$ 68,443
6	Asphalt Pavement Repair	2,927	LF	$ 100	$ 292,700
				SUBTOTAL:	**$ 3,291,800**
		CONTINGENCY		30%	$ 987,600
				SUBTOTAL:	**$ 4,279,400**
		ENG/SURVEY		15%	$ 642,000
				SUBTOTAL:	**$ 4,921,400**
				Estimated Project Total:	**$ 4,921,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 26 — **Phase:** Buildout

Project Name: Lohman Ford Road to 17th Hole Lift Station Gravity Main

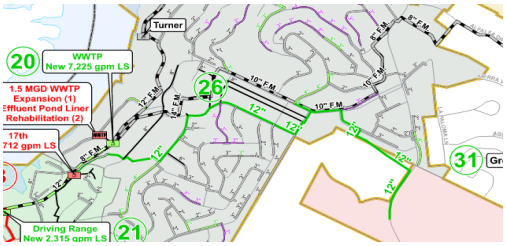
Project Description:

This project includes segments of 18-inch and 12-inch gravity sewer lines beginning at Lohmans Ford Road and ending at the 17th.

Project Drivers:

This project is dependent upon the buildout of the proposed Villas at Keegans Crossing as well as the development of the 140-acre parcel across the street from the proposed development.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	18" Pipe 8- 16 feet deep	828	LF	$ 396	$ 327,730
2	12" Pipe > 16 feet deep	2,710	LF	$ 288	$ 780,509
3	12" Pipe 8- 16 feet deep	6,605	LF	$ 264	$ 1,743,641
4	12" Pipe < 8 feet deep	226	LF	$ 240	$ 54,120
5	16" Force Main < 8 feet deep	1,047	LF	$ 288	$ 301,507
6	60" Diameter Manhole	14	EA	$ 6,000	$ 84,000
7	Asphalt Pavement Repair	2,213	LF	$ 100	$ 221,300
				SUBTOTAL:	**$ 3,512,900**
		CONTINGENCY		30%	$ 1,053,900
				SUBTOTAL:	**$ 4,566,800**
		ENG/SURVEY		15%	$ 685,100
				SUBTOTAL:	**$ 5,251,900**
				Estimated Project Total:	**$ 5,251,900**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 27 — **Phase:** Buildout

Project Name: Truman Lift Station Replacement Pumps

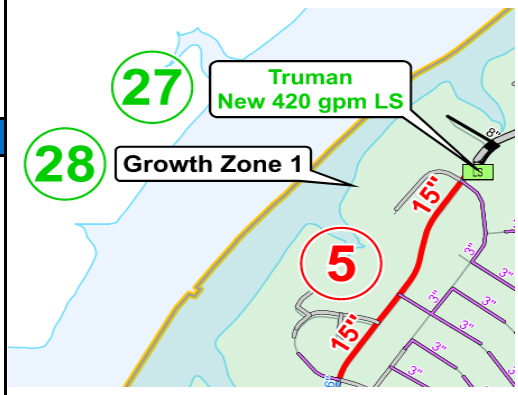
Project Description:

This project consists of the replacement pumps at Truman LS to bring the capacity of the lift station to 420 gpm.

Project Drivers:

This improvement is necessary as peak flows increase in the buildout planning period. Considerations for improvements to the wet well and piping should be made upon replacement of the pumps as the condition of the components may deteriorate until this project is required and may necessitate replacement.

Vicinity Map



Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	New 420 GPM Pumps - Truman LS	2	EA	$ 60,500	$ 121,000
				SUBTOTAL:	**$ 121,000**
				CONTINGENCY 30%	$ 36,300
				SUBTOTAL:	**$ 157,300**
				ENG/SURVEY 15%	$ 23,600
				SUBTOTAL:	**$ 180,900**
				Estimated Project Total:	**$ 180,900**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 28 — **Phase:** Buildout

Project Name: Growth Zone 1 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 1.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	3,495	LF	$ 72	$ 251,669
2	3" Force Main < 8 feet deep	4,200	LF	$ 54	$ 226,784
3	2" Force Main < 8 feet deep	58	LF	$ 36	$ 2,095
4	Asphalt Pavement Repair	7,753	LF	$ 100	$ 775,330
				SUBTOTAL:	**$ 1,255,900**
		CONTINGENCY		30%	$ 376,800
				SUBTOTAL:	**$ 1,632,700**
		ENG/SURVEY		15%	$ 245,000
				SUBTOTAL:	**$ 1,877,700**
				Estimated Project Total:	**$ 1,877,700**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate	**June 9, 2023**
Construction Project Number: 29	**Phase: Buildout**
Project Name:	**Growth Zone 2 Buildout Pressure Main Replacement**

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 2.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	1,443	LF	$ 72	$ 103,903
2	3" Force Main < 8 feet deep	1,911	LF	$ 54	$ 103,189
3	Asphalt Pavement Repair	3,354	LF	$ 100	$ 335,400
				SUBTOTAL:	**$ 542,500**
		CONTINGENCY		30%	$ 162,800
				SUBTOTAL:	**$ 705,300**
		ENG/SURVEY		15%	$ 105,800
				SUBTOTAL:	**$ 811,100**
				Estimated Project Total:	**$ 811,100**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 30 — **Phase:** Buildout

Project Name: Growth Zone 3 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 3.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	8" Pipe 8- 16 feet deep	382	LF	$ 176	$ 67,162
2	4" Force Main < 8 feet deep	6,738	LF	$ 72	$ 485,122
3	3" Force Main < 8 feet deep	9,096	LF	$ 54	$ 491,189
4	60" Diameter Manhole	2	EA	$ 6,000	$ 12,000
5	Asphalt Pavement Repair	16,216	LF	$ 100	$ 1,621,550
				SUBTOTAL:	**$ 2,677,100**
		CONTINGENCY		30%	$ 803,200
				SUBTOTAL:	**$ 3,480,300**
		ENG/SURVEY		15%	$ 522,100
				SUBTOTAL:	**$ 4,002,400**
				Estimated Project Total:	**$ 4,002,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 31 — **Phase:** Buildout

Project Name: Growth Zone 4 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 4.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	2,250	LF	$ 72	$ 162,022
2	Asphalt Pavement Repair	2,250	LF	$ 100	$ 225,030
				SUBTOTAL:	**$ 387,100**
		CONTINGENCY		30%	$ 116,200
				SUBTOTAL:	**$ 503,300**
		ENG/SURVEY		15%	$ 75,500
				SUBTOTAL:	**$ 578,800**
				Estimated Project Total:	**$ 578,800**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 32 — **Phase:** Buildout

Project Name: Growth Zone 5 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 5.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	3" Force Main < 8 feet deep	2,486	LF	$ 54	$ 134,217
2	Asphalt Pavement Repair	2,486	LF	$ 100	$ 248,550
				SUBTOTAL:	**$ 382,800**
		CONTINGENCY		30%	$ 114,900
				SUBTOTAL:	**$ 497,700**
		ENG/SURVEY		15%	$ 74,700
				SUBTOTAL:	**$ 572,400**
				Estimated Project Total:	**$ 572,400**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 33 — **Phase:** Buildout

Project Name: Growth Zone 7 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 7.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	2,841	LF	$ 72	$ 204,566
2	3" Force Main < 8 feet deep	748	LF	$ 54	$ 40,403
3	Asphalt Pavement Repair	3,589	LF	$ 100	$ 358,940
				SUBTOTAL:	**$ 604,000**
		CONTINGENCY		30%	$ 181,200
				SUBTOTAL:	**$ 785,200**
		ENG/SURVEY		15%	$ 117,800
				SUBTOTAL:	**$ 903,000**
				Estimated Project Total:	**$ 903,000**

Comments:

City of Lago Vista

Capital Improvement Cost Estimate — **June 9, 2023**

Construction Project Number: 34 — **Phase:** Buildout

Project Name: Growth Zone 8 Buildout Pressure Main Replacement

Project Description:

This project consists of various segments of existing pressure mains that need to be upsized with the buildout of parcels within Growth Zone 8.

Project Drivers:

The timing of the pressure main replacement is dependent upon the development of pre-platted parcels upstream of the identified areas.

Opinion of Probable Construction Cost

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	4" Force Main < 8 feet deep	4,041	LF	$ 72	$ 290,916
2	3" Force Main < 8 feet deep	945	LF	$ 54	$ 51,014
3	Asphalt Pavement Repair	4,985	LF	$ 100	$ 498,520
				SUBTOTAL:	**$ 840,500**
		CONTINGENCY		30%	$ 252,200
				SUBTOTAL:	**$ 1,092,700**
		ENG/SURVEY		15%	$ 164,000
				SUBTOTAL:	**$ 1,256,700**
				Estimated Project Total:	**$ 1,256,700**

Comments:

AGENDA ITEM NO. 8

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Tracie Hlavinka, City Manager

SUBJECT: Discussion, consideration, and possible action on future projects to be presented by Keep Lago Vista Beautiful.

BACKGROUND: Keep Lago Vista Beautiful (KLVB) is a voluntary community organization that takes pride in keeping areas around the city maintained with foliage, art work and plantings. This organization also assists with maintaining City owned areas such as Bowden Point, the Golf Course Clubhouse and Dawn Drive.

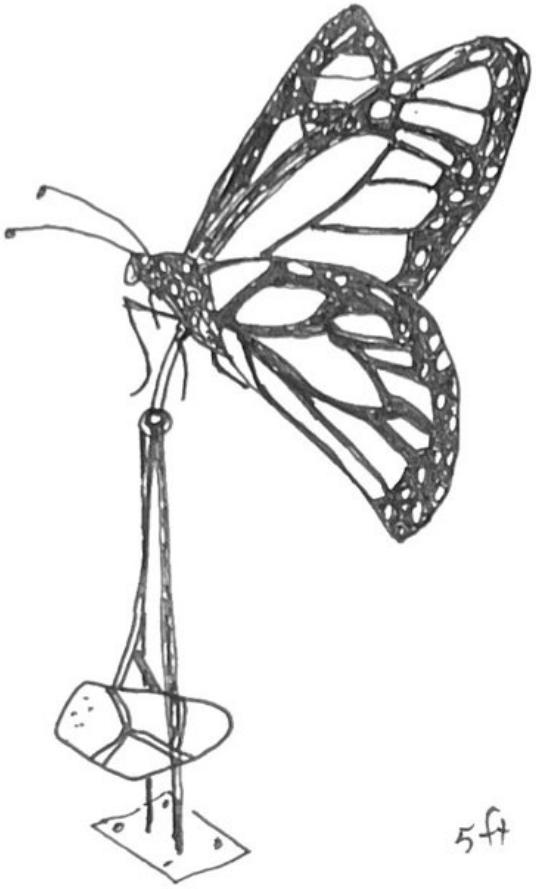
In recent months, KLVB has been working with local artists to provide murals on structures such as traffic signal boxes, walls at the youth baseball fields and elementary school.

FINDINGS: During the FY2023-2024 budget process, the City Council allocated $31,100 to help fund KLVB projects. A representative from the organization will present future projects to be considered.

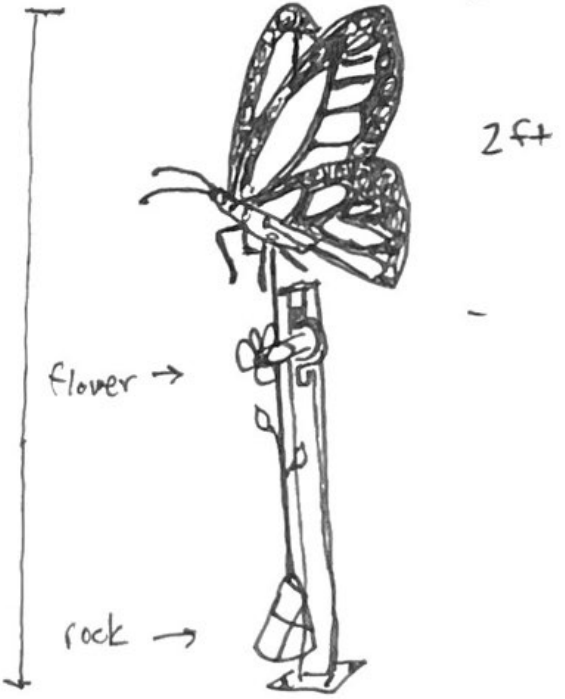
FINANCIAL IMPACT: Funding approved by Council in the 2023-2024 Budget for KLVB equals $31,100.

ATTACHMENTS:
Butterfly Sculpture 1.pdf
Butterfly Sculpture 2.pdf
Butterfly Sculpture 3.pdf
City Pool Mural 1.pdf
City Pool Mural 2.pdf
City Pool Mural 3.pdf
City Pool Mural 4.pdf
Police Station Mural.pdf

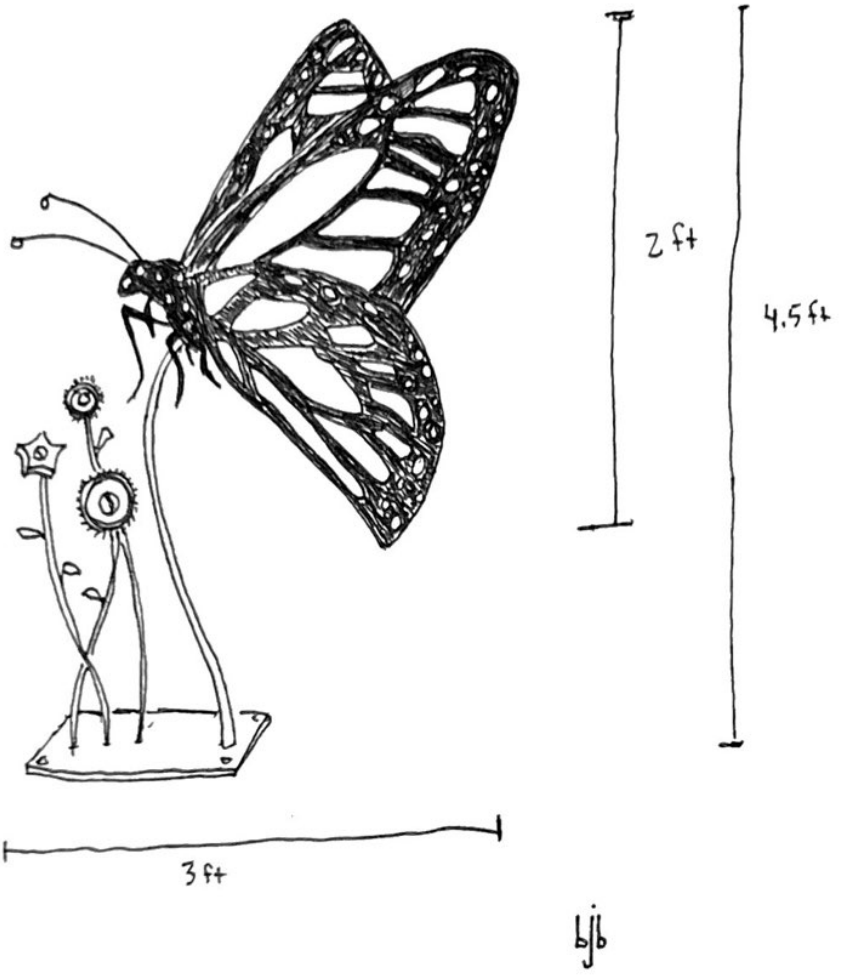




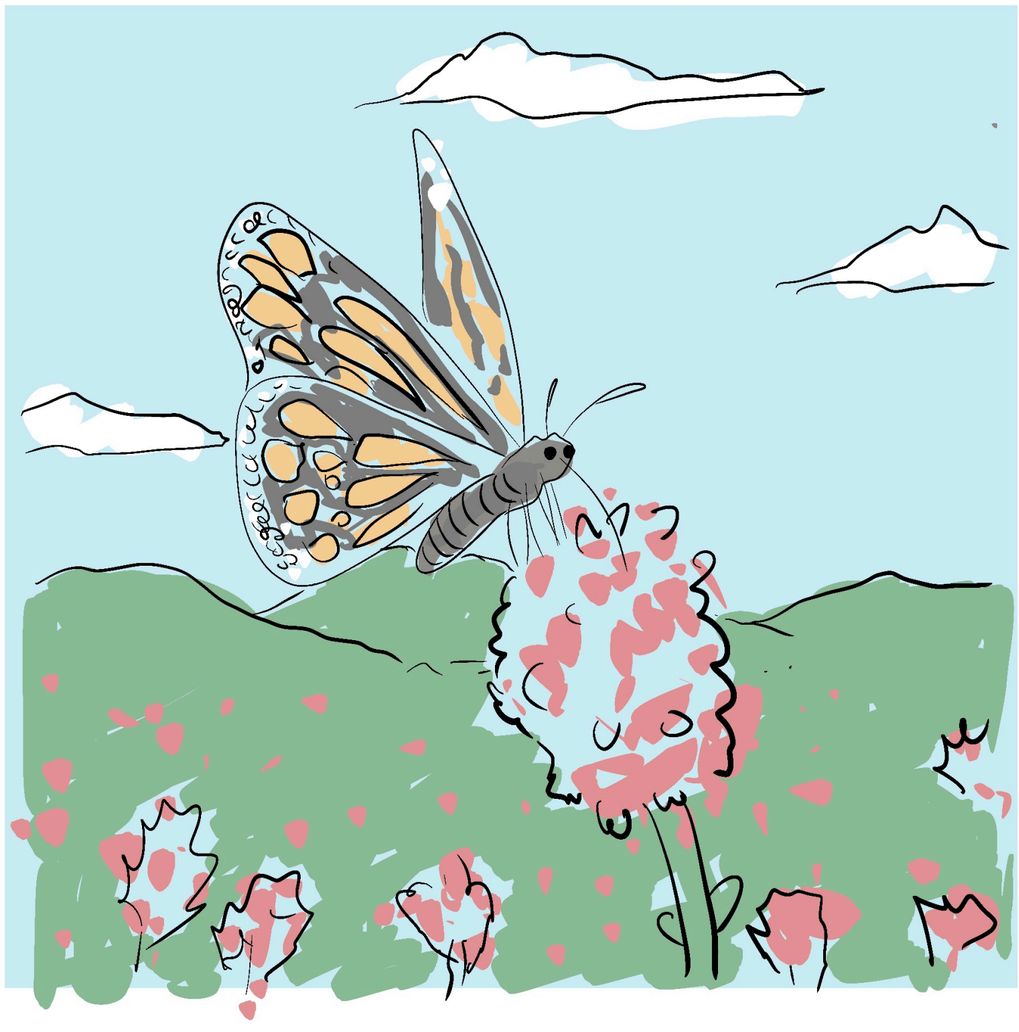
5ft



- Black stand
- perforated steel inserts that are orange rust
- Black framework on wings


2 ft
4.5 ft
3 ft
bjb










FIRE
WE
SAVE
POLICE
LIVES
CITY OF
LAGO VISTA
TEXAS

AGENDA ITEM NO. 9

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Councilor Saum, City Council

SUBJECT: Discussion, consideration, and possible action regarding entering into water/wastewater partnerships with other water systems in Texas.

BACKGROUND: The purpose of this agenda item is to initiate a discussion, consideration, and potential action regarding the exploration of water/wastewater partnerships with other water systems in Texas. Small and mid-size Public Water Systems (PWSs) may face unique challenges in providing drinking water that meets federal and state regulations. These challenges include undertrained drinking water operators, retention of qualified drinking water operators, persistent compliance issues, aging infrastructure, limited resources, economies of scale, and water quality and/or quantity issues. Resources are available to help build Technical, Managerial, and Financial (TMF) capacity, and PWSs can overcome some of these challenges by developing partnerships with other PWSs. This agenda item aims to explore the potential benefits and opportunities of entering into such partnerships to address shared challenges and improve water/wastewater services in Lago Vista.

FINDINGS: The US Environmental Protection Agency (EPA) has a manual on how to support Water System Partnerships and the Texas Commission on Environmental Quality (TCEQ) award and recognizes public water systems that help other water systems through these partnerships. There are many examples of these across Texas. Small and mid-size PWSs often encounter difficulties in meeting regulatory requirements and maintaining infrastructure due to limited resources and expertise. Water/wastewater partnerships offer opportunities for PWSs to collaborate and leverage resources to address common challenges more effectively. These partnerships can range from informal agreements to more formal arrangements, such as creating new entities to manage groups of PWSs. Successful partnerships benefit all participating PWSs by addressing shared challenges, improving economies of scale, enhancing customer service, and increasing TMF capacity.

Additionally, partnerships can lead to long-term savings, improved compliance, and enhanced public health protection.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
Winners of Public Drinking Water System Awards - Texas Commission on Environmental Quality - www.tceq.texas.gov.pdf
Water Partners_ Water Systems Helping Water Systems Award - Texas Commission on Environmental Quality - www.tceq.texas.gov.pdf
partnershipshandbook_1-5-2021_508.pdf
Learn About Water System Partnerships _ US EPA.pdf

Winners of Public Drinking Water System Awards

Award recipients by category, location, and date.

Innovative or Proactive System Award

Water System	Year(s)
Bexar Metropolitan Water District - Southside	2006
Brazosport Water Authority	2014-2017, 2019
Brushy Creek MUD	2007
Canyon Regional Water Authority - Hays/Caldwell WTP	2006
Canyon Regional Water Authority - Lake Dunlap WTP	2006
City of Abilene	2006
City of Bryan	2006
City of Conroe	2013
City of Coppell	2018
City of Corinth	2020
City of Corpus Christi	2009-2010, 2015, 2020
City of Elkhart	2014
City of Garland	2007
City of Georgetown	2006
City of Houston	2006
City of Huntsville	2007
City of Kerrville	2007
City of Manor	2009
City of Richmond	2013, 2017-2018

Water System	Year(s)
City of Roanoke	2010
City of Sweetwater	2006
City of Temple	2006
El Paso Water Utilities Public Service Board	2008
Mountain Peak SUD	2010
San Patricio Municipal Water District	2006
South Cleveland WSC	2020, 2021
Upper Trinity Regional Water District	2015

Outstanding Cross-Connection Control Program Award

Water System	Year(s)
City of Allen	2011
City of Austin	2015
City of Corinth	2020
City of Houston	2010
City of Irving	2011
City of Lubbock	2019
City of Richmond	2007-2017, 2020
City of Rockport	2010
City of Universal City	2012
City of Wylie	2008
El Paso County WCID No. 4	2008
El Paso Water Utilities Public Service Board	2008
Fort Bend County MUD No. 25	2012, 2014, 2020

Water System	Year(s)
Sunchase Meadows WSC	2008

Outstanding Public Drinking Water System Award

Water System	Year(s)
Bartonville SC	2006-2007
Benbrook Water & Sewer Authority	2005-2007
Bexar County WCID 10	2012
Bexar Metropolitan Water District - Castle Hills	2005
Bexar Metropolitan Water District - Hill Country	2005
Blue Ridge West MUD	2005
Brazosport Water Authority	2016
Central Texas WSC	2005
City of Bedford	2005
City of Cameron	2005-2007
City of Clute	2006-2007
City of Conroe	2005, 2013
City of Deer Park	2005
City of Elgin	2005-2007
City of Fort Stockton	2005-2007
City of Grapevine	2005-2007
City of Highland Village	2005-2007
City of Hondo	2006-2007
City of Hurst	2005-2007

Water System	Year(s)
City of Josephine	2006-2007
City of Katy	2005
City of Kermit	2005-2007
City of Kilgore	2005
City of Lake Jackson	2006-2007
City of Leon	2005
City of Live Oak	2005-2007
City of Longview	2015
City of Lytle	2005-2007
City of Mansfield	2022
City of Richland Hills	2005, 2007
City of Richmond	2005, 2009-2011, 2013-2016, 2019-2020
City of Rockdale	2005
City of Rosenberg	2005, 2007
City of San Marcos	2005, 2007
City of Schertz	2005, 2007
City of Sealy	2005
City of Silsbee	2005
City of Stephenville	2005, 2007
City of Sugar Land	2005, 2007, 2013
City of Sweeny	2005, 2007
City of Universal City	2005, 2007, 2014
Clear Lake City Water Authority	2007
Fort Bend County MUD No. 25	2010-2012, 2014, 2022

Water System	Year(s)
Green Valley SUD	2005, 2007
Grey Forest Water System	2018
New Braunfels Utilities	2005, 2007
Plainview Municipal Water System	2005, 2007
Quail Valley Utility District	2005, 2007
Salado WSC	2005, 2007
Sky Harbour WSC	2010
Trophy Club MUD 1	2022
West Cedar Creek MUD	2007

Water Systems Security Program Award

Water System	Year(s)
Berclair Estates Water System	2010-2012
City of Angelina	2006
City of Bayside	2006
City of Lorenzo	2007
City of Woodsboro	2006
Creekwood Estates	2011
East Bell WSC	2007
Goliad WSC	2010-2012
Seven Oaks Water Supply	2009

Substantial Source Water Protection Program Implementation Award

Water System	Year(s)
Cash SUD	2006
City of Conroe	2016
City of Houston	2007
City of Marion	2007
City of San Marcos	2007
City of Schertz	2007
City of Vernon	2006
County Line WSC	2007
Crystal Clear WSC	2007
Diamond Pure Water Company	2007
Granite Creek WSC	2007
Green Valley SUD	2007
Gruene River Development	2007
Meadow Woods Water Supply	2007
San Antonio Water System	2006
Sierra West Subdivision	2007
Sunchase Meadows WSC	2008
Texas State University	2007

Water Partners: Water Systems Helping Water System Award

Water System	Year(s)
City of Corpus Christi	2021
City of Pharr	2021

Water System	Year(s)
City of Wichita Falls	2022

Public Drinking Water Recognition Program

How to Apply

Award Winners

How are we doing? Take our customer satisfaction survey

Water Partners: Water Systems Helping Water Systems Award

This award recognizes public water systems that help other water systems. This page includes the criteria for this award program, how to qualify for the award, and the link to the application form.

Criteria

For a public water system to be recognized in the *Water Partners: Water Systems Helping Water Systems* category, pick **one** of the following subcategories below and meet at least one of the criteria in that subcategory:

- **Mentoring**
  - Provided free advice and guidance to another public water system to solve questions about a specific operations, management or other issue.
  - "Adopted" another public water system, staff, or management to help them deal with a particular situation or problem.
  - Other - example: Let junior water system staff from another system use your water system and plant for training.
- **Emergency response**
  - Assisted another public water system with problems related to a natural disaster or other emergency.
  - Participated in mutual aid program and provided either equipment or personnel in response for assistance.
  - Other
- **Operations, training and equipment**
  - Helped another public water system by operating their system or sharing keys, etc. to cover for each other when needed.
  - Shared trips to, or updates from training events, or provided training to another public water system. (Provide name or topic and date of training.)
  - Worked with other water systems to share equipment or buy chemicals in bulk or to submit samples. (Explain what was shared and how it helped each water system.)
  - Other
- **Consolidations and mergers**
  - On your own accord, provided service to a struggling neighbor.
  - Consolidated customers of another water system either though purchase, physical merger or interconnect.
  - Shared funding to build a mutually beneficial project.
  - Other

The PWS has not received this award previously for the currently proposed subcategory and the documentation used to support the subcategory may not be more than 18 months old.

How can my PWS become eligible for this award?

You may already be partnering with your neighbors and qualify for this award! You may know another water system that has gone out of their way to help their neighbors and other public water systems. You may be partnering in ways we did not think of - that is why we included "other" as an option.

Review the criteria, and if you think your system or another one you know of may qualify **complete an application** for this award now. Choose a subcategory and one criterion under that subcategory, and submit supporting documentation, including the name and contact information for the other system.

If you apply under the subcategory of mentoring, we will contact your public water system. For any questions about this award, please contact our **Emergency Preparedness and Response Functions staff** and speak to the Public Drinking Water Awards Recognition Program manager.

Public Drinking Water Recognition Program

How to Apply

Award Winners

How are we doing? Take our customer satisfaction survey

United States Environmental Protection Agency

How to Support Water System Partnerships

Water System Partnerships Handbook

Steps for Identifying, Assessing, and Launching Partnerships

STEP 1: Identify PWSs in Need

STEP 2: Determine How Partnerships Could Improve Compliance

STEP 3: Assess Practicality of Potential Partnership Activities

STEP 4: Identify on the Ground Support

STEP 5: Develop a Communications Plan

STEP 6: Approach PWSs About Partnerships

This document is intended to be used as a tool for state drinking water programs to identify, assess, and implement water system partnerships. Technical assistance providers may also find this tool useful for the same purposes in the communities they support.

Overview

Public water systems (PWSs) are required to provide safe drinking water to their customers that meet all federal and state regulations. In order to maintain consistent service at full-cost pricing with the resources they have available and consistently comply with these regulations, PWSs must have technical, managerial, and financial (TMF) capacity. Small and mid-size PWSs may face unique challenges in providing drinking water that meets federal and state regulations. These challenges can include:

- Undertrained and retention of drinking water operators,
- Persistent compliance issues,
- Aging infrastructure,
- Limited resources,
- Economies of scale, and
- Water quality and/or quantity issues.

Resources are available to help build TMF capacity, and PWSs can overcome some of these challenges by developing partnerships with other PWSs. Partnerships encompass a range of opportunities for PWSs to work together to protect public health by leveraging existing resources. **"Water system partnership"** is an umbrella term used to define any informal or formal relationship or agreement that PWSs engage in. Partnerships can be as basic as providing aid during a crisis, or as intricate as creating a new entity to manage a group of existing PWSs. The most successful partnerships are those that benefit all participating PWSs by addressing a shared challenge or by matching PWSs with complementary strengths and expertise and that have the support of the communities involved.

Benefits

When a PWS enters into a partnership there are immediate and long-term benefits for the PWS, state drinking water program, and PWS customers. PWSs that engage in partnerships can experience improved economies of scale, long-term savings, improved customer service, and increased TMF capacity. In addition, when PWSs are able to alleviate immediate concerns and improve public health protection, PWSs are able to better understand their existing operations and maintenance (O&M) and capital improvement costs to plan for future operations. When PWSs engage in partnerships that are designed to help overcome specific challenges, the state drinking water program may see enhanced compliance, resource savings, and improved customer relations. Finally, partnerships can help provide drinking water customers with improved water quality and increased reliability of water service.

Types of Partnerships

The type of partnership a PWS forms should be tailored to address the PWS's unique challenges and strengths, as well as the community's culture and existing relationships.

Resources

Visit The EPA's water system partnerships website for more information about:

- Programs and policies implemented in each state that encourage water system partnerships and
- Water system partnership case studies.

The EPA's water system partnership website also contains additional information on partnerships, information about upcoming events, and stakeholder-specific guides.

Partnership Benefits

For the system

- Economies of scale
- Long-term savings
- Improved customer service
- Planning for future operations
- Increase technical, financial, and/or managerial capacity
- Public health protection

For the state program

- Improved compliance
- Potential reduction in number of regulated systems
- Resource savings
- Improved customer relations
- Public health protection

For the customer

- Improved water quality
- Increased reliability of supply
- Public health protection

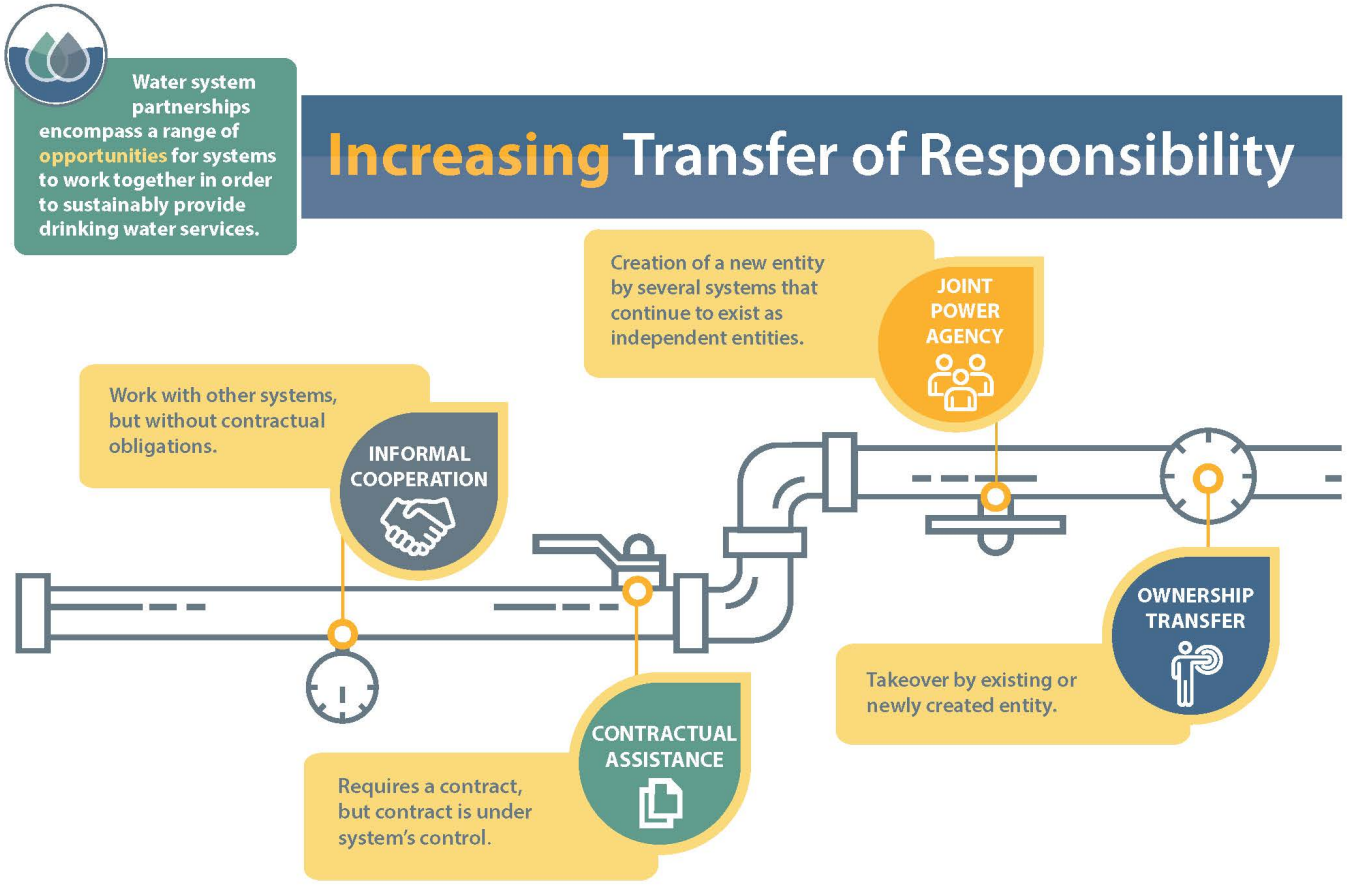
There are four general types of partnerships. PWSs can also use several types of partnerships in a layered approached to improve efficiency and provide safe drinking water. For partnership examples, visit the EPA's Interactive Partnerships Case Studies Map.

Informal Cooperation: PWSs coordinate with other PWSs without contractual obligations. Examples and Advantages.

Contractual Assistance: PWSs contract with other PWSs or service providers. The PWSs remain independent, but certain functions are contracted out to increase efficiency. Examples and Advantages.

Joint Power Agency: A group of PWSs create a new management entity designed to serve the PWSs that formed it. Examples and Advantages.

Ownership Transfer: PWSs engage in mergers, mutual transfer of existing entities, or creation of a new entity. Examples and Advantages.



Funding Partnerships

The EPA offers several financial resources to assist PWSs in accessing information and identifying potential funding sources, including:

- Drinking Water State Revolving Fund Eligibility Handbook: This document contains a compilation of examples of funded projects that demonstrate the exceptional flexibility inherent to the Drinking Water State Revolving Fund (DWSRF) program in funding infrastructure projects.
- Analysis of Uses of Drinking Water State Revolving Fund Set-Asides: The DWSRF set-asides support activities necessary to ensure safe and affordable drinking water by providing states with flexible tools to assist PWSs with training, technical assistance, and pre-construction activities to help ensure that PWSs have the technical, managerial and financial capacity to obtain a loan and to effectively maintain their resources. This document provides an analysis and examples of the multiple uses of the DWSRF set-asides in promoting capacity development efforts.

- Water Finance Clearinghouse: The Water Finance Clearinghouse is an easily navigable web-based portal to help communities locate information and resources that will assist them in making informed decisions for their drinking water, wastewater, and stormwater infrastructure needs.
- If a PWS is interested in conducting a feasibility study to consider and weigh partnership options, funds could come from the state or other federal agencies such as the U.S. Department of Agriculture (USDA) or the U.S. Economic Development Administration (EDA). Additionally, groups such as Rural Community Assistance Partnership (RCAP) or National Rural Water Association (NRWA) can provide training, technical assistance, and facilitation to support the process of creating a water system partnership.

The Role of the State Drinking Water Program in Developing Partnerships

There are many roles needed to support a water system partnership, from initiation through implementation. State drinking water programs, PWS owners and boards, and associations must work together to provide the best support possible to create and maintain partnerships. State drinking water programs can play a role in encouraging, fostering, and supporting partnerships.

The steps in this document can help state drinking water program staff identify when and how to approach a PWS about partnership opportunities. Using this document, you and your team will be able to:

- Identify PWSs in need (Step 1),
- Determine how partnerships could improve compliance (Step 2),
- Assess practicality of identified partnerships and partners (Step 3),
- Identify project champions and on the ground support (Step 4),
- Develop a communications plan (Step 5), and
- Approach PWSs about partnerships (Step 6).

State drinking water program staff may also choose to approach PWSs earlier in the process based on existing relationships and the PWS's knowledge, concerns, and priorities related to partnerships. The steps in this document can help identify and categorize PWSs in need of partnerships. State drinking water programs can adjust steps or the order of actions based on what works best with their PWSs.



Establishing Your Team

Developing partnerships takes time, collaboration, and coordination between PWSs. Depending on the type of partnership, the partnership can also benefit from coordination and collaboration from organizations that provide support and technical assistance to PWSs. State drinking water program staff, including staff from the Capacity Development program, Operator Certification program, compliance, enforcement, and DWSRF can work together to help identify PWSs that might benefit from a partnership, discuss partnership implementation challenges, and determine the most effective way to collaborate with PWSs. Utilizing data, knowledge about specific PWSs, and existing efforts and relationships will strengthen your team's ability to assess partnership options and support PWSs.



Using this Document

Thisdocument is intended to be used as a tool for state drinking water programs to identify, assess, and implement water system partnerships. Throughout the various steps of this handbook, you will be prompted to fill in sections. These fillable sections will help guide you and your team through the process of identifying PWSs, assessing partnership options and feasibility, and developing a plan for implementation. Technical assistance providers may also find this tool useful for the same purposes in the communities they support.

STEP 1: IDENTIFY PWSS IN NEED

The purpose of this step is to begin identifying PWSs with compliance issues by reviewing your state's drinking water compliance and TMF capacity data. As you and your team review your state's data, you should consider the following questions:

Are there geographic patterns or areas within your state where many PWSs violate drinking water regulations?

Yes ☐ No ☐

- Where are the compliance problems concentrated (select all that apply)?

  Rural Areas ☐ Suburban Areas ☐ Urban Areas ☐

- Are there areas of PWSs with similar problems?

  Yes ☐ No ☐

Do PWSs using ground water or surface water have more violations?

Ground Water ☐ Surface Water ☐ Equal ☐

How many PWSs in the state are publicly-owned? How many are privately/investor-owned?

Publicly-owned: Privately/Investor-owned:

- Are compliance challenges correlated with ownership type?

  Yes ☐ No ☐

Are the highest number of violations related to monitoring or reporting?

Monitoring ☐ Reporting ☐ Equal ☐ Other (e.g., MCL) ☐

From the above questions, record any patterns you notice with your compliance and TMF capacity data. For example, the northwestern part of the state has multiple surface water PWSs in rural areas with monitoring violations. In addition, some of the PWSs in this area also have managerial-related challenges.

These answers can start to determine what common challenges PWSs are facing. Using the responses above, complete the table below to identify specific PWSs that might benefit from a partnership.

PWSID or PWS Name	General Location in the State	Type of Water Used	Ownership Type	PWS Size	Do they have health-based violations?	Reason for Violations	Are there similar characteristics to other PWSs?
PWS 000123	Northwest-ern part of the state	Surface Water	Public	Small (popu-lation about 3,000)	Yes	Multiple monitoring violations	Yes
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No
		Ground Water Surface Water	Public Private		Yes No		Yes No

Clear Form >> You now have a list of PWSs that could benefit from a partnership. In the next step, you will review the PWSs identified and brainstorm what types of partnerships may help PWSs overcome the identified challenges.

STEP 2: DETERMINE HOW PARTNERSHIPS COULD IMPROVE COMPLIANCE

This step is intended to provide general guidelines to help your state drinking water program consider whether a water system partnership could support a PWS and help them address compliance challenges identified and documented under Step 1. There are several factors you should consider when first determining if a partnership might be a viable option for the identified PWSs. The factors to consider include:

Technical Factors: If the challenge is that the PWS cannot find or keep a certified operator, then contracting out O&M could be an option. The PWS would need to identify an appropriate provider of contract O&M services, including a certified operator, and determine whether the PWS can afford these services. If the PWS's challenge is related to the water quality or quantity, or failing infrastructure, joint power agency or ownership transfer partnership options may offer a more appropriate solution.

Administrative Factors: If a PWS's challenge is maintaining compliance with drinking water regulations, the PWS can compare the costs of possible solutions, including partnership options. Educating PWSs on viable alternatives can encourage discussion and induce change. States may be able to encourage partnerships as a way to cost-effectively improve compliance.

Community Factors: Communities may consider their PWS and provision of their own drinking water to be part of their community's local control, identity, and self-sufficiency. Acknowledging these values and finding partnership options that respect community structure and history can help build trust. Many partnership options, particularly those under informal cooperation or contractual assistance, can provide the PWS and community with the support they need without removing the PWS from the community's control or identity. Ensuring communities understand the importance of safe drinking water and the challenges their PWS might be facing should be highlighted. In other situations, communities may be overwhelmed with the responsibilities associated with owning and operating a PWS, making ownership transfer or joint power agency the best solution.

Solutions to challenges should consider technical, administrative, and community factors, or a combination of factors, when addressing the challenges. Keep these in mind while considering other factors and what partnership types and activities are attainable for each situation, PWS, and community.

If the partnership option under consideration requires geographic proximity, make sure the geographic area considered is broad enough to include multiple options for potential partners, but limited enough to make a partnership feasible. Some partnership options, such as contracting management services like payroll and billing, may not necessarily rely on geographic proximity and consideration can include partners outside the region.

See below for additional questions to consider when deciding whether certain partnership options may be effective for a particular PWS. The following questions are optional, but answers may help your team identify PWSs that could benefit from partnership activities and improve compliance.

What is the physical condition of the facility?

- Have there been any recent renovations? Yes ☐ No ☐
- Are there concerns about aging infrastructure? Yes ☐ No ☐
- Were any significant deficiencies identified during the last sanitary survey? Yes ☐ No ☐

What is the current service area and where are the existing facilities? If necessary, consult a map that shows the service area, existing/proposed facilities, site plan, etc.

Is the supply quantity or quality adequate for demand? Yes ☐ No ☐

- If not, are supply concerns about source quantity or quality? quantity ☐ quality ☐

What is the current level of technical expertise within the PWS?

- What areas of technical skill or expertise should be improved?
- Are there any unique or specific technical capabilities/needs at the PWS (existing or currently lacking)?

Is there an available asset management plan? Yes ☐ No ☐

What is the PWS's current financial status?

- Does the PWS have any active grants and/or loans, including funding amounts and stipulations?

What are some of the technical, administrative, or political barriers that may exist?

Are there options to contract O&M? Yes ☐ No ☐

- If so, what are those options and has the PWS engaged in any previous activities to contract O&M?

- How could contracting O&M provide the support the PWS is looking for?

Are there other PWSs that might be able to acquire or merge with the PWS? Yes ☐ No ☐

- If so, have any discussions already occurred with these PWSs?

- How will a merger or acquisition provide the support the PWS is looking for?

Has the PWS considered forming a new PWS or management group to oversee multiple existing PWSs? Yes ☐ No ☐

Are there other PWSs that might be interested in collaborating? Yes ☐ No ☐

- If so, which PWSs might be interested?
- What are the current conditions at these PWSs?
- Have the PWSs or communities worked together on any projects before?

Do franchises or exclusive service areas currently exist in the area? Yes ☐ No ☐

- If so, how might these impact potential partners or applicable partnership options?

Acknowledging and documenting PWSs' strengths and challenges can highlight opportunities for PWSs partnerships that may improve TMF capacity, compliance, and the ability to provide safe drinking water. Using the PWSs identified under Step 1 and the information presented in this step, consider how you could group PWSs together by possible partnerships to help them address their challenges. Are there trends for the PWSs that need support? If you group PWSs by shared challenges or comparable strengths and weaknesses, can you think of partnership solutions that might benefit all PWSs? Are they in the same general area? Did any of the PWSs have similar compliance challenges? If so, what were they? Did they have comparable strengths or challenges? How could their strengths or weaknesses contribute to a partnership?

Review of Partnership Types

- **Informal Cooperation**: PWSs coordinate with other PWSs without contractual obligations.
- **Contractual Assistance**: PWSs contract with other PWSs or service providers. The PWSs remain independent, but certain functions are contracted out to increase efficiency.
- **Joint Power Agency**: PWSs create a new management entity designed to serve the PWSs that formed it.
- **Ownership Transfer**: PWSs engage in mergers, mutual transfer of existing entities, or creation of a new entity.

For more information, review the Types of Partnerships section for examples, and partnership benefits.

Use the table below to brainstorm how these PWSs could work together to help overcome their challenges. You can start by:

- Assigning a grouping number in the first column,
- Listing the names or PWS ID that could be part of the partnership in the second column, and
- Filling in the "Reason PWS Fits in Grouping" column with information about why certain PWSs might work together.

- Next, consider the different roles/strengths the PWSs might have in these groups and the partnership type that would best suit them in the fourth column. Use additional rows if more space is needed.
- In the fifth column, assign the appropriate partnership type.
- In the last column, assign grouping titles that relate to the foundation of the grouping. Doing so will help you and your team consider and keep multiple possible groupings organized. Remember that PWSs can be considered for multiple partnerships and more than two PWSs can make-up a grouping. A grouping could also include non-PWS service providers. In Step 3, you will consider the feasibility of these potential partnerships and explore potential challenges.

Consider the points above while brainstorming possible partnership options in the table below:

Grouping	PWS Name or ID	Reason PWS Fits in Grouping	Role in Partnership/ Strengths	Identified Partnership Solution (Type)	Grouping Foundation/Title
1	**000123**	Similar area and monitoring violations	Needs access to a part-time certified operator	Contractual Assistance	Northwestern Surface Water PWSs
1	**123000**	Similar area and monitoring violations	High operator turn-over, cannot keep an operator on full-time	Contractual Assistance	Northwestern Surface Water PWSs
1 2 3 4				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	
1 2 3 4				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	
1 2 3 4				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	
1 2 3 4				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	
1 2 3 4				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	
3 4 5				Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer	

Clear Form

STEP 3: PRACTICAL ASSESSMENT OF IDENTIFIED PARTNERSHIP TYPES AND PARTNERS

In Step 3, you will consider partnership development and the implementation process. At the end of Step 3, you and your team will have a list of potential partnerships that have been vetted against factors, such as:

- Are there physical limitations that impact partnership options?
- What are the possible unintended consequences for partners?
- Are there available resources and incentives to support the partnership?

At this stage, partnerships with the lowest perceived risk should emerge to the top of the list. Things to consider are the physical condition of the partnering PWSs, any geographic impacts, and the adequacy of supply.



Reminder

The PWSs identified in Step 1 are those that might benefit from partnership activities. Under Step 2, the identified PWSs were reviewed to determine if there were groupings of PWSs that could benefit from partnerships.

Using the information from Steps 1 and 2, consider the potential benefits and challenges of implementing partnership activities. Consider the partnership options you brainstormed under Step 2, are there combinations you and your team should explore further?

Fill in the tables below by identifying the specific activities that could occur under the partnerships. Determine if there are challenges to implementing activities and how those challenges may impact the feasibility of the partnership. You and your team should focus on the PWSs and possible relationships identified in Step 2 and identify any shortcomings, barriers, or limitations.

Information entered in the previous tables will auto-populate in the tables below. If you do not see the Grouping Foundation/Titles or PWS Names and IDs previously entered, click in and out of each cell to reset the fields.

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g., geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g. geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g. geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g. geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g. geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Grouping Foundation/Title:

Partnership Type: ◯ Informal Cooperation ◯ Contractual Assistance ◯ Joint Power Agency ◯ Ownership Transfer

PWSs Included in the Partnership	Possible Partnership Activities	How does this solve the PWSs' violations identified in Step 1?	What are the possible challenges to partnership implementation?

Do any of the challenges (e.g. geographic location) make this partnership type unfeasible? Yes ◯ No ◯

Clear form

At this point, you may have multiple partnership options that you would be interested in pursuing. Consider which of the partnerships above are most likely to succeed. Partnership success can be impacted by many factors including existing relationships, community cultures, interest, and support structures. A successful partnership can serve as the foundation for future efforts with the partnering PWSs to improve compliance and build capacity.

States should consider the availability of support and the incentives in place for PWSs to collaborate. For example, if a PWS needs staff training, you and your team should consider:

- Does a partnering PWS have capacity to provide mentoring or share training resources?
- What incentive does the mentoring PWS have to help another PWS?
- How receptive would the PWS receiving support be?

The availability of support is one important factor for PWSs working together to solve complex challenges. Building support and relationships takes trust, understanding, and a willingness to work together to benefits all PWSs in areas that are valuable to them.

You and your team should focus on the PWSs' needs and should address the boundaries and population of the service area, the current and future demand on the community's resources, the adequacy of existing infrastructure and equipment, and available financing options. You should also consider the financial implications of partnership solutions. Solutions should focus on the long-term TMF capacity and work to improve the sustainability of participating PWSs over time.

Initiating partnership activities, like the ones you identified in the form above, involves planning, engagement, communications, and follow-through. As you consider why the PWSs should or would consider engaging in partnerships, you should also consider what the PWSs need in order to build and maintain these new relationships and continue the partnership in the future. Different partnership types will require varying degrees of involvement and accountability. Making the relationship part of the PWSs' culture and internal policies is significant to the sustainability and growth for any partnership.

- What short- and long-term incentives are available and can be used to promote partnerships with the PWS(s)? List available incentives (e.g., economies of scale):

- Based on the questions you answered and the form you completed under this step, identify which of the potential partnerships and partnership activities are most feasible to pursue. Take into consideration how partnership activities could address PWSs' needs and barriers to success.

Communicating the benefits of partnerships can be challenging depending on the state's existing relationship with the PWSs. Understanding and analyzing barriers to change and involving trusted members of the community can help regulators and community stakeholders develop a plan to overcome challenges through partnership.

Often, the final partnership type and activities are chosen and agreed upon with the full participation of a project champion, local officials, and PWS management. If you believe that a water system partnership is a viable option for the identified PWSs, you and your team can engage champions and technical assistance providers to develop a full plan.

Incentivize Partnership

Partnership incentives include the inherent benefits and additional financial or outreach-related benefits that the state offers to PWSs that engage in partnerships. The most effective way that you can promote partnerships is to ensure that PWSs:

- Recognize partnership potential,
- Raise awareness of challenges, and
- Consider the options available to PWSs to improve operations and provide safe drinking water to their customers.

You and your team can help PWSs benefit from partnerships by:

- Educating PWSs on how partnership options can help achieve and maintain compliance, and
- Creating incentives that help PWSs consider new ways of maintaining compliance.

Enforcement as an Incentive

Keeping the PWS informed of their compliance status, including notice of violations and enforcement, can help improve communication and understanding. Prior to working with PWSs to determine the partnership options that are right for them, ensure that the state has the necessary legislation in place to support those decisions.

STEP 4: IDENTIFY PROJECT CHAMPIONS AND ON THE GROUND SUPPORT

The purpose of Step 4 is to help improve communication and partnership oversight. This can be done by engaging with various stakeholders and interest groups to build relationships and gain support for the partnership.

Champions, Allies, and Stakeholders: Unique Perspectives and Support



Stakeholders

Examples:
- Water system customers
- Water system owners and staff
- Schools and childcare facilities
- Seniors centers and community centers
- Local or state health departments

Allies

Examples:
- Community organizing group
- A technical assistance provider
- Senior centers or community centers
- Local chamber of commerce
- Schools and childcare facilities

Champion

Examples:
- A citizens' committee
- A technical assistance provider
- Another system interested in partnership
- The owner of the water system
- A county or regional government

Champions

Local champions can be strong proponents of partnerships. They are also critical for the long-term success of partnerships. The champion, preferably a local stakeholder, can propose, endorse, encourage, and defend the partnership ideas. A natural champion may emerge out of the initial challenge that created the need for a water system partnership. If a natural champion does not emerge, you could encourage a person or group to become the champion. Possible champions could include.

- A citizens' committee,
- A technical assistance provider,
- Another PWS interested in partnership,
- The owner of the PWS,
- A county or regional government,
- Volunteer support groups, or
- A financial aid program.

Consider possible champions for the partnership you identified as most feasible under Step 3.

Do any of the communities or PWSs have strong champions already identified? Yes ☐ No ☐

Who are they?

Engaging with these individuals or organizations early and often in the development and planning stages can help keep momentum and can also aid in early communications with PWSs and communities.

Are there PWSs that do not have identified champions? Yes ☐ No ☐

If so, use the list of possible champions above to identify possible champions for the partnership:

While a local representative or group is the ideal champion for the partnership proposal, a local government entity may be able to encourage several PWSs to partner. Volunteer support groups, such as service organizations and economic organizations, can be advocates for establishing a partnership. Technical assistance providers understand PWSs' challenges and can be effective promoters and communicators when it comes to a water system partnership.

Community politics may come into play when identifying a strong champion. This, along with other community cultural and political factors, should be considered when identifying and engaging a champion.

Allies

Partnership allies are stakeholders interested in the partnership's success. Allies can help the PWSs approach the community and other stakeholders about partnership benefits. It is best if allies are organizations or individuals who already have the public's trust or are already working closely with the PWSs. These organizations and individuals often are diverse and have different needs and interests from one another. Having multiple allies who can speak to various needs and benefits can be particularly helpful.

Possible allies include:

- Community groups,
- Customers,
- Entity staff, operators, and managers,
- Elected officials,
- County judges and commissioners,
- Technical assistance providers,
- Drinking water regulatory agency staff,
- Senior centers or community centers,
- Local or state health departments,
- Local chamber of commerce,
- Local business owners,
- Public Utilities Commissions,
- State Department of Education,
- Tribes,
- Faith-based organizations,
- Recreational departments,
- Tourism bureaus,
- Regional planning committees,
- Public Service Commissions,
- Schools and childcare facilities, and
- The media.

Stakeholders

Not all stakeholders will be project allies, or proponents of the partnership. Facilitating discussions between all stakeholders, including partnership opponents, early on in the partnership development helps understand all perspectives, builds trust, and ensures transparency. Champions and allies can be utilized to present messages that show the value of partnerships to stakeholder groups who may not initially see the benefits. Identifying key categories of stakeholders is important before communicating specific partnership ideas. Drawing on the experiences, expertise, and influence that champions and allies have will help you overcome political and social barriers when communicating with PWSs about partnerships.

Working with the State Public Utilities Commission

Most Public Utilities Commissions (PUCs) have jurisdiction over publicly-owned and privately/investor-owned PWSs and PWSs serving outside their municipal boundaries. The number of PWSs under PUC jurisdiction varies by state, but regardless of their specific reach, they can be effective in promoting partnerships within the state. The PUCs can grant or refuse rate relief and revoke certifications through their audit process, which can drive PWSs to partnerships. PUCs can also make mergers or acquisitions more attractive by marketing the partnerships to privately-owned PWSs that might consider a partnership if they felt they could earn the necessary return on their investment. The PUC should consider an acquisition adjustment or a slightly greater rate of return as an incentive for privately/investor-owned PWSs to acquire other PWSs.

STEP 5: DEVELOP A PLAN FOR COMMUNICATING WITH STAKEHOLDERS

In Step 5, a plan for communicating with stakeholders will be developed. Once partnership options and groupings have been considered and vetted against practicality and your team of supporters has been identified, the communications plan should help you and your team work with the PWSs and stakeholders.

A communications plan should include how, when, and what you plan to share with the PWSs and stakeholders. You should consider any potential communication challenges PWSs could face when trying to establish a partnership.

Identifying the Right Messenger

Identifying if there is someone at the state level who talks to the PWSs on a continuous basis, such as a sanitarian, regulatory person, or engineer to use existing lines of communication when approaching the PWS can help open the subject in a less formal way; and may improve the willingness of the PWS to participate. While developing the communications plan and approaching the PWSs, remember the two tasks that need to be completed: for the PWSs to listen to the proposition about engaging in a partnership and for the PWSs and stakeholders to understand the partnership benefits.

The project champion should be consulted while the communications plan is being developed. They can provide insights about how to communicate the message and can be a good messenger for you and your team. Other potential messengers include other state personnel who already have working relationships with the PWSs or communities.

Your state drinking water program and the project champion should engage with various stakeholders to build relationships and to gain support for actions that will improve compliance. To fulfill this role, you and your team may need to communicate with PWS owner(s), boards of directors, town councils, and citizens' groups. Any one of these groups may become the critical group that leads the partnerships.

Notificationand education enable effective communication with PWSs and other groups. You and your team should tailor your approach to the interests of the groups with whom you are meeting. Communities are more likely to invest in partnerships if they consider themselves to be stakeholders and can see the direct benefit of the partnerships.

Communicating the Significance of Partnerships

Communicating the need for partnerships to PWS owners, operators, and customers is a critical part of the partnership process. The following challenges and opportunities could be shared with stakeholders and included in the communications plan:

- **A serious public health concern.** PWSs that have persistent violations of drinking water regulations create a serious public health concern.

- **Compliance is required at the state and federal levels.** Enforcement actions might be taken for persistent violations of drinking water regulations.
- **The cost of failing to return to compliance.** There are costs of inaction. For example, a PWS may lose a grant or loan if they fail to implement changes that would have improved compliance.
- **Benefits.** Communicate to PWS owners, operators, and customers the benefits of establishing a partnership.
- **Improved public health protection.** Communicate the benefits of access to safe and reliable drinking water to the customers. Explain the reduction in risk and focus on public health.
- **Long-term cost reduction.** Partnerships are often the most cost-effective way to meet drinking water regulations and to meet the water demands of customers. PWSs may find some costs, such as fire insurance and emergency connections, can be reduced by implementing partnerships.
- **Increased reliability of service.** Establishing a partnership can enhance customer service and ensure a dependable water supply, especially to customers who have previously experienced water leaks or outages.

Addressing Community Concerns

The communications plan should include how you and your team plan to address any concerns over loss of autonomy the community might have depending on the partnership type. Encourage local officials to define concerns and explain what a loss of autonomy means to the community.

- Is it a loss of jobs? Often showing that the partnership will not impact personnel salaries or hours can alleviate concerns.
- Is it a loss of control over rates? If a PWS is being purchased or joining a joint power agency, a rate agreement with the partnering PWSs or managing body may help to ease these concerns.
- Is it fear of a loss of political control? Encouraging community members to participate and become involved stakeholders can assure citizens that they will still have a voice in the future of their PWS.
- Is it a fear of the loss of community identity? Sometimes the PWS functions as the only quasi-governmental organization that the community can identify with, particularly in unincorporated rural communities. Ensuring that the community will still have its own separate identity can help alleviate these concerns.

Addressing these concerns is a unique challenge as these topics may be sensitive to communities. Having a plan for what to say, how to say it, and who will say it can help you and your team plan around challenges. Some loss of control or community identity may occur, depending on the partnership type (e.g., ownership transfers). In these cases, communicating that control is exchanged for safer drinking water can help create the business case for stakeholders.

Communicating Community Benefits

Benefits of partnerships need to be clearly stated and communicated to the public. For example, there are benefits when a community has a reliable source of safe drinking water. A PWS that is consistently able to provide safe drinking water can support the public health of their community, which is also critical for the community's economic vitality.

Document Stakeholders

If not already developed during Step 4, develop a full list of potential stakeholders for the project. While developing the list, consider the following:

What are the stakeholder groups that may be affected (positively or negatively) by a change in the current operation of the PWS?

- Who would be impacted if a PWS were to engage in a partnership?
- Who would be impacted if the PWS were to become inoperable?

Grouping/Foundation Title:

Partnership Type	Point of Contact or Existing Connection	Primary concerns or reason to get involved?	Role (Champion, Ally, Stakeholder)	Best method and forum to engage or communicate?
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	
Informal Cooperation Contractual Assistance Joint Power Agency Ownership Transfer			Champion Ally Stakeholder	

Clear Form

STEP 6: APPROACH PWSs ABOUT PARTNERSHIPS

You and your team have several ways that you can inform and educate PWSs and stakeholders on partnerships. The EPA has developed resources for states, federal agencies, PWSs, and technical assistance providers, which can help plan and implement various types of partnerships.

Steps 1-3 helped identify PWSs that could benefit from partnerships and the partnership activities that would be beneficial for the participating PWSs. Steps 4 and 5 helped identify stakeholders, develop messaging, and engage with champions, allies, and stakeholders. You and your team can use information from the previous steps to put together a message tailored to each PWS and situation. The messages should be tailored to the PWSs and stakeholders and work best when based off of the intended roles and relationships.

The way you meet with the project champion, allies, stakeholders, and PWSs to convey information should be considered. Consider the following when developing communication techniques and methods:

- What types of communication already exist that are successful (e.g., websites, monthly meetings, local newspaper)?
- What meeting location would work best for the stakeholders (e.g., public library, coffeeshop, city hall)?
- What input can local officials or stakeholders offer to help plan the time and location of meetings?
- Have there already been studies or regional planning efforts that could provide information for the communities on water sources, availability, and quality issues?
- Have the entities, engineering, or financial consultants completed any preliminary studies on options or costs?
- Can the regulatory agencies or technical assistance providers help conduct feasibility studies and/or consolidation assessments?
- Are the PWSs already engaging in partnerships that might serve as helpful examples? PWSs may have informal partnerships that are a routine operation and the PWS may not think of them as "partnerships." Highlighting these successes could be helpful in starting a conversation about additional partnerships.
- Are there examples of other partnerships in the area (or in the state) that might be helpful?
- Can you and your team help set up a workshop or training with the champions or allies (such as the Environmental Finance Centers or technical assistance providers)?
- Would a meeting facilitator be helpful?
- When approaching the PWS, who should be approached first?
- Who will the message resonate with?
- Who are the decision-makers?
- If there are potential challenges with PWS personnel, how can the messaging or how the information is shared help overcome those challenges?.

The table below includes examples of the approvals, funding, and technical assistance that a PWS may need to acquire before formally implementing a partnership. Review this table with PWSs and explain which of the items below you and your team may provide assistance with. Make sure PWSs understand that all steps do not necessarily apply to each partnership type or partnership activity. For specific partnership examples please visit the EPA's Water System Partnership website. This list is not exhaustive and should be reviewed and added to depending on the situation.

Example of Partnership Actions	Your Role	PWS Role
Obtaining the necessary approvals	Inform PWSs of approval requirements and help them navigate the process.	If any of the participating PWSs are privately/investor owned, state PUC approval may be required.
Obtaining financing	Provide information on available grants and loans that can be used to fund partnerships. Educate PWSs on funding procedures. Help PWSs make the case to funding agencies that partnerships promote compliance.	Secure grants or loans to help facilitate partnerships. Investigate financing sources to minimize the impact on the local ratepayer. Understand funding procedures and how other PWSs have utilized funding for partnership.
Approving plans and specifications	Educate the PWS on plan reviews and encourage them to use an impartial technical assistance provider to improve the likelihood of success.	If part of the partnership involves engineering changes, a plan review is usually required.
Finding sources of technical assistance	Help PWSs make connections with technical assistance providers in the State (such as NRWA or RCAP).	Contact and obtain necessary technical assistance from providers who are willing to help in the partnership effort.
Supporting regional planning activities	Attend community meetings to show support for partnerships.	Hold community meetings to gain buy-in for partnership options and to educate others on how the partnership will help the PWSs overcome present and future challenges.
Plans and specifications for construction-related projects	Approve engineering plans and specifications.	Complete engineering plans and specifications and submit them to the state.

Clear Form

An official website of the United States government

Learn About Water System Partnerships

Drinking water systems across the country face unique challenges to provide safe drinking water and operate often with limited resources. Specific issues with the water system's technical, managerial, and financial (TMF) capacity could become a catalyst for beginning a water system partnership. Water system partnerships are a problem-solving and program enhancing tool to address the multi-faceted challenges water systems face. The impact of water system partnerships encompasses a broad range of issues and requires collaboration across a wide spectrum of stakeholders to address and provide solutions. This increases the capacity and enables systems to sustainably provide safe and affordable water to their communities.

On this page:

- What are Water System Partnerships?
- Benefits of Partnerships
- Types of Partnerships
- Finding and Building Support for Partnerships
- Partnerships Resources

What are Water System Partnerships?

A Water System Partnership is an umbrella term that is defined as any informal or formal relationship or agreement that two or more water systems engage in to overcome similar challenges through solutions that are beneficial for all. This can encompass a range of opportunities for water systems to work together to sustainably provide water services, from sharing equipment to transferring ownership of a system through consolidation.

Water System Partnerships are a cross-program, problem solving tool for building TMF capacity and addressing unique challenges, especially those of small systems. In addition to improving a system's capacity, partnerships can also help improve regulatory compliance and public health by providing safe, reliable, affordable, and accessible drinking water.

Benefits of Partnerships

Partnerships can provide immediate and long-term benefits for the water system, state water programs, and water system customers.

- **Water System Benefits** - Water systems that engage in partnerships can experience improved economies of scale, long-term savings, improved customer service, and increased TMF capacity. In addition, when water systems are able to alleviate immediate concerns and improve public health protection, water systems are able to better understand their existing operations and maintenance (O&M) and capital improvement costs to plan for future operations.
- **State Program Benefits** - When water systems engage in partnerships that are designed to help overcome specific challenges, the state water program may see enhanced compliance, resource savings, and improved customer relations.
- **Water Customer Benefits** - Water system partnerships can help provide water customers with improved water quality, increased reliability of water service, improved customer confidence, and increased opportunities for community and economic development.

Types of Partnerships

Water system partnerships are as unique as the individual water systems involved and as flexible as needed to address a broad range of technical, managerial, and financial challenges. Potential partners can be systems that are close in proximity that can form cooperative agreements, share services, or join under a common management. However, systems with common needs that are geographically separated can also enter partnerships through sharing services and operations remotely, such as billing and customer services.

Water system partnerships can be categorized as one of four types: informal cooperation, contractual assistance, joint power agency, or ownership transfer.

- **Informal Cooperation -** Working with other systems, but without contractual obligation. Examples include sharing equipment, sharing bulk supply purchase, and mutual aid arrangements.
- **Contractual Assistance -** Requires contract, but contract is under system's control. Examples include O&M, engineering, and purchasing water.
- **Joint Power Agency-** Creation of a new entity by several systems that continue to exist as independent entities. Examples include shared management and shared operators.

- **Ownership Transfer-** Takeover by existing or newly created entity. Examples include acquisition with physical interconnection and/or satellite management, as well as the creation of a new public entity

Finding and Building Support for Water System Partnerships

Finding and building support is essential for a partnership to be successful. This allows for trust to be built between the water system, key stakeholders, and the communities served. Support for water system partnerships can be split into three categories:

- **Champions -** A champion is a trusted community member who understands the benefit of creating a water system partnership, and can help keep momentum going from start to finish. Examples of a champion could be a citizens' committee, local government official, or the owner of a water system.
- **Allies -** Allies are organizations or individuals with an interest in the partnerships' success, and tend to work closely with the water system to communicate needs to the public and stakeholders. Possible allies include regulatory agencies, technical assistance providers, and local business owners.
- **Stakeholders -** Stakeholders are those who may be impacted by the implementation of the partnership. Many allies will be stakeholders, but not all stakeholders will be allies. Stakeholders include customers, water system owners and staff, schools and childcare facilities.

Partnerships Resources

- Water System Partnerships Handbook <https://epa.gov/dwcapacity/water-system-partnership-handbook> – Identifies beneficial partners and partnerships.
- Water System Partnerships Case Studies <https://epa.gov/dwcapacity/water-system-partnerships-case-studies>– Provides retrospective lessons learned.
- Water System Partnerships Implementation Tools and Resources <https://epa.gov/dwcapacity/water-system-partnerships-implementation-tools-and-resources> - Find materials to help implement partnerships including Getting Started Guide, Funding Resources document, Compendium of State Policies and Programs, and more.

Building the Capacity of Drinking Water Systems Home <https://epa.gov/dwcapacity>

About Capacity Development <https://epa.gov/dwcapacity/learn-about-capacity-development>

About Operator Certification <https://epa.gov/dwcapacity/about-operator-certification>

About Water System Partnerships

About Asset Management <https://epa.gov/dwcapacity/about-asset-management>

Contact Us <https://epa.gov/dwcapacity/forms/contact-us-about-building-capacity-drinking-water-systems> to ask a question, provide feedback, or report a problem.

LAST UPDATED ON JUNE 14, 2023

AGENDA ITEM NO. 10

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Councilor Saum, City Council

SUBJECT: Discussion, consideration, and possible action regarding the creation of a Bond Oversight Committee or expanding the scope of a current committee.

BACKGROUND: The City of Lago Vista has undertaken various infrastructure projects and initiatives funded through bonds to meet the needs of our growing community. With limited resources and capacity, our city staff faces challenges in effectively managing and overseeing these bond-funded projects. Establishing a Bond Oversight Committee (or incorporating such functions into an existing committee) comprised of knowledgeable and committed citizens can provide valuable oversight, ensuring that bond funds are used efficiently, projects are implemented effectively, and the interests of taxpayers are safeguarded. By involving citizens in the oversight process, the City can enhance transparency, accountability, and public trust in the use of bond funds.

FINDINGS: Establishing a Bond Oversight Committee comprised of citizens is a proactive step towards enhancing transparency, accountability, and citizen engagement in the management of bond funds in the City of Lago Vista. By involving knowledgeable and committed citizens in the oversight process, the City can ensure that bond-funded projects are implemented efficiently, effectively, and in the best interest of the community. Through collaboration and cooperation between city staff, elected officials, and citizens, we can strengthen public trust and confidence in the use of taxpayer dollars for vital infrastructure projects and initiatives.

FINANCIAL IMPACT: N/A

RECOMMENDATION:

ATTACHMENTS:
Austin Bond Committee Bylaws.pdf

Examples of Bond Oversight Committees in Texas.pdf
Lago Vista Citizens Bond Advisory Committee.pdf

BYLAWS OF THE BOND OVERSIGHT COMMISSION

ARTICLE 1. NAME.

The name of the board is Bond Oversight Commission.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the board is to work with Mayor and Council to set priorities and goals of each new bond issue to be submitted to the voters and advise the Council on proposed bonds and the implementation of projects approved in bond elections; ensure efficiency, transparency, equity, timeliness, and accountability in the implementation of existing and future City bond programs; and monitor the City Manager's plans relating to the issuance of bonds and the implementation of projects approved in bond elections, including the review of future potential bonds, the annual appropriation of bond funds, and any changes in the amount of bond funds issued or cash commitments made.

ARTICLE 3. MEMBERSHIP.

(A) The board is composed of eleven members appointed by the city council.

(B) A member serves at the pleasure of the city council.

(C) Board members serve for a term of four years beginning March 1st on the year of appointment.

(D) An individual board member may not act in an official capacity except through the action of the board.

(E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a "rolling" twelve month timeframe automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the board member, an illness or injury of a board member's immediate family member, active military service, or the birth or adoption of the board member's child for 90 days after the event. The board member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the board. Failure to notify the liaison before the next regular meeting of the board will result in an unexcused absence.

(F) At each meeting, each board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.

(G) A member who seeks to resign from the board shall submit a written resignation to the chair of the board, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

(A) The officers of the board shall consist of a chair and a vice-chair.

(B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after April 1st. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.

(C) The term of office shall be one year, beginning May 1st and ending April 30th. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than four consecutive one-year terms. A person who has served as an officer in a designated position of a board for four consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. The board may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized board members.

(D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

(A) The chair shall preside at board meetings, appoint all committees, represent the board at ceremonial functions and approve each final meeting agenda.

(B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

(A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda.

(B) The board liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.

(C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

(A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(B) Board meetings shall be governed by Robert's Rules of Order.

(C) The board may not conduct a closed meeting without the approval of the city attorney.

(D) The board shall meet monthly. In November of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.

(E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A board may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.

(F) Six members constitute a quorum.

(G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

(H) To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

(I) The chair has the same voting privilege as any other member.

(J) The board shall allow members of the public to address the board on agenda items and during a period of time set aside for public communications. The chair may limit a speaker to three minutes.

(K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.

(L) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The Financial Services Department shall retain all other board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).

(M) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

(N) Each person and board member attending a board meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

(O) A member of the public may not address a board at a meeting on an item posted as a briefing.

ARTICLE 8. COMMITTEES/WORKING GROUPS.

COMMITTEES

(A) The Bond Oversight Committee will have no committees.

(A) Each committee must be established by an affirmative vote of the board. A committee cannot meet until its creation is approved by the Council Audit and Finance Committee. Each committee shall consist of at least three board members appointed by the chair. A staff member shall be assigned to each committee by the director of the Financial Services Department.

(C) The board chair shall appoint a board member as the committee chair, with the member's consent.

(D) A majority of the total number of appointed committee members constitutes a quorum.

(E) Each committee shall meet on a regularly scheduled basis at least quarterly.

(F) Each committee shall make an annual report to the board at the January board meeting.

(G) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

(H) At each committee meeting, a committee member shall sign in on a sheet provided and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

WORKING GROUPS

(A) The board can determine the size of a working group but the number of board members serving on the working group must be less than a quorum of the board.

(B) A working group may designate a chair, with the member's consent, but is not required to do so.

(C) Quorum requirements do not apply to working groups.

(D) Staff support will not be provided for working groups.

(E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the board or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the Austin City Council at their meeting held on March 24th, 2016.

Staff Liaison

Examples of Bond Oversight Committees in Texas

1. City of Georgetown: Georgetown, has a Bond Oversight Committee tasked with reviewing and monitoring the implementation of bond projects approved by voters. The committee ensures compliance with bond program goals, evaluates project progress, and provides recommendations to the City Council.
2. City of Frisco: Frisco, a rapidly growing city in North Texas, has a Bond Oversight Committee that oversees the use of bond funds for capital improvement projects. The committee reviews project progress, expenditures, and compliance with bond program goals, enhancing transparency and accountability in the city's bond programs.
3. City of Sugar Land: Sugar Land, a suburb of Houston, has a Bond Election Advisory Task Force that provides oversight of bond projects and advises the City Council on bond program implementation. The task force reviews project status reports, evaluates project performance, and ensures that bond funds are used efficiently and effectively.
4. City of Cedar Park: Cedar Park, located near Austin, has a Bond Oversight Committee responsible for monitoring the implementation of bond projects approved by voters. The committee ensures that bond funds are used in accordance with voter-approved project lists and budgets, providing transparency and accountability in the city's bond programs.
5. City of Austin Bond Oversight Commission: The City of Austin has a Bond Oversight Commission that provides independent oversight of the implementation of bond programs approved by voters. This commission reviews and monitors the progress of bond projects, ensures compliance with bond program goals, and reports findings to the City Council and the public.
6. City of Houston Citizen Bond Oversight Committee: Houston has a Citizen Bond Oversight Committee tasked with reviewing and monitoring the use of bond funds for capital improvement projects. The committee ensures transparency and accountability in the implementation of bond programs, providing regular reports to the Mayor and City Council.
7. City of San Antonio Citizens Bond Oversight Committee: San Antonio established a Citizens Bond Oversight Committee to oversee the implementation of bond programs approved by voters. The committee evaluates project progress, expenditures, and compliance with bond program goals, enhancing transparency and public trust in the use of bond funds.

8. City of Dallas Bond Program Oversight Committee: Dallas has a Bond Program Oversight Committee responsible for reviewing and monitoring the execution of bond programs to ensure they align with voter-approved project lists and budgets. The committee provides recommendations to the City Council and monitors project progress to ensure accountability and transparency.

Lago Vista Citizens Bond Advisory Committee

This Lago Vista Citizens Bond Advisory Committee would be composed of citizens who express interest, are qualified, and nominated for consideration then appointed by the council.

The committee will establish their own operating procedures (with the guidance of an approved city charter).

All meetings will be open to the public, and subject to the open meetings act.

The role of the Committee shall be the following:

- Establish an open, transparent, and inclusive process to advice and study proposed bond obligations and inflight bond driven capital projects in such a way the confidence and trust of the Lago Vista citizens is established and kept in exercising bond financial measures.
- It is a fundamental expectation that any actions establishing this Citizen Bond Advisory Charter will be implemented by the Council and or its appointed subcommittees in a public forum and a resultant ordinance.
- Lago citizen bond committee shall have sunset clause of not less than 5 five years.
- Appointee citizens will be expected to attend the Lago Vista Citizen Bond Advisory Committee regularly and participate in public meetings to gather and provide information and get both public and city staff feedback on a regular basis to be established upon inception.
- The city bond committee will review pertinent city bond measures, financial and city roles and authorities, review bond programs in place, and or review the current needs for improved or additional facilities, infrastructure and or any related long-term maintenance and estimated impacts concerning operating costs for each project, as well as review the financial capacity of the city to assume additional bond debt.
- The Lago citizen Bond Committee will assist in Identifying and prioritizing critical, emergency, and long-term needs for Lago Vista CIP or capital projects including parks, trails, roads, water and waste water, other city infrastructure, and the city golf course.
- Lago citizen advisory board will help in gathering and identifying needs which would fall under the context of Bond measures which in turn increase financial impacts on city taxpayers along with examining other programmatic impacts and assist in assessing community benefits.
- Determine if Bond funded project(s) proposals meet pre-established and appropriate tests for inclusion in any type of bond program with an affordable financial scope pre-established by the city while coordinating with other active or planned civic projects and efforts.
- Appropriate tests shall include but not be limited to the following:

  1.Optimize limited bond funding and maximize the value received for the outlay of taxpayer dollars by using creative, innovative, or heretofore unused financing vehicles or techniques and achieving economies of scale and other public benefits by partnering with public and private entities.

- All projects should be based upon need, have a significant scale and outcome, and an expected 20-year design life or better.
- All projects must be able to be completed within five years of the bond election.
- All projects must be consistent with the city's adopted planning tools, policies, and ordinances.
- Ensure all city bond related projects demonstrate value and affordability. The committee will provide a fiscal impact analysis of projects anticipated and associated future operating and maintenance costs to inform the voting public, and an analysis of the implications of not moving forward or funding proposed city capital improvements.
- All candidate projects should consider joint use with other jurisdictions and due consideration should be given to overlapping debt.
- All projects should reflect Lago Vista's statutory responsibilities and include serious consideration by the city council. City Manager, citizen's and city staff's previously voiced concerns and needs.
- Lago Vista's citizen bond Advisory committee shall conduct public meetings cradle to grave in the city's bond approval process and established time frames.
- The advisory committee would ensure specific targeted outreach efforts be made to those neighborhoods that would be directly impacted and or affected by projects recommended by the Committee, with careful consideration be given to their feedback.
- Bond advisory committee members also will serve as points of contact for the public regarding questions or comments related to ongoing bond measures, proposed bonds, and projects and or a resulting bond referendum.
- To avoid any perception of a conflict of interest, no Committee member may bid on a Lago Vista bond funded project or benefit financially from any project under consideration.
- The Lago Vista citizen bond committee will advise and communicate with the city on their recommendations for the need for a bond election or issuance of certificate of obligation bond.
- The Lago Vista citizens advisory board will create and recommend a prioritized list of capital projects and other city related needs while reporting on the fiscal impacts to the city and its taxpayers.
- The Lago Vista citizen bond advisory committee will be tasked with creating reports which will include recommendations on current projects in flight and or projects in the future which will be considered for funding through the annual budget process or funded through future bond elections.

AGENDA ITEM NO. 11

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Councilor Saum, City Council

SUBJECT: Discussion, consideration, and possible action regarding the creation of a pilot program for citizen monitoring of road projects.

BACKGROUND: The City of Lago Vista is committed to maintaining and improving its road infrastructure to ensure the safety and mobility of residents and visitors. Road construction and maintenance projects require careful oversight to ensure that they are completed efficiently, effectively, and to the required standards. However, city staff may face challenges in providing comprehensive monitoring of road projects due to resource limitations and the extensive nature of the city's road network. Establishing a citizen monitoring pilot program can supplement existing oversight efforts by involving residents in the monitoring process and providing additional eyes on the ground.

FINDINGS: Creation of a Pilot Program: Propose the creation of a pilot program for citizen monitoring of road projects in Lago Vista. The program will allow interested residents to volunteer to observe, take photos, and report on the progress and quality of road projects in their neighborhoods. Volunteers will receive training and guidance on how to effectively monitor road projects and report their observations to the City.

1. Objectives of the Program:
    - To train and enhance the capacity of the citizenry/community-based organizations/grassroots organizations with respect to rural connectivity through construction/upgradation of roads.
    - To encourage ownership of roads among citizens by involving them directly in the process of monitoring local road construction.
    - To monitor the quality of roads under construction or after completion of construction work.
2. Scope and Responsibilities: Define the scope and responsibilities of citizen monitors participating in the pilot

program, which may include:

- Observing and documenting the progress of road construction and maintenance projects.
- Taking photos of project sites to document work activities and conditions.
- Reporting any concerns, issues, or discrepancies observed during project monitoring to the City's designated contact.

FINANCIAL IMPACT: N/A

ATTACHMENTS:

Empowering citizens to monitor their roads - Open Contracting Partnership.pdf
Engaging community in monitoring of road projects.pdf

OPEN CONTRACTING PARTNERSHIP

Empowering citizens to monitor their roads

BLOG BY HARISH POOVAIAH (HTTPS://WWW.OPEN-CONTRACTING.ORG/AUTHOR/HARISH-POOVAIAH/) / 3 OCT 2013



An agitated farmer from a remote village in India approached his Elected Representative in the early hours of a winter morning. After the pleasantries, the farmer came right to the point.

"Sir, the road that is being built in my village is not good," he said.

The Representative asked the farmer, "Really? How do you say so?"

The farmer said "Because I think so. Believe me sir".

The Representative politely told the farmer that he would look into the matter. The farmer trudged back to his village heavy hearted.

That same day in the nearby tribal village, a group of native citizens visited the local government Engineer's office to lodge a formal complaint about the road being constructed in their village.

"Sir, the road that is being laid in our village is not good," they said.

The Engineer asks the farmers, "Really? How do you say so?"

The villager's firmly said, "Sir, as per the contract the width should be 3.75 meters. But we find the width to be only 3.5 meters. And the thickness of the topmost layer should be 2 centimetres but it is only 1.5 centimetres".

The Engineer stirred in his chair. He leaned forward and enquired, "What else have you people found out to be missing?"

The tribal citizens were excited that they had caught his attention. They went on explaining all that they had observed and measured against what was supposed to be happening as per the 'contract'.

The Engineer promised to come along visiting the next day. He also promised to get the deficiencies corrected. Feeling content, they trudged back home.

In both the instances, it was the roads that were being built under the Rural Roads Scheme or PMGSY (www.pmgsyonline.nic.in (http://www.pmgsyonline.nic.in/)). We notice that they both began in the same manner but end differently.. The differentiating factor between the two instances was the 'facts and figures' as evidence. Also. it is important to notice that there were many citizens in second case as witnesses. The evidence validated in public domain or with many people was accepted as 'truth'.

The two instances, although imaginary, are close to reality. Because the truth, in terms of facts and figures, holds good at all times. The truth commands respect. It draws undivided attention. It ultimately wins over all its adversaries. This universal fact has stood the test of times.

Each kilometer of PMGSY road costs close to US$ 0.1 Million. Even a little compromise on the quality and/or quantity in PMGSY road, or for that matter in any road anywhere in the world, guarantees a huge loss of people's money. It also guarantees bad roads that don't meet the needs of the people. Additionally, bad roads necessitate renovations and further loss of people's money. It becomes a cycle of 'convenient leakage'.

Generating truth, as evidence in terms of facts and figures, as an infallible tool of advocacy is a strategy that needs to be closely examined, evolved to operate inside the prevailing political environment and tailored to suit the existing social context to break this cycle of convenient leakage.

Infrastructure projects like roads consume huge amounts of public money everywhere in the world. PMGSY this year 2013-14 alone in India is being implemented with a budget of close to US$ 4 Billion. Building roads is a complicated engineering exercise.

The challenge is to make this process simple enough for the ordinary citizen to understand, and then to prompt them to monitor 'their' road. In India or anywhere, rural roads have become 'lifelines' connecting people to education, health, agriculture markets and much more providing for the comprehensive development of communities. It is imperative that suitable sets of simple tools and techniques be provided to the ordinary citizen to generate authentic evidence.



The Public Affairs Centre (PAC) (http://www.pacindia.org), since 2006, has been working to evolve 'citizen road monitoring tools'. The process began with identifying and distilling elements of a road that can be monitored by citizen during and after construction.

They developed a set of tools as simple as a steel scale to measure the depth, or a tape to measure the width, or a square ring of defined size to measure the size of the stone used, or a camber board to measure the slope, all that can be put inside a bag and carried effortlessly to any road.

They also outlined things that could be identified and counted with the naked eye, like the number of potholes or undulations or culverts or sign boards. All the elements that can be counted and measured, together, formed a set of indicators to generate actual data.

Using this system, any data that is collected is then plotted alongside the mandatory values as listed in the signed contract between the government and the contractor. The data generated is scored for performance in percentages as either good roads, average roads and bad roads. Citizen with definite sets of data on their respective roads can then use them for advocacy and help fix their roads, while aggregated scores provide information on performance of roads overall in specific locations and can be taken to the government in those locations.

Citizen monitoring, or social audits, in welfare schemes like livelihood or food in India is mandated under respective laws but they suffer from low levels of awareness and uninformed participation. Citizen monitoring it is yet to take shape and take root in infrastructure projects like roads in India. The enabling environment, however, like the right to information and right to guarantee of services exist, but these are not preconditions for citizen monitoring.

Citizens are entitled to know and keep a tab on how their money is spent, anywhere in the world. But if left to themselves, they can't do it for want of expertise, time and resources. The process could be facilitated by CSOs and reinforced by the media. Creating awareness, empowering people to monitor with required sets of tools & techniques, generating evidence in a scientific way, negotiating with the government agencies in a constructive manner for results — are critical steps of advocacy, in that order. This needs to be facilitated by those with experience and expertise. The set of indicators could vary across nations as the road designs vary but the principles hold good for road sector anywhere in the world.

When citizens have the tools and techniques to monitor, and are empowered to hold their governments accountable, they will truly become drivers of their own development.

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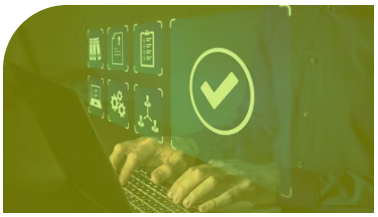
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Published on **Governance for Development**

Engaging community in monitoring of road projects

SHANKER LAL | SEPTEMBER 28, 2015

This page in: English



Photo: CUTS International

Citizen monitoring is a relatively new concept in infrastructure sector in India 𝕏. Even though the country has vibrant democracy and policy interventions like right to information act, citizens lack awareness and necessary toolkit for exercising their rights through social audit.

According to the 2011 Census, 68.84% population of India still lives in villages 𝕏.

Rural road connectivity is imperative for promoting access to economic and social services. 𝕏 Access to roads also increase agricultural income and employment opportunities. Overall, road plays an important role in poverty reduction.

Realizing the importance of roads, the Government of India in 2000 announced a massive Rural Roads Program, called Pradhan Mantri Gram Sadak Yojana (PMGSY), to provide good all-weather road connectivity to unconnected villages in the country.

The World Bank has been supporting PMGSY since inception. Citizen monitoring has been introduced in gradual manner in the project. Community members from the relevant geographical area are involved in conducting the monitoring of project to ensure satisfactory quality of the road. Community monitoring also gives users ownership of roads and helps the project progress as scheduled.

Citizen Monitoring of PMGSY roads has been entrusted to Public Affairs Centre (PAC), Bangalore. The objectives of the Citizen Monitoring program are:

- To train and enhance the capacity of the Gram Panchayat/rural citizenry/ community based organizations/ grassroots organizations with respect to rural connectivity through construction/ upgradation of rural roads.
- To encourage ownership of roads in the citizens by involving them directly in the process of monitoring of rural road construction.
- To monitor the quality of roads under construction or after completion of construction work using toolkits developed by Public Affair Centre in collaboration with Rasta or any other suitable means.

PAC has initiated Citizen Monitoring through the State Level Partner Organizations (SLPO) on pilot basis in three states, Rajasthan, Meghalaya and Jharkhand. A total number of 70 roads have been identified for implementing the citizen monitoring in three states. This includes 30 roads in Rajasthan, 20 roads in Meghalaya and 20 in

Jharkhand.

CUTS International, the SLPO for Rajasthan, has used a specifically designed toolkit for citizen monitoring in both the construction and maintenance processes of rural roads constructed under this project. The process adopted by them includes:

1. Identifying roads for monitoring (both which are completed and under construction/on-going) in consultation with State Government
2. Collecting bid documents (especially the bill of quantities) for each of the selected roads from the state agencies. This bid document was the basis of monitoring against which the norms/specifications were verified
3. Identifying community members for monitoring
4. Training for community members
5. Phase-one monitoring/surveying of the selected roads (completed and under construction) by community members
6. Sharing of findings of phase one with the concerned agencies of the Government for corrective action
7. Phase two monitoring/surveying of selected roads (completed and under construction) by the community members after six months of the first phase and submitting the report to the concerned authorities
8. Quality checks of community monitoring, data collection, data analysis and report writing

In Rajasthan, 15 completed roads and 15 roads under construction were selected for monitoring. A team of three 'Community Monitors and Auditors Team (CMATs)' who are users of targeted roads was selected for monitoring of each road. After two days intensive training, a road monitoring toolkit was given to the CMATs for measuring the camber, depth, size of the road and materials used. The monitoring formats for both completed and under construction roads were provided to the CMATs for recording the observations. Based on these observations, report was prepared and submitted to the concerned agencies for taking corrective actions on the same.

Some useful findings from Rajasthan are:

- The length, breadth and thickness of most of the roads were as per norms.
- Camber, which plays a critical role in draining off the water from the road surface, was not as per the prescribed norms.
- The maintenance of the shoulders was generally found poor and badly damaged and less width as per norms.

- In most of roads road furniture was maintained poorly.
- The drainage system of most of the roads was not as per the prescribed norms and drains were blocked with mud, shrubs, trees and debris etc. and not cleaned time to time.

As per CUTS International, contractors who are responsible for construction and maintenance processes of rural roads are now more cautious. Also the sense of ownership among local communities, who are using rural roads has increased after the intervention.

Tweet this: See how roads play an important role in #poverty reduction: #goodgov 𝕏

Tweet this: Rural road connectivity is imperative for promoting access to economic and social services. #goodgov 𝕏

Tweet this: Community monitoring gives users ownership of roads. See why. #goodgov 𝕏

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SAVE

Mange Ram Adhana

OCTOBER 29, 2015

Dear sir our ngo is working on UN sustainable development goals and targets. It is working in grassroots. Our headquarter in the village Dhani gujran. Hisar. India, so that we want to be develop the capacity built in rural road connectivity and monitoring, please take appropriate action in the subject Thank you. Mr. Mange Ram Adhana president Association for promotion sustainable development. Hisar India,...

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REPLY

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AGENDA ITEM NO. 12

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration, and possible action to schedule a mid-year review of the City Manager.

BACKGROUND: During the previous council meeting on April 4, 2024, Councilmember Roberts and Mayor Pro Tem Marion initiated a discussion regarding the possibility of implementing a midyear review for the City Manager. Some members of the council acknowledged the importance of conducting periodic assessments to ensure accountability and alignment with organizational goals and best practices. However, recognizing the complexity and time-consuming nature of the annual review process, some members of the council expressed interest in exploring a simplified version of the midyear review. The item was tabled until Mayor Pro Tem Marion could draft and bring back to council a proposed template to be used for the midyear review.

FINDINGS: In response to the council's request for a streamlined midyear review process, Mayor Pro Tem Marion has undertaken the task of drafting a grading template that captures the essence of the review while minimizing administrative burdens. The proposed template aims to provide a structured framework for evaluating the City Manager's performance and progress midway through the fiscal year.

The purpose of this agenda item is to present Mayor Pro Tem Marion's proposed template for the midyear review of the City Manager to the council for consideration and potential adoption, along with key dates for the midyear review not just this year, but on an annual basis going forward. Council members are encouraged to review the proposed template and provide feedback on its suitability and effectiveness in meeting the objectives of the midyear review and proposed dates.

It is recommended that the council engage in a thorough discussion regarding the merits and feasibility of adopting Mayor Pro Tem Marion's proposed template for the midyear

review of the City Manager not just this year, but on a regular annualized basis going forward. Any feedback or suggested modifications should be addressed during the meeting to ensure the development of a comprehensive and practical evaluation tool.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
Timeline and Guidance.pdf
MOY Checkpoint.pdf

Peformance Management Document

This **template** is meant to support Assessment & Reporting Department team members in completing mid-year checkpoint conversations and end-of-year performance evaluations. The template allows staff to fill out self-evaluations and provide upward feedback for managers, and managers to fill out their evaluation. This template can then be submitted on CAPPS.

Instructions: Use the dates below to guide the performance management schedule each year.

Key Dates	Action Step	Links/Reference
	Mid-Year (MOY) Checkpoints	
February 1, 2024	City council schedules mid-year checkpoint for 2nd council meeting in April	
March 31, 2024	City manager completes self-evaluation reflections and sends to city council for review	
April 4, 2024	City council members review city manager's self-evaluation and complete individual comments; email to city council point of contact for collation	
April 18, 2024	City council conducts mid-year checkpoint conversation in executive session	
April 26, 2024	Mid-year checkpoint is saved and included in city manager's personnel file	
	[Tentative] End-of-Year (EOY) Performance Evaluations	
August 1, 2024	City council schedules EOY evaluation for 2nd council meeting in October	
August 24, 2024	City manager finishes data collection (bring any metrics questions to city council well in advance)	
August 31, 2024	City manager completes self-evaluation reflections and sends to city council for review	
September 19, 2024	City council members review city manager's self-evaluation and complete individual ratings and comments in document; email to city council point of contact for collation	
October 3, 2024	City council meets to review and approve ratings	
October 17, 2024	City council conducts EOY performance evaluation meeting in executive session	
October 25, 2024	EOY evaluation is saved and included in city manager's personnel file	

*Note that dates in 2024 for MOY would not follow this cadence due to the current date. Moving forward, however, this cadence could be easily followed.

Mid-year Checkpoint Directions
City manager completes self-reflections in green section
City council members complete reflections in orange section

City Manager Self-Reflection on Performance		
Summary (optional)		
Strengths		
Area of Strength #1	Rationale	
Area of Strength #2	Rationale	
Area of Strength #3	Rationale	
Development Opportunities		
Development Opportunity #1	Rationale	Specific Actions
Development Opportunity #2	Rationale	Specific Actions
Development Opportunity #3	Rationale	Specific Actions

City Council Feedback for City Manager		
Summary (optional)		
Strengths		
Area of Strength #1	Rationale	
Area of Strength #2	Rationale	
Area of Strength #3	Rationale	
Development Opportunities		
Development Opportunity #1	Rationale	Specific Actions
Development Opportunity #1	Rationale	Specific Actions
Development Opportunity #1	Rationale	Specific Actions

AGENDA ITEM NO. 13

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Mayor Pro Tem Marion, City Council

SUBJECT: Discussion, consideration, and possible action regarding the City of Lago Vista Personnel Policies and Procedures, including Section 16, Grievances, approved October 2016.

BACKGROUND: The City of Lago Vista is committed to upholding fair and just employment practices and ensuring that all employees are provided with effective, efficient, and timely avenues for addressing complaints or grievances. Per Section 4.06 of the City Charter ("The administration of human resources of the City shall be governed by written rules and regulations to be known as "Personnel Policies". The City Manager or his/her designee shall prepare such policies and recommend their adoption to the City Council. Such policies shall not be inconsistent with this Charter and will become effective when approved by the Council by ordinance."), the Council approves all personnel policies of the City. The Council last approved the City's personnel policies in 2016.

Section 16 of the approved personnel policies outlines the procedures for handling employee grievances; however, updates may be needed to ensure all employees are included within the policy, to ensure there is a process in place when the grievance is filed against a department head or the city manager, and to ensure alignment with current best practices. The City recognizes the importance of providing a transparent and efficient process for addressing grievances, thereby fostering a positive work environment and upholding legal obligations.

FINDINGS: The City of Lago Vista remains committed to fostering a supportive and inclusive work environment, where all employees are empowered to address grievances effectively and fairly. By reviewing and revising the approved Personnel Policies and Procedures, particularly Section 16 on grievance procedures, the City aims to uphold its legal obligations and promote a culture of respect, accountability, and transparency in employment relations and practices.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
Approved Personnel Policies Oct 2016.pdf
Approved Personnel Policies Oct 2016_Intro and grievance sections only.pdf
DIA(LEGAL).pdf
DIA(LOCAL).pdf
DGBA(LEGAL).pdf
DGBA(LOCAL).pdf
DGBA_Regulation_All_Forms_POSTED_11.9.23.pdf

City of Lago Vista



Personnel Policies and Procedures

City of Lago Vista
Personnel Policies and Procedures
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SECTION 1. GENERAL POLICIES

A. PURPOSE OF THESE POLICIES

The purpose of these Personnel Policies is to provide a uniform set of guidelines governing employment with the City. The policies contained here inform employees of the benefits and obligations of employment with the City. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors. These policies have also been prepared to provide a high quality of public service to the citizens of this City. These policies do not in any way constitute a contract of employment with the city.

B. AUTHORITY

These policies are established by the City Council, and any deletions, amendments, revisions, or additions of substance to the policies must be approved by the Council. These policies completely replace and supersede any and all personnel policies previously adopted, either individually or as a set of policies, by the City Council. General and final authority for personnel administration rests with the City Manager, with the exception of matters reserved to the City Council by state law or the City Charter.

1. **Management Authority and Amendments**. The City may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time, with or without notice. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment. There is no specified length of employment, and either the City or the employee can terminate the employment relationship at any time, for any reason.

   Policy administration rests with City management and City management reserves sole authority to administer City operations. Authority may be delegated to appropriate staff members to act in the City Manager's behalf in the administration of these policies; however, the final authority on personnel decisions shall be reserved to the City Manager. Operational changes to any policy, practice, or process will require approval by the City Manager.

   No City supervisor is authorized to modify these policies for any employee or to enter into any agreement, oral or written, in conflict with these policies.

1. **Departmental Policy and Procedural Requirements**. Individual City departments may develop policies and procedures that are consistent with City policies and procedures. Department policies and procedures that are operational and do not relate to those in this handbook, or other approved operational manuals, do not need to be reviewed and approved by the Human Resources Manager or other appropriate departments. All employment related department policies must be reviewed by the Human Resources Manager, and if necessary, the City Manager. Department directors are responsible for obtaining the necessary review and approval prior to issuing such departmental policies and procedures.

Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this policy.

2. **Miscellaneous**. Policies and procedures apply to all employees of the City, both on and off duty where applicable, unless otherwise restricted by proper authority, or prohibited by state and/or federal law.

   Only the City Manager or the City Council, depending on the position, has the authority to enter into an employment agreement, promise, or commitment contrary to these policies and procedures, and all such agreements, promises, and/or commitments entered into by the City Manager or City Council must be contained in an express written employment contract signed by both the City Manager and the affected employee.

C. SEVERABILITY

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect.

D. APPLICABILITY OF PERSONNEL POLICIES

These personnel policies and procedures apply equally to all employees of the City unless a class of employees is specifically exempted; the provisions of these policies may be varied in the case of an employee with a written employment agreement approved by the City Council. Individuals performing community service work for the City are not covered by the terms of these policies. It is the responsibility of all employees to become familiar with and abide by these policies.

In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply.

E. DISSIMINATION OF PERSONNEL POLICIES

The Human Resources Manager maintains the official set of the personnel policies, with all revisions, for reference by employees, and is responsible for providing a complete copy of this manual and copies of all subsequent revisions or policy changes to each employee. If a question arises about a particular policy, the official set of policies in the Human Resources Manager's office should be consulted and will control.

As a part of the initial orientation process, the Human Resources Manager will provide a copy of the *Personnel Policies and Procedures* to new employees. This copy is the employee's to keep. Upon receipt of the personnel policies and before beginning work on the job, each employee is required to read the policies and sign an acknowledgment that he or she has received a copy of the *Personnel Policies and Procedures* and understands that he or she is responsible for knowing the contents. The signed acknowledgment is filed in the employee's official personnel file in the Human Resources Manager's office.

F. EMPLOYMENT AT WILL

Employment with the City is for no fixed or definite term. All employment by the City has been and continues to be at-will, except for those positions that may have a written contract approved by the city council.
That means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause. These personnel policies do not constitute a contract of employment. Nothing in these policies is intended to alter the continuing at-will status of employment with the City.

G. EQUAL EMPLOYMENT OPPORTUNITY

The city is an equal opportunity employer. It is the policy of the City of Lago Vista to prohibit discrimination against any person in job structuring, recruitment, examination, selection, appointment, rate of pay, training, awards, compensation and benefits, promotion and transfer, disciplinary measures, or any other aspect of employment based on race, age, sex, religion, color, disability, national origin, genetics, veteran's status, sexual orientation, pregnancy, or other unlawful basis.

An employee will not engage in conduct at work that involves the use of racial or ethnic joking or derogatory remarks. Reports of such conduct will be investigated, and disciplinary action will be taken, if appropriate.

The city prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging such a practice or participating in an investigation of an allegation of discrimination.

(Legal reference: U.S. Civil Rights Acts of 1871 and 1964, as amended; Lilly Ledbetter Fair Pay Act of 2007; Genetic Information Nondiscrimination Act of 2009; V.T.C.A. Civil Practices and Remedies Code, Chapter 106; Texas Commission on Human Rights Act, V.T.C.A. Government Code, Sec. 461; V.T.C.A. Labor Code, Chapters 21-22; U.S. Age Discrimination in Employment Act of 1967, as amended; U.S. Rehabilitation Act of 1973, as amended; U.S. Americans with Disabilities Act of 1990 and ADA Amendments Act of 2008; U.S. Executive Order 11246; U.S. Equal Pay Act; V.T.C.A. Health and Safety Code, Chapters 592.)

H. SEXUAL AND OTHER UNLAWFUL HARASSMENT

All City employees are entitled to a workplace free of unlawful harassment by management, supervisors, co-workers, citizens, and vendors. This means that each employee must be respectful of others and act professionally. City employees are also prohibited from engaging in unlawful harassment of other employees, citizens, vendors, and all other third parties.

1. **Sexual Harassment**. All types of sexual harassment are prohibited. Unwelcome sexual advances, insinuations, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

    - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or

- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Sexual harassment does not require sexual attraction or interest. This policy prohibits sexual advances and requests for sexual favors, sexual jokes and innuendo; comments about bodies, sexual prowess, sexual preferences, sexual experiences or sexual deficiencies; leering, whistling, or touching; verbal abuse of a sexual nature, including insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures, including nudity and pornography; and all inappropriate conduct of a sexual nature, whether it be physical, verbal or visual conduct.

2. **Other Prohibited Harassment**. In addition to the City's prohibition against sexual harassment, harassment on the basis of any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, belittles, or shows hostility or aversion toward someone because of race, religion, color, national origin, age, disability, genetics, veteran status, citizenship, or any other characteristic protected by law is also prohibited.

   Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping; threatening, intimidating, bullying or hostile conduct; denigrating jokes and comments; and writings or pictures that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly inappropriate and are strictly prohibited.

   This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, email, cell phone or other electronic devices, social media, and/or the Internet, such as YouTube and Facebook. Harassment of any nature, when based on race, religion, color, sex, sexual orientation, pregnancy, national origin, age or disability, genetics, veteran status, citizenship or any other characteristic protected by law is prohibited and will not be tolerated.

   This policy applies to City employees, citizens, vendors, and other visitors to the workplace.

3. **Mandatory Reporting**. The City requires that employees report all perceived incidents of harassment, regardless of the offender's identity or position. Any employee who observes or otherwise learns of possible harassment in the workplace or who feels that harassment has occurred or has been subjected to conduct prohibited by this policy must report it immediately to:

   - The Department Director;
   - The Human Resources Manager; or
   - The City Manager.

   More than one avenue for reporting harassment is included to allow the employee to choose an organizational level that s/he is comfortable with in reporting the incident.

   Any supervisor, manager, or department director who becomes aware of possible conduct prohibited by this policy must immediately advise the department director and /or the Human Resources Manager. A formal Complaint Form is available from the Human Resources Manager.

   Under this policy, an employee may report to and/or contact the Human Resources Manager directly, without regard to the employee's normal chain of command.

   Voice messages or emails may be left at any time.

4. **Investigation**. All reports of prohibited conduct will be investigated promptly and in as confidential a manner as possible. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have other relevant knowledge. All employees are required to cooperate with the investigation and to maintain confidentiality.

5. **Retaliation Prohibited**. Retaliation against any employee who makes a good faith charge or report of prohibited conduct or who assists in a complaint investigation is prohibited. Acts of retaliation must be reported immediately as set out above.

6. **Responsive Action**. Misconduct constituting harassment or retaliation will be dealt with appropriately. Discipline, up to and including dismissal will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action will be imposed in situations where claims of prohibited conduct were untruthful, fabricated or exaggerated, or when employees are untruthful during an investigation.

I. AMERICANS WITH DISABILITIES ACT

To ensure compliance with the Americans with Disabilities Act and Americans with Disabilities Act as Amended (ADAAA), the City offers equal employment opportunity to qualified individuals and strictly prohibits discrimination against qualified individuals on the basis of disability.

The City will provide reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City's obligation under this policy is limited to providing reasonable accommodations that will not result in undue hardship to the City.

Any employee seeking a reasonable accommodation for a disability that affects the employee's work schedule or ability to perform the essential functions of the position shall make a written application on a form provided by the Human Resources Manager. The employee will be required to furnish documentation from a treating physician to substantiate an ADA disability and the need for accommodation.

Employees who have a complaint involving potential violations of the Americans with Disabilities Act or ADAAA, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately contact the immediate supervisor, Human Resources Manager, the City Manager, or the City Manager's designee.

(Legal reference: U.S. Rehabilitation Act of 1973, as amended; U.S. Americans with Disabilities Act of 1990 and ADA Amendments Act of 2008.)

J. LACTATING/BREASTFEEDING POLICY

Accommodations will be made for lactating mothers for up to one year after the child's birth. An employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The City will designate a room for this purpose. A small refrigerator reserved for the specific storage of breast milk will be made available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering.

Nursing mothers wishing to use this room must request/reserve the room by contacting the Human Resources Department. Additional rules for use of the room and refrigerator storage are posted in the room. City employees who work offsite or in other locations will be accommodated with a private area as necessary. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

SECTION 2. EMPLOYEE RESPONSIBILITIES

A. GENERAL EMPLOYEE RESPONSIBILITIES

The city is a public tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy and avoidance of even the appearance of illegal or unethical conduct.

Employees are required to give a full day's work, to carry out efficiently the work items assigned as their responsibility, to maintain honest conduct, and to do their part in maintaining good relationships with the public, their supervisors, city officials and their fellow employees.

B. FINANCIAL RESPONSIBILITY

Employees of the City are expected to maintain a good credit standing in the community and to pay their obligations promptly. The City shall in no way serve as a collecting agency or arbitrator. If an employee fails to pay, or make reasonable provisions for future payment, of his or her debts to such an extent that the failure is detrimental to the employee's job performance, the employee may be disciplined, up to and including dismissal.

C. DRESS, APPEARANCE, AND UNIFORMS

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. The City allows business casual dress in the work place year-round, in accordance with this policy. This policy applies to all employees except those who are required to wear uniforms. Department directors are strongly encouraged to allow their employees to participate in business casual dress, as practical. Department directors and supervisors are responsible for enforcing this policy in their respective departments in order to maintain acceptable dress and appearance.

Professional business attire or a required uniform is to be worn when there is a need to present a more formal professional appearance for meetings or special events. Clean and presentable attire that is typical for the job function (i.e. suits or dresses for the City Manager's Office, polo with city logo and slacks for Parks & Recreation) are proper attire for personnel scheduled for City Council meetings, receptions, etc., unless otherwise directed by the City Manager for the occasion.

Employees must remember that they are professional 100% of the time and are dressing for business, not for pleasure. All clothing must be clean, neatly pressed and in good repair and appropriate to the work setting. Attire must always reflect a professional business attitude and presence. Provocative, suggestive articles or other inappropriate dress are not allowed in the workplace. When there is a question on whether or not an item of clothing is prohibited, please err in favor of being conservative and assume that it is not acceptable attire.

The City Manager may designate a specific day in which casual attire may be worn. However, it is at the City Manager's discretion and the attire worn on "casual days" should still reflect an appropriate professional appearance. Department directors may occasionally allow employees to wear casual attire if a specific work assignment dictates that casual attire is appropriate and to ensure the safety of an employee.

1. **Standards for Business Casual Work Attire**

   - Jeans, T-shirts and athletic shoes are not acceptable during normal work hours unless a special day is declared by City management or as specifically approved by the appropriate department director as work assignment dictates.
   - Sweat shirts, sweat pants and hoodies of any type are not acceptable unless a special casual wear or festive occasion is declared by City management.
   - Shorts shall not be worn unless they are part of a City department's approved uniform and worn with a shirt that identifies them as an employee of a particular City department or division or approved by the department director as special circumstances warrant.
   - Women: Camisoles or tank tops are required to be worn under low cut blouses/tops. Clothing with thin or spaghetti straps or tank tops need to be worn with an acceptable jacket. Skirts and dresses shall be worn no shorter than 2 inches above the top of the knee. Ankle length and Capri dress slacks are appropriate. Dress shoes or dress sandals are appropriate. No more than 3 earrings in each ear may be worn, provided the earrings are not unprofessional in appearance.
   - Men: Knit shirts with collar, banded collar shirts, short sleeve or long sleeve dress shirts without a tie are acceptable. All shirts are to be tucked in unless specifically designed to be worn outside trousers. Dress shoes, boots or loafers are acceptable footwear. No more than 3 earrings in each ear may be worn, provided the earrings are not unprofessional in appearance.

2. **Examples of Inappropriate Attire**.

   - Provocative or revealing attire including low cut, bare backs, bare shoulders, midriffs, body-hugging, see-through garments, tube tops or excessively loose or tight fabrics;
   - Stirrup pants, spandex pants, casual cargo pants, leggings, form fitting or tight slacks/trousers;
   - Clothing with unclear or obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
   - Un-pressed, soiled, ripped and tattered clothing;
   - Visible tattoos which could be deemed offensive;
   - Nose rings, eyebrow rings, tongue studs, lip piercings, gauge piercings, or similar type facial jewelry.

3. **Jewelry**. All jewelry worn by employees must be appropriate so it does not detract from a professional appearance or conflict with department uniform guidelines.

4. **Hair and Facial Hair**. Hair styles and hair colors must be appropriate to the employee's position, and extremes of any type are unacceptable. For example, green hair, Mohawk style haircuts, and severely spiked hair are not allowed. The length of hair must not pose a safety hazard for employees working around machinery and moving objects. Hair, including facial hair, must be clean and neatly groomed at all times.

5. **Perfume and Cologne**. While at work, employees should minimize the use of scented aftershaves, colognes, perfumes, and lotions as these products may impact the health of chemically-sensitive customers and other employees.

6. **Personal Hygiene**. All employees must maintain a clean, presentable appearance. Personal hygiene includes a regular bath/shower, use of deodorant, and appropriate oral hygiene.

7. **Uniforms**. The City supplies many Police, Parks and Recreation, and Public Works personnel with appropriate uniforms. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. Uniforms must be clean and neat. City-owned or authorized uniforms may not be worn outside of work, for personal use, or by any third party. City uniforms may be worn by City employees in connection with outside employment only with the department director's prior written authorization.

   Employees who are provided with uniforms are required to wear their uniforms when on duty and keep them in good, clean and serviceable condition. No part of the uniform shall be worn by itself. An employee must wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work, unless in connection with outside employment with the department director's authorization.

   When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition. The cost of lost or damaged City property and unreturned uniforms will be deducted from the employee's final pay check. Employees will be required to sign an authorization form at time of employment to allow the City to deduct lost, damaged and unreturned supplies and uniforms.

8. **Employee Purchasing of City Logo Clothing**. Employees who work primarily in offices are not eligible to receive uniforms. However, employees are permitted to purchase City logo apparel at their own expense and at the City's contract price from selected vendors.

9. **Exceptions**. Employees having a conflict with any aspect of this policy, based on cultural or religious traditions or medical reasons, may request an exemption. The employee must place the request in writing to his/her department director. The Department director and the Human Resources Manager shall review the request and determine whether an exception will be granted.

10. **Enforcement**. Employees and supervisors are responsible for ensuring compliance with the City's dress code standards. In all cases, the City will make the determination as to acceptable dress, appearance and grooming. Employees should direct questions about appropriate appearance or dress to your supervisor, Department director or the Human Resources Manager.

    Department directors shall specify requirements for uniforms and other work attire. Departments may impose special dress and grooming requirements necessary for employee safety, including use of appropriate personal protective equipment, shoes and clothing.

Supervisors are responsible for ensuring that employees know, understand and adhere to this policy as well as any department specific dress policy. Department directors and supervisors shall counsel employees' whose dress, personal hygiene or grooming is inappropriate.

Each employee is expected to adhere to the clothing, uniform and personal appearance guidelines set forth in this policy. Each employee must use good judgment and common sense in selecting clothing that fits with the function of his/her position, while also promoting a professional image. In order to avoid bringing discredit to the City, employees shall exercise caution in their conduct when wearing uniforms or other apparel bearing the name or logo of the City of Lago Vista.

Employees in violation of this policy may be sent home. Under such circumstances, non-exempt employees will not be paid for work time missed, and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined, up to and including termination of employment.

The department director, with approval of the City Manager's office, may make departmental exceptions to this policy when deemed necessary for business reasons or implement a more restrictive dress and appearance policy.

Dress Guidelines

<table>
<tr><th></th><th>Men</th><th>Women</th></tr>
<tr><td>Appropriate</td><td>♦ Knit shirts with collar and banded collars
♦ Short sleeve or long sleeve dress shirts
♦ Dress shoes, boots, and loafers</td><td>♦ Camisoles or tank tops worn under low cut blouses/tops
♦ Thin or spaghetti straps and tank tops worn with jacket
♦ Skirts and dresses no shorter than 2 inches above top of knee
♦ Ankle length and Capri dress slacks</td></tr>
<tr><td>Inappropriate*</td><td colspan="2">♦ Provocative or revealing attire
♦ Excessively loose or tight fabrics
♦ Bare shoulders
♦ Clothing with unclear or obscene messages or that endorses alcohol, tobacco produces, drugs, pornography, or offensive material of any kind
♦ Stirrup pants, spandex pants, casual cargo pants, and leggings
♦ Form fitting or tight slacks/trousers
♦ Visible tattoos which could be deemed offensive
♦ Un-pressed, soiled, ripped, or tattered clothing</td></tr>
<tr><td colspan="3">*Listing of inappropriate apparel is not intended to be exhaustive and all-inclusive and is provided to establish a guideline for what is acceptable in the workplace.</td></tr>
</table>

D. USE OF CITY PROPERTY, VEHICLES, AND EQUIPMENT

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful**,** careful, and courteous operation of vehicles and equipment. Any required safety equipment provided by the City must be used at all times.

From time to time, the City may issue various types of equipment or other property to employees, e.g., credit cards, keys, tools, security passes, manuals, written materials, uniforms, cell phones, computers, and computer-related equipment. Employees are responsible for items formally issued to them by the City, as well as for items otherwise in their possession or control or used by them in the performance of their duties. At the time of issuance, employees may be required to sign certain forms or other documentation evidencing their receipt of property and/or equipment and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take any other action it deems appropriate or necessary to recover and/or protect its property.

Employees must notify their supervisor immediately if any vehicle, equipment, machinery, tools, etc., appear to be damaged or defective, or are in need of repair. The appropriate supervisor can answer questions about an employee's responsibility for maintenance and care of equipment used on the job. The improper, careless, negligent, destructive, unauthorized, or unsafe use or operation of equipment will likely result in disciplinary action.

1. **Personal Use Prohibited.** City property, materials, supplies, tools, equipment or vehicles may not be removed from the premises without prior written approval by the City Manager, or the Department Director, and may not be used for the personal benefit of an employee.

2. **Tobacco Use Prohibited**. The City's policy is to provide a smoke free workplace. Smoking is prohibited in City buildings, or outdoors within twenty five (25) feet of any entrance utilized by employees or the public. Smoking is also prohibited in all City vehicles, in garages or around the entrances to buildings. Smoking is only allowed in designated smoking areas. Cigarette or cigar butts may not be discarded on the ground at any City facility, including parking lots. This prohibition against smoking applies to electronic cigarettes.

   Users of smokeless tobacco are prohibited from spitting on sidewalks, parking lots, on landscaping or in the bathroom facilities. Spit cups must be kept out of the view of other employees or the general public and must not be disposed of in any of the trash cans inside of the buildings.

3. **Vehicle Allowance.** An employee may be given a monthly allowance for consistently using such employee's own vehicle for City business if the use is deemed necessary by the City Manager. The amount of the allowance shall be determined by the City Manager.

4. **Take Home Vehicles.** A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement.

To be eligible for assignment of a take-home vehicle, an employee must be subject to emergency call back during off duty hours to locations other than the employee's normal work station. No personal use of a take-home vehicle is permitted except to commute to and from home or work. A City vehicle is not to be used for personal business such as going to the bank, grocery store, etc., without prior written approval of the City Manager or department director. No alcoholic beverages are allowed in City vehicles. No passengers may be transported in take-home vehicles except as required by official duties.

If approved by the City Manager, use of a City owned vehicle may be included within a contract of employment and may be exempt from this policy.

The City's vehicles are classified as either "exempt" or **"**non-exempt" as prescribed by law. Most pickups, vans and automobiles are classified as "non-exempt" vehicles. Employee**s** to whom a "non-exempt" vehicle is assigned for take-home may incur a federal income tax liability for the benefit of commuting to and from work in a City vehicle. Police vehicles used by employees on call 24-hours are normally exempt from the benefit tax liability.

5. **Use of City Vehicles.** City-owned or leased vehicles may be used only for official City business. City owned or leased vehicles may only be driven by authorized City employees. If an employee drives a personal vehicle, or a City-owned, rented or leased vehicle on the job or while carrying out City-related business, the employee must comply with the following:

    - Drivers must have a valid State of Texas driver's license appropriate for the vehicle operated, must maintain a satisfactory driving record, and must inform their supervisor of any change in status.
    - Always observe all posted laws and speed limits.
    - Always wear seat belts when the vehicle is in operation.
    - No passengers other than City employees or others on City business may ride in a City vehicle unless otherwise approved in advance by the Department Director.
    - No personal use of City-provided vehicles is allowed.
    - All maintenance and use records for City vehicles must be completed as directed by the employee's supervisor. City vehicles must be kept clean; dispose of trash and put away tools daily.
    - Report any broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.
    - All drivers must be eligible for coverage under the City's insurance policy.
    - Drivers covered by Department of Transportation (DOT) regulations must comply with the DOT regulations at all times.
    - AT NO TIME MAY AN EMPLOYEE UNDER THE INFLUENCE OF ALCOHOL OR A PRESENCE IN THE SYSTEM OF ILLEGAL DRUGS DRIVE A CITY VEHICLE OR A PERSONAL VEHICLE WHILE CONDUCTING CITY BUSINESS.

- EMPLOYEES INVOLVED IN AN ACCIDENT WHILE OPERATING A CITY VEHICLE, OR WHILE OPERATING A PERSONAL VEHICLE ON CITY BUSINESS, MUST IMMEDIATELY NOTIFY THE POLICE AND HIS/HER SUPERVISOR, DEPARTMENT DIRECTOR, AND/OR CITY MANAGER. THE EMPLOYEE SHALL **NOT** LEAVE THE SCENE OF THE ACCIDENT UNLESS REQUIRED TO DO SO BECAUSE OF INJURY. THE EMPLOYEE MAY LEAVE THE SCENE AFTER THE POLICE INVESTIGATION IS COMPLETE OR IF THE POLICE DIRECT HIM/HER TO MOVE THE VEHICLE. ACCIDENT REPORTS, ALONG WITH ANY LAW ENFORCEMENT REPORT, MUST BE FILED BY THE EMPLOYEE WITH THE DEPARTMENT DIRECTOR AND THE CITY SECRETARY. IN ADDITION, THE EMPLOYEE IS REQUIRED TO PROVIDE A WRITTEN STATEMENT TO HIS/HER SUPERVISOR WITHIN TWENTY-FOUR (24) HOURS DETAILING THE INCIDENT AND INCLUDING WHETHER ANY CITATIONS WERE ISSUED.

- EMPLOYEES WHO ARE INVOLVED IN AN ACCIDENT WHILE OPERATING A CITY VEHICLE WILL BE SUBJECT TO A DRUG SCREEN.

6. **Driver's License Check**. The City may, at any time, check the driving record of a City employee who drives as part of the job duties to determine that the necessary qualifications are maintained as a City driver.

7. **Public Perception**. City employees must be aware of the fact that their actions while driving or in the vicinity of City vehicles are being observed by the public. Employees' irresponsible behavior and use of poor judgement reflects directly on the City and will not be tolerated. City employees must be courteous to other drivers and pedestrians.

8. **Violations of This Policy**. The above is not a complete and exhaustive list of vehicle use policies. Violations of any of the specific items listed, as well as the improper, careless, negligent, destructive, unauthorized, or unsafe use or operation of a vehicle, may result in loss of driving privilege or disciplinary action, up to and including dismissal.

9. **Personal Property.** All employees shall be solely responsible for their personal property at all times.

E. OUTSIDE EMPLOYMENT

1. **Written Authorization Required**. City employees may engage in outside employment provided they receive prior written approval from their Department Director, the Human Resources Manager, and the City Manager. Authorized outside employment may be subject to review in the event of schedule changes or interference with City duties.

2. **Outside Jobs Coordinated Through Police Department**. Police officers authorized to work part-time jobs coordinated by and through the City's Police Department must perform the outside employment in accordance with applicable Police Department procedures.

3. **Prohibited Activities.** Employees will not be permitted to engage in outside employment (including self-employment) or other activities that might discredit the City, result in a conflict of interest or a potential conflict of interest, or adversely affect the employee's job performance. City employees may not use City property, equipment, facilities, or telephones for outside business activities or for personal gain.

4. **Workers' Compensation Coverage.** Employees are not covered by the City's workers' compensation insurance while working for another employer.

5. **Outside Employment While on Leave Prohibited.** Approval for outside employment as set out in this policy does **not** authorize an employee on FMLA leave, sick leave, disability leave, workers' compensation leave, administrative leave, or an unpaid leave of absence, or on restricted or light duty, to engage in any outside employment. Any exceptions must be expressly authorized in writing by the Department Director and the Human Resources Manager, or if applicable, by the City Manager.

6. **Outside Employment Prohibited During Normal Working Hours**. Employees are prohibited from conducting outside employment activities during normal working hours.

F. EMPLOYEE SAFETY

The City is interested in all employees' safety and well-being. Accordingly, the City has developed safety rules and regulations. Each and every employee is required to comply with all safety rules and to exercise caution in all work activities. From time to time employees will be updated and reviewed on safety procedures in an effort to increase awareness of the importance of safety on the job. Employees can prevent accidents and injuries by following the safety rules of your job, by remaining alert and by THINKING SAFETY at all times. If an employee sees something that the employee believes is an unsafe act or an unsafe condition, the employee should immediately report it to a supervisor or to management.

1. **Safety Rules**. The following safety rules apply at all times, and some specific job descriptions may contain additional operational safety guidelines. Each employee must be familiar with such rules, and apply them at all times.

    - Use prescribed protective equipment such as eye protection, hearing protection, hard hats, safety shoes or boots, gloves, shields, etc., when those items are appropriate to the task being performed.

    - Smoke only during designated times in authorized outside areas.

    - Walk, do not run. Wipe spills and pick up fallen objects and debris. Keep floor surfaces clear of hazards and other obstacles, electric cords, etc. For your comfort and safety, wear shoes with non-slip soles, in good condition and with enclosed toes. Do not wear sandals, sneakers, moccasins or tennis shoes on any job site where feet could be injured. Employees working in departments that require steel toe boots must wear them at all times.

    - To avoid back injuries, use correct lifting methods. Get additional help with heavy (or difficult to handle) objects.

- Be aware of sharp tools. Use safety devises where provided, and do not alter or remove them in any way. Report hazards to management immediately.
- Material Safety Data Sheets (MSDS Sheets) - Employees will be shown the location of the City's Material Safety Data Sheets. MSDS sheets provide valuable information about various chemicals and other agents that may be encountered in the work.

  MSDS explain possible reactions to exposure, and steps for employees should take if it occurs. Review this information from time to time.
- Fire - Be alert for causes and report smoke, heat or unusual odors immediately. Alert other people in the area to the possibility of danger in order to evacuate, if necessary. Try to verify the location and call 911. Use proper portable extinguishers for small fires.
- Do not put fingers, hands, feet or clothing in moving machinery.
- Do not carry items in a manner that obscures vision.
- Do not block access to fire extinguishers.
- Do not touch open or loose electrical circuits.
- Report unusual vibrations, smells, or noises coming from equipment.
- Do not wear rings or jewelry while operating machinery.
- Do not perform maintenance or repairs on running equipment.
- Do not remove or alter warning tags or safety devices.
- Never leave nails or spikes protruding from planks or boards.
- Perform routine maintenance at all scheduled intervals.
- Do not use compressed air for cleaning clothing or floors.

2. **Accident Reporting**. All accidents and injuries, however slight or seemingly inconsequential, **must immediately be reported** to the appropriate supervisor or the Human Resources Manager. Failure to report any accident or injury within 24 hours of its occurrence may lead to disciplinary action, up to and including termination of employment. Such reports are necessary so that the City can remain in compliance with applicable laws and begin workers' compensation benefit procedures where appropriate.

   Employees who violate safety standards, who cause or exacerbate hazardous or dangerous situations, or who fail to report or, where appropriate, correct such situations, will likely be subject to immediate disciplinary action, up to and including termination of employment.

3. **Accidents Involving City Equipment or Vehicles**. Any employee involved in an accident while operating City equipment or vehicles shall report the accident immediately to the supervisor and to the proper law enforcement agency. The employee must immediately complete an accident report, no matter how minor the damage is to the vehicle, and submit the report to the supervisor and to the City Secretary.

Drivers must obey all traffic rules and regulations prescribed by law and use every reasonable safety measure to prevent accidents. No one under the age of 18 may operate a City vehicle. Wearing of seat belts is mandatory.

Any traffic fines imposed upon a City employee while operating a City vehicle will be the personal responsibility of the employee and not the City.

Any employee involved in any type of accident involving City equipment may be disciplined if, upon investigation, it is determined that the employee was negligent or through carelessness or recklessness contributed to the cause of the accident.

G. POLITICAL ACTIVITY

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. No City employee is prohibited from becoming a candidate for public office. However, City employees may not:

- Publicly endorse or campaign in any manner for any person seeking a City public office. This provision is not intended to prevent a city employee from displaying a candidate's sign on their personal property.
- Use the employee's position or office to coerce political support from employees or citizens.
- Use the employee's official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
- Make, solicit or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council, or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the rights of an employee to seek office himself/herself, express his or her opinions, and to cast his or her vote.
- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.
- Contribute money, labor, time or other valuable thing to any person for City election purposes, except as permitted by law.
- Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, e.g., City of Lago Vista City Council, Lago Vista ISD, and Travis County. Upon being elected to such an office, an employee must immediately resign or will be dismissed upon failure to do so.

H. CONFLICTS OF INTEREST/SOLICITATION AND ACCEPTANCE OF GIFTS

1. **Conflicts of Interest.** No employee of the City may:

   - Have any financial or other interest, directly or indirectly, in any proposed or existing contract, purchase, work, sale or service to, for, with or by the City;
   - Use City employment, authority, or influence in any manner for personal betterment, financial or otherwise;
   - Have any financial interest, directly or indirectly, in the sale to the City of any land, materials, supplies or services;
   - Have discussions or participate in decisions of any City agency, board, commission or instrumentality if the employee has any personal economic interest or is employed, directly or indirectly, by the person or entity that is the subject of the discussion or decision;
   - Accept other employment or engage in outside activities incompatible with the performance of duties and responsibilities as a City employee or that might impair independent judgement in the performance of duties to the City; or
   - Accept remuneration or provide services for compensation, directly or indirectly, to a person or organization requesting an approval, investigation, or determination from the City.

   (Legal reference: V.T.C.A., Local Government Code, Section 171; V.T.C.A. Penal Code, Chapter 36).

2. **Solicitation and Acceptance of Gift**.

   - Solicitation of funds or anything of value for any purpose whatsoever shall be permitted of or by City employees on the job only with the express approval of the City Manager. No employee may be required to make any contribution nor may an employee be penalized in any way concerning employment according to the employee's response to a solicitation.
   - No employee shall accept or solicit any money property, service, or other thing of value from a person, business entity or other organization regulated by, contracting with, or having any other business relationship with the City department of which the employee is a member. However, this section shall not be interpreted to include any pen, pencil, calendar, cap, or similarly valued item distributed by any such business or organization for advertising purposes.
   - If a person presents a gift to a City employee as a reward for service or as an act of expressing appreciation, then the employee shall report the gift (other than the minimal gifts listed in the paragraph above) in writing to the supervisor and the City Manager.
   - No employee shall accept or solicit any money, property, service or other thing of value in excess of $50.00 for the benefit of the City, or any employee, or department of the City, unless approved in advance by the City Council.

Violations of this policy may result in disciplinary action. Employees should direct questions regarding the prohibitions imposed by this policy to your Department Director, the Human Resources Manager, or the City Manager's office.

I. PURCHASING

Purchases by City employees will be made only as authorized by the City Manager or the City Council and must be made in accordance with state purchasing laws as they apply to cities.

J. ARRESTS, CONFINEMENTS, AND INDICTMENTS

1. **Policy**. City employees are subject to disciplinary action and/or job restrictions for violations of law. This policy applies to acts prohibited by law that result in charges being filed, arrest, confinement, indictment, and/or conviction, as well as to acts prohibited by law not resulting in charges filed, arrest, confinement, or indictment.

2. **Procedure**.

   - **Employee Notice of Felony and Misdemeanor Charges.** Employees must immediately notify their supervisor and/or Department Director within twenty-four (24) hours if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead *nolo contendere* to any misdemeanor or felony. Employees who do not drive as a part of their job duties with the City are not required to report minor traffic violations. Failure to report these events in a timely manner may result in immediate termination.

   - **Employee Status after Alleged Violation of Law.** At the time the employee's department is made aware of an employee's arrest or conduct constituting an offense, the Department Director shall consult with the Human Resources Manager to determine available options which may include, but are not limited to:

     - ✓ allowing the employee to return to regular duty with pay;
     - ✓ allowing the employee to return to restricted duty with pay;
     - ✓ placing the employee on paid administrative leave;
     - ✓ placing the employee on unpaid administrative leave; or
     - ✓ terminating the employee.

   - **Employee Status after Adjudication.** Once the indictment or information is dismissed or fully adjudicated without trial, and if tried, until the trial and appeal (if any) are commuted and all related administrative matters are completed, the Department Director will determine, in conjunction with Human Resources Manager the status of the employee. An employee on administrative leave may, in the City's sole discretion, be reinstated to the position held before being placed on administrative leave (if available), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

   - **Disciplinary Action:** Disciplinary action may be pursued concurrently or in place of the above options or imposed at a later date. Multiple violations of law or confinements within a prescribed time period may also result in disciplinary action.

- **Violations of Law Discovered through Criminal History Check:** The City may conduct criminal history checks on existing employees at any time during their employment, for any reason. Conduct constituting an offense, arrest or conviction that is discovered may result in disciplinary action, up to and including termination.
- **Other Policies:** This policy should not be construed to limit disciplinary action that may be taken in accordance with other Personnel Policies and Procedures, department policies, or other city-wide policies.

K. TELEPHONE CONTACT

1. All supervisory personnel and service personnel must have a telephone number at which they can be reached during off-duty hours. This can be a cell phone or a land line telephone.

2. No reimbursement shall be made to the employee for the City's use of such employee's private telephone to contact the employee regarding work related matters.

3. All employees must immediately notify supervision of any change in phone number(s), and provide a phone number for a secondary contact, i.e., spouse, parent.

L. SOCIAL MEDIA POLICY

An employee's use of social media, both on and off duty, must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees, and citizens through electronic media, including but not limited to online forums, instant messaging, and internet social media and blogging sites. This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City.

The term "social media" encompasses: tweets and twittering, Facebook, LinkedIn, Instagram, Snapchat, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging, and all other social networking sites, instant messaging, and the posting of video on YouTube and similar media.

1. **Use of City's Internet**. Use of the City's Internet is a privilege and City employees must use it responsibly and ethically. The City may monitor an employee's access, use, and postings to the City's Internet to: ensure compliance with internal policies; support the performance of internal investigations; assist management of information systems; and for all other lawful purposes. The City expects all employees to follow the guidelines below when posting information on the City's social media sites.

2. **Other City Policies**. This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Violations of the Social Media Policy may lead to disciplinary action. The City provides an effective system for employee complaints "off-line" through the "Grievance" policy without resorting to social media.

M. EMPLOYEE GUIDELINES: USE OF CITY'S SOCIAL MEDIA ON WORK TIME

Any blogging or posting of information on the Internet or other City social media sites must comply with the City's guidelines, regardless of where the blogging or posting is done.

1. Blogging or posting information of a personal nature on the Internet or other City social media sites is prohibited during work hours. Employees are not permitted to engage in social networking of a personal nature while using any of the City's electronic social media sites.

2. Employees must obtain written authorization from the City Manager to update or post on social media sites on behalf of the City, and all content must be approved prior to posting. All of the employee's time spent updating or posting on City social media sites as part of the employee's job duties is compensable time that must be reported and counted in the calculation of overtime.

3. No use of social media on work time and on City equipment on City-operated networks is considered private or confidential, even if password protected or otherwise restricted. The City reserves the rights to access, intercept, monitor, and review all information accessed, posted, sent, stored, printed, or received through its communications systems or equipment at any time.

4. Never disclose any confidential information concerning another employee of the City in a blog or other posting to the Internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.

5. Employees must abide by all federal and state laws and policies of the City with regard to information sent through the City's Internet.

6. Individual supervisors do not have the authority to make exceptions to these guidelines.

N. EMPLOYEE GUIDELINES: USE OF PERSONAL SOCIAL MEDIA WHILE NOT ON WORK TIME

The City recognizes that many City employees utilize social media when not at work. The City requires that employees be aware of guidelines regarding posting of work-related information on personal social media sites, and they are listed below:

1. If the employee's social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the City.

2. Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media. Recognize that postings on your social media site, even if done off premises and while off duty, could have an adverse effect on the City's legitimate business interests.

3. Respect the City and co-workers. Do not put anything on your personal social media site that may defame, embarrass, insult, demean, or damage the reputation of the City or any of its employees.

4. Do not put anything on your personal social media site that may constitute a violation of the City's harassment policy. Do not post any pornographic pictures of any type that could identify you as an employee of the City. Be mindful that the City's harassment policy covers both work and non-work time, including postings on social media sites.

5. Do not post pictures of yourself or others on your personal social media site containing images of City uniforms or insignia, City logos, City equipment or City work sites.

6. Do not post information on your personal social media site that could adversely impact the City and/or an employee of the City.

7. Do not permit or fail to remove postings violating this policy, even when placed by others on your social media site.

SECTION 3. EMPLOYMENT PRACTICES

A. EMPLOYEE RECRUITMENT AND SELECTION

The City hires employees based on their knowledge, skills and abilities, experience, and other qualifications as they relate to the duties and responsibilities of a position without regard to race, national origin, religion, color, sex, age, citizenship, political affiliation, disability, genetics, veteran's status, or any other characteristic protected by law. It is the desire and intent of management to provide promotional opportunities for employees of the City by offering assistance to interested employees in developing career plans and making applicable training and educational opportunities available within budget limits.

1. **Methods of Recruitment and Selection**. The city has several methods of recruiting and selecting persons to fill vacancies:

   - Promotion from within; or
   - Transfer from within; or
   - Public announcement (including media announcement and posting of notice for city employees) and competitive consideration of applications for employment; or
   - Referral from a job training program; or
   - Selection from a valid current eligibility list of applicants. (A valid current eligibility list is a record of applications for the same or a similar position for which recruitment was conducted within the preceding six (6) months.)

   The City Manager approves the method of selection to be used in filling each vacancy. However, the City Council must have approved funding for a position before recruitment begins.

2. **Recruitment Requirements**. The recruitment process is initiated by a City department director submitting a request to fill a vacancy of a budgeted position to the Human Resources Manager. Job vacancies will normally be posted internally for the benefit of any qualified employee. External recruitment may also be conducted simultaneously with an internal posting.

3. **Public Announcements**. When public announcements of position openings at the City are used, and competitive consideration will be given, the announcements are disseminated by the Human Resource Manager in the manner most appropriate for the particular position being filled, as determined by the City Manager. City department directors wanting to fill job vacancies within their departments must submit relevant information about the position to the Human Resource Manager who ensures that job opening announcements are made public through publication in the local newspaper and posting on the City website and bulletin board at City Hall.

   Current employees may apply for positions for which they believe themselves to be qualified.

If selected for the position for which he or she applied, a City employee can transfer to another City position without loss of pay provided that his or her current pay is within the limits set by the City Council for the transfer position.

The length of time during which applications will be accepted will be determined by the Human Resources Manager in accordance with the circumstances that exist at the time.

4. **Applications**. When a specific vacancy exists, each person desiring employment with the City must submit a written application and other pertinent information regarding training and experience. To be valid, an application must be made on the City's official application form. Each person desiring employment with the City may obtain an application for employment from the Human Resources Manager or his or her designee.

   The City will make appropriate inquiries to verify criminal history, education, experience, character, and required certificates and skills of an applicant prior to extending an offer of employment. In the case of applicants for positions with the City which require driving a vehicle, the City must check the prospective employee's driving record prior to offering the applicant employment with the City.

   The City does not accept applications for employment unless a specific job opening exists. Persons wishing to apply for a job with the City when a specific vacancy does not exist will be informed that City job openings are advertised in the local newspaper, on the City website and posted on the bulletin board at City Hall; and they may file an application when an advertised vacancy exists for which they consider themselves to be qualified. After a City position has been filled, all applicants who were interviewed but were not chosen will be notified in writing or by telephone as soon as practicable by the Human Resources Manager.

   The City should retain each employment application for two years after receipt of the application. *(Legal reference: 29 Code of Federal Regulations 1602; V.T.C.A. Government Code, Section 441.158; State Library and Archive Commission Local Schedule GR, as amended.)*

5. **Qualifications**. The City maintains a job (class) description, which establishes the required knowledge, skills and abilities for each staff position and the acceptable levels of experience and training for each. The job description sets forth the minimum acceptable qualifications to fill the position.

6. **Testing**. Except for drug/alcohol tests, physical examinations, psychological tests for law enforcement officers, and any other tests that may be required by state law, the only performance tests administered for employment or promotion will be specifically job related ("piece-of-the-job") tests (e.g., typing, operating a computer, operating a piece of equipment, lifting something heavy which is specifically required to be lifted in the job, tabulating columns of numbers, providing writing samples, etc.)

7. **Drug and Alcohol Testing**. In addition to the physical examination required by the city for all prospective employees, all prospective employees for any regular, full-time position in the city are required to be tested to show no trace of drug dependency or illegal drug usage.

All prospective employees are required to pass a drug/alcohol test after a conditional offer of employment has been extended, but prior to their first day of work. The offer of employment is contingent upon the prospective employee passing a drug/alcohol test. After employment, any employee may be required to submit to a test for drug dependency or illegal drug use. For more information on drug testing or drug usage, see the chapter of these policies on **Drug and Alcohol Use**.

8. **Selection**. In accordance with the City Charter, the City Council appoints and may remove the City Manager and Municipal Court Judge. Except for appointments reserved to the City Council by statute, ordinance, or charter, the City Manager has exclusive authority to select and employ personnel within the limits of these policies and the City budget. The City Manager may authorize City Department Heads to appoint and remove employees within their departments, subject to approval by the manager and within the limits of these policies and the City budget. Other supervisors may be asked for recommendations as appropriate.

   Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city employees whom the City Manager or any of his or her subordinates is authorized to appoint. However, the City Council or its members may express freely to the City Manager their views and opinions on such matters.

   Vacancies on the City Staff are filled on the basis of merit, whether by promotion or by initial appointment. Selections of the most qualified persons are made on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specific job.

   After making a decision to hire, the hiring department must submit the appropriate paperwork to the Human Resources Manager, along with the applicable Personnel Action Form. Offers for City employment, other than department heads, will be communicated by the Human Resources Manager upon receipt of the hiring recommendation and all related paperwork. Offers for City Department Heads will be communicated by the City Manager.

9. **Physical Standards**. Knowledge of physical conditions and existing health problems of employees is necessary to avoid occupational injuries and to ensure that it will be possible to differentiate any future job-related injuries from existing medical problems. For these reasons employees are required to pass a drug/alcohol test and a physical examination after a conditional offer of employment has been extended, but prior to their first day of work. Employees will not be placed on the City payroll prior to passing these exams. Back X-rays are required for persons who will perform strenuous physical activity. The required physical examinations will be performed by a physician of the City's choice and will be paid for by the City.

   In each instance, the examining doctor will be provided a copy of the appropriate job description or summary of duties, and will be required to certify that the prospective employee is physically able to perform the essential duties of the job.

In addition, prospective new employees for active or reserve Police Officer certification must undergo an examination by a licensed psychologist or psychiatrist and be declared in writing by the psychologist or psychiatrist to be in satisfactory psychological and emotional health.

The City also may require all prospective active Police or reserve employees to submit to a polygraph test. The required examinations will be made by a physician and psychologist or psychiatrist of the City's choice and will be paid for by the City. *(Legal reference: Police only – V.T.C.A., Government Code, Section 415.057.)*

10. **Age Requirements**. No persons under seventeen (17) years of age will be employed in any regular full-time position. No persons under eighteen (18) years of age will be employed in any position requiring the operation of a motorized vehicle owned by the City of Lago Vista. A person under the age of eighteen (18) may be employed in a temporary or part time position if the person furnishes the City with a properly completed and signed minor's release form.

11. **Residency Requirements**. Employees who may be subject to emergency call and/or periodic service in a stand-by status may be required to establish residency within a reasonable distance from the principal work site in order to assure a timely response. For these purposes, the City Council has established that for employees hired after July 2016, a reasonable response time to a civil emergency is thirty (30) minutes. As a general rule, only those employees who reside within the City are potentially eligible for a City issued "take-home" vehicle.

12. **Employment of Relatives (Nepotism)**. Nepotism is the showing of favoritism toward a relative. In order to prevent conflicts of interest, to avoid accusations and perceptions of biased conduct, and to maintain the confidentiality of restricted information, the City forbids the practice of nepotism in hiring personnel or awarding contracts.

    A person who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the City Council or to the City Manager may not be hired. (See Figures 1 and 2 on the following page for the prohibited degrees of relationship).

    A person who is already employed by the City and is related in a prohibited manner may not stay in City employment unless the employee had been continuously employed by the City for a period of:

    At least 30 days, if the officer or member is appointed; or

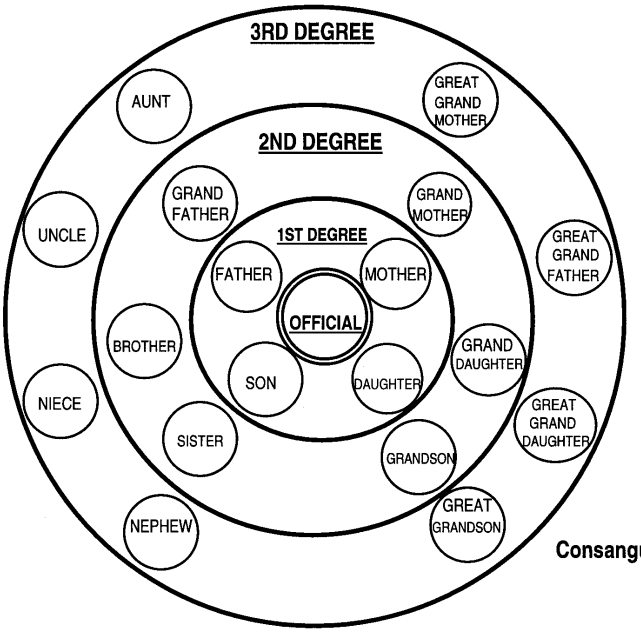
    - At least six months, if the officer or member is elected at an election other than the general election for state and county officers; or

    - One year if the related City officer is elected at a general election for state and county officers.

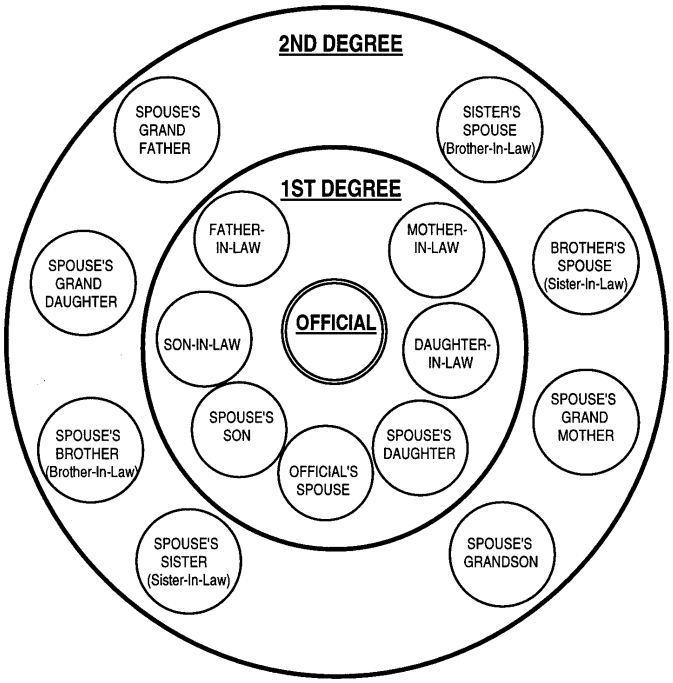
    (Legal reference: V.T.C.A. Government Code, Section 573.062, as amended.)

In addition, no personnel action (hiring, demotion, promotion, transfer, reorganization) will be taken that would result in any employee's directly or indirectly supervising or being supervised by another employee who is related within the second degree of affinity or the third degree of consanguinity. Prohibited degrees of relationships are defined in Figures 1 and 2 of the Nepotism Charts. Spouses of relatives within the first or second degree of consanguinity (e.g., son-in-law, mother-in-law, brother-in-law, sister-in-law, etc.) are also included in the prohibition.

NEPOTISM CHARTS



Consanguinity Kinship Chart (Blood)



Affinity Kinship Chart (Marriage)

In the event that two City employees within the same chain of command become related or members of the same household, receive a promotion, or any other situation giving rise to a relationship prohibited by the paragraph preceding the above charts, one or both of the affected employees must immediately seek a transfer to another available position within the City for which the employee is qualified and that meets the requirements of the paragraph preceding the Nepotism charts.

If a suitable transfer cannot be made within ninety (90) days of the event giving rise to a relationship prohibited by this policy, one or both of the affected employees will be required to resign from employment. In addition, written authorization must also be obtained from the City Manager (or designee) to employ any relative of a current City employee.

13. **Verification of Eligibility to Work**. In order to comply with the Immigration Reform and Control Act of 1986, each new employee will be required to complete and sign an INS Form I-9 within three days of his or her first day of employment to provide proof of his or her identity and employment eligibility. (Legal reference: P.L. Number 99-603; Federal Immigration Reform and Control Act of 1986.)

    In the event the employee has not provided evidence of eligibility to work within the first three days of employment, the employee will not be allowed to continue working and shall be subject to termination.

14. Driving Record. Every City employee who is required to drive a vehicle or operate a piece of equipment which requires a valid driver's license must maintain a safe driving record. The City will check a prospective employee's driving record if the applicant's employment will be in a capacity which requires operating a vehicle or piece of equipment. For this reason, any offer of employment will be contingent upon verification that the prospective employee has maintained a safe driving record.

15. Medical Records. All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established. Only the Human Resources Manager has routine access to employee medical records. *(Legal reference: U.S. Americans with Disabilities Act of 1990 and ADA Amendments Act of 2008.)*

NOTICE OF PRIVACY PRACTICES. This Notice of Privacy Practices is provided as a requirement of the Health Insurance Portability and Accountability Act (**HIPAA**). It describes how the City may use or disclose an employee's protected health information, with whom that information may be shared, and the safeguards the city has in place to protect it. This notice also describes an employee's rights to access and amend his/her protected health information. The employee has the right to approve or refuse the release of specific information outside of the City's system except when the release is required or authorized by law or regulation.

"Protected health information" is individually identifiable health information. This information includes demographics, for example, age, address, e-mail address, and relates to the employee's past, present, or future physical or mental health or condition and related health care services. The City of Lago Vista is required by law to do the following:

- Make sure that an employee's protected health information is kept private;

- Give each employee this notice of the City's legal duties and privacy practices related to the use and disclosure of an employee's protected health information;

- Follow the terms of the notice currently in effect;

- Communicate any changes in the notice to each employee.

By law, the City must disclose the employee's health information to that employee unless it has been determined by a competent medical authority that it would be harmful to the employee. The City must also disclose health information to the Secretary of the Department of Health and Human Services (DHHS) for investigations or determinations of City compliance with laws on the protection of the employee's health information.

The City will share the employee's protected health information with third-party "business associates" who perform various activities for the City of Lago Vista (for example, the City's health insurance company). The business associates will also be required to protect the employee's health information.

The City may disclose protected health information during any judicial or administrative proceeding, in response to a court order or administrative tribunal (if such a disclosure is expressly authorized) and in certain conditions in response to a subpoena, discovery request, or other lawful process.

The City may disclose the employee's protected health information to comply with workers' compensation laws and other similar legally established programs.

The employee may exercise the following rights by submitting a written request (depending on the request, the employee may also have rights under the Privacy Act of 1974):

- The employee may inspect and obtain a copy of his/her protected health information that is contained in a "designated record set" for as long as the City maintains the protected health information;

- The employee may request the City to provide him/her with an accounting of the disclosures the City has made of the employee's protected health information;

- The employee may obtain a paper copy of the notice.

This Notice of Privacy Practices is provided to each employee as a requirement of the Health Insurance Portability and Accountability Act (HIPAA). There are several other privacy laws that also apply, including the Freedom of Information Act, the Privacy Act and the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act. These laws have not been superseded and have been taken into consideration in developing City polices and this Notice of how the City will use and disclose the employee's protected health information.

16. **Disqualification**. Applicants will be disqualified from consideration for one or more of the following:

    - Failure to meet the minimum qualifications necessary for performance of the duties for the position;

- If they previously worked for the City and were involuntarily terminated, or resigned in lieu of termination;
- If employment will result in a violation of the City's Nepotism Policy;
- Failure to meet minimum age requirement of 17;
- False statements or material omissions on the application form or during the application process;
- Failing any of the City's background and employment requirements including, but not limited to, drug/alcohol testing;
- The applicant commits or attempts to commit a fraudulent act at any stage of the selection process;
- The applicant is not legally permitted to work in the United States;
- The applicant is unable to perform the essential functions of the job applied for with or without a reasonable accommodation; or
- Any other reason deemed to be in the best interests of the City.

17. **Prior Service with the City**. Employees entering service with the City who have had prior service with the City may be considered for appointment above the customary entry salary level. In addition, employees rehired to fill regular full time positions with the City will receive credit for their prior length of service as regular full-time employees for longevity pay purposes.

    A break in continuous service with the City, however, forfeits vacation and sick leave benefits accrued prior to the break. For details pertaining to how a break in service affects retirement benefits, please refer to your Texas Municipal Retirement System "Member Information Guide."

18. **Reinstatement**. An employee is eligible for reinstatement if:

- The employee is returning from a military duty leave of absence; or
- The employee was previously incapacitated, is no longer incapacitated, and remains otherwise qualified to perform duties of job; or
- The employee is being rehired after having been laid off. Reinstatement allows the person to maintain his or her previous regular status for recording leave and longevity accrual.

B. CLASSIFICATION AND COMPENSATION PLAN

1. **Placement on City Payroll**. New employees must report to the Human Resources Manager before or during their first day of employment to fill out employment forms and be scheduled for new employee probationary.

2. **Minimum Pay**. Employees shall be paid no less than the minimum of the salary range established for the position. The following exceptions may be made when approved by the City Manager:

   - When a period of training is required to demonstrate the employee's ability to perform the duties; (i.e., trainee status, normally not to exceed three (3) months); or
   - When the employee is temporarily assigned to a position in a higher grade, normally not to exceed one (1) month.

3. **Maximum Pay**. The City's classification and compensation plan establishes a maximum for each pay range, which is the maximum pay the market will support for the positions listed in that pay range on the pay schedule.

   New employees may not be hired into City employment above the minimum pay range without the written approval of the City Manager.

4. **Promotion**. A promotion is the assignment of an employee from a position in one classification to a position in another job classification having a higher starting salary. Promotional opportunities will be provided whenever possible to City employees; therefore, the selection may, at the discretion of the department director, be limited to qualified City employees. A director may, with the approval of the Human Resources Manager or the City Manager, authorize a temporary promotion to insure the proper performance of a City function while a position is vacant, or if the position's regular incumbent is temporarily absent. Temporary assignment pay shall be considered on a case-by-case basis and shall be determined by the department director and the Human Resources Manager with the approval of the City Manager.

5. **Lateral Transfer**. A transfer is the assignment of an employee from one position to another position in the same pay classification or same pay grade either within the same department or in a different department. Directors shall have the authority to transfer employees to other positions within their department. Transfers may be made for administrative convenience or upon the request of an employee. An employee may also be transferred when the employee applies for and is selected for a position in a different department.

6. **Demotion**. A demotion is the assignment of an employee to a position having a lower starting salary. A demotion requires the approval of the department director, the Human Resources Manager, and the City Manager.

   - **Voluntary Demotions** – A voluntary demotion is not a disciplinary action and does not disqualify the employee from consideration for future advancement.
   - With the approval of the department director and, if qualified to perform the duties of a lower level position, an employee may be administratively demoted at the employee's own request or as an alternative to a layoff.

- **Involuntary Demotions** – An involuntary demotion is a disciplinary action. (See section of these policies on Disciplinary Actions). The salary of a demoted employee (voluntary or involuntary) shall be adjusted. (See section of these policies on Classification and Compensation). Involuntary demotions are subject to the grievance process (See section of these policies on Grievances).

C. NEW EMPLOYEE ORIENTATION AND TRAINING

Before an individual begins performing his or her actual duties, he or she normally will be given a brief orientation session, conducted by the supervisor for whom he or she will be working, or by that person's designated representative. The purpose of the session is to enable a new employee to understand his or her job better, as well as that job's relationship to the overall operation of the City.

An orientation session will also be provided by the Human Resources Manager. During the orientation, employees are given a copy of these *Personnel Policies and Procedures.* Employees are responsible for knowing and following the information contained in the personnel policies, and must turn in a signed acknowledgment to this effect to the Human Resources Manager within the first two days of employment with the City.

Training an employee is the responsibility of the supervisor for whom the employee works. Whenever possible, employees receive on-the-job training under close supervision.

D. NEW EMPLOYEE PROBATIONARY PERIOD

All new employees hired to fill regular full time or part time positions must satisfactorily complete a probationary period. All police officers are required to successfully complete a one (1) year probationary period and all other employees are required to successfully complete a six (6) month probationary period.

Additionally, all current employees, including police officers, who are transferred, promoted, demoted, or reclassified to a supervisory position, as well as former City employees who are rehired, must satisfactorily complete a probationary period of six (6) months.

The probationary period assists the City in maintaining an effective, productive, and efficient workforce to provide quality services to the citizens. Only those employees who meet acceptable performance and other standards during their probationary period will be retained as employees. The probationary period may be extended for additional training as determined by the supervisor. In the event that an employees' probationary period is to be extended, the supervisor will meet with employee to clarify the need for additional training or performance improvement. Employees are considered in the probationary period until they have actually performed their regular job duties for the full length of the period applicable to their job to assure their ability to meet acceptable standards of work performance and behavior for the employee's position. A probationary period is not to be construed as a guarantee of 6 months of employment.

Each employee serving in the probationary period is responsible for knowing, understanding, and meeting the expectations and standards for the position.

In addition, each employee is also responsible for performing the job in a safe, productive, and effective manner within the instructions and established standards for the position.

During the probationary period, employees are expected to maintain acceptable standards of conduct and attendance and it will be the responsibility of the employee to correct any deficiencies or inadequacies in job performance, conduct or attendance.

1. **Seasonal/Temporary Employees**. Seasonal and temporary full and part time employees do not serve a probationary period and have no right of appeal when terminated at any time.

2. **Change in Assignment of Employee serving in the Initial Probationary Period.** Employees serving in the probationary period may not request or make application for reassignment, promotion, or voluntary transfer during the probationary period without written approval from the City Manager, or if requested, by their department director. If the reassignment, promotion, or transfer is approved**,** the employee will serve a six (6) month probationary period in the new position beginning with the date of the position change.

3. **Absences during Probationary Period.** During the probationary period, an employee is eligible to use sick leave for qualifying absences, and may use vacation leave for an absence due to illness or injury only if all sick leave has been exhausted. Compensatory time off or recognized holidays during the probationary period may be used as approved in accordance with established City/departmental policy or practice. Transferred or promoted employees serving in the probationary period retain eligibility for all types of leave established by City policy.

4. **Probationary Period Performance Evaluations.** All employees serving in the probationary period shall be constantly evaluated and will receive a performance evaluation(s) in accordance with the "Performance Evaluation System" policy. These reviews are designed to evaluate each employee's performance and to communicate that performance to the employee. The written reviews include a supervisory recommendation to retain or terminate the employee.

5. **Extensions to Probationary Period.** The probationary period may be extended under the following circumstances:

   At the end of the initial probationary period, the performance probationary period may be extended for up to an additional six (6) months when:

   - An employee's performance has been marginal due to extenuating circumstances,
   - Additional training is warranted, or
   - Frequent absences or an employee's absence from work for an extended period of time did not permit an opportunity for adequate assessment of performance.

   The decision to extend or not to extend an employee's probationary period may not be appealed. If an extension is granted, the employee will be advised in writing and given the date on which the extended probationary period will be completed. Such extensions will be at the sole discretion of the department director and the Human Resources Manager.

A probationary period may be extended for time spent on an approved Leave of Absence including leaves of absences due to injury or illness or approved Military Leave. The approved extension will normally equal the length of time away from work. Accordingly, each full-day absence incurred by an employee during the probationary period will normally extend the probationary period by an additional day.

6. **Successful Completion of Probationary Period; "Regular" Status Granted**. Employees have no guarantee of employment either during or after their probationary period. Only employees who meet acceptable performance, conduct, attendance, and other standards during the probationary period will be retained as regular employees. An employee is granted "regular" status in the new position if the employee satisfactorily completes the probationary period.

7. **Failure of Probationary Period.** An employee is considered to have failed the probationary period when it is determined that the employee's fitness, job performance, quality or quantity of work, attendance, or combination thereof, does not meet minimum job performance standards and expectations for the position. Failure of probationary period may occur at any time within the probationary period. An employee who does not successfully complete the probationary period will normally be terminated from the City's employment. If desirable and feasible, the employee may be administratively transferred to a more suitable position at the sole discretion of the Human Resources Manager and the City Manager.

   A transferred or promoted employee who fails the probationary period may, at the sole discretion of the City, be reinstated to the former position provided there is a vacancy and if approved by the affected department director(s). Department directors are responsible for ensuring the thorough written documentation of all cases of failure of the probationary period, including documentation of counseling, training, and other efforts to help employees during their probationary period. All such documentation must be reviewed by the Human Resources Manager before an employee serving in the probationary period can be terminated.

8. **Termination of Employees Serving in the Probationary Period.** All employees of the City, including those serving in the initial probationary period, are at-will employees and may be terminated at any time during the probationary period, with or without notice or cause. An employee serving in the initial probationary period who is terminated has no right of appeal. Employees serving in the initial probationary period are subject to all policies and procedures of the City with the exception of appeal rights.

9. **Sexual and Other Unlawful Harassment**. Employees serving in the probationary period are subject in all respects to the City's Sexual and Other Unlawful Harassment Policy. Employees serving in the probationary period have no right of appeal; however, if it is believed that unlawful harassment or discrimination has occurred; such conduct must immediately be reported as set out in City policy.

E. HEALTH / MEDICAL EXAMINATIONS / FITNESS FOR DUTY

1. **Safe Work Environment**. The City endeavors to provide a safe work environment for all employees. It is the responsibility of each employee to maintain the standards of physical and mental health fitness required for performing the essential functions of the position, either with or without reasonable accommodation.

2. **Serious Health Condition/Disabilities.** The City recognizes that employees with a potentially life-threatening and/or infectious illness or physical and/or mental disabilities may wish to continue to engage in as many of their normal pursuits as their condition allows, including their employment. As long as these employees are able to perform the essential functions of their job, with or without a reasonable accommodation, without creating an undue hardship on other employees, and medical evidence indicates that their condition is not a direct threat to themselves or others, the City will treat them consistently with other employees. All employees must notify Human Resources of any health development or condition which could require reasonable accommodations to assist them in continuing to perform their essential job functions.

3. **Medical Exams for Current Employees.** The Human Resources Manager, or an employee's department director (with the prior written approval of the Human Resources Manager) may require a current employee to undergo a medical and/or psychological examination to determine fitness for continued employment, as may be necessary in order for the City to provide a reasonable accommodation; following an injury or accident; and as otherwise permitted in accordance with applicable laws.

4. **Medical Information from an Employee's Doctor**. Under certain circumstances (e.g., FMLA Certifications), Human Resources may require employees to provide medical information from their health care provider. In such cases, employees are to inform their health care provider not to provide any genetic information when responding to such request.

5. **Genetic Information**. In accordance with the Genetic Information Nondiscrimination Act (GINA), the City will neither request nor require genetic information of an employee or his/her family member, except as specifically allowed by GINA. To comply with GINA, employees are directed not to provide any genetic information when responding to any City request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or embryo lawfully held by an individual or family member receiving assistive reproductive services.

6. **Medical Records.** Medical records and sensitive information regarding an employee's health will be kept confidential as required by law. Limited information may be provided to supervisors and managers, first aid and safety personnel, government officials, Texas Workers' Compensation Commission, and as necessary for insurance and other business-related purposes.

7. **Return to Work/Fitness for Duty**. Before returning to work following a medical and/or psychological examination under this policy, the employee must coordinate his/her return through Human Resources. An employee who misses work due to medical reasons may be required to provide a fitness-for-duty certification before returning to work.

8. **Time Off From Work.** Time away from work undergoing a City mandated fitness for duty examination will normally be coded to paid administrative leave, but may be retroactively changed to sick leave, Family Medical Leave Act leave, and/or other leave as circumstances warrant.

F. WEAPONS CONTROL AND VIOLENCE PREVENTION POLICY

The City strives to provide a safe and secure working environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.

1. **Zero Tolerance.** This policy prohibits harassment, intimidation, threats, bullying and violent behavior by or toward anyone in the workplace that is in any way job or City related, that is or might be carried out on City property, or that is in any way connected to the employee's employment with the City, whether the conduct occurs on-duty or off-duty. The City has a zero tolerance policy for this type of misconduct.

2. **Firearms and Other Weapons Banned.** Unless specifically authorized by the City Manager, no employee, other than a City licensed peace officer, shall carry or possess a firearm or other weapon inside any City buildings. Prohibited weapons include firearms, long guns, clubs, explosive devices, knives with blades exceeding 5 ½ inches, switchblades, etc. Employees do not have an expectation of privacy and the City retains the right to search for firearms or other weapons inside City buildings.

   Signs clearly stating the City's ban against weapons are conspicuously displayed and clearly visible at all entrances to City buildings.

   - The signs are in both English and Spanish and read, in accordance with Texas Penal Code Chapter 30.06:

     - ✓ "NO OPENLY DISPLAYED OR CONCEALED FIREARMS ALLOWED: Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law) may not enter this property with either a concealed handgun or a handgun carried openly."

   - The signs have contrasting colors with block letters at least one inch in height, as required in the statute.

3. **License to Carry a Firearm**. Employees licensed by State of Texas to carry a handgun or other gun may have a permitted weapon only on the City parking lot if it is locked in the employee's vehicle. Employees licensed to carry handguns must report to the Human Resources Manager their identity and license plate numbers of all vehicles that employee may park in City parking lots.

4. **Mandatory Reporting**. Each City employee must immediately notify his/her supervisor, department director, the Human Resources Manager, and /or the Police Department of any act of violence or of any threat involving a City employee that the employee has witnessed, received or has been told that another person has witnessed or received. Even without an actual threat, each City employee must also report any behavior that the employee regards as threatening or violent when that behavior is job related or might be carried out on City property, a City controlled site or City job site, or when that behavior is in any manner connected to City employment or activity. Each employee is responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons threatened or the target of the threatening behavior. A supervisor who is made aware of such a threat or other conduct must immediately notify his/her department director and the Human Resources Manager.

5. **Protective Orders**. Employees who apply for or obtain a protective or restraining order which lists City locations as being protected areas, must immediately provide to the Human Resources Manager and the City's Police Department a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. City employees must immediately advise their department director and the Human Resources Manager of any protective or restraining order issued against them.

6. **Confidentiality.** To the extent possible, while accomplishing the purposes of this policy, the City will respect the privacy of reporting employees and will treat information and reports confidentially. Such information will be released or distributed only to appropriate law enforcement personnel, City management, and others on a need-to-know basis and as may otherwise be required by law.

7. **Documentation.** When appropriate, threats and incidents of violence will be documented. Documentation will be maintained by the Human Resources Manager and the Police Department.

8. **Policy Violations.** Violations of this policy may lead to disciplinary action, up to and including termination of employment. Policy violations may also result in arrest and prosecution.

SECTION 4. TYPES OF EMPLOYMENT

A. CATEGORIES OF EMPLOYMENT

The City has four categories of employment:

1. **Regular Full Time.** A regular full time employee is appointed to an authorized regular position that involves, on the average, 40 work hours per week. Regular full time employees may be either hourly or salaried employees.

2. **Regular Part Time**. A regular part time employee is appointed to an authorized regular position that involves, on the average, at least 20 but fewer than 40 work hours per week.

3. **Temporary Full Time.** A temporary full time employee is an employee hired to work an average of 40 hours per week for a period of time which is normally specified in advance and is expected to last fewer than six months. Temporary full time employees may be either hourly or salaried employees.

4. **Temporary Part Time**. A temporary part time employee is an employee hired to work an average of fewer than 40 hours per week for a period of time which is normally specified in advance and is expected to last fewer than six months. Temporary part time employees are paid on an hourly basis.

See the **Benefits** chapter of these policies for details of benefits available to each category of employee.

The following two designations indicate whether or not an employee is eligible for overtime compensation:

1. **Non-exempt**. A non-exempt employee is paid by the hour. A non-exempt employee's position is covered under the overtime pay provisions of the Fair Labor Standards Act (FLSA). Non-exempt employees will be compensated for overtime as required by law.

2. **Exempt**. An exempt employee is considered exempt from overtime pay provisions of the Fair Labor Standards Act (FLSA) and is expected to render necessary and reasonable services beyond 40 hours per week with no additional compensation. Their salaries are set with this consideration in mind. City employees who are in exempt positions most often qualify under the executive, administrative or professional exemptions, as defined below:

   - **Executive**. The executive exemption is for persons whose primary duty is "management" of the business. An employee who has management of a department or a sub-unit thereof as his or her primary duty, and regularly supervises two or more employees, also qualifies for the executive exemption. The Department of Labor regulations define "management" as interviewing, selecting, and training employees; planning and assigning work and determining how the work will be done; directing and evaluating the work of other employees; handling complaints and grievances; and

disciplining employees, or having the responsibility to participate in these functions and have your participation given weight in the process.

- **Administrative**. Administrative employees are "white collar" employees who perform "work of substantial importance to the management of the operation" or the enterprise. An employee whose primary duty is performing office or non-manual work directly related to management policies or general business operations of the City, as opposed to production or direct services, and includes work requiring the exercise of discretion and independent judgment, will qualify as an exempt administrative employee.

- **Professional**. To qualify for the professional exemption, an employee must have as his or her primary duty work requiring knowledge of an advance type customarily acquired by a prolonged course of specialized intellectual instruction and study. The work must require the consistent exercise of discretion and independent judgment and must be predominantly intellectual and varied in character. Examples of the professional exemption include attorneys, doctors, teachers and registered nurses. In addition, computer programmers, systems analysts and certain other computer employees qualify as professional employees.

Assigned Personnel. Personnel who are assigned to the City but are paid directly by another government or private organization are not employees of the City. These employees' benefits are specified in the contract for services. Assigned personnel are governed by all terms of these policies not in conflict with their contract for services.

SECTION 5. EMPLOYEE COMPENSATION AND ADVANCEMENT

A. PAY

Compensation for City employees is set each year by the City Council in the adopted City operating budget. Rules governing salary administration and pay increases are also established by the City Council.

B. PAYDAYS AND CHECK DELIVERY

The pay period for the City is biweekly. Checks are issued every two weeks on Friday, for the 14-day period ending the previous Friday at midnight. If the payday falls on a holiday, checks will be issued on the last working day preceding the holiday.

Employees may receive a paycheck early only for the following reasons:

1. An emergency situation, or
2. Employee will be out of town on City business on the payday, or
3. Employee will be out of town on approved, scheduled vacation leave.

Paychecks will be given to someone other than the employee only if the employee provided advance written permission to the Human Resources Department. If an employee is deceased, the final paycheck will be distributed only to the employee's estate.

The City encourages employees to have their paychecks electronically deposited.

No salary advances or loans against future salary will be made to any employee for any reason. *(Legal reference: Texas Constitution, Article III, Sections 51, 52, and 53.)*

An employee must promptly bring any discrepancy in a paycheck (such as overpayment, underpayment, or incorrect payroll deductions) to the attention of the appropriate department head, who will notify the Human Resources Manager.

C. PAYROLL DEDUCTIONS

Any deductions must be approved and authorized by the City Council or City Manager. Deductions will be made from each employee's pay for the following:

- Federal social security;
- Federal income taxes;
- Medicare;
- Texas Municipal Retirement System contributions (for regular full-time and covered part-time employees);
- Court-ordered child support; and
- Any other deductions required by law.

If a terminating City employee fails to return City-owned equipment or property to the City before his or her final paycheck is issued, the value of the property or equipment may be deducted from the final pay.

In accordance with policies and general procedures approved by the City Council, deductions from an employee's pay may be authorized by the employee for:

- Group health/medical/life/vision insurance for employees and dependents;
- Deductions for official City uniform rentals;
- City authorized 457 deferred compensation plans;
- Such other deductions as may be authorized by the City Council.

If there is a change in the employee's family status, address, or other factor affecting his or her payroll withholding or benefits status, the employee is responsible for obtaining, completing and returning the appropriate forms to the Human Resources Department forms for communicating these changes.

D. POSITION CLASSIFICATION PLAN

The Human Resources Manager is responsible for preparation and administration of a Position Classification Plan for all City positions. All positions are assigned an official classification title, a description of duties and minimum qualifications. Each new or revised position must be reviewed and approved by the Human Resources Manager and the City Manager. All City positions are classified as either exempt or nonexempt from overtime compensation under the Fair Labor Standards Act (FLSA). Each job has an official job classification title which is used in all personnel matters, official records, payroll records and budgets.

E. COMPENSATION PLAN

The Human Resources Department is responsible for preparation and administration of a Compensation and Benefits Plan for all City employees. The Human Resources Department shall be responsible for conducting salary and benefits surveys for the City. Survey information gathered will be for the purpose of making recommendations to the City Manager and City Council on pay policies and benefit plan changes in order to keep the City's compensation and benefit plans current, equitable and competitive. Salary administration shall be as follows:

1. **Probationary Employees**. A new employee shall normally be compensated at the minimum rate of the approved salary range. At the end of the first six months of employment (one year for Police Officers), probationary employees will be eligible for a salary increase based on their performance.

2. **Salary Increases**. Each budget year the City Council may consider approval of a salary increase budget for the next fiscal year. If approved, the funds appropriated are utilized for increases according to an established salary increase matrix. Annual salary increases will normally become effective on January 1st.

3. **Reallocation to a Higher Pay Grade**. Reallocation is the reassignment of an entire class of positions to a new pay grade based on market data and/or the current duties and responsibilities of the class. Reallocation can be to either a lower or a higher pay grade. Reallocations are recommended by the Human Resources Manager and approved and implemented by the City Manager within budget limitations. If an employee's job is reallocated to a higher or lower pay grade, the employee will not be required to serve another probationary period. An employee shall normally be compensated at the minimum rate of the new range, unless that pay rate is less than the employee's current salary, in which case the employee's rate of pay will remain the same.

4. **Reclassification**. A reclassification is a reassignment of a position to a lower, higher, or different class (job title) based on current duties and responsibilities of the position. An employee whose position is reclassified upward does not automatically receive a pay increase unless an increase occurs to place the employee at the entry of the pay range of the new pay group. Downward reclassifications will not result in a decrease in pay unless the demotion was for disciplinary reasons. Reclassifications are recommended by the Human Resource Manager and approved and implemented by the City Manager within budget limitations.

5. **Lateral Transfers**. An employee who transfers laterally from one position to another position in the same pay grade shall continue to receive the same salary.

6. **Demotion**. An employee who is demoted from one position to another position having a lower pay grade shall be compensated at a rate within the lower pay grade as determined by the department director and the Human Resources Manager with approval of the City Manager. All demotions require a reduction in salary unless otherwise approved by the City Manager.

7. **Maximum Rate of Pay**. An employee shall not be paid above the maximum rate established in the approved salary schedule. If salary ranges are adjusted, making an employee's pay higher than the maximum of the pay grade to which his or her job is assigned, the employee's pay will be "frozen" until such time as the pay schedule has been adjusted a sufficient number of times that the employee's pay once again falls within the pay range.

8. **Termination Pay**. Employees who terminate prior to completing the six (6) month probationary period are not eligible to receive vacation pay at termination. Terminated employees will be paid within six (6) calendar days.

   A regular employee, who has completed the probationary period and has given the appropriate notice of resignation, will be paid for unused vacation leave, up to the limit established by these policies. Employees who are resigning from employment with the City will normally be paid on the next regularly scheduled payday. Payment for such leave balances will be included in the employee's final paycheck and will be calculated in the following manner:

   - The total work time and allowable vacation and compensatory leave time, if any, will be calculated as a total number of hours for which compensation is due. The employee's regular hourly rate is listed on the City's pay schedule.

- For employees who are subject to the overtime provisions of the Fair Labor Standards Act (FLSA), any overtime hours worked during the employee's final pay period which have not been compensated through either of the time off methods described in the "**Overtime Worked**" section of these policies, will be paid in the final paycheck at a rate of one and one-half times the employee's regular hourly rate for each overtime hour worked.
- Compensatory time which has been entered and carried on the employee's records at one and one-half times the number of hours worked will be paid at the employee's regular straight-time rate for the total number of hours on the employee's compensatory time record. (Since the compensatory time was recorded at one and one-half times the number of hours worked, the straight time payment for these hours is equivalent to time and one-half pay for the overtime hours actually worked.)

SECTION 6. ATTENDANCE, WORK SCHEDULE, TIME REPORTING, AND OVERTIME

A. HOURS WORKED

1. **Normal Working Hours**. Normal working hours for most City employees are Monday through Friday, 8:00 a.m. to 5:00 p.m., with one hour for lunch, for a total of 40 hours per workweek. However, other hours of work and official work periods for individuals or groups of employees may be set by the department head with approval of the City Manager. A morning and an afternoon break of 15 minutes each will be available to each employee, but this time does not accumulate if not taken and may not be applied to any other absence, leave, or time off.

2. **Adjustment to Work Hours**. In order to assure the continuity of City services, it may be necessary for the City Manager to establish other operating hours for their departments. Work hours and work shifts must be arranged to provide continuous service to the public. Employees are expected to cooperate when asked to work overtime or a different schedule. Acceptance of work with the City includes the employee's acknowledgement that changing shifts or work schedules may be required, and indicates that the employee will be available to do such work. The schedule of a workday may be adjusted to accommodate an employee's needs with the approval of the employee's supervisor. Flex-time arrangements for longer than one (1) month, however, must be formalized by memorandum to the department director and the Human Resources Manager.

   During the summer months, employees may work different hours, while still working five (5) days a week, eight (8) hours per day. This seasonal work schedule is changed at the discretion of the department directors, who confer with the City Manager before making the transition each year.

3. **Determination of Hours Worked and Compensation**. The City Manager determines the number of hours worked by an employee for the compensation to be received subject to laws governing pay and working hours and to the provisions of the City's budget and these policies.

B. OFFICIAL WORK PERIOD

1. **Non-Police Employees' Official Work Period**. The official work period for most City employees is a seven-day period beginning at 12:01 a.m. on Saturday and ending at 12:00 midnight on the following Friday.

   The official work period for sworn police personnel is different in length from the above work period.

2. **Police Officer Work Periods and Work Schedules**. In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (FLSA) and 29 C.F.R. Part 553, the City has established the following work period for its police officers:

   - The official work period consists of 14 days with each shift consisting of ten work hours per day.

Each officer on each shift is given thirty (30) minutes for a meal during the shift. However, during the mealtime, the officers are required to remain in contact with the department. Thus, each officer works ten hours each workday resulting in a total of 80 scheduled working hours each 14-day work period.

- Each officer's regular hourly rate for the purpose of computing the time and one-half overtime rate will be based on 80 working hours per 14-day work period; time and one-half overtime compensation will commence after the 80th hour worked in a 14-day period.

- If a police officer is required to work an extra full shift due to the absence of another officer who is on sick, vacation, or compensatory leave, the officer working the extra shift will receive time and one-half overtime compensation for the full shift. If a police officer is required to work only a partial shift to substitute for another officer who is on approved leave, he or she is paid time and one-half overtime for the total actual number of hours worked. The time-and-a-half overtime rate applies in both situations, either for pay or for accumulation of compensatory time off. However, if the employee has had unscheduled absences or time off for sickness, emergencies, or other personal reasons, the employee's additional hours worked will not be considered for overtime purposes unless the number of hours actually worked exceeds 80 for the 14-day work period. (Please see the provisions in the paragraph titled "Leave Taken and Overtime" for additional information.

- The Police Chief will notify affected employees at least once annually of the beginning and ending dates and times of the official 14-day work period. Subsequent work periods follow the calendar in 14-day cycles and track the City's pay periods.

(Legal reference: U.S. FLSA of 1938, as amended; Garcia v. S.A.M.T.A., U.S. Supreme Court, 1985; U.S. Equal Pay Act of 1963.)

C. OVERTIME WORKED

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

The policy of the City is to allow overtime only in cases of emergencies, special circumstances, or when specifically authorized by the City Manager. Employees may be required in emergencies to provide services in addition to normal hours or on weekends or holidays.

1. **Non-Exempt Employees**. When the City's operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime, at the request of their supervisor. When possible, advance notification of mandatory overtime assignments will be provided. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work. Refusal or other failure to work mandatory overtime may result in disciplinary action up to and including termination of employment. Overtime work is otherwise subject to the same attendance policies as straight-time work.

All non-exempt employees must receive their supervisor's and department director's prior authorization before performing any overtime work. This means employees may not begin work prior to their scheduled workday, may not work through their lunch break and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor.

On the employee's timesheet, the appropriate supervisor must also approve any overtime before the timesheet is submitted for processing and payment. Non-exempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work within a short period of time. Non-exempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, except for sworn peace officers, overtime pay for non-exempt employees is at the rate of 1 ½ times the employee's regular hourly rate of pay for hours actually worked in excess of 40 in the City's workweek. (The City's workweek begins at 12:01 a.m. on Saturday and ends at midnight the following Friday.) Sworn police personnel are paid overtime based on the 14-day work cycle described earlier in this Section of the City's policies, using the Section 207(k) exemption under the Fair Labor Standards Act (FLSA).

2. **Leave Taken and Overtime**. Paid holidays are included as hours worked for purposes of determining eligibility for overtime pay. Vacation, sick leave, witness duty leave, bereavement leave, jury duty or any unscheduled leave of absence is not considered time worked for purposes of performing overtime calculations.

3. **Compensatory Time**. Non-exempt employees may accrue compensatory time in lieu of being paid overtime compensation. Compensatory time accrues at a rate of 1 ½ hours for every hour of overtime worked by non-exempt employees. Compensatory time accruals are to be monitored at the department level and any accrued time should be used within 60 days of its accrual.

   An employee who has accrued compensatory time and requests use of such time must be permitted to use the time off within a "reasonable period" after making the request, if it does not "unduly disrupt" the work of the department. If use of requested compensatory time would be disruptive, the department may elect to pay the employee in lieu of approving the requested time off. The City may, at any time, elect to pay a non-exempt employee for any or all of the employee's accrued compensatory time. The City may also require employees to take time off in order to reduce their accrued compensatory time. Otherwise, compensatory time off may be used the same as leave time.

4. **Payment of Compensatory Time**. All employees who are reclassified from a non-exempt position to an exempt position will be paid all accrued compensatory time upon approval of the reclassification and will cease to be eligible for any additional overtime and/or compensatory time. Likewise, an employee who is promoted, transferred, or demoted to another non-exempt position will be paid in full for any compensatory time accrued before the promotion or demotion becomes effective.

   Upon leaving employment with the City, a non-exempt employee will be paid for unused compensatory time at the employee's current hourly rate.

5. **Flex-time Work Schedule**. In situations where overtime payment is not feasible due to budgetary constraints, the department director or supervisor must consider flexing the employee's work schedule in an effort to minimize the need for overtime compensation. Flexing must be completed within the same workweek (or work cycle if under the 207(k) exemption of FLSA) that the overtime was worked and must be accurately reflected on the affected employee's time record.

6. **Exempt Employees**. Exempt employees are those who are not covered by the overtime requirements of the FLSA. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek (or 80 hours for sworn peace officers in a 14-day work period). Exempt employees are expected to work the hours necessary to complete their assignments with an acceptable level of quality in a timely manner.

   "Docking" an exempt employee's pay for a partial day's absence will be permitted only as authorized by law and approved by the Human Resources Manager. It is the policy of the City not to make improper deductions from an exempt employee's pay. Any exempt employee, who believes an improper pay deduction has been made, must immediately notify the Human Resources Manager. The City will promptly reimburse an exempt employee for any improper deduction(s) and will make a good faith commitment to comply in the future.

   Absent accrued paid leave time, an exempt employee need not be paid for any workweek in which no work was performed.

Overtime is defined as hours worked in excess of the allowable **number** of hours under the Fair Labor Standards Act (FLSA) (40 hours per seven-day workweek for non-police employees; and 80 hours per 14-day work period for sworn peace officers).

For most employees, overtime begins to accrue after the 40th hour worked during the seven-day workweek. For sworn peace officers, overtime begins to accrue after the 80th hour worked during the 14-day work period.

Employees engaged in recreational or seasonal activities which do not operate for more than seven months in any calendar year, and which meet the other statutory prerequisites, are also exempted from the minimum wage and overtime provisions of the Fair Labor Standards Act as recreational, seasonal employees.

Each City job description designates whether persons hired in that classification are exempt from, covered by (nonexempt), or not covered by the overtime provisions of FLSA. See the chapter of these policies under the main heading "**Categories of Employment**" for additional information on FLSA exemptions.

D. ON-CALL DUTY PAY

The City provides for after-hour service needs by allowing some departmental operations to designate certain non-exempt employees to be on-call. Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by their Department.

1. **Return to work provisions.** After regularly scheduled working hours, on-call employees are free to pursue personal activities but must respond to a call back (via phone or radio) by arriving at the worksite within 30 minutes. Employees designated as on-call must be fit, both mentally and physically, to accomplish on-call services needed within the time frame required. An employee is considered officially scheduled and designated as on-call only when approved by the supervisor in accordance with procedures established by the department.

2. **On-Call Compensation**. On-call status is not considered time worked and is not compensable unless the employee actually responds to a call back. However, in recognition of the added commitment the employee is being asked to make when designated as "on call," the City pays the on-call employee an additional $75.00 per week for serving on-call.

   In addition, the City pays on-call employees called back to the workplace at one and one-half (1 ½) their regular rate of pay for actual hours worked, as well as guaranteeing a minimum of two (2) hours' pay for each call-back within the same 24 hours after their regularly scheduled working hours or on a regular day off.

   Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor is not considered call-back time and is paid at the employee's regular rate of pay until overtime requirements are met.

   Travel time to and from a call-back is compensable under this policy. On-call employees who do not return to the workplace but who handle a workplace issue by phone will be paid for actual time spent on the phone. In all cases, employees must report their actual hours worked on their timesheets.

   Employees exempt from overtime are not eligible for compensation under the provisions of this policy.

3. **Employees Called in for Emergencies Who Are Not Designed as "On Call**". Employees who may be asked to report to duty at any time due to an emergency situation are not considered to be on call. When such employees report for duty, they are paid for time actually worked at their regular hourly wage unless the additional hours actually worked constitute overtime under the FLSA provisions explained earlier in this Section.

E. INCLEMENT WEATHER / EMERGENCY CLOSING

During normal operating hours, City offices DO NOT CLOSE during inclement weather conditions**.** All City employees, whether exempt or non-exempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify his or her immediate supervisor and/or department director and make arrangements to report to work if weather conditions improve. Any leave taken due to inclement weather can be flexed or charged to vacation or compensatory time. Regular full time and part time non-exempt employees who are unable to flex their time and who have no accrued vacation or compensatory time available will not be paid for the time missed.

Each department director or immediate supervisor is responsible for seeing that City services are staffed while City offices are open for business during inclement weather or emergency conditions. Any City service that cannot be provided during inclement weather or other emergency conditions must be immediately reported to the City Manager's Office.

When weather or other conditions are such that the City Manager declares certain City offices/departments officially closed, all affected, non-essential personnel who were scheduled to work during the time of closure will be granted paid "administrative leave" for the time the office/department is closed. Essential personnel must report to work even when other City departments are officially closed due to weather or other types of extraordinary circumstances. Essential personnel required to be on the job regardless of adverse weather or other conditions are designated by the department director and/or the City Manager. Essential personnel who fail to report to work may be subject to disciplinary action up to and including termination of employment.

In the event that weather conditions prohibit certain departments whose primary work location is outdoors, employees may be asked to perform other duties, attend training sessions or the supervisor may deem it necessary to send the employees home until conditions improve. Employees sent home due to adverse weather conditions will be paid at their regular pay rate but those hours will not count towards calculating overtime.

F. TIME REPORTING

Supervisors will keep records of all hours worked and time not worked. Forms for this purpose are provided by the City. Time records must be signed by the employee's immediate supervisor and department head.

It is recommended that these forms be filled out after each day's work in order to maintain an accurate and comprehensive record of the actual time worked.

Altering, falsifying, tampering with time records, or recording time on another employee's time record will result in disciplinary action, up to and including termination of employment.

Each department head is responsible for ensuring that all hours worked and leave time taken are reported on the timesheets sent to the Human Resources Manager and recorded on the individual department's records.

SECTION 7. BENEFITS

A. MEDICAL AND LIFE INSURANCE

Regular full-time employees of the city are eligible for group health benefits (general medical, hospitalization, prescription drug, dental, life and AD&D insurance benefits). The city pays 100 percent of the premiums for the employee for this coverage. The City also pays up to $220.00 per month toward employee's dependent medical coverage and 100% of dependent dental coverage. The Human Resources Manager provides current information concerning eligibility, coverage and cost. The city offers vision insurance benefits for employees and dependents on a voluntary basis. Employees may pay for vision insurance coverage through bi-weekly payroll deductions.

The nature and extent of insurance coverage is subject to change for medical, dental, life and AD&D insurance for new employees. Retirees from the City of Lago Vista are eligible to have their health insurance continued through the City's health insurance provider as long as the retiree pays the premiums for such health insurance. *(Legal Reference: Tex. Local Gov't Code §§ 175.001 et seq., as amended.)*

Upon employment, each regular full time employee is given a benefits booklet containing detailed information about the City's insurance programs. See the provisions in these policies on **Continuation of Group Insurance** for information on continued coverage after certain status changes.

B. SOCIAL SECURITY

All employees of the City are covered by Social Security. The City also contributes to the Social Security System on behalf of each employee.

C. RETIREMENT

The City is a member of the Texas Municipal Retirement System (TMRS). Regular full-time employees and employees expected to work at least 1000 hours per year are required to become members of TMRS and are eligible for this benefit immediately upon employment. Members contribute six percent (6%) of their gross salary each month toward retirement. The City matches the employee's TMRS contributions on a 2 to 1 ratio.

The City has a five-year (5) vesting plan, and allows retirement at or after age 60 or at any age after 20 years of participation in the TMRS plan. Accidental death and disability benefits are also incorporated into this retirement plan should an employee become disabled prior to retirement.

Funds contributed by the employee may only be withdrawn upon retirement or resignation. Vested employees will receive the City's matching funds only when they are eligible for retirement and began receiving monthly retirement benefits.

More information is provided in the TMRS Handbook or on their website at www.tmrs.com.

1. **Military Leave Buy-Back**. Employees who performed active-duty military service prior to employment with the City, are eligible to establish credit in TMRS for a maximum of 60 months of military service, if the employee has been employed by the City for ten (10) years, and has at least ten (10) years of creditable service in TMRS.

   Employees who voluntarily leave employment with the City to enter into active-duty military service, and terminate their TMRS membership by withdrawing their deposits are eligible to establish credit in TMRS for a maximum of 60 months of military service provided the employee is re-employed by the City within 90 days of:

   - Release or discharge from active duty; or
   - Release from hospitalization continuing for not more than one year after discharge.

   The credit received is only for the months of active-duty service performed (maximum of 60), has no monetary value, and is not included in the calculation of Updated Service Credits. More detailed information is provided in the TMRS Handbook.

2. **Updated Service Credits**. Employees who have current service credit or prior service credit in TMRS in force and effect on the first day of January of the calendar year preceding such allowance, by reason of service in the employment of the City, and on such date have at least thirty-six (36) months of credited service with the System, shall be and are hereby allowed "updated service credits" as defined in subsection (d) of Section 853.402 of the TMRS Act. The updated service credit is one hundred percent (100%) of the "base updated service credit," calculated as provided in subsection (c) of Section 853.402 of the TMRS Act. Each updated service credit replaces any updated service credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service. More detailed information is provided in the TMRS Handbook

D. WORKERS' COMPENSATION

Employees of the City are covered by the workers' compensation insurance program. This coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work-related injuries. Detailed information about workers' compensation benefits is found in the sections of this manual under the main headings of **Workers' Compensation** and **Injury Leave**. *(Legal reference: V.T.C.A. Labor Code, Title 5, Subtitle A and Chapter 504.)*

E. UNEMPLOYMENT INSURANCE

All employees of the City are covered under the Texas Unemployment Compensation Insurance program. This program provides payments for unemployed workers in certain circumstances. *(Legal reference: V.T.C.A. Labor Code, Title 4, Subtitle A.)*

F. LEAVE TIME

Regular full-time City employees are eligible for holidays, vacation leave, sick leave, and other types of released time under certain circumstances. Detailed information about leave and other types of released time are found in this manual under **Section 8 - Leave Time** and **Section 9 - Holidays**.

G. LONGEVITY PAY

Longevity pay is paid at the rate of $25.00 for the first year of employment (regardless of the number of days employed) and an additional $25.00 for every year thereafter. The maximum longevity pay is $500 per year. Employees are eligible for longevity pay if they are full-time, active employees on the day the longevity payroll is published. In addition, the City pays the FICA and TMRS matching costs related to the longevity pay. Longevity pay is paid within the first two weeks of December each year.

H. CONTINUATION OF GROUP HEALTH INSURANCE (COBRA)

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer's group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage.

Under COBRA, employees may elect COBRA continuation of coverage for up to 18 months after termination of employment (unless the employee is terminated due to gross misconduct), or if an employee's hours are reduced to such an extent that the employee no longer qualifies for participation in the group health plan. Under other circumstances, COBRA coverage is available for up to 36 months following a qualifying event. Employees must notify the City within 60 days of the occurrence of the employee's legal separation or divorce and of a covered dependent ceasing to qualify as a dependent under the medical plan.

Detailed COBRA notices are given to employees when an employee becomes eligible for participation in the City's group health plan and again when a qualifying event occurs. For more complete information on COBRA and your health plan, you should review your summary plan description or review a copy of the full health plan at the Human Resources Manager's office.

I. EDUCATION / PROFESSIONAL DEVELOPMENT

1. **General Policy**. The City encourages its regular full-time employees to take advantage of educational or training opportunities and professional memberships that are related to and will enhance their performance of work with the City.

2. **Required Attendance**. When the City requires an employee to attend any educational or training course, conference, or seminar, the City will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees and authorized travel, meals and lodging.

When appropriate, the City may prepay registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved. See additional information in the chapter of these policies **Travel/Expense Reimbursement**.

3. **Professional Memberships and Seminars**. Subject to the prior approval of the City Manager, an employee who joins a professional association related to his or her work at the City may be reimbursed for dues and necessary travel expenses when meetings are judged to offer special training or information of value to the employee in his or her work at the City. Likewise, subject to the City Manager's prior approval, an employee may be reimbursed for conference or seminar expenses if the conference or seminar is related to his or her work.

SECTION 8. LEAVE TIME

A. DEFINITIONS

1. **Leave Time**. Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.

2. **Excused Absences**. Excused absences are defined in this policy manual and approved by the employee's supervisor. Examples include: paid sick leave, vacation, holidays, bereavement leave, administrative leave, work-related injury leave, and other types of approved time off. To be eligible for an excused absence, an employee must contact his/her supervisor no later than thirty (30) minutes after the employee's regularly scheduled starting time. The reasons for the absence and the date and the time the employee expects to return to work must be reported at this time. This thirty (30) minutes provision may be waived by the supervisor if there are extenuating circumstances.

3. **Unexcused Absences**. Unexcused absences are defined as follows:

   - Tardiness.
   - Unverified sick time.
   - Unauthorized time off.
   - Failure to call within thirty (30) minutes after regularly scheduled starting time.
   - An employee may be required to furnish a doctor/hospital statement to the supervisor verifying an illness or accident under any of the following circumstances in order for the absence to be considered excused:
     - ✓ When illness or accident caused the employee to be hospitalized.
     - ✓ When the absence was for three (3) or more consecutive work days.
     - ✓ When the absence occurred on a regularly scheduled workday preceding or following a holiday or regularly scheduled vacation day.
     - ✓ When the supervisor feels that the employee's return to work may pose a health hazard to others.
     - ✓ When the employee has a record of excessive use of paid or unpaid sick leave.

4. **Repeated Unexcused Absences**. Employees repeatedly incurring unexcused absences are considered absence repeaters and are subject to disciplinary action. The disciplinary action of the absence repeater shall be handled in the following manner:

   - An employee with more than two (2) unexcused absences (not approved by the employee's supervisor) in any six (6) month period will be given a written warning by his/her supervisor.
   - A copy of the warning (signed by the Supervisor and the employee) will be forwarded to the Human Resources Department to be placed in the employee's file.
   - An employee with more than three (3) unexcused absences in any six (6) month period may be suspended without pay for up to three (3) days.

The signed notice of suspension will be forwarded to the Human Resources Department to be placed in the employee's personnel file.

- An employee with four (4) unexcused absences in a six (6) month period may be terminated.
- Unexcused absences from work for a period of three (3) consecutive working days shall be considered as a resignation, and the employee will not be eligible for rehire by the City.

B. APPROVAL OF LEAVE

In order to be considered an excused absence, any leave request must be authorized by the employee's immediate supervisor and approved by the appropriate department head. Employees should submit leave request forms at least seven (7) calendar days before the requested time off. Copies of signed leave forms are attached to the time sheets and sent to the payroll office for recording.

C. VACATION LEAVE

Temporary and part-time employees do not earn vacation leave.

1. **Vacation Leave Accrual**. All new employees are subject to a six (6) month probationary period during which time vacation leave will accrue but cannot be taken. Regular full-time employees earn vacation leave on the following basis:

Number of Years of Service	Number of Hours / Days of Vacation Leave	Hours Accrued Per Pay Period
End of 1st 6 Months	40 Hours / 5 Days	3.08
End of 1st Year – 5 Years	80 Hours / 10 Days	3.08
6 Years	88 Hours / 11 Days	3.39
7 Years	96 Hours / 12 Days	3.69
8 Years	104 Hours / 13 Days	4.00
9 Years	112 Hours / 14 Days	4.31
10 Years	120 Hours / 15 Days	4.62
11 Years	128 Hours / 16 Days	4.92
12 Years	136 Hours / 17 Days	5.23
13 Years	144 Hours / 18 Days	5.54
14 Years	152 Hours / 19 Days	5.85
15 Years	160 Hours / 20 Days	6.15

Vacation leave is accrued at a rate of 10 days per year of continuous employment through the fifth year of employment. One additional day per year accrues beginning with the sixth year and ending with a maximum of 20 days the fifteenth year. (Example: 6 years = 11 days per year, 7 years = 12 days per year, etc.)

2. **Use of Vacation Leave**. Vacation leave usage shall be scheduled with the employee's supervisor as far in advance as possible. Use of vacation leave will be at the convenience of the employee whenever possible. However, use of vacation leave should not interfere with normal functioning of City operations. Vacation leave may be taken in increments of one-half day or more.

3. **Sickness during Vacation Leave**. Employees who become ill during their vacation should notify their supervisor so that the time they are ill may be counted as sick leave. At the discretion of the supervisor, medical proof of illness may be required.

4. **Payment upon Termination**. Upon termination, all regular employees who resign or are terminated after completing the full six (6) month probationary period will be compensated for unused vacation leave, up to a maximum of thirty (30) days (240 hours). Employees who leave City employment before completing six (6) months of service shall not be entitled to vacation pay. Payment will be based on the employee's salary at the time of termination. Employee's who leave employment without providing at least a two (2) week written notice will forfeit accumulated vacation leave.

5. **Holidays during Vacation**. City holidays that occur during an employee's vacation will not be charged to vacation time.

6. **Payment upon Death**. Payment for the employee's accrued vacation leave will be paid to the employee's estate.

7. **Restrictions**. An employee shall not be granted vacation leave in excess of accumulated leave. Employees may not elect to receive pay in lieu of vacation leave. Vacation leave is not transferable to another employee. Employees shall be allowed to retain their vacation leave credits if they are reassigned, promoted, or demoted. Employees do not accumulate vacation leave while on leave of absence.

D. SICK LEAVE

Sick leave is a benefit provided to regular City employees to be used when an employee or a member of the employee's immediate family is unable to work due to illness, physical incapacity, doctor and dental visits. (Dependent family member is defined as husband, wife, son, daughter, mother, father or other family member who is dependent upon and/or resides with the employee.) Abuse of this sick leave benefit will not be tolerated. Employees who willfully use sick leave for purposes other than those intended by these policies shall be subject to discipline. All regular full time employees of the City are entitled to accumulate paid sick leave credit according to the following rules:

1. **Sick Leave Accrual**. All regular full-time employees accrue sick leave at the rate of twelve (12) days per year (or eight (8) hours per month), with accrual allowed to continue without limit.

2. **Use of Sick Leave**. Sick leave may be taken in hourly increments; however, sick leave must be accrued before it is used. The following rules govern the use of sick leave:

   - Sick leave will accumulate and may be used during the probationary period; however, sick leave may not be used in advance of its being earned.
   - Employees may use sick leave for illness of a dependent family member. (Dependent family member is defined as husband, wife, son, daughter, mother, father or other family member who is dependent upon and/or resides with the employee.)
   - Sick leave may be used, if approved by the City Manager, as additional Bereavement Leave (See paragraph on Bereavement Leave.)
   - After an employee's accumulated sick leave has been exhausted, accrued vacation leave may be used in lieu of sick leave. When absence due to illness exceeds the amount of paid leave earned, authorized pay to the employee shall be discontinued until the employee returns to work.
   - To receive paid sick leave, an employee must communicate with his/her immediate supervisor or the supervisor's authorized representative, before or within one (1) hour of the time set for beginning work unless a justifiable excuse is presented regarding an emergency situation.
   - Supervisors and department directors may require satisfactory proof of illness according to these policies (for either the employee or the employee's dependent family member) if there are three (3) or more consecutive days of absence.(See paragraph relating to "Unexcused Absences.") If there is a question of an employee's fitness to continue in his/her present position, an employee may be required to undergo a physical examination by a physician designated by the City at the City's expense.
   - Employees shall not earn sick leave while on a leave of absence.

3. **Light Duty**. An arrangement mutually acceptable to both the employee and supervisor may be made to allow an employee to return to work when regular duty is not possible. Light duty must be approved by the department director and the Human Resources Manager on a case by case basis. A physician must specify what will constitute light duty.

4. **Payment for Sick Leave at Termination**. The following is the policy for employees who started employment before July 1, 2016:

   - The number of sick days that an employee will be paid at time of termination is fifty percent (50%) of the employee's accumulated leave balance. The maximum sick leave payment an employee will receive at termination is ninety (90) days/720 hours).
   - Any employee employed by the City after July 1, 2016 will not be eligible for paid accrued sick leave at termination**.**

E. CIVIL LEAVE

The City provides paid leave to regular full time employees required to serve on jury duty or requested to testify as a witness by the City in a City-related civil, criminal, legislative, or administrative proceeding. Court appearances for testimony, investigation, and court preparation as a result of official duties as a City employee (e.g., police, fire, inspections, animal control, etc.) are compensated as actual hours worked and are not classified as paid leave. In all other cases, employees are required to schedule accrued vacation, holiday or compensatory leave; otherwise a nonexempt employee's time off to testify will be considered a leave without pay. *(Legal reference: V.T.C.A. Labor Code, Sec. 52.051; Election Code, Sec. 276.004.)*

The employee must provide documentation of the requirement for jury duty, subpoena compliance**,** etc., with the leave request. Employees must submit a Leave Request Form, along with supporting documentation to their supervisor as soon as possible so that arrangements can be made to accommodate the absence.

An employee who is on jury duty typically must report for City duty for the remainder of the day upon completion of court or jury service, or request approval for use of other available paid time off. An employee, who is called for jury duty, must provide his or her supervisor with an acknowledgement of service from the court. Any payment for jury duty received by the employee may be retained by the employee.

Jury duty leave is paid at the employee's base rate at the time of leave and does not include overtime or any other special forms of compensation.

F. VOTING LEAVES

Employees are encouraged to exercise the right to vote in elections. If the polls are not open on election day for voting for two consecutive hours outside of the employee's working hours, the employee will be permitted reasonable time to vote during working hours.

Upon ten (10) days' notice to the supervisor, employees may be granted time off to attend a precinct convention or a county, district, or state convention to which the employee is a delegate. Time may be charged to vacation, accrued compensatory time, or leave without pay for the period of time missed.

G. FAMILY AND MEDICAL LEAVE (FMLA)

1. **Policy**. In accordance with the Family and Medical Leave Act of 1993, an employee may be eligible to take up to twelve (12) weeks of unpaid family and medical leave during a rolling twelve (12) month period. An eligible employee is one who has worked for the City for twelve (12) months and has worked at least 1,250 hours during the twelve (12) months preceding the first date leave is to be taken. Leave can be taken for any of the following reasons:

- Birth of a child;
- Placement with the employee of a child for adoption or foster care (entitlement to family and medical leave expires twelve months after birth or placement);
- When the employee is needed to care for a child, spouse, or parent who has a serious health condition; or
- When an employee's own serious health condition leaves the employee unable to perform the essential functions of his/her position.

2. <u>Procedure</u>:

- **Twelve Month Period**: The twelve (12) month period for counting family and medical leave is a "rolling" 12-month period measured backward from the date an employee requests or is placed on FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months, or 26 weeks provided in certain circumstances.
- **Employee Notification:** An employee must give at least thirty (30) days' advance notice for the need to take foreseeable family and medical leave, unless the need is unforeseeable, in which case, as much notice as possible should be given. A form for requesting family and medical leave is available in the Human Resources Department. If it is determined that the need for family and medical leave was foreseeable, the leave may be delayed until at least thirty (30) days after the date that the employee provides notice to the City.
- **Department Notification:** Each department supervisor is responsible for notifying the Human Resources Department immediately when an employee is away from work for a family and medical leave qualifying event (if family and medical leave has not been approved), even if the employee is utilizing paid vacation, sick or personal leave, or is out due to a work-related injury. An employee using sick leave should be reported to the Human Resource Department if it is anticipated that the duration of the illness will be three (3) or more days, or once the employee exceeds three (3) days.
- **Human Resources Responsibility:** The Human Resources Manager is responsible for central administration of all requests for family and medical leave. The Human Resources Department reserves the right to automatically place an employee on family and medical leave if it is determined that a qualifying event has occurred. The Human Resources Department may retroactively designate the beginning date of FMLA to the beginning date of the employee's absence for the qualifying event.
- **Approval:** An employee shall submit a request for family and medical leave through proper channels to the department director who will then forward it to the Human Resources Manager for approval. Confidential medical information that accompanies the application can be submitted directly to the Human Resources Manager.

- **Substitution of Paid Leave:** An employee utilizing this policy for the placement of a child for adoption or foster care with the employee shall be required to exhaust all accrued vacation and any other applicable paid leave prior to going on unpaid leave. An employee utilizing this policy for the serious illness of a child, spouse or parent must exhaust all accrued personal leave, vacation leave and any other applicable paid leave prior to going on unpaid leave. If an employee gives birth to a child, sick leave can be utilized until the employee receives a release from the doctor. After being released, the employee may use additional sick leave if permitted in accordance with the sick leave policy. Once all applicable sick leave has been used, the employee shall be required to exhaust all accrued vacation, compensatory time, holiday leave and any other accrued paid leave, prior to going on unpaid leave.

  An employee utilizing this policy for the employee's own serious health condition shall exhaust all accrued sick leave, vacation leave and personal leave prior to going on unpaid leave. If an employee is off work due to a work-related injury and the employee qualifies for family and medical leave, the family and medical leave will run concurrently with any paid leave. ***The City reserves the right to count any paid leave that qualifies for family and medical leave toward the twelve (12) or twenty-six (26) weeks allowed under this policy.***

- **Maximum Time Allowed**: The maximum amount of family and medical leave available is twelve (12) weeks during a twelve (12) month period even if there is more than one family and medical leave qualifying event. The only exception to the twelve (12) week maximum is the leave to provide care of an injured service member, described below, which allows for an extended FMLA leave of 26 weeks.

- **Medical Certification:** The City requires medical certification from a health care provider to support a claim for leave to care for a seriously ill child, spouse or parent, or for the employee's own serious health condition. Medical certifications must be returned to the Human Resource Department within fifteen (15) working days. Recertification may also be required every 30 days. An employee will be notified if recertification is required.

  For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. For the employee's own serious health condition, the certification must include a statement that the employee is unable to perform the essential functions of the position, and the expected duration.

  The City does not seek and should not be provided genetic information. If an employee or applicant's genetic information is inadvertently received by the City; the City will return it to the health care provider and not use genetic information for any employment decision or action.

- **Check-In Requirement:** Employees on an extended FMLA leave must check in at least once each week by phone or email during their absence with the Human Resources Department or their supervisor.

- **Certification Required to Return to Work after FMLA Leave for Self:** Upon returning to work after leave for the employee's own illness, an employee is required to provide certification to the supervisor that the employee is able to return to regular duties.

  If the validity of a certification is questioned, the City may require that a second opinion be obtained.

  If the first and second opinions differ, the City may require a third opinion be obtained. The employee and the City must agree upon a health care provider for the third opinion and this opinion shall be binding on both parties. The City shall bear the expense of the second and third opinions.

- **Return to Work:** When an employee returns to work after family and medical leave, the employee shall be restored to the same position or to an equivalent position involving the same or substantially similar duties and responsibilities. An employee will be restored to the same worksite or to a geographically proximate worksite. The employee is also entitled to return to the same shift or an equivalent schedule.

- **Effect on Married Couples:** If a City employee is married to another City employee and either or both employees request family and medical leave for the birth or placement of a child with the employee for adoption or foster care, the total time allowed shall be limited to no more than twelve (12) weeks combined during any rolling twelve (12) month period. For other qualifying family and medical leave events, each employee is entitled to leave as long as the total amount of leave taken during any twelve (12) month period does not exceed twelve (12) weeks (or twenty-six (26) weeks, if applicable).

- **Continuation of Insurance Benefits:** While utilizing unpaid family and medical leave, an employee's insurance benefits will continue without interruption as long as the employee pays his or her portion of the insurance premiums. Insurance premiums can be deducted from the paycheck before the leave begins, or during the leave, if the employee continues to receive pay (pre-tax), paid monthly or bi-weekly.

- **Intermittent Leave:** When medically necessary, an employee may take family and medical leave on an intermittent basis or work a reduced schedule. Arrangements should be made with the employee's immediate supervisor so that the operations of the department are not unduly disrupted. An employee taking intermittent leave or leave on a reduced schedule may be temporarily assigned to an alternative position with equivalent pay and benefits if it better accommodates the needs of the department.

- **Holidays:** Holidays will be paid in accordance with the Holidays policy. City holidays will be counted as part of the twelve (12) or twenty-six (26) weeks of family and medical leave, whether the employee is on paid or unpaid leave.

- **TMRS:** Employee contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is in a leave without pay status. It is the employee's responsibility to initiate such an arrangement by timely contacting the City's Human Resources Manager and completing the necessary paperwork.

- **Recordkeeping:** Family medical leave time will be tracked on an hourly basis for payroll and compliance purposes. To determine entitlement for employees who work variable hours, the minimum hours required for eligibility is calculated on a pro rata or proportional basis by averaging the weekly hours worked during the twelve (12) weeks prior to the start of family and medical leave.
- **Exempt Employees:** Paid leave accounts may be charged for less than one (1) full workday according to department policy, and the salary of an exempt employee may be docked for absences of less than one (1) full workday. Salaried executive, administrative, professional and other employees of the City who meet the Fair Labor Standards Act (FLSA) criteria for exemption from overtime do not lose their FLSA-exempt status by using any unpaid FMLA leave.

3. <u>Definitions</u>

- **12-Month Period:** A rolling 12-month period measured backward from the date leave is taken.
- **12-Month Service Member Period:** A single 12-month period measured forward from the first day Service member Family Leave is taken.
- **Child:** A biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis, who is standing in the place of a parent, who is either under age 18, or age 18 or older and requires active assistance or supervision to provide daily self-care. A biological or legal relationship is not necessary. A more detailed definition is provided in the Family and Medical Leave Act of 1993 which is available in the Human Resources Department.
- **Health Care Provider:** A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any other person determined by the Secretary of Labor to be capable of providing health care services. A more expansive definition is provided in the Family and Medical Leave Act of 1993 which is available in the Human Resources Department.
- **Next of Kin:** The nearest blood relative of a Covered Service member.
- **Parent:** A biological parent or an individual who stands or stood in the place of a parent to an employee when the employee was a child. This term does not include parents-in-law.
- **Serious Health Condition:** An illness, injury, impairment, or physical or mental condition that involves: (1) any period of incapacity or treatment that results in inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; (2) any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or (3) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or 4) for prenatal care.

Voluntary or cosmetic treatments (such as most treatments for orthodontia or acne) which are not medically necessary are not "serious health conditions," unless inpatient hospital care is required. Restorative dental surgeries after an accident or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met.

- **Spouse:** A husband or wife as defined or recognized under state or federal law for purposes of marriage, including common law marriage.

4. **Military Family Leave Entitlement.**

   - **Military Exigency Leave –** Employees who are otherwise eligible for FMLA and have a spouse, child, or parent on covered active duty (deployed to a foreign country) or called to covered active duty status in the National Guard or Reserves (deployment to a foreign country or in support of a contingency operation) may use their 12-week leave entitlement to address certain qualifying exigencies including eligible: short-notice deployments; attendance at military events and related activities; childcare and school activities; addressing financial and legal arrangements; attending counseling sessions; attending post-deployment activities; up to 15 days of rest and recuperation; and parental care.

   - **Military Caregiver Leave** – Employees who are the spouse, parent, child or next of kin of a service member who incurred a serious injury or illness while on active duty in the Armed Forces and is undergoing medical treatment, recuperation or therapy, may take up to 26 weeks of leave to care for the injured service member in on 12-month period. The covered service member must be a current member or eligible veteran of the Armed Forces (including a member of the National Guard or Reserves) with a serious injury or illness incurred in, or aggravated by, service in the line of duty on active duty that may render him/her medically unfit to perform his/her duties.

5. **Retention of Benefits.** An employee on family leave does not lose any previously accrued seniority or employment benefits, but does not earn any leave credits or other benefits during the unpaid portion of the leave.

6. **Posting of Summary of Act.** The city has posted a summary of the Family and Medical Leave Act on its central bulletin board for employees' information.

   (Legal references: Family and Medical Leave Act of 1993 (Pub. L. 103-3), as amended; and National Defense Authorization Act of 2008 (Pub. L. 110-181); and related U. S. Department of Labor regulations).

7. **Request for Leave without Pay Immediately Following Family and Medical Leave.** If an employee requests additional unpaid leave beyond the 12-week maximum allowable under the family and medical leave provisions of these policies (or the 26-week period, if applicable), any extension granted will be under the terms set out in these policies headed **Other Leaves of Absence without Pay**. Employees should read the referenced section carefully and understand the differences between these two types of leaves before requesting an extension.

8. **Documentation.** All documentation regarding family leave will be filed in the employee's medical file, which is maintained separate from the personnel files, and is accessible to a limited number of persons, and only on a "need-to-know" basis. *(Legal reference: U.S. Americans with Disabilities Act of 1990 and ADA Amendments Act of 2008; Health Insurance Portability and Accountability Act (HIPAA) of 1996, as amended; and Ragsdale v. Wolverine Worldwide Inc.)*

H. MILITARY LEAVE

The City complies with all state and federal laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. Temporary employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their employment with the City will continue indefinitely or for a significant period of time are generally ineligible for extended paid military leave in excess of 15 days, re-employment rights, or any other military leave benefits under this policy.

This policy covers employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.

1. **Notice to City of Need for Leave.** Employees must provide as much advance written or verbal notice to the City as possible for all military duty (unless giving notice is impossible, unreasonable, or precluded by military necessity). Absent unusual circumstances, such notice must be given to the City no later than 24 hours after the employee receives the military orders. To be eligible for paid military leave, employees must complete and submit a Request for Leave Form along with the official documents setting forth the purpose of the leave and, if known, its duration. The Leave Request Form must be turned into the department director and the Human Resources Manager as far in advance of the leave as possible.

2. **Paid and Unpaid Leave for Training and Duty.**

   - **Full Pay For Up to 15 Days.** Employees will be paid for military absences of up to a maximum of 15 workdays per fiscal year. Shift employees will be transitioned to a 40 hour workweek during military absences. This leave may be used when an employee is engaged in National Guard or U.S. armed forces reserve training or active military duty ordered or approved by proper military authority. The paid leave days may be consecutive or scattered throughout the year. An employee who qualifies for this leave may request an annual accounting of the use of this leave.
   - **Other Paid Leave.** Employees who have exhausted all available paid military leave may, at their option, may use any other available paid leave time (i.e., vacation leave, holiday leave, and compensatory time) to cover their absence from work.
   - **Unpaid Leave.** After an employee has exhausted all available paid military leave (including any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay.
   - **Benefits**. The City will continue to provide employees on paid military leave with most City benefits.
   - **Medical and Dental**. While an employee is on paid military leave (or any military leave of less than 31 days), the City will continue to pay its portion of the monthly premium for group health benefits. When military leave is unpaid, the employee may elect to continue group health coverage for up to 24 months following separation of employment or until the employee's reemployment rights expire, whichever event occurs first, for the employee and eligible dependents.

- **Return to Employment**. Upon an employee's return to employment following military service, the City will provide health insurance coverage immediately. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.

- **Other Benefits.** While on ***paid*** military leave, employees continue to accrue vacation, sick leave, and other benefits provided to other employees on paid leave. The City will also continue to pay the premium for any City-provided life insurance while the employee is on ***paid*** military leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. Benefits, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Once an employee returns to work following an unpaid leave, the employee will be treated as though continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

- **TMRS.** Typically, an employee's period of uniformed service is deemed to constitute service for purposes of vesting and benefit accrual. Thus, employees earn service credit for time spent on active duty military leave. Service time is credited when an employee returns to work. To qualify for service credit, an employee must: return to work for the City within 90 days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of five years or three times the length of the military service to make up any TMRS contributions that were missed while on military leave.

- **Returning from Leave.**

  - ✓ **Return to Work**: A person returning from service must report back to work or apply for reemployment within the time constraints prescribed by USERRA. The City shall re-employ a returning veteran according to the provisions of USERRA. Civil service employees shall be required to meet additional requirements in Chapter 143 of the *Texas Local Government Code* before being reinstated.

  - ✓ **Deadline to Notify City of Intent to Return to Work.** The deadline for an employee to return to work and/or notify the City that the employee intends to return to work following military leave depends upon how long the employee's military service lasted:

    - o For service of less than 31 days, employees have eight (8) hours following their release from service to report for their next scheduled work period.

    - o For service between 31 days and 180 days, employees have 14 days following their release from service to apply for reemployment.

    - o For service of more than 180 days, employees have 90 days following their release from service to apply for reemployment.

- ✓ These deadlines may be extended for 2 years or more when an employee suffers service-related injuries that prevents the employee from applying for reemployment or when circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable.

♦ **Required Documentation**. To qualify to return to work, an employee returning from leave must provide documentation of the length and character of military service. Also, evidence of discharge or release under honorable conditions must be submitted to the City if the military leave lasted more than 31 calendar days.

I. ADMINISTRATIVE LEAVE

The City may grant Administrative Leave with or without pay to an employee**,** at the discretion of the City Manager (or designee)**,** when no other paid leave category is available or applicable.

Department directors, in consultation with the Human Resources Manager, may designate Administrative Leave with pay only pending a disciplinary decision or drug/alcohol screening results, or during an internal investigation.

Written notice of administrative leave shall be provided to the employee and a copy forwarded to the Human Resources Manager for proper payroll processing.

J. BEREAVEMENT LEAVE

With the approval of the Department Director, bereavement leave with full pay, up to a maximum of three (3) working days, shall be granted employees in the case of the death of an immediate family member. This applies to regular full time employees and employees serving their probationary period. Immediate family shall be defined as a husband, wife, father, father-in-law, mother, mother-in-law, son, daughter, brother, sister, grandfather, grandmother, brother-in-law, sister-in-law or other members of kinship who may be residing under the same roof with an employee at the time of death.

An employee may be required to provide proof of death/funeral/family relationship in support of bereavement leave. Bereavement leave pay is paid at the employee's base rate at the time of absence. Paid time off for bereavement leave is not counted as hours worked for purposes of determining overtime.

The terms of and reasons for the leave must be documented and filed in the employee's personnel file. Bereavement leave cannot be accumulated or carried forward.

Additional Bereavement Leave may be granted by the department director with the approval of the City Manager. This additional leave (in excess of the up to (3) three days allowed) will be charged to the employee's sick leave.

Employees who wish to attend funerals for other than immediate family must use vacation, compensatory time, or unpaid leave.

K. OTHER LEAVES OF ABSENCE WITHOUT PAY

In extraordinary circumstances, the City may grant employees an unpaid leave of absence (LOA). All requests for LOA must be submitted on the City's Leave Request Form. Department directors are authorized to grant an unpaid LOA for up to 30 days. Any LOA beyond 30 days must be authorized by the City Manager. The employee may seek extensions of leave, up to a maximum of 180 total days away from work. This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act, the American with Disabilities Act as Amended and the Family Medical Leave Act (FMLA). An LOA will not be authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved leave period.

1. **Use of All Other Available Leave**. All vacation, compensatory time, holiday time and/or leave authorized under FMLA must be used prior to authorizing an LOA to an employee. If the LOA is due to illness or injury, all sick leave must also be used prior to authorizing an LOA.

2. **Criteria**. Factors considered by the City in granting an LOA include the reason for the leave; departmental work requirements; the employee's length of service, work performance and disciplinary history.

3. **Reasons for LOA.** An LOA may be considered in the following circumstances:

   - Recovery from extended illness**,** injury or temporary disability.
   - Extended care for immediate family members.
   - Educational purposes when successful completion will contribute to the work of the City.
   - Public service assignment.

4. **Documentation**. Requests for LOA without pay must be made in writing to the employee's department director as far in advance as possible prior to the requested leave date. Requests for an extension of leave must also be in writing and submitted to the department director, who will forward the request to the City Manager's office and the Human Resources Manager. The need for a medical LOA must be supported by documentation acceptable to the City, including but not limited to a doctor's explanation of why the employee cannot perform the essential functions of the position, when the employee is expected to return to work, and periodic updates regarding the employee's ability or inability to return to work in a full or modified duty capacity.

   Any employee on LOA without pay must contact the department head or the Human Resources Manager weekly to report on the employee's condition or status. Before returning to work from a medical LOA, the employee must submit a letter from the doctor stating that the employee is able to resume normal job duties. The City may also impose additional return to work requirements.

5. **Other Employment during Leave**. Under no circumstances may an employee on an authorized LOA without pay work another job, whether for pay, as a volunteer or as self-employment, unless expressly authorized in writing by the department director and the Human Resources Manager.

6. **Reinstatement**. Employees returning from an LOA will be reinstated to their same position or one of similar pay and status, provided the City's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. If the same job or one of similar pay and status is not available, reinstatement may, at the City's discretion, be deferred until a position is available. Usually, an employee who fails to return to work at the conclusion of an approved LOA will be considered to have voluntarily resigned employment with the City.

7. **Benefits/Premium Payments**. All LOA's are unpaid. Vacation, sick leave, holiday pay, and other benefits do not accrue during an unpaid LOA. Any benefit continuation during an LOA must be approved in advance by the Human Resources Manager and the City Manager.

   Any insurance premiums, or partial premiums, normally paid on behalf of the employee by the City will not be paid by the City beginning the first day of the month following the starting date of an LOA. Employees who have group health or any other kind of insurance through the City continue to be responsible for paying their portion of the premiums while on a LOA. An employee's failure to pay either the employee's, or the City's, portion of insurance premiums during an LOA may result in cancellation of coverage.

8. **Revocation**. The City Manager may revoke authorized leave without pay at any time. Failure to return to work after the expiration of an authorized LOA or failure to provide required medical status reports, physician's statements, or to contact the City per the required schedule will likely result in revocation of the LOA and/or disciplinary action up to and including dismissal.

L. INJURY LEAVE

Every injury, no matter how minor, must be reported to the Human Resources Manager within 24 hours of occurrence by the injured employee's supervisor.

1. **Police Personnel**. Police personnel will be compensated according to State law for injuries occurring in the course of employment.
2. **All Other City Employees**. All other employees will adhere to the following policy upon incurring an on-the-job injury:

   - **First Seven (7) Days**. The City will pay the employee's full salary for the first seven (7) calendar days, whether that employee is a regular employee, still in the probationary period, full-time, or temporary

- **After First Seven (7) Days**. If the employee must be absent from work for more than seven (7) calendar days, Worker's Compensation will pay either 66 2/3% of the employee's full salary, or a set amount (whichever is less). The City will provide the difference between the employee's regular pay and the Worker's Compensation payment. The combined total of the City paycheck and the Worker's Compensation check shall not exceed the employee's regular salary.

- **Time Limit**. The time limit for use of injury leave is five (5) months, with the count beginning on the first day the employee is off work. At the end of five (5) months, the employee will either receive Workers' Compensation checks only, or he/she will begin to use accrued sick or vacation leave. No exceptions to this policy will occur.

- **Modified Duty**. If modified duty can be arranged by the supervisor, the employee shall return to work on a modified duty status with no loss in pay. The doctor is to determine what modified duty entails as far as activity. As soon as the doctor rules that the employee is able to return to full duty, he/she will be taken off modified duty and placed back on his/her regular tasks.

- **Return to Work**. If at any point information is obtained that the employee is able to return to work but not willing to do so, the Human Resources Manager will report this information to the Worker's Compensation insurance carrier and the carrier will investigate the matter. Refusal to return to work could result in the lost of Worker's Compensation benefits and the possibility of termination.

- **Benefits**. Employees accrue vacation, sick and holiday leave while on injury leave.

For information on eligibility and injury reporting procedures for bona fide, on-the-job, work-related injuries, please see the section in this manual under the main heading **Worker's Compensation**.

M. USING LEAVE IN COMBINATION

When an employee who is on sick leave has exhausted his or her accrued sick leave, the employee will automatically be placed on vacation leave if the employee has accrued vacation leave available, and then on compensatory leave if the employee has that leave available.

Sick leave cannot be used for vacation purposes when vacation leave is exhausted.

With the approval of the employee's department head and the City Manager, other types of leave may be used in combination or coupled with holidays if it is determined to be in the best interests of the City and the employee.

SECTION 9. HOLIDAYS

A. LIST OF HOLIDAYS

The following is a list of approved holidays:

Holiday	Date(s)
New Year's Day	January 1
Martin Luther King, Jr. Day	3rd Monday in January
President's Day	3rd Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day	Fourth Thursday In November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24th
Christmas Day	December 25th
Employee Option Day	Employee/Supervisor Discretion

1. **Rules Governing Holidays**

- If the holiday occurs on Saturday, it will be observed on the preceding Friday. If the holiday occurs on Sunday, it will be observed the following Monday. The Mayor, upon approval by the City Council, may issue a proclamation declaring any day a holiday.
- Full-time regular employees will receive holidays off with pay. If a full-time regular, non-exempt employee is required to work on a holiday, that employee will be paid their regular hourly rate and will accrue a leave day to be taken in the future. Any accrued holiday leave will be paid upon termination.
- Part-time employees who regularly work at least 25 hours weekly may be granted reduced holiday benefits. Temporary employees are not eligible for paid holidays.
- An employee who is absent without leave on the day immediately preceding or following a City holiday shall not be paid for the holiday.

- City employees accrue an Employee Option Day after the employee completes six (6) months of satisfactory performance. Police officers accrue an Employee Option Day afterl the officer completes one (1) year of satisfactory performance.

- If an official holiday falls within a regular employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

- This section applies to employees who work on shifts other than Monday through Friday. Whenever a legal holiday on the current year's list of approved holidays falls on a regular employee's regular day off and the employee does not work that day, he or she will (1) be provided with an alternate day off on what would otherwise have been a regular workday for the employee, or (2) be paid his or her regular salary amount for the pay period involved, plus eight additional hours for the holiday.

SECTION 10. WORKERS' COMPENSATION

A. ELIGIBILITY FOR WORKER'S COMPENSATION

1. **Purpose**. Workers' compensation is designed to cover the costs associated with injuries resulting from identifiable and specific accidents or injuries occurring during the course and scope of one's employment. It is not designed to cover ordinary diseases of life. All employees and volunteers of the City are covered by workers' compensation insurance.

2. **Eligibility**. Employees injured on the job are generally eligible for worker's compensation benefits, which may cover the cost of hospitalization, doctors, treatment, prescription drugs and other related expenses, as well as possible partial salary continuation.

3. **Not Covered**. Injuries not directly related to or caused by a specific accident or incident that occurred in the performance of the employee's job duties for the City, injuries occurring while an employee or volunteer is working or volunteering for an employer or organization other than the City, and/or injuries occurring during self-employment, are not covered under the City's workers' compensation plan.

B. ACCIDENT AND INJURY REPORTING PROCEDURES

1. **Medical Attention**. When an employee is injured on the job, the City's first priority is to ensure that the employee gets timely medical attention. The employee must immediately report the circumstances of the accident and/or injury to the supervisor who will direct the employee to seek medical treatment, if necessary, from an approved provider list as provided by the City's Workers' Compensation insurance carrier or the Texas Department of Insurance.

2. **Reporting and Documentation**. The employee's supervisor is responsible for notifying the Human Resources Manager and the employee's department head immediately upon being made aware of an employee's involvement in an accident or injury. This timely notification is critical.

3. **Investigation**. The employee's supervisor will initiate a thorough investigation into the cause and circumstances of the accident causing the injury, including interviewing all witnesses and preparing a detailed written report explaining the facts of the accident that occurred. The supervisor must submit the City's Accident Report and any other related information to the Human Resources Manager no later than the next business day after the injury was reported or no later than 9 a.m. on Monday for injuries occurring over the weekend.

4. **Report Suspicious Circumstances.** If the employee's supervisor has reason to believe that an injury has been reported that is not directly related to or caused by a specific accident or incident occurring in the performance of the employee's assigned job duties,

the supervisor must advise Human Resources of these circumstances. The decision of whether or not an injury will be covered by worker's compensation will be made by the City's Workers' Compensation insurance carrier or the Texas Department of Insurance and not by the City.

5. **Employee Reporting Requirements**. If the employee's treating physician recommends convalescence at home, the employee is required to contact the supervisor each day during the time away from work and to report to the Human Resources Manager each Friday. For every doctor's office visit, the employee is required to obtain from his doctor a completed Work Status Report, which includes the employee's diagnosis, when the employee is expected to be able to return to work, the employee's restrictions and the date of the employee's next appointment. It is the employee's responsibility to ensure that a copy of the Work Status Report is forwarded to the Human Resources Manager and to the employee's supervisor. Failure to report to Human Resources as required may result in disciplinary action, up to and including termination of employment.

6. **Returning to Work**. The employee is to return to work immediately after treatment unless the employee's physician will permit neither regular duty nor modified duty. The employee must have a written release from the doctor to return to work and the release must specify any restrictions. The City does not guarantee the availability of a modified duty opportunity. However, the employee must accept any modified duty assignment that is offered, including an assignment in another department.

7. **Approval of Modified Duty Assignments**. All modified duty assignments must be approved by the Human Resources Manager to ensure compliance with the City's policies, the physician's restrictions/release, and with the Americans with Disabilities Act (ADA,) the Americans with Disabilities Act as Amended (ADAAA).

8. **Maximum Time Limits**. The City will hold open an employee's position, following an injury that occurred while performing official job duties or conducting City business, for a reasonable time period if holding the position does not result in undue hardship on the City. Twelve (12) weeks of this period will be deemed leave under the Family and Medical Leave Act (FMLA), running concurrently with the employee's worker's compensation leave.

9. **Consideration of Reasonable Accommodations**. The Human Resources Manager will engage in discussions of any reasonable accommodations that may assist the employee in performing the essential functions of the job. At the end of the reasonable period of time, should the employee still be unable for any reason to perform the essential duties of the job, with or without accommodation, the employee's position may be filled and the employee may be considered for a vacant position for which the employee is qualified and released from the physician to perform.

If no vacant position is available for which the employee is qualified, if not selected to fill the vacant position or if the employee declines to accept another position, employment with the City will be terminated.

SECTION 11. DRUG AND ALCOHOL USE POLICY

A. DRUG-FREE AND ALCOHOL-FREE WORKPLACE

It is the desire of the City to provide an alcohol and drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory and safe manner.

B. PROHIBITION AGAINST ALCOHOL AND ILLEGAL AND UNAUTHORIZED DRUGS

While on City premises, while on duty, while conducting City-related business or other activities off premises, while at City locations that sell alcohol, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment, no employee may use, possess, distribute, sell, or be under the influence of alcohol (except under the limited circumstances described below), inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained, and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer.

The use of alcohol by a City employee during a business lunch is prohibited even though the person with whom the employee is having lunch may be consuming alcohol. Further, an employee on duty or conducting City business, including City-related business entertainment, may not drive his or her own personal vehicle while under the influence of alcohol. No employee in his or her work-related capacity should ever be impaired because of the excessive use of alcohol. City employees may not bring alcoholic beverages on City premises, including parking lots adjacent to City work areas, and may not store or transport alcohol in a City-owned or leased vehicle.

C. PROHIBITION AGAINST ILLEGAL AND UNAUTHORIZED DRUG-RELATED PARAPHERNALIA

This policy also prohibits the use, possession, distribution and sale of drug-related paraphernalia while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment. Drug-related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing illegal or unauthorized drugs into the body.

D. PERMISSIVE USE OF PRESCRIBED AND OVER-THE-COUNTER DRUGS

The legal use of prescribed and over-the-counter drugs is permitted while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment only if it does not impair an employee's ability to perform the essential functions of the job (or operate the vehicle, property, or other equipment) effectively and in a safe manner that does not endanger the employee, citizens, or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

E. POLICE DEPARTMENT EMPLOYEES

Certain City Police Department employees may be required to be in possession of alcohol and/or drugs in carrying out their job duties. Such employees will be exempted from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Police Department operating procedures.

F. MANDATORY DISCLOSURE BY EMPLOYEES

Employees taking prescription medication and/or over-the-counter medication must report such use to either their department director or to the City Manager if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his or her job (or operate a vehicle, property, or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens, or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

G. ON-CALL EMPLOYEES

Employees scheduled to be on call are expected to be fit for duty upon reporting to work. Any employee who is scheduled to be on call, and is called out, is governed by this policy. Sometimes, an employee who is not scheduled to be on call may nevertheless be called out. If this or any other situation occurs where the employee called out is under the influence of alcohol or has a presence in the system of drugs, such that reporting to work would result in a violation of this policy, the employee must so advise the appropriate supervisor on duty. The employee will not be required to report to work.

H. MANDATORY REPORTING OF ARRESTS AND CONVICTIONS

Employees must notify their immediate supervisor and the department director, in writing, of any alcohol or drug-related arrest and/or conviction (including a plea of *nolo contendere*) or deferred adjudication, for a violation occurring off duty and/or in the workplace as soon as possible or no later than twenty-four (24) hours after the arrest and/or conviction.

I. OFF-DUTY CONDUCT

The City may take disciplinary action, up to and including termination of employment, if an employee's off-duty use of or involvement with drugs or alcohol is damaging to the City's reputation or business, is inconsistent with the employee's job duties, or when such off-duty use or involvement adversely affects the employee's job performance. Any employee reporting to work under the influence of illegal drugs or alcohol (.02 bac or higher) may be disciplined, up to and including termination.

J. REHABILITATION/TREATMENT.

1. It is the City's desire to assist employees who voluntarily request assistance with alcohol or drug dependency. For City support and assistance, however, an employee must acknowledge the problem and seek and accept counseling and/or rehabilitation before it impairs job performance and/or jeopardizes the employee's employment.

2. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take a leave of absence to participate in a rehabilitation or treatment program. (An employee may not enroll in a rehabilitation or treatment program in lieu of disciplinary action.) The leave of absence may be granted in the City's sole discretion. Factors considered by the City in deciding whether to grant leave include:

   - The length of the employee's employment with the City;
   - The employee's prior work and disciplinary history;
   - The employee's agreement to abstain from the use of the problem substance and follow all other requirements of the rehabilitation/treatment program;
   - The reputation of the program and the likelihood of a successful outcome;
   - The employee's compliance with City policies, rules, and prohibitions relating to conduct in the workplace;
   - The resulting hardship on the City due to the employee's absence. Unless otherwise required by law, it is the City's policy to grant such a leave of absence only once during the course of an employee's employment with the City.

3. The cost of any rehabilitation or treatment may be covered under the City's group health insurance policy. In any case, the employee is responsible for all costs associated with any rehabilitation or treatment program.

4. During time off for a City-approved rehabilitation or treatment program, the employee must use any available vacation leave, sick leave, compensatory time off, or other accrued paid leave time.

5. If the employee successfully completes the prescribed rehabilitation or treatment, the City will make reasonable efforts to return the employee to the prior position or one of similar pay and status. However, employment with the City following a City-approved leave for rehabilitation or treatment is conditioned on the following:

   - Initial negative test for drugs and/or alcohol before returning to work;
   - A written release to return to work from the City-approved rehabilitation or treatment facility/program;
   - Periodic and timely confirmation of the employee's on-going cooperation and successful participation in any follow-up or ongoing counseling, testing, or other treatment required in connection with the City-approved rehabilitation or treatment program, if applicable;
   - In addition to any testing required in connection with the employee's ongoing treatment or follow-up to treatment, all employees who participate in rehabilitation or treatment under this section will also be required to submit to periodic and/or random testing by the City during the two years following the employee's return to work following treatment;
   - The employee must sign a formal written agreement to abide by the above conditions, as well as any other conditions deemed appropriate by the Human Resources

Manager. The employee must meet with the Human Resources Manager to discuss the terms of continued employment and sign a formal agreement before returning to work.

K. POLICY VIOLATIONS

Violations of this policy will lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. The Police Department may have stricter disciplinary rules regarding violation of this policy. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Human Resources Manager to receive assistance or referrals to appropriate resources in the community.

L. TESTING

1. **Types of Tests**. Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, Intoxilyzer, blood, or other generally-accepted testing procedure. City employees are subject to five types of testing: pre-employment (applicants), post-accident (all employees), random (employees in safety-sensitive positions), reasonable suspicion (all employees), and return to duty (specific employees).

2. **Testing of Applicants**. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City.

3. **Testing of Employees.**

   - Employees may be tested for alcohol and/or illegal and unauthorized drugs after a workplace injury or accident or "near miss," when reasonable suspicion exists, or in connection with any required treatment or rehabilitation. The City may conduct random testing on employees holding safety-sensitive positions.
   - Police Department employees are also subject to any applicable departmental rules and regulations regarding illegal and unauthorized drug and alcohol testing.
   - For purposes of this policy, reasonable suspicion is a belief based on articulable observations (e.g., observation of alcohol or drug use, apparent physical state of impairment, incoherent mental state, changes in personal behavior that are otherwise unexplainable, deteriorating work performance that is not attributable to other factors, a work-related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia) sufficient to lead a supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Supervisors who refer an employee for reasonable suspicion testing must document the specific factors that support reasonable suspicion testing (e.g., the who, what, when, where of the employee's behavior and other symptoms, statements from other employees or third parties, and other evidence supporting the reasonable suspicion testing).

- Tests will be paid for by the City. To the extent possible, testing will normally be done during the employee's normal work time.
- Any employee who refuses to be tested, or who attempts to alter or tamper with a sample or any other part of the testing process, will be subject to disciplinary action up to and including termination.
- A positive test result is a violation of the City's Drug and Alcohol Use Policy and may result in disciplinary action up to and including termination of employment. Any employee who is terminated for violation of the City's Drug and Alcohol Use Policy is ineligible for future employment with the City.
- The City has additional obligations when testing for controlled substances and alcohol for those employees who are licensed to drive commercial City vehicles regulated by the U.S. Department of Transportation. Please see the City's Drug and Alcohol Policy for DOT Employees for additional information.

Testing Procedures.

- All testing must normally be authorized in advance by both the employee's department director and the Human Resources Manager. If the department director is unavailable within a reasonable period of time, the Human Resources Manager may, with sole discretion, authorize the testing of an employee. If the Human Resources Manager is unavailable within a reasonable period of time, the department director may, with sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor's documentation of the articulable factors which led the supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Testing should be arranged as soon as possible after the supervisor's articulable observations.
- If an employee's conduct resulted in a work place accident, injury or "near miss," or reasonable suspicion exists to believe that the employee has violated the City's Drug and Alcohol Use Policy, the employee will be provided with transportation to the testing facility. A supervisor or other designated City representative may be required to stay with the employee during the testing process. The City may, in its discretion, reassign the employee or put the employee on administrative leave until the test results are received. The City will make arrangements to have the employee transported home after the testing.
- All substance abuse testing will be performed by an approved laboratory or healthcare provider chosen by the City. Positive test results may be subject to confirmation testing.
- Test results will be maintained in a confidential file separate and apart from the employee's personnel file. Any medical-related information will be confidential and accessible only by the Human Resources Manager; supervisors and managers on a need to know basis, including those who have a need to know about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; government officials; insurance companies as may be necessary to provide health or life insurance to employees; by court order or as otherwise legally mandated; and as necessary to protect the interests of the City.

M. SEARCHES

The City may conduct unannounced searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, computer and electronic files, social media sites, cell phones, text messages, whether secured, unsecured or secured by a lock or password provided by the employee; the employee shall have no expectation of privacy. No supervisor has the authority to deviate from City policy. If reasonable suspicion exists, the City may also conduct unannounced searches or inspections of the employee's personal property located on City premises, including vehicles parked on City parking lots.

All searches must be authorized and conducted under the direction of the Human Resources Manager and/or the City Manager. Employees who refuse to cooperate with a search may be subject to disciplinary action up to and including termination.

SECTION 12. DRUG AND ALCOHOL POLICY FOR EMPLOYEES UNDER DOT REQUIREMENTS

A. EMPLOYEES / APPLICANTS SUBJECT TO TESTING.

City employees who drive a commercial motor vehicle (CMV) requiring a Commercial Driver's License (CDL) as part of their job duties are subject to alcohol and drug testing as required by the U.S. Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration and as outlined in this policy. The employee's supervisor or the Human Resources Manager will advise the employee if the employee is subject to DOT testing and the terms of this policy. Employees who are not required by DOT to hold a CDL are not subject to this policy. Applicants for employment for a position requiring a CDL are also subject to testing under this policy.

Employees covered by this policy are also required to comply with the City's Drug and Alcohol Use Policy. In other words, this DOT Drug and Alcohol Policy is in addition to, not in lieu of, the provisions of the City's general Drug and Alcohol Use Policy. DOT tests will be completely separate from non-DOT tests in all respects. DOT tests take priority and will be conducted and completed before a non-DOT test is begun. All drug and alcohol testing performed under this DOT Policy will comply with applicable DOT procedures. If this policy conflicts with DOT regulations in any way, the DOT regulations will govern.

An employee subject to the provisions of this policy may be a person employed by the City, a contractor engaged by the City or an employee of such contractor. City positions currently subject to the testing provisions of this policy are all drivers with Class A, Class B or Class C CDL's. The positions may change as job responsibilities change or as new jobs are added to the City's work force. Employees required by DOT to hold a CDL, due to the type of equipment they operate, are subject to this policy whether or not this list is immediately updated to include their job titles. Employees who hold these jobs are required to carry their CDLs when they are at work or are operating City equipment.

B. PROHIBITED ALCOHOL USE.

1. **On-duty and Pre-duty Use.** Reporting for, or remaining on, duty requiring the performance of safety-sensitive functions is prohibited under the following conditions:

   - ♦ While having a breath alcohol concentration of 0.04 or more as indicated via breath test;
   - ♦ While using alcohol; or
   - ♦ Within 4 hours after using alcohol.

2. **Use Following an Accident**. An employee required to take a post-accident alcohol test pursuant to this policy is prohibited from using alcohol for 8 hours following the accident, or until undergoing a post-accident alcohol test, whichever occurs first.

C. PROHIBITED DRUG USE

Illicit use of drugs by safety sensitive drivers is prohibited both on and off duty. An employee may not report for duty or remain on duty when using or after use of any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a CMV. An employee may not report for duty, remain on duty or perform a safety sensitive function if the employee tests positive for controlled substances or has adulterated or substituted a test specimen.

D. REQUIRED ALCOHOL AND DRUG TESTS

DOT requires the following testing for covered drivers: pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing. Before conducting any required DOT testing, the City will notify the driver that the alcohol or drug test is required by DOT regulations.

1. **Pre-employment Testing**. Drug and alcohol tests will be conducted after a conditional offer of employment is made, but before actually performing safety-sensitive functions for the first time. These tests are also required when employees are promoted, demoted or transferred into a safety sensitive driver position.

2. **Post-accident testing.** Drug and alcohol tests will be conducted after accidents in which the driver's performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation. Post-accident testing must be conducted as soon as practicable on all surviving drivers following an occurrence involving a CMV operating on a public road in commerce, as follows:

   - When the employee is issued a moving traffic violation citation and one or more of the vehicles involved is disabled and must be towed from the scene;
   - When the employee is issued a moving traffic violation citation and any person involved in the accident is injured to the extent that he/she requires and receives immediate medical treatment away from the scene of the accident; or
   - In an accident involving a fatality, testing will be performed on anyone who was performing safety sensitive functions with respect to the vehicle.

   An employee subject to post-accident testing must remain readily available for such testing or will be deemed by the City to have refused to test. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary medical care.

   In post-accident situations, the City may substitute a blood or breath alcohol test for a urine drug test, so long as the test is performed by state or local law enforcement officials

using procedures required by their jurisdictions, provided such test results are received directly from the local jurisdiction or the driver. A positive post-accident test administered by law enforcement will result in the same action as a positive post-accident test performed at the City's behest.

- **Post-Accident Alcohol Testing**. If alcohol testing cannot be administered within 2 hours of one of the above listed occurrences, a written statement explaining why the alcohol test was not promptly administered must be provided to the Human Resources Manager by the appropriate supervisor. If alcohol testing cannot be administered within 8 hours after the occurrence, the City will cease attempts to administer an alcohol test and document the reasons the alcohol test was not administered. This report must be promptly forwarded to the Human Resources Manager.
- **Post-Accident Drug Testing**. A driver will be drug tested as soon as practicable but not later than 32 hours after one of the above listed occurrences. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Human Resources Manager.

3. **Reasonable Suspicion Testing**. Reasonable suspicion drug and alcohol testing is conducted when a trained supervisor has reason to believe that an employee is in violation of this policy. The reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee; the observations may also include indications of the chronic and withdrawal effects of controlled substances. The supervisor must consult with the Department Director (or designee) and affirm the basis of the suspicion. If the Department Director concurs, the employee will be required to undergo testing only after consultation with the Human Resources Manager. A written report of the reasonable suspicion observations must be prepared by the supervisor(s) who made the observation within 24 hours of the observed behavior or before the results of tests are released, whichever is earlier. This report must be promptly forwarded to the Human Resources Manager.

   - **Reasonable Suspicion Alcohol Testing**. Reasonable suspicion alcohol testing is permitted only if the reasonable suspicion observation is made during, just before, or just after, the period of the workday the employee is required to be in compliance with this policy. An employee may be directed to undergo reasonable suspicion testing only while the employee is performing, just before performing, or just after performing, safety sensitive functions.

     If alcohol testing cannot be administered within two (2) hours after the reasonable suspicion observation, a written statement that explains why the alcohol test was not promptly administered must be given to the Human Resources Manager. If alcohol testing cannot be administered within 8 hours after the observation, the City will cease attempts to administer an alcohol test and the appropriate supervisor must immediately document the reasons that the alcohol test was not administered; this report must be promptly forwarded to the Human Resources Manager.

     Notwithstanding the absence of a reasonable suspicion alcohol test under this policy, an employee may not report for duty or remain on duty requiring the performance of

safety sensitive functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. In such instances, the employee will not be permitted to perform or continue to perform safety sensitive functions until:

- ✓ An alcohol test measures the employee's alcohol concentration at less than 0.02; or
- ✓ 24 hours have elapsed since the reasonable suspicion observation was made.

♦ **Reasonable Suspicion Drug Testing**. A driver will be drug tested as soon as practicable but not later than 32 hours after the reasonable suspicion observation. If the driver is not drug tested within 32 hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Human Resources Manager.

4. **Random Testing**. Drivers are selected for random, unannounced drug and alcohol testing using a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with the employee's Social Security number, payroll identification number, or other comparable identifying numbers. Each driver subject to this policy will have an equal chance of being tested each time random selections are made. The number of drivers randomly selected will be in accordance with applicable DOT regulations. Each driver randomly selected for testing will be tested during the selection period. Dates and times for random testing are unannounced and spread reasonably throughout the calendar year.

   Each driver selected for random testing must proceed to the test site immediately after notification; if, however, the driver is performing a safety-sensitive function, other than driving a CMV, at the time of notification, the City will instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible. A driver will be randomly tested for alcohol just before, during, or just after performing, safety sensitive functions; random testing for drugs does not have to be conducted in immediate time proximity to performing safety sensitive functions.

5. **Return-to-duty and follow-up testing**. Return-to-duty tests are conducted when a driver who has violated DOT's prohibited drug and alcohol standards returns to performing safety sensitive duties. Follow-up tests are unannounced, and at least 6 tests must be conducted in the first 12 months after a driver returns to duty; follow-up tests may be extended for up to 60 months following a driver's return to duty. Drug tests must be negative and alcohol tests must demonstrate a breath alcohol level of less than 0.02. The driver will pay all costs associated with return-to-duty testing.

   When applicable, the City will follow all applicable DOT regulations in requiring return-to-duty and follow-up testing. The City is not, however, required to hire an applicant or continue the employment of a driver who has violated DOT drug and alcohol regulations or this policy, and it is the policy of the City not to do so.

   Thus, return-to-duty and follow-up tests are generally applicable only for those seeking assistance as set out below and, based on individual circumstances, for those who may have had an alcohol concentration of 0.02 or greater, but less than 0.04.

E. REFUSAL TO TEST

An employee who refuses to be tested in any of the above circumstances, who obstructs the testing process, or who tampers with/alters a specimen, will not be permitted to perform or continue to perform safety sensitive functions and will likely be terminated. An applicant who does one of these prohibited acts will not be hired. Except in the case of pre-employment testing, a refusal to test includes the failure to appear for testing within a reasonable time, as well as failure to remain at the testing site until the testing process is complete. Failure to test also includes the failure to provide the required sample with no adequate medical explanation, and the failure to cooperate with any part of the testing process (e.g., refusing to empty pockets when asked to do so, behaving in a confrontational way that disrupts the collection process, or failure to undergo a medical exam or evaluation as directed by the physician medical review officer (MRO) as part of the verification process).

F. ADDITIONAL INFORMATION ABOUT ALCOHOL TESTING.

1. **Consequences of a Positive Alcohol Test.** An employee who is tested and has an alcohol concentration of 0.04 or greater will be removed from safety sensitive functions and may be terminated. An employee who is tested and has an alcohol concentration of .02 to.039 will not be permitted to perform safety sensitive functions for a minimum of 24 hours and will be disciplined, up to and including termination. If not terminated, then the employee will receive a mandatory referral to a substance abuse professional. Any non-compliance with the treatment recommendations of the substance abuse professional will result in disciplinary action, up to and including termination. (The employee will be placed on administrative leave without pay during the treatment period. That employee may use accrued sick leave during the treatment period.)

2. **Alcohol Testing Procedures**. A trained breath alcohol technician will conduct alcohol tests. If the alcohol concentration is 0.02 or greater, a second confirmation test will be conducted in accordance with DOT regulations, the results of which will determine any actions taken. Any result of less than 0.02 alcohol concentration is considered a "negative" test. The second, confirmation test results determine if the employee is in violation of this policy. Testing procedures that ensure accuracy, reliability and confidentiality of test results will be followed pursuant to DOT regulations.

G. ADDITIONAL INFORMATION ABOUT DRUG TESTING.

1. **Drug Testing Procedures**. Drug testing is conducted by analyzing a driver's urine specimen at a lab certified by the U.S. Department of Health and Human Services. The driver provides a specimen in a location that affords privacy and the "collector" seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug-testing lab. "Split" urine specimens provide drivers with an opportunity for a second test, if needed.

2. If the driver challenges the validity of the test, then the employee has 72 hours to request that the split specimen be sent for testing to another certified lab approved by the City's Human Resources Manager. The second test will be at the driver's own expense.

3. **Drugs Tested For.** DOT requires testing for the following drugs:

   - Marijuana (THC)
   - Cocaine
   - Amphetamines
   - Opiates
   - Phencyclidine (PCP)

   A screening test is performed first. If the results are positive for one or more of these drugs, then a confirmation test is performed. Whenever the terms "drug," "drugs" or "controlled substances" are used in this policy, they refer to the substances listed above. The City will not test for any other substances under this policy. The City may, however, (1) test for other controlled substances pursuant to its general Drug and Alcohol Use Policy; or (2) modify the list of DOT tested drugs at the direction of DOT.

4. **Review of Drug Test Results**. All positive drug test results are reviewed and interpreted by a physician medical review officer (MRO) before they are reported to the City. If the lab reports a positive result to the MRO, the MRO will contact the driver (either in person or by phone) and will conduct an interview to determine if there is an alternative medical explanation for the drug(s) found in the driver's urine specimen. If the driver provides appropriate documentation and the MRO determines that it is a legitimate medical use of the prohibited drug(s), the drug test result is reported as a negative to the City.

5. **Consequences of a Positive Drug Test**. A driver will be removed from safety sensitive duties and placed on administrative leave if the test returns a positive for drugs. The removal cannot take place until the MRO has interviewed the driver and determined that the positive test resulted from the unauthorized use of a controlled substance. A confirmed positive drug result will result in termination of employment.

H. CONFIDENTIALITY

Test results may be released only to the driver, designated City officials, a substance abuse professional, laboratory officials or a medical review officer (MRO). Records will also be made available to a subsequent employer or other identified person upon the driver's specific written request. Test results will not be released to others except as required by law or expressly authorized in the applicable DOT regulations (e.g., the decision maker in a lawsuit, appeal or administrative proceeding initiated by or on behalf of the driver and arising from a positive DOT drug or alcohol test or refusal to test; this includes worker's compensation and unemployment proceedings.)

All test results will be kept in a confidential file by the Human Resources Manager. Management and supervisory personnel who are authorized to have access to alcohol and drug testing results must maintain complete confidentiality regarding this information. City employees who make a reasonable suspicion observation or who witness an accident must also maintain confidentiality. Breach of confidentiality relating to test results, or any other related matters, will likely result in disciplinary action, up to and including termination of employment.

I. INFORMATION FROM PRIOR EMPLOYERS

For new hires, promotions and transferred employee-drivers seeking to perform safety sensitive functions for the first time, the City is required, with the driver's written consent, to obtain information from previous employers regarding alcohol test results of 0.04 or greater, verified positive drug test results, refusals to test (including verified adulterated or substituted drug test results), and any other violation of DOT drug and alcohol testing regulations within the two years prior to the date of the driver's application, promotion or transfer. Affected individuals must sign a Breath Alcohol and Drug Testing Results Request. The City will obtain and review the information before allowing the person to perform safety sensitive functions. If the City receives any such information about an applicant-driver, the applicant will not be hired; if such information is received about an employee seeking promotion or transfer, the employee will not be promoted or transferred to the driver position and may also receive disciplinary action, up to and including termination of employment.

The City will maintain a written, confidential record of the information it obtains and/or the good faith efforts it made to obtain the information. This information will be retained for a minimum of three (3) years. The City will also ask if the person has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the driver applied for, but did not obtain, safety sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two (2) years. If the person admits to such conduct, the person will not be allowed to perform safety sensitive functions for the City. If the driver refuses to provide the City with the required written consent, the driver will not be permitted to perform safety sensitive functions and will likely be disciplined (up to and including termination of employment) if employed, or not hired if applying for employment.

J. NOTIFICATION TO APPLICANTS/EMPLOYEES OF POSITIVE TEST RESULTS

The City will notify applicants of the results of a pre-employment drug test if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application. The City will notify an employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are confirmed positive, and also which controlled substance(s) verified positive after the MRO confirms the positive. The City will also make reasonable efforts to contact and request each driver who tested positive to contact and discuss the results of their drug test with an MRO who has been unable to contact the driver. The City will immediately notify the MRO that the driver has been notified to contact the MRO within 72 hours.

K. EMPLOYEE ADMISSION OF DRUG/ALCOHOL USE

An employee who admits to alcohol misuse or drug use must do so in accordance with the City's general Drug and Alcohol Use Policy; provided, however, the employee may not self-identify in order to avoid the testing requirements of this DOT policy. Further, the employee must make the admission prior to performing a safety sensitive function, i.e., prior to reporting for duty.

The employee may not perform a safety sensitive function until the City is satisfied that the employee has been evaluated and has successfully completed educational or treatment requirements in accordance with the City's general Drug and Alcohol Use Policy.

A drug and alcohol abuse evaluation expert, i.e., an EAP professional, a substance abuse professional or a qualified drug and alcohol counselor, will determine successful completion. Prior to the employee performing safety sensitive functions, the employee must undergo a return to duty alcohol test with a result of less than 0.02 and/or a return to duty drug test with a negative test result.

L. SAFETY SENSITIVE FUNCTIONS

For purposes of this policy, safety sensitive function or duty means all the time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety sensitive functions/duties include:

1. All time at a City, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the City;

2. All time inspecting equipment as required by applicable DOT regulations or otherwise inspecting, servicing, or conditioning any CMV at any time;

3. All time spent at the driving controls of a CMV in operation;

4. All time, other than driving time, in or upon any CMV;

5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and

6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

M. TRANSPORTATION TO TESTING SITE

With the exception of pre-employment and random testing, employees will be driven to the testing facility by a supervisor. The supervisor will remain with the employee during the testing process. The City will make arrangements to have the employee transported back to the City or home, as appropriate, after the testing is complete.

N. QUESTIONS

Anyone with questions regarding this policy should contact the Human Resources Manager.

SECTION 13. PERFORMANCE APPRAISALS

A. PURPOSES OF PERFORMANCE APPRAISAL SYSTEM

The City uses a thorough performance appraisal system for assisting supervisors in communicating job expectations, measuring the employee's level of past performance, recognizing employee achievements and exemplary performance, and strengthening the supervisor-employee relationship. The performance appraisal system provides necessary information for management decisions including career development and training, assignments, advancements, transfers, disciplinary actions, retention, compensation, etc. The purpose of the performance appraisal system as outlined herein is to achieve optimum employee performance resulting in outstanding citizen service.

B. SCHEDULE

1. Regular full time and part time employees are eligible for:

   - A performance review after six (6) months of their initial probationary period, except for new Police Officers, who serve a twelve (12) month probationary period; and

   - Annual performance appraisal in December of each year.

   - Newly transferred or promoted employees who are serving their initial probationary period may also receive periodic evaluations during their probationary period.

   - Department directors are not governed by the above schedule; the City Manager's office establishes a performance appraisal system for director-level positions.

C. PERFORMANCE APPRAISAL PROCESS

1. **Written Appraisals**. All performance appraisal information must be written where required and forwarded to the Human Resources Manager for retention in the employee's official personnel file. An appraisal is considered complete at the time the employee signs and dates the appraisal document or the supervisor and/or department director has a witness acknowledge the employee's refusal to sign the appraisal document.

2. **Clear Communication**. Supervisors will strive to clearly communicate all elements of job performance, key result areas, performance standards, measures, goals, strengths and areas of development needed. Each employee will sign and date a copy of the performance appraisal when it is reviewed with him or her and the supervisor will forward a copy to the Human Resources Manager for filing in the employee's official personnel file and provide the employee a copy.

3. **Reviewers Properly Trained**. Department directors are expected to ensure compliance with this policy and ensure that supervisors and managers under their direction are adequately trained in the performance appraisal process. In order to correct any obvious errors or rating bias, department directors and/or mid-level managers are encouraged to review all performance appraisal documents for validity prior to the department supervisor conducting the performance appraisal meeting with the affected employee.

4. **Human Resources Manager Responsibilities**. The Human Resources Manager will review all appraisal documents for obvious errors and return them to the department directors for any clarifications or procedural corrections. The Human Resources Manager is responsible for maintaining original appraisal documents in the City's official personnel files and for timely processing appraisals for any compensation due.

5. **Employee Responsibilities**. Employees are expected to be knowledgeable of their essential job functions and key result areas and maintain established performance standards and requirements as outlined. Employees are encouraged to address issues and concerns regarding their annual performance appraisal with their evaluating supervisor. If the employee is unable to resolve issues and concerns with the evaluating supervisor, the employee may address them with the department director; if the department director is the evaluating supervisor, the employee may go to the City Manager to address concerns.

D. PERFORMANCE APPRAISAL APPEALS

Employees have the right to present an appeal concerning their performance appraisal. The performance appraisal appeal will follow the grievance procedure guidelines (See the Section on **Grievances**), through the City Manager level. The City Manager's decision is final.

SECTION 14. EMPLOYEE CONDUCT & WORK RULES / DISCIPLINARY ACTION

A. PURPOSE

To ensure orderly and productive operations and provide the best possible work environment, the City requires employees to follow rules of conduct that will protect the interests and safety of the City, its citizens and employees.

B. PROGRESSIVE DISCIPLINE

In certain instances, the City will use a progressive disciplinary system. The City is not obligated to use all of the progressive disciplinary steps available, and may begin the disciplinary process at any level, up to and including immediate discharge, depending upon the severity of the conduct, the employee's work performance and prior disciplinary history, the employee's length of service, and any mitigating circumstances. At-will employment status is not affected by the use the progressive discipline process. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- oral warning
- letter of counseling
- written reprimand
- probation
- suspension (without pay)
- demotion
- Performance Improvement Plans
- discharge

C. DOCUMENTATION

All forms of discipline, other than oral warnings, must be documented and will be placed in the employee's personnel file. Even an oral warning should be noted in writing by the supervisor or director issuing the oral warning; the employee should be asked to acknowledge the oral warning, and the note, signed by the employee and the person conducting the oral warning, should be sent to the employee's personnel file.

Any written disciplinary action should set forth:

1. Examples of conduct, incidents, actions, or failures to act, that resulted in the discipline;
2. The discipline to be imposed,
3. The effective dates, and
4. If the action is not a dismissal, the likely effect if the employee continues to perform, or to fail to perform, in the manner that resulted in the disciplinary action.

In the event an employee is to be discharged, the supervisor, prior to taking the action, shall forward a copy of the documentation to the Human Resources Manager for review, who shall forward a copy of the proposed dismissal to the City Manager. The supervisor will also make a recommendation concerning the possible rehiring (or not rehiring) of the person in the future.

D. SUPERVISORY RESPONSIBILITY

All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document their subordinates' job performance, conduct, and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner; and discipline their subordinates as required under their departmental and/or City policies and procedures. Employees with supervisory responsibilities shall also address performance appeals submitted to them, as provided by policy, in a professional manner. The intent of these policies is to attempt to resolve such issues at the lowest possible supervisory level.

E. REVIEW BY HUMAN RESOURCES MANAGER AND APPROVAL BY CITY MANAGER

Any proposed disciplinary action in excess of an oral warning must be reviewed by the Human Resources Manager prior to being given to the employee. This applies to both employees serving the initial probationary period and regular employees that have completed the initial probationary period.

Disciplinary actions, other than oral or written warnings, require the advance approval of the Human Resources Manager unless an emergency situation exists. Any written notice of disciplinary action will be included in the employee's personnel file.

F. APPEAL RIGHTS

Where a disciplinary action involves a suspension of one (1) day (or one (1) shift) or more, demotion, and/or termination, the employee will normally be given an opportunity to respond to the allegations prior to disciplinary action being taken. However, positions classified as Director level and above are employed at the will and pleasure of the City Manager and have no right of appeal for any type of disciplinary action, including termination. Employees serving the initial probationary period have no right of appeal for disciplinary action taken against them.

G. PROHIBITED ACTIVITIES

Disciplinary action will be imposed for violations of City or departmental policies and procedures, codes of conduct, rules and regulations, either written or verbal. In addition, acts which are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect the City or put the health and safety of fellow employees, citizens, or other third parties at risk, may also result in disciplinary action. It is impossible to list all the forms of behavior that are considered unacceptable in the workplace. The following are some examples of conduct that will likely result in disciplinary action, up to and including termination of employment:

- ♦ Theft or inappropriate removal or use of City property or other property not belonging to the employee;

- Falsification of timekeeping or other records, including employment application;
- Reporting for work or working under the influence of or a presence in the system of alcohol or illegal drugs;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City-owned equipment;
- Violation of City's policy regarding sexual or other unlawful harassment;
- Interfering with work schedules or another employee's ability to work;
- Misuse of City telephones, computers, mail systems, internet, etc.;
- Excessive or unscheduled absenteeism, tardiness in reporting for work or returning from lunch and breaks, or absence without notice and/or approval;
- Breaks in excess of the allotted time allowed;
- Violation of smoking/tobacco policy;
- Violation of safety or health rules and failure to immediately report an on-the-job injury/accident;
- Profanity, abusive language, or racial slurs;
- Unauthorized disclosure of confidential information;
- Violation of any provision of the City Charter;
- Violation of City or departmental policies, codes of conduct, rules and procedures;
- Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials**,** or others;
- Making or publishing false, vicious, or malicious statements about the City, or a City employee or citizen, or others;
- Unsatisfactory performance or conduct;
- Inefficiency, incompetence, or neglect of duty;
- Fighting, provoking or instigating a fight, or threatening violence;
- Disruptive activity in the workplace;
- Engaging in a work stoppage;
- Conduct which results in waste or damage of a co-worker's, the City's, or citizen-owned property;
- Insubordination or other disrespectful or unprofessional conduct;
- Discourteous treatment of the public;
- Possession of weapons on City time, City premises, or while on City business (except for licensed police officers required to carry a weapon as part of their job duties or employees with concealed handgun license with permitted weapon locked in their personal vehicle);
- Violation of local, state or federal law;

- Conviction of a felony, including reasonable belief employee has committed a crime under Texas Penal Code or Class A or B misdemeanor involving moral turpitude, or repeated conviction of Class C misdemeanor charges, or any crime;
- Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension;
- Outside employment that conflicts with, or potentially conflicts with, City interests;
- Acceptance of payment of any kind for activities related to City employment;
- Failure or refusal to follow lawful orders;
- Sleeping on the job;
- Dishonesty, including misrepresentation during the hiring process; or
- An accumulation of minor infractions.

H. DISCIPLINARY MEETING

A disciplinary meeting will be scheduled prior to the imposition of a suspension of one (1) day (or one (1) shift) or more, demotion, or termination. The department director, the affected employee, the Human Resources Manager and anyone else deemed necessary by the department director typically attend the disciplinary meeting. During the meeting, the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees will be given advance notice of the meeting. Employees may, in the City's sole discretion, be placed on administrative leave prior to, during, or after the disciplinary meeting. The employee will be notified of the City's determination following the meeting.

I. ADMINISTRATIVE LEAVE

During an investigation into alleged offenses or violations of City policies, the City may, in its sole discretion, place the employee on administrative leave. The leave may be with or without pay, and may be charged to available accrued leave if authorized by the City Manager.

J. ADDITIONAL INFORMATION

For additional information regarding procedures to be followed if the discipline results in separation by involuntary dismissal see the following sections of this manual relating to **Separations**.

SECTION 15. SEPARATIONS

A. TYPES OF SEPARATIONS

The City designates all employee separations as one of the following types:

1. **Resignation.** An employee who intends to resign is expected to notify the supervisor and/or the Human Resources Manager in writing at least (2) two weeks prior to the last day of work. Department Managers are expected to notify the City Manager and the Human Resources Manager at least thirty (30) days in advance. Employees who fail to give the required advance notice are typically not eligible for rehire.

2. **Retirement**. An employee who intends to retire is requested to notify the department director, supervisor, and the Human Resources Manager, in writing at least one month prior to the date of retirement. The Texas Municipal Retirement System (TMRS) application for retirement must be in the TMRS office the day of intended retirement date to lock in the in-service-date.

   - **Retiree Health Coverage.** An employee who retires from City employment and who is entitled to receive retirement benefits from TMRS is entitled to purchase continued health benefits coverage for the retiree and eligible dependents unless the person is eligible for group health benefits coverage through another employer. To receive continued coverage under the plan, the employee must inform the Human Resources Manager before the date of retirement.

     An employee can elect retiree coverage only if covered under the plan at the time of retirement. Similarly, a retiree may elect to cover only those eligible dependents that were covered under the plan at the time the employee retired. A person who was not covered under the plan at the time of the employee's retirement is not eligible for retiree coverage.

3. **Dismissal/Termination**. The City may terminate an employee's employment as a result of unsatisfactory performance or conduct and/or violation of City policies or procedures, including a new hire who fails the probationary period. City employees who are terminated, or who resign in lieu of termination, due to unsatisfactory performance, pending results of an investigation, or conduct and/or violation of City policies or procedures, are not eligible for rehire.

   Dismissal may also occur for the following:

   - **Job Abandonment.** If an employee fails to properly notify the City of an absence from work or if an employee is absent without authorization and/or notification for three (3) or more consecutive days, the City will normally consider the employee to have abandoned employment, and the employee will be terminated.

- **Long-Term Absence.** Leave of absence beyond 180 days may be granted if it is a reasonable accommodation justified by medical necessity.

  - ✓ This policy will be administered consistently with the City's obligations under the Americans with Disabilities Act and the Amendments to the Americans with Disabilities Act.

- **Incapacity**. An employee may be terminated for incapacity when the employee no longer meets the physical or mental requirements of the job with or without accommodations. A termination for incapacity is not considered a disciplinary action. The employee may receive accrued vacation and sick leave benefits if provided by policy, payable upon termination.

- **Reductions-in-Force/Reorganization.** An employee may be separated from City service when it is deemed necessary by reason of shortage of funds or work, the elimination of the position, other material change in the duties of the organization, or for other reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee.

  When reductions in force are necessary, decisions on individual separations will be made after considering:

  - ✓ The relative necessity of each position to the organization,
  - ✓ The performance record of each employee,
  - ✓ Qualifications of the employee for remaining positions with the city, and
  - ✓ The employee's length of service with the city.

  Employees who have been laid off may reapply to the City for another position. Qualified former employees will be given priority consideration in the event of a vacancy.

  When a regular employee who has been employed by the city for 12 continuous months is dismissed as a result of a reduction in force, he or she will be given a minimum of two (2) weeks' written notice and paid in full to the time of discharge including accrued benefits. In addition, the City department director will attempt to guide the employee to any available, suitable job openings in the area for which the employee qualifies.

- **Death.** If a City employee dies, the designated beneficiary or estate will be paid all earned pay and payable benefits.

B. EXIT INTERVIEWS

The City usually provides separating employees with an exit interview prior to their last day of work. The purpose of the exit interview is to finalize all compensation due, return City equipment, provide explanation of any continuing benefits, review employment history, discuss the reason(s) for the separation, and solicit constructive feedback to improve the City. The Human Resources Manager shall complete an Exit Interview Form, and the supervisor also completes a form.

Exit interviews are conducted confidentially by the Human Resources Manager. Information discussed during the exit interview may be shared with the City Manager's office and acted upon as deemed appropriate by the City. The department director (or designee) is responsible for promptly notifying the Human Resources Manager of all separations, arranging for the exit interview, and providing documentation of receipt of all departmental and/or City property from the exiting employee.

SECTION 16. GRIEVANCES

A. POLICY

It is the policy of the city, insofar as possible, to prevent the occurrence of grievances, and to deal promptly with those that occur. No adverse action will be taken against an employee for reason of his or her exercise of the grievance right. The Texas Whistle Blower Act provides that the city may not suspend or terminate the employment of, or otherwise discriminate against, a city employee who reports a violation of law to an appropriate law enforcement authority, if the employee report is made in good faith.

A regular employee may file a grievance on one or more of the following grounds:

- Improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves);
- Unfair treatment;
- Illegal discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin;
- Improper application of fringe benefits; or
- Improper or unsafe working conditions.

The City follows a grievance procedure which ensures the employee due process in the city's consideration of his or her work-related grievances: the right to be represented, the right to mount a defense, and the right to present written response(s) regarding resolution of the grievance. Terminations, which must be approved by the City Manager, are not grievable actions.

B. FINAL AUTHORITY

Grievances can be appealed through the employee's supervisor to the City Manager whose decision is final.

C. PROCEDURE

The following procedures are applicable to regular employees.

1. **Informal Grievances**. The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with his or her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she must file a formal, written grievance.

2. **Formal Grievances**. Formal grievances must be in writing, signed by the employee, and presented to the employee's supervisor within 10 working days after the alleged grievance occurred. A statement of the specific remedial action requested by the employee must be included in the written grievance.

An employee may be represented throughout the grievance process by another City employee of his or her choosing who has not been an employee representative in any other City grievance proceeding within the previous 12-month period.

After being presented with a written and signed grievance, the supervisor will:

- Meet with the employee and such other persons as may be necessary to gather the facts;
- Notify his or her supervisor and department director, who must notify the Human Resources Manager and the City Manager's office immediately upon learning that a grievance has been filed;
- Attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and
- Communicate the decision to the employee in writing within fifteen (15) working days after receipt of the grievance, sending a copy of the proposed resolution to the Human Resources Manager and City Manager, as well as the department head.

Written Appeal. If an employee either receives no written resolution from the supervisor within fifteen (15) working days from the date on which the grievance was filed, or if the employee is not satisfied with the proposed resolution, he or she must file a written appeal with the department director within ten 10 working days after the time period for the receipt of a proposed resolution has elapsed. The department director will review the facts and the file; consult with the Human Resources Manager; meet with the parties involved; attempt to resolve the grievance within five (5) working days after receipt of the grievance appeal; and respond in writing to the employee within ten (10) working days of the date on which the appeal was received in the department director's office, sending a copy to the Human Resources Manager and the City Manager.

Next Level Written Appeal. If the employee either receives no written resolution from the department head within 10 working days from the date on which the appeal was filed with the department head, or if the employee is not satisfied with the department head's proposed resolution of the appeal, the employee must file a written appeal with the City Manager within 10 working days. The City Manager will then review the facts and the file and meet with the parties involved, if deemed appropriate, before responding in writing to the employee within fifteen (15) working days of the date the appeal was received in the City Manager's office. The City Manager's decision is final, except for grievances filed by department heads, who may appeal to the city council if they are alleging discrimination or sexual harassment against them by the City Manager.

3. **Maximum Time Periods**. At each stage of the grievance process, the time periods specified are maximums. Grievances should be dealt with promptly and written responses provided as quickly as possible, preferably within five (5) working days in simple grievance matters.

4. **Documentation**. Copies of all documentation relating to the grievance will be forwarded to the Human Resource Manager immediately upon conclusion of each step in the grievance process and will be placed in the employee's personnel file.

5. **Grievances Relating to Sexual or Other Harassment or Discrimination**. Any employee may file a grievance related to alleged sexual harassment or discrimination on the basis of race, religion, color, sex (including sexual or other harassment), national origin, age, or disability.

   - The initial written grievance may, at the employee's option, be submitted directly to the Human Resources Manager immediately.
   - If the grievant is a City department director alleging discrimination or sexual or other harassment by the City Manager, he or she may file a grievance directly with the Human Resources Manager within 10 working days of the alleged discriminatory act. In such instances, to allow adequate time for proper investigation, the total cumulative time period which would have been allowed at the other steps in the grievance process is available to the appropriate authority before his or her written resolution of the grievance is required to be received by the employee.
   - In all instances of alleged discrimination or sexual or other harassment, the City Attorney will be consulted before a written resolution is provided to the grievant.

6. **Requirement for Appeal if Dissatisfied**. If the employee is dissatisfied with any proposed resolution during the grievance process, he or she must appeal to the next step within the established time period. Failure to appeal implies that the employee is satisfied with the latest resolution.

SECTION 17. TRAVEL EXPENSE / REIMBURSEMENT

A. POLICY

It is the City's policy to pay for, or reimburse, all reasonable and necessary expenses incurred by an employee when the employee travels on City-related business in accordance with this policy.

1. **Transportation.** The most efficient and economical mode of travel must be used. Air travel arrangements are to be made by each department. Air travel must be booked at the most discounted fare basis whenever possible. When authorized, an employee using a personal vehicle on City business shall be paid an amount per mile equivalent to the current IRS rate, or shall be paid the equivalent of a coach airline fare, whichever results in the lower cost to the City. In instances of approved private vehicle use, reimbursement will also be made for mileage tolls and parking fees. Receipts are required for toll and parking fees, as well as for taxi cabs, limos, and other modes of transportation. The City will pay for rental vehicles upon written approval of the City Manager (or designee).

2. **Travel Approval and Cash Advances**. All travel and cash advances must be approved in advance by the employee's department director (or designee), unless otherwise stated in this policy. In addition, any travel out of state must be approved by the City Manager as set out below.

3. **Lodging**. Expenses for lodging are to be at the single room rate, unless an employee is approved in advance for double occupancy. Extra charges for room service will not be paid by the City. An itemized hotel receipt must be provided.

4. **Meal Allowance.** The City shall pay actual necessary food expenses for an employee or City official traveling on City business. Expenses for meals shall either be reimbursed at actual cost as supported by receipts or by per diem allowance. Travelers are expected to make every effort to provide receipts. For in state travel, a per diem allowance of $43.00 per day is authorized based on $8.00 for breakfast, $12.00 for lunch and $23.00 for dinner. For out of state travel, a per diem allowance of $57.00 per day is authorized based on $12.00 for breakfast, $17.00 per lunch and $28.00 per day for dinner. Allowances include taxes and tips and may be reduced by twenty five (25) percent for first and last days of travel.

5. **Internet Expense**. Only reasonable and necessary computer related expenses for City business reasons will be reimbursed.

    - **Non-Allowable Expenses**. Expenses or charges for the following will normally not be reimbursed and must be paid for by the employee:
    - In-hotel pay television and movies
    - Dry cleaning and laundry;
    - Health club and spas;
    - Expenses of a spouse;
    - Alcoholic beverages; and
    - Other items of a personal nature.

6. **Request for Reimbursement and Return of Unexpended Funds**. Upon return to the City, a complete accounting of all expenditures of City funds is to be filed within three (3) working days on the City's Expense Form. Receipts for all expenses, including hotel bills and registration fees, must be attached to the statement. All unexpended advance funds must be returned with the statement. Authorized expenses in excess of advance funds received will be reimbursed with proper approval.

7. **Travel to Training**. The current mileage reimbursement will be paid to employees who must use their personal vehicles to travel to a training destination further than their designated work location or other City locations and/or facilities. Reimbursement will be made for miles driven from the normal work location or employee's home whichever is less. Actual mileage readings must be submitted for reimbursement. Employees will be paid for time traveling to and from training destinations. Travel time will be considered hours worked for the purpose of calculating overtime.

8. **Expenses Not Covered in Policy.** The City Manager's approval must be obtained prior to any expenditure of funds for items or charges which are not specifically addressed in the travel policy.

9. **Exceptions**. Employees who receive monthly automobile allowances are eligible for mileage reimbursements for out of city travel. Employees who travel in a city-owned vehicle will be reimbursed for the documented actual cost of fuel, oil, or other expenses related to the safe operation of the vehicle, which were necessary during the course of the employee's use of the vehicle on official business.

   When two or more employees travel in a single automobile, only one employee will receive per-mile or other automobile reimbursements.

   Conference registration checks will be made payable only to the organization sponsoring the conference.

10. **Compliance**. Abuse of this policy, including falsifying expense reports or submitting false claims, will result in disciplinary action, up to and including termination of employment.

SECTION 18. PERSONNEL RECORDS

A. PERSONNEL FILES

The City of Lago Vista believes it has a duty to protect its employee's right to privacy and therefore adopts the following principles:

1. **Retain Only Needed Information**. The City will request and retain only that information which it has a legitimate need to know for legal or business purposes.

2. **Confidentiality**. The City will protect the confidentiality of all personal information in its files to the extent permitted by the Texas Open Records Act, as amended from time to time. However, information in an employee's personnel file is public information and must be disclosed upon request unless specific items are excluded from disclosure by law.

3. **Employee Right of Access**. Each employee or his/her designated representative has the right of access to his/her personnel file.

4. **Correct Inaccurate Information**. Each employee has the right and responsibility to correct any inaccurate information such as address, phone number, name changes, change in dependents, etc.

5. **Limited Access**. The City will strictly limit accessibility of personnel files to the employee, the employee's designated representative, the employee's immediate supervisor, department director, Finance Department or designee (material is restricted to financial matters), the Human Resources Department, the City Manager, the City Attorney, and any duly sworn officer of the court upon proper subpoena, court order, or written request, except when a request for personnel information is required under the Texas Open Records Act.

6. **Prohibition against Removing Personnel Files**. Personnel files will not be removed from the Human Resources Department and will be reviewed in the presence of the Human Resources Manager or his/her designee.

7. **Limited Reproduction of Materials**. The Human Resources Department will strictly limit reproduction of any material within an employee's personnel file. All requests must be made in person or in writing. Requested material will be reproduced by the Human Resources Manager or designee upon approval of the employee and the Human Resources Manager or his/her designee.

8. **Notification of Requests for Information**. In instances where a request has been made under the Texas Open Records Act for information contained in an employee's personnel file, the employee will be notified in writing that such a request has been made, along with the name of the person making the request.

B. EMPLOYEE INFORMATION

1. **Contents of Employee Personnel Files**. An employee's official personnel file contains all documents related to an employee's employment relationship with the City, except for medical records and I-9 forms. Examples of information contained in employee official personnel files:

   - Initial employment information, including application form, reference checks, interview results, reports, evaluations, and test results.
   - Employee performance appraisals.
   - Letters of commendation or other recognition of performance.
   - Notices of suspension, disciplinary actions, letters of complaint.
   - Attendance records.
   - Notice of termination.
   - Letter of resignation.
   - W-4 Form

2. **Forms I-9 File**. Form I-9, Verification of Eligibility to Work, required for all City employees, documents a person's legal work status in this country. All I-9 forms are filed in a single file that is separated from individual personnel files. *(Legal Reference: U.S. Immigration Reform and Control Act of 1986.)*

3. **Separate Medical File**. An employee's personnel file does **not** contain information regarding an employee's medical record(s), nor does it contain any information relating to drug or alcohol testing. These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established. Only the Human Resources Manager has routine access to employee medical records.

   Federal law requires that the City maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, the City maintains a separate medical file for each employee. The Human Resources Manager maintains these confidential medical files.

   Examples of information that may be provided to the City by an employee or the employee's health care provider, and maintained in the confidential medical file, include:

   - A note to justify an absence;
   - A note to request a leave;
   - A note to verify the employee's ability to return to work;
   - Medical records to support a claim for sick pay or disability benefits;
   - Insurance records;
   - Workers' compensation records; and
   - Medical history records.

Genetic Information. The City does not request genetic information from an applicant, employee, or health care provider. The City discourages health care providers from sending genetic information. Any genetic information inadvertently sent to the City will be returned to the health care provider. *(Legal Reference: Genetic Information Notification Act, GINA.)*

Confidentiality of Medical Information. It is important that employees understand that medical records are confidential but that the confidentiality may be waived when the employee provides medical information to the supervisor or the Human Resources Manager. When an employee provides information to the supervisor, the supervisor is expected to share the information only on an "as needed" basis with other members of management.

Maintaining Confidentiality of Co-Workers' Information. In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of other co-workers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a co-worker's privacy or breach of confidence.

(Legal reference: U.S. Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008.)

C. INFORMATION DISCLOSURE ELECTION

Each employee may choose whether the City discloses the employee's home address and telephone number to the public on request. If a new employee does not request confidentiality within the first fourteen (14) days of employment, the home address and telephone number on file are considered public information, with the exception of police officers, whose addresses and telephone numbers are not public information.

However, employees may change their election for disclosure or confidentiality at any time. A form for designating this information as confidential or public is available from the Human Recourses Manager.

(Legal reference: Public Information Act, V.T.C.A. Government Code, Sec. 552.024.)

D. LEAVE RECORDS

Official records of vacation leave and sick leave accrual and of leave usage are kept for each employee by the Human Resources Manager. Leave records are updated at the end of each biweekly pay period. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. Supervisors must submit a copy of an approved leave request to the payroll office for any paid leave time used by an employee under his or her supervision. The approved leave request forms must be attached to the payroll information sent to the payroll office at the end of each pay period.

SECTION 19. ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I, the undersigned employee of the City of Lago Vista, Texas, hereby acknowledge that I have received a copy of the City of Lago Vista's Personnel Policies and Procedures. I agree to read this Manual carefully within the first week of receipt and to abide by its policies and procedures. If I don't understand any part of the Manual, I will ask my supervisor or a member of Management for assistance.

I understand the City of Lago Vista is an at-will employer and all employees are subject to termination for any reason or no reason at all, either voluntarily or involuntarily.

I understand the City will attempt to apply its policies and regulations in a fair and impartial manner. However, I also understand such policies and regulations do not create any contract or due process rights for employees; and are intended as a guide only for use and application within the City organization; and that a decision by the City Manager or the City Council, as applicable, with respect to any employment issue controlled by such policies and regulations, will be final and unappealable.

_____ _____

Employee Signature *Date*

THIS PAGE IS TO BE DATED, SIGNED AND RETURNED TO THE HUMAN RESOURCES DEPARTMENT UPON RECEIVING A COPY OF THESE POLICIES AND PROCEDURES

City of Lago Vista



Personnel Policies and Procedures

City of Lago Vista
Personnel Policies and Procedures
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SECTION 1. GENERAL POLICIES

A. PURPOSE OF THESE POLICIES

The purpose of these Personnel Policies is to provide a uniform set of guidelines governing employment with the City. The policies contained here inform employees of the benefits and obligations of employment with the City. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors. These policies have also been prepared to provide a high quality of public service to the citizens of this City. These policies do not in any way constitute a contract of employment with the city.

B. AUTHORITY

These policies are established by the City Council, and any deletions, amendments, revisions, or additions of substance to the policies must be approved by the Council. These policies completely replace and supersede any and all personnel policies previously adopted, either individually or as a set of policies, by the City Council. General and final authority for personnel administration rests with the City Manager, with the exception of matters reserved to the City Council by state law or the City Charter.

1. **Management Authority and Amendments**. The City may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time, with or without notice. The issuance of these policies and procedures does not constitute a contract between the City and its employees for any duration of employment. There is no specified length of employment, and either the City or the employee can terminate the employment relationship at any time, for any reason.

   Policy administration rests with City management and City management reserves sole authority to administer City operations. Authority may be delegated to appropriate staff members to act in the City Manager's behalf in the administration of these policies; however, the final authority on personnel decisions shall be reserved to the City Manager. Operational changes to any policy, practice, or process will require approval by the City Manager.

   No City supervisor is authorized to modify these policies for any employee or to enter into any agreement, oral or written, in conflict with these policies.

1. **Departmental Policy and Procedural Requirements**. Individual City departments may develop policies and procedures that are consistent with City policies and procedures. Department policies and procedures that are operational and do not relate to those in this handbook, or other approved operational manuals, do not need to be reviewed and approved by the Human Resources Manager or other appropriate departments. All employment related department policies must be reviewed by the Human Resources Manager, and if necessary, the City Manager. Department directors are responsible for obtaining the necessary review and approval prior to issuing such departmental policies and procedures.

SECTION 16. GRIEVANCES

A. POLICY

It is the policy of the city, insofar as possible, to prevent the occurrence of grievances, and to deal promptly with those that occur. No adverse action will be taken against an employee for reason of his or her exercise of the grievance right. The Texas Whistle Blower Act provides that the city may not suspend or terminate the employment of, or otherwise discriminate against, a city employee who reports a violation of law to an appropriate law enforcement authority, if the employee report is made in good faith.

A regular employee may file a grievance on one or more of the following grounds:

- Improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves);
- Unfair treatment;
- Illegal discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin;
- Improper application of fringe benefits; or
- Improper or unsafe working conditions.

The City follows a grievance procedure which ensures the employee due process in the city's consideration of his or her work-related grievances: the right to be represented, the right to mount a defense, and the right to present written response(s) regarding resolution of the grievance. Terminations, which must be approved by the City Manager, are not grievable actions.

B. FINAL AUTHORITY

Grievances can be appealed through the employee's supervisor to the City Manager whose decision is final.

C. PROCEDURE

The following procedures are applicable to regular employees.

1. **Informal Grievances**. The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with his or her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she must file a formal, written grievance.

2. **Formal Grievances**. Formal grievances must be in writing, signed by the employee, and presented to the employee's supervisor within 10 working days after the alleged grievance occurred. A statement of the specific remedial action requested by the employee must be included in the written grievance.

An employee may be represented throughout the grievance process by another City employee of his or her choosing who has not been an employee representative in any other City grievance proceeding within the previous 12-month period.

After being presented with a written and signed grievance, the supervisor will:

- Meet with the employee and such other persons as may be necessary to gather the facts;
- Notify his or her supervisor and department director, who must notify the Human Resources Manager and the City Manager's office immediately upon learning that a grievance has been filed;
- Attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and
- Communicate the decision to the employee in writing within fifteen (15) working days after receipt of the grievance, sending a copy of the proposed resolution to the Human Resources Manager and City Manager, as well as the department head.

Written Appeal. If an employee either receives no written resolution from the supervisor within fifteen (15) working days from the date on which the grievance was filed, or if the employee is not satisfied with the proposed resolution, he or she must file a written appeal with the department director within ten 10 working days after the time period for the receipt of a proposed resolution has elapsed. The department director will review the facts and the file; consult with the Human Resources Manager; meet with the parties involved; attempt to resolve the grievance within five (5) working days after receipt of the grievance appeal; and respond in writing to the employee within ten (10) working days of the date on which the appeal was received in the department director's office, sending a copy to the Human Resources Manager and the City Manager.

Next Level Written Appeal. If the employee either receives no written resolution from the department head within 10 working days from the date on which the appeal was filed with the department head, or if the employee is not satisfied with the department head's proposed resolution of the appeal, the employee must file a written appeal with the City Manager within 10 working days. The City Manager will then review the facts and the file and meet with the parties involved, if deemed appropriate, before responding in writing to the employee within fifteen (15) working days of the date the appeal was received in the City Manager's office. The City Manager's decision is final, except for grievances filed by department heads, who may appeal to the city council if they are alleging discrimination or sexual harassment against them by the City Manager.

3. **Maximum Time Periods**. At each stage of the grievance process, the time periods specified are maximums. Grievances should be dealt with promptly and written responses provided as quickly as possible, preferably within five (5) working days in simple grievance matters.

4. **Documentation**. Copies of all documentation relating to the grievance will be forwarded to the Human Resource Manager immediately upon conclusion of each step in the grievance process and will be placed in the employee's personnel file.

5. **Grievances Relating to Sexual or Other Harassment or Discrimination**. Any employee may file a grievance related to alleged sexual harassment or discrimination on the basis of race, religion, color, sex (including sexual or other harassment), national origin, age, or disability.

   - The initial written grievance may, at the employee's option, be submitted directly to the Human Resources Manager immediately.
   - If the grievant is a City department director alleging discrimination or sexual or other harassment by the City Manager, he or she may file a grievance directly with the Human Resources Manager within 10 working days of the alleged discriminatory act. In such instances, to allow adequate time for proper investigation, the total cumulative time period which would have been allowed at the other steps in the grievance process is available to the appropriate authority before his or her written resolution of the grievance is required to be received by the employee.
   - In all instances of alleged discrimination or sexual or other harassment, the City Attorney will be consulted before a written resolution is provided to the grievant.

6. **Requirement for Appeal if Dissatisfied**. If the employee is dissatisfied with any proposed resolution during the grievance process, he or she must appeal to the next step within the established time period. Failure to appeal implies that the employee is satisfied with the latest resolution.

SECTION 19. ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I, the undersigned employee of the City of Lago Vista, Texas, hereby acknowledge that I have received a copy of the City of Lago Vista's Personnel Policies and Procedures. I agree to read this Manual carefully within the first week of receipt and to abide by its policies and procedures. If I don't understand any part of the Manual, I will ask my supervisor or a member of Management for assistance.

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_____ _____

Employee Signature *Date*

THIS PAGE IS TO BE DATED, SIGNED AND RETURNED TO THE HUMAN RESOURCES DEPARTMENT UPON RECEIVING A COPY OF THESE POLICIES AND PROCEDURES

Note: This policy addresses the prohibition against discrimination, harassment, and retaliation with respect to compensation, terms, conditions, or privileges of employment. For legally referenced material relating to the prohibition against discrimination in hiring and discharging employees, see DAA(LEGAL).

For provisions related to harassment of students, including the district's response to sexual harassment as defined by Title IX, see FFH.

Unlawful Employment Discrimination

It is an unlawful employment practice for a district to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's:

1. Race, color, or national origin;
2. Religion;
3. Sex;
4. Age;
5. Disability;
6. Genetic information [see DAB]; or
7. Pregnancy.

Federal Law

Section 1981 of the Civil Rights Act of 1866 (Section 1981) — race. *42 U.S.C. 1981*

Title VII of the Civil Rights Act of 1964 (Title VII) — race, color, religion, sex, and national origin. *42 U.S.C. 2000e et seq.*

Age Discrimination in Employment Act of 1967 (ADEA) — age, over 40. *29 U.S.C. 621 et seq.*

Section 504 of the Rehabilitation Act of 1973 (Section 504) — disability in programs receiving federal funds. *29 U.S.C. 794*

Title I of the Americans with Disabilities Act of 1990 (ADA) — disability. *42 U.S.C. 12101 et seq.*

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) — genetic information. *42 U.S.C. 2000ff et seq.*

Pregnant Workers Fairness Act (PWFA) — pregnancy. *42 U.S.C. 2000gg et seq.*

Note: Title VII, the ADA, GINA, and PWFA do not apply to employers unless the employer has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year. *42 U.S.C. 2000e(b); 42 U.S.C. 12111(5); 42 U.S.C. 2000ff(2)(B); 42 U.S.C. 2000gg(2)(B)*

State Law

Texas Commission on Human Rights Act (TCHRA) — race, color, disability, religion, sex, national origin, age, and genetic information. *Labor Code 21.051, .402; 40 TAC 819.12(a)*

State policy on employment of persons with disabilities. *Human Resources Code 121.003(f)*

Prohibition on Retaliation

A district may not discriminate against any employee or applicant for employment because the employee or applicant has opposed any unlawful, discriminatory employment practices or participated in the investigation of any complaint related to an unlawful, discriminatory employment practice. *29 U.S.C. 623(d) (ADEA); 42 U.S.C. 2000e-3(a) (Title VII); 42 U.S.C. 12203 (ADA); Labor Code 21.055; 40 TAC 819.12(e)*

Harassment-Free Workplace

Harassment on the basis of a protected characteristic is a violation of Title VII. A district has an affirmative duty, under Title VII, to maintain a working environment free of harassment on the basis of sex, race, color, religion, and national origin. *42 U.S.C. 2000e, et seq.; 29 C.F.R. 1604.11(a), 1606.8(a)*

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.

29 C.F.R. 1604.11(a), (g); Labor Code 21.141

An employer commits an unlawful employment practice if sexual harassment of an employee occurs and the employer or the employer's agents or supervisors know or should have known that the conduct constituting sexual harassment was occurring; and fail to take immediate and appropriate corrective action. *Labor Code 21.142; 40 TAC 819.12(k)*

Same-Sex Harassment

Same-sex sexual harassment constitutes sexual harassment. *Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)*

Criminal Offense — Official Oppression

A public servant acting under color of the public servant's office or employment commits an offense if the public servant intentionally subjects another to sexual harassment.

A public servant acts under color of the public servant's office or employment if the person acts or purports to act in an official capacity or takes advantage of such actual or purported capacity.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

Penal Code 39.03(a)(3), (b), (c)

Unpaid Interns

A district commits an unlawful employment practice if sexual harassment of an unpaid intern occurs and the district or its agents or supervisors know or should have known that the conduct constituting sexual harassment was occurring, and fail to take immediate and appropriate corrective action. *Labor Code 21.1065*

Prohibition on Use of Public Funds

A district may not use public money to settle or otherwise pay a sexual harassment claim made against a person who is an elected or appointed member of the board or an officer or employee of the district. *Local Gov't Code 180.009*

National Origin Harassment

Ethnic slurs and other verbal or physical conduct relating to an individual's national origin constitute harassment when this conduct:

1. Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

29 C.F.R. 1606.8(b)

Severe and Pervasive

Harassment violates Title VII if it is sufficiently severe and pervasive to alter the conditions of employment. *Pennsylvania State Police v. Suders, 542 U.S. 129 (2004)*

Title VII does not prohibit all verbal and physical harassment in the workplace. For example, harassment between men and women is not automatically unlawful sexual harassment merely because the words used have sexual content or connotations. *Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)*

Prevention

A district should take all steps necessary to prevent unlawful harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate penalties, informing employees of their right to raise and how to raise the issue of harassment under Title VII, and developing methods to sensitize all concerned. *29 C.F.R. 1604.11(f)*

Responsibility for Harassment by Third Parties

A district is responsible for acts of unlawful harassment by fellow employees and by nonemployees if the district, its agents, or its supervisory employees knew or should have known of the conduct, unless the district takes immediate and appropriate corrective action. *29 C.F.R. 1604.11(d), (e), 1606.8(d), (e)*

When no tangible employment action is taken, a district may raise the following affirmative defense:

1. That the district exercised reasonable care to prevent and promptly correct any harassing behavior; and
2. That the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise.

Burlington Indus., Inc. v. Ellerth, 524 U.S. 742 (1998); Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

Racial Discrimination

The prohibition against discrimination because of race or on the basis of race includes discrimination because of or on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race.

A district commits an unlawful employment practice if the district adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

"Protective hairstyle" includes braids, locks, and twists.

Labor Code 21.1095

Religious Discrimination

The prohibition against discrimination on the basis of religion includes all aspects of religious observances and practice, as well as religious belief, unless a district demonstrates that it is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship to the district's business. "Undue hardship" means more than a *de minimus* (minimal) cost. *42 U.S.C. 2000e(j); 29 C.F.R. 1605.2; Labor Code 21.108*

Burden on Free Exercise

A district may not substantially burden an employee's free exercise of religion, unless the burden is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. *Civ. Prac. & Rem. Code 110.003*

Sex Discrimination

Pregnancy

The prohibition against discrimination because of sex includes discrimination on the basis of pregnancy, childbirth, or related medical conditions. A district shall treat women affected by pregnancy, childbirth, or related medical conditions the same as other employees for all employment-related purposes, including receipt of benefits under fringe benefit programs. *42 U.S.C. 2000e(k); 29 C.F.R. 1604.10; Labor Code 21.106*

Gay and Transgender

The prohibition against discrimination because of sex includes discrimination on the basis of an individual being gay or transgender. *Bostock v. Clayton County, Georgia, 140 S. Ct. 1731 (2020)*

Gender Stereotypes

A district may not evaluate employees by assuming or insisting that they match the stereotype associated with their group. *Price Waterhouse v. Hopkins, 490 U.S. 228 (1989)*

Age Discrimination

The prohibition against discrimination on the basis of age applies only to discrimination against an individual 40 years of age or older. *29 U.S.C. 631; Labor Code 21.101*

Bona Fide Employee Benefit Plan

A district may take an employment action on the basis of age pursuant to a bona fide seniority system or a bona fide employee benefit plan. However, a bona fide employee benefit plan shall not excuse the failure to hire any individual and no such benefit plan shall require or permit the involuntary retirement of any individual because of age. *29 U.S.C. 623(f); Labor Code 21.102*

Disability Discrimination

A district may not discriminate against a qualified individual on the basis of disability in job application procedures, hiring, advancement, or discharge of employees, compensation, job training, and other terms, conditions, and privileges of employment. *42 U.S.C. 12112(a); 29 C.F.R. 1630.4(b); Labor Code 21.051*

In addition, each district that receives assistance under the Individuals with Disabilities Education Act (IDEA) must make positive efforts to employ, and advance in employment, qualified individuals

with disabilities in programs assisted by the IDEA. *34 C.F.R. 300.177(b)*

Discrimination Based on Lack of Disability

The ADA and the TCHRA do not provide a basis for a claim that an individual was subject to discrimination because of the individual's lack of disability. *42 U.S.C. 12201(g); 29 C.F.R. 1630.4(b); Labor Code 21.005(c)*

Definition of Disability

"Disability" means:

1. An actual disability: a physical or mental impairment [see definition, below] that substantially limits one or more of an individual's major life activities;

2. A record of having such an impairment; or

3. Being regarded as having such an impairment.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

"Regarded as" Having an Impairment

An individual meets the requirement of being "regarded as" having an impairment if the individual establishes that he or she has been subjected to an action prohibited by the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

Transitory and Minor

The "regarded as" prong of the definition does not apply to impairments that are transitory or minor. A transitory impairment is one with an actual or expected duration of six months or less. The "transitory" exception does not apply to the "actual disability" or "record of disability" prongs of the definition.

Mitigating Measures

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as medication, medical supplies, low-vision devices, prosthetics, hearing aids, mobility devices, oxygen therapy, assistive technology, or learned behavioral or adaptive neurological modifications.

The ameliorative effects of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity. Ordinary eyeglasses and contact lenses are lenses that are intended to fully correct visual acuity or to eliminate refractive error.

42 U.S.C. 12102(1), (3), (4); 29 C.F.R. 1630.2(g), (j)(1); Labor Code 21.002, .0021

Other Definitions

“Physical or mental impairment” means:

Physical or Mental Impairment

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or

2. Any mental or psychological disorder, such as an intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

29 C.F.R. 1630.2(h)

Major Life Activities

“Major life activities” include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.

“Major life activities” also include the operation of major bodily functions, including functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within the body system.

42 U.S.C. 12102(2); 29 C.F.R. 1630.2(i); Labor Code 21.002

Qualified Individual

“Qualified individual” means an individual who:

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires; and

2. With or without reasonable accommodation, can perform the essential functions of such position. Consideration shall be given to a district’s judgment as to what functions of a job are essential. A written job description prepared before advertising or interviewing applicants for the job is evidence of the job’s essential functions.

42 U.S.C. 12111(8); 29 C.F.R. 1630.2(m)

Reasonable Accommodations

A district is required, absent undue hardship, to make a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the “actual disability” or “record of disability” prongs. A district is not required to provide a reasonable ac-

commodation to an individual who meets the definition of disability solely under the "regarded as" prong. *42 U.S.C. 12112(b)(5); 29 C.F.R. 1630.2(o)(4), .9; 29 U.S.C. 794; 34 C.F.R. 104.11; Labor Code 21.128* [See DBB regarding medical examinations and inquiries under the Americans with Disabilities Act]

"Reasonable accommodation" includes:

1. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and

2. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modification of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

42 U.S.C. 12111(9); 29 C.F.R. 1630.2(o); 34 C.F.R. 104.12(b)

"Undue hardship" means an action requiring significant difficulty or expense when considered in light of the nature and cost of the accommodation needed, overall financial resources of the affected facility and the district, and other factors set out in law. *42 U.S.C. 12111(10); 29 C.F.R. 1630.2(p); 34 C.F.R. 104.12(c)*

Discrimination Based on Relationship

A district shall not exclude or deny equal jobs or benefits to, or otherwise discriminate against, a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a family, business, social, or other relationship or association. *42 U.S.C. 12112(b)(4); 29 C.F.R. 1630.8; 34 C.F.R. 104.11*

Illegal Drugs and Alcohol

The term "qualified individual with a disability" does not include any employee or applicant who is currently engaging in the illegal use of drugs, when a district acts on the basis of such use.

Drug Testing

A district is not prohibited from conducting drug testing of employees and applicants for the illegal use of drugs or making employment decisions based on the results of such tests.

42 U.S.C. 12114(c), (d); Labor Code 21.002(6)(A) [See DHE]

Alcohol Use

The term "qualified individual with a disability" does not include an individual who is an alcoholic and whose current use of alcohol prevents the employee from performing the duties of his or her job or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others. *42 U.S.C. 12114(a); 29 U.S.C. 705(20)(C); 29 C.F.R. 1630.3(a); 28 C.F.R. 35.104; Labor Code 21.002(6)(A)*

Qualification Standards

It is unlawful for a district to use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test, or other selection criteria, as used by the district, is shown to be job related for the position in question and is consistent with business necessity. *29 C.F.R. 1630.10(a)*

Direct Threat to Health or Safety

As a qualification standard, a district may require that an individual not pose a direct threat to the health or safety of other individuals in the workplace. "Direct threat" means a significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation. *42 U.S.C. 12111(3); 29 C.F.R. 1630.2(r); Labor Code 21.002(6)(B)*

Vision Standards and Tests

A district shall not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the district, is shown to be job-related for the position in question and consistent with business necessity. *42 U.S.C. 12113(c); 29 C.F.R. 1630.10(b); Labor Code 21.115(b)*

Communicable Diseases

A district may refuse to assign or continue to assign an individual to a job involving food handling if the individual has an infectious or communicable disease that is transmitted to others through handling of food. *42 U.S.C. 12113(e); 29 U.S.C. 705(20)(D); 29 C.F.R. 1630.16(e); Labor Code 21.002(6)(B)*

Service Animals

A district that is subject to the jurisdiction of Title I of the ADA (employment discrimination) or to Section 504 of the Rehabilitation Act (employment discrimination) shall comply with the reasonable accommodation requirements of those laws with respect to service animals. [See Reasonable Accommodations, above]

A district that is not subject to either Title I or Section 504 shall comply with Title II of the ADA (discrimination by public entity). An employer that is subject to Title II shall comply with 28 C.F.R. Part 35, including the requirements relating to service animals at 28 C.F.R. 35.136 [see FBA].

28 C.F.R. 35.140

Pregnant Workers Fairness

It is an unlawful employment practice for a district to:

1. Not make reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of a qualified employee, unless the district can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the district;

2. Require a qualified employee affected by pregnancy, childbirth, or related medical conditions to accept an accommodation other than any reasonable accommodation arrived at through the interactive process in the Americans with Disabilities Act (ADA);

3. Deny employment opportunities to a qualified employee if the denial is based on the need of the district to make reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of the qualified employee;

4. Require a qualified employee to take leave, whether paid or unpaid, if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions of the qualified employee; or

5. Take adverse action in terms, conditions, or privileges of employment against a qualified employee on account of the employee requesting or using a reasonable accommodation to the known limitations related to the pregnancy, childbirth, or related medical conditions of the employee.

42 U.S.C. 2000gg-1

Definitions

“Known limitation” means physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the employee or employee’s representative has communicated to the district whether or not such condition meets the definition of disability specified in the ADA (42 U.S.C. 12102).

“Qualified employee” means an employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the employment position, except that an employee or applicant shall be considered qualified if:

1. Any inability to perform an essential function is for a temporary period;

2. The essential function could be performed in the near future; and

3. The inability to perform the essential function can be reasonably accommodated.

“Reasonable accommodation” and “undue hardship” have the meanings given in the ADA and are construed as those terms are construed under the ADA and regulations, including with regard to

the interactive process that will be used to determine an appropriate reasonable accommodation.

42 U.S.C. 2000gg

Title IX

No person, on the basis of sex, shall be excluded from participation in, denied the benefits of, or be subjected to discrimination by a district receiving federal financial assistance. *20 U.S.C. 1681* [See FB, FFH]

Equal Pay

A district may not pay an employee at a rate less than the rate the district pays employees of the opposite sex for equal work on jobs the performance of which require equal skill, effort, or responsibility and which are performed under similar working conditions. This rule does not apply if the payment is pursuant to a seniority system, a merit system, a system that measures earnings by quantity or quality of production, or a differential based on any other factor other than sex. *29 U.S.C. 206(d) (Equal Pay Act); 34 C.F.R. 106.54 (Title IX)*

Grievance Procedures

Section 504

A district that receives federal financial assistance and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act. *34 C.F.R. 104.7(b), .11*

ADA

A district that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA. *28 C.F.R. 35.107, .140*

Title IX

A district that receives federal financial assistance shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX. *34 C.F.R. 106.8(c); North Haven Board of Education v. Bell, 456 U.S. 512 (1982)* [For legally referenced material relating to Title IX grievance procedures, see FFH(LEGAL).]

Compliance Coordinators

Section 504

A district that employs 15 or more persons shall designate at least one person to coordinate its efforts to comply with Section 504 of the Rehabilitation Act. The district's Section 504 notification [see DAA] shall also identify the responsible employee so designated. *34 C.F.R. 104.7(a), .8(a)*

ADA

A district that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the ADA, including any investigation of any complaint communicated to it alleging its noncompliance with the ADA or alleging any actions that would be prohibited by the

	ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee or employees so designated. *28 C.F.R. 35.107(a)*
ADEA	A district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the Age Discrimination in Employment Act (ADEA), including investigation of any complaints that the district receives alleging any actions that are prohibited by the ADEA. A district shall notify its employees of the identity of the responsible employee by name or title, address, and telephone number. *34 C.F.R. 110.25(a), (b)*
Title IX	A district must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, which employee must be referred to as the "Title IX Coordinator." The district must notify applicants for admission and employment, students, parents or legal guardians, employees, and all professional organizations holding professional agreements with the district of the name or title, office address, electronic mail address, and telephone number of the employee(s) so designated. *34 C.F.R. 106.8(a)*

Note: This policy addresses discrimination, harassment, and retaliation against District employees. For Title IX and other provisions regarding discrimination, harassment, and retaliation against students, see FFH. For reporting requirements related to child abuse and neglect, see FFG.

Definitions

Solely for purposes of this policy, the term "employee" includes former employees, applicants for employment, and unpaid interns.

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Workplace Bullying

The District considers workplace bullying to be unacceptable and shall not be tolerated under any circumstances.

Workplace bullying is defined as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs in the workplace that:

1. Has the effect or will have the effect of physically or emotionally harming another employee, damaging the employee's property, or placing the employee in reasonable fear of harm to the employee's person or of damage to the employee's property; or
2. Is so sufficiently severe, persistent, and pervasive that the action or threat creates an intimidating, threatening, or abusive work environment for the employee, if the conduct:
    a. Exploits an imbalance of power between the employee perpetrator and the employee victim through a written or verbal expression or physical conduct; and
    b. Interferes with the victim's employment or substantially disrupts the operation of the work location.

Workplace bullying does not include the legitimate exercise of employee management, including task assignment, employee coaching, and work-related employee discipline.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Prohibited Harassment

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, sex, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, gender identity, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Sex-Based Harassment

As required by law, the District shall follow the procedures below at Response to Sexual Harassment—Title IX upon a report of sex-based harassment, including sexual harassment, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. [See FFH(LEGAL)]

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission

to or rejection of the conduct is the basis for an employment action affecting the employee; or

2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Examples

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communication, including electronic communication.

Reporting Procedures

Any employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.

Alternatively, the employee may report the alleged acts to one of the District officials below.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

Title IX Coordinator

Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]

ADA / Section 504 Coordinator

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures

An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice of Report

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

Any District employee who receives a report of prohibited conduct based on sex, including sexual harassment, shall immediately notify the Title IX coordinator.

Investigation of Reports Other Than Title IX

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, see the procedures below at Response to Sexual Harassment—Title IX.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

Interim Action

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

District Investigation

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal or supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Response to Sexual Harassment—Title IX

For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

General Response

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and administrative procedures.

Title IX Formal Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;

11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and

12. Other local procedures as determined by the Superintendent.

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or otherwise participates or refuses to participate in an investigation.

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records retention schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

Access to Policy and Procedures

Information regarding this policy and any accompanying procedures shall be distributed annually to District employees. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

United States Constitution

A district shall take no action abridging the freedom of speech or the right of the people to petition the board for redress of grievances. *U.S. Const. Amend. I, XIV*

A board may confine its meetings to specified subject matter and may hold nonpublic sessions to transact business. But when a board sits in public meetings to conduct public business and hear the views of citizens, it may not discriminate between speakers on the basis of the content of their speech or the message it conveys. *Rosenberger v. Rector & Visitors of Univ. of Virginia, 515 U.S. 819, 828 (1995); City of Madison v. Wis. Emp. Rel. Comm'n, 429 U.S. 167, 174 (1976); Pickering v. Bd. of Educ., 391 U.S. 563, 568 (1968)* [See DG]

Texas Constitution

Employees shall have the right, in a peaceable manner, to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance. *Tex. Const. Art. I, Sec. 27*

There is no requirement that a board negotiate or even respond to complaints. However, a board must stop, look, and listen and must consider the petition, address, or remonstrance. *Prof'l Ass'n of College Educators v. El Paso County Cmty. [College] District, 678 S.W.2d 94 (Tex. App.—El Paso 1984, writ ref'd n.r.e.)*

Federal Laws

Section 504

A district that receives federal financial assistance, directly or indirectly, and that employs 15 or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. *34 C.F.R. 104.7(b), .11*

Americans with Disabilities Act

A district that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Code of Federal Regulations, Title 28, Part 35 (Americans with Disabilities Act regulations). *28 C.F.R. 35.107, .140*

Title IX

A district that receives federal financial assistance, directly or indirectly, shall adopt and publish grievance procedures providing for prompt and equitable resolution of employee complaints alleging any action prohibited by Title IX of the Education Amendments of 1972. *34 C.F.R. 106.8(c); North Haven Bd. of Educ. v. Bell, 456 U.S. 512 (1982)* [For legally referenced material relating to Title IX grievance procedures, see FFH(LEGAL).]

State Laws

Wages, Hours, Conditions of Work

The prohibition against collective bargaining and strikes [see DGA] does not impair the right of employees to present grievances concerning their wages, hours of employment, or conditions of work, either individually or through a representative that does not claim the right to strike. *Gov't Code 617.005*

The term "conditions of work" should be construed broadly to include any area of wages, hours or conditions of employment, and any other matter that is appropriate for communications from employees to employer concerning an aspect of their relationship. *Atty. Gen. Op. JM-177 (1984); Corpus Christi Am. Fed'n of Teachers v. Corpus Christi Indep. Sch. Dist., 572 S.W.2d 663 (Tex. 1978)*

The statute protects grievances presented individually or individual grievances presented collectively. *Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.)*

Representative

A district cannot deny an employee's representative, including an attorney, the right to represent the employee at any stage of the grievance procedure, so long as the employee designates the representative and the representative does not claim the right to strike. *Lubbock Prof'l Firefighters v. City of Lubbock, 742 S.W.2d 413 (Tex. App.—Amarillo 1987, writ ref'd n.r.e.); Sayre v. Mullins, 681 S.W.2d 25 (Tex. 1984)*

A district should meet with employees or their designated representatives at reasonable times and places to hear grievances concerning wages, hours of work, and conditions of work. The right to present grievances is satisfied if employees have access to those in a position of authority to air their grievances. However, that authority is under no legal compulsion to take action to rectify the matter. *Atty. Gen. Op. H-422 (1974); Corpus Christi Indep. Sch. Dist. v. Padilla, 709 S.W.2d 700 (Tex. App.—Corpus Christi, 1986, no writ)*

Employment Policy

A district's employment policy must provide each employee with the right to present grievances to the board.



The policy may not restrict the ability of an employee to communicate directly with a member of the board regarding a matter relating to the operation of a district, except that the policy may prohibit ex parte communication relating to:

1. A hearing under Education Code Chapter 21, Subchapter E (Term Contracts) or F (Hearing Examiners); and

2. Another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by the board.

Education Code 11.1513

Grievance Policy

A district's grievance policy must permit an employee to report a grievance against a supervisor to a different supervisor if the employee alleges that the supervisor:

1. Violated the law in the workplace; or

2. Unlawfully harassed the employee.

Telephone Representation

If a district's grievance policy provides for representation, the policy must permit an employee's representative to represent the employee through a telephone conference call at any formal grievance proceeding, hearing, or conference at which the employee is entitled to representation according to the policy. This provision applies to grievances under Education Code 11.171(a) and only if the district has the equipment necessary for a telephone conference call.

Education Code 11.171(a), (c)

Audio Recording

A district's grievance policy must permit an employee who reports a grievance to make an audio recording of any meeting or proceeding at which the substance of a grievance that complies with the policy is investigated or discussed. The implementation of an employee's authorization to make an audio recording may not result in a delay of any timeline provided by the grievance policy. A district is not required to provide equipment for the employee to make the recording. *Education Code 11.171(b)*

Finality of Grades

An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with a district's grading policy applicable to the grade, as determined by the board.

A board's determination is not subject to appeal.

Education Code 28.0214

Open Meetings Act

A board is not required to conduct an open meeting to hear a complaint or charge against an employee. However, a board may not conduct a closed meeting if the employee who is the subject of the hearing requests a public hearing. *Gov't Code 551.074* [See BEC]

Closed Meeting

A board may conduct a closed meeting on an employee complaint to the extent required or provided by law. *Gov't Code 551.082* [See BEC]

Record of Proceedings

An appeal of a board's decision to the commissioner shall be decided based on a review of the record developed at the district level. "Record" includes, at a minimum, an audible electronic recording or written transcript of all oral testimony or argument. *Education Code 7.057(c), (f)*

It is a district's responsibility to make and preserve the records of the proceedings before the board. If a district fails to create and preserve the record without good cause, all substantial evidence issues that require missing portions of the record for resolution shall be deemed against the district. The record shall include:

1. A tape recording or a transcript of the hearing at the local level. If a tape recording is used:
   a. The tape recording must be complete, audible, and clear; and
   b. Each speaker must be clearly identified.
2. All evidence admitted;
3. All offers of proof;
4. All written pleadings, motions, and intermediate rulings;
5. A description of matters officially noticed;
6. If applicable, the decision of the hearing examiner;
7. A tape recording or transcript of the oral argument before the board; and
8. The decision of the board.

19 TAC 157.1073(d)

Whistleblower Complaints

Before bringing suit, an employee who seeks relief under Government Code Chapter 554 (whistleblowers) must initiate action under a district's grievance or appeal procedures relating to suspension or termination of employment or adverse personnel action. *Gov't Code 554.006* [See DG]

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The District shall inform employees of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

When an employee initiates the informal resolution provisions of this policy, the supervisor, principal, or appropriate administrator shall make reasonable attempts to schedule a conference with the employee and attempt to resolve the employee’s concern within 15 days of the initial complaint. If a resolution is not reached

informally, the employee's deadline to file the formal grievance process shall be extended five days from the date of the conference held with the immediate supervisor, principal, or appropriate administrator, when applicable.

Direct Communication with Board Members

Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.



Formal Process

An employee may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall retaliate against an employee for bringing a concern or complaint.

Whistleblower Complaints

Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Timelines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]

Complaints against Supervisors

Complaints alleging a violation of law by a supervisor may be made to the director of employee relations. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.



General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling Conferences	The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.
Response	At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Days	"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
Representative	"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process. The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process. If the District chooses to be represented by its counsel, it shall notify the employee at least three days before a scheduled interview or hearing, or the employee may reschedule the interview or hearing in order to include the employee's representative, if desired.
Consolidating Complaints	Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint. When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.
Untimely Filings	All time limits shall be strictly followed unless modified by mutual written consent. If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any

point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

The District shall expeditiously accommodate the employee's requests for information subject to the Texas Public Information Act so that documents may be timely received, or the District shall agree to a continuation of the timelines so that documents may be received and used by the employee.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

Employees shall file Level One complaints with the employee relations office in the department of human resources.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

All Level One complaints shall be heard within ten days of the date the employee filed the complaint. A response shall be provided to the employee in writing within ten days of the Level One hearing.

The employee has the option to present the grievance at Level Two if the highest level campus or department administrator is the respondent to the grievance. In this situation, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the employee relations office, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the employee relations office in the department of human resources.

The director of employee relations shall investigate as necessary and schedule a conference with the employee and hearing officer within ten days after receipt of the written complaint. The director of employee relations may set reasonable time limits for the conference.

The hearing officer, hereafter referred to as the “administrator”, shall provide the employee a written response within ten days following the conference, except in extenuating circumstances. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may submit an appeal in writing to the director of employee relations.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the director of employee relations who shall forward the material to the next level administrator who has jurisdiction over the employee’s area of employment (director, executive director, or assistant superintendent). The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The administrator with jurisdiction shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The administrator with jurisdiction may set reasonable time limits for the conference.

The administrator with jurisdiction shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator with jurisdiction may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the administrator with jurisdiction believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

The administrative response shall be communicated in writing to the employee and the director of employee relations within ten days after the scheduled conference.

Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to a designated hearing officer, who shall, in turn, make a written recommendation for disposition to the Board. Hearing officers may be District employees who were not involved in the subject matter of the grievance or the grievance process, or they may be persons not employed by the District.

The Level Three appeal notice must be filed in writing to the director of employee relations, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.

The director of employee relations shall inform the employee of the date, time, and place of the scheduled hearing.

The director of employee relations shall provide the hearing officer the record of the Level Two complaint in advance of any hearing. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

The form of presentation of the grievance shall be determined by the designated hearing officer, and all proceedings before the hearing officer shall be recorded by audiotape. Generally, no witnesses shall be presented and no cross examination of witnesses shall occur, unless due process so requires. In each case, the grievant shall be permitted to make a presentation to the designated hearing officer within the time allotted and shall be able to offer such written evidence as the Board or its designated hearing officer may deem relevant. The administration shall, in turn, be entitled to respond to the grievant with its own presentation and written evidence.

The designated hearing officer is not required to consider documentation not previously submitted or issues not previously presented.

Appeal of Hearing Officer Decision

If the employee desires to appeal the designated hearing officer's decision to the Board, the employee shall notify the director of employee relations within ten days of receipt of the hearing officer's recommendation. The Board shall review the hearing officer's written recommendation at its first regular meeting following receipt of the notice requesting Board review to the director of employee relations. The employee and the administration shall be given an opportunity to provide a written response to the Board. The Board shall allow oral presentations. The Board shall then make and communicate its decision at any time up to and including the next regularly scheduled Board meeting. The Board may decide to accept, reject, or modify the recommendation of the hearing officer.

For an oral presentation, the presiding officer may set reasonable time limits and guidelines for the presentation including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The employee and the administration shall be limited to ten minutes each. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the employee or the employee's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

If at any time, in the opinion of the Superintendent, decisions on grievances appear to conflict with other decisions on grievances, law or regulations, or District policy, the Superintendent may direct that the conflicting decisions be reconsidered or may be the subject of additional consideration by the Superintendent. In the event of such a determination by the Superintendent, the Superintendent shall direct the procedure and timelines for resolving the conflict. The Superintendent may also choose to refer conflicts to the Board or to the hearing officer for reconsideration.

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

Informal Conference - DGBA

Name of Complainant _____ Telephone _____ Date _____

Date of Incident _____ Date Reported _____

Nature of Complaint: _____

_____

_____

_____

_____

Who is the complaint against: _____

Administrative Recommendation or Action: _____

_____

_____

_____

Complainant's Name (Print) _____ Complainant's Signature _____ Date _____

Respondent's Name (Print) _____ Respondent's Signature _____ Date _____

Administrator's Name (Print) _____ Administrator's Signature _____ Date _____

Socorro Independent School District does not discriminate on the basis of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law in its employment practices or in providing education services, activities, and programs, including career and technical education (vocational programs). For additional information regarding Socorro Independent School District's policy of nondiscrimination contact the Chief Human Resources Officer at (915) 937-0201, 12440 Rojas Dr., El Paso, TX 79928.

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

DGBA Employee Level I

To file a formal complaint, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the appropriate administrator within the time established in DGBA (Local). All complaints will be heard in accordance with DGBA (Legal) and DGBA (Local) or any exceptions outlined therein.

_____ _____

Name of Complainant Telephone

_____

Street City State Zip

_____ _____

Position Campus/Department

I. If you will be represented in voicing your complaint, please identify the person representing you. **Grievant's representative must be contacted for hearing.**

_____ _____

Name of Representative Telephone

_____

Street City State Zip

II. Please describe the decision or circumstances causing your complaint (give specific factual details).

_____

_____

If voicing complaint, who is the complaint against: _____

III. What was the date of the decision or circumstances causing your complaint? _____

IV. Please explain how you have been harmed by this decision or circumstance:

_____

V. Please describe any efforts you have made to resolve your complaint informally and the responses to your efforts.

_____

_____

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SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

DGBA Employee Level I

With whom did you communicate? _____ Date:_____

VI. Please describe the outcome or remedy you seek for the complaint:

_____

_____

_____ _____

Employee Signature Signature of Employee's Representative

_____

Date of Filing

Complainant, Please Note:

A complaint form that is incomplete in any way may be dismissed, but may be refiled with all the required information if the re-filing is within the designated time for filing a complaint.

Attach to this form any documents you believe will support the complaint; If unavailable when you submit this form, they may be represented no later than the Level I conference. Please keep a copy of the completed form and any supporting documentation for your records.

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Revised 9/24/2018

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

Appeal of Level I Decision

To appeal a Level I decision, or the lack of a timely response after a Level I conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (Local). Appeals will be heard in accordance with DGBA (Legal) and DGBA (Local) or any exceptions outlined therein.

Name of Complaint _____ Telephone _____

Street _____ City _____ State _____ Zip _____

Position _____ Campus/Department _____

I. If you will be represented in voicing your complaint, please identify the person representing you.
Grievant's representative must be contacted for hearing.

Name of Representative _____ Telephone _____

Street _____ City _____ State _____ Zip _____

II. To whom did you present your complaint at **Level I**? _____

Date of Conference: _____

Date you received a response to **Level I** conference: _____

Please explain specifically how you disagree with the outcome to **Level I**: _____

PLEASE NOTE

Attach a copy of your original complaint and any documentation submitted at **Level I**.
Attach a copy of the **Level I** response being appealed, if applicable.

Employee Signature _____ Signature of Employee's Representative _____

Date of Filing _____

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Revised 9/14/2018

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

Appeal of Level II Decision

To appeal a Level II decision, or the lack of a timely response after a Level I conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (Local). Appeals will be heard in accordance with DGBA (Legal) and DGBA (Local) or any exceptions outlined therein.

Name of Complaint _____ Telephone _____

Street _____ City _____ State _____ Zip _____

Position _____ Campus/Department _____

I. If you will be represented in voicing your complaint, please identify the person representing you.
Grievant's representative must be contacted for hearing.

Name of Representative _____ Telephone _____

Street _____ City _____ State _____ Zip _____

II. To whom did you present your complaint at **Level II**? _____

Date of Conference: _____

Date you received a response to **Level II** conference: _____

Please explain specifically how you disagree with the outcome to **Level II**: _____

PLEASE NOTE

Attach a copy of your original complaint and any documentation submitted at **Level II**.
Attach a copy of the **Level II** response being appealed, if applicable.

Employee Signature _____ Signature of Employee's Representative _____

Date of Filing _____

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Revised 9/24/2018

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

Appeal of Level III Decision

To appeal a Level III decision, or the lack of a timely response after a Level I conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (Local). Appeals will be heard in accordance with DGBA (Legal) and DGBA (Local) or any exceptions outlined therein.

Name of Complaint _____ Telephone _____

Street _____ City _____ State _____ Zip _____

Position _____ Campus/Department _____

I. If you will be represented in voicing your complaint, please identify the person representing you.
Grievant's representative must be contacted for hearing.

Name of Representative _____ Telephone _____

Street _____ City _____ State _____ Zip _____

II. To whom did you present your complaint at **Level III**? _____

Date of Conference: _____

Date you received a response to **Level III** conference: _____

Please explain specifically how you disagree with the outcome to **Level III**: _____

PLEASE NOTE

Attach a copy of your original complaint and any documentation submitted at **Level III**.
Attach a copy of the **Level III** response being appealed, if applicable.

Employee Signature _____ Signature of Employee's Representative _____

Date of Filing _____

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Revised 8/1/2014

SOCORRO INDEPENDENT SCHOOL DISTRICT

Personnel Management Relations Employee Complaints/Grievances

Timeline Waiver DGBA employee

As stated in Policy DGBA Local, when an employee files a grievance, all time limits shall be strictly followed unless both parties agree to modify the time lines. This Waiver constitutes a written agreement to modify the complaint/grievance time line. Please review Policy DGBA prior to completing this form.

FAILURE TO OBSERVE POLICY DGBA TIME LINES WITHOUT A WRITTEN WAIVER WILL RESULT IN A VOLUNTARY WAIVER OF THE GRIEVANCE.

Please refer any questions regarding the complaint/grievance process to the Employee Relations Department.

Employee Name: _____ Campus/Facility: _____

Position Held: _____ Date of Alleged Incident: _____

Employee against whom grievance is lodged: _____

Work Telephone: _____ Home: _____ Cell: _____

Date Level 1 Grievance Filed: _____

Please select one of the following waiver arrangements.

All grievance level time lines are being waived. The reason(s) for the waiver is (are) as follows:

_____

_____

The parties agree to the following modified grievance schedule:

Original Deadline for Level I Grievance Conference pursuant to Policy DGBA: _____
Agreed Extended Level I Grievance Conference Deadline: _____

Original Deadline for Level II Grievance Conference pursuant to Policy DGBA: _____
Agreed Extended Level II Grievance Conference Deadline: _____

Original Deadline for Level III Grievance Conference pursuant to Policy DGBA: _____
Agreed Extended Level III Grievance Conference Deadline: _____

Reason(s) for Agreed Conference Deadline Extensions:

_____

_____

_____

_____

Employee Signature School District Date

_____

Employee Relations Representative Date

_____

Respondent Signature Date

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AGENDA ITEM NO. 14

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Councilor Roberts, City Council

SUBJECT: Discussion, consideration, and possible action regarding Fourth of July celebrations.

BACKGROUND: Fourth of July celebrations are an integral part of Lago Vista's community spirit, fostering patriotism and engagement among residents. These celebrations have always been organized by citizen volunteers, and funded by grants, sponsorship, and private donations. Recent discussions with citizen volunteers have highlighted concerns regarding the financial sustainability and organizational capacity for hosting these events in the upcoming years. The need for additional funding and support to ensure the success of Fourth of July celebrations has become evident, prompting the need for council consideration.

FINDINGS: Proposal:

1. Discussion: Facilitate a comprehensive discussion among council members, city officials, and community stakeholders regarding the current state of Fourth of July celebrations, challenges faced, and potential solutions to ensure their continuity and success.

2. Funding Allocation: Explore the possibility of allocating additional funds for Fourth of July festivities, including but not limited to a supplemental grant request or budget amendment. Consideration should be given to the amount needed to cover essential components such as fireworks, parade logistics, and any associated operational expenses.

3. Staff Assistance and Event Coordination: Evaluate the feasibility of city staff assistance in planning and executing Fourth of July celebrations. Discuss the potential utilization of third-party event coordinators or the establishment of a quasi-city entity to manage future festivities effectively.

Outcome:

The outcome of this agenda item will be determined based on the deliberations and decisions made during the council meeting. Potential outcomes may include:

- Authorization of a budget amendment or supplemental grant request to allocate funds for Fourth of July celebrations.
- Direction to city staff to explore options for assisting in event planning and execution, including the potential involvement of third-party coordinators.
- Further exploration of alternative funding sources or organizational models to ensure the sustainability of Fourth of July celebrations in Lago Vista.

Conclusion:

Fourth of July celebrations serve as a cornerstone of community identity and pride in Lago Vista. By engaging in proactive discussions and considering innovative solutions, the City Council aims to uphold this tradition and ensure memorable and enjoyable festivities for residents and visitors alike.

FINANCIAL IMPACT: N/A

ATTACHMENTS:
Email from Emillee Samples_Redacted.pdf

From: Emilee Samples <emileesamples@gmail.com>

Sent: Wednesday, April 10, 2024 9:25 AM

To: Kevin Sullivan <Mayor@lagovistatexas.gov>

Cc: Christina Lucero <christinalucero@gmail.com>; Shane Saum <CouncilPlace1@lagovistatexas.gov>; Tracie Hlavinka <Tracie.Hlavinka@lagovistatexas.gov>; ajohndrow@gmail.com; EDC Norma Owen <normaowen@gmail.com>; Paul Roberts <CouncilPlace5@lagovistatexas.gov>

Subject: Re: 2024 Grant | Agenda Item Coversheet - Fourth of July Celebrations Discussion and Funding Allocation

Good morning, Kevin,

My sincerest apologies for not having the time to put this together sooner.

Christina did ask for the $20k from the city, but then the next day, we received notice that we failed to get the funding amount we requested from the LV Women's Club (requested $2500, only awarded $500). Since March of 2023, we have made it no secret during the Presidents' Council quarterly meetings (which always include representatives from the City of Lago Vista, City of Jonestown, Point Venture, Northshore Chamber, LVPOA, Women's Club, etc.) that the all-volunteer 4th of July Council was in a bind to make the Independence Day celebrations as grand as they had been in '21 and '22. We did not have enough volunteer LEADERSHIP with the experience or motivation to take on the effort of both planning, organizing, and executing all the 3 events in full.

In 2022, I (Emilee) tried hard to build out the volunteer ranks. We had almost 20 volunteers, all women and primarily mothers with school-aged children, mind you, that could be considered "4th of July Council" members that I had to coordinate with constantly to train and facilitate their "help" with planning and organization of the events. Out of that 20, only 6 returned to help for 2023. Only 2 of those 6 (Christina and I) were officers. It is not sustainable to retrain volunteer planners/organizers every year when you are already starting with such low membership. It is not sustainable to have volunteers who cannot dedicate time or effort until May once the school year is wrapping up. By then it is too late. It is not sustainable to pay out of pocket for childcare for our children so we have time to "work" this unpaid, volunteer position. These are just some of the challenges we continue to face.

On a personal note, [redacted] I was out of town for several days. We find ourselves in the quandary of family obligations taking any "free" time we may have devoted to planning even a slimmed down version of 4th of July celebrations, which is where we had settled due to our lack of time to fundraise or train new volunteers anyway. We were only envisioning the fireworks show (not a full-blown festival) and the parade.

Last year we spent $45k on the events - we do not have the time to fundraise an additional $24,500. While this amount may be slimmed down further, prices have continued to go up for rental of potties/dumpsters, security, parking attendants, supplies, etc.

Technically, I have already "retired" as president of the 4th of July Council with the hope of passing the position on to Christina for this one year, but I cannot do to Christina that which was done to me. There is much history going back to 2016 (and further, I'm sure) about the lack of willingness by the City or other established organizations to officially take on these efforts. It was around that time that Ann Murrow, the founder, tried to disband the non-profit 4th of July Council. I can absolutely guess at the reasons, though I do not want to speak on her behalf.

We have already paid the $15k/50% deposit for the fireworks. Barb with the Women's Club has expressed willingness to help with the parade; however, to what extent remains unclear.

Our hope is to figure out a transition plan to disband the 4th of July Council non-profit, as Mrs. Murrow tried to do years ago, and find a way for this effort to be taken on by any of the more established organizations in this town or some combination thereof. Frankly, if the City and Women's Club would rather hold on to the donation checks and use that money toward 4th of July celebrations directly, it doesn't matter to us.

We are grateful to Councilors Paul Roberts and Shane Saum for hearing our pleas for help and logic after all this time.

Thank you all,

Emilee Samples and Christina Lucero

AGENDA ITEM NO. 15

Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: April 18, 2024

SUBMITTED BY: Mayor Sullivan, City Council

SUBJECT: Discussion, consideration, and possible action regarding engaging an outside consultant to conduct a Water/Wastewater Utility Rate Study.

BACKGROUND: Since 2015, the City of Lago Vista has engaged in utility rate studies, collaborating with Nelisa Heddin from Heddin Consulting to conduct Water/Wastewater Utility Rate Studies. In previous instances, the City Council has established a sub-committee tasked with assisting the consultant in data collection and analysis. This comprehensive approach evaluates Lago Vista's utilities, proposed rates, bonds, and utility finances, aiming to adjust rates to ensure financial sustainability while meeting the needs of our citizens.

FINDINGS: The City Council will discuss the prospect of initiating a new utility rate study and forming a sub-committee to collaborate with a consultant. This discussion aims to evaluate the necessity and feasibility of conducting a comprehensive assessment of utility rates and finances, with the potential goal of ensuring the effective management and sustainability of the city's utilities.

FINANCIAL IMPACT: The financial impact will be determined if City Council desires to move forward with a new Water/Wastewater Utility Rate Study.