

NOTICE OF STATED MEETING OF THE MEADOWLAKES CITY COUNCIL

Notice is hereby given that a **STATED COUNCIL MEETING** of the Meadowlakes City Council will be held on Tuesday, the 13th of March, 2012 at **5:00 PM** at Meadowlakes City Hall, 177 Broadmoor, Totten Hall, Meadowlakes, Texas, at which time the following subjects will be discussed, to wit:

- I. CALL TO ORDER AND QUORUM DETERMINATION
- II. PLEDGE OF ALLEGIANCE AND PRAYER
- III. MONTHLY STANDARD LIVE REPORTS (*Progress & Status Reports Only - Recommendations or action discussions not allowed*)
 - City Manager Activity Report - Johnnie Thompson
 - Consent Items as listed below
- IV. CONSENT ITEMS (*The items listed are considered to be routine and non-controversial by the Council and may be approved by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member; at which time select item(s) may be discussed separately under consent items and separate motion(s).*)
 - A. February 14th, 2012 Meeting Minutes –Stephanie Littleton, City Secretary
 - B. Ordinance Enforcement February 2012 Activity Report – Pat Preston
 - C. Animal Control February 2012 Activity Report - Robbie Galaway, Officer
 - D. Patrol Activity February 2012 Report - provided by Meadowlakes Patrol Officers
 - E. Vandalism/Incident February 2012 Activity Report – Stephanie Littleton, Secretary
 - F. City Building Committee February 2012 Activity Report - Don Wheeler, Chairman
 - G. Public Works Department February 2012 Activity Report - Mike Williams, PWD
 - H. General Fund February 2012 Detailed Financials Report - Eileen Harrison, Treasurer
 - I. Utility and Recreation and Country Club Funds February 2012 Detailed Financials Report - Johnnie Thompson, City Manager
 - J. PFC February 2012 Financial Reports- Steve Hawkins, PFC President
- V. CITIZEN COMMENTS (*Limited to 15 minutes total on general subjects and agenda items. Agenda Item specific comments should be made as part of agenda item council discussion.*)
- VI. OLD BUSINESS
 - A. Action/Discussion: Contracting with the Lower Colorado River Authority for acquisition of raw water.-Thompson/Mike Williams
 - B. Action/Discussion: May 2012 Election-Littleton
- VII. NEW BUSINESS
 - A. Action/Discussion: Ordinance Number 12-002, Adopting Floodplain Management Standards. Mike Williams
- VIII. COUNCIL & MAYOR ANNOUNCEMENTS about items of Community Interest
 - A. Action/Discussion: Setting dates for Codification Workshops
(*Announcements during this agenda item are limited to the following, as authorized under Section 551.0415, Tex. Gov't Code.*)
 - Expressions of thanks, congratulations, or condolence;
 - An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding the change in the status of the person's public employment is not an honorary or salutary recognition for the purposes of this subdivision;

- *A reminder regarding a social, ceremonial, or community event organized or sponsored by an entity governing body or an official or employee of the municipality; and*
- *Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

IX. ADJOURNMENT

(The City Council of Meadowlakes reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by *Texas Government Code Section 551.*)

An agenda packet is available for public inspection at City Hall, 177 Broadmoor, Suite A, Meadowlakes, between the hours of 8:00 a.m. through 12:00 p.m. and 1:00 p.m. through 4:00 p.m. Monday through Friday.

THE PUBLIC IS INVITED TO CITY COUNCIL MEETINGS

We, the undersigned authorities, do certify that this Notice of Meeting was posted at Meadowlakes City Hall and on our website, convenient to the public, on or before March 9th, 2012 by 1:00 P.M. and remained so posted continuously for at least 72 hours immediately preceding the day of said meeting.

/s/Stephanie Littleton
Stephanie Littleton, City Secretary

/s/ Don Williams
Don Williams, Mayor

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT (830) 693-6840 FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING TIME.

Posting Removed: _____ **at** _____ **by** _____
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City of Meadowlakes Stated Meeting Minutes February 14, 2012

I. CALL TO ORDER AND QUORUM DETERMINATION: Mayor Don Williams called the meeting to order at 5:02 declaring that a quorum was present at the Meadowlakes Municipal Building in Totten Hall, 177 Broadmoor, Meadowlakes, Texas. Council members present were Paul Sarcione, Rusty Crawford, Franzella Jones, Barry Cunningham, and Bill Pickard. Also present were City Manager Johnnie Thompson and City Secretary Stephanie Littleton.

II. PLEDGE OF ALLEGIANCE AND PRAYER: Don Williams led the meeting members and guests in the Pledge of Allegiance. Bill Pickard led the meeting members and guests in prayer.

III. MONTHLY STANDARD LIVE REPORTS:

City Manager Activity Report - Johnnie Thompson

- Consent Items as listed below

Mr. Thompson briefed the Council on the various City activities of the past month, including that the ordinance officer issued 39 warning letters, mostly for visible trash cans, watering violations, and parking violations. Animal Control officer Robbie Galaway helped remove a skunk from house, and was unable to locate another sick skunk. Mr. Thompson continues, summarizing the activity of the Patrol officers and the Building Committee. He then talked about the City's financial status, stating that General Fund revenues are up from last year, while the tax collections are down. He briefed Council on the status of the Public Works fund, which had a positive cash flow for the month and a \$48,000 positive cash flow for the fiscal year-to-date. He also stated that Allied will be delivering new cans on February 27th & 28th and that February 29th would be the last day for regular pickup, with the first mechanized cart pickup on March 2nd. After that, bulk pickup and recycling will take place every other week. Mr. Thompson also stated that a smaller 64-gallon container will be available 6-8 weeks later, but for residents wishing to swap from the 94-gallon container to the 64-gallon container, the switch would not be reversible and the monthly rate would remain the same.

IV. CONSENT ITEMS:

A. January 10th 2012 Meeting Minutes – Stephanie Littleton, City Secretary.

B. Ordinance Enforcement January Activity Report – Pat Preston

C. Animal Control January Activity Report - Robbie Galaway, Officer

- 46 **D. Patrol Activity January Report – provided by Meadowlakes Patrol**
47 **Officers.**
48 **E. Vandalism/Incident January Activity Report – Stephanie**
49 **Littleton, City Secretary**
50 **F. City Building Committee January Activity Report - Don Wheeler,**
51 **Chairman**
52 **G. Public Works Department January Activity Report - Mike**
53 **Williams, PWD**
54 **H. General Fund January Detailed Financials Report - Eileen**
55 **Harrison, Treasurer**
56 **I. Utility Fund January Detailed Financials Report - Johnnie**
57 **Thompson, City Manager**
58

59 Councilmember Jones made a motion to approve the consent items as
60 presented. Councilmember Sarcione seconded the motion. The motion
61 carried by unanimous vote of the council members present.
62

- 63 **V. CITIZEN COMMENTS:** Georgina Christy spoke regarding the Allied
64 waste re-vote concerns. Christine Forsythe spoke regarding the patrol
65 hours, and her concerns with the majority of patrols between 5-10 p.m.,
66 she doesn't feel it's worth the money.
67

68 **VI. OLD BUSINESS:**

69 **VII. NEW BUSINESS**

- 70 A. Action/Discussion: Review and possible acceptance of Fiscal Year
71 2011 Audit Report, Resolution #12-004. City Auditor Keith Neffendorf
72 briefed the Council on the Fiscal Year 20-10-2011 findings. Council
73 discussion ensued. Councilmember Cunningham made a motion to
74 accept the audit report via Resolution 12-004. Councilmember
75 Pickard seconded the motion, and it carried unanimously. Mayor
76 Williams praised the audit firm and Johnnie Thompson for a great
77 audit.
78 B. Action/Discussion: Amendment of the Annual Reimbursement Cost
79 Agreement between the City and the Meadowlakes Public Facility
80 Corporation, Resolution #12-005. City Manager Johnnie Thompson
81 discussed the specific changes necessary to the ACRA due to recent
82 changes. Council discussion ensued. Councilmember Jones made a
83 motion to approve Resolution 12-005, Councilmember Sarcione
84 seconded the motion and it carried by a unanimous vote of the
85 Councilmembers present.
86 C. Action/Discussion: Contracting with the County of Burnet for
87 election services for the May 12, 2012 General Election. City Secretary
88 Stephanie Littleton briefed the Council on the contract. After Council
89 discussion, Councilmember Sarcione made a motion to approve the
90 contract and the motion was seconded by Councilmember Pickard.
91 The motion passed by a unanimous vote of the Councilmembers
92 present.

- 93 D. Action/Discussion: Resolution 12-001 Ordering the General Election
94 on May 12, 2012. City Secretary Stephanie Littleton briefed the
95 Council on the need to pass the Resolution in order to call the
96 General Election. Councilmember Crawford made a motion to approve
97 the Resolution. Councilmember Cunningham seconded the motion
98 and it carried by unanimous vote of the Councilmembers present.
- 99 E. Action/Discussion: Resolution 12-002 Accepting the Nominations for
100 Presiding Election Judge, Alternate Presiding Judge and Election
101 Clerks for the May 12, 2012 Election process. City Secretary
102 Stephanie Littleton outlines the need to approve the selection of the
103 election judges. Councilmember Sarcione made a motion to approve
104 the selections, and Councilmember Crawford seconded the motion.
105 The motion carried by a unanimous vote of the Councilmembers
106 present.
- 107 F. Action/Discussion: Action/Discussion: Authorizing funds for the
108 repair of the golf complex parking lot. City Manager Johnnie
109 Thompson and Mayor Williams briefed Council on the background
110 and specifics of the agreement and need for repairs. Council and
111 audience discussion ensued. Councilmember Cunningham made a
112 motion to approve the request, and it was seconded by
113 Councilmember Jones. The motion carried by a unanimous vote of the
114 Councilmembers present.
- 115 G. Action/Discussion: Interlocal Agreements with Burnet County for
116 repairs to the golf complex parking lot. City Manager Johnnie
117 Thompson briefed Council on the nature of the Interlocal agreements
118 and scope of work proposed. Councilmember Sarcione made a motion
119 to approve the Interlocal agreements, and Councilmember Pickard
120 seconded the motion with the understanding that the repairs not be
121 limited to the golf course parking lot. The motion passed by a
122 unanimous vote of the Councilmembers present.
- 123 H. Action/Discussion: Extension of City Manager's employment
124 agreement. Mayor Williams provided background on the need to
125 extend the agreement and directed council to his recently completed
126 evaluation of City Manager Johnnie Thompson. He explained that
127 they did not extend the contract in January of 2011 and they need to
128 now. The contract will extend through 9/30/14. Council discussion
129 ensued. Councilmember Sarcione made a motion to approve the
130 contract. Councilmember Pickard seconded the motion and it carried
131 by a unanimous vote of the Councilmembers present.
- 132 I. Action/Discussion: Contracting with the Lower Colorado River
133 Authority for acquisition of raw water. City Manager Johnnie
134 Thompson and Public Works Director Mike Williams briefed Council
135 on the difficulty with communication with the Lower Colorado River
136 Authority in regards to issues that need to be resolved before the
137 Contract is complete, and that as a result there are several items that

138 the City can't approve due to legal restrictions such as length of
139 contract. No action to be taken.

140
141
142

143 **VI. COUNCIL & MAYOR ANNOUNCEMENTS:**

144 **A. March 5th last day to register for a place on ballot**

145 **B. Audit with be posted on web by the end of week.**

146

147 **IX. ADJOURNMENT:**

148 Mayor Williams adjourned the meeting at 5:35 p.m.

149

150
151 **Approved:**

152

153

154 /s/ Don Williams

Date: _____

155 **Mayor, Don Williams**

156

157

158

159 **Attest:**

160

161 /s/ Stephanie Littleton

Date: _____

162 City Secretary, Stephanie Littleton

Ordinance Enforcement Report
February 2012
Summary

Calls Received: Ordinance line: 26
Security Gate: 2
City Hall: 0

52 warning letters were issued during the month of January:

- 3 letters regarding Ordinance 92.02 – trailer parked on lot
- 3 letters regarding Ordinance 92.02 – trailer or RV parked on drive over 72 hours
- 4 letter regarding Ordinance 130.02 – residence and lot needs upkeep & repair
- 22 letters regarding Ordinance 130.02 – trash containers visible from the street
- 9 letters regarding Ordinance 130.02 – yard needs mowing
- 6 letters regarding Ordinance 130.02 – limbs at curbside over 10 days
- 5 letters regarding Stage 2 Water Restriction Violations

8 warning tickets were issued regarding Ordinance 92.02 – parking on the wrong side of street

10 warning tickets were issued regarding Ordinance 92.01 – resident parking on the street

11 verbal warnings were issued

Submitted by:

Pat Preston

Pat Preston
Ordinance Enforcement Officer
March 1, 2012

Animal Control Report

Meadowlakes, Texas

February, 2012

- **One skunk was observed to be acting sick. I destroyed it and had it tested for rabies. Results were negative.**
- **One trapped skunk was removed from the city.**
- **Two residents complained of the smell of skunk at their house. Traps were loaned out.**
- **Three daytime skunk reports were received.**
- **Two complaints were received for loose cats in the yard.**
- **Seven cats were trapped and turned in to the Marble Falls Animal Control Facility.**
- **One of the trapped cats were claimed and the cat was picked up**
- **Two loose dog complaints were received by the gate. The dogs were gone on arrival.**
- **Two loose dogs were secured by a resident. The resident put the owners in touch with the dogs.**
- **An injured duck was reported by a resident. It had left by the time I arrived.**
- **A dead armadillo was removed from the city.**
- **A dead squirrel was removed from the city.**
- **A trapped squirrel was removed from the city.**
- **One animal was reported by a resident. I loaned them a trap.**
- **One barking dog complaint was received.**

Robbie Galaway

Robbie Galaway

City of Meadowlakes

VANDALISM/INCIDENTS-February 2012

Address:

202 Meadowlakes Dr.

Incident:

Eggs thrown at a house

BUILDING COMMITTEE REPORT
February 2012
Don Wheeler – Building Committee Chairman

ACTIVE BUILDING PERMITS (under construction or review) 15

February 2012 Approved Permits

<i>Deck</i>	
<i>Concrete Slab</i>	
<i>Fence</i>	<i>3</i>
<i>Swimming Pool/Hot Tub</i>	
<i>Remodel</i>	<i>1</i>
<i>Variance</i>	<i>1</i>
<i>New Homes</i>	<i>1</i>
<i>Other</i>	
<i>Patio Cover</i>	
<i>Arbor</i>	
<i>Plat Amendment</i>	
<i>Consultation</i>	
<i>Playscape</i>	
<i>Permit Revisions</i>	
<i>Applications denied: Arbor</i>	<i>1</i>
<i>Fence</i>	
<i>New home</i>	
<i>Variance</i>	
<i>Remodel</i>	<i>1</i>
<i>Patio Cover</i>	
<i>Playscape</i>	
<i>Detached Structure</i>	
<i>Carport</i>	
<i>Propane gas storage tank</i>	
<i>Roof replacement</i>	
<i>Other</i>	

MEMORANDUM

Date: March 8, 2012
To: Honorable Mayor and Council
From: Mike Williams, Public Works Director
Subject: Public Works Activity Report

To follow is a list of some of the activities of the PWD the past month, as reported by Roman Zamarippa on behalf of Mike Williams, who was out due to an injury for the second half of the month:

Mike

Here is some of the information you requested for your February report:

Water treated: 6.114 MG

I mainly worked at the pro shop bathrooms. With Tim and Jennifer the bathrooms were completed the first week in March minus the partitions.

Johnnie had given the guys a POA "punch-list". Everything but the RV park lighting is done on that list.

- ie: Sink hole at 262 Turkey Run

- Fence repair at 260 Turkey Run

- New sign posts at all intersections on Quail as well as new street signs

- Patch pot hole at intersection of Stewart and Quail

- Patch pot hole at intersection of Deer Lick and Mahan

- Paint over extra yellow stripe on Meadowlakes Dr.

We completed two mowing cycles.

I'm sure there were many other things we did. If I can remember anything else before your meeting I will get that information to you.

Thanks

Roman Zamarippa
Senior Plant Operator

City of Meadowlakes
Items for Consideration
City Council Meeting
March 13, 2012

Date: March 8, 2012
To: Honorable Mayor Williams and Council Persons
From: Johnnie Thompson, City Manager
Agenda Item: IV-H-General Fund Financial Statements

1. **Requested Council Agenda Date:** March 13, 2012
 2. **Contact Name & Number:** Johnnie Thompson, City Manager-830-693-2951
 3. **Place On:** Consent New Business Old Business
 4. **Budget Impact Statement Attached:** Yes No N/A
 5. **Original Copies of Documents Approved to from by City Attorney?** Yes No N/A
-

6. Background:

Please find attached for your review and possible approval copies of the General Fund financial reports as prepared by Eileen. The fund is performing as anticipated with most line items being as budgeted. Below you will find a comparison for the October through February of this year to the same period last year:

- Total cash on deposit is approximately \$26,320 more than at this time last year.
- Actual uncommitted cash is about \$23,000 greater than at this time last year.
- Total revenues are up over \$17,500 greater than last year, due to additional property tax income.
- Ordinance enforcement expense is \$675 greater than last year at this time but is only 1% of the target for the period.
- Animal control expenses are about \$100 less than last year and about 6% less than those targeted for the period.
- Traffic control expenses are \$4000 greater than those last year and are about 4% less than targeted.
- Municipal court expenses are about \$900 less than at this time last year and about 12% below its targeted amount.
- Employee expenses are \$3600 less than last year and about 4% less than targeted.

- Insurance expense is nearly \$700 less and about 40% less than targeted.
- Administrative expense is \$5000 greater than last year due to codification expense but is about 4% less than targeted.
- Building expenses are very near of those last year and 17% less than targeted.
- Contract services are the same as those last year at this time.
- Debt service transfers are nearly \$24,000 greater than last year due to additional transfer in funds as budgeted.
- Over all expenditures are about \$35,800 greater than this time last year but are about 6% less than the target for the period.
- Net gain for the period is about \$18,000 less than at this time last year but is slightly greater than anticipated.

**CITY OF MEADOWLAKES
FINANCIAL POSITION
February 29, 2012**

FUND BALANCES

CASH FUNDS

American Bank - Checking Account	\$ 7,559	
American Bank - Money Market Account	\$ 340,452	
Petty Cash	\$ 150	
Total Cash	<u> </u>	\$ 348,161

OTHER FUNDS

Wells Fargo Money Market	\$ 54,579	
American Bank CD .355% matures 3/10/11	\$ 50,557	
Texas Dept Transportation - Escrow	\$ 200	
Total Other Funds	<u> </u>	\$ 105,336

TOTAL FUNDS AVAILABLE **\$ 453,497**

ALLOCATED FUNDS

Patio Cover/Cart Paths	\$ 4,109	
Judicial - Security Fund	\$ 90	
Judicial - Technical Fund	\$ 120	
Court - Time Payment Plan	\$ 362	
Insurance - Storm Damage	\$ 24,472	
Clean-up Deposits	\$ 1,000	
Inspection Deposits	\$ 900	
Total Allocated Funds	<u> </u>	\$ 31,053

FUND BALANCE LESS ALLOCATED FUNDS **\$ 422,444**

RESERVE FUNDS

Emergency Operating Expense-4 months	\$ 130,000	
Total Reserve Funds	<u> </u>	\$ 130,000

**FUND BALANCE LESS ALLOCATED
AND RESERVE FUNDS** **\$ 292,444**

CITY OF MEADOWLAKES
REVENUE & EXPENDITURES
October 1, 2011 - September 30, 2012
February 29, 2012

	<u>Current</u>	<u>YTD</u>	<u>Budget</u>	<u>Difference</u>
	<u>Month</u>	<u>2/29/2012</u>	<u>2011-2012</u>	
<u>REVENUE</u>				
TAXES				
<i>Ad Valorem Tax</i>	\$ 20,143	\$ 559,776	\$ 589,280	\$ (29,504)
<i>PEC Franchise Tax</i>	\$ -	\$ 20,477	\$ 39,000	\$ (18,523)
<i>Cable Franchise Tax</i>	\$ 8,638	\$ 8,638	\$ 9,500	\$ (862)
<i>Telephone Franchise Tax</i>	\$ 1,832	\$ 3,661	\$ 8,500	\$ (4,839)
<i>Liquor Tax</i>	\$ -	\$ 560	\$ 1,000	\$ (440)
Total Taxes	\$ 30,612	\$ 593,112	\$ 647,280	92%
CITY BUILDING PERMITS				
<i>Home Permits</i>	\$ -	\$ 200	\$ 1,200	\$ (1,000)
Commercial Permits	\$ -	\$ -	\$ -	\$ -
<i>Remodeling Permits</i>	\$ -	\$ 350	\$ 750	\$ (400)
<i>Fence & Deck Permits</i>	\$ 150	\$ 450	\$ 1,000	\$ (550)
<i>Hot Tubs/playscape</i>	\$ -	\$ -	\$ -	\$ -
<i>Pool Permits</i>	\$ -	\$ -	\$ 300	\$ (300)
<i>Replats</i>	\$ -	\$ 100	\$ 100	\$ -
Total City Building Permits	\$ 150	\$ 1,100	\$ 3,350	33%
JUDICIAL				
<i>Court Costs</i>	\$ 270	\$ 68	\$ 4,000	\$ (3,932)
<i>Judicial Fines</i>	\$ 418	\$ 993	\$ 4,000	\$ (3,007)
<i>Failure to Appear</i>	\$ -	\$ -	\$ -	\$ -
<i>OMNI</i>	\$ -	\$ -	\$ -	\$ -
<i>Administrative Fee</i>	\$ -	\$ 10	\$ 100	\$ (90)
Total Judicial	\$ 688	\$ 1,071	\$ 8,100	13%
DIVIDENDS & INTEREST EARNED				
Dividends & Interest	\$ 162	\$ 469	\$ 1,500	\$ (1,031)
Total Dividends & Interest Earned	\$ 162	\$ 469	\$ 1,500	31%
OTHER REVENUE				
<i>Pet Registration Fee</i>	\$ 185	\$ 705	\$ 1,300	\$ (595)
<i>Sale-City Directory</i>	\$ 32	\$ 32	\$ 50	\$ (18)
<i>Open Records Request</i>	1 3/5	\$ 2	\$ 50	\$ (48)
Total Other Revenue	\$ 219	\$ 739	\$ 1,400	53%
TOTAL REVENUE	\$ 31,831	\$ 596,490	\$ 661,630	90%

**CITY OF MEADOWLAKES
REVENUE & EXPENDITURES
October 1, 2011 - September 30, 2012
February 29, 2012**

<u>EXPENDITURES</u>	<u>Current Month</u>	<u>YTD 2/29/2012</u>	<u>Budget 2011-2012</u>	<u>Difference</u>
BCAD				
Quarterly Charges	\$ -	\$ 2,866	\$ 12,000	\$ 9,134
Legal & Collection	\$ 21	\$ 801	\$ 1,500	\$ 699
Interest & Income Credit	\$ -	\$ -	\$ -	\$ -
Tax Hearing	\$ -	\$ -	\$ 500	\$ 500
Total BCAD	\$ 21	\$ 3,667	\$ 14,000	26%
CITY BUILDING COMMITTEE				
Membership	\$ -	\$ 125	\$ 200	\$ 75
Supplies/Expense	\$ 24	\$ 24	\$ 300	\$ 277
Total City Building Committee	\$ 24	\$ 149	\$ 500	30%
ORDINANCE ENFORCEMENT				
Employee	\$ 495	\$ 2,669	\$ 6,500	\$ 3,831
FICA/Med	\$ 38	\$ 205	\$ 500	\$ 295
Insurance - Workers' Comp	\$ -	\$ 170	\$ 300	\$ 130
Vehicle Operation	\$ 191	\$ 873	\$ 1,800	\$ -
Communications	\$ 19	\$ 121	\$ -	\$ (121)
Motor Vehicle Inquires	\$ 23	\$ 115	\$ -	\$ -
Supplies/Expense	\$ -	\$ -	\$ 525	\$ 525
Total Ordinance Enforcement	\$ 767	\$ 4,153	\$ 9,625	43%
ANIMAL CONTROL				
Contract Agreement	\$ 600	\$ 3,000	\$ 8,000	\$ 5,000
Insurance - Workers' Comp	\$ -	\$ 80	\$ 200	\$ 120
Pet Holding Fee/Rabies	\$ 60	\$ 154	\$ 250	\$ 96
Communications	\$ 20	\$ 101	\$ -	\$ (101)
Supplies/Expense	\$ -	\$ -	\$ 750	\$ 750
Total Animal Control	\$ 680	\$ 3,335	\$ 9,200	36%
EMERGENCY MANAGEMENT/FLOOD PLAIN				
Training & Travel	\$ -	\$ -	\$ 800	\$ 800
Membership	\$ -	\$ 85	\$ 300	\$ 215
Expense	\$ -	\$ -	\$ 250	\$ 250
Total Flood Plain Administrator	\$ -	\$ 85	\$ 1,350	6%
TRAFFIC CONTROL				
Salary & Wages	\$ 2,097	\$ 9,384	\$ 25,000	\$ 15,616
FICA/Med	\$ 160	\$ 507	\$ 1,925	\$ 1,418
Insurance-Workers' Comp	\$ -	\$ 300	\$ 500	\$ 200
Insurance - Law Enf Liability	\$ -	\$ 1,010	\$ 1,000	\$ (10)
Unemployment Expense	\$ -	\$ -	\$ 500	\$ 500
Misc	\$ -	\$ -	\$ 500	\$ 500
Total Traffic Control	\$ 2,257	\$ 11,201	\$ 29,425	38%

CITY OF MEADOWLAKES
REVENUE & EXPENDITURES
October 1, 2011 - September 30, 2012
February 29, 2012

<u>EXPENDITURES-Page 2</u>	<u>Current</u>	<u>YTD</u>	<u>Budget</u>	<u>Difference</u>
	<u>Month</u>	<u>2/29/2012</u>	<u>2011-2012</u>	
MUNICIPAL COURT				
Education	\$ -	\$ 234	\$ 500	\$ 266
State Court Costs	\$ -	\$ -	\$ 3,000	\$ 3,000
Prosecuting Attorney	\$ -	\$ 125	\$ 2,000	\$ 1,875
Office Lease - Judge Adams	\$ 200	\$ 1,000	\$ 2,400	\$ 1,400
Bailiff Services	\$ -	\$ -	\$ 500	\$ 500
Child Safety & Seat Belt Fine	\$ -	\$ -	\$ 100	\$ 100
Administrative Expense	\$ -	\$ 544	\$ 600	\$ 56
Total Municipal Court	\$ 200	\$ 1,903	\$ 9,100	21%
LEGAL				
City Attorney - Codification	\$ 966	\$ 2,114	\$ -	\$ (2,114)
City Attorney - General	\$ 561	\$ 2,129	\$ 7,500	\$ 5,371
Total Legal	\$ 1,527	\$ 4,243	\$ 7,500	57%
INSURANCE				
Liability	\$ -	\$ 629	\$ 2,200	\$ 1,571
Errors & Omissions	\$ -	\$ 926	\$ 200	\$ (726)
Crime	\$ -	\$ 164	\$ 450	\$ 286
Insurance - Worker's Comp Refund	\$ -	\$ -	\$ -	\$ -
Total Insurance	\$ -	\$ 1,719	\$ 2,850	60%
ADMINISTRATIVE				
EMPLOYEE EXPENDITURES				
Salary - Exempt Employee	\$ 6,865	\$ 37,760	\$ 89,250	\$ 51,490
Salary - Non-exempt Employees	\$ 3,227	\$ 17,896	\$ 52,500	\$ 34,604
FICA/Medicare	\$ 772	\$ 4,425	\$ 11,325	\$ 6,900
Longevity Pay	\$ -	\$ 2,257	\$ 4,200	\$ 1,943
Reserve - Payroll	\$ -	\$ -	\$ 4,000	\$ 4,000
Retirement	\$ 68	\$ 795	\$ 3,000	\$ 2,205
Health Insurance	\$ 998	\$ 5,590	\$ 15,000	\$ 9,410
Insurance - Worker's Comp	\$ -	\$ 178	\$ 700	\$ 522
Disability	\$ 76	\$ 450	\$ -	\$ (450)
Bond - Manager	\$ -	\$ -	\$ -	\$ -
Payroll Expense	\$ -	\$ (2)	\$ -	\$ 2
Drug Test	\$ -	\$ -	\$ -	\$ -
Other Benefits	\$ -	\$ 79	\$ 250	\$ 171
Training	\$ -	\$ 190	\$ 1,000	\$ 810
Dues & Membership	\$ -	\$ -	\$ 500	\$ 500
Mileage Allowance	\$ -	\$ -	\$ 350	\$ 350
Miscellaneous	\$ -	\$ -	\$ 650	\$ 650
Total Employee Training & Travel	\$ 12,006	\$ 69,617	\$ 182,725	38%
ADMINISTRATIVE OTHER				
Audit	\$ -	\$ -	\$ 3,500	\$ 3,500
City Directory	\$ -	\$ -	\$ 1,500	\$ 1,500
Election	\$ -	\$ -	\$ 1,400	\$ 1,400
Gifts, Flowers, etc	\$ -	\$ 149	\$ -	\$ (149)
Office Supplies/Expense	\$ 36	\$ 1,047	\$ 4,000	\$ 2,953
Neighborhood Watch	\$ -	\$ 61	\$ 750	\$ 689
Copier - Lease	\$ 124	\$ 556	\$ 2,000	\$ 1,444
Postage	\$ 24	\$ 41	\$ 350	\$ 309
Membership/Dues	\$ -	\$ 487	\$ 700	\$ 213
Telephone	\$ 94	\$ 301	\$ 750	\$ 449
Miscellaneous	\$ -	\$ -	\$ 1,200	\$ 1,200
Office Equip Repair & Maint	\$ -	\$ -	\$ 500	\$ 500
Office Maintenance	\$ 260	\$ 1,300	\$ 4,000	\$ 2,700
Email Service	\$ -	\$ 336	\$ -	\$ (336)
Website Hosting & Update	\$ -	\$ -	\$ 2,000	\$ 2,000
Codification Expense	\$ -	\$ 5,390	\$ 10,000	\$ 4,610
Total Administrative Other	\$ 538	\$ 9,667	\$ 32,650	30%
Total Administrative Expense	\$ 12,543	\$ 79,284	\$ 215,375	37%

REVENUE & EXPENDITURES
October 1, 2011 - September 30, 2012
February 29, 2012

February 29, 2012

	<u>Current</u> <u>Month</u>	<u>YTD</u> <u>2/29/2012</u>	<u>Budget</u> <u>2011-2012</u>	<u>Difference</u>
<u>EXPENDITURES-Page 3</u>				
MUNICIPAL BUILDING				
Maintenance & Repair	\$ -	\$ 802	\$ 2,500	\$ 1,698
Electric Service	\$ 268	\$ 1,111	\$ 3,500	\$ 2,389
Insurance - Real Estate & Pers Prop	\$ -	\$ 826	\$ 1,000	\$ 174
Total Municipal Building	\$ 268	\$ 2,739	\$ 7,000	39%
CONTRACT SERVICES				
Marble Falls Area EMS Inc	\$ 2,792	\$ 13,958	\$ 33,500	\$ 19,542
Marble Falls Area Fire Dept Inc	\$ 2,343	\$ 11,716	\$ 27,300	\$ 15,584
Total Contract Services	\$ 5,135	\$ 25,675	\$ 60,800	42%
CAPITAL OUTLAY				
Office Accessories	\$ -	\$ -	\$ 5,000	\$ 5,000
Land Acquisition	\$ -	\$ -	\$ 25,000	\$ 25,000
Total Capital Outlay	\$ -	\$ -	\$ 30,000	0%
CONTINGENCY FUND				
General	\$ -	\$ -	\$ 20,000	\$ 20,000
Total Contingency Fund	\$ -	\$ -	\$ 20,000	0%
DEBT SERVICE				
Transfer to RCC Fund	\$ -	\$ 5,000	\$ 5,000	\$ -
Transfer to PWD Debt Service	\$ 43,031	\$ 292,649	\$ 290,000	\$ (2,649)
Total Transfer to Debt Service	\$ 43,031	\$ 297,649	\$ 295,000	101%
TOTAL EXPENDITURES	\$ 66,452	\$ 435,800	\$ 711,725	
REVENUE LESS EXPENDITURES	\$ (34,621)	\$ 160,691	\$ (50,095)	

City of Meadowlakes
Items for Consideration
City Council Meeting
March 13, 2012

Date: March 8, 2012
To: Honorable Mayor Williams and Council Persons
From: Johnnie Thompson, City Manager
Agenda Item: IV-I-Public Works, Recreation and Country Club and Debt Service Funds February 2012 Financial Reports

1. **Requested Council Agenda Date:** March 13, 2012
 2. **Contact Name & Number:** Johnnie Thompson, City Manager-830-693-2951
 3. **Place On:** Consent New Business Old Business
 4. **Budget Impact Statement Attached:** Yes No N/A
 5. **Original Copies of Documents Approved to from by City Attorney?** Yes No N/A
-

6. Background:

Please find below a review of the Utility, Recreation and Country Club financial reports along with other supporting documents.

Utility (Public Works) Fund
(Pages 1 through 4)

Attached please find the February 2012 Utility Fund financial reports. The reports contain a comparison to the monthly as well as year-to-date budget. Overall the fund is continuing to perform better than anticipated for both the month and year-to-date.

In reviewing the income for the month you will notice that water sales fall below those budgeted for the period by about \$3,400 due to the extremely wet February. Year-to-date water sales still remain about \$16,500 greater than those budgeted and about \$5,000 greater than October through February of last year. Total income for the month was approximately \$5,000 less than those budgeted (backing out transfer in of funds from reserves) which, as mentioned above, was mainly due to decreased water sales with the remainder being mainly contributed to lack of new connects. Total year-to-date revenues actually exceed those budgeted (again backing out reserves budgeted to be transferred in) by about \$28,000, with most income line items exceeding those budgeted for the period. In

comparing year-to-date total revenues to the year-to-date last year total income is about \$8,000 greater.

Expenses for the month and year-to-date are both below those budgeted for the periods, with all major expense groups being less than those budgeted. In comparing actual operating expenses and not taking into account capital purchased, February expenses are \$27,500 less than those budgeted and approximately \$42,000 less for the year, both mainly due to less than budgeted expenses related to plant operations. February 2012 total operating expenses are \$9,000 less than February's of last year and the year-to-date expenses are about \$17,000 less than the year-to-date last year.

Net Income for the month was \$12,851 compared to a budgeted loss of \$1,727 (not factoring in capital expenditures) and for the year our net income was nearly \$58,500 (again not factoring in capital expenditures) compared to a budgeted net income of \$16,460. Both the budgeted net incomes were based on transfers in from operating reserves which have not been needed to date.

Cash Flow Analysis (Pages 5 and 6)

Utility Fund- the Utility Fund operating cash flow decreased by slightly more than \$12,000 in February mainly due to a drastic decrease in payables carried over for the month. February's payables were slightly less than \$20,000 compared to slightly less than \$52,000 at the end of January. Overall even with the decrease in cash experienced in February so for this fiscal year our cash has actually increased nearly \$26,500. This compares to \$48,000 for the same period last fiscal year. Actual cash has increased by nearly \$141,000 since the end of February of last year.

Deb Service Fund-the Debt Service Fund also experienced a decrease in cash flow in February due to a \$94,245 interest payment that was made on the 2008 Bonds. Even with a \$5,031 loss in cash, the Fund still has a positive cash flow of nearly \$265,000 for the year. We have two interest payments and on principal on our bonds, an interest only payment is due at the end of February of each year and a principal and interest payment is due August. The Fund should have a positive cash flow until August when we have an approximately \$355,000 payment due.

Utility Fund Balance Sheet (Pages 7 through 9)

If you compare January's balance sheet to February's you will notice quite a bit of differences which are due to the audit adjustments entered last month. The vast majority of the audit adjustments affected the fixed assets and long term debt. As you may recall the auditors have moved the fixed assets of the golf course purchase as well as the debt to another fund which actually does not show up on either the Public Works or the General Fund Balance Sheets and only shows up on the GASB balance sheet portion of the audit. The comparison of February 2012 to February 2011 will reflect the vast majority of the

effects the audit adjustments had on the fund balance sheet. Basically any obligations and assets related to the purchase of the golf course were adjusted off the fund balance sheet. Below I will note the major changes:

- **Fixed Assets** - were reduced by approximately \$3.3 million which included approximately \$1.8 million in land, \$1.4 million in buildings, and \$71,000 in bond cost expense, \$70,000 in furniture/fixtures and nearly \$30,000 in equipment. Also approximately \$26,500 in accumulated golf course depreciation was adjusted off. We had about \$144,000 in other fixed assets added which included \$68,000 in water treatment and distribution, \$16,000 in wastewater treatment plant improvements, \$52,600 in irrigation improvements and \$7,000 in building improvements. Total decrease in fixed assets related to the move of the golf course assets from the fund was approximately \$3.4 million.
- **Long Term Debt** - the entire liability that was outstanding from the 2008 Certificates of Obligations that were issued to purchase the golf course was removed from Long Term Debt, the only long term debt remaining is the bonded debt related to the 2008 re-financing of the municipal utility loan the City incurred during the dissolution of the MUD. This bonded debt will be retired in the current fiscal year.
- **Current Payables**- you will also note account 3700 is new. This account was utilized in order to provide the means for the above referenced audit adjustments and most likely will be adjusted off by the auditors at the end of the current fiscal year.

Debt Service Fund (Page 9)

The Debt Service fund is performing about as anticipated. Total income is about \$11,000 greater than those budgeted for the month and about \$20,000 for the year. It is extremely difficult to predict (budget) when tax income will come in, thus differences in budgeted versus actuals. For FY 2012 we have budgeted \$290,000 in property tax income and \$159,000 in utility revenues to satisfy our debt requirements. We should have adequate funds to cover the approximate \$355,000 principal and interest that will be due in August.

Recreation and Country Club Fund (RCC) (Page 10)

Please find attached a copy Recreation and Country Club (RCC) Fund financial statement for the year-to-date. The statement reflects a net income of \$16,215 but this is misleading since the fund will have an approximate \$37,500 equipment lease/purchase payment due at the end of April. As you may recall the POA will be making an approximate \$24,000 contribution toward this payment on behalf of the PFC.

This fund is a very limited use fund. Ordinarily it will not have much activity during the course of the fiscal year. However, since the cost associated with the restroom renovations is expensed out via this fund it has had quite a bit of activity the past few months. Revenues for the fund are limited to those transferred in from other funds and agencies. The PWD will over the course of the fiscal year will transfer into the fund \$7,500 as credit to the PFC for electric subsidies, \$5,000 was transferred in from the General Fund as budgeted and an additional \$4,500 will be paid by the PFC for lease per the ARCA agreement. Also, the fund provides the means for the payment of the golf course equipment that was lease/purchased by the City and will be transferred to the PFC later in the year once the final payment is made.

You will also note that we have spent approximately \$8,200 on the pro-shop restroom renovation project. I will brief you in more detail on this project within my MEMO.

Checks Issued in Excess of \$2,500

(Page 11)

Attached you will find a listing of all checks issued in excess of \$2,500 in the month of February. Most were the normal re-occurring kind with the following exceptions:

Utility Fund

Check number 12798 issued to General Chemical for \$3,644.52 was for bulk chemicals used for treatment of potable water, this is usually a 6 to 9 month supply.

Check number 12817 issued to Southwest Engineers for \$13,950 is for partial payment of the fees associated with water system future needs study. It should be completed by the end of March.

Check number 12820 issued to LCRA in the amount of \$10,623.83 are for the costs associated with water purchased from LCRA in 2011. A portion of this expense was due to water consumed for municipal purposes and the other related to providing water to the golf course, the PFC reimbursed the Utility Fund for their related expenses.

Debt Service

Check number 1008 was issued to Bank of America in the amount of \$94,245 for interest due on the City's two outstanding bond issues. Another interest payment along with \$265,000 in principal will be paid in August.

General Fund

All checks written by the General Fund were for the normal re-occurring ones.

7. Recommendation- I would recommend that the financials reports as prepared by approved.

City of Meadowlakes-Utility Fund Profit Loss Budget vs. Actual Operational

	Oct '11 - Feb 12	Budget	Feb 12	Budget
Ordinary Income/Expense				
Income				
5010 · Water Revenue	\$ 122,447	\$ 106,000	\$ 15,621	\$ 19,000
5020 · Sewer Revenues	\$ 186,959	\$ 186,455	\$ 37,366	\$ 37,291
5030 · Garbage Revenue	\$ 80,982	\$ 80,831	\$ 16,293	\$ 16,167
5040 · Pump Fee Revenue	\$ 4		\$ -	\$ -
5110 · Contract Services	\$ 33,333	\$ 33,335	\$ 6,667	\$ 6,667
5120 · Water Connect Fee Revenue	\$ 725	\$ 725	\$ -	\$ 725
5130 · Sewer Connect Fee Revenue	\$ 725	\$ 725	\$ -	\$ 725
5140 · Transfer Fee	\$ 950	\$ 1,042	\$ 325	\$ 208
5150 · Penalty & Interest Earned	\$ 3,115	\$ 2,603	\$ -	\$ 521
5170 · Miscellaneous Revenues	\$ 11,652	\$ 730	\$ 431	\$ 146
5181 · Transfer in from Reserves	\$ -	\$ 63,325		\$ 8,000
5200 · Interest earned on Investments	\$ 706	\$ 1,042	\$ 17	\$ 208
Total Income	\$ 441,598	\$ 476,813	\$ 76,719	\$ 89,658
Expense				
6100 · Employee Expenses	\$ 151,759	\$ 178,699	\$ 26,700	\$ 31,331
6200 · Administrative Expenses	\$ 24,025	\$ 36,575	\$ 1,194	\$ 8,440
6300 · Operating Expenses	\$ 67,495	\$ 101,364	\$ 7,963	\$ 23,081
6400 · POA Contract Mowing Expense	\$ 2,498	\$ 2,050	\$ 511	\$ 200
6510 · Garbage Service Expense	\$ 71,164	\$ 75,415	\$ 14,250	\$ 15,083
6650 · Capital Expenditures	\$ 35,203	\$ 82,000	\$ -	\$ 49,500
8200 · Transfers Out to Debt Service	\$ 66,250	\$ 66,250	\$ 13,250	\$ 13,250
Total Expense	\$ 418,393	\$ 542,353	\$ 63,868	\$ 140,885
Net Operations Income	\$ 23,205	\$ (65,540)	\$ 12,851	\$ (51,227)

City of Meadowlakes-Utility Fund Profit Loss Budget vs. Actual Operational

Expense	Oct '11 - Feb 12	Budget	Feb 12	Budget
6100 - Employee Expenses				
6110 - Salaries & Wages				
6410 - Salaries Exempt Employees	\$ 26,054	\$ 26,059		
6415 - Salaries & Wages-Non-Exempt	\$ 83,935	\$ 103,360	\$ 4,737	\$ 4,738
6416 - Overtime & Standby Pay	\$ 4,217	\$ 4,234	\$ 15,995	\$ 18,840
6417 - Longevity Pay-Exempt/Non-Exempt	\$ 3,925	\$ 4,000	\$ 687	\$ 770
Total 6110 - Salaries & Wages	\$ 118,131	\$ 137,653	\$ 21,419	\$ 24,348
6111 - Other Employee Expenses				
6115 - Miscellaneous Payroll Expenses	\$ -	\$ -		
6120 - FICA Expense	\$ 9,044	\$ 10,700	\$ 1,639	\$ 1,900
6140 - Worker's Compensation Insurance	\$ 5,037	\$ 5,000	\$ -	\$ -
6150 - Employee Insurance Expenses	\$ 14,932	\$ 19,166	\$ 3,142	\$ 3,833
6160 - Employee Retirement Expense	\$ 1,592	\$ 3,250	\$ 135	\$ 650
6170 - Employee Uniform Expense	\$ 1,371	\$ 1,470	\$ 259	\$ 290
6180 - Employee Training & Travel Exp	\$ 1,549	\$ 1,400	\$ 41	\$ 300
6560 - Payroll Expenses	\$ 103	\$ 60	\$ 65	\$ 10
Total 6111 - Other Employee Expenses	\$ 33,628	\$ 41,046	\$ 5,281	\$ 6,983
Total 6100 - Employee Expenses	\$ 151,759	\$ 178,699	\$ 26,700	\$ 31,331
6200 - Administrative Expenses				
6210 - Auditing Expense	\$ -	\$ 6,000	\$ -	\$ 6,000
6225 - Misc. Dues & Fees				
6226 - TECQ Fees	\$ 3,257	\$ 3,400	\$ -	\$ -
6227 - Other Misc. Dues & Fees	\$ 200	\$ 1,400	\$ -	\$ -
Total 6225 - Misc. Dues & Fees	\$ 3,457	\$ 4,800	\$ -	\$ -
6235 - Computer/Office Equip R&M	\$ 1,232	\$ 1,000	\$ -	\$ 200
6240 - Software Update	\$ 756	\$ 1,900	\$ -	\$ 500
6245 - Office Equipment Rental	\$ 385	\$ 500	\$ 96	\$ 100
6250 - Office Supplies	\$ 1,051	\$ 2,200	\$ 92	\$ 600
6255 - Postage Expense	\$ 1,275	\$ 1,700	\$ 252	\$ 400
6260 - Telephone Expense	\$ 1,852	\$ 2,500	\$ 475	\$ 500
6270 - Insurance - GL & Property	\$ 13,621	\$ 15,000	\$ -	\$ -
6280 - Bad Debts	\$ 2	\$ 250	\$ -	\$ -
6282 - Miscellaneous	\$ 393	\$ 725	\$ 279	\$ 140
Total 6200 - Administrative Expenses	\$ 24,025	\$ 36,575	\$ 1,194	\$ 8,440

City of Meadowlakes-Utility Fund Profit Loss Budget vs. Actual Operational

	Oct '11 - Feb 12	Budget	Feb 12	Budget
6300 - Operating Expenses				
6301 - Water Treatment Operational Exp				
6305 - Water Treatment Electrical	\$ 9,698	\$ 12,000	\$ 1,485	\$ 3,000
6310 - Heating Fuel-WTP	\$ -	\$ 1,500	\$ -	\$ 1,250
6313 - Raw Water Purchase-LCRA	\$ 10,696	\$ 5,175	\$ -	\$ -
6314 - R&M-Plant & Pump Station	\$ 1,355	\$ 6,250	\$ 50	\$ -
6316 - WTP Chemical Expense	\$ 7,385	\$ 5,500	\$ 431	\$ 1,500
6320 - Water Outside Testing Expense	\$ 354	\$ 834	\$ 94	\$ 166
6328 - Distribution Repair & Maint.	\$ 841	\$ 4,000	\$ -	\$ 1,000
6331 - Water Plant Renovations	\$ -	\$ 15,000	\$ -	\$ 5,000
6355 - Meter Purchased	\$ 3,642	\$ 3,500	\$ -	\$ -
6360 - Tap Materials-Water	\$ -	\$ 2,000		\$ 1,000
Total 6301 - Water Treatment Operational Exp	\$ 33,971	\$ 55,759	\$ 2,061	\$ 12,916
6302 - Wastewater Operational Expenses				
6304 - Wastewater Electrical	\$ 10,845	\$ 11,500	\$ 2,305	\$ 2,300
6311 - Propane-Wastewater	\$ -	\$ 1,000	\$ -	\$ -
6317 - WWTP Chemicals	\$ 2,150	\$ 3,750	\$ 978	\$ 750
6318 - Outside Testing Wastewater	\$ 438	\$ 1,100	\$ 104	\$ 150
6321 - Collection System R&M	\$ 564	\$ 1,100	\$ -	\$ 200
6322 - Irrigation Maintenance Expense	\$ 33	\$ 2,200	\$ -	\$ 400
6324 - Irrigation Electric Subsidy	\$ 1,875	\$ 3,125	\$ -	\$ 625
6327 - WWTP Repair & Maintenance	\$ 7,060	\$ 7,500	\$ 1,589	\$ 1,500
Total 6302 - Wastewater Operational Expenses	\$ 22,965	\$ 31,275	\$ 4,975	\$ 5,925
6303 - Other Operational Expenses				
6329 - R&M-Building/Misc.	\$ 2,119	\$ 2,200	\$ -	\$ 500
6330 - Vehicle Repair & Maintenance	\$ 886	\$ 2,200	\$ 29	\$ 500
6332 - Mahan Property Upkeep	\$ -	\$ 500	\$ -	\$ 250
6335 - Machinery Repair & Maintenance	\$ 1,786	\$ 3,340	\$ -	\$ 670
6340 - Vehicle & Machinery Fuel				
6341 - Vehicle Fuel	\$ 2,693	\$ 3,340	\$ 769	\$ 670
6342 - Machinery Fuel	\$ -	\$ 1,500	\$ -	\$ 1,500
Total 6340 - Vehicle & Machinery Fuel	\$ 2,693	\$ 4,840	\$ 769	\$ 2,170
6345 - Equipment Lease/Rental	\$ 275	\$ 200	\$ -	\$ -
6350 - Miscellaneous Operational Exp.	\$ 2,075	\$ 800	\$ 129	\$ 150
6365 - Small Tools	\$ 726	\$ 250		\$ -
Total 6303 - Other Operational Expenses	\$ 10,559	\$ 14,330	\$ 927	\$ 4,240
Total 6300 - Operating Expenses	\$ 67,495	\$ 101,364	\$ 7,963	\$ 23,081

City of Meadowlakes-Utility Fund Profit Loss Budget vs. Actual Operational

	Oct '11 - Feb 12	Budget	Feb 12	Budget
6400 - POA Contract Mowing Expense				
6420 - POA Equipment R&M	\$ 1,778	\$ 1,150	\$ 448	\$ 100
6430 - Consumable Supplies - POA	\$ -	\$ 100	\$ -	
6450 - Fuel - POA	\$ 391	\$ 550	\$ 63	\$ 100
6460 - Small Tools - POA	\$ 328	\$ 250		
Total 6400 - POA Contract Mowing Expense	\$ 2,498	\$ 2,050	\$ 511	\$ 200
6500 - Other Expenses				
6510 - Garbage Service Expense	\$ 71,164	\$ 75,415	\$ 14,250	\$ 15,083
Total 6500 - Other Expenses	\$ 71,164	\$ 75,415	\$ 14,250	\$ 15,083
6650 - Capital Expenditures				
6651 - TX Water Dev Board Grant - MF	\$ 5,000	\$ 5,000	\$ -	\$ -
6652 - Assets Purchased			\$ -	
66550 - Equipment Purchased	\$ 4,800		\$ -	
66551 - Building Addition @ STP	\$ 6,956		\$ -	
6652 - Assets Purchased - Other	\$ -	\$ 7,000	\$ -	
Total 6652 - Assets Purchased	\$ 11,756	\$ 7,000		\$ 2,000
6654 - Engineering Study	\$ 18,446	\$ 20,000		\$ 15,000
6655 - Raw Water Pump	\$ -	\$ 25,000		\$ 25,000
6656 - SCADA Upgrades / Replacement	\$ -	\$ 25,000		\$ 7,500
Total 6650 - Capital Expenditures	\$ 35,203	\$ 82,000	\$ -	\$ 49,500
8200 - Transfers Out to Debt Service	\$ 66,250	\$ 66,250	\$ 13,250	\$ 13,250
Total Expense	\$ 418,393	\$ 542,353	\$ 63,868	\$ 140,885
Net Ordinary Income	\$ 23,205	\$ (65,540)	\$ 12,851	\$ (51,227)

City of Meadowlakes - Utility (Public Works) Fund

Operating Cash Flow Analysis

	<i>Oct-11</i>	<i>Nov-11</i>	<i>Dec-11</i>	<i>Jan-12</i>	<i>Feb-12</i>	<i>Mar-12</i>	<i>Apr-12</i>	<i>May-12</i>	<i>Jun-12</i>	<i>Jul-12</i>	<i>Aug-12</i>	<i>Sep-12</i>
Beginning Cash Balance	\$378,405	\$384,429	\$ 413,118	\$409,351	\$417,100	\$404,901	\$404,901	\$ 404,901	\$404,901	\$404,901	\$404,901	\$404,901
Cash Inflows (Income)												
Account Receivables	\$138,131	\$103,719	\$ 78,706	\$ 78,000	\$ 78,835							
Loan Proceeds	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ -							
Contract Services	\$ 6,667	\$ 6,667	\$ 6,667	\$ 6,667	\$ 6,667							
Miscellaneous/Other	\$ 1,900	\$ 8,842	\$ 11,671	\$ 2,236	\$ 1,059							
Total Cash Inflows	\$148,698	\$119,228	\$ 99,044	\$ 86,903	\$ 86,561	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Available Cash Balance	\$527,103	\$503,657	\$ 512,162	\$496,254	\$503,661	\$404,901	\$404,901	\$ 404,901	\$404,901	\$404,901	\$404,901	\$404,901
Cash Outflows (Expenses)												
Prior Months Payables/Misc.	\$ 28,320	\$ 15,587	\$ 11,348	\$ 2,603	\$ 7,305							
Employee Expenses	\$ 29,964	\$ 25,457	\$ 42,210	\$ 27,370	\$ 27,348							
Administrative Expenses	\$ 15,310	\$ 3,913	\$ 1,909	\$ 2,415	\$ 1,416							
Operating Expenses	\$ 33,864	\$ 15,829	\$ 11,144	\$ 13,463	\$ 20,003							
Mowing Contract Expenses	\$ 16	\$ 114	\$ 475	\$ -	\$ 1,238							
Solid Waste Collection Expense	\$ 15,011	\$ 14,165	\$ 14,250	\$ 14,250	\$ 14,250							
Subtotal	\$122,485	\$ 75,065	\$ 81,336	\$ 60,100	\$ 71,560	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Cash Outflows:												
Capital Expenses	\$ 6,938	\$ 2,224	\$ 8,225	\$ 5,804	\$ 13,950							
Debt Service Transfer	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250							
Subtotal	\$ 20,188	\$ 15,474	\$ 21,475	\$ 19,054	\$ 27,200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Cash Outflows	\$142,674	\$ 90,539	\$ 102,811	\$ 79,154	\$ 98,760	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ending Cash Balance	\$384,429	\$413,118	\$ 409,351	\$417,100	\$404,901	\$404,901	\$404,901	\$ 404,901	\$404,901	\$404,901	\$404,901	\$404,901
Difference Beginning to End Cash	\$ 6,024	\$ 28,689	\$ (3,767)	\$ 7,749	\$ (12,199)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Cash Increase/(Decrease) since beginning of Fiscal Year												\$ 26,496

City of Meadowlakes *Debt Service Cash Flow Analysis*

	<i>Oct-11</i>	<i>Nov-11</i>	<i>Dec-11</i>	<i>Jan-12</i>	<i>Feb-12</i>	<i>Mar-12</i>	<i>Apr-12</i>	<i>May-12</i>	<i>Jun-12</i>	<i>Jul-12</i>	<i>Aug-12</i>	<i>Sep-12</i>
Beginning Cash Balance	\$ 16,008	\$ 35,804	\$ 64,878	\$ 130,650	\$ 285,829	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798
Cash Inflows (Income)												
Transfer in from PWD-Operating	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250							
Transfer in from General-Tax Rev	\$ 6,542	\$ 15,810	\$ 52,489	\$ 141,844	\$ 75,964							
Miscellaneous/Other	\$ 4	\$ 14	\$ 33	\$ 85								
Total Cash Inflows	\$ 19,796	\$ 29,074	\$ 65,772	\$ 155,179	\$ 89,214	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Available Cash Balance	\$ 35,804	\$ 64,878	\$ 130,650	\$ 285,829	\$ 375,043	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798
Cash Outflows (Expenses)												
Interest-2008 CO Bonds	\$ -				\$ 85,320							
Interest-200 GO Bonds	\$ -				\$ 8,925							
Principal 2008 CO Bonds	\$ -											
Principal 2008 GO Bonds	\$ -											
Miscellaneous	\$ -											
Total Cash Outflows	\$ -	\$ -	\$ -	\$ -	\$ 94,245	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ending Cash Balance	\$ 35,804	\$ 64,878	\$ 130,650	\$ 285,829	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798	\$ 280,798
Difference Beginning to End Cash	\$ 19,796	\$ 29,074	\$ 65,772	\$ 155,179	\$ (5,031)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Cash Increase/(Decrease) since beginning of Fiscal Year								\$ 264,790				

(Approximately \$355,000 in principal and interest will be made in August 2012.)

City of Meadowlakes-Utility Fund Balance Sheet Prev Year Comparison

	Feb 29, 12	Feb 28, 11
ASSETS		
Current Assets		
Checking/Savings		
1000 - Operating Cash		
1010 - Petty Cash	\$ 400	\$ 400
1020 - American Bk Operating Checking	\$ 40,278	\$ 42,514
1030 - American Bk - Operating MM	\$ 364,223	\$ 220,671
1340 - American Bank - I&S	\$ -	\$ 359
Total 1000 - Operating Cash	\$ 404,901	\$ 263,943
 1100 - Construction Cash		
1110 - American Bank - Construction	\$ -	\$ 2,860
1122 - 2008 Construction Fund Account	\$ -	\$ 16,099
Total 1100 - Construction Cash	\$ -	\$ 18,958
 1300 - Debt Service		
1341 - Series 2008 Debt Service Account	\$ 280,798	\$ 261,930
Total 1300 - Debt Service	\$ 280,798	\$ 261,930
 Total Checking/Savings	\$ 685,699	\$ 544,831
 Accounts Receivable		
1600 - Advances to other Funds		
1601 - Loan to RCC Division	\$ 289,394	\$ 313,324
1500 - Operating Receivables	\$ 63,797	\$ 74,472
Total Accounts Receivable	\$ 353,191	\$ 387,796
 Total 1800 - Operating Inventories	\$ 29,301	\$ 25,276
 Total Other Current Assets	\$ 1,068,192	\$ 957,902
 Fixed Assets		
1900 - Fixed Assets		
2008 Bond Issuance Cost	\$ 4,435	\$ 75,550
Total Fixed Assets	\$ 6,524,797	\$ 9,743,026
1990 - Accumulated Depreciation	\$ (2,969,399)	\$ (2,862,173)
Total 1900 - Fixed Assets	\$ 3,559,833	\$ 6,956,402
1983 - Golf Irrigation Improvements	\$ 272,352	\$ 219,772
 Total Fixed Assets	\$ 3,832,185	\$ 7,176,174
TOTAL ASSETS	\$ 4,900,376	\$ 8,134,076

City of Meadowlakes-Utility Fund Balance Sheet Prev Year Comparison

	Feb 29, 12	Feb 28, 11
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
2000 · Accounts Payable	\$ 19,708	\$ 44,570
3210 · Current Portion of Bonds Payable	\$ 250,000	\$ 265,000
Total Accounts Payable	\$ 269,708	\$ 309,570
Other Current Liabilities		
2100 · Payroll Liabilities	\$ -	\$ 21
3000 · Operating Accounts Payable	\$ -	\$ 287
3010 · Service Deposits Payable	\$ 71,750	\$ 66,538
3020 · Sales Tax Payable	\$ 986	\$ 888
3155 · Employee Retirement Payable	\$ -	\$ 372
3200 · Accrued Interest Payable	\$ 1,408	\$ 15,845
3560 · Deferred Operating Tax Revenue	\$ 3,147	\$ 3,147
3700 · Prior Period Adjustments	\$ 296,585	\$ -
Total Other Current Liabilities	\$ 373,876	\$ 87,097
Total Current Liabilities	\$ 643,584	\$ 396,667
Long Term Liabilities		
3600 · Long Term Debt		
3611 · 2008 Certificates Obligations	\$ -	\$ 3,555,000
3612 · 2008 General Obligations Bonds	\$ 260,000	\$ 510,000
Total 3600 · Long Term Debt	\$ 260,000	\$ 4,065,000
Total Long Term Liabilities	\$ 260,000	\$ 4,065,000
Total Liabilities	\$ 903,584	\$ 4,461,667
Equity		
3900 · Retained Earnings	\$ 173,350	\$ 406,098
4000 · General Fund Balance	\$ 180,682	\$ 180,682
4010 · Reserved for Inventories	\$ 21,711	\$ 21,711
4020 · General Fund-Fixed Assets	\$ 3,316,343	\$ 2,752,834
4100 · Debt Service Fund	\$ 16,367	\$ 20,614
4200 · Capital Projects Fund	\$ 480	\$ 18,944
Net Income	\$ 289,859	\$ 271,527
Total Equity	\$ 3,998,793	\$ 3,672,409
TOTAL LIABILITIES & EQUITY	\$ 4,902,376	\$ 8,134,076

Profit Loss

Debt Service Fund

	Oct '11 - Feb 12	Budget	Feb 12	Budget
Other Income/Expense				
Other Income				
9000 - Debt Service Rev. (Transfers)				
9001 - Transfer in from Operating	\$ 66,250	\$ 66,250	\$ 13,250	\$ 13,250
9002 - Transfer in from General	\$ 292,649	\$ 272,500	\$ 75,964	\$ 65,000
Total 9000 - Debt Service Rev. (Transfers)	\$ 358,899	\$ 338,750	\$ 89,214	\$ 78,250
Total Other Income	\$ 358,899	\$ 338,750	\$ 89,214	\$ 78,250
Other Expense				
9010 - Debt Service Expenses				
9020 - 2008 Certificate of Obligations				
9025 - 2008 CO's- Interest	\$ 85,320	\$ 85,320	\$ 85,320	\$ 85,320
Total 9020 - 2008 Certificate of Obligations	\$ 85,320	\$ 85,320	\$ 85,320	\$ 85,320
9030 - 2008 General Obligations Bonds				
9035 - 2008-GO's-Interest	\$ 8,925	\$ 8,838	\$ 8,925	\$ 8,838
Total 9030 - 2008 General Obligations Bonds	\$ 8,925	\$ 8,838	\$ 8,925	\$ 8,838
Total 9010 - Debt Service Expenses	\$ 94,245	\$ 94,158	\$ 94,245	\$ 94,158
Total Other Expense	\$ 94,245	\$ 94,158	\$ 94,245	\$ 94,158
Net Income	\$ 264,654	\$ 244,592	\$ (5,031)	\$ (15,908)

Recreation & Country Club Division
Profit & Loss
October 2011 through February 2012

	<u>Oct '11 - Feb 12</u>
Ordinary Income/Expense	
Income	
03-5000 - Revenue	
03-5110 - General Fund Transfer In	\$ 5,000
Fund Balance Transfer In	\$ 33,375
Total 03-5000 - Revenue	<u>\$ 38,375</u>
03-5091 - Revenue-Public Facilities Corp.	
03-5090 - Interest Earned	\$ 8
03-5092 - Lease Income	\$ 4,750
03-5094 - Reimbursement-Equip Lease/Purch	\$ 18,900
03-5096 - Miscellaneous Income	\$ 10
Total 03-5091 - Revenue-Public Facilities Corp.	<u>\$ 23,667</u>
Total Income	\$ 62,042
Expense	
03-6000 - Administrative Expenditures	
03-6068 - House Maintenance Expenses	
03-6102 - Building Repair & Maintenance	\$ 246
Total 03-6068 - House Maintenance Expenses	<u>\$ 246</u>
Total 03-6000 - Administrative Expenditures	\$ 246
03-6900 - Building Repairs & Maint.	
03-6095 - Pro-Shop Bathrooms Renovations	\$ 8,180
Total 03-6900 - Building Repairs & Maint.	<u>\$ 8,180</u>
Total Expense	<u>\$ 8,426</u>
Net Ordinary Income	\$ 53,616
Debt Service Expense	
Equipment Lease/Purchase - Principal	\$ 36,308
Equipment lease/Purchase - Interest	\$ 1,094
Total Debt Service Expenses	<u>\$ 37,402</u>
Net Income	<u><u>\$ 16,215</u></u>

City of Meadowlakes
Check Written Over \$2500 Month of February 2012

Utility (Public Works) Fund

Date	Ck. No.	Name	Amount	Description
02/02/12	12798	General Chemical	\$ 3,644.52	Water treatment plant chemicals
02/02/12	12802	PEC	\$ 3,362.36	Water and wastewater treatment electrical
02/09/12	12809	Allied Waste	\$ 14,249.81	Solid waste collection-January 2012
02/09/12	12817	Southwest Engineers	\$ 13,950.00	Water system engineering study
02/13/12	12820	LCRA	\$ 10,623.83	Raw water (\$5736-PWD and \$4887.83 PFC)

Debt Service Fund

02/16/12	1008	Bank of America	\$ 94,245.00	Semi-annual interest payment 2008 Bonds
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General Fund

02/03/12	5872	Marble Falls EMS	\$ 2,791.67	February 2012 contract payment
02/03/12	5882	Public Workd Fund	\$ 37,119.61	Property tax revenue transfer to debt service
02/10/12	5884	Public Workd Fund	\$ 5,911.40	Property tax revenue transfer to debt service

City of Meadowlakes
Items for Consideration
City Council Meeting
March 13, 2012

Date: March 8, 2012

To: Honorable Mayor Williams and Council Persons

From: Johnnie Thompson, City Manager

Agenda Item: **VI-A-Raw Water Purchase agreement with Lower Colorado River Authority.**

1. **Requested Council Agenda Date:** March 13, 2012
 2. **Contact Name & Number:** Johnnie Thompson, City Manager-830-693-2951
 3. **Place On:** **Consent** **New Business** **Old Business**
 4. **Budget Impact Statement Attached:** **Yes** **No** **N/A**
 5. **Original Copies of Documents Approved to from by City Attorney?** **Yes** **No**
 N/A
-

6. Background:

I have been in contact with representatives of the LCRA regarding the proposed raw water sale agreement for the acquisition of an additional 75 acre-feet of raw water for the golf course. As you may recall our legal counsel advised that since the term of the contract is for more than one year and would be considered a long-term liability for the City that per Texas law a non-appropriations clause must be included within the contract. The draft agreement provided by LCRA did not provide this clause. It is my understanding that due to this being an exception to the LCRA standard agreement it required additional legal review by their attorneys. They have requested the requested wording for the clause which I have forwarded to them.

I received an email late Wednesday evening advising that we should receive feedback from LCRA on our request by Friday morning. I will issue you an update once upon receiving any additional information.

City of Meadowlakes
Items for Consideration
City Council Meeting
March 13, 2012

Date: March 8, 2012
To: Honorable Mayor Williams and Council Persons
From: Stephanie Littleton, City Secretary
Agenda Item: VI-B-Election Update

1. **Requested Council Agenda Date:** March 13, 2012
 2. **Contact Name & Number:** Stephanie Littleton, City Secretary-830-693-6840
 3. **Place On:** ___ Consent ___ New Business X Old Business
 4. **Budget Impact Statement Attached:** ___ Yes ___ No √ N/A
 5. **Original Copies of Documents Approved to from by City Attorney?** ___ Yes ___ No
 √ N/A
-

6. Background:

As of the date of this MEMO, we have two uncontested positions and one contested position for the May 12, General Election. Mary Ann Raesener is running unopposed for Place 1 currently held by Bill Pickard and the Mayor is running unopposed for his re-election. Gary Hammond and Georgina Christy are both running for Place 5, currently held by Rusty Crawford. The drawing for place on the ballot will take place next Wednesday the 14th at 3:00 p.m. at City Hall. Early voting begins April 30th and runs through May 8th at both the Annex in Marble Falls and at the County Courthouse in Burnet. I will be running this information in the newsletter through the week of May 12th. If you receive any questions regarding voter registration cards, please let the person know that due to redistricting, the voter cards will be mailed late this year. This is the information on the Burnet County Elections Website:

“Due to ongoing litigation involving Congressional and Legislative Districts in the state of Texas, we have been unable to issue replacement voter certificates. Because your certificate contains information about these districts, we will not be able to mail replacement certificates until 2-3 weeks following approval of new district and precinct lines. Though the current certificate has an expiration date of December 31, 2011, your right to vote in any election in 2012 will not be affected by this delay. Only the certificate expires. A voter’s registration does not expire.”

City of Meadowlakes
Items for Consideration
City Council Meeting
March 13, 2012

Date: March 8, 2012
To: Honorable Mayor Williams and Council Persons
From: Johnnie Thompson, City Manager
Agenda Item: VII-A-Ordinance 12-002-Flood Plain

1. **Requested Council Agenda Date:** March 13, 2012
 2. **Contact Name & Number:** Johnnie Thompson, City Manager-830-693-2951
 3. **Place On:** Consent New Business Old Business
 4. **Budget Impact Statement Attached:** Yes No N/A
 5. **Original Copies of Documents Approved to from by City Attorney?** Yes No
 N/A
-

6. Background:

Please find attached for your review and possible approval a copy of Ordinance 12-002 along with other supporting documents. We are required to adopt the ordinance "as is" in order to continue to have flood insurance provided to our citizens through NFIP. The ordinance and accompanying attachments were supplied by FEMA .

The accompanying attachment to the ordinance is very similar in nature to our existing ordinance language. As you may recall, last month during our codification workshop we discussed deleting that portion of the language that really did not pertain to us such as those areas addressing manufactured homes and recreational vehicles. Even though such residential units are prohibited within the City we must have the language within the adopted ordinance address such residential units.

Mike will brief you in more detail on the recommended ordinance and the need for the ordinance to be passed as presented in order to continue to provide flood insurance to the citizens of Meadowlakes through the NFIP.

City of Meadowlakes

ORDINANCE NUMBER 12-002

March 13, 2012

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEADOWLAKES, BURNET COUNTY, TEXAS ADOPTING FLOODPLAIN MANAGEMENT STANDARDS

WHEREAS, certain areas of the City of Meadowlakes are subject to periodic flooding, causing serious damages to properties within these areas; and

WHEREAS, under the National Flood Insurance act of 1968, as amended, residents of the City of Meadowlakes can purchase Federally subsidized flood insurance if the City qualifies for, and participates in the National Flood Insurance Program; and

WHEREAS, it is the intent of this City Council to qualify for participation in the National Flood Insurance Program and to require the recognition and evaluation of flood hazards for all proposed developments within the identified floodplains of the City of Meadowlakes; and

WHEREAS, the City Council of the City of Meadowlakes has the legal authority to adopt and enforce floodplain management criteria to reduce future flood losses pursuant to Subchapter I, Section 16.315 of the Texas Water Code;

NOW, THEREFORE, BE IT RESOLVED, that this City Council hereby:

1. Assures the Federal Emergency Management Agency it will enact as necessary, and maintain in force in those areas having flood hazards, adequate floodplain management standards with effective enforcement provisions consistent with the minimum criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations hereby attached and marked "Attachment A"; and
2. Vests the Mayor, or his official designate, with the responsibility, authority, and means to:
 - Assist the Administrator, at his request, in his delineation of the limits of the areas having special flood hazards.
 - Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain.
 - Cooperate with Federal, State and local agencies and private firms which undertake to study, survey" map, and identify floodplain areas, and cooperate with neighboring political subdivisions with respect to management of adjoining floodplain areas in order to prevent aggravation of existing flood hazards.

- Submit on as requested by the Administrator, a biennial report to the Administrator on the progress made during the past year within the City in the development and implementation of floodplain management measures. Upon occurrence, notify the Administrator in writing whenever the boundaries of the City have been modified or changed by annexation of new areas or if the City no longer has the authority to enforce floodplain management regulations in a particular area. Include within such notification a copy of a map of the City clearly delineating the new corporate limits or new area for which the City has assumed or has relinquished floodplain management regulatory authority.

3. Appoints the Public Works Director to maintain for public inspection and to furnish upon request, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest habitable floor of all new and substantially improved structures located within the identified floodplain of the City of Meadowlakes. The information should include whether or not such structures contain a basement, the elevation of the basement, and if the structure has been flood-proofed, the elevation to which the structure was flood-proofed.

DULY PASSED AND APPROVED THIS THE 13TH DAY OF MARCH, 2012.

Don Williams, Mayor

ATTESTED:

Stephanie Littleton, City Secretary

I, Stephanie Wynne Littleton, Notary for the State of Texas and City Secretary for the City of Meadowlakes, do hereby certify that the attached copy of Ordinance 12-002 Adopting Floodplain Management Standards, signed March 13th, 2012 and signed by Mayor Don Williams, is a true and accurate copy of the official records maintained on file at the City of Meadowlakes, City Hall, Burnet County, Texas.

Authenticity attested to and signed on this 13th day of March, 2012 by Stephanie Wynne Littleton, Notary and City Secretary for the City of Meadowlakes, Burnet County, Texas.

(Seal)

Signature

My Commission Expires January 25, 2014

State of Texas §

County of Burnet §

On this the 14th day of March, 2012, appeared Stephanie Wynne Littleton before me and stated on his/her oath the statements contained herein are true and correct and was acknowledged before me.

SUBSCRIBED AND SWORN TO before me.

Signature - Notary Public

Dated

(Seal)

Exhibit "A"

60.3(d)

FLOOD DAMAGE PREVENTION ORDINANCE

ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Meadowlakes, Texas does ordain as follows:

SECTION B. FINDINGS OF FACT

(1) The flood hazard areas of Meadowlakes are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;

(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

(7) Insure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

ARTICLE 2

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

APPURTENANT STRUCTURE – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

AREA OF FUTURE CONDITIONS FLOOD HAZARD – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

AREA OF SHALLOW FLOODING - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.

BASEMENT - means any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION STUDY – means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – see *Flood Elevation Study*

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY – see *Regulatory Floodway*

FUNCTIONALLY DEPENDENT USE - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable

non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

RIVERINE – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA – see *Area of Special Flood Hazard*

START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3

GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard with the jurisdiction of Meadowlakes.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Burnet County, Texas and Incorporated Areas," dated March 15th, 2012, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated March 15, 2012, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OR LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

ARTICLE 4

ADMINISTRATION

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Public Works Director is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

(2) Review permits application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface

elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

SECTION C. PERMIT PROCEDURES

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Article 4, Section (B)(1);

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

SECTION D. VARIANCE PROCEDURES

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

[10] Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article

4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:

(1) **Residential Construction** - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to one foot above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) **Manufactured Homes** -

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

(i) the lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) **Recreational Vehicles** - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

SECTION D. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of **residential** structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).

(2) All new construction and substantial improvements of **non-residential** structures;

(a) have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified), or

(b) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

SECTION E. FLOODWAYS

Floodways - located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If Article 5, Section E (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community **first** completes all of the provisions required by Section 65.12.

SECTION F. SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION G. PENALTIES FOR NON COMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Meadowlakes from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION H. CERTIFICATION OF ADOPTION

APPROVED: _____
(community official)

PASSED: _____
(adoption date)

ORDINANCE BECOMES EFFECTIVE: _____
(effective date)

I, the undersigned, Stephanie Littleton, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the City Council of the city of Meadowlakes, at a regular meeting duly convened on March 13th, 2012.

Stephanie Littleton, City Secretary

{SEAL}