

## COUNCIL POLICY & VALUATION COUNCIL COMMITTEE January 24, 2024 MINUTES

### Council present:

Dan McClendon, Chair  
Larry Scott  
Adam Russell

### Council Absent:

### Staff present

Tommy Ludwig, City Manager  
Harlan Jefferson, Deputy City Manager  
Eric Oscarson, Deputy City Manager  
Matt Ribitzki, Deputy City Attorney  
Amanda Campos, City Secretary  
Monica Solko, Deputy City Secretary  
Tony McIlwain, Director of Development Services  
Emilio Sanchez, Deputy Director of Development Services  
Alex Philips, Director of Economic Development  
John Butkus, Finance Director  
Justin Scharnhorst, Assistant to the City Manager

### **1. CALL TO ORDER – Time: 11:00 a.m.**

Chair Dan McClendon called the meeting to order at 11:02 a.m.

### **2. CITIZEN APPEARANCES**

- None.

### **3. GENERAL**

#### **A. Consider approval of the minutes from the November 20, 2023 Council Policy and Valuation Committee meeting. (*Staff Contact: Amanda Campos, City Secretary*)**

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 3-0.

#### **B. Receive a report, hold a discussion, and provide staff direction regarding the pursuit of the Texas Comptroller of Public Accounts' Transparency Stars program which recognizes local governments for going above and beyond in their transparency efforts. (*Staff Presenter: Harlan Jefferson, Deputy City Manager*)**

Harlan Jefferson, Deputy City Manager, reported on the Texas Comptroller of Public Account' Transparency Stars program to the committee.

Presentation included purpose of the program, benefits, opportunity to reduce security risk, awards for program. Start at the basic level and then move forward with obtaining the others. Committee was in favor of program.

**C. Receive a report, hold a discussion and provide feedback regarding Easement & Right-of-way Use Agreements. (Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, reported on the easement and right-of-way use agreements to the committee.

Discussion included Public Works- Engineering will continue to review and administratively approve easement use agreements (citywide) and right-of-way use agreements that are located outside of Old Town. All right-of-way use agreements located in Old Town will proceed to the Old Town Design Standards Review Committee for review and then to City Council for consideration. All public parking and public sidewalks use agreements will proceed directly to City Council for consideration. Staff to file the right-of-way or easement agreements with the city secretary's office instead of the county property records. Requirements for a bond for the use to go back to original status. Relying on the Old Town Design Standards Review Committee to review and needing someone with architecture credentials on the committee. The agreement is non-transferrable if the owner changes. Annual audit will include bond insurance, no owner changes; add to the application to include that agreement is at the discretion of the council as ROW is an asset. There is no guarantee; council will determine if it is public benefit to use the ROW. Establish application fee(s), renewals, five-year application, surety adjustments, revisit escrows after five years, annual review fee, prorating for January start. New agreements to be reviewed by Old Town Design Standards Review Committee, council review once every five years and staff review annually.

The committee was in favor of the following:

- One-time application fee of \$525, unless significant changes would trigger another application fee.
- Old Town Design Standards Review Committee (OTDSRC) to review use agreements.
- Grandfather current agreements.
- Brief council each year with findings.
- No escrow account.
- Add a consultant with an architect credentials to the OTDSRC to help with review process.

## RECESS AND BACK TO ORDER

Chair Dan McClendon recessed for a short break at 12:26 p.m. and called the meeting back to order at 12:36 p.m. with all members present.

**D. Receive a report, hold a discussion, and provide staff feedback regarding the Asset Management Policy and Risk Matrix. (Staff Presenter: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, reported on the asset management policy and risk matrix to the committee.

Committee discussed benefits of asset management, policy for asset management and consequences of failure, risk matrix, framework for implementing and changes it will make to the city debt structure. Next step will bring to the full council for a council discussion.

**4. BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

- None.

**5. EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom at City Hall to conduct a closed meeting to discuss any item listed on this agenda.

**A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

- No executive session needed.

**6. ADJOURN**

There being no further business Chair Dan McClendon adjourned the meeting.

**Time: 1:15 p.m.**

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Monica Solko  
Deputy City Secretary