

Item # 4

Form #2201 Rev5-20-2020

Submit to:

SECRETARY OF STATE

Government Filings

Section P O Box 12887

Austin, TX 78711-2887

512-463-6334

512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Tyrone Washington, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Assistant Chief 2 of the Smithville Volunteer Fire Department

City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

Form #2204 Rev 9/2017

This space reserved for office use

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Austin, TX 78711-2887
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FAX 512-463-5569
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Tyrone Washington, do solemnly swear (or affirm), that I will faithfully execute the duties of the office
of Assistant Chief 2 of the Smithville Volunteer Fire Department of the State of Texas, and will to the best
of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State,
so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

Sworn to and subscribed before me on this 12th day of December 2022.

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Printed or Typed Name

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STATEMENT OF OFFICER

Statement

I, Robert Hightower, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Assistant Chief 1 of the Smithville Volunteer Fire Department

City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Robert Hightower, do solemnly swear (or affirm), that I will faithfully execute the duties of the office
of Assistant Chief 1 of the Smithville Volunteer Fire Department of the State of Texas, and will to the best
of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State,
so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

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Signature of Other Person Authorized to Administer An
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STATEMENT OF OFFICER

Statement

I, Trey Clemons, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Chief of the Smithville Volunteer Fire Department

City and County Smithville, Texas

Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Trey Clemons, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of
Chief of the Smithville Volunteer Fire Department of the State of Texas, and will to the best of my ability
preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me
God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

Sworn to and subscribed before me on this 12th day of December 2022.

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
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STATEMENT OF OFFICER

Statement

I, Phillip Slaughter, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Fire Marshal of the Smithville Volunteer Fire Department
City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Phillip Slaughter, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Fire Marshal of the Smithville Volunteer Fire Department of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

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Signature of Notary Public or
Signature of Other Person Authorized to Administer An
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Filing Fee: None



STATEMENT OF OFFICER

Statement

I, John Johnson, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Treasure of the Smithville Volunteer Fire Department
City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, John Johnson, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Treasure of the Smithville Volunteer Fire Department of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

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Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Lisa Rinehart, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Secretary of the Smithville Volunteer Fire Department
City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Lisa Rinehart, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of
Secretary of the Smithville Volunteer Fire Department of the State of Texas, and will to the best of my
ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so
help me God.

Signature of Officer

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State of Texas
County of Bastrop

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Signature of Other Person Authorized to Administer An
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512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Brad Murphy, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: President of the Smithville Volunteer Fire Department
City and County Smithville, Texas Bastrop County

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: 12/12/2022

Signature of Officer

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Filing Fee: None



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IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Brad Murphy, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of
President of the Smithville Volunteer Fire Department of the State of Texas, and will to the best of my
ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so
help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas
County of Bastrop

Sworn to and subscribed before me on this 12th day of December 2022.

Signature of Notary Public or
Signature of Other Person Authorized to Administer An
Oath

Printed or Typed Name



Jim Withers, Chairman (President)
Smithville Hospital Authority
P.O. Box 540
Smithville, TX 78957

Re: Proposed extension of Lease Agreement dated June 27, 2011 (the "**Lease**"), as amended, by and between Smithville Hospital Authority (the "**Authority**") and Ascension Seton (f/k/a Seton Family of Hospitals and Seton Healthcare) ("**Seton**")

Dear Mr. Withers:

The current Lease for Ascension Seton Smithville Hospital (the "**Hospital**") requires Seton to operate an acute care licensed facility, including provision of inpatient services and operation of an emergency room through June 30, 2025, with notice obligations no later than June 30, 2024 in the event Seton were to decide to close the Hospital as of June 30, 2025.

Seton would like to propose that the parties enter good faith negotiations beginning in January of 2023 regarding an amendment of certain terms and an extension of the Lease, which is well in advance of the notice deadlines set forth in the existing Lease.

This letter shall not be deemed or construed to waive, restrict or diminish any right at law or equity which Seton may have pursuant to the Lease.

ASCENSION SETON

By: Christann Vasquez
Christann Vasquez, President

Acknowledged and Agreed:

SMITHVILLE HOSPITAL AUTHORITY

By: Jim Withers
Jim Withers, Chairman (President)

City of Smithville Performance Contract Review

December 2022

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Agenda

- Review of Performance Contract
- Post Construction
- Year 5 M&V Results & Actions
- Change Order #1

Summary of Performance Contract



Ameresco and City entered into a Performance Contracting Agreement in July 2015



Measurement & Verification Report Completed Annually w/ Water Meters Tested in Year 5



Scope of Work:

- 1) Install New Street and Interior Lighting
- 2) AMI System for Water & Electric Utilities



Aug. 17, 2016, Ameresco Received Final Acceptance Certificate

3

Post Construction

- Started Annual Measurement & Verification Reports

ECO

- Water Meter Battery

Solution:

- ✓ Mueller Replaced All Communication Node to Latest V6 Version
- ✓ Ameresco Waived M&V Fees for Years 2, 3 & 4

- Mueller Exiting Electric Meter AMI Space

Solution:

- ✓ Purchase Replacement Stock of Electric Meters

Year 5 M&V Report & Associated Actions



Per Contract, a Random Sample of Water Meters Were Pulled & Tested for Flow Rate Accuracy (based on AWWA Standards)



Root-Cause Testing of Failed Meters Showed a Material Defect in the 5/8" Meters Causing the Accuracy Decline



The (68) 5/8" Water Meters Tested Were Experiencing a High % of Unacceptable Accuracy



Corrective Plan

- All 5/8" Meters from the Original Project Would Be Replaced
- Additional 5/8" Meter Test Will Occur in Years 7 and 9
- Utilize Shortfall to Address Other Issues



The Overall Contractual Savings Shortfall for Years 1 – 6 Was Calculated to be \$361,093

5

Change Order #1

➤ Additional Product and Services

- 500+ Electric Meters as Replacement Stock
- Spare Repeater & Collector
- Enhanced Customer Portal for Water (Setup and 7 Years of Annual Subscription)
- Enhanced Customer Portal for Electric (Setup and 6 Years of Annual Subscription)

➤ Memorialized Changes To Original Contract

- Waived Ameresco's M&V Fees for Guarantee Years 2 – 4
- Incorporated Years 5 & 6 M&V Fee Into Savings Shortfall
- Incorporated Extra Water Meter Testing for Years 7 and 9



Thank You!

Ameresco, Inc.
7929 Brookriver Dr.
Suite 250
Dallas, TX 75247

ameresco.com

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vertexone™

Empowering your customers & your staff

Prepared for Smithville, TX

Michelle Camp

Michelle.Camp@VertexOne.net

512.422.1647

WaterSmart >> VXsmart

1. More water utilities use VXsmart than any other portal in this space (200+ & counting)
2. Unmatched AMI experience & results
 - Ingesting & analyzing AMI data for 85+ different Utility Partners
 - Proven to save staff time & drive self-resolution + Portal adoption
3. 100% launch rate – zero failed implementations

UTILITY PARTNERS



INDUSTRY PARTNERS



Advanced
Metering
Infrastructure



Electronic
Payments

vertexone | 2

Value of Customer Engagement

CUSTOMER EXPERIENCE



Customer Portal provides personalized & actionable water use insights



Alerts can be sent in all channels (print, email, voice, text)



Leak Resolution & Bill Explainer help customers to resolve issues online

UTILITY EXPERIENCE



Consumption data analytics in aggregate and for individuals



50+ Reports & maps identify customers with leaks, irrigation, rebates, and more



Group Messenger to send targeted, timely customer communications

vertexone | 3

austin_water

Continuous Use Detected
Your water has been running continuously for several hours.

Start checking for leaks

Already Found a Leak?
Let us know what it was.

Found a leak

Changes to Your Property?
Some property features use water continuously and can look like a leak.

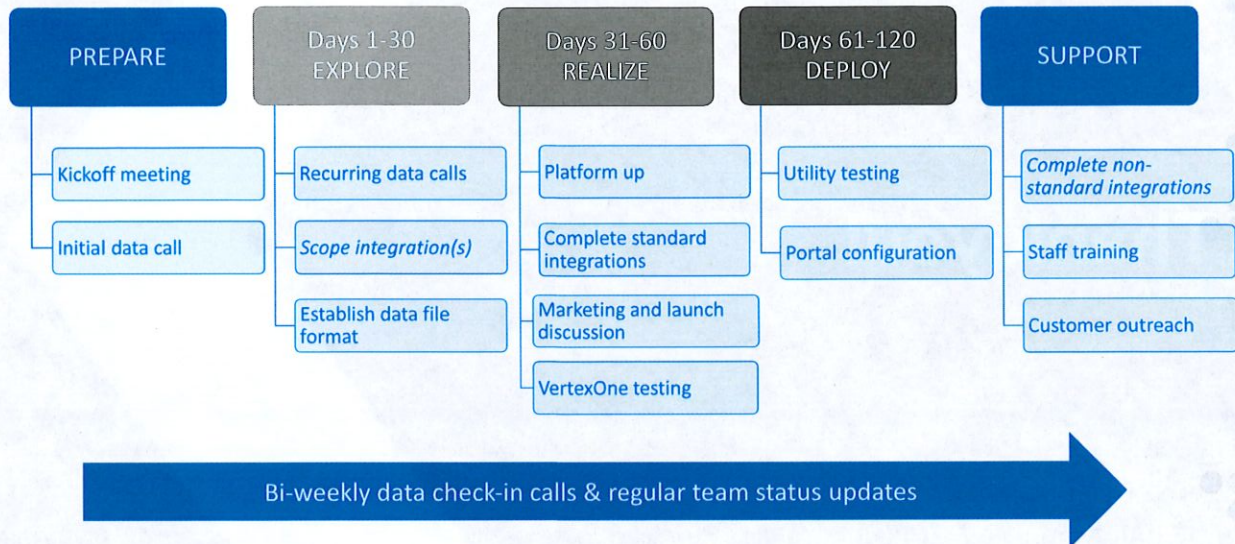
Not a leak

Liked by rehdr

austin_water One of the handiest features of the My ATX Water portal is the alert system. The system can detect continuous water use, which could point to a leak, or you can set your own thresholds for alerts! Has the My ATX Water portal saved you water or money? Tell us in the comments! Learn more at myatxwater.org!

vertexone | 4

120-Day Implementation



VXsmart Demonstration



Thank you!

Michelle Camp

Michelle.Camp@VertexOne.net

512.422.1647

Item # 5

CITY OF SMITHVILLE
COUNCIL MEETING MINUTES
NOVEMBER 14, 2022

Present: Mayor Sharon Foerster, Councilmembers Janice Bruno, Bill Gordon, Tom Etheredge, Joanna Morgan, and City Manager Robert Tamble. Not Present Cassie Barrientos.

Open Meeting: Call to order: Mayor Foerster called the meeting to order at 6:00 p.m. Councilwoman Morgan led the Invocation and Pledge.

Recognition/Awards/Proclamations/Announcements/Presentations:

- a) Proclamation for "Day of Thanksgiving" Mayor Foerster read the proclamation.
- b) Proclamation for "Honor Our Veterans Day" Councilwoman Bruno read the proclamation.
- c) Proclamation for "National American Indian Heritage Month" Councilman Gordon read the proclamation.
- d) Presentation from Langford on the City of Smithville's Comp Plan – Jill Phinney gave the presentation.
- e) Presentation from Janice Bruno on the Housing Huddle – Councilwoman Bruno

Citizen Comments: None

Approval of the minutes from October 17, 2022, City Council Meeting and Public Hearing. Councilman Ethedgede made a motion to approve the minutes as presented. Councilman Gordon seconded and the motion passed unanimously.

Hear from the Applicant/Agent on all P&Z Application requests. Tim with BEFCO explained the final re-plat to the Council.

Hear recommendations from Planning and Zoning on:

- a) A final re-plat for 1607 E. Loop 230, property ID 8717857, McMahan Addition Lot 1, property owner George McMahan, agent Tim Sanders. Brian Riewe said the P&Z recommended approving the re-plat.

Public Hearing:

Hear Citizen Comments on:

- a) A final re-plat for 1607 E. Loop 230, property ID 8717857, McMahan Addition Lot 1, property owner George McMahan, agent Tim Sanders. No one signed up to speak for or against the final re-plat.

Open Meeting:

Discussion and Action from Council on:

- a) A final re-plat for 1607 E. Loop 230, property ID 8717857, McMahan Addition Lot 1, property owner George McMahan, agent Tim Sanders. George McMahan is re-plating his property to accommodate the construction of commercial property. Councilwoman Bruno made a motion to approve the final re-plat. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on an Amendment to Solar Power Purchase Agreement (PPA) with Smithville Solar One, LLC. - Back in December 2019, the City Council approved a 25-year solar Power Purchase Agreement (PPA) with Smithville Solar One, LLC. Since then, Smithville Solar has built a 1-Megawatt single axis tracking photovoltaic solar array on annexed property located next to the Smithville Municipal Airport on the west side of Loop 230. Our current wholesale power agreement with LCRA allows the City of Smithville to purchase up to 15% of alternative energy through a 3rd party. The solar array will generate 2.9 Megawatt hours of clean energy per year for the City of Smithville. The City will save approximately \$350k over the 25-year term --- double this amount if battery storage is added in the future allowing the City to sell power back to LCRA / ERCOT during the summer 4CP (4 Coincident Peak) and/or the City exercises its "first right of refusal" to purchase additional solar power (Phase 2). Smithville Solar is requesting an amendment to the current PPA to remove reference(s) to the "early termination" and "option to purchase" clause(s) in order to secure and complete financing. In addition, Smithville Solar is requesting modification of the PPA to adjust (extend) the 25-year term with a start-date of January 31, 2023. Due to supply chain issues associated with the global pandemic, it took the City over a year to acquire and install an electric meter capable of reading kilowatt generation at 15-minute intervals as specified by LCRA. As such, this delayed commissioning and operation of the solar array. The 15-minute interval meter was received and installed in October and system testing shows it is functioning properly. Testing and commissioning of the system is expected to continue until January 31, 2023. The requested modifications / Amendment will not place either entity at risk nor reduce the anticipated benefit / revenue the City expects to receive over the amended 25-year PPA term. David Cox (Smithville Solar One, LLC) will be attending the meeting and can answer any questions you may have. Councilman Etheredge made a motion to approve the amendment to the PPA subject to three changes 1) the Agreement has instead of elimination of the termination provision that it has the 5 year lockout for the purchaser's right to terminate 2) that we get a reasonable notice in cure provisions from any financing party should they default 3) City Manager determines and implements the appropriate level of liability insurance, an amount materially higher than the proposed one million dollars. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on an Amendment to the 380 Agreement with Smithville Solar One, LLC and Pentric, Inc.: Smithville Solar One, LLC and Pentric, Inc. are requesting the 380 Economic Development / Annexation Agreement (approved by the City Council on December 14, 2020) be extended two (2) years beginning 2023 and ending 2027. In addition, the following modifications are being requested:

Preamble:

- Add Amendment date of November 14, 2022 to Preamble.

C. Economic Development Incentives:

- Section 1(b) – Reimbursements shall be in effect beginning w/ tax year as of December 31, 2022
- Section 1(c)(2) – The Project shall have an in-service start date of no later than January 31, 2023
- Section 3 – Update performance-based incentive milestones and dates (see chart below)

Chapter 380 of the Texas Local Government Code authorizes municipalities to offer incentives designed to promote economic development. The terms of the 380 Agreement required Smithville Solar One, LLC and Pentric, Inc. to voluntarily annex a 20.93-acre tract of land into the city limits for construction of a solar array. In return, the City of Smithville will provide services (e.g., fire, police, garbage, water, and sewer) and offer approximately \$30k of performance-based incentives in the form of property tax reimbursements (city only) over the next 5-years. The solar array must perform at 95% or better to qualify for the tax reimbursement incentive (see below). The cost of the incentives will be offset by the savings generated from the PPA.

CURRENT

Year	Solar One Performance Requirement	Percent (%) Rollback Tax Reimbursement	Percent (%) Property Tax Reimbursement
2021	Construction Complete	100%	100%
2022 to 2025	95% or >	N/A	100%
	90% - 94.99%	N/A	75%
	85% - 89.9%	N/A	50%
	<85%	N/A	0%

PROPOSED

Year	Solar One Performance Requirement	Percent (%) Rollback Tax Reimbursement	Percent (%) Property Tax Reimbursement
2022	Construction Complete	100%	100%
In Service 2023 to 2027	95% or >	N/A	100%
	90% - 94.99%	N/A	75%
	85% - 89.9%	N/A	50%
	<85%	N/A	0%

Councilwoman Morgan made a motion to approve the amendment to the 380 Agreement. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the 2022 Certified Tax Levy for the City of Smithville: In accordance with the Texas Property tax Code 26.09(e), the Council must approve the certified Tax Roll for 2022. Property taxes will bring in \$2,120,322.89 based on a total assessed value of \$ 394,511,444. Councilwoman Bruno made a motion to approve the Certified Tax Levy. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action of a license agreement with Alfred Beck at 200 Main St to place a sign on his building that would encroach into the city easement. The license agreement is needed to authorize the encroachment and indemnify the City against future liability claims should the sign fail in a manner that causes personal injury and/or property damage. Councilman Gordon made a motion to approve the license. Councilwoman Morgan seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Certificate of Appropriateness (COA) at 200 Main St. Monic Poss with the Historical Preservation and Design Standards Committee said they recommend approving the

removal of the mirrors, and the copper and adding two support beams to the awning for support. Councilman Etheredge made a motion to approve the COA as presented and to add the two support posts. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on an Appointment to replace/reappoint members of the Smithville Housing Authority Board:- The Smithville Housing Authority Board consists of five (5) members recommended by the mayor. Board members serve two (2) year terms with two (2) members appointed in even numbered years and two (2) members appointed in odd number years. The resident board member will serve a 1-year term. The following positions are being recommended for your consideration:

Kim Roberts - Place 1 (Even Years) – Reappointment - Term expires Dec 2024

Michael Murphy – Place 2 (Even Years) – Reappointment - Term expires Dec 2024

Novalee Wolfe – Place 5 (Resident) – New Appointment (Term expires Dec 2023)

Dale Weaver – Place 3 (Odd Years) – Term expires Dec 2023 - (FYI ONLY)

Troy Streuer – Place 4 (Odd Years) – Term expires Dec 2023 - (FYI ONLY)

Councilwoman Bruno made a motion to reappoint Michael Murphy, Kim Roberts, and Novalee Wolfe. Councilman Gordon seconded and the motion passed unanimously.

At this point in the meeting, David Cox with Smithville Solar One advised City Manager Robert Tamble that he had spoken with his partner and the 5-year lockout is a no go it has to be 25 years. We needed to revisit this item “Amendment to the PPA with Smithville Solar One. Councilman Etheredge made a motion to resend his original motion. Councilwoman Morgan seconded and all were in favor.

Discussion and Action on an Amendment to Solar Power Purchase Agreement (PPA) with Smithville Solar One, LLC.: David Cox explained that when he spoke with his partner they said they would not be able to refinance if the option to purchase were to stay in the agreement. Councilman Etheredge made a motion to approve as presented subject to two changes, that we get reasonable and appropriate notice and cure provisions from the financing party and that we have increased insurance liability levels at a minimum of two million dollars. Councilwoman Morgan seconded and the motion passed unanimously.

Citizen Comments:

Discussion and Action on an Ordinance Amending Section 12.05.001, City of Smithville Code of Ordinances, to Restrict Parking in the Rear of City Hall to City Employees From 7:00 AM to 5:30 PM and to Restrict Use of Parking Spaces Designated for Police Department Use Only: The City is experiencing an increase in unauthorized use of parking spaces dedicated for employees. Approval of this ordinance amendment will provide the ability to have unauthorized vehicles towed at the owner’s expense. Councilman Gordon made a motion to approve the ordinance. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the approval of the Financial Report. Councilman Etheredge made a motion to accept the Financial Report. Councilwoman Bruno seconded and the motion passed unanimously.

Adjourn 8:00 p.m.

Sharon Foerster, Mayor

Attest:

Jennifer Lynch, City Secretary

Item # 7

CITY OF SMITHVILLE

PLANNING & ZONING APPLICATION

APPLICATION TYPE

Zoning Change Request:

- ☐ Change in Zoning Class
- ☐ Change in Ordinance
- ☐ Variance
- ☒ Special Use Permit
- ☐ Minor Plat/Subdivision
- ☐ Other _____

Number of Requests:

- ☐ Single
- ☐ Multiple

PROPERTY IDENTIFICATION

Street Address 500 Short St. Smithville

*** Applicant must submit an accurate location map and site plan for application to be considered ***

Legal description

- ☒ Platted Land (please provide subdivision, block and lot information below)
- ☐ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name: M. Burleson Addition

Property Tax Code: _____ Block Number: 19 Lot Number: 4

Property Owner (as listed on Deed): Ramon and Jerrie San Luis

Property Owner Mailing Address: 500 Short St. Smithville TX 78957

Owner's Phone No: [REDACTED] Owner's Email: [REDACTED]

Agent's Name (if applicable): N/A

Agent's Mailing Address: _____

Agent's Phone No: _____ Agent's Email: _____

DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input checked="" type="checkbox"/>	SF-2 <input type="checkbox"/>	Proposed Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

N/A

Describe special use requested:

Requesting to build a Guest House/studio within a 2 car garage

Reason for Request:
(explain why special exception is sought or why a variance has been requested)

According to ordinance 2.2.1. B, we are able to have a private garage by right, but need to obtain an SUP for a Guest House/studio. Our desire is to build a garage and have the Guest House within; it is not a Garage Apartment as no one will reside there or give us compensation.

PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature:

John Denise San Luis

Date: Sept. 9, 2022

OFFICE USE ONLY:

Fee Amount:

675

Fee Payment:

675

P&Z Date:

November 1st 2022

Council Date:

December 12, 2022

Accepted By:


J. Denowski

Date Submitted:

9-14-2022

☒ Notice sent to property owners within 200 feet of proposed property

payment CK# 23972

Ramon and Denise San Luis
500 Short St.
Smithville, TX 78957


To Planning and Zoning Commission of Smithville

Re: Letter of Intent (addendum to P&Z application) for 500 Short St.
Legal Description Lot 4, in Block 19, of M. Burleson Addition, an addition to the City of Smithville, Bastrop County, Texas, According to the plat thereof recorded in Cabinet 1, Slide 24A, Plat Records Bastrop County, Texas.

Sept. 14, 2022


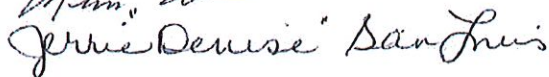
Our home residence is 500 Short St. here in Smithville, and is in zoning category SF-1. We currently have three (3) existing structures behind our home: a 2-vehicle carport with an attached shop, a storage shed, and a covered, unattached patio area. Our intention is to replace these three structures, which are all either rotting, dilapidated, and/or covered in asbestos, with a 2 car garage which includes a guest Guest House/Studio.

The Guest House/Studio is intended and will be used for overflow sleeping of family members during holidays/visits, as well as for other personal uses (crafting, writing, home office). As the parents of four grown children and two grandchildren (so far) we are unable to accommodate our ever-growing family during holidays and special celebrations. The garage is needed to store our cars, lawn equipment, power tools, and other miscellaneous items.

Our high priority goal is for this garage/Guest house studio to blend in with our home and improve the aesthetics of our property and the neighborhood. We want to combine the guest space with the garage to minimize the percentage of our lot that is covered by structures. According to city ordinance, we understand that a private garage can be built by right, but the guest house/studio aspect requires a Special Use Permit. Note that our plan is NOT for a Garage Apartment because we will NOT be leasing or be compensated for the space (4.2.3). Rather, this space will be a Guest House/Studio, used only occasionally to accommodate family and non-paying guests.

Please find the enclosed supporting documents, photos, and application fee.

Thank you,
Ramon and Jerrie "Denise" San Luis

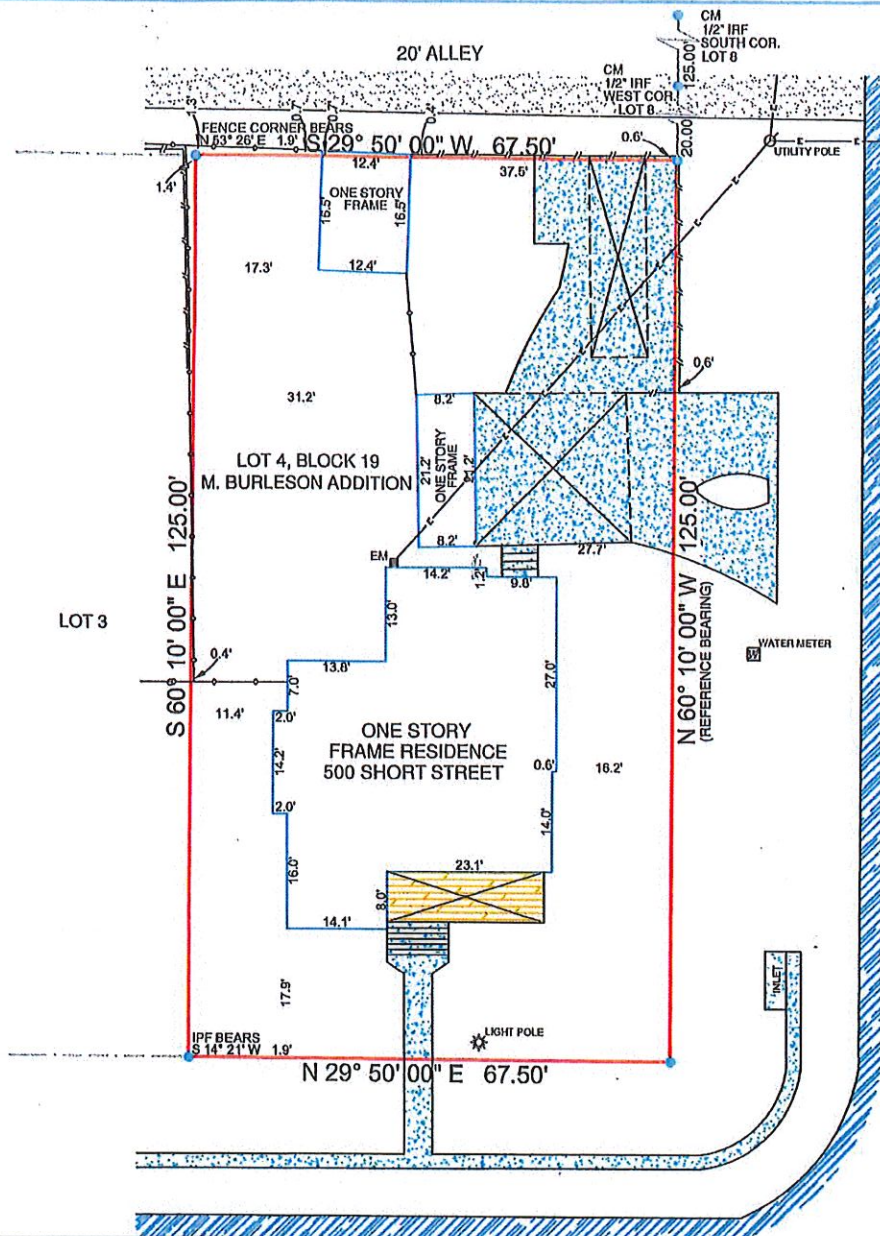
Enclosed:
Special Use Permit Application

\$675 (check made payable to City of Smithville)

Survey 500 Short St.

Photos of current development

Initial Site plan for proposed Garage with Guest studio



N.E. 5TH STREET
(N. 5TH PER PLAT)
(70' R.O.W.)

LEGEND:

—X—X—	WIRE FENCE	ASPHALT	[Pattern]
—O—O—	CHAINLINK FENCE	CONCRETE	[Pattern]
—/—/—	WROUGHT IRON FENCE	GRAVEL	[Pattern]
—V—V—	WOOD FENCE	TILE	[Pattern]
—E—E—	VINYL FENCE	WOOD	[Pattern]
—Z—Z—	ELECTRIC LINE	BRICK	[Pattern]
GM	GAS METER	STONE	[Pattern]
EM	ELECTRIC METER		
IPF	IRON PIPE FOUND		
IRS	IRON ROD SET WITH 'PREMIER' CAP		
IRF	IRON ROD FOUND		
CM	CONTROLLING MONUMENT (WOOD) RAILROAD TIE		

SHORT STREET

(SHORT PER PLAT)
(70' R.O.W.)

NOTES:
BEARINGS ARE BASED ON THE PLAT RECORDED IN CABINET 1, SLIDE 6B, P.R.B.C.T.
THE REAR ONE STORY FRAME EXTENDS BEYOND THE SOUTHEAST PROPERTY LINE AS SHOWN ABOVE.

LEGAL DESCRIPTION:
BEING LOT 4, IN BLOCK 19, OF M. BURLESON ADDITION, AN ADDITION TO THE CITY OF SMITHVILLE, BASTROP COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 1, SLIDE 24A, PLAT RECORDS BASTROP COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR ENCROACHMENTS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

DATE: 09/21/17 JOB NO.: 17-07676
FIELD: 09/20/17

500 SHORT STREET, SMITHVILLE, TX 78957
LOT 4, BLOCK 19, M. BURLESON ADDITION

RELIANT
TITLE
When You Need It To Close

DATE: _____

ACCEPTED BY: _____

GF. NO.	100-1700419
BORROWER	RAMON C. SAN LUIS & JERRIE D. SAN LUIS
TECH	TAG
FIELD	AP

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 46021C0395 E, DATED JANUARY 19, 2006.



Premier

Surveying LLC
5700 W. Plano Parkway
Suite 2700
Plano, Texas 75093
Office: 972-612-3601
Fax: 972-964-7021
Firm Registration No. 10146200



Robert T. Paul, Jr.
Registered Professional Land Surveyor

San Luis - 500 Short St.



Home purchased Oct. 2017



December 2019 after extensive foundation work, new roof, windows, paint

San Luis_ 500 Short St.



Unattached patio area,
rotting wood throughout,
unstable

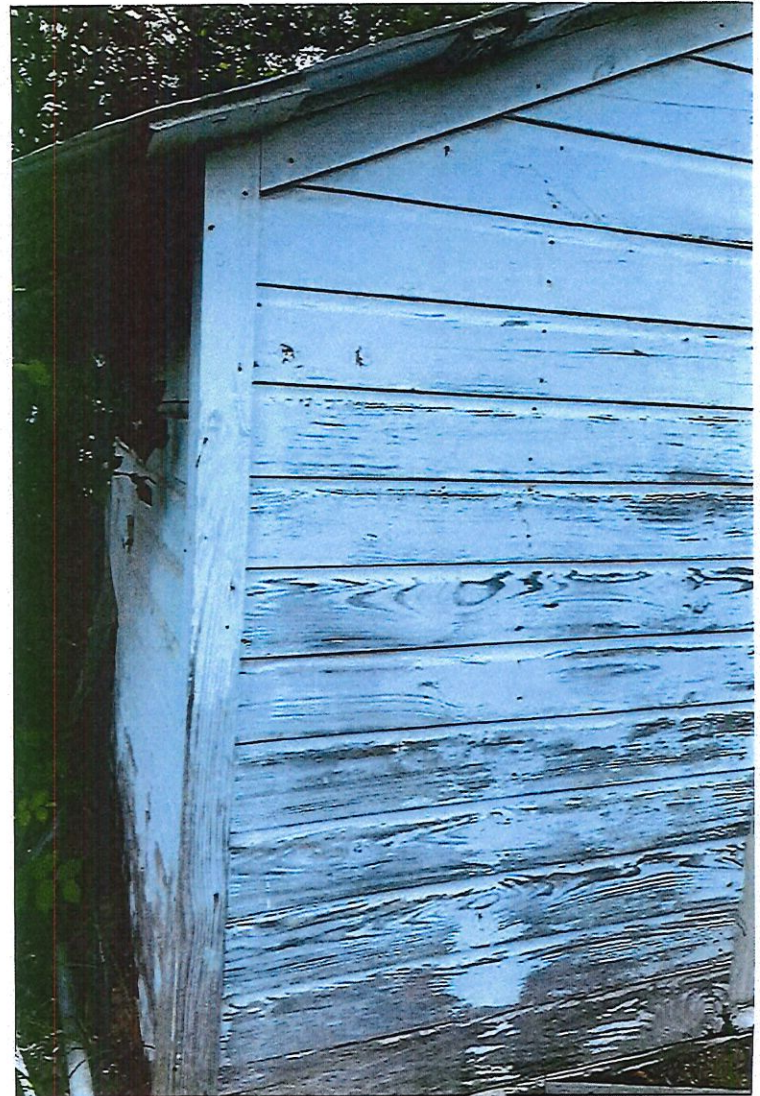


Patio posts rotten + reinforced

541 LUIS — 500 SMOKE ST.

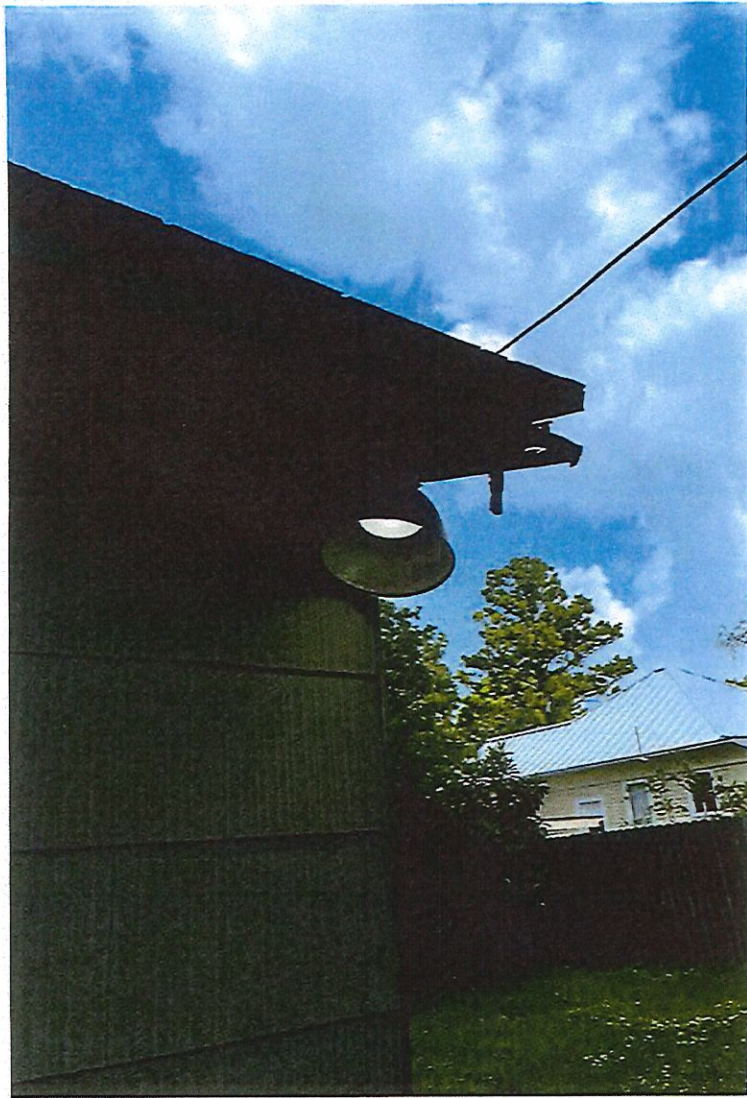


Rotting wood post to
covered unattached patio

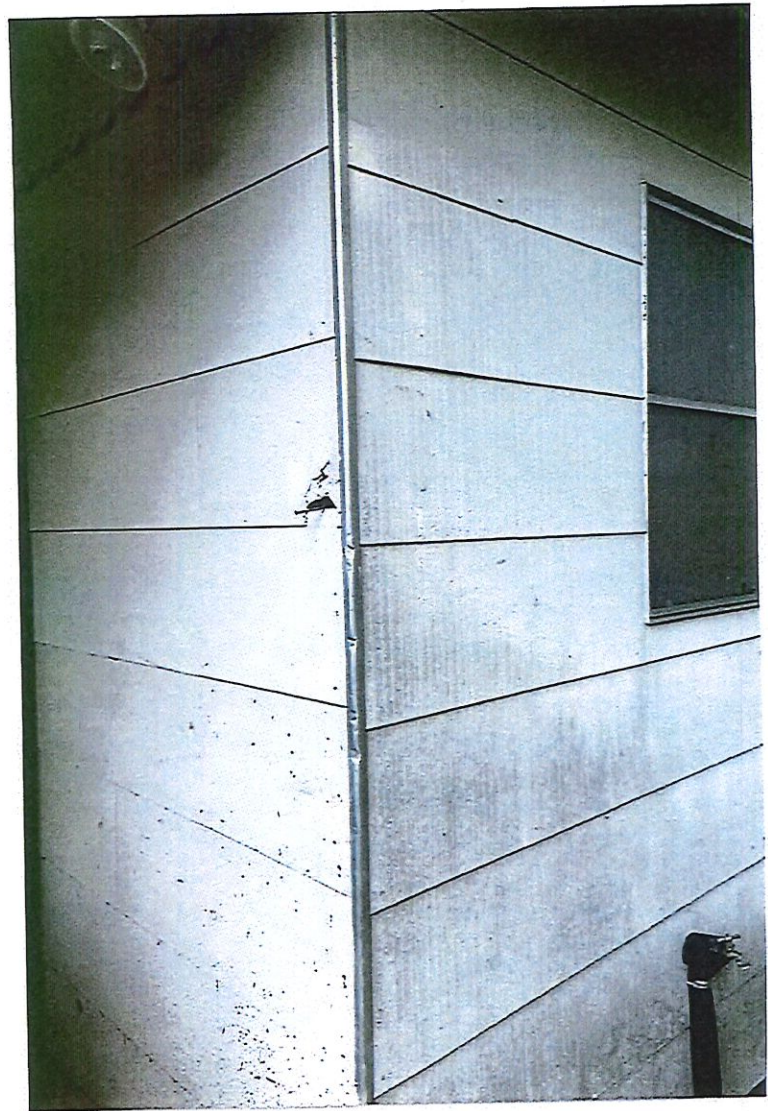


Storage shed rotting
and leaning

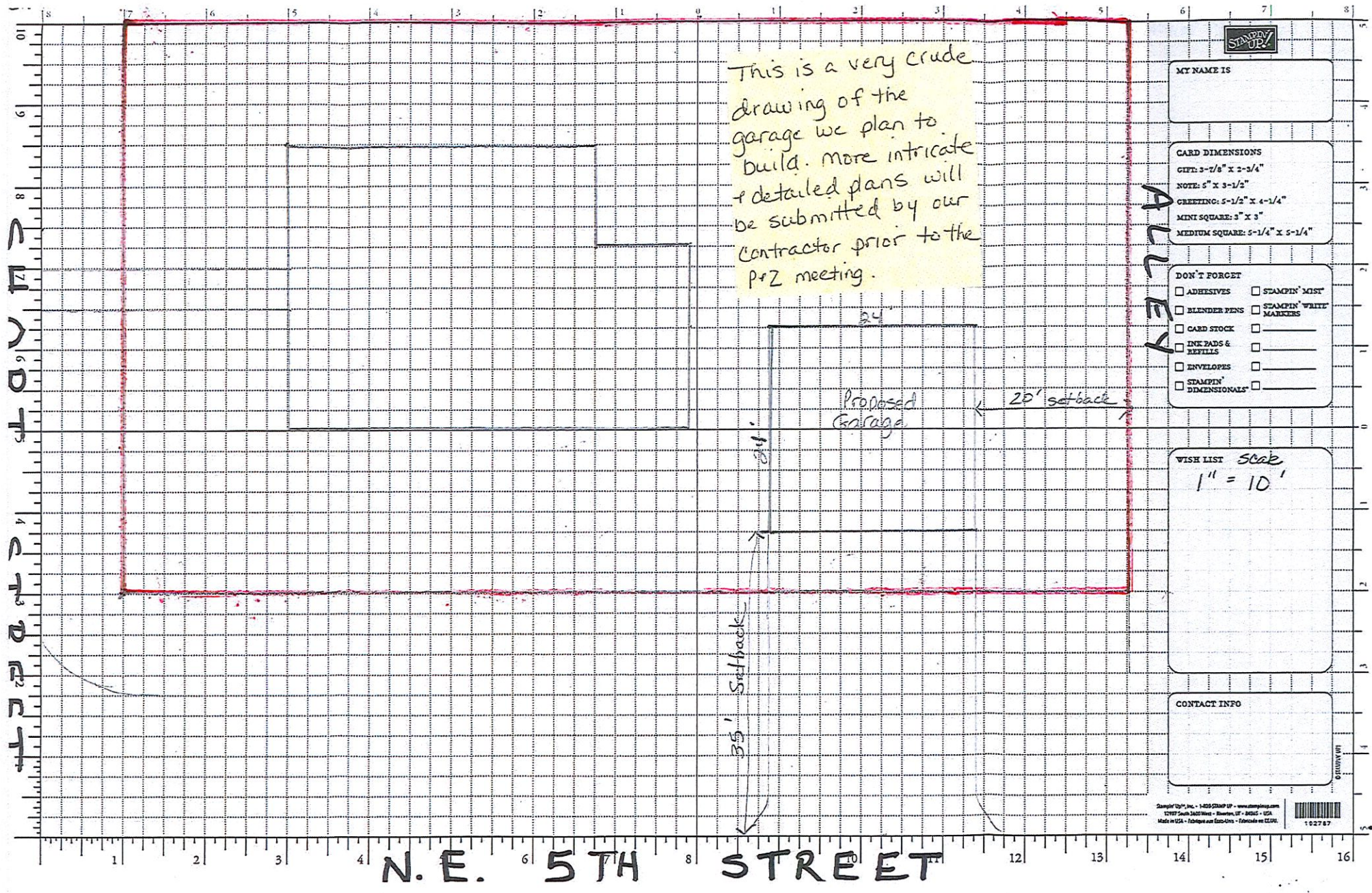
San Luis - 500 Short St.



Carport / shop area with
rotting eaves



Carport + Shop covered
in asbestos



This is a very crude drawing of the garage we plan to build. More intricate + detailed plans will be submitted by our contractor prior to the P+Z meeting.

MY NAME IS

CARD DIMENSIONS
GIFT: 3-2/8" X 2-3/4"
NOTE: 5" X 3-1/2"
GREETING: 5-1/2" X 4-1/4"
MINT SQUARE: 3" X 3"
MEDIUM SQUARE: 5-1/4" X 5-1/4"

- DON'T FORGET
- | | |
|------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> ADHESIVES | <input type="checkbox"/> STAMPIN' MIST |
| <input type="checkbox"/> BLENDER PENS | <input type="checkbox"/> STAMPIN' WRITE MARKERS |
| <input type="checkbox"/> CARD STOCK | <input type="checkbox"/> |
| <input type="checkbox"/> INK PADS & REFILLS | <input type="checkbox"/> |
| <input type="checkbox"/> ENVELOPES | <input type="checkbox"/> |
| <input type="checkbox"/> STAMPIN' DIMENSIONALS | <input type="checkbox"/> |

WISH LIST *Scale*
1" = 10'

CONTACT INFO

Stampin' Up!, Inc. • 1-800-STAMP-UP • www.stampinup.com
12007 South MacMillan • Renton, WA 98057 • USA
Made in USA • Polypropylene 5000-Dyn • Fabricated in EU/UK

1 027 87

Item # 9 (b)

ANNEXATION PETITION

TO THE MAYOR AND GOVERNING BODY
OF THE CITY OF SMITHVILLE, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which less than three(3) qualified voters reside, hereby petition your honorable body to extend the present city limits so as to include as a part of the City of Smithville, Texas, the following described territory, to wit:

The legal description along with survey is attached hereto as Exhibit "A".

I/We certify that the above described tract of land is contiguous to the City of Smithville, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.



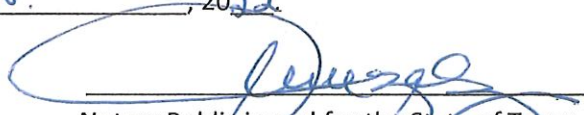
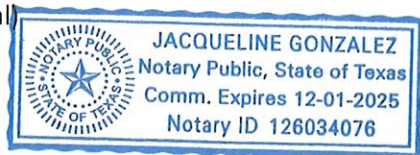
Sadique Maredia – Managing Member
Smithville Investment LLC
11842 Wilcrest Drive, Houston, TX, 77031

THE STATE OF TEXAS
COUNTY OF BASTROP

Before me, the undersigned authority, on this day personally appeared Sadique Maredia
known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for purposes and consideration therein expressed.

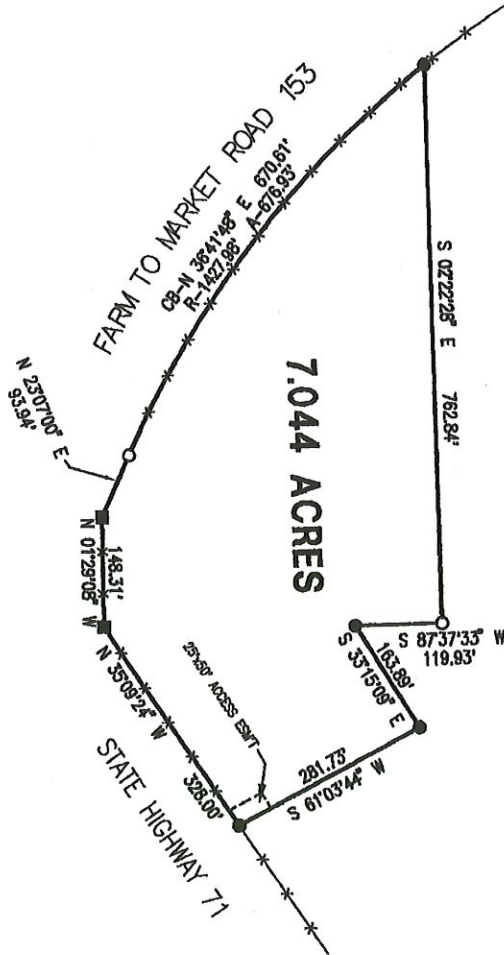
Given under my hand and seal of office, this 2nd day of Nov., 2022.

(Seal)



Notary Public in and for the State of Texas
My commission expires: 12/1/2022

THOMAS DECROW SURVEY, A-27



JACK ALEXANDER, et ux
12.485 AC. TR.
1031/147



SCALE: 1" = 200'

- CONCRETE MONUMENT
- IRON ROD FOUND
- IRON PIPE FOUND
- 6/8 IRON ROD SET
- ▲ FENCE POST
- ⊗ TREE
- ⊙ UTILITY POLE
- ⊕ WATER METER
- ⊕ WATER WELL
- x- FENCE LINE
- E- ELECTRIC LINE
- P- PIPE LINE

Arg O. Jones

FENCES DO NOT REFLECT PROPERTY LINES

The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described herein, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has frontage on a dedicated road way, except as shown hereon.

DALE L. OLSON

DALE L. OLSON
REG. NO. 1783
DALE L. OLSON SURVEYING COMPANY
DATE: 01/29/08

MICHAEL D. OLSON
REG. NO. 6880

DALE L. OLSON

REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT

of a 7.044 ACRE TRACT in the
THOMAS DECROW SURVEY, A-27
BASTROP COUNTY, TEXAS.

SCALE: 1" = 200.00'

DRAWN BY: D. BROOKS

DATE: 29 JAN 08

BROOK HURTA or Assigns

ORDER: 294-29

FILE: 101008

PLAT FILE: -0-

DALE L. OLSON
Registered Professional Land Surveyor
711 Water Street
Bastrop, TX 78602
Phone (512) 321-5476 * Fax (512) 303-5476

FIELD NOTES FOR A 7.044 ACRE TRACT IN THE THOMAS DECROW
SURVEY, BASTROP COUNTY, TEXAS.

BEING an 7.044 acre tract or parcel of land out of and being a part of the Thomas DeCrow Survey, A-27, in Bastrop County, Texas, and being a part of that certain 92.166 acre tract, described in a deed from Henry Buescher Parish, et ux, to Brook K. Hurta, Leslie Hurta, and Reid Sharp, dated January 28, 1998, recorded in Volume 890, Page 670, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

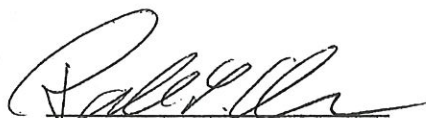
BEGINNING at a concrete right-of-way marker found at the intersection of the northeast line of State Highway No. 71 with the east line of Farm to Market Road No. 153, the west or northwest corner of the said 92.166 acre tract, for an angle corner of this tract.

THENCE with the east line of Farm to Market Road No. 153 and west line of the said 92.166 acre tract, N 01 deg. 29 min. 08 sec. W, 148.31 feet to a concrete right of way marker found; N 23 deg. 07 min. 00 sec. E, 93.94 feet to a 5/8 inch iron rod set at the beginning of a curve to the right for the most northerly northwest corner of the said 92.166 acre tract and this tract.

THENCE with the southeast line of the Farm to Market Road No. 153 and northwest line of the said 92.166 acre tract along a curve to the right whose radius is 1427.98 feet; whose long chord bears N 36 deg. 41 min. 48 sec. E, 670.61 feet; 676.93 feet along the arc to a 5/8 inch iron rod found at the northwest corner of that certain 12.495 acre tract described in a deed from Brook K. Hurta, et al, to Jack M. Alexander and Sandra L. Alexander recorded in Vol. 1031, Page 147, Bastrop County Deed Records for the northeast corner of this tract.

THENCE crossing said 92.166 acre tract with the west line of the Alexander 12.495 acre tract, S 02 deg. 22 min. 28 sec. E, 762.84 feet to a 5/8 inch iron rod found; S 87 deg. 37 min. 33 sec. W, 119.93 feet to a 5/8 inch iron rod found; S 33 deg. 15 min. 09 sec. E, 163.89 feet to a 5/8 inch iron rod found; S 61 deg. 03 min. 44 sec. W, 281.73 feet to a 5/8 inch iron rod found in the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract, the most southerly northwest corner of the Alexander tract for the southwest corner of this tract.

THENCE with the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract N 35 deg. 09 min. 24 sec. W, 328.00 feet to the POINT OF BEGINNING containing 7.044 acres of land.



Dale L. Olson
Reg. Pro. Land Surveyor 1753

OR Michael D. Olson
Reg. Pro. Land Surveyor 5386

©2008 Dale L. Olson Surveying Co.

Order #: 101608

Date Created: 01/30/08