I. Call To Order

II. Roll Call

III. Invocation

IV. Pledges Of Allegiance - United States And Texas

PRESENTATIONS

1. Discuss proposed amendments to the San Marcos City Charter; and provide direction to Staff.

6:00 PM

V. 30 Minute Citizen Comment Period

CONSENT AGENDA

2. Consider approval, by motion, of the following meeting Minutes:
   A) June 2, 2017 - Packet Meeting Minutes
   B) June 6, 2017 - Regular Meeting Minutes

3. Consider approval of Resolution 2017-87R approving an agreement between the City and ABIP, P.C. for the provision of professional auditing services in an amount not to exceed $323,245.00 for all five terms of the agreement contingent upon the Auditor’s provision of sufficient insurance in accordance with the attached agreement; authorizing the Interim City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

4. Consider approval of Resolution 2017-93R, approving a lease agreement between the City of San Marcos and Terry Serur for property located at 317 North LBJ Drive to be occupied by the Main Street Program for a term of one year with two one year extension options; authorizing the City Manager to execute the lease agreement on behalf of the City; and declaring an effective date.

5. Consider approval of Resolution 2017-98R, approving the procurement of a
subscription for Kaspersky Anti-Virus Protection Software and associated technical support from Insight Public Sector in the total amount of $92,744.18 through the U.S. Communities Government Purchasing Alliance Contract #4400006644 for technology products, equipment, services and solutions; authorizing the Interim City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.

6. Consider approval of Resolution 2017-99R, approving Amendment No. 1 to the Local Transportation Project Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation for construction of a multi-use bike and pedestrian facility along Hopkins street from Thorpe Lane to CM Allen Parkway (CSI No. 0914-33-075) for the purpose of amending the project budget to reflect the allocation of CAMPO funds toward design and construction costs and the application of $500,000 in transportation credits toward project costs; authorizing the Interim City Manager to execute said amendment on behalf of the City; and declaring an effective date.

7. Consider approval of Resolution 2017-100R, approving a list of qualified Engineering Firms for their provision of Professional Engineering Services in connection with CDBG-DR Infrastructure Projects as needed; and declaring an effective date.

PUBLIC HEARINGS - 7:00 PM

8. 7:00PM Hold a Public Hearing to receive comments for or against Resolution 2017-101R, adopting the Community Development Block Grant (CDBG) Action Plan that provides for the allocation of CDBG funds for Program Year 2017; authorizing the Interim City Manager or his designee to act as the official representative of the City in matters related to the CDBG program and action plan; and declaring an effective date; and consider approval of Resolution 2017-101R.

NON-CONSENT AGENDA

9. Consider approval of Ordinance 2017-25, on the first of two readings, creating a two-hour parking restriction between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday in the general area of downtown San Marcos as authorized by Section 82.160 of the San Marcos City Code and amending the traffic register to reflect such parking restriction; and including procedural provisions.

10. Consider approval of Ordinance 2017-33, on the first of two readings, amending section 86.531 of the San Marcos City Code regarding the maintenance and repair of permanent Stormwater Management Facilities to require that annual inspections be performed by engineers who are precertified by the City; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

11. Receive a Staff update, hold a discussion and hear details regarding the following Summer 2017 Preferred Scenario Amendment applications received and provide direction to staff:
   1. PSA-17-02 / ZC-17-12 Walton Development & Management: 85.5 acres, more or less, located on Centerpoint Road: Proposal to change from Medium Intensity / Area of Stability to Employment Center: Proposal to change from SmartCode / SmartCode
Special-District to Heavy Commercial / Light Industrial.
2. PSA-17-03 / ZC-17-13 Jennifer M. Garcia on behalf of 417 North Comanche Partners, LLC: 0.212 acres, more or less, located at 323 Lindsey Street: Proposal to change from Area of Stability to High Intensity: Proposal to change from Multifamily (MF-24) to T5 Urban Center, SmartCode.

12. Hold discussion regarding the capital funding request related to the Village Main Building along with the potential discussion of how the City sponsored Women, Infants and Children (WIC) will participate in the building program of the Village Main Project, and provide direction to Staff.

13. Hold discussion regarding a sponsorship request from the Mermaid Society SMTX for the Second Annual Mermaid SPLASH community event in the amount of $25,000 for Fiscal Year 2017 and a like amount for Fiscal Year 2018, and provide direction to Staff.

14. Hold discussion regarding a request from the Downtown Association for City Council to consider a license agreement allowing downtown business employees to park in the City Park parking lot Monday-Friday during the hours of 8:00 a.m. - 5:00 p.m.; and also discuss other potential locations identified by the City and the Downtown Association, and provide direction to staff.

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

POSTED ON WEDNESDAY, JUNE 14, 2017 @ 1:00 PM

TAMMY COOK, TRMC, DEPUTY CITY CLERK

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov
AGENDA CAPTION:
Discuss proposed amendments to the San Marcos City Charter; and provide direction to Staff.
Meeting date: June 20, 2017

Department: City Attorney’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
The 2017 Charter Review Commission held a series of eleven meetings to consider possible amendments to the San Marcos City Charter. The Commission concluded its work on May 25, 2017 and approved the attached report. The report contains a list of recommended charter amendments with a purpose statement for each recommendation and a redline copy of the charter showing the text of each amendment. The minutes of the Commission’s meetings are also included in the report.

Council received a presentation from the Commission on June 6, 2017. Council discussed proposed charter amendments and provided direction to staff regarding propositions to be included in an ordinance calling a special charter amendment election in November of 2017. This is a continuation of discussion on the proposed amendments.
May 25, 2017

Mayor Thomaides and City Council Members:

The 2017 Charter Review Commission held a series of 11 meetings to consider possible amendments to the San Marcos City Charter. The Commission conducted a section-by-section review and also considered provisions recommended by individual council members. We have concluded our work, and we present this report to you with recommendations for amendments to the City Charter to be submitted to City voters for consideration at the November 7, 2017 election.

We studied the charter with the following purposes in mind:

- To keep the charter current with state law – no changes were needed
- To update terminology, clarify language, improve syntax and punctuation
- To create added efficiency and transparency
- To maintain and allow for consistency in policy
- To encourage broader participation of the citizenry
- To promote integrity in public service and ethics in city government

Attached is a list describing each proposed amendment, with a purpose statement, and a redlined copy of the charter showing each text amendment using underlining to indicate language proposed to be added and overstrike indicating language proposed to be deleted. Minutes of our meetings are also attached.

We appreciate the opportunity to serve you and the citizens of our community through the Charter review process.

Respectfully submitted,

Paul Mayhew, Chair
Charter Review Commission
Cumulative List of Recommended City Charter Amendments*

1. Change all references to “municipal government” to “city government.” [Sections 1.01 and 1.02]

   **Purpose:** To provide clarity and consistency throughout the City Charter

2. Amend Section 1.03, Statement of Goals, to provide that the city government should:
   - promote high quality affordable housing
   - include protection of the San Marcos River, its springs, aquifer, and tributaries

   **Purpose:** To explicitly include high-quality affordable housing with the existing enumeration of the characteristic of a high quality of life already included in the City Charter. To emphasize the particular importance of protecting the city’s treasured natural features.

3. Allow the address shown on a person’s Texas Identification card to be used, in addition to a current driver’s license, as proof of residence for purposes of qualifying to run for and hold office on the city council. [Section 3.02(a)(2)(A)]

   **Purpose:** To allow additional state documents to be used and accepted as proof of residence to qualify for public elections

4. Amend Section 3.02(a)(6) to require Council members to remain current on all financial obligations to the city in order to continue to hold office. Under the current city charter, only financial obligations arising from the duties of the office are considered. If this amendment is approved, having delinquent city utility accounts or delinquent property taxes would disqualify a council member from continuing to hold office and disqualify an individual with such outstanding debts from filing an application to run for council. See also, Section 5.03 – Filing For Office.

   **Purpose:** To elect council members with sufficient personal financial management skills and avoid possible conflicts of interest due to outstanding city debts

5. Change all references to the position of “mayor pro tempore” to “mayor pro tem.” [Section 3.05]

   **Purpose:** To provide clarity and consistency throughout the City Charter

6. Change all references to the position of “city secretary” to “city clerk” [Sections 3.09 and 6.02]

   **Purpose:** To provide clarity and consistency throughout the City Charter
7. Require the city attorney to approve or file written objections to proposed ordinances prior to consideration by the city council. [Section 3.11(b)]

**Purpose:** Clarifies existing language to make sure council receives legal advice regarding the validity of proposed ordinances before consideration and action by council

8. Correct a reference in the first sentence of Section 3.12 from “chapter” to “charter”

**Purpose:** To provide clarity and consistency throughout the City Charter

9. Require the affirmative vote of at least five members of the city council to remove the city manager. [Section 4.01(b)]

**Purpose:** This provision strengthens the operation of San Marcos as a "council-manager government" as defined in the City Charter by insulating the City Manager from political pressures from the council.

10. Allow the city clerk to authenticate ordinances and resolutions by electronic signature. [Section 4.02]

**Purpose:** Allows for efficient and modern operation of city government.

11. Clarify that names of candidates can be listed electronically on the ballot instead of being printed as they would be on paper ballots. [Section 5.04]

**Purpose:** Allows for efficient and modern operation of city elections.

12. Amendments to Section 7.01 – Planning and Zoning Commission – Qualifications:

- Remove all remaining references to the ETJ member

**Purpose:** The ETJ position was removed from the City Charter by voters effective March 15, 2015. The removal of out-of-date ETJ language from section 7.01 makes it easier to understand how current membership in the P&Z commission is determined.

- Eliminate property ownership as a requirement to serve on the P&Z
- Increase residency requirement from three years to five years to serve on P & Z

**Purpose:** To encourage civic participation and expand the pool of San Marcos citizens eligible for appointment to this public commission, including long-term local residents impacted by decisions made by P&Z, and encourages participation by members with knowledge of the community.

- Prohibit the appointment of more than two professional realtors to the P & Z
**Purpose:** The Charter presently instructs City Council to appoint a diverse set of P&Z commissioners “which includes geographic, professional, gender, racial, and viewpoint diversity. (Section 7.01)” This provision ensures that a broad range of professions are represented on Planning and Zoning.

13. Amendments to Section 7.02 – Planning and Zoning Commission – Powers and Duties:
- Require the planning staff to follow all city ordinances rules and regulations and consult with the city attorney before making any recommendations to the Planning and Zoning Commission
- Require the Planning and Zoning Commission to follow all city ordinances, rules, and regulations before making any recommendations to the city council

**Purpose:** This provision makes current city practice a City Charter requirement.

- Require city council decisions on conditional use permit appeals to be based on Texas laws, Federal laws, city ordinances and regulations in addition to the record before the Planning and Zoning Commission

**Purpose:** This provision allows the City Council to consider all relevant laws and regulations in its public hearings related to conditional use permits.

- Prohibit the assessment of a fee to appeal a decision on conditional use permit to the city council

**Purpose:** This provision provides citizens of San Marcos free access to their elected officials related to public matters.

14. Require the proposed city budget to be made available at city hall, at the San Marcos Public Library, and on the city’s website. Require the adopted budget and supporting schedules to be published on the city’s website. [Sections 8.02 and 8.05]

**Purpose:** Promote transparency and public awareness of city government

15. Require proposed ordinances granting a public utility franchise to be made available at the San Marcos Public Library, at city hall, and on the city’s website. [Section 11.04]

**Purpose:** Promote transparency and public awareness of city government

16. Require updates to annual financial disclosure forms by council members, council appointees, and board and commission members within 30 days of any significant changes. [Section 12.02(a)(2)]

**Purpose:** Public officials are currently required to file financial disclosure forms every 12 months. This provision assures San Marcos citizens on-going accuracy and transparency regarding public official’s financial disclosures if there is a significant change within that one-year timeframe.
17. Prohibit council members and employees from having a financial interest in the purchase from the city of any land, materials, supplies, or service. [Section 12.02(a)(3)]

**Purpose:** To avoid conflicts of interest and ensure public trust, the City Charter already prohibits current council members and city employees from financial benefit in the sale of any land, materials, supplies, or service. This provision increases protection by prohibiting this potential conflict to financial interest the purchase of land, materials, supplies, or service as well.

18. Prohibit council members from having a financial interest in the sale to the city of any land, materials, supplies, or service for a period of two years from the date of leaving office; rendering contracts entered into in violation of this provision voidable by city manager or city council. [Section 12.02; add a new subsection (a)(4)]

**Purpose:** Public office is meant for the public good and not for personal enrichment. Currently, only active councilmembers are prevented from having a financial interest in city deals. In contrast, currently both active city employees (Section 12.02) and former employees within two years of employment (San Marcos Ethics Ordinance) are prevented from having a financial interest in city deals. This provision amends the charter to apply the same prohibition to council members for period of two years after leaving office.

19. Correct punctuation errors - Insert a comma, known as the Oxford comma or serial comma, immediately before the coordinating conjunction (usually “and” or “or”) in a series of three or more items – in each instance where this occurs in the city charter

**Purpose:** To provide clarity and consistency throughout the City Charter

20. Amend the powers of the Ethics Review Commission; granting the authority to conduct hearings regarding alleged violations of the city charter, render advisory opinions regarding potential violations of the city charter, and make recommendations regarding such violations. [Section 12.02(c), subparagraphs (2), (3), and (4)]

**Purpose:** This amendment makes clear the importance of public officials to follow the City Charter in addition to existing State conflict of interest laws and the San Marcos Code of Ethics ordinances and provides a process for accepting and hearing complaints regarding charter violations.

21. Amendments to Section 12.03, Nepotism:
   - Rename this section to read: “12.03 Nepotism and Conflict of Interest”
   - Rephrase the sentence structure of the current provision to make it less cumbersome and to provide greater clarity
   - Prohibit direct supervision of an employee by his/her relative, roommate, or sexual partner
• Require supervisors to report relationships with subordinates promptly to the Human Resources Department
• Defining “relative” to include persons related within the third degree by blood or within the second degree by affinity (marriage, including common law marriage)
• Prohibit a “public official” from appointing his or her business associate to a “public board or commission”
• Defining “business associate” and “sexual partner”

**Purpose:** This provision increases public trust in financial interests of public officials and avoids potential conflicts of interests by public officials and city employees.

22. Amendments to Section 8.02, Preparation and submission of budget:
   • Add a provision to require the city council to hold a policy budget workshop on or before February 27th of each year
   • Require the council to conduct a public hearing and to formulate the budget policy statement by March 31st of each year instead of April 30th
   • Re-letter the subsections of this section to follow the sequential steps in the process for formulating the budget policy statement

**Purpose:** This provision provides citizens and city staff more time to review proposed city budget goals before the adoption of a city budget. It also promote transparency and public awareness of city government

23. Provide for removal of the mayor or a council member from office, upon the affirmative vote of five members of the council, for substantial violations of the city charter [Section 3.17]

**Purpose:** This provision makes clear the importance of the Mayor and Council Members to follow the City Charter by providing an option for enforcement of the Charter.

24. Require candidates for mayor or city council to take an oath agreeing to comply with the Code of Fair Campaign Practices set forth in Section 258.004 of the Texas Election Code [Section 5.03]

**Purpose:** The State Election Code provision encourages campaigns that are decent, honest, and fair to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents. This provision makes it a City Charter requirement that candidates take an oath to comply with the Code of Fair Campaign Practices to help retain the community culture of San Marcos, to encourage citizens to offer themselves for public service without fear of the politics of personal destruction, and to keep local elections issue oriented.

25. Require the salary of each city position to be published on the city’s website [New Section 4.07]
**Purpose:** Promote financial transparency and public awareness of city government

26. Require all campaign contributions and reports filed by candidates to be legible. The city clerk shall enforce this provision and retain the records.

**Purpose:** Promote financial transparency and public awareness in public elections via candidate reports that are clearly and readily understood.

*LIST IS COMPLETE THROUGH MAY 3, 2017 AND INCLUDES PURPOSE STATEMENTS FOR EACH PROPOSED AMENDMENT APPROVED AT THE ERC’S FINAL MEETING*
ARTICLE I. - FORM OF GOVERNMENT AND BOUNDARIES

Sec. 1.01. - Establishment and purposes of Charter.

We the people of San Marcos, do ordain and establish this Charter as the foundation of our city government, a home-rule city with the name "City of San Marcos". We further ordain that the City of San Marcos will exist for the purposes enumerated in this Charter, and will have the organizational structure described in this Charter, and will have the powers, duties, limitations, and immunities statec in this Charter.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(1), 8-15-06/11-7-06)

Sec. 1.02. - Form of government.

The city government provided by this Charter shall be known as the "council-manager government". Pursuant to this Charter and subject only to the limitations imposed by the state constitution, the statutes of the state and by this Charter, all powers of the city shall be vested in an elective council, hereinafter referred to as the "council", which shall in an open and transparent manner, enact local legislation, adopt budgets, determine policies and appoint the city manager, who in turn shall execute the laws and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by this Charter, or if the manner not be prescribed, then in such manner as may be prescribed by ordinance.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2013-44, Prop. 7, 8-20-13/11-5-13)


Sec. 1.03. - Statement of goals.

The goals of the city government are to safeguard the health, safety and welfare of the city's residents, provide for a high quality of life including, but not limited to, neighborhood integrity, a clean and abundant water supply, a cost-efficient electricity supply, efficient police and fire departments, educational opportunities, effective road and transportation systems, a healthy business environment, well maintained parkland and recreational opportunities, foster intergovernmental liaison and communication, encourage responsible citizenship, promote sound community and economic development, promote high quality affordable housing, conserve and protect the city's natural resources and environment and, in particular the San Marcos River, its springs, aquifer, and tributaries.

(Ord. No. 1998-7, Prop. 1, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2008-29, § 2(2), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 8, 8-20-13/11-5-13)

ARTICLE II. - POWERS OF THE CITY

Footnotes:
Sec. 2.01. - General.

The city shall be a home rule city, with full power of local self-government, including the right to amend this Charter, as provided by the constitution and laws of this state. It shall have and may exercise all the powers granted to home rule cities by the constitution or laws of Texas, as they now exist or are hereafter amended.

(Ord. No. 1992-9, Prop. 1, 2-10-92/5-2-92; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00)

Sec. 2.02. - Eminent domain.

(a) The city shall have the full power and right to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the constitution and laws of the State of Texas. The city may exercise the power of eminent domain in any manner authorized or permitted by the constitution and laws of this state, subject to the right of the owner of the property taken. The city shall have and possess the power of eminent domain for any municipal or public purposes, subject to the provisions of this section.

(b) However, the city shall not use the power of eminent domain to acquire property for transfer, or for lease in substantial part, to a private third party for the purpose of economic development. The term "economic development" means any activity to increase tax revenue, tax base, employment, or the general economic health of the City, when that activity does not result in (1) the transfer of land to public ownership, such as for a road, public utility facility, or municipal building; (2) the transfer of land to a private entity that is a common carrier, such as a utility provider; or (3) the transfer of property to a private entity to remove a harmful use of the land, such as the removal of public nuisances, removal of structures that are beyond repair or that are unfit for human habitation or use, or the acquisition or transfer of abandoned property.

(Ord. No. 1998-7, Prop. 2, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(2), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(3), 8-19-08/11-4-08)

Sec. 2.03. - Extension or detachment of boundaries.

The city council shall have power by ordinance to fix the boundary limits of the City of San Marcos and to provide for the alteration and extension of boundary limits, the detachment of territory and the annexation of additional territory, in accordance with applicable state annexation laws.

(Ord. No. 1984-11, Prop. 1, 1-30-84/4-7-84; Ord. No. 1986-4, Prop. 1, 1-27-86/4-5-86; Ord. No. 1988-15, Prop. 1, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 1, 5-9-00/5-6-00)

Sec. 2.04. - Limited purpose annexation.
In addition to the power to annex additional territory for all purposes, the city shall have the power, by ordinance, to fix, alter and extend the corporate boundary limits of the city for the limited purposes of "planning and zoning" and "sanitation and health protection," and to annex for one or both of such limited purposes additional territory lying adjacent to the city; provided, however, that no such territory which lies farther than one mile from the corporate boundary limits enclosing the territory which is a part of the city for all purposes, as those corporate boundary limits are now or may hereafter be established, shall be annexed for any limited purpose or purposes. Wherever the boundary limits of territory annexed for one or both of such limited purposes are not coterminous with the corporate boundary limits enclosing the territory which is a part of the city for all purposes, such boundary limits of the limited territory shall be known as "limited purpose boundary limits". Every ordinance by which territory is to be annexed to the city for one or both of such limited purposes shall state clearly the limited purpose or purposes for which it is being annexed, and shall be published one time, in a newspaper of general circulation in the city and in the form in which it is to be finally adopted, not less than 30 days prior to its final passage.

When any additional territory has been annexed for one or both of the limited purposes, it shall be a part of the city for such limited purpose or purposes only. However, in dealing with the property and inhabitants thereof, the city shall have each and every power which it otherwise possesses and which is reasonable and expedient for the accomplishment of the limited purpose or purposes for which such territory is annexed, and the power of the city to deal with the property and inhabitants of such limited purpose territory shall include the powers enumerated in the next two succeeding sentences but shall not be limited or restricted thereto. With regard to territory annexed for the limited purpose of "planning and zoning," the city shall have the power to control and regulate the use of property and the density of structures, to require compliance with reasonable zoning regulations, to control and regulate the subdivision of property, and to control and regulate the construction of buildings. With regard to territory annexed for the limited purpose of "sanitation and health protection," the city shall have the power to adopt all reasonable regulations pertaining to sanitation and public health and to require compliance with such regulations. Every inhabitant of territory annexed for one or both of the limited purposes, who is otherwise qualified, shall be entitled to vote in city elections on every issue where the question is the election or recall of the mayor or a city council member or the amendment of this Charter, and every such inhabitant shall be deemed to be a citizen of the city in connection with any ordinance, regulation or action which is, or is alleged to be, applicable to him or his property because of such limited purpose annexation, but will not be eligible to run for any office in the City of San Marcos. The city shall have no power to levy any tax for municipal purposes on either the property or the inhabitants of territory annexed for limited purpose or purposes, and no funds of the city shall be spent in such territory except where reasonable and expedient for the accomplishment of the limited purpose or purposes for which the territory is annexed; but the city may collect reasonable charges from property owners and inhabitants of such territory for services rendered by the city in the accomplishment of the limited purpose or purposes for which the territory is annexed.

(Ord. No. 1984-11, Prop. 2, 1-30-84/4-7-84; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 1, 5-9-00/5-6-00)

State Law reference—Annexations for limited purposes, V.T.C.A., Local Government Code, § 43.121 et seq.

ARTICLE III. - THE CITY COUNCIL

Sec. 3.01. - Number, selection and term.
(a) The legislative and governing body of the city shall consist of seven council members and shall be known as the "City Council of San Marcos".

(b) The members of the city council shall be elected from the city at large, and each council member shall be elected to occupy a place on the council, such places being numbered and designated 1, 2, 3, 4, 5, 6 and mayor.

(c) Each council member for places 1, 2, 3, 4, 5 and 6 shall hold office for a period of three years, staggered so that two members shall be elected to a regular term each year. The council member elected to the place of mayor shall hold office for a period of two years.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Res. No. 1979-2R, Prop. 1, 1-8-79/4-7-79; Ord. No. 1984-11, Prop. 3, 1-30-84/4-7-84; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-44, § 1, 8-9-04)

Sec. 3.02. - Qualifications.

(a) Each member of the city council, in addition to having other qualifications prescribed by law:

(1) Shall be a qualified voter of the city;

(2) Shall have had his or her principal physical residence for at least one year preceding the election within the corporate limits of San Marcos and shall maintain his or her principal physical residence within the corporate limits of San Marcos throughout his or her term of office; for purposes of this subsection, a person must meet all of the following to meet the requirement for a "principal physical residence" in the city:

(A) The person must use the residence address for voter registration, and current driver's license or Texas identification card purposes;

(B) The person must use the residence address as the person's home address on documents such as employment records, resumes, business cards, government forms and loan applications;

(C) The person must not claim a homestead exemption on any property other than the residence;

(3) Shall not hold any other office or employment under the city government while a member of the council, except a member of the city council may be appointed by the city council to represent the council on any board, commission, committee, organization or entity in the council's sole discretion so long as that person's service does not extend beyond the person's council term;

(4) Shall not be an officer or director of any public service company within the city, or outside the city but serving inhabitants of the city, nor be the owner or proprietor of any public service company in the city. "Public service company" is defined as any company, individual, partnership, corporation or other entity recognized by law that uses any of the city's streets, alleys, highways or other public property to carry out its principal purposes, including but not limited to water, wastewater, gas, electricity and, telecommunications utilities, commercial railway or street railway services, public transit services, solid waste collection, and vehicles for hire.

(5) Shall not have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city.

(6) Shall remain current on all financial obligations to the city relating to the duties of the council member.
(b) The city council shall determine that the qualifications of its own members are continually met. If the council determines that any member of the council has ceased to possess any of these qualifications or has been convicted of a felony, that member shall immediately forfeit office.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1988-15, Props. 2—4, 2-8-88/5-7-88; Ord. No. 1996-6, Prop. 1, 2-12-96/5-4-96; Ord. No. 1998-7, Prop. 3, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 2, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 2, 5-9-00/5-6-00; Ord. No. 2002-12, Prop. 1, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 1, 5-7-02/5-4-02; Ord. No. 2004-10, Prop. 1, 2-23-04/5-15-04; Ord. No. 2006-36, § 2(4), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(4), 8-19-08/11-4-08; Ord. No. 2013-44, Props. 10, 11, 8-20-13/11-5-13.)

Sec. 3.03. - Reserved.

Editor's note—Formerly, § 3.03 pertained to council to judge election qualifications, and derived from Ord. No. 1996-6, Prop. 2, 2-12-96/5-4-96.

Sec. 3.04. - Compensation and reimbursement.

City Council Compensation shall be set in a public forum by ordinance of the city council; and they shall be entitled to all necessary expenses incurred in the performance of their official duties. There shall be provided in each annual city budget an amount for the expenses of the mayor and of each council member. The mayor and the members of the city council shall be reimbursed for the amounts so provided for in the annual city budget for their actual official city business expenses. The city council by resolution or ordinance shall provide for a means of determining what expenses are reimbursable and what requirements must be met for reimbursement.

(Ord. No. 1984-11, Prop. 4, 1-30-84/4-7-84; Ord. No. 1988-15, Prop. 5, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2002-12, Prop. 2, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 2, 5-7-02/5-4-02; Ord. No. 2008-29, § 2(5), 8-19-08/11-4-08)

Sec. 3.05. - Mayor, mayor pro tempore and deputy mayor pro tempore.

The mayor shall preside at all meetings of the council and shall be recognized as head of the city government for all ceremonial purposes, for the purpose of receiving service of civil process, and for emergency management purposes. The mayor, as a member of the council, shall be entitled to vote upon all matters considered by the council but shall have no veto power. At its first meeting following each regular election of council members, the council shall by election designate a mayor pro tempore, and may shall in addition designate a deputy mayor pro tempore, who each shall serve in such capacity for a period of one year; provided, however, that in the event a runoff election is required the city council shall not designate a mayor pro tempore or deputy mayor pro tempore until the runoff election is completed and the duly elected candidates have been officially seated on the council. The mayor pro tempore shall act as mayor during the absence or disability of the mayor, and shall have power to perform every act the mayor could perform if
present. The deputy mayor pro tem shall act as mayor during the absence or disability of the mayor and
mayor pro tem, and shall have power to perform every act the mayor could perform if present.

Prop. 1, 1-8-79/4-7-79; Ord. No. 1984-11, Prop. 5, 1-30-84/4-7-84; Ord. No. 1996-6, Prop. 3, 2-12-96/5-4-
96; Ord. No. 2000-12, Prop. 4, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 4, 5-9-00/5-6-00; Ord. No. 2006-36,
§ 2(6), 8-15-06/11-7-06)

Sec. 3.06. - Vacancies.

(a) A special election to fill a vacancy shall be called in accordance with state law. In the event the mayor is
unable to call a meeting to order the election for any reason, the mayor pro tem or deputy mayor pro
tem are authorized and directed to call a meeting to order the election and perform all other required
actions incident to the election. In the event of vacancies in the offices of mayor and all members of the
city council for any reason, the following persons, in the order prescribed, are authorized and directed
to order the election and perform all other required actions incident to the election:

1. The city manager.
2. The city clerk.
3. The city attorney.
4. The presiding judge of the municipal court.

(b) No such election shall be held sooner than 30 days from the date it is called.

(Ord. No. 1984-11, Prop. 5, 1-30-84/4-7-84; Ord. No. 1986-4, Prop. 2, 1-27-86/4-5-86; Ord. No. 1988-15,
Prop. 6, 2-8-88/5-7-88; Ord. No. 1990-8, Prop. 1, 2-12-90/5-5-90; Ord. No. 1996-6, Prop. 4, 2-12-96/5-4-96;
Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2013-44, Prop. 12, 8-20-13/11-5-
13.)

Sec. 3.07. - Powers and limitations of the city council.

(a) All powers and authority which are expressly or impliedly conferred on or possessed by the city shall be
vested in and exercised by the council.

(b) The council shall have no power to, and shall not:

1. Sell, convey, lease, mortgage or otherwise alienate any land which is now, or shall hereafter be,
dedicated for park purposes, unless the qualified voters of the city shall authorize such act by
adopting in a general or special election a proposition submitting the question and setting forth the
terms and conditions under which such sale, conveyance, lease, mortgage or other alienation is to
be made; provided, that the city council may, after a public hearing, authorize a lease of park
property to another governmental entity or to a non-profit corporation or association for a term of
up to three years if the council determines that the lease will further the use of the property for
park purposes.

2. Sell, convey, or lease all or any substantial part of the facilities of any municipally owned public
utility, provided that the council may lease all or a substantial part of such facilities to any public
agency of the State of Texas if the qualified voters of the city authorize such lease by adopting in a
general or special election a proposition submitting the question and setting forth the terms and conditions under which such lease is to be made.

(3) Accept or admit liability in, or pay, any claim for damages asserted against the city, without first obtaining a written opinion from the city attorney regarding the city's liability therein.

(c) The council will have the authority to approve the conveyance of land, right-of-way and easements owned by the city. Any such approval will be in the form of an ordinance, and no such ordinance may be adopted as an emergency measure.

(Ord. No. 1994-16, Prop. 2, 3-22-94/5-7-94; Ord. No. 2000-12, Prop. 5, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 5, 5-9-00/5-6-00)

State Law reference—Municipal home rule powers, Texas Const., art. 16, § 5; V.T.C.A., Local Government Code, §§ 26.001 et seq., 51.001, 51.071 et seq.

Sec. 3.08. - City council not to interfere in appointments or removals.

Neither the council nor any of its members shall instruct or request the city manager or any of the city manager's subordinates to appoint to or remove from office or employment any person except with respect to those offices which are to be filled by appointment by the council under the provisions of this Charter. Except as provided for in Section 3.15 of this Charter, the council and its members shall deal with the administrative and management functions of the city solely through the city manager and other council appointees, as appropriate, and shall not give orders to any of their subordinates either publicly or privately.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1988-15, Prop. 7, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00)

Sec. 3.09. - Meetings of the city council.

The city council shall hold at least two regular meetings in each month at a time to be fixed by it for such regular meetings, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens. All meetings of the city council shall be held within the city, except that the city council may conduct a meeting at a location outside the city after publishing notice of the meeting in one issue of a newspaper in general circulation in the City of San Marcos. All meetings of the city council shall be public; however the council may recess for the purpose of discussing in a closed session any matter permitted to be so discussed by state law, provided that the general subject matter for consideration is expressed in the motion calling for such a session and that final action thereon shall not be taken by the council until the matter is placed on the agenda. Special meetings of the council shall be called by the city secretary, upon the written request of the mayor or any three members of the city council.

The city council shall provide by ordinance for procedures to call meetings, set meeting agendas, conduct meetings, provide for reasonable time limits on presentations to the council and any other matters necessary to the efficient and fair conduct of the public's business.

(Res. No. 1977-7R, Prop. 2, 1-24-77/4-2-77; Ord. No. 1984-11, Prop. 7, 1-30-84/4-7-84; Ord. No. 1988-15, Prop. 8, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 6, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 6, 5-9-00/5-6-00)
Sec. 3.10. - Rules of procedure.

The city council shall determine by ordinance its own rules of procedure and order of business. Four or more council members shall constitute a quorum, but no action of the council shall be of any force or effect unless it is adopted by the favorable votes of four or more of the council members. Minutes of all meetings of the council, including the vote of "ayes" and "noes" upon the passage of all ordinances and resolutions, shall be taken and recorded, and such minutes shall constitute a permanent record to which any citizen may have access at all reasonable times.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. of 8-12-02, § 1)

Sec. 3.11. - Procedure for passage of ordinances.

(a) The council shall legislate by ordinance, and the enacting clause of every ordinance shall be: "Be it ordained by the City Council of the City of San Marcos".

(b) The city attorney shall approve the legality of all ordinances adopted prior to consideration by the council, or shall file with the city clerk written legal objections thereto. Evidence of approval by the city attorney may be by notation on the ordinance itself, or by separate instrument.

(c) Every ordinance enacted by the council shall be signed by the mayor, the mayor pro tem, or two council members and shall be filed with and recorded by the city clerk.

(d) All proposed ordinances requiring a public hearing or hearings shall be finally acted upon by the city council within 90 days of the most recent public hearing at which it was considered. If final action does not occur within the 90 day period following the public hearing, then another public hearing shall be held before final action on the ordinance. Unless notice requirements are provided by other law, the city clerk shall publish a notice of each public hearing by the city council on an ordinance in a newspaper of general circulation in the city, city website or local media outlets before the public hearing.

(e) Ordinances shall be presented to council and acted on in open meetings on two separate days, unless:

(1) an ordinance is posted and adopted as an emergency measure with only one reading by the favorable vote of five or more council members; or

(2) the adoption of an ordinance under a different procedure is expressly authorized by state law.

(f) An ordinance relating to the changing of a future land use map or zoning district designation shall not be adopted as an emergency measure and shall be adopted only upon approval in two separate readings on two separate days no less than seven days apart.

(g) At the time of the first presentation each ordinance shall be read aloud unless it is publicly posted, available at a readily accessible location and filed with the city clerk at least 72 hours prior to the meeting at which it is to be considered, in which event only the caption need be read aloud.

(h) All ordinances shall be effective upon final reading or publication if publication is required by state law.

(Ord. No. 1986-4, Prop. 3, 1-27-86/4-5-86; Ord. No. 1992-9, Prop. 3, 2-10-92/5-2-92; Ord. No. 1998-7, Prop. 4, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(7), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(6), 8-19-08/11-4-08; Ord. No. 2013-44, Props. 13, 14, 8-20-13/11-5-13.)
Sec. 3.12. - Publication of ordinances.

Except as otherwise provided by law or by this [Chapter, Charter] the city clerk shall give notice of the enactment of every penal ordinance by causing its caption and penalty, to be published at least one time within ten days following the date of final passage thereof in some newspaper of general circulation within the city. The city clerk shall give notice of the enactment of other ordinances by publishing in the newspaper only if publication is required by state law, this Charter, or city ordinance. The city clerk shall give notice of the enactment of all ordinances on the city's website.

The city clerk shall note on every ordinance and on the record thereof the dates and medium of its publication, and such notation shall be prima facie evidence of compliance with the requirements of this section.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2008-29, § 2(7), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 15, 8-20-13/11-5-13.)


Sec. 3.13. - Code of Ordinances.

The council shall cause all general ordinances of the city to be compiled and printed in Code form. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the Code. For the purposes of this section general ordinances shall be deemed to be those ordinances of a permanent or continuing nature which affect the residents of the city at large. When adopted by the council, the printed codes of general ordinances contemplated by this section shall be in full force and effect without the necessity of such Code or any part thereof being published in any newspaper. The caption, descriptive clause, and other formal parts of the ordinances of the city may be omitted without affecting the validity of such ordinances when they are published as a Code. Copies of the Code shall be furnished to city officers, placed in libraries and public offices for free public reference and made available through electronic media and for purchase by the public at a reasonable price fixed by the council.

(Ord. No. 1988-15, Prop. 9, 2-8-88/5-7-88; Ord. No. 1998-7, Prop. 5, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00)


Sec. 3.14. - Official bonds for city employees.

The council shall require bonds or insurance of all municipal officers and employees who receive or pay out any monies of the city. The amount of such bonds or insurance shall be determined by the council and the cost thereof shall be borne by the city.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2013-44, Prop. 16, 8-20-13/11-5-13.)

Sec. 3.15. - Investigation by the city council.

The city council shall have power to inquire into the official conduct of any office, department, agency, officer or employee of the city and to make investigations as to municipal affairs, and for that purpose may
subpoena witnesses, administer oaths and compel the production of books, papers, and other evidence material to the inquiry. The council shall provide by ordinance penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers, or other evidence, and shall have the power to punish any such contempt in the manner provided by such ordinance. Any person participating in such an investigation shall have all rights afforded by the Constitution and laws of the United States and the State of Texas.  

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2008-29, § 2(8), 8-19-08/11-4-08)  

**Sec. 3.16. - Audit and examination of city books and accounts.**

The city council shall cause an annual audit to be made of the books and accounts of each and every department of the city. At the close of each fiscal year a complete audit shall be made by a certified public accountant, who shall be selected by the city council, and who shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. Such audit shall include a recapitulation of all internal audits made during the course of each fiscal year, and all audit reports shall be filed with the city council, shall be available for public inspection, and shall be made a part of the archives of the city. Such accountant, so selected, shall not maintain or keep any of the city’s accounts or records.  

(Ord. No. 2000-12, 2-14-00/5-6-00)  

State Law reference—Annual audit required, V.T.C.A., Local Government Code, § 103.001 et seq.  

**Sec. 3.17. - Expulsion or removal of city officials.**

(a) The city council shall have the authority to expel any city council member who is absent three consecutive regular city council meetings unless the council member has secured permission in advance, from the city council to be absent from at least one of the meetings; provided that any such action for expulsion of a city council member shall require five affirmative votes of city council members.  

The city council may remove council members including the mayor who are in substantial violation of or have substantially violated provisions of this charter; provided that any such action for expulsion of a city council member shall require five affirmative votes of city council members.  

(b) The city council shall have the authority to remove any city official appointed by the city council, including members of city boards and commissions established under state law, by this Charter, or by ordinance, and the city manager, city clerk, city attorney and municipal court judge. Any such removal of a city official by the city council shall require a majority vote of the membership of the city council and shall be preceded by adequate notice to the official of the time and location of the meeting, the nature of the charge against the official, and an opportunity for a hearing. At any such hearing, evidence both for and against the city official may be offered for the council’s consideration. The council may, by ordinance, provide for further or more detailed procedures pertaining to the removal of city official, not inconsistent with this provision.  

(Ord. No. 2000-12, Prop. 7, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 7, 5-9-00/5-6-00; Ord. No. 2004-10, Prop. 2, 2-23-04/5-15-04; Ord. No. 2013-44, Prop. 17, 8-20-13/11-5-13)
ARTICLE IV. - ADMINISTRATIVE SERVICES

Footnotes:
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Sec. 4.01. - City manager.

(a) Appointment and qualifications: The city council shall appoint a city manager who shall be the chief administrative and executive officer of the city, and shall be responsible to the city council for the administration of all the affairs of the city. The manager shall be chosen by the city council on the basis of education, executive and administrative training, experience and ability; and need not, when appointed, have his or her principal physical residence in the City of San Marcos. The manager shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.

(b) Term and salary: The city manager shall not be appointed for a definite term, but may be removed by a vote of the majority five members of the entire council. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility of each suspension or removal in the city council. In case of temporary absence or disability, the city manager may designate by letter filed with the city clerk a qualified administrative officer of the city to perform the duties of the city manager for a period not to exceed 30 days. In the event of failure of the city manager to make such designation, the council may by resolution appoint an officer of the city to perform the duties of the city manager, until the manager shall return or the disability shall cease. The city manager shall receive compensation as may be fixed by the council.

(c) Duties of the city manager:

1. To appoint and remove all employees of the city, except where such authority is reserved to the city council or otherwise prescribed by this Charter or by state law.

2. To appoint an assistant or assistants with the approval of the city council, and to supervise, direct and control all administrative units of the city, except those supervised by other appointees of the council.

3. To prepare and submit the annual budget to the city council in accordance with the requirements of this Charter and state law.

4. To keep the city council fully advised of the financial condition and needs of the city.

5. To recommend to the city council for action such administrative measures as the manager deems necessary or expedient.

6. To perform other duties as provided by this Charter and as prescribed by the city council.

(Res. No. 1977-78, Prop. 1, 1-24-77/4-2-77; Ord. No. 1986-4, Prop. 6, 1-27-86/4-5-86; Ord. No. 1992-9, Prop. 4, 2-10-92/5-2-92; Ord. No. 1994-16, Prop. 3, 3-22-94/5-7-94; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2002-12, Prpc. 3, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 3, 5-7-02/5-4-02; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(8), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(9), 8-19-08/11-4-08)

Sec. 4.02. - City clerk.
The city council shall appoint a city clerk, who shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by signature or electronic signature all ordinances and resolutions, and shall perform such other duties as city council, shall assign and those elsewhere provided for in this Charter. The city clerk's compensation shall be fixed by the city council. The city clerk may appoint an assistant or assistants with the approval of the council. The city clerk shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1981-48, Prop. 1, 6-22-81/8-8-81; Ord. No. 1992-9, Prop. 5, 2-10-92/5-2-92; Ord. No. 1994-16, Prop. 4, 3-22-94/5-7-94; Ord. No. 2000-12, Prop. 8, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 8, 5-9-00/5-6-00; Ord. No. 2008-29, § 2(10), 8-19-08/11-4-08)

Sec. 4.03. - Municipal court.

(a) A municipal court is established for the trial of misdemeanor offenses, with jurisdiction, powers and duties as prescribed by ordinance and state laws.

(b) The city council shall appoint a presiding judge for the municipal court and any associate judges it deems advisable. The presiding judge and each associate judge shall be a competent and duly qualified and licensed attorney authorized to practice law in the State of Texas. The presiding judge shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office. The compensation of the judges shall be fixed by the city council.

The presiding judge shall appoint a municipal court clerk and any assistants with the approval of the city council.


Sec. 4.04. - City attorney.

The city council shall appoint a city attorney, who shall be a competent and duly qualified and licensed attorney, authorized to practice law in the State of Texas. The city attorney shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office. The city attorney's compensation shall be fixed by the city council. The city attorney may appoint an assistant or assistants with the approval of the city council. The city attorney, or other attorneys selected by the city attorney with the approval of the city council, shall represent the city in all litigation. The city attorney shall be the legal advisor and counsel for the city and all city officers and administrative units; provided, that the city council may retain special counsel at any time it deems same appropriate and necessary. The city attorney shall prepare or review all ordinances and shall prosecute all criminal cases in the municipal court in person or through an assistant.
Sec. 4.05. - City auditor.

The city council may appoint a city internal auditor who shall serve at the pleasure of the city council. The city council shall establish the duties and operating procedures of the city internal auditor by ordinance. The city council may enter into a contract for the duties of an internal auditor to be carried out by an outside firm if the council chooses to do so.

(Ord. No. 2010-44, §§ 2, 3, 8-17-10/11-2-10)

Sec. 4.06. - Other administrative units.

The city council may abolish or consolidate such administrative units as it may deem to be in the best interest of the city, and may divide and subdivide the administration of any such units as it may deem advisable; may create new administrative units, and may discontinue any administrative unit at its discretion, except those specifically established by this Charter.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 4.07. - Publication of salaries

The salary of each city position shall be published on the city website.

ARTICLE V. - NOMINATIONS AND ELECTIONS

Footnotes:
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Sec. 5.01. - Elections.

The regular city election shall be held annually on the first Tuesday after the first Monday in November as provided by state law.

(Res. No. 1977 7R, Prop. 5, 1 24 77/4 2 77; Ord. No. 1988-15, Prop. 11, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(10), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(12), 8-19-08/11-4-08)


Sec. 5.02. - Regulation of elections.

All elections shall be held in accordance with the laws of the State of Texas regulating the holding of municipal elections and in accordance with the ordinances adopted by the city council for the conduct of
elections. The city council shall appoint the election judges and other election officials. Voting precincts shall be established by ordinance and may be altered from time to time in like manner.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 2)

Sec. 5.03. - Filing for office.

Any qualified person as defined in Section 3.02 who desires to become a candidate in a general election to a place on the city council shall file with the city clerk at least 62 days prior to the election day an application for his or her name to appear on the ballot. All candidates shall take the oath of fair campaign practices provided in Section 258.024 of the Texas Election Code. For an election to be held on the date of the general election for state and county officers, the date of the filing deadline is the 70th day before election day. Such application shall clearly designate the place on the council to which the candidate seeks election and shall contain the candidate's sworn statement of compliance with the qualifications for holding the office sought under the laws of Texas and the provisions of this Charter. All campaign contributions and reports filed by candidates shall be legible.

(Res. No. 1977-7R, Prop. 12, 1-24-77/4-2-77; Ord. No. 1992-9, Prop. 6, 2-10-92/5-2-92; Ord. No. 2000-12, Prop. 1, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-10, Prop. 3, 2-23-04/5-15-04; Ord. No. 2008-29, § 2(13), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 20, 8-20-13/11-5-13)

Sec. 5.04. - The official ballot.

The names of all candidates for office, except such as may have withdrawn, died, or become ineligible, shall be included on the official ballots without party designation. The order on the ballot of the names of the candidates for each respective council place shall be determined by lot in a drawing to be held under the supervision of the city clerk, at which drawing each candidate or the candidate's named representative shall have a right to be present. Incumbent council members seeking reelection must file for the place for which they were originally elected; provided that, however, a council member originally elected to place 1, 2, 3, 4, 5 or 6 may file for the place of mayor and a member holding the place of mayor may file for election as council member place 1, 2, 3, 4, 5 or 6.

(Res. No. 1977-7R, Prop. 12, 1-24-77/4-2-77; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 5.05. - Election by majority.

At any regular or special municipal election the candidates in each place on the ballot who shall have received the majority of votes cast in such election for such place shall be declared elected. In the event no candidate for a designated place on the city council receives a majority of the votes cast for that place in the regular or special election, a runoff election shall be held between the two candidates who received the greatest number of votes for such place. The runoff election shall be held not earlier than the 20th or later than the 45th day after the date the final canvass of the regular or special election is completed.

(Res. No. 1977-7R, Prop. 5, 1-24-77/4-2-77; Ord. No. 1981-51, Prop. 11, 7-6-81/8-8-81; Ord. No. 1986-4, Prop. 11, 1-27-86/4-5-86; Ord. No. 1994-16, § 1.2, Prop. 7, 3-22-94/5-7-94; Ord. No. 1998-7, Prop. 12, 2-9-98/5-5-98; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(10), 8-15-06/11-7-06)
Sec. 5.06. - Laws governing city elections.

All city elections shall be governed by the constitution of the State of Texas, general laws of the state, this Charter, and ordinances of the city, in the order named.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 5.07. - Conducting and canvassing elections.

The returns of every municipal election shall be delivered by the election judges to the central counting station immediately after the closing of the polls. Returns of the elections, general and special, shall be presented to the city council on any date permitted by the Texas Election Code at which time the council shall canvass and declare the results of such election.

(Res. No. 1977-7R, Prop. 5, 1-24-77/4-2-77; Ord. No. 1988-15, Prop. 20, 2-8-88/5-7-88; Ord. No. 2000-12, Prop. 9, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 9, 5-9-00/5-6-00)

Sec. 5.08. - Oath of office.

Every officer of the city shall take and subscribe to an oath or affirmation similar to that required by the Texas Constitution for state officers, before entering upon the duties of the office. The oath or affirmation shall be in a form provided by the city clerk, shall be given before a person authorized to administer oaths, and shall be filed and kept in the office of the city clerk.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1986-4, Prop. 12, 1-27-86/4-5-86; Ord. No. 1990-8, Prop. 2, 2-12-90/5-5-90; Ord. No. 2000-12, 2-14-00/5-6-00)

State Law reference—Oath Texas Const., art. 16, § 1.

ARTICLE VI. - INITIATIVE, REFERENDUM AND RECALL

Sec. 6.01. - Power of initiative.

The people of the city reserve the power of direct legislation by initiative, and in the exercise of such power may propose any ordinance or repeal any ordinance not in conflict with this Charter, the State Constitution, or the state laws. Any initiated ordinance may be submitted to the council by a petition signed by at least ten per cent of the qualified voters of the city.

(Res. No. 1979-14R, Prop. 11, 2-26-79/4-7-79; Ord. No. 1992-9, Prop. 7, 2-10-92/5-2-92; Ord. No. 2000-12, Prop. 10, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 10, 5-9-00/5-6-00)

Sec. 6.02. - Power of referendum.

The people reserve the power to approve or reject at the polls any legislation enacted by the council which is subject to the initiative process under this Charter. Prior to or within thirty days after the effective date of any ordinance which is subject to referendum, a petition by at least ten per cent of the qualified
voters of the city may be filed with the city secretary clerk requesting that any such ordinance be either repealed or submitted to the vote of the people. When such a petition has been certified as sufficient by the city secretary clerk, the ordinance specified in the petition shall not go into effect, or further action thereunder shall be suspended if it shall have gone into effect, until and unless it is approved by the voters as herein provided. Notwithstanding the foregoing, no zoning district boundary ordinance shall be subject to the referendum process.

(Res. No. 1979-14R, Prop. 12, 2-26-79/4-7-79; Ord. No. 1986-4, Prop. 13, 1-27-86/4-5-86; Ord. No. 1992-5, Prop. 7, 2-10-92/5-2-92; Ord. No. 2000-12, Prop. 10, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 10, 5-9-00/5-6-00)

Sec. 6.03. - Forms of petitions.

Initiative petition papers shall contain the full text of the proposed legislation in the form of an ordinance, including a descriptive caption. Referendum petition papers shall contain a sufficient description of the ordinance sought to be referred to identify it, or if the ordinance has been passed by the council, the full text of the ordinance sought to be referred shall be included in such papers. Before signatures on any petition paper may be counted, one of the signers of such petition paper, a qualified voter, shall make oath or affirmation before the city clerk or any other officer competent to administer oaths or affirmations, that the statements made therein are true, that each signature to the paper appended is the genuine signature of the person whose name purports to be signed thereto, and that such signatures were placed thereon in that person's presence.

(Res. No. 1974-5R, Prop. 4, 2-18-74/4-2-74; Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1992-9, Prop. 8, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, §§ 1, 3; Ord. No. 2006-36, § 2(11), 8-15-06/11-7-06)

Sec. 6.04. - Council consideration and submission to voters.

(a) When the council receives an authorized initiative petition certified by the city clerk to be sufficient, the council, within 30 days after the date of the certification, shall either:

(1) Pass the initiated ordinance without amendment; or

(2) Call an election on the adoption of the initiated ordinance without amendments, to be held on the next uniform date authorized by state law for municipal elections which is at least 62 days after the date on which the council acts.

At the election, the council may submit the initiated ordinance without amendment, and an alternative ordinance on the same subject proposed by the council; the voters being given the opportunity to accept or reject both. If both are accepted, then the ordinance receiving the greatest number of affirmative votes is adopted, and the other ordinance is deemed rejected. If both are accepted and receive the same number of affirmative votes, both are deemed rejected.

(b) When the council receives an authorized referendum petition, certified by the city clerk to be sufficient, the council shall reconsider the referendum ordinance, and within 30 days, shall either repeal the ordinance or call an election on the repeal of the ordinance, to be held on the next uniform date authorized by state law for municipal elections which is at least 45 days from the date on which the council acts.
(c) Special elections on initiated or referred ordinances shall not be held more frequently than once each six months, and no ordinance on the same subject as an initiated ordinance which has been defeated or on the same subject as a referred ordinance which has been approved at any election may be initiated by the voters within two years from the date of such election.

(Ord. No. 1984-11, Prop. 60, 1-30-84/4-7-84; Ord. No. 1996-6, Prop. 6, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-10, Prop. 4, 2-23-04/5-15-04; Ord. No. 2006-36, § 2(11), 8-15-06/11-7-06)


Sec. 6.05. - Results of elections.

Any number of ordinances may be voted on at the same election in accordance with the provisions of this article. Except as otherwise provided in Section 6.05, if a majority of the legal votes cast is in favor of an initiated ordinance, it shall be effective as an ordinance of the city when the result of the election is declared. An ordinance so adopted may be repealed or amended at any time after the expiration of two years by a vote of three-fourths of the council members qualified and serving. A referred ordinance which is rejected by a majority of the legal votes cast in a referendum election shall be deemed repealed when the result of the election is declared.

(Ord. No. 1996-6, Prop. 6, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(11), 8-25-06/11-7-06)

Sec. 6.06. - Power of recall.

(a) The people of the city reserve the power to recall any elected officer of the City of San Marcos and may exercise such power by filing with the city clerk a petition demanding the removal of the officer, signed by at least ten per cent of the qualified voters of the city.

(b) The recall petition shall be on a form approved by the city clerk. Any recall petition form supplied by the city clerk shall be valid for 45 days from the date of its issuance and the expiration date and time shall be noted on the petition form by the city clerk at the time of its issuance. All such forms must be returned to the city clerk before their respective expiration dates in order to be eligible to be verified and certified by the city clerk.

(Ord. No. 1986-4, Props. 5, 16, 1-27-86/4-5-86; Ord. No. 1996-6, Prop. 7, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-10, Prop. 5, 2-23-04/5-15-04; Ord. No. 2006-36, § 2(11), 8-25-06/11-7-06)

Sec. 6.07. - Recall election.

The provisions regulating examination, certification and amendment of initiative petitions shall apply to recall petitions. If the petition is certified by the city clerk to be sufficient, the council shall order and hold an
election to determine whether such officer shall be recalled. The election shall be held on the date next
authorized by state law for municipal elections which is at least 62 days after certification of the petition
calling for the recall election.

(Res. No. 1974-5R, Prop. 5, 2-18-74/4-2-74; Ord. No. 1984-11, Prop. 11, 1-30-84/4-7-84; Ord. No. 2000-12,
2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-10, Prop. 6, 2-23-04/5-15-04; Ord. No. 2006-36, § 2(11),
8-25-06/11-7-06)

Sec. 6.08. - Results of recall election.

If a majority of the votes cast at a recall election shall be against removal of the council member named
on the ballot, that council member shall continue in office. If the majority of the votes cast at such election
be for the removal of the council member named on the ballot, the council shall immediately declare that
member's office vacant and such vacancy shall be filled in accordance with the provisions of this Charter for
the filling of vacancies. A council member thus removed shall not be a candidate in an election called to fill
the vacancy thereby created.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(11), 8-
25-06/11-7-06)

Sec. 6.09. - Limitation on recall.

No recall petition shall be filed against a council member within six months after taking office, and no
council member shall be subjected to more than one recall election during a term of office.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No.
2006-36, § 2(11), 8-25-06/11-7-06)

Sec. 6.10. - Examinations and certification of petitions.

(a) Within 45 days after an initiative, referendum or recall petition is filed, the city clerk shall determine
whether the petition is properly signed by the requisite number of qualified voters. The city clerk shall
use the standards and procedures described in state law to make this determination.

(b) In examining a petition, the clerk shall clearly note signatures found to be invalid.

(c) After completing examination of a petition, the clerk shall certify the result to the council at its next
regular meeting.

(d) If the certificate of the city clerk shows an initiative or referendum petition to be insufficient, the clerk
shall comply with the provisions of state law regarding the filing of a supplementary petition, if
applicable. Within 45 days after a supplementary petition is filed, the clerk shall examine the petition
and certify as to its sufficiency. If the original petition and supplementary petition are found to be
insufficient, no further proceedings shall be had with regard to them.

(Ord. No. 2006-36, § 2(11), 8-15-06/11-7-06; Ord. No. 2013-44, Prop. 25, 8-20-13/11-5-13 )

Sec. 6.11. - Non-binding ballot propositions.
The council is authorized to call elections on ballot propositions that are non-binding in nature when the council wishes to obtain an informal indication of the position of the city's voters on an issue. The following shall apply to elections on non-binding ballot propositions:

(1) The ballots must clearly label each proposition as non-binding in the heading of the proposition.

(2) The ballot cannot contain an indication of the effect that approval or disapproval of a proposition will have on the position of the city council on any issue.

(3) The ordinance calling the election and the ordinance declaring the result of the election must both contain a clear statement that the non-binding propositions are not binding on the city council.

(4) The city council shall not place a non-binding proposition on a ballot as a substitute or alternative for a binding proposition the council is obligated to place on the same ballot.

(5) A non-binding proposition may be placed on the ballot by the council only when the ballot will contain other matters. The city council shall not call an election at any time solely for the purpose of placing one or more non-binding propositions before the voters of the city.

(Ord. No. 2002-12, Prop. 4, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 4, 5-7-02/5-4-02)

ARTICLE VII. - MUNICIPAL PLANNING AND ZONING[*]

Footnotes:

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State Law reference—Planning and zoning, V.T.C.A., Local Government Code, § 211.001 et seq.

Sec. 7.01. - Planning and zoning commission.

(a) A city planning and zoning commission is established. The commission shall consist of nine members appointed for staggered three-year terms. Commission members shall be appointed by the council and serve without compensation.

(b) To be eligible for appointment to the commission, all eight of the commission members must have resided and owned real property in the city for a period of three five years before the date of appointment, and the remaining member must have resided and owned real property in the city's extraterritorial jurisdiction for a period of three years before the date of appointment. To be eligible for continued service on the commission, the commission members appointed as city residents must maintain residence and property ownership in the city, and the commission member appointed as an extraterritorial jurisdiction resident must maintain residence and property ownership in the extraterritorial jurisdiction. Effective March 1, 2015 the ETJ member of the commission shall be deleted and a qualified city resident member shall be appointed.

(c) To be eligible for election and continued service as chair of the commission, a commission member must reside in the city.

(d) The council shall establish, by ordinance, the month in which appointments are made, and the month in which terms of office commence. The council may prescribe, by ordinance, educational requirements to be met after persons are appointed to the commission.

(e) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity. No more than two
professional realtors may be appointed to the commission. The commission shall establish bylaws to
govern rules of procedure and the annual election of officers. All meetings of the commission shall be
open to the public.

(Ord. No. 1981-51, Prop. 14, 7-6-81/8-8-81; Ord. No. 1990-8, Prop. 3, 2-12-90/5-5-90; Ord. No. 1994-16,
Prop. 8, 3-22-94/5-7-94; Ord. No. 1998-7, Prop. 7, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 11, 2-14-00/5-6-
00; Ord. No. 2000-40, Prop. 11, 5-9-00/5-6-00; Ord. No. 2004-10, Prop. 7, 2-23-04/5-15-04; Ord. No. 2008-
29, § 2(22), 8-19-08/11-4-08; Ord. No. 2013-44, Props. 2—4, 25, 8-20-13/11-5-13)

Sec. 7.02. - Powers and duties of the commission.

The commission shall have the power and be required to:

(1) Be responsible to and act as an advisory body to the council on all matters related to the physical
growth and development of the city. The Planning and Zoning staff shall follow all city ordinances,
rules, and regulations and confer with the city attorney before making any recommendations to
the Planning and Zoning Commission. The Planning and Zoning Commission shall follow all city
ordinances, rules, and regulations before making any recommendations to the City Council.

(2) Review and be the final approval authority for the subdivision and platting of land within the city
and its extraterritorial jurisdiction. The council or the commission may expressly delegate authority
to approve certain minor subdivision plats to the director of the planning and development services
department in accordance with the provisions of state law.

(3) Hold a public hearing and recommend to the city council the approval or disapproval of any
proposed change to the city's official zoning map.

(4) Hold public hearings and approve or deny conditional use permit applications made under the city's
zoning ordinances, subject to an appeal of such decisions to the city council. The council, on appeal,
may uphold, modify, or reverse the decision of the commission. The council may reverse a decision
of the commission to deny a permit only by a three-fourths vote of the council. Appeals to the
commission on conditional use permit applications will be based on the record before the Planning and
Zoning Commission, Texas and Federal laws, San Marcos city ordinances and regulations. The
decision on appeals before the city council and will be governed by the substantial evidence rule.
Decisions of the commission to revoke or suspend conditional use permits will be final and may not
be appealed to the council. No filing fees shall be assessed for appeals to the city council.

(5) Submit annually to the city council, not less than one hundred and twenty days prior to the
beginning of the fiscal year, a list of recommended capital improvements found necessary or
desirable.

(6) Hold an annual public hearing on the Land Development Code and recommend any necessary or
desirable changes to the council.

(7) Perform an ongoing review of the city's comprehensive plan to include:

(a) Holding an annual public hearing on the plan and recommend any necessary or desirable
changes to the council;

(b) Holding public hearings and making recommendations to the council regarding updates to the
land use and transportation elements of the plan at least once every three years; and
(c) Holding public hearings and making recommendations to the council regarding the update of the entire comprehensive plan document at least once every five years.

(8) Perform such other duties and be vested with such other powers as the council may prescribe in accordance with state law.

(9) Require information from the administrative units of city government in relation to the duties of the commission listed under this section.

(Ord. No. 1981-51, Prop. 14, 7-6-81/8-8-81; Ord. No. 1984-11, Prop. 12, 1-30-84/4-7-84; Ord. No. 1986-4, Prop. 17, 1-27-86/4-5-86; Ord. No. 1990-8, Prop. 4, 2-12-90/5-5-90; Ord. No. 1994-16, Prop. 8, 3-22-94/5-7-94; Ord. No. 2000-12, Prop. 11, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 11, 5-9-00/5-6-00; Ord. No. 2002-12, Prop. 5, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 5, 5-7-02/5-4-02; Ord. No. 2006-36, § 2(12), 8-15-06/11-7-06; Ord. No. 2013-44, Props. 5, 6, 8-20-13/11-5-13.)

Editor's note—The amendment adopted in Ordinance Number 1994-16 created a planning and zoning commission and established this section which repealed sections 7.05 through 7.07 which contained the power and duties of both a planning commission and zoning commission.

Sec. 7.03. - The comprehensive plan.

(a) The comprehensive plan for the City of San Marcos shall be used to guide the growth and development of the city. The comprehensive plan shall be adopted by ordinance. The city council will endeavor to ensure that city ordinances governing growth and development are consistent with the goals and policies contained in the comprehensive plan; however, land use maps and descriptions contained in the comprehensive plan do not constitute zoning, and do not entitle any property owner to any change in zoning.

(b) The commission shall conduct an ongoing review of the plan in accordance with Section 7.02. The commission may recommend amendments to the comprehensive plan after at least one public hearing on the proposed action. The council may amend the comprehensive plan after at least one public hearing on the proposed action. The council shall not act on any amendment affecting the comprehensive plan unless and until a recommendation on the amendment is received from the commission.

(Ord. No. 1984-11, Prop. 14, 1-30-84/4-7-84; Ord. No. 1986-4, Prop. 18, 1-27-86/4-5-86; Ord. No. 1994-16, Prop. 8, 3-22-94/5-7-94; Ord. No. 1998-7, Prop. 8, 2-9-98/5-5-98; Ord. No. 2000-12, Prop. 11, 2-14-00/5-6-00; Ord. No. 2000-40, Prop. 11, 5-9-00/5-6-00; Ord. No. 2002-12, Prop. 6, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 6, 5-7-02/5-4-02; Ord. No. 2013-44, Prop. 6, 8-20-13/11-5-13.)

Editor's note—The amendment adopted in Ordinance Number 1994-16 reenacted this section which was formerly Charter § 7.08.

Sec. 7.04. - Organization.

The commission shall elect a chair from its membership annually, and shall establish rules of procedure which shall include the following:

(1) A quorum shall consist of a majority of the membership.

(2) The chair shall be entitled to vote upon any question.
(3) All meetings shall be open to the public.


ARTICLE VIII. - FINANCIAL PROCEDURE[6]

Footnotes:
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Sec. 8.01. - Fiscal year.

The fiscal year of the City of San Marcos shall begin on the first day of October and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year.

(Ord. No. 2000-12, 2-14-00/5-6-00)


Sec. 8.02. - Preparation and submission of budget.

(a)(c) The city manager, not less than 30 days prior to the time the city council makes its tax levy for the current fiscal year, shall file with the city clerk a proposed budget, which budget shall provide a complete financial plan for the fiscal year, and shall contain a budget message explaining the budget, containing an outline of the proposed financial policies of the city for the ensuing fiscal year, setting forth the reasons for salient changes from the previous fiscal year in expenditure and revenue items, and explaining any major changes in financial policy. Copies of the proposed budget shall be made available at the San Marcos Public Library, at City Hall, and on the city's website.

(b) By April 30 March 31st of each year, after a public hearing, the city council shall formulate a policy statement to be used by the city manager as direction during the preparation of the proposed budget.

(e)(a) By February 27th of each year the city council shall hold a policy budget workshop.

(Art. No. 1977-7R, Prop. 6, 1-24-77/4-2-77; Ord. No. 1984-11, Prop. 15, 1-30-84/4-7-84; Ord. No. 1998-7, Prop. 9, 2-9-98/5-5-98; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2002-12, Prop. 7, 2-11-02/5-4-02; Ord. No. 2002-35, Prop. 7, 5-7-02/5-4-02; Ord. No. 2006-36, § 2(13), 8-15-06/11-7-06)

State Law reference — Budgets, V.T.C.A., Local Government Code, § 102.001 et seq.

Sec. 8.03. - Anticipated revenues compared with other years in budget.

In preparing the budget, the city manager shall place in parallel columns opposite the several items of revenue: the actual amount of each item for the last completed fiscal year, the estimated amount for the current fiscal year, and the proposed amount for the ensuing fiscal year.
(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.04. - Proposed expenditures compared with other years.

The city manager in the preparation of the budget shall place in parallel columns opposite the various items of expenditures: the actual amount of such items of expenditures for the last completed fiscal year, the estimated amount for the current fiscal year and the proposed amount for the ensuing fiscal year.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.05. - Budget a public record.

The budget and all supporting schedules shall be filed with the city clerk, submitted to the city council and shall be a public record. The city manager shall provide copies for distribution to all interested persons. The budget and all supporting schedules shall be published on the city’s website.

(Ord. No. 1992-9, Prop. 10, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.06. - Notice of public hearing on budget.

Not less than 30 days before the date the city council adopts the budget, the city council shall fix the time and place of public hearing on the budget and shall cause to be published in a newspaper of general circulation in the City of San Marcos, and through electronic media, a general summary of the proposed budget and a notice of the hearing setting forth the time and place thereof, the time for which publication shall be in accordance with applicable law.

(Ord. No. 1981-51, Prop. 5, 7-6-81/8-8-81; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(13), 8-15-06,11-7-06)

Sec. 8.07. - Public hearing on budget.

At the time and place set forth in the notice required by Section 8.06, or at any time and place to which such public hearing shall from time to time be adjourned, the city council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained. Copies of the proposed budget shall be available at the San Marcos Public Library, at City Hall, and on the city's website.

(Ord. No. 2000-12, 2-14-03/5-6-00; Ord. No. 2013-44, Prop. 21, 8-20-13/11/5/13)

Sec. 8.08. - Proceedings on budget after public hearing.

As a result of such public hearing, the city council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law, but where it shall increase the total proposed expenditures, it shall also provide for an increase in the total anticipated revenue to at least equal such proposed expenditures.

(Ord. No. 2000-12, 2-14-00/5-6-00)
Sec. 8.09. - Adoption after public hearing.

The budget and the tax rate shall be adopted, after public hearings, in compliance with State law. Copies of the budget shall be available at the San Marcos Public Library, at City Hall, and on the city's website.

(Res. No. 1979-2R, Prop. 6, 1-8-79/4-7-79; Ord. No. 1992-9, Prop. 11, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(13), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(14), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 22, 8-20-13/11-5-13.)

Sec. 8.10. - Date of final adoption.

The budget and the tax rate shall be finally adopted not later than the expiration of the fiscal year.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2006-36, § 2(13), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(14), 8-19-08/11-4-08)

Sec. 8.11. - Effective date of budget; certification; copies made available.

Upon final adoption, the budget shall be in effect for the fiscal year. A copy of the budget, as finally adopted, shall be filed with the city clerk and such other officials as may be designated by law. The final budget shall be printed or otherwise reproduced and copies shall be made available for the use of all offices, departments and agencies and for the use of interested persons and civic organizations.

(Ord. No. 1992-9, Prop. 10, 2-10-92/5-2-92; Ord. No. 1998-7, Prop. 10, 2-9-98/5-5-98; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.12. - Budget establishes appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.13. - Budget establishes amount to be raised by property tax.

From the effective date of the budget, the amount stated therein as the amount to be raised by property tax shall constitute the amount of the levy for the purposes of the city in the corresponding tax year; provided, that such levy shall not exceed the legal limit provided by the laws and constitution of the State of Texas.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2008-29, § 2(14), 8-19-08/11-4-08)

Sec. 8.14. - Contingent appropriation.

Provision shall be made in the annual budget and in the appropriation ordinance for a contingent appropriation in amount not more than three per centum of the total budget, to be used in case of unforeseen items of expenditure. Such contingent appropriation shall be under the control of and distributed by the city manager after approval of the city council. Expenditures from this appropriation shall be made
only in case of established emergencies and a detailed account of such expenditures shall be recorded and reported.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1)

Sec. 8.15. - Estimated expenditures shall not exceed estimated resources.

The total estimated expenditures of the general fund and debt service fund shall not exceed the total estimated resources of each fund (prospective income plus cash on hand). The classification of revenue and expenditure accounts shall conform as nearly as local conditions will permit to the uniform classification as promulgated by the National Committee on Governmental Accounting or some other nationally accepted classification.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.16. - Other necessary appropriations.

The city budget may be amended and appropriations altered in accordance therewith in cases of public necessity, the actual fact of which shall have been declared by the city council.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 8.17. - Purchase procedure.

No contract or order shall be binding upon the city unless and until the city manager or the manager’s designated representative certifies that there is to the credit of such administrative unit a sufficient unencumbered appropriation and an allotment balance to pay for the supplies, materials, equipment, or contractual services, for which the contract or order is to be issued. Before the city makes any purchase or contract for supplies, materials, equipment, or contractual services, opportunity shall be given for competition. The council may by ordinance convey upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not requiring competitive bidding or proposals under state law. All purchases shall be made in accordance with applicable ordinances and state law. When required, notice of solicitation for competitive purchases of goods and services shall appear on the city’s website and on an internet site for governmental procurements and may also be published in a newspaper of general circulation in the city.

(Res. No. 1977-7R, Props. 1, 7, 1-24-77/4-2-77; Ord. No. 1981-51, Prop. 13, 7-6-81/8-8-81; Ord. No. 1984-11, Prop. 16, 1-30-84/4-7-84; Ord. No. 1986-4, Props. 19—21, 1-27-86/4-5-86; Ord. No. 1988-15, Prop. 12, 2-8-88/5-7-88; Ord. No. 1992-9, Prop. 12, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2008-29, § 2(15), 8-19-08/11-4-08)

ARTICLE IX. - BORROWING FOR CAPITAL IMPROVEMENTS[21]

Footnotes:
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Sec. 9.01. - Power to borrow.

The City of San Marcos shall have the right and power to borrow money on the credit of the city for permanent public improvements or for any other public purpose not prohibited by the constitution or statutes of the State of Texas. The city shall also have the power to borrow money against the revenues of any municipally owned utility and to mortgage the physical properties of such utilities in payment of such debt. In no event, however, shall revenue bonds be considered a general indebtedness of the city nor repaid with funds secured by taxation.

(Ord. No. 1996-6, Prop. 9, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 9.02. - Bond record.

The city manager or the manager's designated representative shall prepare, maintain and cause to be filed in the city manager's office a complete bond record, showing all bonds and certificates of obligation, the date and amount thereof, the rate of interest, a schedule of maturity dates and a record of all bonds and all other transactions of the city council having reference to the refunding of any indebtedness of the City of San Marcos. A copy of the bond record shall be available at the San Marcos Public Library, at City Hall, and on the city's website.

(Ord. No. 1992-9, Prop. 13, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2006-36, § 2(14), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(16), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 23, 8-20-13/11-5-13)

Sec. 9.03. - Misapplication of bond funds.

Any officer or employee of the City of San Marcos who shall willfully or knowingly divert or use any funds arising from the issuance of any bond or sinking fund for any other purpose than that for which the fund is created or as herein otherwise authorized, shall be subject to prosecution as provided by the laws of the State of Texas on the diversion and conversion of funds belonging to any of the municipalities of the State of Texas.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 4)

ARTICLE X. - TAX ADMINISTRATION

Footnotes:
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State Law reference—Authority, Texas Const., art. 11, §§ 4, 5; local taxation, V.T.C.A., Tax Code, § 302.001 et seq.

Sec. 10.01. - Tax administration.
The city council shall provide for the administration and collection of property taxes in accordance with state law. This may be accomplished through interlocal agreement with another taxing unit whose taxing jurisdiction overlaps all or part of the city's taxing jurisdiction.

(Ord. No. 1981-51, Prop. 6, 7-6-81/8-8-81; Ord. No. 1992-9, Prop. 14, 2-10-92/5-2-92; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2004-44, § 3, 8-9-04)

Sec. 10.02. - Power to tax.

The City Council of the City of San Marcos shall have the power, and is hereby authorized to levy, assess and collect annual taxes not to exceed the maximum limits set by the constitution and laws of the State of Texas as they now exist or as they may be amended on each $100.00 assessed valuation of all real and personal property within the corporate limits of the City of San Marcos and not exempt from taxation by the constitution and laws of the State of Texas; however, provisions must be made annually to assess and collect a sum sufficient to pay the interest on any debts of the city and to create a sinking fund of at least two percent of such debt.

(Res. No. 1977-7R, Prop. 8, 1-24-77/4-2-77; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2008-29, § 2(17), 8-19-08/11-4-08; Ord. No. 2013-44, Prop. 25, 8-20-13/11-5-13)

Sec. 10.03. - Property subject to tax, methods of assessment.

All real and tangible personal property that the State of Texas has jurisdiction to tax, shall be subject to annual taxation by the City of San Marcos unless exempted by state law if the real property is located within the corporate limits of the City of San Marcos on January 1 and the tangible personal property is:

1. Located in the City of San Marcos on January 1 for more than a temporary period;
2. Normally located in the City of San Marcos, even though it is outside the city on January 1, if it is outside the city only temporarily;
3. Normally returned to the City of San Marcos between uses elsewhere and is not located in any one place for more than a temporary period; or
4. That in which the owner resides (for property not used for business purposes) or maintains his principal place of business in Texas (for property used for business purposes) in the City of San Marcos and the property is taxable in Texas but does not have a taxable situs pursuant to (1)—(3) above.

All procedures and actions relating to property taxation shall be conducted pursuant to the requirements of the Texas Property Tax Code. Each person, partnership, corporation, association or other legal entity so owning property within the limits of the City of San Marcos, shall render said property as required by the Texas Property Tax Code and the chief appraiser of the Hays County Appraisal District.

(Res. No. 1977-7R, Prop. 8, 1-24-77/4-2-77; Ord. No. 1984-11, Prop. 17, 1-30-84/4-7-84; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 10.04. - Reserved.
Editor's note — A Charter amendment adopted April 7, 1984, deleted § 10.04, pertaining to the board of equalization. The section derived unamended from the city's Home Rule Charter as adopted Feb. 24, 1967, and has been reserved for future use.

Sec. 10.05. - Taxes; when due and payable.

All taxes due the City of San Marcos shall be payable at the office of the city assessor-collector and may be paid at any time after October 1. Unless otherwise provided by State law, taxes for each tax year shall be paid before February 1 of the following year, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to penalty and interest at the maximum percentage permitted by law.

(Ord. No. 1981-51, Prop. 7, 7-6-81/8-8-81; Ord. No. 1984-11, Prop. 19, 1-30-84/4-7-84; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2008-29, § 2(18), 8-19-08/11-4-08)

Sec. 10.06. - Seizure and sale of personal property.

Personal property is subject to seizure for the payment of a delinquent tax, penalty and interest owed the City of San Marcos. Personal property is subject to seizure for the payment of a tax imposed by the City of San Marcos on property before the tax becomes delinquent as provided by the Texas Property Tax Code. Sale of such seized property shall be pursuant to the federal and state constitution and the Texas Property Tax Code.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1984-11, Prop. 20, 1-30-84/4-7-84; Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 10.07. - Tax liens.

(a) The tax levied by the city is hereby declared to be a lien, charge, or encumbrance upon the property upon which the tax is due, which lien, charge or encumbrance the city is entitled to enforce and foreclose in any court having jurisdiction over the same and the lien, charge or encumbrance on the property in favor of the city, for the amount of the taxes due on such property is such as to give the state courts jurisdiction to enforce and foreclose said lien on the property on which the tax is due, not only as against any resident of this state or person whose residence is unknown, but also as against nonresidents. All taxes upon real estate shall especially be a lien and a charge upon the property upon which the taxes are due, which lien may be foreclosed in any court having jurisdiction. The city's tax lien shall exist from January 1, in each year until the taxes are paid.

(b) Personal property may not be seized and a suit may not be filed:

(1) To collect a tax on personal property that has been delinquent more than four years; or

(2) To collect a tax on real property that has been delinquent more than 20 years.

(c) A tax delinquent for more than the limitation period prescribed by this section and any penalty and interest on the tax is presumed paid unless a suit to collect the tax is pending.

(d) The city's tax lien shall be prior to all other claims, and no gift, sale, assignment or transfer of any kind, or judicial writ of any kind, can ever defeat such lien. All persons or corporations owning or holding personal property or real estate in the City of San Marcos on the first day of January of each year shall
be liable for all municipal taxes levied thereon for such year. The City of San Marcos is hereby made liable for all of said taxes, whether the same be due upon personal or real property, or upon both.

(Ord. No. 1984-11, Prop. 21, 1-30-84/4-7-84; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2004-44, § 4, 8-9-04)

Sec. 10.08. - Tax remissions, discount, and compromises.

The city council or any other official of the city shall never extend the time for payment of taxes or remit, discount or compromise any tax legally due the city or waive the penalty and interest that may be due thereon to any person, firms or corporations owing taxes to the city for such year or years except as permitted by state law; provided, however, that this provision shall not prevent the compromise of any tax suit.

(Ord. No. 1988-15, Prop. 13, 2-8-88/5-7-88; Ord. No. 2000-12, 2-14-00/5-6-00)

ARTICLE XI. - FRANCHISES AND PUBLIC SERVICE COMPANIES[9]

Footnotes:
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Sec. 11.01. - Definitions; powers of the city council.

(a) In this article:

(1) "Public service company" means any company, individual, partnership, corporation or other entity recognized by law that uses the city's streets, alleys, highways or other public property to carry out its principal purposes, including but not limited to public utilities, commercial railway or street railway services, public transit services, solid waste collection, and vehicles for hire.

(2) "Public utility" means any water, wastewater, gas, electricity or telecommunications utility that operates or offers service in the city.

(3) "Telecommunications utility" includes any company that provides or offers to provide telephone, cable television or other similar services for the transmission of voice, data or video information.

(b) The city council has the following powers regarding public service companies of every character operating in the city:

(1) To buy, condemn, construct, lease, maintain, and operate public utility systems in the city;

(2) To sell, manufacture, and distribute the services and output of city public utility systems;

(3) To prohibit the use of city streets, alleys, easements or other grounds by a public service company unless the company first obtains a franchise, permit, certificate or other authorization in accordance with this article and applicable ordinances; and

(4) To regulate public service companies in the interest of public health, welfare, and safety.

(c) The authority of the council under this article is subject to federal and state laws regarding public utilities. The provisions of this article will be disregarded to the extent of any conflict between them and federal and state laws.
Sec. 11.02. - Power to grant franchise.

The council shall have the power, by ordinance, to grant, renew, extend, and amend all franchises of all public utilities of every character operating within the city. No franchise shall be for an indeterminate period, and no franchise shall be granted for a term of more than five years from the date of the grant, renewal or extension.

Sec. 11.03. - Reserved.


Sec. 11.04. - Ordinance granting franchise; public hearing.

All ordinances granting, renewing, extending or amending a public utility franchise shall be read at three separate regular meetings of the council, and shall not be finally passed until 30 days after the first reading; and no such ordinance shall take effect until 30 days after its final passage. The council shall conduct a public hearing on any such franchise ordinance before the first reading of the ordinance. Notice of the public hearing, including the full text of the ordinance shall be published once before the first reading, in a newspaper of general circulation in the city, and shall be made available at the San Marcos Public Library, at City Hall and on the city’s website, and the expense of such publication shall be borne by the applicant for the franchise.

Sec. 11.05. - Transfer of franchise.

No public utility franchise shall be assigned or transferred except with the approval of the council expressed by ordinance. The term "assigned or transferred" includes a transfer of a controlling interest in stock, and an assignment or transfer to an affiliated or subsidiary person or company, but the term does not include the pledging of a franchise as security for a valid debt or mortgage.

Sec. 11.06. - Franchise value not to be allowed.
No value shall be assigned to any franchise granted by the city in fixing reasonable rates and charges for utility service within the city, or in determining the just compensation to be paid by the city for public utility property which it may acquire by condemnation or otherwise.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00)

Sec. 11.07. - Right of regulation.

Every grant, renewal, extension or amendment of a public utility franchise, whether so provided in the ordinance or not, shall be subject to the right of the council:

(1) To forfeit any such franchise by ordinance at any time for the failure of holder thereof to comply with the terms of the franchise, such power to be exercised only after notice and hearing, and an opportunity to correct the default.

(2) To require such expansion and extension of plant and facilities as are necessary to provide adequate service to the public and maintain plant and fixtures at the highest reasonable standard of efficiency.

(3) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.

(4) To impose regulations to ensure safe, efficient and continuous service to the public.

(5) To collect from every franchise holder its fair and just proportion of the expense of maintaining areas of public property occupied by the franchise holder, or to compel the franchise holder to perform its fair and just share of the work of maintaining areas of public property occupied by the franchise holder at its own expense.

(6) To examine and audit at any time during regular business hours the accounts and records of any such utility which are relevant to the city's right of regulation.

(7) To prescribe the form of accounts kept by such utility.

(8) To require such compensation and rental as may be permitted by federal or state law.

(Ord. No. 1996-6, Prop. 10, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00)

Sec. 11.08. - Public service companies to file annual reports.

The city council by ordinance shall require each public service company operating within the corporate limits of the city to file a sworn annual report of the receipts from the operation of the company for the current year, how expended, how much thereof for betterments or improvements, the rate of tolls or charges for services rendered to the public, and any other facts or information that the council may deem pertinent for its use in intelligently passing upon any questions that may arise between the city and the public service company. These reports shall be filed with the city clerk, and preserved for the use of the city council. The reports may be reviewed periodically by the council to determine the propriety of the rates being charged and will be available at the San Marcos Public Library, at City Hall, and on the city's website.

(Ord. No. 1996-6, Prop. 10, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00; Ord. No. 2006-36, § 2(15), 8-15-06/11-7-06; Ord. No. 2013-44, Prop. 24, 8-20-13/11-5-13)
Sec. 11.09. - Regulation of rates.

The council shall have the power to:

(1) Regulate by ordinance the rates of every public service company operating in the city, provided that no such ordinance shall be passed as an emergency measure;

(2) Employ expert advice and assistance in determining a rate and equitable profit to the public service company; and shall have the power to require, as a condition precedent to any hearing concerning rates and service of a company, that the company pay the cost of such expert advice and assistance as chosen and deemed necessary by the council.

(Ord. No. 1988-15, Prop. 15, 2-8-88/5-7-88; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00)

Sec. 11.10. - Municipally owned utilities.

Accounts shall be kept for each public utility owned or operated by the city, in such manner as to show the true and complete financial results of such city ownership and operation, including all assets and all liabilities, appropriately subdivided by classes, depreciation reserve, other reserves and surplus; also revenues, operating expenses including depreciation, interest payments, rental and other disposition of annual income. The accounts shall show actual capital cost to the city of each utility owned. The accounts shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any city department. The council shall cause an annual report to be made by a certified public accountant and shall publish such report showing the financial results of such city ownership and operation, giving the information specified in this section and such other data as the council shall require.

(Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00)

Sec. 11.11. - Regulation of city owned public utilities.

The council has authority to supervise and regulate the operations of city owned public utilities, including the following:

(1) To establish the rates, terms and conditions for the sale of utility services.

(2) To prescribe rules and standards for the construction, extension, maintenance and operation of production, transmission and distribution facilities.

The council may exercise this authority itself, or it may delegate all or part of the authority to a board of citizens to oversee one or more of the city's public utilities.

(Ord. No. 1996-6, Prop. 1, 2-12-96/5-4-96; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00)

ARTICLE XII. - GENERAL PROVISIONS
Sec. 12.01. - Public access to records.

All information collected, assembled or maintained by the city pursuant to law or ordinance or in connection with the transaction of official city business is public information and available to the public during normal business hours of the city under the terms and conditions provided in the Texas Public Information Act as amended.

(Ord. No. 1988-15, Prop. 16, 2-8-88/5-7-88; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2004-44, § 5, 8-9-04)


Sec. 12.02. - Personal interest and code of ethics.

(a) (1) All elected and appointed officers of the city shall comply with applicable requirements of state law and city ordinances pertaining to conflicts of interest of local government officials.

(2) The code of ethics adopted by the city council under subsection (b) of this section shall require annual disclosure by members of the city council and city boards and commissions of their relevant interests in business entities and real property as defined under state law and city ordinances. The financial disclosures shall be updated within 30 days of any significant change in the interests of an official — even if such a change is temporary. For this part “significant” means a change in interest that would tend to render the annual financial disclosure misleading or incomplete.

(3) No member of the city council, and no employee of the city shall have a financial interest in the sale to the city or purchase from the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having such an interest shall be ineligible for election as a city council member or appointment as an employee of the city, and any city council member or employee who acquires such an interest shall forfeit the office or employment. Any violation of this provision with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council. These provisions shall not apply to acquisitions of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.

(4) For a period of two years from the date of leaving office a city council member shall not have any financial interest in the sale to the city of any land, materials, supplies, or service. Any violation of this subsection with the actual or constructive knowledge of the former city council member shall render the contract voidable by the city manager or the city council.

(b) It is the policy of the City of San Marcos that all city officials and employees shall act and conduct themselves both inside and outside the city's service so as to give no occasion for distrust for their integrity, impartiality or of their devotion to the best interest of the City of San Marcos and the public trust which it holds. To this end and to expressly assure its accomplishment, the city council shall establish and maintain an ethics review commission, and shall adopt and maintain a code of ethics for officials and employees of the City of San Marcos in ordinance form. The city council shall appoint an ethics review commission composed of seven citizens of the City of San Marcos to serve three-year staggered terms. A chair shall be elected by a majority of the commission after the annual appointment of members to the commission.
(c) Duties of the ethics review commission:

(1) The ethics review commission shall meet at least once a year to review the code of ethics of the City of San Marcos and make recommendations, if any, to the city council.

(2) Conduct hearings into allegations of violations of the city's code of ethics, or a state conflict of interest law, or the city charter, according to the procedures set forth in the city's ethics ordinance.

(3) Render advisory opinions on potential conflicts of interest, or violation of the city's code of ethics, or the city charter at the request of a public official or employee covered by the code of ethics.

(4) Recommend to appropriate authorities cases for prosecution or other action for violation of the code of ethics, or a state conflict of interest law, or the city charter.

(5) Review and monitor financial reports required by the Texas Election Code with respect to city-sponsored elections.

(Res. No. 1979-2R, Props. 5, 7, 1-8-79/4-7-79; Ord. No. 1986-4, Props. 22—24, 1-27-86/4-5-86; Ord. No. 1988-15, Prop. 17, 2-8-88/5-7-88; Ord. No. 1990-8, Prop. 5, 2-12-90/5-5-90; Ord. No. 1998-7, Prop. 11, 2-9-98/5-5-98; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00; Ord. No. 2006-36, § 2(16), 8-15-06/11-7-06; Ord. No. 2008-29, § 2(20), 8-19-08/11-4-08)

Sec. 12.03. — Nepotism and Conflict of Interest

The members of the city council, and the city manager, city clerk, city attorney and presiding judge of the municipal court are the public officials of the city who are subject to the nepotism prohibitions defined under State law.

(a) Public officials of the City of San Marcos are subject to the nepotism prohibitions defined under State law. For purposes of this section, the following are defined as public officials:

(1) The mayor and members of city council
(2) City Manager
(3) City Clerk
(4) City Attorney
(5) Presiding judge of the municipal court

(b) No city employee shall be regularly directly supervised by a relative, sexual partner, or roommate. City employees will not be transferred or promoted into positions that would cause them to be in a direct supervisor/subordinate relationship with a relative, sexual partner, or roommate. The supervisor involved in the relationship is responsible for promptly reporting the relationship to the city’s Director of Human Resources.

(1) Relatives: Includes the first, second, and third degree of consanguinity (blood or adoption); and the first and second degree of affinity (marriage). Common law marriages as recognized by the State of Texas will also be included for purposes of this section.

(2) Roommates: Individuals who share the same living quarters.
(3) Sexual Partner: Persons in a consensual sexual relationship but are not married to one another.

(c) To avoid the appearance and risk of impropriety a public official shall not appoint his or her business associates to public commissions and boards. Business associate is defined to include:

1. A public official’s outside employer, outside employee, outside supervisor, or inside subordinate

2. A public official’s relative’s outside employer, outside employee, outside supervisor, or outside subordinate

3. The public official’s outside client;

4. The public official’s outside business partner, including:

   A. Owning 10 percent or more of a business entity in which the public official also owns 10 percent or more

   B. Owning real property with a fair market value of $2,500 or more in partnership with the public official

   C. In an outside legal contract for business goods or services valued at $2,500 or more with the public official

(Ord. No. 1994-16, Prop. 9, 3-22-94/5-7-94; Ord. No. 2000-12, 2-14-00/5-6-00)


Sec. 12.04. - Provisions relating to assignment, execution and garnishment.

The property, real and personal, belonging to the city shall not be liable to be sold or appropriated under any writ or execution or cost bill. The funds belonging to the city, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the city be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the city nor any of its officers or agents shall be required to answer any such writ of garnishment on any account whatever. The city shall not be obligated to recognize any assignment of wages or funds by its employees, agents or contractors.

(Ord. No. 2000-12, 2-14-CO/5-6-00)


Sec. 12.05. - City not required to give security or execute bond.

It shall not be necessary in any action, suit or proceeding in which the City of San Marcos is a party, for any bond, undertaking, or security to be demanded or executed by or on behalf of said city in any of the state courts, but in all such actions, suits, appeals, or proceedings same shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law.

(Ord. No. 2000-12, 2-14-CO/5-6-00)
Sec. 12.06. - Special provisions covering damage suits.

Before the city shall be liable to damage claim or suit for personal injury, or damage to property, the person who is injured or whose property is damaged or someone in that person's behalf shall give the city manager or the person performing the duties of city clerk, notice in writing within 90 days after the occurrence of the alleged injury, or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible. Provided however, that the ninety-day notice requirement of this section may be extended by a court of competent jurisdiction for good cause shown if the injured party has exercised due diligence, if any delay in giving the notice required by this section is not the result of conscious indifference by the party and if there is no substantial harm to the city caused by the delay. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 30 days after the notice hereinbefore described has been filed with the city manager or the person performing the duties of city clerk. In case of injuries resulting in death, before the city shall be liable in damages therefor the person or persons claiming such damages shall after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing herein contained shall be construed to mean that the City of San Marcos waives any rights, privileges, defenses or immunities in tort actions which are provided under the common law, the constitution and general laws of the State of Texas.

(Res. No. 1977-7R, Prop. 1, 1-24-77/4-2-77; Ord. No. 1981-51, Prop. 9, 7-6-81/8-8-81; Ord. No. 1988-15, Prop. 18, 2-8-88/5-7-88; Ord. No. 2000-12, 2-14-00/5-6-00; Ord. of 8-12-02, § 1)


Sec. 12.07. - Separability clause.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

(Ord. No. 2000-12, 2-14-00/5-6-00)

Sec. 12.08. - Effect of this Charter on existing law.

All ordinances, resolutions, rules, and regulations now in force under the city government of San Marcos and not in conflict with the provisions of this Charter, shall remain in force under this Charter until altered, amended or repealed by the council after this Charter takes effect; and all rights of the City of San Marcos under existing franchises and contracts are preserved in full force and effect to the City of San Marcos.

(Ord. No. 2000-12, 2-14-C0/5-6-00)

Sec. 12.09. - Holdover of officers.

All officers of the city, including appointed members of city boards and commissions, shall continue to perform the duties of their offices until their successors are duly qualified.
Sec. 12.10. - Applicability of general laws.

The constitution of the State of Texas, the statutes of said state applicable to home-ruled municipal corporations, as now or hereafter enacted, this Charter and ordinances enacted pursuant hereto shall, in the order mentioned, be applicable to the City of San Marcos. The city shall also have the power to exercise any and all powers conferred by the laws of the State of Texas upon any other kind of city, town or village, not contrary to the provisions of said home-rule statutes, Charter and ordinances, but the exercise of any such powers by the City of San Marcos shall be optional with it, and it shall not be required to conform to the law governing any other cities, towns or villages unless and until by ordinance it adopts same.

Sec. 12.11. - Amending the Charter.

Amendments to this Charter may be framed and submitted to the voters of the city in the manner provided by state law and in compliance with the provisions of this Charter pertaining to the holding of elections, including the requirements in Section 6.03 for verification of signatures on any petition paper that have been continuously in effect since the adoption of the original city charter on February 24, 1967.

Sec. 12.12. - Charter review commission.

Beginning in January 2013 and at least every four years thereafter, the city council shall appoint a Charter review commission of seven citizens of the City of San Marcos.

(a) Duties of the commission:

1) Inquire into the operation of the city government under the Charter provisions and determine whether any such provisions require revision. To this end public hearings may be held; and the commission shall have the power to compel the attendance of any officer or employee of the city and to require the submission of any of the city records which it may deem necessary to the conduct of such hearing.

2) Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the city government.

3) Propose, if it deems desirable, amendments to this Charter to improve the effective application of said Charter to current conditions.

4) Report its finding and present its proposed amendments, if any, to the city council.

(b) The city council may take action to amend the Charter in the manner provided by state law.
(c) Term of office: The term of office of such Charter review commission shall be six months, and, if
during such term no report is presented to the city council, then all records of the proceedings of
such commission shall be filed with the person performing the duties of the city clerk and shall
become a public record.

2000-12, 2-14-00/5-6-00; Ord. No. 2000-40, 5-9-00/5-6-00; Ord. of 8-12-02, § 1; Ord. No. 2008-09, § 2(1), 8-
19-08/11-4-08)

Sec. 12.13. - Reserved.

4, 2008, deleted § 12.13 in its entirety. Former § 12.13 pertained to non-substantive changes and
referendum on May 6, 2000.

Sec. 12.14. - Reserved.

Editor's note—Former § 12.14 relative to the manner of the original adoption of the Charter by the vote’s
has been deleted by proposition number 27 of the Apr. 5, 1986 Charter amendments.

Sec. 12.15. - Fluoridation of municipal water supply.

The City of San Marcos shall not add, or direct or require its agents to add fluoride in the form of
hydrofluorosilicic acid, hexafluorosilicic acid, or sodium silicofluoride to the San Marcos municipal water
supply.

(Ord. No. 2015-32, § 2, 8-18-15/11-3-15)
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
FEBRUARY 9, 2017

Members Present: Kama Davis
Daniel Guerrero
Paul Mayhew, Chair
Amy Meeks
Perry Moore
Todd Salmi
Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Don Eyssen, Forrest Fulkerson, and Tom Wassenich

The meeting was called to order at 5:45 p.m. by Mr. Cosentino.

Ms. Moreno administered the Oaths of Office to newly appointed members.

Mr. Mayhew stated he would like to place his name for consideration as Chair. There were no other nominations. A motion was made by Mr. Scott, seconded by Ms. Davis, that Mr. Mayhew be appointed Chair. The motion carried by the following vote:

For: 5 - Davis, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 1 - Mayhew

Chair Mayhew introduced the nomination of Vice-Chair. Ms. Davis stated she would like to place her name for consideration as Vice-Chair. There were no other nominations. A motion was made by Ms. Davis, seconded by Mr. Moore, that Ms. Davis be appointed Vice-Chair. The motion carried by the following vote:

For: 5 - Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 1 - Davis

Chair Mayhew introduced the Citizen Comment Period. Three (3) citizens were present: Mr. Don Eyssen, Mr. Forrest Fulkerson, and Mr. Tom Wassenich. All three declined to speak during the Citizen Comment Period.
Chair Mayhew introduced the next agenda item, “Discuss and consider approval of the meeting schedule and approach to Charter review.” (Mr. Guerrero arrived at 5:52 p.m.) A motion was made by Mr. Guerrero, seconded by Mr. Scott, that the Commission would meet at 5:30 p.m. every Thursday for the next eight (8) weeks, with the exception of Spring Break Week and Holy Week (so February 16th through April 20th). The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

A motion was made by Ms. Meeks, seconded by Mr. Guerrero, that the Commission approach the Charter section by section (beginning at Article I and ending with Article 12) and addressing the requests made by Council and staff when applicable. The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair Mayhew introduced the next agenda item, “Begin section by section review of City Charter.” After reviewing ARTICLE I. – FORM OF GOVERNMENT AND BOUNDARIES, a motion was made by Ms. Davis, seconded by Mr. Guerrero, to strike-through all references of the term “municipal government” and replace with “city government” throughout entire Charter to allow clarity, consistency and utilization of plain language. The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

After reviewing ARTICLE II. – POWERS OF THE CITY, a motion was made by Ms. Davis, seconded by Ms. Meeks, that the term “city” be lower-cased throughout the Charter, according to grammar rules, unless you specify which city is being referenced (i.e., City of San Marcos). The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

A second motion was made by Ms. Davis, seconded by Mr. Guerrero, that correct punctuation be incorporated throughout the Charter (i.e., appropriate usage of colon and semi-colon signs when numbering a list of items). The motion carried by the following vote:
For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Mr. Eyssen addressed the Commission on whether their action meeting minutes would include notes on dissenting votes. Mr. Salmi responded that the Commission has not made a decision or taken any action on this item. Mr. Cosentino also responded that the action minutes would certainly include the roll call votes. Mr. Fulkerson addressed the Commission regarding web page inconsistencies between departments and boards and commissions. He suggested more uniformity in terms of information provided and how presented. Mr. Salmi responded that some discussion has been made on this item but no action has been taken. Mr. Fulkerson further recommended there be multiple means of media for publication notices, to prevent access limitations. Ms. Davis responded that some discussion has been made on this item and more will be forthcoming. Mr. Fulkerson then addressed the Commission on whether citizens and/or groups are allowed to make presentations to the Commission on items of concern. Mr. Cosentino responded that items of concern can be submitted any time to the Charter staff liaison and must be agendized for discussion and/or presentation. Mr. Salmi also responded by requesting that the Charter Review Commission web page include information for public input on items of concern.

Ms. Davis moved for adjournment at 7:26 p.m., seconded by Mr. Salmi. The motion passed with the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

[Signature]
Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
FEBRUARY 16, 2017

Members Present: Kama Davis
Paul Mayhew, Chair
Amy Meeks
Perry Moore
Todd Salmi
Shane Scott

Members Absent: Daniel Guerrero

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Tom Wassenich

The meeting was called to order at 5:34 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Mr. Tom Wassenich was present. However, he elected to not sign in to speak during the Citizen Comment Period.

Chair Mayhew introduced the next agenda item, “Discuss and review the usage of the terms: “city” and “municipal” as used in San Marcos’ City Charter. Ms. Moreno identified the terms: “city” and “municipal,” in highlighted-colors throughout the entire charter, as requested, and found no other instances where “municipal government” needed to be changed or addressed.

Chair Mayhew introduced the next agenda item, “Begin section by section review of City Charter, including but not limited to Article 3 – The City Council.” After reviewing Sec. 3.01. – Number, selection, and term, a motion was made by Mr. Scott, seconded by Mr. Moore, to change the term for Mayor from a 2-year term to a 4-year term. The motion failed by the following vote:

For: 2 - Moore and Scott
Against: 4 - Davis, Mayhew, Meeks, and Salmi
Absent: 1 - Guerrero
Abstain: 0

A second motion was made by Mr. Moore, seconded by Mr. Scott, to not change to single-member districts. The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

After reviewing Sec. 3.02. - Qualifications, a motion was made by Mr. Moore, seconded by Ms. Meeks, that the following amendment be made to item (a)(6): “Shall remain current on all financial obligations to the city relating to the duties of the council member.” The motion carried by the following vote:

For: 4 - Mayhew, Meeks, Moore, and Scott
Against: 2 - Davis and Salmi
Absent: 1 - Guerrero
Abstain: 0

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Mr. Wassenich addressed the Commission on what where the requests from the city council for the commission to review in the charter. Mr. Cosentino provided Mr. Wassenich a copy of the entire list. Mr. Wassenich then inquired on whether disclosure of ongoing purchases of property while on council would be addressed by the Commission. Mr. Cosentino responded that the item has been addressed by the Ethics Review Commission and they will be making a proposal to the city council (possibly the second council meeting in March 2017). The proposal would be to amend the financial disclosure form to have the mayor and city council be required to report new interest in real estate within 30 days of purchase. Mr. Wassenich stated that was good but then inquired on whether this item would also be incorporated into the city charter. Mr. Cosentino responded that it could be.

Chair Mayhew adjourned the meeting at 7:06 p.m.

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
FEBRUARY 23, 2017

Members Present: Kama Davis
                  Daniel Guerrero
                  Paul Mayhew, Chair
                  Amy Meeks
                  Perry Moore
                  Todd Salmi
                  Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

The meeting was called to order at 5:35 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. None were present.

Chair Mayhew introduced the approval of the minutes of the Regular Meeting of February 9, 2017. A motion was made by Mr. Scott, seconded by Ms. Meeks, to approve the minutes. The motion passed by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Scott.
Against: 0
Absent: 0
Abstain: 2 - Guerrero and Salmi

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter, including but not limited to Article 3 – The City Council and Article 4 – Administrative Services.” After reviewing Sec. 3.01. – Number, selection, and term, a motion was made by Mr. Guerrero, seconded by Ms. Davis, to maintain current terms for mayor (2-year) and council members (3-year). The motion passed by the following vote:

For: 5 - Davis, Guerrero, Mayhew, Meeks, and Salmi
Against: 2 - Moore and Scott
Absent: 0
Abstain: 0

A second motion was made by Ms. Davis, seconded by Mr. Guerrero, to use the term “mayor pro tem” in place of “mayor pro tempore” and “mayor pro temp” to allow consistency throughout entire charter. The motion carried by the following vote:
For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott  
Against: 0  
Absent: 0  
Abstain: 0

After reviewing Sec. 3.02 - Qualifications, a motion was made by Mr. Guerrero, seconded by Ms. Davis, that the following amendment be made to item (a)(2)(A): “The person must use the residence address for voter registration, and current driver’s license or Texas identification card purposes;”. The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott  
Against: 1 - Salmi  
Absent: 0  
Abstain: 0

After reviewing Sec. 3.05 – Mayor, mayor pro tempore and deputy mayor pro tempore, a motion was made by Mr. Salmi, seconded by Ms. Davis, that the following amendment be made to the third sentence: “At its first meeting following each regular election of council members, the council shall by election designate a mayor pro tempore, and may shall in addition designate a deputy mayor pro tempore, who each shall serve in such capacity for a period of one year;”. The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott  
Against: 0  
Absent: 0  
Abstain: 0

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present.

Mr. Scott moved for adjournment at 6:55 p.m., seconded by Ms. Meeks. The motion passed with the following vote:

For: 5 - Guerrero, Mayhew, Meeks, Moore, and Scott  
Against: 0  
Absent: 1 - Salmi (left at 6:46 p.m.)  
Abstain: 1 - Davis

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
MARCH 2, 2017

Members Present: Kama Davis
                Daniel Guerrero
                Paul Mayhew, Chair
                Amy Meeks
                Perry Moore
                Shane Scott

Members Absent: Todd Salmi

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Jamie Lee Case

The meeting was called to order at 5:31 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. None were present.

Chair Mayhew introduced the approval of the minutes of the Regular Meeting of February 16, 2017. A motion was made by Mr. Scott, seconded by Mr. Guerrero, to approve the minutes. The motion passed by the following vote:

For: 5 - Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 2 - Davis (arrived at 5:33 p.m.) and Salmi
Abstain: 0

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter, including but not limited to Article 3 – The City Council, Article 4 – Administrative Services, and Article 5 – Nominations and Elections.” A motion was made by Mr. Guerrero, seconded by Mr. Scott, to amend item (b) of Sec. 3.11. – Procedure for passage of ordinances, to read as follows: “The city attorney shall approve [by written instrument] the legality of all ordinances before they are submitted to the Council, or shall file with the city clerk written legal objections thereto.” Mr. Guerrero amended his motion to strike the words “submitted to” and replace with “considered by,” which was seconded by Mr. Scott. After discussion, Mr. Guerrero made a second amendment to strike the words “by written instrument,” motion was seconded by Mr. Scott. After more discussion, the original motion was withdrawn by Mr. Guerrero and Mr. Scott. Mr. Guerrero made a new motion, seconded by Mr. Scott, to amend item (b) to read as follows: “The city attorney shall approve the legality of all ordinances adopted prior to consideration by the council, or shall file with the city clerk written legal objections thereto.” The motion passed by the following vote:
For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

Mr. Guerrero made a motion, seconded by Mr. Scott, to amend Sec. 4.02 – City clerk to permit usage of electronic signatures. The amendment would read as follows: “The city council shall appoint a city clerk, who shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by signature or electronic signature all ordinances and resolutions...”. The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

A motion was made by Mr. Guerrero, seconded by Mr. Scott, to amend Sec. 5.04 – The official ballot to read as follows: “The names of all candidates for office, except such as may have withdrawn, died, or become ineligible, shall be printed included on the official ballots without party designation.” The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

Mr. Guerrero made a motion, seconded by Mr. Scott, that item (b) of Sec. 7.01 – Planning and zoning commission be amended by removing the last sentence to reflect the effect of actions taken March 1, 2015: “Effective March 1, 2015 the ETJ member of the commission shall be deleted and a qualified city resident member shall be appointed.” The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

A motion was made by Mr. Guerrero, seconded by Ms. Davis, that the following language be added to Sec. 3.08 – The City council not to interfere in appointments or removals: “If the mayor or a member of the city council violates Section 3.08 of the city charter the offending party or parties will be subject to an immediate review and censure by the city council.” After some discussion, the motion was withdrawn by Mr. Guerrero and Ms. Davis to allow further study into this item.

Chair Mayhew made a motion, seconded by Mr. Scott, to amend Sec. 3.04 – Compensation and reimbursement by adding the following sentence: “The city clerk shall post all receipts and corresponding paperwork for council reimbursement of travel and business expenses on the city’s
website.” After some discussion, the motion was withdrawn by Chair Mayhew and Mr. Scott to allow further study into this item.

Ms. Davis made a motion, seconded by Mr. Guerrero, to exclude term limits for mayor and city council members and not change the procedures in Sec. 3.01 - Number, selection and term. The motion carried by the following vote:

For: 5 - Davis, Guerrero, Mayhew, Meeks, and Moore
Against: 1 - Scott
Absent: 1 - Salmi
Abstain: 0

Mr. Guerrero made a motion, seconded by Ms. Meeks, that all references of the term “city secretary” be replaced with “city clerk” throughout entire charter. The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

A motion was made by Mr. Scott, seconded by Mr. Guerrero, to amend item (b) of Sec. 4.01 - City Manager and have the first sentence read as follows: “Term and salary: The city manager shall not be appointed for a definite term, but may be removed by a vote of the super majority of the entire council.” After some discussion, the motion was withdrawn by Mr. Scott and Mr. Guerrero. A new motion was made by Mr. Scott, seconded by Mr. Guerrero, for the sentence to read: “Term and salary: The city manager shall not be appointed for a definite term, but may be removed by a vote of the majority five members of the entire city council.” After more discussion, the motion was withdrawn by Mr. Guerrero, for the time being.

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present.

Mr. Guerrero moved for adjournment at 8:10 p.m., seconded by Mr. Moore. The motion passed with the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 1 - Salmi
Abstain: 0

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
MARCH 9, 2017

Members Present: Kama Davis
Daniel Guerrero
Paul Mayhew, Chair
Amy Meeks
Perry Moore
Todd Salmi
Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Brett Thorne

The meeting was called to order at 5:32 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Brett Thorne was present but declined to speak during the Citizen Comment Period.

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A motion was made by Mr. Scott, seconded by Ms. Meeks, to approve minutes of February 23 and March 2, 2017. The motion passed by the following vote:

For: 4 - Mayhew, Meeks, Moore, and Scott
Against: 0
Absent: 2 - Davis and Guerrero (5:40 p.m. arrival for both)
Abstain: 1 - Salmi

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter, including but not limited to Article 6 – Initiative, Referendum and Recall, Article 7 – Municipal Planning and Zoning, and Article 8 – Financial Procedure.” A motion was made by Mr. Scott, seconded by Mr. Guerrero, to amend item (b) of Sec. 4.01. – City manager, to read as follows: “The city manager shall not be appointed for a definite term, but may be removed by a vote of the majority five members of the entire city council.”

For: 4 - Guerrero, Mayhew, Moore, and Scott
Against: 3 - Davis, Meeks, and Salmi
Absent: 0
Abstain: 0
Mr. Salmi made a motion, seconded by Mr. Scott, to amend item (b) of Sec. 7.01 – Planning and zoning commission to remove ETJ residency requirement. The amendment would read as follows: “To be eligible for appointment to the commission, eight of the commission members must have resided and owned real property in the city for a period of three years before the date of appointment, and the remaining member must have resided and owned real property in the city's extraterritorial jurisdiction for a period of three years before the date of appointment. To be eligible for continued service on the commission, the commission members appointed as city residents must maintain residence and property ownership in the city, and the commission member appointed as an extraterritorial jurisdiction resident must maintain residence and property ownership in the extraterritorial jurisdiction.” The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

A motion was made by Mr. Salmi, seconded by Ms. Davis, to amend item (b) of Sec. 7.01 – Planning and zoning commission to eliminate ownership of real property. The amendment would read as follows: “To be eligible for appointment to the commission, eight of the commission members must have resided and owned real property in the city for a period of three years before the date of appointment, and the remaining member must have resided and owned real property in the city's extraterritorial jurisdiction for a period of three years before the date of appointment. To be eligible for continued service on the commission, the commission members appointed as city residents must maintain residence and property ownership in the city, and the commission member appointed as an extraterritorial jurisdiction resident must maintain residence and property ownership in the extraterritorial jurisdiction.” After some discussion, an amendment to the main motion was made by Mr. Moore, seconded by Ms. Davis, to extend the residency requirement from three years to five years. The amendment would read as follows: “To be eligible for appointment to the commission, eight of the commission members must have resided and owned real property in the city for a period of five years before the date of appointment, and the remaining member must have resided and owned real property in the city's extraterritorial jurisdiction for a period of three five years before the date of appointment. To be eligible for continued service on the commission, the commission members appointed as city residents must maintain residence and property ownership in the city, and the commission member appointed as an extraterritorial jurisdiction resident must maintain residence and property ownership in the extraterritorial jurisdiction.” The motion to amend carried by the following vote:

For: 4 - Davis, Meeks, Moore, and Salmi
Against: 3 - Guerrero, Mayhew, and Scott
Absent: 0
Abstain: 0

And the main motion carried by the following vote:

For: 4 - Davis, Meeks, Moore, and Salmi
Against: 3 - Guerrero, Mayhew, and Scott
Absent: 0
Abstain: 0

Mr. Salmi made another motion, seconded by Mr. Guerrero, to amend Sec. 7.01 – Planning and zoning commission to provide that the nine members of the commission must be city residents and to remove an additional reference to the ETJ requirement. The amendment would read as follows: “To be eligible for appointment to the commission, the nine eight of the commission members must have resided and owned real property in the city for a period of three five years before the date of appointment, and the remaining member must have resided and owned real property in the city's extraterritorial jurisdiction for a period of three five years before the date of appointment. To be eligible for continued service on the commission, the commission members appointed as city residents must maintain residence and property ownership in the city, and the commission member appointed as an extraterritorial jurisdiction resident must maintain residence and property ownership in the extraterritorial jurisdiction.” The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott (on break during the vote)
Abstain: 0

A motion was made by Mr. Salmi, seconded by Mr. Guerrero, that item (c) of Sec. 7.01 – Planning and zoning commission be removed due to irrelevance, and to renumber item (d) to (c) and item (e) to (d):

(e) To be eligible for election and continued service as chair of the commission, a commission member must reside in the city.

(d) The council shall establish, by ordinance, the month in which...

(e-d) In making appointments to the commission, council shall...

The motion carried by the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to amend item (1) of Sec. 7.02 – Powers and duties of the commission by adding the following statement: “The P&Z staff shall follow all city ordinances, rules and regulations and confer with the city attorney before making any recommendations to the P&Z Commission. The P&Z Commission shall follow all city ordinances, rules and regulations before presenting anything to City Council.” After some discussion, the motion was withdrawn by Ms. Davis and Ms. Meeks. Ms. Davis made a new motion, seconded by Ms. Meeks, to amend item (9) of Sec. 7.02 Powers and duties of the commission by adding the following statement: “The Planning & Zoning staff shall follow all city ordinances, rules and regulations and confer with the city attorney before making any recommendations to the Planning & Zoning Commission. The Planning & Zoning Commission shall follow all city ordinances, rules and regulations before presenting anything to City Council.” After more discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Ms. Meeks, to have
the statement read: “The Director of Planning and Development Services and the P&Z staff shall follow all city ordinances, rules and regulations and confer with the city attorney before making any recommendations to the Planning & Zoning Commission. The Planning & Zoning Commission shall follow all city ordinances, rules and regulations before presenting anything to City Council.” The motion failed by the following vote:

For: 3 - Davis, Meeks, and Salmi
Against: 2 - Mayhew and Scott
Absent: 0
Abstain: 2 - Guerrero and Moore

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present (Mr. Thorne left early).

Mr. Guerrero moved for adjournment at 7:27 p.m., seconded by Mr. Salmi. The motion passed with the following vote:

For: 7 - Davis, Guerrero, Mayhew, Meeks, Moore, Salmi and Scott
Against: 0
Absent: 0
Abstain: 0

Chair

[Signature]
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
MARCH 23, 2017

Members Present:  Kama Davis
                                 Paul Mayhew, Chair
                                 Amy Meeks
                                 Perry Moore
                                 Todd Salmi
                                 Shane Scott

Members Absent:  Daniel Guerrero

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Council Member Lisa Prewitt
                                Lisa Marie Coppoletta

The meeting was called to order at 5:31 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. None were present during the
Citizen Comment Period. (Council Member Lisa Prewitt arrived at 5:50 p.m. and Lisa Marie
Coppoletta at 7:02 p.m.)

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A
motion was made by Ms. Meeks, seconded by Mr. Salmi, to approve minutes of March 9, 2017.
The motion passed by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Guerrero & Scott (Scott arrived at 5:37 p.m.)
Abstain: 0

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter,
including but not limited to Article 7 – Municipal Planning and Zoning, Article 8 – Financial
Procedure, and Article 9 – Borrowing for Capital Improvements.” A motion was made by Mr.
Salmi, seconded by Ms. Davis, to amend item (b) of Sec. 7.01. – Planning and zoning
commission, for clarity and consistency. The amendment would read as follows: “To be eligible
for appointment to the commission, all the nine commission members must have resided in the city
for a period of five years before the date of appointment. To be eligible for continued service on the
commission, the commission members appointed must maintain residence in the city.” The
motion carried by the following vote:
For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to amend Sec. 7.02 – Powers and duties of the commission by adding the following sentences to the end of item (1): “The Planning and Zoning staff shall follow all city ordinances, rules, and regulations and confer with the city attorney before making any recommendations to the Planning and Zoning Commission. The Planning and Zoning Commission shall follow all city ordinances, rules, and regulations before making any recommendations to City Council.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 1 - Scott
Absent: 1 - Guerrero
Abstain: 0

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend a portion of item (4) of Sec. 7.02 – Powers and duties of the commission to read as follows: “Appeals to the council on conditional use permit applications will be based on the record before the Planning and Zoning Commission, Texas and Federal laws, San Marcos city ordinances and regulations, and other relevant material. The decision on appeals before city council will be governed by the substantial evidence rule. Decisions of the commission to revoke or suspend conditional use permits will be final and may not be appealed to the council. Citizen appeals to the city council will not cost the appellant any money.” After some discussion, an amendment to the motion was made by Ms. Davis, seconded by Ms. Meeks, to remove the phrase “and other relevant material” from the first sentence and remove the word “Citizen” from the third sentence. The amended motion would read as follows: “Appeals to the council on conditional use permit applications will be based on the record before the Planning and Zoning Commission, Texas and Federal laws, San Marcos city ordinances and regulations, and other relevant material. The decision on appeals before city council will be governed by the substantial evidence rule. Decisions of the commission to revoke or suspend conditional use permits will be final and may not be appealed to the council. Appeals to the city council will not cost the appellant any money.” The amended motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

A second amendment to the main motion was made by Ms. Davis, seconded by Mr. Scott to change the last sentence to read as follows: “No filing fees shall be assessed for appeals to the city council.” The second amendment to the main motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0
The main motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

Ms. Davis made a motion, seconded by Mr. Scott, to amend the end of Sec. 8.05 – Budget a public record by adding the following sentence: “The budget and all supporting schedules shall be published on the city’s website.” The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

A motion was made by Ms. Davis, seconded by Mr. Scott, to amend the end of item (a) of Sec. 8.02 – Preparation and submission of budget by adding the following sentence: “Copies of the proposed budget shall be made available at the San Marcos Public Library, at City Hall, and on the city’s website.” The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi, and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to amend the last sentence of Sec. 8.11 – Effective date of budget; certification; copies made available to have it read as follows: “The final budget shall be printed or otherwise reproduced and copies shall be made available for the use of all offices, departments and agencies and for the use of interested persons and civic organizations and shall be published on the city’s website.” After some discussion, the motion was withdrawn by Ms. Davis.

A motion was made by Ms. Davis, seconded by Mr. Scott, to amend the last sentence of item (b) of Sec. 3.02 Qualifications to read as follows: “The city council shall determine that the qualifications of its own member are continually met. If the council determines that any member of the council has ceased to possess any of these qualifications, has substantially violated the provisions of this charter, or has been convicted of a felony, that member shall immediately forfeit office.” After some discussion, the motion was withdrawn by Ms. Davis.

Ms. Davis made a motion, seconded by Ms. Meeks, to amend Sec. 3.08 – City council not to interfere in appointments or removals to read as follows: “Neither the council nor any of its members shall instruct or request the city manager to any of the city manager’s subordinates to appoint to or remove from office or employment any person except with respect to those offices which are to be filled by appointment by the council under the provisions of this Charter. Employment decisions by the City Manager regarding all employees at the Director level, or above, must be approved by the City Council. Except as provided for in Section 3.15 of this charter, the council and its members shall deal with the administrative and management functions of the city.
solely through the city manager and other council appointees, as appropriate, and shall not give orders to any of their subordinates either publicly or privately. Actions taken by the city in response to directions given by council members in violation of this section are voidable either by council, or by a court.” After some discussion, the motion was withdrawn by Ms. Davis.

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Ms. Coppoletta cheerfully stated she was at Concert in the Park and realized Charter Review was also being conducted, so she chose to attend Charter Review instead.

Mr. Scott moved for adjournment at 7:32 p.m., seconded by Ms. Davis. The motion passed with the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Salmi and Scott
Against: 0
Absent: 1 - Guerrero
Abstain: 0

[Signature]
Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
MARCH 30, 2017

Members Present: Kama Davis
                Paul Mayhew, Chair
                Amy Meeks
                Perry Moore
                Todd Salmi

Members Absent: Daniel Guerrero (resigned 3/29/17)
                Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Council Member Lisa Prewitt
                Christine Terrell
                Brett Thorne

The meeting was called to order at 5:35 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Brett Thorne was present but
depONENT to speak during the Citizen Comment Period. (Christine Terrell arrived at 5:40 p.m. and
Council Member Lisa Prewitt at 7:13 p.m.)

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A
motion was made by Mr. Moore, seconded by Ms. Meeks, to approve minutes of March 23, 2017.
The motion passed by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi

Against: 0

Absent: 1 - Scott

Abstain: 0

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter,
including but not limited to Article 10 – Tax Administration, Article 11 – Franchises and Public
Service Companies, and Article 12 – General Provisions.” A motion was made by Ms. Davis,
seconded by Ms. Meeks, to make a grammatical correction in item (b)(1) of Sec. 11.01 –
Definitions; powers of the city council by inserting a comma after the word “maintain”. The item
would read as follows:

(1) To buy, condemn, construct, lease, maintain, and operate public
    utility systems in the city;
The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

A second motion was made by Ms. Davis, seconded by Mr. Salmi, to make a grammatical correction in item (b)(4) of **Sec. 11.01 – Definitions; powers of the city council** by inserting a comma after the word “welfare”. The item would read as follows:

(4) To regulate public service companies in the interest of public health, welfare, and safety.

The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Ms. Davis made another motion, seconded by Mr. Salmi, to make a grammatical correction in item (b)(2) of **Sec. 11.01 – Definitions; powers of the city council** by inserting a comma after the word “manufacture”. The item would read as follows:

(2) To sell, manufacture, and distribute the services and output of city public utility systems;

The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

A motion was made by Ms. Davis, seconded by Mr. Salmi, to make a grammatical correction in the first sentence of **Sec. 11.02 – Power to grant franchise** by inserting a comma after the word “extend”. The sentence would read as follows: “The council shall have the power, by ordinance, to grant, renew, extend, and amend all franchises of all public utilities of every character operating within the city.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Mr. Salmi made a motion, seconded by Ms. Meeks, to make a grammatical correction in the first sentence of **Sec. 11.04 – Ordinance granting franchise; public hearing** by inserting a comma
after the word “extending”. The sentence would read as follows: “All ordinances granting, renewing, extending, or amending a public utility franchise shall be read at three separate regular meetings of the council...” After some discussion, the motion was withdrawn by Mr. Salmi, for the time being. Another motion was made by Mr. Salmi, seconded by Ms. Davis, to amend the last sentence of Sec. 11.04 – Ordinance granting franchise; public hearing. The amendment would read as follows: “Notice of public hearing, including the full text of the ordinance shall be published once before the first reading, in a newspaper of general circulation in the city, and shall be made available at the San Marcos Public Library, at City Hall and on the city’s website, and the expense of such publication shall be borne by the applicant for the franchise.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend the end of item (a)(2) of Sec. 12.02 – Personal interest and code of ethics by adding the following sentence: “The financial disclosures shall be updated within 30 days of any significant change in the interests of an official – even if such a change is temporary. For this part “significant” means a change in interest that would tend to render the annual financial disclosure misleading or incomplete.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Ms. Davis made a motion, seconded by Mr. Salmi, to amend the first sentence of item (a)(3) of Sec. 12.02 – Personal interest and code of ethics. The amendment would read as follows: “No member of the city council, and no employee of the city shall have a financial interest in the sale to the city or purchase from the city of any land, materials, supplies or service, outside of the person’s position with the city.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Another motion was made by Ms. Davis, seconded by Ms. Meeks, to add a sentence prior to the end of item (a)(3) of Sec. 12.02 – Personal interest and code of ethics. The sentence would read as follows: “Nor, for 24 months after serving as an officer of the city, may a person acquire such an interest. If the former employee or official acquires such an interest while employed by the city, or serving as a city official, the city may not take action on any application affecting such an interest for 24 months after the person leaves city employment or office, or for 24 months after the interest is acquired, whichever is longer.” After some discussion, the motion was withdrawn by Ms. Davis, for the time being.
Ms. Davis made one more motion, seconded by Ms. Meeks, to amend item (c)(2) of Sec. 12.02 — Personal interest and code of ethics. The amendment would read as follows: “Conduct hearings into allegations of violations of the city’s code of ethics or a state conflict of interest law, code of fair campaign practices, or violation of this charter according to the procedures set forth in the city’s ethic ordinance.” After some discussion, the motion was withdrawn by Ms. Davis for the time being.

A motion was made by Mr. Salmi, seconded by Ms. Davis, to amend Sec. 1.03 — Statement of goals. The amendment would read as follows: “The goals of the city government are to safeguard the health, safety and welfare of the city's residents, provide for a high quality of life including, but not limited to, neighborhood integrity, a clean and abundant water supply, a cost-efficient electricity supply, efficient police and fire departments, educational opportunities, effective road and transportation systems, a healthy business environment, well maintained parkland and recreational opportunities, foster intergovernmental liaison and communication, encourage responsible citizenship, promote sound community and economic development, promote high quality and affordable housing, conserve and protect the city's natural resources and environment.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Ms. Terrell addressed the commission on Sec. 12.01 — Public access to records. She stated it lacked information on what the timeframe would be on receiving a response from the city and what the recourse would be for not receiving a timely response or any response at all. Mr. Cosentino responded that a complaint can be filed with the Texas Attorney General’s Office and that the obligation to provide information is to do so within a reasonable time. He also stated additional information can be found in Chapter 552 of the Texas Government Code. Ms. Terrell then asked if there is a policy in regard to having a travel companion on city business trips. Mr. Cosentino responded that the companion would have to pay his/her own way.

Ms. Meeks moved for adjournment at 7:41 p.m., seconded by Ms. Davis. The motion passed with the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 1 - Scott
Abstain: 0

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
APRIL 6, 2017

Members Present: Kama Davis
                Paul Mayhew, Chair
                Amy Meeks
                Perry Moore
                Jude Prather (appointed 4/4/17)
                Todd Salmi
                Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Sam Brannon
                Forrest Fulkerson
                Christine Terrell

The meeting was called to order at 5:30 p.m. by Chair Mayhew. Chair Mayhew called a brief recess for the commissioning of new member, Jude Prather. The commission reconvened at 5:32 p.m.

Chair Mayhew introduced the Citizen Comment Period. Sam Brannon and Forrest Fulkerson were present. Mr. Brannon stated he appreciated the work of the commission. He then explained an amendment to the charter to discontinue fluoridation in (city) water was not fully addressed on the 2015 ballot. Although fluoride is no longer an additive in city water, fluoridated water is still being distributed through water acquisitions. Mr. Brannon requested the commission place the fluoride item back on the ballot to prohibit the city from receiving and distributing fluoridated water, as well. He is also willing to address the city council with this issue and/or seek legal representation, if needed. Forrest Fulkerson addressed the commission on behalf of the Ethics Review Commission. He stated the ERC is not allowed to conduct investigations on ethics complaints they receive. Mr. Fulkerson feels it would be beneficial for the ERC to be given this capability. Christine Terrell was also present but declined to speak.

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A motion was made by Mr. Scott, seconded by Ms. Meeks, to approve minutes of March 30, 2017. The motion passed by the following vote:

For: 6 - Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 1 - Davis (arrived at 5:45 p.m.)
Abstain: 0
Chair Mayhew introduced the next agenda item, "Section by section review of City Charter, including but not limited to Article 12 – General Provisions." A motion was made by Mr. Salmi, seconded by Mr. Scott, to amend Sec. 12.03 – Nepotism by omitting the current language and inserting item (a) to read as follows: "The members of the city council, and, the city manager, city clerk, city attorney and presiding judge of the municipal court are the public officials of the city who are subject to the nepotism prohibitions defined under State law."

(a) Public officials of the City of San Marcos are subject to the nepotism prohibitions defined under State law. For the purposes of this section, the following are defined as public officials:

   (1) The mayor and members of city council

   (2) City Manager

   (3) City Attorney

   (4) Presiding judge of the municipal court

The motion carried by the following vote:

For: 6 - Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 1 - Davis

Mr. Salmi made another motion, seconded by Ms. Davis, to amend Sec. 12.03 – Nepotism by inserting item (b) and have it read as follows:

(b) No city employee shall be regularly directly supervised by a relative, a romantic partner, or roommate. City employees will not be transferred or promoted into positions that would cause them to be in a direct supervisor/subordinate relationship with a relative, romantic partner or roommate.

(1) Relatives: Includes, but are not limited to, the first, second and third degree of consanguinity (blood), adoption; and the first and second degree of affinity (marriage). Common Law marriages as recognized by the State of Texas will also be included for purposes of this section.

(2) Romantic Partner: Persons in a consensual romantic relationship but are not married to one another.

(3) Roommates: Individuals who share the same living quarters.

After some discussion, Mr. Salmi amended his motion, seconded by Ms. Davis, to remove the phrase "but are not limited to" in item (b)(1). The item would read as follows:
(1) Relatives: Includes but are not limited to, the first, second and third degree of consanguinity (blood), adoption; and the first and second degree of affinity (marriage). Common Law marriages as recognized by the State of Texas will also be included for purposes of this section.

The amendment to the main motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Salmi
Against: 1 - Scott
Absent: 0
Abstain: 0

The main motion failed by the following vote:

For: 3 - Davis, Meeks, and Salmi
Against: 4 - Mayhew, Moore, Prather, and Scott
Absent: 0
Abstain: 0

Another motion was made by Mr. Salmi, seconded by Ms. Meeks, to further amend **Sec. 12.03 – Nepotism** by inserting item (c) and have it read as follows:

(c) To avoid the appearance and risk of impropriety, public officials will not appoint business associates to public commissions and boards. Business associate is defined to include:

(1) Public official’s outside employer, outside employee, outside supervisor, or outside subordinate

(2) Public official’s relative’s outside employer, outside employee, outside supervisor, or outside subordinate (relative as defined in 12.03.b.1)

(3) The public official’s outside client

(4) The public official’s outside business partner, including:
   a. Owning 10 percent or more of a business entity in which public official also owns 10 percent or more
   b. Owning real property with a fair market value of $2,500 or more in partnership with public official
   c. In an outside legal contract for business goods or services valued $2,500 or more with public officials
After some discussion, Mr. Salmi amended his motion, seconded by Ms. Meeks, to rephrase item (c) and (c)(4)c to read as follows:

(c) To avoid the appearance and risk of impropriety, a public official will not appoint his or her business associates to public commissions and boards. Business associate...

(4) c. In an outside legal contract for business goods and services valued $2,500 or more with the public officials.

The amendment to the main motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Salmi
Against: 0
Absent: 0
Abstain: 1 - Scott

The main motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Salmi
Against: 0
Absent: 0
Abstain: 1 - Scott

Chair Mayhew made a motion, seconded by Mr. Moore, to amend item (b) of Sec. 12.03 – Nepotism by removing the term “romantic partner” throughout item (b). The amendment would read as follows:

(b) No city employee shall be regularly directly supervised by a relative, a romantic partner, or roommate. City employees will not be transferred or promoted into positions that would cause them to be in a direct supervisor/subordinate relationship with a relative, romantic partner or roommate.

(1) Relatives: Includes the first, second and third degree of consanguinity (blood), adoption; and the first and second degree of affinity (marriage). Common Law marriages as recognized by the State of Texas will also be included for purposes of this section.

(2) Romantic Partner: Persons in a consensual romantic relationship but are not married to one another.

(32) Roommates: Individuals who share the same living quarters.

The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

A motion was made by Mr. Salmi, seconded by Chair Mayhew, to amend the title of Sec. 12.03 – Nepotism to read: “Sec. 12.03 – Nepotism & Conflict of Interest.” The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair Mayhew made a motion, seconded by Mr. Scott, to amend Sec. 3.17 – Expulsion or removal of city officials by striking item (a) in its entirety:

(a) The city council shall have the authority to expel any city council member who is absent three consecutive regular city council meetings unless the council member has secured permission, in advance, from the city council to be absent from at least one of the meetings; provided that any such action for expulsion of a city council member shall require five affirmative votes of city council members.

After some discussion, the motion was withdrawn by Chair Mayhew and Mr. Scott.

A motion was made by Chair Mayhew, seconded by Mr. Scott, to amend item (b) of Sec. 8.02 – Preparation and submission of budget by striking “April 30” and inserting “March 31” to allow timely budget preparation. The amendment would read as follows:

(b) By April 30-March 31 of each year, after a public hearing, the city council shall formulate a policy statement to be used by the city manager as direction during the preparation of the proposed budget.

The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Scott
Against: 0
Absent: 0
Abstain: 1 - Salmi

Chair Mayhew made a motion, seconded by Ms. Davis, to amend Sec. 8.02 – Preparation and submission of budget by inserting a new item, which would read as follows: “By February 27th of each year the city council shall hold a policy budget workshop.” The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Scott
Another motion was made by Chair Mayhew, seconded by Ms. Davis, to further amend Sec. 8.02 – Preparation and submission of budget by re-lettering the items with the insertion of the newly approved item:

(ae) The city manager, not less than 30 days prior to the time the city council makes its tax levy for the current fiscal year, shall file with the city clerk a proposed budget, which budget shall provide a complete financial plan for the fiscal year, and shall contain a budget message explaining the budget, containing an outline of the proposed financial policies of the city for the ensuing fiscal year, setting forth the reasons for salient changes from the previous fiscal year in expenditure and revenue items, and explaining any major changes in financial policy. Copies of the proposed budget shall be made available at the San Marcos Public Library, at City Hall, and on the city’s website.

(b) By March 31st of each year, after a public hearing, the city council shall formulate a policy statement to be used by the city manager as direction during the preparation of the proposed budget.

(ea) By February 27th of each year the city council shall hold a policy budget workshop.

The motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Scott
Against: 0
Absent: 0
Abstain: 1 - Salmi

Ms. Meeks made a motion, seconded by Ms. Davis, to amend Sec. 3.17 – Expulsion or removal of city officials by adding the following sentence to the end of item (a): “The city council may remove council members who are in violation of, or have violated, any provisions of this charter.” After some discussion, the motion was withdrawn by Ms. Meeks.

A motion was made by Ms. Meeks, seconded by Ms. Davis, to amend item (a) of Sec. 3.02 – Qualifications by adding the following sentence and labeling it item (a)(7): “The city council shall not violate any provisions of the charter.” After some discussion, the motion was withdrawn by Ms. Meeks and Ms. Davis.

Mr. Salmi made a motion, seconded by Mr. Moore, to amend Sec. 12.02 subsection (c)(2) pertaining to the duties of the Ethics Review Commission, to read as follows:
(c)(2) Conduct hearings into allegations of violations of the city’s code of ethics, or a state conflict of interest law, or the city charter according to the procedures set forth in the city’s ethics ordinance.

The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

A motion was made by Mr. Salmi, seconded by Mr. Moore, to amend item (c)(3) of Sec. 12.02 – Personal interest and code of ethics to read as follows:

(c)(3) Render advisory opinions on potential conflicts of interest or violation of the city’s code of ethics, or the city charter at the request of a public official or employee covered by the code of ethics.

The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Mr. Salmi made another motion, seconded by Mr. Moore, to amend item (c)(4) of Sec. 12.02 Personal interest and code of ethics to read as follows:

(c)(4) Recommend to appropriate authorities cases for prosecution or other action for violation of the code of ethics, or a state conflict of interest law, or the city charter.

The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Mr. Fulkerson asked the commission what penalties for violations of the charter would the Ethics Commission render if a guilty plea is ruled. Mr. Cosentino stated the remedies would be the ones currently spelled out in the ethics ordinance. Mr. Fulkerson also stated he is interested in determining whether any conflicts of interest occur when board and commission appointments are made and how they are voted on. Mr. Salmi responded that the commission hopes to incorporate language into the charter to address his concern. Ms. Terrell had no questions.
Mr. Scott moved for adjournment at 8:26 p.m., seconded by Ms. Davis. The motion passed with the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
APRIL 20, 2017

Members Present: Kama Davis
                  Paul Mayhew, Chair
                  Amy Meeks
                  Perry Moore
                  Todd Salmi

Members Absent:  Jude Prather
                 Shane Scott

City Attorney:   Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Lisa Marie Coppoletta
                Steve Parker, Assistant City Manager/CFO

The meeting was called to order at 5:31 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Steve Parker, Assistant City Manager/CFO addressed the commission on residency requirements currently listed in the charter for municipal judge and the challenges it may impose for future recruitment (of this appointed position). Ms. Lisa Marie Coppoletta stated her concerns on: absences by mayor’s appointees to Charter Review Commission; indebtedness to the city (by city employees); Planning & Zoning Commissioners being required to be property owners; and allowing the Ethics Review Commission more oversight on contractors.

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A motion was made by Ms. Meeks, seconded by Mr. Moore, to approve minutes of April 6, 2017. The motion passed by the following vote:

For:       4 - Mayhew, Meeks, Moore, and Salmi
Against:   0
Absent:    2 - Prather and Scott
Abstain:   1 - Davis

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter, including but not limited to Article 12 – General Provisions.” A motion was made by Ms. Meeks, seconded by Ms. Davis, to amend Sec. 3.17 – Expulsion or removal of city officials by adding the following sentence to the end of item (a): “The city council may remove council members including the mayor who are in violation of or have violated provisions of this charter.” After some discussion, Ms. Meeks amended her motion, seconded by Ms. Davis to insert the word “substantially”. The
amendment would read as follows: “The city council may remove council members, including the mayor, who are in violation of or who have substantially violated provisions of this charter.” After more discussion, the motion to amend was withdrawn by Ms. Meeks and Ms. Davis. In addition, the main motion was also withdrawn by Ms. Meeks and Ms. Davis. A new motion was made by Ms. Meeks, seconded by Ms. Davis, to amend Sec. 3.17 – Expulsion or removal of city officials by adding the following sentence to the end of item (a): “The city council may remove council members including the mayor who are in substantial violation of or have substantially violated provisions of this charter.” After some discussion, an amendment to the main motion was made by Mr. Salmi, seconded by Mr. Moore, to insert an additional phrase at the very end of item (a). The amendment would read as follows:

(a) The city council may remove council members including the mayor who are in substantial violation of or have substantially violated provisions of this charter; provided that any such action for expulsion of a city council member shall require five affirmative votes of the city council.

The motion to amend carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 2 - Prather and Scott
Abstain: 0

And the main motion carried by the following vote:

For: 4 - Davis, Meeks, Moore, and Salmi
Against: 1 - Mayhew
Absent: 2 - Prather and Scott
Abstain: 0

Mr. Salmi made a motion, seconded by Ms. Davis, to amend Sec. 1.03 – Statement of goals to correct the phrase “promote high quality and affordable housing” by striking the word “and”. The phrase would read as follows: “promote high quality and affordable housing”. The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 2 - Prather and Scott
Abstain: 0

A motion was made by Mr. Salmi, seconded by Ms. Davis, to amend Sec. 12.03 – Nepotism and Conflict of Interest by adding the following sentence to the end of item (b): “The supervisor involved in the relationship is responsible for promptly reporting the relationship to the city’s Director of Human Resources.” The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 2 - Prather and Scott
Abstain: 0

Mr. Salmi made another motion, seconded by Ms. Davis, to further amend item (b) of Sec. **12.03 – Nepotism and Conflict of Interest** by inserting the term and definition of “sexual partner”. The amendment would read as follows:

(b) No city employee shall be regularly directly supervised by a relative, sexual partner, or roommate. City employees will not be transferred or promoted into positions that would cause them to be in a direct supervisor/subordinate relationship with a relative, sexual partner, or roommate. The supervisor involved in the relationship is responsible for promptly reporting the relationship to the city’s Director of Human Resources.

(1) Relatives: Includes the first, second, and third degree of consanguinity (blood or adoption); and the first and second degree of affinity (marriage). Common law marriages as recognized by the State of Texas will also be included in purposes of this section.

(2) Roommates: Individuals who share the same living quarters.

(3) Sexual Partner: Persons in a consensual sexual relationship but are not married to one another.

The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 2 - Prather and Scott
Abstain: 0

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend item (a)(3) of Sec. **12.02 – Personal interest and code of ethics** by adding the following sentence: “For 24 months after serving as an officer of the city, no person may acquire a financial interest. If the former employee or official acquires a financial interest while employed by the city or serving as a city official, the city official may not take action on any application affecting such an interest for 24 months after the person leaves city employment or office or for 24 months after the interest is acquired, whichever is longer. The ethics commission and the city council shall enforce the forfeiture of the office, remove the city official, and bar him or her from conducting any further business.” After some discussion, the motion was withdrawn by Ms. Davis and Ms. Meeks.

Mr. Salmi made a motion, seconded by Ms. Meeks, to amend item (a) of Sec. **12.02 – Personal interest and code of ethics** by adding a subsection (4), which would read as follows:

(a)(4) For a period of two years from the date of leaving office, a city council member shall not have any financial interest in the sale to the city of any land, materials, supplies, or service.
Any violation of this subsection with the actual or constructive knowledge of the former city council member shall render the contract voidable by the city manager or the city council.

The motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 2 - Prather and Scott
Abstain: 0

A motion was made by Ms. Davis, seconded by Mr. Salmi, to amend Sec. 12.15 – Fluoridation of municipal water supply to read as follows: “The City of San Marcos shall not may add or direct or require its agents to add fluoride to the San Marcos municipal water supply.” After some discussion, the motion failed by the following vote:

For: 2 - Davis and Salmi
Against: 3 - Mayhew, Meeks, and Moore
Absent: 2 - Prather and Scott
Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to amend item (a) of Sec. 3.02 – Qualifications by adding a subsection (7), which would read as follows: “Each member of the city council and the mayor take the oath of fair campaign practices before taking office as promulgated by Sec. 258.004 in the Texas Code of Fair Campaign Practices.” After some discussion, the motion was withdrawn by Ms. Davis and Ms. Meeks.

A new motion was made by Ms. Davis, seconded by Ms. Meeks, to amend Sec. 5.03 – Filing for office by adding the following sentence and inserting it after the first sentence: “All candidates shall take the oath of fair campaign practices provided in Section 258.004 of the Texas Election Code.” The motion carried by the following vote:

For: 3 - Davis, Meeks, and Salmi
Against: 2 - Mayhew and Moore
Absent: 2 - Prather and Scott
Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to amend Sec. 4.02 – City clerk by adding the following sentence at the end of this section: “The city clerk shall assure that state law on record retention be followed.” The motion failed by the following vote:

For: 2 - Davis and Meeks
Against: 2 - Mayhew and Moore
Absent: 3 - Prather, Salmi, and Scott (Salmi left at 8:00 p.m.)
Abstain: 0

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend Sec. 12.01 – Public access to records by adding the following sentence at the end of this section: “All city council
members, including the mayor, city manager, city attorney, city clerk, and presiding municipal judge have their salaries published on the city website.” After some discussion, the motion was withdrawn by Ms. Davis and Ms. Meeks.

Ms. Davis made another motion, seconded by Ms. Meeks, to amend Sec. 12.02 pertaining to the duties of the Ethics Review Commission, by adding a new subsection and labeling it (d) to allow the ethics commission investigative power and subpoena power. After some discussion, the motion was withdrawn by Ms. Davis.

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present.

Ms. Meeks moved for adjournment at 9:06 p.m., seconded by Mr. Moore. The motion passed with the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Salmi
Against: 0
Absent: 3 - Prather, Salmi, and Scott (Salmi left at 8:00 p.m.)
Abstain: 0

Chair
MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
May 3, 2017

Members Present: Kama Davis
Paul Mayhew, Chair
Amy Meeks
Perry Moore
Jude Prather
Todd Salmi
Shane Scott

City Attorney: Michael Cosentino

Recording Secretary: Tina Moreno

Others Present: Brett Thorne

The meeting was called to order at 5:32 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Brett Thorne was present but declined to speak during the Citizen Comment Period.

Chair Mayhew introduced agenda item, “Approve minutes of the previous meeting(s).” A motion was made by Mr. Scott, seconded by Ms. Meeks, to approve minutes of April 20, 2017. The motion passed by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair Mayhew introduced the next agenda item, “Section by section review of City Charter, including but not limited to Article 12 – General Provisions.” A motion was made by Ms. Meeks, seconded by Mr. Prather, to amend Sec. 1.03 – Statement of goals to read as follows: “The goals of the city government are to safeguard the health, safety and welfare of the city's residents, provide for a high quality of life including, but not limited to, neighborhood integrity, a clean and abundant water supply, a cost-efficient electricity supply, efficient police and fire departments, educational opportunities, effective road and transportation systems, a healthy business environment, well maintained parkland and recreational opportunities, foster intergovernmental liaison and communication, encourage responsible citizenship, promote sound community and economic development, promote high quality affordable housing, conserve and protect the city's natural resources and environment and, in particular the San Marcos River, its springs, aquifer, and tributaries.” After some discussion, an amendment to the motion was made by Mr. Prather, seconded
by Ms. Davis, to include the Blanco River. After brief discussion, the motion to amend was withdrawn by Mr. Prather. After more discussion, the main motion carried by the following vote:

For: 5 - Davis, Mayhew, Meeks, Moore, and Prather
Against: 0
Absent: 0
Abstain: 2 - Salmi and Scott

Ms. Meeks made a motion, seconded by Ms. Davis, to add a sentence to item (d) of Sec. 7.01 – Planning & zoning commission. The amendment would read as follows:

(d) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity. A person may not be appointed to the Commission if that person has a substantial interest in, or receives income from, the development or sale of real property. The commission shall establish bylaws to govern rules of procedure and the annual election of officers. All meetings of the commission shall be open to the public.

After some discussion, the motion was withdrawn by Ms. Meeks. A new motion was made by Ms. Meeks, seconded by Mr. Scott, to amend item (d) of Sec. 7.01 – Planning and zoning commission to read as follows:

(d) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity. No more than two professional realtors may be appointed to the commission. The commission shall establish bylaws to govern rules of procedure and the annual election of officers. All meetings of the commission shall be open to the public.

The motion carried by the following vote:

For: 4 - Davis, Meeks, Moore, and Scott
Against: 3 - Mayhew, Prather, and Salmi
Absent: 0
Abstain: 0

Ms. Meeks made a motion, seconded by Ms. Davis, to amend Sec. 3.17 – Expulsion or removal of city officials by adding a new item and labeling it item (c), which would read as follow:

(c) No member of city council, including the mayor, shall make any intimation or promise of current or future financial gain, promotion, or other benefit to any employee, public official, or their family members. Nor shall any member of city council, including the mayor, intimidate, or intimate current or future financial loss, job loss, or demotion to any employee, public official, or their family members. Any such action may be grounds for removal.

After some discussion, the motion failed by the following vote:
A motion was made by Ms. Meeks, seconded by Ms. Davis, to create a new section under ARTICLE VII – MUNICIPAL PLANNING AND ZONING, which would read as follows:

Sec. 7.05. – Disqualification from voting.

(1) A member shall disqualify himself or herself from voting whenever he or she finds that he or she has a personal or monetary interest in the property under review, or that he or she will be directly affected by the decision of the Commission.

(2) A member shall disqualify himself or herself from voting whenever any applicant, or the applicant’s agent, has sought to influence the vote of the member on an application, other than in the public hearing.

After discussion, the motion was withdrawn by Ms. Meeks.

Ms. Meeks made another motion, seconded by Ms. Davis, to amend subsection (a) of Sec. 12.02 – Personal interest and code of ethics by creating item (5) and have it read as follows:

(a)(5) No city official may receive loans, contributions, promises of financial support, or any other form of financial gain from another city official.

After brief discussion, an amendment to the motion was made by Ms. Meeks, seconded by Ms. Davis, to replace the first listing of “city official” with “city council member”. The amendment would read as follows:

(a)(5) No city official council member may receive loans, contributions, promises of financial support, or any other form of financial gain from another city official.

After discussion, the amended motion carried by the following vote:

For: 6 - Davis, Mayhew, Meeks, Moore, Prather, and Salmi
Against: 0
Absent: 0
Abstain: 1 - Scott

However, the main motion failed by the following vote:

For: 2 - Davis and Meeks
Against: 5 - Mayhew, Moore, Prather, Salmi, and Scott
Absent: 0
Abstain: 0
A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend Sec. 5.03 – Filing for office by adding the following sentences to the end of this section: “All campaign contributions and reports filed by candidates shall be printed electronically, not hand-written, so that they are legible. The City Clerk shall enforce this and retain the records.” After brief discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Mr. Salmi, seconded by Chair Mayhew to amend Sec. 5.03 – Filing for office by adding the following sentence to the end of this section: “All campaign contributions and reports filed by candidates shall be legible.” The motion carried by the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Ms. Davis made a motion, seconded by Mr. Prather, to create a new section under ARTICLE IV. – ADMINISTRATIVE SERVICES, which would read as follows:

Sec. 4.07 – Publication of appointed public official’s salaries.

The salary of each public official appointed by the city council, which include the city attorney, city manager, city clerk, presiding municipal judge, and city auditor shall be published on the city website.

After some discussion, a motion to amend was made by Ms. Davis, seconded by Mr. Scott, to include all employees. After more discussion, the motion to amend was withdrawn by Ms. Davis and Mr. Scott. The main motion was also withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Mr. Prather, to have the new section read as follows:

Sec. 4.07 – Publication of appointed public official’s salaries.

The salary of each position shall be published on the city website.

After discussion, the motion was withdrawn by Ms. Davis. Ms. Davis made a new motion, seconded by Mr. Scott, to have the new section read as follows:

Sec. 4.07 – Publication of appointed public official’s salaries.

The salary of each position shall be published on the city website.

After brief discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Mr. Scott, to have the new section read as follows:

Sec. 4.07 – Publication of salaries.

The salary of each city position shall be published on the city website.

The motion carried by the following vote:
Ms. Davis made a motion, seconded by Ms. Meeks, to create a subsection labeled item (1) to Sec. 5.03 – Filing for office and have it read as follows:

(1) City employees, city officials and candidates for office (or businesses in which they have a substantial interest) shall not contribute, either monetarily or in kind, to the campaigns of other candidates for city office.

After some discussion, the motion was withdrawn by Ms. Davis. Another motion was made by Ms. Davis, seconded by Ms. Meeks, to have a new subsection (1) of Sec. 5.03 – Filing for office read as follows:

(1) City employees, city officials and candidates for office (or businesses in which they have a substantial interest) shall not contribute, either monetarily or in kind, to the campaigns of other candidates for city office.

After further discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Ms. Meeks, to create a subsection labeled item (2) to Sec. 5.03 – Filing for office and have it read as follows:

(2) Candidates for city office shall not accept monetary or in kind contributions from any person or entity in excess of $250.

After additional discussion, the motion was withdrawn by Ms. Davis. Another new motion was made by Ms. Davis, seconded by Ms. Meeks, to create a subsection labeled item (1) to Sec. 5.03 – Filing for office and have it read as follows:

(1) Candidates for city office shall not accept monetary or in kind contributions from any person or entity in excess of $250-$1,000.

After brief discussion, the motion tied by the following vote:

For: 3 - Davis, Meeks, and Scott
Against: 3 - Mayhew, Moore, and Prather
Absent: 0
Abstain: 1 - Salmi

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend subsection (a)(2) of Sec. 12.02 – Personal interest and code of ethics by adding a sentence to the end of this section, which would read as follows: “Each financial disclosure of outside earnings shall be made to the nearest $100,000 increment. City officials who do not make such disclosures shall have 30 days to conform to this Section of the Charter or shall be subject to review by the Ethics Commission or subject to removal by City Council.” After discussion, the motion was withdrawn by Ms. Davis.
Chair Mayhew introduced the next agenda item, “Consider approval of the 2017 Charter Review Commission’s recommendations and report to City Council.” After some discussion, Chair Mayhew, Mr. Moore, and Mr. Salmi were appointed to a subcommittee to prepare the final report, which will be reviewed and approved at the commission’s next and final meeting (date to be determined).

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present (Mr. Thorne left early).

Mr. Scott moved for adjournment at 7:33 p.m., seconded by Ms. Davis. The motion passed with the following vote:

For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against: 0
Absent: 0
Abstain: 0

Chair   

[Signature]
Charter Review Requests from City Council and Staff

- Should the Deputy Mayor Pro Tem be added to authorize the calling of a meeting to order the election in the event that the Mayor and Mayor Pro Tem are unable? Sec. 3.06 – Vacancies.

- Should web posting on the city’s website be added as a requirement for meetings of the city council? Sec. 3.09 – Meetings of the city council.

- City Secretary should be corrected to city clerk. Sec. 3.09 – Meetings of the city council.

- Should the city attorney review the legality of all ordinances provided for council consideration? Sec. 3.11 – Procedures for passage of ordinances.

- Should electronic signatures be allowed to authenticate all ordinances and resolutions? Sec. 4.02 City Clerk.

- Should the word “printed” be changed to accommodate the use of electronic voting systems? Sec. 5.04 – The official ballot.

- The ETJ member should be deleted. Effective March 1, 2015 the ETJ member of the commission shall be deleted and qualified city resident member shall be appointed. Sec. 7.01 – Planning and zoning commission.

- Should the nepotism rules be modified? Sec. 12.03 – Nepotism.

- Should the qualifications for council be altered to reference indebtedness to the city? Sec. 3.02 – Qualifications.

- Should Council terms to be extended to 4 years? Sec. 3.01 – Number, selection and term.

- Should the Mayor’s term be extended from 2 years to 3 years? Sec. 3.01 – Number, selection and term.

- Should there be term limits? Sec. 3.01 – Number, selection and term.

- Review the possibility of going to single member districts. Sec. 3.01 – Number, selection and term.

- Review the possibility of going from November elections to May elections. Sec. 5.01 – Elections.

- Review the possibility of going to odd year elections if moving to May elections is not an option. Sec. 5.01 – Elections.

Additional Council Review Requests

- Section 3.01 – Number, selection and term; Section 3.02 – Qualifications; Section 3.03 – reserved; Section 3.05 – Mayor, Mayor Pro Tempore and Deputy Mayor Pro Tempore; Section 3.07 – Powers and limitations of city council; Section 3.08 – City council not to interfere in appointments or removals; Section 3.11 – Procedure for passage of ordinances.

- Section 4.01 – City manager

- Section 5.01 – Elections; Section 5.02 – Regulation of elections; Section 5.06 – Laws governing city elections; Section 5.07 – Conducting and canvassing elections.

Staff

- Should anyone who has a criminal record of a certain seriousness (to be defined by the commission), be deemed ineligible to serve on city council? Sec. 3.02 – Qualifications.
AGENDA CAPTION:
Consider approval, by motion, of the following meeting Minutes:
A) June 2, 2017 - Packet Meeting Minutes
B) June 6, 2017 - Regular Meeting Minutes

Meeting date: June 6, 2017

Department: City Clerk

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
The following minutes are attached for review:
A) June 2, 2017 - Packet Meeting Minutes
B) June 6, 2017 - Regular Meeting Minutes
I. Call To Order

With a quorum present, the packet meeting workshop of the San Marcos City Council was called to order by Mayor Thomaides at 12:09 p.m. Friday, June 2, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666

II. Roll Call

Present: 7 - Mayor John Thomaides, Mayor Pro-Tem Jane Hughson, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Ed Mihalkanin, Council Member Scott Gregson and Council Member Melissa Derrick

1. Consider Staff briefing and Council Member discussion and questions regarding items on the agenda for the June 6, 2017 Regular City Council Meeting, to wit Items (1-19).

PRESENTATIONS

1. Presentation and provide possible direction on the City’s long range planning efforts and adoption schedule for Code SMTX.

2. Final report from the 2017 Charter Review Commission; discuss proposed amendments to the San Marcos City Charter.

CONSENT AGENDA

3. Meeting Minutes:
   A) May 12, 2017 - Packet Meeting Minutes
   B) May 15, 2017 - Special Called Meeting Minutes
   C) May 16, 2017 - Regular Meeting Minutes
   D) May 26, 2017 - Special Called Meeting Minutes

4. Ordinance 2017-28, on the second of two readings, designating six parking spaces located at the southwest and southeast corners of Guadalupe and San Antonio Streets as loading and unloading spaces for use only by Transportation Network Company drivers who are waiting for prearranged rides between the hours of 10:00 PM and 3:00 AM each day of the week, authorizing the City Traffic Engineer to install signs identifying such parking spaces; amending the traffic register maintained under section 82.067 consistent with this Ordinance; including procedural provisions; and declaring an effective date.
5. Ordinance 2017-29, on the second of two readings, amending Section 82.128 of the San Marcos City Code to clarify the exceptions allowing large commercial trucks weighing more than one ton to deviate from established truck routes; and providing an effective date.

6. Ordinance 2017-30, on the second of two readings, amending the Official Zoning Map of the City by rezoning 0.951 acre, more or less, tract of land, out of the J. M. Veramendi Survey, Abstract 17, Hays County, Texas located at 1346 Thorpe Lane from “OP” Office Professional District to “CC” Community Commercial District, and including procedural provisions.

7. Resolution 2017-89R, approving a vehicle titling addendum which amends the lease-purchase agreement between the City and U.S. Bancorp Government Leasing and Finance, Inc., to add the lease-purchase of a 12-yard dump truck for the Public Services Department-Transportation Division in the total amount of $139,374.34 inclusive of financing costs; authorizing the Interim City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.

8. Resolution 2017-90R approving the lease-purchase of a 12-yard dump truck for the Public Services Department-Transportation Division from Grande Truck Center in the amount of $139,374.34 through the Texas Local Government Purchasing Cooperative Buyboard Contract for Vehicles, Heavy Duty Trucks, Police Motorcycles and Service Labor (Buyboard Contract #521-16); authorizing the Interim City Manager or his designee to execute the appropriate lease/purchase documents on behalf of the City; and declaring an effective date.

9. Resolution 2017-91R, approving the purchase of a motor grader for the Public Services Department-Transportation Division in the total purchase amount of $243,467.08 from Holt Cat Texas, Ltd. through the Texas Local Government Purchasing Cooperative Buyboard Contract for Construction Equipment, Road and Bridge Equipment, Ditching, Trenching, Utility and other Equipment (Buyboard Contract #515-16); authorizing the Interim City Manager or his designee to execute the appropriate purchase documents on behalf of the City; and declaring an effective date.


11. Resolution 2017-93R, approving a lease agreement between the City of San Marcos and Terry Serur for property located at 317 North LBJ Drive to be occupied by the Main Street Program for a term of one year with two one year extension options; authorizing the City Manager to execute the lease agreement on behalf of the City; and declaring an effective date.
12. Resolution 2017-94R approving the award of an Emergency Construction Contract to Ultimate Roofing Systems, Inc. through the Interlocal Purchasing System ("TIPS") Contract #2092415 in the amount of $62,731.02 for the San Marcos Public Library Emergency Roof Repair Project; ratifying the Interim City Manager’s execution of the contract documents on behalf of the City; and declaring an effective date.

PUBLIC HEARINGS

13. Staff presentation and Public Hearing to receive comments for or against Resolution 2017-95R, approving a variance from the minimum distance requirement under Section 4.3.4.2 of the Land Development Code to allow Komal Latin Kitchen and Bar to serve alcoholic beverages for on-site consumption at 2550 Hunter Road, which location is less than 300 feet from Doris Miller Junior High School; and declaring an effective date; and consider approval of Resolution 2017-95R.

14. Staff presentation and Public Hearing to receive comments for or against Resolution 2017-96R, approving the update to the Analysis of Impediments to Fair Housing Choice 2014 to include Community Development Block Grant-Disaster Recovery (CDBG-DR) 2015 Grant activities and funding: authorizing the City Manager or his designee to act as the official representative of the City in matters related to the Analysis of Impediments to Fair Housing Choice 2014; and declaring an effective date.

15. Staff presentation and Public Hearing to receive comments for or against Resolution 2017-97R, approving an Amendment to the Community Development Block Grant (CDBG) 2015 -2019 Consolidated Plan to include Community Development Block Grant-Disaster Recovery (CDBG-DR) 2015 Grant activities and funding: authorizing the City Manager or his designee to act as the official representative of the City in matters related to the CDBG 2015 -2019 Consolidated Plan; declare an effective date.

16. Staff presentation and Public Hearing to receive comments for or against the 2017 Community Development Block Grant Annual Action Plan.

NON-CONSENT AGENDA

17. Ordinance 2017-20, on the second of two readings, amending Chapter 2, Article 5, Code of Ethics, of the San Marcos City Code; requiring updating of Financial Disclosure Forms; requiring Financial Disclosure Forms to be filed by members of temporary boards, commissions, subcommittees or similar groups; and providing an effective date.

18. Ordinance 2017-16, on the second of two readings, creating a designated permit area under Section 82.189 of the San Marcos City Code that allows parking by permit on both sides of the 400 to 700 blocks of McGehee Street between Cheatham Street and the southern Terminus of the street, 8:00 am to 11:00 pm every day, during and
19. Ordinance 2017-17, on the second of two readings, creating a designated permit area under Section 82.189 of the San Marcos City Code that allows parking by permit on both sides of East Grove Street between Mckie Street and CM Allen Parkway, 8:00 am-11:00pm, Friday to Sunday, during and including the months of February through November; amending the traffic register to reflect such designated permit area; and providing for an effective date.

The Council received Staff briefings and held discussion regarding items on the agenda for the June 6, 2017 Regular City Council Meeting, to wit Items (1-19).

Item #17 Staff will provide the Council with a list of comparable cities regarding their Ethics Ordinances and if they require financial reporting and to what extent.

No further direction was provided.

III. Question and Answer Session with Press and Public.

None.

IV. Adjournment.

Mayor Thomaides adjourned the packet meeting workshop of the San Marcos City Council at 1:00 p.m.
I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Thomaides at 5:03 p.m. Tuesday, June 6, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666

II. Roll Call

Present: 7 - Mayor John Thomaides, Mayor Pro-Tem Jane Hughson, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Ed Mihalkanin, Council Member Saul Gonzales, Council Member Scott Gregson and Council Member Melissa Derrick

III. Invocation

Mr. Lamar Hankins provided the invocation.

IV. Pledges Of Allegiance - United States And Texas

Lylah Prince Lovelace, a 3rd grade student at Crockett Elementary, led the assembly in the Pledges of Allegiance.

EXECUTIVE SESSION

1. 5:00PM Executive Session in accordance with Section § 551.087 of the Texas Government Code - Economic Development: to receive an update regarding Project World Series.

A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Hughson, to enter Closed Session at 5:08 p.m. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

2. Consider adoption or direction to Staff on matters discussed in Executive Session.

The City Council reconvened into Open Session at 6:26 p.m. Direction was provided to Staff in Closed Session.
PRESENTATIONS

3. Receive a presentation on the City’s long range planning efforts and adoption schedule for Code SMTX, and provide direction to staff.

Abigail Gillfillan, Planning Manager, provided the Council with a presentation on the City’s long range planning efforts and adoption schedule for Code SMTX. Discussion was held regarding the adoption schedule and the possibility of scheduling special meetings to review amendments.

4. Receive the final report from the 2017 Charter Review Commission; discuss proposed amendments to the San Marcos City Charter; and provide direction to Staff.

Paul Mayhew, Chair of the Charter Review Commission, provided the Council with overview of their duties and introduced the members of the Charter Review Commission. Chair Mayhew reviewed the Commissions’ final report to the City Council. Mayor Thomaides guided the Council through cumulative list of recommended City Charter amendments. The following amendments had consensus of the City Council to move forward, except as otherwise noted:

1. Change all references to “municipal government” to “city government” [Sections 1.01 and 1.02]

2. Amend Section 1.03, Statement of Goals, to provide that the city government should:
   • Promote high quality affordable housing
   • Include protection of the San Marcos River, its springs, aquifer, and tributaries

   There was an interest for language to be crafted regarding the long-term fiscal impacts of economic incentives and for that language to be placed in a different area within the Charter. Discussion was held regarding the insertion of the phrase “sound finances” within the statement of goals.

3. Allow the address shown on a person’s Texas Identification Card to be used, in additional to a current driver’s license, as proof of residence for purposes of qualifying to run for and hold office on the city council. [Section 3.02 (a)(2)(A)]

4. Council consensus was to not move forward with placing the following proposed amendment to the Charter on the ballot: Amend Section 3.02(a)(6) to require Council members to remain current on all financial obligations to the city in order to continue to hold office. Under the current city charter, only financial obligations arising from the duties of the office are considered. If this amendment is approved, having delinquent city utility accounts or delinquent
property taxes would disqualify a council member from continuing to hold office and disqualify an individual with such outstanding debts from filing an application to run for council. See also, Section 5.03 – Filing for Office.

Council consensus was to bring back language in an ordinance detailing requirements related to current council members and candidates remaining current on financial obligations to the City. This ordinance should include that written notice be provided by the City, a monetary threshold, and accepted payment plans are considered to be current.

5. Change all references to the position of “mayor pro tempore” to “mayor pro tem.” [Section 3.05]

6. Change all references to the position of “city secretary” to “city clerk” [Sections 3.09 and 6.02]

7. Require the city attorney to approve or file written objections to proposed ordinances prior to consideration by the city council. [Section 3.11(b)] There was council consensus to require the city attorney to approve or file written objections to proposed economic development incentive contracts prior to consideration by the city council.

8. Correct a reference in the first sentence of Section 3.12 from “chapter” to “charter”

9. Council consensus was to not move forward with placing the following proposed amendment to the Charter on the ballot: The city council may remove council members including the mayor who are in substantial violation of or have substantially violated provisions of this charter; provided that any such action for expulsion of a city council member shall require five affirmative votes of city council members.

10. Require the affirmative vote of at least five members of the city council to remove the city manager. [Section 4.01(b)]

11. Allow the city clerk to authenticate ordinances and resolutions by electronic signature. [Section 4.02]

12. The salary range of each city position shall be published on the city website [Section 4.07]
13. All candidates shall sign the oath of fair campaign practices provided in Section 258.004 of the Texas Election Code. All campaign contributions and reports filed by candidates shall be legible. [Section 5.03]

14. Clarify that names of candidates can be listed electronically on the ballot instead of being printed as they would be on paper ballots. [Section 5.04]

15. Amendments to Section 7.01 – Planning and Zoning Commission – Qualifications:
   • Remove all remaining references to the ETJ member
   • Eliminate property ownership as a requirement to serve on the P&Z
   • Increase residency requirement from three years to five years to serve on P & Z

The Council had consensus to omit the following recommendation from the ballot:
   • Prohibit the appointment of more than two professional realtors to the P & Z

16. Amendments to Section 7.02 – Planning and Zoning Commission – Powers and Duties:
   • Require the planning staff to follow all city ordinances rules and regulations and consult with the city attorney before making any recommendations to the Planning and Zoning Commission
   • Require the Planning and Zoning Commission to follow all city ordinances, rules, and regulations before making any recommendations to the city council

The Council had consensus to omit the following recommendation from the ballot, but instead to bring back the fee schedule and to reduce the current fee of $600 to a more affordable amount:
   • Prohibit the assessment of a fee to appeal a decision on conditional use permit to the city council

The Council had consensus to strike the words “by a three-fourths vote” and insert “by 6 votes of the council.”
The City Council will continue review of the Charter Review Commissions’ recommendations on June 20, 2017.

6:00 PM

V. 30 Minute Citizen Comment Period
Amanda Hargrave, spoke on behalf of the group San Martians for Off Leash Areas. Ms. Hargrave provided an overview of their organization and the community events that they provide such as dog waste pickups in various City Parks. She spoke in support of the proposed eastside dog park funding being requested through the Community Development Block Grant.

Lisa Metzler, spoke on behalf of CASA and provided the benefits of the services that CASA offers community children that are in foster care. She asked for support for CASA’s funding request through the Community Development Block Grant.

Joanne Germer, spoke on behalf of CASA and spoke of the 25 years of service that CASA has provided to the San Marcos community. She spoke of the need for a new building that would provide the availability for a training/meeting area, office spaces and storage. She asked that the Council support for funding through the Community Development Block Grant.

Seth Worley, spoke on behalf of CASA and their request for CDBG funds for their capital campaign and operating expenses. He asked the Council to positively consider their requests.

John Bartnel, spoke about CASA’s mission and how they help the children of the community. He asked the Council to bolster their investment by increasing their monetary support in CASA this year.

Chris Rue, addressed the Council on behalf of the Downtown Association and formally requested that the parking spots that have been identified by Staff be painted and that the LPR Program be implemented. The Downtown Association also requested that Council add a discussion item to the June 20th City Council Agenda regarding a new license agreement between the City of San Marcos and the Downtown Association in regard to use of the City Park Parking Lot Monday-Friday 8am-5pm for employee parking.

Carol Grimm, spoke on behalf of CASA and their request for CDBG funding. She provided benefits that the organization adds to lives of the children in San Marcos. She asked that the Council help CASA find a permanent home just like they help children find a permanent home.

**CONSENT AGENDA**

A motion was made by Council Member Gregson, seconded by Council Member Mihalkanin, that the Consent Agenda be approved, with the exception
of Item #12 which was considered separately. The motion carried by the following vote:

For:  7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against:  0

5. Consider approval, by motion, of the following meeting Minutes:
   A) May 12, 2017 - Packet Meeting Minutes
   B) May 15, 2017 - Special Called Meeting Minutes
   C) May 16, 2017 - Regular Meeting Minutes
   D) May 26, 2017 - Special Called Meeting Minutes

6. Consider approval of Ordinance 2017-28, on the second of two readings, designating six parking spaces located at the southwest and southeast corners of Guadalupe and San Antonio Streets as loading and unloading spaces for use only by Transportation Network Company drivers who are waiting for prearranged rides between the hours of 10:00 PM and 3:00 AM each day of the week, authorizing the City Traffic Engineer to install signs identifying such parking spaces; amending the traffic register maintained under section 82.067 consistent with this Ordinance; including procedural provisions; and declaring an effective date.

7. Consider approval of Ordinance 2017-29, on the second of two readings, amending Section 82.128 of the San Marcos City Code to clarify the exceptions allowing large commercial trucks weighing more than one ton to deviate from established truck routes; and providing an effective date.

8. Consider approval of Ordinance 2017-30, on the second of two readings, amending the Official Zoning Map of the City by rezoning 0.951 acre, more or less, tract of land, out of the J. M. Veramendi Survey, Abstract 17, Hays County, Texas located at 1346 Thorpe Lane from “OP” Office Professional District to “CC” Community Commercial District, and including procedural provisions.

9. Consider approval of Resolution 2017-89R, approving a vehicle titling addendum which amends the lease-purchase agreement between the City and U.S. Bancorp Government Leasing and Finance, Inc., to add the lease-purchase of a 12-yard dump truck for the Public Services Department-Transportation Division in the total amount of $139,374.34 inclusive of financing costs; authorizing the Interim City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.

10. Consider approval of Resolution 2017-90R approving the lease-purchase of a 12-yard dump truck for the Public Services Department-Transportation Division from Grande Truck Center in the amount of $139,374.34 through the Texas Local Government Purchasing Cooperative Buyboard Contract for Vehicles, Heavy Duty Trucks, Police Motorcycles and Service Labor (Buyboard Contract #521-16); authorizing the Interim City Manager or his designee to execute the appropriate lease/purchase documents
11. Consider approval of Resolution 2017-91R, approving the purchase of a motor grader for the Public Services Department-Transportation Division in the total purchase amount of $243,467.08 from Holt Cat Texas, Ltd. through the Texas Local Government Purchasing Cooperative Buyboard Contract for Construction Equipment, Road and Bridge Equipment, Ditching, Trenching, Utility and other Equipment (Buyboard Contract #515-16); authorizing the Interim City Manager or his designee to execute the appropriate purchase documents on behalf of the City; and declaring an effective date.

12. Consider approval of Resolution 2017-92R, adopting revised Investment Policies for Operating Funds and Reserve Funds; and declaring an effective date.

A motion was made by Council Member Gregson, seconded by Council Member Mihalkanin, that Resolution 2017-92R be approved. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

13. Consider approval of Resolution 2017-94R approving the award of an Emergency Construction Contract to Ultimate Roofing Systems, Inc. through the Interlocal Purchasing System ("TIPS") Contract #2092415 in the amount of $62,731.02 for the San Marcos Public Library Emergency Roof Repair Project; ratifying the Interim City Manager’s execution of the contract documents on behalf of the City; and declaring an effective date.

PUBLIC HEARINGS - 7:00 PM

14. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-95R, approving a variance from the minimum distance requirement under Section 4.3.4.2 of the Land Development Code to allow Komal Latin Kitchen and Bar to serve alcoholic beverages for on-site consumption at 2550 Hunter Road, which location is less than 300 feet from Doris Miller Junior High School; and declaring an effective date; and consider approval of Resolution 2017-95R.

Shannon Mattingly, Director of Development Services, provided the Council with a brief presentation.

Mayor Thomaides opened the Public Hearing at 9:36 p.m.

With no comments, Mayor Thomaidese closed the Public Hearing at 9:36 p.m.

A motion was made by Council Member Gregson, seconded by Mayor Thomaides, that Resolution 2017-95R be approved. The motion carried by the
following vote:

For:  7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against:  0

15.  7:00PM  Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-96R, approving the update to the Analysis of Impediments to Fair Housing Choice 2014 to include Community Development Block Grant-Disaster Recovery (CDBG-DR) 2015 Grant activities and funding: authorizing the City Manager or his designee to act as the official representative of the City in matters related to the Analysis of Impediments to Fair Housing Choice 2014; and consider approval of Resolution 2017-96R; and declaring an effective date.

Mayor Thomaides opened the Public Hearing without receiving the Staff presentation at 9:45 p.m.

There being no comments, Mayor Thomaides closed the Public Hearing at 9:46 p.m.

A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Prewitt, that Resolution 2017-96R be approved. The motion carried by the following vote:

For:  7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against:  0

16.  7:00PM  Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-97R, approving an Amendment to the Community Development Block Grant (CDBG) 2015-2019 Consolidated Plan to include Community Development Block Grant-Disaster Recovery (CDBG-DR) 2015 Grant activities and funding; authorizing the City Manager or his designee to act as the official representative of the City in matters related to the CDBG 2015-2019 Consolidated Plan; declare an effective date; and consider approval of Resolution 2017-97R.

Mayor Thomaides opened the Public Hearing at 10:17 p.m.

There being no comments, Mayor Thomaides closed the Public Hearing at 10:18 p.m.

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, that Resolution 2017-97R be approved. Staff stated that the riverine project will be funded out of general fund for now and will be brought
back to the Council for consideration of funding. The motion carried by the following vote:

For:  7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

17. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against the 2017 Community Development Block Grant Annual Action Plan, and provide direction to staff.

Stacy Brown, Housing and Community Development Manager, provided the Council with a presentation of the 2017 CDBG Program Annual Action Plan. Ms. Brown provided the Council with the public service fund requests and the recommendations from the Human Services Advisory Board. Ms. Brown continued her presentation by providing the Council with the non-public service fund requests.

Mayor Thomaides opened the Public Hearing at 10:00 p.m.

Lynnette Lombardo, spoke on behalf of CASA of Central Texas and asked that the Council support their funding request.

Tricia Snyder, Development Director at CASA of Central Texas, spoke in favor of CASA's funding requests and provided renderings of the proposed building they would like to construct with the funds they raise. She thanked the Council for their consideration.

Melissa Rodriguez, Director of Community Partnerships for Hays Caldwell Woman's Center, stated that they withdrew their public service request and would like to focus on their request for Counseling and Resource Center remodel in the amount of $22,000.

There being no additional comments, Mayor Pro Tem Hughson closed the Public Hearing at 10:07 p.m.

Council directed Staff to remove the $62,000 request that would fund an engineering feasibility study to determine if the Fire Station on Broadway can be rehabilitated into a Community Resource Center.

No further action was taken.

NON-CONSENT AGENDA
18. Consider approval of Ordinance 2017-20, on the second of two readings, amending Chapter 2, Article 5, Code of Ethics, of the San Marcos City Code; requiring updating of Financial Disclosure Forms; requiring Financial Disclosure Forms to be filed by members of temporary boards, commissions, subcommittees or similar groups; and providing an effective date.

A motion was made by Council Member Gregson, seconded by Council Member Derrick, that Ordinance 2017-20, on the second of two readings, be postponed. The motion carried by the following vote:

For:  7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against:  0

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Mayor Thomaides adjourned the regular meeting of the San Marcos City Council at 10:30 p.m.
File #: Res. 2017-87R, Version: 1

AGENDA CAPTION:
Consider approval of Resolution 2017-87R approving an agreement between the City and ABIP, P.C. for the provision of professional auditing services in an amount not to exceed $323,245.00 for all five terms of the agreement contingent upon the Auditor’s provision of sufficient insurance in accordance with the attached agreement; authorizing the Interim City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

Body
Meeting date: June 20, 2017

Department: Finance - Heather Hurlbert, Finance Director (by Cheryl Pantermuehl, Purchasing Manager)

Funds Required: $58,500 FY 2017
Account Number: 10001280.52245, 21006322.52230, 22006335.52230
Funds Available: $60,000
Account Name: Profession Services-Audit Services

CITY COUNCIL GOAL: Maintain Fiscal Responsibility

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:

On April 26, 2017, the City received seven (7) proposals for Audit Services. A selection committee has met, evaluated the proposals, and ranked the proposals according the criteria set forth in the RFP. The committee recommends awarding a five year contract to ABIP, P.C. located in San Antonio, Texas as follows:

FY 2017    $58,500 - $58,500
FY 2018    $58,500 - $61,425
FY 2019    $61,425 - $64,495
FY 2020    $64,495 - $67,720
FY 2021    $67,720 - $71,105

This is to perform financial audits of the City for the fiscal years ending September 30, 2017 through September 30, 2021. ABIP, P.C. will provide the Comprehensive Annual Financial Report (“CAFR”), the Management Letter, and the Single Audit Report.
RESOLUTION NO. 2017-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING AN AGREEMENT BETWEEN THE CITY AND ABIP, P.C. FOR THE PROVISION OF PROFESSIONAL AUDITING SERVICES IN AN AMOUNT NOT TO EXCEED $323,245.00 FOR ALL FIVE TERMS OF THE AGREEMENT CONTINGENT UPON THE AUDITOR’S PROVISION OF SUFFICIENT INSURANCE IN ACCORDANCE WITH THE ATTACHED AGREEMENT; AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THIS AGREEMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Agreement (the “Agreement”) between the City and ABIP, P.C. for the provision of professional auditing services in the total not to exceed amount of $323,245.00 for all five terms is approved contingent upon the Auditor’s provision of sufficient insurance in accordance with the attached Agreement.

PART 2. The Interim City Manager or his designee is authorized to execute the Agreement on behalf of the City.

PART 3. This Resolution will be in full force and effect immediately from and after its passage.

ADOPTED this the day of 2017.

John Thomaides
Mayor

Attest:

Jamie Lee Case,
City Clerk
PROFESSIONAL AUDITING SERVICES AGREEMENT
Contract Number: 217-391

This Agreement is effective this the 20th day of June, 2017, between the City of San Marcos, Texas (“City”), 630 East Hopkins, San Marcos, Texas 78666 and ABIP, P.C. (the “Auditor”), 4801 Northwest Loop 410, Suite 725, San Antonio, Texas 76710 for the provision of professional audit services beginning with fiscal year ending September 30, 2017 (the “Services”).

The City and the Auditor agree as follows:

ARTICLE 1
STANDARDS OF PERFORMANCE

1.0.1 The Auditor is responsible for the performance of an independent annual audit of all City funds. The Auditor will perform all audit examinations in accordance with generally accepted auditing standards promulgated by the American Institute of Certified Public Accountants (“AICPA”), Government Auditing Standards Board (“GASB”), the provisions of the federal Single Audit Act of 1996 (as amended), the U.S. Office of Management and Budget (“OMB”) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, the State of Texas Single Audit Circular in accordance with Uniform Grants Management Standards of the State of Texas, the standards set forth in the Government Finance Officers Association (GFOA) Government Accounting, Auditing and Financial Reporting for the GFOA’s Certificate of Achievement for Excellence in Financial Reporting, and the State of Texas Public Investment Fund Act.

1.0.2 The Auditor’s Basic Services consist of the services described in Sections 2.0.1 through 2.0.19.

1.0.3 The performance of all services by the Auditor in connection with this Agreement will be by persons appropriately registered and licensed to practice under State, local and Federal laws. In performing all services under this Agreement, the Auditor will use that degree of care and skill normally exercised by certified public accountants that possess special expertise in the types of services included in this Agreement. The Auditor certifies that it is a firm of certified public accountants who have no financial interest, direct or indirect, in the City or any personal or financial relationship with City Council or any employee or officer of the City. Furthermore, the Auditor certifies that it is independent of the City as defined by the AICPA Generally Accepted Auditing Standards, and Government Auditing Standards issued by the Comptroller General of the United States.

1.0.4 The Auditor will not subcontract any work under this Agreement without prior written approval from the City. The Auditor will specify any work or services subcontracted under this Agreement by separate written Agreements and those Agreements will be subject to each provision of this Agreement.
1.0.5 The audit team consists of the following members:

- **Lead Partner:** Janet Pitman, CPA
- **Concurring Partner:** Michael Del Toro, CPA
- **Audit Manager:** Jeremy Barbatto, CPA
- **Audit Senior:** Scot Woodland
- **Audit Staff:** Kyle Layer

The Auditor will not replace a member of the audit team with a different member of the Auditor’s firm unless approved in writing by the City in advance of such proposed substitution. In the event the City and the Auditor cannot agree to the substitution of a team member, the City may terminate this agreement in accordance with Article 7.

1.0.6 Any provision in this Agreement pertaining to the City’s review, approval and/or acceptance of written materials prepared by the Auditor and/or its subcontractors in connection with this Agreement will not diminish the Auditor’s responsibility for the materials.

1.0.7 The Auditor will perform all of its services in coordination with the City and will advise the City of any data and information it needs to perform its services. The Auditor will meet with City representatives at mutually convenient times to assemble this data and information, and the City may require a review meeting with the Auditor’s representatives occasionally to evaluate the working relationship between the City and the Auditor.

**ARTICLE 2**

**AUDITOR’S SERVICES AND RESPONSIBILITIES**

**2.0 BASIC SERVICES**

For each fiscal year included in this Agreement, the Auditor will:

2.0.1 Prepare an audit plan based on a risk assessment performed and impacted by key processes identified by the Auditor. The Auditor will ensure that the audit plan will cover the 2013 audit, and will be revised in subsequent years during the term of this Agreement based on changes in accounting requirements or changes in City staffing. For each key process included in the audit plan, the Auditor will perform the following work:

- a) Understand the accounting process in depth, and place significant process controls in place to mitigate risk;
- b) Test significant control points to determine if controls are operating as designed;
- c) Compare processes and controls to "best practices" to determine effectiveness;
- d) Report to the City on the effectiveness of the audit processes; and
e) Determine whether any residual audit risk remains and whether substantive audit tests are required.
The Auditor will limit the substantive audit testing to areas where the effectiveness of process controls does not reduce the risk to a relatively low level or where substantive testing is more efficient.

2.0.2 Focus on understanding and evaluating the internal control structure that the City uses to monitor, capture and control risks. The Auditor will perform this evaluation at both the management level as well as the individual process level.

2.0.3 Discuss internal control weaknesses identified by the Auditor with City staff. In addition, the Auditor will discuss major control weaknesses at the City management level.

2.0.4 Establish analytical procedures and utilize these procedures to include comparisons of account balances between accounting periods and ratio and trend analysis to improve the Auditor's understanding of the City and its operations in order to identify critical audit areas. These procedures will include, at a minimum, the comparison of current account balances to similar amounts in the prior annual period's financial statements and the current period's budget.

2.0.5 Assess the audit risk associated with possible violations of laws and regulations related to financial statements. In addition, the Auditor will assess specific information regarding the existence of possible illegal acts and will apply audit procedures specifically directed at ascertaining whether an illegal act has occurred.

2.0.6 Provide technical assistance and advice concerning the City’s accounting and auditing issues not only throughout the term of this Agreement and subsequent audit, but also throughout the entire fiscal year.

2.0.7 Conduct audit tests involving random samples as necessary.

2.0.8 Perform all auditing procedures in order to determine that the financial statements are presented in accordance with generally accepted accounting principles applied on a consistent basis and that all material disclosures have been made.

2.0.9 Perform all tasks in a manner that will minimize disruption of the ongoing daily operations of the City.

2.0.10 Perform certain limited procedures involving required supplementary information mandated by the Governmental Accounting Standards Board as mandated by generally accepted auditing standards.

2.0.11 Provide assistance and consultation to the City by notifying City management about and identifying the impact of, educating staff about, and assisting in the implementation of new GASB and FASB statements. The implementation will be done at a date to be determined by the City even if prior to the required effective date of the statement.

Auditing Services Agreement 2017
2.0.12 Review the City’s compliance with requirements of the State of Texas Public Investment Funds Act.

2.0.13 Conduct a federal single audit in accordance with OMB Uniform Guidance, the annual compliance supplement, and Generally Accepted Government Auditing Standards. In addition, the Auditor will use a risk-based approach to determine major programs to be tested for internal controls used in administering federal funds and compliance with laws and regulations.

2.0.14 Provide the following reports:

   a) **Comprehensive Annual Financial Report (“CAFR”):** A CAFR report that is prepared in conformity with accounting principles generally accepted in the United States. The CAFR will state the scope of the examination that the audit was performed in accordance with generally accepted auditing standards and will include an opinion as to whether the statement conforms to accounting principles generally accepted in the United States. The CAFR will be prepared in accordance with the following:

      1) The most recently issued Governmental Accounting Auditing and Financial Reporting (“GAAFR”);

      2) The standards promulgated by the Governmental Accounting Standards Board (“GASB”); and

      3) In the format and with the content necessary to ensure that the City retains its Certificate of Achievement for Excellence in Financial Reporting issued by the Government Finance Officers Association of the U.S. and Canada (GFOA). The Auditor will provide any special assistance needed by the City to meet the requirements of this GFOA program. In addition, the Auditor will ensure that the City’s CAFR is reviewed by at least one of the firm’s GFOA Special Review Committee members prior to its final printing.

   Upon completion of the CAFR, the Auditor will provide the City with an electronic file in Microsoft Word and as a pdf file, and in addition, will print and bind twenty (20) copies of the CAFR for the City sufficient to distribute to City Council, City Staff, and any external agencies requesting a hard copy of the report.

   b) **Management Letter:** A management letter that details the City’s internal control structure based on the Auditor's documentation over the City’s processes and the Auditor’s understanding of the control structure and assessment of control risk. The management letter will:

      1) Detail audit findings and recommendations affecting financial statements, internal controls, accounting, data processing systems, legality of actions, other instances
of noncompliance with laws and regulations, and any other material matters.

2) Be reviewed in draft form with the City’s Director of Finance in order to determine whether the observations reflect an accurate understanding of the City’s systems and procedures.

3) Include any significant deficiencies in the design or operation of the City’s internal control structure, which could adversely affect the City’s ability to record, process, summarize, and report financial data consistent with assertions of management in the financial statements. In addition, the Auditor will report significant opportunities for internal control improvements or increased efficiencies requiring action by City management and/or the City Council.

4) Include a written report to the City Manager of all material irregularities and illegal acts or indications of illegal acts of which the Auditor becomes aware.

5) Include appropriate recommendations for improvement.

Upon completion, the Auditor will provide the City with the letter in an electronic file in Microsoft Word, as a pdf file, and print and bind twenty (20) copies for the City.

c) Single Audit Report: A single audit report that details the City’s compliance with laws and regulations related to major and non-major federal and state financial assistance programs. The Single Audit Report will include the following:

1) A statement that the examination was conducted in accordance with applicable auditing standards;

2) The Auditor’s opinion on compliance with specific requirements applicable to major federal and state financial assistance programs;

3) An indication of compliance with general requirements applicable to major federal and state financial assistance programs and compliance with laws and regulations applicable to non-major federal and state financial assistance program transactions tested;

4) The City’s internal control structure used in administering federal financial assistance programs;

5) Findings of noncompliance or ineligible expenditures, presented in sufficient detail for City management to clearly understand them; and

6) The schedule of federal financial and state assistance and the related auditor's report, as well as the reports on the internal control structure and compliance that are to be bound separately.
2.0.15 Conduct the following conferences with the Director of Finance and/or other City personnel as needed:

   a) Entrance conference prior to interim work;
   b) Exit conference at conclusion of interim work;
   c) Entrance conference at beginning of fieldwork;
   d) Progress conferences at a minimum of once a week and as requested during field work;
   e) Exit conferences at end of fieldwork;
   f) Conference when draft copy of management letter is prepared;
   g) Presentation of CAFR and audit findings to Finance and Audit Committee;
   h) Any additional, periodic progress meetings with the appropriate members of management.

2.0.16 Meet with the City’s Finance and Audit Committee before the final report is presented to the City Council. The Auditor will inform the Finance/Audit Committee of each of the following:

   a) The Auditor's responsibilities; under generally accepted auditing standards;
   b) Significant accounting policies;
   c) Management judgments and accounting estimates;
   d) Significant audit adjustments;
   e) Other information in documents containing audited financial statements;
   f) Disagreements with City management;
   g) Difficulties encountered in performing the audit;
   h) Material written communications;
   i) Independence-related relationships between the firm and the City; and
   j) Confirmation of audit independence; and

The Auditor is free to contact the Finance/Audit committee-members committee members at any time for required information. As a sub-committee of City Council, all meetings comprising a quorum of the Finance/Audit Committee are subject to the requirements of the Texas Open Meetings Act.

2.0.17 Present the final CAFR and management letter to the Finance and Audit Committee and City Council no later than the third Tuesday in February. Both meetings will be attended by the Audit Partner.

2.0.18 If requested by the City and/or the underwriter, issue a "consent and citation of expertise" and any necessary "comfort letters." The City currently anticipates it will prepare one or more official statements per year in connection with the sale of debt securities, which will contain the general purpose financial statements and the auditor's report thereon.

2.0.19 Prepare the City’s Audit in accordance with the following time line:
a) Perform interim work during the months of July through September with the interim work completed no later than the middle of September.

b) Provide a detailed audit plan at the conclusion of the interim work. This plan will include a list of all schedules to be prepared by City staff and a list of all audit confirmations that are known to be needed at the conclusion of interim work.

c) Begin fieldwork around or immediately after the Thanksgiving holiday and complete fieldwork before the Christmas holiday. This schedule is based on the City’s financial records being ready for the auditor’s examinations beginning the middle of November.

The Auditor will prepare the comprehensive annual financial report to satisfy the requirements of the Certificate of Achievement program and will have the preliminary report ready for review by City staff by the end of January.

2.1 ADDITIONAL SERVICES/CHANGE IN SERVICES

2.1.1 The City may direct the Auditor to perform audits and reviews or other services outside of the scope of basic services described in Section 2.0 above. The Auditor will submit a written estimate of fees to the City and obtain the City’s authorization before initiating any additional services.

2.1.2 Each material change (deletion or addition) in the services to be provided by Auditor must be authorized by the City on the Authorization of Change in Services form attached to this Agreement as Attachment A. Compensation for additional services will be in addition to that specified for Basic Services in accordance with Section 4.2 of this Agreement. The approval of the City’s governing body is necessary for all additional services the compensation for which exceeds $50,000.00.

ARTICLE 3
THE CITY’S RESPONSIBILITIES

The City will:

3.0 Ensure that its staff and responsible management personnel in other departments will be available during the audit to assist the Auditor by providing information, documentation and explanations. The preparation of confirmations will be the responsibility of the City. The City Attorney's staff is available to provide legal counsel to the City pertinent to the audit.

3.1 Perform day-to-day coordination of the audit. In addition, City staff will prepare schedules, statements, and worksheet, answer questions and perform routine clerical tasks, such as locating invoices. The Auditor will provide a list of these items to the City during planning procedures and will coordinate this request through the City’s Director of Finance.

3.2 Coordinate assistance from City staff for providing location and filing sequence of
information of all permanent records for audit sampling and replacement of records.

3.3 Compile and prepare required work papers, the introductory and statistical sections of the CAFR, the letter of transmittal and management’s discussion and analysis. As possible, all items will be provided by the City in an acceptable electronic format. The Director of Finance or designated Finance Department staff and the Auditor will decide at the interim and fieldwork conferences and which work papers are to be prepared by City staff. The City will have closed and balanced all accounts and have prepared preliminary work papers, subject to subsequent client and audit adjustments, for all funds to be examined by the Auditor.

3.4 Provide a separate work space and facilities for use by the Auditor in close proximity to the accounting records necessary for the Auditor to conduct the examination, if possible. In addition, the City will provide the Auditor with access to one telephone line, photocopying facilities and FAX capabilities. Any requirements for computer time and/or system documentation will be coordinated through the Finance Director or designated city staff.

3.5 Provide any information to the Auditor regarding the City’s requirements for the Auditor’s services under this Agreement. The City will furnish the Auditor with copies of data, reports, records and information in the City’s possession needed by the Auditor at the Auditor’s request. In addition, the City will provide all ordinances, resolutions, minutes of meetings, contracts, leases and assorted agreements as needed by the Auditor, as well as provide in-house legal counsel pertinent to the annual audit.

3.6 Cooperate with the Auditor in every reasonable way to ensure timely completion of the audit.

3.7 Designate Heather Hurlbert, Director of Finance, as the City’s authorized representative to act on the City’s behalf with respect to this Agreement. The City will examine the documents and information submitted by the Auditor and promptly render responses to the Auditor on issues requiring a decision by the City.

3.8 Schedule interviews with City administrators through the City’s designated representative.

3.9 Bear all costs incident to this Article.

ARTICLE 4
REIMBURSABLE EXPENSES

4.0 Reimbursable expenses, including such things as travel (auto travel mileage at the prevailing IRS rate) delivery charges, long distance communications, freight, reproduction of documents are included in the Auditor’s basic services compensation.
ARTICLE 5
PAYMENTS TO THE AUDITOR

5.0 PAYMENTS ON ACCOUNT OF BASIC SERVICES

5.0.1 Payments for Basic Services will be made to the Auditor following receipt by the City of Auditor’s invoice and payment requisition. The amounts of these invoices will be based upon the extent of work completed by the Auditor in accordance with Article 13 of this Agreement, less any disputed amounts, pending resolution thereof.

5.0.2 The Auditor will furnish at its own expense all necessary administrative services, office space, equipment, clerical personnel, telephone and other communication facilities, insurance premiums, and executive and supervisory personnel for managing the work under this Agreement.

5.1 PAYMENTS ON ACCOUNT OF ADDITIONAL SERVICES

5.1.1 Payments on account of the Auditor’s Additional Services as defined in Section 2.1 will be made monthly upon presentation of the Auditor’s statement of services rendered or expenses incurred, less any disputed amounts, pending resolution thereof and an Authorization of Change in Services form executed by the Auditor and the City.

5.2 TAXES

5.2.1 The Auditor will not include Federal taxes or State of Texas limited sales excise and use taxes in its invoices or vouchers and statement of costs. The City is exempt from payment of such taxes and the Contractor may retrieve a resale certificate for use on this Project from the State of Texas Comptroller’s website.

ARTICLE 6
AUDITOR’S RECORDS

6.1 All expense records of the Auditor will be kept in accordance with generally accepted accounting principles acceptable to the City. Such records will be available for inspection by the City at all reasonable hours of the business day and during mutually convenient times.

6.2 The City, federal auditors, and state agencies that have monitoring or auditing responsibilities for this Agreement will have access to any books, documents, papers and records of the Auditor which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, copying and transcriptions.

6.3 The Auditor will furnish to the City at such time and in such form as the City may require, financial statements including audited financial statements, records, reports, data and information, as the City may request pertaining to the matter covered by this Agreement.
ARTICLE 7
OWNERSHIP AND USE OF DOCUMENTS

7.1 All documents prepared by Auditor in connection with this Agreement will become the property of the City except for audit work papers that will remain the property of the Auditor. However, all work papers and related reports will be retained, at the Auditor's expense, for a minimum of five years after all questions arising from the audit have been resolved, unless the Auditor is notified in writing by the City of the need to extend the retention period. The Proponent will be required to make the work papers available, upon request to the City, and representatives of federal and state agencies who have jurisdiction.

7.2 The Auditor will retain all other records and supporting documentation relating to this Agreement, and not otherwise delivered to the City, for a period of three years except in the event that the Auditor goes out of business during that period, it will turn over to the City, all of its records relating to the Project for retention by the City.

7.3 The Auditor will respond to the reasonable inquiries of its successors on a timely basis and will allow those successors to review work papers relating to matters of continuing accounting significance.

ARTICLE 8
TERM; TERMINATION OF AGREEMENT

8.1 The term of this Agreement will be effective as of August 1, 2017 for the audit of the fiscal years ending September 30, 2017 through the fiscal year ending September 30, 2021 and will automatically extend for five (5) years until July 31, 2021 unless this Agreement is terminated under Sections 8.2 or 8.3 below.

8.2 This Agreement may be terminated by either party upon 90 calendar days prior written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.

8.3 The City may terminate this Agreement for convenience and without cause upon at least thirty (30) calendar days prior written notice to the Internal Auditor. The Internal Auditor may terminate this Agreement for convenience and without cause upon at least thirty (30) calendar days prior written notice to the City. In the event of termination for convenience the City may require the Internal Auditor to transfer title and deliver to the City in the manner and to the extent directed by the Purchasing Manager: (a) any completed materials; and (b) such partially completed materials as the Internal Auditor has specifically produced for the performance of the terminated part of the agreement, for which payment has been made by the City. Upon such termination, the Internal Auditor will use reasonable efforts to (a) stop work to the extent specified (b) terminate any subconsultants as they relate to the terminated work, and (c) be paid the following amounts without duplication, subject to the other terms of this contract: (i) contract prices for supplies or
services delivered under the agreement (ii) costs incurred in performing the terminated portion of
the work, and (iii) any other reasonable costs that the Internal Auditor can demonstrate to the City,
using its standard record keeping system, have resulted from the termination. The Internal Auditor
will not be paid for any work performed or costs incurred that reasonably could have been avoided.
As a condition of payment, the Internal Auditor will submit within three months of the effective
date of the termination a claim specifying the amounts due because of the termination. The
absence of an appropriate termination for convenience clause in any subcontract will not increase
the obligation of the City beyond what it would have been had the subcontract contained such a
clause.

8.4 In the event of termination as provided in this Article, the Contractor will immediately
discontinue any and all services under the Agreement upon the City’s request. The City will
compensate the Contractor for all services performed to termination date, which are deemed by
the City to be in accordance with this Agreement. The City will pay this amount upon the
Contractor’s delivering to the City all information and materials developed or accumulated by the
Contractor in performing the services described in this Agreement in accordance with Article 7 of
this Agreement, whether completed or in progress. The expense of reproduction of these items
will be borne by the City.

ARTICLE 9
INSURANCE AND INDEMNITY

9.1 The Veterinarian will indemnify, hold harmless and defend the City and its employees,
agents, officers and servants from any and all lawsuits, claims, demands and causes of action
of any kind arising solely from the negligent or intentional wrongful acts or omissions of the
Veterinarian, its officers, employees or agents. This will include, but not be limited to, the
amounts of judgments, penalties, interest, court costs, reasonable legal fees, expert witness fees
and all other expenses incurred by the City arising in favor of any party, including the amounts
of any damages or awards resulting from claims demands and causes of action for personal
injuries, death or damages to property, alleged or actual infringement of patents, copyrights,
and trademarks and without limitation by enumeration, all other claims, demands, or causes of
action of every character occurring, resulting, or arising from any negligent or intentional
wrongful act, error or omission of the Veterinarian and/or its agents and/or employees. This
obligation by Veterinarian will not be limited because of the specification of any particular
insurance coverage in this Agreement.

9.2 The Auditor will procure and maintain at Auditor’s expense insurance with insurance
companies authorized to do business in the State of Texas, covering all operations under this
Agreement, whether performed by Auditor or Auditor’s agents, subcontractors or employees.
Before commencing the work, the Auditor will furnish to the City a certificate or certificates in
form satisfactory to the City, showing that Auditor has complied with this paragraph. All
certificates will provide that the policies will not be changed or canceled until at least 30 calendar
days written notice has been given to the City. Failure of the Auditor to demand a certificate or
other sufficient evidence of full compliance with these insurance requirements or failure of the
Auditor to identify a deficiency from the evidence that is provided as proof of insurance will not
be construed as a waiver of the Auditor’s obligation to maintain the required insurance coverage specified herein. Commercial general liability and motor vehicle insurance will be written with the City as an additional insured and will be endorsed to provide a waiver of the carrier’s right of subrogation against the City. The kinds and amounts of insurance required are as follows:

Workers’ Compensation Insurance and/or Employer’s Liability: In accordance with the provisions of the Workers’ Compensation Act of the State of Texas and/or $500,000.00/$500,000.00 for Employer’s Liability.

Liability Insurance: (1) Commercial general liability insurance (standard ISO version) with a combined single limit of $1,000,000 for each occurrence and $1,000,000 in the aggregate, providing coverage for, but not limited to, bodily injury and property damage, premises/operations as applicable. (2) Business Motor Vehicle liability insurance (standard ISO version) in an amount not less than $1,000,000 per occurrence.

The stated limits of insurance required by this Paragraph are minimum only—they do not limit the Auditor’s indemnity obligation, and it will be the Auditor’s responsibility to determine what limits are adequate. These limits may be basic policy limits or any combination of basic limits and umbrella limits. The City’s acceptance of certificates of insurance that do not comply with these requirements in any respect does not release the Auditor from compliance with these requirements.

ARTICLE 10
MISCELLANEOUS PROVISIONS

10.1 This Agreement is governed by and will be construed under the laws of the State of Texas. All obligations of both parties are performable and exclusive venue for any dispute arising under this Agreement is in Hays County, Texas.

10.2 As to all acts or failures to act by either party to this Agreement, any applicable statute of limitations will commence to run and any alleged cause of action will be deemed to have accrued when the party commencing the cause of action knew or should have known of the existence of the subject act(s) or failure(s) to act.

10.3 The Auditor will not use funds received by it directly or indirectly under the terms of this Agreement for any partisan political activity or to further the election or defeat of any candidate for public office.

10.4 The Auditor hereby affirms that neither the Auditor, the Auditor’s firm nor any of its associates or employees have made or agreed to make any valuable gift whether in the form of service, loan, thing, or promise to any person or any of his/her immediate family, having the duty to recommend, the right to vote upon, or any other direct influence on the selection of Auditors to provide professional services to the City within the two years preceding the execution of the
Agreement. A campaign contribution, as defined by the Texas Election Code or the San Marcos City Code will not be considered as a valuable gift for the purposes of the Agreement. The Auditor further agrees that none of its paid personnel will be employees of the City or have any contractual relationship with the City. All activities, and other efforts made by Auditor pursuant to the Agreement will be conducted by employees, associates, or independent contractors of the Auditor.

10.5 In performing the services required under this Agreement, the Auditor will not discriminate against any person on the basis of race, color, religion, sex, national origin, age, disability or ancestry. The Auditor agrees not to engage in employment practices, which have the purpose or effect of discriminating against employees or prospective employees because of race, color, sex, religion, national origin, age, disability or ancestry. A breach of this covenant by the Auditor may be regarded as a default of the Agreement.

10.6 All references in this Agreement to any particular gender are for convenience only and will be construed and interpreted to be of the appropriate gender. The term “will” is mandatory in this Agreement.

10.7 Should any provision in the Agreement be found or deemed invalid, the Agreement will be construed as not containing the provision and all other provisions that are otherwise lawful will remain in full force and effect, and to this end, the provisions of the Agreement are declared severable. Paragraph and Section headings included in the Agreement are for convenience only and are not intended to define or limit the scope of any provisions of the Agreement.

10.8 All services provided pursuant to the Agreement are for the exclusive use and benefit of the City and the Agreement will not give rise to any rights in third parties.

10.9 In performing all services under this Agreement, the Auditor, its subcontractors, successors and assigns will comply with all local, state and federal laws.

10.10 The City’s execution of and performance under this Agreement will not act as a waiver by the City of any immunity from suit or liability to which it is entitled under applicable law. The parties acknowledge that the City, in executing and performing this Agreement, is a governmental entity acting in a governmental capacity.

10.11 The City of San Marcos is governed by the Texas Public Information Act (the “Act”), Chapter 552 of the Texas Government Code. The Agreement and all written information generated under the Agreement may be subject to release under the Act. The Auditor will not make any reports, information, data, etc. generated under the Agreement available to any individual or organization without the written approval of the City.

10.12 The Auditor understands that funds for the payment for work performed by the Auditor under the Agreement have been provided through the City’s budget approved by City Council for the current fiscal year only. State statutes prohibit the obligation and expenditure of public funds beyond the fiscal year for which a budget has been approved. The City cannot guarantee the availability of funds, and enters into the Agreement only to the extent such funds are made available.
available. The Auditor acknowledges and agrees that it will have no recourse against the City for its failure to appropriate funds for the purposes of the Agreement in any fiscal year other than the year in which the Agreement was executed. The fiscal year for the City extends from October 1st of each calendar year to September 30th of the following calendar year.

10.13 In the event that the performance by either the City or the Auditor of any of its obligations under this Agreement is interrupted or delayed by events outside of their control such as acts of God, war, riot or civil commotion, then the party is excused from such performance for the period of time reasonably necessary to remedy the effects of such events.

10.14 The City has the right to declare the Auditor in breach of the Agreement for cause when the City determines that this Agreement has not been performed in accordance with its written terms and conditions. In the event of a default or breach of this Agreement by the Auditor, the City reserves the right to choose among the remedies for the default or breach available to the City. These remedies may be used in conjunction with one another or separately, and together with any other statutory or common law remedies available to the City. Any failure by the City to enforce this Agreement with respect to one or more defaults by the Auditor will not waive the City’s ability to enforce the Agreement after that time.

10.15 If applicable, the Auditor will pay all license fees, royalties and other costs incident to the use of any invention, design, process, product or device subject to a patent right or copyright held by others in performing the work or in the completed Project.

10.16 It is expressly agreed that the Auditor is an independent contractor and not an employee, agent partner or joint venturer with the City. The Auditor will not pledge or attempt to pledge the credit of the City.

10.17 The Auditor, will complete the work in accordance with the schedule negotiated with the City and has taken into consideration and made allowance for all hindrances and delays incident to such work. No charge will be made by the Auditor for any hindrance or delay from any cause whatever during the progress of any portion of its work contemplated by the specifications, but the City may grant an extension of time for the completion of the work, provided it has satisfied that such delays or hindrances were due to extraordinary causes or to the acts of omission or commission by the City. It is agreed that the granting of such extensions of time will in no instance exceed the time actually lost by Auditor for reason of such causes, provided that the Auditor will give the City immediate notice in writing of the cause of the detention or delay. Any such extension of time will be provided utilizing the City’s Authorization of Change in Services form included as Attachment C.

10.18 It is the City’s intent to be proactive with regard to the environment. The City encourages “value purchasing” of environmentally friendly products. The Auditor is encouraged to utilize green solutions in performing any services under the Agreement, as appropriate.
10.19 The Consultant’s attention is called to the fact that pursuant to San Marcos Ordinance No. 2013-57, as amended, all City of San Marcos owned and rented/leased properties are smoke free properties. All Consultants, their subconsultants and employees are prohibited from smoking while on City property. This prohibition includes the enclosed areas of public places and workplaces and within 10 feet of doors and windows of City-owned or rented buildings, all City parks and the grounds outside of any City building. This prohibition includes e-cigarettes and other inhaled vapor devices. The City may terminate this Agreement for noncompliance with this ordinance.

10.20 In the event this Agreement exceeds $50,000.00 the Consultant is required to electronically generate a Certificate of Interested Parties Form 1295 through the Texas Ethics Commission (“TEC”) website (https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm) and submit a signed and notarized copy of the form to the City prior to the award of the contract. This contract, including a City-issued purchase order, will not be enforceable or legally binding until the City receives and acknowledges receipt of the properly completed Form 1295 from the vendor.

ARTICLE 11
SUCCESSORS AND ASSIGNS

11.1 The City and the Auditor, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. The City and the Auditor will not assign, sublet or transfer any interest in this Agreement without the written consent of the other.

11.2 The Auditor will notify the City in writing of any change in its partnership/ownership within 30 calendar days of such change.

ARTICLE 12
EXTENT OF AGREEMENT

12.1 This Agreement, including appendices and referenced attachments represents the entire and integrated Agreement between the City and the Auditor and supersedes all prior proposals, negotiations, representations or agreements either written or oral between the parties. In the event of a dispute between the City and the Auditor regarding the intent of this Agreement, both parties agree that this Agreement will be construed in a manner consistent with the City’s Request for Proposals, the Auditor’s proposal response and the public record of the City Council’s approval of this agreement as applicable. The Auditor’s expenses for travel, office, production and other expenses associated directly or indirectly with this Agreement are included as part of the total fee. Except as to a change in the scope of services, the compensation for which does not exceed $50,000.00, this Agreement may be amended only by separate written instrument approved by the City’s governing body and signed by both the City and Auditor.

12.2 Any exhibits and/or attachments attached to this Agreement are incorporated by reference into this Agreement as though included verbatim herein.
12.3 In the event of any conflict between the Agreement and the provisions of any exhibit or attachment to this Agreement, this Agreement will govern and control.

ARTICLE 13
NOTICES

13.1 Notices required under this Agreement will be provided by the parties to one another by certified mail, return receipt requested, or by confirmed facsimile transmission, to the following addresses:

To the City:
City of San Marcos
Heather Hurlbert, Finance Director
630 E. Hopkins
San Marcos, Texas 78666
(512) 393-8179
SParker@sanmarcostx.gov

To the Auditor:
ABIP, P.C.
Janet Pitman, CPA
4801 Northwest Loop 410, Suite 725
San Antonio, Texas 78229
(210) 341-2581
jpitman@abipcpa.com

ARTICLE 14
BASIS OF COMPENSATION

14.1 The City will compensate the Auditor, in accordance with Article 4, Payments to the Auditor, and the other terms and conditions of this Agreement. The total of all fees and expenses to be paid to Auditor for Basic Services as described in Section 2.1 will not exceed:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Not to Exceed</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2017</td>
<td>Not to Exceed</td>
<td>$58,500.00</td>
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<tr>
<td>FY 2018</td>
<td>Not to Exceed</td>
<td>$61,425.00</td>
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<td>FY 2019</td>
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<tr>
<td>FY 2020</td>
<td>Not To Exceed</td>
<td>$67,720.00</td>
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<tr>
<td>FY 2021</td>
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<td>$71,105.00</td>
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11.2 Compensation for Additional Services of the Auditor outside of the audit will be computed based on the Auditor’s standard hourly rates of:

- FY 2017 - $250.00/hr.
- FY 2018 - $260.00/hr.
- FY 2019 - $270.00/hr.
- FY 2020 - $280.00/hr.
- FY 2021 - $290.00/hr.
This Agreement will be effective as of the day and year established in the first paragraph of this Agreement.

City of San Marcos

By: _________________________

__________________________
Printed Name/Title

Date: _________________________

Attest:

By: _________________________

__________________________
(Signature)

__________________________
(Printed Name/Title)

ABIP, P.C.

By: _________________________

__________________________
Printed Name/Title

Date: _________________________

Attest:

By: _________________________

__________________________
(Signature)

__________________________
(Printed Name/Title)
ATTACHMENT A

AUTHORIZATION OF CHANGE IN SERVICES
CITY OF SAN MARCOS, TEXAS

PROJECT: Professional Annual Audit Services
AUDITOR: ABIP, P.C.
CITY PROJECT MANAGER: 
CONTRACT NUMBER: 
AUTHORIZATION NO: 
ORIGINAL CONTRACT DATE: 
DATE OF CHANGE: 

WORK TO BE ADDED TO OR DELETED FROM SCOPE OF SERVICES

Previous contract amount: $_________________
Net increase/decrease in contract amount: $_________________
Revised contract amount: $_________________

Requested by:
ABIP, P.C.

By:_______________________________ Date:__________________
___________________________________
Printed Name/Title

Approved by:
City of San Marcos: Date:___________________

By:_______________________________
___________________________________
Printed Name/Title

City only below this line.

Account Number(s): ________________________, ________________________

Previous Changes in Service:
#_____; date; amount
#_____; date; amount
#_____; date; amount

Auditing Services Agreement 2017
<table>
<thead>
<tr>
<th>PROPOSAL SUBMITTALS</th>
</tr>
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<tr>
<td>Audit Services</td>
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<td>April 26, 2017, at 2:00 P.M.</td>
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RFP 217-105

<table>
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<th>PROPOSENENT NAME</th>
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</thead>
<tbody>
<tr>
<td>Weaver and Tidwell, L.L.P.</td>
</tr>
<tr>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Garza/Gonzalez &amp; Associates</td>
</tr>
<tr>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>ABIP, P.C.</td>
</tr>
<tr>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>Pattillo, Brown &amp; Hiil, L.L.P.</td>
</tr>
<tr>
<td>Waco, Texas</td>
</tr>
<tr>
<td>Whitley Penn, LLP</td>
</tr>
<tr>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Armstrong, Vaughan &amp; Associates, P.C.</td>
</tr>
<tr>
<td>Universal City, Texas</td>
</tr>
<tr>
<td>Belt Harris Pechacek, LLP</td>
</tr>
<tr>
<td>Houston, Texas</td>
</tr>
</tbody>
</table>
AGENDA CAPTION:
Consider approval of Resolution 2017-93R, approving a lease agreement between the City of San Marcos and Terry Serur for property located at 317 North LBJ Drive to be occupied by the Main Street Program for a term of one year with two one year extension options; authorizing the City Manager to execute the lease agreement on behalf of the City; and declaring an effective date.

Meeting date: June 6, 2017

Department: CMO - Samantha Armbruster, Main Street Program Manager

Funds Required: $15,600
Account Number: 12024225.52360
Funds Available: $15,600
Account Name: Building Rental

CITY COUNCIL GOAL:
Goal #7 - Maintain Fiscal Responsibility

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:
The City of San Marcos Main Street Program relocated to its current location at 317 N. LBJ Drive in 2014, after extensive tenant improvements were made by the City. The current lease has a 3 year term and expires June 30, 2017. With Council approval of this Resolution, the revised agreement will extend the term of the lease for an additional year, and provides for two, one-year extensions. The lease rate represents an increase of $50/month in Year 1, and an additional $50/month in Years 2 & 3.
RESOLUTION NO. 2017- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF SAN MARCOS AND TERRY SERUR FOR PROPERTY LOCATED AT 317 NORTH LBJ DRIVE TO BE OCCUPIED BY THE MAIN STREET PROGRAM FOR A TERM OF ONE YEAR WITH TWO ONE YEAR EXTENSION OPTIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Lease Agreement between the City of San Marcos and Terry Serur is hereby approved.

PART 2. The City Manager is authorized to sign the Lease Agreement on behalf of the City.

PART 3. This resolution shall be in full force and effect from and after its passage.

ADOPTED on June 6, 2017.

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
Lease Agreement

Date: June 6, 2017

Landlord: Mr. Terry Serur

Landlord’s Address: P. O. Box 874, San Marcos, Texas 78667

Tenant: City of San Marcos, Texas

Tenant’s Address: 630 East Hopkins, San Marcos, Texas 78666

Premises:

Street address: 317 North LBJ Drive

City, state, zip: San Marcos, Texas 78666

Term: One Year, with Two Additional Automatic One-Year Renewals unless notice of intent to vacate is provided to the Landlord from Tenant sixty days before the end of each one year term

Commencement Date: August 1, 2017

Termination Date: July 31, 2018 (first year), July 31, 2019 (second year), July 31, 2020 (third year)

Base Rent (monthly): $1300 per month for the first two years and $1350 for the third year

Security Deposit: $1050 currently held by Landlord from previous lease

Permitted Use: Office of the Tenant's Main Street Program

Tenant’s Insurance: TML Intergovernmental Risk Pool

Definitions

“Agent” means agents, contractors, employees, licensees, and, to the extent under the control of the principal, invitees.

“Injury” means (1) harm to or impairment or loss of property or its use, (2) harm to or death of a person, or (3) “personal and advertising injury” as defined in the form of liability insurance Tenant is required to maintain.

“Lienholder” means the holder of a deed of trust covering the Premises.
Clauses and Covenants

A. Tenant agrees to—

1. Lease the Premises for the entire Term beginning on the Commencement Date and ending on the Termination Date and pay the monthly base rent by the first day of each month to be mailed to the Landlord by the Tenant.

2. Accept the Premises in their present condition “AS IS,” the Premises being currently suitable for the Permitted Use.

3. Obey all laws relating to Tenant’s use, maintenance of the condition, and occupancy of the Premises and Tenant’s use of any common areas and any requirements imposed by utility companies serving or insurance companies covering the Premises.

4. Pay for all utility services used by Tenant including water, sewer, electric, gas, trash and all other utilities used by Tenant.

5. Allow Landlord to enter the Premises to perform Landlord’s obligations, inspect the Premises, and show the Premises to prospective purchasers or tenants.

6. Repair, replace, and maintain any part of the Premises that Landlord is not obligated to repair, replace, or maintain, normal wear excepted.

7. Submit in writing to Landlord any request for repairs, replacement, and maintenance that are the obligations of Landlord.

8. Maintain the sidewalk area in front of the premises in a clean and orderly manner.

9. Maintain the plumbing works, closets, pipes and connections free from ice during inclement weather.

10. Replace electrical fixtures and bulbs as needed.

11. Maintain the heating and air conditioning system.

12. Vacate the Premises on the last day of the Term.

B. Tenant agrees not to—

1. Use the Premises for any purpose other than the Permitted Use.

2. Create a nuisance.

3. Permit any waste.

4. Use the Premises in any way that would increase insurance premiums or void insurance on the Premises.
5. Change Landlord’s lock system.

6. Alter the Premises without the consent of the Landlord.

7. Allow a lien to be placed on the Premises.

8. Assign this lease or sublease any portion of the Premises without Landlord’s written consent.

C. **Landlord agrees to—**

1. Lease to Tenant the Premises for the entire Term beginning on the Commencement Date and ending on the Termination Date.

2. Obey all laws relating to Landlord’s operation of the Premises.

3. Deliver Premises in “as-is where-is condition”

4. Return the Security Deposit to Tenant, less itemized deductions, if any, on or before the sixtieth day after the date Tenant surrenders the Premises.

D. **Landlord agrees not to—**

1. Interfere with Tenant’s possession of the Premises as long as Tenant is not in default.

E. **Landlord and Tenant agree to the following:**

1. **Alterations.** Any physical additions or improvements to the Premises made by Tenant will become the property of Landlord. Landlord may require that Tenant, at the end of the Term and at Tenant’s expense, remove any physical additions and improvements, repair any alterations, and restore the Premises to the condition existing at the Commencement Date, normal wear excepted.

2. **Insurance.** Tenant and Landlord will maintain their respective insurance coverages. The Lessee will obtain a good and sufficient policy of public liability risk pool coverage to afford protection to the limit of not less than $100,000 per occurrence and not less than $300,000 in the aggregate for any loss, damage or injury to persons or property on or about the Leased Premises by virtue of any act or omission on the part of Lessee, its agents, employees, invitees, licensees or other persons who are in, on or about any part of the Leased Premises.

3. **Release of Claims/Subrogation.** LANDLORD AND TENANT RELEASE EACH OTHER AND LIENHOLDER, AND THEIR RESPECTIVE AGENTS, FROM ALL CLAIMS OR LIABILITIES FOR DAMAGE TO THE PREMISES, DAMAGE TO OR LOSS OF PERSONAL PROPERTY WITHIN THE PREMISES, AND LOSS OF BUSINESS OR REVENUES THAT ARE COVERED BY THE RELEASING PARTY’S PROPERTY INSURANCE OR THAT WOULD HAVE BEEN COVERED BY THE REQUIRED INSURANCE IF THE PARTY FAILS TO MAINTAIN THE
PROPERTY COVERAGES REQUIRED BY THIS LEASE. THE PARTY INCURRING THE DAMAGE OR LOSS WILL BE RESPONSIBLE FOR ANY DEDUCTIBLE OR SELF-INSURED RETENTION UNDER ITS PROPERTY INSURANCE. LANDLORD AND TENANT WILL NOTIFY THE Issuing PROPERTY INSURANCE COMPANIES OF THE RELEASE SET FORTH IN THIS PARAGRAPH AND WILL HAVE THE PROPERTY INSURANCE POLICIES ENDORSED, IF NECESSARY, TO PREVENT INVALIDATION OF COVERAGE. THIS RELEASE WILL NOT APPLY IF IT INVALIDATES THE PROPERTY INSURANCE COVERAGE OF THE RELEASING PARTY. THE RELEASE IN THIS PARAGRAPH WILL APPLY EVEN IF THE DAMAGE OR LOSS IS CAUSED IN WHOLE OR IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF THE RELEASED PARTY OR ITS AGENTS BUT WILL NOT APPLY TO THE EXTENT THE DAMAGE OR LOSS IS CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE RELEASED PARTY OR ITS AGENTS.

8. **Default by Landlord/Events.** Defaults by Landlord are failing to comply with any provision of this lease within thirty days after written notice and failing to provide Essential Services to Tenant within ten days after written notice.

9. **Default by Landlord/Tenant’s Remedies.** Tenant’s remedies for Landlord’s default are to terminate this Lease.

10. **Default by Tenant/Events.** Defaults by Tenant are (a) abandoning or vacating a substantial portion of the Premises, and (b) failing to comply within ten days after written notice with any provision of this lease.

11. **Default by Tenant/Landlord’s Remedies.** Landlord’s remedies for Tenant’s default are to (a) enter and take possession of the Premises, (b) enter the Premises and perform Tenant’s obligations, and (c) terminate this lease by written notice and sue for damages. Landlord may enter and take possession of the Premises by self-help, by picking or changing locks if necessary, and may lock out Tenant or any other person who may be occupying the Premises, until the default is cured, without being liable for damages.

12. **Default/Waiver/Mitigation.** It is not a waiver of default if the nondefaulting party fails to declare a default or delays more than thirty (30) in taking any action. Pursuit of any remedies set forth in this lease does not preclude pursuit of other remedies in this lease or provided by applicable law. Landlord and Tenant have a duty to mitigate damages.

13. **Security Deposit.** If Tenant defaults, Landlord may use the Security Deposit to repair any damage or injury, or to pay any expense or liability incurred by Landlord as a result of the default. The Security Deposit will be returned to Lessee within sixth (60) days of the end date of the term. The parties acknowledge that utility costs will be deducted from the security deposits.

14. **Holdover.** If Tenant does not vacate the Premises following termination of this lease, Tenant will become a tenant at will and pay $100 per day in rent and must vacate the Premises on receipt of notice from Landlord. No holding over by Tenant, whether with or without the consent of Landlord, will extend the Term.
15. Alternative Dispute Resolution. Landlord and Tenant agree to mediate in good faith before filing a suit for damages.

16. Attorney’s Fees. If either party retains an attorney to enforce this lease, the party prevailing in litigation is entitled to recover reasonable attorney’s fees and other fees and court and other costs.

17. Venue. Exclusive venue is in Hays County, Texas.

18. Entire Agreement. This lease is the entire agreement of the parties concerning the lease of the Premises by Landlord to Tenant. There are no representations, warranties, agreements, or promises pertaining to the Premises or the lease of the Premises by Landlord to Tenant, and Tenant is not relying on any statements or representations of any agent of Landlord, that are not in this lease.

19. Amendment of Lease. This lease may be amended only by an instrument in writing signed by Landlord and Tenant.

20. Limitation of Warranties. THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

21. Notices. Any notice required or permitted under this lease must be in writing. Any notice required by this lease will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this lease. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

22. Abandoned Property. Landlord may retain, destroy, or dispose of any property left on the Premises at the end of the Term.

LANDLORD

____________________________
Terry Serur

TENANT

____________________________
Charles Daniels
Interim City Manager
City of San Marcos
AGENDA CAPTION:
Consider approval of Resolution 2017-98R, approving the procurement of a subscription for Kaspersky Anti-Virus Protection Software and associated technical support from Insight Public Sector in the total amount of $92,744.18 through the U.S. Communities Government Purchasing Alliance Contract #4400006644 for technology products, equipment, services and solutions; authorizing the Interim City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.

Meeting date: June 20, 2017

Department: Information Technology Department - Mike Sturm, Director (By Cheryl Pantermuehl, Purchasing Manager)

Funds Required: $92,744.18 FY17-$18,548
Account Number: 10001280.52395; 22006335.52395; and 21006322.52395
Funds Available: $19,000
Account Name: Software License and Maintenance

CITY COUNCIL GOAL:
Goal #5 - Maintain and improve City’s infrastructure
Goal #7 - Maintain fiscal responsibility
Goal #8 - Provide for the efficient and effective delivery of services

COMPREHENSIVE PLAN ELEMENT(s): [add the Plan elements and Goal # and Objective(s)]

BACKGROUND:
The City of San Marcos is authorized by Local Government Code, Chapter 271, to participate in cooperative purchasing programs. The U.S. Communities Government Purchasing Alliance has awarded a contract #4400006644 for Technology Products, Equipment, Services, and Solutions to Insight Public Sector located in Fairfax, Virginia.

This is a technology subscription to provide Kaspersky anti-virus protection software to protect the City’s information technology network and keep the City’s data secure. The contract term will be for five (5) years from June 20, 2017, though June 19, 2022. The total cost of the contract is $92,744.18, which covers 500 to
999 licensed users as well as technical support for the entire five (5) year contract.
RESOLUTION 2017-____________R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING THE PROCUREMENT OF A SUBSCRIPTION FOR KASPERSKY ANTI-VIRUS PROTECTION SOFTWARE AND ASSOCIATED TECHNICAL SUPPORT FROM INSIGHT PUBLIC SECTOR IN THE TOTAL AMOUNT OF $92,744.18 THROUGH THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE CONTRACT #4400006644 FOR TECHNOLOGY PRODUCTS, EQUIPMENT, SERVICES AND SOLUTIONS; AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE APPROPRIATE PURCHASING DOCUMENTS ON BEHALF OF THE CITY AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The procurement of a subscription for Kaspersky Anti-Virus Protection Software and associated technical support from Insight Public Sector in the total amount of $92,744.18 through the U.S. Communities Government Purchasing Alliance Contract #4400006644 for Technology Products, Equipment, Services, and Solutions is approved.

PART 2. The Interim City Manager or his designee, is authorized to execute appropriate purchasing documents on behalf of the City.

PART 3. This Resolution shall be in full force and effect immediately from and after its passage.

ADOPTED this the day of , 2017.

John Thomaides,
Mayor

Attest:

Jamie Lee Case,
City Clerk
Insight Public Sector, Inc.
6820 South Harl Avenue
Tempe, Az  85283

Attention:   Erica Falchetti

Reference:  RFP 2000001701, Technology Products, Services, Solutions & Related Products and Services

Dear Ms. Falchetti:

Acceptance Agreement

Contract Number: 4400006644

This acceptance agreement signifies a contract award for Technology Products, Services, Solutions and Related Products and Services. The period of the contract shall be from May 1, 2016 through April 30, 2019, with four one-year renewal options or any combination of time equally not more than four years.

The contract award shall be in accordance with:

1) This Acceptance Agreement;

2) The Attached Memorandum of Negotiations.

Please note that this is not an order to proceed. A Purchase Order constituting your notice to proceed will be issued to your firm. Please provide your Insurance Certificate according to Section 17 of the Fairfax County Contract, within 10 days after receipt of this letter. All questions in regards to this contract shall be directed to the Contract Specialist, Lonnette Robinson, at 703-324-3281 or via e-mail at Lonnette.Robinson@fairfaxcounty.gov.

Sincerely,

Cathy A. Muse, CPPO
Director/County Purchasing Agent
MEMORANDUM OF NEGOTIATIONS
RFP2000001701

The County of Fairfax (hereinafter called the County) and Insight Public Sector, Inc. (hereinafter called the "Contractor") agree to the following negotiated issues. The issues listed below shall be part of any subsequent contract.

a. The County's Request for Proposal RFP2000001701 and all Addenda;
b. The Contractor’s Technical and Cost Proposals dated September 21, 2015;
c. The Contractor’s Functional Roles per Labor Category dated December 2, 2015;
d. The Geographic Market Tiers dated 12/10/2015;
e. This Memorandum of Negotiation;
f. County purchase order;
g. Any amendments subsequently issued.

In addition, the County and the Contractor agree to the following:

1. Insight is awarded a contract for the following sections of the RFP:
   - 3.1.1 Technology Products
   - 3.1.2 Technology Services and Solutions
   - 3.1.3 Cisco Products, Services and Solutions
   - 3.1.4 HP Products, Services and Solutions
   - 3.1.5 Dell Products, Services and Solutions
   - 3.1.6 Panasonic Products, Services and Solutions
   - 3.1.7 EMC² Products, Services and Solutions
   - 3.1.8 CommVault Products, Services and Solutions
   - 3.1.9 Symantec Products, Services and Solutions
   - 3.1.10 Veritas Products, Services and Solutions
   - 3.1.11 VMWare Products, Services and Solutions
   - 3.1.12 Apple Products, Services and Solutions
   - 3.1.15 Microsoft Products, Services and Solutions
   - 3.1.16 Citrix Products, Services and Solutions
   - 3.1.17 NetApp Products, Services and Solutions
   - 3.1.18 Related Products, Services and Solutions

2. Participating Public Agencies reserve the right to request pricing with both service pricing methodologies: Service Category Rates and Time and Material Rates.

3. Pricing discount for Cisco hardware/software is 36% off MSRP for both government and education. Discounts are minimum discounts.
4. Any discounts are minimum discounts and any rates are not-to-exceed rates.

5. Contractor will offer Public Agencies the lowest possible price for which they are eligible under any contract available to the customer through this contract award. Insight will check for lowest possible price when an order is placed.

6. Any End User License Agreements (EULA’s) referenced in Contractor’s proposal is not incorporated as a part of the contract.

7. The Lead Public Agency acknowledges for itself and on behalf of each Participating Public Agency electing to procure under the Master Agreement that it may be required to execute one or more applicable Contractor standard contract documents if and when it orders one or more technology product, service/solution. At the time that an order for a technology product, service/solution is placed by a Public Agency, the Public Agency will review the applicable standard contract document(s) and, if acceptable to each particular Public Agency, complete and sign such document(s). Contractor agrees and acknowledges that if and when an order for one or more technology product, service/solution is placed by Lead Public Agency, Contractor may be required to execute a Contract Addendum substantially in the form attached hereto as License Agreement Addendum.

8. In the event that additional third-party products are procured under the Contract, the Contractor agrees to provide a copy of any and all applicable third-party agreements for review by the County. The County reserves the right to negotiate the terms and conditions of the third-party agreements associated with the use of the third-party products prior to issuing the purchase order for additional products.

9. The parties agree that any Statement/Scope of Work (SOW) and/or Service Level Agreement will be subject to negotiations and will be binding upon the parties and set forth in a written amendment to the Contract signed by the County Purchasing Agent and the Contractor.

ACCEPTED BY:

Kenneth Lamneck, Chief Executive Officer
Insight Public Sector, Inc.

Cathy A. Muse, CPPO, Director
Department of Purchasing and Supply Management

2/9/10
2/22/16
LICENSE AGREEMENT ADDENDUM

Fairfax County (hereinafter referred to as "the County") and Insight Public Sector, Inc. ("Supplier"), a business incorporated in Illinois, F.E.I.N. 36-3949000, having its principal place of business at 6820 S. Harl Ave., Tempe, Arizona 85283 are this day entering into a contract and, for their mutual convenience, the parties are using the standard form contracts provided by Supplier. This addendum, duly executed by the parties, is attached to and hereby made a part of Supplier’s standard form contracts and together shall govern the use of any and all Technology Product, Services and Solutions licensed by the County whether or not specifically referenced in the order document.

As used herein, the term “contract” shall mean Supplier’s standard form contract(s) and any and all exhibits and attachments thereto, and any additional terms and conditions incorporated or referenced therein. The term(s) "Customer," "You," and/or "you," as used in the contract(s), shall mean, as applicable, Fairfax County, or any of its officers, directors, agents or employees.

Supplier’s standard form contracts are, with the exceptions noted herein, acceptable to the County. Nonetheless, because certain standard clauses that may appear in, or be incorporated by reference into, Supplier’s standard form contract(s) cannot be accepted the County, and in consideration of the convenience of using those forms, and this form, without the necessity of specifically negotiating a separate contract document, the parties hereto specifically agree that, notwithstanding any provisions appearing in the attached Supplier’s standard form contract(s), none of the following shall have any effect or be enforceable against the County or any of its officers, directors, employees or agents:

1. Requiring the application of the law of any state other than the Commonwealth of Virginia in interpreting or enforcing the contract or requiring or permitting that any dispute under the contract be resolved in any court other than a circuit court of the Commonwealth of Virginia;

2. Requiring any total or partial compensation or payment for lost profit or liquidated damages by the County, or its officers, directors, employees or agents if the contract is terminated before its ordinary period;

3. Imposing any interest charge(s) contrary to that specified by § 2.2-4352 of the Code of Virginia;

4. Requiring the County to maintain any type of insurance either for the benefit of the County or for Supplier’s benefit;

5. Granting Supplier a security interest in property of the County or the Commonwealth or any of their officers, directors, employees or agents;

6. Requiring the County or any of its officers, directors, employees or agents to indemnify or to hold harmless Supplier for any act or omission;

7. Limiting or adding to the time period within which claims can be made or actions can be brought (Reference Code of Virginia §8.01 et seq.);

8. Limiting selection and approval of counsel and approval of any settlement in any claim arising under the contract and in which the County or any of its officers, directors, employees or agents is a named party;

9. Binding the County or any of its officers, directors, employees or agents to any arbitration or to the decision of any arbitration board, commission, panel or other entity;
10. Obligating the County, or any of its officers, directors, employees or agents, to pay costs of collection or attorney’s fees;

11. Requiring any dispute resolution procedure(s) other than those in accordance with the Fairfax County Purchasing Resolution and the Code of Virginia;

12. Permitting Supplier to access any County records or data, except pursuant to court order, or as required by law;

13. Permitting Supplier to use any information provided by the County except for Supplier’s own internal administrative purposes, or as required by law;

14. Requiring the County to limit its rights or waive its remedies at law or in equity, including the right to a trial by jury; and

15. Bestowing any right or incurring any obligation that is beyond the duty granted authority of the undersigned representative of the County to bestow or incur on behalf of the County.

16. Establishing a presumption of severe or irreparable harm to Supplier by the actions or inactions of the County;

17. Limiting the liability of Supplier for property damage or personal injury;

18. Permitting Supplier to assign, subcontract, delegate or otherwise convey the contract, or any of its rights and obligations thereunder, to any entity without the prior written consent of the County except as follows: Supplier may assign all or any of its rights and obligations to a third party as a result of a merger or acquisition or sale of all or substantially all of its assets to such third party provided assignee agrees in writing to be bound by the terms and conditions set forth in the contract and provided such third party is a U.S.-based entity or maintains a registered agent and a certification of authority to do business in Virginia, or to an affiliate of Supplier, provided Supplier remains liable for affiliate’s compliance with the terms and conditions set forth in this Contract;

19. Not complying with contractual provisions 1, 8, 10, 11, 12, and 13 at the following URL, which are mandatory provisions, required by law or by the Fairfax County Purchasing Resolution, which are hereby incorporated by reference: http://www.fairfaxcounty.gov/purchasing/po/termsandcondition.htm. The terms and conditions in documents posted to the aforereferenced URL are subject to change pursuant to action by the legislature of the Commonwealth of Virginia or a change in the Fairfax County Purchasing Resolution as adopted by the Fairfax County Board of Supervisors. Software Publisher is advised to check the URL periodically;

20. Not complying with the contractual claims provision of the Fairfax County Purchasing Resolution which is also incorporated by reference;

21. Enforcing the United Nations Convention on Contracts for the International Sale of Goods and all other laws and international treaties or conventions relating to the sale of goods. They are expressly disclaimed. UCCITA shall apply to this contract only to the extent required by § 59.1-591.15 of the Code of Virginia;

22. Not complying with all applicable federal, state, and local laws, regulations, and ordinances;

23. Requiring that the County waive any immunity to which it is entitled by law;
24. Requiring that the County, which is tax exempt, be responsible for payment of any taxes, duties, or penalties;

25. Requiring or construing that any provision in this contract conveys any rights or interest in County data to Supplier;

26. Obligating the County beyond approved and appropriated funding. All payment obligations under this contract are subject appropriations by the Fairfax County Board of Supervisors for this purpose. In the event of non-appropriation of funds for the items under this contract, the County may terminate, in whole or in part, this contract or any order, for those goods or services for which funds have not been appropriated. This may extend to the renewal of maintenance services for only some of the licenses granted by Supplier. Written notice will be provided to the Supplier as soon as possible after legislative action is completed. There shall be no time limit for termination due to termination for lack of appropriations;

27. Permitting unilateral modification of the contract by Supplier;

28. Permitting unilateral termination by Supplier of the contract or the licenses granted thereunder, or permitting suspension of services by Supplier, except pursuant to an order from a court of competent jurisdiction, or as required by law;

29. Requiring or stating that the terms of the Supplier’s standard form contract shall prevail over the terms of this addendum in the event of conflict;

30. Renewing or extending the contract beyond the initial term or automatically continuing the contract period from term to term;

31. Requiring that the contract be “accepted” or endorsed by the home office or by any other officer subsequent to execution by an official of the County before the contract is considered in effect;

32. Delaying the acceptance of the contract or its effective date beyond the date of execution;

33. Defining “perpetual” license rights to have any meaning other than license rights that exist in perpetuity unless otherwise terminated in accordance with the applicable provisions of the contract;

34. Permitting modification or replacement of the contract pursuant to any new release, update or upgrade of Software or subsequent renewal of maintenance. If Supplier provides an update or upgrade subject to additional payment, the County shall have the right to reject such update or upgrade;

35. Requiring purchase of a new release, update, or upgrade of Software or subsequent renewal of maintenance in order for the County to receive or maintain the benefits of Supplier’s indemnification of the County against any claims of infringement on any third-party intellectual property rights;

36. Prohibiting the County from transferring or assigning to any entity the contract or any license pursuant to the contract;

37. Granting Supplier or an agent of Software Publisher the right to audit or examine the books, records, or accounts of the County other than as may be required by law;
The parties further agree as follows:

38. Supplier warrants that it is the owner of the Software or otherwise has the right to grant to the County the license to use the Software granted hereunder without violating or infringing any law, rule, regulation, copyright, patent, trade secret or other proprietary right of any third party.

39. Supplier agrees to indemnify, defend and hold harmless the County or its officers, directors, agents and employees ("County's Indemnified Parties") from and against any and all third party claims, demands, proceedings, suits and actions, including any related liabilities, obligations, losses, damages, fines, judgments, settlements, expenses (including attorneys' and accountants' fees and disbursements) and costs (each, a "Claim" and collectively, "Claims"), incurred by, borne by or asserted against the County's Indemnified Parties to the extent such Claims in any way relate to, arise out of or result from: (i) any intentional or willful conduct or negligence of any employee or subcontractor of Supplier, (ii) any act or omission of any employee or subcontractor of Supplier, (iii) breach of any representation, warranty or covenant of Supplier contained herein, (iv) any defect in the Software, or (v) any actual or alleged infringement or misappropriation of any third party's intellectual property rights by any of the Software. Selection and approval of counsel and approval of any settlement shall be accomplished in accordance with all applicable laws, rules and regulations. In all cases the selection and approval of counsel and approval of any settlement shall be satisfactory to the County against whom the claim has been asserted. This indemnification provision shall supersede any infringement indemnification provision set forth Supplier's standard form contract(s). No limitation of liability provision included in the contract shall apply to Supplier's indemnification obligations under this paragraph.

40. The County shall not be required to maintain as confidential any information, data, or records that have not been properly designated as trade secret or proprietary information pursuant to Va. Code Ann. § 2.2-4342(F) and are not otherwise exempted from the provisions of the Virginia Freedom of Information Act, Va. Code Ann. § 2.2-3700, et seq.

41. All information provided by the County pursuant to the contract shall be treated as confidential information and shall not be disclosed by Supplier, its employees, agents or subcontractors, except as specifically set forth in the contract documents. The County's confidential information shall include, but shall not be limited to: (a) Protected Health Information, as defined in HIPAA, which shall be subject to the County Business Associate Agreement, if applicable; and (b) any personally identifiable information included in information provided by the County.

Supplier shall indemnify and hold the County harmless including, its officers, trustees, employees, and agents, from and any and all claims, penalties, fines, costs, liabilities or damages, including but not limited to reasonable attorney fees, incurred by the County as a direct result of the acts or omissions of Supplier, its employees, officials, agents, or subcontractors that cause a failure to maintain confidentiality of information as required under the contract and applicable law, including but not limited to breach of HIPAA requirements and unauthorized access to, or failure to maintain confidentiality of, personally identifiable information. Supplier will promptly provide notice to the County of any breach of security or confidentiality of information provided by the County and shall be responsible for actions required to cure such breach resulting from Supplier's action or inaction. This indemnity obligation is supplemental to any other indemnification obligation set forth in this Addendum. No limitation of liability provision included in the contract shall apply to Supplier's indemnification obligations under this paragraph.

This contract, consisting of this Fairfax County License Agreement Addendum and the Supplier's standard form contract and any and all exhibits and attachments thereto, and any additional terms and conditions incorporated or referenced therein, constitute the entire agreement between the parties and may not be waived or modified except by written agreement between the parties.
IN WITNESS WHEREOF, the parties have caused this contract to be duly executed as of the last date set forth below by the undersigned authorized representatives of the parties, intending thereby to be legally bound.

Insight Public Sector, Inc.

By: ____________________________
   (Signature)

Name: __Kenneth Lamneck____________
   (Print)

Title: __Chief Executive Officer________

Date: __2/8/2016______________________

Fairfax County

By: ____________________________
   (Signature)

Name: __Cathy A. Muse_____________
   (Print)

Title: __Director/County Purchasing Agent____

Date: __2/22/16______________________
Sales Quote: 219002730  
Date: 05/30/2017  
Shipping Term: FOB Origin  
Payment Term: Net 30  
Sales Quote is valid for 30 days  

Buyer: City Of San Marcos  
US Communities - TIN 746002238

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THE TERMS AND CONDITIONS AND RETURN POLICY AND PROCEDURES SET FORTH ON www.insight.com/pages/legal.web# ARE SPECIFICALLY INCORPORATED HEREIN.

Subtotal $92,744.18

Estimated Tax $-  
Shipping $-  
TOTAL $92,744.18
AGENDA CAPTION:
Consider approval of Resolution 2017-99R, approving Amendment No. 1 to the Local Transportation Project Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation for construction of a multi-use bike and pedestrian facility along Hopkins street from Thorpe Lane to CM Allen Parkway (CSI No. 0914-33-075) for the purpose of amending the project budget to reflect the allocation of CAMPO funds toward design and construction costs and the application of $500,000 in transportation credits toward project costs; authorizing the Interim City Manager to execute said amendment on behalf of the City; and declaring an effective date.

Meeting date: June 20, 2017

Department: Engineering and Capital Improvements

Funds Required: $0.00
Account Number: C480
Funds Available: $2,036,528.00
Account Name: Hopkins Sidewalk Widening CM Allen to Thorpe

CITY COUNCIL GOAL:
Maintain and improve the City’s infrastructure.

COMPREHENSIVE PLAN ELEMENT(s):

Land Use
Goal 1 Direct growth, compatible with surrounding uses
LUG105 Align infrastructure plans to achieve preferred scenario

Transportation
Goal 2 A multimodal transportation network to improve accessibility, mobility, minimize congestion and reduce pollution
TG203 Obtain "Bicycle Friendly Community" Designation
TG205 Develop and implement a complete streets policy for coordination with other transportation related entities to properly integrate all modes of transportation into the transportation network
TG207 Integrate the transportation system by coordinating with all related public entities, including, but not limited to CAMPO, the counties, TxDOT, the university, and the rail district

BACKGROUND:

On November 10th, 2014, CAMPO approved $2,500,000 ($2,000,000 in federal funding and $500,000 in local
matching funds) for use on the Hopkins Multi-Use Path project.

The project limits are Hopkins from CM Allen to Thorpe. The scope will include the following:
• Multi-use path within the project limits
• Pedestrian crossing across Hopkins from City Hall to Public Library
• Pedestrian crossing across Hopkins at Riverside

The AFA Amendment updates the project budget so that CAMPO funds can be used for design and construction cost. The original AFA only allowed the CAMPO funds to be used on construction cost.

It also updates the project so that the City will receive $500,000 in transportation credits. The original AFA required the local government to match the federal funding at a rate of 80% federal and 20% local; up to $2,500,000. For every reimbursement request the City sends to the federal government, the City must cover 20% of the cost. Anything over $2,500,000 is 100% paid by the City. The transportation credits allow the City to defer the local match until the project budget exceed $2,000,000. For every reimbursement request the City sends to CAMPO, up to $2,000,000, the federal government will pay 100%. Anything over $2,000,000 would be covered 100% by the City.

Construction is anticipated to start in 2020.

Staff recommends approval of this agreement.
RESOLUTION NO. 2017- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AMENDMENT NO. 1 TO THE LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT WITH THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A MULT-USE BIKE AND PEDESTRIAN FACILITY ALONG HOPKINS STREET FROM THORPE LANE TO CM ALLEN PARKWAY (CSJ NO. 0914-33-075) FOR THE PURPOSE OF AMENDING THE PROJECT BUDGET TO REFLECT THE ALLOCATION OF CAMPO FUNDS TOWARD DESIGN AND CONSTRUCTION COSTS AND THE APPLICATION OF $500,000 IN TRANSPORTATION CREDITS TOWARD PROJECT COSTS; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE SAID AMENDMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Amendment No. 1 to Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation for construction of a multi-use bike and pedestrian facility along Hopkins Street from Thorpe Lane to CM Allen Parkway (CSJ No. 0914-33-075) (the “Amendment”), is approved.

PART 2. The Interim City Manager is authorized to execute the Amendment on behalf of the City.

PART 3. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on June 20, 2017.

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
STATE OF TEXAS

COUNTY OF TRAVIS

ADVANCE FUNDING AGREEMENT
AMENDMENT #1

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and the City of San Marcos, acting by and through its duly authorized officials, called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on August 18th of 2016 to effectuate their agreement to construct a multi-use bike/pedestrian facility from IH-35 to Downtown Center; and,

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

AGREEMENT

1. Description of Amended Items

Attachment C, Project Budget Estimate and Source of Funds is deleted in its entirety and replaced with the attached Attachment C-1, Project Budget Estimate and Source of Funds to account for Transportation Development Credits that were applied to this project. The budget has been adjusted due to 500,000 Transportation Development Credits being applied to this project in lieu of $500,000 towards the Local Government’s participation. The Local Government also received approval to distribute the federal funding among design and construction and the change has been made accordingly.

Article 22, Single Audit Report, and Article 23, Non-Discrimination Provisions are deleted in their entirety and replaced with the following:

22. Single Audit Report

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.

B. If threshold expenditures of $750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT’s Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT’s Compliance Division at singleaudits@txdot.gov.
C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the $______ expenditure threshold and therefore, are not required to have a single audit performed for FY ______."

D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

23. Pertinent Non-Discrimination Authorities

During the performance of this contract, the Local Government, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:


B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).


F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).

G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not).

H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).

J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.

K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI,
the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).

L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

All other provisions of the original contract are unchanged and remain in full force and effect.

2. **Signatory Warranty**
   Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

_________________________________
Signature

_________________________________
Typed or Printed Name

_________________________________
Title

_________________________________
Date

**THE STATE OF TEXAS**

_________________________________
Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

_________________________________
Date
ATTACHMENT C-1
PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Estimated Cost</th>
<th>Federal Participation</th>
<th>State Participation</th>
<th>Local Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>%  Cost</td>
<td>%  Cost</td>
<td>%  Cost</td>
</tr>
<tr>
<td>Engineering (by Local</td>
<td>$500,000</td>
<td>80% $400,000</td>
<td>0% $0</td>
<td>20% 100,000</td>
</tr>
<tr>
<td>Government)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction (by Local</td>
<td>$2,000,000</td>
<td>80% $1,600,000</td>
<td>0% $0</td>
<td>20% 400,000</td>
</tr>
<tr>
<td>Government)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$2,500,000</td>
<td>$2,000,000</td>
<td>$0</td>
<td>$500,000</td>
</tr>
<tr>
<td>Environmental Direct State</td>
<td>$12,225</td>
<td>0% $0</td>
<td>0% $0</td>
<td>100% $12,225</td>
</tr>
<tr>
<td>Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right of Way Direct State</td>
<td>$3,056</td>
<td>0% $0</td>
<td>0% $0</td>
<td>100% $3,056</td>
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<tr>
<td>Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering Direct State</td>
<td>$18,338</td>
<td>0% $0</td>
<td>0% $0</td>
<td>100% $18,338</td>
</tr>
<tr>
<td>Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility Direct State Costs</td>
<td>$3,056</td>
<td>0% $0</td>
<td>0% $0</td>
<td>100% $3,056</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Direct State</td>
<td>$85,575</td>
<td>0% $0</td>
<td>0% $0</td>
<td>100% $85,575</td>
</tr>
<tr>
<td>Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect State Costs (5.27%)</td>
<td>$131,750</td>
<td>0% $0</td>
<td>100% $131,750</td>
<td>0% $0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,754,000</td>
<td>$2,000,000</td>
<td>$131,750</td>
<td>$122,250</td>
</tr>
</tbody>
</table>

Initial payment by the Local Government to the State:  $36,675
The Local Government previously paid $38,472 to the State on November 28, 2016.
The $1,797 direct state costs credit shall be applied to the construction direct state costs balance.
Payment by the Local Government to the State before construction: $83,778
Estimated total payment by the Local Government to the State: $122,250
The final amount of Local Government participation will be based on actual costs

500,000 Transportation Development Credits (TDCs) will be used instead of the Local Government contributing $500,000.00.
AGENDA CAPTION:
Consider approval of Resolution 2017-100R, approving a list of qualified Engineering Firms for their provision of Professional Engineering Services in connection with CDBG-DR Infrastructure Projects as needed; and declaring an effective date.

Meeting date: June 20, 2017

Department: Engineering - Laurie Moyer, Director (by Cheryl Pantermuehl, Purchasing Manager)

Funds Required: $0
Account Number:
Funds Available:
Account Name:

CITY COUNCIL GOAL: Maintain and Improve City’s Infrastructure

COMPREHENSIVE PLAN ELEMENT(s): [add the Plan elements and Goal # and Objective(s)]

BACKGROUND:
The City went out for Request for Proposal’s ("RFP’s") for Engineering Services for CDBG-DR Infrastructure Projects. We received twenty-nine (29) proposals on April 26, 2017. A committee was formed; they have met, evaluated the proposals, and based on total scores the top fifteen (15) firms chosen for the Engineering Services CDBG-DR Infrastructure Projects are as follows:

AECOM Technical Services, Inc.; Austin, Texas
Alan Plummer Associates, Inc., Fort Worth, Texas
Brown and Gay Engineers, Inc. Austin, Texas
Cobb, Fendley and Associates, Inc., Houston, Texas
Doucet and Associates, Inc., Austin, Texas
Espey Consultants, Inc., dba RPS, Austin, Texas
Freese and Nichols, Inc. Fort Worth, Texas
Halff Associates, Inc., Richardson, Texas
HDR Engineering, Inc., (HDR), Austin, Texas
K Friese + Associates, Austin, Texas
LNV, Inc., San Antonio, Texas
Lockwood, Andrews & Newnam, Inc., San Marcos, Texas
MWM DesignGroup, Austin, Texas
Scheibe Consulting, LLC
Vickrey & Associates, Inc. San Antonio, Texas

This is a six-year on-call list June 21, 2017 through June 20, 2023. The City will select on-call firms for individual agreements based on the firms ranking, abilities and strengths in particular skill sets, overall experience in the type of services to be included in the agreements as well as the firm availability. The City can also advertise for additional engineering services for unique projects, as it deems appropriate.
RESOLUTION NO. 2017-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A LIST OF QUALIFIED ENGINEERING FIRMS FOR THEIR PROVISION OF PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH CDBG-DR INFRASTRUCTURE PROJECTS AS NEEDED; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The City issued a Request for Proposal (“RFP”) No. 217-247 for On-Call Engineering Services for CDBG-DR Infrastructure Projects.

2. On April 26, 2017 the City received twenty-nine (29) proposals.

3. Subsequently, a selection committee was formed for the purpose of evaluating the proponents and selecting the most qualified firms for placement on an on-call list.

4. The on-call list will become effective as of June 21, 2017 and will remain in effect for six years until June 20, 2023.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. Based on the evaluator’s scores, the following top fifteen (15) engineering firms are approved for placement on the City’s on-call list of qualified engineering firms for CDBG-DR infrastructure projects:

AECOM Technical Services, Inc.
Alan Plummer Associates, Inc.
Brown and Gay Engineers, Inc.
Cobb, Fendley and Associates, Inc.
Doucet and Associates, Inc.,
Espey Consultants, Inc., dba RPS
Freese and Nichols, Inc.,
Halff Associates, Inc.,
HDR Engineering, Inc. (HDR)
K. Friese + Associates
LNV, Inc.
Lockwood, Andrews and Newnam, Inc.
MWM DesignGroup
Scheibe Consulting, LLC
Vickrey & Associates, Inc.
PART 2. This Resolution will be in full force and effect immediately from and after its passage.

ADOPTED this the day of 2017.

John Thomaides,
Mayor

Attest:

Jamie Lee Case,
City Clerk
<table>
<thead>
<tr>
<th>Proposer Name</th>
<th>City, State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cobb, Fendley &amp; Associates, Inc.</td>
<td>Houston, Texas</td>
</tr>
<tr>
<td>LNV, Inc.</td>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>Halff Associates, Inc.</td>
<td>Richardson, Texas</td>
</tr>
<tr>
<td>Freese &amp; Nichols, Inc.</td>
<td>Fort Worth, Texas</td>
</tr>
<tr>
<td>Bowman Consulting Group, Ltd.</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>HDR Engineering, Inc. (HDR)</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Urban Civil, LLC</td>
<td>New Braunfels, Texas</td>
</tr>
<tr>
<td>Vickrey &amp; Associates, Inc.</td>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>Brown &amp; Gay Engineers, Inc.</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Doucet &amp; Associates, Inc.</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Lockwood, Andrews &amp; Newnam, Inc.</td>
<td>San Marcos, Texas</td>
</tr>
<tr>
<td>Scheibe Consulting, LLC</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Walker Partners, LLC</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>K Friese + Associates</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Company Name</td>
<td>Location</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Thonhoff Consulting Engineers, Inc.</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Alan Plummer Associates, Inc.</td>
<td>Fort Worth, Texas</td>
</tr>
<tr>
<td>M&amp;S Engineering, LLC</td>
<td>New Braunfels, Texas</td>
</tr>
<tr>
<td>Unintech Consulting Engineers, Inc.</td>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>MWM DesignGroup</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Urban Design Group PC</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Espey Consultants, Inc. dba RPS</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>KSA Engineers, Inc.</td>
<td>Longview, Texas</td>
</tr>
<tr>
<td>Victoria Engineering, Inc. dba Urban Engineering</td>
<td>Victoria, Texas</td>
</tr>
<tr>
<td>HBK Engineering, LLC</td>
<td>Chicago, Illinois</td>
</tr>
<tr>
<td>Maestas &amp; Associates, Inc.</td>
<td>San Antonio, Texas</td>
</tr>
<tr>
<td>AECOM Technical Services, Inc.</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>Wendorf Beward &amp; Partners LLC</td>
<td>Houston, Texas</td>
</tr>
<tr>
<td>Garza EMC</td>
<td>Austin, Texas</td>
</tr>
<tr>
<td>SAMEs, Inc.</td>
<td>McAllen, Texas</td>
</tr>
</tbody>
</table>

WITNESSED BY:

[Signatures]
AGENDA CAPTION:
7:00PM Hold a Public Hearing to receive comments for or against Resolution 2017-101R, adopting the Community Development Block Grant (CDBG) Action Plan that provides for the allocation of CDBG funds for Program Year 2017; authorizing the Interim City Manager or his designee to act as the official representative of the City in matters related to the CDBG program and action plan; and declaring an effective date.

Meeting date: June 20, 2017

Department: Development Services

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:

COMPREHENSIVE PLAN ELEMENT(s): [add the Plan elements and Goal # and Objective(s)]

BACKGROUND:
The City Council allocates the City’s annual award of CDBG funding. For your review, please find attached to this agenda item, the applications and funding matrix. The City’s annual CDBG funding allocation has not been released from HUD due to late Congressional Budget approval. Notification of the award will be made by July 3, 2017.

In order to complete the 2017 Action Plan process to meet HUD requirements, the City will assume an award of $530,000 in CDBG grant funds for the allocation process. Activities will be funded using the $530,000 amount as 100% of grant funding. Each activity will receive a dollar amount and a corresponding percentage of the assumed award in one of three categories: Public Services - 15%, Program Administration -20%, or Construction -65%. Upon notification of the award by HUD, the recommended amounts will be adjusted by the percentages to the actual award amount.

The City received eleven (11) funding applications have been submitted. The Hays Caldwell Women’s Shelter retracted their public services application. The total amount requested, including the proposed program administration allowance, is $1,242,735; this amount exceeds the assumed allocation by $738,235.00. The attached spreadsheet details the applications that were submitted.
Public Services

The Human Services Advisory Board has reviewed the three (3) applications for Public Services funding. The annual amount of CDBG funding for Public Services is up to 15% of annual CDBG funding. The Human Services Board has provided the following funding recommendation for program year 2017:

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CASA - Child Advocacy Program</td>
<td>$29,810</td>
</tr>
<tr>
<td>Cen Tex - Dispute Resolution Center</td>
<td>$24,500</td>
</tr>
<tr>
<td>City - Recreation Fee Scholarship Program</td>
<td>$10,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$64,810</strong></td>
</tr>
</tbody>
</table>

Upon notification of the award by HUD, the recommended amounts will be adjusted by the percentages to the actual award amount in each category. Public Services will receive 15% of the actual annual award. The Program Administration category will receive 20% of the actual annual award.

Construction

Please see the attached funding matrix for the six (6) applicants in this category. The total requested funding amount for this category is $1,072,425,000. Assuming 65% or $344,500, of the assumed total annual grant will be allocated to the construction category, the deficit in this category is $727,925.

Upon notification of the award by HUD, the recommended amounts will be adjusted by the percentages to the actual award amount in each category. The Construction category will receive 65% of the actual annual award.

For your review, please find attached to this agenda item, the applications and funding matrix.
RESOLUTION NO. 2017-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN THAT PROVIDES FOR THE ALLOCATION OF CDBG FUNDS FOR PROGRAM YEAR 2017; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACT AS THE OFFICIAL REPRESENTATIVE OF THE CITY IN MATTERS RELATED TO THE CDBG PROGRAM AND ACTION PLAN; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The allocation of Community Development Block Grant (CDBG) funds for Program Year 2017 as set forth in Exhibit A, attached hereto and made a part hereof for all purposes, is hereby approved.

PART 2. The City Manager or his designee is hereby authorized to act as the official representative of the City in matters related to the CDBG Program and Action Plan.

PART 3. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on June 20, 2017.

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
## Program Year 2017 CDBG Application Summary

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Project Description</th>
<th>Amt. Requested</th>
<th>2017 Amt. Funded</th>
<th>2015 Amt. Funded</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PUBLIC SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CenTex Dispute Resolution Center</td>
<td>Training for non-attorney mediators</td>
<td>$24,500.00</td>
<td></td>
<td>$</td>
</tr>
<tr>
<td>CASA of Central Texas</td>
<td>Working Capital</td>
<td>$29,810.00</td>
<td>$</td>
<td>$29,810.00</td>
</tr>
<tr>
<td>City-Parks &amp; Rec</td>
<td>Scholarships</td>
<td>$10,500.00</td>
<td>$</td>
<td>$10,500.00</td>
</tr>
<tr>
<td><strong>Total Public Services</strong></td>
<td></td>
<td><strong>$64,810.00</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Non-Public Service</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BR3T</td>
<td>San Marcos Flooding Housing Repair Program - 7 homes</td>
<td>$210,000.00</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>CASA</td>
<td>Construction of new facility</td>
<td>$350,000.00</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>HCWC</td>
<td>Renovation of Existing space into 5 additional offices</td>
<td>$22,000.00</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Southside Community Center</td>
<td>Housing Rehabilitation - Construction materials &amp; contractors</td>
<td>$100,000.00</td>
<td>$</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>City-Fire Station</td>
<td>Engineering Study</td>
<td>$62,000.00</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>City-Dog Park</td>
<td>Construction, materials, and contractors</td>
<td>$328,425.00</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td><strong>Total Non PS Projects</strong></td>
<td></td>
<td><strong>$1,072,425.00</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Dev. Services</td>
<td>Program Admin - 20%</td>
<td>$106,000.00</td>
<td>$</td>
<td>$105,000.00</td>
</tr>
</tbody>
</table>

- **PUBLIC SERVICES**: Up to 15% or $79,500 of assumed allocation
- **Non-Public Service**: 65% or $344,500 or more of assumed allocation
City of San Marcos
Community Development Block Grant
2017 Program Application

City of San Marcos
Community Development Division
630 East Hopkins
San Marcos TX 78666
512.393.8224
Instructions to Applicants

Persons with limited English proficiency may request assistance by contacting the City at 512-393-8224. Las personas con habilidad limitada de inglés puede solicitar la asistencia poniéndose en contacto con la Ciudad en 512-393-8224.

Thank you for your interest in the City of San Marcos’ Community Development Block Grant (CDBG) Program. The City will receive approximately $500,000 for program year 2017 which begins October 1, 2017. The exact amount has not been released by HUD at this time. For the 2017 Action Plan, the funding announcement is expected to be in late June.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids or special assistance should make a request at least 48 hours in advance to the City of San Marcos ADA Coordinator at 393-8065 (voice) or call Relay Texas Service (TRS) by dialing 7-1-1. Requests can also be sent by e-mail to ADArequest@sanmarcostx.gov.

2017 Application Period: February 27 through March 27, 2017

SUBMIT ONE ORIGINAL APPLICATION TO:
COMMUNITY INITIATIVES DIVISION OF PLANNING & DEVELOPMENT SERVICES
ATTN: Dalinda Newby – Community Initiatives Coordinator
630 East Hopkins Street, San Marcos TX 78666

The Community Initiatives Division office is in the building located behind the Municipal Building (former location of the Permit Center).

For more information contact Dalinda Newby at 512-393-8224 or by e-mail at dnewby@sanmarcostx.gov.

Program information and a PDF version of this application form is available on the City’s website at: www.sanmarcostx.gov/CDBG. Upon request, the application form will be provided in Word format.

PLEASE NOTE: Subrecipient Registration Requirements:

- Organizations receiving CDBG funding (Subrecipients) must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number. If you do not have a DUNS number, go to http://fedgov.dnb.com/webform to register.

- Funded applicants must also have an active registration with System of Award Management (SAM). To register with SAM, go to www.sam.gov to register. You must have a DUNS number prior to registering with SAM. Subrecipients must provide proof of SAM registration prior to the execution of a Subrecipient Agreement. This is required when federal funds are being utilized.

PROJECT ELIGIBILITY
Funded projects must address one of the High Priority Needs which are currently established as:

- PUBLIC FACILITIES / INFRASTRUCTURE / TRANSPORTATION
- HOUSING
- CLEARANCE ACTIVITIES
- PUBLIC SERVICES (programs that benefit low/mod persons)

NATIONAL OBJECTIVES
All funded projects must also meet one of the three CDBG program National Objectives:

- Benefit low to moderate income individuals or families
- Eliminate slum or blight
- Urgent Need (such as disaster recovery)
APPLICATION CALENDAR AND CITIZEN PARTICIPATION

The City of San Marcos values the input of its citizens and offers a number of opportunities to participate in the preparation of the annual Action Plan. The 2017 program calendar includes (scheduled dates subject to change):

- Application Workshop  
  Mar. 8th at 9:00 a.m. — 2nd floor Conference Room in Municipal Building, 630 E. Hopkins St.

- Stakeholder’s Workshop  
  Mar. 13th at 6:00 p.m. — Multi-purpose Room, Activity Center

- Council Public Hearing for Citizen Comments  
  June 6th at 7:00 p.m. — Council Chambers

- Council Review of Applications  
  June 20th at 6:00 pm — Council Chambers

- Council 2017 Project Award  
  June 20th at 6:00 p.m. — Council Chambers

FUNDING AWARDS

Submitting a complete application does not guarantee your request will be funded. The Program can fund only the actual, allowable, and reasonable costs of the proposed project, and may not exceed these amounts. Funding awards are made by the City Council, subject to HUD approval.

FUND AVAILABILITY

Funds awarded for the 2017 program year become available after October 1, 2017. The organization’s Subrecipient Agreement with the City must be fully executed prior to the expenditure or commitment of program funds. The appropriate level of environmental review must be completed by CDBG staff before any funds are expended or obligated. Environmental reviews for construction projects typically take 45 to 60 days to complete. Other projects that are not likely to have a physical impact on the environment usually take about 15 days. No reimbursement will be possible for goods purchased or contracts executed prior to these requirements being met.

ORGANIZATION ELIGIBILITY REQUIREMENTS

- Organizations applying for Public Services funding must be a public or private non-profit agency, a public housing authority, a City of San Marcos department, or other government entity.

- Non-profit agencies must be established, operating agencies as evidenced through documentation required in the application. Exhibits to show tax exempt status are required.

- Faith Based Agencies are eligible to apply on the same basis as other non-profit organizations. However, CDBG funds cannot be used to support worship, proselytizing, or religious instruction. Religious activities must be offered separately, in time or location, from the CDBG supported activity. Participation in the religious activity must be voluntary for the beneficiaries of the CDBG-funded program. Programs operated by faith-based agencies must be available to all community members and not restricted to the organization’s membership or congregation.

NON-DISCRIMINATION AND ACCESSIBILITY

Each agency receiving funds from the CDBG program is required to assure that it will conduct its business in compliance with the non-discrimination requirements of the County, State, and Federal governments as applicable. Equal Opportunity in Employment policies is required.

In addition, agencies receiving funding must agree to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063 as amended by Executive Order 12259, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.
FINANCIAL CAPACITY / AUDITING REQUIREMENTS

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the federal Office of Management & Budget (OMB) requires that any organization that expends $750,000 or more in federal financial assistance in a fiscal year must secure an annual audited financial statement.

The City has established the following financial statement requirements for organizations assisted with CDBG program funds which are based on the total assets of the applicant. The term “total assets” is defined to mean the total amount of liquid assets that is documented to be available to the Subrecipient at the time the funding is approved.

A. CPA preparation of financial records is not required if the Subrecipient has total assets of $15,000 or less in value;
B. A compiled financial statement is required if Subrecipient has total assets greater than $15,000 and less than or equal to $100,000 in value.
C. A reviewed financial statement is required if Subrecipient has total assets greater than $100,000 and less than or equal to $200,000 in value.
D. An audited financial statement is required if Subrecipient has total assets of more than $200,000 in value. (In an “Audited” statement a CPA provides an in-depth study of the records, organizes them into a statement, and issues an opinion to their validity.)

Organizations receiving CDBG funds must submit the required financial statement which has been prepared by a Certified Public Accountant to the City within nine months from the organization’s fiscal year end and not more than 30 days after the organization’s receipt of the statement.

INSURANCE AND BONDING

Agencies receiving CDBG funding must provide Workers’ Compensation insurance coverage for all of its employees involved in the performance of the funded program. At the time of contract signing, funded agencies must provide evidence of insurance including, but not limited to, multi-peril property and liability, worker’s compensation, automobile liability, and other coverage as deemed necessary by the City.

PROJECT IMPLEMENTATION SCHEDULE AND PERFORMANCE MEASUREMENT GOALS

Performance measurement is an effective management technique that enables those who receive grant funds (subrecipients) and the City to analyze the benefits of their investments. It is a mechanism that tracks the progression of projects and evaluates their overall effectiveness and success in meeting project goals. One of the most important overall goals in planning a CDBG project is the completion of the project in a timely manner.

The City is monitored by HUD to ensure that the grant program has benefited low-to-moderate-income families; one success measurement that the City must meet is the expenditure of its program funds in a timely manner. The City must take into account the project schedules for each program that is funded to ensure that the overall CDBG program will comply with its federally mandated timeliness ratio.

Thus, it is critical that each applicant accurately forecasts the time that will be involved in completing each step of a proposed project. This document will be incorporated into the Subrecipient Agreement for funded projects. Please use the following format to outline the projected Implementation Schedule for your project. Examples are provided in italics. Please contact staff if you need assistance with completing this form.

PERFORMANCE MONITORING

The City will monitor the performance of Subrecipients against the goals and performance standards established by this document. Substandard performance as determined by the City will constitute noncompliance with the Subrecipient Agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time after being notified by the City, contract suspension or termination procedures will be initiated.
INCOME LIMITS
Income limits are established by HUD on an annual basis for the purpose of establishing CDBG grant eligibility. The limits are based on household size. Income is calculated for every adult 18 and older residing in the household. HUD considers 80% and below to be low income. San Marcos CDBG Income Limits are established based upon the Median Family Income for the Austin/Round Rock Metropolitan Statistical Area (MSA). The current Median Family Income for the Austin-Round Rock MSA is $76,800, which became effective 3/25/2016. The 2017 limits are expected to be released by HUD in the next few months.

<table>
<thead>
<tr>
<th>Percent AMI</th>
<th>1 Person</th>
<th>2 Person</th>
<th>3 Person</th>
<th>4 Person</th>
<th>5 Person</th>
<th>6 Person</th>
<th>7 Person</th>
<th>8 Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>$43,600</td>
<td>$49,800</td>
<td>$56,950</td>
<td>$62,260</td>
<td>$67,250</td>
<td>$72,250</td>
<td>$77,200</td>
<td>$82,200</td>
</tr>
</tbody>
</table>

Note: Once an application is submitted to the City, it becomes a public record and as such is open for public review. All or part of the application may be posted on the City’s webpage and included in City Council packet materials. Please keep this in mind when submitting personal information for your staff, board, or clients.
CITY OF SAN MARCOS
2017 CDBG APPLICATION

NOTE: This form is not to be used for applicants seeking funds to support programs operated by non-profit organizations. A separate application form for "Public Services" is available and should be used for projects of that nature.

Due Date: March 27, 2017

I. APPLICANT CONTACT INFORMATION

Applicant Organization: ____________________________________________
Blanco River Regional Recovery Team

Contact Name: Thomas Monahan Telephone: 210.382.4575

Mailing Address: PO Box 685 San Marcos, Texas 78666

Physical Address, if different from mailing address: 801 W MLK San Marcos, TX 78666

Contact E-Mail Address: tmonahan@br3t.org Web Address: www.br3t.org

Who is authorized to execute program documents? Thomas Monahan

II. APPLICATION SUMMARY INFORMATION

PROJECT NAME: San Marcos Flooding Repair Program

PROGRAM FUNDING: Amount of CDBG Funds Requested: $210,000

Project Location: 801 W MLK San Marcos, TX 78666

PRIORITY ELIGIBILITY

Select one

_____ Public Facilities

X_____ Housing

_____ Clearance Activities

_____ Infrastructure

_____ Transportation

NATIONAL OBJECTIVE

Select One

_____ Benefit to Low/Mod Income Persons

_____ Slum or Blight Elimination/Prevention

X_____ Urgent Need (such as disaster)

Will your project be completed (all CDBG funds expended) by July 15, 2018? Yes X No

If "No", what percent is expected to be completed by that date? ____________________
III. PROJECT DESCRIPTION

Summarize how CDBG funds are proposed to be used:

The CDBG funds will be allocated toward the renovation/rehabilitation of at least seven existing owner occupied substandard homes. Monies will be used for the purpose of lead hazard identification and remediation. Other expenses that are typically included in the renovations of these homes are interior/exterior painting, ramp construction, electrical/plumbing repairs roof repairs/replacements, and interior improvements as needed. San Marcos has proven to experience high levels of poverty and unemployment rates and recent flooding. BR3T aims to repair the homes for those who cannot afford it. In doing so, we provide a safe and livable dwelling that meets the cities health and safety standards. All families selected through our program must meet the criteria that Hays County, the City of San Marcos, BR3T, and HUD have set in place. The homes that are selected will be considered substandard or dangerous, no standard homes will be selected. BR3T will hire skilled workers to work on the selected homes.

PROJECT SCOPE:
Please check all statements that apply to this project:

_____ All project design work is complete for this project (plans, specifications, etc.)
_____ This project will include selection of professional service providers (architect, engineer, etc.)
_____ This project includes acquisition of real property

X This project includes the rehabilitation of existing buildings

_____ This project includes new construction

_____ This project includes demolition of existing structures

_____ This project includes a public facility (such as a senior center)

Accomplishments
Once the project is completed, how can its success be measured?

All homes renovated through the rehabilitation housing program are able to meet the City of San Marcos health and safety requirements when the project is completed. Health and safety hazards on the property are much improved, if not eliminated entirely. In doing so, we marginally improve the quality of life of those individuals whose homes were renovated. Many of these dwellings are a liability to the homeowners and the surrounding community. For example, many of the homes have faulty electrical wiring, or serious issues with plumbing that have the potential to do harm to neighboring houses. Eliminating these types of risks for impoverished homeowners makes the program successful. In doing so, we raise awareness and understanding in the community in regards to the needs of the low income and flooded population in San Marcos. Finally people that were living in flood conditions before will now be safe in their homes after the project is complete.
IV. Beneficiaries

The CDBG program allows several different methods of documenting that a project benefits low to moderate income persons. Direct Benefit projects provide services directly to an individual or family; for example, a housing rehabilitation project is a Direct Benefit project. Some projects benefit an area, such as a Sidewalk Project.

A. Direct Benefit Beneficiaries:
Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

How many unduplicated individuals or households are expected to be served by this project? ___7 households___

Presumed Benefit: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

a. Elderly persons (62 or older)

b. Battered spouses

c. Homeless persons

d. Abused children

e. Persons living with AIDS

e. Migrant farm workers

f. Illiterate persons (includes non-English speakers)

h. Severely disabled adults

(Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? ___Yes or ___X___ No
   a. If “yes”, under which category(ies): ________________________________

Beneficiaries Who Are Not Considered "Presumed":

1. If the program’s beneficiaries cannot be considered “Presumed”, how will income eligibility be determined?
   ___X__ a. Projection of the individual/family’s income based on family size; or,

   ___ b. Other. Please provide details of how eligibility will be determined.

B. Area Benefit Projects:

Some projects, such as a senior center or a park, serve an area rather than individual persons. HUD defines an area benefit project as an activity which is available to benefit all of the residents of an area which is primarily residential. In order to meet the eligibility requirement of benefitting low to moderate persons, the area served must be an area where at least 51% of the residents are low/mod income persons. Most, but not all, San Marcos residential neighborhoods are low/mod income neighborhoods.

1. Will this project be available to benefit all persons in the service area? ___Yes ___X__ No

2. Are the neighborhoods that will benefit from this project primarily residential? ___X__ Yes ___ No

If “No”, please explain:

CDBG 2017 Application
3. What neighborhoods will benefit from this project? Please list either individual neighborhoods or describe the boundaries that will define the service area:

Low-Moderate income residential neighborhoods in the city of San Marcos where 51% of the residents are living on low to moderate incomes.

PUBLIC FACILITY PROJECTS (IF NOT A PUBLIC FACILITY, SKIP THIS SECTION)

In the CDBG program, Public Facilities are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by non-profit organizations, and operated so as to be open to the general public. Facilities providing shelter for persons having special needs are also considered to be public facilities.

- Public facility projects do not include the costs of operating and maintaining public facilities, costs of purchasing construction equipment, the costs of furnishings and other personal items such as uniforms, or new construction of public housing.

- Public facilities are intended to benefit all the residents of an area; thus, in most cases it must serve an area having at least 51% low/mod population.

- Public facilities owned by a nonprofit must be made available to the general public and must be open for use by the general public during all normal hours of operation.

- Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges, such as excessive membership fees, which will have the effect of precluding low/mod income persons from using the facilities, are not permitted.

1. Who is/will be the owner of the facility? 

2. Will fees be charged for the use of the facility? Yes or No
   If yes, please attach a fee schedule.

3. How will the facility be made available to the general public?
V. PROJECT BUDGET

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time — generally less than three years. Thus it is important that any additional funds needed to complete the project have been secured.

1. Estimated total project cost: $210,000. CDBG Funds requested: $210,000

2. Funds from all other sources that will be available on or before October 1st: $50,000

3. How will budget shortfalls be addressed? Private Donations

4. Are any additional funds for this project being requested from the City of San Marcos?
   - Yes  X No. If “yes”, please describe type and amount requested: $____________________
   - Type of funds requested: ________________________________

Funding History

1. Has your organization received CDBG funding in the past 5 years?  Yes  X No

2. If yes, how were the funds used? ________________________________

3. Is the project complete?  Yes  No  If no, status and expected completion date:

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. City Council has waived fees for Construction Permitting and Development Code Processes for CDBG projects. Impact fee charges, when applicable, are not waived. Round budget numbers to the nearest dollar.

CDBG funds cannot be spent or obligated until final environmental clearance for the project has been obtained. HUD has interpreted “obligated” to mean that we cannot execute contracts or take bids as that will “obligate” funds. The environmental review is generally prepared by the CDBG staff. Please include $1,000 for environmental fees for rehabilitation, new construction, demolition & clearance, and land acquisition projects. No environmental expenses are required for professional service projects that will not include construction.
<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Total Budget</th>
<th>CDBG Funding Proposed</th>
<th>Other Funding Source(s)</th>
<th>Secured Funds available at project start</th>
<th>Additional Funds Needed to Complete Project</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Soft Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Review Preparation</td>
<td>$500</td>
<td>$500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Services</td>
<td></td>
<td></td>
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<tr>
<td>Publication Costs</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Project Hard Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Testing (lead paint, etc.)</td>
<td>$10,000</td>
<td>$10,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dumpsters / fencing / portable toilets, etc.</td>
<td>$5000</td>
<td>$5000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition / clearance expenses</td>
<td>$2500</td>
<td>$2500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehabilitation or new construction costs</td>
<td>$187,000</td>
<td>$187,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property acquisition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities/Auto Expense</td>
<td>$5000</td>
<td>$5000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>BUDGET TOTAL</strong></td>
<td>$210,000</td>
<td>$210,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
VI. **Project Implementation Schedule**

NOTE: The first activity should be environmental review. Projects that do not impact the physical environmental generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Procurement of Architect</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Contract executed</td>
</tr>
<tr>
<td>City Environmental Review</td>
<td>October 2017</td>
<td>November 2017</td>
<td>Approval to use funds</td>
</tr>
<tr>
<td>Accept Applications/Verify Eligibility</td>
<td>July 2017</td>
<td>November 2017</td>
<td>Choose 7 Homes to Renovate</td>
</tr>
<tr>
<td>Bidding to Select Contractors</td>
<td>December 2017</td>
<td>February 2018</td>
<td>Contracts Excluded</td>
</tr>
<tr>
<td>Lead Based Paint Analysis</td>
<td>February 2018</td>
<td>March 2018</td>
<td>Lead Hazard Identified</td>
</tr>
<tr>
<td>Pre-Construction Meeting</td>
<td>April 2018</td>
<td>April 2018</td>
<td>Clearance Obtained</td>
</tr>
<tr>
<td>Lead Paint Hazard Mitigated</td>
<td>April 2018</td>
<td>April 2018</td>
<td>Projects Ready for Renovation</td>
</tr>
<tr>
<td>Construction Activities</td>
<td>May 2018</td>
<td>August 2018</td>
<td>Projects Completed</td>
</tr>
<tr>
<td>Final Walk Through</td>
<td>September 2018</td>
<td>September 2018</td>
<td>Program Closeout</td>
</tr>
</tbody>
</table>

CDBG 2017 Application
VII. ORGANIZATION INFORMATION

Please attach the following documents with your application:
1. Organizational Chart
2. Articles of Incorporation
3. Proof of Tax Exempt status
4. Current year budget
5. Most recent balance sheet and financial statement
6. Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project.
7. If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s).
8. Please attach a listing of your board of directors, including position/title on board. Provide a contact number for the Chair/President and Treasurer. Please be mindful that information provided will be available for public review.
9. Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

BACKGROUND INFORMATION

Organization Type:

_X_ 501(c) Non-Profit Corporation  ____ Public Corporation  ____ Government Entity

Other: __________________________________________

1. How many years has your organization been in business? ____2015 to present_____

2. Organization's Taxpayer Identification Number (EIN): ____47-4930663____

3. Organization's Dun and Bradstreet Number: _080186800____________________________________

4. Organization is currently registered in the federal System for Award Management (SAM): ____x_ Yes ____ No

BOARD OF DIRECTORS / FINANCIAL INFORMATION

1. Name and title of Board of Directors chair or president: __Earl Bolls Board of Director Chairman____

2. What is the date of your fiscal year end? _____12/31________________________

3. Does your organization have a purchasing policy? _____x_ Yes ____ No

4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? _____Yes _____x_ No

If "Yes", please attach a summary of the litigation and its status; including any outstanding judgments.

5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? _____Yes _____x_ No

If "Yes", please attach an explanation that includes the current status.
6. During the last fiscal year did your organization spend $750,000 or more in Federal financial assistance?
   _____ Yes  _____ No

7. What level of financial review does your organization obtain from an independent source? Select from the following options:
   _____ Single Audit
   _____ Reviewed Financial Statement
   _____ No independent review
   _____ Audited Financial Statement
   _____ Compiled Financial Statement
   _____ Other (describe):

7. What period was covered by your most recent financial review? __2016 in progress_____

PERSONNEL/STAFF CAPACITY/POLICIES

1. Name and Title of your chief administrator __Thomas Monahan__________
   • Number of years in this position? _____ 10 months_________

2. Total number of current employees at all locations. _________

3. Total number of current employees who will be involved in this project? _________

4. Total number of new employees expected to be hired for the project? _________

5. Does your organization have a personnel policy manual?  
   _____ Yes  _____ No
   • Does it include a procedure for filing grievances?  
     _____ Yes  _____ No
   • Does it include a non-discrimination clause?  
     _____ Yes  _____ No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? 
   _____ Yes  _____ No

7. Separation of duties for financial transactions regarding this project (respond with job title):
   a. Who will approve payment of incurred expenses? _____ Thomas Monahan, Executive Director____
   b. Who will actually prepare the payment check? _____ Rick Neal, Treasurer_________
   c. Who will sign checks paying project expenses? _____ Rick Neal, Treasurer____
   d. Who posts the transaction to your financial records? _____ Rick Neal, Treasurer____
   e. Who reconciles monthly bank statements? _____ Rick Neal, Treasurer____

INSURANCE/BONDING/WORKER’S COMPENSATION

1. Does your organization have liability insurance coverage?  
   _____ Yes  _____ No

2. If yes, in what amount? _____ $1,000,000______________________

3. Does your organization pay worker’s compensation in accordance with Federal and state laws? 
   _____ Yes  _____ No  _____ N/A

4. Does your organization have fidelity bond coverage for principal staff members who handle the organization’s accounts?  
   _____ Yes  _____ No

5. Will vehicles owned by the organization be used in conjunction with the proposed project?  
   _____ Yes  _____ No

6. If yes, what level of liability insurance is maintained on the vehicles?______________________

CDBG 2017 Application
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (CFR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.


14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person
related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-170, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient’s environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient’s responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
• The Americans with Disabilities Act (ADA) of 1990;
• The Age Discrimination Act of 1975, as amended;
• National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
• Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
• Asbestos guidelines established in CPD Notice 90-44;
• HUD Environmental Criteria and Standards (24 CFR Part 51);
• The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
• Flood Disaster Protection Act of 1973;
• Colorado House Bill 06-1023 and 06-1043;
• Procurement Standards (2 CFR 200.322);
• Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
• Energy Efficiency (2 CFR Part 200 Appendix II); and
• Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:

1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,
4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the "Playing by the Rules" handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

Signature

Printed Name & Title: Thomas Morabito, Executive Director

Organization Name: Blanco River Regional Recovery Team (BR3T)
Office of the Secretary of State

September 03, 2015

JAMES GABRIEL
801 W. MLK
San Marcos, TX 78666 USA

RE: Blanco River Regional Recovery Team
File Number: 802286191

It has been our pleasure to file the certificate of formation and issue the enclosed certificate of filing evidencing the existence of the newly created nonprofit corporation.

Nonprofit corporations do not automatically qualify for an exemption from federal and state taxes. Shortly, the Comptroller of Public Accounts will be contacting the corporation at its registered office for information that will assist the Comptroller in setting up the franchise tax account for the corporation. Information about franchise tax, and contact information for the Comptroller’s office, is available on their web site at http://window.state.tx.us/taxinfo/franchise/index.html. For information on state tax exemption, including applications and publications, visit the Comptroller’s Exempt Organizations web site at http://window.state.tx.us/taxinfo/exempt/index.html. Information on exemption from federal taxes is available from the Internal Revenue Service web site at www.irs.gov.

Nonprofit corporations do not file annual reports with the Secretary of State, but do file a report not more often than once every four years as requested by the Secretary. It is important for the corporation to continuously maintain a registered agent and office in Texas as this is the address to which the Secretary of State will send a request to file a periodic report. Failure to maintain a registered agent or office in Texas, failure to file a change to the agent or office information, or failure to file a report when requested may result in the involuntary termination of the corporation. Additionally, a nonprofit corporation will file documents with the Secretary of State if the corporation needs to amend one of the provisions in its certificate of formation. If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section
Business & Public Filings Division
(512) 463-5555
Enclosure
Certificate of Formation
Nonprofit Corporation

Article 1 – Entity Name and Type

The filing entity being formed is a nonprofit corporation. The name of the entity is:

Blanco River Regional Recovery Team

Article 2 – Registered Agent and Registered Office
(See instructions. Select and complete either A or B and complete C.)

☐ A. The initial registered agent is an organization (cannot be entity named above) by the name of:

☐ B. The initial registered agent is an individual resident of the state whose name is set forth below:

<table>
<thead>
<tr>
<th>First Name</th>
<th>J. Kramer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Last Name</td>
</tr>
</tbody>
</table>

C. The business address of the registered agent and the registered office address is:

<table>
<thead>
<tr>
<th>Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>801 W. Martin Luther King</td>
<td>San Marcos</td>
<td>TX</td>
<td>78666</td>
</tr>
</tbody>
</table>

Article 3 – Management

The management of the affairs of the corporation is vested in the board of directors. The number of directors constituting the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting of members or until their successors are elected and qualified are as follows:

A minimum of three directors is required.

<table>
<thead>
<tr>
<th>Director 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daniel</td>
</tr>
<tr>
<td>First Name</td>
</tr>
<tr>
<td>204 Travertine Trail</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street or Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>204 Travertine Trail</td>
<td>Buda</td>
<td>TX</td>
<td>78610</td>
<td>US</td>
</tr>
<tr>
<td>First Name</td>
<td>M.I.</td>
<td>Last Name</td>
<td>Suffix</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-----------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Michael</td>
<td>D</td>
<td>Jones</td>
<td></td>
<td></td>
</tr>
<tr>
<td>915 Thousand Oaks</td>
<td>San Marcos</td>
<td>TX</td>
<td>78666</td>
<td>US</td>
</tr>
</tbody>
</table>

**Director 3**

<table>
<thead>
<tr>
<th>First Name</th>
<th>M.I.</th>
<th>Last Name</th>
<th>Suffix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>P</td>
<td>Condie</td>
<td></td>
</tr>
<tr>
<td>1061 Martindale Falls Road</td>
<td>Martindale</td>
<td>TX</td>
<td>78655</td>
</tr>
</tbody>
</table>

OR

☐ The management of the affairs of the corporation is to be vested in the nonprofit corporation’s members.

**Article 4 – Membership**

(See instructions. Do not select statement B if the corporation is to be managed by its members.)

☐ A. The nonprofit corporation shall have members.

☐ B. The nonprofit corporation will have no members.

**Article 5 – Purpose**

(See instructions. This form does not contain language needed to obtain a tax-exempt status on the state or federal level.)

The nonprofit corporation is organized for the following purpose or purposes:

To establish and maintain an entity to identify and assist people impacted by the events related to the Memorial Day Weekend 2015 river flooding, including FEMA event DR 4223. Nothing in this purpose restricts the ability of this group to function in other declared disasters under 418 of the Texas Government Code.

The following text area may be used to include any additional language or provisions that may be needed to obtain tax-exempt status.

(cont.) specifically listed in this document. The BR3 Team will identify, develop, administer and maintain a program that provides assistance for survivors’ with unmet needs and handles key long term recovery functions. This BR3 Team is organized for charitable, religious, scientific, literary or educational purposes within the meaning of 501(c)3 of the Internal Revenue Code and Section 11.18 of the Texas Code.
Supplemental Provisions/Information
(See instructions.)

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Daniel J Kramer

Name

204 Travertine Trail

Buda

City

TX

State

78610

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

A. ☑ This document becomes effective when the document is filed by the secretary of state.
B. □ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: ________________________________
C. □ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: ________________________________

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: 08/31/2015

Signature of organizer

Daniel J Kramer

Printed or typed name of organizer
Blanco River Regional Recovery Team
PO BOX 685
San Marcos, TX  78666

2017 Current Board of Directors

Earl Bolls (Chair) 512.680.7583

Rick Neal (Treasurer) 512.353.5400

Ruben Garza

Liz Tuttle

Mike Jones
Subject: CDBG Board Resolution

Board Resolution,

The Board of Directors of the Blanco River Regional Recovery Team authorizes Thomas Monahan, Executive Director, to sign and submit all the required documents for the Community Development Block Grant (CDBG) application on behalf of the Blanco River Regional Recovery Team.

[Signature] 23 Mar 2017
Board President Signature  Date

[Signature] 3/29/17
Executive Director  Date
Blanco River Regional Recovery Team
Board of Directors

Thomas Monahan
Executive Director

Daryl Ready
Construction Manager

Dezman Garner
AmeriCorps Outreach Vista

Nick Rhine
AmeriCorps Volunteer Vista

New CDBG Construction Manager
CERTIFICATE OF BYLAWS OF
Blanco River Regional Recovery Team
(BR3T)

The undersigned, being the duly elected, qualified, Interim Executive Director of the Blanco River Recovery Team, a Texas not-for-profit corporation, and the keeper of the minutes and records of the corporation, certifies that the following is a true and accurate copy of the bylaws of this corporation as adopted by the Board of Directors and executed on 22nd, July 2015.

RESOLVED, that Articles 1 through 16 of the bylaws of this corporation is adopted.

TO CERTIFY WHICH, witness my hand this 1, September 2015.

James Gabriel, Interim Executive Director

This instrument was acknowledged before me on 1, September 2015 by James Gabriel, personally known to me, Interim Executive Director, for the Blanco River Recovery Team.

Kenneth E. Bell
Notary Public, State of Texas
BYLAWS OF

BLANCO RIVER REGIONAL RECOVERY TEAM

Mission Statement: To strengthen area-wide disaster coordination in Blanco, Caldwell, Hays and Guadalupe counties by sharing information, simplifying resident access, and jointly resolving cases with unmet needs.

ARTICLE 1. Purpose of the BR3 Team

The Blanco River Regional Recovery Team (the "BR3 Team") adopts these Bylaws for the purpose of establishing and maintaining an entity to identify and assist people impacted by events related to the Memorial Day Weekend 2015 river flooding, including Fema event DR 4223. Nothing in this purpose restricts the ability of this group to function in other declared disasters under 418 of the Texas Government Code not specifically listed in this document. The BR3 Team will identify, develop, administer and maintain a program that provides assistance for survivors' with unmet needs and handles key long term recovery functions. This BR3 Team is organized for charitable, religious, scientific, literary or educational purposes within the meaning of 501 (c)(3) of the Internal Revenue Code and Section 11.18 of the Texas Tax Code.

ARTICLE 2. Members of the BR3 Team Board of Directors

Members of the Board of Directors shall be up to 12 representatives identified by Blanco, Caldwell, Guadalupe and Hays Counties. Each of these Counties may identify three (3) such representatives with each respective county’s EMC responsible for officially making board appointments. The BR3 Team hereby authorizes the representatives identified by the respective Counties as Board Members.

ARTICLE 3. Eligible Voters

Only members of the Board of Directors shall be eligible to vote on matters coming before the BR3 Team Board meetings, whether stated or special. Voting by proxy and cumulative voting are not allowed.

ARTICLE 4. Meetings of the Board

1. For the first 12 months of the organization, meetings of the Board of Directors will be monthly, and then quarterly thereafter unless more frequent meetings are necessary.

2. The Annual Meeting of the Board shall be in July of each year, for the purpose of electing executive officers and addressing any other business properly coming before the Board. Public notice of this meeting, the time and place shall be given
by written notice to all Board Members at least two weeks (14 days) prior to the meeting.

3. Special meetings shall be called by the Executive Committee, or upon the request of fifty percent of the Board Members, providing the call shall clearly state the purpose for the meeting and prior written notice being given one week (7 days) in advance to all Board Members. Only business specified in the call for the special meeting shall be conducted.

ARTICLE 5. Quorum

A quorum for transaction of business shall consist of fifty (50) percent of the total Team Members.

ARTICLE 6. Board Members of the BR3 Team

1. Powers. The Board of Directors of the BR3 Team is vested with the management of the business and affairs of BR3 Team, subject to the Texas Business Organizations Code, the Certificate of Formation, and these Bylaws.

2. Qualifications. Board Membership shall not be denied to any person on the basis of race, creed, sex, religion, or national origin. Employees of BR3 Team are ineligible to serve on the Board of Directors.

3. Term of Office. Each Board Member shall hold office for one year. Board Members may be re-appointed. All board members shall hold office until their respective successors are appointed, except in the case of resignation, death, disability or removal.

4. Vacancy. Any vacancy or unfilled position on the Board of Directors shall be filled for the unexpired term by appointment of the respective county’s EMC.

5. Resignation and Forfeiture. Any board member may resign at any time by giving written notice to the President. Any board member may be removed from the Board of Directors for any reason whatsoever by an affirmative vote of two-thirds (2/3) of the total number of Board of Directors.

6. Compensation. Board Members shall not receive any salary or compensation for their services.

7. Contracts. The Board of Directors may authorize any officer and/or authorized agent of BR3 Team to enter into contracts or execute and deliver instruments in the name of and on behalf of BR3 Team and such authority may be general or confined to specific instances.

8. Staff. The Board of Directors will hire, evaluate, and terminate the Executive Director.
9. Reporting. The Board of Directors shall be responsible for complying with all reporting requirements of the nonprofit.

10. Confidentiality. Each Board Member will abide by the confidentiality policy during and after service on the Board of Directors.

ARTICLE 7. Board Officers

The Executive Committee shall be accountable to the Board of Directors and shall consist of the President, Vice-President, Secretary and Treasurer of the Team.

1. There shall be elected from the Members of the Board:

   a. A President who shall preside at all meetings, as well as be the chief executive officer of the Team, and perform other functions as deemed necessary by the Board of Directors.

   b. A Vice-President who shall preside in the absence of the President, or at other times deemed necessary by the president, and perform other functions as deemed necessary by the Board of Directors.

   c. A Secretary who shall record and preserve all minutes of meetings, and perform other functions as deemed necessary by the Board of Directors. If unable to attend a meeting, the presiding officer shall appoint a secretary pro tem for that meeting.

   d. A Treasurer who shall receive, deposit and account all financial matters of the Team, providing regular financial reports to the Members, and perform other functions as deemed necessary by the Board of Directors.

2. Executive Committee Officers shall be elected for a one-year term of office, and are eligible for as many successive terms as the Board deems appropriate.

3. Engaging and executing contracts and agreements. Except as otherwise required by law or these Bylaws, the Executive Committee shall have all the authority of the BR3 Team in the management of Blanco River Regional Recovery Team efforts during such time as the Board is not meeting but must report all decisions and efforts to the full BR3 Team at the next scheduled or called meeting. If the Executive Committee deems a particular item or matter to be an emergency or of immediate need, the Executive Committee may call for an internet vote of Board Members, but any such internet vote must be recorded by the Secretary and must be discussed and ratified at the next scheduled or called meeting.

ARTICLE 8. Staff
1. Executive Director. It shall be the responsibility of the Executive Director to manage the day to day operations. The Executive Director will report directly to the Board, and the Board of Directors will have oversight over the Executive Director’s activities relating to the organization.

2. Additional Staff. The Board of Directors shall approve the addition of any additional staff position(s). Any additional staff shall be supervised by the Executive Director.

3. Staff Policy. All staff will abide by the policies as determined by the Board.

ARTICLE 9. Team Committees

1. The Board of Directors may create temporary or permanent committees made up of BR3 Team Members or other persons as agreed upon by the Board. Each committee shall have such authority as authorized by the BR3 Team Board of Directors. Committees must be established that cover the functions of volunteer management, case management, public information, donations management, construction, emotional and spiritual care, and unmet needs. Each committee will have a chair that coordinates with the Executive Director.

2. The Board of Directors will define the BR3 Team Membership process and expectations for individuals and agencies who participate in the committees and taskforces.

ARTICLE 10. Vacancies and Nominating Process

The Board of Directors shall determine the appropriate process for securing nominations from among the Board for vacancies of any of the offices, announcing the nomination process, and conducting an election.

ARTICLE 11. Financial Audit

The Executive Committee shall obtain an annual outside independent audit and review of the financial affairs of the Team. The report shall be placed in the minutes of the Executive Committee and reported to all the Team Members.

ARTICLE 12. Conflict of Interest

An actual or apparent conflict of interest exists when any member of the Board or staff has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Executive Committee or the Board. BR3 Team staff and Board Members must disclose any potential conflict of interest to all members of the Board in writing. A decision on the appropriate remedial actions must be made, such as the Board Member recusing himself or herself from discussions or decisions regarding the matter.
ARTICLE 13. Indemnification

The BR3 Team shall indemnify any director, officer, or former director or officer, against any and all losses, costs, and expenses (including attorney's fees) actually and necessarily incurred by such person in connection with the defense of any action, suit, or proceeding, whether civil or criminal, which such person is made a party by reason of being or having been such director or officer, except in relation to matters as to which such person shall be finally adjudged in such action, suit, or proceeding to be liable for intentional or grossly negligent misconduct in performance of duty. The BR3 Team shall also reimburse any such person the reasonable cost of settlement of any such action, suit, or proceeding, if it shall be found by a majority of the directors not involved in the matter in controversy, whether or not a quorum, that it was in the best interests of the corporation that such settlement be made, and that such director or officer or former director of officer was not guilty of intentional or grossly negligent misconduct in the performance of duty. Such indemnification shall not be deemed exclusive of any other rights to which such person may be entitled, under any by-law, agreement, insurance policy or otherwise.

ARTICLE 14. Non-liability of Members

The members of the Board shall not be liable for any debts, liabilities, or obligations of the BR3 Team.

ARTICLE 15. Amendments

These Bylaws may be amended, at any annual meeting or special meetings of the Board by a two-thirds vote of the voters present, providing that a full written account of the proposed changes have been sent to all Board Members two weeks (14 days) prior to the meeting.

ARTICLE 16. Dissolution of the Team

This BR3 Team may be dissolved at any time by two thirds vote of the Board Members. Upon the dissolution of this BR3 Team, all assets and liabilities shall be distributed to an appropriate non-profit entity that provides services similar to those provided by the BR3 Team, or distributed otherwise as required by law.

ADOPTED this the 22\textsuperscript{nd} day of July, 2015.
Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.
## 2017 Projected Budget

### Income

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<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>43400 Direct Public Support</td>
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</tr>
<tr>
<td>43410 Corporate Contributions</td>
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<tr>
<td>43450 Individ, Business Contributions</td>
<td>250,000.00</td>
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<tr>
<td>43460 Fundraising Activities</td>
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<td>43461 Fundraiser - Year-End Letters</td>
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<td><strong>Total 43460 Fundraising Activities</strong></td>
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<tr>
<td><strong>Total 43400 Direct Public Support</strong></td>
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### PayPal Income

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<th>Description</th>
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<td><strong>Total Income</strong></td>
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<td><strong>Gross Profit</strong></td>
<td><strong>283,000.00</strong></td>
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### 62100 Contract Services

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<tbody>
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<td>62110 Accounting Fees</td>
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<tr>
<td>62150 Outside Contract Services</td>
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<tr>
<td><strong>Total 62100 Contract Services</strong></td>
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### 62800 Facilities and Equipment

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<tr>
<td>62840 Equip Rental and Maintenance</td>
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<tr>
<td><strong>Total 62800 Facilities and Equipment</strong></td>
<td><strong>10,000.00</strong></td>
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### Administration Fee

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<th>Description</th>
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<tbody>
<tr>
<td>65010 Books, Subscriptions, Reference</td>
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<tr>
<td>65015 Web Services / Subscriptions</td>
<td>1,500.00</td>
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<tr>
<td>65020 Postage, Mailing Service</td>
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<td>65050 Telephone, Telecommunications</td>
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<tr>
<td><strong>Total Expense Fund</strong></td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
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<td>65035 Food / Meal Expense</td>
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<tr>
<td><strong>Total 65040 Supplies</strong></td>
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<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------------------</td>
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<tr>
<td>Total 65000 Operations</td>
<td></td>
</tr>
<tr>
<td>65100 Other Types of Expenses</td>
<td></td>
</tr>
<tr>
<td>65120 Insurance - Liability, D and O</td>
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<tr>
<td>65160 Other Costs</td>
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<tr>
<td>Total 65100 Other Types of Expenses</td>
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<tr>
<td>66000 Payroll Expenses</td>
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<tr>
<td>Total 66000 Payroll Expenses</td>
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<tr>
<td>68300 Travel and Meetings</td>
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<tr>
<td>68320 Travel</td>
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<tr>
<td>70000 FundRaising Activities</td>
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<td>70200 Fundraising - Printing</td>
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</tr>
<tr>
<td>70600 Fundraising - Other/General</td>
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<tr>
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<tr>
<td>72000 Program Material / Service</td>
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<td>72001 Building Supplies / Tools</td>
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<tr>
<td>74000 Martindale Projects</td>
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<tr>
<td>74-0022 CG0022 - 413 FM1979, Martindale</td>
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<td>74-0068 CG0068 - 705 Crockett, Martindale</td>
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<td>74-0074 CG0074 - 522 FM1979, Martindale</td>
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<tr>
<td>76-0218 CG0218 - 1850 Ash San Marcos</td>
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<tr>
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<td>Total 76000 San Marcos Projects</td>
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<tr>
<td>76000 Other Cities / Towns Assisted</td>
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</tr>
<tr>
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<tr>
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<td>Total 72000 Program Material / Service</td>
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<tr>
<td>Net Operating income</td>
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<td>Net Income</td>
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## Blanco River Regional Recovery Team
### Profit and Loss Budget V Actual

<table>
<thead>
<tr>
<th>Income</th>
<th>2018 Projected Budget</th>
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<tbody>
<tr>
<td>43400 Direct Public Support</td>
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</tr>
<tr>
<td>43401 CDBG Funding from City of San Marcos</td>
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<tr>
<td>43410 Corporate Contributions</td>
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<td>43450 Indiv, Business Contributions</td>
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<td>43460 Fundraising Activities</td>
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<tr>
<td>43461 Fundraiser - Year-End Letters</td>
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<td><strong>Total 43460 Fundraising Activities</strong></td>
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<td><strong>Total 43400 Direct Public Support</strong></td>
<td><strong>493,000.00</strong></td>
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<table>
<thead>
<tr>
<th></th>
<th>2018 Projected Budget</th>
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</thead>
<tbody>
<tr>
<td><strong>PayPal Income</strong></td>
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</tr>
<tr>
<td><strong>Total Income</strong></td>
<td><strong>283,000.00</strong></td>
</tr>
<tr>
<td><strong>Gross Profit</strong></td>
<td><strong>493,000.00</strong></td>
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</table>

| 62110 Accounting Fees | 1,000.00 |
| 62150 Outside Contract Services | 33,000.00 |
| **Total 62100 Contract Services** | **34,000.00** |
| 62800 Facilities and Equipment | |
| 62840 Equip Rental and Maintenance | 10,000.00 |
| **Total 62800 Facilities and Equipment** | **10,000.00** |

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<thead>
<tr>
<th>Administration Fee</th>
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</thead>
<tbody>
<tr>
<td>65010 Books, Subscriptions, Reference</td>
<td>150.00</td>
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<tr>
<td>65015 Web Services / Subscriptions</td>
<td>1,500.00</td>
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<tr>
<td>65020 Postage, Mailing Service</td>
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<tr>
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<td>65054 PayPal Fees</td>
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<tr>
<td>65055 Bank Fees</td>
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<td>Total 78000 San Marcos Projects</td>
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<tr>
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<tr>
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<td>Total 72000 Program Material / Service</td>
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<td>175,000.00</td>
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<tr>
<td>Net Income</td>
<td>0.00</td>
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</tbody>
</table>
With the Blanco River Regional Recovery Team being such a new organization, we have just begun the process for a financial review/audit. This is ongoing at this time, however we anticipate having that finished in May 2017.
Key Staff working on CDBG project

Board of Directors

The board of directors will assist the Executive Director in the preparation of the program. They will give him guidance on the proper rules and regulations that should be enforced during the camp. They will also review all financials to ensure that the program is running efficiently. The board will review the Executive Directors ability to properly run the program. Ultimately, the board will determine the overall success of the program.

Thomas Monahan, Executive Director BR3T

The Executive Director will review the entire staff and performance to ensure that the program is operating according to plan. He will be in contact with all job site supervisors and contractors. The executive director will be responsible for paying all invoices, salaries and any other necessary costs.

Construction Supervisor – New Position dependent on being awarded CDBG funding

- Prepare cost estimates, budgets, and work timetables
- Interpret and explain contracts and technical information to other professionals
- Report work progress and budget matters to clients and staff
- Collaborate with architects, engineers, and other construction specialists
- Select, schedule, and coordinate subcontractor activities
- Respond to work delays, emergencies, and other problems
- Comply with legal requirements, building and safety codes, and all CDBG regulations
Blanco River Regional Recovery Team
PO BOX 685
San Marcos, TX 78666

From the personnel policies:

The Blanco River Regional Recovery Team (BR3T) does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services. We are committed to providing an inclusive and welcoming environment for all members of our staff, clients, volunteers, subcontractors, vendors, and clients.

BR3T is an equal opportunity employer. We will not discriminate and will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the bases of race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.
Application/Review Checklist
Community Development Block Grant Program
Due Date: March 27, 2017

Supplemental Information – Submit one copy of the following items

Required:

Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

Organization Chart

Articles of Incorporation Certificate of Formation

Bylaws

Tax Exempt Determination Letter (for non-profit organizations)

Organization's Current Budget (2016-2017) and Proposed Budget for next fiscal year

Most Recent audit or CPA prepared review. Financial Review must have not been completed. This is acknowledged in app.

Description of employees, board members, volunteers who will work with the project

Non-discrimination Policy Statement

If applicable:

Service area boundary for area benefit projects

Fee schedule/structure for the project proposed for funding

Copy of program application if one is used to select beneficiaries

Description of how applicant income will be determined if there are direct beneficiaries

Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

Job description for new positions expected to be filled using CDBG funding

TR-41717

CDBG 2017 Application
CITY OF SAN MARCOS
2017 CDBG PUBLIC SERVICES APPLICATION

DUE DATE: MARCH 27, 2017

APPLICANT CONTACT INFORMATION

Applicant Organization: CASA (Court Appointed Special Advocates) of Central Texas, Inc.

Contact Name: Norma Castilla-Blackwell

Telephone: 512-392-3578

Mailing Address: P.O. Box 1267, San Marcos, TX 78667-1267

Physical Address, if different from mailing address: 111 E. San Antonio St., Ste 201, San Marcos, TX 78666

Contact E-Mail Address: nblackwell@casacentex.org

Web Address: www.casacentex.org

Who is authorized to execute program documents? Norma Castilla-Blackwell, Executive Director

APPLICATION SUMMARY INFORMATION

PROGRAM NAME: Advocacy services for abused and neglected children (CASA), “TMC” cases

PROGRAM FUNDING: Amount of CDBG Funds Requested: $29,810

PROJECT LOCATION: San Marcos, Hays County, Texas

PROGRAM EXPENDITURES:
• Will your program be completed (all CDBG funds expended) by July 15, 2017? Yes ☑ No
• If “No”, what amount would you expect to be spent by that date? 75%

PROGRAM SUMMARY

Briefly summarize the program for which CDBG funding has been requested.

CASA of Central Texas will provide direct client advocacy services for abused and neglected children in the Temporary Managing Conservatorship (“TMC”) of the Texas Department of Family and Protective Services, Child Protective Services Division (“CPS”) so that the children receive more help and find safe, permanent homes, out of foster care, free of abuse. CASA will recruit and thoroughly screen community volunteers to become advocates for the children, and we will provide professional training and ongoing support. This grant year, our objective is to recruit, train and retain 22 advocates to serve 45 San Marcos children. TMC cases typically involve children who were recently removed from their homes, due to no fault of their own, who are newly entering the temporary foster care system with CPS.

How will the funds be used?

We will use the funds to pay a portion of San Marcos staff salaries as follows: Program Director $5,000; Development Director $5,000; Training Coordinator $2,810; Case Supervisor #2 $6,000; Case Supervisor #7 $1,000; Development Coordinator #1 $5,000; Development Coordinator #2 $5,000.
TYPE OF PUBLIC SERVICE (choose one or more)

- 05A Senior Services
- 05C Legal Services
- 05E Transportation Services
- 05G Battered and Abused Spouses Services
- 05I Crime Awareness
- 05K Tenant/Landlord Counseling
- 05M Health Services
- 05O Mental Health Services
- 05Q Subsistence Payments
- 05B Handicapped Services
- 05D Youth Services
- 05F Substance Abuse Services
- 05H Employment Training
- 05J Fair Housing Activities
- 05L Child Care Services
- ✓ 05N Abused and Neglected Children Services
- 05P Screening for Lead Paint/Lead Hazards
- 05R Homeownership Assistance (Not Direct)
- Other: ____________________________

PROGRAM INFORMATION

1. Program eligibility (please select one):
   a. ______ This is a new program.
   b. ✓ This is an existing program that: (select one of the following)
      i. ✓ Has previously received CDBG funding and the amount requested for this year is the same or less than previous funding; or
      ii. ______ will expand to serve more beneficiaries or to provide more services if the CDBG funding as requested is approved. Please attach an analysis that details how the program or service will be expanded, how many new beneficiaries will be served by the expansion, and how this number was determined.

2. Programs receiving funding from the City at this time (during the current program year):
   a. How much CDBG funding was awarded? $29,810
   b. Is this program receiving any other City of San Marcos sources? Yes
   c. If yes, how much was received and from what source?
      Youth Advocacy grant $5,000; Human Services grant $14,000

3. Is there a fee to clients to participate in the program? ______ Yes or ✓ No.
   If yes, please provide fee structure

4. Describe the days and hours of operation of the program.

   Generally, the days and hours of operation are 9:00am to 5:00pm, Monday through Friday.
PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. Presumed Benefit: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

- Elderly persons (62 or older)
- Homeless persons
- Persons living with AIDS
- Illiterate persons (includes non-English speakers)
- Battered spouses
- Abused children
- Migrant farm workers
- Severely disabled adults
  (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? ✓ Yes or ___ No
   a. If “yes”, under which category(ies): Abused Children

2. How many persons in each presumed category are proposed to be assisted if funding is received?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 (TMC only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. If this program was carried out the previous full program year (10/1 – 9/30), how many persons were served in each presumed category:

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
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</thead>
<tbody>
<tr>
<td>90 (total)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Beneficiaries who are not considered “Presumed”

1. How many persons are proposed to be assisted if funding is received? N/A

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served?

3. What percentage of persons proposed to be assisted are expected to be low/mod?

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents?

5. How do you propose to document the income of the beneficiaries? (check all that apply)

   ___ Evidence that the child is approved for free or reduced lunch
   ___ Evidence that the family lives in housing sponsored by the Housing Authority
   ___ Evidence that the family is WIC approved
   ___ Income documentation using one of the 3 HUD approved methods
   ___ Self-certification, with income verification required of 20% of certifications
   ___ Other, describe:
## Line Item Budget

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. Following the Line Item Budget, please complete the Supplemental Budget Form – Use of Other Resources. Funds and costs, as outlined on the Sources and Uses of Funds form, may not be spent or incurred prior to a contract award date (usually October 1st) from the CDBG Program. Supporting documentation may be attached in the Appendix area.

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Total Program Budget</th>
<th>CDBG Portion</th>
<th>Other Funding Source</th>
<th>Other Funds Amount</th>
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<tr>
<td>Personnel Services</td>
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<tr>
<td>Salaries</td>
<td>$324,600</td>
<td>$29,810</td>
<td>See Attached List</td>
<td>$294,790</td>
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<tr>
<td>Fringe Benefits</td>
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<tr>
<td>Supplies</td>
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</tr>
<tr>
<td>Office Supplies</td>
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</tr>
<tr>
<td>Program Supplies</td>
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<tr>
<td>Client Materials</td>
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</tr>
<tr>
<td>Operating</td>
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<td>Training</td>
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<tr>
<td>Insurance</td>
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<tr>
<td>Utilities/Rent/Mortgage</td>
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<tr>
<td>Other (please specify)</td>
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<td></td>
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<tr>
<td>Total</td>
<td>$324,600</td>
<td>$29,810</td>
<td>See Attached List</td>
<td>$294,790</td>
</tr>
</tbody>
</table>

Please provide an explanation for any unusual budget expenditures listed in the line item budget above.

N/A
### Projected Implementation Schedule with Performance Goals

**Projected Start Date:** 10/1/2016  
**Projected Completion Date:** 9/30/17

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
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</thead>
<tbody>
<tr>
<td>Example: Hiring New Staff Member</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Employment process complete</td>
</tr>
<tr>
<td>Advocacy (Case Supervision)</td>
<td>October 2017</td>
<td>September 2018</td>
<td>45 children from San Marcos, served</td>
</tr>
<tr>
<td>Training classes</td>
<td>October 2017</td>
<td>September 2018</td>
<td>22 volunteers, new and retained</td>
</tr>
<tr>
<td>Recruitment of community volunteers</td>
<td>October 2017</td>
<td>September 2018</td>
<td>22 volunteers, new and retained</td>
</tr>
</tbody>
</table>
### Projected Implementation Schedule with Performance Goals

**Projected Start Date:** 10/1/2017  
**Projected Completion Date:** 9/30/18

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Hiring New Staff Member</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Employment process complete</td>
</tr>
<tr>
<td>Advocacy (Case Supervision)</td>
<td>October 2017</td>
<td>September 2018</td>
<td>45 children from San Marcos, served</td>
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<tr>
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</tr>
<tr>
<td>Recruitment of community volunteers</td>
<td>October 2017</td>
<td>September 2018</td>
<td>22 volunteers, new and retained</td>
</tr>
</tbody>
</table>
Organization Information

Please attach the following documents with your application:

- Organizational Chart
- Articles of Incorporation
- Proof of Tax Exempt status
- Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. *(The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)*

**Organization Type:**

- ✔ 501(c) Non-Profit Corporation  ☐ Public Corporation  ☐ Government Entity

Other: ________________________________

How many years has your organization been in business? 32

Organization’s Taxpayer Identification Number (EIN): 74-2403373

Organization’s Dun and Bradstreet Number: 809375715

Organization is currently registered in the federal System for Award Management (SAM):  ✔ Yes  ☐ No

Financial Information

1. What is the date of your fiscal year end? June 30

2. Has your organization received City of San Marcos funding in the past two years?  ✔ Yes  ☐ No

   If yes, please provide a short summary of the purpose/amount of City funding:
   $29,810 COSM-CDBG funds to support Case Supervisor salaries to advocate for abused children; $5,000 for Youth Advocacy; $14,000 COSM-Human Services funds to support Case Supervisor salaries.

3. Does your organization currently or within the past five years have any litigation that is pending or has been resolved?  ☐ Yes  ✔ No

   If “yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

4. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization?  ☐ Yes  ✔ No

   If “yes”, please attach an explanation that includes the current status.

5. During your last fiscal year, did your organization expend $750,000 or more in Federal financial assistance?  ☐ Yes  ✔ No

6. What level of financial review does your organization obtain from an independent source? Select from the following options:

   - [ ] Single Audit  ✔ Audited Financial Statement
   - [ ] Reviewed Financial Statement  ☐ Compiled Financial Statement
   - [ ] No independent review  ☐ Other (describe):

CDBG 2017 PUBLIC SERVICES APPLICATION
Organization Information

Please attach the following documents with your application:

- Organizational Chart
- Articles of Incorporation
- Proof of Tax Exempt status
- Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

**Organization Type:**

- ☑ 501(c) Non-Profit Corporation
- ___ Public Corporation
- ___ Government Entity

Other: ____________________________

How many years has your organization been in business? 32

Organization's Taxpayer Identification Number (EIN): __________

Organization's Dun and Bradstreet Number: __________

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3. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? ___ Yes ☑ No

   If “yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

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   If “yes”, please attach an explanation that includes the current status.

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6. What level of financial review does your organization obtain from an independent source? Select from the following options:

   ___ Single Audit
   ___ Reviewed Financial Statement
   ___ No independent review
   ___ Audited Financial Statement
   ___ Compiled Financial Statement
   ___ Other (describe):

CDBG 2017 Public Services Application
Personnel/Staff Capacity/Board of Directors

- Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project.
- If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s).

1. Name and Title of your chief administrator: Norma Castilla-Blackwell, Executive Director
   - Number of years in this position: 13

2. Total number of current employees at all locations: 19

3. Total number of current employees who will be involved in this program: 5

4. Total number of new employees expected to be hired for the program: 0

5. Does your organization have a personnel policy manual?
   - Yes: ____, No: ____
     - Does it include a procedure for filing grievances?
       - Yes: ____, No: ____
     - Does it include a non-discrimination clause?
       - Yes: ____, No: ____

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds?
   - Yes: ____ No: ____

7. Separation of duties for financial transactions regarding this project (respond with job title):
   - a. Who will approve payment of incurred expenses? Executive Director, 2 Board Members
   - b. Who will actually prepare the payment check? Finance Director
   - c. Who will sign checks paying project expenses? 2 Board Members
   - d. Who posts the transaction to your financial records? Finance Director
   - e. Who reconciles monthly bank statements? Board Treasurer

Accessibility to programs/services

1. Are all facilities to be served by the program ADA Accessible?
   - Yes: ____ No: ____

2. Do you have a Section 504 (ADA) Self-Evaluation on file?
   - Yes: ____ No: ____

3. How will you provide services to persons with Limited English proficiency? Bilingual staff and volunteers

Insurance/Bonding/Worker's Compensation

1. Does your organization have liability insurance coverage? Yes: ____, No: ____
   - If yes, in what amount? $2,000,000

2. Does your organization pay worker's compensation in accordance with Federal and state laws?
   - Yes: ____, No: ____ N/A: ____ If No, explain: ______________________________

3. Does your organization have fidelity bond coverage for principal staff/board members who handle the organization's accounts? Yes: ____, No: ____. If yes, in what amount? $375,000

4. Will vehicles owned by the organization be used in conjunction with the proposed project?
   - Yes: ____, No: ____. If "yes", what level of liability insurance is maintained? N/A
Conflicts of Interest (24 CFR 570.611; 24 CFR 85.36; and 24 CFR 84.42)

There are two sets of conflict of interest provisions applicable to activities carried out with CDBG funding. The first set, applicable to the procurement of goods and services by subrecipients (funded applicants), is the procurement regulations found in the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations. The second set of provisions is located at 24 CFR 570.611(a)(2).

With respect to procurement activities, the subrecipient must maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. At a minimum, these standards must:

1. Require that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:
   - An employee, officer, or agent of the subrecipient;
   - Any member of an employee’s, officer’s, or agent’s immediate family;
   - An employee’s, agent’s, or officer’s partner; or
   - An organization which employs or is about to employ any of the persons listed in the preceding sections.

2. Require that employees, agents, and officers of the subrecipient neither solicit nor accept gratuities, favors, or anything of value from contractors, or parties to sub-agreements. However, subrecipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

3. Provide for disciplinary actions to be applied for any violations of such standards by employees, agents or officers of the subrecipient.

With respect to all other CDBG-assisted activities, the general standard is that no employee, agent or officer of the subrecipient, who exercises decision-making responsibility with respect to CDBG funds and activities is allowed to obtain a financial interest in or benefit from CDBG activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds for the activities. Specific provisions include that:

- This requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the City, a designated public agency, or a subrecipient, and to their immediate family members and business partner(s).
- The requirement applies for such persons during their tenure and for a period of one year after leaving the grantee or subrecipient organization.
- Upon written request, exceptions may be granted by HUD on a case-by-case basis.
Conflict of Interest Questionnaire

NOTE: For the purpose of this form, a “covered person” includes any person who is an employee, agent, consultant, officer or elected or appointed official of the City of San Marcos, your organization, or any designated public agency.

Name of Organization: CASA of Central Texas, Inc.

1. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? Yes ☑ No ☐ If “No” is checked, please explain how you will comply with this requirement:

2. Are any of your Board Members or employees that are responsible for carrying out this project or members of their immediate families or their business associates also:
   a. Employed by the City of San Marcos? Yes ☐ No ☑
   b. Members of or closely related to members of the San Marcos City Council? Yes ☐ No ☑
   c. Members of or closely related to an employee of the City of San Marcos? Yes ☐ No ☑
   d. Current beneficiaries or related to beneficiaries of the project for which funds are requested? Yes ☐ No ☑
   e. Paid providers of goods or services to the program or having other financial interest in the program or related to such individuals? Yes ☐ No ☑

3. For each relationship described above, please answer the following questions: (attach additional page if necessary)
   a. Name of employee or official: N/A
   b. Is this person receiving or likely to receive taxable income from your organization? Yes ☐ No ☑
   c. Is your organization receiving or likely to receive taxable income from or at the direction of the employee or official AND the taxable income is not from the City of San Marcos? Yes ☐ No ☑
   d. Is your organization affiliated with a corporation or other business entity in which the employee or official serves as an officer or director, or holds an ownership interest of 10% or more? Yes ☐ No ☑

4. Describe any other affiliation or business relationship that might cause a conflict of interest with respect to CDBG funds and activities.
   None.

5. Will any of your organization’s employees, officers, board members or members of their immediate family and/or business partners have a financial interest in any contract, subcontract, or agreement regarding CDBG funded activities? Yes ☐ No ☑. If yes, please attach an explanation.
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant’s governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency’s (EPA) list of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.

14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient’s environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient’s responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
The Architectural Barriers Act of 1968;
The Americans with Disabilities Act (ADA) of 1990;
The Age Discrimination Act of 1975, as amended;
National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
Asbestos guidelines established in CPD Notice 90-44;
HUD Environmental Criteria and Standards (24 CFR Part 51);
The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
Flood Disaster Protection Act of 1973;
Colorado House Bill 06-1023 and 06-1043;
Procurement Standards (2 CFR 200.322);
Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
Energy Efficiency (2 CFR Part 200 Appendix II); and
Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

CDBG 2017 Public Services Application
<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan K. Russell</td>
<td>President</td>
</tr>
<tr>
<td>Archie Dishman</td>
<td>Treasurer</td>
</tr>
<tr>
<td>David Pfeifer</td>
<td>Vice-President</td>
</tr>
<tr>
<td>Becky Lake</td>
<td>Secretary</td>
</tr>
<tr>
<td>David Junkin</td>
<td>Parliamentarian</td>
</tr>
<tr>
<td>JoAnne C. Germer</td>
<td>Past President</td>
</tr>
<tr>
<td>Rosemary Hopkins</td>
<td>Member</td>
</tr>
<tr>
<td>Emily Hutchison</td>
<td>Member</td>
</tr>
<tr>
<td>Frank Pereira</td>
<td>Member</td>
</tr>
<tr>
<td>Seth Worley</td>
<td>Member</td>
</tr>
</tbody>
</table>
I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:

1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,

4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the "Playing by the Rules" handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

[Signature]

Printed Name & Title: Norma Castilla-Blackwell, Executive Director

Organization Name: CASA of Central Texas, Inc.

Date Signed: 3/23/17
<table>
<thead>
<tr>
<th>Other Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas CASA (CVC)</td>
<td>60,750.00</td>
</tr>
<tr>
<td>Office of the Attorney General (OVAG)</td>
<td>18,500.00</td>
</tr>
<tr>
<td>Texas CASA (VOCA)</td>
<td>30,000.00</td>
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<tr>
<td>Texas CASA (PMC)</td>
<td>3,300.00</td>
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<tr>
<td>City of San Marcos</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Guadalupe County</td>
<td>7,500.00</td>
</tr>
<tr>
<td>Burdine Johnson Foundation</td>
<td>14,500.00</td>
</tr>
<tr>
<td>Kronkosky Charitable Foundation</td>
<td>61,750.00</td>
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<tr>
<td>McKenna Foundation</td>
<td>6,000.00</td>
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<td>Najim Family Foundation</td>
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</tr>
<tr>
<td>Fundraising Events</td>
<td>80,490.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>294,790.00</strong></td>
</tr>
</tbody>
</table>
CASA of Central Texas, Inc.

Governing Board Resolution

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. finds it in the best interest of the residents of Caldwell, Comal, Guadalupe and Hays Counties, that CASA of Central Texas, Inc. be operated for 2017-2018; and

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. agrees that in the event of loss or misuse of the City of San Marcos CDBG funds, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. assures that the funds will be returned to the City of San Marcos in full; and

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. designates Norma Blackwell, Executive Director, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. authorizes submission of the grant application from CASA of Central Texas, Inc. to the City of San Marcos for CDBG Public Services Funding.

Signed by: [Signature]

Passed and approved this 20th day of March 2017.
CASA of Central Texas, Inc.
Organizational Chart

Board of Directors
Executive Committee
President Susie Russell
Vice President David Pfeffer
Past President JoAnne Germer
Secretary Becky Lake – Treasurer Archie Dishman – Parliamentarian David Junkin

Executive Director
Norma Blackwell

Program Coordinator
Renes Lehmann (PT)
Program Director
Kimberly Key

Training Coordinator
Vacant

Finance Director
Cathy Vrba

Administrative Coordinator
Jade Hammer

Volunteer Coordinator
Samantha Mundine

Volunteer Recruitment Coordinator
Laura Torres

Community Relations Coordinator
Eloise Hudson

Development Coordinator
Laura Lombardo

Development Coordinator
Vacant

Casework Supervisor
Melanie Linder
(Coral, Guadalupe)

Casework Supervisor
Lauren Townsend
(Coral, Guadalupe)

Casework Supervisor
Tim Judkins
(Comal, Guadalupe, Hays)

Casework Supervisor
LeaBide LaBorde
(Comal, Guadalupe, Hays)

Casework Supervisor
Rob Edwards
(Comal, Hays, Caldwell)

Casework Supervisor
Layla Solomon (PT)
(Caldwell, Hays, Comal)

Casework Supervisor
Amanda Salazar
(Comal, Hays)

Casework Supervisor
Carolyn Massey (PT)
(Comal)

CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers
CASA Volunteers

Updated 02/2017
March 24, 2017
Hand-delivered

City of San Marcos
Attn: Dalinda Newby
Community Initiatives Coordinator
630 East Hopkins
San Marcos, TX 78666

Dear Ms. Newby:

Thank you for the opportunity to submit a grant application to the City of San Marcos for Community Development Block Grant funding for CASA of Central Texas. With your support, many abused and neglected children will have advocates to help them find safe and permanent homes. It is my pleasure to respectfully submit the enclosed Public Services Application for consideration.

Per the application instructions, please find enclosed one copy of the following:

- Application
- Board of Directors list
- Board Resolution, authorization to request funds, designated official
- Organization Chart
- Articles of Incorporation
- Bylaws
- Tax Exempt Determination Letter
- Organization Budget, current FY and proposed FY
- Financial Audit, FYR 6/30/16
- Project Employees, Board Members, Volunteers
- Non-discrimination Policy Statement

Thank you again. I look forward to hearing from you soon.

Kindly,

Norma Castilla-Blackwell
Executive Director

NB:ts
Enc.

New Braunfels

1619 E. Common, Suite 301
New Braunfels, Texas 78130
Tel: 830.626.2272
Fax: 830.626.3636

San Marcos

P.O. Box 1267
San Marcos, Texas 78667
Tel: 512.392.3578
Fax: 512.392.3702
The State of Texas
Secretary of State
APR. 29, 1994

ACIE C. MCADA - ACIE CRAIG HADA
P.O. BOX 311734
NEW BRUNSWICK, TX 78131

RE:
CASA OF CENTRAL TEXAS, INC.
CHARTER NUMBER 00746080-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD YOUR ARTICLES
OF AMENDMENT. A COPY OF THE INSTRUMENT FILED IN THIS OFFICE IS
ATTACHED TO YOUR RECORDS.

THIS LETTER WILL ACKNOWLEDGE PAYMENT OF THE FILING FEE.
IF YOU CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.

VERY TRULY YOURS,

[Signature]
Secretary of State
The State of Texas
Secretary of State

CERTIFICATE OF AMENDMENT
FOR
CASA OF CENTRAL TEXAS, INC.
FORMERLY
COMAL COUNTY CHILD ADVOCACY INC.
CHARTER NUMBER 00746080

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS, HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF AMENDMENT FOR THE ABOVE NAMED ENTITY HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS CERTIFICATE OF AMENDMENT.
DATED APR. 29, 1994

[Signature]
Secretary of State
Pursuant to the provisions of Article 1396-4.03 of the Texas Nonprofit Corporation Act, the Board of Directors adopt the following Articles of Amendment to the Articles of Incorporation of Comal County Child Advocacy, Inc.

ARTICLE ONE

The following amendments to the Articles of Incorporation were adopted by the Board of Directors of the Corporation on April 21st, 1994.

ARTICLE TWO

This Amendment alters Article One of the original Articles of Incorporation to read as follows:

The name of the corporation is CASA OF CENTRAL TEXAS, INC.

ARTICLE THREE

This Amendment alters Article Four of the original Articles of Incorporation to read as follows:

4. The purpose or purposes for which the corporation is organized are: To represent the best interests of physically and sexually abused children in Central Texas in criminal and civil proceedings. To be an independent voice in children's rights. To aid with case preparation; to provide assistance to other child oriented agencies; monitor cases; present and monitor legislation. Heighten awareness of the public, judiciary and bar as to child abuse and recruit volunteers.
The State of Texas
Secretary of State

CERTIFICATE OF INCORPORATION

OF

COMAL COUNTY CHILD ADVOCACY INC.
CHARTER NUMBER 746080

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS, HEREBY CERTIFIES THAT ARTICLES OF INCORPORATION FOR THE ABOVE CORPORATION, DULY SIGNED AND VERIFIED HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUE THIS CERTIFICATE OF INCORPORATION AND ATTACHES HERETO A COPY OF THE ARTICLES OF INCORPORATION.

DATED APR. 1, 1985

[Signature]

Secretary of State
ARTICLES OF INCORPORATION

ARTICLE ONE
The name of the corporation is CORAL COUNTY CHILD ADVOCACY INC.

ARTICLE TWO
The corporation is a non-profit corporation.

ARTICLE THREE
The period of its duration is perpetual.

ARTICLE FOUR
The purpose or purposes for which the corporation is organized are:
To represent the best interests of physically and sexually abused children in Coral County in criminal and civil proceedings. To be an independent voice in advocating children's rights. To aid with case preparation; to provide assistance to other child oriented agencies; monitor cases; present and monitor legislation, heighten awareness of the public, judiciary and bar as to child abuse and recruit volunteers.

ARTICLE FIVE
The street address of the initial registered office of the corporation is 805 Eline, 100th floor of its initial registered agent at such address is BILL M. REINER.

ARTICLE SIX
The number of directors constituting the initial board of directors is three (3) and the names and addresses of the persons who are to serve as the initial directors are:

BILL M. REINER
CINDY REINER
TIMOTHY W. OWENS
805 Eline, New Braunfels, Texas
Rt. 5, Box 760, New Braunfels, Texas
705 Linda, New Braunfels, Texas

ARTICLE SEVEN
The name and street address of each incorporator is:

BILL M. REINER
CINDY REINER
TIMOTHY W. OWENS
805 Eline, New Braunfels, Texas
Rt. 5, Box 760, New Braunfels, Texas
705 Linda, New Braunfels, Texas

STATE OF TEXAS
COUNTY OF CORAL

Before me, a notary public, on this day personally appeared

BILL M. REINER, CINDY REINER, TIMOTHY W. OWENS

known to me to be the persons whose names are subscribed to the foregoing document and being by me first duly sworn, severally declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 1st day of 2005.

Notary Public

My commission expires: 03-01-2010
The undersigned, as Secretary of State of the State of Texas, hereby certifies that Articles of Amendment to the Articles of Incorporation of the above corporation duly signed pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this Office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Amendment to the Articles of Incorporation and attaches hereto a copy of the Articles of Amendment.

Dated OCTOBER 21, 1986

Secretary of State
BY-LAWS
OF
CASA of CENTRAL TEXAS, Inc.

Article I - - Name

1.01 Name
The name of the corporation shall be CASA of Central Texas, Inc. CASA is an acronym for Court Appointed Special Advocates. The corporation shall be referred to as CASA or the Corporation in these Bylaws.

Article II - - Purpose

2.01 Purpose
CASA is organized exclusively for charitable purposes within the meaning of Section 501( c ) ( 3 ) of the Internal Revenue Code. CASA shall promote, assist, support, develop and continue the CASA program in Caldwell, Comal, Guadalupe and Hays Counties. The CASA program provides court-appointed volunteers to investigate and make recommendations concerning assigned cases dealing with abused and neglected children.

2.02 Mission Statement
CASA of Central Texas, Inc. advocates for abused and neglected children in the court system by recruiting, training and supporting community volunteers.

2.03 Vision Statement
We believe that every child has a right to a safe, permanent home.

Article III - - Office and Registered Agent

3.01 Office
The Corporation may have its offices at such place or places within the State of Texas, as the Board of Directors may determine.

3.02 Registered Office and Registered Agent
CASA shall have and continuously maintain in the State of Texas a registered office and registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be, the same as the principal office of CASA in the State of Texas, and the address of the registered office may be changed by the Board of Directors.
Article IV - - Members

The Corporation shall not have a general membership. The Board of Directors shall be a self-perpetuating body with the successors elected by the Board.

Article V - - Board of Directors

5.01 General Powers
The affairs of CASA shall be managed by its Board of Directors.

5.02 Number
The number of voting Directors shall be not less than nine (9) nor more than twenty-one (21).

5.03 Accountability for Organizational Integrity
The Board of Directors retains responsibility for overall accountability for policy development, long-range planning, marketing, fundraising, oversight of finances, and risk management.

5.04 Composition
The intent of the Corporation shall be to maintain a composition of the Board of Directors with at least one (1) representative from each of Caldwell, Comal, Guadalupe and Hays Counties. The preferred composition of the Board of Directors includes five (5) representatives from each county served, in addition to the President of the Board.

5.05 Qualifications
The Board will adopt criteria for Directors. Each Director must be at least twenty-one (21) years of age and possess such skills as legal, fiscal, personnel, management, and marketing; connected to the communities served by CASA; committed to devoting time as a leader, officer, and/or committee member; not be related or married to any employee of CASA or Director; and not be employed by CASA.

5.06 Election
The successors to those Directors whose terms of office expire each year shall be elected by the Board of Directors. The election and reelection of Directors shall be by recommendation and motion to the Board by the Board Development Committee at the June meeting, and shall be decided by a vote of the majority of the Directors at the June meeting, and shall assume their positions at the July meeting.
5.07 The Wing Society Board
The Board of Directors may invite members of the community to serve as members of the Wing Society Board. A member of the Board of Directors shall serve as a member of the Wing Society. Members of the Wing Society Board may attend and speak at all meetings of the Board of Directors, but shall serve without the right to vote on any action of the agency and shall not be required in order to establish a quorum. Members of the Advisory Board shall be elected annually by the Wing Society Board and shall serve for a term of one (1) year.

5.08 Term of Office
The terms of office of Directors shall be three (3) calendar years, staggered with one-third (1/3) of the Directors being elected each year. A person nominated by the Board Development Committee and elected by the Board to fill a vacancy of an unexpired term of a Director will complete the unexpired term. A person nominated by and approved by the Board to fill a vacancy, other than a vacancy with an unexpired term, shall be considered as having completed one year of the three (3) year term as of June 30th of the year of election. All terms begin on July 1 and end on June 30 of each calendar year. A director may serve unlimited successive three (3) year terms if duly nominated by the Board Development Committee and elected by the majority of all of the Directors. Written requests for renewals will be delivered to the Chairman of the Board Development Committee in May and if approved by the Board Development Committee, presented to the Board for election in June.

5.09 Board Member Responsibility
The Board of Directors shall have the control and general management of the affairs and business of this Corporation.

1. Each Board member is required to attend nine (9) out of eleven (11) regularly scheduled meetings per fiscal year (July 1 through June 30). A Director who misses three (3) out of eleven (11) meetings shall be automatically removed, but may be reinstated by the Board upon a recommendation from the Board Development Committee. Illness of a Board member or serious illness/death of an immediate family member are considered excused absences. Participating in events or meetings related to CASA business is also an excused absence.

2. Each Board member is expected to participate in the fundraising efforts of CASA.

3. Each Board member will submit to background checks before assuming a position on the CASA Board, including the following: (a) Social security number verification, (b) Texas criminal record check obtained from the Texas Crime Information Center maintained by the Texas Dept. of Public Safety, (c) National
criminal record check obtained from the National Crime Information Center (NCIC) maintained by the FBI, (d) Texas Public Sex Offender Registry check maintained by the Texas Dept. of Public Safety, (e) National Sex Offender Registry check maintained by the U.S. Dept. of Justice, and (f) The Child Abuse and Neglect Central Registry maintained by the Texas Dept. of Family and Protective Services.

4. Each Board member will attend ongoing Board training and educational seminars.

5.10 **Relationships with Staff and Volunteer Advocates**
Board members should consult with the Executive Director for any assistance needed.

1. Complaints or community concerns should be directed to the Executive Director.
2. Board Directors should annually attend two (2) swearing in ceremonies and receptions for new Volunteer Advocates, participate in two (2) volunteer and staff appreciation activities, and attend one (1) diversity training (which can be through Volunteer Training).

5.11 **Policy Development**
Board members should annually review the Mission Statement of CASA, the Policies and Procedures, Articles of Incorporation and Bylaws.

5.12 **Long-Range Planning**
It is the responsibility of the Board members to be familiar with the current Strategic Plan. Program goals need to be reviewed and refined as necessary. Human and financial resources need to be acquired by the Board members.

5.13 **Resource Development**
The Board of Directors will ensure that adequate financial resources are available to provide and maintain program services. Each Director will approve and support the fundraising plan established by the Fund Development Committee as well as participate in fundraising activities. Each Board member will make an annual financial contribution and the Board will collectively achieve 100% participation.

5.14 **Marketing**
The Board of Directors will be knowledgeable about the functions of the CASA program respecting the confidentiality of program services. Directors will approve and support the marketing plan determined by the Fund Development Committee.
5.15 **Oversight of Finances**
The Board of Directors will review and approve the annual budget as determined by the Executive Director and the Finance Committee. Directors will monitor expenditures, review the annual audit, Financial Policy and Procedures, and annually review all insurance policies, fixed assets and inventory. The Board of Directors will review the financial statements monthly.

5.16 **Vacancies**
Vacancies on the Board of Directors occurring between Annual Meetings may be filled for the unexpired portion of the term by majority vote of the Board of Directors, even if there is only one member remaining on the Board.

5.17 **Removal of Directors**
Any one or more of the Directors may be removed, either with or without cause, by a majority vote of the Board of Directors, with the Director to be removed not voting.

**Article VI -- Meetings**

6.01 **Regular Meetings**
The Board of Directors shall meet monthly July through June unless otherwise designated by the President, and will be held as determined by the Board. Except as otherwise provided by statute, the Articles of Incorporation of CASA or these Bylaws, any and all business may be transacted at any regular meeting, and neither the purpose of, nor the business to be transacted at any regular meeting need be specified in any notice or waiver of notice of such meeting. Evaluation of the Executive Director will take place during closed session of the April meeting with prior submission of the evaluation materials at the March meeting of the Board of Directors by a committee appointed by the President.

When Board action is needed before the next regularly scheduled meeting, the Board President may authorize the Executive Director and his/her designee to contact each Board member to conduct a vote on a particular matter by email or otherwise. Such votes should not become the regular method of action for the Board and generally should be conducted only on matters determined to be urgent, non-controversial and not in need of much discussion among the Board. At the next meeting of the Board immediately following such vote, the Board shall re-affirm the vote and have the action recorded in the minutes of the organization.
6.02 **Special Meetings**
Special meetings of the Board of Directors may be called by or at the request of the President or by the written request of one-half (1/2) of the Directors. The person or persons authorized to call special meetings of the Board of Directors shall fix the time and place of any special meeting of the Board of Directors called by them in the notice of the meeting. Written notice stating the place, date, and time of each special meeting will be given to each Director, not less than three (3) days before the date of such meeting. Except as otherwise expressly provided by statute, the Articles of Incorporation of CASA or these Bylaws, any and all business may be transacted at any special meeting and must be specified in the notice or waiver of notice of such meeting.

6.03 **Alternative Forms of Meetings**
Subject to the notice provisions of these Bylaws, the Board may hold an annual, regular or special meeting by means of conference telephone or similar communications equipment or another suitable electronic communications system (such as videoconference) that permits each person participating in the meeting to communicate with all other persons participating in the meeting. Participation in any such meeting shall constitute presence in person at such meeting and waiver of notice of such meeting, except when a person participates in such meeting for the express purpose of objecting to the transaction of any business on the ground that such meeting is not lawfully called or convened. Any committee provided for in these Bylaws or established by the Board may also hold its meetings by means of such conference telephone or similar communications equipment.

6.04 **Place of Meetings**
Meetings of the Board will be held at such places, within or without the State of Texas, as may from time to time be determined by the Board and communicated to all Directors, or as may be specified in the respective notices or waivers of notice of such meetings.

6.05 **Notice of Meetings**
Notice of all annual, regular or special meeting of the Board of Directors shall be given at least ten (10) days previously thereto by written notice delivered, either personally or by mail or email to each Director at the address as shown by the records CASA. If mailed, the notice shall be deemed delivered to the Director when deposited with postage prepaid in the United States mail so addressed. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except when a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the
notice or waiver of notice of such meeting unless specifically required by law or these Bylaws.

6.06 Annual Meetings
An annual meeting of the Board will be held in the month of June of each year upon at least ten (10) days written notice to each Director of a date and at such place as determined by the Board. Such annual meetings will include the installation of Directors and Officers, and the transaction of such other business as may be brought before such meetings.

6.07 Quorum
One-half (1/2) plus one (1) of the Directors shall constitute a quorum of the transaction of business at any meeting of the Board of Directors, except as otherwise expressly provided by statute, the Articles of Incorporation of CASA or these Bylaws; but if less than a majority of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

6.08 Manner of Acting
The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number of Directors is required by law or by these Bylaws.

6.09 Expectation of Directors

1. Each Director is expected to serve on at least one (1) committee.
2. Each Director is expected to participate in the fundraising efforts of CASA with the exception of Masters and District Judges.
3. Each Director is expected to contribute financially to CASA.
4. Each Director is expected to attend all meetings of the Board. Any Director missing three (3) of eleven (11) regularly scheduled meetings in a fiscal year due to excused or unexcused absence shall be considered as having resigned and will be removed from the Board, but may be reinstated by the Board. The Board Development Committee may recommend removal of the Director to the Board for non-participation.
5. Each Director is expected to attend a Volunteer Training class or Voices tour, and must attend Board Orientation, to obtain sufficient knowledge of CASA’s programs within one (1) year of being elected as a Director.
6. Each Director is expected to attend such programs as Strategic Planning and retreats designed to continue the education, orientation, and development of Directors.
7. Each Director is expected to review and execute CASA’s Confidentiality Agreement and Conflicts of Interest Policy annually.
6.10 **Voting**
At all meetings of the Board of Directors, each Director is to have one vote. The Directors present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough Directors leave the meeting so that less than a quorum remains; however, no action may be taken without the vote of a majority of the number of Directors required for a quorum. If a quorum is never present at any time during a meeting, a majority of the Directors present may adjourn and reconvene the meeting once without further notice.

6.11 **Proxy Voting**
A Director may not vote by proxy.

6.12 **Compensation of Directors**
Directors shall not receive compensation, but may be reimbursed for reasonable expenses properly incurred by them on behalf of CASA if approved by the Board.

**Article VII - Officers**

7.01 **Officers**
The Officers of CASA shall be a President, one or more Vice-Presidents (the number thereof to be determined by the Board of Directors), a Secretary, a Treasurer, and such other Officers that may be elected in accordance with the provisions of this Article. The Board of Directors may elect at least one volunteer from each county to serve on the Board or appoint such other Officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such Officers to have the authority and perform the duties prescribed from time to time by the Board of Directors. Anyone that holds an office and runs for another office should resign their current position.

7.02 **Election and Term of Office**
No two offices shall be held by the same person. The officers of CASA shall be chosen from the Board of Directors and shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. New offices may be created and filled at any meeting of the Board of Directors. Each Officer shall hold office until his successor shall have been duly elected and shall have been qualified. No person may serve for more than two (2) full consecutive years in any one office of CASA, with the exception of the President who may serve three (3) full consecutive years. To be eligible to serve as President, it is highly desirable that a Director shall have served as a Director for one (1) year and as an Officer or the Chairperson of a Committee identified in Article VII for at least one (1) year.
7.03 **Removal**  
Any Officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of CASA would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the Officer so removed.

7.04 **Vacancies**  
A vacancy in any office, because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term at any meeting of the Board of Directors.

7.05 **President**  
The President shall be the principal executive officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and meetings of the Corporation. He or she shall preside, when present, at all meetings of the Board of Directors and serve as an ex officio member of all committees of the Board.

The President shall sign all contracts and agreements in the name of the Corporation, subject to the advice, consent and approval of the Board of Directors.

The President shall be the chairman of the Executive Committee, a member of the Finance Committee, and an ex officio member of all other committees. The President shall have the power and authority to appoint ad hoc committees and chairmen as needed with the approval of the Executive Committee.

7.06 **Vice-President**  
During the absence or inability of the President to render and perform the President’s duties or exercise the President’s powers as set forth in these Bylaws or in the acts under which this Corporation is organized, the same shall be performed and exercised by the Vice-President.

The Vice-President shall be a member of the Executive and Finance Committees, and shall be an ex officio member of all other committees.

7.07 **Secretary**  
The Secretary shall see that the minutes of the meetings of the Board of Directors and the Executive Committee are kept, shall see that the books and reports are properly made and filed and shall perform such other functions as from time to time may be directed by the President.

The Secretary shall be a member of the Executive Committee.
7.08 **Treasurer**

The Treasurer may sign, make and enforce in the name of the Corporation all checks, drafts and order for the payment of money under the direction of the President or the Board of Directors, or as may be delegated to the Executive Director.

The Treasurer shall exhibit at all reasonable times the books and accounts of the Corporation to any Director.

The Treasurer shall provide statements of the conditions of the finances of the Corporation at each regular meeting of the Board of Directors and at such other times as may be required of the Treasurer.

The Treasurer shall oversee the acquisition of a Bond, which meets federal, state and local tax requirements, securing an audit as needed and securing insurance for the Corporation as required by the Board of Directors.

The Treasurer shall be the chairperson of the Finance Committee and shall be a member of the Executive Committee.

**Article VIII -- Executive Director**

8.01 **Executive Director**

The Executive Director shall be the Chief Administrative Officer of CASA and shall be responsible to the Board of Directors for the management of CASA. The Executive Director may be assisted by such additional staff as provided for by the Board of Directors. The Board of Directors shall have authority to employ, evaluate, and discharge an Executive Director upon such terms and conditions as the Board may determine.

The Executive Director shall have the authority to make expenditures within the approved budget.

The Executive Director shall serve as a non-voting member of the Board of Directors.

**Article IX -- Committees**

9.01 **Executive Committee**

The Executive Committee shall be composed of the President, the immediate Past President, the Vice-President(s), the Secretary, the Parliamentarian and the Treasurer. The President shall serve as Chairperson of the Executive Committee. Between meetings of the Board, the Executive Committee shall have all the power and authority of the Board of Directors except that it shall not have the authority to: (a)
select members of any standing committee, (b) fill any vacancy in any office, (c) approve the annual budget, or (d) employ or discharge the Executive Director. The Executive Committee shall report its actions to the Board of Directors at the next meeting of the Board of Directors.

9.02 **Board Development Committee**

The Board Development Committee shall be composed of a minimum of three (3) Directors. This committee shall set up criteria for Directors, maintain a roster of potential Directors, explain to nominees their duties and responsibilities as Directors, and provide nominees with a copy of these Bylaws:

1. The Chairperson of the Board Development Committee shall request suggestions from the Directors for nominations for Officers and Directors.
2. The report of the Board Development Committee shall be presented to the Board of Directors at its annual meeting. Provided the consent of the nominee has been obtained in advance, nominations in addition to those submitted by the Board Development Committee may be made from the floor by any Director.
3. The Board Development Committee may be requested by the Executive Committee to nominate persons to fill any vacancies on the Board of Directors or in offices of the Board of Directors.

9.03 **Finance Committee**

The Finance Committee shall be composed of the Treasurer and additional Directors. The Treasurer shall serve as Chairperson of the Finance Committee:

1. The Finance Committee shall prepare the annual budget for presentation to the Board of Directors, and present an audit report annually to the Board of Directors after the close of the fiscal year.
2. The Finance Committee is responsible for the study and review of all matters involving the finances, appropriations, and expenditures of the funds of CASA, including, but not limited to, review of the budgets and financial reports of CASA.

9.04 **Policy/Personnel Committee**

The Policy/Personnel Committee shall be composed of three (3) or more Directors. The President shall appoint the Chairperson of this committee. The Policy/Personnel Committee shall recommend personnel policies to the Board of Directors and assist the Executive Director in developing and maintaining sound programs of personnel administration. This committee shall study and recommend policies concerning programs, operations and procedures.
9.05 **Fundraising Committee**
The Fundraising Committee shall have responsibility for the financial support of CASA and shall plan and assist in implementing fundraising programs. This committee is comprised of the entire Board of Directors. It shall be chaired by one or more Directors. Additional membership of this committee may include non-members of the Board of Directors.

9.06 **Fund Development Committee**
The Fund Development Committee shall have responsibility to ensure that adequate financial resources are available to provide and maintain program service. The Committee will be responsible for the fundraising plan and the marketing plan. It shall be chaired by one or more Directors. Additional membership of this committee may include non-members of the Board of Directors.

9.07 **Other Committees**
Other committees not having and exercising the authority of the Board of Directors in the management of CASA may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of such committee shall be Directors, who may be appointed by the President.

9.08 **Term of Office**
Each member of a committee shall continue as such until the next annual meeting of the Board of Directors and until a successor is appointed, unless the committee shall be sooner terminated, or unless such member is removed from such committee, or unless such member shall cease to qualify as a member.

9.09 **Removal**
Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interest of CASA shall be served by such removal.

9.10 **Vacancies**
Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

9.11 **Quorum**
Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.
Article X - Financial Accountability

No Officer, Director or agent of the Corporation, either singly or jointly with others, shall have the power to make any bill payable, note, check or other negotiable instrument, or endorse the same in the name of the Corporation, or contract or cause to be contracted any debt or liability in the name of or on behalf of the Corporation, except as herein expressly described and provided.

10.01 Contracts
The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the corporation. Such authority may be general or confined to specific instances.

10.02 Checks and Drafts
All checks, drafts, or orders for the payment of money, notes or other evidences or indebtedness issued in the name of the Corporation shall be signed by such Officer or Officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution by the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and counter-signed by the President or a Vice President of the Corporation.

All applications for grants must have Executive Committee or Board of Directors approval prior to submission to the funding source.

Article XI - Indemnification Clause

11.01 Indemnification of Officers and Directors
The Officers, Directors, agents and employees of the Corporation shall be indemnified to the maximum extent authorized by law.

Article XII - Conflict of Interest

12.01 If any matter should come before the Board or any committee thereof in such a way as to give rise to a conflict of interest, the affected member shall make known the potential conflict and withdraw from the meeting for so long as the matter shall continue under discussion, except to answer any questions that might be asked of him or her. Should the matter be brought to a vote, the affected member shall not vote on it. In the event that, when advisable, (s)he fails to withdraw voluntarily, the chairperson shall require that (s)he remove himself/herself from the room during the discussion and vote on the matter. Each member of the Board will annually sign the conflict of interest policy.
In appropriate instances, the President of the Board of Directors or the Executive Director may seek the advice of an independent professional on a conflict issue.

12.02 **Board Member as Legal Counsel**
Although legal counsel may be provided to CASA under voluntary auspices on a pro bono basis and a lawyer who offers legal counsel may sit on the CASA Board, the role of such legal counsel will be clearly defined in a fee agreement letter from the lawyer in order to keep the two functions separate.

**Article XIII -- General Provisions**

13.01 **Amendments**
The Board of Directors shall have the power to alter, amend, or repeal these Bylaws at any regular or special meeting of the Board of Directors by a vote of two-thirds (2/3) of the members present, provided that written notice of the proposed change is given at least ten (10) days prior to such meeting. These Bylaws shall be reviewed each year by the Executive Committee, and a report of the committee shall be included at each end of the fiscal year Board meeting.

**Construction and Terms**
If there is any conflict between the provisions of these Bylaws and the Articles of Incorporation of this Corporation, the provisions of the Articles of Incorporation shall govern. Should any of the provisions or portions of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these Bylaws shall be unaffected by such holding. All references in these Bylaws to the Articles of Incorporation shall be to the Articles of Incorporation of this Corporation filed with the Secretary of this State and used to establish the legal existence of this Corporation. All references in these Bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future federal tax code.

13.02 **Waiver of Notice**
Whenever, under the provisions of any law, the Articles of Incorporation or amendments thereto, or these Bylaws, any notice is required to be given to any Director or committee member, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein shall be equivalent to the giving of such notice.
13.03 **Conference Telephone Meetings**
Meetings of any committee may be held by means of conference telephone or similar communications equipment so long as all persons participating in the meeting can hear each other. Participants in a meeting pursuant to this Section shall constitute presence in person at such meeting, except where a person participates in the meeting for the express purpose of objection to the transaction of any business on the ground that the meeting is not lawfully called or convened.

13.04 **Fiscal Year**
The fiscal year shall be July 1 through June 30 in each year.

13.05 **Nondiscriminatory Practices**
The Corporation, its Directors, Officers and employees shall not discriminate against any individual or group of individuals on the basis of age, gender, sexual orientation, race, ethnicity, nationality, disability or religion.

**Article XIV - Restrictions and Requirements**

14.01 The Corporation shall not pay dividends or other corporate income to its Directors or Officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall not have the power to engage in any activities, except to an insubstantial degree, that are not in furtherance of the purposes set forth above.

14.02 The Corporation shall have no power to take any action that would be inconsistent with the requirements for tax exempt organizations under Section 501(c)(3) of the Internal Revenue Code and related regulations, rulings and procedures. Regardless of any other provision to these Articles of Incorporation or state law, the Corporation shall have no power to:

1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.

2. Serve a private interest other than one that is clearly incidental to an overriding public interest.

3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statement and any other direct or indirect campaign activities.

5. Have objectives that characterize it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings and procedures.

6. Permit any part of the net earnings of the Corporation to inure to the benefit of any member of the Corporation or any private individual.

7. Carry on an unrelated trade or business except as a secondary purpose related to the Corporation's primary, exempt purposes.

14.03 **Dissolution**

On dissolution, the Corporation's assets shall be distributed to an organization dedicated to public benefit purposes exempt from taxes under Internal Revenue Code Section 501(c)(3), to be used to accomplish the general purposes for which the Corporation was organized.

**Article XV – Dissolution**

Upon dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation remaining after payment of all debts and liabilities shall be distributed exclusively to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3).

1619 E. Common Street, New Braunfels, Texas 78130
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on November 8, 2001. Highlighted sections were amended and approved by the Board on February 17, 2004.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on November 20, 2007.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on May 30, 2011.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on June 25, 2013.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on February 24, 2015.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on June 23, 2015.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on April 19, 2016.
RESOLUTION

On the 19th day of April, 2016, at a meeting of the Board of Directors of CASA of Central Texas, Inc., held in the City of New Braunfels, Comal County, Texas, with a quorum of the Directors present, the following business was conducted:

WHEREAS the Board of Directors of CASA of Central Texas, Inc. retains certain responsibilities which should be included in these Bylaws;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CASA of Central Texas, Inc. approves the following changes to these Bylaws:

- The addition of paragraph 5.05, “Qualifications”
- The addition of the last sentence of paragraph 5.06, “Elections”
- All new paragraph 5.08, “Term of Office”
- Addition of requirement to attend 9 of 11 meetings in paragraph 5.09.1, “Board Member Responsibility”
- Addition of attending “2” swearing in ceremonies and “2” volunteer and staff appreciation activities, and “one diversity training” “annually” in 5.10.2, “Relationships with Staff and Volunteer Advocates”
- Addition of “The Board of Directors will review the financial statements monthly” in paragraph 5.15
- Addition of “with the Director to be removed not voting” in paragraph 5.17
- All new paragraph 6.01, “Regular Meetings”
- Addition of last two sentences to paragraph 6.01, “Special Meetings”
- Addition of paragraphs 6.03 “Alternative Forms of Meetings” and 6.04 “Place of Meetings”
- Change notice of meetings to ten (10) days in paragraph 6.05
- Addition of paragraph 6.06, “Annual Meetings”
- In paragraph 6.09, “Expectation of Directors”, addition of Nos. 4, 5, 6 and 7
- Addition of paragraph 6.12, “Compensation of Directors”
- In paragraph 9.01, “Executive Committee”, addition of “the immediate Past President”
- Addition of paragraph 9.06, “Fund Development Committee”

Voted, passed and approved on April 19, 2016.

JoAnne Germer
President – Board of Directors

Irma Adams
Secretary
Board of Directors
Dear Sir or Madam:

Our records show that CASA OF CENTRAL TEXAS is exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code. This exemption was granted OCTOBER 1996 and remains in full force and effect. Contributions to your organization are deductible in the manner and to the extent provided by section 170 of the Code.

We have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are an organization described in section 170(b)(1)(A)(vi).

If we may be of further assistance, please contact the person whose name and telephone number are shown above.

Sincerely,

[Signature]
EO Technical Assistant

TAX ID # 74-2403373
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### CASA OF CENTRAL TEXAS, INC.
### PROPOSED BUDGET
### FY2017-18

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## PROPOSED BUDGET

**FY 2017-18**

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CASA OF CENTRAL TEXAS, INC.

FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2016
CASA OF CENTRAL TEXAS, INC.

Table of Contents

Independent Auditor's Report 1-2

Financial Statements

Statement of Financial Position 3
Statement of Activities 4
Statement of Functional Expenses 5
Statement of Cash Flows 6

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Schedule of CVC/OAG Funds 13
Schedule of VOCA Funds 14
Schedule of OVAG Funds 15
LTG, Linda Teneyuque Gonzalez, CPA

INDEPENDENT AUDITOR’S REPORT

To the Board of Directors
CASA of Central Texas, Inc.

I have audited the accompanying financial statements of CASA of Central Texas, Inc. (a nonprofit organization) which comprise the statement of financial position as of June 30, 2016, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.
Opinion

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of CASA of Central Texas, Inc. as of June 30, 2016, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Report on Supplementary Information

My audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The schedules on pages 13 through 15, Schedules of CVC, VOCA, and OVAG are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In my opinion, the information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

San Marcos, Texas
November 17, 2016
CASA OF CENTRAL TEXAS, INC.
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2016

<table>
<thead>
<tr>
<th>Assets</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current assets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$135,610</td>
<td>$5,801</td>
<td>$141,411</td>
</tr>
<tr>
<td>Receivables</td>
<td>136,769</td>
<td></td>
<td>136,769</td>
</tr>
<tr>
<td>Prepaids</td>
<td>1,432</td>
<td></td>
<td>1,432</td>
</tr>
<tr>
<td>Total current assets</td>
<td>273,811</td>
<td>5,801</td>
<td>279,612</td>
</tr>
<tr>
<td>Property and equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building and land</td>
<td>713,203</td>
<td></td>
<td>713,203</td>
</tr>
<tr>
<td>Furniture and equipment</td>
<td>113,631</td>
<td></td>
<td>113,631</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(248,854)</td>
<td></td>
<td>(248,854)</td>
</tr>
<tr>
<td>Total property and equipment</td>
<td>577,980</td>
<td></td>
<td>577,980</td>
</tr>
<tr>
<td>Other assets</td>
<td>1,620</td>
<td></td>
<td>1,620</td>
</tr>
<tr>
<td>Total assets</td>
<td>$853,411</td>
<td>$5,801</td>
<td>$859,212</td>
</tr>
</tbody>
</table>

| Liabilities and net assets |                       |              |        |
| Current liabilities        |                       |              |        |
| Accrued expenses           | $15,725               | $-           | $15,725 |
| Deferred revenue           | -                     | 1,370        | 1,370  |
| Note payable               | 100,000               |              | 100,000 |
| Total current liabilities  | 115,725               | 1,370        | 117,095 |

| Net assets                 |                       |              |        |
| Unrestricted CASA          | 637,067               | -            | 637,067 |
| Temporarily restricted     | 52,888                | -            | 52,888 |
| Permanently restricted - endowment | 47,731              | -            | 47,731 |
| Unrestricted Wing Society  | -                     | 4,431        | 4,431  |
| Total net assets           | 737,686               | 4,431        | 742,117 |
| Total liabilities and net assets | $853,411          | $5,801       | $859,212 |

The accompanying notes are an integral part of these financial statements.
CASA OF CENTRAL TEXAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Support and revenue</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Unrestricted</td>
<td>Temporarily</td>
</tr>
<tr>
<td>Grants</td>
<td>$110,250</td>
<td>$331,587</td>
</tr>
<tr>
<td>Contributions</td>
<td>80,555</td>
<td>304,110</td>
</tr>
<tr>
<td>Capital campaign</td>
<td>-</td>
<td>216,527</td>
</tr>
<tr>
<td>In-kind donations</td>
<td>-</td>
<td>184,276</td>
</tr>
<tr>
<td>Fundraising</td>
<td>84,234</td>
<td>-</td>
</tr>
<tr>
<td>Unrealized gain/(loss)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Member dues</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest income</td>
<td>88</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total support and revenue</strong></td>
<td>275,127</td>
<td>1,236,500</td>
</tr>
</tbody>
</table>

| Satisfaction of donor restrictions | 1,221,509 | (1,220,697) | (812) | - | - | - |
| **Total support and revenue** | 1,496,636 | 15,803 | (2,731) | 1,509,708 | 2,365 | 1,512,073 |

<table>
<thead>
<tr>
<th>Expenses</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program services</td>
<td>1,149,191</td>
<td>3,164</td>
</tr>
<tr>
<td>Supporting services</td>
<td>-</td>
<td>1,152,355</td>
</tr>
<tr>
<td>Management and general</td>
<td>138,779</td>
<td>-</td>
</tr>
<tr>
<td>Fundraising</td>
<td>152,190</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total expenses</strong></td>
<td>1,440,160</td>
<td>1,443,324</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Change in net assets</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net assets at beginning of year</td>
<td>56,476</td>
<td>15,803</td>
</tr>
<tr>
<td>Net assets at end of year</td>
<td>580,591</td>
<td>37,085</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$637,067</td>
<td>$52,888</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
# CASA OF CENTRAL TEXAS, INC.

## STATEMENT OF FUNCTIONAL EXPENSES

FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Program Services</th>
<th>CASA of Central Texas</th>
<th>Supporting Services</th>
<th>Total Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wing Society</td>
<td>Management and General</td>
<td>Fundraising</td>
</tr>
<tr>
<td>Payroll expenses</td>
<td>$ 723,272</td>
<td>$ 85,091</td>
<td>$ 127,636</td>
</tr>
<tr>
<td>Health insurance</td>
<td>49,779</td>
<td>5,856</td>
<td>2,928</td>
</tr>
<tr>
<td></td>
<td>49,779</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pension</td>
<td>31,125</td>
<td>3,662</td>
<td>1,832</td>
</tr>
<tr>
<td>In-kind expenses</td>
<td>184,276</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital campaign</td>
<td>-</td>
<td>80,035</td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td>40,496</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation expense</td>
<td>24,551</td>
<td>8,184</td>
<td></td>
</tr>
<tr>
<td>Fundraising</td>
<td>-</td>
<td>24,850</td>
<td></td>
</tr>
<tr>
<td>Equipment/rental</td>
<td>22,238</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conferences/meetings</td>
<td>15,941</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications</td>
<td>15,849</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building maintenance</td>
<td>-</td>
<td>13,184</td>
<td></td>
</tr>
<tr>
<td>Insurance</td>
<td>-</td>
<td>11,276</td>
<td></td>
</tr>
<tr>
<td>Advocate recognition</td>
<td>7,341</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office expenses</td>
<td>8,419</td>
<td>8,032</td>
<td></td>
</tr>
<tr>
<td>Legal and professional</td>
<td>- 100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising and recruiting</td>
<td>5,337</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Memberships</td>
<td>4,601</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract services</td>
<td>4,060</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>-</td>
<td>3,494</td>
<td></td>
</tr>
<tr>
<td>Children special needs</td>
<td>3,430</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees</td>
<td>2,890</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Postage</td>
<td>2,035</td>
<td>2,175</td>
<td></td>
</tr>
<tr>
<td>Printing and promotion</td>
<td>1,646</td>
<td>1,974</td>
<td></td>
</tr>
<tr>
<td>Training</td>
<td>1,905</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total**

$ 1,149,191 $ 3,164 $ 1,152,355 $ 138,779 $ 152,190 $ 290,969 $ 1,443,324

The accompanying notes are an integral part of these financial statements.
CASA OF CENTRAL TEXAS, INC.  
STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash flows from operating activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change in net assets</td>
<td>$ 69,548</td>
<td>$(799)</td>
<td>$ 68,749</td>
</tr>
<tr>
<td>Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>32,734</td>
<td>-</td>
<td>32,734</td>
</tr>
<tr>
<td>Decrease in prepaids</td>
<td>1,342</td>
<td>-</td>
<td>1,342</td>
</tr>
<tr>
<td>Increase in receivables</td>
<td>(66,748)</td>
<td>-</td>
<td>(66,748)</td>
</tr>
<tr>
<td>Increase in liabilities</td>
<td>6,484</td>
<td>1,120</td>
<td>7,604</td>
</tr>
<tr>
<td>Net cash provided by operating activities</td>
<td>43,360</td>
<td>321</td>
<td>43,681</td>
</tr>
<tr>
<td>Cash flow from investing activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchase of capital assets</td>
<td>(164,132)</td>
<td>-</td>
<td>(164,132)</td>
</tr>
<tr>
<td>Net cash used by investing activities</td>
<td>(164,132)</td>
<td>-</td>
<td>(164,132)</td>
</tr>
<tr>
<td>Cash flow from financing activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan proceeds</td>
<td>100,000</td>
<td>-</td>
<td>100,000</td>
</tr>
<tr>
<td>Net cash provided by financing activities</td>
<td>100,000</td>
<td>-</td>
<td>100,000</td>
</tr>
<tr>
<td>Net change in cash and cash equivalents</td>
<td>(20,772)</td>
<td>321</td>
<td>(20,451)</td>
</tr>
<tr>
<td>Cash and cash equivalents, beginning of year</td>
<td>156,382</td>
<td>5,480</td>
<td>161,862</td>
</tr>
<tr>
<td>Cash and cash equivalents, end of year</td>
<td>$ 135,610</td>
<td>$ 5,801</td>
<td>$ 141,411</td>
</tr>
</tbody>
</table>

Supplementary information

Interest paid $ -
Income taxes paid $ -

The accompanying notes are an integral part of these financial statements.
Note A - Organization and Summary of Significant Accounting Policies

Organization
CASA of Central Texas, Inc. (CASA), a member of the National Court Appointed Special Advocate Association and Texas CASA, is a nonprofit corporation whose mission is to advocate for abused and neglected children in the court system by recruiting, training, and supporting community volunteers. CASA is funded by federal/state grants, fundraisers, community donations and volunteer hours from trained advocates.

Included with the presentation of CASA's financial statements is CASA Wing Society. CASA Wing Society, established in fiscal year 2009, is an affiliate nonprofit of CASA of Central Texas, Inc. and operates under the CASA’s nonprofit tax identification number.

The organization prepares its financial statements in accordance with generally accepted accounting principles promulgated in the United States of America (U.S. GAAP) for not for profits. The significant accounting and reporting policies used by the organization are described subsequently to enhance the usefulness and understandability of the financial statements.

Use of Estimates
The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of revenues and expenses during the reporting period and the reported amounts of assets and liabilities at the date of the financial statements. On an ongoing basis, the organization's management evaluates the estimates and assumptions based upon historical experience and various other factors and circumstances. The organization's management believes that the estimates and assumptions are reasonable in the circumstances; however the actual results could differ from those estimates.

Net Assets
The financial statements report net assets and changes in net assets in three classes that are based upon the existence or absence of restrictions on use that are placed by its donors, as follows:

Temporarily Restricted Net Assets
Temporarily restricted net assets are resources that are restricted by a donor for use for a particular purpose or in a particular future period. The organization’s unspent contributions are classified in this class if the donor limited their use, as are the unspent appreciation of its donor-restricted endowment funds.
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

When a donor’s restriction is satisfied, either by using the resources in the manner specified by the donor or by the passage of time, the expiration of the restrictions is reported in the financial statements by reclassifying the net assets from temporarily restricted to unrestricted net assets. Net assets restricted for acquisition of buildings or equipment are reported as temporarily restricted until the specified asset is placed in service by the organization, unless the donor provides more specific directions about the period of its use.

Permanently Restricted Net Assets
Permanently restricted net assets are resources whose use by the organization is limited by donor-imposed restrictions that neither expire by being used in accordance with a donor’s restriction nor by the passage of time. The portion of the organization’s donor-restricted endowment funds that must be maintained in perpetuity are classified in this net asset class, as is the organization’s beneficial interest in a perpetual charitable trust held by a bank trustee.

All revenues and net gains are reported as increases in unrestricted net assets in the statement of activities unless the use of the related resources is subject to temporary or permanent donor restrictions. All expenses and net losses other than losses on endowment investments are reported as decreases in unrestricted net assets. Net losses on endowment investments reduce temporarily restricted net assets to the extent that net gains of the fund from prior years are unspent and classified there; remaining losses are classified as decreases in unrestricted net assets. If an endowment fund has no net gains from prior years, such as when a fund is newly established, net losses are classified as decreases in unrestricted net assets.

Cash Equivalents
For purposes of the statement of cash flows, the organization includes cash deposits accounts and short-term investments with maturities of less than three months to be cash and cash equivalents. As of June 30, 2016, the organization’s cash and cash equivalents totaled $135,610 CASA and $5,801 Wing Society.

Accounting for Contributions
Contributions, including unconditional promises to give, are recognized when received. All contributions are reported as increase in unrestricted net assets unless use of the contributed assets is specifically restricted by the donor. Amounts received that are restricted by the donor to use in future periods or for specific purposes are reported as increases in either temporarily restricted or permanently restricted net assets, consistent
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

with the nature of the restriction. Unconditional promises with payments due in future years have an implied restriction to be used in the year the payment is due, and therefore are reported as temporarily restricted until the payment is due unless the contribution is clearly intended to support activities of the current fiscal year or is received with permanent restriction. Conditional promises, such as matching grants, are not recognized until they become unconditional, that is, until all conditions on which they depend are substantially met.

Expense Recognition and Allocation
The cost of providing the organization’s programs and other activities is summarized on a functional basis in the statement of activities and statement of functional expenses. Expenses that can be identified with a specific program or support service are charged directly to that program or support service. Costs common to multiple functions have been allocated among the various functions benefited.

General and administrative expenses include those costs that are not directly identifiable with any specific program, but which provide for the overall support and direction of the organization.

Fundraising costs are expenses as incurred, even though they may result in contributions received in future years. The organization generally does not conduct its fundraising activities in conjunction with its other activities. In the few cases in which it does, such as when the annual report or donor acknowledgements contain requests for contributions, joint costs have been allocated between fundraising and management and general expenses in accordance with standards for accounting for costs of activities that include fundraising. Additionally, advertising costs are expensed as incurred.

Tax Status
The organization is incorporated exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code (IRC), though it would be subject to tax on income unrelated to its exempt purposes (unless that income is otherwise excluded by the IRC). The tax year is still open to audit for both federal and state purposes.

Fair Value Measurements
The organization reports its fair value measures using a three-level hierarchy that prioritizes the inputs used to measure fair value. The hierarchy, established by GAAP, requires that entities maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The three levels of inputs used to measure fair value are as follows:
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

Level 1 Inputs that are quoted prices in active markets for identical assets or liabilities that the reporting entity has the ability to access at the measurement date.
Level 2 Inputs other than quoted prices included in level 1 that are observable for the asset or liability, either directly or indirectly.
Level 3 Inputs that are unobservable for the asset or liability.

A financial instrument’s level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement.

The carrying amount of cash and cash equivalents, pledges and other receivables, accounts payables and accrued expenses approximates fair market value due to the short-term maturities of these investments.

Property and Equipment
Property and equipment are valued at cost if purchased and at fair market value when donated. Depreciation is provided using the straight-line method over the estimated useful lives.

NOTE B - GRANT RECEIVABLES

Receivables consisted of the following at June 30, 2016:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CVC</td>
<td>$19,873</td>
</tr>
<tr>
<td>VOCA</td>
<td>10,427</td>
</tr>
<tr>
<td>OVAG</td>
<td>7,228</td>
</tr>
<tr>
<td>Other</td>
<td>9,898</td>
</tr>
<tr>
<td></td>
<td>$47,426</td>
</tr>
</tbody>
</table>

NOTE C - PLEDGE RECEIVABLES

Pledge receivables are unconditional promises to give that are recognized as contribution when the promise is received. Pledge receivables are recorded at fair value at the date of promise. As of June 30, 2016, pledge receivables were $87,942. Management has not recorded allowances for un-collectibles based on historical collections that pledges will be collected.
NOTE D - IN KIND DONATIONS

Community volunteer advocates donate time and mileage in their work as court appointed advocates. For the year ended June 30, 2016, recorded value of in-kind donations included the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volunteer hours</td>
<td>$107,198</td>
</tr>
<tr>
<td>Mileage</td>
<td>8,955</td>
</tr>
<tr>
<td>Donations (goods and services)</td>
<td>45,923</td>
</tr>
<tr>
<td>Rent and utilities</td>
<td>22,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$184,276</strong></td>
</tr>
</tbody>
</table>

NOTE E - PENSION PLAN

CASA of Central Texas participates in a pension plan that is available to all employees after their initial 90-day training period. CASA contributes 5% of gross wages each pay period to the plan and employees are also welcome to contribute through payroll deductions. CASA’s contributions for the year ended June 30, 2016 totaled $36,619.

NOTE F - TEMPORARILY RESTRICTED NET ASSETS

Temporarily net assets consist of capital campaign funds of $52,888. In fiscal year 2015, the organization started a capital campaign toward the goal of securing funding for a future permanent home for CASA of Central Texas that will be an office and training center in San Marcos, Texas.

NOTE G - PERMANENTLY RESTRICTED NET ASSETS

Permanently restricted net assets consist of a quasi-endowment fund in the amount of $47,731. In December 2014, the organization entered into an agreement with the New Braunfels Area Community Foundation, the Foundation, to establish a quasi-endowment to be used for charitable purposes. The Foundation will hold and administer the endowment funds.

NOTE H - NOTE PAYABLE

During the year, CASA of Central Texas obtained a loan in the amount of $100,000 to finance the purchase of land. The land will be the future location of CASA of Central Texas, San Marcos offices. The interest rate of the loan is .75% APR and matures on December 31, 2018. The principal amount and interest are due and payable in ten equal quarterly payments of $10,000 with the first payment due on July 1, 2016.
NOTE I - SUBSEQUENT EVENTS

Management has evaluated subsequent events through November 17, 2016, which is the date the financial statements were available to be issued.
CASA OF CENTRAL TEXAS, INC.
SCHEDULE OF CVC/OAG FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Grantor/Program Title</th>
<th>Program or Award Amount</th>
<th>Accrued or [Deferred] Revenue at 7/1/2015</th>
<th>Receipts</th>
<th>Disbursements</th>
<th>Accrued or [Deferred] Revenue at 6/30/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>CVC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014-2015</td>
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<tr>
<td>CVC-15-49</td>
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<td>72,958</td>
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<td>$36,820</td>
<td>$248,699</td>
<td>$231,752</td>
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</table>
CASA OF CENTRAL TEXAS, INC.
SCHEDULE OF VOCA FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Grantor/Program Title</th>
<th>Program or Award Amount</th>
<th>Accrued or [Deferred] Revenue at 7/1/2015</th>
<th>Receipts</th>
<th>Disbursements</th>
<th>Accrued or [Deferred] Revenue at 6/30/2016</th>
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<td>VOCA</td>
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<tr>
<td>2014/2015 Programs</td>
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<td>2015/2016 Programs</td>
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<tr>
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<td>$ 120,769</td>
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<tr>
<td>Grantor/Program Title</td>
<td>Program Amount</td>
<td>Accrued or Deferred Revenue at 7/1/2015</td>
<td>Receipts</td>
<td>Disbursements</td>
<td>Accrued or Deferred Revenue at 6/30/2016</td>
</tr>
<tr>
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<td></td>
<td>$43,226</td>
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DESCRIPTION OF CASA OF CENTRAL TEXAS, INC. EMPLOYEES, BOARD MEMBERS
AND VOLUNTEERS

CASA of Central Texas, Inc. has an experienced staff (combined 100+ years with CASA of Central Texas) with a very low turnover rate. There are five staff members in the San Marcos office, as follows:

Kimberly Key, Program Director, has worked for CASA of Central Texas since April 2000 covering cases in Caldwell, Comal, Guadalupe and Hays Counties. Formerly, she worked for the DePelchin Children’s Center, a residential treatment center, did internships in brain injury and pediatrics, and worked as an occupational therapist. She earned a Master degree in Occupational Therapy and a Bachelor of Arts in Psychology. She has 20 years of experience in the field.

Tricia Schneider, Development Director, has worked for CASA of Central Texas since November 2003, first as a Case Supervisor/Development Assistant and advocate, then as Development Director. She earned a Master degree in Industrial and Labor Relations, and a Bachelor of Arts degree in Psychology. She has 14 years of experience in the field.

Lonnette LaBorde, Case Supervisor, has worked for CASA of Central Texas since August 2001. Prior to joining CASA of Central Texas, she worked for CASA of Travis County and also has experience working for children’s shelters and TDPRS. She earned a Bachelor of Arts degree in Psychology and Sociology. She has 20 years of experience in the field.

Robert Edwards, Case Supervisor, was hired by CASA of Central Texas in June 2012 as a Casework Supervisor of volunteers serving children in Comal and Hays Counties. He earned a Bachelor of Science degree in Sociology. Prior to joining CASA of Central Texas, he worked as a Program Director for a youth sports league and as a youth counselor and case manager. He has 10 years of experience in the field.

Lynnette Lombardo, Development Coordinator-Grant Writer, has worked for CASA of Central Texas since November 2015. She earned a Bachelor of Arts and a Master of Arts in Literature. Prior to joining CASA, she worked as a Child Support Officer at the Office of the Attorney General, and has been a CASA volunteer advocate for over 10 years. She has 10 years of experience in the field.
In addition, the following staff members office in New Braunfels:

Norma Castilla-Blackwell, Executive Director, joined CASA of Central Texas in August 2003. Prior to CASA, she was Executive Director of Holding Institute, a non-profit organization in Laredo. In addition, she was a classroom science and social studies teacher and served as a CASA volunteer advocate. She holds a Bachelor of Arts in Sociology and an Associate degree in Business. She has over 17 years of experience in the field.

Cathy Vrba, Finance Director, was hired by CASA of Central Texas in October 2011. Prior to CASA, she was a business litigation paralegal, Board Certified in Civil Trial Law, and an assistant controller in the hotel industry. She earned a Bachelor of Arts degree in Psychology with a concentration in Children’s Studies.

Eloise Hudson, Community Relations Coordinator, has worked for CASA of Central Texas since September 2007. Prior to CASA, she worked as a news reporter for community newspapers. She earned a Bachelor degree in Mass Communications.

Tim Judkins, Case Supervisor, was hired by CASA of Central Texas in November 2009 and oversees the Transitioning Youth program in all four of our counties. Tim was previously a church pastor and has a Master degree in Christian Education and a Bachelor degree in New Testament and Christian Education. He has 7 years of experience in this field.

Jade Hammer, Administrative Coordinator, was hired by CASA of Central Texas in January 2017 and assists with office operations, fundraising events and volunteer statistics. She previously taught elementary school and spent 2 years in the Peace Corps. She earned a Bachelor of General Business and a Master degree in Elementary Education.

Layla Coleman, Case Supervisor, was hired by CASA of Central Texas in October 2011 as a Casework Supervisor of volunteers serving children in Hays County. She earned a Bachelor of Arts degree in Anthropology and a Master degree in Anthropology, and worked as an educator while in school. She has 5 years of experience in the field.

Samantha Coleman, Volunteer Coordinator, was hired by CASA of Central Texas since June 2014. She earned a Bachelor of Arts in English and a Master of Science in Family and Child Studies. Previously, Samantha has been an adjunct professor at Texas State University and has worked with children as an after-school site coordinator and college readiness advocate. She has 3 years of experience in the field.
Shelley Denkeler, Case Supervisor, was hired by CASA of Central Texas in November 2012 and shares her time between Comal and Guadalupe Counties. She previously worked for the TDFPS as a CPS Caseworker and she has a Bachelor of Arts in Business Management. She has worked in this field for 8 years.

Renee Lehmann, Program Coordinator, was hired by CASA of Central Texas since July 1998 as a Casework Supervisor, then as Program Coordinator. Prior to that, she was a teacher and a volunteer advocate. She earned a Bachelor of Science degree in Elementary Education. She has 18 years of experience in the field.

Melanie Linder, Case Supervisor, was hired by CASA of Central Texas in July 2012 after serving as a volunteer advocate. She supervises volunteers on Comal County cases. She has a Bachelor of Arts in Elementary Education. She has 4 years of experience in the child welfare field.

Carolyn Massey, Case Supervisor, was hired by CASA of Central Texas in March 2008 and covers cases in Comal County. She has a Master of Science in Social Work and a Bachelor of Arts in English. She has 27 years in this field.

Amanda Salazar, Case Supervisor, was hired by CASA of Central Texas in January 2016 and covers cases in Comal and Hays Counties. She has a Bachelor of Arts in Psychology. She has 6 years of experience in the child welfare field.

Laura Torres, Volunteer Recruitment Coordinator, was hired by CASA of Central Texas in June 2015. She has a Bachelor of Arts in Communication, and worked as a volunteer coordinator and peer mentor at Texas Lutheran University while attending school. She has one year of experience.
Lauren Townsend, Case Supervisor, was hired by CASA of Central Texas in January 2012 and primarily covers Comal County. She has a Master of Science in Criminology and a Bachelor of Arts in Criminology/Sociology. She has 4 years of experience in this field.

Currently, there are ten (11) members of the Board of Directors. The Board has primary responsibility for fundraising with a key responsibility for supporting the sustainable funding model (Benevon) implemented in 2010. Board members also help with public appearances and networking events, as well as volunteer at fundraising events, contribute monetary donations (100% participation in FYE 2016), and make referrals to city and county resources. The Board meets for regular meetings on a monthly basis.

Volunteers are recruited via referral from existing volunteers or staff, street banners, paid advertisement, radio, as well as community presentations to churches, businesses, and service clubs/organizations. CASA had 218 active volunteers during 2016.
3.13 Non-Discrimination Policy Statement

CASA of Central Texas, Inc. does not discriminate on the basis of age, gender, sexual orientation, race, ethnicity, nationality, disability, religion, or any other factors for employees, volunteers and clients served by this organization.
Application/Review Checklist
Public Services Funding
Community Development Block Grant Program
Due Date: March 27, 2017

SUPPLEMENTAL INFORMATION – SUBMIT ONE COPY OF THE FOLLOWING ITEMS
NOTE: ALL INFORMATION SUBMITTED WITH AN APPLICATION BECOMES A PUBLIC RECORD AND IS OPEN FOR PUBLIC REVIEW. ALL OR PART OF YOUR APPLICATION MAY BE POSTED ON THE CITY’S WEBSITE AND IN AGENDA PACKET INFORMATION.

REQUIRED:

✓ ✓ Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.
✓ ✓ Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.
✓ ✓ Organization Chart
✓ ✓ Articles of Incorporation
✓ ✓ Bylaws
✓ ✓ Tax Exempt Determination Letter (for non-profit organizations)
✓ ✓ Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year
✓ ✓ Most Recent audit or CPA prepared review.
✓ ✓ Description of employees, board members, volunteers who will work with the project
✓ ✓ Non-discrimination Policy Statement

If applicable:

N/A Fee schedule / structure for the project proposed for funding
N/A Copy of program application if one is used to select beneficiaries
N/A Analysis of program / service expansion if this is not a new service.
N/A Description of how beneficiaries will be selected (if not by application form)
N/A Description of how applicant income will be determined if there are direct beneficiaries
N/A Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings
N/A Job description for new positions expected to be filled using CDBG funding
City of San Marcos  
Attn: Dalinda Newby  
Community Initiatives Coordinator  
630 East Hopkins  
San Marcos, TX 78666

Dear Ms. Newby:

Thank you for the opportunity to submit a grant application to the City of San Marcos for Community Development Block Grant funding for CASA of Central Texas. With your support, many abused and neglected children will have advocates to help them find safe and permanent homes. It is my pleasure to respectfully submit the enclosed Public Facilities Application package for consideration.

Per the application instructions, please find enclosed one copy of the following:

- Application
- Board of Directors list
- Board Resolution, authorization to request funds, designated official
- Organization Chart
- Articles of Incorporation
- Bylaws
- Tax Exempt Determination Letter
- Organization Budget, current FY and proposed FY
- Financial Audit, FYE 6/30/16
- Most recent Balance Sheet and Financial Statement, 1/31/17
- Project Employees, Board Members, Volunteers
- Non-discrimination Policy Statement

Also attached for reference are: Architectural Renderings, Site Plan, Floor Plan, and Tree Survey.

Thank you again. I look forward to hearing from you soon.

Kindly,

Norma Castilla-Blackwell  
Executive Director

San Marcos  
P.O. Box 1267  
San Marcos, Texas 78667  
Tel: 512.392.3578  
Fax: 512.392.3702
Application/Review Checklist
Community Development Block Grant Program
Due Date: March 27, 2017

Supplemental Information – Submit one copy of the following items

Required:

✓ Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

✓ Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

✓ Organization Chart

✓ Articles of Incorporation

✓ Bylaws

✓ Tax Exempt Determination Letter (for non-profit organizations)

✓ Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year

✓ Most Recent audit or CPA prepared review.

✓ Description of employees, board members, volunteers who will work with the project

✓ Non-discrimination Policy Statement

If applicable:

N/A Service area boundary for area benefit projects

N/A Fee schedule / structure for the project proposed for funding

N/A Copy of program application if one is used to select beneficiaries

N/A Description of how applicant income will be determined if there are direct beneficiaries

N/A Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

N/A Job description for new positions expected to be filled using CDBG funding
CITY OF SAN MARCOS
2017 CDBG APPLICATION

NOTE: This form is not to be used for applicants seeking funds to support programs operated by non-profit organizations. A separate application form for “Public Services” is available and should be used for projects of that nature.

Due Date: March 27, 2017

I. APPLICANT CONTACT INFORMATION

Applicant Organization: CASA (Court Appointed Special Advocates) of Central Texas, Inc.

Contact Name: Norma Castilla-Blackwell

Telephone: 512-392-3578

Mailing Address: P.O. Box 1267, San Marcos, TX 78667-1267

Physical Address, if different from mailing address: 111 E. San Antonio St., Ste 201, San Marcos, TX 78666

Contact E-Mail Address: nblackwell@casacentex.org

Web Address: www.casacentex.org

Who is authorized to execute program documents? Norma Castilla-Blackwell, Executive Director

II. APPLICATION SUMMARY INFORMATION

PROJECT NAME: CASA Training & Support Center

PROGRAM FUNDING: Amount of CDBG Funds Requested: $350,000

Project Location: Lot 2, Vision Park (NEC Hunter Rd & Reimer Ave), San Marcos, Hays County, Texas

PRIORITY ELIGIBILITY

Select one

✓ Public Facilities

Housing

Clearance Activities

Infrastructure

Transportation

NATIONAL OBJECTIVE

Select One

✓ Benefit to Low/Mod Income Persons

Slum or Blight Elimination/Prevention

Urgent Need (such as disaster)

Will your project be completed (all CDBG funds expended) by July 15, 2017? Yes

✓ No

If “No”, what percent is expected to be completed by that date? Est. 25%
III. PROJECT DESCRIPTION

Summarize how CDBG funds are proposed to be used:

CASA (Court Appointed Special Advocates) of Central Texas advocates for abused and neglected children in the child welfare court system, in schools and in the community by recruiting, training and supporting community volunteers. We envision a world where every child thrives in a safe, stable and loving home. Every day in Central Texas (Caldwell, Comal, Guadalupe and Hays Counties), four children are confirmed as victims of abuse or neglect and, due to high risk, one child is removed from home and placed in State care with Child Protective Services (CPS). Facing population growth and ever-increasing numbers of children in CPS care, CASA must increase capacity for more citizen-volunteers to help more children by establishing a permanent training facility and building space. Operating in Hays County for over 25 years, CASA has achieved 10-12% annual growth. However, CASA has reached maximum capacity and is unable to expand further. Presently, seven (7) staff positions are housed in temporary offices at the Hays Historic Courthouse in San Marcos, and volunteer training classes are held in a small room borrowed from the Historical Commission. Student interns float from desk to desk and confidential case management discussions are held in open/shared offices.

CASA plans to build a 6,000sf training and support headquarters. The facility will allow more organizational capacity for CASA to train and support volunteers so that more children have a CASA voice in court, in schools, and in the community. Features and benefits of the new building include a prominent, highly visible 1.48 acre location with large oak trees; a 48-seat training center, also available for use by community partners; 14 private staff offices for confidential case management and administration; a volunteer and child friendly environment; a closed case archive room; on-site storage space; free and ample parking for volunteers; savings on staff time and travel; a stable, permanent location for CASA in San Marcos; a savings to local taxpayers; and a long-term community investment in our children and youth.

The resulting outcome of this project is that CASA of Central Texas will have space to double operational capacity and, over the next 8-10 years, ensure that ongoing advocacy services are provided to 650 to 700 child victims from San Marcos. With CASA involved, a child is more likely to find a safe and permanent home; more likely to be adopted; half as likely to re-enter foster care; and less likely to remain in long-term foster care. Without this project, hundreds of children will face long stays in foster care, high incidents of homelessness, and will receive fewer services for help.

The land is acquired and a tree survey was completed. Architectural renderings, site plan and floor plan are designed. Please see Attachments.

PROJECT SCOPE:
Please check all statements that apply to this project:

✓ All project design work is complete for this project (plans, specifications, etc.)
✓ This project will include selection of professional service providers (architect, engineer, etc.)
✓ This project includes acquisition of real property
✓ This project includes the rehabilitation of existing buildings
✓ This project includes new construction
✓ This project includes demolition of existing structures
✓ This project includes a public facility (such as a senior center)

Accomplishments
Once the project is completed, how can its success be measured?

This building project will be overseen and managed by CASA’s Executive Director, senior staff and designated Board members. CASA’s Board of Directors will review construction progress at monthly meetings. The project will be successfully completed when the new facility is constructed and the occupancy permit is obtained.
IV. BENEFICIARIES

The CDBG program allows several different methods of documenting that a project benefits low to moderate income persons. Direct Benefit projects provide services directly to an individual or family; for example, a housing rehabilitation project is a Direct Benefit project. Some projects benefit an area, such as a Sidewalk Project.

A. DIRECT BENEFIT BENEFICIARIES:

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

How many unduplicated individuals or households are expected to be served by this project? 650 chld/8-10yrs

PRESUMED BENEFIT: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

a. Elderly persons (62 or older) b. Battered spouses
   c. Homeless persons d. Abused children
e. Persons living with AIDS f. Migrant farm workers
g. Illiterate persons (includes non- g. Severely disabled adults
   English speakers) (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? Yes or No
   a. If “yes”, under which category(ies): Abused Children

BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”:

1. If the program’s beneficiaries cannot be considered “Presumed”, how will income eligibility be determined?

   N/A a. Projection of the individual/family’s income based on family size; or,

   N/A b. Other. Please provide details of how eligibility will be determined.

B. AREA BENEFIT PROJECTS:

Some projects, such as a senior center or a park, serve an area rather than individual persons. HUD defines an area benefit project as an activity which is available to benefit all of the residents of an area which is primarily residential. In order to meet the eligibility requirement of benefiting low to moderate persons, the area served must be an area where at least 51% of the residents are low/mod income persons. Most, but not all, San Marcos residential neighborhoods are low/mod.

1. Will this project be available to benefit all persons in the service area? Yes No

2. Are the neighborhoods that will benefit from this project primarily residential? Yes No

If “No”, please explain:

3. What neighborhoods will benefit from this project? Please list either individual neighborhoods or describe the boundaries that will define the service area:

   All of City of San Marcos
PUBLIC FACILITY PROJECTS (IF NOT A PUBLIC FACILITY, SKIP THIS SECTION)

In the CDBG program, Public Facilities are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by non-profit organizations, and operated so as to be open to the general public. Facilities providing shelter for persons having special needs are also considered to be public facilities.

- Public facility projects do not include the costs of operating and maintaining public facilities, costs of purchasing construction equipment, the costs of furnishings and other personal items such as uniforms, or new construction of public housing.

- Public facilities are intended to benefit all the residents of an area; thus, in most cases it must serve an area having at least 51% low/mod population.

- Public facilities owned by a nonprofit must be made available to the general public and must be open for use by the general public during all normal hours of operation.

- Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges, such as excessive membership fees, which will have the effect of precluding low/mod income persons from using the facilities, are not permitted.

1. Who is/will be the owner of the facility? CASA of Central Texas, Inc. (a non-profit organization)

2. Will fees be charged for the use of the facility? ____ Yes  or  ____ No
   if yes, please attach a fee schedule.

3. How will the facility be made available to the general public?

   In the facility, the main Training/Conference room (1,029sf), the attached Break Room, the small Meeting Room (128sf), the Restrooms, and the Covered Patio will be available at no charge to other non-profit organizations that serve children and families, to the Child Protective Services division of the Texas Department of Family & Protective Services, and to community civic groups such as Lions and Sertoma Clubs. At the discretion of CASA, a fee may be charged to reimburse for cleaning expenses. Scheduling and access will be handled by appointments through the CASA office, with approval by the Executive Director and/or Board of Directors.
V. Project Budget

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time – generally less than three years. Thus it is important that any additional funds needed to complete the project have been secured.

1. Estimated total project cost: $2,107,480. CDBG Funds requested: $350,000

2. Funds from all other sources that will be available on or before October 1st: $525,780 (currently committed)

3. How will budget shortfalls be addressed? CASA is conducting a capital fundraising campaign to secure major gifts and donations from community members; grant applications will be submitted to private foundations; and a line of credit is secured for short-term gaps.

4. Are any additional funds for this project being requested from the City of San Marcos?
   
   ☐ Yes   ☑ No. If “yes”, please describe type and amount requested: ____________________________
   Type of funds requested: ____________________________

Funding History

1. Has your organization received CDBG funding in the past 5 years? ☑ Yes   ☐ No

2. If yes, how were the funds used? Program services: Advocacy for children in foster care (abused children)

3. Is the project complete? ☑ Yes   ☑ No   If no, status and expected completion date:

   Advocacy program services for abused children are ongoing in PY2016-17 with an expected completion date of 9/30/17. Program services for prior years were successfully completed, reports submitted to COSM.

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. City Council has waived fees for Construction Permitting and Development Code Processes for CDBG projects. Impact fee charges, when applicable, are not waived. Round budget numbers to the nearest dollar.

CDBG funds cannot be spent or obligated until final environmental clearance for the project has been obtained. HUD has interpreted “obligated” to mean that we cannot execute contracts or take bids as that will “obligate” funds. The environmental review is generally prepared by the CDBG staff. Please include $1,000 for environmental fees for rehabilitation, new construction, demolition & clearance, and land acquisition projects. No environmental expenses are required for professional service projects that will not include construction.
<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Total Budget</th>
<th>CDBG Funding Proposed</th>
<th>Other Funding Source(s)</th>
<th>Secured Funds available at project start</th>
<th>Additional Funds Needed to Complete Project</th>
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<tr>
<td><strong>Project Soft Costs</strong></td>
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<tr>
<td>Environmental Review Preparation</td>
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<td><strong>Project Hard Costs</strong></td>
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<td>0</td>
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<tr>
<td>Dumpsters / fencing/ portable toilets, etc.</td>
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<td>10,000</td>
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<td>Demolition / clearance expenses</td>
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<td>0</td>
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<td>Rehabilitation or new construction costs: Concrete, Masonry, Metals, Carpentry, Roofing, Doors, Windows, Glass, Finishes, Specialties, Plumbing, Mechanical, Electrical</td>
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<td>187,850</td>
<td>Private Foundations, Grants, Corporate and Individual Donations</td>
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<td>578,420</td>
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<td>Property acquisition</td>
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<td></td>
<td>170,000</td>
<td>0</td>
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<tr>
<td>Other: Furnishings, Equipment, Telecommunications, Alarm, Landscape</td>
<td>96,930</td>
<td></td>
<td>Private Foundations, Grants, Corporate and Individual Donations</td>
<td>96,930</td>
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<tr>
<td>Other: Contingency, Inflation, Attrition, Utilities</td>
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<td>Private Foundations, Grants, Corporate and Individual Donations</td>
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<td><strong>BUDGET TOTAL</strong></td>
<td>2,107,480</td>
<td>350,000</td>
<td></td>
<td>525,780</td>
<td>1,231,700</td>
</tr>
</tbody>
</table>
VI. PROJECT IMPLEMENTATION SCHEDULE

NOTE: The first activity should be environmental review. Projects that do not impact the physical environmental generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Procurement of Architect</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Contract executed</td>
</tr>
<tr>
<td>City Environmental Review</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Approval to use funds</td>
</tr>
<tr>
<td>Request Construction Bids, Publish Public Notices</td>
<td>January 2018</td>
<td>February 2018</td>
<td>Copy of public notice, copies of bids</td>
</tr>
<tr>
<td>Bid Review, Selection of Contractor</td>
<td>March 2018</td>
<td>April 2018</td>
<td>Board approval, selection of contractor, contract executed</td>
</tr>
<tr>
<td>Pre-Construction Meeting</td>
<td>May 2018</td>
<td>May 2018</td>
<td>Meeting held</td>
</tr>
<tr>
<td>Obtain Construction Permits</td>
<td>May 2018</td>
<td>June 2018</td>
<td>Permits signed</td>
</tr>
<tr>
<td>Procurement of Materials, Services</td>
<td>June 2018</td>
<td>December 2018</td>
<td>Invoices, materials received</td>
</tr>
<tr>
<td>Groundbreaking</td>
<td>July 2018</td>
<td>July 2018</td>
<td>Contractors on site</td>
</tr>
<tr>
<td>Building Construction</td>
<td>July 2018</td>
<td>December 2018</td>
<td>Observable progress</td>
</tr>
<tr>
<td>Obtain Occupancy Permit</td>
<td>December 2018</td>
<td>December 2018</td>
<td>Permit signed</td>
</tr>
</tbody>
</table>
VII. ORGANIZATION INFORMATION

Please attach the following documents with your application:

1. Organizational Chart – attached
2. Articles of incorporation – attached
3. Proof of Tax Exempt status – attached
4. Current year budget – attached
5. Most recent balance sheet and financial statement – attached
6. Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project. – attached
7. If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s). N/A
8. Please attach a listing of your board of directors, including position/title on board. Provide a contact number for the Chair/President and Treasurer. Please be mindful that information provided will be available for public review. – attached
9. Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization’s governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.) - Attached

BACKGROUND INFORMATION

Organization Type:

✓ 501(c) Non-Profit Corporation  ____ Public Corporation  ____ Government Entity

Other: __________________________________________

1. How many years has your organization been in business? 32

2. Organization’s Taxpayer Identification Number (EIN): 74-2403373

3. Organization’s Dun and Bradstreet Number: 809375715

4. Organization is currently registered in the federal System for Award Management (SAM): ✓ Yes  ____ No

BOARD OF DIRECTORS / FINANCIAL INFORMATION

1. Name and title of Board of Directors chair or president: Susan K. Russell, President

2. What is the date of your fiscal year end? June 30

3. Does your organization have a purchasing policy? ✓ Yes  ____ No

4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? ✓ Yes  ____ No

   If “Yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? ✓ Yes  ____ No

   If “Yes”, please attach an explanation that includes the current status.
6. During the last fiscal year did your organization spend $750,000 or more in Federal financial assistance?  
   ( ) Yes  ( ) No

7. What level of financial review does your organization obtain from an independent source? Select from the following options:  
   ( ) Single Audit  ( ) Audited Financial Statement
   ( ) Reviewed Financial Statement  ( ) Compiled Financial Statement
   ( ) No independent review  ( ) Other (describe): ____________________________

7. What period was covered by your most recent financial review? 7/1/15 – 6/30/16

PERSONNEL/STAFF CAPACITY/POLICIES

1. Name and Title of your chief administrator: Norma Castilla-Blackwell, Executive Director
   • Number of years in this position: 13

2. Total number of current employees at all locations: 19

3. Total number of current employees who will be involved in this project: 4

4. Total number of new employees expected to be hired for the project: 0

5. Does your organization have a personnel policy manual?  ( ) Yes  ( ) No
   • Does it include a procedure for filing grievances?  ( ) Yes  ( ) No
   • Does it include a non-discrimination clause?  ( ) Yes  ( ) No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds?  ( ) Yes  ( ) No

7. Separation of duties for financial transactions regarding this project (respond with job title):
   a. Who will approve payment of incurred expenses?  Executive Director, 2 Board Members
   b. Who will actually prepare the payment check?  Finance Director
   c. Who will sign checks paying project expenses?  2 Board Members
   d. Who posts the transaction to your financial records?  Finance Director
   e. Who reconciles monthly bank statements?  Board Treasurer

INSURANCE/BONDING/WORKER’S COMPENSATION

1. Does your organization have liability insurance coverage?  ( ) Yes  ( ) No

2. If yes, in what amount? $2,000,000

3. Does your organization pay worker’s compensation in accordance with Federal and state laws?  ( ) Yes  ( ) No  ( ) N/A

4. Does your organization have fidelity bond coverage for principal staff members who handle the organization’s accounts?  ( ) Yes  ( ) No

5. Will vehicles owned by the organization be used in conjunction with the proposed project?  ( ) Yes  ( ) No

6. If vehicles owned by the organization are used in conjunction with the proposed project, will they be maintained on the vehicles?  ( ) N/A
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant’s governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency’s (EPA) list of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.

14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient’s environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient’s responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland "Anti-Kickback" Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
• Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
• Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
• The Architectural Barriers Act of 1968;
• The Americans with Disabilities Act (ADA) of 1990;
• The Age Discrimination Act of 1975, as amended;
• National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
• Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
• Asbestos guidelines established in CPD Notice 90-44;
• HUD Environmental Criteria and Standards (24 CFR Part 51);
• The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
• Flood Disaster Protection Act of 1973;
• Colorado House Bill 06-1023 and 06-1043;
• Procurement Standards (2 CFR 200.322);
• Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
• Energy Efficiency (2 CFR Part 200 Appendix II); and
• Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form — “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:
1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,

4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the "Playing by the Rules" handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

Norma Castilla-Blackwell

Signature: ____________________________

Printed Name & Title: Norma Castilla-Blackwell, Executive Director

Organization Name: CASA of Central Texas, Inc.

Date Signed: 3/03/17
CASA of Central Texas, Inc.

Board of Directors 2017 (updated 3/2017)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan K. Russell</td>
<td>President</td>
<td>830-237-4662</td>
</tr>
<tr>
<td>Archie Dishman</td>
<td>Treasurer</td>
<td>281-772-4195</td>
</tr>
<tr>
<td>David Pfeifer</td>
<td>Vice-President</td>
<td></td>
</tr>
<tr>
<td>Becky Lake</td>
<td>Secretary</td>
<td></td>
</tr>
<tr>
<td>David Junkin</td>
<td>Parliamentarian</td>
<td></td>
</tr>
<tr>
<td>JoAnne C. Germer</td>
<td>Past President</td>
<td></td>
</tr>
<tr>
<td>Rosemary Hopkins</td>
<td>Member</td>
<td></td>
</tr>
<tr>
<td>Emily Hutchison</td>
<td>Member</td>
<td></td>
</tr>
<tr>
<td>Frank Pereira</td>
<td>Member</td>
<td></td>
</tr>
<tr>
<td>Seth Worley</td>
<td>Member</td>
<td></td>
</tr>
</tbody>
</table>
CASA of Central Texas, Inc.

Governing Board Resolution

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. finds it in the best interest of the residents of Caldwell, Comal, Guadalupe and Hays Counties, that CASA of Central Texas, Inc. construct a CASA Training & Support Center as a permanent office in San Marcos; and

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. agrees that in the event of loss or misuse of the City of San Marcos CDBG funds, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. assures that the funds will be returned to the City of San Marcos in full; and

WHEREAS, the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. designates Norma Blackwell, Executive Director, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the Executive Committee of the Board of Directors of CASA of Central Texas, Inc. authorizes submission of the grant application from CASA of Central Texas, Inc. to the City of San Marcos for CDBG Public Facilities Funding.

Signed by: [Signature]

Passed and approved this 30th day of March 2017.
CASA of Central Texas, Inc.
Organizational Chart

Board of Directors
Executive Committee
President Susie Russell
Vice President David Pfeifer
Past President JoAnne Germer
Secretary Becky Lake – Treasurer Archie Dishman – Parliamentarian David Junkin

Executive Director
Norma Blackwell

Program Coordinator
Renee Lehmann (PT)
Program Director
Kimberly Key

Training Coordinator
Vacant
Finance Director
Cathy Vida
Administrative Coordinator
Jade Hammer

Development Director
Tricia Schneider
Community Relations Coordinator
Eloise Hudson
Development Coordinator
Grant Writer
Lynnette Lombardo
Development Coordinator
Vacant
Volunteer Recruitment Coordinator
Laura Torres
Volunteer Coordinator
Samantha Mundine

Casework Supervisor
Melanie Linder
(Cornal, Guadalupe)
Casework Supervisor
Lauren Townsend
(Cornal, Guadalupe)
Casework Supervisor
Tim Judkins
(Cornal, Guadalupe, Hays)
Casework Supervisor
Loretta LaBorde
(Hays, Cornal)
Casework Supervisor
Rob Edwards
(Cornal, Hays, Caldwell)
Casework Supervisor
Layla Coleman (PT)
(Caldwell, Hays, Cornal)
Casework Supervisor
Amanda Salazar
(Cornal, Hays)
Casework Supervisor
Carolyn Massey (PT)
(Cornal)
Casework Supervisor
Shelley Donkler
(Cornal, Hays, Guadalupe)

CASA Volunteers
CASA Volunteers
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CASA Volunteers
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CASA Volunteers
CASA Volunteers
CASA Volunteers

Updated 02/2017
The State of Texas
Secretary of State
APR. 29, 1994

ACIE C. MADA - ACIE CRAIG MADA
P.O. Box 21734
NEW BRUNSWICK, NJ 08903

RE: CASA OF CENTRAL TEXAS, INC.

CHARTER NUMBER 00746080-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD YOUR ARTICLES OF ANNUAL. A COPY OF THE INSTRUMENT FILED IN THIS OFFICE IS ATTACHED TO YOUR RECORDS.

THIS LETTER WILL ACKNOWLEDGE PAYMENT OF THE FILING FEE.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.

VERY TRULY YOURS,

[Signature]
Secretary of State
The State of Texas
Secretary of State

CERTIFICATE OF AMENDMENT
FOR
CASA OF CENTRAL TEXAS, INC.
FORMERLY
COMAL COUNTY CHILD ADVOCACY INC.
CHARTER NUMBER 00746080

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS, HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF AMENDMENT FOR THE ABOVE NAMED ENTITY HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS CERTIFICATE OF AMENDMENT.
DATED APR. 27, 1994

[Signature]
Secretary of State
ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
COMAL COUNTY CHILD ADVOCACY, INC.

Pursuant to the provisions of Article 1396-4.03 of the Texas Nonprofit Corporation Act, the Board of Directors adopt the following Articles of Amendment to the Articles of Incorporation of Comal County Child Advocacy, Inc.

ARTICLE ONE

The following amendments to the Articles of Incorporation was adopted by the Board of Directors of the Corporation on April 21st, 1994.

ARTICLE TWO

This Amendment alters Article One of the original Articles of Incorporation to read as follows:

The name of the corporation is CASA OF CENTRAL TEXAS, INC.

ARTICLE THREE

This Amendment alters Article Four of the original Articles of Incorporation to read as follows:

4. The purpose or purposes for which the corporation is organized are: To represent the best interests of physically and sexually abused children in Central Texas in criminal and civil proceedings. To be an independent voice in children's rights. To aid with case preparation; to provide assistance to other child oriented agencies; monitor cases; present and monitor legislation, heighten awareness of the public, judiciary and bar as to child abuse and recruit volunteers.
The State of Texas
Secretary of State

CERTIFICATE OF INCORPORATION

OF

COMAL COUNTY CHILD ADOVACY INC.
CHARTER NUMBER 746030

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS, HEREBY CERTIFIES THAT ARTICLES OF INCORPORATION FOR THE ABOVE CORPORATION, DULY SIGNED AND VERIFIED HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUE THIS CERTIFICATE OF INCORPORATION AND ATTACHES HERETO A COPY OF THE ARTICLES OF INCORPORATION.

DATED APR. 1, 1985

[Signature]
Secretary of State
ARTICLES OF INCORPORATION

ARTICLE ONE
The name of the corporation is CORAL COUNTY CHILD ADVOCACY INC.

ARTICLE TWO
The corporation is a non-profit corporation.

ARTICLE THREE
The period of its duration is perpetual.

ARTICLE FOUR
The purpose or purposes for which the corporation is organized are: To represent the best interests of physically and sexually abused children in Cora County in criminal and civil proceedings. To be an independent voice in advocating children's rights. To aid with case preparation, to provide assistance to other child oriented agencies; monitor cases; present and monitor legislation; heighten awareness of the public, judiciary and bar as to child abuse and recruit volunteers.

ARTICLE FIVE
The street address of the initial registered office of the corporation is 805 Encino, and the name of its initial registered agent at such address is BILL M. REIMER.

ARTICLE SIX
The number of directors constituting the initial board of directors is three (3) and the names and addresses of the persons who are to serve as the initial directors are:

BILL M. REIMER
CINDY RENAZAR
TIMOTHY W. OWENS
805 Encino, New Braunfels, Texas
705 Landa, New Braunfels, Texas

ARTICLE SEVEN
The name and street address of each incorporator is:

BILL M. REIMER
CINDY RENAZAR
TIMOTHY W. OWENS
805 Encino, New Braunfels, Texas
705 Landa, New Braunfels, Texas

STATE OF TEXAS
COUNTY OF CORAL

Before me, a notary public, on this day, personally appeared
BILLY M. REIMER, know to me to be the person whose names
are subscribed to the foregoing document and being by me first
duly sworn, severally declared that the statements therein con-
tained are true and correct.

Given under my hand and seal of office this 10th day of

[Signature]
Notary Public
My commission expires:
APR 01 8005
The State of Texas
SECRETARY OF STATE

CERTIFICATE OF AMENDMENT
OF

COMAL COUNTY CHILD ADVOCACY, INC.

CHARTER NO. 746080-1

The undersigned, as Secretary of State of the State of Texas, hereby certifies that Articles of Amendment to the Articles of Incorporation of the above corporation duly signed pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this Office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Amendment to the Articles of Incorporation and attaches hereto a copy of the Articles of Amendment.

Dated OCTOBER 21  1986

[Signature]
Secretary of State
BY-LAWS
OF
CASA of CENTRAL TEXAS, Inc.

Article I - - Name

1.01 Name
The name of the corporation shall be CASA of Central Texas, Inc. CASA is an acronym for Court Appointed Special Advocates. The corporation shall be referred to as CASA or the Corporation in these Bylaws.

Article II - - Purpose

2.01 Purpose
CASA is organized exclusively for charitable purposes within the meaning of Section 501 (c ) ( 3 ) of the Internal Revenue Code. CASA shall promote, assist, support, develop and continue the CASA program in Caldwell, Comal, Guadalupe and Hays Counties. The CASA program provides court-appointed volunteers to investigate and make recommendations concerning assigned cases dealing with abused and neglected children.

2.02 Mission Statement
CASA of Central Texas, Inc. advocates for abused and neglected children in the court system by recruiting, training and supporting community volunteers.

2.03 Vision Statement
We believe that every child has a right to a safe, permanent home.

Article III - - Office and Registered Agent

3.01 Office
The Corporation may have its offices at such place or places within the State of Texas, as the Board of Directors may determine.

3.02 Registered Office and Registered Agent
CASA shall have and continuously maintain in the State of Texas a registered office and registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be, the same as the principal office of CASA in the State of Texas, and the address of the registered office may be changed by the Board of Directors.
Article IV - - Members

The Corporation shall not have a general membership. The Board of Directors shall be a self-perpetuating body with the successors elected by the Board.

Article V - - Board of Directors

5.01 General Powers
The affairs of CASA shall be managed by its Board of Directors.

5.02 Number
The number of voting Directors shall be not less than nine (9) nor more than twenty-one (21).

5.03 Accountability for Organizational Integrity
The Board of Directors retains responsibility for overall accountability for policy development, long-range planning, marketing, fundraising, oversight of finances, and risk management.

5.04 Composition
The intent of the Corporation shall be to maintain a composition of the Board of Directors with at least one (1) representative from each of Caldwell, Comal, Guadalupe and Hays Counties. The preferred composition of the Board of Directors includes five (5) representatives from each county served, in addition to the President of the Board.

5.05 Qualifications
The Board will adopt criteria for Directors. Each Director must be at least twenty-one (21) years of age and possess such skills as legal, fiscal, personnel, management, and marketing; connected to the communities served by CASA; committed to devoting time as a leader, officer, and/or committee member; not be related or married to any employee of CASA or Director; and not be employed by CASA.

5.06 Election
The successors to those Directors whose terms of office expire each year shall be elected by the Board of Directors. The election and reelection of Directors shall be by recommendation and motion to the Board by the Board Development Committee at the June meeting, and shall be decided by a vote of the majority of the Directors at the June meeting, and shall assume their positions at the July meeting.
5.07 **The Wing Society Board**
The Board of Directors may invite members of the community to serve as members of the Wing Society Board. A member of the Board of Directors shall serve as a member of the Wing Society. Members of the Wing Society Board may attend and speak at all meetings of the Board of Directors, but shall serve without the right to vote on any action of the agency and shall not be required in order to establish a quorum. Members of the Advisory Board shall be elected annually by the Wing Society Board and shall serve for a term of one (1) year.

5.08 **Term of Office**
The terms of office of Directors shall be three (3) calendar years, staggered with one-third (1/3) of the Directors being elected each year. A person nominated by the Board Development Committee and elected by the Board to fill a vacancy of an unexpired term of a Director will complete the unexpired term. A person nominated by and approved by the Board to fill a vacancy, other than a vacancy with an unexpired term, shall be considered as having completed one year of the three (3) year term as of June 30th of the year of election. All terms begin on July 1 and end on June 30 of each calendar year. A director may serve unlimited successive three (3) year terms if duly nominated by the Board Development Committee and elected by the majority of all of the Directors. Written requests for renewals will be delivered to the Chairman of the Board Development Committee in May and if approved by the Board Development Committee, presented to the Board for election in June.

5.09 **Board Member Responsibility**
The Board of Directors shall have the control and general management of the affairs and business of this Corporation.

1. Each Board member is required to attend nine (9) out of eleven (11) regularly scheduled meetings per fiscal year (July 1 through June 30). A Director who misses three (3) out of eleven (11) meetings shall be automatically removed, but may be reinstated by the Board upon a recommendation from the Board Development Committee. Illness of a Board member or serious illness/death of an immediate family member are considered excused absences. Participating in events or meetings related to CASA business is also an excused absence.

2. Each Board member is expected to participate in the fundraising efforts of CASA.

3. Each Board member will submit to background checks before assuming a position on the CASA Board, including the following: (a) Social security number verification, (b) Texas criminal record check obtained from the Texas Crime Information Center maintained by the Texas Dept. of Public Safety, (c) National
criminal record check obtained from the National Crime Information Center (NCIC) maintained by the FBI, (d) Texas Public Sex Offender Registry check maintained by the Texas Dept. of Public Safety, (e) National Sex Offender Registry check maintained by the U.S. Dept. of Justice, and (f) The Child Abuse and Neglect Central Registry maintained by the Texas Dept. of Family and Protective Services.

4. Each Board member will attend ongoing Board training and educational seminars.

5.10 Relationships with Staff and Volunteer Advocates
Board members should consult with the Executive Director for any assistance needed.

1. Complaints or community concerns should be directed to the Executive Director.

2. Board Directors should annually attend two (2) swearing in ceremonies and receptions for new Volunteer Advocates, participate in two (2) volunteer and staff appreciation activities, and attend one (1) diversity training (which can be through Volunteer Training).

5.11 Policy Development
Board members should annually review the Mission Statement of CASA, the Policies and Procedures, Articles of Incorporation and Bylaws.

5.12 Long-Range Planning
It is the responsibility of the Board members to be familiar with the current Strategic Plan. Program goals need to be reviewed and refined as necessary. Human and financial resources need to be acquired by the Board members.

5.13 Resource Development
The Board of Directors will ensure that adequate financial resources are available to provide and maintain program services. Each Director will approve and support the fundraising plan established by the Fund Development Committee as well as participate in fundraising activities. Each Board member will make an annual financial contribution and the Board will collectively achieve 100% participation.

5.14 Marketing
The Board of Directors will be knowledgeable about the functions of the CASA program respecting the confidentiality of program services. Directors will approve and support the marketing plan determined by the Fund Development Committee.
5.15 **Oversight of Finances**
The Board of Directors will review and approve the annual budget as determined by the Executive Director and the Finance Committee. Directors will monitor expenditures, review the annual audit, Financial Policy and Procedures, and annually review all insurance policies, fixed assets and inventory. The Board of Directors will review the financial statements monthly.

5.16 **Vacancies**
Vacancies on the Board of Directors occurring between Annual Meetings may be filled for the unexpired portion of the term by majority vote of the Board of Directors, even if there is only one member remaining on the Board.

5.17 **Removal of Directors**
Any one or more of the Directors may be removed, either with or without cause, by a majority vote of the Board of Directors, with the Director to be removed not voting.

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**Article VI - Meetings**

6.01 **Regular Meetings**
The Board of Directors shall meet monthly July through June unless otherwise designated by the President, and will be held as determined by the Board. Except as otherwise provided by statute, the Articles of Incorporation of CASA or these Bylaws, any and all business may be transacted at any regular meeting, and neither the purpose of, nor the business to be transacted at any regular meeting need be specified in any notice or waiver of notice of such meeting. Evaluation of the Executive Director will take place during closed session of the April meeting with prior submission of the evaluation materials at the March meeting of the Board of Directors by a committee appointed by the President.

When Board action is needed before the next regularly scheduled meeting, the Board President may authorize the Executive Director and his/her designee to contact each Board member to conduct a vote on a particular matter by email or otherwise. Such votes should not become the regular method of action for the Board and generally should be conducted only on matters determined to be urgent, non-controversial and not in need of much discussion among the Board. At the next meeting of the Board immediately following such vote, the Board shall re-affirm the vote and have the action recorded in the minutes of the organization.
6.02 **Special Meetings**
Special meetings of the Board of Directors may be called by or at the request of the President or by the written request of one-half (1/2) of the Directors. The person or persons authorized to call special meetings of the Board of Directors shall fix the time and place of any special meeting of the Board of Directors called by them in the notice of the meeting. Written notice stating the place, date, and time of each special meeting will be given to each Director, not less than three (3) days before the date of such meeting. Except as otherwise expressly provided by statute, the Articles of Incorporation of CASA or these Bylaws, any and all business may be transacted at any special meeting and must be specified in the notice or waiver of notice of such meeting.

6.03 **Alternative Forms of Meetings**
Subject to the notice provisions of these Bylaws, the Board may hold an annual, regular or special meeting by means of conference telephone or similar communications equipment or another suitable electronic communications system (such as videoconference) that permits each person participating in the meeting to communicate with all other persons participating in the meeting. Participation in any such meeting shall constitute presence in person at such meeting and waiver of notice of such meeting, except when a person participates in such meeting for the express purpose of objecting to the transaction of any business on the ground that such meeting is not lawfully called or convened. Any committee provided for in these Bylaws or established by the Board may also hold its meetings by means of such conference telephone or similar communications equipment.

6.04 **Place of Meetings**
Meetings of the Board will be held at such places, within or without the State of Texas, as may from time to time be determined by the Board and communicated to all Directors, or as may be specified in the respective notices or waivers of notice of such meetings.

6.05 **Notice of Meetings**
Notice of all annual, regular or special meeting of the Board of Directors shall be given at least ten (10) days previously thereto by written notice delivered, either personally or by mail or email to each Director at the address as shown by the records CASA. If mailed, the notice shall be deemed delivered to the Director when deposited with postage prepaid in the United States mail so addressed. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except when a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the
notice or waiver of notice of such meeting unless specifically required by
law or these Bylaws.

6.06 **Annual Meetings**
An annual meeting of the Board will be held in the month of June of each
year upon at least ten (10) days written notice to each Director of a date
and at such place as determined by the Board. Such annual meetings will
include the installation of Directors and Officers, and the transaction of
such other business as may be brought before such meetings.

6.07 **Quorum**
One-half (1/2) plus one (1) of the Directors shall constitute a quorum of the
transaction of business at any meeting of the Board of Directors, except
as otherwise expressly provided by statute, the Articles of Incorporation of
CASA or these Bylaws; but if less than a majority of the Directors are
present at said meeting, a majority of the Directors present may adjourn
the meeting from time to time without further notice.

6.08 **Manner of Acting**
The act of a majority of the Directors present at a meeting at which a
quorum is present shall be the act of the Board of Directors, unless the act
of a greater number of Directors is required by law or by these Bylaws.

6.09 **Expectation of Directors**

1. Each Director is expected to serve on at least one (1) committee.
2. Each Director is expected to participate in the fundraising efforts of
CASA with the exception of Masters and District Judges.
3. Each Director is expected to contribute financially to CASA.
4. Each Director is expected to attend all meetings of the Board. Any
Director missing three (3) of eleven (11) regularly scheduled meetings
in a fiscal year due to excused or unexcused absence shall be
considered as having resigned and will be removed from the Board,
but may be reinstated by the Board. The Board Development
Committee may recommend removal of the Director to the Board for
non-participation.
5. Each Director is expected to attend a Volunteer Training class or
Voices tour, and must attend Board Orientation, to obtain sufficient
knowledge of CASA’s programs within one (1) year of being elected as
a Director.
6. Each Director is expected to attend such programs as Strategic
Planning and retreats designed to continue the education, orientation,
and development of Directors.
7. Each Director is expected to review and execute CASA’s
Confidentiality Agreement and Conflicts of Interest Policy annually.
6.10 Voting
At all meetings of the Board of Directors, each Director is to have one vote. The Directors present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough Directors leave the meeting so that less than a quorum remains; however, no action may be taken without the vote of a majority of the number of Directors required for a quorum. If a quorum is never present at any time during a meeting, a majority of the Directors present may adjourn and reconvene the meeting once without further notice.

6.11 Proxy Voting
A Director may not vote by proxy.

6.12 Compensation of Directors
Directors shall not receive compensation, but may be reimbursed for reasonable expenses properly incurred by them on behalf of CASA if approved by the Board.

Article VII - - Officers

7.01 Officers
The Officers of CASA shall be a President, one or more Vice-Presidents (the number thereof to be determined by the Board of Directors), a Secretary, a Treasurer, and such other Officers that may be elected in accordance with the provisions of this Article. The Board of Directors may elect at least one volunteer from each county to serve on the Board or appoint such other Officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such Officers to have the authority and perform the duties prescribed from time to time by the Board of Directors. Anyone that holds an office and runs for another office should resign their current position.

7.02 Election and Term of Office
No two offices shall be held by the same person. The officers of CASA shall be chosen from the Board of Directors and shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. New offices may be created and filled at any meeting of the Board of Directors. Each Officer shall hold office until his successor shall have been duly elected and shall have been qualified. No person may serve for more than two (2) full consecutive years in any one office of CASA, with the exception of the President who may serve three (3) full consecutive years. To be eligible to serve as President, it is highly desirable that a Director shall have served as a Director for one (1) year and as an Officer or the Chairperson of a Committee identified in Article VII for at least one (1) year.
7.03 **Removal**
Any Officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of CASA would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the Officer so removed.

7.04 **Vacancies**
A vacancy in any office, because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term at any meeting of the Board of Directors.

7.05 **President**
The President shall be the principal executive officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and meetings of the Corporation. He or she shall preside, when present, at all meetings of the Board of Directors and serve as an ex officio member of all committees of the Board.

The President shall sign all contracts and agreements in the name of the Corporation, subject to the advice, consent and approval of the Board of Directors.

The President shall be the chairman of the Executive Committee, a member of the Finance Committee, and an ex officio member of all other committees. The President shall have the power and authority to appoint ad hoc committees and chairmen as needed with the approval of the Executive Committee.

7.06 **Vice-President**
During the absence or inability of the President to render and perform the President's duties or exercise the President's powers as set forth in these Bylaws or in the acts under which this Corporation is organized, the same shall be performed and exercised by the Vice-President.

The Vice-President shall be a member of the Executive and Finance Committees, and shall be an ex officio member of all other committees.

7.07 **Secretary**
The Secretary shall see that the minutes of the meetings of the Board of Directors and the Executive Committee are kept, shall see that the books and reports are properly made and filed and shall perform such other functions as from time to time may be directed by the President.

The Secretary shall be a member of the Executive Committee.
7.08 **Treasurer**
The Treasurer may sign, make and enforce in the name of the Corporation all checks, drafts and order for the payment of money under the direction of the President or the Board of Directors, or as may be delegated to the Executive Director.

The Treasurer shall exhibit at all reasonable times the books and accounts of the Corporation to any Director.

The Treasurer shall provide statements of the conditions of the finances of the Corporation at each regular meeting of the Board of Directors and at such other times as may be required of the Treasurer.

The Treasurer shall oversee the acquisition of a Bond, which meets federal, state and local tax requirements, securing an audit as needed and securing insurance for the Corporation as required by the Board of Directors.

The Treasurer shall be the chairperson of the Finance Committee and shall be a member of the Executive Committee.

**Article VIII - - Executive Director**

8.01 **Executive Director**
The Executive Director shall be the Chief Administrative Officer of CASA and shall be responsible to the Board of Directors for the management of CASA. The Executive Director may be assisted by such additional staff as provided for by the Board of Directors. The Board of Directors shall have authority to employ, evaluate, and discharge an Executive Director upon such terms and conditions as the Board may determine.

The Executive Director shall have the authority to make expenditures within the approved budget.

The Executive Director shall serve as a non-voting member of the Board of Directors.

**Article IX - - Committees**

9.01 **Executive Committee**
The Executive Committee shall be composed of the President, the immediate Past President, the Vice-President(s), the Secretary, the Parliamentarian and the Treasurer. The President shall serve as Chairperson of the Executive Committee. Between meetings of the Board, the Executive Committee shall have all the power and authority of the Board of Directors except that it shall not have the authority to: (a)
select members of any standing committee, (b) fill any vacancy in any office, (c) approve the annual budget, or (d) employ or discharge the Executive Director. The Executive Committee shall report its actions to the Board of Directors at the next meeting of the Board of Directors.

9.02 Board Development Committee
The Board Development Committee shall be composed of a minimum of three (3) Directors. This committee shall set up criteria for Directors, maintain a roster of potential Directors, explain to nominees their duties and responsibilities as Directors, and provide nominees with a copy of these Bylaws:

1. The Chairperson of the Board Development Committee shall request suggestions from the Directors for nominations for Officers and Directors.
2. The report of the Board Development Committee shall be presented to the Board of Directors at its annual meeting. Provided the consent of the nominee has been obtained in advance, nominations in addition to those submitted by the Board Development Committee may be made from the floor by any Director.
3. The Board Development Committee may be requested by the Executive Committee to nominate persons to fill any vacancies on the Board of Directors or in offices of the Board of Directors.

9.03 Finance Committee
The Finance Committee shall be composed of the Treasurer and additional Directors. The Treasurer shall serve as Chairperson of the Finance Committee:

1. The Finance Committee shall prepare the annual budget for presentation to the Board of Directors, and present an audit report annually to the Board of Directors after the close of the fiscal year.
2. The Finance Committee is responsible for the study and review of all matters involving the finances, appropriations, and expenditures of the funds of CASA, including, but not limited to, review of the budgets and financial reports of CASA.

9.04 Policy/Personnel Committee
The Policy/Personnel Committee shall be composed of three (3) or more Directors. The President shall appoint the Chairperson of this committee. The Policy/Personnel Committee shall recommend personnel policies to the Board of Directors and assist the Executive Director in developing and maintaining sound programs of personnel administration. This committee shall study and recommend policies concerning programs, operations and procedures.
9.05 **Fundraising Committee**
The Fundraising Committee shall have responsibility for the financial support of CASA and shall plan and assist in implementing fundraising programs. This committee is comprised of the entire Board of Directors. It shall be chaired by one or more Directors. Additional membership of this committee may include non-members of the Board of Directors.

9.06 **Fund Development Committee**
The Fund Development Committee shall have responsibility to ensure that adequate financial resources are available to provide and maintain program service. The Committee will be responsible for the fundraising plan and the marketing plan. It shall be chaired by one or more Directors. Additional membership of this committee may include non-members of the Board of Directors.

9.07 **Other Committees**
Other committees not having and exercising the authority of the Board of Directors in the management of CASA may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of such committee shall be Directors, who may be appointed by the President.

9.08 **Term of Office**
Each member of a committee shall continue as such until the next annual meeting of the Board of Directors and until a successor is appointed, unless the committee shall be sooner terminated, or unless such member is removed from such committee, or unless such member shall cease to qualify as a member.

9.09 **Removal**
Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interest of CASA shall be served by such removal.

9.10 **Vacancies**
Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

9.11 **Quorum**
Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.
Article X - - Financial Accountability

No Officer, Director or agent of the Corporation, either singly or jointly with others, shall have the power to make any bill payable, note, check or other negotiable instrument, or endorse the same in the name of the Corporation, or contract or cause to be contracted any debt or liability in the name of or on behalf of the Corporation, except as herein expressly described and provided.

10.01 Contracts
The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the corporation. Such authority may be general or confined to specific instances.

10.02 Checks and Drafts
All checks, drafts, or orders for the payment of money, notes or other evidences or indebtedness issued in the name of the Corporation shall be signed by such Officer or Officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution by the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and counter-signed by the President or a Vice President of the Corporation.

All applications for grants must have Executive Committee or Board of Directors approval prior to submission to the funding source.

Article XI - - Indemnification Clause

11.01 Indemnification of Officers and Directors
The Officers, Directors, agents and employees of the Corporation shall be indemnified to the maximum extent authorized by law.

Article XII - - Conflict of Interest

12.01 If any matter should come before the Board or any committee thereof in such a way as to give rise to a conflict of interest, the affected member shall make known the potential conflict and withdraw from the meeting for so long as the matter shall continue under discussion, except to answer any questions that might be asked of him or her. Should the matter be brought to a vote, the affected member shall not vote on it. In the event that, when advisable, (s)he fails to withdraw voluntarily, the chairperson shall require that (s)he remove himself/herself from the room during the discussion and vote on the matter. Each member of the Board will annually sign the conflict of interest policy.
In appropriate instances, the President of the Board of Directors or the Executive Director may seek the advice of an independent professional on a conflict issue.

12.02 **Board Member as Legal Counsel**
Although legal counsel may be provided to CASA under voluntary auspices on a pro bono basis and a lawyer who offers legal counsel may sit on the CASA Board, the role of such legal counsel will be clearly defined in a fee agreement letter from the lawyer in order to keep the two functions separate.

**Article XIII - - General Provisions**

13.01 **Amendments**
The Board of Directors shall have the power to alter, amend, or repeal these Bylaws at any regular or special meeting of the Board of Directors by a vote of two-thirds (2/3) of the members present, provided that written notice of the proposed change is given at least ten (10) days prior to such meeting. These Bylaws shall be reviewed each year by the Executive Committee, and a report of the committee shall be included at each end of the fiscal year Board meeting.

**Construction and Terms**

If there is any conflict between the provisions of these Bylaws and the Articles of Incorporation of this Corporation, the provisions of the Articles of Incorporation shall govern. Should any of the provisions or portions of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these Bylaws shall be unaffected by such holding. All references in these Bylaws to the Articles of Incorporation shall be to the Articles of Incorporation of this Corporation filed with the Secretary of this State and used to establish the legal existence of this Corporation. All references in these Bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future federal tax code.

13.02 **Waiver of Notice**
Whenever, under the provisions of any law, the Articles of Incorporation or amendments thereto, or these Bylaws, any notice is required to be given to any Director or committee member, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein shall be equivalent to the giving of such notice.
13.03 **Conference Telephone Meetings**
Meetings of any committee may be held by means of conference telephone or similar communications equipment so long as all persons participating in the meeting can hear each other. Participants in a meeting pursuant to this Section shall constitute presence in person at such meeting, except where a person participates in the meeting for the express purpose of objection to the transaction of any business on the ground that the meeting is not lawfully called or convened.

13.04 **Fiscal Year**
The fiscal year shall be July 1 through June 30 in each year.

13.05 **Nondiscriminatory Practices**
The Corporation, its Directors, Officers and employees shall not discriminate against any individual or group of individuals on the basis of age, gender, sexual orientation, race, ethnicity, nationality, disability or religion.

**Article XIV-- Restrictions and Requirements**

14.01 The Corporation shall not pay dividends or other corporate income to its Directors or Officers or otherwise accrue distributable profits or permit the realization of private gain. The Corporation shall not have the power to engage in any activities, except to an insubstantial degree, that are not in furtherance of the purposes set forth above.

14.02 The Corporation shall have no power to take any action that would be inconsistent with the requirements for tax exempt organizations under Section 501(c)(3) of the Internal Revenue Code and related regulations, rulings and procedures. Regardless of any other provision to these Articles of Incorporation or state law, the Corporation shall have no power to:

1. Engage in activities or use its assets in manners that are not in furtherance of one or more exempt purposes, as set forth above and defined by the Internal Revenue Code and related regulations, rulings, and procedures, except to an insubstantial degree.

2. Serve a private interest other than one that is clearly incidental to an overriding public interest.

3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings, and procedures.
4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include the publishing or distributing of statement and any other direct or indirect campaign activities.

5. Have objectives that characterize it as an “action organization” as defined by the Internal Revenue Code and related regulations, rulings and procedures.

6. Permit any part of the net earnings of the Corporation to inure to the benefit of any member of the Corporation or any private individual.

7. Carry on an unrelated trade or business except as a secondary purpose related to the Corporation’s primary, exempt purposes.

14.03 Dissolution
On dissolution, the Corporation's assets shall be distributed to an organization dedicated to public benefit purposes exempt from taxes under Internal Revenue Code Section 501(c)(3), to be used to accomplish the general purposes for which the Corporation was organized.

Article XV – Dissolution

Upon dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation remaining after payment of all debts and liabilities shall be distributed exclusively to the State of Texas or an organization exempt from taxes under Internal Revenue Code Section 501(c)(3).

1619 E. Common Street, New Braunfels, Texas 78130
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on November 8, 2001.
Highlighted sections were amended and approved by the Board on February 17, 2004.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on November 20, 2007.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on May 30, 2011.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on June 25, 2013.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on February 24, 2015.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on June 23, 2015.
The above Bylaws were amended and approved by the Board of Directors of CASA of Central Texas, Inc. on April 19, 2016.
RESOLUTION

On the 19th day of April, 2016, at a meeting of the Board of Directors of CASA of Central Texas, Inc., held in the City of New Braunfels, Comal County, Texas, with a quorum of the Directors present, the following business was conducted:

WHEREAS the Board of Directors of CASA of Central Texas, Inc. retains certain responsibilities which should be included in these Bylaws;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of CASA of Central Texas, Inc. approves the following changes to these Bylaws:

- The addition of paragraph 5.05, “Qualifications”
- The addition of the last sentence of paragraph 5.06, “Elections”
- All new paragraph 5.08, “Term of Office”
- Addition of requirement to attend 9 of 11 meetings in paragraph 5.09.1, “Board Member Responsibility”
- Addition of attending “2” swearing in ceremonies and “2” volunteer and staff appreciation activities, and “one diversity training” “annually” in 5.10.2, “Relationships with Staff and Volunteer Advocates”
- Addition of “The Board of Directors will review the financial statements monthly” in paragraph 5.15
- Addition of “with the Director to be removed not voting” in paragraph 5.17
- All new paragraph 6.01, “Regular Meetings”
- Addition of last two sentences to paragraph 6.01, “Special Meetings”
- Addition of paragraphs 6.03 “Alternative Forms of Meetings” and 6.04 “Place of Meetings”
- Change notice of meetings to ten (10) days in paragraph 6.05
- Addition of paragraph 6.06, “Annual Meetings”
- In paragraph 6.09, “Expectation of Directors”, addition of Nos. 4, 5, 6 and 7
- Addition of paragraph 6.12, “Compensation of Directors”
- In paragraph 9.01, “Executive Committee”, addition of “the immediate Past President”
- Addition of paragraph 9.06, “Fund Development Committee”

Voted, passed and approved on April 19, 2016.

JoAnne Germer
President – Board of Directors

Irma Adams
Secretary
Board of Directors
Dear Sir or Madam:

Our records show that CASA OF CENTRAL TEXAS is exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code. This exemption was granted OCTOBER 1986 and remains in full force and effect. Contributions to your organization are deductible in the manner and to the extent provided by section 170 of the Code.

We have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are an organization described in section 170(b)(1)(A)(vi).

If we may be of further assistance, please contact the person whose name and telephone number are shown above.

Sincerely,

[Signature]
EO Technical Assistor

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# CASA OF CENTRAL TEXAS, INC.
## BOARD APPROVED BUDGET
### FY2016-17

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<td>KRONKOSKY CHARITABLE</td>
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### EVENT-BUDGET

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### EXPENSE BUDGET

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<tr>
<td>TOTAL EXPENSES</td>
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</tr>
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CASA OF CENTRAL TEXAS, INC.

FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2016
# Table of Contents

CASA OF CENTRAL TEXAS, INC.

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
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<tbody>
<tr>
<td>Independent Auditor’s Report</td>
<td>1-2</td>
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<tr>
<td>Financial Statements</td>
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<td>Statement of Financial Position</td>
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<td>Statement of Activities</td>
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<td>Statement of Functional Expenses</td>
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<td>Statement of Cash Flows</td>
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<tr>
<td>Notes to Financial Statements</td>
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<tr>
<td>Schedule of CVC/OAG Funds</td>
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<td>Schedule of VOCA Funds</td>
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<td>Schedule of OVAG Funds</td>
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INDEPENDENT AUDITOR’S REPORT

To the Board of Directors
CASA of Central Texas, Inc.

I have audited the accompanying financial statements of CASA of Central Texas, Inc. (a nonprofit organization) which comprise the statement of financial position as of June 30, 2016, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.
Opinion

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of CASA of Central Texas, Inc. as of June 30, 2016, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Report on Supplementary Information

My audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The schedules on pages 13 through 15, Schedules of CVC, VOCA, and OVAG are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In my opinion, the information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Smith, Gonzales, CPA

San Marcos, Texas
November 17, 2016
CASA OF CENTRAL TEXAS, INC.
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2016

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Liabilities and net assets

Current liabilities

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Net assets

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<tr>
<td>Permanently restricted -endowment</td>
<td>47,731</td>
<td>-</td>
<td>47,731</td>
</tr>
<tr>
<td>Unrestricted Wing Society</td>
<td>-</td>
<td>4,431</td>
<td>4,431</td>
</tr>
<tr>
<td>Total net assets</td>
<td>737,686</td>
<td>4,431</td>
<td>742,117</td>
</tr>
</tbody>
</table>

Total liabilities and net assets

<table>
<thead>
<tr>
<th></th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total liabilities and net assets</td>
<td>$853,411</td>
<td>$5,801</td>
<td>$859,212</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
CASA OF CENTRAL TEXAS  
STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Support and revenue</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Unrestricted</td>
<td>Temporarily</td>
</tr>
<tr>
<td>Grants</td>
<td>$ 110,250</td>
<td>$ 531,587</td>
</tr>
<tr>
<td>Contributions</td>
<td>80,555</td>
<td>304,110</td>
</tr>
<tr>
<td>Capital campaign</td>
<td>216,527</td>
<td>216,527</td>
</tr>
<tr>
<td>In-kind donations</td>
<td>184,276</td>
<td>184,276</td>
</tr>
<tr>
<td>Fundraising</td>
<td>84,234</td>
<td></td>
</tr>
<tr>
<td>Unrealized gain/(loss)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Member dues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest income</td>
<td>88</td>
<td></td>
</tr>
<tr>
<td>Total support and revenue</td>
<td>275,127</td>
<td>1,236,500</td>
</tr>
<tr>
<td>Satisfaction of donor restrictions</td>
<td>1,221,509</td>
<td>(1,220,697)</td>
</tr>
<tr>
<td>Total support and revenue</td>
<td>1,496,636</td>
<td>15,803</td>
</tr>
<tr>
<td>Expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program services</td>
<td>1,149,191</td>
<td></td>
</tr>
<tr>
<td>Supporting services</td>
<td>138,779</td>
<td></td>
</tr>
<tr>
<td>Management and general</td>
<td>152,190</td>
<td></td>
</tr>
<tr>
<td>Total expenses</td>
<td>1,440,160</td>
<td></td>
</tr>
<tr>
<td>Change in net assets</td>
<td>56,476</td>
<td>15,803</td>
</tr>
<tr>
<td>Net assets at beginning of year</td>
<td>580,591</td>
<td>37,085</td>
</tr>
<tr>
<td>Net assets at end of year</td>
<td>$ 637,067</td>
<td>$ 52,888</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
# Statement of Functional Expenses

For the Year Ended June 30, 2016

<table>
<thead>
<tr>
<th>Program Services</th>
<th>Total Program Services</th>
<th>Supporting Services</th>
<th>Total Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Services</td>
<td>Management and General</td>
<td>Fundraising</td>
<td></td>
</tr>
<tr>
<td>CASA of Central Texas</td>
<td>$723,272</td>
<td>$85,091</td>
<td>$127,636</td>
</tr>
<tr>
<td>Wing Society</td>
<td>$-</td>
<td>$42,545</td>
<td>$8,784</td>
</tr>
<tr>
<td>Payroll expenses</td>
<td>$723,272</td>
<td>$85,091</td>
<td>$127,636</td>
</tr>
<tr>
<td>Health insurance</td>
<td>49,779</td>
<td>5,856</td>
<td>2,928</td>
</tr>
<tr>
<td>Pension</td>
<td>31,125</td>
<td>3,662</td>
<td>1,832</td>
</tr>
<tr>
<td>In-kind expenses</td>
<td>184,276</td>
<td>184,276</td>
<td>-</td>
</tr>
<tr>
<td>Capital campaign</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Travel</td>
<td>40,496</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Depreciation expense</td>
<td>24,551</td>
<td>8,184</td>
<td>8,184</td>
</tr>
<tr>
<td>Fundraising</td>
<td>-</td>
<td>-</td>
<td>24,850</td>
</tr>
<tr>
<td>Equipment/rental</td>
<td>22,238</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Conferences/meetings</td>
<td>15,941</td>
<td>16,485</td>
<td>-</td>
</tr>
<tr>
<td>Communications</td>
<td>15,849</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Building maintenance</td>
<td>-</td>
<td>13,184</td>
<td>13,184</td>
</tr>
<tr>
<td>Insurance</td>
<td>-</td>
<td>11,276</td>
<td>11,276</td>
</tr>
<tr>
<td>Advocate recognition</td>
<td>7,341</td>
<td>1,802</td>
<td>-</td>
</tr>
<tr>
<td>Office expenses</td>
<td>8,419</td>
<td>8,669</td>
<td>-</td>
</tr>
<tr>
<td>Legal and professional</td>
<td>-</td>
<td>100</td>
<td>8,032</td>
</tr>
<tr>
<td>Advertising and recruiting</td>
<td>5,337</td>
<td>5,337</td>
<td>-</td>
</tr>
<tr>
<td>Memberships</td>
<td>4,601</td>
<td>4,601</td>
<td>-</td>
</tr>
<tr>
<td>Contract services</td>
<td>4,060</td>
<td>4,060</td>
<td>-</td>
</tr>
<tr>
<td>Utilities</td>
<td>-</td>
<td>3,494</td>
<td>3,494</td>
</tr>
<tr>
<td>Children special needs</td>
<td>3,430</td>
<td>3,430</td>
<td>-</td>
</tr>
<tr>
<td>Fees</td>
<td>2,890</td>
<td>2,890</td>
<td>-</td>
</tr>
<tr>
<td>Postage</td>
<td>2,035</td>
<td>2,175</td>
<td>-</td>
</tr>
<tr>
<td>Printing and promotion</td>
<td>1,646</td>
<td>1,974</td>
<td>-</td>
</tr>
<tr>
<td>Training</td>
<td>1,905</td>
<td>1,905</td>
<td>-</td>
</tr>
</tbody>
</table>

$1,149,191 $3,164 $1,152,355 $138,779 $152,190 $290,969 $1,443,324

The accompanying notes are an integral part of these financial statements.
## CASA OF CENTRAL TEXAS, INC.
### STATEMENT OF CASH FLOWS
#### FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Cash flows from operating activities</th>
<th>CASA of Central Texas</th>
<th>Wing Society</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in net assets</td>
<td>$ 69,548</td>
<td>$ (799)</td>
<td>$ 68,749</td>
</tr>
<tr>
<td>Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>32,734</td>
<td>-</td>
<td>32,734</td>
</tr>
<tr>
<td>Decrease in prepaids</td>
<td>1,342</td>
<td>-</td>
<td>1,342</td>
</tr>
<tr>
<td>Increase in receivables</td>
<td>(66,748)</td>
<td>-</td>
<td>(66,748)</td>
</tr>
<tr>
<td>Increase in liabilities</td>
<td>6,484</td>
<td>1,120</td>
<td>7,604</td>
</tr>
<tr>
<td><strong>Net cash provided by operating activities</strong></td>
<td><strong>43,360</strong></td>
<td><strong>321</strong></td>
<td><strong>43,681</strong></td>
</tr>
<tr>
<td>Cash flow from investing activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchase of capital assets</td>
<td>(164,132)</td>
<td>-</td>
<td>(164,132)</td>
</tr>
<tr>
<td><strong>Net cash used by investing activities</strong></td>
<td><strong>(164,132)</strong></td>
<td>-</td>
<td><strong>(164,132)</strong></td>
</tr>
<tr>
<td>Cash flow from financing activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan proceeds</td>
<td>100,000</td>
<td>-</td>
<td>100,000</td>
</tr>
<tr>
<td><strong>Net cash provided by financing activities</strong></td>
<td><strong>100,000</strong></td>
<td>-</td>
<td><strong>100,000</strong></td>
</tr>
<tr>
<td>Net change in cash and cash equivalents</td>
<td>(20,772)</td>
<td>321</td>
<td>(20,451)</td>
</tr>
<tr>
<td>Cash and cash equivalents, beginning of year</td>
<td>156,382</td>
<td>5,480</td>
<td>161,862</td>
</tr>
<tr>
<td>Cash and cash equivalents, end of year</td>
<td>$ 135,610</td>
<td>$ 5,801</td>
<td>$ 141,411</td>
</tr>
</tbody>
</table>

### Supplementary information
- Interest paid: $ -
- Income taxes paid: $ -

*The accompanying notes are an integral part of these financial statements.*
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization
CASA of Central Texas, Inc. (CASA), a member of the National Court Appointed Special Advocate Association and Texas CASA, is a nonprofit corporation whose mission is to advocate for abused and neglected children in the court system by recruiting, training, and supporting community volunteers. CASA is funded by federal/state grants, fundraisers, community donations and volunteer hours from trained advocates.

Included with the presentation of CASA’s financial statements is CASA Wing Society. CASA Wing Society, established in fiscal year 2009, is an affiliate nonprofit of CASA of Central Texas, Inc. and operates under the CASA’s nonprofit tax identification number.

The organization prepares its financial statements in accordance with generally accepted accounting principles promulgated in the United States of America (U.S. GAAP) for not for profits. The significant accounting and reporting policies used by the organization are described subsequently to enhance the usefulness and understandability of the financial statements.

Use of Estimates
The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of revenues and expenses during the reporting period and the reported amounts of assets and liabilities at the date of the financial statements. On an ongoing basis, the organization’s management evaluates the estimates and assumptions based upon historical experience and various other factors and circumstances. The organization’s management believes that the estimates and assumptions are reasonable in the circumstances; however the actual results could differ from those estimates.

Net Assets
The financial statements report net assets and changes in net assets in three classes that are based upon the existence or absence of restrictions on use that are placed by its donors, as follows:

Temporarily Restricted Net Assets
Temporarily restricted net assets are resources that are restricted by a donor for use for a particular purpose or in a particular future period. The organization’s unspent contributions are classified in this class if the donor limited their use, as are the unspent appreciation of its donor-restricted endowment funds.
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

When a donor’s restriction is satisfied, either by using the resources in the manner specified by the donor or by the passage of time, the expiration of the restrictions is reported in the financial statements by reclassifying the net assets from temporarily restricted to unrestricted net assets. Net assets restricted for acquisition of buildings or equipment are reported as temporarily restricted until the specified asset is placed in service by the organization, unless the donor provides more specific directions about the period of its use.

Permanently Restricted Net Assets
Permanently restricted net assets are resources whose use by the organization is limited by donor-imposed restrictions that neither expire by being used in accordance with a donor’s restriction nor by the passage of time. The portion of the organization’s donor-restricted endowment funds that must be maintained in perpetuity are classified in this net asset class, as is the organization’s beneficial interest in a perpetual charitable trust held by a bank trustee.

All revenues and net gains are reported as increases in unrestricted net assets in the statement of activities unless the use of the related resources is subject to temporary or permanent donor restrictions. All expenses and net losses other than losses on endowment investments are reported as decreases in unrestricted net assets. Net losses on endowment investments reduce temporarily restricted net assets to the extent that net gains of the fund from prior years are unspent and classified there; remaining losses are classified as decreased in unrestricted net assets. If an endowment fund has no net gains from prior years, such as when a fund is newly established, net losses are classified as decreases in unrestricted net assets.

Cash Equivalents
For purposes of the statement of cash flows, the organization includes cash deposits accounts and short-term investments with maturities of less than three months to be cash and cash equivalents. As of June 30, 2016, the organization’s cash and cash equivalents totaled $135,610 CASA and $5,801 Wing Society.

Accounting for Contributions
Contributions, including unconditional promises to give, are recognized when received. All contributions are reported as increase in unrestricted net assets unless use of the contributed assets is specifically restricted by the donor. Amounts received that are restricted by the donor to use in future periods or for specific purposes are reported as increases in either temporarily restricted or permanently restricted net assets, consistent
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

with the nature of the restriction. Unconditional promises with payments due in future years have an implied restriction to be used in the year the payment is due, and therefore are reported as temporarily restricted until the payment is due unless the contribution is clearly intended to support activities of the current fiscal year or is received with permanent restriction. Conditional promises, such as matching grants, are not recognized until they become unconditional, that is, until all conditions on which they depend are substantially met.

Expense Recognition and Allocation
The cost of providing the organization’s programs and other activities is summarized on a functional basis in the statement of activities and statement of functional expenses. Expenses that can be identified with a specific program or support service are charged directly to that program or support service. Costs common to multiple functions have been allocated among the various functions benefited.

General and administrative expenses include those costs that are not directly identifiable with any specific program, but which provide for the overall support and direction of the organization.

Fundraising costs are expenses as incurred, even though they may result in contributions received in future years. The organization generally does not conduct its fundraising activities in conjunction with its other activities. In the few cases in which it does, such as when the annual report or donor acknowledgements contain requests for contributions, joint costs have been allocated between fundraising and management and general expenses in accordance with standards for accounting for costs of activities that include fundraising. Additionally, advertising costs are expensed as incurred.

Tax Status
The organization is incorporated exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code (IRC), though it would be subject to tax on income unrelated to its exempt purposes (unless that income is otherwise excluded by the IRC). The tax year is still open to audit for both federal and state purposes.

Fair Value Measurements
The organization reports its fair value measures using a three-level hierarchy that prioritizes the inputs used to measure fair value. The hierarchy, established by GAAP, requires that entities maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The three levels of inputs used to measure fair value are as follows:
NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES-CONTINUED

Level 1  Inputs that are quoted prices in active markets for identical assets or liabilities that the reporting entity has the ability to access at the measurement date.
Level 2  Inputs other than quoted prices included in level 1 that are observable for the asset or liability, either directly or indirectly.
Level 3  Inputs that are unobservable for the asset or liability.

A financial instrument's level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement.

The carrying amount of cash and cash equivalents, pledges and other receivables, accounts payables and accrued expenses approximates fair market value due to the short-term maturities of these investments.

Property and Equipment
Property and equipment are valued at cost if purchased and at fair market value when donated. Depreciation is provided using the straight-line method over the estimated useful lives.

NOTE B - GRANT RECEIVABLES

Receivables consisted of the following at June 30, 2016:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CVC</td>
<td>$ 19,873</td>
</tr>
<tr>
<td>VOCA</td>
<td>10,427</td>
</tr>
<tr>
<td>OVAG</td>
<td>7,228</td>
</tr>
<tr>
<td>Other</td>
<td>9,898</td>
</tr>
<tr>
<td></td>
<td><strong>$ 47,426</strong></td>
</tr>
</tbody>
</table>

NOTE C - PLEDGE RECEIVABLES

Pledge receivables are unconditional promises to give that are recognized as contribution when the promise is received. Pledge receivables are recorded at fair value at the date of promise. As of June 30, 2016, pledge receivables were $87,942. Management has not recorded allowances for un-collectibles based on historical collections that pledges will be collected.
NOTE D - IN KIND DONATIONS

Community volunteer advocates donate time and mileage in their work as court appointed advocates. For the year ended June 30, 2016, recorded value of in-kind donations included the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volunteer hours</td>
<td>$107,198</td>
</tr>
<tr>
<td>Mileage</td>
<td>8,955</td>
</tr>
<tr>
<td>Donations (goods and services)</td>
<td>45,923</td>
</tr>
<tr>
<td>Rent and utilities</td>
<td>22,200</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$184,276</strong></td>
</tr>
</tbody>
</table>

NOTE E - PENSION PLAN

CASA of Central Texas participates in a pension plan that is available to all employees after their initial 90-day training period. CASA contributes 5% of gross wages each pay period to the plan and employees are also welcome to contribute through payroll deductions. CASA's contributions for the year ended June 30, 2016 totaled $36,619.

NOTE F - TEMPORARILY RESTRICTED NET ASSETS

Temporarily net assets consist of capital campaign funds of $52,888. In fiscal year 2015, the organization started a capital campaign toward the goal of securing funding for a future permanent home for CASA of Central Texas that will be an office and training center in San Marcos, Texas.

NOTE G - PERMANENTLY RESTRICTED NET ASSETS

Permanently restricted net assets consist of a quasi-endowment fund in the amount of $47,731. In December 2014, the organization entered into an agreement with the New Braunfels Area Community Foundation, the Foundation, to establish a quasi-endowment to be used for charitable purposes. The Foundation will hold and administer the endowment funds.

NOTE H - NOTE PAYABLE

During the year, CASA of Central Texas obtained a loan in the amount of $100,000 to finance the purchase of land. The land will be the future location of CASA of Central Texas, San Marcos offices. The interest rate of the loan is .75% APR and matures on December 31, 2018. The principal amount and interest are due and payable in ten equal quarterly payments of $10,000 with the first payment due on July 1, 2016.
NOTE I - SUBSEQUENT EVENTS

Management has evaluated subsequent events through November 17, 2016, which is the date the financial statements were available to be issued.
CASA OF CENTRAL TEXAS, INC.
SCHEDULE OF CVC/OAG FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Grantor/ Program Title</th>
<th>Program or Award Amount</th>
<th>Accrued or [Deferred] Revenue at 7/1/2015</th>
<th>Receipts</th>
<th>Disbursements</th>
<th>Accrued or [Deferred] Revenue at 6/30/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>CVC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014-2015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CVC-15-49</td>
<td>239,164</td>
<td>36,820</td>
<td>72,958</td>
<td>36,138</td>
<td></td>
</tr>
<tr>
<td>2015-2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CVC-16-58</td>
<td>236,828</td>
<td>-</td>
<td>175,741</td>
<td>195,614</td>
<td>19,873</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 36,820</td>
<td>$ 248,699</td>
<td>$ 231,752</td>
<td>$ 19,873</td>
</tr>
</tbody>
</table>
CASA OF CENTRAL TEXAS, INC.
SCHEDULE OF VOCA FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Grantor/Program Title</th>
<th>Program Award Amount</th>
<th>Accrued or [Deferred] Revenue at 7/1/2015</th>
<th>Receipts</th>
<th>Disbursements</th>
<th>Accrued or [Deferred] Revenue at 6/30/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>VOCA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/2015 Programs</td>
<td>92,269</td>
<td>6,117</td>
<td>19,280</td>
<td>13,163</td>
<td></td>
</tr>
<tr>
<td>13548-16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2015/2016 Programs</td>
<td>136,642</td>
<td></td>
<td>97,179</td>
<td>107,606</td>
<td>10,427</td>
</tr>
<tr>
<td>13548-17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>$ 6,117</td>
<td>$ 116,459</td>
<td>$ 120,769</td>
<td></td>
<td>$ 10,427</td>
</tr>
</tbody>
</table>


CASA OF CENTRAL TEXAS, INC.
SCHEDULE OF OVAG FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

<table>
<thead>
<tr>
<th>Grantor/Program Title</th>
<th>Program or Award Amount</th>
<th>Accrued or [Deferred] Revenue at 7/1/2015</th>
<th>Receipts</th>
<th>Disbursements</th>
<th>Accrued or [Deferred] Revenue at 6/30/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>OVAG</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/2015 Programs</td>
<td></td>
<td>42,000</td>
<td>8,372</td>
<td>13,280</td>
<td>4,908</td>
</tr>
<tr>
<td>OVAG 1551852</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/2015 Programs</td>
<td></td>
<td>42,000</td>
<td>-</td>
<td>29,946</td>
<td>37,174</td>
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<td>OVAG 1664358</td>
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<td>Totals</td>
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<td>$ 8,372</td>
<td>$ 43,226</td>
<td>$ 42,082</td>
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CASA of Central Texas, Inc.  
Balance Sheet  
As of January 31, 2017

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>Jan 31, 17</th>
</tr>
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<tbody>
<tr>
<td>Current Assets</td>
<td></td>
</tr>
<tr>
<td>Checking/Savings</td>
<td></td>
</tr>
<tr>
<td>1020 - CP Acct - Prosperity Bank</td>
<td>69,323.51</td>
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<tr>
<td>1030 - ED Acct - Prosperity Bank</td>
<td>2,236.61</td>
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<tr>
<td>1040 - RBFCU Savings</td>
<td>4.24</td>
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<tr>
<td>1045 - RBFCU Checking</td>
<td>146.20</td>
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<tr>
<td>1060 - Capital Campaign Checking</td>
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<tr>
<td>Total Checking/Savings</td>
<td>91,822.95</td>
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<tr>
<td>Accounts Receivable</td>
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</tr>
<tr>
<td>1210 - Pledges Receivable</td>
<td>154,110.68</td>
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<tr>
<td>1240 - Grants Receivable</td>
<td>75,376.01</td>
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<tr>
<td>1250 - Facility Use Receivable</td>
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<td>Total Accounts Receivable</td>
<td>229,886.77</td>
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<td>Other Current Assets</td>
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<tr>
<td>1450 - Prepaid Expenses</td>
<td>1,264.00</td>
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<tr>
<td>Total Other Current Assets</td>
<td>1,264.00</td>
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<tr>
<td>Total Current Assets</td>
<td>322,773.62</td>
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<td>Fixed Assets</td>
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<td>1631 - Capital Improvements NB</td>
<td>23,875.00</td>
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<td>1660 - Equipment &amp; Fixtures</td>
<td>108,400.28</td>
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<td>1660 - Building - New Braunfels</td>
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<td>1661 - Land &amp; Building - San Marcos</td>
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<td>1755 - Accumulated Depreciation</td>
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<td>Other Assets</td>
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<td>1805 - NBACF Endowment Fund</td>
<td>47,686.77</td>
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<tr>
<td>1810 - Utility Deposits</td>
<td>1,618.75</td>
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<tr>
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<td>49,305.52</td>
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<tr>
<td>TOTAL ASSETS</td>
<td>970,085.88</td>
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<tr>
<td>LIABILITIES &amp; EQUITY</td>
<td></td>
</tr>
<tr>
<td>Liabilities</td>
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<tr>
<td>Current Liabilities</td>
<td></td>
</tr>
<tr>
<td>Other Current Liabilities</td>
<td></td>
</tr>
<tr>
<td>2105 - Payable - TX Unemployment Tax</td>
<td>448.46</td>
</tr>
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<td>2114 - Payable - Charitable Donation</td>
<td>1,322.16</td>
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<td>2115 - Payable - Dental Insurance</td>
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<tr>
<td>2116 - Payable - Health Insurance</td>
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<tr>
<td>2118 - Payable - Term Life</td>
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<td>Total Other Current Liabilities</td>
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<tr>
<td>Total Current Liabilities</td>
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<td>Long Term Liabilities</td>
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<tr>
<td>2315 - Loan Payable</td>
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<td>Total Long Term Liabilities</td>
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<td>Total Liabilities</td>
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<td>Equity</td>
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<tr>
<td>3001 - Opening Bal Equity</td>
<td>18,389.52</td>
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<tr>
<td>3010 - Unrestricted Net Assets</td>
<td>714,558.84</td>
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<tr>
<td>3200 - Perm Restricted Net Assets</td>
<td>500.00</td>
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<tr>
<td>Net Income</td>
<td>103,304.57</td>
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<td>Total Equity</td>
<td>897,783.03</td>
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<td>TOTAL LIABILITIES &amp; EQUITY</td>
<td>970,085.88</td>
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</table>
CASA of Central Texas, Inc.
Profit & Loss Budget vs. Actual
July 2016 through January 2017

YTD BUDGET TOTALS AT JANUARY 31, 2017

<table>
<thead>
<tr>
<th>Ordinary Income/Expense</th>
<th>Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
<th>Jul '16 - Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
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<td></td>
<td></td>
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<tr>
<td><strong>6000 - INCOME</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6001 - Federal Grants</td>
<td>10,910.41</td>
<td>15,042.00</td>
<td>-4,131.59</td>
<td>68.64%</td>
<td>143,082.12</td>
<td>105,294.00</td>
<td>37,788.12</td>
<td>135.86%</td>
</tr>
<tr>
<td>6002 - State Grants</td>
<td>27,792.20</td>
<td>27,541.00</td>
<td>251.20</td>
<td>100.81%</td>
<td>177,124.21</td>
<td>192,787.00</td>
<td>-15,662.79</td>
<td>91.88%</td>
</tr>
<tr>
<td>6003 - County Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6003.5 - County Jury Fee Income</td>
<td>386.50</td>
<td>586.00</td>
<td>-199.50</td>
<td>55.33%</td>
<td>5,922.83</td>
<td>4,662.00</td>
<td>2,260.83</td>
<td>150.0%</td>
</tr>
<tr>
<td>6003 - County Grants - Other</td>
<td>0.00</td>
<td>3,208.00</td>
<td>-3,208.00</td>
<td>0.0%</td>
<td>22,500.00</td>
<td>22,450.00</td>
<td>40.00</td>
<td>100.2%</td>
</tr>
<tr>
<td><strong>Total 6003 - County Grants</strong></td>
<td>386.50</td>
<td>3,874.00</td>
<td>-3,587.50</td>
<td>9.61%</td>
<td>29,422.83</td>
<td>27,118.00</td>
<td>2,304.83</td>
<td>108.76%</td>
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<tr>
<td>6004 - City Grants</td>
<td>0.00</td>
<td>2,170.00</td>
<td>-2,170.00</td>
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<td>13,794.39</td>
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<tr>
<td>6005 - United Way Grants</td>
<td>8,250.00</td>
<td>2,750.00</td>
<td>5,500.00</td>
<td>300.0%</td>
<td>24,750.00</td>
<td>19,250.00</td>
<td>5,500.00</td>
<td>128.57%</td>
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<tr>
<td><strong>6006 - UW - Designated Contributions</strong></td>
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<td></td>
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<tr>
<td>City Charitable Campaigns</td>
<td>0.00</td>
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<td>1,323.32</td>
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<tr>
<td>County</td>
<td>0.00</td>
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<td></td>
<td></td>
<td>440.03</td>
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<td>School Districts</td>
<td>0.00</td>
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<td></td>
<td></td>
<td>909.85</td>
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<td>SECC Campaigns</td>
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<tr>
<td><strong>Total 6006 - UW - Designated Contributions</strong></td>
<td>0.00</td>
<td>1,500.00</td>
<td>-1,500.00</td>
<td>0.0%</td>
<td>3,835.20</td>
<td>10,500.00</td>
<td>-6,664.80</td>
<td>34.62%</td>
</tr>
<tr>
<td>6009 - Children's Special Needs</td>
<td>0.00</td>
<td>150.00</td>
<td>-150.00</td>
<td>0.0%</td>
<td>530.00</td>
<td>1,162.00</td>
<td>-632.00</td>
<td>45.61%</td>
</tr>
<tr>
<td>6023 - Memorials &amp; Honor Gifts</td>
<td>1,675.00</td>
<td>250.00</td>
<td>1,425.00</td>
<td>750.0%</td>
<td>3,875.00</td>
<td>1,760.00</td>
<td>2,115.00</td>
<td>210.0%</td>
</tr>
<tr>
<td>6040 - Fundraising Event Income</td>
<td>2,450.00</td>
<td>21,193.00</td>
<td>-18,743.00</td>
<td>11.56%</td>
<td>19,026.82</td>
<td>148,141.00</td>
<td>-129,114.18</td>
<td>12.84%</td>
</tr>
<tr>
<td>6005 - Board Member Contributions</td>
<td>1,455.00</td>
<td>1,198.00</td>
<td>257.00</td>
<td>124.79%</td>
<td>2,455.00</td>
<td>8,162.00</td>
<td>-5,707.00</td>
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<td>6015 - Corporate Contributions</td>
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<td>1,458.00</td>
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<td>4,030.83</td>
<td>10,208.00</td>
<td>-6,177.17</td>
<td>39.5%</td>
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<tr>
<td>6064 - Church Contributions</td>
<td>758.25</td>
<td>500.00</td>
<td>258.25</td>
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<td>3,714.75</td>
<td>3,600.00</td>
<td>114.75</td>
<td>108.14%</td>
</tr>
<tr>
<td>6065 - Civic Organizations</td>
<td>51,750.00</td>
<td>1,000.00</td>
<td>50,750.00</td>
<td>5,175.0%</td>
<td>53,570.00</td>
<td>7,000.00</td>
<td>46,570.00</td>
<td>765.29%</td>
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<tr>
<td>6066 - Individuals</td>
<td>8,292.22</td>
<td>2,833.00</td>
<td>5,459.22</td>
<td>290.56%</td>
<td>39,101.97</td>
<td>19,831.00</td>
<td>19,270.76</td>
<td>197.17%</td>
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<tr>
<td>6089 - Foundations</td>
<td>0.00</td>
<td>17,916.00</td>
<td>-17,916.00</td>
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<td>248,500.00</td>
<td>125,412.00</td>
<td>123,088.00</td>
<td>198.15%</td>
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<tr>
<td>6089 - Capital Campaign Income</td>
<td>1,285.00</td>
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<td>88,825.00</td>
<td>0.00</td>
<td>88,825.00</td>
<td>100.0%</td>
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<tr>
<td>6105 - Interest Income</td>
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<td>27.05</td>
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<td>6120 - Unrealized Loss</td>
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<tr>
<td><strong>Total 6000 - INCOME</strong></td>
<td>115,690.22</td>
<td>96,329.00</td>
<td>19,361.22</td>
<td>15.81%</td>
<td>855,246.08</td>
<td>695,303.00</td>
<td>159,943.08</td>
<td>123.0%</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>115,690.22</td>
<td>96,329.00</td>
<td>19,361.22</td>
<td>15.81%</td>
<td>855,246.08</td>
<td>695,303.00</td>
<td>159,943.08</td>
<td>123.0%</td>
</tr>
<tr>
<td><strong>Gross Profit</strong></td>
<td>115,690.22</td>
<td>96,329.00</td>
<td>19,361.22</td>
<td>15.81%</td>
<td>855,246.08</td>
<td>695,303.00</td>
<td>159,943.08</td>
<td>123.0%</td>
</tr>
<tr>
<td><strong>Expense</strong></td>
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</tr>
<tr>
<td><strong>7200 - Expenses</strong></td>
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<tr>
<td>7201 - Personnel Wages</td>
<td>70,673.94</td>
<td>98,647.00</td>
<td>27,973.06</td>
<td>102.81%</td>
<td>483,824.29</td>
<td>480,529.00</td>
<td>-3,305.29</td>
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</tr>
<tr>
<td>7229 - Health/Life Insurance</td>
<td>5,561.56</td>
<td>5,560.00</td>
<td>-1.56</td>
<td>99.92%</td>
<td>40,193.43</td>
<td>38,262.00</td>
<td>1,931.43</td>
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<tr>
<td>7232 - Payroll Taxes</td>
<td>5,717.11</td>
<td>5,677.00</td>
<td>40.11</td>
<td>100.71%</td>
<td>37,608.46</td>
<td>30,744.00</td>
<td>-6,864.46</td>
<td>94.63%</td>
</tr>
</tbody>
</table>

Page 1 of 3
## CASA of Central Texas, Inc.  
### Profit & Loss Budget vs. Actual  
#### July 2016 through January 2017  

**Accrual Basis**

<table>
<thead>
<tr>
<th></th>
<th>Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
<th>Jul'16 - Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>7234 - Pension</td>
<td>3,173.03</td>
<td>3,151.00</td>
<td>22.03</td>
<td>103.7%</td>
<td>21,462.89</td>
<td>22,057.00</td>
<td>-594.11</td>
<td>97.31%</td>
</tr>
<tr>
<td>7236 - Unemployment Taxes</td>
<td>448.49</td>
<td>74.00</td>
<td>374.49</td>
<td>503.57%</td>
<td>473.54</td>
<td>518.00</td>
<td>-44.46</td>
<td>91.44%</td>
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<tr>
<td>7238 - Worker's Compensation</td>
<td>0.00</td>
<td>333.00</td>
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<td>3,607.33</td>
<td>1,631.00</td>
<td>2,976.33</td>
<td>221.17%</td>
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<tr>
<td>7240 - Conferences/Cont Education</td>
<td>55.43</td>
<td>553.00</td>
<td>-597.57</td>
<td>6.41%</td>
<td>503.43</td>
<td>5,891.00</td>
<td>-5,387.57</td>
<td>5.2%</td>
</tr>
<tr>
<td>7245 - Travel/Mileage</td>
<td>1,232.26</td>
<td>3,255.00</td>
<td>-202.74</td>
<td>37.65%</td>
<td>17,211.98</td>
<td>22,771.00</td>
<td>-5,559.02</td>
<td>75.59%</td>
</tr>
<tr>
<td>7255 - Contract Svc/Background Cks</td>
<td>114.50</td>
<td>375.00</td>
<td>-260.50</td>
<td>30.53%</td>
<td>2,633.74</td>
<td>2,625.00</td>
<td>-8.74</td>
<td>99.19%</td>
</tr>
<tr>
<td>7260 - Equipment/Software/Computer</td>
<td>539.58</td>
<td>1,000.00</td>
<td>-460.42</td>
<td>53.96%</td>
<td>10,904.33</td>
<td>7,000.00</td>
<td>3,904.33</td>
<td>155.78%</td>
</tr>
<tr>
<td>7262 - Equipment Rental</td>
<td>1,207.68</td>
<td>1,168.00</td>
<td>41.68</td>
<td>103.58%</td>
<td>8,552.99</td>
<td>8,182.00</td>
<td>370.99</td>
<td>104.79%</td>
</tr>
<tr>
<td>7264 - Office - General</td>
<td>1,064.01</td>
<td>375.00</td>
<td>689.01</td>
<td>288.07%</td>
<td>4,000.24</td>
<td>2,625.00</td>
<td>1,375.24</td>
<td>152.39%</td>
</tr>
<tr>
<td>7266 - Office Supplies</td>
<td>463.50</td>
<td>416.00</td>
<td>47.50</td>
<td>114.44%</td>
<td>2,832.73</td>
<td>2,912.00</td>
<td>-79.27</td>
<td>97.28%</td>
</tr>
<tr>
<td>7266 - Training Expenses</td>
<td>307.88</td>
<td>166.00</td>
<td>141.88</td>
<td>185.47%</td>
<td>1,124.53</td>
<td>1,162.00</td>
<td>-37.47</td>
<td>95.76%</td>
</tr>
<tr>
<td>7277 - Children's Special Needs</td>
<td>44.02</td>
<td>291.00</td>
<td>-246.98</td>
<td>15.13%</td>
<td>701.86</td>
<td>2,037.00</td>
<td>-1,335.14</td>
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<tr>
<td>7288 - Advocate Recognition</td>
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<td>-583.00</td>
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<td>4,461.84</td>
<td>4,081.00</td>
<td>380.84</td>
<td>109.82%</td>
</tr>
<tr>
<td>7270 - Audit</td>
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<td>-458.00</td>
<td>0.0%</td>
<td>5,300.00</td>
<td>3,206.00</td>
<td>2,094.00</td>
<td>165.32%</td>
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<tr>
<td>7271 - Advertising/Recruiting</td>
<td>555.25</td>
<td>416.00</td>
<td>239.25</td>
<td>157.51%</td>
<td>3,414.49</td>
<td>2,912.00</td>
<td>502.49</td>
<td>117.26%</td>
</tr>
<tr>
<td>7273 - Fundraising Expenses</td>
<td>470.06</td>
<td>1,750.00</td>
<td>-1,279.94</td>
<td>26.86%</td>
<td>1,009.77</td>
<td>12,250.00</td>
<td>-11,240.23</td>
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<tr>
<td>7290 - Legal/Professional</td>
<td>282.50</td>
<td>206.00</td>
<td>76.50</td>
<td>135.82%</td>
<td>1,221.50</td>
<td>1,456.00</td>
<td>-234.50</td>
<td>83.98%</td>
</tr>
<tr>
<td>7292 - Credit Card &amp; Other Fees</td>
<td>582.80</td>
<td>333.00</td>
<td>249.80</td>
<td>75.02%</td>
<td>3,028.08</td>
<td>2,331.00</td>
<td>697.08</td>
<td>129.32%</td>
</tr>
<tr>
<td>7300 - Insurance</td>
<td>242.58</td>
<td>235.00</td>
<td>7.58</td>
<td>104.11%</td>
<td>1,715.68</td>
<td>1,631.00</td>
<td>84.68</td>
<td>105.14%</td>
</tr>
<tr>
<td>7306 - Insurance - Dir &amp; Officers</td>
<td>608.02</td>
<td>750.00</td>
<td>-141.98</td>
<td>91.19%</td>
<td>6,363.32</td>
<td>5,250.00</td>
<td>1,113.32</td>
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<tr>
<td>7308 - Insurance - Liability&amp;Fidelity</td>
<td>851.50</td>
<td>983.00</td>
<td>-131.50</td>
<td>86.62%</td>
<td>8,079.00</td>
<td>6,681.00</td>
<td>1,398.00</td>
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<tr>
<td>7315 - Membership/Subscription</td>
<td>2,205.92</td>
<td>435.00</td>
<td>1,770.92</td>
<td>506.49%</td>
<td>5,426.53</td>
<td>3,031.00</td>
<td>2,395.53</td>
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<td>7325 - Postage</td>
<td>337.45</td>
<td>208.00</td>
<td>129.45</td>
<td>150.83%</td>
<td>1,465.02</td>
<td>1,456.00</td>
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<tr>
<td>7330 - Printing/Promotion</td>
<td>0.00</td>
<td>250.00</td>
<td>-250.00</td>
<td>0.0%</td>
<td>2,065.00</td>
<td>1,753.00</td>
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<td>7335 - Storage Rental</td>
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<td>319.00</td>
<td>303.00</td>
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<tr>
<td>7340 - Telephone/Internet</td>
<td>1,187.75</td>
<td>922.00</td>
<td>265.75</td>
<td>128.82%</td>
<td>12,517.98</td>
<td>6,449.00</td>
<td>6,068.98</td>
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<td>7345 - Utilities</td>
<td>242.42</td>
<td>201.00</td>
<td>41.42</td>
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<td>2,141.04</td>
<td>2,037.00</td>
<td>104.04</td>
<td>105.11%</td>
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<td>7350 - Building Maintenance</td>
<td>1,140.00</td>
<td>1,225.00</td>
<td>-85.00</td>
<td>8.00%</td>
<td>7,060.00</td>
<td>8,575.00</td>
<td>-1,515.00</td>
<td>92.48%</td>
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<tr>
<td>7360 - Expenses</td>
<td>58,488.73</td>
<td>98,285.00</td>
<td>-39,796.27</td>
<td>99.17%</td>
<td>674,181.67</td>
<td>695,481.00</td>
<td>-21,303.33</td>
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<tr>
<td>7370 - Capital Campaign Expenses</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>100.0%</td>
<td>17,749.84</td>
<td>0.00</td>
<td>17,749.84</td>
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<tr>
<td>Total 7300 - Expenses</td>
<td>58,488.73</td>
<td>98,285.00</td>
<td>-39,796.27</td>
<td>99.18%</td>
<td>691,541.51</td>
<td>695,481.00</td>
<td>-3,939.50</td>
<td>99.49%</td>
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<table>
<thead>
<tr>
<th></th>
<th>Net Ordinary Income</th>
<th>Other Income/Expense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Income</td>
<td>15,185.58</td>
<td>16,551.49</td>
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<tr>
<td>6400 - In-Kind Revenue</td>
<td>100,067.18</td>
<td>100,067.18</td>
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<td>Total Other Income</td>
<td>15,185.58</td>
<td>16,551.49</td>
</tr>
<tr>
<td>Other Expense</td>
<td>100,067.18</td>
<td>100,067.18</td>
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</table>
### CASA of Central Texas, Inc.
#### Profit & Loss Budget vs. Actual
July 2016 through January 2017

<table>
<thead>
<tr>
<th></th>
<th>Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
<th>Jul '16 - Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>7400 - In Kind Expenses</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>7401 - Donations - In Kind</td>
<td>8,635.49</td>
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<td></td>
<td>27,836.44</td>
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<tr>
<td>7405 - Volunteer Hrs - In Kind</td>
<td>4,177.60</td>
<td></td>
<td></td>
<td></td>
<td>51,668.68</td>
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</tr>
<tr>
<td>7408 - Mileage - In Kind</td>
<td>462.27</td>
<td></td>
<td></td>
<td></td>
<td>5,412.04</td>
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</tr>
<tr>
<td>7409 - Rent &amp; Utilities - In Kind</td>
<td>1,850.00</td>
<td></td>
<td></td>
<td></td>
<td>12,850.00</td>
<td></td>
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</tr>
<tr>
<td>Total 7400 - In Kind Expenses</td>
<td>15,185.66</td>
<td></td>
<td></td>
<td></td>
<td>100,967.16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Other Expense</td>
<td>15,185.66</td>
<td></td>
<td></td>
<td></td>
<td>100,967.16</td>
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<td></td>
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</tr>
<tr>
<td>Net Other Income</td>
<td>0.00</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Net Income</td>
<td>16,561.49</td>
<td>48.00</td>
<td>11,516.49</td>
<td>26,063.24%</td>
<td>163,304.57</td>
<td>-178.00</td>
<td>163,482.57</td>
<td>-91,744.14%</td>
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</table>

YTD BUDGET TOTALS AT JANUARY 31, 2017
<table>
<thead>
<tr>
<th></th>
<th>Jan '17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
<th>Jul '16 - Jun 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinary income/Expense</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Income</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>6000 - INCOME</strong></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6001 - Federal Grants</td>
<td>10,310.41</td>
<td>15,042.00</td>
<td>-4,731.58</td>
<td>68.54%</td>
<td>143,062.12</td>
<td>180,504.00</td>
<td>-37,441.88</td>
<td>79.27%</td>
</tr>
<tr>
<td>6002 - State Grants</td>
<td>27,762.20</td>
<td>27,541.00</td>
<td>251.20</td>
<td>100.91%</td>
<td>177,124.21</td>
<td>330,469.00</td>
<td>-153,344.79</td>
<td>53.35%</td>
</tr>
<tr>
<td>6003 - County Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6003.5 - County Jury Fee Income</td>
<td>368.50</td>
<td>366.00</td>
<td>-2.50</td>
<td>0.56%</td>
<td>7,318.52</td>
<td>8,000.00</td>
<td>-681.48</td>
<td>91.44%</td>
</tr>
<tr>
<td>6003 - County Grants - Other</td>
<td>0.00</td>
<td>3,206.00</td>
<td>-3,206.00</td>
<td>0.00%</td>
<td>22,500.00</td>
<td>38,500.00</td>
<td>-16,000.00</td>
<td>58.44%</td>
</tr>
<tr>
<td>Total 6003 - County Grants</td>
<td>368.50</td>
<td>3,572.00</td>
<td>-3,203.50</td>
<td>9.54%</td>
<td>29,818.52</td>
<td>46,500.00</td>
<td>-16,681.48</td>
<td>64.13%</td>
</tr>
<tr>
<td>6004 - City Grants</td>
<td>0.00</td>
<td>2,170.00</td>
<td>-2,170.00</td>
<td>0.00%</td>
<td>17,294.36</td>
<td>20,044.00</td>
<td>-2,749.64</td>
<td>96.4%</td>
</tr>
<tr>
<td>6005 - United Way Grants</td>
<td>8,250.00</td>
<td>2,750.00</td>
<td>5,500.00</td>
<td>300.00%</td>
<td>24,750.00</td>
<td>33,000.00</td>
<td>-8,250.00</td>
<td>75.9%</td>
</tr>
<tr>
<td><strong>6006 - UW - Designated Contributions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Charitable Campaigns</td>
<td>0.00</td>
<td></td>
<td></td>
<td></td>
<td>1,322.32</td>
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</tr>
<tr>
<td>County</td>
<td>0.00</td>
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<td></td>
<td></td>
<td>440.00</td>
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</tr>
<tr>
<td>School Districts</td>
<td>0.00</td>
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<td></td>
<td></td>
<td>909.85</td>
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</tr>
<tr>
<td>SECC Campaigns</td>
<td>0.00</td>
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<td></td>
<td></td>
<td>962.00</td>
<td></td>
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</tr>
<tr>
<td>6006 - UW - Designated Contributions - Other</td>
<td>0.00</td>
<td>1,500.00</td>
<td>-1,500.00</td>
<td>0.0%</td>
<td>0.00</td>
<td>18,000.00</td>
<td>-18,000.00</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total 6006 - UW - Designated Contributions</strong></td>
<td>0.00</td>
<td>1,500.00</td>
<td>-1,500.00</td>
<td>0.0%</td>
<td>3,835.20</td>
<td>18,000.00</td>
<td>-14,164.80</td>
<td>23.2%</td>
</tr>
<tr>
<td>6026 - Children's Special Needs</td>
<td>0.00</td>
<td>100.00</td>
<td>-100.00</td>
<td>0.0%</td>
<td>500.00</td>
<td>2,600.00</td>
<td>-2,100.00</td>
<td>28.6%</td>
</tr>
<tr>
<td>6028 - Memorials &amp; Honor Gifts</td>
<td>1,875.00</td>
<td>250.00</td>
<td>1,625.00</td>
<td>750.0%</td>
<td>3,725.00</td>
<td>253,957.00</td>
<td>-250,232.00</td>
<td>124.17%</td>
</tr>
<tr>
<td>6040 - Fundraising Event Income</td>
<td>2,450.00</td>
<td>21,163.00</td>
<td>-18,713.00</td>
<td>11.58%</td>
<td>19,901.92</td>
<td>235,957.00</td>
<td>-216,055.08</td>
<td>7.84%</td>
</tr>
<tr>
<td>6050 - Board Member Contributions</td>
<td>1,455.00</td>
<td>289.00</td>
<td>1,166.00</td>
<td>124.79%</td>
<td>2,455.00</td>
<td>14,000.00</td>
<td>-11,545.00</td>
<td>17.54%</td>
</tr>
<tr>
<td>6052 - Corporate</td>
<td>552.50</td>
<td>1,458.00</td>
<td>-905.50</td>
<td>38.58%</td>
<td>7,030.83</td>
<td>17,500.00</td>
<td>-10,469.17</td>
<td>40.15%</td>
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<tr>
<td>6054 - Church Contributions</td>
<td>788.25</td>
<td>500.00</td>
<td>288.25</td>
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<td>3,944.75</td>
<td>6,000.00</td>
<td>-2,055.25</td>
<td>64.41%</td>
</tr>
<tr>
<td>6055 - Civic Organizations</td>
<td>51,750.00</td>
<td>50,750.00</td>
<td>1,000.00</td>
<td>5.175%</td>
<td>53,570.00</td>
<td>12,000.00</td>
<td>41,570.00</td>
<td>448.42%</td>
</tr>
<tr>
<td>6056 - Individuals</td>
<td>8,232.22</td>
<td>2,833.00</td>
<td>5,399.22</td>
<td>290.58%</td>
<td>39,301.67</td>
<td>34,000.00</td>
<td>5,301.67</td>
<td>115.59%</td>
</tr>
<tr>
<td>5080 - Foundations</td>
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<td>215,000.00</td>
<td>33,500.00</td>
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<tr>
<td>6058 - Capital Campaign Income</td>
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<td>388,825.00</td>
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<tr>
<td>6105 - Interest Income</td>
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<tr>
<td><strong>6120 - Unrealized Loss</strong></td>
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<td>-88.86</td>
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<tr>
<td><strong>Total 6000 - INCOME</strong></td>
<td>115,000.22</td>
<td>95,329.00</td>
<td>19,671.22</td>
<td>115.81%</td>
<td>1,183,346.77</td>
<td>1,192,000.00</td>
<td>-8,653.23</td>
<td>97.6%</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>115,000.22</td>
<td>95,329.00</td>
<td>19,671.22</td>
<td>115.81%</td>
<td>1,183,346.77</td>
<td>1,192,000.00</td>
<td>-8,653.23</td>
<td>97.6%</td>
</tr>
<tr>
<td><strong>Gross Profit</strong></td>
<td>115,000.22</td>
<td>95,329.00</td>
<td>19,671.22</td>
<td>115.81%</td>
<td>1,183,346.77</td>
<td>1,192,000.00</td>
<td>-8,653.23</td>
<td>97.6%</td>
</tr>
<tr>
<td><strong>Expense</strong></td>
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<td></td>
</tr>
<tr>
<td>7210 - Expenses</td>
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</tr>
<tr>
<td>7211 - Personnel Wages</td>
<td>70,573.94</td>
<td>58,947.00</td>
<td>11,626.94</td>
<td>102.81%</td>
<td>499,644.95</td>
<td>823,770.00</td>
<td>-324,125.05</td>
<td>60.55%</td>
</tr>
<tr>
<td>7220 - Health/Life Insurance</td>
<td>5,561.56</td>
<td>5,565.00</td>
<td>-3.44</td>
<td>0.99%</td>
<td>42,974.16</td>
<td>66,800.00</td>
<td>-23,825.84</td>
<td>84.33%</td>
</tr>
<tr>
<td>7232 - Payroll Taxes</td>
<td>5,717.11</td>
<td>5,577.00</td>
<td>40.11</td>
<td>100.71%</td>
<td>40,516.63</td>
<td>66,126.00</td>
<td>-25,609.37</td>
<td>59.47%</td>
</tr>
</tbody>
</table>
## CASA of Central Texas, Inc.  
**Profit & Loss Budget vs. Actual**  
**July 2016 through June 2017**

<table>
<thead>
<tr>
<th>Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>7234</td>
<td>Pension</td>
<td>3,173.03</td>
<td>116.00</td>
</tr>
<tr>
<td>7236</td>
<td>Unemployment Taxes</td>
<td>446.49</td>
<td>52.00</td>
</tr>
<tr>
<td>7238</td>
<td>Worker's Compensation</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>7240</td>
<td>Conferences/Cont Education</td>
<td>53.43</td>
<td>-799.57</td>
</tr>
<tr>
<td>7245</td>
<td>Travel/Mileage</td>
<td>1,231.26</td>
<td>-2,021.74</td>
</tr>
<tr>
<td>7255</td>
<td>Contract Svc/Background Cks</td>
<td>114.50</td>
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<tr>
<td>7260</td>
<td>Equipment/Software/Computer</td>
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<tr>
<td>7262</td>
<td>Equipment Rental</td>
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<td>7264</td>
<td>Office - General</td>
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<td>7266</td>
<td>Office Supplies</td>
<td>463.60</td>
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<td>7268</td>
<td>Training Expenses</td>
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<td>141.48</td>
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<tr>
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<td>Children's Special Needs</td>
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<td>Audit</td>
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<td>7271</td>
<td>Advertising/Recruiting</td>
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<td>7273</td>
<td>Fundraising Expenses</td>
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<td>7285</td>
<td>Legal/Professional</td>
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<tr>
<td>7282</td>
<td>Credit Card &amp; Other Fees</td>
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<tr>
<td>7305</td>
<td>Insurance</td>
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<tr>
<td>7306</td>
<td>Insurance - Dir &amp; Officers</td>
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<td>7307</td>
<td>Insurance - Liability/Fidelity</td>
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<td>Printing/Promotion</td>
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<td>7560</td>
<td>Building Maintenance</td>
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<td>Capital Campaign Expenses</td>
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<td>Total Expense</td>
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<td>69.1%</td>
</tr>
<tr>
<td>Net Ordinary Income</td>
<td>16,651.46</td>
<td>16,515.46</td>
<td>56,003.24%</td>
</tr>
<tr>
<td>Other Income/Expense</td>
<td>0.00</td>
<td>0.00</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other Income</td>
<td>16,651.46</td>
<td>16,515.46</td>
<td>56,003.24%</td>
</tr>
<tr>
<td>Other Expense</td>
<td>0.00</td>
<td>0.00</td>
<td>0.0%</td>
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### Year End Budget Totals

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<th>Jul '16</th>
<th>Jun '17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
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<tr>
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<td>17,748.84</td>
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Net Ordinary Income: 16,651.46  
Other Income: 16,651.46  
Other Expense: 0.00  
Other Income/Expense: 16,651.46  
6400 - In-Kind Revenue: 15,185.58  
Total Other Income: 15,185.58  
Other Income: 15,185.58  
Total Other Expense: 0.00  
Other Expense: 0.00
CASA of Central Texas, Inc.
Profit & Loss Budget vs. Actual
July 2016 through June 2017

<table>
<thead>
<tr>
<th>Component</th>
<th>Jan 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
<th>Jul '16 - Jun 17</th>
<th>Budget</th>
<th>$ Over Budget</th>
<th>% of Budget</th>
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</thead>
<tbody>
<tr>
<td>7400 · In Kind Expenses</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>7401 · Donations - In Kind</td>
<td>8,695.49</td>
<td>27,836.44</td>
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<tr>
<td>7402 · Volunteer Hrs - In Kind</td>
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<tr>
<td>7403 · Mileage - In Kind</td>
<td>462.27</td>
<td>5,312.04</td>
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<td></td>
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<td></td>
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<tr>
<td>7406 · Rent &amp; Utilities - In Kind</td>
<td>1,650.00</td>
<td>12,950.00</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Total 7400 · In Kind Expenses</td>
<td>15,115.56</td>
<td>100,967.16</td>
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<tr>
<td>Total Other Expense</td>
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<td>0.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Net Other Income</td>
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<td>Net Income</td>
<td>16,515.49</td>
<td>46,001.73</td>
<td>36,486.24%</td>
<td></td>
<td></td>
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</tr>
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</table>

YEAR END BUDGET TOTALS
DESCRIPTION OF CASA OF CENTRAL TEXAS, INC. EMPLOYEES, BOARD MEMBERS
AND VOLUNTEERS

CASA of Central Texas, Inc. has an experienced staff (combined 100+ years with CASA of Central Texas) with a very low turnover rate. There are five staff members in the San Marcos office, as follows:

Kimberly Key, Program Director, has worked for CASA of Central Texas since April 2000 covering cases in Caldwell, Comal, Guadalupe and Hays Counties. Formerly, she worked for the DePelchin Children’s Center, a residential treatment center, did internships in brain injury and pediatrics, and worked as an occupational therapist. She earned a Master degree in Occupational Therapy and a Bachelor of Arts in Psychology. She has 20 years of experience in the field.

Tricia Schneider, Development Director, has worked for CASA of Central Texas since November 2003, first as a Case Supervisor/Development Assistant and advocate, then as Development Director. She earned a Master degree in Industrial and Labor Relations, and a Bachelor of Arts degree in Psychology. She has 14 years of experience in the field.

Lonnette LaBorde, Case Supervisor, has worked for CASA of Central Texas since August 2001. Prior to joining CASA of Central Texas, she worked for CASA of Travis County and also has experience working for children’s shelters and TDPRS. She earned a Bachelor of Arts degree in Psychology and Sociology. She has 20 years of experience in the field.

Robert Edwards, Case Supervisor, was hired by CASA of Central Texas in June 2012 as a Casework Supervisor of volunteers serving children in Comal and Hays Counties. He earned a Bachelor of Science degree in Sociology. Prior to joining CASA of Central Texas, he worked as a Program Director for a youth sports league and as a youth counselor and case manager. He has 10 years of experience in the field.

Lynnette Lombardo, Development Coordinator-Grant Writer, has worked for CASA of Central Texas since November 2015. She earned a Bachelor of Arts and a Master of Arts in Literature. Prior to joining CASA, she worked as a Child Support Officer at the Office of the Attorney General, and has been a CASA volunteer advocate for over 10 years. She has 10 years of experience in the field.
In addition, the following staff members office in New Braunfels:

*Norma Castilla-Blackwell, Executive Director,* joined CASA of Central Texas in August 2003. Prior to CASA, she was Executive Director of Holding Institute, a non-profit organization in Laredo. In addition, she was a classroom science and social studies teacher and served as a CASA volunteer advocate. She holds a Bachelor of Arts in Sociology and an Associate degree in Business. She has over 17 years of experience in the field.

*Cathy Vrba, Finance Director,* was hired by CASA of Central Texas in October 2011. Prior to CASA, she was a business litigation paralegal, Board Certified in Civil Trial Law, and an assistant controller in the hotel industry. She earned a Bachelor of Arts degree in Psychology with a concentration in Children’s Studies.

*Eloise Hudson, Community Relations Coordinator,* has worked for CASA of Central Texas since September 2007. Prior to CASA, she worked as a news reporter for community newspapers. She earned a Bachelor degree in Mass Communications.

*Tim Judkins, Case Supervisor,* was hired by CASA of Central Texas in November 2009 and oversees the Transitioning Youth program in all four of our counties. Tim was previously a church pastor and has a Master degree in Christian Education and a Bachelor degree in New Testament and Christian Education. He has 7 years of experience in this field.

*Jade Hammer, Administrative Coordinator,* was hired by CASA of Central Texas in January 2017 and assists with office operations, fundraising events and volunteer statistics. She previously taught elementary school and spent 2 years in the Peace Corps. She earned a Bachelor of General Business and a Master degree in Elementary Education.

*Layla Coleman, Case Supervisor,* was hired by CASA of Central Texas in October 2011 as a Casework Supervisor of volunteers serving children in Hays County. She earned a Bachelor of Arts degree in Anthropology and a Master degree in Anthropology, and worked as an educator while in school. She has 5 years of experience in the field.

*Samantha Coleman, Volunteer Coordinator,* was hired by CASA of Central Texas since June 2014. She earned a Bachelor of Arts in English and a Master of Science in Family and Child Studies. Previously, Samantha has been an adjunct professor at Texas State University and has worked with children as an after-school site coordinator and college readiness advocate. She has 3 years of experience in the field.
Shelley Denkeler, Case Supervisor, was hired by CASA of Central Texas in November 2012 and shares her time between Comal and Guadalupe Counties. She previously worked for the TDFPS as a CPS Caseworker and she has a Bachelor of Arts in Business Management. She has worked in this field for 8 years.

Renee Lehmann, Program Coordinator, was hired by CASA of Central Texas since July 1998 as a Casework Supervisor, then as Program Coordinator. Prior to that, she was a teacher and a volunteer advocate. She earned a Bachelor of Science degree in Elementary Education. She has 18 years of experience in the field.

Melanie Linder, Case Supervisor, was hired by CASA of Central Texas in July 2012 after serving as a volunteer advocate. She supervises volunteers on Comal County cases. She has a Bachelor of Arts in Elementary Education. She has 4 years of experience in the child welfare field.

Carolyn Massey, Case Supervisor, was hired by CASA of Central Texas in March 2008 and covers cases in Comal County. She has a Master of Science in Social Work and a Bachelor of Arts in English. She has 27 years in this field.

Amanda Salazar, Case Supervisor, was hired by CASA of Central Texas in January 2016 and covers cases in Comal and Hays Counties. She has a Bachelor of Arts in Psychology. She has 6 years of experience in the child welfare field.

Laura Torres, Volunteer Recruitment Coordinator, was hired by CASA of Central Texas in June 2015. She has a Bachelor of Arts in Communication, and worked as a volunteer coordinator and peer mentor at Texas Lutheran University while attending school. She has one year of experience.
Lauren Townsend, Case Supervisor, was hired by CASA of Central Texas in January 2012 and primarily covers Comal County. She has a Master of Science in Criminology and a Bachelor of Arts in Criminology/Sociology. She has 4 years of experience in this field.

Currently, there are ten (11) members of the Board of Directors. The Board has primary responsibility for fundraising with a key responsibility for supporting the sustainable funding model (Benevon) implemented in 2010. Board members also help with public appearances and networking events, as well as volunteer at fundraising events, contribute monetary donations (100% participation in FYE 2016), and make referrals to city and county resources. The Board meets for regular meetings on a monthly basis.

Volunteers are recruited via referral from existing volunteers or staff, street banners, paid advertisement, radio, as well as community presentations to churches, businesses, and service clubs/organizations. CASA had 218 active volunteers during 2016.
3.13 Non-Discrimination Policy Statement

CASA of Central Texas, Inc. does not discriminate on the basis of age, gender, sexual orientation, race, ethnicity, nationality, disability, religion, or any other factors for employees, volunteers and clients served by this organization.
Application/Review Checklist
Public Services Funding
Community Development Block Grant Program
Due Date: March 27, 2017

SUPPLEMENTAL INFORMATION – SUBMIT ONE COPY OF THE FOLLOWING ITEMS

REQUIRED:

Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

Organization Chart

Articles of Incorporation

Bylaws

Tax Exempt Determination Letter (for non-profit organizations)

Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year

Most Recent audit or CPA prepared review.

Description of employees, board members, volunteers who will work with the project

Non-discrimination Policy Statement

If applicable:

Fee schedule / structure for the project proposed for funding

Copy of program application if one is used to select beneficiaries

Analysis of program / service expansion if this is not a new service.

Description of how beneficiaries will be selected (if not by application form)

Description of how applicant income will be determined if there are direct beneficiaries

Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

Job description for new positions expected to be filled using CDBG funding

TS-4/17/17
CDBG Application for City Projects/Programs
Due Date: March 27, 2017

I. General Information

APPLICANT INFORMATION

Project Title: Donna Bellion Dog Park

Sponsoring Department: Community Services – Parks and Recreation Department

Contact Name & Title: Bert Stratemann, Parks Operations Manager – Parks and Recreation Department

Office Telephone: (512) 393-8454

City Cell Phone Number: (512) 753-9774

PROJECT SUMMARY INFORMATION

Amount of CDBG Funds Requested: $328,425

Amount of funds from other sources that will be available at the project start date: None

Project Location (address, or other description): Adjacent to 750 River Rd. San Marcos, TX. Intersection of Animal Shelter Rd. and River Rd.

PROJECT DESCRIPTION:

1. Please summarize the project for which funds are requested.

Please see attached page.
II. LINE ITEM BUDGET FORM

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. Following the Line Item Budget, please complete the Supplemental Budget Form – Use of Other Resources. Funds and costs, as outlined on the Sources and Uses of Funds form, may not be spent or incurred prior to a contract award date (usually October 1st) from the CDBG Program. Supporting documentation may be attached in the Appendix area.

<table>
<thead>
<tr>
<th>Budget Item (Use of Funds)</th>
<th>CDBG Funds</th>
<th>Other Funds</th>
<th>Funding Source</th>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>Construction / Clearance</td>
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<tr>
<td>Projects</td>
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<tr>
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<tr>
<td>BUDGET TOTAL</td>
<td>$328,425</td>
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III. PROJECT IMPLEMENTATION SCHEDULE

NOTE: The first activity should be environmental review. Projects that do not impact the physical environmental generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
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<td>Example: Procurement of Architect</td>
<td>October</td>
<td>November</td>
<td>Contract executed</td>
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<tr>
<td>Environmental Review</td>
<td>October 2017</td>
<td>November 2017</td>
<td>Passed and Completed</td>
</tr>
<tr>
<td>Construction Bid</td>
<td>November 2017</td>
<td>December 2017</td>
<td>Bid Accepted</td>
</tr>
<tr>
<td>Purchase Construction Materials</td>
<td>December 2017</td>
<td>February 2018</td>
<td>Complete Purchase</td>
</tr>
<tr>
<td>Construction Begins and Ends</td>
<td>February 2018</td>
<td>July 2018</td>
<td>Construction Milestones Met</td>
</tr>
</tbody>
</table>

IV. CONSTRUCTION PROJECTS

Is this a construction project or a request for professional services for a construction project? If yes, please answer the following questions. If no, move to the next section.

1. Is this project listed in the City’s Capital Improvements Plan (CIP)  
   Yes  X No

2. What is the status of project design for this project?
   X Design is Complete
   Design is underway
   Design Professional Selected
   Design funding is part of this application

Who will be the project manager? Bert Stratemann, Parks Operations Manager

V. HOUSING PROJECTS

1. How many households do you anticipate serving?  N/A

2. Who will be the program manager?  Phone

3. What percentage of the households will be low/mod?  N/A

4. Has this project received CDBG funding in the past?  Yes  No
   a. If yes, when was the program last funded?
   b. How much was the allocation?
VI. PUBLIC SERVICE PROGRAMS

Public Service Programs involve the use of CDBG funds to pay the non-construction costs of providing services to qualified beneficiaries. Details of eligible programs are outlined in 24 CFR 570.201(e). This type of program requires documenting that at least 51% of the people receiving benefits from the CDBG-funded program qualify as being low to moderate income (LM). Quarterly reports are required for each funded program. The report will include basic beneficiary demographic information such as race and ethnicity and low/mod income statistics. CDBG funds are provided on a reimbursement basis to the funded program following submittal of a draw request with supporting documentation.

Complete this section only if the application is for a Public Service Program. If not, move on to “Certifications”.

Who will be the program manager? __________ N/A __________ Phone Number: ______________

TYPE OF PUBLIC SERVICE (CHOOSE ONE OR MORE)

___ 05A Senior Services
___ 05C Legal Services
___ 05E Transportation Services
___ 05G Battered and Abused Spouses Services
___ 05I Crime Awareness
___ 05K Tenant/Landlord Counseling
___ 05M Health Services
___ 05O Mental Health Services
___ 05Q Subsistence Payments
___ 05B Handicapped Services
___ 05D Youth Services
___ 05F Substance Abuse Services
___ 05H Employment Training
___ 05J Fair Housing Activities
___ 05L Child Care Services
___ 05N Abused/Neglected Children Services
___ 05P Screening for Lead Paint/Lead Hazards
___ Other:

PROGRAM ELIGIBILITY

1. Program / Service eligibility (please select one): Not applicable
   a. _____ This is a new program / service.
   b. _____ This is an existing program / service that: (select one of the following)
      i. _____ Has previously received CDBG funding and the amount requested for this
         year is the same or less than previous funding; or
      ii. _____ will expand to serve more beneficiaries or to provide more services if the
         CDBG funding as requested is approved. Please attach an analysis that details
         how the program or service will be expanded, how many new beneficiaries will be
         served by the expansion, and how this number was determined.

2. Is there a fee to clients to participate in the program? _____ Yes or _____ No. If yes, please
   provide fee schedule.
VII. PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. PRESUMED BENEFIT:

Will all of the program’s beneficiaries be “Presumed Clientele” as described below? Not applicable

____ Yes or ___ No  If No, move to Section “B” below.

Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

<table>
<thead>
<tr>
<th>Elderly persons (62 or older)</th>
<th>Battered spouses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless persons</td>
<td>Abused children</td>
</tr>
<tr>
<td>Persons living with AIDS</td>
<td>Migrant farm workers</td>
</tr>
<tr>
<td>Illiterate persons (includes non-English speakers)</td>
<td>Severely disabled adults (Census Bureau definition)</td>
</tr>
</tbody>
</table>

1. How many persons in each presumed category are proposed to be assisted if funding is received?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
</table>

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served in each presumed category:

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
</table>

B. BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”  Not applicable

1. How many persons are proposed to be assisted if funding is received? ________________

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served? ________________

3. What percentage of persons proposed to be assisted are expected to be low/mod? __________

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents? __________

5. How do you propose to document the income of the beneficiaries? (check all that apply)

   a. ____ Evidence that the child is approved for free or reduced lunch
   b. ____ Evidence that the family lives in housing sponsored by the Housing Authority
   c. ____ Evidence that the family is WIC approved
   d. ____ Income documentation using one of the 3 HUD approved methods
   e. ____ Self-certification, with income verification required of 20% of certifications
CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

I certify, to the best of my knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form - "Disclosure Form to Report Lobbying", in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

GENERAL CERTIFICATIONS

All City projects will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended.

The program will be conducted and administered in conformity with the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000a et seq.), title VI of the Civil Rights Act of 1964 (42 USC 2000d), and the Fair Housing Act (42 U.S.C. Sec. 3901 et seq.), and implementing regulations.

The project will be conducted in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

The project will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

The project will be conducted in compliance with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. The program shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal

City Program 2017 Application
departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- Historical Preservation Act of 1966, as amended, and related laws and executive orders;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland "Anti-Kickback" Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
- The Americans with Disabilities Act (ADA) of 1990;
- The Age Discrimination Act of 1975, as amended;
- National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
- Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
- Asbestos guidelines established in CPD Notice 90-44;
- HUD Environmental Criteria and Standards (24 CFR Part 51);
- The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
- Flood Disaster Protection Act of 1973;
- Colorado House Bill 06-1023 and 06-1043;
- Procurement Standards (2 CFR 200.322);
- Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
- Energy Efficiency (2 CFR Part 200 Appendix II); and
- Recycling (2 CFR Part 200 Appendix II).

I certify that to the best of my knowledge and belief that the certifications, information, exhibits, and schedules contained in this application are true and accurate statements.

\[Signature\]  

Date Signed: ______________

Printed Name / Title: Rodney Cobb, Executive Director of Community Services – Parks and Recreation
Project Summary: Donna Bellion Dog Park

The City of San Marcos Parks and Recreation Department requests $328,425 in CDBG funds to construct a 6 acre innovative dog park to address the critical need for recreational infrastructure serving low to moderate income beneficiaries in the eastern part of the city. The park will be built on city property adjacent to the animal shelter and we hope to dedicate it in memory of Donna Bellion, one of San Marcos’ most beloved animal advocates who worked closely with the San Marcos Regional Animal Shelter.

The Census Bureau declared San Marcos the nation’s fastest growing municipality among towns and cities with a population of 50,000-100,000 in 2015 for the third consecutive year. Hays County is the fifth fastest-growing county in the nation. Currently, San Marcos has an estimated population of 60,684, not including Texas State University’s student population of 37,979. San Marcos has a 37% poverty rate and a per capita income of $16,982 (2011-2015 American Community Survey). Seventy-one percent of San Marcos school district students qualify for free or reduced-price lunches.

Nationwide, 44% of homeowners (54.4 million Americans) report owning at least one dog. If we apply this ratio to the population of San Marcos, there are at least 26,700 dogs in the city. Between 2015 and 2016, the San Marcos Regional Animal Shelter reported a 4.5% increase in visitors (from 16,641 to 17,388) and a 55% spike in service calls (from 12,984 to 20,194). Dog parks have been the fastest growing category of urban parkland for the last 15-20 years and continue to be in very high demand.

Dog parks offer multiple benefits to the community as a whole: 1) They offer dogs a safe, enclosed play area where they have plenty of space to exercise and socialize while their owners can enjoy a park-like setting and the chance to socialize with other dogs and their owners; 2) They promote responsible dog ownership by preventing off-leash animals from being a nuisance to other community residents and park users such as joggers, small children, and those who may be fearful of dogs; and; 3) They enhance community safety and livability by helping to deter crime.

The Dog Park will accommodate hundreds of dogs at one time. The design of the Dog Park incorporates best practices developed by the Association of Professional Dog Trainers and by Dr. Temple Grandin, Professor of Animal Science at Colorado State University and a world-renowned expert on animal behavior and proper handling of animals. According to Dr. Grandin, dog parks should provide separate wide-open areas for large and small dogs to run and play and should minimize visual and aural distractions such as shadows, dangling chains, and environmental details most people do not notice.

Design features of the Dog Park, which will serve as a model for future dog parks, include:

- Rounded, not angular fences to prevent fighting or cornering between dogs.
- Two 1.25-acre paddocks (separately fenced areas) for large dogs and two 1.25-acre paddocks for small dogs, each with multiple drinking stations, a dog waste station, and shaded rest areas with picnic tables. Shade areas will be orientated east to west to maximize shade benefits. Paddocks will be rotated, so that only one large and one small dog paddock will be open at a time to allow the other two paddocks time to recover. Paddocks not in use will be watered down and spread with compost.
- Covered concrete dog washing stations with drains that will also accommodate bathrooms and storage. Concrete will be colored to reduce glare and heat.
- Separate entrances and exits and a raceway around the courtyard to provide triple security and separation of large and small dogs.
- Gates will be one-way and padded for noise reduction when they close.
- Clear, consistent signage stating park rules, ordinances, and behavior.
Dog Park
Compiled by Richard Salmon and Bert Stratemann
Date: Monday, March 20, 2017
Donna Bellion Dog Park

Cost Estimate for Park Amenities | Cost | Multiplier | Sub-Total
--- | --- | --- | ---
1. Asphalt Road - Demolition | $50 | 0 | $0
2. Asphalt Parking per Parking Unit | $700 | 30 | $21,000
3. Bathroom - complete | $45,000 | 1 | $45,000
4. Bench & concrete pad w/ADA | $2,200 | 0 | $0
5. Bench - plaque | $150 | 0 | $0
6. Bike Rack | $600 | 2 | $1,200
7. BB Court - Full Size/colored | $60,000 | 0 | $0
8. BB Court - Half or less/colored | $53,000 | 0 | $0
9. BB Court - colorize existing court | $2,800 | 0 | $0
10. Concrete stain | $8 | 1,500 | $12,000
11. Dog Station | $300 | 8 | $2,400
12. Dog Water Station | $1,200 | 8 | $9,600
13. Fence - wrought Iron 4 ft | $28 | 0 | $0
14. Fence - Wrought Iron 5 ft | $35 | 0 | $0
15. Fence - Wrought Iron 6 ft | $40 | 200 | $8,000
16. Fence - Plastic/ 5 Ft | $18 | 0 | $0
17. Fence - Chain Link/6 Ft | $25 | 1,500 | $37,500
18. Fountain - Drinking | $2,600 | 0 | $0
19. Entry gates - 4 foot | $400 | 16 | $6,400
20. Gate - Maintenance 12 foot gate | $1,000 | 4 | $4,000
21. Gazebo /structure only | $40,000 | 0 | $0
22. Gazebo /slab only | $20,000 | 0 | $0
23. Grill - BBQ/ pad with hole | $350 | 0 | $0
24. Grill - Ash container | $400 | 0 | $0
25. Irrigation | $15 | 0 | $0
26. Landscaping | $6 | 1,200 | $7,200
27. Light pole | $2,500 | 8 | $20,000
28. Light - overhead lighting | $1,500 | 0 | $0
29. Lighting - directional | $1,500 | 4 | $6,000
30. Parking - Asphalt | $800 | 0 | $0
31. Pavilion - structure only | $50,000 | 0 | $0
32. Pavillion - slab only | $40,000 | 0 | $0
33. Picnic Table - 8 foot | $1,200 | 0 | $0
34. Picnic Table - ADA | $1,500 | 0 | $0
35. Playscape - Open | $25,000 | 0 | $0
36. Playscape - integrated/covered | $57,250 | 0 | $0
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Quantity</th>
<th>Cost 1</th>
<th>Cost 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>Playscape/Playground - Fibar</td>
<td></td>
<td>$75</td>
<td>$0</td>
</tr>
<tr>
<td>38</td>
<td>Rain garden with native plants</td>
<td></td>
<td>$1,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>39</td>
<td>Sidewalk - 4 foot wide</td>
<td></td>
<td>$32</td>
<td>$0</td>
</tr>
<tr>
<td>40</td>
<td>Sidewalk - 6 foot wide</td>
<td></td>
<td>$48</td>
<td>$19,200</td>
</tr>
<tr>
<td>41</td>
<td>Sidewalk - 8 foot wide</td>
<td></td>
<td>$64</td>
<td>$0</td>
</tr>
<tr>
<td>42</td>
<td>Shade trees - 3 inch diameter</td>
<td></td>
<td>$350</td>
<td>$2,800</td>
</tr>
<tr>
<td>43</td>
<td>Sod - full coverage</td>
<td></td>
<td>$12,000</td>
<td>$0</td>
</tr>
<tr>
<td>44</td>
<td>Trail - Decomposed Granite</td>
<td></td>
<td>$8</td>
<td>$0</td>
</tr>
<tr>
<td>45</td>
<td>Trail - Limestone 8 ft wide</td>
<td></td>
<td>$7</td>
<td>$0</td>
</tr>
<tr>
<td>46</td>
<td>Trash Cans &amp; inground mt (Bear Proof)</td>
<td></td>
<td>$800</td>
<td>$3,200</td>
</tr>
<tr>
<td>47</td>
<td>Trash and Recycling Center</td>
<td></td>
<td>$800</td>
<td>$3,200</td>
</tr>
<tr>
<td>48</td>
<td>Signage - standard PARD sign</td>
<td></td>
<td>$6,000</td>
<td>$0</td>
</tr>
<tr>
<td>49</td>
<td>Signage - Park Rules</td>
<td></td>
<td>$500</td>
<td>$1,000</td>
</tr>
<tr>
<td>50</td>
<td>Other - remove dead tree</td>
<td></td>
<td>$400</td>
<td>$0</td>
</tr>
<tr>
<td>51</td>
<td>Other - install ADA ramp to playscape</td>
<td></td>
<td>$550</td>
<td>$0</td>
</tr>
<tr>
<td>52</td>
<td>Other - water meter/ installation</td>
<td></td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>53</td>
<td>Other - solar lights</td>
<td></td>
<td>$200</td>
<td>$0</td>
</tr>
<tr>
<td>54</td>
<td>Other - Dog wash yard</td>
<td></td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>55</td>
<td>Other - enviro review / public notices</td>
<td></td>
<td>$1,000</td>
<td>$0</td>
</tr>
<tr>
<td>56</td>
<td>Other - sewerline and hookup</td>
<td></td>
<td>$25</td>
<td>$8,750</td>
</tr>
<tr>
<td>57</td>
<td>Other - Shade structures</td>
<td></td>
<td>$9,000</td>
<td>$27,000</td>
</tr>
</tbody>
</table>

**Construction** $276,450  
**A/E** $27,645  
**Sub-Total** $304,095  
**Contengency** $24,330  
**Total Cost** $328,425
Q9: If a dog park was developed adjacent to the animal shelter, what would you like to see incorporated?

<table>
<thead>
<tr>
<th>Feature</th>
<th>Yes</th>
<th>No</th>
<th>Maybe</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dog Exercise / Agility Equipment</td>
<td>293</td>
<td>32</td>
<td>34</td>
<td>359</td>
</tr>
<tr>
<td>Two-Gate Systems to Prevent Escapes</td>
<td>226</td>
<td>54</td>
<td>77</td>
<td>355</td>
</tr>
<tr>
<td>Separate Entrance / Exit Gates</td>
<td>347</td>
<td>14</td>
<td>8</td>
<td>368</td>
</tr>
<tr>
<td>Shade</td>
<td>347</td>
<td>15</td>
<td>5</td>
<td>367</td>
</tr>
<tr>
<td>Drinking Water</td>
<td>341</td>
<td>15</td>
<td>7</td>
<td>363</td>
</tr>
<tr>
<td>Clean up Disposals</td>
<td>221</td>
<td>62</td>
<td>77</td>
<td>357</td>
</tr>
<tr>
<td>Separate Play Areas for large / small dogs</td>
<td>325</td>
<td>20</td>
<td>20</td>
<td>364</td>
</tr>
<tr>
<td>Pavilion</td>
<td>231</td>
<td>47</td>
<td>77</td>
<td>349</td>
</tr>
<tr>
<td>Dog Exercise / Agility Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other features to consider (please specify)</td>
<td></td>
<td></td>
<td></td>
<td>38</td>
</tr>
</tbody>
</table>

**San Marcos Regional Animal Shelter Survey**

If a dog park was developed adjacent to the animal shelter, what would you like to see incorporated?

- **Answer Options**
  - Yes
  - No
  - Maybe

- **Response Count**
  - 293
  - 32
  - 34
  - 359
  - 226
  - 54
  - 77
  - 355
  - 347
  - 14
  - 8
  - 368
  - 347
  - 15
  - 5
  - 367
  - 341
  - 15
  - 7
  - 363
  - 221
  - 62
  - 77
  - 357
  - 325
  - 20
  - 20
  - 364
  - 231
  - 47
  - 77
  - 349
  - 38

- **Answered question**: 368
- **Skipped question**: 21
CDBG Application for City Projects/Programs
Due Date: March 27, 2017

I. General Information

APPLICANT INFORMATION

Project Title: Engineering Study on Old Fire Station

Sponsoring Department: Community Services

Contact Name & Title: Rodney Cobb, Executive Director - Community Services

Office Telephone: (512) 393.8400

City Cell Phone Number: (512) 738.7610

PROJECT SUMMARY INFORMATION

Amount of CDBG Funds Requested: $62,000

Amount of funds from other sources that will be available at the project start date: None

Project Location (address, or other description): Fire Station # 3, 404 Broadway Street, San Marcos, TX 78666.

PROJECT DESCRIPTION:

1. Please summarize the project for which funds are requested.

2. Broadway Fire Station # 4 is in poor condition, as noted by Broddus Planning Inc. (notes attached). CDBG funds are being requested for an engineering study to see if the structure should be demolished or if it is feasible to rehabilitate the old fire station into a Community Resource Center, as per City Council request. Estimate was obtained from historical data of other related city projects. Letter from Michael Taylor of ImpactSM Charity expressing willingness to work with City of San Marcos to operate a Community Resource Center at that location.
II. LINE ITEM BUDGET FORM

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. Following the Line Item Budget, please complete the Supplemental Budget Form – Use of Other Resources. Funds and costs, as outlined on the Sources and Uses of Funds form, may not be spent or incurred prior to a contract award date (usually October 1st) from the CDBG Program. Supporting documentation may be attached in the Appendix area.

<table>
<thead>
<tr>
<th>Budget Item (Use of Funds)</th>
<th>CDBG Funds</th>
<th>Other Funds</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Service Programs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineering Services</td>
<td>$61,000</td>
<td>-0-</td>
<td>N/A</td>
</tr>
<tr>
<td>Construction / Clearance Projects</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Review Costs</td>
<td>$1,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State/Federal Permit Fees</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Hard Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition / Clearance Hard Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Soft Costs (publications, etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing Programs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUDGET TOTAL</td>
<td>$62,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
III. PROJECT IMPLEMENTATION SCHEDULE

NOTE: The first activity should be environmental review. Projects that do not impact the physical environmental generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Procurement of Architect</td>
<td>October</td>
<td>November</td>
<td>Contract executed</td>
</tr>
<tr>
<td>Environmental Review</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Procurement of Engineering Services</td>
<td>October 2017</td>
<td>November 2017</td>
<td>Execute Contract 02/2018</td>
</tr>
<tr>
<td>Conduct Study for CoSM</td>
<td>Start Study 03/2018</td>
<td>Complete Study 05/2018</td>
<td>Delivery Study to CoSM – June 2018</td>
</tr>
</tbody>
</table>

IV. CONSTRUCTION PROJECTS

Is this a construction project or a request for professional services for a construction project? If yes, please answer the following questions. If no, move to the next section.

1. Is this project listed in the City’s Capital Improvements Plan (CIP)? Yes _____ No _____

2. What is the status of project design for this project?
   _____ None required       _____ Design is Complete       _____ Design is underway
   _____ Design Professional Selected   _____ Design funding is part of this application

3. Who will be the project manager? Oscar Hairell

V. HOUSING PROJECTS

1. How many households do you anticipate serving? Project benefits are citywide _____

2. Who will be the program manager? N/A Phone

3. What percentage of the households will be low/mod? __________

4. Has this project received CDBG funding in the past? Yes _____ No _____
   a. If yes, when was the program last funded? __________
   b. How much was the allocation? __________
VI. PUBLIC SERVICE PROGRAMS

Public Service Programs involve the use of CDBG funds to pay the non-construction costs of providing services to qualified beneficiaries. Details of eligible programs are outlined in 24 CFR 570.201(e). This type of program requires documenting that at least 51% of the people receiving benefits from the CDBG-funded program qualify as being low to moderate income (L/M). Quarterly reports are required for each funded program. The report will include basic beneficiary demographic information such as race and ethnicity and low/mod income statistics. CDBG funds are provided on a reimbursement basis to the funded program following submittal of a draw request with supporting documentation.

Complete this section only if the application is for a Public Service Program. If not, move on to “Certifications”.

Who will be the program manager? ___________________________ Phone Number: _______________________

<table>
<thead>
<tr>
<th>TYPE OF PUBLIC SERVICE (CHOOSE ONE OR MORE)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>05A Senior Services</td>
<td>05B Handicapped Services</td>
</tr>
<tr>
<td>05C Legal Services</td>
<td>05D Youth Services</td>
</tr>
<tr>
<td>05E Transportation Services</td>
<td>05F Substance Abuse Services</td>
</tr>
<tr>
<td>05G Battered and Abused Spouses Services</td>
<td>05H Employment Training</td>
</tr>
<tr>
<td>05I Crime Awareness</td>
<td>05J Fair Housing Activities</td>
</tr>
<tr>
<td>05K Tenant/Landlord Counseling</td>
<td>05L Child Care Services</td>
</tr>
<tr>
<td>05M Health Services</td>
<td>05N Abused/Neglected Children Services</td>
</tr>
<tr>
<td>05O Mental Health Services</td>
<td>05P Screening for Lead Paint/Lead Hazards</td>
</tr>
<tr>
<td>05Q Subsistence Payments</td>
<td>Other:</td>
</tr>
</tbody>
</table>

PROGRAM ELIGIBILITY

1. Program / Service eligibility (please select one):
   a. _____ This is a new program / service.
   b. _____ This is an existing program / service that: (select one of the following)
      i. _____ Has previously received CDBG funding and the amount requested for this year is the same or less than previous funding; or
      ii. _____ will expand to serve more beneficiaries or to provide more services if the CDBG funding as requested is approved. Please attach an analysis that details how the program or service will be expanded, how many new beneficiaries will be served by the expansion, and how this number was determined.

2. Is there a fee to clients to participate in the program? _____ Yes or _____ No. If yes, please provide fee schedule.
VII. PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. PRESUMED BENEFIT:

Will all of the program's beneficiaries be "Presumed Clientele" as described below?

Yes or No  If No, move to Section "B" below.

Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

<table>
<thead>
<tr>
<th>Elderly persons (62 or older)</th>
<th>Battered spouses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless persons</td>
<td>Abused children</td>
</tr>
<tr>
<td>Persons living with AIDS</td>
<td>Migrant farm workers</td>
</tr>
<tr>
<td>Illiterate persons (includes non-English speakers)</td>
<td>Severely disabled adults (Census Bureau definition)</td>
</tr>
</tbody>
</table>

1. How many persons in each presumed category are proposed to be assisted if funding is received?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
</table>

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served in each presumed category?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
</table>

B. BENEFICIARIES WHO ARE NOT CONSIDERED "PRESUMED"

1. How many persons are proposed to be assisted if funding is received? ________________

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served? ________________

3. What percentage of persons proposed to be assisted are expected to be low/mod? ________________

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents? ________________

5. How do you propose to document the income of the beneficiaries? (check all that apply)
   a. _____ Evidence that the child is approved for free or reduced lunch
   b. _____ Evidence that the family lives in housing sponsored by the Housing Authority
   c. _____ Evidence that the family is VNC approved
   d. _____ Income documentation using one of the 3 HUD approved methods
   e. _____ Self-certification, with income verification required of 20% of certifications

City Program 2017 Application
CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

I certify, to the best of my knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form - "Disclosure Form to Report Lobbying", in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

GENERAL CERTIFICATIONS

All City projects will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended.

The program will be conducted and administered in conformity with the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000a et seq.), title VI of the Civil Rights Act of 1964 (42 USC 2000d), and the Fair Housing Act (42 U.S.C. Sec. 3601 et seq.), and implementing regulations.

The project will be conducted in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

The project will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

The program will be conducted in compliance with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. The program shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal City Program 2017 Application
departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- Historical Preservation Act of 1966, as amended, and related laws and executive orders;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
- The Americans with Disabilities Act (ADA) of 1990;
- The Age Discrimination Act of 1975, as amended;
- National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
- Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
- Asbestos guidelines established in CPD Notice 90-44;
- HUD Environmental Criteria and Standards (24 CFR Part 51);
- The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
- Flood Disaster Protection Act of 1973;
- Colorado House Bill 06-1023 and 06-1043;
- Procurement Standards (2 CFR 200.322);
- Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
- Energy Efficiency (2 CRF Part 200 Appendix II); and
- Recycling (2 CRF Part 200 Appendix II).

I certify that to the best of my knowledge and belief that the certifications, information, exhibits, and schedules contained in this application are true and accurate statements.

Signature

Date Signed:

Printed Name / Title: Rodney Cobb, Executive Director - Community Services
FIRE STATION #4: BROADWAY

- BROADWAY FIRE STATION BUILDING
  - AGE: 16 yrs
  - SIZE: 3,184 SF
  - LOCATION: Broadway St. at Parkdale Dr.
  - FACILITY CONDITION: Poor Condition
- CONCERNS or DEFICIENCIES:
  - Settlement of the foundation has occurred and brick veneer is severely cracked
  - Facility has flooded in the past and a topping slab was placed in the vehicle bays
  - Equipment dispatched to this location is limited due to clearance limitations in vehicle bays
  - No expansion capacity on site
  - No expansion capacity in electrical panels
  - Living quarter are very cramped
  - No ventilation in vehicle bays
  - No fire alarm
  - No fire suppression system
  - Limited parking
FIRE STATION #4: 404 Broadway

- AGE: 16 yrs
- SIZE: 3,184 SF
- LOCATION: Broadway St. at Parkdale Dr.
- FACILITY CONDITION: Poor Condition
- CONCERNS or DEFICIENCIES:
  - Settlement of the foundation has occurred and brick veneer is severely cracked
  - Facility has flooded in the past and a topping slab was placed in the vehicle bays
  - Equipment dispatched to this location is limited due to clearance limitations in vehicle bays
  - No expansion capacity on site
  - No expansion capacity in electrical panels
  - Living quarter are very cramped
  - No ventilation in vehicle bays
  - No fire alarm
  - No fire suppression system
  - Limited parking
Richard Salmon  
Grant Administrator  
Community Service – Parks & Recreation  
San Marcos, Texas, 78666

Greetings Mr. Salmon;

Per your visit with Michael Taylor Public Relations Director impactSM Charity Inc. on the above date, we were informed of your intent to revitalize the existing fire station located on Holland Street, in San Marcos. We contacted the city same time ago about seeking a location for our non-profit to manage for many different upcoming projects. As you know, our nonprofit is community base and seeks to provide many different opportunities for local citizens, to include by not limited to; Disadvantaged or displaced citizens programs, at-risk-youth, funding research components for governmental, and nonprofit aid and assistance, Soft-skills learning programs, Additional group community meeting place, community mixers, Community Safe House, and education lab equipped with computer systems for public use. While this is simply a small number of areas our non-profit will focus, the building in question would certainly be put to great use for community needs. ImpactSM Charity Inc. would like to be considered for the managerial operation of the center with-in guidelines of the city. We would house an office in that location and maintain assigned dated operation and maintain proper booking for the facilities. Since we are Licensed Private Security entity we would maintain the Security Protection while citizens are on the property. The Holland fire station could likely be a well used community facility that can also generate financial resources for certain community use projects which could be used for building support and upkeep. Any equipment necessary for building use provided by the city would be properly maintained by our Non-profit. While the existing facility would not be adequate for fire department use, it would be more than adequate for a community center for light to moderate use and greater use to the community of San Marcos.

ImpactSM Charity Inc. will provided more detailed information to your team for better understanding of our intent should you elect to proceed with this project. Please don’t hesitate to contact us with any questions or concerns.

Respectfully,

Arthur E. Taylor  
Executive Director  
ImpactSM Charity Inc.

/  
General Manager  
Security Force One Agency
Eastside Resource Center

Tuesday, June 20, 2017
Workforce Center

• Enhances skills of current work force
• Cultivates emerging industry
• Supports existing businesses
• Economic change
• Partners with adult basic education
  – Library, Non-Profits
  – School Districts & Community Colleges & Universities
  – Economic Development groups
  – Business
  – State agencies
Workforce Center Function

- Classrooms and job training labs
- Office spaces
- Computer lab
- Video monitors to practice job interviews

- Interview preparation
- Resume revision
- Job search assistance
- Job coaching
- Career planning
- Post-placement services
- Customized staffing
Community Center

- Supports community activities
- Classes, events
- Senior, Adult and Youth programs
- Recreation and Park functions
Future Approach

Purpose
Workforce Center
Community Center
Hybrid Approach

Timing
Immediate – CDBG Public Services
• Rent Space $12-40,000
• Furniture
• Technology (20 stations) $34,000
• Programming & Staffing
  • RFP for Program Steward
  • Library and Volunteers
  • Partnership

Future – CDBG, DR, Grant
• Location
• Building
• Furniture & Equipment
• Technology
• Programming and Staffing
Eastside Rental Space

Two Locations on Highway 123

Location 1
- 1,730 SF - $25,085/year
- 900 SF - $12,600/year

Location 2
- 2,400 SF - $44,640/year
- 2,000 SF - $38,400/year
- 1,600 SF - $30,720/year
Construction of Eastside Center

Estimate from Facilities

- **Land Acquisition**: $75,000
- **Design**: $65,000
- **Building**: $190.0/sq.ft.
  - Dunbar (5,000 sq. ft.): $1,300,000
  - 3,400 sq. ft. (min. size per Library): $825,000
- **Furniture**
- **Technology**
  - Network Connection: $4,000
  - Computer Station: $1,500 per station
New Construction 3,400 sq.ft.
Broadway Station

- Demolition
  
  Demolition $75,000
  Environmental costs $ 6,500 with no contaminant
  Engineering $10,000
  TOTAL Estimated Cost $91,500

- City Sale of Property

- Two Affordable Housing Lots
Questions
NOTE: This form is not to be used for applicants seeking funds to support programs operated by non-profit organizations. A separate application form for "Public Services" is available and should be used for projects of that nature.

Due Date: March 27, 2017

I. APPLICANT CONTACT INFORMATION

Applicant Organization: Hays County Women’s Center, Inc. d.b.a. Hays-Caldwell Women’s Center

Contact Name: Marla Johnson

Telephone: 512-396-3404

Mailing Address: PO Box 234, San Marcos, TX 78667

Physical Address, if different from mailing address: 1101 Davis Lane, Suite 101, San Marcos, TX 78666

Contact E-Mail Address: mjohnson@hcwc.org

Web Address: www.hcwc.org

Who is authorized to execute program documents? Marla R. Johnson

II. APPLICATION SUMMARY INFORMATION

PROJECT NAME: Counseling and Resource Center Remodel

PROGRAM FUNDING: Amount of CDBG Funds Requested: $22,000

Project Location: 1101 Davis Lane, Suite 201, San Marcos, TX 78666

PRIORITY ELIGIBILITY

Select one

- Public Facilities
- Housing
- Clearance Activities
- Infrastructure
- Transportation

NATIONAL OBJECTIVE

Select one

- Benefit to Low/Mod Income Persons
- Slum or Blight Elimination/Prevention
- Urgent Need (such as disaster)

Will your project be completed (all CDBG funds expended) by July 15, 2017?  

___ Yes  ___ No

If "No", what percent is expected to be completed by that date?  

July 15, 2018
III. PROJECT DESCRIPTION

Summarize how CDBG funds are proposed to be used:

The requested CDBG funds would be used to renovate HCWC's current donation center into additional offices for 5 HCWC Counselors and Advocates.

PROJECT SCOPE:
Please check all statements that apply to this project:

_____ All project design work is complete for this project (plans, specifications, etc.)
_____ This project will include selection of professional service providers (architect, engineer, etc.)
_____ This project includes acquisition of real property
× This project includes the rehabilitation of existing buildings
_____ This project includes new construction
_____ This project includes demolition of existing structures
_____ This project includes a public facility (such as a senior center)

Accomplishments
Once the project is completed, how can its success be measured?

Due to the increased demand for services at HCWC, we have had to expand our staffing level. This project would allow us to create additional office space so that Counselors and Advocates could provide critical services to victims of family violence and sexual assault/abuse. Success would be measured by the increased number of clients served due to the additional space available to provide services.
IV. BENEFICIARIES

The CDBG program allows several different methods of documenting that a project benefits low to moderate income persons. Direct Benefit projects provide services directly to an individual or family; for example, a housing rehabilitation project is a Direct Benefit project. Some projects benefit an area, such as a Sidewalk Project.

A. DIRECT BENEFIT BENEFICIARIES:
Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

How many unduplicated individuals or households are expected to be served by this project? ______________

PRESUMED BENEFIT: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

   a. Elderly persons (62 or older)  
   b. Battered spouses  
   c. Homeless persons  
   d. Abused children  
   e. Persons living with AIDS  
   f. Migrant farm workers  
   g. Illiterate persons (includes non-English speakers)  
   h. Severely disabled adults (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? _____Yes or _____No
   a. If “yes”, under which category(ies): ______________

BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”:

1. If the program’s beneficiaries cannot be considered “Presumed”, how will income eligibility be determined?
   _____ a. Projection of the individual/family’s income based on family size; or,
   _____ b. Other. Please provide details of how eligibility will be determined.

Eligibility for services at HCWC is determined by the client being a victim of family violence and/or sexual assault/abuse. Majority of HCWC’s clients would qualify for presumed benefit (battered spouses), but some only have sexual assault victimizations, and not also family violence.

B. AREA BENEFIT PROJECTS:

Some projects, such as a senior center or a park, serve an area rather than individual persons. HUD defines an area benefit project as an activity which is available to benefit all of the residents of an area which is primarily residential. In order to meet the eligibility requirement of benefiting low to moderate persons, the area served must be an area where at least 51% of the residents are low/mod income persons. Most, but not all, San Marcos residential neighborhoods are low/mod.

1. Will this project be available to benefit all persons in the service area? _____Yes _____No

2. Are the neighborhoods that will benefit from this project primarily residential? _____Yes _____No
   If “No”, please explain:
3. What neighborhoods will benefit from this project? Please list either individual neighborhoods or describe the boundaries that will define the service area:

N/A

**Public Facility Projects (If not a public facility, skip this section)**

In the CDBG program, Public Facilities are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by non-profit organizations, and operated so as to be open to the general public. Facilities providing shelter for persons having special needs are also considered to be public facilities.

- Public facility projects do not include the costs of operating and maintaining public facilities, costs of purchasing construction equipment, the costs of furnishings and other personal items such as uniforms, or new construction of public housing.

- Public facilities are intended to benefit all the residents of an area; thus, in most cases it must serve an area having at least 51% low/mod population.

- Public facilities owned by a nonprofit must be made available to the general public and must be open for use by the general public during all normal hours of operation.

- Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges, such as excessive membership fees, which will have the effect of precluding low/mod income persons from using the facilities, are not permitted.

1. Who is/will be the owner of the facility? Hays-Caldwell Women's Center

2. Will fees be charged for the use of the facility? _____ Yes or x No

   *If yes, please attach a fee schedule.*

3. How will the facility be made available to the general public? The Center is available to all victims of family violence and/or sexual assault/abuse who live in Hays or Caldwell Counties.
V. PROJECT BUDGET

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time – generally less than three years. Thus it is important that any additional funds needed to complete the project have been secured.

1. Estimated total project cost: $22,000
   CDBG Funds requested: $22,000

2. Funds from all other sources that will be available on or before October 1st: $N/A

3. How will budget shortfalls be addressed? If the project goes over budget, HCWC will use other unrestricted funds to finish the project.

4. Are any additional funds for this project being requested from the City of San Marcos?
   Yes   No. If “yes”, please describe type and amount requested: $________________________
   Type of funds requested:________________________________________________________

Funding History

1. Has your organization received CDBG funding in the past 5 years?  Yes   No

2. If yes, how were the funds used? HCWC is currently receiving CDBG funds to pay a portion of the salaries of 8 shelter staff members who work directly with victims of family violence.

3. Is the project complete?  Yes   No
   If no, status and expected completion date:
   HCWC's Family Violence Shelter is an ongoing service.

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. City Council has waived fees for Construction Permitting and Development Code Processes for CDBG projects. Impact fee charges, when applicable, are not waived. Round budget numbers to the nearest dollar.

CDBG funds cannot be spent or obligated until final environmental clearance for the project has been obtained. HUD has interpreted “obligated” to mean that we cannot execute contracts or take bids as that will “obligate” funds. The environmental review is generally prepared by the CDBG staff. Please include $1,000 for environmental fees for rehabilitation, new construction, demolition & clearance, and land acquisition projects. No environmental expenses are required for professional service projects that will not include construction.
<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Total Budget</th>
<th>CDBG Funding Proposed</th>
<th>Other Funding Source(s)</th>
<th>Secured Funds available at project start</th>
<th>Additional Funds Needed to Complete Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Review Preparation</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Services</td>
<td>N/A</td>
<td></td>
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<tr>
<td>Publication Costs</td>
<td>N/A</td>
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<tr>
<td><strong>Project Soft Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Testing (lead paint, etc.)</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dumpsters / fencing/ portable toilets, etc.</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition / clearance expenses</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehabilitation or new construction costs</td>
<td>$22,000</td>
<td>$22,000</td>
<td>N/A</td>
<td>N/A</td>
<td>$22,000</td>
</tr>
<tr>
<td>Property acquisition</td>
<td>N/A</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Other</td>
<td></td>
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<tr>
<td>Other</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>BUDGET TOTAL</strong></td>
<td>$22,000</td>
<td></td>
<td></td>
<td></td>
<td>$22,000</td>
</tr>
</tbody>
</table>
VI. PROJECT IMPLEMENTATION SCHEDULE

NOTE: The first activity should be environmental review. Projects that do not impact the physical environment generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Procurement of Architect</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Contract executed</td>
</tr>
<tr>
<td>City Environmental Review</td>
<td>October 2017</td>
<td>October 2017</td>
<td>Approval to use funds</td>
</tr>
<tr>
<td>Renovation of existing space into 5 additional offices</td>
<td>October 2017</td>
<td>Dec. 31, 2017</td>
<td>Offices available to use.</td>
</tr>
</tbody>
</table>
VII. ORGANIZATION INFORMATION

Please attach the following documents with your application:

1. Organizational Chart
2. Articles of Incorporation
3. Proof of Tax Exempt status
4. Current year budget
5. Most recent balance sheet and financial statement
6. Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project.
7. If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s).
8. Please attach a listing of your board of directors, including position/title on board. Provide a contact number for the Chair/President and Treasurer. Please be mindful that information provided will be available for public review.
9. Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

BACKGROUND INFORMATION

Organization Type:

- [X] 501(c) Non-Profit Corporation
- [ ] Public Corporation
- [ ] Government Entity

Other: __________________________________________

1. How many years has your organization been in business? __________

2. Organization’s Taxpayer Identification Number (EIN): __________

3. Organization’s Dun and Bradstreet Number: __________

4. Organization is currently registered in the federal System for Award Management (SAM): [X] Yes [ ] No

BOARD OF DIRECTORS / FINANCIAL INFORMATION

1. Name and title of Board of Directors chair or president: ________________________________

2. What is the date of your fiscal year end? __________

3. Does your organization have a purchasing policy? [X] Yes [ ] No

4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? [ ] Yes [X] No

   If "Yes", please attach a summary of the litigation and its status; including any outstanding judgments.

5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? [ ] Yes [X] No

   If "Yes", please attach an explanation that includes the current status.
6. During the last fiscal year did your organization spend $750,000 or more in Federal financial assistance?
   X Yes    ____ No

7. What level of financial review does your organization obtain from an independent source? Select from the following options:
   X Single Audit    ____ Audited Financial Statement
   ____ Reviewed Financial Statement    ____ Compiled Financial Statement
   ____ No independent review    ____ Other (describe):

7. What period was covered by your most recent financial review? 

PERSONNEL/STAFF CAPACITY/POLICIES

1. Name and Title of your chief administrator Marla R. Johnson, Executive Director
   • Number of years in this position? 25

2. Total number of current employees at all locations. 39 full-time and 4 part-time

3. Total number of current employees who will be involved in this project? 4

4. Total number of new employees expected to be hired for the project? 0

5. Does your organization have a personnel policy manual? X Yes    ____ No
   • Does it include a procedure for filing grievances? X Yes    ____ No
   • Does it include a non-discrimination clause? X Yes    ____ No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? X Yes    ____ No

7. Separation of duties for financial transactions regarding this project (respond with job title):
   a. Who will approve payment of incurred expenses? Director of Operations or Executive Dir.
   b. Who will actually prepare the payment check? Accountant
   c. Who will sign checks paying project expenses? Director of Operations
   d. Who posts the transaction to your financial records? Accountant
   e. Who reconciles monthly bank statements? Executive Director and Accountant

INSURANCE/BONDING/WORKER’S COMPENSATION

1. Does your organization have liability insurance coverage? X Yes    ____ No

2. If yes, in what amount? $2,000,000

3. Does your organization pay worker’s compensation in accordance with Federal and state laws? X Yes    ____ No    ____ N/A

4. Does your organization have fidelity bond coverage for principal staff members who handle the organization’s accounts? X Yes    ____ No

5. Will vehicles owned by the organization be used in conjunction with the proposed project? ____ Yes    X No

6. If yes, what level of liability insurance is maintained on the vehicles? N/A

CDBG 2017 Application  Page 15
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant’s governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (CFR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency’s (EPA) List of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.


14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person
related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient’s environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient’s responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
• The Americans with Disabilities Act (ADA) of 1990;
• The Age Discrimination Act of 1975, as amended;
• National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
• Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
• Asbestos guidelines established in CPD Notice 90-44;
• HUD Environmental Criteria and Standards (24 CFR Part 51);
• The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
• Flood Disaster Protection Act of 1973;
• Colorado House Bill 06-1023 and 06-1043;
• Procurement Standards (2 CFR 200.322);
• Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
• Energy Efficiency (2 CRF Part 200 Appendix II); and
• Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:

1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,
4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the “Playing by the Rules” handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

[Signature]

Printed Name & Title: Marla R. Johnson, Executive Director

Organization Name: Hays-Caldwell Women's Center

Date Signed: 3/27/2017
1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,

4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the “Playing by the Rules” handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

[Signature]

Signature

Date Signed: 3/27/2017

Printed Name & Title: Marla R. Johnson, Executive Director

Organization Name: Hays-Caldwell Women's Center
HAYS-CALDWELL WOMEN'S CENTER
Board of Directors 2017

Carolyn Linér
512-757-5754
President

Term Exp: November 2017 (Pos. 9)

Laura Dupont
1st Vice President

Term Exp: November 2018 (Pos. 12)

Kay Wilson
2nd Vice President

Term Exp: November 2018 (Pos. 16)

Marsha M. Moore
512-757-1519
Treasurer

Term Exp: November 2017 (Pos. 3)

Katie McVaney
Secretary

Term Exp: November 2018 (Pos. 14)

Beverly Anderson

Term Exp: November 2018 (Pos. 10)

Tosha Coleman

Term Exp: November 2017 (Pos. 13)

Brian Erskine

Term Exp: November 2017 (Pos. 5)

Elizabeth Guidry

Term Exp: November 2017 (Pos.11)

Gabriel Garza

Term Exp: November 2017 (Pos.15)

Michele Hawthorne

Term Exp: November 2018 (Pos. 2)

Donald Lee

Term Exp: November 2017 (Pos. 7)

Alice Lochman

Term Exp: November 2017 (Pos. 17)

Dan O'Brien

Term Exp: November 2017 (Pos. 1)

Janie Salazar-Wright

Term Exp: November 2018 (Pos. 6)

Samantha Tuzo

Term Exp: November 2018 (Pos. 4)

Karolyn Tybor

Term Exp: November 2018 (Pos. 8)

Children's Advocacy Center Partner Agency Board Representatives

District Attorney
Fred Weber
Term Exp: N/A

Child Protective Services
Dora Montoya
Term Exp: N/A

Law Enforcement
Chief Bill Sala
Term Exp: N/A

Emeritus Board Members
Cindy McCoy M.Ed., L.P.C.
Term Exp: Emeritus

Cathy Supple

Term Exp: Emeritus

Executive Director
Marla Johnson
RESOLUTION

WHEREAS, the Board of Directors of the Hays County Women’s Center, Inc. d.b.a. HCWC finds it in the best interest of the citizens of Hays and Caldwell counties that the Shelter Services to Victims of Family Violence be operated for the 2018 Fiscal Year; and

WHEREAS, the Board of Directors of the Hays County Women’s Center, Inc. d.b.a. HCWC agrees to request funds from the City of San Marcos’ 2018 Community Development Block Grant for Public Services to underwrite activities of the Family Violence Emergency Shelter, and

WHEREAS, the Board of Directors of the Hays County Women’s Center, Inc. d.b.a. HCWC designates the Executive Director, Marla R. Johnson, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

WHEREAS, the contact information for the grantee’s authorized official is the following:

Marla Johnson
Executive Director
Hays-Caldwell Women’s Center
P.O. Box 234
San Marcos, TX 78667-0234
(512) 396-3404 x226
(512) 353-2018 fax
mjohnson@hcwc.org

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Hays County Women’s Center, Inc. d.b.a. HCWC approves submission of the 2017 grant application for the Shelter Services to the San Marcos Community Development Block Grant for Public Services and designates Marla Johnson as the grantee’s authorized official.

Signed by: Katie McVaney, Secretary

Passed and Approved this 27th day of February, 2017.
ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
HAYS COUNTY WOMEN'S CENTER, INC.

Pursuant to the provisions of Article 1365-4.03 of the Texas Non-Profit Corporation Act, HAYS COUNTY WOMEN'S CENTER, INC., a Texas nonprofit corporation which is subject to the provisions of the Texas Non-Profit Corporation Act, adopts the hereinafter stated Articles of Amendment to its Articles of Incorporation which will limit its powers to those conferred on nonprofit corporations under the laws of Texas and Section 501 (c) (3) of the Internal Revenue Code; and which will provide that upon dissolution or winding up the affairs of the corporation, whether voluntary or involuntary, the assets of the corporation, after all debts have been satisfied, then remaining in the hands of the Board of Directors, shall be distributed exclusively to charitable, religious, scientific, literary, or educational organizations which would then qualify under the provisions of Section 501 (c) (3) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended.

ARTICLE ONE
The name of the corporation is HAYS COUNTY WOMEN'S CENTER, INC.

ARTICLE TWO
The following amendments to the Articles of Incorporation were adopted by the Corporation on January 24, 1980:

Article Four of the Articles of Incorporation are hereby amended so as to read as follows:

ARTICLE FOUR
PURPOSES
The purposes for which the corporation is organized are:
(1) The primary purpose is to operate a center for the furtherance of women's interests and to provide services designed to encourage and assist women's interests.

(2) The general purposes and powers are to have and exercise all rights and powers conferred on nonprofit corporations under the laws of Texas, or which may hereafter be conferred, including the power to contract, rent, buy or sell personal or real property; provided, however that this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of this corporation.

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the corporation shall be authorized

PATRICKauce
Attorney, Corporation Division
and empowered to pay reasonable compensation for services rendered and
to make payments and distributions in furtherance of the purposes set
forth in Article Four, Section One hereof. No substantial part of the
activities of the corporation shall be the carrying on of propaganda, or
otherwise attempting to influence legislation and the corporation shall
not participate in or intervene in (including the publishing or distribution
of statements) any political campaign on behalf of any candidate for
public office. Notwithstanding any other provision of these articles,
the corporation shall not carry on any other activities not permitted to
be carried on

(a) by a corporation exempt from Federal income tax under Section
501 (c) (3) of the Internal Revenue Code of 1954 (or the
对应的 provision of any future United States Internal
Revenue Law) or

(b) by a corporation, contributions to which are deductible under
Section 170 (c) (2) of the Internal Revenue Code of 1954 (or
the corresponding provision of any future United States Internal
Revenue Law).

(3) Notwithstanding any of the above statements of purposes and
powers, this corporation shall not, except to an insubstantial degree,
engage in any activities or exercise any powers that are not in furtherance
of the primary purpose of this corporation.

This corporation is organized pursuant to the Texas Non-Profit
Corporation Act and does not contemplate pecuniary gain or profit to the
members thereof and is organized for non-profit purposes.

(4) Upon the dissolution of the corporation, the Board of Directors
shall, after paying or making provision for the payment of all of the
liabilities of the corporation, dispose of all of the assets of the
corporation exclusively for the purposes of the corporation in such
manner or to such organization or organizations organized and operated
exclusively for charitable, educational, religious, or scientific
purposes as shall at the time qualify as an exempt organization or
organizations under Section 501 (c) (3) of the Internal Revenue Code
of 1954 (or the corresponding provision of any future United States
Internal Revenue Law) as the Board of Directors shall determine.
Any such assets not so disposed of shall be disposed of by the proper
court of the county in which the principal office of the corporation
is then located, exclusively for such purposes or to such organization
or organizations, as said Court shall determine, which are organized
and operated exclusively for such purposes.

Article Five of the Articles of Incorporation is hereby amended so as
to read as follows:

The post office address of its initial registered office is Post
Office Box 234, San Marcos, Texas 78666, and the street address of its
initial registered office is 322 Love Street, San Marcos, Texas 78666,
and the name of its initial registered agent at such address is
MELISSA MILLECAM.
ARTICLE THREE

The amendments to the Articles of Incorporation were adopted at a meeting of the Board of Directors held on January 23, 1980, and received a vote of a majority of the directors in office, there being no members having voting rights in respect thereof.


HAYS COUNTY WOMEN'S CENTER, INC.

By: __________________________
MELISSA MILLECAM, President
Board of Directors

By: __________________________
PAT GONZALES, Secretary
Board of Directors
STATE OF TEXAS
COUNTY OF HAYS

I, PATRICIA BLASCHKE, a Notary Public, do hereby certify that on this twenty-third day of January, 1980, personally appeared before me MELISSA MILLECAM, who declared that she is President of the corporation executing the foregoing document, and being first duly sworn, acknowledged that she signed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Notary Public in and for Hays County, Texas
My commission expires: 3-19-81

STATE OF TEXAS
COUNTY OF HAYS

I, PATRICIA BLASCHKE, a Notary Public, do hereby certify that on this twenty-third day of January, 1980, personally appeared before me PAT GONZALES, who declared that she is Secretary of the corporation executing the foregoing document, and being first duly sworn, acknowledged that she signed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Notary Public in and for Hays County, Texas
My commission expires: 3-17-81
The State of Texas
Secretary of State

IT IS HEREBY CERTIFIED, THAT
HAYS COUNTY WOMEN'S CENTER, INC.
FILED ARTICLES OF INCORPORATION IN THIS OFFICE AND WAS ISSUED
A CERTIFICATE OF INCORPORATION ON
JULY 21, 1978;
THAT SO FAR AS IS SHOWN BY THE RECORDS OF THIS
DEPARTMENT, NO CERTIFICATE OF DISSOLUTION HAS BEEN FILED FOR SAID
CORPORATION, AND IT IS STILL IN EXISTENCE.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO
SIGNED MY NAME AND CAUSED TO BE
IMPOSED HEREON THE SEAL OF STATE ON
APR. 8, 1993

[Signature]
Secretary of State
HAYS-CALDWELL WOMEN’S CENTER

BY-LAWS

ARTICLE I

NAME

The name of this corporation shall be the Hays County Women’s Center, Inc. (dba Hays-Caldwell Women’s Center) hereinafter referred to as the Center. The Corporation shall be non-profit in nature, with none of the profits being distributed to the members of the organization. Funds deriving to the Corporation shall be used only for development of the programs and provision of services related to issues concerning victims and their families.

ARTICLE II

PHILOSOPHY

Physical, sexual, emotional or psychological abuse of one human being by another is unacceptable. HCWC believes that all abuse diminishes or prohibits the full expression of life and growth, which is the right of every woman, child, and man.

MISSION

The purpose of HCWC is to create an environment where violence and abuse are not tolerated in the communities we serve. The Center will provide education, violence prevention services, and crisis intervention to victims of family violence, dating violence, sexual assault and child abuse. We will seek the support and resources necessary to achieve this mission.

ARTICLE III

MEMBERSHIP

Section 1. Members of the Center shall be those persons who pay dues or contribute services on a regular basis.

Section 2. Dues for paying members will be: Sponsor: $25.00, Friend: $50.00, Contributor: $100.00, Sustainer: $200.00, and Partner: $500.00. Dues will be paid annually.

Section 3. Membership in the Center includes voting privileges and receipt of the newsletter entitled THE NETWORKER.

Section 4. The fiscal year will begin October 1 of each year.
ARTICLE IV

BOARD OF DIRECTORS

Section 1. The Board of Directors of the Center shall be composed of up to 22 voting members (17 regular elected and 5 appointed by the Board). There are three groups of members of the Board: positions regularly voted upon by the membership, emeritus positions, and representatives of partner agencies as required by Children’s Advocacy Centers™ of Texas, Inc., (CAC). The Executive Director serves as a non-voting member.

Section 2. The method of selecting directors will be:

a. Board members are elected by the membership at the Center’s Annual Meeting to serve two-year terms on the Board. In odd numbered years, nine persons will be elected; in even numbered years, eight will be elected. There shall be no limit on the number of terms a director may serve.

b. Up to five additional board members may be appointed to the board; these appointments will generally be made to meet specific needs of the board. To be recognized as a children’s advocacy center program, the governing board shall include representation from the following three disciplines: law enforcement (Chief of Police or Sheriff or their designee), Child Protective Services (an upper level representative) and prosecution (Criminal District Attorney or their designee).

c. Board Reappointment: see policy on Board Recruitment.

Section 3. Resignations and Board of Director’s vacancies; positions vacated by resignations will be filled by appointment of the Board of Directors. A position filled by Board appointment will serve until that position is due for election.

Section 4. Attendance. When a Board member has been absent from two regular meetings in succession, or from three regular meetings during the year, without being excused by the Board, she/he will be notified in writing that the Board will consider her/his removal from the board at its next regular meeting. This attendance policy does not apply to the CAC representatives or emeritus positions. CAC representatives will be expected to attend meetings quarterly.

Section 5. Removal for Cause. Board members may be removed for lack of integrity in matters directly affecting the Center or for breach of confidentiality. Removal shall be by a majority vote of the entire Board.

Section 6. Regular meetings of the Board of Directors shall be held each month at a designated time and place and shall be open to all members. Notice of these meetings shall be in conformity with the Texas Non-Profit Corporation Act. Special meetings may be called by the President or by three board members. When the President (or in her/his absence, the 1st Vice President) and two other board members deem it necessary, an issue may be voted on by email with 100% of the voting board members required to be contacted by email (and phone if not responding) and 75% of voting board members required
to record a vote on the issue for the vote to stand. All emails regarding an email vote must include the deadline for responding. Emails registering the vote will be kept in the corporate files.

Section 7. Duties of the Board of Directors: The Board of Directors shall have the duties prescribed by the By-Laws. These duties shall be:

a. to have general responsibility for the corporate, financial and legal affairs of the Center in conformity with the Charter and the By-Laws.

b. to adopt rules to govern its own proceedings.

c. to hire an Executive Director and in the absence of an Executive Director to hire staff. The board will also approve additional staff positions as financial ability and needs develop.

d. to approve the governing policies for all employees and volunteers of the Center.

e. to determine policies pertaining to the operation of the Center.

f. to appoint committees as the need for such committees develops.

g. to have the books audited annually.

h. to make reports on its work and action.

Section 8. The Executive Board shall consist of the President, 1st and 2nd Vice-Presidents, Secretary, and Treasurer, and the past president. These officers will be nominated by the nominating committee and elected by the board at the October meeting. Officers will begin serving their term in January. Each officer will serve a one-year term and be eligible for reelection. The first vice president will move up to the presidency and the president will become past president. In the event that someone is unable to continue the rotation, the nominating committee will nominate someone to fill the vacancy. No board member may hold more than one office at a time.

Section 9. The Duties of the Officers shall be as follows:

a. The President of the Board shall preside at all meetings of the Board and the Annual Meeting of the Membership. The President shall call such meetings as is deemed necessary. The President shall insure that all committees are filled by appointment. The President shall have signatory authority on Center checks. The President or her/his designee has the authority to enter into contracts for the Center.

b. The Past President shall chair the Community Advisory Committee, chair the Nominating/Board Development Committee and act as an advisor to the President. The Past President shall have signatory authority on Center checks.
c. The First Vice President performs the duties of the President of the Board in the absence of the President. The First Vice President serves as Chair of the Personnel Committee and performs other duties as requested by the President. The First Vice President shall have signatory authority on Center checks.

d. The Second Vice President shall perform the duties of the President in the absence of the President and the First Vice President. The Second Vice President will perform other duties as requested by the President. The Second Vice President serves as chair of the fundraising committee and will organize the board for the annual auction or other fundraiser. The Second Vice President will have signatory authority on Center checks.

e. The Secretary of the Board or her/his designee shall keep minutes of meetings of the Board of Directors and submit copies to the Board for approval. The Secretary shall maintain records of all official meetings and actions of the Board. The Secretary shall serve as the chair of the Membership Committee. The Secretary shall have signatory authority on Center checks.

f. The Treasurer of the Board or her/his designee shall keep and preserve proper records of Center accounts, which shall be open to the Board of Directors and available for audit at any time. The Treasurer shall submit monthly financial reports to the Board and an annual financial report to the membership. The Treasurer shall serve as Chair of the Finance Committee and shall assist in the preparation of the annual budget. The Treasurer shall have signatory authority on Center checks.

g. Additional board members may have signatory authority if approved by the Board for ease of access.

Section 10. The Executive Board shall function on the behalf of the Board of Directors in matters of emergency. It shall respond to the call of the Board President or Executive Director for emergency meetings to deal with special problems between board meetings.

Section 11. Quorum: A quorum for a meeting of the Board of Directors shall be seven.

ARTICLE V
STANDING COMMITTEES

Section 1. The President shall appoint the following Standing Committees: Personnel, Membership, Legal/By-Laws, Facility and Property Management, Board Development/Nominating, Finance, Fund Raising, and Public Education.
The President and the Executive Director shall be ex-officio members of each committee. All committees shall have at least three voting members.

Section 2. The Vice President of the Board shall chair the Personnel Committee. Its duties are generally to assume responsibility for advising the Board of Directors on matters of personnel administration and to make recommendations to the Board of Directors regarding hiring, evaluation, and dismissal of the Executive Director. Three members of the Personnel Committee will be appointed by the chair to serve in the event of a grievance.

Section 3. The Secretary of the Board shall chair the Membership Committee. Its duties are generally to assure responsibility for identifying and recruiting members and potential donors.

Section 4. An attorney (when possible if board membership includes an attorney) shall chair the Legal/By-Laws Committee. Its duties are generally to annually review and make recommendations for changes in Center’s by-laws and to review documents as requested by the Executive Director.

Section 5. The Facility and Property Management Committee is responsible for providing guidelines and assistance for the appropriate inventory, purchase, use, and maintenance of facilities and equipment.

Section 6. The Board Development/Nominating Committee will be chaired by the Past President and is responsible for the continuing development of the Board and the orderly succession of the Board of Directors. The Committee will be responsible for maintaining a list of potential nominees to fill Board vacancies as they occur. It will propose a slate of directors to the membership and publish the slate of candidates in the Networker or in a local newspaper before the Annual Meeting and present the slate to the membership for a vote at the Annual Meeting. It will propose a slate of officers to the Board for a vote at the October (proposed October 2004) Board-meeting. The committee may also nominate individuals for the Community Advisory Committee.

Section 7. The Treasurer of the Board will chair the Finance Committee. It has primary responsibility for the organization’s financial accountability, to assist the Executive Director in budgeting, and to have the Center’s books audited annually.
Section 8. The 2nd Vice President will chair the Fund Raising Committee and has the general responsibility to develop and oversee fundraising and other resource development.

Section 9. The Public Education Committee has the responsibility to develop plans to keep the public informed of the Center’s mission, programs, and functions and to promote a favorable image of the Center. The Committee shall work with staff on development of annual education plan.

Section 10. The President shall appoint chairpersons of committees with the concurrence of the Board of Directors, for a term of one year. All regular Board Members will be expected to serve on at least TWO committees.

Section 11. Special Committees may be appointed by the President as needed and will not be permanent.

ARTICLE VI
ANNUAL MEETING

Section 1. The Annual Meeting of the Center shall be held in November unless otherwise ordered by the President or three officers.

Section 2. The Annual Meeting shall be open to all members of the Center; it shall also be open to the public.

Section 3. The purpose of the Annual Meeting shall be to elect members of the Board of Directors and to conduct any other business that may arise.

Section 4. A quorum for a meeting of the general membership shall be a minimum of ten.

Section 5. Any member in good standing is eligible to vote, or participate in calling a special meeting.

Section 6. Special meetings of the membership can be called by the President or by three officers or by ten members of the Center. The purpose of the meeting shall be stated in the call and at least three days notice shall be given.

Section 7. Elections

a. Before the Annual Meeting, the Nominating Committee shall publish the slate of candidates in the newspaper or the Networker.

b. Additional nominations to be considered at the annual meeting will be submitted in the form of a nomination petition, signed by at least 5 general members. These petitions must have the consent of the nominee and will be submitted to the Board of Directors at the meeting prior to the Annual Meeting.
c. Voting shall be by secret ballot.

d. Two members of the Board of Directors, appointed by the President count the ballots at the meeting.

ARTICLE VII
ADVISORY COMMITTEES

Section 1. A Community Advisory Committee consisting of up to twenty-five (25) members may be appointed to represent the diverse makeup of the community. The members shall be appointed by the Board of Directors and shall serve for a period of at least 2 years and will be chaired by the Past President. The Committee shall:

a. Serve as liaisons between the community and the Center.

b. Provide financial contacts and assist with fundraising efforts.

c. Relay community interests in programming and services to the Board of Directors.

d. Lend professional expertise and community support to the Board of Directors and staff members.

e. Work on special projects as assigned by the Board.

Section 2. The Roxanne’s House Program Advisory Committee shall consist of the Board of Directors and a designated representative from each of the Roxanne’s House partner agencies. Each partner agency will appoint a member to represent its agency on the advisory committee.

The committee shall:

a. Review the Roxanne’s House program on an annual basis.

b. Make recommendations to the Board of Directors on matters related to the Roxanne’s House program.

ARTICLE VIII
PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Roberts Rules of Order, Newly Revised, shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Center may adopt.
ARTICLE IX
BY-LAWS

These are the official By-Laws governing the operation of the Hays County Women’s Center, Inc., dba Hays-Caldwell Women’s Center. Any member may submit a recommendation for amendment to these By-Laws. They shall be submitted in writing and considered at the next annual meeting. Any amendments approved at an annual meeting will be incorporated into the By-Laws and the revision date noted at the end.

ARTICLE X
DISSOLUTION OR DISCONTINUANCE

Upon dissolution or discontinuance of the corporation, any remaining assets of the corporation shall be distributed only for tax exempt purposes to one or more organizations which are exempt under Section 501((c3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c3), or its successor statute, or which are described in Section 170 (c1) or (2), Internal Revenue Code of 1986 (26 U.S.C. Section 170(c1) or (2), or its successor statute, pursuant to a plan of distribution adopted by the Board of Directors as provided in the Texas Non-Profit Corporation Act.

Adopted September 21, 1978
Revised September 13, 1979
Revised September 25, 1980
Revised September 29, 1981
Revised September 23, 1982
Revised September 27, 1983
Revised September 25, 1984
Revised September 30, 1985
Revised September 29, 1986
Revised September 29, 1987
Revised September 26, 1988
Revised October 25, 1994
Revised October 16, 1995
Revised October 29, 1996
Revised October 26, 1998
Revised October 18, 1999
Revised November 17, 2003
Revised November 15, 2004
Revised November 12, 2007
Revised November 5, 2012
Revised October 27, 2014
HAYS COUNTY WOMEN'S CENTER, INC.
DBA HAYS-CALDWELL WOMEN'S CENTER

ANNUAL FINANCIAL STATEMENTS
AND INDEPENDENT AUDITOR'S REPORT

FOR THE YEAR ENDED
SEPTEMBER 30, 2016
INDEPENDENT AUDITOR’S REPORT

To the Board of Directors of
Hays County Women’s Center, dba,
Hays-Caldwell Women’s Center

Report on the Financial Statements
I have audited the accompanying financial statements of Hays County Women’s Center (a nonprofit organization), which comprise the statement of financial position as of September 30, 2016, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

Management’s Responsibility for the Financial Statements
Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility
My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.
HAYS COUNTY WOMEN'S CENTER, INC.
DBA HAYS-CALDWELL WOMEN'S CENTER
STATEMENT OF FINANCIAL POSITION
SEPTEMBER 30, 2016

ASSETS
CURRENT ASSETS
   Cash and cash equivalents  $ 502,065
   Grants receivables  120,944
TOTAL CURRENT ASSETS  623,009
PROPERTY AND EQUIPMENT, net
   of accumulated depreciation  2,326,578
TOTAL ASSETS  $ 2,949,587

LIABILITIES AND NET ASSETS
CURRENT LIABILITIES
   Accruals  4,942
TOTAL CURRENT LIABILITIES  4,942

NET ASSETS
   Unrestricted  2,729,323
   Temporarily restricted  215,322
TOTAL NET ASSETS  2,944,645
TOTAL LIABILITIES AND NET ASSETS  $ 2,949,587

The accompanying notes are an integral part of these financial statements.
HAYS COUNTY WOMEN'S CENTER, INC.
DBA HAYS-CALDWELL WOMEN'S CENTER
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED SEPTEMBER 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>Program Services</th>
<th>Total</th>
<th>Supporting Services</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Family Violence</td>
<td>Sexual Assault</td>
<td>Children's Advocacy</td>
<td>Program Services</td>
</tr>
<tr>
<td>Personnel expenses</td>
<td>$ 806,462</td>
<td>$ 304,229</td>
<td>$ 358,175</td>
<td>$ 1,468,866</td>
</tr>
<tr>
<td>In-kind expenses</td>
<td>288,392</td>
<td>41,107</td>
<td>59,317</td>
<td>388,816</td>
</tr>
<tr>
<td>Depreciation expense</td>
<td>65,692</td>
<td>21,224</td>
<td>14,149</td>
<td>101,065</td>
</tr>
<tr>
<td>Contractual</td>
<td>82,092</td>
<td>2,940</td>
<td>5,868</td>
<td>90,900</td>
</tr>
<tr>
<td>Program/shelter expenses</td>
<td>47,920</td>
<td>1,737</td>
<td>6,885</td>
<td>56,542</td>
</tr>
<tr>
<td>Utilities</td>
<td>28,706</td>
<td>4,383</td>
<td>4,583</td>
<td>37,672</td>
</tr>
<tr>
<td>Building and liability insurance</td>
<td>14,795</td>
<td>5,260</td>
<td>5,728</td>
<td>25,883</td>
</tr>
<tr>
<td>Staff expenses</td>
<td>9,664</td>
<td>4,654</td>
<td>8,847</td>
<td>23,165</td>
</tr>
<tr>
<td>Office expenses</td>
<td>8,845</td>
<td>3,744</td>
<td>4,600</td>
<td>17,189</td>
</tr>
<tr>
<td>Repair and maintenance</td>
<td>12,428</td>
<td>2,295</td>
<td>3,285</td>
<td>18,008</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>6,010</td>
<td>6,646</td>
<td>3,029</td>
<td>15,685</td>
</tr>
<tr>
<td>Rent</td>
<td>8,124</td>
<td>2,578</td>
<td>2,822</td>
<td>13,524</td>
</tr>
<tr>
<td>Fundraising</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>12,918</td>
</tr>
<tr>
<td>Fees/miscellaneous</td>
<td>1,875</td>
<td>1,152</td>
<td>2,783</td>
<td>5,810</td>
</tr>
<tr>
<td>Printing</td>
<td>4,063</td>
<td>3,285</td>
<td>2,438</td>
<td>9,786</td>
</tr>
<tr>
<td>Technology expenses</td>
<td>1,878</td>
<td>650</td>
<td>799</td>
<td>3,337</td>
</tr>
<tr>
<td>Capital campaign</td>
<td>6,394</td>
<td>-</td>
<td>-</td>
<td>6,394</td>
</tr>
<tr>
<td>Advertising</td>
<td>2,860</td>
<td>1,097</td>
<td>1,621</td>
<td>5,578</td>
</tr>
<tr>
<td>Equipment expenses</td>
<td>574</td>
<td>195</td>
<td>3,796</td>
<td>4,363</td>
</tr>
<tr>
<td>Vehicle expenses</td>
<td>3,569</td>
<td>-</td>
<td>-</td>
<td>3,569</td>
</tr>
<tr>
<td>Security</td>
<td>756</td>
<td>262</td>
<td>337</td>
<td>1,355</td>
</tr>
<tr>
<td>Advocate training</td>
<td>592</td>
<td>236</td>
<td>352</td>
<td>1,180</td>
</tr>
<tr>
<td>Recruitment</td>
<td>35</td>
<td>15</td>
<td>55</td>
<td>105</td>
</tr>
</tbody>
</table>

$ 1,401,726 $ 407,797 $ 489,469 $ 2,298,992 $ 229,398 $ 154,985 $ 384,383 $ 2,683,375

The accompanying notes are an integral part of these financial statements.
HAYS COUNTY WOMEN’S CENTER, INC.
DBA HAYS-CALDWELL WOMEN’S CENTER
NOTES TO FINANCIAL STATEMENTS

NOTE A-NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities
Hays County Women’s Center, Inc. dba Hays-Caldwell Women’s Center (the Center) provides counseling and temporary housing for victims of family violence, and counseling and assistance to sexual assault victims. A Children’s Advocacy Center added in 1997 enhanced its investigatory and rehabilitative services to abused children. The Center is supported primarily through government and private grants and contributions.

The organization prepares its financial statements in accordance with generally accepted accounting principles promulgated in the United States of America (U.S. GAAP) for not for profits. The significant accounting and reporting policies used by the organization are described subsequently to enhance the usefulness and understandability of the financial statements.

Net Assets
The financial statement report net assets and changes in net assets in three classes that are based upon the existence or absence of restrictions on use that are placed by its donors, as follows: unrestricted net assets; temporarily restricted net assets; and permanently restricted net assets.

Contributions
Unconditional contributions received are recorded at fair value on the date of receipt as unrestricted, temporarily restricted, or permanently restricted support depending on the existence or nature of any donor restrictions.

Contributed Goods and Services
The value of contributed goods and space meeting the requirements for recognition in the financial statements was recorded at fair market value. In addition, volunteer hours and professional wages were recorded to meet the matching requirements of government grants.

Estimates
The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of revenues and expenses during the reporting period and the reported amounts of assets and liabilities at the date of the financial statements. On an ongoing basis, the organization’s management evaluates the estimates and assumptions based upon historical experience and various other factors and circumstances. The organization’s management believes that the estimates and assumptions are reasonable; however, the actual results could differ from those estimates.

Property and Equipment
Property and equipment are recorded at cost or fair market value if donated, and depreciated over the estimated useful lives using the straight-line method of depreciation. The organization capitalizes capital assets greater than $500.
HAYS COUNTY WOMEN'S CENTER, INC.
DBA HAYS-CALDWELL WOMEN'S CENTER
NOTES TO FINANCIAL STATEMENTS

NOTE C-PROPERTY AND EQUIPMENT

The Center’s property and equipment consisted of the following as of September 30, 2016:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property and buildings</td>
<td>$3,119,925</td>
</tr>
<tr>
<td>Furniture and equipment</td>
<td>192,378</td>
</tr>
<tr>
<td>Total property and equipment</td>
<td>$3,312,303</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(985,725)</td>
</tr>
<tr>
<td>Net property and equipment</td>
<td>$2,326,578</td>
</tr>
</tbody>
</table>

Depreciation expense for the year ended, September 30, 2016, totaled $126,331.

NOTE D-TEMPORARILY RESTRICTED NET ASSETS

Temporarily restricted net assets as of September 30, 2016 included:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Campaign</td>
<td>$73,446</td>
</tr>
<tr>
<td>Texas Pioneer Foundation</td>
<td>52,926</td>
</tr>
<tr>
<td>St. David’s Foundation</td>
<td>80,359</td>
</tr>
<tr>
<td>Town Team Dripping Springs</td>
<td>3,181</td>
</tr>
<tr>
<td>CCFVTF</td>
<td>2,925</td>
</tr>
<tr>
<td>HHSC</td>
<td>732</td>
</tr>
<tr>
<td>My Safe Place</td>
<td>1,000</td>
</tr>
<tr>
<td>Town Team San Marcos</td>
<td>500</td>
</tr>
<tr>
<td>Town Team Kyle</td>
<td>253</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$215,322</strong></td>
</tr>
<tr>
<td>Federal Grantor/Pass-through Grantor/Program Title</td>
<td>Agency or Federal CFDA No.</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td><strong>U.S. Department of Justice</strong></td>
<td></td>
</tr>
<tr>
<td>Passed Through Office of the Governor of Texas Criminal Justice Division</td>
<td></td>
</tr>
<tr>
<td>Victims of Crime Act Formula Grant Program</td>
<td>16.575</td>
</tr>
<tr>
<td>Victims of Crime Act Formula Grant Program</td>
<td></td>
</tr>
<tr>
<td>Passed Through Office of CACTX</td>
<td></td>
</tr>
<tr>
<td>CACTX-VOCA</td>
<td>16.575</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
<tr>
<td><strong>U.S. Department of Health and Human Services</strong></td>
<td></td>
</tr>
<tr>
<td>Texas Health and Human Services Commission</td>
<td></td>
</tr>
<tr>
<td>Family Violence Prevention Act-FVPSA</td>
<td>93.671</td>
</tr>
<tr>
<td>FVPSA-Social Security Block Grant</td>
<td>93.667</td>
</tr>
<tr>
<td>Family Violence Prevention Act-FVPSA</td>
<td>93.671</td>
</tr>
<tr>
<td>FVPSA-SNRP</td>
<td>93.671</td>
</tr>
<tr>
<td>FVPSA-Exceptional Item Funding (EIF)</td>
<td>93.558</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
<tr>
<td><strong>U.S. Department of Health and Human Services</strong></td>
<td></td>
</tr>
<tr>
<td>Passed Through Texas Office of Attorney General</td>
<td></td>
</tr>
<tr>
<td>Sexual Assault Education</td>
<td></td>
</tr>
<tr>
<td>SAPCS-Federal</td>
<td>93.991</td>
</tr>
<tr>
<td></td>
<td>93.991</td>
</tr>
<tr>
<td></td>
<td>93.991</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
<tr>
<td><strong>U.S. Department of Homeland Security</strong></td>
<td></td>
</tr>
<tr>
<td>EFSP</td>
<td>97.024</td>
</tr>
<tr>
<td><strong>U.S. Department of Housing/Urban Development</strong></td>
<td></td>
</tr>
<tr>
<td>Passed Through City of San Marcos</td>
<td>14.218</td>
</tr>
<tr>
<td>CDBG</td>
<td></td>
</tr>
<tr>
<td><strong>Total Federal Assistance</strong></td>
<td></td>
</tr>
</tbody>
</table>
HAYS COUNTY WOMEN'S CENTER
DBA HAYS-CALDWELL WOMEN'S CENTER
NOTES TO SCHEDULES OF FEDERAL AND STATE AWARDS

NOTE 1. Basis of Presentation

The accompanying schedules of expenditures of federal and state awards includes the federal and state activity of Hays County Women’s Center and are presented on the accrual basis of accounting. The information in these schedules is presented in accordance with the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Therefore, some amounts presented in these schedules may differ from amounts presented in, or used in the preparation of the basic financial statements.

NOTE 2. Non-Cash Expenditure and Loans

There were no Federal awards expended in the form of non-cash expenditures for the year ended September 30, 2016. Also, no loans or loan guarantees existed at September 30, 2016.

NOTE 3. Insurance Coverage

The following insurance coverage was in effect for the year ending September 30, 2016.

- Non-profit Directors and Officers Liability: $1,000,000 each claim, $1,000,000 in the aggregate
- Employment Practices Liability: $1,000,000 each claim, $1,000,000 in the aggregate
- Professional Liability: $1,000,000 each claim, $2,000,000 in the aggregate
- Employee Dishonesty Bond: $450,000 limit of insurance
Purpose of this Report
The purpose of this report is solely to describe the scope of my testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

[Signature]

San Marcos, Texas
January 23, 2017
the effectiveness of internal control over compliance. Accordingly, I do not express an opinion on the effectiveness of Hays County Women’s Center’s internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

My consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. I did not identify any deficiencies in internal control over compliance that I consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of my testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

San Marcos, Texas
January 23, 2017
Dear Applicant:

Based on the information you recently submitted, we have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in 501(c)(3) is still in effect.

This classification is based on the assumption that your operations will continue as you have stated. If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status.

This supersedes our letter dated September 17, 1997.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, you should keep it in your permanent records.
HAYS CALDWELL WOMENS CENTER

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Ellen Murphy
Acting District Director
### HAYS-CALDWELL WOMEN'S CENTER
**BUDGET FY 2016-2017**

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<th>SUPPORT &amp; Revenues</th>
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### PROGRAM EXPENDITURES

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#### BUDGET FY 2018-2019

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### PROGRAM EXPENDITURES

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# Hays-Caldwell Women’s Center
## Budget FY 2018-2019

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<td><strong>435,232</strong></td>
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<td><strong>2,390,414</strong></td>
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<td><strong>IN-KIND DONATIONS</strong></td>
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<td>210,000</td>
<td>700,000</td>
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<td><strong>TOTAL CASH &amp; IN-KIND</strong></td>
<td><strong>1,713,579</strong></td>
<td><strong>575,232</strong></td>
<td><strong>801,603</strong></td>
<td><strong>3,090,414</strong></td>
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</table>
Personnel and Volunteers

Executive Director Marla R. Johnson earned a Master of Business Administration degree from Texas State University and has 25 years' experience leading HCWC. She directed HCWC's recent capital campaign that successfully raised $3.9 million to greatly expand and modernize our campus to meet an ever-increasing demand for our direct services for victims of family violence, sexual assault and child abuse. Ms. Johnson was inducted into the San Marcos Women's Hall of Fame in 2003.

Director of Programs and Services Elva Gonzalez has 37 years tenure in all facets of HCWC operations and is bilingual in English and Spanish. She now oversees all client services and acts as liaison between HCWC and other organizations in the communities that we serve. She was awarded Outstanding Staff Member of the Year in 2003 by the Texas Council on Family Violence, and in 2011 she was elected to the San Marcos Women's Hall of Fame and honored as one of three advocates for Outstanding Service on Behalf of Crime Victims by Crime Victim's Rights, a national organization for victim's assistance.

The Director of Operations, Michelle Ducote, has worked at HCWC for 10 years. She has a Master's Degree in Clinical Psychology and has worked on behalf of victims of family violence and sexual assault for almost 17 years.
NON-DISCRIMINATION POLICIES

1. **Employment at Will**

   Employment is a relationship that exists as long as both the Hays-Caldwell Women's Center and the employee determine it is in their respective best interests. Employees are free to resign at any time for any reason; however, proper advance notice is requested. Similarly, HCWC is free to determine that continued employment of any employee is not in its best interest and is free to discharge that employee without notice.

2. **Fair Employment Law**

   The Hays-Caldwell Women's Center is under the jurisdiction of the Fair Employment Law and is in compliance with the Civil Rights Act of 1964, Age Discrimination in Employment Act, Americans with Disabilities Act of 1990 and Equal Pay Act.

   **The Civil Rights Act** provides in part that no person shall be discriminated against based on the grounds of race, color, sex (including sexual harassment and pregnancy), religion, and national origin.

   **The Age Discrimination in Employment Act** identifies Protected Class as age 40 and above. It prohibits mandatory or suggested retirement programs and discrimination in all personnel decisions.

   **The Americans with Disabilities Act** identifies Protected Class as persons who have a physical or mental condition that impairs one of life's major functions (i.e., walking, talking, hearing, driving). A person is also protected if the employer perceives the person to be disabled, even if they are not, or the person has a history of impairment but is currently in remission and/or recovery. The law also addresses the need for employers to ensure that their facility is accessible to disabled applicants and workers.

   **The Equal Pay Act** identifies Protected Class as Sex. This law requires an employer to pay males and females the same wages or salary for the same work. Pay adjustments can be made for better evaluation, better qualifications, longevity, or location of work.

3. **Fair Labor Standards Act of 1938**

   The Fair Labor Standards Act of 1938 requires employers to identify each position as exempt or non-exempt.

4. **Affirmative Action/Equal Opportunity**

   The Hays-Caldwell Women's Center is committed to an affirmative action/equal opportunity policy in recruiting, hiring, training, placement and promotion for all positions without regard to sex, race, religion, sexual orientation, handicap, color or age, and that all decisions shall be based on the qualification of the individual being considered.
Supplemental Information – Submit one copy of the following items

Required:

- Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.
- Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.
- Organization Chart
- Articles of Incorporation
- Bylaws
- Tax Exempt Determination Letter (for non-profit organizations)
- Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year
- Most Recent audit or CPA prepared review.
- Description of employees, board members, volunteers who will work with the project
- Non-discrimination Policy Statement

If applicable:

- Service area boundary for area benefit projects
- Fee schedule / structure for the project proposed for funding
- Copy of program application if one is used to select beneficiaries
- Description of how applicant income will be determined if there are direct beneficiaries
- Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings
- Job description for new positions expected to be filled using CDBG funding
CDBG Application for City Projects/Programs
Due Date: March 27, 2017

I. General Information

APPLICANT INFORMATION

Project Title: Parks and Recreation Youth Scholarship Program

Sponsoring Department: Community Services, Parks and Recreation Department

Contact Name & Title: Rodney Cobb, Executive Director of Community Services

Office Telephone: 512-393-8402

PROJECT SUMMARY INFORMATION

Amount of CDBG Funds Requested: $10,500

Amount of funds from other sources that will be available at the project start date: None

Project Location (address, or other description): 630 East Hopkins, San Marcos, TX 78666

PROJECT DESCRIPTION:

1. Please summarize the project for which funds are requested.

The Parks and Recreation Department (PARD) Youth Scholarship Program is a long-running program offered annually to children of low to moderate income families living within the City of San Marcos. Scholarship recipients receive 50% registration costs - up to $150 - to attend any of the 29 fee-based PARD Recreation and Out-of-School Programs including team sports and Summer Fun Camp at the San Marcos Discovery Center. Recipients are required to pay the other 50% of registration costs in order to receive the scholarship money. This approach has increased the number of scholarship recipients over the last two program years; prior to 2015 the maximum scholarship was $250, which limited the amount of children reached. The scholarship is promoted via press releases (Attachment 1) and during free family friendly events in city parks and is posted publicly on the city website. Applicants must provide income eligibility in accordance with CDBG income verification standards (Attachment 2).

Based on FY 2000 Census, slightly more than 70% of all families in the City of San Marcos qualify as low to moderate income beneficiaries. The San Marcos Consolidated Independent School District (SMCISD) enrolled over 7,800 students in 2015-16 of which 70.8%, or 5,671 students, were considered economically disadvantaged. Demographics within SMCISD are approximately 72% Hispanic, 21% White, 5% African American, and less than 1% each of Asian, American Indian, Pacific Islander, or two or more races.

Low and moderate income families, including public and Section 8 housing, are generally unable to afford to send their children to fee-based San Marcos PARD Recreational and Out-of-School programs. According to the San Marcos Youth Master Plan (2013), maintaining and expanding PARD programs at low costs plays a critical role in increasing and improving availability and access to developmental activities, opportunities, and community support. The Youth Scholarship Program helps ensure the efficacy of out-of-school programming by maintaining a wide range of year-round youth activities at low costs. Keeping these programs affordable to families of diverse income helps children in low to moderate income families develop academically, emotionally, and physically.

In 2017 we’re requesting $10,500 in CDBG funding for the Youth Scholarship Program. At the same funding level, last year we were able to provide 120 children with 50% registration costs for constructive, positive recreational and after-school programming. We were left with just over $2,500 in unused funding. This year we aim to reach at least...
140 children of low-to-moderate income parents within the City of San Marcos in order to broaden our impact by around 15%. We believe requesting the same amount of funding with an increased understanding of how many scholarships need to be administered will allow us more effectively allocate grant funding to better serve the community.
II. **LINE ITEM BUDGET FORM**

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. Following the Line Item Budget, please complete the Supplemental Budget Form - Use of Other Resources. Funds and costs, as outlined on the Sources and Uses of Funds form, may not be spent or incurred prior to a contract award date (usually October 1st) from the CDBG Program. Supporting documentation may be attached in the Appendix area.

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<tr>
<td><strong>BUDGET TOTAL</strong></td>
<td></td>
<td>$10,500.00</td>
<td></td>
</tr>
</tbody>
</table>
III. PROJECT IMPLEMENTATION SCHEDULE

NOTE: The first activity should be environmental review. Projects that do not impact the physical environmental generally take about 3 weeks – this would include public services, professional services, homebuyer assistance.

Projects that will potentially have a physical impact on the environment (construction or demolition, for example) take 45 to 60 days. If the project is located in a FEMA floodplain, add 30 additional days.

Please include reasonable time for procurement activities, including procurement of professional service providers.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Procurement of Architect</td>
<td>October</td>
<td>November</td>
<td>Contract executed</td>
</tr>
<tr>
<td>Program announcement</td>
<td>December 2017</td>
<td>January 2018</td>
<td>Press release</td>
</tr>
<tr>
<td>Applications reviewed and accepted</td>
<td>January 2018</td>
<td>September 2018</td>
<td>Quarterly reports completed</td>
</tr>
<tr>
<td>Program ends</td>
<td>September 2018</td>
<td>--</td>
<td>All funds are used</td>
</tr>
</tbody>
</table>

IV. CONSTRUCTION PROJECTS

Is this a construction project or a request for professional services for a construction project? If yes, please answer the following questions. If no, move to the next section.

1. Is this project listed in the City’s Capital Improvements Plan (CIP) ______ Yes ______ No
2. What is the status of project design for this project?
   _____ None required _____ Design is Complete _____ Design is underway
   _____ Design Professional Selected _____ Design funding is part of this application
3. Who will be the project manager? ________________________________

V. HOUSING PROJECTS

1. How many households do you anticipate serving? __________________________
2. Who will be the program manager? ________________________________ Phone ________________
3. What percentage of the households will be low/mod? ____________________
4. Has this project received CDBG funding in the past? _____ yes _____ No
   a. If yes, when was the program last funded? ______________
   b. How much was the allocation? ______________
VI. Public Service Programs

Public Service Programs involve the use of CDBG funds to pay the non-construction costs of providing services to qualified beneficiaries. Details of eligible programs are outlined in 24 CFR 570.201(e). This type of program requires documenting that at least 51% of the people receiving benefits from the CDBG-funded program qualify as being low to moderate income (l/m). Quarterly reports are required for each funded program. The report will include basic beneficiary demographic information such as race and ethnicity and low/mod income statistics. CDBG funds are provided on a reimbursement basis to the funded program following submittal of a draw request with supporting documentation.

Complete this section only if the application is for a Public Service Program. If not, move on to “Certifications.”

Who will be the program manager? Jessica Ramos, Youth Services Manager  Phone Number: 512-393-8283

Type of Public Service (Choose One or More)

- 05A Senior Services
- 05B Handicapped Services
- 05C Legal Services
- 05D Youth Services
- 05E Transportation Services
- 05F Substance Abuse Services
- 05G Battered and Abused Spouses Services
- 05H Employment Training
- 05I Crime Awareness
- 05J Fair Housing Activities
- 05K Tenant/Landlord Counseling
- 05L Child Care Services
- 05M Health Services
- 05N Abused/Neglected Children Services
- 05O Mental Health Services
- 05P Screening for Lead Paint/Lead Hazards
- 05Q Subsistence Payments
- Other: ____________________________

Program Eligibility

1. Program / Service eligibility (please select one):
   a.  This is a new program / service.
   b.  This is an existing program / service that: (select one of the following)
       i.  Has previously received CDBG funding and the amount requested for this year is the same or less than previous funding; or
       ii.  will expand to serve more beneficiaries or to provide more services if the CDBG funding as requested is approved. Please attach an analysis that details how the program or service will be expanded, how many new beneficiaries will be served by the expansion, and how this number was determined.

2. Is there a fee to clients to participate in the program?  Yes or No. If yes, please provide fee schedule.

Programming fees are outlined in the Project Description in Section I: General Information.

City Program 2017 Application  7
VII. PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. PRESUMED BENEFIT:

Will all of the program's beneficiaries be "Presumed Clientele" as described below?

___ Yes or ___ No  If No, move to Section "B" below.

Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

<table>
<thead>
<tr>
<th>Elderly persons (62 or older)</th>
<th>Battered spouses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless persons</td>
<td>Abused children</td>
</tr>
<tr>
<td>Persons living with AIDS</td>
<td>Migrant farm workers</td>
</tr>
<tr>
<td>Illiterate persons (includes non-English speakers)</td>
<td>Severely disabled adults (Census Bureau definition)</td>
</tr>
</tbody>
</table>

1. How many persons in each presumed category are proposed to be assisted if funding is received?

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served in each presumed category:

B. BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”

1. How many persons are proposed to be assisted if funding is received? 70-100

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served? 120

3. What percentage of persons proposed to be assisted are expected to be low/mod? 100%

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents? 85%

5. How do you propose to document the income of the beneficiaries? (check all that apply)
   a. ___✓ Evidence that the child is approved for free or reduced lunch
   b. ___✓ Evidence that the family lives in housing sponsored by the Housing Authority
   c. ___✓ Evidence that the family is WIC approved

City Program 2017 Application 8
I certify, to the best of my knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form - "Disclosure Form to Report Lobbying", in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

GENERAL CERTIFICATIONS

All City projects will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended.

The program will be conducted and administered in conformity with the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000a et seq.), title VI of the Civil Rights Act of 1964 (42 USC 2000d), and the Fair Housing Act (42 U.S.C. Sec. 3901 et seq.), and implementing regulations.

The project will be conducted in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

The project will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

The program will be conducted in compliance with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, Agency also agrees to comply with all other
applicable Federal, State, and local laws, regulations, and policies governing the funds provided. The program shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- Historical Preservation Act of 1966, as amended, and related laws and executive orders;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland "Anti-Kickback" Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
- The Americans with Disabilities Act (ADA) of 1990;
- The Age Discrimination Act of 1975, as amended;
- National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
- Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
- Asbestos guidelines established in CPD Notice 90-44;
- HUD Environmental Criteria and Standards (24 CFR Part 51);
- The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
- Flood Disaster Protection Act of 1973;
- Colorado House Bill 06-1023 and 06-1043;
- Procurement Standards (2 CFR 200.322);
- Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
- Energy Efficiency (2 CFR Part 200 Appendix II); and
- Recycling (2 CFR Part 200 Appendix II).

I certify that to the best of my knowledge and belief that the certifications, information, exhibits, and schedules contained in this application are true and accurate statements.

Signature: ____________________________ Date Signed: ________________

Printed Name / Title: ____________________________________________

City Program 2017 Application 10
CITY OF SAN MARCOS
2017 CDBG APPLICATION

NOTE: This form is not to be used for applicants seeking funds to support programs operated by non-profit organizations. A separate application form for “Public Services” is available and should be used for projects of that nature.

Due Date: March 27, 2017

I. APPLICANT CONTACT INFORMATION

Applicant Organization: ________________________________

Contact Name: Ruben Garza or Trey Bell Telephone: 512-392-6694 ext 22

Mailing Address: 518 South Guadalupe Street San Marcos, TX 78666

Physical Address, if different from mailing address: ______________________________

Contact E-Mail Address: Southside_comm@yahoo.com Web Address: www.southsidecommunitycenter.org

Who is authorized to execute program documents? Trey Bell or Ruben Garza

II. APPLICATION SUMMARY INFORMATION

PROJECT NAME: San Marcos River Work Camp

PROGRAM FUNDING: Amount of CDBG Funds Requested: $100,000

Project Location: 518 S Guadalupe Street

PRIORITY ELIGIBILITY
Select one

_____ Public Facilities

_____x____ Housing

_____ Clearance Activities

_____ Infrastructure

_____ Transportation

NATIONAL OBJECTIVE
Select One

_____x____ Benefit to Low/Mod Income Persons

_____ Slum or Blight Elimination/Prevention

_____ Urgent Need (such as disaster)

Will your project be completed (all CDBG funds expended) by July 15, 2017? _____ Yes _____x No

If “No”, what percent is expected to be completed by that date? August 31st 2017
City of San Marcos
Community Development Block Grant
2017 Program Application

City of San Marcos
Community Development Division
630 East Hopkins
San Marcos TX  78666
512.393.8224
Instructions to Applicants

Persons with limited English proficiency may request assistance by contacting the City at 512-393-8224. (Las personas con habilidad limitada de inglés puede solicitar la asistencia poniéndose en contacto con la Ciudad en 512-393-8224.)

Thank you for your interest in the City of San Marcos' Community Development Block Grant (CDBG) Program. The City will receive approximately $500,000 for program year 2017 which begins October 1, 2017. The exact amount has not been released by HUD at this time. For the 2017 Action Plan, the funding announcement is expected to be in late June.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids or special assistance should make a request at least 48 hours in advance to the City of San Marcos ADA Coordinator at 393-8065 (voice) or call Relay Texas Service (TRS) by dialing 7-1-1. Requests can also be sent by e-mail to ADArequest@sanmarcostx.gov.

2017 Application Period: February 27 through March 27, 2017

SUBMIT ONE ORIGINAL APPLICATION TO:

COMMUNITY INITIATIVES DIVISION OF PLANNING & DEVELOPMENT SERVICES
ATTN: Dalinda Newby – Community Initiatives Coordinator
630 East Hopkins Street, San Marcos TX 78666

The Community Initiatives Division office is in the building located behind the Municipal Building (former location of the Permit Center).

For more information contact Dalinda Newby at 512-393-8224 or by e-mail at dnewby@sanmarcostx.gov.

Program information and a PDF version of this application form is available on the City’s website at: www.sanmarcostx.gov/CDBG. Upon request, the application form will be provided in Word format.

PLEASE NOTE: Subrecipient Registration Requirements:

- Organizations receiving CDBG funding (Subrecipients) must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number. If you do not have a DUNS number, go to http://fedgov.dnb.com/webform to register.

- Funded applicants must also have an active registration with System of Award Management (SAM). To register with SAM, go to www.sam.gov to register. You must have a DUNS number prior to registering with SAM. Subrecipients must provide proof of SAM registration prior to the execution of a Subrecipient Agreement. This is required when federal funds are being utilized.

PROJECT ELIGIBILITY

Funded projects must address one of the High Priority Needs which are currently established as:

- PUBLIC FACILITIES / INFRASTRUCTURE / TRANSPORTATION
- HOUSING
- CLEARANCE ACTIVITIES
- PUBLIC SERVICES (programs that benefit low/mod persons)

NATIONAL OBJECTIVES

All funded projects must also meet one of the three CDBG program National Objectives:

- Benefit low to moderate income individuals or families
- Eliminate slum or blight
- Urgent Need (such as disaster recovery)
APPLICATION CALENDAR AND CITIZEN PARTICIPATION
The City of San Marcos values the input of its citizens and offers a number of opportunities to participate in the preparation of the annual Action Plan. The 2017 program calendar includes (scheduled dates subject to change):

- **Application Workshop**
  - Mar. 8th at 9:00 a.m. – 2nd floor Conference Room in Municipal Building, 630 E. Hopkins St.

- **Stakeholder’s Workshop**
  - Mar. 13th at 6:00 p.m. – Multi-purpose Room, Activity Center

- **Council Public Hearing for Citizen Comments**
  - June 6th at 7:00 p.m. – Council Chambers

- **Council Review of Applications**
  - June 20th at 6:00 pm - Council Chambers

- **Council 2017 Project Award**
  - June 20th at 6:00 p.m. – Council Chambers

FUNDING AWARDS
Submitting a complete application does not guarantee your request will be funded. The Program can fund only the actual, allowable, and reasonable costs of the proposed project, and may not exceed these amounts. Funding awards are made by the City Council, subject to HUD approval.

FUND AVAILABILITY
Funds awarded for the 2017 program year become available after October 1, 2017. The organization's Subrecipient Agreement with the City must be fully executed prior to the expenditure or commitment of program funds. The appropriate level of environmental review must be completed by CDBG staff before any funds are expended or obligated. Environmental reviews for construction projects typically take 45 to 60 days to complete. Other projects that are not likely to have a physical impact on the environment usually take about 15 days. **No reimbursement will be possible for goods purchased or contracts executed prior to these requirements being met.**

ORGANIZATION ELIGIBILITY REQUIREMENTS
- Organizations applying for Public Services funding must be a public or private non-profit agency, a public housing authority, a City of San Marcos department, or other government entity.
- Non-profit agencies must be established, operating agencies as evidenced through documentation required in the application. Exhibits to show tax exempt status are required.
- **Faith Based Agencies** are eligible to apply on the same basis as other non-profit organizations. However, CDBG funds cannot be used to support worship, proselytizing, or religious instruction. Religious activities must be offered separately, in time or location, from the CDBG supported activity. Participation in the religious activity must be voluntary for the beneficiaries of the CDBG-funded program. Programs operated by faith-based agencies must be available to all community members and not restricted to the organization’s membership or congregation.

NON-DISCRIMINATION AND ACCESSIBILITY
Each agency receiving funds from the CDBG program is required to assure that it will conduct its business in compliance with the non-discrimination requirements of the County, State, and Federal governments as applicable. Equal Opportunity in Employment policies is required.

In addition, agencies receiving funding must agree to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063 as amended by Executive Order 12259, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.
FINANCIAL CAPACITY / AUDITING REQUIREMENTS

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the federal Office of Management & Budget (OMB) requires that any organization that expends $750,000 or more in federal financial assistance in a fiscal year must secure an annual audited financial statement.

The City has established the following financial statement requirements for organizations assisted with CDBG program funds which are based on the total assets of the applicant. The term “total assets” is defined to mean the total amount of liquid assets that is documented to be available to the Subrecipient at the time the funding is approved.

A. CPA preparation of financial records is not required if the Subrecipient has total assets of $15,000 or less in value;

B. A compiled financial statement is required if Subrecipient has total assets greater than $15,000 and less than or equal to $100,000 in value.

C. A reviewed financial statement is required if Subrecipient has total assets greater than $100,000 and less than or equal to $200,000 in value.

D. An audited financial statement is required if Subrecipient has total assets of more than $200,000 in value. (In an “Audited” statement a CPA provides an in-depth study of the records, organizes them into a statement, and issues an opinion to their validity.)

Organizations receiving CDBG funds must submit the required financial statement which has been prepared by a Certified Public Accountant to the City within nine months from the organization’s fiscal year end and not more than 30 days after the organization’s receipt of the statement.

INSURANCE AND BONDING

Agencies receiving CDBG funding must provide Workers’ Compensation Insurance coverage for all of its employees involved in the performance of the funded program. At the time of contract signing, funded agencies must provide evidence of insurance including, but not limited to, multi-peril property and liability, worker’s compensation, automobile liability, and other coverage as deemed necessary by the City.

PROJECT IMPLEMENTATION SCHEDULE AND PERFORMANCE MEASUREMENT GOALS

Performance measurement is an effective management technique that enables those who receive grant funds (subrecipients) and the City to analyze the benefits of their investments. It is a mechanism that tracks the progression of projects and evaluates their overall effectiveness and success in meeting project goals. One of the most important overall goals in planning a CDBG project is the completion of the project in a timely manner.

The City is monitored by HUD to ensure that the grant program has benefited low-to-moderate-income families; one success measurement that the City must meet is the expenditure of its program funds in a timely manner. The City must take into account the project schedules for each program that is funded to ensure that the overall CDBG program will comply with its federally mandated timeliness ratio.

Thus, it is critical that each applicant accurately forecasts the time that will be involved in completing each step of a proposed project. This document will be incorporated into the Subrecipient Agreement for funded projects. Please use the following format to outline the projected Implementation Schedule for your project. Examples are provided in italics. Please contact staff if you need assistance with completing this form.

PERFORMANCE MONITORING

The City will monitor the performance of Subrecipients against the goals and performance standards established by this document. Substandard performance as determined by the City will constitute noncompliance with the Subrecipient Agreement. If action to correct such substandard performance is not taken by the Subrecipient with a reasonable period of time after being notified by the City, contract suspension or termination procedures will be initiated.
INCOME LIMITS
Income limits are established by HUD on an annual basis for the purpose of establishing CDBG grant eligibility. The limits are based on household size. Income is calculated for every adult 18 and older residing in the household. HUD considers 80% and below to be low income. San Marcos CDBG Income Limits are established based upon the Median Family Income for the Austin/Round Rock Metropolitan Statistical Area (MSA). The current Median Family Income for the Austin-Round Rock MSA is $76,800, which became effective 3/25/2016. The 2017 limits are expected to be released by HUD in the next few months.

<table>
<thead>
<tr>
<th>Percent AMI</th>
<th>1 Person</th>
<th>2 Person</th>
<th>3 Person</th>
<th>4 Person</th>
<th>5 Person</th>
<th>6 Person</th>
<th>7 Person</th>
<th>8 Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>$43,600</td>
<td>$49,800</td>
<td>$56,050</td>
<td>$62,250</td>
<td>$67,250</td>
<td>$72,250</td>
<td>$77,200</td>
<td>$82,200</td>
</tr>
</tbody>
</table>

Note: Once an application is submitted to the City, it becomes a public record and as such is open for public review. All or part of the application may be posted on the City’s webpage and included in City Council packet materials. Please keep this in mind when submitting personal information for your staff, board, or clients.
Application/Review Checklist  
Community Development Block Grant Program  
Due Date: March 27, 2017

Supplemental Information – Submit one copy of the following items

**Required:**

- Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.
- Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.
- Organization Chart
- Articles of Incorporation
- Bylaws
- Tax Exempt Determination Letter (for non-profit organizations)
- Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year
- Most Recent audit or CPA prepared review.
- Description of employees, board members, volunteers who will work with the project
- Non-discrimination Policy Statement

**If applicable:**

- Service area boundary for area benefit projects
- Fee schedule / structure for the project proposed for funding
- Copy of program application if one is used to select beneficiaries
- Description of how applicant income will be determined if there are direct beneficiaries
- Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings
- Job description for new positions expected to be filled using CDBG funding
III. PROJECT DESCRIPTION

Summarize how CDBG funds are proposed to be used:

The CDBG funds will be allocated toward the renovation/ rehabilitation of at least seven existing owner occupied substandard homes. Monies will be used for the purpose of lead hazard identification and remediation. Other expenses that are typically included in the renovations of these homes are interior/exterior painting, ramp construction, electrical/plumbing repairs roof repairs/replacements, and interior improvements as needed.

San Marcos has proven to experience high levels of poverty and unemployment rates. Southside Community Center aims to repair the homes for those who cannot afford it. In doing so, we provide a safe and livable dwelling that meets the cities health and safety standards. All families selected through our program must meet the criteria that Hays County, the City of San Marcos, Southside Community Center, and HUD have set in place. The homes that are selected will be considered substandard or dangerous, no standard homes will be selected. Southside Community Center utilizes volunteers from church youth groups to handle majority of the labor for our program. Southside Community Center will hire skilled workers to guide our volunteers on how to properly renovate the selected homes; food and shelter are also provided for our volunteers while they renovate the homes.

PROJECT SCOPE:
Please check all statements that apply to this project:

_____ All project design work is complete for this project (plans, specifications, etc.)
_____ This project will include selection of professional service providers (architect, engineer, etc.)
_____ This project includes acquisition of real property
_____ This project includes the rehabilitation of existing buildings
_____ This project includes new construction
_____ This project includes demolition of existing structures
_____ This project includes a public facility (such as a senior center)

Accomplishments
Once the project is completed, how can its success be measured?

All homes renovated through the rehabilitation housing program are able to meet the City of San Marcos health and safety requirements when the project is completed. Health and safety hazards on the property are much improved, if not eliminated entirely. In doing so, we marginally improve the quality of life of those individuals whose homes were renovated. Many of these dwellings are a liability to the homeowners and the surrounding community. For example, many of the homes have faulty electrical wiring, or serious issues with plumbing that have the potential to do harm to neighboring houses. Eliminating these types of risks for impoverished homeowners makes the program success. In doing so, we raise awareness and understanding in the community in regards to the needs of the low income population in San Marcos.
IV. BENEFICIARIES

The CDBG program allows several different methods of documenting that a project benefits low to moderate income persons. Direct Benefit projects provide services directly to an individual or family; for example, a housing rehabilitation project is a Direct Benefit project. Some projects benefit an area, such as a Sidewalk Project.

A. Direct Benefit Beneficiaries:
Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

How many unduplicated individuals or households are expected to be served by this project? 7 households

Presumed Benefit: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

- a. Elderly persons (62 or older)
- b. Battered spouses
- c. Homeless persons
- d. Abused children
- e. Persons living with AIDS
- f. Migrant farm workers
- g. Illiterate persons (includes non-English speakers)
- h. Severely disabled adults (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? Yes or No
   a. If “yes”, under which category(ies): __________________________

Beneficiaries who are not considered “Presumed”:

1. If the program’s beneficiaries cannot be considered “Presumed”, how will income eligibility be determined?
   x a. Projection of the individual/family’s income based on family size; or,
   ___ b. Other. Please provide details of how eligibility will be determined.

B. Area Benefit Projects:
Some projects, such as a senior center or a park, serve an area rather than individual persons. HUD defines an area benefit project as an activity which is available to benefit all of the residents of an area which is primarily residential. In order to meet the eligibility requirement of benefitting low to moderate persons, the area served must be an area where at least 51% of the residents are low/mod income persons. Most, but not all, San Marcos residential neighborhoods are low/mod.

1. Will this project be available to benefit all persons in the service area? Yes No

2. Are the neighborhoods that will benefit from this project primarily residential? Yes No
   If “No”, please explain:
3. What neighborhoods will benefit from this project? Please list either individual neighborhoods or describe the boundaries that will define the service area:

Low-Moderate income residential neighborhoods in San Marcos where 51% of the residents are living on low to moderate incomes.

PUBLIC FACILITY PROJECTS (IF NOT A PUBLIC FACILITY, SKIP THIS SECTION)
In the CDBG program, Public Facilities are broadly interpreted to include all improvements and facilities that are either publicly owned or that are traditionally provided by the government, or owned by non-profit organizations, and operated so as to be open to the general public. Facilities providing shelter for persons having special needs are also considered to be public facilities.

- Public facility projects do not include the costs of operating and maintaining public facilities, costs of purchasing construction equipment, the costs of furnishings and other personal items such as uniforms, or new construction of public housing.

- Public facilities are intended to benefit all the residents of an area; thus, in most cases it must serve an area having at least 51% low/mod population.

- Public facilities owned by a nonprofit must be made available to the general public and must be open for use by the general public during all normal hours of operation.

- Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges, such as excessive membership fees, which will have the effect of precluding low/mod income persons from using the facilities, are not permitted.

1. Who is/will be the owner of the facility?

2. Will fees be charged for the use of the facility? _____ Yes or _____ No
   If yes, please attach a fee schedule.

3. How will the facility be made available to the general public?
V. Project Budget

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time – generally less than three years. Thus it is important that any additional funds needed to complete the project have been secured.

1. Estimated total project cost: $ _____________. CDBG Funds requested: $ 100,000

2. Funds from all other sources that will be available on or before October 1st: $ ____________

3. How will budget shortfalls be addressed? Private Donations, Hays County, and volunteer fees

4. Are any additional funds for this project being requested from the City of San Marcos?
   ___ Yes   ___ No. If "yes", please describe type and amount requested: $ _____________
   Type of funds requested:

Funding History

1. Has your organization received CDBG funding in the past 5 years? ___ Yes   ___ No

2. If yes, how were the funds used? ___ the funds were used for the housing rehab program. We renovated seven low
   ___ low income house.

3. Is the project complete? ___ Yes   ___ No   If no, status and expected completion date:

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. City Council has waived fees for Construction Permitting and Development Code Processes for CDBG projects. Impact fee charges, when applicable, are not waived. Round budget numbers to the nearest dollar.

CDBG funds cannot be spent or obligated until final environmental clearance for the project has been obtained. HUD has interpreted "obligated" to mean that we cannot execute contracts or take bids as that will "obligate" funds. The environmental review is generally prepared by the CDBG staff. Please include $1,000 for environmental fees for rehabilitation, new construction, demolition & clearance, and land acquisition projects. No environmental expenses are required for professional service projects that will not include construction.
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<td>Projects Ready For Renovation</td>
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<td>Construction Activities</td>
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<td>August 2017</td>
<td>Projects Completed</td>
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<tr>
<td>Final Walk Through</td>
<td>September 2017</td>
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<td>Program Closeout</td>
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VII. ORGANIZATION INFORMATION

Please attach the following documents with your application:
1. Organizational Chart
2. Articles of Incorporation
3. Proof of Tax Exempt status
4. Current year budget
5. Most recent balance sheet and financial statement
6. Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project.
7. If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s).
8. Please attach a listing of your board of directors, including position/title on board. Provide a contact number for the Chair/President and Treasurer. Please be mindful that information provided will be available for public review.
9. Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

BACKGROUND INFORMATION

Organization Type:

___x___ 501(c) Non-Profit Corporation    ___ Public Corporation    ___ Government Entity

Other: ________________________________

1. How many years has your organization been in business? ___1927-Present___

2. Organization’s Taxpayer Identification Number (EIN): ___74-1191885__________________

3. Organization’s Dun and Bradstreet Number: ___10274762__________________________

4. Organization is currently registered in the federal System for Award Management (SAM): ___x___ Yes ___ No

BOARD OF DIRECTORS / FINANCIAL INFORMATION

1. Name and title of Board of Directors chair or president: ___Debbie Ingalsbe_____________________

2. What is the date of your fiscal year end? ___September 2017___

3. Does your organization have a purchasing policy? ___x___ Yes ___ No

4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? ___x___ Yes ___x___ No
   If “Yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? ___x___ Yes ___ No
   If “Yes”, please attach an explanation that includes the current status.
6. During the last fiscal year did your organization spend $750,000 or more in Federal financial assistance?
   _____ Yes _____ No

7. What level of financial review does your organization obtain from an independent source? Select from the following options:
   _____ x Single Audit
   _____ Reviewed Financial Statement
   _____ Compiled Financial Statement
   _____ No independent review
   _____ Other (describe):
   October 2014-September 2016

PERSONNEL/STAFF CAPACITY/POLICIES

Ruben E. Garza

1. Name and Title of your chief administrator
   ________________________________________________________________
   • Number of years in this position? _____ 30

2. Total number of current employees at all locations.
   _____ 11

3. Total number of current employees who will be involved in this project?
   _____ 8

4. Total number of new employees expected to be hired for the project?
   _____ 2

5. Does your organization have a personnel policy manual?
   _____ x Yes _____ No
   • Does it include a procedure for filing grievances?
     _____ x Yes _____ No
   • Does it include a non-discrimination clause?
     _____ x Yes _____ No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds?
   _____ x Yes _____ No

7. Separation of duties for financial transactions regarding this project (respond with job title):
   Ruben Garza Executive Director
   a. Who will approve payment of incurred expenses? ________________________________
   Andy Alejos Executive Assistant
   b. Who will actually prepare the payment check? ________________________________
   Ruben Garza Ruben Garza
   c. Who will sign checks paying project expenses? ________________________________
   Andy Alejos Executive Assistant
   d. Who posts the transaction to your financial records? ________________________________
   Trey Bell Programs Coordinator
   e. Who reconciles monthly bank statements? ________________________________________

INSURANCE/BONDING/WORKER’S COMPENSATION

1. Does your organization have liability insurance coverage?
   _____ x Yes _____ No $3,000,000

2. If yes, in what amount? _______________________________________________________

3. Does your organization pay worker’s compensation in accordance with Federal and state laws?
   _____ x Yes _____ No _____ N/A

4. Does your organization have fidelity bond coverage for principal staff members who handle the organization’s accounts?
   _____ x Yes _____ No

5. Will vehicles owned by the organization be used in conjunction with the proposed project?
   _____ x Yes _____ No

6. If yes, what level of liability insurance is maintained on the vehicles? $300,000

CDBG 2017 Application Page 15
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (CFR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.


14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person
related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient's environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HCD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
- The Architectural Barriers Act of 1968;
The Americans with Disabilities Act (ADA) of 1990;
The Age Discrimination Act of 1975, as amended;
National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
Asbestos guidelines established in CPD Notice 90-44;
HUD Environmental Criteria and Standards (24 CFR Part 51);
The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
Flood Disaster Protection Act of 1973;
Colorado House Bill 06-1023 and 06-1043;
Procurement Standards (2 CFR 200.322);
Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
Energy Efficiency (2 CFR Part 200 Appendix II); and
Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:

1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,
4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the "Playing by the Rules" handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

[Signature]

Date Signed: 3/16/2017

Printed Name & Title: Ruben Guerra Executive Director

Organization Name: Southside Community Center
V. PROJECT BUDGET

The CDBG program requires that a project be completed and serving beneficiaries within a reasonable time – generally less than three years. Thus it is important that any additional funds needed to complete the project have been secured.

1. Estimated total project cost: $283,333.35. CDBG Funds requested: $100,000.

2. Funds from all other sources that will be available on or before October 1st: $183,333.35.

3. How will budget shortfalls be addressed? Private Donations, Hays County, and volunteer fees.

4. Are any additional funds for this project being requested from the City of San Marcos?
   
   ____ Yes   ___ No. If “yes”, please describe type and amount requested: $____________________.

   Type of funds requested: ________________________________

Funding History

1. Has your organization received CDBG funding in the past 5 years?   ___ Yes   ___ No

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3. Is the project complete?   ___ Yes   ___ No   If no, status and expected completion date:

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<td>May 2018</td>
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<td>Clearance Obtained</td>
</tr>
<tr>
<td>Lead Paint Hazard Mitigated</td>
<td>May 2018</td>
<td>May 2018</td>
<td>Projects Ready For Renovation</td>
</tr>
<tr>
<td>Construction Activities</td>
<td>June 2018</td>
<td>August 2018</td>
<td>Projects Completed</td>
</tr>
<tr>
<td>Final Walk Through</td>
<td>September 2018</td>
<td>September 2018</td>
<td>Program Closeout</td>
</tr>
</tbody>
</table>
CDBG HOUSING REHABILITATION
Policies and Procedures
Program Years 2016-2017

1. General Information

The City of San Marcos may administer housing rehabilitation activities either through a non-profit subrecipient agency, such as Southside Community Center, or as a program administered in-house with funds provided by the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant Program (CDBG). The CDBG Program is authorized through Title I of the U.S. Housing and Community Development Act of 1974, Sec 101(c) and has as its primary objective, the development of viable urban communities. This is achieved by:

1. The elimination of slums and blight together with the prevention of blighting influences and the deterioration of property, neighborhood and community facilities of importance to the welfare of the community and which principally benefit persons of low and moderate income;

2. The elimination of conditions which are detrimental to the health, safety and welfare of the public, through code enforcement, demolition, interim rehabilitation assistance, and related activities;

3. The conservation and expansion of the nation's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income.

4. The creation and expansion of economic opportunities for persons and families of low and moderate income.

Within these general goals, the City of San Marcos seeks to provide its citizens of low and moderate income with an opportunity to obtain safe, decent, sanitary and suitable living conditions through a housing rehabilitation program. Households that may be assisted are owner-occupied households that qualify under established family income guidelines as determined by HUD.

This program is for the sole purpose of rehabilitation, including reconstruction, on a primary residence and is not to be used for new housing construction or renovations to non-residential structures (storage buildings, for example).

The City may administer the rehabilitation program in-house or through a Subrecipient Agreement with a non-profit agency. It is understood that in the case of a subrecipient-administered program many of the duties ascribed to "City" in this document will be assumed by the subrecipient agency.

2. Program Goals/Objectives

Housing Rehabilitation

To provide accessibility to decent affordable housing
14.A Housing Rehab; single-unit residence 570.202

Target Population: Homeowner-occupied households with low and very low household incomes (many will households will include elderly and/or special needs residents)

Performance Indicators:
- Number of units rehabilitated
- Number of units occupied by elderly
- Number of units that received increased accessibility for special needs residents
3. **Eligible Forms of Assistance**

3.1 **Costs** - Costs of labor, materials, supplies and other expenses required for the rehabilitation of property, including repair or replacement of principal fixtures and components of existing structures (e.g. the heating/air condition system).

3.2 **Conservation** – Costs required to increase the efficient use of water and improvements to increase the efficient use of energy in structures through such means as installation of storm windows and doors, insulation, and modification or replacement of heating and cooling equipment.

3.3 **Security devices** – Installation costs of sprinkler systems, smoke and carbon monoxide detectors, dead bolt locks, and other devices for security purposes.

3.4 **Water and sewer** – Costs of connecting existing residential structures to water distribution lines or local sewer collection lines.

3.5 **Barrier removal** – Costs to remove material and architectural barriers that restrict the mobility and accessibility of elderly and disabled persons.

3.6 **Landscaping, sidewalks, and driveways** – The costs of installation or replacement of landscape materials, sidewalks, and driveways when incidental to other rehabilitation of the property and when required by City development codes and standards.

3.7 **Lead-based paint hazard evaluation and reduction** – The costs of evaluating and treating lead-based paint may be undertaken under this category whether alone or in conjunction with other rehabilitation.

3.8 **Soft Costs** – The costs of obtaining title searches and surveying services are eligible if required to comply with City codes or to ensure eligibility.

3.9 **Rehabilitation services** – Staff costs and related expenses required for outreach efforts for marketing the program, rehabilitation counseling, screening potential applicant households and structures, energy auditing, preparing work specifications, inspections, and other services related to assisting owners, tenants, contractors, and other entities who are participating or seeking to participate in rehabilitation activities eligible under this category; under the Section 312 of the Housing Act of 1964, as amended; under Section 810 of the Act; or under Section 17 of the United States Housing Act of 1937.

3.10 **Rehabilitation does not include:**

   (a) Creation of a secondary housing unit attached to a primary unit;

   (b) Installation of luxury items, such as a swimming pool;

   (c) Costs of equipment, furnishings, or other personal property not an integral structural fixture, such as a washer or dryer (stove or refrigerator is allowed).

   (d) Labor costs for homeowners to rehabilitate their own property

   (e) Leveling or repairing a foundation if the cost of such work is deemed to be cost prohibitive.

4. **Eligibility Requirements - Applicant**

4.1 **ELIGIBILITY CRITERIA** - The applicant must satisfy the following criteria to be eligible for program assistance:

   A. The applicant must be the owner of the property to be rehabilitated and have resided in the dwelling for not less than one year.

   B. The annual household income will be calculated using the “Part 5” definition of income as defined in 24 CFR Part 5. To be eligible, the annual household income must be less than 80% of the Area Median Income for the appropriate household size.
C. The applicant must be a U.S. citizen or a legal resident alien.

D. Ownership must be in the form of either a fee-simple title or a 99-year leasehold, and the title must not have any restrictions or encumbrances that would unduly restrict the good and marketable nature of the ownership interest.

E. The applicant must voluntarily apply for assistance. Participation in the rehabilitation program is voluntary on behalf of the applicant and City. This relationship may be terminated by the client or the City.

F. The applicant must be current on mortgage payments and all applicable property taxes.

G. The applicant must comply with flood insurance requirements as detailed below when the property to be considered for rehabilitation is located in a Special Flood Hazard Area as shown on a current FIRMs map issued by the National Flood Insurance Program (NFIP).
   a. The applicant must provide a copy of a current flood insurance policy declarations form issued by the NFIP or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance;
   b. The applicant must agree to maintain flood insurance for the life of the building so long as the dwelling remains in a flood zone and must agree to execute a document provided by the City that will be filed in the appropriate County office to create a deed restriction requiring the maintenance of flood insurance;
   c. The applicant will be ineligible for this rehab program if the person has previously received Federal flood disaster assistance that is conditioned on obtaining and maintaining flood insurance and failed to obtain and maintain flood insurance as required under applicable Federal law.
   d. The applicant must disclose the amount and purpose of any FEMA assistance received for flood recovery purposes.

H. The applicant must demonstrate the ability to maintain the dwelling with regard to ongoing maintenance and repairs, safety hazards and health/cleanliness issues.

I. The applicant acknowledges resources (family/friends) are readily available if temporary, voluntary relocation is necessary during the rehabilitation construction period.

5. Eligibility Requirements – Property

5.1 DEFINITIONS
Three terms – “dwelling,” “single-family unit” and “substandard” – are used in determining if a property is eligible for the City’s housing rehabilitation funding assistance. For the purposes of the Housing Rehabilitation Program, the terms are defined as follows:

**DWELLING** – A set of rooms occupied and suitable for occupancy as a family residence and having kitchen, bath, and sanitary facilities.

**SINGLE FAMILY UNIT** – A dwelling designated for occupancy by a single family that is in compliance with all City zoning occupancy regulations.

**SUBSTANDARD** – Failing to meet the minimum housing requirements as set forth in the City’s adopted building codes.

5.2 ELIGIBILITY CRITERIA – PROPERTY

A. The dwelling unit must be located within the corporate limits of San Marcos.

B. The dwelling unit must be classified as substandard with at least one major finding, based on a written, detailed inspection report prepared by a City inspector or other qualified agent of the City.
C. The dwelling unit must not be recognized or classified as a manufactured or mobile home.

D. The applicant's property must not have a history of being used for illegal activity or any other activity that impairs the physical or social environment of the unit or the neighborhood.

E. The dwelling unit is eligible for City-funded rehab assistance no more than once in a five-year period. This restriction may be waived by the City of San Marcos Director of Planning and Development Services when additional assistance is warranted and limited to activities that will correct life-safety hazards or will remove accessibility barriers that restrict mobility for persons with a disability.

F. A dwelling unit that is not substandard will be eligible to receive accessibility improvements to meet the needs of a resident of the household with a disability including, but not limited to, the construction of a ramp, widening of interior or exterior doors, and replacement of bathroom fixtures.

6. Application Process and Applicant Ranking

6.1 APPLICATION PROCESS

A. An open application period will be held for a minimum period of 30 days during which applications will be accepted on the form provided by the City.

B. The application period will be affirmatively marketed in a manner that will inform and attract eligible applicants without regard to race, color, national origin, sex, religion, familial status, or disability. Documentation of all marketing activities must be maintained in the program file.

C. The City will help potential applicants understand program eligibility requirements and may assist with the completion of the application document.

D. The applicant must submit all required documentation with the application form to confirm eligibility. Documents that may be required include income verification documents, asset documentation (bank and savings statements), current property tax receipts, copy of property deed or other approved ownership documentation, copy of property insurance, proof of residency such as a current utility bill in the applicant's name, disability documentation, and photo identification card.

E. Applicants may be given an additional 7 calendar days after the close of the application period to correct documentation deficiencies. At the close of this documentation grace period, any application that does not meet ALL documentation requirements will not be ranked in the current funding cycle.

F. The date the application, along with all required documentation, is complete will be noted on the application form.

6.2 APPLICANT RANKING

The rehabilitation awards are based on the financial need of the household and the condition of the dwelling. Each household is ranked based on the criteria in Sections 6.2 and 6.4 and placed on a waiting list.

A. When the application is complete, qualified applicants are assigned to a waiting list. The application is considered incomplete until all statements pertaining to income, benefits, assets, homeowner's insurance and employment have been verified. The homeowner will be notified if the application is not complete or has documentation deficiencies.

B. Applications will be ranked based on financial need, the household with the greatest need first, the next household second and so on until funds allocated for rehabilitation are expended. The ranking system used by the City considers the size and income of the household, the number of elderly (at least age 62 at time of application) residents in the household, number of disabled or handicapped residents in the household, the number of residents in the household who are under 18, and whether the head of household is female. The ranking score is the total of all points from the financial need categories listed above.
C. Should households have identical financial needs as established by the ranking system found in Section 6.2, condition of the dwelling structure will determine priority. Dwelling condition will be determined by the inspection. If scores remain tied, the application with the earliest date of completion will have precedence.

D. The Ranking List will include all completed applications for the current funding cycle. Assistance will be provided in the order of ranking to the extent funding is available.

E. The City may determine a maximum number of households to be assisted regardless of the number of completed applications or the amount of funds available.

F. The ranked list and ranking calculations will be available for public review.

6.3 CRITERIA FOR RANKING FINANCIAL NEED

A. INCOME/FAMILY SIZE - The program income limit is 80% of the Area Median Income. If the annual household income based on family size is less than the program income limit, the household will receive points as follows:

<table>
<thead>
<tr>
<th>Income Limit</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>30% or less of program</td>
<td>70</td>
</tr>
<tr>
<td>31% to 50% of program</td>
<td>60</td>
</tr>
<tr>
<td>51% to 60% of program</td>
<td>40</td>
</tr>
<tr>
<td>61% to 80% of program</td>
<td>20</td>
</tr>
</tbody>
</table>

B. NUMBER IN HOUSEHOLD

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>5</td>
</tr>
<tr>
<td>2 to 3 Person Household</td>
<td>10</td>
</tr>
<tr>
<td>4 to 5 Person Household</td>
<td>15</td>
</tr>
<tr>
<td>6+ Person Household</td>
<td>20</td>
</tr>
</tbody>
</table>

C. NUMBER OF ELDERLY - 20 points for each household member who is at least age 62 at time of application.

D. NUMBER OF HANDICAPPED OR DISABLED - 20 points for each household member with a total or partial physical impairment which renders the person unable to work as shown by the receipt of disability benefits from Social Security, a pension program, a life insurance program or disability insurance.

E. FEMALE HEAD OF HOUSEHOLD – 15 points per household

F. ONE OR MORE PERSONS 18 YEARS OLD OR YOUNGER - 15 points

6.4 CONDITION OF THE DWELLING STRUCTURE

Standard Not eligible for assistance

Substandard Dwelling rating will be the number of failing items as shown in the initial inspection of the property.

Life threatening Eligible applicants will be considered for emergency grants (if funds are available) to make repairs when conditions present an immediate threat to the health or safety of the household. Regulatory issues surrounding such grants will be addressed with the City of San Marcos prior to use of Federal Funds.

7. TERMS, CONDITIONS AND CONSIDERATIONS FOR ASSISTANCE

7.1 DETERMINATION OF THE AMOUNT OF THE GRANT – The minimum housing rehabilitation grant is $1,000. The amount of rehabilitation assistance that an applicant may receive will not exceed the amount necessary to
correct deficiencies identified in the HQS assessment and included in the Scope of Work.

7.2 STRUCTURE OF FINANCIAL ASSISTANCE – Assistance will be provided in the form of a grant to the homeowner.

7.3 OTHER GRANT CONDITIONS - Specific terms and conditions are incorporated in the grant application and the contract documents. The applicant agrees to comply with all terms in the grant application and the contract documents, and, additionally, to:

A. Allow inspection of the property by the City whenever the City determines that such inspection is necessary;
B. Furnish complete, truthful and proper documentation and information as needed to determine eligibility for receipt of rehabilitation assistance;
C. Permit the contractor to use, at no cost, reasonable existing utilities such as gas, water and electricity which are necessary to the performance and completion of the work;
D. Cooperate fully with the City and the contractor to ensure that the rehabilitation work will be carried out promptly;
E. Defend, indemnify and hold harmless the city, its officials, employees and assigns, from all claims, demands, damages, actions, expenses, attorney’s fees and causes of action that may arise from an act of God or nature during the rehabilitation of the property;
F. Abide by all lead-based paint requirements outlined in the application for assistance;
G. Agree to voluntarily relocate at the homeowner’s expense if necessary during the rehabilitation work.
H. Agree to maintain the property in a clean, neat and sanitary condition.

8. HOUSING REHABILITATION SPECIFICATIONS

8.1 CONSTRUCTION STANDARDS - All rehabilitation activities must comply with all construction and development codes, including local amendments adopted by the City of San Marcos.

8.2 GENERAL INFORMATION - The City is responsible for determining the final scope of the rehabilitation work to be performed under the program. Projects using Community Development Block Grant funds through the City of San Marcos are not required to correct all deficiencies.

8.3 PROPERTY INSPECTION AND SCOPE OF WORK – The City or its agent will perform an inspection of the entire home. The inspection report will be used to help determine the scope of the project.

A. The City will consult with the homeowner to seek input in determining the priority of repair work to be performed.
B. Generally, priority will be given to the items presenting the greatest risks to life and safety or that increase accessibility.
C. A preliminary cost estimate may be prepared to help finalize the scope of work in relationship to available funding.
D. Once the final scope of work has been determined by the City, the homeowner will sign the form to signify acceptance.
E. For the purpose of the property inspection hazardous and substandard conditions will include any condition that threatens the health and/or safety of the occupants. Substandard conditions include any condition which threatens, defeats, or will lead to the lack of functional viability of a single feature of a home.

8.4 WORK WRITE-UP AND COST ESTIMATE - The work write-up and cost estimate is a statement based on the inspection and itemizes all the rehabilitation work to be done on the dwelling. Construction cost estimates will be
prepared for each housing unit. An appropriate construction estimating software program or manual, such as the National Construction Estimator, may be used.

A. DUAL-USE OF WORK WRITE-UP - The write-up will be detailed and specific in style. This same write-up without the cost estimate will serve as a part of the specifications for the construction bid documents.

B. ITEMIZING COSTS - Each item of work and its estimated cost will be identified in the work write-up by entering the cost estimates in a columnar arrangement.

C. OWNER PREFERENCE - A work write-up need not contain details such as color, style or pattern that have no significant effect on cost. The term "to be selected by owner" may be used appropriately.

8.5 SPECIFICATIONS - The work write-up will provide a clear, detailed understanding of the nature and scope of the work to be done because it serves as a basis for bids from contractors. The homeowner should have a clear understanding of the nature and scope of the work to be done and any limitations that may exist.

A. Each write-up will describe the nature and location of the work.

B. The specifications may refer to manufacturers' brand names or association standards as a way to identify quality of material and equipment but must include a statement indicating that an equivalent product may be bid.

8.6 CONTRACTOR RESPONSIBILITIES

A. The contractor will leave the work area clean and free from clutter at the end of each day and the contractor and not the homeowner will be responsible for storage of materials and tools.

B. The contractor shall use the site and its facilities only for specified construction. The electrical, water, sewer, and gas systems shall be used only for construction purposes and during the construction phase only.

C. The contractor shall begin work within 10 days of receipt of the Notice to Proceed.

D. Upon completion of construction the contractor will:

1. remove all construction debris from site;
2. clean and mop all resilient floors;
3. clean all new and existing paint from other finished surfaces including window glass and mirrors;
4. leave all newly installed items in operating condition;
5. light gas water heater pilots, stove/oven pilots and gas heater pilots;
6. start all other electrical and mechanical systems;
7. put all hardware in operating condition;

9. LEAD-BASED PAINT PROVISIONS

Lead-based paint is a proven health hazard and can lead to lead poisoning. Childhood lead poisoning is a particularly pernicious environmental disease. Although the use of lead-based paint was banned in 1978, HUD estimates about 80 percent of the homes built before 1980 have some lead-based paint. The Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) requires housing rehabilitation programs which receive federal assistance to test for the presence of lead-based paint and take appropriate action to reduce the hazard.

9.1 REQUIREMENTS FOR REHABILITATION ASSISTANCE

A. Subpart J of Title X deals specifically with rehabilitation of housing units constructed prior to 1978. The requirements in regards to lead-based paint are dependent on the cost of the rehabilitation. Costs of site
preparation, occupant protection, relocation, interim controls, abatement, clearance and waste handling attributed to lead-based paint hazard reduction are not to be included when determining cost of rehabilitation. However, these costs plus the cost of rehabilitation must not exceed the City’s available funding for the unit.

B. All homes constructed before January 1, 1978 will be evaluated for lead-based paint hazards by a qualified, certified, or licensed person as required under the regulations.

C. As required under 24 CFR 35 all lead-based paint hazards will be identified and reduced through paint stabilization, interim controls, or abatement as required.

D. Safe work practices will be followed at all times.

E. During lead hazard reduction efforts, the work area will be sealed and the family will be protected or relocated as required by the regulations.

F. Final Clearance will be achieved on all lead hazard reduction activities as required under the regulations.

G. The City of San Marcos will provide additional guidance documents to help subrecipient program managers comply with these requirements.

H. Forms and lead paint information are included as appendix materials to this policy.

10. CONTRACTING FOR REHABILITATION WORK

This section sets forth requirements and procedures with respect to contractor qualifications and construction contracts for housing rehabilitation under the City’s CDBG rehab program.

10.1 REQUIREMENTS AND PROCEDURES

A. CONTRACTOR - The term “CONTRACTOR” applies to the firm bidding on work or receiving an award. The firm must hold a current General Contractor license. Contracts for emergency repairs may be awarded to business vendors whose services are appropriate for the work being done (i.e., a roofing contractor, plumber or licensed electrician) but who may not necessarily be licensed general contractors. These vendors must have current licensure applicable to their specialty.

B. INSURANCE – Before commencing work, the contractor shall submit to the City of San Marcos a certificate of insurance as evidence of the coverage required. The contractor shall carry:

   1. Workers’ Compensation Insurance for all employees and those of subcontractors engaged in work at the site in accordance with Texas state workers compensation law.

   2. All insurance except for workers’ compensation coverage will be written with the City of San Marcos, Texas as an additional insured and will be endorsed to provide a waiver of the carrier’s right of subrogation against the City.

   3. Comprehensive general liability insurance for personal injury, sickness, disease or death with minimum limits of liability of not less than $500,000 per occurrence.

   4. Comprehensive general liability insurance for damages for injury to or destruction of tangible property of others. This coverage will include Broad Form Property Damage, including XCU coverage. The minimum limits of liability will be $100,000 per occurrence and $500,000 aggregate.

   5. Motor vehicle liability insurance with minimum limits of liability for bodily injury and property damage combined of not less than $500,000 per occurrence.

   6. Property insurance upon the entire project, including materials not in place at the site, to the full insurable value thereof. This insurance will be in an "all risk" form and will include, but not be limited to, the perils of fire, lightning, flood, collapse, windstorm, hail, explosion, riot, civil commotion, smoke,
aircraft, land vehicles, vandalism, and malicious mischief. The property insurance will be endorsed to permit utilization and/or occupancy (as applicable) prior to completion of construction and prior to acceptance by the city.

C. FORM OF CONTRACT - The construction contract will consist of a single document signed by the contractor and the City. It will contain a bid, the General Conditions and Specification by reference, the work write-up that specifies the work to be done and a listing of the existing code deficiencies.

D. USE OF ALTERNATES - The document prepared by the City may contain alternates by which each bidder may increase or decrease the lump sum contract price.

E. PROCUREMENT OF BIDS – The City will advertise openly and publicly for bids in accordance with its procurement policies and encourage minority and female-owned firms to bid on its projects.

F. PRE-BID WALK-THROUGH - Contractors may be required to attend and participate in a pre-bid conference or walk-through of the property.

G. THE TEXAS PUBLIC INFORMATION ACT – All information submitted by bidders is subject to release under this act.

10.2 FEDERAL LABOR STANDARDS PROVISIONS – As a federally funded activity, the rehabilitation program may be subject to the terms and conditions of the Federal Labor Standards Provisions, often called the Davis-Bacon Act. If these regulations apply to the project notice of such fact will be included in the bid document.

10.3 SPECIFICATIONS – the City will prepare specifications covering the specific scope of rehabilitation work proposed for each property. The specifications will detail any unusual circumstances that exist with the project.

10.4 INELIGIBLE CONTRACTORS – The City may determine a contractor is ineligible to bid on projects if:

A. The contractor does not have or is unable to obtain a valid City General Contractor license; or

B. The contractor is listed on the Federal or State debarred list or is on the City’s ineligible list for failure to complete warranty repairs; or

C. There is documented proof that the contractor has not paid material suppliers; or

D. The contractor has not completed projects within the allotted time frame; or

E. There exist substantiated complaints by homeowners about quality of the contractor’s work and performance.

10.5 PROCUREMENT OF CONTRACTORS – Procurement of all contractors will be performed in compliance with the City’s adopted Purchasing Policy and in compliance with state and federal laws.

A. The City reserves the right to reject any and all bids and to waive any and all informalities and irregularities in bids, whenever the City deems the rejection or waiver is in its interest.

B. In any case of ambiguity or lack of clarity in stating the prices in the bid, the Owner will use the construction most advantageous to it, or reject the bid.

C. Other causes for the City to disqualify a bidder or reject its bid include: (1) the bid is incomplete; (2) more than one bid is submitted by the bidder; (3) there is evidence of collusion among bidders; (4) there is evidence that the bidder does not have sufficient qualifications to assure the satisfactory completion of the work.

D. The procurement document will contain a section of Supplemental Conditions that detail federal laws, acts, and statutes that may apply to this project.

E. The City may choose to include a 5 to 10% retainage requirement to ensure completion of the project in a timely manner.
10.5 AWARD OF CONSTRUCTION CONTRACT:

A. The successful bidder will be notified in writing of the award;

B. The contractor will complete a “Contractor’s Eligibility Form” so that the City can verify the contractor’s eligibility to work on federally-funded projects.

C. After the award is made by the City, the bidder will deliver the insurance certificates to the City. If the certificates comply with the requirements, the contract will be executed by the City and the contractor and a notice to proceed will be issued.

10.6 CONTRACT AMENDMENTS – The scope of work can be amended when additional work is necessary to make repairs or to correct unforeseen dangerous conditions.

A. The contractor shall submit a proposal consisting of what type of work is needed, the cost of such work, and the time necessary for such work to be completed. Unless it is determined there exists an immediate health and safety danger, no work will be authorized until the amended scope of work is approved by the homeowner and the City.

B. No other work shall be done to the project other than the work agreed upon in writing by the homeowner, the City, and the contractor or as necessary to remove immediate health and safety dangers during the construction phase.

10.7 SUBCONTRACTORS

A. The Contractor will not employ any subcontractor without first providing a completed “Contractor’s Eligibility Forms” for each subcontractor and submit same to the City so that the City can determine that the subcontractor has not been debarred or disqualified for work on federally funded projects.

B. The Contractor will not employ any subcontractor against whom the City has an objection.

C. The Contractor will ensure that each subcontractor holds all required City and/or trade licenses.

D. The Contractor will be fully responsible for the acts and omissions of all subcontractors and their officers, agents, and employees in the same way the contractor is responsible for the acts and omissions of its own employees.

E. The Contractor will include the following statement in every subcontractor agreement: “This contract is subject to the terms and conditions of the construction contract between the City of San Marcos and the Contractor. The terms of that construction contract will take precedence over any conflicting provisions in this contract.”

F. The Subcontractor must provide an executed, notarized Lien Waiver Affidavit with the final invoice for each home. Final payment will not be made until the executed Affidavit is provided.

11. Rehabilitation Activities

11.1 ENVIRONMENTAL CLEARANCE – No work will commence on any housing unit until environmental clearance has been obtained.

11.2 BUILDING PERMITS – Each contractor and subcontractor will obtain all required construction permits from the City’s permit center before work shall commence.

A. The contractor will comply with all city construction requirements, such as posting of building permit.

B. The contractor and all subcontractors will use the city’s automatic inspection system to request all required progress inspections. The City’s permit center staff can answer any questions regarding required inspections.
C. Building permits will be obtained for residential re-roofing jobs that are a part of this project, and process inspections are required, even though city codes may not make this a requirement.

11.3 INSPECTIONS
A. Progress inspections shall be requested as required by the City’s building codes. Work that fails to pass inspection shall be corrected and a new inspection requested.
B. Contractor and subcontractors will provide documentation to the City showing that final inspections have been requested and passed.
C. The General Contractor will request a Certificate of Occupancy inspection for each completed project.

11.4 PROGRESS INSPECTIONS / PAYMENT OF DRAW REQUESTS
A. Evidence that required inspections have passed must be submitted along with a contractor’s payment draw request before payment will be approved.
B. Program staff will make periodic progress inspections in addition to the code inspections required by the permitting process. Positive findings on staff progress inspections can be used as documentation for draw requests.
C. Payment draw requests will be submitted by the contractor on a schedule agreed upon by both parties. It is anticipated that the primary contractor will make weekly progress draw submittals. Reimbursement for the work of subcontractors must include documentation that the work has passed inspection and a copy of the invoice submitted to the contractor.
D. The final payment will not be made until all punch list items have been satisfactorily completed and the homeowner has signed an Owner’s Statement of Acceptance form.

12. Close out Procedures

12.1 PUNCH LIST INSPECTION - Upon completion of the rehabilitation work, a punch list inspection is performed. This inspection is made to verify that all work included in the project’s scope of work has been completed satisfactorily.
A. The contractor, the homeowner, and City staff will be included in the punch list inspection.
B. Any incomplete work or work that is unsatisfactory is noted on the punch list.
C. The punch list will be signed by the homeowner and the contractor.
D. The contractor will be given a reasonable period of time to correct all deficiencies noted on the punch list.
E. A FINAL WALK-THROUGH INSPECTION will be made when the contractor indicates that all punch list deficiencies have been corrected. The homeowner, city staff, and contractor will participate in the Final Walk-through Inspection which will be documented in the project file.
F. If the homeowner and the city staff agree that all punch list items have been corrected, the project will be considered complete and final payment can be released.

12.2 OWNER STATEMENT OF ACCEPTANCE - The homeowner’s signature on the Statement of Acceptance will indicate concurrence that the rehabilitation work was completed in accordance with the Scope of Work for the project and will signify their acceptance of the project as complete.

12.3 CERTIFICATION - After the Owner’s Statement of Acceptance is executed, the City will prepare a Certification of Completion. A copy will be provided to the contractor and the homeowner and one copy retained in the project file.
12.4 LIEN WAIVER AFFIDAVITS – At the completion of their work all contractors and subcontractors must execute a Final Lien Waiver Affidavit on the form provided by the City to release any mechanic liens associated with this project. The waiver must be provided individually for each house receiving rehabilitation services by that contractor/subcontractor. Payment for the final invoice of any contractor or subcontractor will not be made unless the executed Affidavit has been provided to the City.

12.5 WARRANTY - All rehabilitation work done by the Contractor shall be warranted for at least one year from the date the homeowner signs the Certificate of Completion indicating acceptance of the rehabilitation work as meeting the terms and conditions of the contract. When the City receives notice of a warranty claim, the City will:

A. Review rehabilitation project documents to determine if the complaint might be related to the work done;

B. Conduct an on-site inspection accompanied by the contractor or a designee to investigate the request for warranty work;

C. If an on-site inspection determines the requested repair is under warranty, the contractor will have 10 working days to resolve the warranty issue. Another inspection by the City will determine if the terms of the warranty have been satisfied.

D. If the complaint is not resolved within 10 days, a second notice will be issued to the contractor giving an additional five working days to resolve the warranty issue. If the complaint remains unaddressed or resolved unsatisfactorily, the contractor may be ruled ineligible for further participation in future housing rehabilitation programs.

E. A contractor ruled ineligible will be notified by certified mail. The contractor may appeal the ruling within 15 working days of receiving notification. The appeal must be in writing, addressed to the City of San Marcos, Attn: CDBG staff, 630 East Hopkins, San Marcos, Texas.

F. When an appeal is received, the City will investigate and either restore the contractor’s eligibility for program participation or sustain the earlier decision. The City reserves the right to report a contractor who fails to honor his contractual obligations to the U.S. Department of Housing and Urban Development with a recommendation for disbarment.

G. Before the City will consider restoring eligibility, a contractor will be required to reimburse the Center for any expense incurred to have another contractor satisfy the ineligible contractor's warranty work.
Southside Community Center
Profit & Loss Budget Overview
October 2016 through September 2017

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Southside Community Center
Profit & Loss Budget Overview
October 2016 through September 2017
Cash Basis

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### Southside Community Center

**Profit & Loss Budget Overview**

October 2016 through September 2017

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**Net Income**

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### Southside Community Center
#### Profit & Loss Budget Overview
October 2017 through September 2018

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<td>24000 · Thrift Store Income</td>
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<tr>
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<td>35002 · Private Donations</td>
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<td><strong>Total 34000 · Specific Assistance Income</strong></td>
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<tr>
<td>44000 · Shelter Income</td>
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<td><strong>Total 44000 · Shelter Income</strong></td>
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<td>54000 · Summer Camp Income</td>
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<td>54200 · Individual Donations</td>
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<td>54280 · CDBG</td>
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<td>54750 · United Way</td>
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<td><strong>Total 54000 · Summer Camp Income</strong></td>
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<td><strong>Total Income</strong></td>
<td>685,291.00</td>
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**Expense**
# Southside Community Center
## Profit & Loss Budget Overview
### October 2017 through September 2018

<table>
<thead>
<tr>
<th>15000 · General Fund Expense</th>
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</tr>
</thead>
<tbody>
<tr>
<td>15040 · Advertising</td>
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<td>15990 · Misc.</td>
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**Total 15000 · General Fund Expense**: 216,058.08

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**Total 25000 · Thrift Store Expense**: 54,000.00

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<tr>
<th>35000 · Specific Assistance Expense</th>
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Southside Community Center  
Profit & Loss Budget Overview  
October 2017 through September 2018

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<th>Oct '17 - Sep 18</th>
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<td>Total Expense</td>
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<tr>
<td>Net Income</td>
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</table>
Date: 2/27/2017

Subject: CDBG Board Resolution

Board Resolution,

The board has come to the decision that it is okay for both Trey Bell and Ruben Garza to sign and submit all the required documents for the CDBG application on behalf of Southside Community Center.

[Signatures]

3/14/17  Date

Board President Signature

3/14/17  Date

Executive Director
Southside Community Center

2017 Organizational Table

Board of Directors

Shelter Committee
Finance Committee

Executive Director
Ruben Garza

Programs Director
Trey Bell

Executive Assistant
Andy Alejos

Secretary
Kimberley Williams

Homeless Shelter
Deedra Gonzales
Tammy Mathis

Thrift Store
Carol Velasquez

Senior Operations
Victor Guerra
Lea Byrd

Maintenance Men
Aaron Nunez
Josh Diaz
Description of Employee’s, Board Members, & Volunteers Job Duties

Board of Directors:
- The board of directors will assist the Executive Director in the preparation of the camp. They will give him guidance on the proper rules and regulations that should be enforced during the camp. They will also review all financials to ensure that the camp is running efficiently. The board will review the Executive Directors ability to properly run the summer rehabilitation program. Ultimately, the board will determine the overall success of the program.

Executive Director:
- The Executive Director will review the entire camps staff and performance to ensure that the camp is operating according to plan. He will be in contact with all job site supervisors/contractors, kitchen staff, the youth coordinators, as well as the guidance counselors of the youth groups. The executive director will be responsible for paying all invoices, salaries, and any other necessary camp costs.

Youth Coordinators:
- The Youth Coordinators are responsible for coordinating with all staff members to ensure camp schedule is being executed properly. The youth coordinator will cater to all the needs of volunteers and staff to ensure that all activities are both fun and safe for the youth.

Head Contractor:
- The head contractor is responsible for managing all of the superintendents on-site as well as coordinating with volunteers to ensure that jobsites are a safe working environment. He will track the progress of the homes to make sure all projects are completed by the end of the program.

Job-Site Staff:
- On-site contractors will oversee all construction performed on their assigned jobsites. They will guide the volunteers on how to safely and efficiently perform repairs to the selected homes.

Guidance Counselors:
- Guidance counselors will come with their respective groups and chaperone the youth during all activities. They are responsible for overlooking the safety and well-being of the youth during the camp. Guidance counselors will work in coordination with all staff members of the camp and will express any issues they have during the camp.

Volunteers:
- Volunteers are the muscle behind the summer rehabilitation program. They will be guided by camp staff on the work that will be performed. The volunteers will be assisting in painting, framing, demolition, taping and floating, trash pick-up, landscaping, and all other rehabilitation responsibilities of the home.

Kitchen Staff:
- Kitchen Staff is responsible for the distribution and preparation of all meals for volunteers and staff.
SECTION 2: EMPLOYMENT

201—NATURE OF EMPLOYMENT

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with SSCC, Inc.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor SSCC, Inc. is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

In order to retain necessary flexibility in the administration of policies and procedures, SSCC, Inc. reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized and signed by the Executive Director of SSCC, Inc.

202—EMPLOYEE RELATIONS

SSCC, Inc. believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that SSCC, Inc. amply demonstrates its commitment to employees by responding effectively to employee concerns.

203—EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at SSCC, Inc. will be based on merit, qualifications, and abilities. SSCC, Inc. does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

SSCC, Inc. will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified
208—OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with SSCC, Inc. All employees will be judged by the same performance standards and will be subject to SSCC, Inc.'s scheduling demands, regardless of any existing outside work requirements.

If SSCC, Inc. determines that an employee's outside work interferes with performance or the ability to meet the requirements of SSCC, Inc. as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with SSCC, Inc.

Outside employment will present a conflict of interest if it has an adverse impact on SSCC, Inc.

209—NON-DISCLOSURE

The protection of confidential client and financial information is vital to the interests and the success of SSCC, Inc. Confidential client information includes but not limited to; personal information, any assistance or legal aid received. Confidential financial information includes, but not limited to; payroll issues, or any financial compensation.

Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

210—DISABILITY ACCOMMODATION

SSCC, Inc. is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.
Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, progression lines; and seniority lists. Leave of all types will be available to all employees on an equal basis.

SSCC, Inc. is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. SSCC, Inc. will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. SSCC, Inc. is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.
Ruben Garza
Southside Community Center, Inc.
518 South Guadalupe
San Marcos, TX 78666

June 30, 2016

Aaron W Games, CPA, PLLC
7000 N. MOPAC Expressway, Ste 200
Austin, TX 78731

This representation letter is provided in connection with your audit of the financial statements of Southside Community Center, Inc., which comprise the statements of financial position as of September 30, 2015 and 2014, and the related statements of activities and cash flows for the year then ended, and the related notes to the financial statements for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

Financial Statements:

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter, including our responsibility for the preparation and fair presentation of the financial statements.

- The financial statements referred to above are fairly presented in conformity with U.S. GAAP.

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.

- Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.

- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.

The proposed audit adjusting journal entries, disclosures, and financial statements summarized on the attached schedule should be booked in order to properly present our financial information in accordance with US Generally Accepted Accounting Principles ("GAAP").

The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.

Material concentrations have been appropriately disclosed in accordance with U.S. GAAP.

Guarantees, whether written or oral, under which the organization is contingently liable, have been properly recorded or disclosed in accordance with U.S. GAAP.

You drafted the financial statements. With respect to these services, we have:

- Made all management decisions and performed all management functions.
- Designated an individual with suitable skill, knowledge, or experience to oversee the services.
- Evaluated the adequacy and results of the services performed.
- Accepted responsibility for the results of the services.
- Established and maintained internal controls, including monitoring ongoing activities.

Information Provided

We have provided you with:

- Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
- Additional information that you have requested from us for the purpose of the audit.
- Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
Minutes of meetings of Southside Community Center, Inc., summaries of actions of recent meetings for which minutes have not yet been prepared.

- All material transactions have been recorded in the accounting records and are reflected in the financial statements.

- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

- We have no knowledge of any fraud or suspected fraud that affects the organization and involves:
  - Management.
  - Employees who have significant roles in internal control, or
  - Others where the fraud could have a material effect on the financial statements.

- We have no knowledge of any allegations of fraud or suspected fraud affecting the organization's financial statements communicated by employees, former employees, grantors, regulators, or others.

- We have no knowledge of any instances of noncompliance or suspected noncompliance with laws and regulations whose effects should be considered when preparing financial statements.

- We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements in accordance with U.S. GAAP, and we have not consulted a lawyer concerning litigation, claims, or assessments.

- We have disclosed to you the identity of the organization's related parties and all the related party relationships and transactions of which we are aware.

- The organization has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.

- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.
Southside Community Center, Inc.
Management Representation Letter
June 30, 2016
P. 4

- Southside Community Center, Inc. is an exempt organization under Section 501(c)(3) of the Internal Revenue Code. Any activities of which we are aware that would jeopardize the Organization's tax-exempt status, and all activities subject to tax on unrelated business income or excise or other tax, have been disclosed to you. All required filings with tax authorities are up-to-date.

Signature: [Signature]

Title: Executive Director
<table>
<thead>
<tr>
<th>Account # / Description</th>
<th>Prior Period (Adjusted) 09/30/2014</th>
<th>Unadjusted Balance Dr (Cr)</th>
<th>Ref #</th>
<th>Adjustments Dr (Cr)</th>
<th>Adjusted Balance Dr (Cr)</th>
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### Adjusted Trial Balance
for the period ended September 30, 2015

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<tr>
<th>Account # / Description</th>
<th>Prior Period (Adjusted)</th>
<th>Unadjusted Balance (Cr)</th>
<th>Adjustments</th>
<th>Adjusted Balance (Cr)</th>
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<td>23110S2 Accrued Interest</td>
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<td>23120S2 Current Portion of LT Debt</td>
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<td>23130S2 Payroll Liabilities</td>
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<td>30000S2 Opening Bal Equity</td>
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<td>30110S2 Opening Balance Equity</td>
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<td>30130S2 Temp. Rest. Net Assets</td>
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**Note:** The table calculates the adjusted balance for each account by adding or subtracting the adjustments from the unadjusted balance. The worksheet entries are indicated by abbreviations such as AJE-1, which likely refer to specific journal entries or adjustments.
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<th>Adjustments (Dr / Cr)</th>
<th>Adjusted Balance (Dr / Cr)</th>
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Prepared by | Reviewed by | Page 3
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for the period ended September 30, 2015

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*AJE-6, 401.02, 401.02, F-1.1, 44,080.73, 44,090.73, F-1.1, 51,373.03, 51,373.03, F-1.1*
# Adjusted Trial Balance

**Southside Community Center, Inc. and Subsidiary**

**for the period ended September 30, 2015**

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<th>Unadjusted Balance Dr (Cr)</th>
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## Southside Community Center, Inc. and Subsidiary

### Adjusting Journal Entries

for the period ended September 30, 2015

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Entry to reconcile the beginning balances to the prior period ending balances. (Ref PBC TB GL - 4.1)

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Entry to adjust the ending balances of cash related accounts to reconciled balances. (Ref A-1.1)
## Adjusting Journal Entries
for the period ended September 30, 2015

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Entry to derecognize duplicuous PBC JE to book reserve with bank. (Ref A-1.1)

| 09/30/2015 | **A JE 4** | 185,456.00 | 100,000.00 |
| 14048SS | Refinance SVII | | |
| 15020SS | Refinance SRII | | |
| 13110SV | Due From San Marcos Seniors II | | 85,458.00 |

Entry to reclassify cash in and out for refinance previously recognized as revenues and expenses, respectively, against advances to SVII.

| 09/30/2015 | **A JE 5** | 111,400.00 | 89,700.76 |
| 13110SV | Due From San Marcos Seniors II | | |
| 14110SV | Investment Phase II - San Marcos | | 80,036.04 |
| 14510SS | Furniture and Equipment | | 1,503,969.93 |
| 14330SS | Rental Units | | 228,718.71 |
| 14340SS | Site Work & Land Imp | | |
| 14360SS | Accumulated Amortization | | 254.00 |
| 14390SS | Accumulated Depreciation | | 1,418,550.00 |
| 32110SS | Unrestricted Net Assets | | 595,811.44 |

Entry to adjust the 10/23/14 balances of items acquired in SV2 acquisition to PV of purchase. PV equals the amount paid in arms length transaction. (Ref F-2.1)

| 09/30/2015 | **A JE 6** | 401.02 | 44,090.73 |
| 14160SV | Accumulated Depreciation | | |
| 14200SV | Accumulated Depreciation | | 1,415.08 |
| 14360SS | Accumulated Amortization | | 51,373.03 |
| 14390SS | Accumulated Depreciation | | 401.02 |
| 99010SS | Depreciation Expense | | 44,090.73 |
| 99020SV | Depreciation Expense | | 51,373.03 |
| 99030SS | Depreciation Expense | | 1,415.08 |
| 99040SS | Amortization Expense | | |

Entry to recognize amortization and depreciation expense for fiscal 2015. (Ref F-1.1)

<p>| 09/30/2015 | <strong>A JE 7</strong> | 141.14 | 1,733.24 |
| 23110SS | Accured Interest | | |
| 23120SS | Current Portion of LT Debt | | 1,733.24 |
| 23150SS | Less Current Portion - LTD | | 26,228.19 |
| 23160SS | NP - Broadway Bank | | |</p>
<table>
<thead>
<tr>
<th>Account #</th>
<th>Account Name / Description</th>
<th>Debits</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>23170S2</td>
<td>NP Broadway Bank - Auto</td>
<td>6,560.20</td>
<td>32,756.53</td>
</tr>
<tr>
<td>95550S2</td>
<td>Annual Debt Service</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Entry to adjust the ending balances of debt related accounts. (Ref DD-1.1)*

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>09/30/2015</td>
<td></td>
<td>AJE 8</td>
<td></td>
</tr>
<tr>
<td>99995SS</td>
<td>Offset to restrictions satisfied by Time</td>
<td>63,256.00</td>
<td>63,256.00</td>
</tr>
<tr>
<td>99996SS</td>
<td>Restrictions satisfied by time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>99997SS</td>
<td>Restrictions satisfied by payment</td>
<td>249,483.00</td>
<td>249,483.00</td>
</tr>
<tr>
<td>99998SS</td>
<td>Offset restrictions satisfied by payment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Entry to recognize reclass JE to account for lapse in restrictions. (Ref SS-1.1)*

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Totals</td>
<td></td>
<td>5,106,590.19</td>
<td>5,188,590.19</td>
</tr>
</tbody>
</table>

|
Southside Community Center, Inc. and subsidiary

CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014
Contents:

Independent Auditor's Report 1-2
Consolidated Statements of Financial Position 3-4
Consolidated Statements of Activities 5-6
Consolidated Statements of Cash Flows 7
Notes to Financial Statements 8
INDEPENDENT AUDITOR’S REPORT

To the Board of Directors of Southside Community Center, Inc. and subsidiary:

Report on the Financial Statements

We have audited the accompanying financial statements of Southside Community Center, Inc. and subsidiary (a nonprofit organization), which comprise the consolidated statements of financial position as of September 30, 2015 and 2014, and the related consolidated statements of activities and cash flows for the years then ended, and the related notes to the financial statements.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors’ Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the Auditors’ judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

(Continued on next page)
We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the consolidated financial position of Southside Community Center, Inc. and subsidiary as of September 30, 2015 and 2014, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Aaron W Games, CPA, PLLC
Austin, Texas

June 30, 2016
Southside Community Center, Inc. and Subsidiary

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

September 30, 2015 and 2014

ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>$86,022</td>
<td>$50,624</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>$233</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Current</strong></td>
<td>86,255</td>
<td>50,624</td>
</tr>
<tr>
<td><strong>Fixed assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>186,854</td>
<td>87,854</td>
</tr>
<tr>
<td>Buildings</td>
<td>2,648,967</td>
<td>1,735,171</td>
</tr>
<tr>
<td>Improvements</td>
<td>138,967</td>
<td>-</td>
</tr>
<tr>
<td>Equipment</td>
<td>279,837</td>
<td>172,393</td>
</tr>
<tr>
<td><strong>Total Fixed</strong></td>
<td>3,254,625</td>
<td>1,995,418</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(1,043,790)</td>
<td>(946,509)</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>2,210,835</td>
<td>1,048,909</td>
</tr>
<tr>
<td><strong>Other assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loan fees, net of accumulated amortization</td>
<td>28,314</td>
<td>-</td>
</tr>
<tr>
<td>Restricted deposits and funded reserves</td>
<td>124,792</td>
<td>-</td>
</tr>
<tr>
<td>Due from affiliates</td>
<td>-</td>
<td>196,858</td>
</tr>
<tr>
<td>Investment in low-income housing partnerships</td>
<td>-</td>
<td>89,701</td>
</tr>
<tr>
<td><strong>Total Other</strong></td>
<td>153,106</td>
<td>286,559</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$2,450,196</td>
<td>$1,386,092</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
LIABILITIES AND NET ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable &amp; accrued liabilities</td>
<td>$6,784</td>
<td>$1,489</td>
</tr>
<tr>
<td>Tenant security deposits</td>
<td>$22,550</td>
<td>$6,600</td>
</tr>
<tr>
<td>Current portion notes payable</td>
<td>$47,316</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>$76,650</td>
<td>8,089</td>
</tr>
<tr>
<td>Notes payable, net of current portion</td>
<td>1,163,975</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>1,240,625</td>
<td>8,089</td>
</tr>
<tr>
<td>Net assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unrestricted</td>
<td>513,758</td>
<td>618,934</td>
</tr>
<tr>
<td>Temporarily restricted</td>
<td>695,813</td>
<td>759,069</td>
</tr>
<tr>
<td></td>
<td>1,209,571</td>
<td>1,378,003</td>
</tr>
<tr>
<td>Total liabilities and net assets</td>
<td>$2,450,196</td>
<td>$1,386,092</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
Southside Community Center, Inc. and Subsidiary

CONSOLIDATED STATEMENT OF ACTIVITIES

For the Year Ended September 30, 2015 and 2014

UNRESTRICTED NET ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increases to unrestricted net assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rents</td>
<td>$ 607,021</td>
<td>$ 197,326</td>
</tr>
<tr>
<td>Volunteer fees - summer work camp</td>
<td>114,755</td>
<td>164,698</td>
</tr>
<tr>
<td>Donations</td>
<td>109,392</td>
<td>108,936</td>
</tr>
<tr>
<td>Thrift shop sales</td>
<td>55,187</td>
<td>44,275</td>
</tr>
<tr>
<td>Management fees</td>
<td>7,573</td>
<td>45,080</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>893,928</strong></td>
<td><strong>560,315</strong></td>
</tr>
</tbody>
</table>

| Net assets released from restriction: |          |          |
| Restrictions satisfied by used of funds | 249,483  | 198,191  |
| Restrictions satisfied by time        | 63,256   | 63,256   |
| **Total**                              | **312,739**| **261,447**|

| Total increases to unrestricted net assets |          |          |
| **1,206,667**                           | **821,762**|

Decreases to unrestricted net assets:

| Program expenditures |          |          |
| Program expenditures |          |          |
| Thrift shop          | 52,706   | 37,154   |
| Specific assistance  | 65,260   | 28,965   |
| Homeless shelter     | 31,306   | 17,594   |
| Summer work camp - housing renovation | 240,157  | 260,014  |
| Low-income rental - Sunrise Village    | 662,262  | 268,343  |
| Cafe                      | -        | 127      |
| **Total**                | **1,051,691**| **612,197**|

Supporting service expenditures:

| General and administrative |          |          |
| General and administrative | 260,152  | 230,429  |
| **Total decreases to unrestricted net assets** |          |          |
| **1,311,843**                           | **842,626**|

| Net decrease in unrestricted net assets |          |          |
| Beginning unrestricted net assets     | 618,934  | 639,798  |
| Ending unrestricted net assets        | $ 513,758| $ 618,934|

The accompanying notes are an integral part of the financial statements.
Southside Community Center, Inc. and Subsidiary

CONSOLIDATED STATEMENT OF ACTIVITIES - CONTINUED

For the Year Ended September 30, 2015 and 2014

TEMPORARILY RESTRICTED NET ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increases in temporarily restricted net assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants and contracts</td>
<td>$249,483</td>
<td>198,191</td>
</tr>
<tr>
<td>Decreases in temporarily restricted net assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporarily restricted net assets released from restriction:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restrictions satisfied by use of funds</td>
<td>249,483</td>
<td>198,191</td>
</tr>
<tr>
<td>Restrictions satisfied by time</td>
<td>63,256</td>
<td>63,256</td>
</tr>
<tr>
<td></td>
<td>312,739</td>
<td>261,447</td>
</tr>
<tr>
<td>Net decrease in temporarily restricted net assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beginning temporarily restricted net assets</td>
<td>(63,256)</td>
<td>(63,256)</td>
</tr>
<tr>
<td>Ending temporarily restricted net assets</td>
<td>$695,813</td>
<td>$759,069</td>
</tr>
</tbody>
</table>

NET ASSETS IN TOTAL

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net decrease in total net assets</td>
<td>$(168,432)</td>
<td>$(84,120)</td>
</tr>
<tr>
<td>Beginning total net assets</td>
<td>1,378,003</td>
<td>1,462,123</td>
</tr>
<tr>
<td>Ending total net assets</td>
<td>$1,209,571</td>
<td>$1,378,003</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
Southside Community Center, Inc. and Subsidiary

CONSOLIDATED STATEMENT OF CASH FLOWS

For the Year Ended September 30, 2015 and 2014

Cash flows from operating activities:

Net decrease in net assets $ (168,432) $ (84,120)

Adjustments to reconcile net income to net cash provided by operating activities:

Depreciation and amortization 97,281 44,491
Increase in accounts receivable (233) -
Increase (decrease) in accounts payable 5,295 (7,120)
Increase in tenant security deposits in trust 15,950 -

(50,139) (46,749)

Cash flow from investing activities:

Funding of restricted reserves (124,792) -
Repayments from affiliated advances 185,458 -

60,666 -

Cash flow from financing activities:

Principal payments on long-term debt 24,871 -

Net increase (decrease) in cash and equivalents 35,398 (46,749)

Cash and equivalents, beginning of year 50,624 97,373

Cash and equivalents, end of year $ 86,022 $ 50,624

Supplemental disclosures of cash flow information:

Cash paid during the year for interest expense $ 49,004 -

The accompanying notes are an integral part of the financial statements.
Southside Community Center, Inc. and subsidiary

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014

NOTE 1 - NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

Southside Community Center, Inc. and subsidiary (the Center), incorporated on August 30, 1972 under the Texas Non-Profit Corporation Act, is an agency of social concern committed to the development of the neighborhoods of San Marcos, Texas. The Center is governed by a Board of Directors represented by the primary local geographic neighborhoods, the United Methodist Church, and the community at large. The Center operates a homeless shelter and thrift shop, renovates homes for families in low-income neighborhoods and, since 1997, operates the Sunrise Village Center for senior citizens, which provides housing to qualified low-income elderly. Support for the Center’s programs comes from government grants, church, and private donations and revenues from a thrift shop, summer work camp, and multi-family residential real-estate rental activities.

Financial Statement Presentation

The Center reports information regarding its financial position and activities to three classes of net assets: unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets. In addition, the Center is required to present a statement of cash flows.

Fiscal Year-End

The Organization utilizes a fiscal year-end of September 30 for financial reporting.

Cash and Equivalents

The Center considers all cash and other highly liquid investments with initial maturities of three months or less to be cash equivalents.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.
NOTE 1 - NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Contributions

The center does not receive unconditional promises to give, therefore, contributions are recorded as received. All contributions are available for unrestricted use unless specifically restricted by the donor. Conditional promises to give are recognized when the conditions on which they depend are substantially met. Conditional promises are contracts and grants from local and state governmental agencies.

Property and Equipment

Property and Equipment are recorded at cost or at estimated fair value at the date of donation. Donations are reported as unrestricted support unless the donor has restricted the donated asset to a specific purpose. The Center follows the practice of capitalizing all expenditures of property and equipment in excess of $100 with an estimated useful life of one year or longer. Depreciation is provided using the straight-line method over the estimated useful lives of the assets from 5 to 39 years. Depreciation of $97,281 and $44,491 was recognized for the years ended September 30, 2015 and 2014, respectively.

Property purchased with temporarily restricted government grants is subject to restrictions imposed by those grants which limit the use of the property to rental activities which benefit certain low-income individuals and families. (See Note 6)

The property housing the administrative offices and shelter is held in the name of the Women’s Division of the General Board of Global Ministries of the United Methodist Church headquarted in New York. The facilities are used at no cost to the Center, and no value is recorded in the financial statements for this use.

Other Assets

Permanent loan fees of $28,813 are amortized over the life of the loan and recorded net of accumulated amortization of $1,416 at September 30, 2016

Contributed Facilities, Goods, and Services

Contributions to the Center include furniture and clothing to the thrift shop, which are recognized as cash donations when sold. Building materials are donated to the summer work camp program and are recognized as an in-kind donation.
Southside Community Center, Inc. and subsidiary

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014

NOTE 1 - NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

Grants & Contributions Received
Grants and contributions received are recorded as increases in unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions. When a restriction expires, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities and charges in net assets as net assets released from restrictions.

Concentration of Credit Risk
The Center deposits its cash in financial institutions. At times, deposits may exceed federally insured limits. The Partnership has not experienced any losses in such accounts.

Rental Income
Rental income is recognized from apartment rentals as it is earned. Rental payments received in advance are deferred until earned. All leases between the Property and the tenants are operating leases. As of September 30, 2015 and 2014, no prepaid rent was accrued.

Economic Concentrations
The Center operates on property in San Marcos, Texas. Future operations could be affected by economic changes or other conditions in that geographical area or by changes in federal low-income housing subsidies or the demand for such housing.

Income Tax
The Center is exempt from Federal income taxes under Internal Revenue Code Section 501(c)(3) under a group ruling as an affiliated organization of the United Methodist Church. As an affiliated organization, it is also exempt from the filing of Internal Revenue Service Form 990 Return of Organization Exempt from Income Tax.

Financial Instruments
The Center’s financial instruments consist of cash & equivalents, receivables, payables, and borrowings at September 30, 2015 and 2014 are carried on the accompanying balance sheet at amounts, which approximate their respective fair values.
Southside Community Center, Inc. and subsidiary

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014

NOTE 2 – INVESTMENTS

The Center was a minority general partner in a low-income housing tax credit partnership during the year ended September 30, 2014. The Center was required to and did provide financial assistance from time to time to this partnership to fund operational deficits as they arise. The operational deficit advances were to be settled by the partnerships as funds become available and are subject to the subordinated cash disbursement provisions of the respective partnership agreements. The Center was also contingently liable for tax credit shortfalls and additional operational deficits as they may have occurred (See Note 6). The investment in the low-income housing tax credit partnerships was recognized in accordance with the equity method. In October of 2014, the Center acquired the 99.9% limited partners’ partnership interests thereby essentially acquiring the balance of the interests in the Partnership. The Partnership’s financial statements are consolidated with the Center’s financial statements for the year ended September 30, 2015.

The Center was the property manager and a 0.01% general partner in San Marcos Seniors Community II, L.P. (Seniors II). Land contributed to Seniors II with a value of $99,000 and the Center’s share of losses from operations aggregated a capital balance of $89,701 at September 30, 2014, which are included in the investment in low-income housing partnership balance stated in the statements of financial position. Seniors II also is indebted to the Center in the amount of $196,858 as of September 30, 2014, for operational deficit advances, which are included in the due from affiliates balance in the statements of financial position. The previously discussed operational deficit advances payable were consideration in the acquisition of the limited partners’ interests in Seniors II, thereby comprising part of the costs basis in the assets and liabilities acquired on October 23, 2014.

NOTE 3 – RESTRICTED DEPOSITS AND FUNDED RESERVES

Operating and Maintenance Reserve

The Center maintains a reserve account for the accumulation of funds to pay for operating deficits and maintenance expenditures as they arise. The Operating and Maintenance Reserve account has a balance of $100,030 as September 30, 2015.

Tenant Security Deposit Account

The Center holds all tenant security deposits in a separate account insured by the FDIC. Disbursements from the Tenant Security Deposit Account are to refund tenants security deposits and pay for repairs caused by prior tenant’s occupancy. The Tenant Security Deposit account has a balance of $20,747 at September 30, 2015.
Southside Community Center, Inc. and subsidiary

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014

NOTE 4 – NOTES PAYABLE

The Center’s subsidiary, Seniors II, borrowed $1,200,000 from Broadway Bank in San Marcos, Texas to finance the acquisition of Senior II 99.9% limited partner’s partnership interest in October of 2014 (as previously discussed in Note 2). The Broadway Bank “mortgage” requires payments of principal and interest at 4.75% over a 240 month term, maturing November 1, 2034. The mortgage is secured by the real property owned by Seniors II. Principal and accrued interest of $1,169,412 and $4,629 is outstanding as of September 30, 2015.

The Center’s subsidiary, Seniors II, borrowed $48,268 from Broadway Bank in San Marcos, Texas to finance the acquisition of a vehicle. The Broadway Bank “auto loan” requires payments of principal and interest at 6% over a 60 month term, maturing December 1, 2019. The auto loan is secured by the vehicle owned by Seniors II. Principal and accrued interest of $41,878 and $451 is outstanding as of September 30, 2015.

Principal maturities over each of the next five years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$47,315</td>
</tr>
<tr>
<td>2017</td>
<td>49,730</td>
</tr>
<tr>
<td>2018</td>
<td>52,270</td>
</tr>
<tr>
<td>2019</td>
<td>54,940</td>
</tr>
<tr>
<td>2020</td>
<td>48,841</td>
</tr>
<tr>
<td>Thereafter</td>
<td>958,192</td>
</tr>
<tr>
<td>Total</td>
<td>$1,211,290</td>
</tr>
</tbody>
</table>

NOTE 5 – TEMPORARILY RESTRICTED NET ASSETS

Temporarily restricted net assets include the cost of the Senior Citizens Center, of which $1,897,677 was paid from a forgivable thirty-year HOME loan program (See Note 6). This loan amount is classified as a temporarily restricted net asset and is being amortized to unrestricted net assets over the 30-year term, starting in 1998. Unamortized temporarily restricted net assets aggregate $695,813 and $759,069 as of September 30, 2015 and 2014, respectively.
Southside Community Center, Inc. and subsidiary

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

September 30, 2015 and 2014

NOTE 6 – CONTINGENCIES

Home Program and Loan

The Center entered into a HOME program and related loan agreement, amended April 24, 1995, for $1,897,677 with the Texas Department of Housing and Community Affairs to provide decent, safe, and affordable housing to very low-income and low-income persons and families in San Marcos. The loan is a 30-year forgivable loan with 0% interest. The default interest rate is 10%. The full amount of the loan will be forgiven at the end of 30 years if the Center has not been in default under any terms of the loan agreement.

Low—Income Partnerships

The Center is the general partner in a low-income housing tax credit partnership. (See Note 2) In return for capital, these partnerships sold substantially all of the tax credits to limited partnership interests, which in turn, own substantially all of the capital interests of the partnerships. The Center was subject to the terms of limited partnership agreements, which guarantee tax credits over a 15-year period and for compliance with low-income housing tax credit program provisions as well as the requirement to fund operating deficits as needed. The Center is contingently liable for shortfalls in tax credits from the anticipated tax credit amounts, as defined in the limited partnership agreements and operations.

NOTE 7 – SUBSEQUENT EVENTS

The subsequent events of the Organization have been evaluated through June 30, 2016, upon which date the financial statements were available to be issued.
Southside Community Center
518 South Guadalupe
San Marcus, Tx. 7866

Dear Sir or Madam:

Our records show that The United Methodist Church and Its Affiliated Organizations is exempt from Federal Income Tax under Group Ruling Number 2573, under section 501(c)(3) of the Internal Revenue Code. This exemption was granted October 1974 and remains in full force and effect. You are included in this group ruling. Contributions to your organization are deductible as provided in section 170 of the Code.

We have classified your organization as one that is a not a private foundation within the meaning of Section 509(a) of the Internal Revenue Code.

If we may be of further assistance, please contact the person whose name and telephone number are shown above.

Sincerely Yours,

[Signature]

EO Technical Assistor
CERTIFICATE OF INCORPORATION

OF

SOUTHSIDE COMMUNITY CENTER

The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and verified pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

Dated August 30, 1972

Secretary of State

COPY
ARTICLES OF INCORPORATION OF

SOUTHSIDE COMMUNITY CENTER

We, the undersigned natural persons of the age of 21 years or more, at least two of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation of such corporation.

ARTICLE I.

The name of the corporation is Southside Community Center.

ARTICLE II.

The corporation is a non-profit corporation.

ARTICLE III.

The period of its duration is perpetual.

ARTICLE IV.

The purposes for which the corporation is organized are religious, educational, and charitable. No substantial part of the activities of the corporation shall be engaged in carrying on propaganda or otherwise influencing legislation or intervening in a political campaign on behalf of any candidate for public office.

ARTICLE V.

The street address of the initial registered office of the corporation is 318 South Guadalupe Street, San Marcos, Texas, and the name of its initial registered agent at such address is Ernest Morgan.

ARTICLE VI.

The governing body of this corporation shall be known as the Board of Directors, which shall be composed initially of 12 members, and the names and addresses of the persons who are to serve as initial directors are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernest Madora</td>
<td>521 S. Guadalupe, San Marcos, Texas</td>
</tr>
<tr>
<td>Clare Suarez</td>
<td>1230 Porter St., San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Peggy Byas</td>
<td>630 Canter St., San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Nancy Willis</td>
<td>Route 1, Box 184, San Marcos, Texas</td>
</tr>
<tr>
<td>Rosaming Handke</td>
<td>925 Alabama, San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Josephine Perez</td>
<td>721 M. Grove, San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Ross Compton</td>
<td>411 Lamar Avenue, San Marcos, Texas</td>
</tr>
<tr>
<td>Howard Taft</td>
<td>102 Michol, San Marcos, Texas</td>
</tr>
<tr>
<td>Wynnette Barton</td>
<td>925 Earlson, San Marcos, Texas</td>
</tr>
<tr>
<td>Celeste Handes</td>
<td>1213 W. San Antonio, San Marcos, Texas</td>
</tr>
<tr>
<td>Rev. Alphonso Washington</td>
<td>107 Texas Avenue, San Marcos, Texas</td>
</tr>
<tr>
<td>Rev. David Chavez</td>
<td>209 Grove, San Marcos, Texas</td>
</tr>
<tr>
<td>Rev. Eliza Thomas</td>
<td>Box 2490, San Marcos, Texas</td>
</tr>
<tr>
<td>Rev. Ernest</td>
<td>1004 Byrum, San Marcos, Texas</td>
</tr>
<tr>
<td>Jerry Flores</td>
<td>Route 1, Box 136A, San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Eleanor Crook</td>
<td>227 N. Mitchell, San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. Alice Hystad</td>
<td>205 Sherwood, San Marcos, Texas</td>
</tr>
<tr>
<td>Mrs. C. E. Matthews</td>
<td>Box 595, Eagle Lake, Texas, Ex-Officio</td>
</tr>
<tr>
<td>Mrs. John Wilmsharn</td>
<td>126 Glenmore, Corpus Christi, Texas, Ex-Officio</td>
</tr>
<tr>
<td>Rev. William Harris</td>
<td>4032 Crestview Drive, Austin, Texas, Ex-Officio</td>
</tr>
<tr>
<td>Mrs. A. B. C. Dean</td>
<td>1215 W. San Antonio, San Marcos, Texas, Ex-Officio</td>
</tr>
<tr>
<td>Rev. Milton Parks</td>
<td>6103 Bermon Drive, Austin, Texas, Ex-Officio</td>
</tr>
</tbody>
</table>
ARTICLE VIII.

The name and address of each incorporator is: Rev. Alphonso
Washington, 107 Texas Avenue, San Marcos, Texas; Leroy Young, 1420 Highland
Drive, San Marcos, Texas; and E. T. Price, Jr., Kyle, Texas.

ARTICLE IX.

There shall be no members of the corporation. All business shall be conducted by the board of directors, but the board of directors shall be named and controlled in accordance with procedures and policies duly promulgated by the National Division, Board of Global Ministries of the United Methodist Church or its successor organization.

ARTICLE X.

The board may adopt by-laws not inconsistent with these Articles of Incorporation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 30th day of August, 1972.

Alphonso Washington
Leroy J. Young

THE STATE OF TEXAS
COUNTY OF HAYS

Before me, the undersigned notary public, on the 30th day of August, 1972, personally appeared Alphonso Washington, Leroy Young, and E. T. Price, Jr., who, after being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

In witness whereof, I have hereunto set my hand and seal of office the day of the year above written.

Notary Public in and for Hays County, Texas
We, the undersigned acting as a majority of the Trustees of the Corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Amended Articles of Incorporation for such Corporation.

AMENDED ARTICLES OF INCORPORATION
OF THE SOUTH SIDE COMMUNITY CENTER, INC.

We, the undersigned acting as a majority of the Trustees of the Corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Amended Articles of Incorporation for such Corporation.

AMENDED
ARTICLE FOUR
PURPOSES AND POWERS

The purposes and powers of the Corporation as formed, and the business and objects to be carried on and promoted by it, shall be as follows:

PURPOSES:

1. This Corporation is organized exclusively for charitable and/or educational purposes, including for such purposes, the making of contributions to organizations which qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding section of any future United States Internal Revenue Code, or to the Secretary of Housing and Urban Development for the time being exclusively for a public purpose, in pursuance of the foregoing purposes, the Corporation shall have the power to provide low income, elderly, persons with disabilities with housing and economic development facilities and services specifically designed to meet their physical, social, and psychological needs, and to promote their health, security, happiness and usefulness in living, the charges for such facilities and services to be predicated upon the benefit, maintenance, and operation thereof on a non-profit basis.

2. To provide or make available the technical skills and knowledge needed to successfully undertake community economic development and housing development.

3. To provide loans and grants to community residents, not-for-profit organizations, and businesses undertaking the construction, rehabilitation, or operation of a business consistent with the purposes of this Corporation.

4. To acquire, improve, and to sell or operate any real or personal property or interest therein or appurtenant thereto, consistent with the purposes of this Corporation; (a) To borrow money and to execute such documents of indebtedness and such contracts, agreements, and instruments as may be necessary and to execute deliver any mortgage, deed of trust, assignments of income, or other security instrument in connection therewith.

5. To establish and operate business enterprises consistent with the purposes of the Corporation.

6. To do all the things necessary and appropriate for carrying out and exercising the foregoing purposes and powers, to and any other legal charitable and educational activities.

The Corporation is irrevocably dedicated to and operated exclusively for non-profit purposes and no part of the income of the Corporation shall be distributed, no more to the benefit of any individual.

The Corporation formed hereby shall have no capital stock.
3) The Corporation is not organized for pecuniary profit and shall have no power to declare dividends. No part of the net earnings of the Corporation shall inure to the benefit of any member, trustee of the Corporation, officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation, officers of the Corporation, or any private individual). The balance, if any, of all money received by the Corporation, after payment in full of all operating expenses, debts, obligations of the Corporation of whatever kind and nature so as to become due, shall be used to make advance payments on any loans owed by the Corporation of for activities consistent with the purposes of the Corporation. No trustee or officer of the Corporation, or any private individual shall be entitled to share in the distribution of any of the Corporation's assets on dissolution of the Corporation.

3) No substantial part of the activities of the Corporation shall be carried on, or of propaganda, or otherwise attempting, to influence legislation, and the Corporation shall not participate, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

4) The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code of 1954, as amended, or corresponding provisions of any subsequent federal tax laws.

5) Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, or corresponding provisions of any subsequent federal tax laws, and its Regulations as they now exist or as they may hereafter be amended.

6) In the event of the dissolution of this Corporation, or in the event it shall cease to carry out the objectives and purposes herein set forth, The Board of Directors shall, after paying or making provisions for the payment of all of the liabilities of the Corporation, shall dispose of all business, property, and assets of the Corporation, be distributed to a organization operated exclusively for charitable, scientific, literary, or educational purposes, as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law). In no event shall any of the assets of the Corporation, be distributed to any individual including but not limited to officers and trustees of the Corporation, either for the repayment of any sum contributed, or distributed by such members, or for any other purpose, provided that nothing herein shall prohibit the Corporation from paying its debts.

7) Nevertheless any of the above statements of purposes and powers, this Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of this Corporation.

8) This Corporation is organized pursuant to the Texas Non-Profit Corporation Act and does not contemplate pecuniary profit or profit to the members thereof and is organized for non-profit purposes.

AMENDED

ARTICLE EIGHT

BOARD OF DIRECTORS

Here shall be no members of the Corporation. All business shall be conducted by the Board of Directors.

N WITNESS WHEREOF, we have hereunto set our hands, this 2nd day of December, 1996.

[Signature]
Sam Montoya - Chairman
STATE OF TEXAS
COUNTY OF HAYS,

BEFORE ME, a notary public, on this day personally appeared Sari Montana, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

GIVEN under my hand and seal of office this ______ day of _____________, 1996.

Notary Public in and for Hays County, Texas

My Commission Expires ________________
BY LAWS
SOUTHSIDE COMMUNITY CENTER, INC.
SAN MARCOS, TEXAS
ADOPTED October 23rd, 2001

ARTICLE I
NAME

The name of this organization shall be Southside Community Center, Inc.

ARTICLE II
PURPOSE

Southside Community Center is an agency of social concern committed to the development of the neighborhoods of San Marcos and Hays County. It operates on the belief that a neighborhood organized around its own interests can do much to enhance personal dignity of the individual and restore the democratic principle of self determination. To achieve this purpose, the Center is engaged in a program of direct services, social action, and various economic developments and in providing safe and affordable housing to low and moderate income people.

ARTICLE III
PROPERTY AND SUPPORT

SECTION 1
PROPERTY

a. Title to the property located at 518 S. Guadalupe, San Marcos, Hays County, Texas 78666, is held in the name of the Women's Division of the General Board of Global Ministries of the United Methodist Church, with headquarters at 475 Riverside Drive, New York, New York 10015, incorporated under the laws of the State of New York.

b. Title to all other properties owned by Southside Community Center, Inc. are attached as Exhibit "A", made a part hereof and attached hereto, and as may be revised as needed.

SECTION 2
SUPPORT

Contributions for support of the Center located at 518 S. Guadalupe are made by the General Board of Global Ministries of the United Methodist Church. The basic sources of these funds are the Women's Division and World Service.

Other sources of support for Southside Community Center, Inc. are Hays County United Way Fund, churches, private contributions, and special grants from local, State, and Federal funds as approved by the Board of Directors. Income from investments is also a source of funds for the corporation.

ARTICLE IV
BOARD OF DIRECTORS

SECTION 1
AUTHORITY

The Southside Community Center shall be governed by a Board of Directors which shall exercise all the powers of the Corporation unless herein otherwise indicated. The corporation membership and the membership of the Board of Directors shall be vested the authority for governing Southside Community Center, Inc.
SECTION 2. RELATIONSHIP

The corporation is a non-profit charitable corporation of the General Board of Global Ministries of the United Methodist Church (GBGM – UMC). The Board of Directors of Southside Community Center, Inc. shall consider the policies and administration of the General Board of Global Ministries in the exercise of its powers. However, the Board of Directors of Southside Community Center, Inc. is an independent board not controlled by any organization within or of the United Methodist Church or any other religious organization.

SECTION 3. MEMBERSHIP

The Board of Directors shall be composed of a minimum of eighteen elected members with vote. In addition there shall be six ex-officio members with vote. The voting members of the Board of Directors may appoint non-voting advisory members.

a. Elected Members

One third (1/3) of the Board of Directors must be elected or appointed from the constituency served; i.e., from the primary geographic neighborhoods, economic level and racial/ethnic groups served. These members must be low income, or represent organizations that primarily serve low income individuals and/or families.

One third (1/3) of the Board of Directors must be members of the United Methodist Church.

One third (1/3) of the Board of Directors must come from the community-at-large; selected for specific professional expertise, organizational connections, and other leadership needed i.e., financial, legal, ecumenical.

b. Ex-officio Members

(1) The President of the SWTexas Conference United Methodist Women or her representative.
(2) The President of the Austin District United Methodist Women or her representative
(3) One representative from the SWTexas Conference Board of Global Ministries.
(4) One representative from the Austin District Council on Ministries.
(5) The Austin District Superintendent or his / her representative.
(6) A member from the General Board of Global Ministries, if living in the area and willing to serve.

c. Advisory Members

Appointed with approval by a majority of the Board of Directors

SECTION 4. TENURE AND ROTATION

a. One-third of the elected membership shall be elected annually to serve a three-year-term.

b. Elected members may serve two consecutive terms and are not eligible for Board membership again until they have been off the Board for at least a year.

c. Term of membership begins at the close of the session when elected to the close of the Annual Meeting at the end of the term to which he/she was elected or until a successor is chosen.

d. Members filling unexpired terms are subject to the term to which they are elected.
e. Ex-officio members or their representative shall serve only during their term of office.

f. A recommendation of the Nominating Committee and a majority vote of the Board of Directors shall fill any vacancies occurring in the Board of Directors. The new Board member will serve the remainder of the unexpired term.

g. The resignation of any Board member shall be effective upon written notice given by that Board member to the Secretary of the Board.

SECTION 5 INACTIVE MEMBERS

If a member elected by the Board becomes inactive, misses three consecutive meetings without excuse, the Board must provide thirty (30) days written notice to the inactive Board member, and then may declare his or her position on the Board vacant.

SECTION 6 DUTIES OR RESPONSIBILITIES OF THE BOARD OF DIRECTORS

The Board of Directors:

a. Shall be legally responsible for the business of the corporation, with consideration given to the policies of the GBGM.

b. Shall maintain the continuity and the identity of the agency in the neighborhood and larger community.

c. Shall determine, periodically review, and revise the board policies, which guide the work of the corporation.

d. Shall obtain finances, determine the financial plan or budget, and annually authorize and receive a CPA audit.

e. Shall maintain corporation standards in line with those set by the GBGM, the National Federation of Settlements and other appropriate standard-setting groups or organizations.

f. Shall represent the agency in the community and develop informed interest and support.

g. Shall review the program of services and action in the light of changing needs and priority-setting.

h. Shall do long-term planning to alleviate as well as to meet neighborhood need

i. Shall care for property and funds and refer all legal matters concerning property owned by the Women's Division to the GBGM Executive Secretary of Community Centers.

j. Shall employ the executive director upon the recommendation of the Personnel Committee of the Board, after consultation with the General Board of Global Ministries Executive Secretary of Community Centers.

k. Shall secure the members of the Board and, upon the recommendation of the Nominating Committee, fill vacancies.

l. Shall review, if necessary, the by-laws, annually.
SECTION 7 CONFLICT/IDENTITY OF INTEREST

Conflict of Interest. No Board member shall vote on any matter in which, to their knowledge, the Board member, the Board member's immediate family or partner, or an organization in which the Board member is affiliated with in any capacity has a direct or indirect financial interest as defined by the policies of the Board of Directors. However, it shall not be considered a conflict of interest in regards to the contracting of either professional, legal or accounting services with a firm or organization with which a Board member may be affiliated. A Board member shall disclose fully the nature of any potential conflict of interest. Failure to do so shall result in immediate removal from the Board of Directors.

SECTION 8 MEETINGS AND QUORUM

a. The policy of the Board of Directors shall be that the Board meet on a monthly basis. However there shall be a minimum of six (6) meetings per year.

b. Special meetings may be called by the president or upon written request of five members of the Board. Written notice must be mailed, faxed, or e-mailed to all board members. The notification must be conducted so that the Board members are notified a minimum of two days before the meeting.

c. Time and place of regular meetings shall be determined by the Board.

d. Prevailing parliamentary law shall be used unless it is not in keeping with these by-laws.

e. One third (1/3) of the elected members of the Board shall constitute a quorum.

SECTION 9 EXECUTIVE DIRECTOR

The Executive Director shall be responsible for carrying out the program of the corporation under the policies and directives of the Board and shall give staff leadership to all meetings of the Board of Directors. The Executive Director attends all Board meetings, but does not have a vote. The Executive Director or a staff member may be assigned to all of the committees of the Board.

SECTION 10 BOARD MEMBERS

Board members shall not accept employment as staff in the agency or payment for services rendered except as noted in ARTICLE IV Section 7 of these by-laws.

ARTICLE V

THE ANNUAL MEETING

SECTION 1 ANNUAL MEETING

There shall be an Annual Meeting of the Board of Directors in the month of October. The date and place shall be determined by the Board of Directors. Its purpose shall be primarily to elect the Board of Directors, the officers, and the Nominating Committee, to hear reports of the work of the agency for the preceding year and to hear plans for "new directions" for promotion and interpretation purposes.

SECTION 2 MEMBERSHIP

The voting membership shall be that as defined in ARTICLE IV, Section 3.
SECTION 3 Quorum

The quorum shall be that as defined in ARTICLE IV, Section 8 (c)

ARTICLE VI
OFFICERS

Section 1 Officers

The officers shall be elected from the voting membership of the Board and shall serve as officers of the Annual Meeting of the corporation and the Board of Directors. The officers shall be President, Vice-President, Secretary, and Treasurer.

Section 2 Duties

a. President:
The President shall be the chief elected officer of the Corporation, shall preside at all business meetings, and shall be President of and preside at meetings of the Board. The President shall appoint the members of all committees except as otherwise specified in the By-Laws of the Corporation, and shall be an ex-officio member of all committees without vote. He/She may sign with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors, any deed, mortgage, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated to some other officer or agent of the Corporation; and in general he/she shall perform all duties incident to the office of President and such other duties as shall be prescribed by the Board of Directors from time to time.

b. Vice President:
The Vice President shall serve as the President for meetings in the absence of the President or in the event of his/her inability or refusal to act, conducting business as provided by the Articles and By-Laws of the Corporation.

c. Secretary:
The secretary shall keep the minutes of the meetings of the Board of Directors in one or more books provided for that purpose and shall submit these minutes for approval by the Board; see that all notices are given in accordance with the By-Laws, be custodian of the Corporation's records, keep a register of the post-office address for each member; and in general perform all the duties incident to the office of the Secretary and such other duties as from time to time may be assigned by the Board of Directors. The Secretary may be under such bond as deemed necessary.

d. Treasurer:
The Treasurer shall have charge and custody and be responsible for all funds and securities of the Corporation—receive and give receipt for money due and payable to the Corporation from any source whatsoever and deposit such monies in the name of the Corporation in such financial institutions or investments as shall be elected in accordance with these By-Laws, and in general perform all the duties incident to the office of the Treasurer and such other duties as from time to time may be assigned by the Board of Directors. The Treasurer may be under such bond as deemed necessary.

SECTION 3 TERM OF OFFICE
Term of office shall be one year with three consecutive terms being the maximum time or service. The term of office shall begin at the close of the Annual Meeting when elected and shall continue until the close of the next Annual Meeting or until successors are elected.

ARTICLE VII
NOMINATIONS AND ELECTIONS

SECTION 1. COMMITTEE COMPOSITION AND TERM OF OFFICE

A Nominating Committee of five members, the majority of whom shall be members of the Board, shall be elected at the Annual Meeting, for a term of one year, with the eligibility for re-election for two additional terms. The quorum of the Nominating Committee shall be at least three.

The Nominating Committee shall analyze the composition of the Board, nominate new members, officers, members of the Nominating Committee, and make nominations for vacancies. Their consideration should include men and women from inside and outside the neighborhoods, professional experience, interest in the church and its outreach, and willingness to serve, and to help effect change.

SECTION 2. SLATE OF NOMINEES

A slate of nominees, willing to serve as Board members, officers, and members of the Nominating Committee, with one designated to be its chair, shall be submitted in writing to the voting members of the corporation with the call to the Annual Meeting.

SECTION 3. OTHER NOMINATIONS

Additional nominations may be made from the floor with the consent of the person being nominated or through submission of a petition signed by five voting members of the Annual Meeting to the president or the secretary with the consent of the person being nominated.

SECTION 4. ELECTION

Election shall be by secret ballot at the Annual Meeting. A majority vote shall elect.

SECTION 5. NOTIFICATION OF NOMINEES

The Nominating Committee is responsible for notifying all nominees after the election. It is also responsible for notifying ex-officio members when they assume one of the offices in the structure of the church which requires representation on this Board.

ARTICLE VIII
COMMITTEES

SECTION 1. STATEMENT CONCERNING COMMITTEES

Committees are primarily responsible for the formulation of recommendations and policies to the Board and for carrying out responsibilities assigned to them by the Board. It is in the work of the committees that Board and staff work together as partners in analyzing the problems of the organization. After the formulation of a recommendation, the Board votes. After an affirmative vote, the staff executes or administers.
Committees help in sorting out the issues, in studying the facts involved in the alternative solutions, and in formulating recommendations to be considered by the Board. Policy recommendations shall be circulated to voting members at least a week prior to voting. Voting shall be by secret ballot.

Persons from the neighborhood and wider community should be placed on committees as non-voting members as a means of keeping close touch with the community and of developing potential board members.

SECTION 2. STANDING COMMITTEES

a. Executive Committee:

Shall consist of the officers and two additional members of the Board elected by the Board. This committee shall have power to act between meetings of the Board, to make recommendations to the Board, and to carry special responsibilities assigned to it. Authority remains with the Board of Directors. Any interim action must ratified by the Board at its next meeting. The President chairs this committee. When the matter to be considered is the concern of one of the committees that chairperson shall attend.

b. Program Committee: (Direct services and social action)

Shall assist and advise the staff in studying neighborhood needs and resources and in planning and carrying out programs of direct services and social action to meet those needs in the most effective way. It shall advise the Board on staff and budget required to carry out this program. It shall make recommendations to the Board on broad policies concerning the services and action of the agency.

1. It is responsible for keeping up to date on the quality and quantity of services being offered.

2. It shall advise the Board on neighborhood or community action required to alleviate conditions and meet needs which can not be met through the resources of the agency.

3. It is in this committee that the social conditions affecting life in the neighborhoods served and/or the total community are studied and appropriate actions recommended. The program committee brings them to the Board for action.

c. Personnel Committee:

Recommends to the Board policies to be followed in staffing the agency. Its duties include:

1. To recommend hiring and, if necessary, dismissal of the executive director, and to evaluate the director periodically, unless this function is assigned to a special committee by the Board.

2. To give consultation to the executive director, when major staff positions are being filled.

3. To develop, review annually and recommend to the Board a code of Personnel Policies governing employment conditions in the agency, including grievance machinery to hear appeals of employees against any violation of Personnel Policies, and a schedule of staff positions with responsibilities, personal and professional qualifications, and salary ranges to be paid for each person selected by the executive director. When these policies are formulated a person elected by the employed staff shall be included on the committee.

4. To establish standards and practices for volunteers (program and administrative).
d. Building and Grounds Committee:

Shall recommend to the Board policies and methods for maintenance of the corporation property, so that it is safe, functional and attractive.

e. Finance Committee:

Shall recommend to the Board policies, which will govern the management of the financial affairs of the corporation and provide adequate funds for carrying out the program of services and action approved by the Board. It shall participate in the formulation of the budget unless this has been delegated to a Budget Committee with representation from the Personnel, Program and Buildings and Grounds Committee. It shall assume the responsibility for fund-raising assigned it by the Board for approval.

f. Public Relations Committee:

Shall be responsible for recommending to the Board ways of adequately interpreting the agency to the service area and community at large and for assuming responsibilities in this area assigned to it by the Board.

g. Nominating Committee:

Duties shall be as defined in ARTICLE VII.

SECTION 3. SPECIAL AD HOC COMMITTEES

Special, or ad hoc, or other standing committees may be appointed as necessary.

SECTION 4. MEMBERSHIP

Each member of the Board should serve on at least one standing committee. Persons, not board members, but who have particular knowledge or skill may be named to committees as regular voting members of the committee.

SECTION 5. METHOD OF APPOINTMENT

Chairmen and members of all committees other than the Nominating and Executive Committees shall be appointed by the president in consultation with the executive director.

SECTION 6. ROLE OF PRESIDENT AND EXECUTIVE DIRECTOR

The President is ex-officio on all committees except the Nominating Committee.

The executive director shall give staff leadership to all committee with the exception of the Personnel Committee when matters concerning the employment of the executive director are to be discussed. Sometimes the responsibility to certain committees is delegated by the executive director to other appropriate staff members.

SECTION 7. MEETINGS

Meetings of committees shall be planned by the committee chairman in consultation with the president and the staff member involved.
SECTION 8 QUORUM

A simple majority of members shall constitute a quorum.

SECTION 9 MINUTES
Minutes of all committee meetings shall be kept on file at the offices of the corporation.

ARTICLE IX AMENDMENTS

These by-laws may be amended at any meeting of the Board of Directors provided the members have had written notice of the changes ten days before the meeting. An affirmative vote of fifty percent (50%) plus one of the membership is required to amend the by-laws.

Date of Adoption October 23, 2001

Susan Sidney
Chairperson of the By-Law Committee

Debby Moss
President of the Board

By-Laws Committee:
Rosa Aldapa
Mike Harms
Betty Hixson
Debbie Ingalls
Ken Moss
Jane Moss
Susan Sidney

Date Oct 23, 2001

Date Oct 23, 2001
<table>
<thead>
<tr>
<th>Member</th>
<th>Phone/ Email</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debbie Ingalsbe</td>
<td>512-393-2243</td>
<td>4909 Old Bastrop Road</td>
</tr>
<tr>
<td>President</td>
<td><a href="mailto:debbie@eo.hays.tx.us">debbie@eo.hays.tx.us</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Joshua Lucquete</td>
<td>512-618-1718</td>
<td>5616 Kleberg Trail</td>
</tr>
<tr>
<td>Treasurer</td>
<td><a href="mailto:Joshua.lucquete@yahoo.com">Joshua.lucquete@yahoo.com</a></td>
<td>Austin, TX 78747</td>
</tr>
<tr>
<td>Esperanza Ramirez</td>
<td>512-392-4924</td>
<td>209 Grove Ave</td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Mark Hankins</td>
<td>512-757-6515</td>
<td>2705 Royalwood Dr.</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Mark.hankins@prosperitybankusa.com">Mark.hankins@prosperitybankusa.com</a></td>
<td>New Braunfels, TX 78132</td>
</tr>
<tr>
<td>Frances Perez</td>
<td>512-754-8030</td>
<td>504 Lockwood</td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Jarrell Sharp</td>
<td>512-392-6001</td>
<td>129 W Hutchinson St</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:js@fumcsm.org">js@fumcsm.org</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Todd Salmi</td>
<td>512-392-6001</td>
<td>129 W Hutchinson St</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:ts@fumcsm.org">ts@fumcsm.org</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Ramona Rodriguez</td>
<td>512-396-0816</td>
<td>533 Hull Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Rudy Rodriguez</td>
<td>512-396-0816</td>
<td>533 Hull Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Craig Dubois</td>
<td>1-830-714-5351</td>
<td>1250 Belvin Street</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:craigdubois@live.com">craigdubois@live.com</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Edna Peterson</td>
<td>1-512-507-4334</td>
<td>505 Candlelight Lane</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:ednarpeterson@gmail.com">ednarpeterson@gmail.com</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Sammy Gomez</td>
<td>512-396-1359</td>
<td>321 Staples Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Ollie Giles</td>
<td>512-396-1359</td>
<td>524 Valley Street</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:hargisgiles@gmail.com">hargisgiles@gmail.com</a></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Maggie Moreno</td>
<td>512-665-5805</td>
<td>121 Olive Street</td>
</tr>
<tr>
<td>Vice President</td>
<td></td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td>Jeanie Balkman</td>
<td>512-791-2139</td>
<td>1301 Sunset Ridge</td>
</tr>
<tr>
<td></td>
<td>512-392-1776</td>
<td>San Marcos, TX 78666</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:wdbalkman@gmail.com">wdbalkman@gmail.com</a></td>
<td></td>
</tr>
<tr>
<td>Ruben Garza</td>
<td>512-557-0795</td>
<td>148 Greenbrier Street</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Rgarza165@yahoo.com">Rgarza165@yahoo.com</a></td>
<td>Kyle, TX 78640</td>
</tr>
</tbody>
</table>
Southside Community Center
518 S. Guadalupe Street
San Marcos, Texas 78666
(512) 392-6694 Fax (512) 396-6016

Dear Homeowner,

The following information is needed (Self, spouse and or household members) if applicable.

1. Completed application, including release of liability
2. Copy of social security card and photo ID (drivers license, etc. for each person living in the household)
3. Most recent property tax receipt
4. Proof of residency in the home (current utility bill for example)
5. Proof of ownership (title to the home)
6. Social security award letter (current)
7. Retirement pension letter
8. Most recent income tax return for all adults living in the house
9. Power of attorney if signed by anybody other than the homeowner
10. Last 4 check stubs
11. Last 6 checking account statements
12. Last savings account statement
13. Other documents may be listed on website or

Please call (512) 392-6694 extension 22 with any questions.

Sincerely,

Trey Bell
Program Director
SOUTHSIDE COMMUNITY CENTER
HOME-OWNER OCCUPIED
HOUSING REHABILITATION PROGRAM APPLICATION
A Program partially funded through the City of San Marcos
Community Development Block Grant

Program Information

Funding for this project is made available through the City of San Marcos Community Development Block Grant Program. The program must comply with various federal regulations, including flood plain management and lead-based paint hazard reduction measures.

Depending on the scope of the work to be performed, it may be necessary for those living in a home selected for the program to voluntarily relocate. To be considered for the program, applicants must be willing and able to voluntarily relocate (move out of the home) at their own expense. Some of the reasons that a family may be asked to voluntarily relocate include that the work is so extensive that bodily injury could occur, that the work will leave the kitchen or only restroom unusable, or that lead-based paint has been found in the home. The family will be asked to relocate up to seven days in advance of the construction phase of the project to allow Southside Community Center to begin set-up preparations.

Southside Community Center will select seven (7) houses this year to be a part of the Home-Owner Occupied Rehabilitation Program. Applicants that have received CDBG rehabilitation program funding in the past 5 years are not eligible for this year’s program.

An inspection of the house will be made prior to the final selection of houses to be included in the project. During the inspection employees or agents of the City of San Marcos and/or Southside Community Center will evaluate repairs that are needed and the costs associated with the repairs. The applicant will be notified of the date of the inspection in advance. If work is requested for the inside of the home, someone should be present to allow entry.

If a house is located in the flood plain as identified on FEMA maps, Federal regulations require that the homeowner maintain flood insurance for (at least) the cost of the rehabilitation work. Once the work is complete then flood insurance must be maintained for the life of the house. A Restrictive Covenant that documents this requirement will be filed at the courthouse and is binding on the owner of the property and any future owners should the house be sold. Flood insurance can be purchased at the insurance agency of your choice. A copy of the insurance policy must be provided to Southside Community Center.

Southside Community Center will review all complete applications for program eligibility and project feasibility. Acceptance of an application as complete does not mean that the home covered by the application will be chosen to be a part of this year’s program. Reasons that a project might be denied include:

- Estimated cost to complete repairs will exceed 25% of the value of the house as shown on the most recent tax appraisal of the property.
- The total household yearly income exceeds program guidelines.
- Applicant is not the owner of the house.
- Applicant is not currently living in the house.
- House has received CDBG rehab program funding in past 5 years.
- The project cannot be finished within the summer program timeline.
- Applicant is unable to voluntarily relocate while work is in progress.
SOUTHSIDE COMMUNITY CENTER
HOME-OWNER OCCUPIED
HOUSING REHABILITATION PROGRAM APPLICATION
A Program partially funded through the City of San Marcos Community Development Block Grant Program Information

Eligibility Requirements - Applicant

ELIGIBILITY CRITERIA - The applicant must satisfy the following criteria to be eligible for program assistance:

A. The applicant must be the owner of the property to be rehabilitated and have resided in the dwelling for not less than one year.
B. The annual household income will be calculated using the "Part 5" definition of income as defined in 24 CFR Part 5. To be eligible, the annual household income must be less than 80% of the Area Median Income for the appropriate household size.
C. The applicant must be a U.S. citizen or a legal resident alien.
D. Ownership must be in the form of either a fee-simple title or a 99-year leasehold, and the title must not have any restrictions or encumbrances that would unduly restrict the good and marketable nature of the ownership interest.
E. The applicant must voluntarily apply for assistance. Participation in the rehabilitation program is voluntary on behalf of the applicant and City. This relationship may be terminated by the client or the City.
F. The applicant must be current on mortgage payments and all applicable property taxes.
G. The applicant must comply with flood insurance requirements as detailed below when the property to be considered for rehabilitation is located in a Special Flood Hazard Area as shown on a current FIRM map issued by the National Flood Insurance Program (NFIP)
   a. The applicant must provide a copy of a current flood insurance policy declarations form issued by the NFIP or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance;
   b. The applicant must agree to maintain flood insurance for the life of the building so long as the dwelling remains in a flood zone and must agree to execute a document provided by the City that will be filed in the appropriate County office to create a deed restriction requiring the maintenance of flood insurance;
   c. The applicant will be ineligible for this rehab program if the person has previously received Federal flood disaster assistance that is conditioned on obtaining and maintaining flood insurance and failed to obtain and maintain flood insurance as required under applicable Federal law.
   d. The applicant must disclose the amount and purpose of any FEMA assistance received for flood recovery purposes.
H. The applicant must demonstrate the ability to maintain the dwelling with regard to ongoing maintenance and repairs, safety hazards and health/cleanliness issues.
I. The applicant acknowledges resources (family/friends) are readily available if temporary, voluntary relocation is necessary during the rehabilitation construction period.
5. Eligibility Requirements – Property

5.1 DEFINITIONS
Three terms – "dwelling," "single-family unit" and "substandard" – are used in determining if a property is eligible for the City’s housing rehabilitation funding assistance. For the purposes of the Housing Rehabilitation Program, the terms are defined as follows:

DWELLING – A set of rooms occupied and suitable for occupancy as a family residence and having kitchen, bath, and sanitary facilities.

SINGLE FAMILY UNIT – A dwelling designated for occupancy by a single family that is in compliance with all City zoning occupancy regulations.

SUBSTANDARD - Failing to meet the minimum housing requirements as set forth in the City’s adopted building codes.

5.2 ELIGIBILITY CRITERIA – PROPERTY
A. The dwelling unit must be located within the corporate limits of San Marcos.
B. The dwelling unit must be classified as substandard with at least one major finding, based on a written, detailed inspection report prepared by a City inspector or other qualified agent of the City.
C. The dwelling unit must not be recognized or classified as a manufactured or mobile home.
D. The applicant’s property must not have a history of being used for illegal activity or any other activity that affects the physical or social environment of the unit or the neighborhood.
E. The dwelling unit is eligible for City-funded rehab assistance no more than once in a five-year period. This restriction may be waived by the City of San Marcos Director of Planning and Development Services when additional assistance is warranted and limited to activities that will correct life-safety hazards or will remove accessibility barriers that restrict mobility for persons with a disability.
F. A dwelling unit that is not substandard will be eligible to receive accessibility improvements to meet the needs of a resident of the household with a disability including, but not limited to, the construction of a ramp, widening of interior or exterior doors, and replacement of bathroom fixtures.
6. Application Process and Applicant Ranking

6.1 APPLICATION PROCESS
A. An open application period will be held for a minimum period of 30 days during which applications will be accepted on the form provided by the City.
B. The application period will be affirmatively marketed in a manner that will inform and attract eligible applicants without regard to race, color, national origin, sex, religion, familial status, or disability. Documentation of all marketing activities must be maintained in the program file.
C. The City will help potential applicants understand program eligibility requirements and may assist with the completion of the application document.
D. The applicant must submit all required documentation with the application form to confirm eligibility. Documents that may be required include income verification documents, asset documentation (bank and savings statements), current property tax receipts, copy of property deed or other approved ownership documentation, copy of property insurance, proof of residency such as a current utility bill in the applicant’s name, disability documentation, and photo identification card.
E. Applicants may be given an additional 7 calendar days after the close of the application period to correct documentation deficiencies. At the close of this documentation grace period, any application that does not meet ALL documentation requirements will not be ranked in the current funding cycle.
F. The date the application, along with all required documentation, is complete will be noted on the application form.

6.2 APPLICANT RANKING
The rehabilitation awards are based on the financial need of the household and the condition of the dwelling. Each household is ranked based on the criteria in Sections 6.2 and 6.4 and placed on a waiting list.
A. When the application is complete, qualified applicants are assigned to a waiting list. The application is considered incomplete until all statements pertaining to income, benefits, assets, homeowner’s insurance and employment have been verified. The homeowner will be notified if the application is not complete or has documentation deficiencies.
B. Applications will be ranked based on financial need. The household with the greatest need will be ranked first, the next household second and so on until funds allocated for rehabilitation are expended. The ranking system used by the City considers the size and income of the household, the number of elderly (at least age 62 at time of application) residents in the household, number of disabled or handicapped residents in the household, the number of residents in the household who are under 18, and whether the head of household is female. The ranking score is the total of all points from the financial need categories listed above.
C. Should households have identical financial needs as established by the ranking system found in Section 6.2, condition of the dwelling structure will determine priority. Dwelling condition will be determined by the inspection. If scores remain tied, the application with the earliest date of completion will have precedence.
D. The Ranking List will include all completed applications for the current funding cycle. Assistance will be provided in the order of ranking to the extent funding is available.
E. The City may determine a maximum number of households to be assisted regardless of the number of completed applications or the amount of funds available.
F. The ranked list and ranking calculations will be available for public review.
City of San Marcos

FY 2016 Income Limits Summary

Median Family Income: Austin-Round Rock MSA

$77,800

Effective: March 28, 2016

<table>
<thead>
<tr>
<th>Percent AMI</th>
<th>1 Person</th>
<th>2 Person</th>
<th>3 Person</th>
<th>4 Person</th>
<th>5 Person</th>
<th>6 Person</th>
<th>7 Person</th>
<th>8 Person</th>
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<tr>
<td>30%</td>
<td>$16,350</td>
<td>$18,700</td>
<td>$21,050</td>
<td>$24,300</td>
<td>$28,440</td>
<td>$32,580</td>
<td>$36,730</td>
<td>$40,890</td>
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<tr>
<td>50%</td>
<td>$27,250</td>
<td>$31,150</td>
<td>$35,050</td>
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<td>$45,150</td>
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<tr>
<td>80%</td>
<td>$43,600</td>
<td>$49,800</td>
<td>$56,050</td>
<td>$62,250</td>
<td>$67,250</td>
<td>$72,250</td>
<td>$77,200</td>
<td>$82,200</td>
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</tbody>
</table>
6.3 CRITERIA FOR RANKING FINANCIAL NEED

A. INCOME/FAMILY SIZE – The program income limit is 80% of the Area Median Income. If the annual household income based on family size is less than the program income limit, the household will receive points as follows:

- If income is 30% or less of program income limit - 70 points
- If income is 31% to 50% of program income limit - 60 points
- If income is 51% to 60% of program income limit - 40 points
- If income is 61% to 80% of program income limit - 20 points

B. NUMBER IN HOUSEHOLD

- 1 Person Household........................................ 5 points
- 2 to 3 Person Household.....................................10 points
- 4 to 5 Person Household.....................................15 points
- 6+ Person Household......................................... 20 points

C. NUMBER OF ELDERLY - 20 points for household member who is at least age 62 at time of application.

D. NUMBER OF HANDICAPPED OR DISABLED - 20 points if a household member with a total or partial physical impairment which renders the person unable to work as shown by the receipt of disability benefits from Social Security, a pension program, a life insurance program or disability insurance.

E. FEMALE HEAD OF HOUSEHOLD – 15 points per household

F. ONE OR MORE PERSONS 18 YEARS OLD OR YOUNGER -15 points

6.4 CONDITION OF THE DWELLING STRUCTURE

Standard Not eligible for assistance

Substandard Dwelling rating will be the number of failing items as shown in the initial inspection of the property.

Life threatening Eligible applicants will be considered for emergency grants (if funds are available) to make repairs when conditions present an immediate threat to the health or safety of the household. Regulatory issues surrounding such grants will be addressed with the City of San Marcos prior to use of Federal Funds.
South Side Community Center Homeowner Release

Address: 

Legal Description: 

1. Program: I, the undersigned owner of the above-described real property and all improvements on such property (the "Property"), request that Southside Community Center and the City of San Marcos (collectively, "Southside") assist me by performing construction, renovation, demolition, and other similar services ("Services") on and to the Property. I agree that the Services are provided "as is" and that Southside makes no representation or warranty, express or implied, with regard to the Services. I agree that Southside may discontinue the Services at any time for any reason.

2. Risks: I understand the volunteer nature of the Services and I understand that Southside does not guarantee the outcome of the Services. I understand that the unforeseen circumstances or accidental events may occur, for which Southside, its officers, agents, representatives, coaches, volunteers, and employees, cannot be held responsible. I hereby assume all ordinary risks normally incidental to the nature of the Services. I understand that I may not like the final outcome of the Services or the modifications made to my Property.

3. Release: I unconditionally waive and release Southside, its officers, agents, representatives, coaches, volunteers, and employees, and agree to hold said persons harmless from any and all claims, rights, or causes of action which may be asserted against Southside, its officers, agents, representatives, coaches, volunteers, and employees by any person as the result of any injuries, expenses, loss of compensation, or loss of experience as a direct or indirect result of the Services or from any negligence on the part of Southside, including any act or failure to act.

4. Indemnification: I unconditionally promise and agree to indemnify Southside, its officers, agents, representatives, coaches, volunteers, and employees and to hold said persons harmless from any and all claims, rights, or causes of action which may be asserted against Southside, its officers, agents, representatives, coaches, volunteers, and employees by any person as the result of any injuries (regardless of severity), expenses, loss of compensation, or loss of experience as a direct or indirect result of the Services or from any negligence on the part of Southside, including any act or failure to act. This agreement to indemnify includes any and all money paid by Southside, its officers, agents, representatives, coaches, volunteers, or employees to, or charged by, any person (whether by virtue of a settlement or in litigation), including attorney's fees for any parties to the claim, demand, or litigation.

5. No Liability Insurance: I have been informed on an aware that Southside does not provide, nor is any member of my family covered by, any policy of liability insurance which would otherwise serve to compensate member of my family in the event of an injury, expense, loss of compensation, loss of service or other damage (general or special) which I or any member of my family may experience as a direct or indirect result of the Services or from any negligence on the part of Southside, its officers, agents, representatives, coaches, volunteers, or employees, including any act or failure to act.

6. Consideration: I hereby acknowledge the validity and adequacy of the consideration for this release being Southside's promise to provide the Services.

7. Binding Effect: This agreement is binding upon me and upon my spouse, heirs, assignees, dependents, personal representatives, attorneys, and all my estates.

8. Entire Agreement: This document constitutes the entire agreement between Southside and the undersigned regarding the subjects covered hereby. All previous agreements, oral or written, are superseded and there exist no further oral or written representations, promises, assurances, or statements of any kind affecting this agreement except those which are expressly set forth in this document.

9. Arbitration: The undersigned agree that any dispute that they may have against Southside shall be submitted to binding arbitration in San Marcos, Texas according to the rules of the American Arbitration Association.
Agreement to Release of Liability:

1st Owner Signature

1st Owner Name (Print)

Date: ______________________

2nd Owner Signature

2nd Owner Name (Print)

Date: ______________________

Southside Staff Member Signature

Southside Staff Member Printed Name

Date: ______________________
Based on the representations herein and upon the proofs and documentation required to be submitted, the individual(s) named in Part II of this Tenant Income Certification is/are eligible under the provisions of program's rules, regulations and the Land Use Restriction Agreement (if applicable), to live in a unit in this Project.

SIGNATURE OF OWNER/REPRESENTATIVE

DATE
Applicant / Project General Information

1. Applicant's Name: ____________________________________________
   (applicant must own and currently live in the home)

2. Property Address: ____________________________________________ San Marcos, Texas
   (Must be located inside the City Limits)

3. Phone Number: ___________________ Daytime No. if Different: __________

4. How many people live in this home? ______

5. How many people 18 Years old or younger are living in the home________

6. List of people living in this home: ______________________________________
   ____________________________________________
   ____________________________________________
   ____________________________________________

7. What is the total yearly income of all adults (age 18 or older) living in this home?
   ___________________________ per year.
   (Possible sources of income include gross wages and tips, social security, SSI or other public
   assistance, unemployment benefits, and child support payments. Documentation required.)

8. Was your house built before 1978? Yes ☐ No ☐
   If yes, was it built before 1956? Yes ☐ No ☐
   Approximate age of house, if known____________________

9. Are your house payments, house insurance, and property taxes paid up to date?
   ☐ Yes ☐ No If no, please explain: ______________________________________
   ____________________________________________
   ____________________________________________

10. Is your house in the floodplain? ☐ Yes ☐ No ☐ I Don't Know

11. If yes, do you currently carry flood insurance on the house? ☐ Yes ☐ No ☐

12. If no, have you at any point received federal funding for the rehabilitation for your
    home? ☐ Yes ☐ No

The following information is requested for statistical purposes only for compliance with CDBG Program guidelines
and will be used in reports submitted to the Department of Housing and Urban Development (HUD). This
information has no bearing on the acceptance of this application.
**AFFIRMATIVE ACTION INFORMATION**

This information is requested in order to comply with HUD's reporting requirements. Answers to the following questions are not used to determine eligibility for program assistance. You may not be discriminated against on the basis of this information, or on whether or not you choose to furnish it. If you elect to not provide this information, please initial below.

_________  I do not wish to furnish the information requested below.

*Applicant Initials*

<table>
<thead>
<tr>
<th>Head of Household Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: ________________________</td>
</tr>
</tbody>
</table>

**Ethnicity of Head of Household:** (Choose one)
- □ Hispanic – A person of Mexican, Cuban, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. Terms such as “Latino” or “Spanish Origin” apply to this category.
- □ Non-Hispanic – A person NOT of Mexican, Cuban, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

<table>
<thead>
<tr>
<th>Race of Head of Household: (Choose one)</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ White</td>
</tr>
<tr>
<td>□ American</td>
</tr>
<tr>
<td>□ Asian</td>
</tr>
<tr>
<td>□ Alaskan Native</td>
</tr>
<tr>
<td>□ Native Hawaiian/Other Pacific Islander</td>
</tr>
<tr>
<td>□ Black / African American &amp; White</td>
</tr>
<tr>
<td>□ Native &amp; White</td>
</tr>
<tr>
<td>□ Amer. Indian/Alaskan Native &amp; Black/African American</td>
</tr>
</tbody>
</table>

**Household Special Needs** (includes everyone living in the owner's household):
- □ One or more people living in this household are elderly (62 or older).
- □ One or more people living in this household have a disability.

If yes: How many are elderly?

If yes: How many are disabled?
Project Work Requested

Due to limited funding and project costs, Southside Community Center may not be able to accomplish all the requested repairs. Please select the three most important immediate needs that are necessary in order to improve the health and safety of your family.

The Homeowner-Occupied Rehabilitation Program does not include house leveling activities.

Choose the three areas where repairs are most needed by placing a mark next to the appropriate item.

- [ ] Kitchen
- [ ] Living Room
- [ ] Bedroom 1, 2, or 3
- [ ] Bathroom 1, 2 or both
- [ ] Roof
- [ ] Electric Wiring
- [ ] Plumbing
- [ ] Air conditioning / heating
- [ ] Front Entry (Porch, steps, doorway)
- [ ] Back Entry (Porch, steps, doorway)
- [ ] Outside of Home (paint job and repair rotten wood)
- [ ] Inside of Home (paint inside of house and repair ceiling)
- [ ] Other: ___________________________________________

Details of requested work: __________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________

________________________________________________________________
Agreements and Certification

Please initial on the lines next to the following statements to show that you understand and agree to abide by the program requirements if your house is chosen for the Rehab Program.

I certify that I own and currently live in the home covered by this application.

I understand that my house may not be chosen for the Program. If it is selected, I understand that there may not be enough money to do all the repairs I have requested. If my house is selected, I will attend a pre-construction meeting to discuss what work is planned and the schedule for repairs.

I have attached all of the required supporting documents (listed below) with this application and certify that they are accurate.

I am able and willing to voluntarily relocate at my own expense during the rehabilitation work if it is necessary. I agree to move out a week in advance of the scheduled construction work to allow preparation work to begin. I understand that my possessions should be removed from the work area. Anything not moved will be covered during the work. I will not hold Southside Community Center or its agents or the City of San Marcos responsible for any damage that occurs to such items.

If my property is determined to be in the floodplain as shown on FEMA maps, I agree to purchase flood insurance from the agency of my choice. I understand that the insurance must be in an amount equal to or greater than the cost of repairs that are made to my home under this program. I understand that the insurance will have to be renewed each year and that if I sell the home the new owner will be obligated to carry this insurance as well.

I understand that I am responsible for the payment of utility bills that cover the time of construction, even if my family voluntarily relocated.

I have executed the attached Release of Liability

By signing this application you certify that the information provided is true and correct as of the date you signed and show you understand that any intentional or careless falsification(s) of the information contained in this form and supporting documentations may result in civil liability or criminal penalties.

I certify that I am the owner of the property described in this application or have legal Power of Attorney to sign on behalf of the applicant.

Applicant’s Signature ___________________________ Date ____________

If signed by someone other than the applicant, name of person signing:

__________________________________________________________________________ relationship to Applicant: ____________________________

The following documents must be included with the application for it to be considered for the rehabilitation program.

Completed application, including release of liability
Copy of social security card and photo i.d. (driver’s license, etc.) for each person living in the house
Most recent property tax receipt
Most recent tax return(s) for all adults living in the home
Proof of residency in the home (current utility bill, for example)
Proof of ownership (title to the house)
Power of Attorney if signed by someone other than the applicant/property owner
Arbitration: The undersigned agree that any dispute they may have against Southside shall be submitted to binding arbitration in San Marcos, Texas according to the rules of the American Arbitration Association.

Agreed:

________________________________________
1st Owner Signature

________________________________________
1st Owner Name (print)

Date: ______________________________

________________________________________
2nd Owner Signature

________________________________________
2nd Owner Name (print)

Date: ______________________________
Southside Community Center  
518 S. Guadalupe Street  
San Marcos, Texas 78666  
(512) 392-6694 Fax (512) 396-6016

Non Bank Account Affidavit

Household Name: 
Address: 
City:

I hereby certify that I do not have a bank account checking or savings. Under penalty of perjury, I certify that the information presented in this affidavit is true and accurate to the best of my knowledge. The undersigned further understand(s) that providing false representations herein constitute an act of fraud. False, misleading or incomplete information may result in the termination of the application.

________________________________________  __________________________  __________
Signature of applicant                  Printed name of applicant                  Date

________________________________________  __________________________  __________
Signature of spouse                      Printed name of spouse                    Date

Said plaintiff, (agent or attorney), being duly sworn by me, the undersigned authority, up on oath says that the facts as stated in the above instrument of writing are, within the knowledge of said Affiant, true and correct. Sworn to and subscribed before me, to certify which witness of my official hand seals of office this ________ day of ____________2017.

________________________________________
Notary Public, Hays County, Texas
Southside Community Center  
518 S. Guadalupe Street  
San Marcos, Texas 78666  
(512) 392-6694 Fax (512) 396-6016

Unemployment Affidavit

Household Name:  
Address:  
City:  

I hereby certify that I am not employed. Under penalty of perjury, I certify that the information presented in this affidavit is true and accurate to the best of my knowledge. The undersigned further understand(s) that providing false representations herein constitute an act of fraud. False, misleading or incomplete information may result in the termination of the application.

Signature of applicant  
Printed name of applicant  
Date

Signature of spouse  
Printed name of spouse  
Date

Said plaintiff, (agent or attorney), being duly sworn by me, the undersigned authority, up on oath says that the facts as stated in the above instrument of writing are, within the knowledge of said Affiant, true and correct. Sworn to and subscribed before me, to certify which witness of my official hand seals of office this _______ day of ____________ 2017.

__________________________________________  
Notary Public, Hays County, Texas
Southside Community Centers Disclosure Statement:

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), Southside Community Center will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or facilities. Individuals requiring an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of the City of San Marcos should contact the office of ADA Coordinator, Cindy Conyers (512.393.8065 or Voice/711 Texas Relay Service) or ADArequest@sanmarcostx.gov as soon as possible but no later than 72 hours before the scheduled event. The City's ADA Notice and Grievance Procedures can be found at http://www.ci.san-marcos.tx.us/index.aspx?page=946.

De conformidad con los requisitos del Título II de la Ley de Americanos con Discapacidades de 1990 ("ADA"), la Ciudad de San Marcos no discrimina a personas calificadas con discapacidad sobre la base de la discapacidad en sus servicios, programas o instalaciones. Las personas que requieren una ayuda o servicio auxiliar para una comunicación efectiva o una modificación de las políticas o procedimientos para participar en un programa, servicio o actividad de la Ciudad de San Marcos deben ponerse en contacto con la oficina del Coordinador de ADA, Cindy Conyers (512.393.8065 o Voz / 711 Servicio de Retransmisión de Texas) o ADArequest@sanmarcostx.gov tan pronto como sea posible pero no más tarde de 72 horas antes del evento programado. La ciudad Aviso ADA y procedimientos de queja puede encontrarse en http://www.ci.san-marcos.tx.us/index.aspx?page=946. Las personas que tengan dominio limitado del inglés pueden pedir ayuda llamando a la Ciudad al 512-393-8400.
INCOME CERTIFICATION

PART I - DEVELOPMENT DATA

Homeowner Name: ___________________________ County: Hays State: ___________________________
Address: ___________________________ Phone #: ___________________________

PART II. HOUSEHOLD COMPOSITION

<table>
<thead>
<tr>
<th>HH Mbr #</th>
<th>Last Name</th>
<th>First Name &amp; Middle Initial</th>
<th>Relationship to Head of Household</th>
<th>Date of Birth (MM/DD/YYYY)</th>
<th>Student Status (circle one)</th>
<th>Last 4 digits of Social Security Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
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<td>6</td>
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<td></td>
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<td></td>
<td>FT / PT / NA</td>
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<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FT / PT / NA</td>
<td></td>
</tr>
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</table>

PART III. GROSS ANNUAL INCOME (USE ANNUAL AMOUNTS)

<table>
<thead>
<tr>
<th>HH Mbr #</th>
<th>(A) Employment or Wages</th>
<th>(B) Soc. Security/Pensions</th>
<th>(C) Public Assistance</th>
<th>(D) Other Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

Add totals from (A) through (D) above.

TOTAL INCOME (E): $__________

PART IV. INCOME FROM ASSETS

<table>
<thead>
<tr>
<th>HH Mbr #</th>
<th>(F) Type of Asset</th>
<th>(G) C/I</th>
<th>(H) Cash Value of Asset</th>
<th>(I) Annual Income from Asset</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td>$</td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

Enter Column (H) Total Passbook Rate
If over $5000 $__________ X 2.00% = (I) Imputed Income $__________
Enter the greater of the total of column 1, or (J) imputed income TOTAL INCOME FROM ASSETS (K) $__________

HOUSEHOLD CERTIFICATION & SIGNATURES

The information on this form will be used to determine maximum income eligibility. I/we have provided for each person(s) set forth in Part II acceptable verification of current anticipated annual income. I/we agree to notify the landlord immediately upon any member of the household moving out of the unit or any new member moving in. I/we agree to notify the landlord immediately upon any member becoming a full time student.

Under penalties of perjury, I/we certify that the information presented in this Certification is true and accurate to the best of my/our knowledge and belief. The undersigned further understands that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of the lease agreement.

Signature ___________________________ (Date) ___________________________ Signature ___________________________ (Date) ___________________________ Signature ___________________________ (Date) ___________________________
Application Points Ranking 2017
Summer Rehabilitation Program

A. INCOME/FAMILY SIZE – The program income limit is 80% of the Area Median income. If the annual household income based on family size is less than the program income limit, the household will receive points as follow:

<table>
<thead>
<tr>
<th>Percent AMI</th>
<th>1 Person</th>
<th>2 Person</th>
<th>3 Person</th>
<th>4 Person</th>
<th>5 Person</th>
<th>6 Person</th>
<th>7 Person</th>
<th>8 Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>$43,050</td>
<td>$49,200</td>
<td>$55,350</td>
<td>$61,450</td>
<td>$66,400</td>
<td>$71,300</td>
<td>$76,200</td>
<td>$81,150</td>
</tr>
</tbody>
</table>

If income is 30% or less of program income limit - 70 points
If income is 31% to 50% of program income limit - 60 points
If income is 51% to 60% of program income limit - 40 points
If income is 61% to 80% of program income limit - 20 points

Total Income: ____________________________________________

1.) Points for Income: ____________________________________

B. NUMBER IN HOUSEHOLD

1 Person Household........................................... 5 points
2 to 3 Person Household...................................... 10 points
4 to 5 Person Household...................................... 15 points
6+ Person Household.......................................... 20 points

Number of Those in the Household: __________________________

Points for Number of People in Home: _________________________

C. NUMBER OF ELDERLY - 20 points for household member who is at least age 62 at time of application.

Number of Elderly: _______________________________________

2.) Points for Elderly: _____________________________________
Application Points Ranking 2017
Summer Rehabilitation Program

D. NUMBER OF HANDICAPPED OR DISABLED: 20 points for household member with a total or partial physical impairment which renders the person unable to work as shown by the receipt of disability benefits from Social Security, a pension program, a life insurance program or disability insurance.

Number of those Disabled: ____________________________________________________________

3.) Points for Disabled Household members: ____________________________________________

E. FEMALE HEAD OF HOUSEHOLD: 15 points per household

4.) Female Head of Household Points: _________________________________________________

F. ONE OR MORE PERSONS 18 YEARS OLD OR YOUNGER: 15 points

5.) Points For Child in the Home: _________________________________________________

ADD POINTS FOR ALL CATEGORIES:

Total Points of Applicant: ____________________________________________________________

Signature of Southside Staff member designates that he/she has filled out this document based on the information provided from the summer rehabilitation application given by the homeowner.

__________________________________________________________________________________

Signature of Southside Staff Date

By signing this document you are stating that all of the information is accurate about you and your dwelling.

__________________________________________________________________________________

Signature of homeowner Date
Application/Review Checklist
Public Services Funding
Community Development Block Grant Program
Due Date: March 27, 2017

SUPPLEMENTAL INFORMATION — SUBMIT ONE COPY OF THE FOLLOWING ITEMS

RECOMMENDED:

Tanya Bollinger (512) 342-6661 x22
Tracy Bell
Debbie Ingelse (512) 342-2243
Treasurer: Jack Laquinta (513) 618-1719

REQUIRED:

Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

Organization Chart

Articles of Incorporation

Bylaws

Tax Exempt Determination Letter (for non-profit organizations)

Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year

Most Recent audit or CPA prepared review.

Description of employees, board members, volunteers who will work with the project

Non-discrimination Policy Statement

If applicable:

Fee schedule / structure for the project proposed for funding

Copy of program application if one is used to select beneficiaries

Analysis of program / service expansion if this is not a new service.

Description of how beneficiaries will be selected (if not by application form)

Description of how applicant income will be determined if there are direct beneficiaries

Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

Job description for new positions expected to be filled using CDBG funding

Contents out of order
City of San Marcos
2017 CDBG Public Services Application

Due Date: March 27, 2017

Applicant Contact Information

Applicant Organization: Central Texas Dispute Resolution Center

Contact Name: Martha Joyce

Telephone: (512)878-0382

Mailing Address: 829 N. LBJ Suite 108, San Marcos, TX 78666

Physical Address, if different from mail address:

Contact E-Mail Address: director@centexdrc.org

Web Address: www.centexdrc.org

Who is authorized to execute program documents? Brenda Jardin-Holter Board President

Application Summary Information

Program Name: Training

Program Funding: Amount of CDBGs Requested: $24,500.00

Project Location: 829 N. LBJ Suite 108, San Marcos, TX 78666

Program Expenditures:

• Will your program be complete (CDBG funds expended) by July 15, 2017? Yes □ No □

• If "No", what amount would you expect to be spent by that date? 95 □ %

Program Summary

Briefly summarize the program for which funding has been requested.

The Central Texas Dispute Resolution Center is a 501(C) (3) non-profit organization providing mediation services and training to the underserved in Hays, Comal, Guadalupe, and Caldwell Counties. In order to offer these services we need to continuously offer training to increase our mediator pool to keep up with the demand of mediations. Mediation training is expensive. Due to the cost we lose out on outstanding mediations that cannot afford to pay for the training to be able to volunteer.

How will the funds be used?

Funds from CDBG will be used to train volunteers and pay for travel expenses for the training. During the past seven years we have trained volunteers to teach the components of the 40-hour Mediation Training and the Child Protective Services Training. It has become more difficult to recruit instructors who are willing to volunteer to teach. Funds will be used to pay these qualified instructors. This funding will also help us continue to offer the training and keep our program viable.
1. Program eligibility (please select one):
   a. _____ This is a new program.
   b. X ______ This is an existing program that: (select one of the following)
      i. _____ Has previously received CDBG funding and the amount requested for this year is
         the same or less than previous funding; or
      ii. ____ will expand to serve more beneficiaries or to provide more services if the CDBG
          funding as requested is approved. Please attach an analysis that details how the program
          or service will be expanded, how many new beneficiaries will be served by the expansion,
          and how this number was determined. (See Exhibit # )

2. Programs receiving funding from the City at this time (during the current program year):
   a. How much CDBG funding was awarded? ______ None
   b. Is this program receiving any other City of San Marcos sources? _____ Yes ______
   c. If yes, how much was received and from what source? ______ $4,000.00 HSAB Grant

3. Is there a fee to clients to participate in the program? X Yes or X No.
   If yes, please provide fee structure. Sliding scale, $50.00 for 1/2 day mediation & $100.00 for full day.
   We offer free mediation to TX State University Students, citizens whose cases were referred by the
   police and free services to those who cannot afford the low cost.

4. Describe the days and hours of operation of the program.
   Monday - Friday 9:00- 5:00 or after work and until mediations are complete.
PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. PRESUMED BENEFIT: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

- Elderly persons (62 or older)
- Homeless persons
- Persons living with AIDS
- Illiterate persons (includes non-English speakers)
- Battered spouses
- Abused children
- Migrant farm workers
- Severely disabled adults
  (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? Yes or No
   a. If “yes”, under which category(ies): ________________________________

2. How many persons in each presumed category are proposed to be assisted if funding is received?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>300</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. If this program was carried out the previous full program year (10/1 – 9/30), how many persons were served in each presumed category:

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
</table>

B. BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”

1. How many persons are proposed to be assisted if funding is received? 1,500

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served? 1,973

3. What percentage of persons proposed to be assisted are expected to be low/mod? 100%

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents? 51%

5. How do you propose to document the income of the beneficiaries? (check all that apply)
   - Evidence that the child is approved for free or reduced lunch
   - Evidence that the family lives in housing sponsored by the Housing Authority
   - Evidence that the family is WIC approved
   - Income documentation using one of the 3 HUD approved methods
   - Self-certification, with income verification required of 20% of certifications
   - Other, describe: Certification by Attorneys and the Court

CDBG 2017 PUBLIC SERVICES APPLICATION

REVISED

4/18/17
PROGRAM BENEFICIARIES

Applicant must be able to document that at least 51% of the beneficiaries have an annual income that is at or below 80% of the Area Median Income and are San Marcos residents.

A. PRESUMED BENEFIT: Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

- Elderly persons (62 or older)
- Homeless persons
- Persons living with AIDS
- Illiterate persons (includes non-English speakers)

- Battered spouses
- Abused children
- Migrant farm workers
- Severely disabled adults (Census Bureau definition)

1. Will all of the program’s beneficiaries be “Presumed Clientele”? Yes or No [X] No
   a. If “yes”, under which category(ies):

2. How many persons in each presumed category are proposed to be assisted if funding is received?

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>300</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. If this program was carried out the previous full program year (10/1 – 9/30), how many persons were served in each presumed category:

<table>
<thead>
<tr>
<th>Abused Children</th>
<th>Elderly Persons</th>
<th>Battered Spouses</th>
<th>Homeless Persons</th>
<th>Severely Disabled Adults</th>
<th>Illiterate Adults</th>
<th>Persons living with AIDS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. BENEFICIARIES WHO ARE NOT CONSIDERED “PRESUMED”

1. How many persons are proposed to be assisted if funding is received? 1,500

2. If this program was carried out the previous program year (10/1 – 9/30), how many persons were served? 1,973

3. What percentage of persons proposed to be assisted are expected to be low/mod? 100%

4. What percentage of persons proposed to be assisted are expected to be San Marcos residents? 40%

5. How do you propose to document the income of the beneficiaries? (check all that apply)

   - Evidence that the child is approved for free or reduced lunch
   - Evidence that the family lives in housing sponsored by the Housing Authority
   - Evidence that the family is WIC approved
   - Income documentation using one of the 3 HUD approved methods
   - X Self-certification, with income verification required of 20% of certifications
   - X Other, describe: Certification by Attorneys and the Court
Line Item Budget

Guidance: Please use the following format to present your proposed line item budget. Secured funds are funds on-hand, pledged, or awarded. Following the Line Item Budget, please complete the Supplemental Budget Form – Use of Other Resources. Funds and costs, as outlined on the Sources and Uses of Funds form, may not be spent or incurred prior to a contract award date (usually October 1st) from the CDBG Program. Supporting documentation may be attached in the Appendix area.

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Total Program Budget</th>
<th>CDBG Portion</th>
<th>Other Funding Source</th>
<th>Other Funds Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>78,950</td>
<td>0</td>
<td>ADR Funds</td>
<td>78,950</td>
</tr>
<tr>
<td>Fringe Benefits Taxes</td>
<td>7,895</td>
<td>0</td>
<td>ADR Funds</td>
<td>7,895</td>
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<tr>
<td>Supplies</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Supplies</td>
<td>3,700</td>
<td>0</td>
<td>Gov Grants</td>
<td>3,700</td>
</tr>
<tr>
<td>Program Supplies</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marketing</td>
<td>2,005</td>
<td>1,000</td>
<td>Donations</td>
<td>1,005</td>
</tr>
<tr>
<td>Client Materials</td>
<td>2,000</td>
<td>2,000</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Operating</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Training</td>
<td>17,900</td>
<td>17,900</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Insurance</td>
<td>4,835</td>
<td>2,000</td>
<td>Fundraising &amp; Office Rental</td>
<td>2,835</td>
</tr>
<tr>
<td>Utilities/Rent/Mortgage</td>
<td>10,560</td>
<td>0</td>
<td>Grants (F&amp;T)</td>
<td>10,560</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Memberships &amp; Dues</td>
<td>2,075</td>
<td>0</td>
<td>Grants (F&amp;T)</td>
<td>2,075</td>
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<tr>
<td>Quick Bks and ACCT</td>
<td>3,268</td>
<td>1,600</td>
<td>Mediations</td>
<td>1,701</td>
</tr>
<tr>
<td>Misc.</td>
<td>12,809</td>
<td></td>
<td>ADR Funds &amp; Mediations</td>
<td>12,809</td>
</tr>
<tr>
<td>Total</td>
<td>140,648</td>
<td>24,500</td>
<td></td>
<td>121,530</td>
</tr>
</tbody>
</table>

Please provide an explanation for any unusual budget expenditures listed in the line item budget above.

Misc. Includes:
- ED Cell Phone Stipend: $720.00
- Equipment, Fax, Email, Phone & Net: $2,546.00
- Travel & Conferences: $2,100.00
- Contingency Fund: $7,443.00
- Cleaning: $1,020.00
### Projected Implementation Schedule with Performance Goals

Projected Start Date: **October 2017**  
Projected Completion Date: **July 2018**

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Start Month/Year</th>
<th>End Month/Year</th>
<th>Performance Measurement Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Hiring New Staff Member</td>
<td>October 2017</td>
<td>December 2017</td>
<td>Employment process complete</td>
</tr>
<tr>
<td>40 Hr. Basic</td>
<td>Feb. 2018</td>
<td>Feb 2018</td>
<td>Class Complete</td>
</tr>
<tr>
<td>30 Hr. Advanced</td>
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<td>May 2018</td>
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</tr>
<tr>
<td>CPS Training</td>
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<td>Oct. 2017</td>
<td>Sept 2018</td>
<td>4 Classes Complete</td>
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</tbody>
</table>
Organization Information

Please attach the following documents with your application:
- Organizational Chart
- Articles of Incorporation
- Proof of Tax Exempt status
- Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization's governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

Organization Type:

- X 501(c) Non-Profit Corporation
- ____ Public Corporation
- ____ Government Entity

Other: __________________________________________

How many years has your organization been in business? _____ 7 _____

Organization's Taxpayer Identification Number (EIN): __27-050-9131____

Organization's Dun and Bradstreet Number: ___019064207____

Organization is currently registered in the federal System for Award Management (SAM): ___ Yes ___ x No __________

Financial Information

1. What is the date of your fiscal year end? _____ September 30, 2017 _____

2. Has your organization received City of San Marcos funding in the past two years? ___ x Yes ___ No
   If yes, please provide a short summary of the purpose/amount of City funding: ___ Yes HSAB grants

   $7,000.00

3. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? ___ x Yes ___ No
   If "yes", please attach a summary of the litigation and its status; including any outstanding judgments.

4. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? ___ x Yes ___ No
   If "yes", please attach an explanation that includes the current status.

5. During your last fiscal year, did your organization expend $750,000 or more in Federal financial assistance? ___ x Yes ___ No

6. What level of financial review does your organization obtain from an independent source? Select from the following options:

   ___ Single Audit
   ___ Reviewed Financial Statement
   ___ No independent review
   ___ x Audited Financial Statement
   ___ Compiled Financial Statement
   ___ Other (describe):
Organization Information

Please attach the following documents with your application:
- Organizational Chart
- Articles of Incorporation
- Proof of Tax Exempt status
- Board Minutes/Resolution authorizing application submittal/specifying who will sign documents. (The organization’s governing board must approve the submittal of this funding application and designate a person who is authorized to execute program documents.)

**Organization Type:**

- [X] 501(c) Non-Profit Corporation
- ___ Public Corporation
- ___ Government Entity

Other: ________________________________

How many years has your organization been in business? ___ 7 ___

Organization’s Taxpayer Identification Number (EIN): __________________

Organization’s Dun and Bradstreet Number: _____________________________

Organization is currently registered in the federal System for Award Management (SAM): ___ Yes ___ X ___ No

Financial Information

1. What is the date of your fiscal year end? ___ September 30, 2017 ___

2. Has your organization received City of San Marcos funding in the past two years? ___ X ___ Yes ___ No
   
   If yes, please provide a short summary of the purpose/amount of City funding: ___ Yes, HISAB grants $7,000.00 ___

3. Does your organization currently or within the past five years have any litigation that is pending or has been resolved? ___ Yes ___ X ___ No
   
   If “yes”, please attach a summary of the litigation and its status; including any outstanding judgments.

4. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization? ___ Yes ___ X ___ No
   
   If “yes”, please attach an explanation that includes the current status.

5. During your last fiscal year, did your organization expend $750,000 or more in Federal financial assistance? ___ Yes ___ X ___ No

6. What level of financial review does your organization obtain from an independent source? Select from the following options:
   
   ___ Single Audit
   ___ Reviewed Financial Statement
   ___ No independent review
   ___ X Audited Financial Statement
   ___ Compiled Financial Statement
   ___ Other (describe): ________________________________
Personnel/Staff Capacity/Board of Directors

- Attach a listing of key staff and employees who will work directly with the proposed program, their primary job duties, and other pertinent information relating to your proposed project.
- If CDBG funds will be used to hire new personnel, please provide a brief job description of the proposed position(s).

1. Name and Title of your chief administrator: Executive Director Currently Interim Director
   - Number of years in this position: 2 months

2. Total number of current employees at all locations: 1 full time
   1 part time

3. Total number of current employees who will be involved in this program: 2

4. Total number of new employees expected to be hired for the program: 0

5. Does your organization have a personnel policy manual? Yes No
   - Does it include a procedure for filing grievances? Yes No
   - Does it include a non-discrimination clause? Yes No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? Yes No

7. Separation of duties for financial transactions regarding this project (respond with job title):
   a. Who will approve payment of incurred expenses? Director
   b. Who will actually prepare the payment check? Director
   c. Who will sign checks paying project expenses? Director
   d. Who posts the transaction to your financial records? Director
   e. Who reconciles monthly bank statements? Director

Accessibility to programs/services

1. Are all facilities to be served by the program ADA Accessible? Yes No

2. Do you have a Section 504 (ADA) Self-Evaluation on file? Yes No

3. How will you provide services to persons with Limited English proficiency? Yes

Insurance/Bonding/Worker’s Compensation

1. Does your organization have liability insurance coverage? Yes No.
   - If yes, in what amount? $1,000,000

2. Does your organization pay worker’s compensation in accordance with Federal and state laws? Yes No N/A Yes.
   - If No, explain:

3. Does your organization have fidelity bond coverage for principal staff / board members who handle the
   Organization’s accounts? Yes No Yes. If yes, in what amount?

4. Will vehicles owned by the organization be used in conjunction with the proposed project? Yes No.
   - If “yes”, what level of liability insurance is maintained?
Conflicts of Interest (24 CFR 570.611; 24 CFR 85.36; and 24 CFR 84.42)

There are two sets of conflict of interest provisions applicable to activities carried out with CDBG funding. The first set, applicable to the procurement of goods and services by subrecipients (funded applicants), is the procurement regulations found in the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations. The second set of provisions is located at 24 CFR 570.611(a)(2).

With respect to procurement activities, the subrecipient must maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. At a minimum, these standards must:

1. Require that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for an award:
   - An employee, officer, or agent of the subrecipient;
   - Any member of an employee’s, officer’s, or agent’s immediate family;
   - An employee’s, agent’s, or officer’s partner; or
   - An organization which employs or is about to employ any of the persons listed in the preceding sections.

2. Require that employees, agents, and officers of the subrecipient neither solicit nor accept gratuities, favors, or anything of value from contractors, or parties to sub-agreements. However, subrecipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

3. Provide for disciplinary actions to be applied for any violations of such standards by employees, agents or officers of the subrecipient.

With respect to all other CDBG-assisted activities, the general standard is that no employee, agent or officer of the subrecipient, who exercises decision-making responsibility with respect to CDBG funds and activities is allowed to obtain a financial interest in or benefit from CDBG activities, or have a financial interest in any contract, subcontract, or agreement regarding those activities or in the proceeds for the activities. Specific provisions include that:

- This requirement applies to any person who is an employee, agent, consultant, officer, or elected or appointed official of the City, a designated public agency, or a subrecipient, and to their immediate family members and business partner(s).
- The requirement applies for such persons during their tenure and for a period of one year after leaving the grantee or subrecipient organization.
- Upon written request, exceptions may be granted by HUD on a case-by-case basis.
Conflict of Interest Questionnaire

NOTE: For the purpose of this form, a "covered person" includes any person who is an employee, agent, consultant, officer or elected or appointed official of the City of San Marcos, your organization, or any designated public agency.

Name of Organization: Central Texas Dispute Resolution Center

1. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? Yes ___ X ___ No _____. If "No" is checked, please explain how you will comply with this requirement:

2. Are any of your Board Members or employees that are responsible for carrying out this project or members of their immediate families or their business associates also:
   a. Employed by the City of San Marcos? Yes ___ X ___ No _____.
   b. Members of or closely related to members of the San Marcos City Council? Yes ___ No ___ X ___
   c. Members of or closely related to an employee of the City of San Marcos? Yes ___ No ___ X ___
   d. Current beneficiaries or related to beneficiaries of the project for which funds are requested? Yes ___ No ___ X ___
   e. Paid providers of goods or services to the program or having other financial interest in the program or related to such individuals? Yes ___ No ___ X ___

3. For each relationship described above, please answer the following questions: (attach additional page if necessary)
   a. Name of employee or official: Sgt. Jehu Derrickson Stony Xan Marcos PD
   b. Is this person receiving or likely to receive taxable income from your organization? Yes ___ No ___ X ___
   c. Is your organization receiving or likely to receive taxable income from or at the direction of the employee or official AND the taxable income is not from the City of San Marcos? Yes ___ No ___ X ___
   d. Is your organization affiliated with a corporation or other business entity in which the employee or official serves as an officer or director, or holds an ownership interest of 10% or more? Yes ___ No ___ X ___

4. Describe any other affiliation or business relationship that might cause a conflict of interest with respect to CDBG funds and activities. NA

5. Will any of your organization’s employees, officers, board members or members of their immediate family and/or business partners have a financial interest in any contract, subcontract, or agreement regarding CDBG funded activities? Yes ___ No ___ X ___ If yes, please attach an explanation.
Applicant Assurances and Certifications

The applicant hereby assures and certifies with respect to this project/program, by the submission of this application, that:

1. It possesses legal authority to apply for the grant and to finance the proposed request; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant’s governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards as codified in Title 2, Part 200 of the Code of Federal Regulations (UAR) and agrees to adhere to the accounting principles and procedures required therein, utilizing adequate internal controls and maintaining necessary source documentation for all costs incurred.

3. If it expends $750,000 or more of federal funds in a fiscal year, it will comply with the Single Audit Act of 1984.

4. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards, and Executive Order 11990, relating to protection of wetlands. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, and approved December 31, 1976. Section 102(a).

5. It will have sufficient funds available or the ability to obtain the non-federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purposes constructed.

6. It will give the City and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

7. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the City that funds have been approved and that the project will be performed to completion with reasonable diligence.

8. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this agreement.

9. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.

10. It will comply with the provisions of the Hatch Act, which limit the political activity of employees.

11. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply.

12. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency’s (EPA) list of Violating Facilities and that it will notify the city/federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.

14. It will comply with Texas Civil Statutes, Article 5996a, by insuring that no officer, employee, or member of the applicant’s governing body or of the applicant’s contractor shall vote or confirm the employment of any person related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

15. It will insure that all information collected, assembled or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Texas Civil Statutes, Article 6252-17a, unless otherwise expressly provided by law.

16. It will conduct and administer the program in conformity with the Fair Housing Act (42 USC Section 3901 et. Seq.) and that it will affirmatively further fair housing.

17. It will minimize displacement of persons as a result of activities assisted with CDBG funds. In the event that displacement of residential dwellings will occur in connection with a grant-assisted project, it will follow a residential anti-displacement and relocation assistance plan as specified by the City of San Marcos.

18. It certifies that it is not now, nor has it ever been, on the Federal List of Debarred Contractors.

19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, applicant certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).

20. It agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart J and subpart K of these regulations, except that (1) the Agency does not assume the recipient’s environmental responsibilities described in 24 CFR 570.604 and (2) Agency does not assume the recipient’s responsibility for initiating the review process under the provisions of 24 CFR Part 52. Agency also agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided. Agency further agrees to utilize funds available to supplement rather than supplant funds otherwise available. Agency shall comply with all applicable Federal laws, regulations, and requirements, which include compliance with the provisions of the HUD Act and all rules, regulations, guidelines, and circulars promulgated by the various Federal departments, agencies, administrations, and commissions relating to the CDBG Program. The applicable laws and regulations include, but are not limited to:

- 24 CFR Part 570;
- 24 CFR Parts 84 and 85;
- The Davis-Bacon Fair Labor Standards Act;
- The Contract Work Hours and Safety Standards Act of 1962;
- Copeland “Anti-Kickback” Act of 1934;
- Sections 104(b) and 109 of the Housing and Community Development Act of 1974;
- Section 3 of the Housing and Urban Development Act of 1968;
- Equal employment opportunity and minority business enterprise regulations established in 24 CFR part 570.904;
- Non-discrimination in employment, established by Executive Order 11246 (as amended by Executive Orders 11375 and 12086);
- Section 504 of the Rehabilitation Act of 1973 Uniform Federal Accessibility Standards;
• The Architectural Barriers Act of 1968;
• The Americans with Disabilities Act (ADA) of 1990;
• The Age Discrimination Act of 1975, as amended;
• National Environmental Policy of 1969 (42 USC 4321 et seq.) as amended;
• Lead Based paint regulations established in 24 CFR Parts 35, 570.608, and 24 CFR 982.401;
• Asbestos guidelines established in CPD Notice 90-44;
• HUD Environmental Criteria and Standards (24 CFR Part 51);
• The Energy Policy and Conservation Act (Public Law 94-163) and 24 CFR Part 39
• Flood Disaster Protection Act of 1973;
• Colorado House Bill 06-1023 and 06-1043;
• Procurement Standards (2 CFR 200.322);
• Rights to Inventions Made Under a Contract or Agreement (37 CFR 401.2 (a));
• Energy Efficiency (2 CFR Part 200 Appendix II); and
• Recycling (2 CFR Part 200 Appendix II).

Certifications Regarding Lobbying:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form – “Disclosure Form to Report Lobbying”, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

General Certifications:

I, the duly authorized representative of the applicant organization, certify that to the best of my knowledge and belief:
1. The information, exhibits, and schedules contained in this application are true and accurate statements and represent fairly the financial condition of our organization;

2. Our organization is eligible to receive federal funding and has not been placed in a debarred or otherwise ineligible status under the provisions of CFR Part 24;

3. Our organization prohibits discrimination in accordance with Title VI of the Civil Rights Act of 1964; and,

4. Our governing body has duly authorized submission of this document. If funded, we agree to comply with the procedures outlined in the "Playing by the Rules" handbook that will be supplied by the City of San Marcos.

CERTIFIED BY:

Signature
Brenda Jorden Hollee

Date Signed: March 27, 2017

Printed Name & Title: Brenda Jorden Hollee, Board of Director President

Organization Name: Central Texas Dispute Resolution Center
Organization Structure (2017)

Clients, Parties, and Counties

Board of Directors

Board President - Brenda Jarden-Holter

Executive Director (Interim) - Martha Joyce

Committees (See Structure 2017)

Mediation Coordinator (PT) - Kayla Swinford

Volunteers
Committee Structure (2017)

- Board President (Ex Officio)
  - Outreach and Finance Committee
  - Mediations Service
  - Training Program
  - Implementation Process
  - By-Law and Ethics Committee
    - Hays County Advisory
    - Comal County Advisory
    - Caldwell County Advisory
    - Guadalupe County Advisory
MINUTES OF THE MEETING ON February 20, 2017 OF THE BOARD OF DIRECTORS OF
CENTRAL TEXAS ALTERNATIVE DISPUTE RESOLUTION, INC.
A TEXAS NONPROFIT CORPORATION

A meeting of the Board of Directors of Central Texas Alternative Dispute Resolution, Inc. (the “Corporation”), a Texas nonprofit corporation, was held at 8:30AM on February 20, 2017 at 829 N. LBJ #108 San Marcos, TX 78666.

CALL TO ORDER
All Directors received notice of the meeting and Brenda Jarden-Holter, President, called the meeting to order at 8:35 AM.

ROLL CALL

Present
Brenda Jarden-Holter
Don Gavlick
Al Vaughan
Neal Linnartz
Sgt. Jehu Derrickson
Monica Borrego
Martha Joyce
Francesca Scanio
Kayla Swinford

Absent
John Hall

MINUTES OF PRIOR BOD MEETING
Review Minutes of February Board Meeting.

REVIEW OF 2017 GOALS- Executive Director
1. Implement Service to Guadalupe County
2. Ensure Service to Caldwell County
3. Maintain Service to Hays and Comal Counties.
4. Emphasize Training Program
5. Energize Outreach to Law Enforcement Agencies in Service Area

FINANCIALS- Treasurer
• Review of February 2017 Profit and Loss Statement
• Review of Balance Sheet as of February 28, 2017
• Review of Monthly and YTD Budget v. Actuals as of February 28, 2017

Monthly Financial Report Summary - February 2017

<table>
<thead>
<tr>
<th></th>
<th>Actual February 2016</th>
<th>Budget February 2017</th>
<th>Actual February 2017</th>
<th>Difference</th>
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<td>Income</td>
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<td>$4,766.00</td>
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<td>Net Profit/Loss</td>
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<td>$1,905.45</td>
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<table>
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<th>January 31, 2016</th>
<th>February 28, 2017</th>
<th>Difference</th>
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<td>End of Month Bank Account Balances</td>
<td>$43,736.68</td>
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Year to Date Financial Report Summary as of February 28, 2017

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<tr>
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<td>$38,338.00</td>
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<tr>
<td>Net Profit/Loss</td>
<td>$2,121.25</td>
<td>$3,157.00</td>
<td>$15,979.00</td>
<td>$12,822.00</td>
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Financials were reviewed and approved by consensus.

Case Load and Settlement Reports:
• The DRC received 9 new cases in January 2017. There were 25 cases carried over from previous months. 8 cases were mediated and 22 are pending mediation.
  • Intake to Mediation Ratio: 75% (Mediations/Intakes) YTD
  • Settlement Rate: 62.5% (Full + Partial/Mediations) January 2017
Total Cases Received by County

- January 2017 Mediations Received
  - Hays: 3
  - Comal: 6
  - Guadalupe: 0
  - Caldwell: 0
• Other- 0
  • Total- 9
• YTD Received
  • Hays- 25
  • Comal-12
  • Guadalupe- 1
  • Caldwell- 2
  • Other- 0
  • Total- 40

Total Cases Mediated by County
January 2017
Cases Mediated
Hays-5
Comal- 0
Guadalupe- 0
Caldwell-3
Other- 0
Total-8

YTD Mediated
Hays- 19
Comal- 4
Guadalupe- 3
Caldwell-4
Other- 0
Total-30

DECISION ITEMS
Bylaws Change – Dissolution Clause - Board voted to amend the bi-laws to include a dissolution clause. This is needed to claim exemption from taxes through the Hays County Appraisal District. Motion was made by Don Gavlick and seconded by Al Vaughn, motion passed and was approved.

City of San Marcos Block Grant: The board approved for Martha Joyce to apply for this grant and designated Brenda Jardin-Holter, board president to sign the grant proposal. Brenda will also be the person who will sign documents for the grant. Motion was made by Al Vaughn and seconded by Don Gavlick, motion passed and was approved.

OLD BUSINESS:
Executive Director- Board members discussed the applications for the position.

NEW BUSINESS

ADJOURNMENT: 10:20 a.m.
City of San Marcos
Community Development Block Grant
2017 Program
Public Services Application

City of San Marcos
Community Development Division
630 East Hopkins
San Marcos TX  78666
512.393.8224
Instructions to Applicants

Persons with limited English proficiency may request assistance by contacting the City at 512-393-8224. (Las personas con habilidad limitada de Inglés puede solicitar la asistencia poniéndose en contacto con la Ciudad en 512-393-8224.)

Thank you for your interest in the City of San Marcos’ Community Development Block Grant (CDBG) Program. The City will receive approximately $500,000 for program year 2017 which begins October 1, 2017. The total amount of all public services funding cannot exceed 15% of the annual allocation. An allocation amount of $500,000 will allow no more than $75,000 in Public Services Funding. For the 2017 Action Plan, the funding announcement is expected to be in late June.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids or special assistance should make a request at least 48 hours in advance to the City of San Marcos ADA Coordinator at 393-8065 (voice) or call Relay Texas Service (TRS) by dialing 7-1-1. Requests can also be sent by e-mail to ADArequest@sanmarcostx.gov.

NOTICE: It is the City’s policy to fund programs from only ONE city funding source. For example, if you apply for CDBG funds for a program, you cannot apply for Human Services funding for the same program.

APPLICATION PROCESS

2017 APPLICATION PERIOD: February 27, 2017 through March 27, 2017

All applications for Public Services funding will be reviewed by the Human Services Advisory Board (HSAB). The Board will make a funding recommendation that will be considered by the City Council during their application review. Applicants may request both CDBG and Human Services funding for the same project. You will complete this application form to request CDBG funding and will turn in one copy of the form, with all required supporting documentation, to the CDBG staff at the address shown below.

CDBG staff members will review your application for completeness and eligibility; after an application passes this review, it will be forwarded to the HSAB board for their consideration. The HSAB will schedule a time for each CDBG applicant to make a brief (3-minute) presentation in support of their funding request. Members of the HSAB board may schedule a site visit prior to the presentation date.

The HSAB board will make a funding recommendation that will be presented to the City Council.

SUBMIT ONE ORIGINAL APPLICATION TO:

COMMUNITY INITIATIVES DIVISION OF PLANNING & DEVELOPMENT SERVICES
ATTN: Dalinda Newby – Community Initiatives Coordinator
630 East Hopkins Street, San Marcos TX  78666

The Community Initiatives Division office is in the building located behind the Municipal Building (former location of the Permit Center).

For more information contact Dalinda Newby at 512-393-8224 or by e-mail at dnewby@sanmarcostx.gov.

Program information and a PDF version of this application form is available on the City’s website at: www.sanmarcostx.gov/CDBG. Upon request, the application form will be provided in Word format.
**SUBRECIPIENT REGISTRATION REQUIREMENTS:**

- Organizations receiving CDBG funding (Subrecipients) must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number. If you do not have a DUNS number, go to [http://fedgov.dnb.com/webform](http://fedgov.dnb.com/webform) to register.

- Funded applicants must also have an active registration with System of Award Management (SAM). To register with SAM, go to [www.sam.gov](http://www.sam.gov) to register. You must have a DUNS number prior to registering with SAM. Subrecipients must provide proof of SAM registration prior to the execution of a Subrecipient Agreement. This is required when federal funds are being utilized.

**PROJECT ELIGIBILITY**

Funded projects must address one of the High Priority Needs which are currently established as:

- **PUBLIC FACILITIES / INFRASTRUCTURE / TRANSPORTATION**
- **HOUSING**
- **DEMOLITION AND CLEARANCE ACTIVITIES**
- **PUBLIC SERVICES (programs that benefit low/mod persons)**

**NATIONAL OBJECTIVES**

All funded projects must also meet one of the three CDBG program National Objectives:

- Benefit low to moderate income individuals or families
- Eliminate slum or blight
- Urgent Need (such as disaster recovery)

**APPLICATION CALENDAR AND CITIZEN PARTICIPATION**

The City of San Marcos values the input of its citizens and offers a number of opportunities to participate in the preparation of the annual Action Plan. The 2017 program calendar includes (scheduled dates subject to change):

- **Application Workshop** Mar. 8th at 9:00 a.m. – 2nd floor Conference Room of the Municipal Building, 630 E. Hopkins St.
- **Stakeholder’s Workshop** Mar. 13th at 6:00 p.m. – Multi-purpose Room, Activity Center
- **Council Public Hearing for Citizen Comments** June 6th at 7:00 p.m. – Council Chambers
- **Council Review of Applications** June 18th at 6:00 pm - Council Chambers
- **Council 2017 Project Award** June 18th at 6:00 p.m. – Council Chambers

**FUNDING AWARDS**

Submitting a complete application does not guarantee your request will be funded. The Program can fund only the actual, allowable, and reasonable costs of the proposed project, and may not exceed these amounts. Funding awards are made by the City Council, subject to HUD approval.

**FUND AVAILABILITY**

Funds awarded for the 2017 program year become available after October 1, 2017. The organization’s Subrecipient Agreement with the City must be fully executed prior to the expenditure or commitment of program funds. The appropriate level of environmental review must be completed by CDBG staff before any funds are expended or obligated. Environmental reviews for construction projects typically take 45 to 60 days to complete. Other projects that are not likely to have a physical impact on the environment usually take about 15 days. No reimbursement will be possible for goods purchased or contracts executed prior to these requirements being met.
SPECIAL PROGRAM REQUIREMENTS FOR PUBLIC SERVICE PROJECTS

- The applicant must demonstrate that the program/service for which funding is requested is either:
  a. A new service or program; or
  b. A service/program that has shown a quantifiable increase during the current or previous year; or,
  c. A service/program that is projected to show a quantifiable increase if the CDBG funding is received; or
  d. A service/program that is currently receiving CDBG funds and that this application is a request for continuation of funding at the same or lower level.

- The total amount of CDBG funds that can be obligated in any one program year is 15% of the total annual allocation.

- CDBG funds cannot be used as a substitute for funding provided during the past 12 months by the City of San Marcos.

ORGANIZATION ELIGIBILITY REQUIREMENTS

- Organizations applying for Public Services funding must be a public or private non-profit agency, a public housing authority, a City of San Marcos department, or other government entity.

- Non-profit agencies must be established, operating agencies as evidenced through documentation required in the application. Exhibits to show tax exempt status are required.

- Faith Based Agencies are eligible to apply on the same basis as other non-profit organizations. However, CDBG funds cannot be used to support worship, proselytizing, or religious instruction. Religious activities must be offered separately, in time or location, from the CDBG supported activity. Participation in the religious activity must be voluntary for the beneficiaries of the CDBG-funded program. Programs operated by faith-based agencies must be available to all community members and not restricted to the organization’s membership or congregation.

NON-DISCRIMINATION AND ACCESSIBILITY

Each agency receiving funds from the CDBG program is required to assure that it will conduct its business in compliance with the non-discrimination requirements of the County, State, and Federal governments as applicable. Equal Opportunity in Employment policies is required.

In addition, agencies receiving funding must agree to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063 as amended by Executive Order 12259, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

FINANCIAL CAPACITY / AUDITING REQUIREMENTS

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the federal Office of Management & Budget (OMB) requires that any organization that expends $750,000 or more in federal financial assistance in a fiscal year must secure an annual audited financial statement.

The City has established the following financial statement requirements for organizations assisted with CDBG program funds which are based on the total assets of the applicant. The term "total assets" is defined to mean the total amount of liquid assets that is documented to be available to the Subrecipient at the time the funding is approved.

A. CPA preparation of financial records is not required if the Subrecipient has total assets of $15,000 or less in value;
B. A compiled financial statement is required if Subrecipient has total assets greater than $15,000 and less than or equal to $100,000 in value.

C. A reviewed financial statement is required if Subrecipient has total assets greater than $100,000 and less than or equal to $200,000 in value.

D. An audited financial statement is required if Subrecipient has total assets of more than $200,000 in value. (In an "Audited" statement a CPA provides an in-depth study of the records, organizes them into a statement, and issues an opinion to their validity.)

Organizations receiving CDBG funds must submit the required financial statement which has been prepared by a Certified Public Accountant to the City within nine months from the organization’s fiscal year end and not more than 30 days after the organization’s receipt of the statement.

INSURANCE AND BONDING

Agencies receiving CDBG funding must provide Workers’ Compensation Insurance coverage for all of its employees involved in the performance of the funded program. At the time of contract signing, funded agencies must provide evidence of insurance including, but not limited to, multi-peril property and liability, worker’s compensation, automobile liability, and other coverage as deemed necessary by the City.

PROJECT IMPLEMENTATION SCHEDULE AND PERFORMANCE MEASUREMENT GOALS

Performance measurement is an effective management technique that enables those who receive grant funds (subrecipients) and the City to analyze the benefits of their investments. It is a mechanism that tracks the progression of projects and evaluates their overall effectiveness and success in meeting project goals. One of the most important overall goals in planning a CDBG project is the completion of the project in a timely manner.

The City is monitored by HUD to ensure that the grant program has benefited low-to-moderate-income families; one success measurement that the City must meet is the expenditure of its program funds in a timely manner. The City must take into account the project schedules for each program that is funded to ensure that the overall CDBG program will comply with its federally mandated timeliness ratio.

Thus, it is critical that each applicant accurately forecasts the time that will be involved in completing each step of a proposed project. This document will be incorporated into the Subrecipient Agreement for funded projects. Please use the following format to outline the projected Implementation Schedule for your project. Examples are provided in italics. Please contact staff if you need assistance with completing this form.

PERFORMANCE MONITORING

The City will monitor the performance of Subrecipients against the goals and performance standards established by this document. Substandard performance as determined by the City will constitute noncompliance with the Subrecipient Agreement. If action to correct such substandard performance is not taken by the Subrecipient within a reasonable period of time after being notified by the City, contract suspension or termination procedures will be initiated.
PUBLIC SERVICES PROGRAM OR ACTIVITY ELIGIBILITY

ELIGIBLE PUBLIC SERVICE ACTIVITIES (24 CFR 570.201(e))

"Public Services" are non-construction social service activities in the community that benefit low- to moderate-income citizens. At least 51% of all program clients must be City of San Marcos residents and have a total family income that does not exceed 80% of the area median income as established by HUD for San Marcos.

CDBG regulations allow the use of grant funds for a wide range of public service activities including, but not limited to:

- After school / child care
- Recreation services
- Homeless persons services
- Education programs
- Crime prevention & public safety
- Job Training
- Health services
- Senior citizens services
- Substance abuse programs

ELIGIBLE EXPENSES

Eligible expenses include but are not limited to labor, supplies, and materials as well as to operate and/or maintain the portion of a facility in which the public service is located. This includes the lease of a facility, equipment, and other property needed for the public service. Costs incurred for telephone services, postage, and computer use/access. Time sheets will be required to document salary costs. Travel and training expenses may be authorized by the City on a case-by-case basis.

INELIGIBLE EXPENSES

CDBG funds may not be used to pay for food/meals for staff, fund raising, entertainment, alcoholic beverages, deposits on equipment, incentives to clients (gift cards, raffle prizes) and late fees or penalties. Costs of organized fund raising are not allowable. The purchase of equipment, fixtures, motor vehicles, furnishings, or other personal property not an integral structural fixture is generally ineligible.

CLIENT INCOME VERIFICATION OPTIONS:

To be eligible for CDBG assistance, a public service project must serve low-to-moderate income persons. Income limits are established by HUD on an annual basis for the purpose of establishing CDBG grant eligibility. The limits are based on household size. Income is calculated for every adult 18 and older residing in the household.

HUD considers 80% and below to be low income. San Marcos CDBG Income Limits are established based upon the Median Family Income for the Austin/Round Rock Metropolitan Statistical Area (MSA). Income limits are updated annually, usually in the spring. The City will post the new limits on its website when they become available and distribute the new limits to all subrecipient organizations.

The type of income verification needed is determined by the project and the clients served; HUD allows each project to select one of three definitions of "income" to be used in calculating a potential client's eligibility to be considered low-mod. The project must use the same definition for all applicants. The primary difference in the definition is the treatment of assets. City staff will work closely with all agencies that are selected for funding to determine which income definition should be used.

Documentation of the benefit to low and moderate income level persons is required of every project funded. The income verification needed is determined by the project and the clients served.

Limited Clientele: The public service activities must be offered to a particular group of low and moderate income residents in the entire community. Agencies will collect income data and demographic data for each recipient in the program as either Client Based or Presumed Benefit.
1. **Client Based**: Activities will be offered to all residents of a particular group of low-and-moderate income residents in the City. Income verification and residency are required along with other client statistics.

2. **Presumed Benefit**: Activities that **exclusively** serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons who at least 51% of the population will be low-to-moderate income. Individual income verification is not required, although residency and other client statistics must be collected. The Presumed Benefit categories are:

- Elderly persons (62 or older)
- Homeless persons
- Persons living with AIDS
- Illiterate persons (includes non-English speakers)
- Battered spouses
- Abused children
- Migrant farm workers
- Severely disabled adults (Census Bureau definition)

Persons are classified as having a severe disability if they (a) used a wheel-chair or had used another special aid for six months or longer; (b) are unable to perform one or more “functional activities” or need assistance with an ADL or IADL; (c) are prevented from working at a job or doing housework; or (d) have a selected condition included autism, cerebral palsy, Alzheimer’s disease, senility or dementia, or mental retardation. Also, persons who are under 65 years of age and who are covered by Medicare or who receive SSI are considered to have a severe disability.

For purposes of this definition, the term “functional activities” includes seeing, hearing, having one’s speech understood, lifting and carrying, walking up a flight of stairs, and walking. An ADL is an “activity of daily living” which includes getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating, and toileting. An IADL is an “instrumental activity of daily living” and includes going outside the home, keeping track of money or bills, preparing meals, doing light housework and using the telephone.

3. **Nature and Location**: Activities must be of such nature and in such location that it may reasonably be concluded that the activity’s clientele will primarily be L/M income persons. For example, a day care center that is designed to serve residents of a public housing complex would qualify under this category. Individual income verification would not be required, although residency and other client statistics would be required. HUD must approve this method of income verification — it is not easy to obtain their approval for this category.

4. **Area Benefit**: An activity which is available to benefit all of the residents of a defined area which is primarily residential and where at least 51% of the residents are L/M income persons. Public service projects can rarely use this form of satisfying a National Objective.
Application/Review Checklist
Public Services Funding
Community Development Block Grant Program
Due Date: March 27, 2017

SUPPLEMENTAL INFORMATION – SUBMIT ONE COPY OF THE FOLLOWING ITEMS
NOTE: All information submitted with an application becomes a public record and is open for public review. All or part of your application may be posted on the City’s website and in agenda packet information.

REQUIRED:

X Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

X Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

X Organization Chart

X Articles of Incorporation

X Bylaws

X Tax Exempt Determination Letter (for non-profit organizations)

X Organization's Current Budget (2016-2017) and Proposed Budget for next fiscal year

X Most Recent audit or CPA prepared review.

X Description of employees, board members, volunteers who will work with the project

X Non-discrimination Policy Statement

If applicable:

X Fee schedule / structure for the project proposed for funding

X Copy of program application if one is used to select beneficiaries

X Analysis of program / service expansion if this is not a new service.

X Description of how beneficiaries will be selected (If not by application form)

X Description of how applicant income will be determined if there are direct beneficiaries

NA Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

NA Job description for new positions expected to be filled using CDBG funding
TO: 2017-18 HASB Grant Committee
FROM: Central Texas Alternative Dispute Resolution
DATE: Tuesday, February 07, 2017
RE: 2017-18 HASB Grant Application- List of Board of Directors or Trustees

List of Board of Directors or Trustees:
Brenda Jarden Holter- President (Hays County) (512)757-5595
Al Vaughan- Vice President (Comal County)
Neal Linnartz- Secretary (Comal County)
Martha Joyce- Treasurer (Interim- Executive Director) (Hays County) (830)708-0078
Sgt. Jehu Derrickson (Guadalupe County)
Don Gavlick (Hays County)
John Hall (Hays County)
Francesca Scanio (Hays County)

Advisory Board:
Dr. Margarita Arellano
Anna Martinez Boling
Hon. Andrew Cable
Milena Christopher
Jimmy Cobb
Beverly Crumley
Lisa Dvorak
Liz Gonzalez
Hon. Bill Henry
Hon. Larry Jones
Kris Klein
Hon. Terry Kyle
David Morris
Sheila Old
Dr. Cynthia Opheim
Chris Stapp
Barbara Stroud
Hon. Robert Updegrove
Walter Wright
Rose Zamora

Comal County Advisory Committee:
James Heinbaugh- Canyon Lake
Justin Hoffman- New Braunfels
Phiang Aldrich- New Braunfels
Barbara Gayl Ancira- Bulverde
CERTIFICATE OF FORMATION
OF
CENTRAL TEXAS DISPUTE RESOLUTION CENTER, INC.

The undersigned natural person, over the age of eighteen years, acting as the organizer of a non-profit corporation under Chapter 22 of the Texas Business Organizations Code, does hereby adopt the following Certificate of Formation for such corporation:

ARTICLE ONE
NAME

The name of the corporation is Central Texas Dispute Resolution Center, Inc.

ARTICLE TWO
NONPROFIT CORPORATION

The corporation is a nonprofit corporation, organized under the Texas Non-Profit Corporation Act (the “Act”).

ARTICLE THREE
DURATION

The period of its duration is perpetual.

ARTICLE FOUR
MEMBERS

The corporation will have no members.

ARTICLE FIVE
PURPOSES

Central Texas Dispute Resolution Center, Inc. shall exist for the specific purpose of providing affordable alternative dispute resolution services to the citizens of Hays, Caldwell, and Comal Counties in Central Texas and its surrounding areas. Through related activities, the Corporation shall seek to contract with government agencies and engage in community projects which educate the public on the use of alternative dispute resolution procedures and promote its use in the community and court system.

The general purposes for which the corporation is organized are exclusively charitable, religious, literary, educational or scientific within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or of any superseding federal tax law (the “Code”). The corporation will not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Code.
ARTICLE SIX
LIMITATIONS

(1) Improper Benefit. No part of the net earnings of the corporation will inure to the
benefit of any Director, trustee, or officer of the corporation or of any private
individual (except that reasonable compensation may be paid for personal
services rendered to or for the corporation for one or more of its purposes), and
no Director, trustee, or officer of the corporation or any private individual will be
entitled to share in the distribution of any of the corporate assets upon dissolution
of the corporation.

(2) Lobbying. No substantial part of the activities of the corporation will consist of
lobbying, carrying on of propaganda, or of other attempts to influence legislation.

(3) Political campaigns. The corporation will not participate or intervene in any way
(including the publication or distribution of statements) in any political campaign
on behalf of any candidate for public office (including city, county, state, and
federal government offices).

(4) Dissolution. Upon dissolution of the corporation or the winding up of its affairs, the
assets of the corporation will be distributed exclusively to organizations exempt
under Section 501(c)(3) of the Code.

(5) Public Charity. The corporation will comply with all Code provisions regarding
private foundations and public charities, including but not limited to the
following:

(a) The corporation will not engage in self-dealing within the meaning of Section
4941 of the Code.

(b) The corporation will make sufficient qualifying distributions during each
taxable year to avoid the tax imposed by Section 4942 on a private
foundation’s undistributed net income.

(c) The corporation will not maintain excess business holdings within the
meaning of Section 4943 of the Code.

(d) The corporation will not make any investments in a manner that would subject
it to tax under Section 4944 of the Code.

(e) The corporation will not make taxable expenditures within the meaning of
Section 4945 of the Code.

ARTICLE SEVEN
ACTION WITHOUT MEETING

Any action required by the Act to be taken at a meeting of the Directors of the corporation, or
any action which may be taken at a meeting of the Directors or of any committee, may be
taken without a meeting if a consent in writing, setting forth the action to be taken, is signed
by a sufficient number of Directors or committee members as would be necessary to take that
action at a meeting at which all of the Directors or members of the committee were present
and voted. The form of such written consent and the notice will be as required by the Act.

ARTICLE EIGHT
LIMITATION OF LIABILITY

A Director of the corporation will not be liable to the corporation for monetary damages for
an act or omission in the Director’s capacity as a Director, except that this article does not
authorize the elimination or limitation of the liability of a Director to the extent the Director
is found liable for:

(1) A breach of the Director’s duty of loyalty to the corporation;

(2) An act or omission not in good faith that constitutes a breach of duty of the Director
to the corporation;

(3) An act or omission that involves intentional misconduct or a knowing violation of the
law;

(4) A transaction from which the Director received an improper benefit, whether or not
the benefit resulted from an action taken within the scope of the Director’s office; or

(5) An act or omission for which the liability of a Director is expressly provided for by an
applicable statute.

In addition to the limitation of liability set forth above, the liability of a Director to the
corporation will be further eliminated or limited to the full extent permitted by any Texas or
other applicable statute, as now existing or as may be amended.

ARTICLE NINE
INDEMNIFICATION

The corporation will indemnify any person who was, is, or is threatened to be made a named
defendant or respondent in any threatened, pending, or completed action, suit, or proceeding,
including any appeal, whether civil, criminal, administrative, arbitrative, or investigative,
because the person is or was a Director, trustee, or officer of the corporation to the fullest
extent permitted under the Act or other applicable statute, as now existing or as may be
amended. The corporation may additionally indemnify any person covered by the grant of
mandatory indemnification contained in this Article 9 to such further extent as is permitted
by law and may indemnify any other person to the fullest extent permitted by law.

ARTICLE TEN
INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the corporation is: 1007 Quail Road,
Manchaca, TX 78652, and the name of its initial registered agent at such address is: Anna M.
Bartkowski.
ARTICLE ELEVEN
BOARD OF DIRECTORS

The number of Directors constituting the initial board of Directors of the corporation is six (6), and the names and addresses of the persons who are to serve as the initial Directors are:

Walt Krudop
PO Box 1186
Dripping Springs, TX  78620

Walter Wright
11304 Stormy Ridge Road
Austin, TX 78739

Anna Bartkowski
1007 Quail Road
Manchaca, TX 78652

Milena Christopher
XXXXXXXXXXXX
XXXXXXXXXXXX

Barbara Stroud
XXXXXXXXXXXX
XXXXXXXXXXXX

Peter Gruning
XXXXXXXXXXXX
XXXXXXXXXXXX

ARTICLE TWELVE
INCORPORATOR

The name and street address of the incorporator are:
Anna Bartkowski
1007 Quail Road
Manchaca, TX 78652

IN WITNESS HEREOF, the undersigned has executed these Articles July ___, 2009.

Anna Bartkowski
AMENDED BYLAWS FOR
CENTRAL TEXAS ALTERNATIVE DISPUTE RESOLUTION, INC.,
A NONPROFIT CORPORATION

ARTICLE I

These bylaws constitute the code of rules adopted by the Central Texas Alternative Dispute Resolution, Inc. for the regulation and management of its affairs.

ARTICLE II

Purpose

Central Texas Alternative Dispute Resolution, Inc. shall exist for the specific purpose of providing affordable alternative dispute resolution services to the citizens of Central Texas and its surrounding areas. Through related activities, the corporation shall seek to contract with government agencies and engage in community projects which educate the public on the use of alternative dispute resolution procedures and promote its use in the community and court system.

Subject to the provisions of the Texas Business Organizations Code, Chapter 22 Nonprofit Corporations, the corporation is organized exclusively for charitable, religious, educational, scientific, literary, or testing for public safety purposes, or the prevention of cruelty to children or animals within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), or the corresponding provision of any future United States Internal Revenue Law. The Corporation shall be and is a non-profit corporation under the laws of the State of Texas and shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office. In no event shall the Corporation carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code.

ARTICLE III

Board of Directors

(1) Powers
The Board of Directors (“Directors”) of this Corporation is vested with the management of the business and affairs of this Corporation, subject to the Texas Business Organizations Code, the Certificate of Formation, and these bylaws.

(2) Qualifications
Directorships shall not be denied to any person on the basis of race, creed, sex, religion, sexual orientation or national origin. Employees of the Corporation are ineligible to serve on the Board of Directors. The Executive Director and any other ex officio member of the Board of Directors will not constitute one of the nine seats of the Board of Directors.
(3) Number of Directors
The Board of Directors will consist of Nine (9) Directors. Upon majority resolution of the Board of Directors, the number of Directors may be increased or decreased from time to time, but in no event shall a decrease have the effect of shortening the term of an incumbent Director, or decreasing the total number of Directors to less than three Directors. Until the first meeting for electing the Directors occurs, the initial Board of Directors shall consist of the persons listed in the Certificate of Formation as constituting the initial Board.

(4) Election of Directors
Elections for Directors filling expired terms shall be held at the last meeting of the calendar year. Any directorship to be filled by reason of an increase in the number of Directors shall be filled at the next regular meeting of the Board of Directors or at a special meeting called for that purpose. When a re-appointment or replacement is made, the re-appointment or replacement shall be considered effective on the date that the prior term expired. Board members whose terms have expired may continue serving until they are either re-appointed or until their successors are chosen.

(5) Term of Directors
Except as otherwise provided herein, Directors shall serve terms of 3 years. A Director may succeed himself for only one consecutive term. After serving two consecutive terms, a Director must vacate the position for at least one year before seeking re-election to another term.

(6) Staggered Terms
There shall be staggered terms of office for Directors so that one-third of the directorships shall be up for election each year. For the purpose of staggering terms, a Director may be appointed for an initial term of one, two, or three years.

(7) Resignation
Any Director may resign at any time by delivering written notice to the Secretary or President of the Board of Directors. Such resignation shall take effect upon receipt or, if later, at the time specified in the notice.

(8) Removal
Any Director may be removed without cause, at any time, by a majority of the entire Board of Directors, at a Regular or Special Meeting called for that purpose. Any Director under consideration of removal must first be notified about the consideration by written notice at least five (5) calendar days prior to the meeting at which the vote takes place. Any Director who misses two consecutive regularly scheduled Board Meetings may be considered a candidate for removal from the Board of Directors.

(9) Vacancies
Vacancies shall be filled by majority vote of the remaining members of the Board of Directors and the Director filling the vacancy shall serve for the remainder of the term of the directorship that was vacated. Vacancies shall be filled as soon as practical. Any Director may make nominations to fill vacant directorships.
(10) Compensation
Directors shall not receive any salaries or other compensation for their services with the exception of the Executive Director and ex officio member of the Board of Directors. Directors may, however, be reimbursed for any actual expenses incurred in the performance of their duties for the Corporation, as long as a majority of disinterested Board of Directors approve the reimbursement. The Corporation shall not loan money or property to or guarantee the obligation of any Director.

(11) Ex Officio Members
Ex officio members of the Board shall include the Executive Director and any other ex officio members the Board shall designate. The Executive Director and other ex officio members of the Board of Directors shall serve at the discretion of the Board and shall have no voting rights on the Board.

ARTICLE IV
Committees

(1) Executive Committee
The President, Vice President, Treasurer, Secretary, and Executive Director of the Corporation shall constitute the executive committee. Three of the following: the President, Vice President, Treasurer, or Secretary shall constitute a quorum of the Executive Committee for the transaction of business and all decisions to be made. The executive committee shall have the authority to act on behalf of the Corporation between Regular Meetings of the Board of Directors. The Board of Directors must validate the actions of the executive committee at its next Regular or Special Meeting. Any such action not so validated shall not be legally binding on the Corporation. The President shall act as chairperson of the executive committee, but shall vote only to break a tie vote. The Executive Director shall not vote on any business conducted by the Executive Committee.

(2) Finance and Resource Management Committee
The Corporation shall have a Finance and Resource Management Committee which shall assist the Board of Directors in carrying out the fiscal management of the Corporation. The Finance and Resource Management Committee shall assist the Executive Director in preparing and presenting the annual budget to the Board of Directors, make necessary investment choices, and generally protect the soundness of the corporation's finances and fiscal operations. The members of the Finance and Resource Management Committee shall consist of a Chairperson, which shall be the Treasurer of the Corporation, the Executive Director and ex officio member of the Board of Directors, and at least one other member of the Board of Directors. Employees of the Corporation and members of the community may also be appointed to serve as committee members in addition to the Board members listed above. The Finance and Resource Management Committee shall meet upon call of the Board of Directors or the Treasurer, review the financial activities of the Corporation, and make recommendations to the Board of Directors for the Board's final approval. The Chair shall ensure that minutes of the committee meetings are taken.
and present a copy of the minutes to the Secretary within the two weeks following the meeting. Committee meetings shall be open to all members of the Board of Directors.

(3) Additional Committees
The Board of Directors may from time to time designate and appoint additional standing or temporary committees by majority vote of the Board of Directors. Such committees shall have and exercise such prescribed authority as is designated by the Board of Directors. The Directors may authorize these committees to exercise any powers, responsibilities, and duties consistent with the Articles of Incorporation and these bylaws.

(4) Advisory Committee

(a) Purpose. The purpose of the Advisory Committee is to provide advice and support to the corporation, its Executive Director and Board of Directors on all corporate matters that relate to its operation, financial status, community and professional relationships, and any other matters deemed relevant by the Board of Directors or the Advisory Committee.

(b) Leadership. The president of the Board of Directors will be the ex-officio chair of the Advisory Committee.

(c) Membership. The members of the Advisory Committee will be nominated by the Executive Director or any member of the Board of Directors and must be approved by the Board of Directors. The Advisory Committee will be comprised of individuals who are respected in the community and can reflect the interests and concerns of various constituencies in the community. Potential members may include, but are not limited to, county judges, county commissioners, and those who may use the corporation’s services from a legal, judicial, mediation, or business perspective. There will be no fewer than five nor more than fifteen members of the Advisory Committee. The members of the Advisory Committee will serve two-year terms running from January 1 to December 31 of each year. Initially, however, in order to stagger terms, half the members of the Advisory Committee will serve one-year terms and the other half two-year terms. Members may serve two consecutive two-year terms, but after serving two consecutive two-year terms, they must be absent from the Advisory Committee for at least one year before they will be eligible to serve an additional term. Notwithstanding their appointment to the Advisory Committee for terms of one or two years, the Advisory Committee members will serve at the Board of Director’s pleasure, and the Board of Directors may end any Advisory Committee member’s term, without notice or cause, prior to the expiration date of a member’s term.

(d) Frequency of Meetings; Notice. The Advisory Committee will meet at least two (but not more than four) times a year for formal reviews of the Corporation’s operations. The Advisory Committee will set the dates and times for its meetings for formal reviews, and it will notify the Executive Director of such dates and times at least fifteen days in advance of the meetings. The Board of Directors president and the Executive Director must attend the meetings for formal reviews, and all members of the Board of Directors must be invited. Special Advisory Committee meetings dealing with specific issues may be initiated by any member of the Advisory Committee or the Board of Directors by providing the Executive Director with a written request for such a meeting at least fifteen
days in advance of the meeting. The Executive Director will provide at least ten days’ notice to all Advisory Committee and Board of Directors members of any Advisory Committee special meetings or meetings for formal reviews.

(e) Agendas of Formal Reviews. The agendas of formal reviews will include reviews of the Corporation’s operational aspects, its caseload statistics, its financial status, and any other issues relevant and/or requested by any members of the Advisory Committee.

(f) Private Meetings. Any Advisory Committee member may engage in private meetings with the Executive Director or any member(s) of the Board of Directors. If, however, an Advisory Committee member expects action to be taken on a specific issue, the Advisory Committee member must bring the issue to the attention of the Executive Director or the Board of Directors president.

(g) Autonomy. The Advisory Committee functions as a committee of the Corporation and is not authorized to take any action on behalf of the Corporation unless expressly approved by the Board of Directors’ president with the Board of Directors’ concurrence.

(h) Access to Corporation Records and Files. Any Advisory Committee member may request access to any files of the Corporation except those dealing with specific cases or disclosing client names or information.

(i) External Communications. Advisory Committee members shall communicate any concerns or questions regarding the Corporation’s operations to the Executive Director, the Board of Directors’ president, or any other member of the Board of Directors prior to discussing internal Corporation issues with any outside parties.

ARTICLE V
Code of Ethics

The corporation and its Directors and Employees shall comply with the Corporation’s Code of Ethics, attached as Exhibit A.

ARTICLE VI
Board Meetings

(1) Place of Board Meetings
Regular and Special Meetings of the Board of Directors shall be held at any place that the President may designate within the limits of Travis, Hays, Caldwell, and Comal Counties.

(2) Regular and Special Meetings
Regular meetings of the Board of Directors shall be held each quarter, or more frequently as deemed necessary by the Board of Directors. Special Meetings may be called by the President or any three Directors. An orientation meeting shall be held each year for the new members of the Board of Directors.

(3) Notice of Board Meetings
Notice of the date, time, and place of Regular Meetings shall be given to each board member by regular mail, telephone (including voice mail), facsimile, or e-mail no less than 20 days notice prior to the meeting. Notice of the date, time, and place of special meetings shall be given to each board member using the same methods, but with no less than 10 days notice prior to the meeting, with the exception of special meetings held to amend the Certificate of Formation or Bylaws, for which a 20-day written notice by mail or facsimile shall be required specifying the proposed amendment.

(4) Waiver of Notice
Attendance by a Director at any meeting of the Board of Directors for which the Director did not receive the required notice will constitute a waiver of notice of such meeting unless the Director objects at the beginning of the meeting to the transaction of business on the grounds that the meeting was not lawfully called or convened.

(5) Quorum and Voting
A majority of the incumbent Directors (not counting vacancies) shall constitute a quorum for the purposes of convening a meeting or conducting business. At Board meetings where a quorum is present, a majority vote of the Directors attending shall constitute an act of the Board unless a greater number is required by the Certificate of Formation or by any provision of these bylaws. The Executive Director and any other ex officio members shall not vote. The President shall not vote on any matter that comes before the Board except to break a tie-vote among the other voting Directors.

(6) Actions without a Meeting
Any action required or permitted to be taken by the Board of Directors under the Texas Business Organizations Code, the Certificate of Formation, and these Bylaws may be taken without a meeting, if a majority of Directors individually and collectively consent in writing, setting forth the action to be taken. Such written consent shall have the same force and effect as a unanimous vote of the Board.

(7) Open Meetings
Meetings shall be open to the general public, except when personnel, real estate, or litigation matters are being discussed.

(8) Proxy Voting Prohibited
Proxy voting shall not be permitted.

(9) Time-Sensitive Issues
For emergency or time-sensitive issues which must be resolved prior to the next scheduled Board meeting, electronic voting shall be acceptable with prior electronic notice to the Directors. Email and fax communications shall be acceptable in these instances.
ARTICLE VII
Officers

(1) Roster of Officers
The Corporation shall have a President, Vice President, Secretary, and Treasurer. The Corporation may have, at the discretion of the Board of Directors, such other officers as may be appointed by the Directors. One person may hold two or more offices, except those serving as President or Secretary. The Executive Director of the Corporation shall also serve as ex officio member of the Board of Directors.

(2) Election and Removal of Officers
All officers shall serve three-year terms. The election shall be conducted at the Board of Directors' first meeting of the fiscal year and following the election of the new Board of Directors filling expired terms, or as soon as practical thereafter. Officers shall remain in office until their successors have been selected. Officers may serve two consecutive terms. The election of officers shall be by majority vote of the Board of Directors attending the meeting.

(3) Vacancies
If a vacancy occurs during the term of office for any elected officer, the Board of Directors shall elect a new officer to fill the remainder of the term as soon as practical, by majority vote of Directors present.

(4) President
• The President shall supervise and control the affairs of the Corporation and shall exercise such supervisory powers as may be given him by the Board of Directors.
• The President shall perform all duties incident to such office and such other duties as may be provided in these bylaws or as may be prescribed from time to time by the Board of Directors. The President shall preside at all Regular and Special board meetings and shall exercise parliamentary control in accordance with Robert's Rules of Order.
• The President shall, with the advice of the Board of Directors and in accordance with the requirements of these Bylaws, set the agenda for each meeting of the Board of Directors.

(5) Vice President
• The Vice President shall act in place of the President in the event of the President's absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required by the board.
• The Vice President shall serve as the parliamentarian and interpret any ambiguities of the bylaws.

(6) Secretary
• The Secretary will perform all duties incident to the office of Secretary and such other duties as may be required by law, by the Articles of Incorporation, or by these bylaws.
• The Secretary shall attest to and keep the bylaws and other legal records of the Corporation, or copies thereof, at the principal office of the Corporation.
• The Secretary shall take or ensure that someone takes minutes of all meetings of the
committees and Board of Directors, and shall keep copies of all minutes at the principal office of the Corporation.
• The Secretary shall keep a record of the names and addresses of the Directors at the principal office of the Corporation.
• The Secretary shall, with the approval of the Board of Directors, set up procedures for any elections held by the Corporation. The Secretary shall keep a record of all votes cast in such elections.
• The Secretary shall ensure that all records of the Corporation, minutes of all official meetings, and records of all votes, are made available for inspection by any member of the Board of Directors at the principal office of the Corporation during regular business hours.
• The Secretary shall see that all notices are duly given in accordance with these bylaws or as required by law.
• The Secretary shall see that all books, reports, statements, certificates, and other documents and records of the Corporation are properly kept and filed.
• In the case of the absence or disability of the Secretary, or the Secretary’s refusal or neglect to fulfill the duties of Secretary, the Vice President shall perform the functions of the Secretary.

(7) Treasurer
• The Treasurer shall have charge and custody of all funds of the Corporation, shall oversee and supervise the financial business of the Corporation, shall render reports and accountings to the Directors as required by the Board of Directors, and shall perform in general all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation, or by these bylaws, or which may be assigned from time to time by the Board of Directors.
• The Treasurer and the Executive Director of the Corporation shall implement a plan providing for the acceptance and disbursement of all funds of the Corporation which shall be approved by the Board of Directors.
• The Treasurer, along with the Executive Director, with the approval of the Board of Directors, shall set up all checking, savings, and investment accounts of the Corporation and deposit all such funds in the name of the Corporation in such accounts.
• The Treasurer’s and Executive Director’s signatures shall be the authorized signatures for all checking, savings, and investment accounts of the Corporation.
• The Treasurer shall oversee and supervise the Executive Director’s preparation of a quarterly report for the Board of Directors, providing an accounting of all transactions and of the financial conditions of the Corporation.
• The Treasurer shall keep all financing records, books, and annual reports of the financial activities of the Corporation at the principal office of the Corporation and make them available at the request of any Director or member of the public during regular business hours for inspection and copying.
ARTICLE VIII
Rules of Procedure

The proceedings and business of the Board of Directors shall be governed by Robert’s Rules of Parliamentary Procedure unless otherwise provided herein.

ARTICLE IX
Executive Director

The Board of Directors may, upon resolution, appoint an Executive Director to serve at the Board’s discretion and to carry out whatever tasks the board from time to time resolves. The Executive Director shall be paid an annual salary set by the Board of Directors and approved annual budget. Subject to such supervisory powers as are vested in the Board of Directors, the Executive Director shall supervise, direct, and control the business of the Corporation and actively manage its business, and shall have such other powers and duties as may be prescribed by the Board of Directors or by these Bylaws. The Executive Director may engage in negotiations involving commitments of the resources of the Corporation or the acceptance of money or resources by the Corporation in furtherance of the purposes of the Corporation as set out in the Certificate of Formation and these Bylaws. The Executive Director shall generally be expected to attend all Regular and Special Meetings of the Board of Directors and meetings of the Finance and Resource Management Committee and Executive Committee as an ex officio member of the Board of Directors, except when any such meeting includes a discussion of an evaluation of the Executive Director’s performance of duties and/or responsibilities, when the topic is the Executive Director’s compensation, or at the discretion of the Board.

ARTICLE X
Indemnification

(1) Insurance
The Corporation shall provide indemnification insurance for its Board members, and the Board shall select the amount and limits of such insurance policy.

(2) Indemnification
To the extent permitted by law, any person (and the heirs, executors, and administrators of such person) made or threatened to be made a party to any action, suit, or proceeding by reason of the fact that he is or was a Director or Officer of the Corporation shall be indemnified by the Corporation against any and all liability and the reasonable expenses, including attorney’s fees and disbursements, incurred by him (or by his heirs, executors or administrators) in connection with the defense or settlement of such action, suit, or proceeding, or in connection with any appearance therein.

(3) Limits on Indemnification
Notwithstanding the above, the corporation shall indemnify a person only if he acted in good faith and reasonably believed that his conduct was in the corporation’s best
interests. In the case of a criminal proceeding, the person may be indemnified only if he had no reasonable cause to believe his conduct was unlawful.

ARTICLE XI
Operations

(1) Execution of Documents
Unless specifically authorized by the Board of Directors or as otherwise required by law, all final contracts, deeds, conveyances, leases, promissory notes, or legal written instruments executed in the name of and on behalf of the Corporation shall be signed and executed by the Executive Director and the President (or such other person designated by the Board of Directors), pursuant to the general authorization of the Board. All conveyances of land by deed shall be signed by the President or two other members of Executive Committee and must be approved by a resolution of the Board of Directors.

(2) Disbursement of Funds
Financial Transactions which have a value of $10,000.00 or more shall require majority approval of the Executive Committee. In all other transactions, the Executive Director may dispense with the funds of the Corporation in accordance with the annual budget approved by the Board of Directors and the purposes of the Corporation as set out in the Articles of Incorporation and these bylaws. Notwithstanding the above, all checks of more than $5,000.00 disbursing funds from any of the Corporation’s accounts shall require the signatures of both the Executive Director and the Corporation’s Treasurer.

(3) Financial Policy
The Corporation shall abide by its financial policy, set forth in Exhibit B.

(4) Records
The Corporation shall keep correct and complete records of account and shall also keep minutes of the proceedings of the Board meetings and Committees. The Corporation will keep at its principal place of business the original or a copy of its bylaws, including amendments to date certified by the Secretary of the Corporation and a membership roster giving the names and addresses of members.

(5) Inspection of Books and Records
All books and records of this Corporation may be inspected by any Director for any purpose at any reasonable time on written demand.

(6) Loans to Management
The Corporation shall make no loans to any of its Directors or Officers.

(7) Amendments
The Board of Directors may adopt Articles of Amendment (amending the Articles of Incorporation) by a vote of two-thirds of Directors present at a meeting where a quorum is present. The bylaws may be amended at any time by a vote of the majority of Directors at a meeting where a quorum is present.
(8) Fiscal Year
The fiscal year for the Corporation shall coincide with the fiscal year of Hays County, Texas, which runs from the beginning of October through the end of September.

(9) Audit
The Corporation shall have an annual audit conducted by the Finance and Resource Management Committee to be completed by six (6) weeks after the close of the previous fiscal year.

ARTICLE XII
Dissolution Provisions

(1) In the event that the Corporation ceases to function in the purposes as set forth in Article II of this document for a period in excess of three months, the Board of Directors shall wind up and dissolve the Corporation.

(2) In the event of dissolution, the Corporation shall
(a) cease to carry on its business, except to the extent necessary to wind up its business;
(b) send a written notice of the winding up to each known claimant against the Corporation;
(c) apply and distribute its property to discharge, or make adequate provision for the discharge of, all of the Corporation's liabilities and obligations including adequate provision for the satisfaction of any judgment, order, or decree that may be entered against the Corporation in a pending suit and, to the extent the property is not to be distributed in kind to the Corporation's creditors or obligees, collect and sell its property;
(d) prosecute or defend a civil, criminal, or administrative action for the benefit of the Corporation;
(e) perform any other act required to wind up its business and affairs.

(3) If the property of the Corporation is not sufficient to discharge all of the Corporation's liabilities and obligations, the Corporation shall:
(a) apply its property, to the extent possible, to the just and equitable discharge of its liabilities and obligations; or
(b) make adequate provision for the application of the property described by Subdivision (a).

(4) If, after satisfying all debts and obligations of the Corporation, including making adequate provision for the satisfaction of any judgment, order, or decree that may be entered against the Corporation in a pending suit, the Corporation continues to hold funds, then those funds shall be refunded on a pro-rata basis to the Counties from which supporting contributions have been received for the year of dissolution, in proportion to the support received.
CERTIFICATION

I hereby certify that these amended bylaws were adopted by the Board of Directors of Central Texas Alternative Dispute Resolution, Inc. by in person voting by a quorum of the Board of Directors on March 20, 2017.

[Signature]
Neal Linnartz, Secretary

3/24/17
Date
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Employer Identification Number: 27-0509131
DIN: 17053316316049
Contact Person: WINNIE W LEE
Contact Telephone Number: (877) 829-5500
Accounting Period Ending: September 30
Public Charity Status: 509(a)(2)
Form 990 Required: Yes
Effective Date of Exemption: July 8, 2009
Contribution Deductibility: Yes
Addendum Applies: No
Sincerely,

Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements  

Enclosure: Publication 4221-PC
## Income

<table>
<thead>
<tr>
<th>Contribution Type</th>
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<tr>
<td>Contributions</td>
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<tr>
<td>- Donations</td>
<td>$5,500</td>
</tr>
<tr>
<td>- Fundraising Events</td>
<td>$2,750</td>
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<tr>
<td>- In-Kind</td>
<td>$0</td>
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<td>County ADR Funds</td>
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<tr>
<td>- Hays</td>
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<tr>
<td>- Comal</td>
<td>$16,475</td>
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<tr>
<td>- Comal CPS</td>
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<td>- Guadalupe</td>
<td>$0</td>
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<tr>
<td>- Caldwell</td>
<td>$2,500</td>
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<tr>
<td>- Other</td>
<td>$0</td>
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<tr>
<td>Grants</td>
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<tr>
<td>- Government</td>
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<tr>
<td>- Foundations and Trusts</td>
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<tr>
<td>Program Income</td>
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<tr>
<td>- Mediation Service</td>
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<tr>
<td>- Training Registration</td>
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<tr>
<td>- Office Rental</td>
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<tr>
<td>Interest/ Dividends</td>
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<td>Miscellaneous</td>
<td>$0</td>
</tr>
<tr>
<td>Uncategorized</td>
<td>$0</td>
</tr>
</tbody>
</table>

**TOTAL** $125,167
### Expenses

#### Salaries and Benefits
- Wages\( ^{xli} \) $68,950
- Taxes\( ^{xiii} \) $6,895
- Employee Benefits\( ^{xiv} \) $0.00

#### Operations
- Rent\( ^{xv} \) $9,600
- Equipment and Maintenance\( ^{xvi} \) $650
- Utilities $960
- Phone and Net $1,536
- Fax $120
- E-Mail Exchange $240
- ED Phone Stipend $720
- QuickBooks $1,068
- Office Supplies\( ^{xvii} \) $3,300
- Postage $400
- Printing and Copying $500

#### Legal and Professional Services
- Insurance\( ^{xviii} \) $2,835
- Accounting\( ^{xx} \) $2,200
- Cleaning Service\( ^{xx} \) $1,020
- Legal $0
- Memberships and Dues $2,075

#### Programs and Services
- Marketing\( ^{xxi} \) $1,005
- Training\( ^{xxii} \) $12,550
- Travel and Conferences\( ^{xxiii} \) $2,100

#### Tax\( ^{xxiv} \)
- $0

#### Miscellaneous
- $0

#### Uncategorized
- $0

#### Contingency\( ^{xxv} \)
- $6,443

#### TOTAL
- $125,167

#### NET PROFIT
- $0
1 Combination of BOD Gifts and Donation Requests within FY17; Combined “Donations” and “Fundraising Events” income line items project a 106% increase from FY16 budget allotment based on action plan by newly established fundraising committee.

2 Anticipated Return on Bench Bar Silent Auction Event; Combined “Donations” and “Fundraising Events” income line items project a 106% increase from FY16 budget allotment based on action plan by newly established fundraising committee.

3 FY2016 Actual Cash Flow AVG=$3,855/month; FY2017 assumes a 4.8% increase reflecting population growth projection for Hays/Comal area.

4 FY2016 Actual Cash Flow AVG=$1,310/month; FY2017 assumes a 4.8% increase reflecting population growth projection for Hays/Comal area.

5 DRC anticipates mediating one CPS case per month at $300 per case: $300 @ 12= $3,600.00

6 Assumes no funding will be received in FY2017 from Guadalupe County

7 Assumes funding will be received in FY2017 from Caldwell County in Q4.

8 Assumes $6,000 HSAB Grant from City of San Marcos, pending decision

9 Assumes $15,000 in Awarded Grants from Requests to McKenna Foundation and United Way Comal County

10 DRC anticipates increased mediation intake and reflects an increase in budgeted amount from FY2016

11 Training registration is forecasted at 1 Basic Training Course with 12 trainees at $800 each ($9,600), 1 Family Training Course with 12 trainees at $500 each ($6,000) and 1 CPS Training Course with 12 Trainees at $250 each ($3,000)

12 Executive Director salary assumes no increase from FY2016; Mediation Coordinator- part time position at 25 hours per week (52) at $11.00/hour; Training Coordinator- Additional part time position at 25 hours per week (52) at $11.00/hour starting in Q3 of FY17

13 Employer tax contribution and expenses assume increase with additional staff member and work hours

14 Assumes no benefits

15 $800/month at 12 months

16 $650 allowance for new computer and desk for additional PT employee

17 Amount includes volunteer and mediation party hospitality needs (refreshments and snacks); cleaning supplies are also included

18 Small decrease from $215/month to $208/month; insurance binding in October at 25% of premium

19 CPA expense for end of FY review and 990 filing

20 $100/month cleaning service allowance

21 Marketing expenses for general DRC promotion that overlap both mediation service and trainings

22 Training production expenses to include venue rental, catering, instructors, materials, and specified marketing

23 Travel allowance for ED travel to conferences and service area meetings and visits

24 Assumes no sales tax will be paid

25 Contingency is established to be used for changes in the budget and unforeseen expenses as well as board decision on compensation adjustments.
Central Texas Alternative Dispute Resolution, Inc.  
Projected Fiscal Year 2018 (Pro-Forma)  
Adopted- August 15, 2016

Fiscal Year- October 1, 2017 to September 30, 2018  
Budget Format: Balanced

**Income**

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<thead>
<tr>
<th>Contributions</th>
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<table>
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<tr>
<th>Program Income</th>
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<tr>
<td>- Mediation Service</td>
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<td>- Training Registration</td>
<td>$18,600</td>
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<tr>
<td>- Office Rental</td>
<td>$250</td>
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| Interest/ Dividends    | $12    |
| Miscellaneous          | $0     |
| Uncategorized            | $0     |

**TOTAL** $139,067
## Expenses

### Salaries and Benefits
- Wages: $78,950
- Taxes: $7,895
- Employee Benefits: $0.00

### Operations
- Rent: $9,600
- Equipment and Maintenance: $650
- Utilities: $960
- Phone and Net: $1,536
- Fax: $120
- E-Mail Exchange: $240
- ED Phone Stipend: $720
- QuickBooks: $1,068
- Office Supplies: $3,300
- Postage: $400
- Printing and Copying: $500

### Legal and Professional Services
- Insurance: $2,835
- Accounting: $2,200
- Cleaning Service: $1,020
- Legal: $0
- Memberships and Dues: $2,075

### Programs and Services
- Marketing: $2,005
- Training: $13,550
- Travel and Conferences: $2,100

### Tax
$0

### Miscellaneous
$0

### Uncategorized
$0

### Contingency
$7,443

**TOTAL** $139,167

**NET PROFIT** $0

**Please note that the FY 2018 Budget will be formulated, presented, changed, and approved during the months of June 2017-September 2017. This is projected based on current budget performance of FY 2017 and goals set at annual Board of Directors retreat in January 2017.**
CENTRAL TEXAS DISPUTE RESOLUTION CENTER
829 N. LBI, STE 108
SAN MARCOS, TEXAS 78666

INDEPENDENT ACCOUNTANT'S REVIEW REPORT
FOR FINANCIAL STATEMENTS FOR
YEAR ENDED SEPTEMBER 30, 2016

Performed by Don Ashcraft, CPA
190 S. Seguin Ave, Ste 201
New Braunfels, Tx 78130
January 31, 2017
Don Ashcraft, CPA
190 S. Seguin Ave.
New Braunfels, Tx 78130

Independent Accountant’s Review Report

Central Texas Dispute Resolution Center
829 N. LBJ Suite 108
San Marcos, Tx 78666

January 31, 2017

I have reviewed the accompanying financial statements of Central Texas Dispute Resolution Center Inc., which comprise the statement of assets, liabilities, and fund balance—tax basis as of September 30, 2016, and the related income statements of revenue and expense—tax basis, for the year then ended, and the related notes to the financial statements. A review includes primarily applying analytical procedures to managements’ financial data and making inquiries of management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, I do not express such an opinion.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the basis of accounting the company uses for income tax purposes; this includes determining the basis of accounting the company uses for income tax purposes is an acceptable basis for the preparation of financial statements in the circumstances. Management also is responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Accountant’s Responsibility

My responsibility is to conduct the review engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. Those standards require me to perform procedures to obtain limited assurance as a basis for reporting whether I am aware of any material modifications that should be made to the financial statements for them to be in accordance with the basis of accounting the company uses for income tax purposes. I believe that the results of my procedures provide a reasonable basis for this report.
Accountant’s Conclusion

Based upon my review, I am not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in accordance with the basis of accounting the company uses for income tax purposes.

Basis of Accounting

The company has decided to prepare the financial statements in accordance with the tax-basis of accounting used to prepare their 2015 Form 990-EZ company tax return, which is a basis of accounting other than accounting principles generally accepted in the United States of America (OCBOA). Management has decided to omit disclosures that normally are included in financial statements in accordance with tax-basis of accounting. My conclusion is not modified with respect to this matter.

Sincerely,

Don Ashcraft, CPA
190 S. Seguin Ave.
New Braunfels, Tx 78130

January 31, 2017
## Central Texas Dispute Resolution Center

### Statements of Revenue and Expenses

For Year Ended September 30, 2016

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
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<td><strong>Total Contributions</strong></td>
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<td>Foundation &amp; Trusts</td>
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<td><strong>MIS Income</strong></td>
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<td><strong>Total Legal &amp; Professional Services</strong></td>
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See Independent Reviewer's Report
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See Independent Reviewer's Report
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<td><strong>TOTAL EQUITY &amp; LIABILITIES</strong></td>
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See Independent Reviewer's Report
INDEPENDENT REVIEWER'S REPORT ON SUPPLEMENTARY INFORMATION

CENTRAL TEXAS DISPUTE RESOLUTION CENTER

829 N. LBJ, STE 108

SAN MARCOS, TEXAS 78666

I have reviewed the accompanying financial statements of Central Texas Dispute Resolution Center as of the year ended September 30, 2016, and my report dated January 31, 2017 stated that I was not aware of any material modifications that should be made to the financial statements. The following supplementary information is presented for the purpose of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the same review procedures that were applied for the review report. The vast majority of utilized procedures consisted of comparing current year data against previous years, and discussions with key management personnel on the relationships involving financial and non-financial areas. After such discussions, I am not aware of any material misstatements in the supplementary information.

[Signature]

Performed by Don Ashcraft, CPA

190 S. Seguin Ave, Ste 201

New Braunfels, Tx 78130

January 31, 2017
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Engagement Letter
Management Representation Letter
Financial Statements
Independent Reviewer's Report on Supplementary Information
Significant Accounting Policies and Procedures
Central Texas Alternative Dispute Resolution Center
829 N. LBJ
San Marcos, Texas 78666


TO: Jason Irlé, Executive Director

January 31, 2017

You have requested that I perform an independent review engagement of the financial statements of Central Texas Alternative Dispute Resolution Center, Inc., which comprise the statement of assets, liabilities, and fund balance--tax-basis as of September 30, 2016, and the statements of revenue and expense--tax-basis for the year then ended. I am pleased to confirm my acceptance and my understanding of this engagement by means of this letter.

MY RESPONSIBILITIES

The objective of my engagement is to obtain limited assurance as a basis for reporting whether I am aware of any material modifications that should be made to the financial statements in order for the statements to be in accordance with the tax-basis of accounting.

I will conduct our review engagement in accordance with Statements on Standards for Accounting and Review Services (SSARSs) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA’s Code of Professional Conduct, including ethical principles of integrity, objectivity, professional competence, and due care.

A review engagement includes primarily applying analytical procedures to your financial data and making inquiries of company management. A review engagement is substantially less in scope than an audit engagement, the objective of which is the expression of an opinion regarding the financial statements as a whole. A review engagement does not contemplate obtaining an understanding of the company’s internal control; assessing fraud risk, testing accounting records by obtaining sufficient appropriate audit evidence through inspection, observation, confirmation, or the examination of source documents; or other procedures ordinarily performed in an audit engagement. Accordingly, I will not express an opinion regarding the financial statements.
My engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by error or fraud, or to identify or disclose any wrongdoing within the company or noncompliance with laws and regulations. However, I will inform the appropriate level of management of any material errors and any evidence or information that comes to our attention during the performance of my review procedures that indicate fraud may have occurred. In addition, I will report to you any evidence or information that comes to my attention during the performance of my review procedures regarding noncompliance with laws and regulations that may have occurred, unless they are clearly inconsequential.

YOUR RESPONSIBILITIES

The engagement to be performed is conducted on the basis that you acknowledge and understand that my role is to obtain limited assurance as a basis for reporting whether I am aware of any material modifications that should be made to the financial statements in order for the statements to be in accordance with the tax-basis of accounting. You have the following overall responsibilities that are fundamental to our understanding the engagement in accordance with SSARSs:

- The selection of the tax-basis of accounting as the financial reporting framework to be applied in the preparation of the financial statements;
- The preparation and fair presentation of the financial statements in accordance with the tax-basis of accounting. This includes –
  - A description of the tax-basis of accounting, including a summary of significant accounting policies, and how the tax-basis of accounting differs from accounting principles generally accepted in the United States of America, the effects of which need not be qualified;
  - Informative disclosures similar to those required by accounting principles generally accepted in the United States of America;
- The design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements;
- The prevention and detection of fraud;
- To ensure that the company complies with the laws and regulations applicable to its activities;
- The accuracy and completeness of the records, documents, explanations, and other information, including significant judgements, you provide to us for the engagement.
- To provide us with –
access to all information of which you are aware is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters;

ii. additional information that I may request from you for the purpose of the review engagement;

iii. unrestricted access to persons within the company of whom I determine is necessary to make inquiries;

- To provide us, at the conclusion of the engagement, with a letter that confirms certain representations made during the review.

You are also responsible for all management decisions and responsibilities and for designating an individual with suitable skills, knowledge, and experience to oversee my review of your financial statements. You are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services.

MY REPORT

I will issue a written report upon completion of our review of the company's financial statements. My report will be addressed to the board of directors of the company. I cannot provide assurance that an unmodified accountant's review report will be issued. Circumstances may arise in which it is necessary for us to report known departures from the tax-basis of accounting, add an emphasis-of-matter or other-matter paragraph, or withdraw from the engagement. If, for any reason, I am unable to complete the review of your financial statements, we will not issue a report on such statements as a result of this engagement.

Our report will state that the financial statements are prepared in accordance with the tax-basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our conclusion will not be modified with respect to this matter.

You agree to include our accountant's review report in any document containing financial statements that indicates such financial statements have been reviewed by me and, prior to inclusion of the report, to ask our permission to do so.

My fee for this review engagement is $2,100, of which a $500 retainer will be paid upfront, with the balance paid upon the completion of the work and the delivery of the product.
If you request me to perform additional services not contemplated or described in this engagement letter, I will provide you with a separate agreement describing those additional services and fees.

Please sign and return the attached copy of this letter to indicate your acknowledgement of, and agreement with, the arrangements for our engagement to perform a review with respect to those same financial statements and our respective responsibilities.

Sincerely yours,

[Signature] 11/31/17

Acknowledged and agreed on behalf of Central Texas Alternative Dispute Resolution Center, Inc.

[Signature] 1/21/17

[Signature] 1/31/17
Central Texas Alternative Dispute Resolution Center, Inc.
829 N LBJ Room 108
San Marcos, Tx 78666

Don Ashcraft, CPA
190 S. Seguin Ave
New Braunfels, Tx 78130

January 31, 2017


This representation letter is provided in connection with your independent review of the financial statements of Central Texas Alternative Dispute Resolution Center, Inc., which comprise the statements of assets, liabilities, and fund balance, as of September 30, 2016, and the related statement of revenue and expense, for the year then ended, and the related notes to the financial statements, for the purpose of obtaining limited assurance as a basis for reporting whether you are aware of any material modifications that should be made to the financial statements in order for the statements to be in accordance with the tax-basis of accounting.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We represent that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves, as of January 31, 2017.

Financial Statements

1. We acknowledge our responsibility and have fulfilled our responsibilities for the preparation and fair presentation of the financial statements in accordance with the tax-basis of accounting.

2. We acknowledge our responsibility and have fulfilled our responsibilities for the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

3. We acknowledge our responsibility for the design, implementation, and maintenance of internal controls to prevent and detect fraud.
4. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

5. Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of the tax-basis of accounting principles.

6. Guarantees, whether written or oral, under which the company is contingently liable have been properly accounted for and disclosed in accordance with the requirements of the tax-basis accounting principles.

7. Significant estimates and material concentrations known to management that are required to be disclosed in accordance with Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 275, Risks and Uncertainties, have been properly accounted for and disclosed in accordance with the requirements of the tax-basis accounting principles. Significant estimates are estimates at the balance sheet date that could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets or geographic areas for which events could occur that would significantly disrupt normal finances within the next year.

8. All events subsequent to the date of the financial statements, and for which tax-basis accounting principles require adjustment or disclosure, have been adjusted or disclosed.

9. The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole.

10. The effects of all known or possible litigation and claims have been accounted for and disclosed in accordance with tax-basis accounting principles.

**Information Provided**

We have responded fully and truthfully to all inquiries made to us by you during your review.

We have provided you with:
a. Access to all information of which we are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.

b. Minutes of meetings of stockholders, directors, and committees of directors, or summaries of actions of recent meetings for which minutes have not yet been prepared.

c. Additional information that you have requested from us for the purpose of the review.

d. Unrestricted access to persons within the entity from whom you determined it necessary to obtain review evidence.

3. All transactions have been recorded in the accounting records and are reflected in the financial statements.

4. We have no knowledge of fraud or suspected fraud that affects the entity and involves:
   a. Management
   b. Employees who have significant roles in internal control
   c. Others when the fraud could have a material effect on the financial statements

5. We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements as a whole communicated by employees, former employees, analysts, regulators, or others.

6. We have no plans or intentions that may materially affect the carrying amounts or classification of assets and liabilities.

7. We have disclosed to you all known instances of noncompliance or suspected noncompliance with laws or regulations whose effects should be considered when preparing financial statements.

8. We have disclosed to you all known or possible litigation and claims whose effects should be considered when preparing the financial statements.

9. We have disclosed to you any other material liabilities or gain or loss contingencies that are required to be accrued or disclosed by FASB ASC 450, Contingencies.
10. We have disclosed to you the identity of the entity’s related parties and all the related party relationships and transactions of which we are aware.

11. No material losses exist, such as from obsolete inventory or purchase or sale commitments, that have not been properly accrued or disclosed in the financial statements.

12. The Company has satisfactory title to all owned assets, and no liens or encumbrances on such assets exist, nor has any asset been pledged as collateral, except as disclosed to you and reported in the financial statements.

13. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.

14. We are in agreement with the adjusting journal entries that you have recommended, and they have been posted to the company’s accounts, if applicable.

Jason J.
Print Name Executive Officer

Signature and Date 1-31-17

Martha D. Joyce
Print Name Board Treasurer

Signature and Date

Board Members, Volunteers, and Employees That Will Work with This Project:

Serving on the Training Committee is: ZygMaksymowicz, Chair; Brenda Holter; Al Vaughn; Walt Krudop. The committee duties will include: generating a training schedule for the year; produce training material; ensure courses are staffed with quality trainers; obtain training venues, ensure courses are approved for continuing education credits (attorneys and social workers) and meet the requirements for the Texas Mediator Credentialing Assoc.

The Board of Directors is available to volunteer to assist with trainings along with our Advisory Board Members, The Director, and Mediator Coordinator. Our current pool of Mediators also assist with various jobs including:

Planning trainings

Assisting as Coaches for Training Exercises
40 HOUR BASIC MEDIATION TRAINING

Course Instructors:

Zyg Maksymowicz, PhD is credentialed with the Texas Mediator Credential Association at the Advanced Credentialed level. He mediates at the CTDRC, and the Bexar County DRC, and has mediated at the Better Business Bureau. He is an Ombudsman with the Employer Support of the Guard and Reserve. He has extensive leadership experience in healthcare, military and non-profit organizations.

Walter Krudop, M.S. is a Former President of the Board of Directors of the Central Texas DRC and a TMCA Credentialed Advanced Mediator. He is an experienced mediator, teaches mediation and conflict resolution in various venues and consults in the area of program design and implementation. He is a former adjunct professor at St. Edward's University. Walt also serves on the board of the Texas Mediation Trainers’ Roundtable and is a past board member of the Texas Mediator Credentialing Association.

Roy "Neal" Linnartz, J.D. was born and raised in New Braunfels, Texas and attended Texas A&M University where he earned a Bachelor of Science degree. After graduation he took a job with Cobb Vantress, the genetic division of Tyson Foods, where he rose to the position Human Resources Manager for the southeast region of the company overseeing 8 facilities in 5 states. After living in Arkansas and Georgia, he decided to move back to Texas and found a position with Ashley Furniture Home Stores serving as their Director of Human Resources. He then decided to pursue a lifelong goal of becoming an attorney. He worked during the day as Director of Purchasing and Risk Management for Comal ISD and attended classes at St. Mary’s University School of Law at night. After earning a Doctor of Jurisprudence he opened his own law practice, The Law Office of Roy Neal Linnartz, PLLC in 2012. He practices in the areas of Estate Planning, Probate, Real Estate, and Family Law. Neal attended the CTDRC’s 40 hour basic mediation training in 2013 and started mediating for the CTDRC shortly afterwards. Neal currently mediates cases for the CTDRC and for the local courts. Neal is currently a resident of Comal County, and a director for the CTDRC, working on growing the CTDRC’s presence in Comal County.

Brenda Jarden-Holter has been a practicing attorney since 1989. I have thirty two years of military service, with 20 years’ experience as a Judge Advocate General. Education includes: LL.M. in Advanced Military Law from U.S. Army Judge Advocate General School of Law, University of VA at Charlottesville, 1998; Juris Doctorate, Thurgood Marshall School of Law, Houston, TX 1988; Masters of Public Administration, Texas Southern University, Houston, TX, 1984 and Bachelor of Arts, Political Science, University of St. Thomas, Houston, TX, 1978. During military tenure, taught military law to Military Police and paralegals. Also, taught Criminal Law for University of Maryland in Kosovo in 2007. Currently serves as a Defense Attorney for Veterans Treatment Court and Attorney/Mediator.

Al Vaughan is credentialed by TMCA as an Advanced Mediator and has been a volunteer mediator for the last 5 years mediating civil and family cases for the Central Texas Dispute Resolution Center and civil cases for the Better Business Bureau in both San Antonio and Austin. Al has supported mediation/customer service training for both the Cen Tex and Austin DRC’s. Prior to Al’s recent career in mediation, he held various corporate positions in Contracts, Program Management, and Supply Chain primarily with aerospace and machine tool firms. His final position prior to his retirement was as Corporate Director, Supply Chain. Al was born in Indiana and graduated with a business economics focus from Indiana University before serving for four years in the US Air Force during the war in Vietnam before launching his corporate career.

829 N. LBJ #108 San Marcos, TX 78666 www.centexdrcc.org (512)878-0382

Central Texas Dispute Resolution Center’s mission is to help peacefully resolve conflicts using mediation.
### Mediator Application
Central Texas Dispute Resolution Center

#### APPLICANT INFORMATION

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<td>City:</td>
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#### MEDIATION TRAINING

**Forty Hour Basic Mediation Training**, must meet or exceed the TMTR training criteria.

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**Advanced Mediation Training**

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#### EDUCATION

Please list education beyond high school.

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#### TEXAS MEDIATOR CREDENTIALING ASSOCIATION STATUS

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<th>Do you hold a TMCA credential?</th>
<th>Yes</th>
<th>No</th>
<th>If yes, level:</th>
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#### MEDIATION EXPERIENCE

Please list the types and approximate number of mediations you have conducted in the last five years. Please indicate the organizations or panels for which you mediated.

829 N. LBJ #108
San Marcos, TX 78666

www.centexdrc.org
(512)878-0382

Central Texas Dispute Resolution Center’s mission is to help peacefully resolve conflicts using mediation.
Mediator Application
Central Texas Dispute Resolution Center

<table>
<thead>
<tr>
<th>Type of Mediation</th>
<th>Location or Panel</th>
<th>Approximate Number Completed</th>
</tr>
</thead>
</table>

REFERENCES
Please list one or two mediators or others who are familiar with your performance as a mediator or other professional capacity.

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation (firm or organization) and Location (city)</th>
<th>Phone and email</th>
<th>Relationship to Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Phone:</td>
<td>Email:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Location:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Phone:</td>
<td>Email:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Location:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AVAILABILITY FOR MEDIATIONS
Please indicate when you are available for mediations. Add a note if you are available under specific circumstances.

Weekdays, 8:00AM-5:00PM  Evenings, 6:00PM-8:00PM  Saturdays, 8:00AM-5:00PM

CRIMINAL HISTORY

Have you ever been convicted of a misdemeanor offense within the last 10 years?

Yes  No

Have you ever been convicted of a felony?

Yes  No

Do you have charges pending for any offense?

Yes  No

If you answered yes to any of the questions above, please provide details including the date, charge, and location of the court of conviction for all offenses. (Use additional pages.)

I understand that my acceptance as a mediator at the CTDRC is contingent upon the satisfactory completion of verification of information contained in this application, a background check which may include reference checks, criminal history and driving record verification.

BY SIGNING BELOW, I certify that I have read and agree with these statements and I give permission for such background checks.

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APPLICANT CERTIFICATION

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, ALL INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT. I ALSO CERTIFY THAT I HAVE READ AND I AGREE TO CONFORM TO THE STANDARDS OF PRACTICE AND CODE OF ETHICS OF THE TEXAS MEDIATOR CREDENTIALING ASSOCIATION WHEN I AM MEDIATING DISPUTES ASSIGNED TO ME BY THE CENTRAL TEXAS DISPUTE RESOLUTION CENTER (CTDRC). I ALSO AGREE TO PARTICPATE IN THE MEDIATOR EVALUATION PROCESS USED BY THE HCDRC.

Printed Name
Signed
(Typing your name here represents a legal signature.)

Date

SUBMISSION INSTRUCTIONS

In order to receive mediation assignments ALL three (3) items listed below must be submitted.

1. A completed the Mediator Application, signed and dated on page 2.
2. A copy of the applicant’s Forty (40) Hour Basic Training Certificate
3. A copy of the applicant’s TMCA credential, and
4. A readable copy of a photo ID.

Send all four (4) items above to CTDRC via email, fax (1-866-475-4195) or conventional mail to the address below.

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Central Texas Dispute Resolution Center’s mission is to help peacefully resolve conflicts using mediation.
## Eligibility Requirements

<table>
<thead>
<tr>
<th>Civil Mediation Programs (Not Family)</th>
<th>Amount in Controversy Limit</th>
<th>Income Limit</th>
<th>Equity in Assets Limit</th>
<th>Cost for Services</th>
</tr>
</thead>
</table>
| Courts Civil Mediation Programs (Not Family)  
  - District Courts  
  - County Courts | $50,000 | None | None | • $50 per party for half-day  
  • $100 per party for full-day |
| Courts Civil Mediation Programs (Not Family)  
  - JP Courts | $10,000 | None | None | • None if referred by Court  
  • $50 per party for half-day  
  • $100 per party for full-day |
| DFPS – CPS Mediation | N/A | None | None | TBD – currently None |
| Municipality Agency Referrals  
  - Law Enforcement  
  - City Legal Dept.  
  - Animal Control | $50,000 | None | None | • None if referred by Municipal Agency  
  • $50 per party for half-day  
  • $100 per party for full-day |
| Texas State University Attorney for Students – Regular Civil | $50,000 | None | None | None if referred by a TXST Attorney |
| Community Mediation Program | $50,000 | None | None | • None if referred by Municipal or County Agency  
  • $50 per party for half-day  
  • $100 per party for full-day |
<table>
<thead>
<tr>
<th>Family Mediation Programs</th>
<th>Additional Requirements</th>
<th>Equity in Assets Limit</th>
<th>Income Limit</th>
<th>Cost for Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Mediation Programs</td>
<td>Must be represented by an attorney or Divorce Workshop participant</td>
<td>$50,000</td>
<td>250% of Federal Poverty Guidelines</td>
<td>• $50 per party for half-day $100 per party for full-day</td>
</tr>
<tr>
<td>• District Courts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• County Courts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Analysis of details how the program will be expanded, how many new beneficiaries will be served by the expansion and how this number was determined?

The program will be expanded by providing to 10 additional non-attorney mediators to serve as volunteers for the Central Texas Dispute Resolution Center. The number was determined by the fact that as the program grows we need a larger mediation pool to have volunteers available to mediate as needed.
Training Budget:

40 Hour Basic Training:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$6,000.00</td>
<td>Trainers</td>
</tr>
<tr>
<td>$ 550.00</td>
<td>Binders for 10</td>
</tr>
<tr>
<td>$ 500.00</td>
<td>Facility Cost</td>
</tr>
<tr>
<td>$1,500.00</td>
<td>Food for 5 days/ Participants/ Volunteers/ Trainers</td>
</tr>
<tr>
<td>$8,550.00</td>
<td>Total Cost</td>
</tr>
<tr>
<td>$7,050.00</td>
<td>Total Cost W/O Food</td>
</tr>
</tbody>
</table>

30 Hour Advanced Family Training:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5,000.00</td>
<td>Trainers</td>
</tr>
<tr>
<td>$ 550.00</td>
<td>Binders for 10</td>
</tr>
<tr>
<td>$ 300.00</td>
<td>Facility Cost</td>
</tr>
<tr>
<td>$1,400.00</td>
<td>Food for Participants/ Volunteers/ Trainers</td>
</tr>
<tr>
<td>$7,250.00</td>
<td>Total Cost</td>
</tr>
<tr>
<td>$5,850.00</td>
<td>Total Cost W/O Food</td>
</tr>
</tbody>
</table>

CPS Training:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5,000.00</td>
<td>Trainers</td>
</tr>
<tr>
<td>$ 550.00</td>
<td>Notebooks for 10</td>
</tr>
<tr>
<td>$ 300.00</td>
<td>Facility</td>
</tr>
<tr>
<td>$1,400.00</td>
<td>Food for Participants/ Volunteers/ Trainers</td>
</tr>
<tr>
<td>$7,250.00</td>
<td>Total</td>
</tr>
<tr>
<td>$5,850.00</td>
<td>Total Cost W/O Food</td>
</tr>
</tbody>
</table>

2 hour Trainings for Mediators – Free to Volunteer Mediators

4 @ $200.00 = $800.00
CORPORATE STRUCTURE

I. Name

The formal name of the corporation is Central Texas Alternative Dispute Resolution, Inc. The corporation does business as Hays County Dispute Resolution Center, which is an “assumed name” or “d/b/a” recorded with the offices of the Texas Secretary of State and the Hays County Clerk. Sometimes, the corporation is informally known or called the “Hays County DRC” or the “DRC” for short.

II. Corporate Status

The corporation is a Texas Nonprofit Corporation, formed on July 8, 2009. The corporation is also has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

III. Certificate of Formation

The corporation’s founding document is a Certificate of Formation filed with the Texas Secretary of State on July 8, 2009. The Certificate of Formation established the corporation’s formal name, status as a nonprofit corporation, initial registered agent and registered office, initial directors, and purpose. The Certificate of Formation is located in the corporation’s minute book.

IV. Bylaws

The corporation’s Bylaws outline how the corporation is managed. The initial directors adopted an initial set of Bylaws at their first meeting on August 11, 2009. The directors amended the Bylaws on September 19, 2009, and again on January 21, 2010 which are currently in effect. The Bylaws are located in the corporation’s minute book.

V. Board of Directors

The Bylaws establish a Board of Directors consisting of nine directors. Initially, directors were elected for “staggered” terms of one, two, and three years. Thereafter, all directors have been elected to serve three-year terms. The Bylaws require the Board of Directors to meet at least once each quarter, but monthly meetings have been the board’s custom since the corporation’s inception. The President presides at all meetings of directors, and the Executive Director, an ex officio board member, customarily attends all meetings. The board usually makes decisions by consensus, but in the absence of consensus, it makes decisions by majority vote. Several specialized committees of board members assist the board with its management functions. Those committees include the Executive Committee and the Finance and Resource Management Committee, whose functions are defined in the Bylaws, plus other committees the board establishes from time to time.
CENTRAL TEXAS ALTERNATIVE DISPUTE RESOLUTION, INC.
ANTI-HARASSMENT POLICY

NON-DISCRIMINATION AND EQUAL OPPORTUNITY

Consistent with federal and Texas law, Central Texas Alternative Dispute Resolution, Inc. ("DRC") states its commitment to the concepts of affirmative action and equal opportunity.

Neither employment nor study, nor services, programs, and activities should be hindered by such prohibited bias factors as race, color, religion, national origin, sex, sexual orientation, age, veteran status, or disability. Prohibited bias factors will not be permitted to have an adverse influence upon decisions regarding volunteers, employees, applicants for volunteer activities, applicants for employment, contractors, or participants in and/or users of programs, services, and activities. The DRC will continue in its efforts to maintain an environment free of such discrimination and bias. Every member of the DRC community is expected to uphold this policy as a matter of mutual respect and fundamental fairness in human relations.

Every participant in the programs and services of the DRC has a responsibility to conduct himself/herself in accordance with this policy as a condition of participation. Further, every DRC employee has an obligation to observe DRC policies in implementation of federal and state law as a term of employment. In addition, one aspect of performance appraisal for DRC personnel at all levels of supervision and administration will include the qualitative evaluation of their leadership in implementing this non-discrimination policy and in seeking resolution of problems in this area at the point nearest their origin.

No person will be penalized for good faith utilization of channels available for resolving concerns dealing with prohibited bias. No internal procedure or process for resolution of discrimination concerns will be used for the purpose of abridging the access of any member of the DRC community to the courts or to compliance agencies.
NEW MEDIATOR INTERVIEW AND ONBOARDING

<table>
<thead>
<tr>
<th>About the New Mediator</th>
<th>Mediation Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Name</td>
<td>Area Number Degree of Complexity</td>
</tr>
<tr>
<td>• Current Address</td>
<td></td>
</tr>
<tr>
<td>• Current Place of Employment</td>
<td></td>
</tr>
<tr>
<td>• Occupational/Professional Background</td>
<td></td>
</tr>
<tr>
<td>• Mediation training and experience</td>
<td></td>
</tr>
<tr>
<td>• Purpose of taking mediation training</td>
<td></td>
</tr>
<tr>
<td>• Goal in dispute resolution field</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Mission: provide mediation services to the underserved and for situations that are not typically served</td>
</tr>
<tr>
<td>• CTDRC History</td>
</tr>
<tr>
<td>• Kinds of cases: neighborhood conflicts, threats or trespassing, contract disputes, landlord/tenant problems, family arguments, divorce and custody, child support issues, CPS, financial disputes, employment conflicts, job terminations, personal injury.</td>
</tr>
<tr>
<td>• Referral service (e.g. agencies, attorneys, private mediators)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mediators</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Development of Mediators</td>
</tr>
<tr>
<td>• Background Check and fee process</td>
</tr>
<tr>
<td>• Facilitative vs. Evaluative</td>
</tr>
<tr>
<td>• TMCA: Credential level; Ethics; CE: 15hrs. a year</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Process of Assigning Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Call for Mediators</td>
</tr>
<tr>
<td>• Assess match of responder vs. case</td>
</tr>
<tr>
<td>• Notify Mediator</td>
</tr>
<tr>
<td>• Send information we have</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Procedure at Mediation</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Arrive 30 minutes prior</td>
</tr>
<tr>
<td>• Discussion between co-mediators and observer</td>
</tr>
<tr>
<td>• Establish who will do what</td>
</tr>
<tr>
<td>• Discuss time management</td>
</tr>
<tr>
<td>• Prepare the paperwork</td>
</tr>
<tr>
<td>• Check for concerns about joint vs. caucus and inquire about safety issues (any violence or abuse in the case)</td>
</tr>
<tr>
<td>• The mediation</td>
</tr>
<tr>
<td>• Pre-meeting with parties(content)</td>
</tr>
<tr>
<td>• Joint session opening statement (CTDRC Opening Statement)</td>
</tr>
<tr>
<td>• Joint vs. Caucus (balance time in caucus)</td>
</tr>
<tr>
<td>• Use of flip chart</td>
</tr>
<tr>
<td>• Reality checking</td>
</tr>
<tr>
<td>• Mediator evaluation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Questions?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Items for the Meeting</td>
</tr>
<tr>
<td>• Full set of mediation paperwork</td>
</tr>
<tr>
<td>• Background Check</td>
</tr>
<tr>
<td>• TMCA</td>
</tr>
</tbody>
</table>

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CENTRAL TEXAS ALTERNATIVE DISPUTE RESOLUTION, INC.
FINANCIAL POLICIES

Central Texas Alternative Dispute Resolution, Inc. strives to have an accurate and sound system of internal controls and financial accounting, which follows the generally accepted accounting principles of financial record-keeping and reporting. The following financial policies are set by the Board of Directors to guide the work of staff and management.

I. Finance and Resource Management Committee
The Board of Directors of Central Texas Alternative Dispute Resolution, Inc. will appoint a Finance and Resource Management Committee, who works under the Board Treasurer to ensure the preparation of an approved annual budget, appropriate handling and distribution of funds, and the proper preparation and presentation of regular financial statements. The Finance and Resource Management Committee directs, reviews, and presents the annual audit to the Board of Directors.

II. Approval of plans and commitments before they are implemented
The Board of Directors will set the annual budget, based on Central Texas Alternative Dispute Resolution, Inc.'s fiscal year (October through September), to direct how funds are spent. Board approval is necessary in order to spend funds or make financial commitments outside of the approved budget.

III. Accurate and timely financial reports and disclosures
The Finance and Resource Management Committee ensures that the Central Texas Alternative Dispute Resolution, Inc. provides accurate and timely financial reports and disclosures to the Board of Directors and external customers. The Finance and Resource Management Committee will review regular financial statements, including an income statement, balance sheet, actual versus budget report, and cash flow statement. The Executive Director will provide a calendar of report deadlines and will advise the Board of Directors to ensure that all financial reports and information returns have been filed as required.

IV. Compliance with government regulations
Central Texas Alternative Dispute Resolution, Inc. will comply with all government regulations pertaining to grants and contracts and shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Code. Central Texas Alternative Dispute Resolution, Inc. will remain in compliance with all regulations of a public entity in which a contractual relationship exists.

V. Banking institutions and accounts
In order to minimize risk and maximize benefits, Central Texas Alternative Dispute Resolution, Inc. utilizes only federally insured banking and savings institutions. The
amount on deposit with any one institution may not in the usual course of business exceed the FDIC insured limit of $100,000.

VI. Deposits
All income intended for Central Texas Alternative Dispute Resolution, Inc. will be properly received, deposited, recorded, reconciled, and adequately secured. Any cash received will be promptly and fully deposited.

VII. Grants, gifts, and pledges
All grants and gifts will be properly received and recorded. Compliance with terms of any related restrictions will be monitored by staff and reported to the Finance and Resource Management Committee.

VIII. Donated goods and services
Donated goods and services are recorded with annotations regarding source, materials, and estimated values. Estimates are recorded at fair market value. Services, including but not limited to, direct service volunteer hours will be recorded and computed in a volunteer ledger.

IX. Fixed Assets
Expenditures for land, building, and equipment are recorded at cost. Donated assets and capitalized donated leases are recorded at their estimated fair market values at the date of donation. Depreciation expenses are calculated using the straight-line method and the following estimated useful lives:

<table>
<thead>
<tr>
<th>Description</th>
<th>Useful Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings and improvements</td>
<td>10-35 years</td>
</tr>
<tr>
<td>Furniture and equipment</td>
<td>3-10 years</td>
</tr>
<tr>
<td>Vehicles</td>
<td>3-5 years</td>
</tr>
</tbody>
</table>

Maintenance and repairs are charged to expenses as incurred. Central Texas Alternative Dispute Resolution, Inc. capitalizes all fixed assets with a cost greater than or equal to $1,000 and a useful life greater than one year, unless otherwise stipulated by grant. Fixed assets may be acquired and disposed of only upon proper authorization by the Board of Directors, will be properly recorded, and will be adequately safeguarded. Central Texas Dispute Resolution, Inc. will conduct a regular inventory of fixed assets and maintain a central list of fixed assets which includes registration numbers, warranty information, original cost, and service contract information as appropriate.

X. Lines of credit
Central Texas Alternative Dispute Resolution, Inc. shall maintain appropriate lines of credit to ensure regular cash flow, the use of which may be approved by the Executive Director and shall be reported and overseen by the Finance and Resource Management Committee.

XI. Petty cash
A petty cash fund may be maintained by staff to facilitate efficient operations. Such petty cash funds will be disbursed only for proper purposes, will be properly recorded, and will be adequately safeguarded at all times.
XII. Credit card
Central Texas Alternative Dispute Resolution, Inc. may maintain a credit card account to facilitate efficient operations. All credit card transactions will be only for proper purposes and will be properly recorded.

XIII. Procurement and purchasing
Central Texas Alternative Dispute Resolution, Inc. will seek to maximize value and cost-effectiveness in all procurement and purchasing. Purchases exceeding $1,000 will require at least three competitive bids.

XIV. Disbursements
The Board of Directors specifies authority to approve payments for services and financial commitments of Central Texas Alternative Dispute Resolution, Inc. Funds will be disbursed only upon proper authorization of management and only for valid business purposes. All disbursements will be initiated only from properly authorized documentation and will be properly recorded. The Board has designated the Board Treasurer and Executive Director as authorized signers on Central Texas Alternative Dispute Resolution, Inc.'s financial accounts. Any check over the amount of $5,000 must carry both signatures unless specifically authorized in advance by the Board of Directors. The Board does not give authorization for any check signer to sign a blank check or a check payable to himself/herself.

XV. Payroll
Payroll disbursements will be made only to bona fide employees and only upon proper authorization. Changes to each payroll will be properly documented. Central Texas Alternative Dispute Resolution, Inc. will ensure that payroll disbursements are properly recorded and that legal requirements are met. Payroll checks will not be released prior to payday, and employee advances are not permitted.

XVI. Reconciliation of banking and security statements
All banking and security statements will be delivered unopened to an individual designated by the Board of Directors, to review, reconcile, and initial each statement on a timely basis.

XVII. Contracts
A. Procuring contracts:
All procurement transactions will be conducted in a manner to provide practical, inclusive, and free competition. Central Texas Alternative Dispute Resolution, Inc. shall be alert to organizational conflicts of interest, as well as noncompetitive practices among contractors. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop grant applications, specifications, requirements, statements of work, invitations for bids and/or requests for proposals shall be excluded from competing for such procurement. Cost or price analysis will be made and documented in connection with every procurement action before a contract is awarded.
B. **Awarding contracts:**
Awards shall be made to the bidder whose bid is most advantageous to the recipient after considering all factors. Central Texas Alternative Dispute Resolution, Inc. will clearly set forth all requirements that the bidder must fulfill. Any and all bids may be rejected when it is in Central Texas Dispute Resolution, Inc.'s interest to do so. No employee, officer, or agent shall participate in the selection, award, or administration of a contract if there exists a conflict of interest. Such a conflict arises if the employee, officer, or agent, or any member of their immediate family, their partner, or an organization in which they are involved has a financial or other interest in the outcome. Officers, employees, and agents of Central Texas Dispute Resolution, Inc. shall neither solicit nor accept gratuities, favors, or anything of greater than nominal monetary value from contractors, parties to sub-agreements, customers, or other parties receiving benefits or services.

C. **Contract administration:**
Central Texas Alternative Dispute Resolution, Inc. will maintain a system for contract administration to ensure compliance with the terms and conditions of the contract, to ensure adequate and timely payment of all obligations, to ensure that contractors have met the terms, conditions, and specifications of the contract, and to evaluate the efficacy of the contract for all parties involved.
<table>
<thead>
<tr>
<th>Type of Dispute / Referred From</th>
<th>Fee</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Free / No fee mediations</td>
<td>$50 per half day per party</td>
<td>$100 per full day per party</td>
</tr>
<tr>
<td>Police Referrals</td>
<td>X</td>
<td>No income limits.</td>
</tr>
<tr>
<td>Animal Control Referrals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Disputes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas State Attorney for Students Referrals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attorney General Referrals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JP Court Ordered</td>
<td>X</td>
<td>&lt;$10,000 in dispute.</td>
</tr>
<tr>
<td>Civil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Court or County Court-at-Law</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Dist / County Court Ordered, Hays County Standing Order notwithstanding)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family</td>
<td>X</td>
<td>&lt;$60,000 annual household income</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Note: If parties reside together, it is their combined income. If they live separately, only one of their incomes needs be below the limit to qualify.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>&lt;$50,000 net assets</td>
</tr>
<tr>
<td>CPS</td>
<td>X</td>
<td>NA</td>
</tr>
</tbody>
</table>
# Eligibility Requirements

(1/25/12)

<table>
<thead>
<tr>
<th>Civil Mediation Programs (Not Family)</th>
<th>Amount in Controversy Limit</th>
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</tr>
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</table>
| Courts Civil Mediation Programs (Not Family)  
  - District Courts  
  - County Courts | $50,000 | None | None |  
  - $50 per party for half-day  
  - $100 per party for full-day |
| Courts Civil Mediation Programs (Not Family)  
  - JP Courts | $10,000 | None | None |  
  - None if referred by Court  
  - $50 per party for half-day  
  - $100 per party for full-day |
| DFPS – CPS Mediation | N/A | None | None | TBD – currently None |
| Municipality Agency Referrals  
  - Law Enforcement  
  - City Legal Dept.  
  - Animal Control | $50,000 | None | None |  
  - None if referred by Municipal Agency  
  - $50 per party for half-day  
  - $100 per party for full-day |
| Texas State University Attorney for Students – Regular Civil | $50,000 | None | None |  
  - None if referred by TxStU Attorney |
| Community Mediation Program | $50,000 | None | None |  
  - None if referred by Municipal or County Agency  
  - $50 per party for half-day  
  - $100 per party for full-day |

<table>
<thead>
<tr>
<th>Family Mediation Programs</th>
<th>Additional Requirements</th>
<th>Equity in Assets Limit</th>
<th>Income Limit</th>
<th>Cost for Services</th>
</tr>
</thead>
</table>
| Family Mediation Programs  
  - District Courts  
  - County Courts | Must be rep'd by an attorney or Divorce | $50,000 | 250% of Federal Poverty Guidelines |  
  - $50 per party for half-day  
  - $100 per party for full-day |
<table>
<thead>
<tr>
<th>Workshop participant</th>
<th></th>
<th>day</th>
</tr>
</thead>
</table>

Central Texas Dispute Resolution Center
829 No. LBJ, Suite 108
San Marcos, TX 78666
(512)878-0382
www.hcdrc.org
Application/Review Checklist
Public Services Funding
Community Development Block Grant Program
Due Date: March 27, 2017

SUPPLEMENTAL INFORMATION – SUBMIT ONE COPY OF THE FOLLOWING ITEMS

REQUIRED:

A  [ ] Board of Directors list including position/title on board. Provide a contact number for board Chair/President and Treasurer.

B  [ ] Resolution or Board Minutes showing approval to submit an application and designation of person who will sign documents on behalf of the organization.

C  [ ] Organization Chart

D  [ ] Articles of Incorporation

E  [ ] Bylaws

F  [ ] Tax Exempt Determination Letter (for non-profit organizations)

G  [ ] Organization’s Current Budget (2016-2017) and Proposed Budget for next fiscal year

H  [ ] Most Recent audit or CPA prepared review

I  [ ] Description of employees, board members, volunteers who will work with the project

J  [ ] Non-discrimination Policy Statement

If applicable:

K  [ ] Fee schedule / structure for the project proposed for funding

L  [ ] Copy of program application if one is used to select beneficiaries

M  [ ] Analysis of program / service expansion if this is not a new service.

N  [ ] Description of how beneficiaries will be selected (if not by application form)

O  [ ] Description of how applicant income will be determined if there are direct beneficiaries

P  [ ] Detailed explanation of any lawsuits, judgments, or bankruptcy proceedings

Q  [ ] Job description for new positions expected to be filled using CDBG funding

8 4/17/17

CDBG 2017 PUBLIC SERVICES APPLICATION
## 2017 CDBG Funding Worksheet

<table>
<thead>
<tr>
<th>Applicant / Program Name</th>
<th>Requested Amount</th>
<th>Proposed Funding</th>
<th>Remaining Balance</th>
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<td>CenTex Dispute Resolution</td>
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<td>City - Rec Fee Scholarship</td>
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<td><strong>$530,000</strong></td>
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<tr>
<td><strong>ALL OTHER APPLICATIONS</strong></td>
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<td></td>
</tr>
<tr>
<td>BR3T</td>
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<tr>
<td>CASA</td>
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<td></td>
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<tr>
<td>HCWomen's Shelter</td>
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<td></td>
<td></td>
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<td>Southside Rehab</td>
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<tr>
<td>City Fire Station</td>
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<td></td>
<td></td>
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<tr>
<td>Dog Park</td>
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<td><strong>All other Subtotal</strong></td>
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<td><strong>$530,000</strong></td>
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<tr>
<td><strong>Cumulative Total Allocated</strong></td>
<td></td>
<td></td>
<td><strong>$0</strong></td>
</tr>
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</table>
AGENDA CAPTION:
Consider approval of Ordinance 2017-25, on the first of two readings, creating a two-hour parking restriction between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday in the general area of downtown San Marcos as authorized by Section 82.160 of the San Marcos City Code and amending the traffic register to reflect such parking restriction; and including procedural provisions.

Meeting date: June 20, 2017

Department: CMO - Kevin Burke, Economic Development Administrator

Funds Required: $5,068
Account Number: 10006147.53230
Funds Available: $43,973
Account Name: Traffic-Signs

CITY COUNCIL GOAL:

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:
The “Downtown Parking Initiative” report was completed in December 2012. The report established seven “Action Items” for future implementation:

1. Create a parking management district
2. Hire a parking program manager
3. Develop a business & funding plan
4. Implement paid on-street parking
5. Develop mid- to long-term parking resources
6. Develop parking supply additions
7. Parking program branding, marketing & communications strategy

Council held a workshop regarding “Downtown Parking & One-Way/Two-Way Conversion” on October 14, 2015. Council directed Staff to use an independent entity / consultant to work with staff on the Downtown Parking Initiative.


Kimley-Horn and staff conducted a series of stakeholder meetings in August 2016 and developed a set of
“Near-Term Action Items” based on stakeholder feedback.

Council directed staff to move forward within implementation of the near-term recommendations on December 6, 2016. The near-term recommendations and the staff presentation to Council are attached for your reference.

This item is in response to Near Term Recommendation #2: Uniform 2-Hour Parking Time Limit Downtown. It is recommended that the City of San Marcos immediately implement changes to existing on-street time restrictions to adopt a uniform 2-hour parking time limit for the entire downtown area, Monday through Friday, between the hours of 8 a.m. and 5 p.m. This time restriction will not apply to designated loading zones or established residential permit areas.

This recommended approach will simplify parking regulations for patrons as well as simplify implementation of the proposed Mobile License Plate Recognition (MLPR) parking enforcement system. The application of this uniform time limit and the MLPR parking enforcement system will be considered “pilot programs” and will be reviewed and evaluated as parking management program implementation continues.

The attached exhibit describes the area designated as 2-hour time limited parking under this Ordinance.

Staff recommends approval.
ORDINANCE NO. 2017 - ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS CREATING A TWO-HOUR PARKING RESTRICTION BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M. MONDAY THROUGH FRIDAY IN THE GENERAL AREA OF DOWNTOWN SAN MARCOS AS AUTHORIZED BY SECTION 82.160 OF THE SAN MARCOS CITY CODE AND AMENDING THE TRAFFIC REGISTER TO REFLECT SUCH PARKING RESTRICTION; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

1. Section 82.160 of the San Marcos City Code allows the placement of signs on public streets or in a public area giving notice that parking is limited to a specified time.

2. The designation of a two-hour parking zone in the general area of downtown is in the interest of the public health, safety and welfare.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. A two-hour parking zone, to be in effect between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, is hereby designated on both sides of the road beginning at the junction of South Guadalupe Street and the Union Pacific Railroad right-of-way (point of origin), continuing north and east along said Union Pacific right-of-way to South CM Allen Parkway, continuing north on South CM Allen Parkway to University Drive, continuing west on University Drive to North LBJ Drive, continuing north on North LBJ Drive to Woods Street, continuing west on Woods Street to North Comanche Street, continuing south on North Comanche Street to Lindsey Street, continuing west and south on Lindsey Street to Moore Street, continuing south and east on Moore Street to North Street, continuing south on North Street to West San Antonio Street, continuing north and east on West San Antonio Street to Comanche Street, continuing south on Comanche Street to Martin Luther King Drive, continuing east on Martin Luther King Drive to South Guadalupe Street, continuing south on South Guadalupe Street to the point of origin as depicted in Exhibit A.

SECTION 2. The two-hour parking zone established under Section 1 does not apply to designated loading zones or residential permit areas established by previous ordinances.

SECTION 3. The Traffic Register maintained under section 82.067 of the San Marcos City Code is amended to reflect the two-hour parking designation established under Section 1.

SECTION 4. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 5. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.
SECTION 5. This ordinance shall be in effect upon adoption on second reading.

PASSED AND APPROVED on first reading on June 20, 2017.

PASSED, APPROVED AND ADOPTED on second reading on July 5, 2017.

John Thomaides
Mayor

Attest: Approved:

Jamie Lee Case Michael J. Cosentino
City Clerk City Attorney
November 21, 2016

Mr. Kevin J. Burke, AICP
Economic Development & Downtown Administrator
City of San Marcos, TX
630 E. Hopkins
San Marcos, TX 78666

RE: Technical Memorandum/Project Update

Dear Mr. Burke,

The following is combination project update and technical memorandum related to our active parking management consulting assignment. This memorandum contains several Near-Term Recommendations for staff and City Council review and consideration.

**Near-Term Action Items**

Based on input received from City staff and community stakeholders, the project team is recommending several action items as project near-term deliverables. These program recommendations include the following action items:

**Recommendation # 1: Enhance and Expand the Parking Enforcement Program**

It is recommended that the City of San Marcos immediately pursue implementation of an enhanced and expanded parking enforcement program using license plate recognition technology.

This recommendation reflects feedback from downtown stakeholders and Council Members requesting enhanced and expanded parking enforcement while continuing to advance plans for on-street paid parking.

Accompanying this recommendation is a Technical Memorandum with guidance on the procurement of Mobile License Plate Recognition technology.
This document addresses common issues faced by municipalities when considering this technology. It also outlines the major system components, common issues and misconceptions and other considerations such as:

- Tracking LPR Capture Rates
- The ability of perform/track manual corrections
- Capturing GPS coordinates
- System analytics including:
  - Turnover rate
  - Scofflaw history
  - Behavior analytics by user groups
    - Employees
    - Students
    - Car parked multiple times within same parking space
- Tracking payments, appeals, error rates, who received permits, etc.
- Integration with parking meters
- Integration with mobile payment providers such as Pay-by-Phone, ParkMobile, etc.
- Integration with other city departments to share data as well as improve payment of citations
- Calculation of occupancy data coincident with enforcement process.

We are also providing a supplemental whitepaper that discusses our experience utilizing Mobile LPR systems as a parking occupancy data collection tool.

**Recommendation # 2: Uniform 2-Hour Parking Time Limit Downtown**

It is recommended that the City of San Marcos immediately implement changes to existing on-street time restrictions to adopt a uniform 2-hour parking time limit for the entire downtown area.

The application of this uniform time limit approach combined with the additional citation data that will be derived from the new LPR system will be considered “pilot programs” and will be reviewed and evaluated as parking management program implementation continues. This recommended approach is geared toward simplifying parking regulations for both parking patrons as well as making the implementation of the new mobile LPR system less complex.
**Recommendation # 3: Pursue New Parking Supply Additions**

As parking enforcement program enhancements are made and planning for paid on-street parking continues, a likely result will be displacement of employees and students from on-street spaces. Providing as many on-street parking spaces as possible will be an ongoing need. City staff will identify underutilized on-street areas and potentially underutilized off-street areas that could add to the overall parking supply at minimal expense. Approximately 20 - 30 new parking spaces, in locations to be determined by staff, are anticipated.

**Recommendation # 4: Begin Development of an Employee Parking Program**

In anticipation of the impact of a potential on-street paid parking program, it is recommended that the City begin developing an “employee parking program” and other basic Transportation Demand Management (TDM) strategies.

The concept of an “Employee Parking Program” is a collection of strategies focused on providing long-term parking for employees. This could take the form of:

- Conversion of peripheral on-street spaces (with low demand) to employee permit parking
- Special discounted parking for employees at Texas State University garages
- Creation of smaller, City-owned surface parking lots for employee parking
- Possible lower cost remote parking areas (potentially supplemented by shuttle programs)
- Stacked parking options (that may require some form of valet assist) to “shoe-horn” more parking in to surface lots or garages

In addition, the City should begin exploring a range of basic Transportation Demand Management (TDM) strategies to better manage the parking demand side of the parking supply/demand equation. Transportation Demand Management (also referred to as traffic demand management or travel demand management) is the application of strategies and policies to reduce travel demand (specifically that of single-occupancy private vehicles), or to redistribute this demand in space or in time.

In transportation and parking, as in any network, managing demand can be a cost-effective alternative to increasing capacity. A demand management approach to transport also has the potential to deliver better environmental outcomes, improved public health, stronger communities, and more prosperous and livable cities. TDM techniques link with and support community movements for sustainable transportation.
Although other non-motorized modes play a role – such as bicycling and walking – larger impacts are gained through the use of alternate motorized modes. Other strategies may also be employed such as work schedule adjustments, telework options and land use or space allocation analyses. Policy related alternatives are another important area in the development of a comprehensive TDM program and will be explored in more detail at a later date. These policy related approaches would include tactics such as parking pricing, parking cash-out, transit subsidies, preferred parking for alternative transportation users, etc.

Kimley-Horn has recently created a document we call our “TDM Quick Guide” as a summary of potential TDM strategies. Another reference document is an article due to be published in next month’s Parking Professional magazine on the emerging topic of “Shared Mobility.” Project manager Dennis Burns recently attended a new conference on this topic and was asked by the International Parking Institute to write an article on his “takeaways” from the 2016 Shared Mobility Summit which occurred in Chicago in October of this year.

We are continuing to work on a variety of other scope elements for this project; however, this technical memorandum summarizes our near-term project recommendations.

Best regards,

Dennis Burns, CAPP
Project Manager
Kimley-Horn and Associates
The purpose of this item is to present the near-term recommendations of our parking management consultant, Kimley-Horn, and to seek direction regarding implementation of these recommended action items.
Near-Term Recommendations

1. Enhance and Expand the Parking Enforcement Program
Recommendation # 1:

Pursue implementation of an enhanced and expanded parking enforcement program using License Plate Recognition (LPR) technology.

Reflects feedback from stakeholders and Council Members requesting enhanced parking enforcement while we continue to advance plans for on-street paid parking.

Technical Memorandum provides guidance on procurement and use of License Plate Recognition technology.
Near-Term Recommendations

1. Enhance and Expand the Parking Enforcement Program

2. Uniform 2-Hour Parking Time Limit Downtown
Recommendation # 2:

Implement changes to existing on-street time restrictions to adopt a uniform 2-hour parking time limit for the entire downtown area.

This approach is geared toward simplifying parking regulations for parking patrons and simplifying LPR system implementation.
Near-Term Recommendations

1. Enhance and Expand the Parking Enforcement Program
2. Uniform 2-Hour Parking Time Limit Downtown
3. Pursue New On-Street Parking Supply Additions
Recommendation # 3:

Staff will identify underutilized on-street areas, and potentially underutilized off-street areas, that could add to the overall parking supply at minimal expense.
Near-Term Recommendations

1. Enhance and Expand the Parking Enforcement Program
2. Uniform 2-Hour Parking Time Limit Downtown
3. Pursue New On-Street Parking Supply Additions
4. Begin Development of an Employee Parking Program
Recommendation # 4:

Begin development of an “employee parking program” in anticipation of on-street paid parking implementation.

Program is a collection of strategies focused on providing long-term parking for employees.

Continue to explore comprehensive approach to Transportation Demand Management (TDM).
Next Steps

LPR procurement
Privacy policy development
Traffic register amendment(s)
Begin enhanced parking enforcement
AGENDA CAPTION:
Consider approval of Ordinance 2017-33, on the first of two readings, amending section 86.531 of the San Marcos City Code regarding the maintenance and repair of permanent Stormwater Management Facilities to require that annual inspections be performed by engineers who are precertified by the City; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Meeting date: June 20, 2017

Department: Public Services - Tom Taggart (Shawn Wolfshohl/Sabas Avila)

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:
Maintain and improve City’s infrastructure

COMPREHENSIVE PLAN ELEMENT(s):
Environment and Resource Protection: Goal #2: Natural Resources Necessary to Our Community’s Health, Well-Being, and Prosperity Secured for Future Development

BACKGROUND:
In 2016 City Council approved new Municipal Separate Storm Sewer System (MS4) regulations and directed staff to develop a pre-qualification list for engineers doing stormwater facility inspections. After conducting peer review of other entities city staff has developed a pre-certification program to implement the new requirements. Chapter 86 has been revised to implement the program.
ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 86.531 OF THE SAN MARCOS CITY CODE REGARDING THE MAINTENANCE AND REPAIR OF PERMANENT STORMWATER MANAGEMENT FACILITIES TO REQUIRE THAT ANNUAL INSPECTIONS BE PERFORMED BY ENGINEERS WHO ARE PRECERTIFIED BY THE CITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. City staff proposed amendments to Section 86.531 of the San Marcos City Code regarding the maintenance and repair of permanent stormwater management facilities.

2. The City Council hereby finds and determines that the adoption of the following ordinance incorporating such amendments is in the interest of the public health, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 86.531 of the San Marcos City Code is hereby amended as set forth below. Added text is indicated by underlining. Deleted text is indicated by strikethroughs.

Sec. 86.531. Maintenance and repair of permanent stormwater facilities.

(a) Control measures. The City of San Marcos has the authority to require installation, implementation, and maintenance of temporary and permanent control measures in accordance with TPDES Phase II MS4 Permit TXR040000.

(b) Drainage easements. Drainage easements shall be required for permanent stormwater management facilities and recorded in accordance with the city's LDC, Chapter 1, Article 7.

(c) Maintenance covenants. Owner(s) of permanent stormwater management facility(ies) shall be required to enter into a maintenance covenant with the City of San Marcos including a schedule of maintenance activities and plans for annual inspections to assess the functionality of the facility(ies). Maintenance covenants shall be recorded in accordance with the city's LDC, Chapter 1, Articles 6 and 8.

(d) Requirements for annual inspections and reports. Owner(s) of permanent stormwater management facility(ies) must conduct, at a minimum, an annual inspection of each facility. The inspection report must be prepared by a
Texas-licensed engineer and the licensed engineer must be chosen from a list of precertified qualified engineers provided by the city.

1. The inspection report must describe requirements provided by the City, including but not limited to all of the following:

   a. An assessment of the condition of the stormwater management facility, current as of the date of the report.

   b. A history of maintenance activities performed on the facility during the past year.

   c. The professional opinion of the engineer regarding the current functionality of the facility and its ability to provide total suspended solids removal in accordance with the original design specifications for the facility.

   d. Recommendations of the engineer regarding the need for maintenance or modification of the facility to meet original design specifications.

2. The city may choose to provide a pre-formatted inspection report to be used for annual inspections.

3. Any identified maintenance and repair needs must be adequately addressed to ensure compliance with the requirements of this division. The inspection report must be maintained on site and available for inspection by the City of San Marcos submitted to the City of San Marcos, Public Services – Transportation Department for review. The owner of a stormwater management facility or facilities must submit a certified inspection report for each facility by January 31 of each year certifying the facility for the previous year. Certification of each stormwater facility will be required beginning June 1, 2018. Documentation of certified facilities will be due no later than January 31, 2019 and every year thereafter.

   a. Any maintenance and repair needs or other deficiencies identified in the inspection report must be adequately addressed to ensure compliance with the requirements of this division. Upon completion of all necessary maintenance, repairs or deficiencies identified in the inspection report, the stormwater management facility shall be re-inspected at the owner’s expense. Following the re-inspection, the owner of the stormwater management facility shall submit a supplemental certified inspection report to the city.
confirming that all corrective measures have been completed.

(e) Failure to maintain facilities or practices or provide certified inspection reports.

(1) If the owner(s) responsible for maintaining the permanent stormwater management facility fails to properly maintain the facility, or submit certified inspection reports the city stormwater systems manager will send a written notice to the owner(s) to correct the problem within a reasonable time, not less than five days nor more than 30 days from the owner(s) receipt of the notice. If the owner(s) fails to comply with the notice, the stormwater systems manager may initiate one of the actions specified in section 86.535.

(2) If the permanent stormwater management facility becomes a nuisance or danger to public safety or public health, the City of San Marcos shall notify the owner(s) responsible for maintenance of the facility in writing. Upon receipt of that notice, the owner(s) shall have 30 days to complete maintenance and repair requirements. If the owner(s) of the facility fails to comply with the requirements of the maintenance and/or repair notice, the City of San Marcos, after reasonable notice, may take one or more of the following actions:

a. Initiate enforcement action(s) as specified in section 86.535 requiring the owner(s) to comply with city ordinances.

b. Perform the required maintenance and/or repair, bill the owner(s) for the cost of the maintenance/repair, and record a lien against the property served by the stormwater management facility(ies).

(f) Stormwater annual inspection precertification.

(1) An engineer conducting annual stormwater management facility inspections under subsection (d) must be precertified by the Public Services Department prior to performing stormwater management facility inspections for private parties in the city limits.

(2) The Public Services Executive Director will promulgate requirements for the precertification of engineers performing stormwater management facility inspections. Eligibility for precertification of engineers will be based upon prior relevant, licensing, training and work experience.
(3) Any engineer seeking to be precertified for stormwater management facility inspections must be a licensed professional engineer registered in the State of Texas.

(4) Precertification will extend to the individual's firm.

(5) The city shall maintain a list of engineers precertified under this subsection. The city reserves the right to add or remove engineers from the list, subject to the requirements promulgated by the Public Services Executive Director under subsection (f)(2).

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on June 20, 2017.

PASSED, APPROVED AND ADOPTED on second reading on July 5, 2017.

John Thomaides
Mayor

Attest: Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney
Pre-Certification for Post Construction BMP Inspection Program
Policy and Procedures
Contents

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Requirements for annual inspections and reports ................................................................................ 2
Precertified Engineers List ..................................................................................................................... 2
Precertifying Engineers .......................................................................................................................... 2
Random Inspections ................................................................................................................................ 3
Removing an Engineer from the Precertified List .................................................................................. 3
Appeals Procedure ..................................................................................................................................... 3
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Appendix B ................................................................................................................................................ 6
Background
On July 2017 the San Marcos City Council amended Section 86.531 of the city code which created requirements for annual inspections of permanent stormwater management facilities. Permanent stormwater management facilities are structural Best Management Practices (BMPs) that have been installed to capture and treat stormwater runoff. Examples of these facilities include above ground and underground detention and retention ponds, bio-filtration ponds, rain gardens, permeable pavements, and in-ground separators and filtration units. Each of these facilities requires periodic maintenance to ensure that they are remain operating as they were designed.

To ensure that periodic maintenance is occurring City Code requires that owners of permanent stormwater management facilities hire a licensed Texas engineer (PE) to inspect each facility and certify that each facility is being maintained and is operational for that year.

Requirements for annual inspections and reports
Section 86.531 (d) of City code requires owners of permanent stormwater management facilities to conduct an annual inspection of each facility that they own. This inspection must be conducted by a licensed Texas engineer. The engineer performing and certifying the inspection report must be chosen from a list of precertified engineers which is provided by the City of San Marcos.

Precertified Engineers List
A list of prequalified engineers who may perform Post Construction BMP inspections inside the city limits of San Marcos is kept on the Public Services – Transportation webpage. The webpage can be accessed at www.sanmarcostx.gov.

Precertifying Engineers
The City of San Marcos, Public Services – Transportation division is responsible for pre-qualifying engineers for the Post Construction BMP Inspection Program. Engineers who would like to be included on the “precertified list” must submit an application to Public Services – Transportation for review. The application can be found in Appendix B. Each application will be reviewed by the Public Services stormwater staff. Approval or denial of the application will be based on the criteria outlined on the Municipal Separate Storm Sewer System (MS4) Post Construction BMP Inspection Pre-certification Checklist found in Appendix A.

Applicants will be notified by email as to whether they have met the requirements to be added to the precertified engineers list.
Random Inspections
The Public Services – Transportation division will collect and maintain an inventory of all certified inspection records for stormwater management facilities. Each year 25% of the inspection records will be randomly selected to have an inspection performed by city staff. These inspections will be conducted to ensure that engineers are performing certifying inspections correctly and accurately.

Removing an Engineer from the Precertified List
An engineer may be removed from the list of precertified engineers if he/she has two (2) or more complaints filed against them by a property owner and/or as a result of two (2) failed random inspections performed by city staff within a one (1) year period in one year related to the Post Construction BMP Inspection Program.

Appeals Procedure
An applicant who fails to pre-qualify or is removed from the precertified list can appeal this decision to the Executive Director of Public Services. All appeals must be in writing and submitted to the director within seven calendar days of the receipt of notification that applicant was denied approval. All decision made by the Executive Director shall be final.
Appendix A
**City of San Marcos**

**Post Construction BMP Inspection Pre-certification Checklist**

Applicant Name: ___________________________________________________________

Professional Engineer License Number: ___________________________________________

Firm Name: __________________________ Branch: _________________________________

Firm Address: __________________________________________________________________

Telephone: ___________________________ Fax: ____________________________________

Email: __________________________________________________ ______________________

Is the applicant a licensed Professional Engineer in the State of Texas? _______Yes _______No

If the applicant is not a licensed engineer in the State of Texas they are automatically disqualified from participation in this program.

Note: A total score of 350 or greater and no individual criteria scored less than 70 shall be considered passing for precertification

<table>
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<tr>
<th>Criteria</th>
<th>Notes</th>
<th>Score (0-100)</th>
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<tbody>
<tr>
<td>Does the applicant have sufficient training to conduct inspections of</td>
<td></td>
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<tr>
<td>permanent stormwater management facilities?</td>
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<tr>
<td>Does the applicant have at least 2 years of relevant experience with</td>
<td></td>
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<tr>
<td>inspections and/or design experience of permanent stormwater management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>facilities?</td>
<td></td>
<td></td>
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<tr>
<td>Has applicant worked on 5 relevant projects?</td>
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<tr>
<td>Have projects listed on the application been successful?</td>
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<tr>
<td>Have reference checks resulted in positive responses?</td>
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<tr>
<td>Total Score</td>
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<td></td>
</tr>
</tbody>
</table>
Appendix B
City of San Marcos

MS4 Post Construction BMP Inspection Pre-certification Application

Employee General Information:

Employee Name: ___________________________________________________________

Professional Engineer License Number: _______________________________________

Firm Name: __________________________ Branch: _____________________________

Firm Address: _____________________________________________________________

Telephone: _________________________ Fax: _________________________________

Email: ___________________________________________________________________

Engineering firms are automatically pre-certified if they have one or more employees who are pre-certified.

Employee Certification Information: List all degrees, certifications, and trainings relevant to Post Construction BMP Inspections.

1. Degree Type__________________________________________________________
   (Type of degree, if any, held by this individual)

   Training Type_________________________________________________________
   (Type of training or certification)

   Training Date_________________________________________________________
   Month     Day     Year

2. Degree Type__________________________________________________________
   (Type of degree, if any, held by this individual)

   Training Type_________________________________________________________
   (Type of training or certification)

   Training Date_________________________________________________________
   Month     Day     Year

3. Degree Type__________________________________________________________
   (Type of degree, if any, held by this individual)

   Training Type_________________________________________________________
   (Type of training or certification)

   Training Date_________________________________________________________
   Month     Day     Year
4. Degree Type________________________________________________________
   (Type of degree, if any, held by this individual)
   Training Type_______________________________________________________
   (Type of training or certification)
   Training Date_______________________________________________________
   Month Day Year

5. Degree Type________________________________________________________
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   (Type of training or certification)
   Training Date_______________________________________________________
   Month Day Year

6. Degree Type________________________________________________________
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   (Type of training or certification)
   Training Date_______________________________________________________
   Month Day Year

7. Degree Type________________________________________________________
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   (Type of training or certification)
   Training Date_______________________________________________________
   Month Day Year

8. Degree Type________________________________________________________
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   Training Type_______________________________________________________
   (Type of training or certification)
   Training Date_______________________________________________________
   Month Day Year
**Project Summary:** List five (5) most relevant projects you have worked on related to Post Construction BMP Inspections.

Project #1:__________________________________________________________

Project #2:__________________________________________________________

Project #3:__________________________________________________________

Project #4:__________________________________________________________

Project #5:__________________________________________________________
**Project Information:** Describe five (5) most relevant projects you have worked on related to Post Construction BMP Inspections.

**Project #1**

Project Name: _________________________________________________________________

Location: _____________________________________________________________________

Client Name: ___________________________________________________________________

Client Phone Number: ___________________________________________________________

Client Contact Name: ____________________________________________________________

Date Project Began: _____________________________________________________________

Date Project Completed: _________________________________________________________

Enter a description of the work done on this project:

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Project #2

Project Name: ________________________________________________________________

Location: ____________________________________________________________________

Client Name: __________________________________________________________________

Client Phone Number: ___________________________________________________________

Client Contact Name: ____________________________________________________________

Date Project Began: ___________________________ Month ______ Day ______ Year ________

Date Project Completed: ________________________ Month ______ Day ______ Year ________

Enter a detailed description of the work done on this project:

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**Project #3**

Project Name: ________________________________________________________________

Location: ___________________________________________________________________

Client Name: __________________________________________________________________

Client Phone Number: ___________________________________________________________

Client Contact Name: ____________________________________________________________

Date Project Began:                                                               
                                                                                     Month  Day  Year

Date Project Completed:                                                          
                                                                                     Month  Day  Year

Enter a detailed description of the work done on this project:

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Project #4

Project Name: ________________________________________________________________

Location: ____________________________________________________________________

Client Name: __________________________________________________________________

Client Phone Number: ________________________________

Client Contact Name: __________________________________________________________________

Date Project Began: ____________________________

Date Project Completed: ____________________________

Enter a detailed description of the work done on this project:

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Project #5

Project Name: ________________________________________________________________

Location: _________________________________________________________________

Client Name: ______________________________________________________________

Client Phone Number: _______________________________________________________

Client Contact Name: _______________________________________________________

Date Project Began: _________________________________________________________

Month Day Year

Date Project Completed: ____________________________________________________

Month Day Year

Enter a detailed description of the work done on this project:

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AGENDA CAPTION:
Receive a Staff update, hold a discussion and hear details regarding the following Summer 2017 Preferred Scenario Amendment applications received and provide direction to staff:

1. PSA-17-02 / ZC-17-12 Walton Development & Management: 85.5 acres, more or less, located on Centerpoint Road: Proposal to change from Medium Intensity / Area of Stability to Employment Center: Proposal to change from SmartCode / SmartCode Special-District to Heavy Commercial / Light Industrial.

2. PSA-17-03 / ZC-17-13 Jennifer M. Garcia on behalf of 417 North Comanche Partners, LLC: 0.212 acres, more or less, located at 323 Lindsey Street: Proposal to change from Area of Stability to High Intensity: Proposal to change from Multifamily (MF-24) to T5 Urban Center, SmartCode.

Meeting date: June 20, 2017

Department: Planning and Development Services

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:

The process for review of these applications includes updates to the Neighborhood Commission, Planning & Zoning Commission and City Council followed by public hearings and action by the Planning & Zoning Commission and City Council.

Two (2) applications were received for the Summer 2017 Preferred Scenario Amendment (PSA) Deadline.

1. PSA-17-02 / ZC-17-12 Walton Development & Management: +/- 85.5 acres located on Centerpoint Road: Proposal to change from Medium Intensity / Area of Stability to Employment Center: Proposal to change from SmartCode / SmartCode Special-District to Heavy Commercial / Light Industrial (W. Parrish)

2. PSA-17-03 / ZC-17-13 Jennifer M. Garcia on behalf of 417 North Comanche Partners, LLC: +/- 0.212 acres located at 323 Lindsey Street: Proposal to change from Area of Stability to High Intensity: Proposal to change from Multifamily (MF-24) to T5 Urban Center, SmartCode (A. Villalobos)
Item #17-421
Receive an update from staff, hold a discussion and hear details regarding the Summer 2017 Preferred Scenario Amendment applications received and provide direction to staff.

Tuesday, June 20, 2017
## Preferred Scenario Amendments (PSA)

<table>
<thead>
<tr>
<th>Process:</th>
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<tr>
<td>Application Deadline:</td>
<td>May 19, 2017</td>
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<td>Courtesy Notice:</td>
<td>May 26, 2017</td>
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<td>Update to P&amp;Z</td>
<td>June 13, 2017</td>
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<td>Update to Council:</td>
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<td>Update to Neighborhood Commission:</td>
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<td>Reconsideration by Council:</td>
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PSA Summer 2017 Requests
# Comp Plan / Zoning Translation Table

Land Development Code Zoning Classifications :: Vision San Marcos Comprehensive Plan Intensity Zone / Development Pairs

## TRANSLATION TABLE

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*OA is generally intended where shown on the Preferred Scenario Map

**Legend:**
- **LS** - Low Intensity and Areas of Stability
- **PC** - Neighborhood Area Protection / Conservation
- **M** - Medium Intensity
- **RI** - Redevelopment / Infill
- **H** - High Intensity
- **ND** - New Development
- **EC** - Employment Center
- **OA** - Open Space / Agricultural
PSA-17-02
Project Zircon Exhibits
PSA-17-02
Zircon - TDM Future Daily
Map Date: 5/26/2017
TDM data update anticipated
Current model based on 2013 data

PSA-17-02
Zircon - TDM Future Peak
Map Date: 5/26/2017
TDM data update anticipated
Current model based on 2013 data

Travel Demand Model

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
PSA-17-03
Comanche II Exhibits
Summary: Two (2) applications were received for the Summer 2017 Preferred Scenario Amendment (PSA) Deadline.

(Applicant :: area & location :: requested intensity :: requested zoning)

1) Walton Development & Management :: +/- 85.5 acres located on Centerpoint Road :: Proposal to change from Medium Intensity / Area of Stability to Employment Center :: Proposal to change from SmartCode / SmartCode Special-District to Heavy Commercial / Light Industrial

2) Jennifer M. Garcia on behalf of 417 North Comanche Partners, LLC :: +/- 0.212 acres located at 323 Lindsey Street :: Proposal to change from Area of Stability to High Intensity :: Proposal to change from Multifamily (MF-24) to T5 Urban Center, SmartCode

Process:

Application Deadline: May 19, 2017
Courtesy Notice: May 26, 2017
Update to P&Z: June 13, 2017
Update to Council: June 20, 2017
Neighborhood Commission Discussion: June 21, 2017
Public Hearing Notice for P&Z: June 30, 2017
Action by P&Z: July 11, 2017
Public Hearing Notice for Council: July 25, 2017
Action by Council: August 15, 2017
Reconsideration by Council: September 5, 2017

Project 1: Centerpoint Road (Adjacent to the proposed Hwy 21 intersection)

Walton Development is proposing a change from Medium Intensity and Area of Stability to Employment Center for approximately 85.5 acres, more or less, on Centerpoint Road east of the Outlet Malls and adjacent to the proposed intersection of Centerpoint Road and future Hwy 21 extension.

The applicant is also requesting a zoning change from SmartCode / SmartCode - Special District, to Heavy Commercial and Light Industrial. The applicant states that the request is to allow for 23.354 acres of spec office space and the potential for 62.2 acres of industrial, manufacturing, or distribution.
| **Project 2:** Lindsey Street | Jennifer M Garcia on behalf of 417 North Comanche Partners, LLC is proposing a change from an Area of Stability to a High Intensity Zone for approximately 0.212 acres, more or less, located at 323 Lindsey Street. The applicant is also requesting a zoning change from Multifamily (MF-24) to T5 Urban Center SmartCode zoning which will allow for a new multifamily student housing project. The applicant has also submitted a SmartCode Warrant Application for the use of student housing on the lot. |
PSA-17-02
Zircon - 200 Foot Notification Buffer
Map Date: 5/26/2017

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PSA-17-02
Zircon - TDM Existing Daily
Map Date: 5/26/2017

TDM data update anticipated
Current model based on 2013 data
PSA-17-02
Zircon - TDM Existing Peak
Map Date: 5/26/2017

TDM data update anticipated
Current model based on 2013 data

Travel Demand Model

- LOS A
- LOS B
- LOS C
- LOS D
- LOS F

PSA-17-02
Site Location
City Limit
Parcels

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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
PSA-17-02
Zircon - TDM Future Peak
Map Date: 5/26/2017

TDM data update anticipated
Current model based on 2013 data

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
**Vision San Marcos Plan Elements:**

**Economic Development (ED)**

The ED chapter of *Vision San Marcos* looks specifically at the strategies of the Core 4 Collaboration moving forward. The three collaborative actions identified by the Core 4 are 1) Preparing the 21st Century Workforce, 2) Competitive Infrastructure and Entrepreneurial Regulation and 3) Creating the Community of Choice. Staff analyzed this request based on the three action items to determine if the request supports, contradicts, or is neutral toward the actions and provides the following table of the analysis:

**ECONOMIC DEVELOPMENT** – Furthering the goal of the Core 4 through the three strategies

<table>
<thead>
<tr>
<th>STRATEGY</th>
<th>SUMMARY</th>
<th>Supports</th>
<th>Contradicts</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing the 21st Century Workforce</td>
<td>Provides / Encourages educational opportunities</td>
<td></td>
<td></td>
<td>Applicant has not indicated that educational facilities will be included</td>
</tr>
<tr>
<td>Competitive Infrastructure &amp; Entrepreneurial Regulation</td>
<td>Provides / Encourages land, utilities and infrastructure for business</td>
<td></td>
<td>Utilities and infrastructure which support development are proposed.</td>
<td>Development under GC/LI will reduce the amount of infrastructure the developer will be required to construct and decrease development standards.</td>
</tr>
<tr>
<td>The Community of Choice</td>
<td>Provides / Encourages safe &amp; stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity</td>
<td></td>
<td>Applicant is proposing an employment focused development</td>
<td>Applicant is proposing straight industrial zoning adjacent to planned single family neighborhoods (McCarty Commons and Gaslamp)</td>
</tr>
</tbody>
</table>
Environment & Resource Protection (ERP)

The ERP chapter of Vision San Marcos provides useful analysis tools. The Land Use Suitability Map considers the constraints as listed in the table below in its creation to determine what areas are most suitable for development. The water quality model provides a watershed-level analysis of the impacts of adding impervious cover for developments.

ENVIRONMENT & RESOURCE PROTECTION – Land Use Suitability & Development Constraints

<table>
<thead>
<tr>
<th>Constraint by Class</th>
<th>1 (least)</th>
<th>2</th>
<th>3 (moderate)</th>
<th>4</th>
<th>5 (most)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edwards Aquifer</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered Species</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplains</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geological</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soils</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vegetation</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Watersheds</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Quality Zone</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

<table>
<thead>
<tr>
<th>Located in Subwatershed:</th>
<th>York Creek and Cottonwood Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>York Creek</td>
<td></td>
</tr>
<tr>
<td>Modeled Impervious Cover Increase Anticipated for watershed</td>
<td>X</td>
</tr>
<tr>
<td>Cottonwood Creek</td>
<td></td>
</tr>
<tr>
<td>Modeled Impervious Cover Increase Anticipated for watershed</td>
<td>X</td>
</tr>
</tbody>
</table>

Notes: The Preferred Scenario did not anticipate an increase in impervious cover in the York Creek Watershed. Other approved developments in this watershed are Trace and Las Colinas. The northwest corner of the property is located within the Cottonwood Creek Watershed, which anticipates a 342% increase. This is primarily due to the fact that this is rural and agricultural land which is proposed to develop.

Land Use (LU)

The LU chapter of Vision San Marcos focuses on the Preferred Scenario Map. Approximately 23 acres of this site are located within a Medium Intensity area and approximately 62 acres of the site are located in an Area of Stability. A map is attached which shows a detailed view of the preferred scenario zones within and surrounding this property.

Neighborhoods & Housing (NH)

The NH chapter of Vision San Marcos focuses on the Neighborhood Character Studies which are to be conducted after the Code SMTX project, the update to the Land Development Code.

Parks, Public Spaces & Facilities (PPSF)
The PPSF chapter of Vision San Marcos discusses the City’s recreational facilities as well as the water, wastewater and other public infrastructure. The table below is an analysis of the facilities in the area. Wastewater and water service will be extended to the site by the developer. A neighboring development to the North, McCarty Commons, will be dedicating a 57 acre public open space with the first phase of residential development which is currently under review. The 57 acre open space will be within ¼ of a mile of the 62 acres proposed for Light Industrial, but not within a ¼ mile of the 23 acres proposed for General Commercial.

**PARKS, PUBLIC SPACES AND FACILITIES** – Availability of parks and infrastructure

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will Parks and / or Open Space be Provided?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Will Trails and / or Green Space Connections be Provided?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

*Parkland dedication is not required from commercial or industrial development.*

<table>
<thead>
<tr>
<th>Maintenance / Repair Density</th>
<th>Low (maintenance)</th>
<th>Medium</th>
<th>High (maintenance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater Infrastructure</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Infrastructure</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public Facility Availability

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks / Open Space within ¼ mile (walking distance)?</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Wastewater service available?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Water service available?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Transportation**

A Travel Demand Model (TDM) was created to analyze the traffic impacts of growth in San Marcos. The table below is a summary of the TDM results and other transportation modes surrounding the site. The TDM analyzes the overall transportation network of the existing network and the Preferred Scenario. It is not a measure of the impact of this particular change. The results of the TDM indicate that improvements may be required.

**TRANSPORTATION** – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Daily LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Centerpoint Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Peak LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Centerpoint Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preferred Scenario Daily LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Centerpoint Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Preferred Scenario Peak LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Centerpoint Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Note: Between this site and I-35, Centerpoint is currently an F for existing daily and peak adjacent to outlet malls. It should be noted that this model was done prior to the Amazon Fulfillment Center.*

<table>
<thead>
<tr>
<th></th>
<th>N/A</th>
<th>Good</th>
<th>Fair</th>
<th>Poor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Availability (Required to build.)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sidewalks will be required along all frontages.**

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent to existing bicycle lane?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Adjacent to existing public transportation route?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

*Notes: Existing Carts route to Outlet Mall is proposed to extend to a Hotel approximately 700 feet from this site.*
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PSA-17-03
Comanche II - TDM Existing Daily
Map Date: 5/31/2017

TDM data update anticipated
Current model based on 2013 data

Travel Demand Model

- LOS A
- LOS B
- LOS C
- LOS D
- LOS F

PSA-17-03
Site Location
City Limit
Parcels

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0 100 200 300 Feet
0 2.5 5 Miles

Travel Demand Model

0 100 200 300 400 500 600 700 800 900 0 0.5 1.0 1.5 2.0 2.5 3.0 3.5 4.0 4.5 5.0 0 2.5 5 Miles

Document Path: \benson\User Files\Planning & Dev\Planning_Current\P&Z\2017 Staff Reports\PSA\PSA-17-03 Comanche II\GIS\PSA-17-03_TDM_ExistingDaily.mxd
PSA-17-03
Comanche II - TDM Existing Peak
Map Date: 5/31/2017

TDM data update anticipated
Current model based on 2013 data

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PSA-17-03
Comanche II - TDM Future Daily
Map Date: 5/31/2017

TDM data update anticipated
Current model based on 2013 data

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**VR-17-03 Vision San Marcos Plan Elements:**

**Economic Development (ED)**

The ED chapter of *Vision San Marcos* looks specifically at the strategies of the Core 4 Collaboration moving forward. The three collaborative actions identified by the Core 4 are 1) Preparing the 21st Century Workforce, 2) Competitive Infrastructure and Entrepreneurial Regulation and 3) Creating the Community of Choice. Staff analyzed this request based on the three action items to determine if the request supports, contradicts, or is neutral toward the actions and provides the following table of the analysis:

<table>
<thead>
<tr>
<th>STRATEGY</th>
<th>SUMMARY</th>
<th>Supports</th>
<th>Contradicts</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing the 21st Century Workforce</td>
<td>Provides / Encourages educational opportunities</td>
<td></td>
<td></td>
<td>Applicant has not indicated that educational facilities will be included</td>
</tr>
<tr>
<td>Competitive Infrastructure &amp; Entrepreneurial Regulation</td>
<td>Provides / Encourages land, utilities and infrastructure for business</td>
<td></td>
<td></td>
<td>No major infrastructure is anticipated for this development.</td>
</tr>
<tr>
<td>The Community of Choice</td>
<td>Provides / Encourages safe &amp; stable neighborhoods, quality schools, fair wage jobs, community amenities, distinctive identity</td>
<td></td>
<td></td>
<td>Neighborhood stability, jobs, and community amenities are not expected with this proposed development.</td>
</tr>
</tbody>
</table>
Environment & Resource Protection (ERP)

The ERP chapter of Vision San Marcos provides useful analysis tools. The Land Use Suitability Map considers the constraints as listed in the table below in its creation to determine what areas are most suitable for development. The water quality model provides a watershed-level analysis of the impacts of adding impervious cover for developments.

The overall land use suitability for this site is a three (3), which is considered moderately constrained. This is due to its location within the Purgatory Creek watershed, the presence of moderately erosive soils, and its location within the Edwards Aquifer Transition Zone. The other categories are at a one (1).

| ENVIRONMENT & RESOURCE PROTECTION – Land Use Suitability & Development Constraints |
|--------------------------------------------------|---|---|---|---|---|
| Level of Overall Constraint | 1 (least) | 2 | 3 (moderate) | 4 | 5 (most) |
| Constraint by Class | | | | | |
| Cultural | X | | | | |
| Edwards Aquifer | X | | | | |
| Endangered Species | X | | | | |
| Floodplains | X | | | | |
| Geological | X | | | | |
| Slope | X | | | | |
| Soils | | X | | | |
| Vegetation | X | | | | |
| Watersheds | | | X | | |
| Water Quality Zone | X | | | | |

ENVIRONMENT & RESOURCE PROTECTION – Water Quality Model Results

Located in Subwatershed: Purgatory Creek Watershed

<table>
<thead>
<tr>
<th>Modeled Impervious Cover Increase Anticipated for watershed</th>
<th>0-25%</th>
<th>25-50%</th>
<th>50-75%</th>
<th>75-100%</th>
<th>100%+</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: This subwatershed encompasses the majority of the downtown redevelopment zone; however, because this area already has a high impervious cover value (around 80 – 90%), the increase of loadings from redevelopment is not as high as the increase observed with developments in this subwatershed on previously undeveloped land.

Land Use (LU)

The LU chapter of Vision San Marcos focuses on the Preferred Scenario Map. This site is located in an Area of Stability. A map is attached which shows a detailed view of the preferred scenario zones within and surrounding this property.

Neighborhoods & Housing (NH)

The NH chapter of Vision San Marcos focuses on the Neighborhood Character Studies which are to be conducted after the adoption of Code SMTX, the update to the Land Development Code.
Parks, Public Spaces & Facilities (PPSF)

The PPSF chapter of Vision San Marcos discusses the City’s recreational facilities as well as the water, wastewater and other public infrastructure. The table below is an analysis of the facilities in the area. Wastewater and water service is available in the area. The site is located within a low maintenance area for water and within a medium maintenance area for wastewater. This is primarily due to the older more established infrastructure of the downtown. The applicant will be required to upgrade infrastructure as necessary during the development of the lot. Furthermore, although the site is not within a ¼ mile of parks and open space, there are several parks located along the river that are within a ½ mile of the site.

| PARKS, PUBLIC SPACES AND FACILITIES – Availability of parks and infrastructure |
|-------------------------------------------------|-------|-------|
| Will Parks and / or Open Space be Provided?      |       | X     |
| Will Trails and / or Green Space Connections be Provided? |       | X     |
| Fee-in-lieu of parkland dedication proposed.     |       |       |
| Maintenance / Repair Density                     | Low   | Medium | High |
| Wastewater Infrastructure                         | X     |       |      |
| Water Infrastructure                              | X     |       |      |

Public Facility Availability

<table>
<thead>
<tr>
<th>Parks / Open Space within ¼ mile (walking distance)?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater service available?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Water service available?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Transportation

A Travel Demand Model (TDM) was created to analyze the traffic impacts of growth in San Marcos. The table below is a summary of the TDM results and other transportation modes surrounding the site. The TDM analyzes the overall transportation network of the existing network and the Preferred Scenario. It is not a measure of the impact of this particular change. The results of the TDM indicate that improvements may be required.

<table>
<thead>
<tr>
<th>TRANSPORTATION – Level of Service (LOS), Access to sidewalks, bicycle lanes and public transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Daily LOS Lindsey Street Frontage</td>
</tr>
<tr>
<td>Existing Peak LOS Lindsey Street Frontage</td>
</tr>
<tr>
<td>Preferred Scenario Daily LOS Lindsey Street Frontage</td>
</tr>
<tr>
<td>Preferred Scenario Peak LOS Lindsey Street Frontage</td>
</tr>
</tbody>
</table>

The Travel Demand Model shows that Lindsey Street remains a level of service A for the Daily LOS, however, it drops from an A to a D in the Preferred Scenario Peak LOS.

Sidewalk Availability (Required to build.) X

Sidewalks will be required along all frontages.

<table>
<thead>
<tr>
<th>Adjacent to existing bicycle lane?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent to existing public transportation route?</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Notes: The site is not adjacent to a CARTS route, however there are several CARTS stops in and around the downtown area and the site is within walking distance to Texas State University, HEB, and other services. Furthermore, the site is located adjacent to downtown which is planned as a walkable and bikable urban area.
FILE #: ID#17-441, Version: 1

AGENDA CAPTION:
Hold discussion regarding the capital funding request related to the Village Main Building along with the potential discussion of how the City sponsored Women, Infants and Children (WIC) will participate in the building program of the Village Main Project, and provide direction to Staff.

Meeting date: June 20, 2017

Department: City Manager’s Office, Steve Parker, Assistant City Manager

Funds Required: 
Account Number:
Funds Available: 
Account Name:

CITY COUNCIL GOAL: Beautify and Enhance the Quality of Place

COMPREHENSIVE PLAN ELEMENT(s): Effective social services delivered to those who can most benefit from them

BACKGROUND:
This item was requested by Council Members Mihalkanin and Gonzales.

In February 2017, the City of San Marcos received a formal request to contribute $350,000 to the Village Main Project. The Village Main Project is a proposed 22,000 square foot facility, which would combine several non-profit social services agencies into one location on the south side of town near Hunter Rd and Reimer Avenue.

The City gave the organization $500,000 towards the Engineering and Design in 2009 and since then the organization has been conducting their fundraising campaign and has raised over $1.54 million towards their total construction cost, which is approximated to be $4.4 million after a recent construction estimate was updated in April of 2017. A previous estimate in December 2016 listed the project as $4,012,435. The Village has $1,116,800 in outstanding foundation grants submissions. The remainder of the project is being funded through a bridge loan estimated to be between $1.7 to $2 million. The social service agencies that are proposed to occupy this building are Community Action, Early Childhood Intervention Homespun, Family
Justice Center as well as the City’s Women, Infants and Children’s program. To achieve the ability to only need a $1.7 million bridge loan, the Village Main campaign has a request of $350,000 with a similar proposal into the County.

Once the building is completed, the average rental rate for the social service entities will be proposed to be $.87 per square feet. City staff has been reviewing the proposal and the possible funding scenarios associated with the Village Main project.

While other agencies may be able to afford the proposed rental rate, WIC is experiencing hard times and is looking for ways to cut expenses. One of the items that needs to be disclosed to the City Council is the financial struggles that WIC programs have been experiencing across the State. WIC participation is down across the State and Nation. WIC is a federal program that is administered by the Texas Department of State Health Services. WIC expenses are reimbursed by the State based on the number of WIC participants served. If the number of participants increases the amount of funds eligible for expenses goes up but if participation goes down revenues are decreased which limits the WIC agency in the amount of funds they can spend each year.

With the reduction in participation numbers, City WIC revenues have also decreased and our WIC department has had to adjust expenses accordingly. They have had to reduce hours of operation, purposely not filled vacant positions, reduce travel/training and have even recommended doing their own janitorial services. They have also taken drastic measures to increase participation, including outreach, special events and creating store-specific shopping guides to enhance the WIC experience.

Facilities is one of WICS’s biggest expenses. Last year they relocated the Seguin clinic to save money ($600/month the first year, $1,300/month the second year). This year they renegotiated the New Braunfels lease to save $105/month. They currently have a lease with the County for a 3,200 square foot facility on Broadway here in San Marcos and pay a per square foot rate of $0.50. This is a monthly rent rate of $1600. They are in negotiations with the County to reduce their building footprint with the County by an additional 1,200 square feet in hopes of further reducing expenses. The Village Main Project has WIC down for 4,205 square feet (3,621 SF plus 584 SF for common areas). This would be a monthly rate of $3,658. WIC does not have the ability to incorporate this proposed increase in rent into their existing budget due to the decrease in WIC participation. For WIC to participate in the Village Main Project, the City’s General Fund would need to pick up the rent difference going forward which would be a $31,900 impact annually. The WIC program has always been 100% funded by the grant program and has never been supported by the City’s General Fund.
February 1, 2017

Hon. Mayor John Thomaides
Hon. Lisa Prewitt, Councilmember Place 1
Hon. Saul Gonzales, Councilmember Place 2
Hon. Ed Mihalkanin, Councilmember Place 3
Hon. Jane Hughson, Councilmember Place 4
Hon. Scott Gregson, Councilmember Place 5
Hon. Melissa Derrick, Councilmember Place 6
Ms. Collette, Interim City Manager
Mr. Steve Parker, Assistant City Manager

Greetings,

Subject: Village Main request for construction funds

We are asking that you place us on the City Council agenda to discuss the Village Main $350,000.00 request for funds to go toward construction and matching grants. As you know we asked both Hays County and the City of San Marcos during the last FY budget process. The City told us we were too late to be considered and to return after the beginning of the year with our request. The County has granted $300,000.00 to Village Main. We would like to be placed on the City Council agenda in March to present our Village Main project funding request for consideration during this current year.

In 2009, The City of San Marcos granted $500,000.00 to Village Main, from left-over bond proceeds, to complete engineering and architectural drawings. We have allocated the balance of funds to begin the building permit/bid negotiation phase.

The Village of San Marcos will construct the Village Main building on the 29 acre multi-social service complex located in San Marcos. Current Village Main partner agencies include Community Action, Inc., Early Childhood Intervention – Homespun, Family Justice Center of San Marcos and Hays County and the Women, Infants and Children program of San Marcos. These four agencies will be providing actual and referral services to more than 30,000 area residents in one centrally located structure. Additionally, each agency contributes financially to the cost of Village Main, which will eventually be rent free- at a maintenance cost only, thus putting more service related dollars in circulation.

The Village of San Marcos has raised over $5M towards the total project budget of $7.5M for Phase I and Phase II of the Village Campus. Phase I – CFPO PAL (Christian Federation of Police Officers – Police Athletes League) youth sports fields have been in operation and serving the youth of our community for the past 7 years and we are now committed to construct Phase II – Village Main Building in 2017.
We need your support to finish out the Village Main Capital Campaign as we raise the final donations of $2.4M to complete construction.

Thank you, for your continued service to our community and for considering this vital request for funds.

Sincerely,

Alisha Roberts
Development Project Manager – Village Main
Village of San Marcos
512.618.3166

The Village of San Marcos
President – Carole Belver, Community Action Inc.
Past President – Penny Dunn, San Marcos Police Department & FFJC
Board members: Denise Blok/Hays County Food Bank, Frank Calabrese/CFPO – PAL, Stacy Gullion/CFPO – PAL, DerryAnn Krupinsky/WIC Program of City of San Marcos, Roya Williamson/San Marcos Police Department & FFJC, Kira Simon/ECI - Homespun

Community Action Inc. of Central Texas
Executive Director: Carole Belver
Board Members: Victoria Burgos, Neal Kelley, Rosalba Merchant, Marjorie Newton, Esperanza Orosco, Lisa Prewitt, Tom Roach, Michelle Rodriguez, Ray Sanders & Ken Schawe

Friends of the Family Justice Center
President: Penny Dunn
Board Members: Kathy Carriker, Daniel Guerrero, Jason Mittman, Nora Linares-Moeller, Melissa Millecam, Kathy Morris, Ronda Reagan, Linda Rodriguez, Lance Spruiell, & Roya Williamson

Early Childhood Intervention - Homespun
President: Lois Hickman
Board Members: Glenda Detling, Bonnie Henry, Julia Herndon, Dixie Johnette Niemietz & Shirley Ogletree

Women, Infants and Children- WIC
Director: DerryAnn Krupinsky
December 6, 2016

The City of San Marcos, TX

Attn: Collette Jamison & Steve Parker

Subject: Village Main Project

Greetings,

The purpose of this correspondence is to define the financial position and current construction status of Village Main. Our plan is to proceed with a February-March 2017 groundbreaking.

Two of the Village Main partners, WIC and Community Action, have agreed from the inception that they would not raise funds; WIC cannot, Community Action committed to borrowing their share. Family Justice Center agreed to sublet to WIC and raise the necessary construction funds for both programs. ECI has raised monies and continues, along with Family Justice Center, fundraising efforts on behalf of all four partners.

We have included two distributions of funds to each agency based on:

1) designated gifts- to Family Justice Center, ECI, CAI and WIC, and
2) undesignated gifts, granting one-fourth of undesignated funds to each partner. WIC funds are being administered by Family Justice Center as per the partner agreement.

Designated funds to date:

CAI - $470.00 (designated)

ECI - $23,760.00 (designated)

FJC - $125,527.93 (designated)
Undesignated funds to date

Village Main Capital Campaign $1,415,201.00 – Divided between partners ⅜ = $353,800.00.25

Current (21,998 sq. ft.) construction cost $4,012,435.20
Current raised cash funds in hand $1,223,009.33
Current raised In-Kind contributions $ 22,482.93
Committed funds-not yet received $ 319,466.67
Outstanding foundation grant submissions $1,116,800.00
Bridge loan estimate $2,471,706.77

The following is a breakdown of loan to rent roll responsibility-

Estimated Loan Amount $2.6 M (including interest, interest reserve, origination fee, Title Policy, Appraisal, and Attorney documents fee)

$15,199.34/Monthly Loan Payments (25 year Amortization)
$ 3,000.00/Estimated O&M/Insurance
$18,199.34

CAI – currently paying an average of $0.90/sf = $7,609.15
ECI – currently paying around $1.21/sf = $1,785.00
WIC – currently paying $0.50/sf = $1,600
Average rental rate per sf is $0.87
If all Village Main Partners pay $0.87/21,998 = $19,138.26/monthly payment
Loan/O&M & Insurance

CAI - $8,583.42/new rent payment

ECI - $2,217.63/new rent payment

FFJC - $4,678.86/rent payment

WIC - $3,658.35/new rent payment

As you can see from the above estimates, we need assurance, from all partners, that this will be their rent obligation as occupants of Village Main. We are particularly in need of an immediate commitment from the City, that WIC will be paying the $0.87 per square foot rental, as part of the City's pass through agreement.

Thank you,
Village Main Partner Agencies – Rental Information for Financial Model/Commercial Rent Roll

2014/2016 – RENTAL INFORMATION
Community Action:
Administrative Offices: Uhland Drive
6,500 SF/$5,509.15 month
Warehouse & Computer Lab: 2,000 SF/$2,100 month

ECI:
Administrative Offices: Kyle Office used for estimation
1,480 SF/$1,785 month (rent reimbursed from DARS)

WIC:
Administrative Offices: Broadway Street
3,200 SF/$1,600 month

PROJECTED INFORMATION/VILLAGE MAIN
Total SF 21,998 of which 3242 is Common Areas*2016 Revisions
*2015 Estimated Construction Costs $4,011,000 - $182.40/SF

Community Action:
8,407 SF + 45% of Common Areas /1,459 SF = 9,866 Total SF
Estimated Construction Cost Responsibility - $1,799,558.40

ECI:
2,160 SF + 12% of Common Areas/389 SF = 2,549 Total SF
Estimated Construction Cost Responsibility - $464,937.60

FJC:
4,568 SF + 25% of Common Areas/810 SF = 5,378 Total SF
Estimated Construction Cost Responsibility - $980,947.20

WIC:
3,621 SF + 18% of Common Areas/584 SF = 4,205 Total SF
Estimated Construction Cost Responsibility - $766,992.00

Estimated Loan Amount $2.6 M (including interest, interest reserve, origination fee, Title Policy, Appraisal, and Attorney documents fee)
$ 15,199.34/Monthly Loan Payments (25year Amortization)
$ 3,000.00/Estimated O&M/Insurance
$18,199.34/month

If we establish a rent rate of $0.87/sf to cover debt service, O & M and insurance the following would be estimated rent amounts per agency.

If all VM Partners pay $0.87/21,998=$19,138.26/monthly payment Loan/O&M & Insurance

CAI - $8,583.42/new rent payment
ECI - $2,217.63/new rent payment
FFJC - $4,678.86/rent payment
WIC - $3,658.35/new rent payment
<table>
<thead>
<tr>
<th>VILLAGE MAIN PARTNER AGENCIES</th>
<th>Unit Size (Sq.Ft.)</th>
<th>Construction cost (Sq. Ft.)</th>
<th>Extended Construction Cost per Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Justice Center, Inc. (4,568 + 810 c.a. sf)</td>
<td>5,378</td>
<td>$182.40</td>
<td>980,947.20</td>
</tr>
<tr>
<td>Community Action, Inc. (8,407+ 1,459 c.a. sf)</td>
<td>9,866</td>
<td>$182.40</td>
<td>1,799,558.40</td>
</tr>
<tr>
<td>Early Childhood Intervention-Homespun (2,160 + 389 c.a. sf)</td>
<td>2,549</td>
<td>$182.40</td>
<td>464,937.60</td>
</tr>
<tr>
<td>Women, Infant and Children (WIC) (3,621 + 584 c.a. sf)</td>
<td>4,205</td>
<td>$182.40</td>
<td>766,992.00</td>
</tr>
<tr>
<td><strong>TOTAL CONSTRUCTION COST</strong></td>
<td>21,998</td>
<td></td>
<td><strong>4,012,435.20</strong></td>
</tr>
<tr>
<td>Architect &amp; Engineering Costs 2010</td>
<td></td>
<td></td>
<td>217,615.00</td>
</tr>
<tr>
<td>Architect &amp; Engineering Costs 2016</td>
<td></td>
<td></td>
<td>73,555.60</td>
</tr>
<tr>
<td>Architect cost/Construction oversight 2017</td>
<td></td>
<td></td>
<td>48,764.00</td>
</tr>
<tr>
<td>Fundraising Expenses @ 3%</td>
<td></td>
<td></td>
<td>150,000.00</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td></td>
<td></td>
<td><strong>4,502,369.80</strong></td>
</tr>
</tbody>
</table>

**FUNDRAISING**

- CAI - Founder’s Wall Donations                                     | 300.00             |
- CAI - In-kind Donations                                            | 170.00             |
- ECI - CD                                                           | 18,000.00          |
- ECI - IHO/IMO Donations                                            | 560.00             |
- ECI - Founder’s Wall Donations                                     | 5,200.00           |
- FFJC - Walton & Grande Donations                                  | 27,500.00          |
- FFJC - Shield Ayers & Peace, Love & Happiness Fnd.                | 35,000.00          |
- FFJC - IHO/IMO Donations                                           | 3,030.00           |
- FFJC - Holiday Letters                                             | 800.00             |
- FFJC - In-kind donations secured                                  | 22,297.93          |
- FFJC - Founder’s Wall Donations                                   | 5,900.00           |
- FFJC - Board of Directors Donations & Pledges                     | 31,000.00          |
- Village of San Marcos Board of Directors Donations                 | 240.00             |
- Village of San Marcos Board of Directors In-kind Donations         | 15.00              |
- VMCC Individual/Major Gift Donations                              | 524,470.00         |
- VMCC Founder’s Wall Donations                                     | 2,976.00           |
- VMCC Foundation Grants                                             | 587,500.00         |
- VMCC Government Grants (Hays County)                               | 300,000.00         |

**TOTAL FUNDRAISING**                                                 | 1,564,958.93       |

*Large portion raised by FFJC Board of Director’s donor prospects/relationships*

CAI - Individually Raised $470.00
ECI - Individually Raised $23,760.00
FFJC - Individually Raised $125,527.93
WIC - can not fundraise
Village Board contributions $255.00
Village Main Capital Campaign - Collective Contributions $1,415,201.00

Updated 11/29/2016 - AR
Village Main Donor List - 03/27/2017

Gary Aalen
(05012015) Anonymous
Connie Bagley
Mr. James Baker
Ms Carole Belver
Mr. Charles Blankenship
Denise Blok
Burdine Johnson Foundation
Frank Calabrese
Kathy Carriker
Mr. Jimmy Cobb
Mr. Dr. Rex Cole
Community Action, Inc.
Pam Couch
Patrick Cox
Ms. Jacqueline Cullom
Becky "Rebecca" Cultra
Brenda Damron
Mr. Kelvin Dean
Mr. Joe Desormeaux
Ms. Ellie Dietz
Penny Dunn
Lisa Dvorak
Early Childhood Intervention -
ECG Foundation
Emmett and Miriam McCoy Foundation
Kathleen Fite
Mr. William Fly
Founder's Wall Event - Donations
John Fowler
Friends of the Family Justice Center
Ms. Gina Fulkerson
Grande Communications - Grande
Hays County Juvenile Detention
Hays County
Keith Herington
Lois Hickman
Hill Country Free Thinkers/ECI
Mrs. Lana Holder
Jane Hughson
Hunt Dominion Corporation
Ms. Carol Husbands
Ms. Carol Husbands
Debbie Gonzales Ingalsbe
Donations/Pledges Total  $1,591,058.93

Jenifer Strait Memorial Foundation
JP's Peace Love & Happiness
Mr. Jim Kimmel
DerryAnn Krupinsky
Nora Linares-Moeller
Bonnie Longcope
Gene Majors
Cindy McCoy
Melissa Millecam
Kathy Morris
Shirley Ogletree
Online Anonymous
Ms. Carol Overall
Ms. Dianne Pape
Amy Ledbetter Parham
Pennington Funeral Home
Ms. Barbara Piersol
Ms. Brenda Remme
Alisha Roberts
Ms. Shirley Rogers
Denise Ryan
San Marcos Lion's Club
San Marcos Police Department
Seton Hays Foundation
Catherine Shellman
Shield-Ayers Foundation
Kira Simon
Mrs. Lisa Spencer
Sandra Spriegel
St. Mark's Episcopal Church (WOW)
Mr. Harry Stewart
Patty Sullivan
Ms. Catherine Supple
Terracon Consultants
Tomblin Family Foundation
U.S. Foods
Paco Valentin
Walton Group
Roya Williamson
The Mystery of WIC Finance

**Key Points:**

*COSM is reimbursed for direct WIC expenses, **plus** additional indirect cost (IDC) reimbursement of 18.62% of personnel expense (including fringe benefits). In FY16, the IDC amount paid to the City was $214,202.

*WIC does not get a lump sum of money at the beginning of each fiscal year like most grants; instead, funds are earned based on a funding rate applied to the number of clients served.**

*May 2017 example: 8,199 clients \* $13.76 (funding rate) = $112,818 earned*

*If expenses for the month are less than the earned funds, the “surplus” remains available throughout the fiscal year for assurance of expense reimbursement even in the months that expenses exceed earned funds (3 pay periods, clinic relocations, and other large amounts).

*It is a true balancing act!*
**Why so many clinics?**

*Simply put, economies of scale makes us more efficient*

*The oversight and organization that needs to be in place to run a WIC program is the same whether you operate 1 clinic or 15 clinics...WIC Director, Nutrition Coordinator, Breastfeeding Coordinator, Peer Counselor program, Quality Assurance program, outreach, vendor coordination, hospital coordination, Nutritionist(s), high risk dietetic services, dedicated income eligibility, formula approvals, ADA requirements, translator services, Physician coordination, policy and compliance activities...all too much for a small staff.*

*The combined revenue from multiple clinics helps pay for these required elements.*

*The Selma clinic, the newest addition, is a rent-free satellite site intended to help us penetrate that unserved area and gain additional clients for additional revenue.*
Fighting to increase caseload:
* WIC participation in Texas has declined in the last few years and is currently at 2003 levels. Local & national data is similar.
* While there is activity at the State and Federal levels to correct these trends, we have taken our own action locally:
  1. Enhancing clinic services and customer service
  2. Creating store-specific shopping guides to simplify the complex shopping experience.
  3. Increased outreach to potential clients and other agencies
  4. Aggressive goals for clinic performance & client levels
Reducing Expenses:
1. Maintain a lean staff through attrition (4 vacancies since summer of 2016 not filled). Employ 17 for 8,200 clients.
2. Reduce facility costs where available:
   > relocated Seguin clinic in 2016
   > requested and received a rent reduction in New Braunfels
   > possibly reducing admin space in San Marcos
   > installed wifi thermostats to save on utility costs
   > considering doing our own janitorial work
## WIC Facilities

<table>
<thead>
<tr>
<th>CLINIC</th>
<th>SIZE (SF)</th>
<th>MONTHLY PAYMENT</th>
<th>COST PER SF</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Marcos</td>
<td>3,200</td>
<td>$1,600</td>
<td>.50</td>
<td>Willing to give up some or all of admin space to reduce expenses</td>
</tr>
<tr>
<td>Kyle</td>
<td>3,200</td>
<td>$1,853</td>
<td>.58</td>
<td>Asked county to reduce to $1,600</td>
</tr>
<tr>
<td>Lockhart</td>
<td>1,460</td>
<td>$1,125</td>
<td>.77</td>
<td></td>
</tr>
<tr>
<td>Seguin</td>
<td>2,930</td>
<td>$2,793</td>
<td>.95</td>
<td>Negotiated lease will reduce payment in October 2017 to $2,081</td>
</tr>
<tr>
<td>New Braunfels</td>
<td>3,500</td>
<td>$3,360</td>
<td>.96</td>
<td>Renegotiated lease will reduce payment in August 2017 to $3,255</td>
</tr>
</tbody>
</table>

These are all well below market rate. It is rare to find anything at or below $1/sf.
AGENDA CAPTION:
Hold discussion regarding a sponsorship request from the Mermaid Society SMTX for the Second Annual Mermaid SPLASH community event in the amount of $25,000 for Fiscal Year 2017 and a like amount for Fiscal Year 2018, and provide direction to Staff.

Meeting date: June 20, 2017

Department: City Clerk's Office

Funds Required: $25,000 FY17, $25,000 FY18

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
This item was requested by Council Members Mihalkanin and Gonzales.

On April 21, 2017, staff provided the initial request of the Mermaid Society to the City Council (see attached). On June 7, 2017 staff was provided with an additional request for the discussion to be placed on the Council's June 20 meeting agenda (see attached). Council Members Gonzales and Mihalkanin requested that this discussion item be placed on the June 20 agenda.
June 6, 2017

To: Mr. Mayor and Fellow City Council Members

Thank you for your time and consideration. We formally request on behalf of the Mermaid Society, sponsorship for the 2\textsuperscript{nd} Annual SMTX Mermaid SPLASH/Downtown Parade and Aqua Faire, scheduled for September 2\textsuperscript{nd} – September 17\textsuperscript{th}. Therefore, we formally request to be added to the June 20\textsuperscript{th} City Council agenda for consideration of said funding.

Respectfully,

July Moreno, Founder  
Mermaid Society SMTX

Chris Rue, President of Downtown Association  
SPLASH Logistics Chair
April 21, 2017

To: Mayor Thomaides and Members of the San Marcos City Council:

Planning is currently underway for the Second Annual Mermaid SPLASH community event, featuring the Mermaid Society Ball, Downtown Parade and Aqua Festival, this September 2nd through 17th. This event is shaping up to be bigger and better than the inaugural event in 2016, plans are underway to expand the parade into the heart of downtown to provide added opportunity for local businesses.

The Mermaid Society of San Marcos respectfully requests City Council sponsorship, in the amount of $25,000 for FY’17 and a like amount for FY’18, to help defray costs associated with the creation of this signature community event. This year, due to the anticipated size of the Mermaid Parade, new costs will be incurred. Specifically, an engineered traffic control plan, rented traffic controls / barricades along the route, and off-duty public safety officers will all be required for this event to take place in an efficient and safe manner.

According to SMPD, the inaugural parade was the largest parade San Marcos has had with a reported 3,000+ spectators on the day of event, to include an additional 80+ actual groups participating in the parade. We anticipate the year’s parade to double in size since promotion of the parade will begin in May and will include parade participation from the Diez y Seis de Septiembre celebration that is being organized for the same day.

Additionally, the weekend of the parade is also Texas State’s Family Weekend event. Collaborative efforts have already begun to make Family Weekend a greater experience for visitors. Promotion of the Parade and Festival will be highlighted on Texas State’s website and marketed to families of students, which is estimated at 2,000+. Mermaid Society is also partnering with the CVB to encourage hotel stay, as well as collaborating with area hoteliers who plan to create special pricing offers that will be cross promoted on websites. Collaboration with multiple networks will be used to expand promotional efforts.

This community family friendly parade is free to the public and is being developed to be an annual signature event for the city. It’s value to San Marcos is a direct impact to increase commerce and to stimulate tourism. San Marcos Downtown Association is Mermaid Society’s fiscal sponsor for a 501 (c). We are in progress of applying for an independent nonprofit status as an arts & culture community organization and believe to receive this designation by early summer.

Thank you for your consideration,

July Moreno, Founder
Mermaid Society SMTX
<table>
<thead>
<tr>
<th>XI. FINANCIAL INFORMATION (Round to the nearest dollar). (Add all columns and rows.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Expenditures</strong></td>
</tr>
<tr>
<td><strong>Paid from Arts Commission Funds</strong></td>
</tr>
<tr>
<td><strong>Paid from other Sources-Cash</strong></td>
</tr>
<tr>
<td><strong>Value ($) of in-kind services</strong></td>
</tr>
<tr>
<td>**Total of A, B, C = **</td>
</tr>
<tr>
<td><strong>45x453</strong></td>
</tr>
<tr>
<td>1. Personnel:</td>
</tr>
<tr>
<td>Administrative</td>
</tr>
<tr>
<td>$9,500.00</td>
</tr>
<tr>
<td>$8,500.00</td>
</tr>
<tr>
<td>$18,000.00</td>
</tr>
<tr>
<td>Artistic</td>
</tr>
<tr>
<td>$7,898.00</td>
</tr>
<tr>
<td>$2,500.00</td>
</tr>
<tr>
<td>$10,398.00</td>
</tr>
<tr>
<td>Technical</td>
</tr>
<tr>
<td>$8,000.00</td>
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<tr>
<td>$10,000.00</td>
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<tr>
<td>Administration - Misc</td>
</tr>
<tr>
<td>$1,900.00</td>
</tr>
<tr>
<td>$1,900.00</td>
</tr>
<tr>
<td>2. Fees for outside professional services:</td>
</tr>
<tr>
<td>Administrative</td>
</tr>
<tr>
<td>$3,864.00</td>
</tr>
<tr>
<td>$3,864.00</td>
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<tr>
<td>Performers</td>
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<tr>
<td>$4,525.00</td>
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<td>$4,525.00</td>
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<tr>
<td>Photography</td>
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<tr>
<td>$1,250.00</td>
</tr>
<tr>
<td>$1,500.00</td>
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<tr>
<td>$2,750.00</td>
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<tr>
<td>(2) Officers</td>
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<td>$350.00</td>
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<tr>
<td>$350.00</td>
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<tr>
<td>3. Venue Rental</td>
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<td>$1,410.00</td>
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<td>$912.00</td>
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<td>$2,322.00</td>
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<td>4. Equipment Rental</td>
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<tr>
<td>$5,150.00</td>
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<tr>
<td>$9,040.00</td>
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<tr>
<td>$14,190.00</td>
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<td>5. Travel / Transportation</td>
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<tr>
<td>$912.00</td>
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<tr>
<td>$912.00</td>
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<tr>
<td>6. Lodging</td>
</tr>
<tr>
<td>$1,260.00</td>
</tr>
<tr>
<td>$1,260.00</td>
</tr>
<tr>
<td>7. Promotion / Printing / Postage</td>
</tr>
<tr>
<td>$3,767.00</td>
</tr>
<tr>
<td>$3,767.00</td>
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<tr>
<td>8. Catering</td>
</tr>
<tr>
<td>$15,675.00</td>
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<tr>
<td>$15,675.00</td>
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<td>9. Supplies / Materials</td>
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<td>$6,767.00</td>
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<tr>
<td>$1,041.00</td>
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<td>$7,808.00</td>
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<tr>
<td>10. Insurance</td>
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<tr>
<td>$1,260.00</td>
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<td>$1,260.00</td>
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<td></td>
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<tr>
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</tr>
<tr>
<td>11.</td>
</tr>
<tr>
<td>12.</td>
</tr>
<tr>
<td>13.</td>
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<tr>
<td>14.</td>
</tr>
<tr>
<td>15.</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
## B. SOURCE OF REVENUE RECEIVED

<table>
<thead>
<tr>
<th>Source of Revenue</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. San Marcos Arts Commission Contribution</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>2. Organizational Funds Used – Include only the applicant amount budgeted for this event.</td>
<td>$</td>
</tr>
<tr>
<td>3. Project Income:</td>
<td></td>
</tr>
<tr>
<td>A: Admission Charges – please state the cost per person: $65.00 - $100.00</td>
<td>$17,318.00</td>
</tr>
<tr>
<td>B: Registration Fees – includes vendor fees, competition fees, etc.</td>
<td></td>
</tr>
</tbody>
</table>
| Mertini/Misc.  
Tshirts/Raffle ticket sales | $2,180.00  
$9,348.00 |
| C: Contributions – received from sponsorships and donations.  
List contributions received: | |
| Sponsorships  
Donations/Misc | $42,613.50  
$1,200.00 |
| D: Grants  
Please list all grant funding you have received for this event. | |
| E: Other: (Please specify) | $ |

### 4. TOTAL REVENUE

**$99,659.00**

## C. PROFIT/LOSS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. TOTAL EXPENDITURES (Section X.A. Line 15, sum of column (a) + (b))</td>
<td>$87,863.00</td>
</tr>
<tr>
<td>2. TOTAL REVENUE KNOWN &amp; ANTICIPATED (Section X.B. Line 4)</td>
<td>$99,659.00</td>
</tr>
<tr>
<td>3. PROFIT or &lt;LOSS&gt; (Subtract Line 2 from Line 1)</td>
<td><strong>$11,796.00</strong></td>
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AGENDA CAPTION:
Hold discussion regarding a request from the Downtown Association for City Council to consider a license agreement allowing downtown business employees to park in the City Park parking lot Monday-Friday during the hours of 8:00 a.m. - 5:00 p.m.; and also discuss other potential locations identified by the City and the Downtown Association, and provide direction to staff.

Meeting date: June 20, 2017

Department: City Manager’s Office, Steve Parker, Assistant City Manager

Funds Required:
Account Number:
Funds Available:
Account Name:

CITY COUNCIL GOAL: Continue Downtown Redevelopment

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:
This item was requested by Council Members Mihalkanin and Hughson.

On December 6, 2017, the City of San Marcos received a request from the downtown association proposing a license agreement to use available parking spaces in the newly renovated City Park for downtown employees to park between the hours of 8 to 5. City staff has reviewed the steps that would be needed to make this happen. When evaluating this request, the following matters should be considered:

1. The City’s lease with the Lions Club provides for shared use of the parking lot at City Park. The impact of reducing the number of spaces available for park users and Lion’s Club patrons and enforcement of the proposed parking restriction by towing of park visitors’ vehicles should be considered.

2. Chapter 26 of the Texas Parks and Wildlife Code sets forth a process that must be followed before the governing body of a political subdivision may approve a program or project that requires the use or taking of park or recreation area land for some other unrelated purpose. Notice of the proposed use
must be given at least 30 days prior to a public hearing on the matter and the notice must be published in a newspaper of general circulation that is published at least six days per week. After the public hearing, the governing body is authorized to approve the use only if it makes a finding that there is no feasible and prudent alternative to such use or taking of park land and that the program for use of the park includes all reasonable planning to minimize harm to the land as a park or recreational area. It might be difficult to support such a finding in this case, due to the recent identification by city staff of over 100 parking spaces in or near downtown that could be made available for employee parking.

3. Section 3.07 of the city charter prohibits the sale, conveyance, lease, mortgage or alienation of parkland without an election. Leases of park land to a non-profit corporation or association for a term of up to three years are authorized, but only if the city council determines that the lease will “further the use of the property for park purposes.” Restricting a portion of the parking lot at City Park for use by employees of downtown businesses would not appear to further the use of the property for park purposes; it would eliminate parking spaces that would otherwise be available for park users.

Due to these circumstances, we have notified the Downtown Association that this will be very difficult to achieve because alternative parking areas do exist. The Downtown Association has acknowledged the difficulties in using City park now and has been exploring other opportunities with City staff such as the old Armory site across from City Hall, which is currently being used for dog parking and Lions Club bus parking. The Downtown Association has also been in discussions with the Catholic Church to use their property as a possible solution. We will update the City Council on possible alternatives on Tuesday night.

We also thought it was important to note that we have been working with the Downtown Association on our progress with implementing the License Plate Recognition Program. Mr. Burke has been working with the Police Department, parking enforcement and Information Technology to determine potential vendors for LPR. They have narrowed the selection down to two vendors and are scheduled to meet with them for demos the week of June 12th and 19th. Part of that demonstration will be to obtain a better understanding of the time it will take to implement LPR and to develop policies and operating practices for LPR and the necessary time to train the parking enforcement staff. Once that is done, we will immediately select a vendor and begin contract negotiations. I have discussed with Legal and they have agreed to help us expedite a contract so that we can get it on the first available agenda after the contract is prepared. If it is under $50,000, we would not be required to take the contract to the City Council. The Downtown Association has stated that it is essential that we get LPR implemented by the time "The Local" opens up for business in August. That will probably be very hard to do but I have discussed with the Police Chief about increasing enforcement hours of the parking enforcement staff and we could even over-hire for a short period of time. We will instruct parking enforcement to primarily concentrate on the downtown area until LPR is in place. We have updated the downtown association to make them aware that we are ready to step up manual enforcement if needed.
June 6, 2017

To: Mr. Mayor and Fellow City Council Members

Thank you for your time and consideration. We formally request to be added to the June 20th City Council agenda for consideration of a new “Licensing Agreement” between the City of San Marcos and the Downtown Association in regards to use of the City Park Parking Lot (aka Lions Club Parking Lot) for use Monday-Friday 8am-5pm.

Respectfully,

Chris Rue
Downtown Association, President

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Chrisrue81@gmail.com