"City of Choice"

City Council Meeting

Tuesday, February 27, 2024, 6:30 PM
Council Chambers
200 S. Main St.
Cibolo, Texas 78108

Est. Duration: 4 hr

1: Call to Order

2: Roll Call and Excused Absences

3: Invocation - Moment of Silence

4: Pledge of Allegiance

5: Proclamations

5A. Proclamation for George Washington Day. (Councilman Hetzel)

5B. Proclamation for National Teen Dating Violence Awareness and Prevention Month. (Councilwoman Sanchez-Stephens)

6: Citizens to be Heard

This is the only time during the Council Meeting that a citizen can address the City Council. It is the opportunity for visitors and guests to address the City Council on any issue to include agenda items. All visitors wishing to speak must fill out the Sign-In Roster prior to the start of the meeting. City Council may not deliberate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however, City Council may present any factual response to items brought up by citizens. (Attorney General Opinion - JC-0169) (Limit of three minutes each.) All remarks shall be addressed to the Council as a body. Remarks may also be addressed to any individual member of the Council so long as the remarks are (i) about matters of local public concern and (ii) not disruptive to the meeting or threatening to the member or any attendee. Any person violating this policy may be requested to leave the meeting, but no person may be requested to leave or forced to leave the meeting because of the viewpoint expressed. This meeting is livestreamed. If anyone would like to make comments on any matter regarding the City of Cibolo or on an agenda item and have this item read at this meeting, please email pcimics@cibolotx.gov and vchapman@cibolotx.gov or telephone 210-566-6111 before 5:00 pm the date of the meeting.

6A. Citizens to be Heard

7: Consent Agenda - Consent Items (General Items)

(All items listed below are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the consent agenda and will be considered as part of the order of business.)

7A. Approval of the minutes of the Regular City Council Meeting held on February 13, 2024.

7B. Approval of the Meeting Procedures.

7C. Approval of an Ordinance to adopt the 2021 International Codes, the 2023 National Electric Code and amendments.

7D. Approval of an Ordinance to adopt the 2021 International Fire Code with amendments.

7E. Approval of the Final Plat of Buffalo Crossing II Knights Crossing.

7F. Approval of the Replat of Mesa at Turning Stone – C7 Lot 3.

7G. Approval of the Preliminary Plat of Grace Valley Ranch Phase 3 Street Extension.

8: Staff Update

8A. Administration a. Strategic Management Workshop (March 16, 2024) b. City Fiber Project Update c. Strategic Grant Partnership Application Update d. Request for Proposals (RFP)/Request for Qualifications (RFQ) – Animal Services Facility Request for Bids (RFB) (due Feb. 6th), Economic Development Corporation Legal Services RFP (due Feb. 12) e. Capital Improvement Program (CIP) Projects: Haeckerville Rd and Town Creek Drainage Phase II, Dean Rd, Bolton Rd, and Lower Seguin Rd, and Design and Bidding for Green Valley Rd (2 sections), Silver Wing, Firebird Lane, and Town Creek f. City Hall Furniture Update

8B. Police Department

9: Executive Session

The City Council will convene in Executive Session as authorized by the Texas Gov't Code Section 551.071, Consultation with Attorney, Section 551.072, Real Property, and 551.087 Economic Development to deliberate and seek legal advice regarding the following:

9A. Any related infrastructure and real property necessary to improve streets, water and sewer utilities, electric utilities, or gas utilities, drainage, and related site improvements for Tolle Road. (Mr. Reed)

9B. Legros v. City of Cibolo (Cause No. 23-0697-CV-E) (Mr. Hyde)

9C. City-wide enforcement options related to obtaining compliance with the City's Unified Development Code, zoning, subdivision rules, and public health and safety regulations. (Mr. Hyde)

10: Open Session

The City Council will reconvene into Regular Session and take/or give direction or action, if necessary, on items discussed in the Executive Session.

11: Ordinances

11A. Approval/Disapproval of an Ordinance of the City of Cibolo, Texas adding section 74-186 – control of non-residential private property entrances and exits; providing for regulation and enforcement; amending section 74-190 – parking on non-residential private property parking areas and providing regulation and enforcement. (Ms. Lee)

12: Resolutions

12A. Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas authorizing participation in the Equalis Group Cooperative Purchasing Program and authorizing the City Manager to execute the Master Intergovernmental Cooperative Purchasing Agreement. (Ms. Miranda)

12B. Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the First Responder Support Team (FRST) Project and designating an authorized official. (Ms. Miranda)

12C. Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Special Tactical Operations Project (STOP) and designating an authorized official. (Ms. Miranda)

12D. Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Victims Liaison Coordinator Program and designating an authorized official. (Ms. Miranda)

12E. Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Public Safety Project and designating an authorized official. (Ms. Miranda)

12F. Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving and directing the City Attorney to represent the City of Cibolo, Texas as an intervening co-plaintiff joining fifteen other cities as plaintiff in City of Grand Prairie, et. al v. The State of Texas, pending in the 261st Judicial District of Travis County, Texas, challenging Senate Bill 2038 as invalid, unconstitutional, and void. (Mr. Reed)

12G. Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving the acquisition of a 22.683-acre tract of land in the City of Cibolo, Texas described as Lot 1 Block 2 of the final subdivision plat establishing FM 1103 and Main Street Commercial, a subdivision in Guadalupe County, Texas according to the map or plat thereof, recorded in the map and plat records of Guadalupe County, Texas in book/volume 8 on page 453-458; authorizing the City Manager to execute all customary closing documents and to dispense public funds. (Ms. Lee)

12H. Approval/Disapproval of a Resolution of the City of Cibolo, Texas, approving an Affiliated Entities Confidentiality Agreement between the City of Cibolo, Texas as the authorizing unit of the Cibolo Economic Development Corporation, and the Cibolo Economic Development Corporation as the constituted authority or instrumentality of the City of Cibolo, Texas, and other representatives. (Mr. Reed)

12I. Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving Amendment 1 of a Chapter 380 Economic Development Agreement between the City of Cibolo, Texas, the Cibolo Economic Development Corporation and HEB, LP effective March 17, 2022; authorizing the City Manager to execute Amendment No. 1. (Mr. Reed)

13: Discussion/Action

13A. Discussion/Action on the Final Plat of Venado Crossing Unit 5. (Ms. Huerta)

13B. Discussion/Action on the Final Acceptance of Public Infrastructure for HEB. (Mr. Otto)

13C. Discussion/Action on a contract of the Cibolo Economic Development Corporation with Colliers Engineering and Design for $29,600 to conduct a market assessment/fiscal impact model of 590 W FM 78. (Ms. Lee)

13D. Discussion/Action concerning accepting a donation (on loan) for a historic Surrey (two-seater horse drawn buggy) from the Hinze Family for the preservation of Cibolo’s Old Town character. (Mr. Reed)

13E. Discussion/Action concerning the preferred design for the Tolle Road Improvements. (Mr. Hugghins)

13F. Discussion/Action on Cibolo Valley Drive traffic study and Borgfeld Road signal timing (Councilman Benson)

13G. Discussion on Council’s Procedure to appoint volunteers to Boards, Committees, Commissions, and Corporations. (Ms. Cimics)

13H. Discussion/Action on escrow money collected from all sources and distribution of sidewalks funds to owners. (Councilman Benson)

13I. Discussion/Presentation on a proposed Parental Leave Policy. (Mr. Knott)

13J. Discussion/Presentation on the adoption of an updated Incentive Policy of the City of Cibolo. (Ms. Wachholz)

13K. Discussion/Presentation on information regarding Texas Municipal League (TML) Youth Advisory Committee Summit. (Councilwoman Sanchez-Stephens)

13L. Discussion on whether certain roads in our 5-Year Capital Improvement Plan (CIP) should accommodate sidewalks or bike lanes. (Councilwoman Sanchez-Stephens)

13M. Discussion and possible policy on Council’s travel, training, and meeting. (Councilwoman Cunningham)

13N. Discussion on amending the Council’s budget to add funds to travel/training or meeting expense. (Councilman Hicks)

13O. Discussion from Councilmembers that have attended seminars, events, or meetings. (Council)

13P. Discussion on items the City Council would like to see on future agendas. (Council)

13Q. Discussion/Action on the review and confirmation of all upcoming special meetings and workshops and scheduling the time, date and place of additional special meetings or workshops. (Ms. Cimics)

14: Adjournment

This Notice of Meeting is posted pursuant to the Texas Government Code 551.041 - .043 on the front bulletin board of the Cibolo Municipal Building, 200 South Main Street, Cibolo, Texas which is a place readily accessible to the public at all times and that said notice was posted on

Peggy Cimics, TRMC

City Secretary

Pursuant to Section 551.071, 551.072, 551.073, 551.074, 551.076, 551.077, 551.084 and 551.087 of the Texas Govemment Code, the City of Cibolo reserves the right to consult in closed session with the City Attorney regarding any item listed on this agenda. This agenda has been approved by the city's legal counsel and subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551. This has been added to the agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144.

A possible quorum of committees, commissions, boards and corporations may attend this meeting.

This facility is wheelchair accessible and accessible parking space is available. Request for accommodation or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary at (210) 566-6111. All cell phones must be turned off before entering the Council Meeting.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the____day of_____2024.

_____

Name and Title

Date Posted: February 21, 2024

City of Cibolo

City Council Regular Meeting Staff Report

Proclamation for George Washington Day. (Councilman Hetzel)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Proclamations	Item: 5A

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

5A PProclamation George Washington.pdf

"City of Choice"

Proclamation

Designation of February 22, 2024, as President George Washington Day

WHEREAS; the United States of America was established following the War of Revolution from 1776 to 1783, a war won through the brilliant and courageous leadership of George Washington, revered Father of our Nation; and

WHEREAS; George Washington, who lived from 1732 to 1799, mobilized the Continental Army and led the American colonies against the most powerful country in the world, finally defeating the British at the famous battle of Yorktown, Virginia; and

WHEREAS; this revered founder of our nation resisted the efforts of many supporters to make him a king or dictator, instead using his influence and power to support the creation and adoption of the Constitution of the United States; and

WHEREAS; George Washington was elected as the first President of the United States, serving two terms of office from 1789 to 1797, and through his devotion, wisdom, and vision, became the exemplar of distinguished leadership for all future presidents; and

WHEREAS; the William Hightower Chapter of the Sons of the American Revolution wishes to encourage all citizens to recognize the epochal contributions of George Washington to our nation by celebrating his birth on Tuesday, February 22, 2024; and

NOW, THEREFORE I, MARK ALLEN, MAYOR OF CIBOLO, TEXAS, do hereby recognize February 22, 2024, as President George Washington Day. I encourage all residents of Cibolo to recognize and honor the brilliance, courage, and vision of the Father of our Nation and the relevance of his life to the preservation of our democracy in today's complex world.

IN TESTIMONY WHEREOF, I have signed
my name officially and caused the Seal of
The City of Cibolo to be affixed at Cibolo on this
the 27th day of February 2024.

_____

Mark Allen, Mayor
City of Cibolo

City of Cibolo

City Council Regular Meeting Staff Report

Proclamation for National Teen Dating Violence Awareness and Prevention Month. (Councilwoman Sanchez-Stephens)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Proclamations	Item: 5B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

5B Proclamation Teen Awareness Month.pdf

"City of Choice"

Proclamation

Designation of February 2024 as National Teen Dating Violence Awareness and Prevention Month

WHEREAS; about 1 in 12 high school students in the United States have experienced physical or sexual dating violence which can upend the lives of young people during some of their most formative years and have lifelong consequences; and

WHEREAS; survivors of teen dating violence are more likely to suffer from symptoms of depression, anxiety, substance abuse, eating disorders, unwanted pregnancy, and suicide; and

WHEREAS; experiencing an unhealthy or abusive relationship as a teen can increase a young person's risk of facing violence in intimate relationships throughout their lives; and

WHEREAS; respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and

WHEREAS; parents, teachers, coaches, and many others have the power to influence youth in positive ways by providing examples, guidance, and open conversation to promote healthy teen dating relationships; and

NOW, THEREFORE I, MARK ALLEN, MAYOR OF CIBOLO, TEXAS, do hereby recognize February 2024 as Teen Dating Violence Awareness and Prevention Month and encourage all residents of Cibolo to be supportive of healthy teen relationships by having conversations about respectful and non-violent relationships in homes, schools, and our community.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of The City of Cibolo to be affixed at Cibolo on this the 27th day of February 2024.

_____

Mark Allen, Mayor
City of Cibolo

City of Cibolo

City Council Regular Meeting Staff Report

Approval of the minutes of the Regular City Council Meeting held on February 13, 2024.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7A Minutes.pdf

"City of Choice"

CIBOLO CITY COUNCIL
CIBOLO MUNICIPAL BUILDING
200 S. Main
Cibolo, Texas 78108
February 13, 2024
6:30 p.m. to 10:30 p.m.

MINUTES

1. Call to Order – The Council meeting was called to order at 6:30 p.m. by Mayor Allen.

2. Roll Call and Excused Absences – Members Present: Mayor Allen, Councilman Benson, Councilman Roberts, Councilman Mahoney, Councilwoman Cunningham, Councilwoman Sanchez-Stephens, Councilman Hetzel, and Councilman Hicks.

3. Invocation – Councilman Hicks gave the Invocation.

4. Pledge of Allegiance - All those in attendance recited the Pledge of Allegiance.

5. Proclamation

   A. Proclamation for Meals on Wheels Drivers.

      Proclamation for Meals on Wheels Drivers was read by Councilwoman Sanchez-Stephens.

6. Citizens to be Heard

   This is the only time during the Council Meeting that a citizen can address the City Council. It is the opportunity for visitors and guests to address the City Council on any issue to include agenda items. All visitors wishing to speak must fill out the Sign-In Roster prior to the start of the meeting. The City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however, the City Council may present any factual response to items brought up by citizens. (Attorney General Opinion – JC-0169) (Limit of three minutes each.) All remarks shall be addressed to the Council as a body. Remarks may also be addressed to any individual member of the Council so long as the remarks are (i) about matters of local public concern and (ii) not disruptive to the meeting or threatening to the member or any attendee. Any person violating this policy may be requested to leave the meeting, but no person may be requested to leave or forced to leave the meeting because of the viewpoint expressed. **This meeting is livestreamed. If anyone would like to make comments on any matter regarding the City of Cibolo or on an agenda item and have this item read at this meeting, please email pcimics@cibolotx.gov and vchapman@cibolotx.gov or telephone 210-566-6111 before 5:00 pm the date of the meeting.**

   The following individuals spoke during this item: Ms. Whitson thanked the Police and Fire Department for coming to the Senior Program and briefing the group every month. Ms.

Titterington from the Chamber notified everyone on the upcoming luncheon and the State of the Cities. She also briefed on events – ribbon cuttings and Air Show at Randolph. Mr. Klepetko spoke to the council on light pollution and the harm it causes especially to those in the agriculture field. He would like the council to consider an ordinance to control light pollution. Mr. Singleton gave his three minutes to Ms. Palmer. Ms. Palmer read a letter from a citizen that was unable to attend concerning Tolle Road. Ms. Palmer also stated that Tolle Road is a dangerous road, and something needs to move forward. She also states keep the right-a-way to a minimum and eliminate the shoulder. Mr. MacLauchlan states we need a better road with drainage. This project needs to get started as soon as possible before DR Horton starts building.

7. Consent Agenda – Consent Items (General Items)

(All items listed below are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a Council member requests, in which case the item will be removed from the consent agenda.)

A. Approval of the minutes of the Special City Council Meeting held on January 23, 2024.

B. Approval of the minutes of the Regular City Council Meeting held on January 23, 2024.

C. Approval of the minutes of the Joint City Council, Planning and Zoning, Economic Development, and Master Plan Meeting held on January 30, 2024.

D. Approval of the November 2023 Check Register pending final acceptance of the City's financial audit for the 2023/2024 fiscal year.

E. Approval of the November 2023 Revenue and Expense Report pending final acceptance of the City's financial audit for the 2023/2024 fiscal year.

F. Approval of an Ordinance to adopt the 2021 International Codes, the 2023 National Electric Code and amendments.

G. Approval of an Ordinance to adopt the 2021 International Fire Code with amendments.

H. Approval of a Resolution authorizing the grant of Public Funds in support of the 2024 Cibolo Veterans Pow Wow Event.

Councilman Benson made the motion to approve 7A,B,C,D E, and H and pull item F and G. The motion was seconded by Councilman Hicks. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. Motion carried 7 to 0. Councilman Benson stated that he still had questions on the International Codes and would like a little more time to get questions answered. Councilman Hicks made the motion to table 7F and 7G until the February 26th meeting. The motion was seconded by Councilman Benson. A roll call vote was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, and Councilman Hicks – Yes.

8. Staff Update

A. Administration

a. The Chamber's State of the Cities Luncheon (February 20th)
b. HOA Knowledge Workshop #3 Overview (February 3rd)

c. City Fiber Project Update – Fiber for all city facilities.
d. Strategic Grant Partnership Application Update – two applications received so far.
e. RFP/RFQs – Animal Services Facility RFB (due Feb. 6th) – 9 submissions received, EDC Legal Services RFP (Due Feb. 12) – 3 received so far date extended to Feb 15th.
f. CIP Projects: Haeckerville Rd and Town Creek Drainage Phase II, Dean Rd, Bolton Rd, and Lower Seguin Rd, and Design and Bidding for GV Rd (2 sections), Silver Wing, Firebird Ln, and Town Creek
g. Upcoming Presentation on Stormwater Management Mapping Project
h. Fire ISO Study Update (Consultant will be on-site in late Jan. to early Feb. meeting Stakeholders)

B. Fire Department – In council packet.

9. Executive Session

The City Council will convene in Executive Session as authorized by the Texas Gov't Code Section 551.071, Consultation with Attorney, 551.072, Real Property, 551.087, Economic Development, and 551.074 Personnel Matters to discuss the following:

A. GVSUD v. City Of Cibolo Settlement Agreement

B. Economic Development communication confidentiality

C. Road Conditions on Tolle Road

D. City negotiations with HEB regarding transfer of title to real estate from HEB to the City.

E. Legros v. City of Cibolo (Cause No. 23-0697-CV-E)

F. Evaluation of the City Secretary

Item C. Councilman Benson made the motion to table this item until the second Council Meeting in February and to have Mayor Allen, Councilman Hicks meet with the City Manager and the family for further discussion. The motion was seconded by Councilwoman Cunningham. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. The motion carried 7 to 0.

The City Council convened into Executive Session at 7:19 p.m. on the items listed above.

10. Open Session

The City Council will reconvene into Regular Session and take/or give direction or action, if necessary, on items discussed in the Executive Session.

The Council returned into Regular Session at 9:23 p.m. and took the following action. Item C and Item 13C. Councilman Benson made the motion to table this item until the second Council Meeting in February and to have Mayor Allen, Councilman Hicks meet with the City Manager and the family for further discussion. The motion was seconded by

Councilwoman Cunningham. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. The motion carried 7 to 0.

Item F. Councilman Hicks made the motion to approve a 7% pay increase as discussed in Executive Session for the City Secretary effective 1 October 2023. The motion was seconded by Councilwoman Cunningham. A roll call vote was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, and Councilman Hicks – Yes. The motion carried 7 to 0.

11. Ordinances

A. Approval/Disapproval of an Ordinance of the City of Cibolo Providing Rules and Regulations for Traffic and Vehicles on Tolle Road, setting a temporary speed limit of 25 miles per hour, requiring the installation of signs to make the public aware of rough road conditions, and providing a penalty.
Councilwoman Cunningham made the motion to approve an Ordinance of the City of Cibolo Providing Rules and Regulations for Traffic and Vehicles on Tolle Road, setting a temporary speed limit of 25 miles per hour, requiring the installation of signs to make the public aware of rough road conditions, and providing a penalty. The motion was seconded by Councilman Hicks. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. The motion carried 7 to 0.

12. Resolution

A. Approval/Disapproval of a Resolution authorizing the City Manager to pay the Southern Plant payments for a future Wastewater Treatment Facility as stated in the Agreement between the City of Cibolo, the City of Schertz, and the Cibolo Creek Municipal Authority.

Councilwoman Cunningham made the motion to approve a Resolution authorizing the City Manager to pay the Southern Plant payments for a future Wastewater Treatment Facility as stated in the Agreement between the City of Cibolo, the City of Schertz, and the Cibolo Creek Municipal Authority and to change Section 6 of the MOU (Exhibit A to the Resolution) by replacing the word "construction" with "design." The motion was seconded by Councilman Hicks. A roll call vote was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, and Councilman Hicks – Yes. The motion carried 7 to 0.

B. Approval/Disapproval of a Memorandum of Understanding by and between the Cibolo Creek Municipal Authority ("CCMA"),, the City of Schertz, Texas ("Schertz"), and the City of Cibolo, Texas ("Cibolo") concerning the Southern Plant Wastewater Services and Funding Agreement ("Agreement") and authorizing the City Manager to sign the MOU.

Councilwoman Cunningham made the motion to approve the Memorandum of Understanding by and between the Cibolo Creek Municipal Authority ("CCMA"),, the City

of Schertz, Texas ("Schertz"), and the City of Cibolo, Texas ("Cibolo") concerning the Southern Plant Wastewater Services and Funding Agreement ("Agreement") with a change to Section 6 of the MOU by replacing the word "construction" with "design" and authorizing the City Manager to sign the MOU. The motion was seconded by Councilman Hicks. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. The motion carried 7 to 0.

13. Discussion/Action

A. Discussion/Action on a revised Interlocal Agreement (ILA) concerning the Funding, Design, and Construction of three (3) roads and authorizing the City Manager to sign the ILA.

Councilwoman Cunningham made the motion to approve a revised Interlocal Agreement (ILA) concerning the Funding, Design, and Construction of three (3) roads and authorizing the City Manager to sign the ILA as approved to form by the City Attorney. The motion was seconded by Councilman Benson. A roll call vote was taken. Councilman Hicks – Yes, Councilman Hetzel – Yes, Councilwoman Sanchez-Stephens – Yes, Councilwoman Cunningham – Yes, Councilman Mahoney – Yes, Councilman Roberts – Yes, and Councilman Benson – Yes. The motion carried 7 to 0.

B. Discussion/Action to authorize the City Manager to execute Amendment No. 9 of an Interlocal Agreement (ILA) between the City of Cibolo and the Alamo Area Council of Governments (AACOG) for Demand Response Route.

Councilman Hicks made the motion to approve and authorize the City Manager to execute Amendment No. 9 of an Interlocal Agreement (ILA) between the City of Cibolo and the Alamo Area Council of Governments (AACOG) for Demand Response Route in the amount of $8,100. The motion was seconded by Councilwoman Cunningham. A roll call was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, Councilman Hicks – Yes. The motion carried 7 to 0.

C. Discussion/Action on the final plan design for the Tolle Road rehabilitation project and wastewater line installation.

The council took action on this item when coming out of Executive Session. See item 10.

D. Discussion/Action on the acceptance of Pedestrian/Sidewalk Easement.

Councilman Hicks made the motion to approve the acceptance of Pedestrian/Sidewalk Easement. The motion was seconded by Councilwoman Cunningham. A roll call vote was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, Councilman Hicks – Yes. The motion carried 7 to 0.

E. Discussion/Action regarding the GVEC Power Up grant application for electric vehicle charging stations located at 107 S. Main St.

Councilman Hicks made the motion to approve the GVEC Power Up grant application for electric vehicle charging stations located at 107 S. Main St. The motion was seconded by Councilwoman Cunningham. A roll call vote was taken. Councilman Benson – No, Councilman Roberts – No, Councilman Mahoney – No, Councilwoman Cunningham – Yes,

Councilwoman Sanchez-Stephens – No, Councilman Hetzel – Yes, and Councilman Hicks – No. The motion failed 3 to 4.

F. Discussion/Action to authorize the City Manager to enter into an agreement with Aisin to have their equipment and technology used on city streets for the purpose of gathering street condition data for the city's use at no cost to the city.

Councilman Hicks made the motion to authorize the City Manager to enter into an agreement with Aisin to have their equipment and technology used on city streets for the purpose of gathering street condition data for the city's use at no cost to the city. The motion was seconded by Councilwoman Cunningham. A roll call vote was taken. Councilman Benson – Yes, Councilman Roberts – Yes, Councilman Mahoney – Yes, Councilwoman Cunningham – Yes, Councilwoman Sanchez-Stephens – Yes, Councilman Hetzel – Yes, Councilman Hicks – Yes. The motion carried 7 to 0.

G. Discussion/Presentation on the City of Cibolo's 2023 Resident Survey.

Dr. Longoria went over the 2023 Resident Survey. He went over the background and purpose of the survey, the Methodology, the Representativeness of the Sample, Respondent Rating of Selected Items. Open-ended comments results were: Question: "In your opinion, what should be the top three priorities for the City of Cibolo?". The most common themes were Streets and Roads, Economic Development, and Public Safety. The second question was "What would you recommend the City of Cibolo improves on in the future?". The most common themes were Roads and Infrastructure, Responsible Development, and Traffic, Lighting, and Speeding.

H. Discussion/Presentation on the SAFER Grant and to include 4-Year Staffing Request.

Chief Troncoso went over the following items with the Council. Current staffing with the three (3) current Fire Stations, Staffing for adequate Fire and Emergency Response (SAFER), the NFPA 1710 Standard, Fire Department staff overview FY 23 to FY 27, Staffing on Apparatus and why the need, Overview of full staffing with four (4) Fire Stations), and the Fiscal Impact to the Budget.

I. Discussion/Presentation on the Cibolo Communication Program.

Ms. Gonzalez went over the Cibolo Communication Program with the Council. Her presentation covered the following items: Branding, How the City Communicates, Social Media, Events, Print Media, Community Engagement, and Video Strategy.

J. Discussion on the Council Office completion date and getting locks on the doors.

This item was discussed by Councilman Hicks, and he stated that he did see that the many of the items in the council's backroom has been completed. He would like the doors to be keyed so the same key fits both doors.

K. Discussion on naming future streets in Cibolo after former Mayors.

Councilman Hetzel suggested that when new developments are built we should see if streets in those areas could be named after former Mayor's of Cibolo.

L. Discussion from Councilmembers that have attended seminars, events, or meetings.

Councilwoman Cunningham stated that she attended the HOA Workshop at City Hall and Coffee with the Police Department at Grampie's. She also informed everyone about the Senior Event that will be on February 17th from 1pm to 4pm at the Noble Group and also a Big Brother/Big Sister event in New Braunfels on February 23rd. Councilwoman Sanchez-

Stephens attended the Youth Council Summit and the Senior Center 2nd Anniversary celebration. Councilman Hicks attended Commissioners Court and several Ribbon Cuttings. Councilman Hetzel noted that the Police Chief attended the Senior Anniversary and worn his apron and helped serve.

M. Discussion on items the City Council would like to see on future agendas.

Councilman Benson would like to have an item concerning the traffic light at Cibolo Valley Drive and Borgfeld Road and also an item on trespassing in parking lots. Councilman Roberts would like an update on the Legacy School and the traffic light at FM 1103 and Main Street.

N. Discussion/Action on the review and confirmation of all upcoming special meetings and workshops and scheduling the time, date and place of additional special meetings or workshops.

No changes were made to the calendars that were in the packet for February and March 2024.

14. Adjournment

Councilman Hicks made the motion to adjourn the meeting at 11:15 p.m. The motion was seconded by Councilwoman Cunningham. For: All; Against: None. The motion carried 7 to 0.

PASSED AND APPROVED THIS 27TH DAY OF FEBRUARY 2024.

Mark Allen
Mayor

ATTEST

Peggy Cimics, TRMC
City Secretary

City of Cibolo

City Council Regular Meeting Staff Report

Approval of the Meeting Procedures.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7B Meeting Procedures.pdf

"City of Choice"

City Council Policy Directive No. 2024-1

CITY OF CIBOLO MEETING PROCEDURES

These procedures are required by City Charter Section 3.12 Rules of Procedure

Part I. General Provisions

Rule 1. Scope of Rules. These rules shall govern the conduct of the Council, Boards, Commissions, Committees, and Corporations and shall be interpreted to ensure fair and open deliberation and decision making.

Rule 2. Rulings; Matters Not Covered. The presiding Officer shall rule on all questions of procedure.

Rule 3. Interpretation. These rules are intended to supplement and shall be interpreted to conform to the statutes of the State of Texas and the Ordinances of the City of Cibolo. In general, these rules shall be interpreted to allow the majority to prevail but preserve the Right of the Minority to be heard.

Part II. Time and Place of Meetings

Rule 1. Regular Meetings. The City Council shall meet in regular session on the second and forth Tuesday in each calendar month beginning at 6:30 pm unless postponed or cancelled for valid reason(s), in the Cibolo Council Chambers. All Boards, Commissions, Committees, and Corporations will have set a regular date each month to conduct their meeting and meeting times should be 6:30 pm. The 6:30 pm time allows citizens an opportunity to attend all meetings. Meetings of all Boards, Commissions, Committees, and Corporations may be cancelled if there are no discussion or action items to be presented. The City Secretary's office will place a notice on the website if a meeting is cancelled for that month.

Rule 2. Special Meetings. A Special Meeting is any meeting, other than a regular meeting, where a quorum of members of a specific Council/Board/Commission/Committee/Corporation are

present to deliberate public business that the City Council, Board, Commission, Committee, or Corporation has supervision or control over the topic being deliberated.

A. Special Meetings may be called at the request of the Mayor or a majority of the City Council or the President or Chairman of a Board, Commission, Committee, or Corporation. Said meetings will be held at the time and place as posted on the meeting agenda but should try and keep the time and place the same as the regular scheduled meetings.
B. Special Meetings must be posted by the City Secretary's Office 72 hours prior to the scheduled meeting. All rules of a regular meeting apply to a Special Meeting.

Rule 3. Executive Sessions. The City Council, Board, Commission, Committee, or Corporation may meet in executive session in compliance with the Texas Open Meetings Act. Chapter 551, Governance Code is very specific in regard to the limited subjects a governmental body may discuss in closed or executive session. If an item discussed in Executive Session requires an action to be made, the action must be made publicly outside of the Executive Session once members have gone back into the open session.

Rule 4. Quorum; Majority Vote. A majority of Council, Board, Commission, Committee, or Corporation shall constitute a quorum at all meetings, unless provided differently by state law, for the transaction of business, and no action of the Council/Board/Commission/Committee/Corporation shall be of any affect unless it is adopted by the favorable vote of a majority of Council, Board, Commission, Committee, and Corporation. (Example: If a committee has seven members a quorum would be four).

Part III. Regular City Council/ Board/Commission/Committee/Corporation Agenda Packet

Rule 1. Agenda Packet. The Agenda Packet includes the meeting notice ("agenda") and any supporting documentation for agenda items. Supporting documentation should not be handed out the night of the meeting as it does not give Council/Board/Commission/Committee/Corporation the opportunity to review the item prior to discussion of the item. If a document needs to be given out the night of the meeting those documents should be given to the City Secretary for distribution to the Council, Board, Commission, Committee, or Corporation. The documents that are being handed out at this meeting may not be accepted at this time and a request and vote to table the item by a councilmember or a member of a Board, Commission, Committee, or Corporation may occur to give them more time to go over the additional information. All councilmembers have the ability to place items on the agenda (City Charter Section 3.12 (2)). Staff wishing to place Items on the agenda should discuss this with the City Manager. The Chairman/President of their respective Board, Commission, Committee, or Corporation may place items on the agenda. All backup material will be required at the time the agenda is posted. The City Secretary's Office is responsible for assembling the agenda packet for each city council meeting. Packets assembled by another department will be required to give the City Secretary's office a copy of the entire packet to keep on file.

Rule 2. Consent Agenda. The Mayor, President, Chairman, City Secretary, and City Manager may separately designate items as consent items which shall be placed under Consent Agenda on the agenda. The Consent Agenda shall consist of routine items, which the Mayor/President/Chairman/City Secretary/City Manager determine can be appropriately considered as a group (without separate discussion) at the meeting. Items on a consent agenda can be pulled off the consent agenda by a member sitting at the dais to have discussion on a particular item.

Rule 3. Meeting Notice Deadline. All requests to place an item on the agenda must be in writing with supporting documentation provided to the City Manager, Chairman, or President. All items for a regular

Council meeting must be turned in to the City Secretary by 8am Monday, the week (8 days) before the upcoming Council meeting. Items received after this time will be placed on the next agenda. Agendas for all other Boards, Commissions, Committees, or Corporations are due before 3pm the Friday before the week of their meeting.

Rule 4. Meeting Notice; Posting. The City Secretary's Office is responsible for posting the agenda for each meeting. The city's official posting location for the agenda is the bulletin board located at the front of City Hall. The agenda will also be placed on the City's website.

Rule 5. Withdrawal of Items. The Mayor/President/Chairman may withdraw an item on the meeting notice prior to the meeting. A Council, Board, Commission, Committee or Corporation member may withdraw an item he or she placed on the agenda meeting; but in withdrawing an item that has been posted, shall state the reason for removal to be posted and communicated to the Council, Board, Commission, Committee, or Corporation.

Part IV. Conduct of Meetings

In accordance with the City of Cibolo City Charter Section 3.12 the City Council will adopt rules and regulations to conduct business.

Rule 1. Roll Call. Before proceeding with the business of the Council, Board, Commission, Committee, or Corporation the City Secretary determines the presence of a quorum as required by law. When the roll call is taken by either the Mayor, President, or Chairman the City Secretary will enter into the minutes all members that were present and all members that were absent from the meeting. The City Secretary will provide the Mayor, President, or Chairman any written correspondence received from a member that is not present at the meeting. The Mayor, President or Chairman will inform all other members of the Council, Board, Commission, Committee, or Corporation of the absence and the reason the individual could not be present. A vote will be taken to determine if the absence will be recorded as an excused absence. Any member of the Council, Board, Commission, Committee, or Corporation that fails to notify the Office of the City Secretary of the absence at least one hour prior to the start of the meeting will be considered unexcused in the minutes.

Rule 2. Call to Order. The presiding officer shall call the meeting to order.

Rule 3. Presiding Officer. The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the presiding officer at all Council meetings. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most tenured Council member present shall preside. In the event two or more Members equally possess the greatest tenure, then the eldest person among them shall preside. For this purpose, tenure is measured by current, continuous service on the City Council. The presiding officer at a Board/Commission/Committee/Corporation will be either the President or Chairman. If the President or Chairman are absent the Vice President or Vice Chairman will be the presiding officer.

Rule 4. Control of Discussion. The presiding officer shall moderate discussion of the Council/Board/Commission/Committee/Corporation on each agenda item to ensure full participation in accordance with these rules. The presiding officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relative to the orderly conduct of business. The presiding officer shall request all speakers to keep comments brief and relevant to the item before the Council/Board/Commission/Committee/Corporation. **All persons present in the meeting**

room should refrain from abusive, rude or inappropriate conduct. See Chapter 38 of the Texas Penal Code regarding the "hindering" of official proceedings.

Rule 5. Order of Consideration of Agenda. Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order as listed on the meeting notice. Each agenda item shall be introduced by the presiding officer. After an item is introduced, the standard procedure is as follows:

1. Reading of the item by the presiding officer.
2. The Mayor, President, or Chairman or other person may present a statement on the item.
3. The Mayor, President, or Chairman will go from their right to left asking each member if they would like to speak on this item. Once each member has had an opportunity to speak the Mayor, President, or Chairman can speak last.
4. The presiding officer will ask for a motion; if made, ask if there is a second. If there is no motion or second, the item dies due to lack of motion.
5. Unless required by law or Council/Board/Commission/Committee/Corporation member, a roll call vote shall be used. If the city is using an electronic voting system once the motion is made and seconded the city secretary will activate the electronic voting system.
6. Each member has a computer screen where they have the ability to vote yes, no, or abstain. If abstaining they should have filled out the appropriate documentation before the start of the meeting. Members must have a legitimate reason to abstain from voting.

Rule 6. Presiding Officer's Right to Enter into Discussion. The presiding officer as a Member of the Council/Board/Commission/Committee/Corporation may enter into any discussion.

Rule 7. Limit on Remarks. Each Council, Board, Commission, Committee, and Corporation Member shall limit their relevant remarks to a reasonable length. The presiding officer has the right to set a time limit on remarks by a member of the Council, Board, Committee, Commission, or Corporation.

Rule 8. Presiding Officer's Right to Speak Last. The presiding officer has the right to speak last on any item.

Rule 9. Closing Discussion. Discussion shall be closed on any item by the presiding officer with the concurrence of a majority of the Council/Board/Commission/Committee/Corporation present.

Part V. Council/Board/Commission/Committee/Corporation Action

Rule 1. Recording Names of Moving Members. The City Secretary shall record the name of the Council/Board/Commission/Committee/Corporation Member making each motion and seconding each motion. If using the electronic voting system, the system will also capture the individual making the motion and seconding the motion.

Rule 2. Call for Vote. At the conclusion of the discussion, if the item is an action item, the presiding officer shall call for a vote. If using the electronic voting system, the members will vote on their computer screen. Once all members have voted the results will show on their screen and the large screen behind the dais for the public to see the voting results. If voting manually the presiding officer will call for votes starting from right to left with each member responding in the affirmative or negative (aye, yes, nay, or

no). If a member does not wish to vote, they answer abstain. In the event of a tie for the City Council, the Mayor will have the right to vote.

Rule 3. Voting Required. Each Council, Board, Commission, Committee, and Corporation Member present shall vote, unless abstaining, on every action taken by Council, Board, Commission, Committee, or Corporation. Any Council, Board, Commission, Committee, or Corporation Member refusing to vote and not excused from voting shall be recorded in the minutes as voting in the affirmative.

When abstaining the member shall state they are abstaining and, if they choose, provide reason as to the abstention. If a member has substantial interest in a business entity or in a real property, the official shall file, before a vote or discussion on any matter involving the business entity or the real property, and affidavit stating the nature and extent of the interest if:

1. In the case of substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or,
2. In the case of substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the public. Any Council, Board, Commission, Committee, or Corporation Member prohibited from voting by personal interest shall announce at the commencement of consideration of the matter and shall not enter into discussion on any such matter.

Rule 4. Separate Consideration. Except as otherwise required by these rules, each agenda item shall be voted upon separately with the vote recorded by the City Secretary.

Rule 5. Action or Consent Agenda. Except as herein provided the "Consent Agenda" shall be considered as a group (without separate discussion on each item). When the Consent Agenda is introduced each Member of Council, Board, Commission, Committee, or Corporation has the right to remove any item. After items are removed, the presiding officer shall ask for a motion on the remaining Consent Agenda items. The item removed will be considered immediately after the Consent Agenda is completed.

Rule 6. Consideration Out of Order. At the request of the Mayor, President, and Chairman or a Council, Board, Commission, Committee, or Corporation member and with the consent of the rest of Council, Board, Commission, Committee, or Corporation any agenda item may be considered out of order.

Rule 7. Council Action to Withdraw or Defer.

A Council, Board, Commission, Committee, or Corporation Member wishing to withdraw or defer an item may make motion to that effect.

Part VI. Citizen Participation

Rule 1. Recording Names of Moving Members. Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers must register in advance and should limit their presentations to three minutes each. Speakers should direct all remarks and questions to the Council, Board, Commission, Committee, or Corporation. The presiding officer may refer a matter for investigation, response or other action. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council,

Board, Commission, Committee, or Corporation. This law may prevent the Council, Board, Commission, Committee or Corporation from considering a subject raised by a member of the public. Citizens will only speak during the public hearing or citizens to be heard portion of the agenda. At no other time should the public get involved in the discussion of an agenda item.

Rule 2. Manner of Addressing Council/Board/Commission/Committee/Corporation. A person desiring to address the Council/Board/Commission/Committee/Corporation shall sign in prior to the commencement of the meeting. When called forth, the person wishing to comment shall step to the lectern, state their name, and address for the record, and then address the Council/Board/Commission/Committee/Corporation. If a person has an item to be given to the Council/Board/Commission/Committee/Corporation, it will be given to the City Secretary for distribution to Council/Board/Commission/Committee/Corporation. The City Secretary will keep one item for entry into the packet that is kept on file.

Rule 3. Total Time Limits. Total time for public comment on any subject or multiple subjects under Council/Board/Commission/Committee/Corporation consideration can be limited to a fixed period by the presiding officer. A majority vote of the Council/Board/Commission/Committee/Corporation may extend the time limitations of this rule. Cibolo has established the time at three minutes per person.

Rule 4. Remarks to be Germane. Public comments must be kept relevant to the subject before the Council, Board, Commission, Committee, or Corporation. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council, Board, Commission, Committee, or Corporation during the meeting.

Rule 5. Matters Not on the Agenda. Discussion of matters not on the agenda is usually governed by Section 551.042 of the Texas Government Code, which provides:

A. If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

    1. A statement of specific factual information given in response to the inquiry; or

    2. Recitation of existing policy in response to the inquiry.

B. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

**These procedures will be brought back to the City Council for review every two years. The City Secretary's office will be responsible to brief each Board, Commission, Committee, and Corporation on these procedures. A copy of the procedures will be given to each member when receiving the briefing. New members will receive a copy when taking the Oath of Office.

City of Cibolo

City Council Regular Meeting Staff Report

Approval of an Ordinance to adopt the 2021 International Codes, the 2023 National Electric Code and amendments.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7C

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7C 2021 Inter. Code 2023 Nat. Electric Code.pdf

"City of Choice"

City of Cibolo, Texas
City Council Regular Meeting
27 February 2024

SUBJECT:
Approval/Disapproval of an ordinance to adopt ten (10) books from the 2021 International Code Council, the 2023 National Electric Code, and amendments.

ITEM SUMMARY:
The Building Official proposed updating the City's adopted building codes to Council on November 14, 2023. Council directed the Building Official to bring the attached ordinance back for approval.

STAFF RECOMMENDATION
Staff recommendation is Council approve the attached ordinance.

FINANCIAL IMPACT:
Not applicable.

SUBMITTED BY:
Matt Hanson, Chief Building Official

ATTACHMENTS:
1. Ordinance containing I-Codes and NEC code adoption.

"City of Choice"

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CIBOLO, TEXAS AMENDING CHAPTER 14 OF THE CITY'S CODE OF ORDINANCES BY ADOPTING THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE; THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE NFPA 70; THE 2021 EDITION OF THE INTERNATIONAL PLUMBING CODE; THE 2021 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE; THE 2021 EDITION OF THE INTERNATIONAL FUEL GAS CODE; THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE; THE 2021 EDITION OF THE INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE; AMENDING BOARD OF APPEALS; INCORPORATION OF RECITALS; MAKING LOCAL AMENDMENTS TO SUCH CODES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING CUMULATIVE, CONTINUATION, AND SEVERABILITY CLAUSES.

WHEREAS, the City of Cibolo is a Home Rule Municipality located in Guadalupe County, Texas, established in accordance with provisions of its Charter, the Texas Constitution and statutes, including the Texas Local Government Code; and

WHEREAS, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Cibolo to enforce each rule, Ordinance, or police regulation of the City of Cibolo and to punish a violation of a rule, Ordinance, or police regulation; and

WHEREAS, Chapter 214, Subchapter G of the Texas Local Government Code provides the general authority for the City of Cibolo to adopt certain Building and Regulatory Codes and to enacted local amendments to same, following a public hearing on the local amendment(s); and

WHEREAS, on January 9, 2023, the City Council held a public hearing regarding the amendments proposed herein, in accordance with Sec. 214.216(f) of the Texas Local Government Code; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens of the City of Cibolo the City Council deems it advisable that the City adopt the Model Building and Regulatory Codes set out below, with such local amendment that shall regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Cibolo; and

WHEREAS, The City Council hereby declares that all local code amendment regulations and standards are in furtherance of the City of Cibolo' s public safety departments and are not enacted to hinder development and construction; all local amendments hereto shall coordinate with public safety code enforcement officials and are enacted solely for the protection of the health and safety of the City of Cibolo;

WHEREAS, the City Council finds the local amendments provided by this Ordinance are in accordance with the purpose and content of Chapter 3000, Tex. Gov't Code, and that such local amendments hereto are to protect public health and safety of the City of Cibolo;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS, THAT:

SECTION 1. RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 2. CODE AMENDMENT (INTERNATIONAL BUILDING CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(l) is hereby amended by replacing the existing language therein with the language set out in Exhibit "A," attached hereto and incorporated herein for all purposes.

SECTION 3. CODE AMENDEMENT (NFPA 70 NATIONAL ELECTRICAL CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(2) is hereby amended by replacing the existing language therein with the language set out in Exhibit "B," attached hereto and incorporated therein for all purposes.

SECTION 4. CODE AMENDMENT (INTERNATIONAL PLUMBING CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(3) is hereby amended by replacing the existing language therein with the language set out in Exhibit "C," attached hereto and incorporated herein for all purposes.

Note: Section 14-2(a)(4) is reserved.

SECTION 5. CODE AMENDMENT (INTERNATIONAL RESIDENTIAL CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(5) is hereby amended by replacing the existing language therein with the language set out in Exhibit "D," attached hereto and incorporated herein for all purposes.

Note: Section 14-2(a)(6) is reserved.

SECTION 6. CODE AMENDEMENT (INTERNATIONAL ENERGY CONSERVATION CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I

(entitled "In General"), Section 14-2(a)(7) is hereby amended by replacing the existing language therein with the language set out in Exhibit "E," attached hereto and incorporated herein for all purposes.

SECTION 7. CODE AMENDMENT (INTERNATIONAL PROPERTY MAINTENANCE CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(8) is hereby amended by replacing the existing language therein with the language set out in Exhibit "F," attached hereto and incorporated herein for all purposes.

SECTION 8. CODE AMENDMENT (INTERNATIONAL EXISTING BUILDING CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(9) is hereby amended by replacing the existing language therein with the language set out in Exhibit "G," attached hereto and incorporated herein for all purposes.

SECTION 9. CODE AMENDEMENT (INTERNATIONAL MECHANICAL CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), Section 14-2(a)(11) is hereby amended by replacing the existing language therein with the language set out in Exhibit "H," attached hereto and incorporated herein for all purposes.

SECTION 10. CODE AMENDEMENT (INTERNATIONAL FUEL GAS CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General"), is hereby amended to add a new Section 14-2(a)(12) as set forth in Exhibit "I," attached hereto and incorporated herein for all purposes.

SECTION 11. CODE AMENDEMENT (INTERNATIONAL SWIMMING POOL and SPA CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General") is hereby amended to add a new Section 14-2(a)(13) as set forth in Exhibit "J," attached hereto and incorporated herein for all purposes.

SECTION 12. CODE AMENDEMENT (INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE). The Cibolo Code of Ordinances, Chapter 14 (entitled "Buildings and Building Regulations"), Article I (entitled "In General") is hereby amended to add a new Section 14-2(a)(14) as set forth in Exhibit "K," attached hereto and incorporated herein for all purposes.

SECTION 13. BOARD OF APPEALS AMENDMENT. The Cibolo Code of Ordinances, Chapter 14 (entitled "Building and Building Regulations"), Article I (entitled "In General"), Section 14-3 is hereby amended by adding subsection (d) to read as follows:

> (d) A permit applicant, landowner or other aggrieved person may appeal the decision of an official responsible for enforcement of the City's adopted Building Codes, as amended, applying a regulation or standard to the construction, renovation, maintenance, or other alteration of a residential or commercial building, which regulation or standard is asserted to be prohibited by Chapter 3000, Tex. Gov't Code. The aggrieved party shall identify each provision in a national model code within the last model code cycles that approves the use of such building material, product, or aesthetic method.

SECTION 14. CUMULATIVE. This ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

SECTION 15. REPEALER. In accordance with Section 1-10(e) of the Cibolo Code of Ordinances, all preceding versions of Section 14-2(a) subsections (1) through (11) and Section 14-3 of the Cibolo Code of Ordinances in conflict herewith are hereby repealed and replaced hereby.

SECTION 16. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 17. CONTINUATION OF EXISTING REGULATIONS. Nothing in this ordinance or in the Model Building and Regulatory Codes of the City of Cibolo hereby adopted shall be construed to affect any suit or proceeding impending in any or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 12 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 18. PENALTY. Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be subject to the penalty prescribed in Section 1-13 of the City of Cibolo's Code of Municipal Ordinances.

SECTION 19. EFFECTIVE DATE. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council of the City of Cibolo, Texas, and publication as required by Section 3-13(3) of the City Charter and applicable state law.

PASSED AND APPROVED this, the_____ day of _____, 2023.

_____

Mark Allen
Mayor

ATTEST:

_____

Peggy Cimics, TRMC
City Secretary

APPROVED AS TO FORM:

_____

George Hyde
DTRG, City Attorney

EXHIBIT "A"

Local Amendments to International Building Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Building Code, 2021 Edition, including Appendix Chapters C, E, F, G, I, and J as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Building Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 101.1** to read as follows:

[A] 101.1 Title. These regulations shall be known as the Building Code of Cibolo, hereinafter referred to as "this code."

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 102** to add **[A] 102.7** to read as follows:

[A] 102.7 Change of use or occupancy. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with this code and the *International Building Code*. A change of occupancy within the same division of the same group or occupancy shall not be made unless the use or occupancy is made to comply with the requirements of Chapter 11 and the *International Existing Building Code*.

Exception: Where *approved* by the *fire code official*, a change of occupancy shall be permitted without complying with the requirements of this code and the *International Existing Building Code*, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

(iii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 102** to add **[A] 102.7.1** and read as follows:

[A] 102.7.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification or ownership of a building or structure or portion thereof shall be made, until a final inspection by the *building department*, a final fire prevention inspection by the *fire code official* or *approved* 3rd party fire inspectors and the *building code official* has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances, court orders, or regulations of the jurisdiction.

Exception: New certificates of occupancy are not required for work exempt from permits and/or work authorization under Section 105.6.

(vi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2** to delete Building subsection items (2) and (6) to read as follows:

[A] 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet and is on a temporary foundation.
2. Oil derricks.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A, liquids.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed two-to-one (2:1).
5. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
6. Temporary motion picture, television and theater stage sets, and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family dwellings.
10. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
11. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

(v) CHAPTER 1 SCOPE AND ADMINISTRATION is amended at **[A] 105.3** to add new subsection items 8, 9, 10, and 11 to read as follows:

8. Indicate the total square footage, of the foundation and all floors above or below as measured from the exterior. Provide the total square footage of all impervious cover.
9. Be accompanied by the International Energy Conservation Code compliance certification specific to the permitted address.
10. Indicate the number of stories.
11. Indicate type of construction (e.g., Type V construction - common wood frame construction, Type IV construction - heavy timber construction, etc.).

(vi) CHAPTER 1 SCOPE AND ADMINISTRATION is amended at **[A] 105.5** to add the following underlined language:

[A] 105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencements of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Any permit that is not completed within 365 days of issuance will be invalid and a new permit must be issued. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each with the ability to add fees.

(vii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 107.2.1** to add subsection items (1) - (12) and to read as follows:

[A] 107.2.1. Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted with prior approval by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The applicant shall provide all information requested related to the construction documents information. Such information shall include, but not limited to, the following:

1. Indicate the street name, address number, and lot and block numbers.
2. Engineered foundation plan with soil density and soil conditions of the property or lot.
3. Foundation plans shall have all details identified with corresponding letters, numbers, or symbols.

4. Floor plans shall be scaled and laid out as it is to be built, if plans show optional details options shall be clearly indicated, show glazing percentages.

5. Frame details shall include but not be limited to live load design, wind speed design, wall bracing requirements, and material specifications, studs required for support of walls and beams, header size and support requirements.

6. Roof and ceiling joist plan with specifications and details.

7. Electrical plan.

8. Plumbing plan.

9. Heating, ventilation, and air conditioning plan.

10. Construction plans shall have adopted codes listed.

11. Minimum Page size is 24" x 36"

12. Such other data and information as required by the building official.

(viii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 107.2.5** to read as follows:

[A] 107.2.6 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted; provided pre-construction site or plot plan and submit original final site or plot plan with signature and seal. The applicant shall provide all information requested related to the construction documents information. Such information shall include, but not limited to, the following:

1. Indicate the street name, address number, and lot and block numbers. Provide total lot square footage.

2. Provide the total square footage of the foundation.

3. Indicate percentage of foundation lot coverage.

4. Provide square footage of porches, patios, driveways, and walkways.

5. Indicate all building setback lines.

6. Indicate all easements.

7. Indicate property pin locations and distance.

8. Percentage of slope on driveway.

9. Indicate drainage elevation across the properly.

10. Show curb lines and sidewalks.

11. Give such other data and information as required by the building official.

(ix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 109.3** to read as follows:

[A] 109.3. Permit Valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuation shall reflect the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official. The building permit valuation shall be determined using either the latest International Code Council Building Valuation Data sheet, or the estimated valuation provided by the applicant, whichever is greater.

(x) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending [A] 111.1 to add Exception No. 2 and to read as follows:

[A] 111.1 Change of occupancy. A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exceptions:

1. Certificates of Occupancy are not required for work exempt from permits under section 105.2.

2. Accessory buildings or structures.

(xi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by the deletion of **sections [A] 113.1 General, [A] 113.2 Limitations on authority, and [A] 113.3 Qualifications** in their entirety and substituting the following in lieu thereof as new **[A] 113.1:**

[A] 113.1 General. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(xii) CHAPTER 2 DEFINITIONS is hereby amended by amending **202** to read as follows:

202 General Definitions.

[BG] AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-preservation if the person is conscious, yet unable to determine the direction of or traverse the means of egress without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

[A] CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy where this code requires a greater degree of safety, accessibility, structural strength, fire protection, *means of egress*, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change from one group to another group within an occupancy classification.
3. Any change in use within a group for a specific occupancy classification.
4. Any change in the purpose of, or a change in the level of activity within, a building or structure.

[M] COMMERCIAL COOKING APPLIANCES. Appliances that are used outside of residential occupancies, and are used in a commercial setting or commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local exhaust ventilation system. Such appliances include deep fat fryers, upright broilers, griddles, broilers, steam-jacketed kettles, hot-

top ranges, under-fired broilers (charbroilers), ovens, barbecues, rotisseries, and similar appliances. For the purpose of this definition, a food service establishment shall include any building or a portion thereof used for the preparation and serving of food.

[BG] FOSTER CARE FACILITIES. Facilities or dwellings that provide care to more than five children, up to the age of eighteen (18) years old and not related to the caregiver.

[BG] HABITABLE SPACE. A space in a building for living, sleeping, eating, cooking, or working. Bathrooms, toilet rooms, closets are not considered habitable spaces.

[BG] HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (10 668 mm) above the lowest level of fire department vehicle access.

[BG] INCAPABLE OF SELF-PRESERVATION. Persons who, because of age, physical limitations, mental limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation. It is reasonable to determine that a person is incapable of self-preservation if the person is conscious, yet unable to determine the direction of travel from a building or area to the outside without supervision or direction from other persons, to include persons with or experiencing an altered state of consciousness.

[BG]MEDICAL CARE. Care involving medical, dental, or surgical procedures, nursing, or for psychiatric purposes.

[BG] PRIVATE GARAGE. A building or portion of a building in which motor vehicles used or stored by the *owner* or tenants of the building or buildings on the premises and are stored or kept, without provisions for repairing or servicing such vehicles for profit.

SPECIAL AMUSEMENT BUILDING. A building that is temporary, permanent, or mobile that contains a device or system that conveys passengers or provides a walkway along, around, or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or intentionally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure, to include escape rooms, haunted houses, and similar uses.

TEMPORARY SPECIAL EVENT STRUCTURE. Any temporary ground-supported structure, tower supporting audio or visual effects equipment, platform, stage, stage scaffolding or rigging, canopy, or similar structures not regulated within the scope of the *International Building Code*.

ENCLOSED PATIO. A space, under a roof covering, that is enclosed on two sides or more by screen wire, mesh wire, glass, plastic/vinyl, or other material, to include railing, half walls, and similar where the means of egress may be limited or restricted to one or more openings that limits egress from or requires egressing through any portion of an occupied structure, or where there may only be one or more means of egress that is open to free egress movement. The area of an enclosed patio shall be considered part of the interior of the structure and shall be included in calculating the occupancy capacity of a building, and shall meet the requirements for egress, egress lighting, and any other provision of this code or the *International Building Code*.

MULTI-FAMILY DWELLING. Any residential structure consisting of three (3) or more residential dwelling units. (Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.) These buildings are typically, but not always, classified within the Group "R" occupancy classification.

OCCUPANT. Any person, agent, operator, entity, firm, or business that occupies a building or part thereof as an owner or tenant.

SHELL BUILDING. A shell building is a structure that when completed is not ready for occupancy. A shell building consists of all exterior walls and windows, the roof structure, interior fire rated or separation walls, life safety systems (fire sprinkler, fire alarm, and similar), plumbing mains services, electrical utilities, and also includes elevated floor assemblies, mezzanines, stairways, and elevators. Shell buildings shall comply with Section 311. Shell buildings are not for occupancy and upon completion shall not receive a Certificate of Occupancy upon completion shell buildings will receive a Letter of Completion from the *city building department*.

(xiii) CHAPTER 3 CLASSIFICATION AND USE is hereby amended by amending **305.1** to read as follows:

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

New educational Group facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

(xiv) CHAPTER 3 CLASSIFICATION AND USE is hereby amended by amending **305.2** to read as follows:

305.2 Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than five children older than 2 ½ years of age who receive educational, supervision or personal care services for less than 24 hours per day.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

(xv) CHAPTER 3 CLASSIFICATION AND USE is hereby amended by amending **308.1** to read as follows:

308.1 Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care or supervision is provided to persons who are not capable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

(xvi) CHAPTER 3 CLASSIFICATION AND USE is hereby amended by amending **310.1** to read as follows:

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code* in accordance with Section 101.2 of the *International Building Code*. Group R occupancies not constructed in accordance with the *International Residential Code* as permitted by Sections 310.4.1 and 310.4.2 of the *International Building Code* shall comply with Section 420 of the *International Building Code*.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

(xvii) CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE is hereby amended by amending **407.2.7** to read as follows:

407.2.7 Domestic cooking appliances. In Group I-2 occupancies, installation of cooking appliances used in domestic cooking facilities shall comply with all of the following:

1. The types of cooking appliances permitted shall be limited to ovens, cooktops, ranges, warmers and microwaves.
2. Commercial cooking hoods installed and constructed in accordance with Section 506 of the International Mechanical Code shall be provided over cooktops and ranges.
3. Cooktops and ranges shall be protected in accordance with Section 606.2 of the *International Fire Code*.
4. A shut-off for the fuel and electrical power supply to the cooking equipment shall be provided in an accessible location.
5. A timer shall be provided that automatically deactivates the cooking appliances within a period of not more than 120 minutes.
6. A portable fire extinguisher shall be provided. Installation shall be in accordance with Section 906, and the extinguisher shall be located within a 30-foot (9144 mm) distance of travel from each domestic cooking appliance.

(xviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **902.1** to read as follows:

902.1 Pump and riser room size. Where provided, fire pump rooms and *automatic sprinkler system* riser rooms shall be designed with adequate space for all equipment necessary for the installation, inspection, maintenance, and servicing as defined by the manufacture, and with a minimum of three (3) feet of working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required *fire-resistance-rated* assembly or without removing such elements of, or disabling the function of any other life safety system. Fire pump and *automatic sprinkler system* riser rooms shall be provided with a door(s) and unobstructed passageway large enough to allow removal of the largest piece of equipment. Fire pump and *automatic sprinkler system* riser rooms shall not be used for storage. Fire riser rooms housing an *automatic sprinkler system* riser only shall be a minimum 4 foot (1219 mm) by 4 foot (1219 mm) unless otherwise *approved* by the *fire code official*. Fire riser rooms housing *automatic sprinkler system* riser(s) and any other systems, non-fire systems, equipment,

devices, plumbing piping and/or appurtenances, or similar shall be a minimum 8 foot (2438 mm) by 16 foot (4877 mm) with a minimum of four (4) feet of clear space from the system riser(s), piping, and appurtenances unless otherwise *approved* by the *fire code official*. System risers and fire department connection lead-ins shall be a minimum 12 inches (305 mm) from finish walls to outside edge of pipe as measured to back side of pipe and shall be a minimum 18 inches (457 mm) from finish walls or outside edge of adjacent risers to outside edge of pipe as measured to side of pipes.

(xix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2** to read as follows:

[F] 903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in this Section and Sections 903.2.1 through 903.2.12, and throughout multi-tenant buildings 5,000 square feet (464 m²) or more. The calculated area shall be total square footage (as measured from the exterior walls) including all space as well as the area of attached garages, storage facilities, hallways, stairways, and similar areas, and without exemptions for fire areas. Such systems shall be in accordance with Section 903 as well as *National Fire Protection Association Standards* where conflicts arise the more stringent shall govern.

Retrofit:

1. Building additions that exceed the allowed fire area.
2. Two or more building permits related to area increase, are issued over any three consecutive years.

Exception:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries, and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 2-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.
2. Detached non-combustible carports or shade canopies. Detached gazebos and open sided pavilions for residential use.
3. Independent buildings such as restrooms or snack shops 400 square feet (37 m²) or less that are associated with golf courses, parks, and similar uses.
4. Guardhouses that are less than 400 square feet (37 m²) in size used to control access to or within residential and/or commercial developments.
5. Detached equipment or storage buildings for commercial use not exceeding 400 square feet (37 m²).
6. Detached residential storage buildings or garages that are non-habitable not exceeding 900 square feet (84 m²).

(xx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.2** to add Group B occupancies and read as follows:

[F] 903.2.2 Group B. An *automatic sprinkler system* shall be provided for *fire areas* containing Group B occupancy and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m²).
2. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

(xxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.2** to **[F] 903.2.2.1** to read as follows:

[F] 903.2.2.1 Ambulatory care facilities. An *automatic sprinkler system* shall be provided for *fire areas* containing ambulatory care facility occupancies and intervening floors of the building where either of the following conditions exist at any time:

1. Four or more rooms, chairs, beds, or spaces are provided for care recipients that are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving the facility.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-preservation if the person is conscious, yet unable to determine the direction of or traverse the means of egress without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

In buildings where ambulatory care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest *level of exit discharge*, including the *level of exit discharge*.

(xxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.3** to read as follows:

[F] 903.2.3 Group E. An *automatic sprinkler system* shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 12,000 square feet (1115 m²) in area.
2. Throughout every portion of educational buildings located on a floor other than a *level of exit discharge* serving such occupancies.

(xxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.4** to read as follows:

[F] 903.2.4 Group F-1 and F-2. An *automatic sprinkler* system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exist:

1. A Group F *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group F *fire area* is located more than one story above grade plane.
3. The combined area of all Group F *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

(xxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.4.1** to read as follows:

[F] 903.2.4.1 Woodworking operations. An *automatic sprinkler system* shall be provided throughout all Group F occupancy *fire areas* that contain woodworking or milling operations in excess of 2,500 square feet (232 m²) which generate finely divided combustible waste or finely divided combustible materials, to include wood shavings, saw dust, sanding dust, and similar.

(xxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.6** to read as follows:

[F] 903.2.6 Group I. An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exception: An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 Condition 1 facilities.

(xxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.7** to read as follows:

[F] 903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exist:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than one story above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

(xxvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.7.2** to read as follows:

[F] 903.2.7.2 Group M upholstered furniture or mattresses. An *automatic sprinkler system* shall be provided throughout a Group M *fire area* where the area used for the display and sale of upholstered furniture, mattresses, household goods, or similar exceeds 2,500 square feet (232 m²).

(xxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.9** to read as follows:

[F] 903.2.9 Group S-1 and S-2. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exist:

1. A Group S *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group S *fire area* is located more than three stories above grade plane.
3. The combined area of all Group S *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).
4. A Group S *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).

(xxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.9.1** to read as follows:

[F] 903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, as shown:

1. Buildings two or more stories above grade plane, including *basements*, with a *fire area* containing a repair garage exceeding 5,000 square feet (464 m²).
2. Buildings not more than one story above grade plane, with a *fire area* containing repair garage exceeding 5,000 square feet (464 m²).
3. Buildings with a repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).

(xxx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.9.2** to read as follows:

[F] 903.2.9.2 Bulk Storage of tires. Buildings and structures where the area for the storage of tires exceeds 2,500 cubic feet (71 m³) in or adjacent to, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

(xxxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.9.4** to read as follows:

[F] 903.2.9.4 Group S-1 and S-2 upholstered furniture and mattresses. An *automatic sprinkler system* shall be provided throughout a Group S *fire area* where the area used for the storage of upholstered furniture, mattresses, household goods, or similar exceeds 2,500 square feet (232 m²) regardless of separation walls.

(xxxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.10** to delete Exception to read as follows:

[F] 903.2.10 Group S-2 parking garages. An *automatic sprinkler system* shall be provided throughout all buildings classified as parking garages in accordance with Section 406.6 of the *International Building Code* where any of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage exceeds 12,000 square feet (1115 m²).
2. Where the enclosed parking garage is located beneath other groups.

(xxxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.11.1.1** to read as follows:

[F] 903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 36 inches (914 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

(xxxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.11.3** to delete Exception to read as follows:

[F] 903.2.11.3 Buildings 55 feet or more in height. An *automatic sprinkler system* shall be installed throughout all buildings that have one or more stories with an *occupant load* of 30 or more located 55 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor of the highest level to include mezzanine floors.

(xxxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.2.11** to add **[F] 903.2.11.7** to read as follows:

[F] 903.2.11.7 Porte-cocheres. All porte-cocheres shall be protected with fire sprinklers.

Exceptions: Porte-cocheres of non-combustible construction and design and where separated from a structure preventing fire and products of combustion from coming in contact with the structure.

(xxxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.3** to read as follows:

[F] 903.3 Installation requirements. *Automatic sprinkler systems* shall be designed and installed in accordance with Section 903.3.1 through 903.3.8 and the following:

Construction documents. Fire sprinkler systems shall be submitted for review and approval prior to system installation or remodeling. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, with a plan of each floor, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with NFPA 13 and to include, but not be limited to, all of the following:

1. Fire sprinkler system plan design worksheet.
2. A site plan showing all buildings, fire department connections, fire hydrants, fire apparatus access roads, alleys, driveways, sidewalks, and similar items. To include lengths and widths.

3. A floor plan, which shows and indicates the use of all rooms, and all occupancies in the building including dimensions.
4. Unit plans which shows location and size of walls, rooms, doors, concealed spaces, closets, attics, bathrooms, and fire rated walls.
5. Dimensions of aisles, corridors, hallways, and stairways, doorways (door openings), including direction of swing.
6. Full height cross-section, or schematic diagram of the riser detail showing alarm check valve assembly, flow switch(s), water motor gong alarm, check valves assemblies, drain valve assemblies, and all associated piping and sizes.
7. Full height cross-section, or schematic diagram, including structural member information and including ceiling and wall construction and method of protection for nonmetallic piping and penetrations.
8. A mechanical system over lay showing no conflict with fire sprinkler system.
9. Manufactures specifications and ratings on equipment and materials, to include but not limited to sprinkler heads, couplings, valves, mounting brackets, hardware, hangers, alarm valves, water motor gong, switches, sensors, gauges, and similar components.
10. Location and description of all required signs.
11. Location and method of storing *approved* fire sprinkler system plans near system riser(s).
12. Any additional information required by the *fire code official*.
13. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including descriptions, applications, and limitations for any sprinklers, devices, piping, or fittings.

Inspector's test connection. The inspector test connection shall be in the upper story if multi-leveled, and the connection shall be piped from the end of the most remote branch line. The discharge should be at a point where it can be readily observed. In locations where it is not practical to terminate the test connection outside the building, where *approved* by the *fire code official* the test connection is permitted to terminate into a drain capable of accepting full flow under system pressure. In this event, the test connection should be made using an approved sight test connection containing a smooth bore corrosion-resistant orifice giving a flow equivalent to one sprinkler simulating the least flow from an individual sprinkler in the system. The test valve should be located at an accessible point and preferably not over 7 ft (2.1 m) above the floor. The control valve on the test connection should be located at a point not exposed to freezing. The discharge pipe shall be installed so as to drain by gravity flow. The test connection valve shall be a full open valve and the end of the discharge pipe shall not be threaded.

Drains. Auxiliary Drains for Wet Pipe Systems, Preaction Systems and Dry Pipe systems.

1. Where the capacity of trapped sections of pipes in wet systems is less than 5 gal (18.9 L), one of the following arrangements shall be provided:
   1.1. An auxiliary drain shall consist of a nipple and cap or plug not less than ½ in. (12 mm) in size in an accessible location and piped to an approved location.
   1.2. An auxiliary drain shall not be required for trapped sections less than 5 gal (18.9 L) where the system piping can be drained by removing a single pendent sprinkler.
   1.3. Where flexible couplings or other easily separated connections are used, the nipple and cap or plug shall be permitted to be omitted.
2. Where the capacity of isolated trapped sections of pipe in wet systems is more than 5 gal (18.9 L) and less than 20 gal (76 L), the auxiliary drain shall consist of a valve ¾ in. (19

mm) or larger in an accessible location and a plug or a nipple and cap and be piped to an approved location.

3. Where the capacity of isolated trapped sections of pipe in wet systems is 20 gal (76 L) or more, the auxiliary drain shall consist of a valve in an accessible location not smaller than 1 in. (25.4 mm), piped to discharge at a suitable location.
4. Where the capacity of isolated trapped sections of Dry Pipe and Preaction System pipe is 1 gallon (3.7 L) or less, the auxiliary drain shall consist of a valve or a nipple and cap or plug not less than ½ in. (12 mm) in size in an accessible location and piped to an approved location.
5. Where the capacity of isolated trapped sections of Dry Pipe and Preaction System pipe is 1 gallon (3.7 L) or more, the auxiliary drain shall consist of two 1 inch full open valves and one 2 inch X 12 inch (50 mm X 305 mm) condensate nipple or equivalent, in an accessible location and piped to discharge at a suitable location.

Valves and risers. Alarm valve assemblies with water motor gong alarms shall be used, and all system risers shall be numbered and labeled indicating the zone locations and inspector test valve location, and all inspector test valves shall be numbered to match the system risers, all valves shall be labeled to include the zone along with what they control, fire department connection check valves shall be installed in the horizontal position and as close to the top of system riser as possible or off of a main line not smaller than the system riser, riser rooms and/or riser areas shall not be used for storage. Dry pipe valves should be piped from above the wet alarm check valve for exterior water flow notification by the water motor gong.

(xxxvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 903.3.1.1** to read as follows:

[F] 903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

(xxxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.2.2** to read as follows:

[F] 904.2.2 Commercial hood and duct systems. Each required commercial kitchen exhaust hood and duct system required by Section 606 to have a Type I hood shall be protected with an *approved* automatic fire-extinguishing system installed in accordance with this code.

Construction documents. Kitchen hood suppression systems shall be submitted for review and approval prior to system installation or remodeling. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale,

on sheets of uniform size, with a plan of each room or floor area, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with NFPA Standards and to include, but not be limited to, all of the following:

1. Kitchen hood suppression system plan design worksheet.
2. Identification of the hazards to be protected and including such information as physical dimensions, cooking appliances, energy sources for each appliance, and air-handling equipment.
3. Plan sheet scale is to be 1/8" = 1 foot.
4. A floor plan, which shows and indicates the location of all equipment, appliances, tables, electric shut-off or automatic gas shut-off valve(s), exhaust hoods, mobile cart, pull stations, suppression system control units, suppression agent cylinders, and similar.
5. Method of electric disconnects and/or gas shutout valves. Only manually resettable valves are permitted.
6. Operational sequence (shutdown) of auxiliary equipment, fans, makeup/supply air, and similar.
7. Size, length, and arrangement of connected piping.
8. Description/type of nozzles designed for the appliance being protected, number of nozzles, and location of nozzles to include the and distance to cooking surface.
9. The location and function of detection devices.
10. Cylinder size, capacity, and mounting information.
11. Operating devices.
12. Auxiliary equipment.
13. Electrical circuitry.
14. Power connections and locations.
15. Manual pull station is to be installed in the path of egress.
16. Appliance docking devices information, locations, types, and similar.
17. Manufacturers, model numbers, and listing information for all equipment, devices, controllers, cylinders, and materials.
18. Manufactures specifications and ratings on equipment and materials, to include but not limited to piping, control units, tanks, nozzles, fusible links, couplings, valves, mounting brackets, hardware, hangers, appliance docking ports, and similar components.
19. Location and description of all required signs.
20. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including descriptions, applications, and limitations for any nozzles, devices, piping, or fittings.
21. List of the specific tests that are required. Two system tests are to be performed one pull station and one fusible link per system.
22. Any additional information required by the *fire code official*.

(xxxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.3.2** to read as follows:

[F] 904.3.2 Actuation. Automatic fire-extinguishing systems shall be automatically actuated and provided with a manual means of actuation in accordance with Section 904.13.1. Where more than one hazard could be simultaneously involved in fire due to their proximity, all hazards shall be protected by a single system designed to protect all hazards that could become involved. Where

units are designed to use electronic pull stations the electronic pull station shall not resemble fire alarm pull stations.

Exception: Multiple systems shall be permitted to be installed if they are designed to operate simultaneously.

(xl) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.4** to read as follows:

[F] 904.4 Inspection and testing. Automatic fire extinguishing systems shall be inspected and tested in accordance with the provisions of this section prior to completion. Upon completion of the installation, the system and all components shall be tested in accordance with manufacturer's installation instructions and code requirements. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* private 3rd party tester. The *fire code official* may perform inspections to ensure proper operation of *fire protection systems* or allow *approved* 3rd party inspectors to perform inspections of *fire protection systems*.

(xli) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.4.1** to read as follows:

[F] 904.4.1 Inspection. Prior to conducting final operational tests, all of the following items shall be inspected and provided:

1. Kitchen hood fixed suppression system contractor's acceptance inspection form.
2. Hazard specification for consistency with design hazard.
3. Type, location and spacing of automatic- and manual-initiating devices. Electronic pull stations shall not resemble fire alarm pull stations.
4. Size, placement and position of nozzles or discharge orifices.
5. Location and identification of audible and visible alarm devices. Visual system armed/ tripped indicators are to be clearly visible (not obscured or covered).
6. Identification of devices with proper designations.
7. Operating instructions.
8. End of job documentation.
   a) Certificate of Installation,
   b) Letter of Compliant Installation, and
   c) As-builts (if applicable).

(xlii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.4.2.1** to read as follows:

[F] 904.4.2.1 Audible and visible signals. The audibility and visibility of notification appliances signaling agent discharge or system operation, is required, and shall be verified. Visual system armed/tripped indicators are to be clearly visible from the floor area in front of the control unit and shall not be obscured or covered.

(xliii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.13.1** to add Subsections **[F] 904.13.1.1** and **[F] 904.13.1.2** to read as follows:

[F] 904.13.1.1 Manual system operation device and color. The manual actuation device for an alternative fire-extinguishing system shall be silver or white in color, and shall not resemble a fire alarm system actuation device. The color of the manual actuation device for an alternative fire-extinguishing system shall apply to both commercial systems and commercial grade residential fire-extinguishing systems for residential type cooking appliances.

[F] 904.13.1.2 Multiple manual system operation devices. Where there are multiple manual actuation devices for an alternative fire-extinguishing system, each actuation device and the corresponding fire-extinguishing system and hood shall be provided with an identification plate that indicates which system the device operates.

(xliv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 904.14** to read as follows:

[F] 904.14 Domestic cooking systems. The cooking hood provided over cooktops and ranges shall installed in accordance with Section 606.2. Domestic Cooktops and ranges installed in the following exception shall be protected in accordance with Section 904.14.1.

Exception: A commercial grade residential vent/hood extinguishing system is permitted to be utilized when only domestic cooking appliances are utilized in the following:

1. Employee Break Rooms.
2. Licensed Care Facilities operating in Group R-3 occupancy.
3. Group E occupancy - classrooms utilized for training in food preparation.
4. Group R-2 college dormitories where domestic cooking facilities are installed in accordance with Section 420.10 of the *International Building Code*.

The domestic cooking hood provided over the cooktop or range shall be equipped with an automatic fire-extinguishing system of a type recognized for the protection of domestic cooking equipment. Pre-engineered automatic extinguishing systems shall be tested in accordance with UL

300A and listed and labeled for the intended application. The system shall be installed in accordance with this code, its listing and manufacturer's instructions.

(xlv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 905.3** to read as follows:

[F] 905.3 Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8 and where required in the locations indicated in Sections 905.4, 905.5 and 905.6 and where required elsewhere in the code, and Class I standpipe hose connections installed where required by the *fire chief* or *fire code official* interior hose connections shall be provided when distance from fire apparatus to interior portions of the building exceed 150 feet (45 720 mm) and so spaced in the interior of the building for firefighting operations. Interior hose connections shall be spaced for overlapping coverage around obstructions based one a 150 foot (45 720 mm) hose pack with 20 foot (6096 mm) nozzle stream. Standpipe systems shall be manual dry standpipe systems where required by the fire chief or *fire code official* unless required by a specific code Section or NFPA to be an automatic wet standpipe system or combined system. Automatic wet standpipe systems shall be piped in an arrangement so that the hose valves are not supplied from the same sprinkler zone and/or sprinkler system riser suppling water to the sprinkler heads within the hose valve coverage area and is to be labeled accordingly, combined systems should be piped in an arrangement where the standpipe system and hose valves are supplied from their own riser(s) separate from the sprinkler riser(s) and is to be labeled accordingly. Standpipe hose valves shall be equipped with 2 ½ inch by 1 ½ inch reducer caps with chains.

Exception: Standpipe systems are not required in Group R-3 occupancies.

(xlvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 906.1** to read as follows:

[F] 906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

   Exceptions:

   1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.
   2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B:C.

3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:

    3.1. Use of vehicle-mounted extinguishers shall be *approved* by the *fire code official*.

    3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket *approved* by the extinguisher manufacturer or the *fire code official* for vehicular use.

    3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.

    3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.

    3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.

2. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment permitted by Section 904.14.
3. In areas where *flammable* or *combustible liquids* are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.

(xlvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.1.2** to read as follows:

[F] 907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and *approval* prior to system installation. Three copies will be submitted unless otherwise required by the *fire code official*. Construction documents shall include, but not be limited to, all of the following where applicable to the system being installed:

1. Fire alarm system plan design worksheet.
2. A floor plan, which shows and indicates the use of all rooms, and all occupancies in the building including dimensions.
3. Locations of alarm-initiating devices.
4. Locations of alarm notification appliances including candela ratings for visible alarm notification appliances.
5. Design minimum audibility level for occupant notification and a full Voice Intelligibility design analysis and report for Emergency Voice/Alarm Communication Systems.

6. Location of transponders, notification power supplies, and Fire Alarm Control Panel and size and capabilities for expansion.
7. Alarm control and trouble signaling equipment.
8. Wiring schematic indicating wiring methods and locations of conduit, junction boxes, and wiring.
9. Colored wiring schematic by zone (or run) for notification appliances.
10. Notification appliances shall be identified with listed output levels.
11. Annunciators.
12. Power connection to include location of electrical panel and breaker identification.
13. Battery calculations.
14. Conductor type and sizes.
15. Voltage drop calculations.
16. Manufacturers' data sheets indicating model numbers and listing information for all equipment, devices, and materials.
17. Details of ceiling height and construction.
18. The interface of fire safety control functions.
19. Dedicated communication lines information for primary and secondary fire alarm control panel communication.
20. Classification of supervising station including complete contact information.
21. Location and method of storing *approved* fire alarm system plans near fire alarm control panel.
22. Any additional information required by the *fire code official*.

(xlviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2** to read as follows:

[F] 907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Buildings with multi tenant occupancies, office buildings, strip centers, and similar type occupancies shall have one Fire Alarm Control Panel and all suites, occupancies, and/or tenant spaces shall be connected to and all alarms, initiating devices, and similar shall be connected to the single Fire Alarm Control Panel. Multi-tenant complexes have more than one building shall have a Fire Alarm Control Panel for each separate building in the complex and shall act as a standalone system. It shall not be permitted to connect individual Fire Alarm Systems to one main panel in a group of buildings.

Exception: Group E occupancies class rooms and buildings within 50 feet of the primary school building shall be connected to the main fire alarm control panel.

Buildings with *automatic sprinkler systems* shall provide occupant notification devices within the building to alert the occupants to evacuate due to the activation of the *automatic sprinkler system* in response to a possible fire condition.

Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed. The required fire alarm box shall be located at the main entry. Tamper resistant covers are required on fire alarm boxes at educational facilities below High School level. Where multi-tenant buildings have the fire alarm control panel located in the Riser Room, IT Room, or other location away from the main entry the one required manual fire alarm box shall not be installed at the fire alarm control panel. Exterior horn/strobes are required to be on the side of the building facing the main road/entry. The exterior horn/strobe is to be clearly visible by approaching emergency responders (near roof line on single story buildings and near second floor line on multi-story buildings). Remote annunciator is to be provided at a constantly attended location/main entry when the Fire Alarm Control Panel is located away from the main entry. Remote keyed test switches for smoke detectors or magnets for testing devices are not permitted.

Communications integrity monitoring shall comply with the following:

1. Multiple paths of communication are permitted at least once every 24 hours for each path of communication. Multiple paths of communication shall be comprised of one of the following methods:
    1.1. Land lines Primary and Secondary (Allowed at alternating 24 hour intervals)
    1.2. Land line and Cellular communicator Primary and Secondary
    1.3. Cellular communicator Primary and a Cellular communicator Secondary
    1.4. Land line or Cellular communicator Primary and IP Data line Secondary
    1.5. Land line or Cellular communicator Primary and two-way RF Secondary
2. Single paths of communication are permitted at least once every 60 minutes for the following communicators:
    1.1 Cellular communicators to include Dual Path.

Exception: Except where communication is required more frequently by this *code* or NFPA 72.

IP Data lines are not approved for use as the primary or singular communication line for Fire Alarm Control Panel's.

Where in duct smoke detectors are installed more than 10 feet above the finished floor or in arrangements where the detector's alarm or supervisory indicator is not visible to responding personnel, the detectors shall be provided with remote supervisory indication in a location acceptable to the *fire code official.* Activation of duct smoke detectors shall activate a general alarm condition.

Activation of the building fire alarm system by a manual pull station, waterflow switch, smoke detector, or any general alarm signal shall shutdown air handler units and ventilation systems to include extra large ceiling fans.

The manual fire alarm box for Group R-2 occupancies is required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. The manual fire alarm box location shall be approved by the *fire code official* and may or may not be located in an area that is accessible to the public.

Exception: The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory services.

(xlix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2.2.1** to read as follows:

[F] 907.2.2.1 Ambulatory care facilities. Buildings or *fire areas* containing ambulatory care facilities shall be provided with a manual fire alarm system with an electronically supervised automatic smoke detection system installed within the ambulatory care facility and in public use areas outside of tenant spaces, including public *corridors* and elevator lobbies where either of the following conditions exist at any time:

1. One or more rooms, chairs, beds, or spaces are provided for care recipients that are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the *level of exit discharge* serving the facility.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-preservation if the person is conscious, yet unable to determine the direction of or traverse the *means of egress* without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

Exception: Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 provided that the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(l) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2.3** to correct a contradiction in the exceptions to read as follows:

[F] 907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. Where *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an *occupant load* of 50 or less.
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an *approved* occupant notification signal in accordance with Section 907.5.
3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
    - 3.1. Interior *corridors* are protected by smoke detectors.
    - 3.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by *heat detectors* or other *approved* detection devices.
    - 3.3. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other *approved* detection devices.
    - 3.4. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.
    - 3.5. The emergency voice/alarm communication system will activate on sprinkler water flow.
    - 3.6. Manual activation is provided from a normally occupied location.

(li) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2.4** to read as follows:

[F] 907.2.4 Group F. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where one of the following conditions exist:

1. The Group F occupancy is two or more stories in height.
2. The Group F occupancy *occupant load* of all floors is 100 or more persons

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(lii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2.7** to read as follows:

[F] 907.2.7 Group M. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exist:

1. The combined Group M *occupant load* of all floors is 100 or more persons.
2. The Group M *occupant load* is more than 50 persons above or below the lowest *level of exit discharge*.

Exceptions: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will automatically activate throughout the notification zones upon sprinkler water flow.

(liii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2.10** to read as follows:

[F] 907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S occupancies where one of the following conditions exist:

1. The combined Group S *occupant load* of all floors is 100 or more persons.
2. The Group S occupant load is more than 50 persons above or below the lowest *level of exit discharge*.
3. Group S occupancy storage buildings, storage units and buildings used for the storage of household goods, upholstered furniture, mattresses, and public- and self-storage occupancies for interior *corridors* and interior common areas. Visible notification appliances are not required within storage units.

Exception: Manual fire alarm boxes are not required for 1. or 2. where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(liv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[M] 907.2.13.1.2** to read as follows:

[M] 907.2.13.1.2 Duct smoke detection. Duct smoke detectors complying with Section 907.3.1 shall be located in accordance with NFPA 90A: Standard for the Installation of Air-Conditioning and Ventilating Systems and as follows:

1. In the main supply air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.90 m^3/s) or a combination of units drawing and/or supplying air to an area in excess of 2,000 cubic feet per minute (cfm) (0.90 m^3/s). Such detectors shall be located in a serviceable area downstream of air filter(s), motors, electrical circuit boards, and/or controllers, and ahead of any branch connections in air supply systems.
2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m^3/s) and serving not more than 10 air-inlet openings.

(lv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.2** to add **[F] 907.2.24** through **[F] 907.2.24.3** to read as follows:

[F] 907.2.24 Group R-4. Fire alarm systems and smoke alarms shall be installed in Group R-4 occupancies as required in Sections 907.2.24.1 through 907.2.24.3.

[F] 907.2.24.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-4 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building where all of the following conditions are met:
   1.1. The building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.
   1.2. The notification appliances will activate upon sprinkler water flow.
   1.3. Not fewer than one manual fire alarm box is installed at an *approved* location.
2. Manual fire alarm boxes in resident or patient sleeping areas shall not be required at *exits* where located at all nurses' control stations or other constantly attended staff locations, provided such stations are visible and continuously accessible and that the distances of travel required in Section 907.4.2.1 are not exceeded.

[F] 907.2.24.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in *corridors*, waiting areas open to *corridors*, and *habitable spaces* other than *sleeping units* and kitchens.

Exception:

1. Smoke detection in *habitable spaces* is not required where the facility is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.
2. An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

[F] 907.2.24.3 Smoke alarms. Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

(lvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.3.1** to read as follows:

[F] 907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be *listed* for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be installed on the supply side of the unit downstream of air filter(s), motors, electrical circuit boards, and/or controllers, and ahead of any branch connections in air supply systems. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2 or when a fire alarm system is present in the building to include multi-tenant buildings. Activation of a duct smoke detector shall initiate a general alarm condition. In facilities that are required to be monitored by a supervising station, duct detectors shall report as a fire alarm. They shall not be used as a substitute for required open area detection.

Exceptions:

1. The supervisory signal at a *constantly attended location* is not required where duct smoke detectors activate the building's fire alarm notification appliances.
2. In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an *approved* location. Smoke detector trouble conditions shall activate a visible and audible signal in an *approved* location and shall be identified as air duct detector trouble.

(lvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5** to read as follows:

[F] 907.5 Occupant notification. Occupant notification by fire alarms shall be in accordance with Sections 907.5.1 through 907.5.2.3.3. Occupant notification by smoke alarms in Group R-1 and R-2 occupancies shall comply with Section 907.5.2.1.3.2. Where an *automatic sprinkler system* is installed upon activation of the waterflow device the fire alarm control unit shall initiate occupant notification to alert building occupants.

(lviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5.1** to read as follows:

[F] 907.5.1 Alarm activation and annunciation. Upon activation, fire alarm systems shall initiate occupant notification to alert building occupants, and shall annunciate at the fire alarm control unit, it shall be activated by:

1. Automatic fire detectors.
2. Automatic fire sprinkler system waterflow devices.
3. Manual fire alarm boxes.
4. Automatic fire extinguishing systems.

Exception: Where notification systems are allowed elsewhere in Section 907 to annunciate at a constantly attended location.

(lix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5.2** to read as follows:

[F] 907.5.2 Alarm notification appliances. Alarm notification appliances shall be provided and shall be *listed* for their purpose. An exterior audio/visual device shall be installed on the responder's approach side of the building and be visible from the roadway or entry. The location of the exterior audio/visual device shall be *approved* by the *fire code official*.

(lx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5.2.1** to read as follows:

[F] 907.5.2.1 Audible and visual alarms. Audible alarm notification appliances shall be provided and emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm, and visual alarm notification appliances shall be provided and emit a distinctive light that is not to be used for any purpose other than that of a fire alarm in accordance with Section 901.4.6.

Exceptions:

1. Audible alarm notification appliances are not required in critical care areas of Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
2. A visible alarm notification appliance installed in a nurses' control station or other continuously attended staff location in a Group I-2, Condition 2 suite shall be an acceptable alternative to the installation of audible alarm notification appliances throughout a suite or unit in Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
3. Where provided, audible notification appliances located in each enclosed occupant evacuation elevator lobby in accordance with Section 3008.9.1 of the *International*

Building Code shall be connected to a separate notification zone for manual paging only.

(lxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5.2.3.1** to read as follows:

[F] 907.5.2.3.1 Public use areas and common use areas and occupiable areas. Visible alarm notification appliances shall be provided in *public use areas*, *common use areas*, and occupiable areas to include rooms and areas used for mechanical equipment, storage, electrical, information technologies, mezzanines, and similar.

Exception: Where employee work areas have audible alarm coverage, the notification appliance circuits serving the employee work areas shall be initially designed with not less than 20-percent spare capacity to account for the potential of adding visible notification appliances in the future to accommodate hearing-impaired employee(s).

(lxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.5.2.3.2** to read as follows:

[F] 907.5.2.3.2 Groups I-1, R-1, and R-2. *Habitable spaces* in *dwelling units* and *sleeping units* in Group I-1, R-1, and R-2 occupancies in accordance with Table 907.5.2.3.2 shall be provided with

visible alarm notification appliances. Visible alarm notification appliances shall be activated by both the in-room smoke alarm and the building fire alarm system.

(lxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.6.3** to delete Exception to read as follows:

[F] 907.6.3 Initiating device identification. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate. General device addresses identifying or labeled as "zone" is not permitted.

Exceptions:

1. Fire alarm systems that only include one manual alarm box, waterflow initiating devices.
2. Special initiating devices that do not support individual device identification.
3. Fire alarm systems or devices that are replacing existing equipment and that are not capable of addressable programing.

(lxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 907.7** to read as follows:

[F] 907.7 Installation testing, acceptance tests and completion. Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested in accordance with NFPA 72. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* 3rd party tester. The *fire code official* may perform inspections to ensure proper operation of *fire alarm systems* or allow *approved* 3rd party inspectors to perform inspections of *fire alarm systems*. After initial installation and/or alteration the following original copies of end of job documentation shall be provided to the *Fire Marshal*:

1. Certificate of Installation – Record of Completion,
2. Cibolo's Emergency Communication Systems Record of Inspection and Testing,
3. Letter of Compliant Installation, and
4. As-builts (if applicable).

(lxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.1** to read as follows:

[F] 912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.1 through 912.7.

Construction documents. Fire Line systems shall be submitted for review and permitting prior to system installation or modifying. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with International Fire Code 2015 Edition with amendments, NFPA 13, NFPA 14, NFPA 24, and other national standards or regulations to include, but not be limited to, all of the following:

1. Fire line system plan design worksheet.
2. A plan showing all buildings, fire department connections, fire hydrants, fire apparatus access roads, alleys, driveways, sidewalks, and similar items. To include lengths and widths.
3. Compass point and the equipment symbol legend. (Note: Use of *NFPA 170* symbols is recommended)
4. Fire Line Plans are stamped and signed as required. (Designer and installer registered with Texas State Fire Marshal's Office)
5. Manufactures specifications and ratings on equipment and materials, to include but not limited to backflow prevention devices, couplings, valves, hardware, gauges, and similar components.

6. Location and description of all required signs. Each valve shall have identification signs indicating its function and what it controls, signage requirement and locations are noted on the plans, NFPA 6.6.
7. The fire line plan shows pipe size and placement to the hydrants and the building from the point of connection at the city main or water supply source.
8. Table identifying piping sizes, lengths, fittings, and similar.
9. Scale of plan sheets is to be 1/8 inch or similar as approved by the *fire code official*.
10. Method(s) of a restrained joint system is specified. If used, a thrust blocks size matrix with details or calculations is provided. Pipe system, thrust blocks, and fitting locations are detailed, NFPA 10.8.2. If used, the rod size and number of rods is specified, apply NFPA Section 10.8.3 and Table 10.8.3.1.2.2. If used, the size of restraint straps for tees is specified, apply Table 10.8.3.2.3. If used, clamp and rod detail is specified (1 pair of rods for each clamp) and the clamp size is specified, NFPA 10.8.3.1, A10.8.2.
11. Reduced Pressure Principal Backflow Prevention Device located on plans if installed outside of the building.
12. Valves in pits, used in lieu of Post Indicating Valves, are detailed to show conformance with NFPA Section 6.4, e.g. large enough for equipment placement, maintenance, inspection, and testing, and constructed to protect equipment from damage and accumulation of water.
13. The pipe is listed for fire protection service and complies with NFPA Table 10.1.1, is designed to withstand the system pressure needed based on the use of that portion of the system, and a listing data sheet is provided, NFPA 10.1.1, 10.1.5. Fire lines supplying system risers, and hydrants shall be minimum Class DR-18 and fire lines for fire department connections and standpipes systems shall be minimum Class DR-14.
14. The type and class of pipe material is specified, NFPA 10.1.4.
15. The method of joining pipe sections is specified and in compliance with Section 10.3 and the fittings are pressure compatible with the pipe, NFPA 10.2.5.
16. The depth of pipe for areas where frost is not a concern is detailed with the minimum depth being at 2.5 feet, or 3 feet when the pipe is located under vehicle traffic areas.
17. Backfill material for tamping around the pipe is specified, NFPA 10.9.
18. The flushing and hydrostatic test requirements are on the plans as specified in NFPA 10.10.2.
19. Hydraulic calculations of the fire line are provided on the plans.
20. Any additional information required by the *fire code official*.
21. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including equipment description, product literature (including cut sheets), specifications, applications, and limitations for any devices, piping, or fittings.

Fire department connection. Fire department connection and piping design shall meet the following to include, but not limited to the following:

1. Freestanding fire department connection piping and fire line piping shall not to be smaller than system riser piping.
2. Fire department connection piping is to run from the fire department connection to the riser room and connect directly to the fire sprinkler system riser above the alarm check valve. Fire department connection check valves are to be as high as possible and as close to the riser as possible or connect to a main line not smaller than the system riser.

3. No shutoff valves shall be permitted in the piping from the fire department connection head to the point that the fire department connection piping connects to the system piping suppling the sprinkler heads.
4. Automatic ball drip valve is to be located in lowest point of fire department connection piping, fire department connection piping is to slope back to freestanding fire department connection. Vertical and underground fire department connection line piping is to be dry until charged by the fire department.
5. The number of ports on a fire department connection head shall be determined by the sprinkler system demand with hose allowances calculated at 250 gpm per 2 ½ inch port.
   Example: Area/zone greatest system demand 995 gpm + interior hose demand 500 gpm = 1,495 gpm divided by 250 gpm = 5.98 requires a fire department connection head with six 2 ½ inch ports.

6. Freestanding fire department connection piping and fire line pipe system sizing recommendations unless otherwise *approved* by the *fire code official*.
   Clappered Siamese FDC head for up to 500 gpm, minimum 4 inch piping.

   Clappered Triamese FDC head for up to 750 gpm, 4 or 6 inch piping as design calculated.

   Clappered 4 or 6 way FDC head for flows greater than 750 gpm as hydraulically calculated, minimum 6 or 8 inch piping as design calculated.

   Clappered 8 way FDC head for flows greater than 1,500 gpm as hydraulically calculated, minimum 8 inch or larger piping as design calculated.

(lxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.2** to read as follows:

[F] 912.2 Locations. With respect to fire hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Distance from a fire hydrant to fire department connection shall be within 100 feet (30 480 mm). No fire department connection shall be located on an exterior wall; fire department connections shall not be placed closer than the height of the exterior wall, unless *approved* by the *fire code official*. The fire department connection shall be located not less than 29 inches and not more than 39 inches above finish grade. The location of fire department connections shall be *approved* by the fire chief.

(lxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.4** to read as follows:

[F] 912.4 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be *approved* by the fire chief. The fire chief shall have the authority to require an increase in the minimum access widths where they are inadequate for fire operations.

Exception: Fences, where provided with a minimum 48 inch (1220 mm) access gate equipped with a sign complying with the legend requirement of Section 912.5 with letters not less than 2 inches (51 mm) high and a means of emergency operation shall be *approved* by the fire chief and maintained operational at all times.

(lxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.4.1** to read as follows:

[F] 912.4.1 Locking fire department connection caps. On new and existing buildings, the *fire code official* is authorized to require locking caps on fire department connections for water-based fire protection systems where the responding fire department carries appropriate key wrenches for removal. The *fire code official* will require all fire department connections to be equipped with locking caps with swivel guards. The type and brand shall be of one the fire department currently has a master key for.

(lxx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.4.3** to read as follows:

[F] 912.4.3 Physical protection. Where fire department connections are subject to impact by a motor vehicle, vehicle impact protection shall be provided in accordance with Section 312. Fire department connections shall be no closer than 1 foot (304.8 mm), and no farther than of 15 feet (4572 mm), from the back of the curb of a fire apparatus access road. Fire department connections closer than 2 feet (610 mm) from the back of the curb or where no curbs are present shall be provided with vehicle impact protection in accordance with Section 312.

(lxxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.5** to read as follows:

[F] 912.5 Signs. A metal identification plate with raised letters not less than 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such metal identification plates shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable.

The fire department connection shall be identified by a metal sign installed on a pole behind and extending above the fire department connection where identifying a freestanding fire department connection or by a metal sign above the fire department connection where identifying a wall mounted fire department connection. The wording on the sign shall be sized to be visible and readable from the street or fire apparatus access road the sign faces and at a minimum with the

letters "FDC" not less than six (6) inches high and mounted no lower than seven (7) feet from grade to the bottom edge of the sign.

Where the fire department connection does not serve the entire building, or where more than one fire department connection is provided, or where a fire department connection supplies more than the sprinkler system riser, a sign shall be provided indicating the portions of the building served, the zones or areas served, and any hose connections present.

(lxxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[P] 912.6** to read as follows:

[P] 912.6 Backflow protection. The potable water supply to automatic sprinkler and standpipe systems and fire pumps shall be protected against backflow as required by the *International Plumbing Code* and as follows:

Connections to the potable water distribution system for Fire Sprinkler Systems, Standpipe Systems, and Fire Pumps. Potable water distribution systems supplying standpipes, automatic sprinkler systems, and fire pumps shall be protected from backpressure and backsiphonage by one of the following testable devices:

1. Double check valve backflow prevention assembly (DC)
2. Double check detector fire protection backflow prevention assembly
3. Reduced pressure principal backflow prevention assembly (RP)
4. Reduced pressure detector fire protection backflow prevention assembly

Fire Department Connections. Where fire protection systems are supplied from a nonpotable water source that is capable of being used by the fire department as a secondary water supply, such as a fire department connection the potable water supply shall be protected by one of the following:

1. Reduced pressure principal backflow prevention assembly (RP)
2. Reduced pressure detector fire protection backflow prevention assembly

Nonpotable water sources include fire department vehicles carrying water of questionable quality or water that is treated with antifreeze, corrosion inhibitors, or extinguishing agents. Fire apparatus carry tanks full of contaminated nonpotable water and it can be pumped into the sprinkler system through the FDC's at greater pressures (as much as 3 times) than the municipal water system. This is why reduced pressure principal backflow prevention assembly are required.

Hydraulic Design. Where a backflow device is installed to protect the potable water supply from a fire protection system, the hydraulic design of the system shall account for the pressure drop through the backflow device. Where such devices are retrofitted for an existing fire protection

system, the hydraulics of the sprinkler system design shall be checked to verify that there will be sufficient water pressure available for satisfactory operation of the fire sprinklers.

(lxxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 912.7** to read as follows:

[F] 912.7 Installation testing and maintenance. Fire department connections shall be periodically inspected tested and maintained in accordance with NFPA 25. Records of inspection, testing and maintenance shall be maintained. Upon completion of the installation, all components shall be tested in accordance with NFPA requirements. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* 3rd party tester. The *fire code official* may perform inspections to ensure proper installation and operation of fire department connecting and underground fire lines or allow *approved* 3rd party inspectors to perform inspections of fire department connecting and underground fire lines. After initial installation and/or alteration the following original copies of end of job documentation shall be provided to the *Fire Marshal*:

1. Contractor's Material and Test Certificate for Underground Piping (State's form and Cibolo's form),
2. Letter of Compliant Installation,
3. Backflow Test Report (where applicable), and
4. As-builts (if applicable).

(lxxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[F] 913.1** to read as follows:

[F] 913.1 General. Where provided, fire pumps shall be installed in accordance with this section and NFPA 20. The sizing of fire pumps shall include all factors including but not limited to, fire pumps supplying interior fire sprinkler systems only to include hose allowance, fire pumps supplying more than interior fire sprinkler systems where any of the following could be supplied by the fire pump, interior fire sprinkler systems to include hose allowances (inside and outside), on-site fire hydrants, fire apparatus connecting to on-site fire hydrants, additional fire protection systems, and any additional fire-flow gpm as specified by the *fire code official* or fire chief. The total demand from all factors shall be added to determine the needed size of the fire pump.

(lxxv) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1003** to add **1003.8** and read as follows:

1003.8 Special Provisions. Rooms in E occupancies used for kindergarten or daycare, having any children five years of age or less, classified as an E occupancy shall not be located above or below the first story.

Exceptions:

1. Basements or stories having floor levels located within four feet, measured vertically, from adjacent ground level at the *level of exit discharge*, provided the basement or story has exterior *exit doors* at that level.
2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten or for daycare purposes may be located on the second story, provided there are at least two exterior *exit access stairways* or *ramps* for the exclusive use of such occupancies.

(lxxvi) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1008.3.2** to read as follows:

1008.3.2 Buildings. In the event of power supply failure, in buildings that require two or more *exits* or *access to exits*, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior *exit access stairways* and *ramps*.
2. *Interior* and *exterior exit stairways* and *ramps*.
3. *Exit passageways*.
4. Vestibules and areas on the *level of discharge* used for *exit discharge* in accordance with Section 1028.2.
5. Exterior landings as required by Section 1010.1.5 for exit doorways that lead directly to the *exit discharge*.
6. Group E occupancies shall have emergency egress lighting in interior *exit access* and *exit stairways* and *ramps*, *corridors*, windowless areas with student occupancy, classrooms, shops, and laboratories. All classrooms with windows shall have emergency egress lighting installed, at minimum, inside at the egress doors to the space.

(lxxvii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1008.3.2** to read as follows:

1009.1 Accessible means of egress required. All new buildings or portions of buildings must comply with the accessibility standards adopted by the State of Texas. *Accessible means of egress* shall comply with this section. Accessible spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* is required by Section 1006.2

or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two *accessible means of egress*.

Exceptions:

1. One *accessible means of egress* is required from an accessible *mezzanine* level in accordance with Section 1009.3, 1009.4 or 1009.5.
2. In assembly areas with ramped *aisles* or stepped *aisles*, one *accessible means of egress* is permitted where the common path of travel is accessible and meets the requirements in Section 1030.8.

(lxxviii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1010.1.2** to read as follows:

1010.1.2 Egress door types. Egress doors shall be of the side-hinged swinging door, pivoted door or balanced door types.

Exceptions:

1. Private garages other than attached residential garages, and storage areas with an *occupant load* of 5 or less.
2. Group I-3 occupancies used as a place of detention.
3. Critical or intensive care patient rooms within suites of health care facilities.
4. In other than Group H occupancies, revolving doors complying with Section 1010.3.1.
5. In other than Group H occupancies, special purpose horizontal sliding, accordion or folding door assemblies complying with Section 1010.3.3.
6. Power-operated doors in accordance with Section 1010.3.2.
7. Doors serving a bathroom within an individual *sleeping unit* in Group R-1.
8. In other than Group H occupancies, manually operated horizontal sliding doors are permitted in a *means of egress* from spaces with an *occupant load* of 10 or less.

(lxxix) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1011.12.2** to read as follows:

1011.12 Stairway to roof. In buildings four or more stories above *grade plane*, one *stairway* shall extend to the roof surface, unless the roof has a slope steeper than 4 units vertical in 12 units horizontal (33-percent slope). In buildings of any height where roof access is provided access shall be in accordance with Section 1011.12.2.

Exception: Other than where required by Section 1011.12.1, in buildings without an occupied roof, access to the roof from the top story shall be permitted to be by an *alternating tread device*, a ship's ladder or a permanent ladder.

(lxxx) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1011.12.2** to read as follows:

1011.12.2 Roof access. Where a stairway is provided to a roof of any story, access to the roof shall be provided through a penthouse complying with Section 1510.2 of the *International Building Code*.

Exception: In buildings of any story without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m^2) in area and having a minimum dimension of 32 inches (813 mm).

(lxxxi) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1013.3** to read as follows:

1013.3 Illumination. Exit signs shall be internally or externally illuminated. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit signs are not permitted for use.

Exception: Tactile signs required by Section 1013.4 need not be provided with illumination.

(lxxxii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1013.5** to read as follows:

1013.5 Internally illuminated exist signs. Electrically powered, *self-luminous* and *photoluminescent* exit signs shall be *listed* and labeled in accordance with UL 924 and shall be installed in accordance with manufacture's instructions and Section 604. Exit signs shall be illuminated at all times. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit signs are not permitted for use.

(lxxxiii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1025.5** to read as follows:

1025.5 Illumination. When *approved* for installation by the *fire code official* and where *photoluminescent* exit path markings are installed, they shall be provided with not less than 1 footcandle (11 lux) of illumination for not less than 60 minutes prior to periods when the building is occupied and continuously during the building occupancy. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit path markings are not permitted for use.

(lxxxiv) CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES is hereby amended by amending section **[A] 1502.4 Gutters** to the following underlined language, to read as follows:

[A] 1502.4 Gutters. Gutters and leaders placed on the outside of buildings, other than Group R-3, *private garages* and buildings of Type V construction, shall be of noncombustible material or not less than Schedule 40 plastic pipe. Any Group R or Group U occupancy with roof edges less than three (3) feet (914 mm) to any property line shall be provided with gutters and downspouts to direct roof water away from adjacent property.

(lxxxv) CHAPTER 16 STRUCTURE DESIGN is hereby amended at **[A] 1612.3** to read as follows:

[A] 1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the City Council shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Cibolo," as adopted and as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(lxxxvi) CHAPTER 18 SOILS AND FOUNDATIONS is hereby amended at **[A] 1801.2** to read as follows:

[A] 1801.2 Foundation Inspections. Elevation measurements shall be used to determine and verify accurate foundation floor elevations. Elevation measurements shall be submitted to the City's Building Department as a post pour inspection to be verified by City Staff. To achieve this, provide measurements of exterior foundation elevations at no less than the foundation corners, with "corners" being defined as all exterior offsets.

(lxxxvii) CHAPTER 18 SOILS AND FOUNDATIONS is hereby amended at **[A] 1808.1** to read as follows:

[A] 1808.1 General. Foundations shall be designed and constructed in accordance with Section 1808.2 through 1808.9 and Table 1604.3 ("Deflection Limits"). Shallow foundations shall also satisfy the requirements of Section 1809. Deep foundations shall also satisfy the requirements of Section 1810.

(lxxxviii) CHAPTER 18 SOILS AND FOUNDATIONS is hereby amended at [A] 1808.6.2 to read as follows:

[A] 1808.6.2 Slab-on-ground foundations. Moments, shears, and deflections for use in designing slab-on-ground, mat or raft foundations on expansive soils shall be determined in accordance with WRI/CRSI Design of Slab- on-Ground Foundations or PTI Design of Post-Tensioned Slabs-on- Ground, Third Edition along with the PTI Standard Requirements for Analysis of Shallow Concrete Foundations on Expansive Soils. Using the moments, shears and deflections determined above, non-pre-stressed slabs-on-ground,

mat or raft foundations on expansive soils shall be designed in accordance with WRI/CRSI Design of Slab-on-Ground Foundations and post tension slab-on-ground, mat or raft foundations on expansive soils shall be designed in accordance with PTI Design of Post- Tensioned Slabs-on-Ground, Third Edition along with the PTI Standard Requirements for Analysis of Shallow Concrete Foundations on Expansive soils. It shall be permitted to analyze and design such slabs by other methods that account for soil-structures interaction, the deformed shape of soil support, the plate or stiffened plate action of the slab as well as both center lift and edge lift conditions. Such alternative methods shall be rational and the basis for all aspects and parameters of the method shall be available for peer review.

(lxxxix) CHAPTER 18 SOILS AND FOUNDATIONS is hereby amended by at **[A] 1809.4** to read as follows:

[A] 1809.4 Depth and width of footings. The minimum depth of exterior footings below the undisturbed ground surface shall be 36 inches. The minimum width of footings shall be 12 inches. All foundations shall be designed by a Professional Engineer registered in the State of Texas. All drawings and documentation must be signed and sealed by said Professional Engineer. The above information and a geotechnical report shall be required for each lot. All requirements below shall be met:

1. Design letter referencing soils report number, date of report, and soils Engineer name; specific location including lot, block, and subdivision; specific design criteria including soil bearing capacity, plasticity index, and potential vertical rise. The Engineer shall also provide documentation of a concrete mix design with performance criteria based on soils and seasonal conditions.

2. Signed and sealed drawings clearly indicating strand and reinforcement placement, pier size, depth, location, and reinforcing beam size and location, and special details. Design calculations must be included in the permanent permit file for each project.

3. Documentation clarifying the Design Engineer performed a pre-pour inspection. This inspection shall take place prior to requesting a foundation inspection from the Building Official. The Engineer shall provide to the Building Official a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to the issuance of a Certificate of Occupancy.

4. Rough grading of lot after form removal to maintain drainage away from the foundation during the construction process.

5. The post tensioning cannot take place until the seventh (7^{th}) day after the concrete has been poured and no framing can start until at least one day after the post tensioning has taken place, unless otherwise directed by the Engineer, based upon accepted engineering practices including testing of sample cylinders to support the Engineer's recommendation.

6. For conventional steel foundations, no framing shall start until the seventh (7th) day after the concrete has been poured unless otherwise directed by the

Engineer, based upon accepted engineering practices and including testing of sample cylinders to support the Engineer's recommendation.

7. Prior to receiving a Certificate of Occupancy, a final survey indicating final grade elevations and verifying positive drainage away from the foundation.

8. Disclose to the City and to the potential buyer in writing whenever the lot on which the home will be built has twenty-four (24) inches or more of fill placed upon it.

(xc) CHAPTER 31 SPECIAL CONSTRUCTION is hereby amended at **[A] 3107.1** to read as follows:

[A] 3107.1 General. Signs shall be designed, constructed and maintained in accordance with this code and ordinances adopted by the City of Cibolo regulating signs. Where conflicts arise between the Building Code and the Code of Ordinances, the city ordinance shall govern.

(xci) CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION is hereby amended at **[A] 3308.1.1** to read as follows:

[A] 3308.1.1 Obstructions. Construction materials and equipment shall not be placed or stored so as to obstruct any street, alley, public right-of-way, access to fire hydrants, standpipes, fire or police alarm boxes, catch basins, or manholes, nor shall such material or equipment be located within 20 feet of a street intersection, or placed so as to obstruct normal observations of traffic signals, obstruct the view of traffic or hinder the use of public transit loading platforms.

(xcii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3311.1** to read as follows:

[F] 3311.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 25 feet (7620 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairways. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

(xciii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3312** to add **[F] 3312.3** to read as follows:

[F] 3312.3 Furniture, fixtures, and equipment. In buildings where an *automatic sprinkler system* is required, furniture, fixtures, and equipment shall not be stored in the building or areas of the building until the system is in service and approved by the *fire code official* and monitoring of system is active. In building where the system is installed in segments furniture, fixtures, and equipment shall only be permitted in areas where the system is in service and monitored.

Exception: As approved by the *fire code official.*

(xciv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.2** to read as follows:

[F] 3313.2 Combustible building materials. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of 1,500 gallons per minute (5678 L/m) shall be provided. The fire hydrant used to provide this fire-flow supply shall be within 400 feet (122 m) of the combustible building materials, as measured along an *approved* fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 400 feet (122 m) of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with this section.

(xcv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.3** to read as follows:

[F] 3313.3 Vertical construction of Types II, III, IV and V construction. Prior to commencement of vertical construction of Type II, III, IV or V buildings that utilize any combustible building materials, the fire flow required by Sections 3313.3.1 through 3313.3.3 shall be provided, accompanied by fire hydrants in sufficient quantity to deliver the required fire flow and proper coverage, and accessible from *approved* fire apparatus access roads.

(xcvi) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.3.1** to read as follows:

[F] 3313.3.1 Fire separation up to 30 feet. Where a building of Type II, III, IV or V construction has a *fire separation distance* of less than 30 feet (9144 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide either a minimum of 1,500 gallons per minute (5678 L/m) or the entire fire flow required for the building when constructed, whichever is greater.

(xcvii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.3.2** to read as follows:

[F] 3313.3.2 Fire separation of 30 feet up to 60 feet. Where a building of Type II, III, IV or V construction has a fire separation distance of 30 feet (9144 mm) up to 60 feet (18 288 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum of 1,500 gallons per minute (5678 L/m) or 50 percent of the fire flow required for the building when constructed, whichever is greater.

(xcviii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.3.3** to read as follows:

[F] 3313.3.3 Fire separation of 60 feet or greater. Where a building of Type II, III, IV or V construction has a fire separation of 60 feet (18 288 mm) or greater from a property *lot line*, a water supply of 1,500 gallons per minute (5678 L/m) shall be provided.

(xcix) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **[F] 3313.4** to read as follows:

[F] 3313.4 Vertical construction, Type I construction. If combustible building materials are delivered to the construction site, water supply in accordance with Section 3313.2 shall be provided. Additional water supply for fire flow is not required prior to commencing vertical construction of Type I buildings, unless combustible materials are present within the walls of the building.

(c) APPENDIX G FLOOD RESISTANT CONSTRUCTION is hereby amended at **[G] 102.2** to read as follows:

[G] 103.2 Establishment of flood hazard areas. The designation of flood hazard areas are established as described in section 1612.3 of the Building Code, and as adopted by City Council.

(ci) APPENDIX H SIGNS is hereby amended at **[H] 101.1** to read as follows:

[H] 101.1 General. A sign shall not be erected in a manner that would confuse or obstruct the view of or interfere with exit signs required by Chapter 10 or with official traffic signs, signals, or devices or be in conflict with Ordinances adopted by the City of Cibolo regulating signs. Signs and sign support structures, together with their supports, braces, guys and anchors, shall be kept in repair and in a proper state of maintenance. The display surfaces of signs shall be kept neatly painted or posted at all times. Where conflicts arise between the Building Code and. the Code of Ordinances the city ordinance shall govern.

(b) That all references to the ICC Electrical Code are deleted and shall reference the current adopted version of the National Electric Code, 2023 Edition. That all references to the Standards of the National Fire Protection Association shall refer to the most recent additions on file in the office of the Fire Marshal.

EXHIBIT "B"

NFPA 70 National Electrical Code, 2023 or Most Recent Edition

Subject to the amendments set out below, the NFPA 70 National Electrical Code, 2023 Edition, and Annexes A, B, C, E, F, G, and sections 80.1 through 80.13 of Annex H only, or a more recent edition if available, as published by the National Fire Protection Association, (hereinafter collectively the "Code) are hereby adopted as the electrical code of the city, except as amended herein, and shall be known as the National Electrical Code of the City of Cibolo, in the State of Texas, for regulating and governing the safety of all electrical practices and prevention of hazards of all property, buildings and structures; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the Building Official of Cibolo are hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in (a) and (b) herein as follows, which shall be renumbered as needed to adapt to subsequent editions of the National Electrical Code:

(a) The following sections or subsections of the National Electrical Code are hereby revised to read as follows:

(i) ARTICLE 90 INTRODUCTION is hereby amended at **90.1.1** to read as follows:

> **90.1.1 Title.** These regulations shall be known as the National Electrical Code of the City of Cibolo, herein after referred to as "the Code."

(ii) ARTICLE 100 DEFINITIONS is hereby amended to add the definition of Engineering Supervision to read as follows:

> "Engineering Supervision" shall mean supervision by a Qualified State of Texas Licensed Professional Engineer engaged primarily in the design or maintenance of electrical installations.

(iii) ARTICLE 210 BRANCH CIRCUITS is hereby amended by deleting the Exception in **210.11(C)(4).**

(iv) ARTICLE 210 BRANCH CIRCUITS is hereby amended at **210.19(A)(l)** to read as follows:

> **210.19(A)(1) General.** Branch-circuit conductors shall have an ampacity not less than the maximum load to be served. No branch circuit shall have wire smaller than #12 AWO copper. Conductors shall be sized to carry not less than the larger of 210.19(A)(l)(a) or (b).

(v) ARTICLE 210 BRANCH CIRCUITS is hereby amended at **210.22** to read as follows:

210.22 Permissible Loads, Individual Branch Circuits, Outlet maximums. An individual branch circuit shall be permitted to supply any load for which it is rated, but in no case shall the load exceed the branch-circuit ampere rating. Outlet maximums are not to exceed 12 outlets per circuit serving general lighting circuits; not to exceed six (6) outlets serving each GFCI circuit; and not to exceed four (4) outlets serving the small appliance branch circuit for counter tops.

(vi) ARTICLE 210 BRANCH CIRCUITS is hereby amended at **210.50** to add a new subsection (D) to read as follows:

210.50(D) Separate Dedicated Branch Circuits. Separate dedicated branch circuits shall be provided for each refrigerator, dishwasher, and garbage disposal unit. These appliances shall be cord connected, and the garbage disposal shall be switched by a snap switch located above or adjacent to the kitchen sink. The dishwasher circuit will have no other outlets on the circuit

(vii) ARTICLE 210 BRANCH CIRCUITS is hereby amended at **210.52(C)(2)** to read as follows:

210.52(C)(2) Island and Peninsular Countertops and Work Surfaces. Receptacle outlets, when installed to serve an island or peninsular countertop or work surface, shall be installed in accordance with 210.52(C)(3).

(viii) ARTICLE 220 BRANCH-CIRCUIT, FEEDER, and SERVICE LOAD CALCULATIONS is hereby amended at **220.1** to read as follows:

220.1 Scope. This article provides requirements for calculating branch-circuit, feeder, and service loads. Part I provides general requirements for the calculation methods. Part II provides calculation methods for branch-circuit loads. Part III and Part IV provide calculation methods for feeder and service loads. Part V provides calculation methods for farm loads. Part IV provides calculation methods for health care facilities, Part VII provides calculations methods for marinas, boatyards, floating buildings, and commercial and noncommercial docking facilities. All Commercial, Residential and Industrial plans shall include load calculations using the appropriate method as indicated in this Code. This shall include, but shall not be limited to, both feeders, and service entrance, and service lateral conduction. The above referenced load calculations must be provided with the permit application and plan for a new service on an existing dwelling.

(ix) ARTICLE 230 SERVICES is hereby amended at **230.70(A)(1)** to read as follows:

230.70(A)(1) Readily Accessible Location. All services shall have main disconnecting means located outside of the building being served with a maximum distance from building of 75'.

(b) The following amendments shall supersede any conflicting provision of the adopted Code and include the following:

1. All accessible abandoned wiring systems and abandoned equipment both high voltage and low voltage, shall be removed from all buildings or lease spaces when there is a change of use, remodeling, or finish out work.

2. Electrical drawings of all multi-family, commercial and industrial plans must be sealed by an appropriate Engineer that is licensed by the State of Texas.

EXHIBIT "C"

Local Amendments to International Plumbing Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Plumbing Code, 2021 Edition, including Appendix Chapters B, C, D, and E, as published by the International Code Council, is hereby adopted as the Building Code of the City of Cibolo, in the State of Texas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or sub-sections of the Plumbing Code are hereby revised to read as follows:

(i) CHAPTER 6 WATER SUPPLY AND DISTRIBUTION is hereby amended by amending **[E] 607.5** to read as follows:

[E] 607.5 Insulation of piping. For other than Group R2, R3 and R4 occupancies that are three stories or less in height above grade plane, piping to the inlet of a water heater and piping conveying water heated by a water heater shall be insulated in accordance with Section C404.4 of the *International Energy Conservation Code*. For Group R2, R3 and R4 occupancies that are three stories or less in height above grade plane, piping to the inlet of a water heater and piping conveying water heated by a water heater shall be insulated in accordance with Section R403.5.2 of the *International Energy Conservation Code*.

(ii) CHAPTER 6 WATER SUPPLY AND DISTRIBUTION is hereby amended by amending **608.14** to read as follows:

608.14 Backflow protection. Means of protection against backflow shall be provided in accordance with Sections 608.14.1 through 608.14.9.

(iii) CHAPTER 6 WATER SUPPLY AND DISTRIBUTION is hereby amended by amending **608.17.4** to read as follows:

608.17.4 Connections to automatic sprinkler systems and standpipe systems. Connections to the potable water distribution system for Fire Sprinkler Systems, Standpipe Systems, and Fire Pumps. Potable water distribution systems supplying standpipes, automatic sprinkler systems, and fire pumps shall be protected from backpressure and backsiphonage by one of the following testable devices:

5. Double check valve backflow prevention assembly (DC)
6. Double check detector fire protection backflow prevention assembly
7. Reduced pressure principal backflow prevention assembly (RP)
8. Reduced pressure detector fire protection backflow prevention assembly

Fire Department Connections. Where fire protection systems are supplied from a nonpotable water source that is capable of being used by the fire department as a secondary water supply, such as a fire department connection the potable water supply shall be protected by one of the following:

3. Reduced pressure principal backflow prevention assembly (RP)
4. Reduced pressure detector fire protection backflow prevention assembly

Nonpotable water sources include fire department vehicles carrying water of questionable quality or water that is treated with antifreeze, corrosion inhibitors, or extinguishing agents. Fire apparatus carry tanks full of contaminated nonpotable water and it can be pumped into the sprinkler system through the FDC's at greater pressures (as much as 3 times) than the municipal water system. This is why reduced pressure principal backflow prevention assembly are required.

(iv) CHAPTER 7 SANITARY DRAINAGE is hereby amended at **701.6 Water Test** to add a new subsection **701.6.1** to read as follows:

701.6.1 Pre-pour Test. The first floor DWV system shall be retested and inspected prior to the slab being poured to assure there are no broken drain pipes below slab resulting from the backfill and steel placement. The water lines and trap primers, if any, will also be checked at this time.

(v) CHAPTER 7 SANITARY DRAINAGE is hereby amended at **708.1.11.2** to read as follows:

708.1.11.2 Cleanout plug trim covers. Cleanouts located in traffic-bearing areas shall be installed with a vehicle traffic-bearing box. The box shall be set in concrete slab, extending at least 12 inches from the perimeter of the cleanout. The slab shall be no less than 6 inches thick. The concrete shall be no less than 2,500 psi.

EXHIBIT "D"

Local Amendments to International Residential Code, 2021 Edition

That a certain document, three (3) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Residential Code, 2021 Edition, including Appendix Chapters AE, AH, AO, AQ, and AW as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Cibolo, in the State of Texas, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, erection, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

a) That the following sections and/or sub-sections of the Residential Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R101.1** to read as follows:

R.101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of Cibolo, and shall be cited as such and will be referred to herein as "this code".

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at R105.2 at Building item number (1) to read as follows:

R105.2 Work exempt from permit.

...

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet and is on a temporary foundation.

(iii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R105.2** to delete Building item numbers (2) and (5) in their entirety.

(iv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R105.2** at Building item number (10) to read as follows:

R105.2 Work exempt from permit.

...

Building:

10. Decks not exceeding 64 square feet (5.95 m^2) in area that is not more than 18 inches above grade at any point.

(v) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R105.3** to add new item numbers (8), (9) and (10) to read as follows:

8. Indicate the total square footage of the foundation and all floors above or below as measured from the exterior and indicate the number of stories.

9. Be accompanied by the International Energy Conservation Code compliance certification specific to the permitted address.

10. Indicate the total square footage of existing and proposed impervious cover (i.e.: foundation, driveway, sidewalks, etc.)

(vi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R105.5** to add a new permit expiration deadline, as underlined below, and to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencements of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Any permit that is not completed within 365 days of issuance will be invalid and a new permit must be issued. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each with the ability to add fees.

(vii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R106.1.1** to add specific requirements and to read as follows:

1. Indicate the street name, address number, and lot and block numbers.

2. Engineered foundation plan. Foundation plans shall have all details identified.

3. Floor plans shall be scaled and laid out as it is to be built, if plans show optional details options shall be clearly indicated, show glazing percentages.

4. Frame details shall include but not be limited to live load design, wind speed design, wall bracing requirements, studs required for support of beams, header size and suppo1i requirements.
5. Roof and ceiling joist plan with specifications and details.
6. Electrical plan.
7. Plumbing plan.
8. Heating, ventilation, and air conditioning plan.
9. Construction plans shall have adopted codes listed.
10. Give such other data and information as required by the building official.
11. Indicate the total square footage of all impervious cover (i.e.: foundation, driveway, sidewalks etc.).

(viii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R106.2** to add specific requirements and to read as follows:

R106.2 Site plan or plot plan.

...

1. Indicate the street name, address number, and lot and block numbers.
2. Provide total lot square footage.
3. Provide the total square footage of the foundation to include attached garages.
4. Indicate percentage of all impervious coverage.
5. Provide square footage of foundation to include garages, porches, patios, driveways, and walkways.
6. Indicate all building setback lines.
7. Indicate all easements.
8. Indicate property pin locations and distance.
9. Percentage of slope on driveway.
10. Indicate drainage elevation across the property.
11. Show curb lines and sidewalks.
12. Give such other data and information as required by the building official.

(ix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **R107.0 Board of Appeals** to delete sections 107.1 General and 107.2 Limitations of Authority in their entirety, substituting the following in lieu thereof:

107.1 General. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(x) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by the deletion of sections R112.1 General, R112.2 Limitations on authority, R112.3 Qualifications and R112.4 Administration in their entirety and substituting the following in lieu thereof as a new **R112.1**:

R112.1 General. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(xi) CHAPTER 3 BUILDING PLANNING is hereby amended at **Table R301.2(1)** in section **R301.2** to provide the local design criteria for the City of Cibolo as follows:

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage From			Winter Design Temp. e	Ice Barrier Under-Layment Required	Flood Hazardsg	Air Freezing Indexl	Mean Annual Temp. j
	Mph	Effects		Weatheringa	Frost Line Depthb	Termitec					
5	115	NO	A	Negligible	12"	Moderate to Heavy	30° F	NO	See Adopted Ordinances	50 Days	70° F

NOTES (a thru m) REMAIN AS WRITTEN

(xii) CHAPTER 3 BUILDING PLANNING is hereby amended at **R311.5** to add a new subsection **R311.5.1** to read as follows:

R311.5.1 Obstruction. Except for a fence, no obstruction shall be placed in the side yard setback that impedes the drainage, ingress to or egress from the side yard area from front to back. There shall be a minimum clearance of 30 inches between any obstruction and the fence or property line.

(xiii) CHAPTER 3 BUILDING PLANNING is hereby amended at **R313.2** to read as follows:

R313.2 One and two-family dwellings automatic fire systems. All one- and two-family dwellings 4500 square foot and larger shall have an automatic fire sprinkler system installed in accordance with Section P2904 or NFPA 13D.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with a sprinkler system.

(xiv) CHAPTER 3 BUILDING PLANNING is hereby amended by the deletion of **R313.2.1 Design and installation** in its entirety.

(xv) CHAPTER 3 BUILDING PLANNING is hereby amended at **R315.2.2** to read as follows:

R315.2.2 Alterations, repairs and additions. Where alterations, repairs or addition requiring a building permit occur inside of existing dwellings that have attached garage or inside of existing dwellings within which fuel-fired appliances exist, or where one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be equipped with smoke and carbon monoxide alarms located as required for new dwellings.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch 01· deck, is exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.
3. Installation or repairs of mechanical systems that are not fuel fired.

(xvi) CHAPTER 4 FOUNDATIONS is hereby amended at **R402.2** to add new subsection R402.2.2 to read as follows:

R402.2.2. Flatwork Specifications shall meet the requirements of the "Flatwork Requirements in the City of Cibolo" handout available at the permit office.

(xvii) CHAPTER 4 FOUNDATIONS is hereby amended at **R403.1.4** to read as follows:

R403.I.4 Minimum Depth. Exterior footings shall be placed not less than 36" below the undisturbed ground surface. Deck footings shall be in accordance with Section R507.3.

(xviii) CHAPTER 4 FOUNDATIONS is hereby amended at **R403.1.8** to read as follows:

R403.1.8 Foundations on expansive soils. Foundation and floor slabs for buildings located on expansive soils shall be designed in accordance with Section 1808.6 of the International Building Code, The American Society of Civil Engineers Texas, Section - Recommended Practice for the Design of Residential Foundations, Version 2, as it currently exists or may be amended, and/or other accepted industry standards that may be acceptable to the Building Official. All foundations shall be designed by a registered Professional Engineer in the State of Texas and all drawings and documentation must be signed and sealed. The above information and a geotechnical report shall be required for each lot. Documentation shall include:

1. Design letter referencing soils report number, date of report, and soils engineer name; specific location including lot, block, and subdivision; specific design criteria including soil bearing capacity, plasticity index, and potential vertical rise. The engineer shall also approve a concrete mix design with performance criteria based on soils and seasonal conditions,
2. Signed and sealed drawings clearly indicating strand and reinforcement placement, pier size, depth, location, and reinforcing beam size and location, and special details. Design calculations must be included in the permanent permit file for each project.
3. Design engineer shall perform a pre-pour inspection. This inspection shall take place prior to requesting a foundation inspection from the Building Official. The engineer shall provide to the Building Official a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to the issuance of a Certificate of Occupancy.
4. Rough grading of lot after form removal to maintain drainage away from the foundation during the construction process.
5. The post tensioning cannot take place until the 7th day after the concrete has been poured and that no framing can start until one day after the post tensioning has taken place, unless otherwise directed by the engineer, based on accepted engineering practices and sample cylinders have been tested to support the engineer's specifications.
6. For conventional steel foundations, no framing shall start until the 11th day after the concrete has been poured unless otherwise directed by the engineer, based on accepted engineering practices and sample cylinders have been tested to support the engineer's specifications.
7. Prior to receiving a Certificate of Occupancy, a final survey indicating final grade elevations and verifying positive drainage away from the foundation.
8. Disclose to the City and to the potential Buyer in writing whenever the lot on which the home will be built has 24 inches or more of fill placed on it.

Exception: Slab-on-ground and other foundation systems which have performed adequately in soil conditions similar to those encountered at the building site are permitted subject to the approval of the building official.

(xix) CHAPTER 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS is amended at **M1301.3 Installation of materials** to add subsection **M1301.3.l** to read as follows:

Ml301.3.l Duct insulation. Ducts installed in houses that will have spray foam insulation shall be maintained with a minimum of 12" clearance from roof deck for proper installation of insulation.

(xx) CHAPTER 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS is amended at **M1305.1.3** to read as follows:

M1305.1. Appliances in attics. Attics containing appliances requiring access shall be provided with an opening with a permanent ladder and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide and not less than 3/4-inch (19 mm) thick. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide and not less than 3/4-inch (19 mm) thick shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), where such dimensions are large enough to allow removal of the largest appliance.

The Exception to M305.l.3 is not amended.

(xxi) CHAPTER 16 DUCT SYSTEMS is amended at **M1601.4.1 Joints, seams, and connections** to add a sentence at the end to read as follows:

"All joints and seams for duct systems shall be sealed with mastic and any damaged air ducts or duct boards must be repaired with a listed material."

(b) That all walls containing plumbing, piping, or conduit larger than 2-inch (38 mm) inside diameter shall have a minimum of 6-inch (152 mm) stud width.

c) That all pressure gauges installed or used for testing shall have the working range in the middle third of the gauges minimum and maximum pressure ends.

d) That all piping, ducting and similar penetrations through walls, floors and ceilings shall be sealed to prevent entry of rodents and insects.

e) That all water service and supply lines crossing under sidewalks or driveways shall be enclosed within a sleeve two pipe sizes greater than the pipe passing through, so as to allow removal and replacement, and shall be at a minimum depth of 12 inches (305 mm) below finish grade unless otherwise required by the code official. The use of streets, alleys and public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the authority having jurisdiction and this section.

f) Construction materials and or equipment shall not be placed or stored so as to obstruct any street, alley, public right-of-way, access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1 m) of a street intersection, or placed so as to obstruct normal observations of traffic signals or obstruct the view of traffic.

g) Construction materials, trash, garbage, rubbish, and debris shall be secured or contained in approved covered containers so as to prevent such items from leaving the property, lot or construction site. Uncovered containers may be approved in writing at the discretion of the code official. Construction sites shall be kept neat, clean and orderly and free of hazards.

h) Trenching and Excavating. Underground utilities shall be located and marked before trenching or excavating. It shall be a violation of this ordinance to trench or excavate without properly making request for utility locates, and for damaging utilities that have been properly located. Requests shall be made using state recognized locating guidelines and procedures.

EXHIBIT "E"

Local Amendments to International Energy Conservation Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Energy Conservation Code, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Cibolo, in the State of Texas for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the Building Official of the City of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows.

(a) That the following sections and/or subsections of the Energy Conservation Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **101.1** to read as follows:

101.1 Title. This code shall be known as the International Energy Conservation Code of Cibolo, and shall be cited as such. It is referred to herein as "this code."

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by the deletion of **C109.1 General, C109.2 Limitations of authority and C109.3 Qualifications** in their entirety and substituting the following in lieu thereof as a new section **C109.1**:

C109.1 General. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

EXHIBIT "F"

Local Amendments to International Property Maintenance Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo being mm-ked and designated as the International Properly Maintenance Code, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Building Official of the City of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows.

(a) That the following sections and/or sub-sections of the Property Maintenance Code are hereby revised to read as follows:

(i) CHAPTER I SCOPE AND ADMINISTRATION is hereby amended at **[A] 101.1** to read as follows:

[A] 101.1 Title. These regulations shall be known as the Property Maintenance Code of Cibolo, hereinafter referred to as "this code."

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 102.3** to read as follows:

[A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, 2021 Edition, International Plumbing Code. 2021 Edition, International Mechanical Code, 2021 Edition, International Energy Conservation Code, 2021 Edition, International Residential Code, 2021 Edition and the National Electrical Code, 2023 Edition or more recent edition. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City's Zoning Ordinance or other ordinances adopted by the City of Cibolo. The above referenced codes supersede any other codes that may be referenced in this code.

(iii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 103.5** to read as follows:

[A] 103.4 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as adopted by the City Council from time to time in the City's Fee Schedule.

(iv) CHAPTER I SCOPE AND ADMINISTRATION is hereby amended by the deletion of sections **[A] 111.2.1 Alternate Members, [A] 111.2.2 Chairman, [A] 111.2.3 Disqualification of member, [A] 111.2.4 Secretary, [A] 111.2.5 Compensation of members** in their entirety and substituting the following in lieu thereof as a new section **[A] 111.2**:

[A] 111.2 Membership of board. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(v) CHAPTER 2 DEFINITIONS is hereby amended at **[A] 201.3** to read as follows:

[A] 201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, 2021 Edition, International Fire Code, 2021 Edition, City's Zoning Ordinance, International Plumbing Code, 2021 Edition, International Mechanical Code, 2021 Edition or the National Electrical Code, 2023 Edition or more recent edition, such terms shall have the meanings ascribed to them as stated in those codes,

(vi) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **[A] 302.4** to add an exception and to read as follows:

[A] 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches (305 mm) and when determined by the code official to be offensive. It shall be unlawful for any owner, tenant, lessee, agent or occupant of any lot or premises to permit any weeds, grass or other vegetation to grow or remain upon any premises, so as to become offensive or emit foul or noxious odor, or to become a breeding place for flies or insects or to become in any way unsanitary or injurious to the public health. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 109.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Exception: Agricultural property and property being cultivated. A 50 foot (15 240 mm) wide zone shall be maintained between cultivated crops and adjoining commercial or residential me property lines.

(vii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended at **[A] 304.14** to read as follows:

304.14 Insect screens. During the period from March 1st to November 30th, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(viii) CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS is hereby at **[A] 505.4** to read as follows:

[A] 505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 120° F (49° C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

(ix) CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS is hereby amended at **[A] 602.3** to read as follows:

[A] 602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 1st to February 28th to maintain a temperature of not less than 68° F (20° C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions are not amended.

(x) CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS is hereby amended at **[A] 602.4** to read as follows:

[A] 602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from November 1st' to February 28th to maintain a temperature of not less than 65° F (18° C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

(b) That all references to the ICC Electrical Code are deleted and shall reference the current adopted version of the National Electric Code, 2023 Edition or most recent edition.

(c) That all pressure gauges installed or used for testing shall have the working range in the middle third of the gauges minimum and maximum pressure ends.

EXHIBIT "G"

Local Amendments to International Existing Building Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Existing Building Code, 2021 edition, including Appendix Chapters A, B, C and Appendix Chapters Resource A as a guideline, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Cibolo, in the State of Texas for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the Building Official of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Existing Building Code are hereby revised to read as follows:

(i) CHAPTER I SCOPE AND ADMINISTRATION is hereby amended by at **[A] 101.1** to read as follows:

[A] 101.1 Title. These regulations shall be known as the Existing Building Code of Cibolo, hereinafter referred to as "this code."

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **[A] 105.2 Work exempt from permit** to delete Building item number 1 in its entirety.

(iii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by the deletion of sections

[A] 112.1 General, [A] 112.2 Limitations on authority, and [A] 112.3 Qualifications in their entirety and substituting the following in lieu thereof as a new section **[A] 112.1**:

[A] 112.1 General. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(b) That all references to the ICC Electrical Code are deleted and shall reference the current adopted version of the National Electric Code, 2023 Edition or most recent edition.

(c) That all piping, ducting and similar penetrations through walls, floors and ceilings shall be sealed to prevent entry of rodents and insects.

(d) That all water service and supply lines crossing under sidewalks or driveways shall be enclosed within a sleeve two pipe sizes greater than the pipe passing through, so as to allow removal and replacement, and shall be at a minimum depth of 12 inches (305 mm) below finish grade unless otherwise required by the code official.

(e) The use of streets, alleys and public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the authority having jurisdiction and this section.

(f) Construction materials and equipment shall not be placed or stored so as to obstruct any street, alley, public right-of-way, access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1 m) of a street intersection, or placed so as to obstruct normal observations of traffic signals or obstruct the view of traffic.

(g) Trenching and Excavating. Construction materials, trash, garbage, rubbish, and debris shall be secured or contained in approved covered containers so as to prevent such items from leaving the property, lot or construction site. Uncovered containers may be approved in writing at the discretion of the code official. Construction sites shall be kept neat, clean and orderly and free of hazards.

(h) Underground utilities shall be located and marked before trenching or excavating. It shall be a violation of this ordinance to trench or excavate without properly making request for utility locates, and for damaging utilities that have been properly located. Requests shall be made using nationally recognized locating guidelines and procedures.

EXHIBIT "H"

Local Amendments to International Mechanical Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Mechanical Code, 2021 Edition, including Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Mechanical Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **101.1** to read as follows:

101.1 Title. This code shall be known as the International Energy Conservation Code of Cibolo, and shall be cited as such. It is referred to herein as "this code."

(ii) CHAPTER 2 DEFINITIONS is hereby amended by amending **202** to read as follows:

202 General Definitions.

COMMERCIAL COOKING APPLIANCES. Appliances that are used outside of residential occupancies, and are used in a commercial setting or commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local exhaust ventilation system. Such appliances include deep fat fryers, upright broilers, griddles, broilers, steam-jacketed kettles, hot-top ranges, under-fired broilers (charbroilers), ovens, barbecues, rotisseries, and similar appliances. For the purpose of this definition, a food service establishment shall include any building or a portion thereof used for the preparation and serving of food.

(iii) CHAPTER 6 DUCT SYSTEMS is hereby amended by amending **602.2** to read as follows:

606.2 Where required. Duct smoke detectors shall be located in accordance this Section and with NFPA 90A: Standard for the Installation of Air-Conditioning and Ventilating Systems. Smoke detectors shall be installed where indicated in Sections 606.2.1 through 606.2.3.

Exception: Smoke detectors shall not be required where air distribution systems are less than 2,000 cfm (0.9 m^3/s) and are incapable of spreading smoke beyond the enclosing walls, floors and ceilings of the room or space in which the smoke is generated.

(iv) CHAPTER 6 DUCT SYSTEMS is hereby amended by amending **602.2.1** to read as follows:

606.2.1 Return air systems. Smoke detectors shall be installed in the supply side of air systems with a design capacity greater than 2,000 cfm (0.9 m^3/s), such detectors shall be located in a serviceable area downstream of air filter(s), motors, electrical circuit boards, and/or controllers, and ahead of any branch connections in air supply systems

Exception: Smoke detectors are not required in the return air system where all portions of the *building* served by the air distribution system are protected by area smoke detectors connected to a fire alarm system in accordance with the *International Fire Code*. The area smoke detection system shall comply with Section 606.4.

(v) CHAPTER 6 DUCT SYSTEMS is hereby amended by amending **602.2.2** to read as follows:

606.2.2 Common supply and return air systems. Where multiple air-handling systems share common supply or return air ducts or *plenums* with a combined design capacity greater than 2,000 cfm (0.9 m^3/s), the return air system shall be provided with smoke detectors in accordance with Section 606.2.1.

Exception: Individual smoke detectors shall not be required for each fan-powered terminal unit, provided that such units do not have an individual design capacity greater than 2,000 cfm (0.9 m^3/s) and will be shut down by activation of one of the following:

1. Smoke detectors required by Sections 606.2.1 and 606.2.3.
2. An *approved* area smoke detector system located in the supply air *plenum* serving such units.
3. An area smoke detector system as prescribed in the exception to Section 606.2.1.

In all cases, the smoke detectors shall comply with Sections 606.4 and 606.4.1.

(vi) CHAPTER 6 DUCT SYSTEMS is hereby amended by amending **602.2.3** to read as follows:

606.2.3 Return air risers. Where return air risers serve two or more stories and serve any portion of a return air system having a design capacity greater than 15,000 cfm (7.1 m^3/s), smoke detectors shall be installed at each story. Such smoke detectors shall be located upstream of the connection between the return air riser and any air ducts or *plenums*.

(vii) CHAPTER 6 DUCT SYSTEMS is hereby amended by amending **[F] 606.4.1** to read as follows:

[F] 606.4.1 Supervision. The duct smoke detectors shall be connected to a fire alarm system where a fire alarm system is required by Section 907.2 of the *International Fire Code*. The actuation of a duct smoke detector shall activate a visible and audible supervisory signal at a constantly attended location. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report as a general alarm signal.

Exceptions:

1. The supervisory signal at a constantly attended location is not required where the duct smoke detector activates the *building*'s alarm-indicating *appliances*.
2. In *occupancies* not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and audible signal in an *approved* location. Duct smoke detector trouble conditions shall activate a visible or audible signal in an *approved* location and shall be identified as air duct detector trouble.

[*Remainder of page intentionally left blank*]

EXHIBIT "I"

Local Amendments to International Fuel Gas Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Fuel Gas Code, 2021 Edition, including Appendix Chapter A, B, C, and D as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Energy Conservation Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **101.1** to read as follows:

101.1 Title. This code shall be known as the Fuel Gas Code of Cibolo, and shall be cited as such. It is referred to herein as "this code."

[*Remainder of page intentionally left blank*]

EXHIBIT "J"

Local Amendments to International Swimming Pool and Spa Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Swimming Pool and Spa Code, 2021 Edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Swimming Pool and Spa Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Swimming Pool and Spa Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **101.1** to read as follows:

101.1 Title. This code shall be known as the Swimming Pool and Spa Code of Cibolo, and shall be cited as such. It is referred to herein as "this code."

[*Remainder of page intentionally left blank*]

EXHIBIT "K"

Local Amendments to International Private Sewage Disposal Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the International Private Sewage Disposal Code, 2021 Edition, as published by the International Code Council, be and is hereby adopted as the Private Sewage Disposal Code of the City of Cibolo, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Private Sewage Disposal Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed herein as follows:

(a) That the following sections and/or subsections of the Private Sewage Disposal Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended at **101.1** to read as follows:

101.1 Title. This code shall be known as the Private Sewage Disposal Code of Cibolo, and shall be cited as such. It is referred to herein as "this code."

City of Cibolo

City Council Regular Meeting Staff Report

Approval of an Ordinance to adopt the 2021 International Fire Code with amendments.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7D

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7D 2021 Inter. Fire Code.pdf

"City of Choice"

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Discussion/Action on adoption of the 2021 International Fire Code with amendments.

ITEM SUMMARY:
Adoption of the 2021 International Fire Code with amendments.

The attached Ordinance of the 2021 International Fire Code.

CITY COUNCIL FOLLOW UP:
In response to the City Councils request at the 23 January 2024 meeting for clarification on Fire Code authority.

The city has used 3rd party fire plan review and inspectors for some years now to perform the functions BB Services is now performing. The use of a 3rd party review and inspection company started with Reed Fire Protection we then moved to Fire Protection Consulting Group and now to BB Services.

In updating our building and fire code I took it upon myself to clarify the code sections and areas our 3rd party consulting company has authority for enforcement. This is a reflection of what we have been doing since 01 July 2022.

With the adoption of the new codes to ensure clarity and consistency it has been more clearly outline in the amendments to give enforcement authority to our consultants over new plan submittal, new construction, permitting, review, and inspections.

The city requires our consultant to provide certified inspectors to perform the duties as per the contract. BB Services is meeting that requirement with the inspectors they have on staff as they hold the proper certifications through the Texas Commission on Fire Protection.

As per the Professional Consulting and Technical Service Contract for Building & Fire/Life Safety Plan Review and Inspection Services, which was approved by Council on June 28, 2022, City Council authorized BB Inspections to perform the following work and granted it authority:

> Exhibit "A" A. Scope of Work. First paragraph "Consultant shall fully acquaint itself with the available information relative to the Services and in particular shall review, understand and comply with the applicable provisions of the Cibolo Code of Ordinances, Building

Codes, Uniform Development Code, rules, regulations, and administrative policies and procedures that will be enforced by the consultant."

Building and Fire Services Scope

- Perform Chief Building Official (CBO) duties, including the interpretation, application, and enforcement of building codes as the Authority Having Jurisdiction (AHJ).
- Perform Authority Having Jurisdiction (AHJ) duties, including the interpretation, application, and enforcement of fire codes working closely with the City's Fire Chief.

Building departments 3rd party reviewers' authority.
New plan submittal, new construction, permitting, review and inspections of same will be under the building departments 3rd party reviewers following the city's policies and ordinances.

Fire Marshal
Authority to enforce this code and render interpretations, to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions, and where questions and/or contradictions arise between the 3rd party consulting company the Fire Marshal has overall say.
Authority on areas in the code that state "where required by the *fire code official*" and where "*approved* by the *fire code official*".
Additionally, the Fire Marshal answers to the Fire Chief.

Fire Chief
Authority where matters pertain to suppression, and has in the past and can overrule where the Fire Chief disagrees with the decision of or interpretation of the Fire Marshal.

STAFF RECOMMENDATION:
Staff recommends Mayor and Council take action to approve, the adoption the 2021 International Fire Code as presented.

FINANCIAL IMPACT:
Not applicable.

SUBMITTED BY:
Lee Perry, Fire Marshal

ATTACHMENTS:
2021 International Fire Code with amendments

"City of Choice"

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CIBOLO AMENDING CHAPTER 14 OF THE CITY'S CODE OF ORDINANCES BY ADOPTING THE 2021 EDITION OF THE *INTERNATIONAL FIRE CODE*, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF CIBOLO; INCORPORATION OF RECITALS; MAKING LOCAL AMENDMENTS TO SUCH CODES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING CUMULATIVE, CONTINUATION, AND SEVERABILITY CLAUSES.

WHEREAS, the City of Cibolo is a Home Rule Municipality located in Guadalupe County, Texas, established in accordance with provisions of its Charter, the Texas Constitution and statutes, including the Texas Local Government Code; and

WHEREAS, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Cibolo to enforce each rule, Ordinance, or police regulation of the City of Cibolo and to punish a violation of a rule, Ordinance, or police regulation; and

WHEREAS, Chapter 214, Subchapter G of the Texas Local Government Code provides the general authority for the City of Cibolo to adopt certain Building and Regulatory Codes and to enact local amendments to same; and

WHEREAS, the City of Cibolo, Texas seeks to regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Cibolo; and

WHEREAS, The City Council hereby declares that all local code amendment regulations and standards are in furtherance of the City of Cibolo's public safety departments and are not enacted to hinder development and construction. All local amendments hereto shall coordinate with public safety code enforcement officials and are enacted solely for the protection of the health and safety of the City of Cibolo; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS, THAT:

SECTION 1. RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 2. CODE AMENDMENT (INTERNATIONAL FIRE CODE). The Cibolo Code of Ordinances Chapter 14 (entitled "*Buildings and Building Regulations*") Article I (entitled "*In General*"), Section 14-2(a)(10) is hereby amended by replacing the existing language therein with the language set out in Exhibit "A," attached hereto and incorporated herein for all purposes.

SECTION 3. CUMULATIVE. This ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

SECTION 4. REPEALER. In accordance with Section 1-10(e) of the Cibolo Code of Ordinances, all preceding versions of Section 14-2(a)(10) of the Cibolo Code of Ordinances in conflict herewith are hereby repealed and replace hereby.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6. CONTINUATION OF EXISTING REGULATIONS. Nothing in this ordinance or in the Model Building and Regulatory Codes of the City of Cibolo hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. PENALTY. Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be subject to the penalty prescribed in Section 1-13 of the City of Cibolo's Code of Municipal Ordinances.

SECTION 8. EFFECTIVE DATE. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council of the City of Cibolo, Texas, and publication as required by Section 3-13(3) of the City Charter.

PASSED AND APPROVED this, the_____day of_____2024.

_____
Mark Allen,
Mayor

ATTEST:

_____
Peggy Cimics, TRMC
City Secretary

APPROVED AS TO FORM:

_____
George Hyde
DTRG, City Attorney

EXHIBIT "A"

Local Amendments to International Fire Code, 2021 Edition

That a certain document, two (2) copies of which are on file in the office of the Fire Marshal of Cibolo and one (1) copy of which are on file in the office of the Building Official of Cibolo, being marked and designated as the *International Fire Code*, 2021 Edition, including Appendix Chapters B, C, D, E, F, G, H, I, J, K, L, M, and N be and is hereby adopted as the Fire Code of the City of Cibolo, in the State of Texas regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this ordinance.

(a) That the following sections and/or sub-sections of the Fire Code are hereby revised to read as follows:

(i) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 101.1** to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Fire Code* of Cibolo, hereinafter referred to as "this code".

(ii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 102.3** to read as follows:

[A] 102.3 Change of use or occupancy. Changes shall not be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with this code and the *International Building Code*. A change of occupancy within the same division of the same group or occupancy shall not be made unless the use or occupancy is made to comply with the requirements of Chapter 11 and the *International Existing Building Code*.

Exception: Where *approved* by the *fire code official*, a change of occupancy shall be permitted without complying with the requirements of this code and the *International Existing Building Code*, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

(iii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 102.3** to add **[A] 102.3.1** and read as follows:

[A] 102.3.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification or ownership of a building or structure or portion thereof shall be made, until a final inspection by the *building department*, a final fire prevention inspection by the *fire code official* or *approved* 3rd party fire inspectors and the *building code official* has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances, court orders, or regulations of the jurisdiction.

Exception: New certificates of occupancy are not required for work exempt from permits and/or work authorization under Section 105.6.

(iv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 103** to read as follows:

SECTION 103
DEPARTMENT OF FIRE PREVENTION

(v) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 103.1** to read as follows:

[A] 103.1 General. The department of fire prevention is established within the jurisdiction of Cibolo under the direction of the *fire code official*. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

(vi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 103.2** to read as follows:

[A] 103.2 Appointment. The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction, or where appointment of the Fire Marshal was made by the City Council or legislative authority of the jurisdiction; and the Fire Marshal or *fire code official* shall not be removed from office except for just cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

(vii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.2** to read as follows:

[A] 104.1 General. The *fire code official* is hereby authorized to enforce the provisions of this code. It shall be the duty of the Fire Marshal to oversee and enforce the Fire Code and is hereby given the authority and power to issue Citations, Fire Marshal's Orders, Notices of Violation, Notices of Closure for Unsafe and/or Dangerous Structures, for the safety and protection of property and citizens from fire hazards and dangerous conditions, and has the authority to render interpretations of this code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions as required to achieve compliance with the Fire Code. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code.

(viii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.2** to read as follows:

[A] 104.2 Applications and permits. The *fire code official* or 3rd party inspection company is authorized to receive applications, review *construction documents* and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

(ix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.2** to read as follows:

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *fire code official* has reasonable cause to believe that there exists in a

building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry. No owner or occupant or any other person having charge, care or control of any building shall fail or neglect, after proper demand is made as herein provided, to properly permit entry by the Fire Marshal or his authorized representatives for the purpose of inspection or examination under such exigent circumstances affecting the safety of persons and/or property, or to take such prudent action to abate a fire hazard, unsafe or dangerous condition.

(x) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.3** to add **[A] 104.3.2** and read as follows:

[A] 104.3.2 Photographic documentation. Members of the Fire Marshal's Office making such examinations or inspections shall have the right, with proper credentials, and be authorized to take audio recordings, the required number of photographs, or video recordings for evidence and for records for use by the Fire Marshal's Office to document and study fire hazards, fire code violations, and scientific control for fire safety.

(xi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.4** to add **[A] 104.4.1** and read as follows:

104.4.1 Impersonation. A person shall not impersonate the Fire Marshal or his designee through the use of a uniform, identification card, badge, or any other means. Any such impersonation shall be deemed a violation of this Code.

(xii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.6** to read as follows:

[A] 104.6 Official records. The *fire code official*, or 3rd party inspections company responsible for issuing permits shall keep official records and approvals as required by Sections 104.6.1 through 104.6.4. Such official records and approvals shall be retained for not less than 5 years or for as long as the structure or activity to which such records or approvals relate remains in existence, unless otherwise provided by other regulations.

(xiii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.8.2** to read as follows:

[A] 104.8.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a system, building, or premises subject to inspection by the *fire code official*, the *fire code official* is authorized to require the *owner* or owner's authorized agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *fire code official* and shall analyze the fire safety properties of the design, operation or use of the system, building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes or to show compliance with the code. The *fire code official* is authorized to

require design submittals to be prepared by, and bear the stamp and signature of, a *registered design professional*. Any project requiring a permit or is proposing changes to a system, building, or premises will be subject to this requirement.

(xiv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.12.2** to read as follows:

[A] 104.12.2 Obstructing operations. No person shall obstruct the operations of the fire department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the Fire Chief or Officer of the fire department in charge of the emergency, and no person shall obstruct the operations of the Fire Marshal in connection with the investigation of any fire, or actions relative to other emergencies, or inspections, or disobey any lawful command of the *fire code official* in charge of the investigation or any part thereof, or any lawful order of a police officer assisting the fire department.

(xv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 104.12** to add **[A] 104.12.4** and read as follows:

[A] 104.12.4 Removal of debris and rubble after a fire. The *fire code official* is authorized to require the owner or owner's authorized agent to remediate fire damage.

1. The owner or person having under his control or in his possession upon any premises in the city, any burnt or partially burnt furniture, bedding, hay, straw, bales of wool, cotton, paper, carpet, vehicles, or other substances which have been rendered useless or unmerchantable by reason of any fire on such premises, or any debris resulting from such fire, must remove such substances and debris from such premises within one week after notice to do so has been served by the *fire code official*.
2. Whenever any building or other structure in the city is partially burned, or completely burned the owner thereof or the person in charge or control thereof, shall within ninety days after notice from the *fire code official*, remove all refuse, debris, charred and partially burned lumber and material from the ground; and if such building or other structure shall be burned to such an extent that it is rendered incapable of being repaired, the owner of the property upon which structure is located, or person in charge and control thereof, shall within one hundred eighty days after notice from the *fire code official*, remove all remaining portion of the building or structure, from the ground.
3. The *fire code official* may extend the ninety-day period of removal of such burned or partially burned buildings, when the insurance adjustment, if any, is still pending.

(xvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.1.1** to read as follows:

[A] 105.1.1 Permits required. A property *owner* or *owner's* authorized agent who intends to conduct an operation or business, or install or modify systems or equipment that are regulated by this code, or cause any such work to be performed, shall first make application to the city building department whereas; Permit applications shall be submitted to, plans reviewed by, and permits issued by the city building department. Where a person, company, or firm is required to be licensed or registered with the Texas State Fire Marshal's Office that person, company, or firm shall be responsible for making application and obtaining a permit for the proposed work. It shall be a violation of this code for person, company, or firm that is required to be licensed or registered with the Texas State Fire Marshal's Office to hire or have a person, company, or firm that is not licensed or registered with the Texas State Fire Marshal's Office to preform work under that permit.

(xvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.1.4** to read as follows:

[A] 105.1.4 Emergency repairs. Where equipment replacement and repair must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the city building department whereas; Permit applications shall be submitted to, and permits issued by the city building department.

(xviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2** to read as follows:

[A] 105.2 Application. Application for a permit required by this code shall be made to the *fire code official* or 3rd party inspection company in such form and detail as prescribed by the *fire code official*. Applications for permits shall be accompanied by such plans as prescribed by the *fire code official*. Plans shall be submitted to the city building department for review and shall comply with and provide adequate information and details as applicable with this code and the *International Code Council* fire plan review guidelines and *NFPA* fire plan review guidelines.

(xix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2.1** to read as follows:

[A] 105.2.1 Refusal to issue permit. If the application for a permit describes a use that does not conform to the requirements of this code and other pertinent laws and ordinances, the *fire code official* or 3rd party fire inspector shall request to the city building department that they shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, where requested, be in writing and shall contain the reasons for refusal.

(xx) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2.2** to read as follows:

[A] 105.2.2 Inspection authorized. Before a new operational permit is *approved*, the *fire code official* or 3rd party fire inspector is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

(xxi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2.3** to read as follows:

[A] 105.2.3 Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the *fire code official* or 3rd party fire inspector is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(xxii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.2.4** to read as follows:

[A] 105.2.4 Action on application. The *fire code official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *fire code official* or 3rd party fire inspector shall reject such application in writing, stating the reasons therefore. If the *fire code official* is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the *fire code official* or 3rd party fire inspector shall notify the city building department therefore as soon as practicable a permit may be issued.

(xxiii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.1** to read as follows:

[A] 105.3.1 Expiration. An operational permit shall be annual and in effect from 01 January to 31 December or until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided that changes have not been made and will not be made in the original *construction documents* for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

(xxiv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.2** to read as follows:

[A] 105.3.2 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit where work is unable to be commenced within the time required by this section for good and satisfactory reasons. The *fire code official* or 3rd party fire inspector is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each, and shall notify the city building department whereby; extensions to permits will be issued by the city building department. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

(xxv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.3** to read as follows:

[A] 105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the *fire code official* or 3rd party fire inspector authorizing issuance of a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

(xxvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.4** to read as follows:

[A] 105.3.4 Conditional permits. Where permits are required and upon the request of a permit applicant, the city building department is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or

installation of equipment and operations without endangering life or pubic welfare. The city building department shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted, and at a minimum have all the following conditions met:

1. The building fire sprinkler systems is in place and fully operational, and shall not be shut down for additional work on the system,
2. The building fire alarm system is in place and fully operational, and capable of reporting all alarms and signals, and is monitored by a contracted monitoring company,
3. All lighting and egress requirements are in place and met in the areas to be occupied,
4. Separation from construction and non-construction areas, and
5. Any additional requirements as determined to be needed by the *fire code official*, 3rd party fire inspector, or building official.

Fully operational life safety systems are not required to be Tagged or have final passed inspections.

(xxvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.6** to read as follows:

[A] 105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *fire code official* or 3rd party fire inspector from requiring the correction of errors in the construction documents and other data, or from requiring the corrections after construction or installation has been completed. Any addition to or alteration of approved construction documents shall be approved in advance by the *fire code official* or 3rd party fire inspector as evidenced by the issuance of a new or amended permit.

(xxviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.7** to read as follows:

[A] 105.3.7 Information on the permit. The city building department shall issue permits required by this code on an *approved* form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the *fire code official* or 3rd party fire inspector. Issued permits shall bear the signature of the *building code official* or other *approved* legal authorization.

(xxix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.3.8** to read as follows:

[A] 105.3.8 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on *construction documents*, operational documents and other data shall not prevent the *fire code official* or 3rd party fire inspector from requiring correction of errors in the documents or other data, or from requiring the corrections after construction or installation has been completed.

(xxx) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.4** to read as follows:

[A] 105.4 Revocation. The *fire code official* or 3rd party fire inspector is authorized to revoke a permit issued under the provisions of this code where it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or *construction documents* on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.
3. The work being performed exceeds or does not meet the scope of work described on the permit.
4. Conditions and limitations set forth in the permit have been violated.
5. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
6. The permit is used by a different person, company, or firm than the name for which it was issued.
7. The permittee failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
8. The permit was issued in error or in violation of an ordinance, regulation or this code.

(xxxi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5** to read as follows:

[A] 105.5 Required operational permits. The *fire code official* is authorized to require operational permits for the operations set forth in Sections 105.5.1 through 105.5.53. Operational permits are required for the operations for the following Subsections 105.5.1, 105.5.2, 105.5.3, 105.5.4, 105.5.5, 105.5.6, 105.5.7, 105.5.8, 105.5.9, 105.5.10, 105.5.11, 105.5.12, 105.5.13, 105.5.14, 105.5.16, 105.5.18, 105.5.22, 105.5.23, 105.5.24, 105.5.25, 105.5.28, 105.5.30, 105.5.31, 105.5.32, 105.5.33, 105.5.34, 105.5.35, 105.5.37, 105.5.38, 105.5.40, 105.5.41, 105.5.42, 105.5.43, 105.5.46, 105.5.47, 105.5.48, 105.5.49, 105.5.50, 105.5.52, 105.5.53, and the *fire chief* when deemed necessary is authorized to require operational permits for any of the operations set forth in Sections 105.5.1 through 105.5.53. Permit applications shall be submitted to, reviewed by, and permits issued by the Cibolo Fire Department.

(xxxii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.12** to read as follows:

[A] 105.5.12 Cutting and welding. An operational permit is required to conduct cutting or welding operations within the jurisdiction. All personnel supervising or performing cutting and welding operations must have successfully completed NFPA's Hot Work Safety Program and hold a current Certificate.

(xxxiii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.16** to read as follows:

[A] 105.5.16 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of *explosives*, *explosive materials*, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606. Those items otherwise exempted under Texas Occupations Code, Section 2154.002 entitled "Exemptions" as amended.

(xxxiv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.25** to read as follows:

[A] 105.5.25 Hot work operations. An operational permit is required for hot work including, but not limited to:

1. All personnel supervising or performing hot work operations must have successfully completed NFPA's Hot Work Safety Program and hold a current Certificate.
   Exception: Students enrolled at an educational facility learning welding and other hot work during the course of their training.
2. Public exhibitions and demonstrations where hot work is conducted.
3. Use of portable hot work equipment inside a structure.
   Exception: Work that is conducted under a construction permit.
4. Fixed-site hot work equipment, such as cutting, welding booths, and similar.
5. Hot work conducted within a wildfire risk area.
6. Application of roof coverings with the use of an open-flame device.
7. Where *approved*, the *fire code official* or 3rd party fire inspector may issue an operational permit to carry out a hot work program. This program allows an *approved* hot work supervisor and personnel to regulate their facility's hot work operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this code and NFPA 51B Standard for Fire Prevention During Welding, Cutting, and Other Hot Work, and a hot work supervisor shall be responsible for issuing working permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.

(xxxv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.27** to read as follows:

[A] 105.5.27 Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 25,000 board feet (2,083 ft^3) (59 m^3).

(xxxvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.31** to read as follows:

[A] 105.5.31 Miscellaneous combustible storage. An operational permit is required to store in any building or on any premises in excess of 2,000 cubic feet (56 m^3) gross volume of combustible empty packing cases, boxes, barrels or similar containers, combustible pallets, rubber tires, rubber, cork or similar combustible material.

(xxxvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.45** to delete motor fuel-dispensing facilities as it is covered in 105.5.33 and read as follows:

[A] 105.5.45 Repair garages. An operational permit is required for the operation of repair garages.

(xxxviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.5.48** to read as follows:

[A] 105.5.48 Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,000 cubic feet (56 m^3) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

(xxxix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by adding **[A] 105.5.53** to read as follows:

[A] 105.5.53 Battery systems. An operational permit is required for stationary storage battery systems having a liquid capacity of more than 20 gallons (75 L).

(xl) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.6** to read as follows:

[A] 105.6 Required construction permits. The *fire code official* is authorized to require, and construction permits are required for the work set forth in Sections 105.6.1 through 105.6.24. Permit applications shall be submitted to, reviewed by, and permits issued by the city building department.

(xli) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 105.6.5** to read as follows:

105.6.5 Energy storage systems. A construction permit is required to install energy storage systems regulated by Chapter 12.

(xlii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.1** to read as follows:

[A] 106.1 Submittals. *Construction documents* and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the *fire code official* or 3rd party fire inspector. The *construction documents* shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed.

Exception: The *fire code official* or 3rd party fire inspector is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

(xliii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2** to read as follows:

[A] 106.2 Examination of documents. The *fire code official* or 3rd party fire inspector shall examine or cause to be examined the accompanying *construction documents* and shall ascertain by such examinations whether the work indicated and described is in accordance with the requirements of this code.

(xliv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2.1** to read as follows:

[A] 106.2.1 Information on construction documents. *Construction documents* shall be drawn to scale on suitable material. Documents in a digital format are allowed to be submitted where *approved* by the *fire code official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the *fire code official*, and any other information as required by the *fire code official* or 3rd party fire inspector. Plans submitted for review shall comply with and provide adequate information and details as applicable with this code and the *International Code Council* fire plan review guidelines and *NFPA* fire plan review guidelines. Buildings or portions of buildings storing or using chemicals including occupancy groups storing less than the maximum allowable quantity shall submit material classification letters to include a floor layout showing locations and amounts to be stored, method of use and any other information as required by the *fire code official* or 3rd party fire inspector.

Occupancy classification letter / material classification letter. A completed occupancy classification letter / material classification letter or other approved Fire Protection report shall be submitted to the *fire code official* or 3rd party reviewers for buildings or portions therefore that are to be used for any of the following purposes:

1. Warehousing or storage,
2. Retail including rack display of products,
3. Hazardous Materials storage and/or use,
4. Manufacturing,
5. Sales or storage of upholstered furniture, or
6. When it is determined by the *fire code official* or *fire chief* that sufficient quantities of chemicals are stored on site that could pose a hazard to firefighters in a fire emergency.

The occupancy classification letter / material classification letter is required to be submitted:

1. With the building permit submittal documents submitted to the *fire code official* or 3rd party reviewers when seeking a building permit;
2. To the *fire code official* or 3rd party inspectors during a final fire prevention inspection; or
3. At any other time when required by the *fire code official*.

The occupancy classification letter / material classification letter is to be prepared by the owner and/or tenant of the building/space in question. It is to be signed, dated and on company letterhead. The owner/tenant may use a registered design professional to prepare the occupancy classification letter / material classification letter or the *fire code official* may require the owner/tenant to use a registered design professional to prepare the occupancy classification letter / material classification letter. If the occupancy classification letter / material classification letter is pre-pared by a registered design professional, it is to be countersigned by the owner and/or tenant. A revised occupancy classification letter / material classification letter is to be submitted to the *fire code official* for review and approval prior to a change in:

1. The type or amount of chemicals or hazardous material(s) used or stored,
2. The type or amount of storage, storage height, method of storage, or change of storage location, or
3. The manufacturing process.

(xlv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2.2** to read as follows:

[A] 106.2.2 Fire protection system design and construction drawings. Design and construction drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the *construction documents*, and shall be *approved* prior to the start of

installation. Design and construction drawings shall contain all information as required by the referenced installation standards in Chapter 9.

(xlvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2.3** to read as follows:

[A] 106.2.3 Applicant responsibility. It shall be the responsibility of the applicant to ensure that the *construction documents* include all of the fire protection requirements and the design and construction drawings are complete and in compliance with the applicable State Laws and local codes and standards.

(xlvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2.4** to read as follows:

[A] 106.2.4 Reviewed documents. *Construction documents reviewed* by the *fire code official* and/or contracted plan reviewers are *reviewed* with the intent that such *construction documents* comply in all respects with this code. Reviewed documents by the *fire code official* and/or contracted plan reviewers shall not relieve the applicant and/or contractor of the responsibility of compliance with this code, local, state, or federal laws and codes. Any errors, oversights, or omissions from a review shall not preclude the designer or installer from complying with local, state, or federal laws and codes.

(xlviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.2.4.1** to read as follows:

[A] 106.2.4.1 Phased approval. The *fire code official* or 3rd party fire inspector is authorized to issue a permit for the construction of part of a structure, system or operation before the *construction documents* for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for parts of a structure, system or operation shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure, system or operation will be granted.

(xlix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.3** to read as follows:

[A] 106.3 Amended construction documents. Work shall be installed in accordance with the *reviewed construction documents* which a permit was issued for, any changes made during construction that are not in compliance with, modified, or altered the work from the *reviewed construction documents* which a permit was issued for shall be resubmitted for review as an amended set of *construction documents* prior to the continuation of work.

(l) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 106.4** to read as follows:

[A] 106.4 Retention of construction documents. One set of *construction documents* shall be retained by the *fire code official* for a period of not less than 5 years or for as long as the structure or activity to which such records or approvals relate remains in existence, unless otherwise provided by other regulations, or as required by state or local laws. One set of *reviewed construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. Where

changes or modification were made during construction a complete set of new As-Builts *construction documents* shall be provided to the *fire code official* at the completion of the project. A complete set of *construction documents* shall be provided to the owner(s) at the completion of the project for their records.

(li) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 107.3** to read as follows:

107.3 Permit valuations. The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *fire code official*, 3rd party fire inspector, or *building code official* the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the *fire code official*. Final permit valuation shall be set by the *fire code official*, 3rd party fire inspector, or *building code official*.

(lii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 107.4** to read as follows:

[A] 107.4 Work commencing before permit issuance. A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority, which shall be in addition to the required permit fees, and may receive a citation/summons to appear in municipal court.

(liii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.1** to read as follows:

[A] 108.1 Inspection authority. The *fire code official*, authorize representative of the fire department, inspectors, or other related technical officers is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

(liv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.2** to read as follows:

[A] 108.2 Inspections. The *fire code official*, authorize representative of the fire department, inspectors, or other related technical officers is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such *approved* agency or by the responsible individual. The *fire code official* is authorized to engage such expert opinion as deemed necessary to report on unusual, detailed or complex technical issues subject to the approval of the governing body.

(lv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.2.1** to read as follows:

[A] 108.2.1 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *fire code official*, 3rd party fire inspector, or permit office when

work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

(lvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.2.2** to read as follows:

[A] 108.2.2 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *fire code official* or 3rd party fire inspector. The *fire code official* or 3rd party fire inspector, on notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected, and such portion shall not be covered or concealed until authorized by the *fire code official* or 3rd party fire inspector.

(lvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.3** to read as follows:

[A] 108.3 Concealed work. It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Where any installation subject to inspection prior to use is covered or concealed without having first been inspected, the *fire code official* or 3rd party fire inspector shall have the authority to require that such work be made visible and able to be accessed for inspection. Neither the *fire code official* or 3rd party fire inspector nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

(lviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 108.4** to read as follows:

[A] 108.4 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. The approval of an inspection shall not prevent the *fire code official* or 3rd party fire inspector from requiring the correction of errors or violations in the construction or installation or from requiring the corrections after construction or installation has been completed. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.

(lix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 109.2** to read as follows:

[A] 109.2 Testing and operation. Equipment, systems, and devices requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code, applicable *NFPA* requirements, and/or manufactures requirements.

(lx) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 109.2.1** to read as follows:

[A] 109.2.1 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *fire code official* or 3rd party fire inspector for inspection and testing.

(lxi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 109.3** to read as follows:

[A] 109.3 Recordkeeping. A record of periodic inspections, tests, servicing and other operations and maintenance shall be maintained on the premises and other *approved* location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the *fire code official*, and a copy of the records shall be provided to the *fire code official* on request. The *fire code official* is authorized to prescribe the form and format of such recordkeeping. The *fire code official* is authorized to require that certain required records be filed with the *fire code official*.

(lxii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 109.4** to read as follows:

[A] 109.4 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code, applicable *NFPA* requirements, and/or manufactures requirements.

(lxiii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 109.6** to read as follows:

[A] 109.6 Overcrowding. Overcrowding or admittance of any person beyond the *approved* capacity of a building or a portion thereof shall not be allowed. The *fire code official*, *fire chief*, or any *police officer* of the City of Cibolo, upon finding any overcrowding conditions, or obstructions in *aisles*, passageways or other *means of egress*, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the function, gathering, or event to be stopped and if deemed necessary vacate the building until such condition, overcrowding, or obstruction is corrected. A person commits an offense if he or she refuses to obey an order to vacate.

(lxiv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 110.1** to read as follows:

[A] 110.1 Authority to disconnect service utilities. The *fire code official*, fire chief, or fire department battalion chief shall have the authority to authorize disconnection of utility service to the building, structure or system in order to safely execute emergency operations or to eliminate an immediate hazard. The *fire code official*, fire chief, or fire department battalion chief shall notify the serving utility and, where possible, the *owner* or the *owner's* authorized agent and the occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, then the *owner*, the *owner's* authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

(lxv) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **111 Board of Appeals** to delete sections **[A] 111.1 Board of appeals established, [A] 111.2 Limitations of Authority** and **[A] 111.3 Qualifications** in their entirety and substituting the following in lieu thereof:

[A] 111.1 Board of appeals established. A Board of Appeals is established under and shall operate pursuant to City of Cibolo Code of Ordinances Section 14-3.

(lxvi) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 112.2** to read as follows:

[A] 112.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the *owner* or the owner's authorized agent. Where an occupant creates, or allows to be created, violations, or hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such violation or hazardous conditions. When resolution of any abatement of such violation or hazardous conditions cannot be made by the occupant, the owner shall be ultimately responsible. The *owner* or owner's authorized agent shall be responsible for any permanent and/or fixed fire-extinguishing systems, fire alarm, fire- warning systems or devices at a premise.

(lxvii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 112.4** to read as follows:

[A] 112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C misdemeanor, punishable by a fine of not more than $2,000.00 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(lxviii) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 113.1** to read as follows:

[A] 113.1 Authority. Where the *fire code official* or 3rd party fire inspector finds any work regulated by this code being performed in a manner contrary to the provisions of this code, or in a dangerous or unsafe manner, the *fire code official* or 3rd party fire inspector is authorized to issue a stop work order.

(lxix) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 113.3** to read as follows:

[A] 113.3 Emergencies. Where an emergency exists, the *fire code official* or 3rd party fire inspector shall not be required to give a written notice prior to stopping the work.

(lxx) CHAPTER 1 SCOPE AND ADMINISTRATION is hereby amended by amending **[A] 113.4** to read as follows:

[A] 113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $100.00 dollars or more than $500.00 dollars.

(lxxi) CHAPTER 2 DEFINITIONS is hereby amended by amending **202** to read as follows:

202 General Definitions.

[BG] AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who

are rendered *incapable of self-preservation by* the services provided or staff has accepted responsibility for care recipients already incapable.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-preservation if the person is conscious, yet unable to determine the direction of or traverse the means of egress without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

BATTERY TYPES. For the purposes of this code, certain types are defined as follows:

Flow battery. A type of storage battery that includes chemical components dissolved in two different liquids. Ion exchange, which provides the flow of electrical current, occurs through the membrane while both liquids circulate in their respective spaces.

Lead-acid battery. A storage battery that is comprised of lead electrodes immersed in sulfuric electrolyte.

Lithium metal polymer battery. A storage battery that is comprised of nonaqueous liquid or polymerized electrolytes, which provide ionic conductivity between lithiated positive active material electrically separated from metallic lithium or lithiated negative active material.

Lithium-ion battery. A storage battery that consists of lithium ions embedded in a carbon graphite or nickel metal-oxide substrate. The electrolyte is a polymer mixture of carbonates with an inorganic salt and can be in a liquid or a gelled polymer form. The lithium ions are the charge carriers of the battery.

Nickel-cadmium (Ni-Cd) battery. An alkaline storage battery in which the positive active material is nickel oxide, the negative contains cadmium and the electrolyte is potassium hydroxide.

Nickel-metal hydride (Ni-MH). An alkaline storage battery in which the positive active material is nickel oxide, the negative electrode is an intermetallic compound and the electrolyte is usually potassium hydroxide.

Nonrecombinant battery. A storage battery in which, under conditions of normal use, hydron and oxygen gases are created by electrolysis are vented into the air outside of the battery.

Recombinant battery. A storage battery in which, under conditions of normal use, hydron and oxygen gases are created by electrolysis are converted back into water inside the battery instead of venting into the air outside of the battery.

Preengineered stationary storage battery system. An energy storage system consisting of batteries, a battery management system, components and modules that are produced in a factory, designed to comprise the system when assembled on the job site.

Prepackaged stationary storage battery system. An energy storage system consisting of batteries, a battery management system, components and modules that is factory assembled and shipped as a complete unit for installation at the job site.

Sodium-beta storage battery. A storage battery, also referred to as a Na-beta battery or NBB, which uses a solid beta-alumina electrolyte membrane that selectively allows sodium ion transport between a positive electrode such as metal halide and a negative sodium electrode.

Stationary storage battery. A group of electrochemical cells interconnected to supply a nominal voltage of DC power to a suitably connected electrical load, designed for service in a permanent location. The number of cells connected in a series determines the nominal voltage rating of the battery. The size of the cells determines the discharge capacity of the entire battery. After discharge, it may be restored to a fully charged condition by electric current flowing in a direction opposite to the flow of current when the battery is discharged.

Valve-regulated lead acid (VRLA) battery. A lead-acid battery consisting of sealed cells furnished with a valve that opens to vent the battery whenever the internal pressure of the battery exceeds the ambient pressure by a set amount. In VRLA batteries, the liquid electrolyte in the cells is immobilized in an absorptive glass mat (AGM cells or batteries) or by the addition of a gelling agent (gel cells or gelled batteries).

Vented (flooded) lead-acid battery. A lead-acid battery consisting of cells that have electrodes immersed in liquid electrolyte. Flooded lead-acid batteries have a provision for the user to add water to the cells and are equipped with a flame-arresting vent which permits the escape of hydrogen and oxygen gas from the cells in a diffused manner such that a spark, or other ignition source, outside the cell will not ignite the gases inside the cell.

CAPACITOR ENERGY STORAGE SYSTEM. A stationary, rechargeable energy storage system consisting of capacitors, chargers, controls and associated electrical equipment designed to provide electrical power to a building or facility. The system is typically used to provide standby or emergency power, an uninterruptable power supply, load shedding, load sharing or similar capabilities.

Pre-engineered capacitor energy storage system. A capacitor energy storage system consisting of capacitors, an energy management system, components and modules that are produced in a factory, designed to comprise the system when assembled on the job site.

Prepackaged capacitor energy storage system. A capacitor energy storage system consisting of capacitors, an energy management system, components and modules that is factory assembled and then shipped as a complete unit for installation at the job site.

[A] CHANGE OF OCCUPANCY. Any of the following shall be considered as a change of occupancy where this code requires a greater degree of safety, accessibility, structural strength, fire protection, *means of egress*, ventilation or sanitation than is existing in the current building or structure:

1. Any change in the occupancy classification of a building or structure.
2. Any change from one group to another group within an occupancy classification.
3. Any change in use within a group for a specific occupancy classification.
4. Any change in the purpose of, or a change in the level of activity within, a building or structure.

[M] COMMERCIAL COOKING APPLIANCES. Appliances that are used outside of residential occupancies, and are used in a commercial setting or commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local exhaust ventilation system. Such appliances include deep fat fryers, upright broilers, griddles, broilers, steam-jacketed kettles, hot- top ranges, under-fired broilers (charbroilers), ovens, barbecues, rotisseries, and similar appliances. For the purpose of this definition, a food service establishment shall include any building or a portion thereof used for the preparation and serving of food.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. Also known as an Emergency Apparatus Access Road. This is a general term inclusive of all other terms such as *fire lane*, public street, private street, parking lot lane, access roadway, and drive.

FIRE CODE OFFICIAL. The person appointed by the City Council or legislative authority of the jurisdiction such as the Fire Marshal or in the absences of the Fire Marshal the *fire chief* or other designated authority charged with the administration and enforcement of the code, or a duly authorized representative.

FIRE WATCH. A temporary measure by one or more qualified individuals whose sole duty is performing a continuous and systematic watch and patrol of a property, building(s) or portion thereof for the purposes of identifying any suspicious or potentially hazardous conditions, any abnormalities or concerns that need close observation, identifying and controlling fire hazards, detecting early signs of unwanted fire or other emergency, and raising an alarm of any fire or other emergency and notifying Emergency Services Dispatch and the Fire Department, and keeping record at timed intervals. Fire watch personnel shall have proper and adequate means of communication devices.

[BG] FOSTER CARE FACILITIES. Facilities or dwellings that provide care to more than five children, up to the age of eighteen (18) years old and not related to the caregiver.

[BG] HABITABLE SPACE. A space in a building for living, sleeping, eating, cooking, or working. Bathrooms, toilet rooms, closets are not considered habitable spaces.

[BG] HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (10 668 mm) above the lowest level of fire department vehicle access.

HOT WORK PERMITS. Permits issued by the jurisdiction or where *approved* by the responsible person at the facility under the hot work permit program permitting welding or other hot work to be done in locations referred to in Section 3503.3 and pre-permitted by the *fire code official*.

[BG] INCAPABLE OF SELF-PRESERVATION. Persons who, because of age, physical limitations, mental limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation. It is reasonable to determine that a person is incapable of self-preservation if the person is conscious, yet unable to determine the direction of travel from a building or area to the outside without supervision or direction from other persons, to include persons with or experiencing an altered state of consciousness.

[BG] MEDICAL CARE. Care involving medical, dental, or surgical procedures, nursing, or for psychiatric purposes.

MOBILE FOOD PREPARATION VEHICLES. Vehicles, trailers, or watercraft that contain any heat producing equipment to cook, fry or warm products or any cooking equipment that produce smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for and used for private recreation shall not be considered mobile food preparation vehicles.

OCCUPANCY CLASSIFICATION. For the purposes of this code, certain occupancies are defined as follows:

[BG] Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

New educational Group facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

[BG] Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than five children older than 2 ½ years of age who receive educational, supervision or personal care services for less than 24 hours per day.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

[BG] Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care or supervision is provided to persons who are not capable of self-preservation without physical assistance or in which persons are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies shall be classified as Group I-1, I-2, I-3 or I-4.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

[BG] Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code* in accordance with Section 101.2 of the *International Building Code*. Group R occupancies not constructed in accordance with the *International Residential Code* as permitted by Sections 310.4.1 and 310.4.2 of the *International Building Code* shall comply with Section 420 of the *International Building Code*.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

OVERCROWDING. A condition that exists when either there are more people in a building, structure or portion thereof than have been authorized or posted by the Fire Marshal, or when the *fire code official*, fire chief, or any *police officer* of the City of Cibolo, determines that a threat exists to the safety of the occupants due to persons sitting and/or standing in locations that may obstruct or impede the use of *aisles*, passages, *corridors*, *stairways*, *exits* or other components of the *means of egress*, or upon finding any condition which constitutes a life safety hazard.

[BG] PRIVATE GARAGE. A building or portion of a building in which motor vehicles used or stored by the *owner* or tenants of the building or buildings on the premises and are stored or kept, without provisions for repairing or servicing such vehicles for profit.

SKY LANTERN. A device with a fuel source that incorporates an open flame in order to make the device airborne also known as sky candles, fire balloons, Chinese lanterns. This definition does not include manned Zeppelin, hot air balloons, rigid airships, dirigibles, blimps, and similar.

SPECIAL AMUSEMENT BUILDING. A building that is temporary, permanent, or mobile that contains a device or system that conveys passengers or provides a walkway along, around, or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or intentionally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure, to include escape rooms, haunted houses, and similar uses.

(lxxii) CHAPTER 2 DEFINITIONS is hereby amended by amending **202** to amend a miss print to the Edition printing to read as follows:

[BG] SMOKE COMPARTMENT. A space within a building separated from other interior areas of the building by *smoke barriers*, including interior walls and *horizontal assembles*.

(lxxiii) CHAPTER 2 DEFINITIONS is hereby amended by amending **202** to add as follows:

202 General Definitions.

BATTERY SYSTEM, STATIONARY LEAD ACID. A system which consists of three interconnected subsystems:

1. A lead-acid battery.
2. A battery charger.

3. A collection of rectifiers, inverters, converters, and associated electrical equipment as required for a particular application.

CAPACITOR ARRAY. An arrangement of individual capacitor modules in close proximity to each other, mounted on storage racks or in cabinets or other enclosures.

CARNIVAL/CIRCUS. An organized program or event of entertaining or exhibition, which may or may not include merrymaking, feasting, and/or masquerading, either inside or outside a structure, and may or may not include animals or motorized vehicles.

ENCLOSED PATIO. A space, under a roof covering, that is enclosed on two sides or more by screen wire, mesh wire, glass, plastic/vinyl, or other material, to include railing, half walls, and similar where the means of egress may be limited or restricted to one or more openings that limits egress from or requires egressing through any portion of an occupied structure, or where there may only be one or more means of egress that is open to free egress movement. The area of an enclosed patio shall be considered part of the interior of the structure and shall be included in calculating the occupancy capacity of a building, and shall meet the requirements for egress, egress lighting, and any other provision of this code or the *International Building Code*.

ENERGY MANAGEMENT SYSTEM. An electronic system that protects stationary storage batteries from operating outside their safe operating parameters, and generates an alarm and trouble signal for off normal conditions.

FIRE MARSHAL. The official responsible for investigations of fires, inspection of facilities, and fire code enforcement.

FOOD BOOTH. A food booth is a temporary portable canopy, or any form of roofed structure, tent, or area with or without walls on any side.

ENGINEERED SYSTEMS FOR KITCHEN HOOD SUPPRESSION SYSTEM. Fixed suppression system types of engineered systems.

Pre-Engineered System

Designed and built as a self-contained unit.

Designed and pre-built off site as a complete assembly, disassembled brought to site and reassembled.

Engineered System

Shop designed and built on site, where tube and pipe are measured on site cut to length threaded/assembled, cylinders mounted and piped to, controller mounted and connected to devices and appurtenances, nozzles/heads are set at their respective height and location, etc.

Engineered System/Pre-Engineered Hybrid

Pre-Engineered component(s) used with the remaining system built on site, where tube and pipe are measured on site cut to length threaded/assembled, cylinders mounted and piped to, controller mounted and connected to devices and appurtenances, nozzles/heads are set at their respective height and location, etc. This type of design is treated as an engineered system.

MOBILE FOOD ESTABLISHMENT OR VENDING. A mobile food operation using any heat producing equipment or appliance to cook, fry, or warm products for consumption from a motorized vehicle, towable trailer, watercraft, or similar. Mobile food establishments shall comply with all the same requirements for commercial cooking operations.

MONITORING AGREEMENT. A contractual agreement between a building owner/tenant and a licensed or registered firm to provide monitoring service to an installed fire protection system when required. Such service shall include either remote or central service.

MULTI-FAMILY DWELLING. Any residential structure consisting of three (3) or more residential dwelling units. (Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.) These buildings are typically, but not always, classified within the Group "R" occupancy classification.

OCCUPANT. Any person, agent, operator, entity, firm, or business that occupies a building or part thereof as an owner or tenant.

PARKED. To halt or stop an occupied or unoccupied vehicle, other than temporarily while receiving or discharging passengers or while actively loading or unloading merchandise.

PORTE-COCHERE. A roofed structure that is open on at least three sides and extends from the building entrance over an adjacent driveway or driving surface and shelters vehicle ingress and egress.

SHELL BUILDING. A shell building is a structure that when completed is not ready for occupancy. A shell building consists of all exterior walls and windows, the roof structure, interior fire rated or separation walls, life safety systems (fire sprinkler, fire alarm, and similar), plumbing mains services, electrical utilities, and also includes elevated floor assemblies, mezzanines, stairways, and elevators. Shell buildings shall comply with Section 311. Shell buildings are not for occupancy and upon completion shall not receive a Certificate of Occupancy upon completion shell buildings will receive a Letter of Completion from the city building department.

STATIONARY BATTERY ARRAY. An arrangement of individual stationary storage batteries in close proximity to each other, mounted on storage racks or in modules, battery cabinets or other enclosures.

(lxxiv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **304.1** to read as follows:

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises. Designers, contractors, and owners shall not be excluded from complying with local, state, or federal laws and codes to include the *Texas State Health and Safety Code* in the design of and daily operations.

(lxxv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **304.1.3** to read as follows:

304.1.3 Space underneath seats. Spaces underneath grandstand and bleacher seats shall be kept free from combustible and flammable materials and shall not be used for storage. Except where equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 and enclosed in not less than 1-hour *fire-resistance-rated* construction in accordance with the *International Building Code*.

(lxxvi) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **304.2** to add Subsection **304.2.1** to read as follows:

304.2.1 Dangerous storing of combustibles. It shall be unlawful and a nuisance for any person to have or keep or store, any quantity of tar, pitch, resin, petroleum or its products, or other combustible materials or substances in such manner that such materials or substances shall be in danger of taking and communicating fire.

(lxxvii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by deleting **304.3.3 Capacity exceeding 1.5 cubic yards** and combining with **304.3.4 Capacity of 1 cubic yard or more**.

(lxxviii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **304.3.4** to read as follows:

304.3.4 Capacity of 1 cubic yard or more. Dumpsters with an individual capacity of 1.0 cubic yard [200 gallons (0.76 m^3)] or more shall not be stored in buildings or placed within 10 feet (3048 mm) of combustible walls, openings or combustible roof eave lines, or Lot lines, property lines that can be built upon.

Exceptions:

1. Dumpsters in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1.
2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.
3. The separation distance from Lot lines or property lines is allowed to be reduced to 3 feet (914 mm) where adjacent to a drainage or driving surface of not less than 20 feet (6096 mm) in width, or where the *fire code official* determines that hazard to the adjoining property does not exist, where the storage of combustible materials cannot be placed, or any structures or auxiliary structures cannot be built, placed, or erected.

(lxxix) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **305.2** to read as follows:

305.2 Hot ashes and spontaneous ignition sources. Hot ashes, cinders, smoldering coals or firebrands shall not be carried or transported, into or upon any street or other thoroughfare, except where *approved* by and in accordance with Department of Transportation regulations. Hot ashes, cinders, smoldering coals or greasy or oily materials subject to spontaneous ignition shall not be deposited in a combustible receptacle, within 10 feet (3048 mm) of other combustible material including combustible walls and partitions or within 5 feet (1524 mm) of openings to buildings.

Exception: The minimum required separation distance to other combustible materials shall be 2 feet (610 mm) where the material is deposited in a covered, noncombustible receptacle and placed on a noncombustible floor, ground surface or stand.

(lxxx) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **307.3** to read as follows:

307.3 Extinguishment authority. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, or where open burning has become offensive or questionable due to smoke or odor emissions, or when atmospheric conditions change or local circumstances make such fires hazardous, the *fire code official*, fire chief, or fire

department battalion chief is authorized to order the extinguishment of the *open burning* operation.

(lxxxi) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **308.1.2** to add Subsection **308.1.2.1** to read as follows:

308.1.2.1 Projection of ignited materials. No person shall drop or throw ignited materials, to include a lighted match, cigar, cigarette, or other flaming or glowing substance from a structure or vehicle.

(lxxxii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **308.1.4** to add Subsection **308.1.4.1** to read as follows:

308.1.4.1 Temporary Food Vender Booths and Mobile Food Preparation Operations. Shall comply with the following:

Fire Extinguishers. Shall be in accordance with Section 906, and:

1. Each vender and/or booth shall have their own fire extinguisher(s) for use.
   1.1 Non-cooking vendors – ABC type dry chemical minimum rating of 2-A:10-B:C.
   1.2 Cooking with flat grills, fryers, woks, etc., requires a Class K fire extinguisher.
   1.3 Cooking not producing grease-laden vapors requires a 3-A:40-B:C extinguisher.

No smoking signs:

1. All food booths and mobile food preparation vehicles equipped with propane shall post a "NO SMOKING" sign next to or directly above the propane tank and visible to the public.
2. Sign shall be posted with a minimum of four-inch lettering on a contrasting background.

Compressed Gas Cylinders:

1. Liquid Propane Gas cylinders must be properly secured and remain secured at all times.
2. Must be stored on the exterior of the vehicle.
3. Must be secured to a fixed object.
4. Minimum of 10-foot clearance between other mobile food preparation vehicles or other combustible materials.

Generators:

1. Fuel tanks should be of adequate capacity to permit uninterrupted operation during normal operating hours.
2. Generators should not be refueled during public hours of the event. Generators shall not be refueled when the engine is running or hot and shall be performed at least twenty (20) feet from tents, canopies, and membrane structures.
3. Generators shall be isolated from contact with the public.
4. Storage of gasoline or diesel fuel is not allowed near generators or in food/vender booths.

Electrical:

1. Only heavy-duty three prong extension cords should be used. Extension cords shall be of sufficient gauge wire and type to serve the rated ampacity of equipment and/or appliance being powered and be UL Listed.

2. Electrical wiring, devices, appliances and other equipment are to be in good working condition without splices, deterioration or damage. No modified or damaged equipment is to be used.
3. Power strips are allowable, but at no time can be "daisy chained" (plugging one power strip into another) together, and are only allowed for low amp electronics.
4. Power strips are not permitted to be used as power taps for fans, refrigeration, cooking, heating, and similar appliances or equipment. Separate power cords should be used for each appliance.

Mobile Food Preparation Vehicles:

1. The cooking of foods using a flat grill, fryer, char grill, or other device inside a truck or trailer will require an exhaust hood and fire suppression system.
   Exemption: B-B-Que pits on open trailers.

Open-flame cooking devices associated with food booths:

1. All cooking equipment shall be of an *approved* type.
2. All food booths with cooking operations shall be required to have their own portable fire extinguishers in accordance with Section 904.12.5. The extinguisher must be currently inspected by a Texas licensed fire extinguisher company with a current inspection tag attached. Required inspection once a year.
3. Food booths shall be located a minimum of 20 feet (6096 mm) from any permanent structure.
4. Food booths utilized for cooking operations shall have a minimum of 10 feet (3048 mm) separation between booths, vehicles, or trailers. Where *approved* by the *fire code official* or fire chief and when due to limited space where a 10 foot clearance is not possible on all sides, and where a 20 foot clearance is provided on two opposite sides no more than two booths shall be placed side-by-side and a three (3) foot aisle space shall be maintained between the two (2) booths and 10 foot clearance is maintained on each side of groups of two (2) booths.
5. Exit openings shall be a minimum of 32 inches (813 mm) wide and 74 inches (1880 mm) in height. Unobstructed exist access shall be provided from all food booths.
6. Combustible storage and materials shall not be within 5 feet (1524 mm) of solid fuel burning apparatus, gas burners, or open flames.
7. There may be no storage of liquid or compress gas fuel(s) in the food booths. Except for the liquid or compressed gas container attached to the cooking device.
8. A minimum of 18 inches (457 mm) shall be provided between the food booth and cooking appliance.
9. A minimum of 5 feet (1524 mm) of clearance must be maintained between the public and all cooking devices.
10. A minimum of 18 inches (457 mm) shall be provided between deep fat frying appliance, woks, flat top grills, and/or open flame stoves or devices. Where less than 18 inches deep-fat fryers shall have a steel baffle between the fryer and surface flames of an adjacent appliance. The baffle shall be 8 inches in height and be the full depth of the appliance.

Coleman stoves or equivalent associated with food booths:

1. No gasoline or kerosene may be used, unless the device is specifically designed and listed for that fuel.
2. No fueling of stove may be done in the food booth.
3. There may be no storage of fuel in the food booth.

Butane or propane equipment associated with food booths:

1. The maximum size of Liquid Petroleum Gas tanks that can be used inside of a booth is 1.5 gallons (5.6 L) or less. Liquid Petroleum Gas tanks with more than 1.5 gallons shall be located outside of food booth. Not more than 1 spare Liquid Petroleum Gas container per booth, with an aggregate weight not exceeding 20 pounds shall be allowed to be stored outside of the food booth.
2. Cooking appliances shall have an on-off valve. Tank shut-off valves shall not be used as an on-off valve for the appliance.
3. Any hose(s) used to pipe LP Gas to a device shall be listed by UL, FM, or other approved agency and listed specifically for LP Gas service or use. All valves, couplings, fittings, and any other devices shall meet the requirements for LP Gas Service as outlined in the *Uniform Mechanical Code*, NFPA 54 and 58, or will be deemed unapproved and removed from service.
4. All tanks must be protected from damage and secured in the upright position.
5. Tanks located outside of booths must have a pressure regulator if in excess of 5-gallon capacity.
6. Liquid Petroleum Gas tanks shall not be located within 10 feet of a building door or window.
7. All valves must be turned off when appliances/ tanks are not in use.
8. Emptied liquid or compressed gas tanks or cylinders are to be removed from the site immediately after use.
9. Prior to use, all connections must be tested for leaks (may be done with a soap and water solution).

Solid fuel cooking associated with food booths:

1. Solid fuel cooking is prohibited inside of booths.
2. Solid fuel cooking shall be performed only in areas with a safe clearance away from the public.
3. Only commercially sold charcoal lighter fluid, electric starters, or propane torch may be used (no gasoline, kerosene, etc.).
4. Storage of starter fuel in the booth is not permitted.
5. Barbecue and solid fuel burning units shall be constantly attended while in use or until cool.
6. Coals shall be disposed of only in metal containers that have been designated for such use and are approved by the *fire code official*.
7. Dumping of coals in trash containers is prohibited.

Decorations:

1. All decorative material shall be at least six (6) feet away from any open flame, cooking element, or heat source or be flame resistant.

(lxxxiii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **310.1** to read as follows:

310.1 General. The smoking or carrying of a lighted pipe, cigar, cigarette, or any other type of smoking paraphernalia or material is prohibited in the areas indicated in Sections 310.2 through 310.8 and prohibited in all public places within the city limits of the City of Cibolo and in accordance with the provisions of *City of Cibolo Ordinance 680.*

(lxxxiv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **311.6** to read as follows:

311.6 Unoccupied tenant spaces in mall buildings, strip centers or lease spaces. Unoccupied tenant spaces in covered and open mall buildings, strip centers or lease spaces shall be:

1. Kept free from the storage of any materials.
2. Separated from the remainder of the building by partitions of not less than 0.5-inch-thick (12.7 mm) gypsum board or an *approved* equivalent and to the underside of the ceiling of the adjoining tenant spaces.
3. Secured openings and all doors shall be kept key locked in the closed position except during that time when open for inspection and/or cleaning.
4. Kept free from combustible waste and be broom swept clean.

(lxxxv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **312.1** to read as follows:

312.1 General. Vehicle impact protection required by this code shall be provided by posts that comply with Section 312.2 or by other *approved* physical barriers that comply with Section 312.3.

New and existing care facilities shall provide vehicle impact protection in accordance with Section 312.1 where any one of the following conditions exists:

1. Buildings or facilities without above grade foundations and structural exterior walls.
2. Buildings or facilities with at grade foundations.
3. Buildings or facilities having unobstructed vehicle access to the building or area.

Tire stops, curbs, sidewalks or similar do not count as protection, barriers, or obstructions.

(lxxxvi) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **313.1** to read as follows:

313.1 General. Fueled equipment including, but not limited to, portable generators and portable cooking equipment, motorcycles, mopeds, go-carts, golf carts, lawn-care equipment, and similar shall not be fueled, defueled, stored, operated, or repaired within a building.

Exceptions:

1. Buildings or rooms constructed for such use in accordance with the *International Building Code*.
2. Where allowed by Section 314.
3. Storage of equipment utilized for maintenance purposes is allowed in *approved* locations where the aggregate fuel capacity of the stored equipment does not exceed 10 gallons (38 L) and the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.

(lxxxvii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **315.3.1** to read as follows:

315.3.1 Ceiling clearance. Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings and not less than 18 inches (457 mm) below the level plane of the sprinkler head deflectors in sprinklered areas of buildings.

(lxxxviii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **315.3.3** to amend a miss print to the Edition printing to read as follows:

315.3.3 Equipment rooms. Combustible material shall not be stored in boiler rooms, mechanical rooms, elevator machine rooms, electrical equipment rooms or in *fire command centers* as specified in Section 508.1.5.

(lxxxix) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **315.4** to read as follows:

315.4 Outside storage. Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property or lot line.

Exceptions:

1. The separation distance is allowed to be reduced to 5 feet (1524 mm) for storage not exceeding 6 feet (1829 mm) in height and the *fire code official* determines that no hazard to the adjoining property exists.
2. The separation distance is allowed to be reduced when the *fire code official* determines that no hazard to the adjoining property exists.

(xc) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **316.4** to read as follows:

316.4 Obstructions on roofs. Wires, cables, ropes, antennas, or other suspended obstructions installed on the roof of a building having a roof slope of less than 30 degrees (0.52 rad) shall not create an obstruction that is less than 7 feet (2133 mm) high above the surface of the roof.

Exceptions:

1. Such obstruction shall be permitted where the wire, cable, rope, antenna or suspended obstruction is encased in a white, 2-inch (51 mm) minimum diameter plastic pipe or an *approved* equivalent and where such obstruction is not located across a marked, designated, or implied walking surface.
2. Such obstruction shall be permitted where there is a solid obstruction below such that accidentally walking into the wire, cable, rope, antenna or suspended obstruction is not possible.

(xci) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **316.6.2** to read as follows:

316.6.2 Outdoor storage. Outdoor storage within the utility easement underneath high-voltage transmission lines shall be limited to noncombustible material. Storage of hazardous materials including, but not limited to, *flammable* and *combustible liquids* is prohibited.

Exception: Combustible storage, including vehicles and fuel storage for backup power equipment serving public utility equipment, is allowed, provided that a plan indicating the storage configuration is submitted and *approved*, and a letter of approval from the electric utility provider is submitted to the city with the plan submittal.

(xcii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **317.1** to amend a miss print to the Edition printing to read as follows:

317.1 General. Landscaped roofs shall be installed and maintained in accordance with Sections **317.2** through 317.5 and Sections 1505 and 1507.15 of the *International Building Code*.

(xciii) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **319.1** to read as follows:

319.1 General. Mobile food preparation vehicles shall comply with this section.

(xciv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **319.4** to add **319.4.3** to read as follows:

319.4.3 Fire extinguisher for generators. Portable generators shall have a (3-A:40-B:C) portable fire extinguisher in addition to the other fire extinguishers.

(xcv) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **319.4.3** to read as follows:

319.5 Appliance connection to fuel supply piping. Gas cooking appliances shall be secured in place and connected to fuel-supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installation shall be configured in accordance with the manufacturer's installation instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturer's instructions. Appliances shall be secured in position to prevent shifting or movement during travel and an approved method shall be provided that will ensure that the appliance is returned to the design location after cleaning or movement of the appliance. Appliances on casters or legs without casters shall be provided with caster or leg positioning devices securely attached to the floor. Where appliances do not appear to be properly located the *fire code official* is authorized to require an evaluation of the fixed suppression system to ensure all appliances are correctly positioned and the correct nozzles are in place.

(xcvi) CHAPTER 3 GENERAL REQUIREMENTS is hereby amended by amending **319.7.2** to read as follows:

319.7.2 Nonmetallic storage tanks. Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall comply with both of the following:

1. Tanks shall be *listed* for use with cooking oil, including maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 60 gallons (227 L) per tank.

(xcvii) CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS is hereby amended by amending **401.8** to read as follows:

401.8 Interference with fire department operations. It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of a fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any fire department operation. When requested to make location no owner, agent, or responsible person shall fail to respond to the location of the fire or other emergency or make contact with the Fire Chief, Battalion Chief, or Officer of the fire department in charge at the scene of a fire or other emergency.

(xcviii) CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS is hereby amended by amending **403.7.2** to amend a miss print to the Edition printing to read as follows:

403.7.2 Group I-2 occupancies. Group I-2 occupancies shall comply with Sections 403.7.2.1 through 403.7.2.5.

(xcix) CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS is hereby amended by amending **Table 405.3** to amend a miss print to the Edition printing to read as follows:

TABLE 405.3
FIRE AND EVACUATION DRILL FREQUENCY AND PARTICIPATION

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Staff
Group B[a]	Annually	All occupants
Group B (Ambulatory care facilities)	Quarterly on each shift	Staff
Group B[a] (Clinic, outpatient)	Annually	Staff
Group E	Monthly	All occupants
Group F	Annually	Employees
Group I-1[c]	Semiannually on each shift	All occupants
Group I-2	Quarterly on each shift	Staff
Group I-3	Quarterly on each shift	Staff
Group I-4	Monthly on each shift	All occupants
Group R-1	Quarterly on each shift	Employees
Group R-2[b]	Four annually	All occupants
Group R-4[c]	Semiannually on each shift	All occupants

a. Emergency evacuation drills are required in Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
b. Emergency evacuation drills in Group R-2 college and university buildings shall be in accordance with Section 403.9.2.1. Other Group R-2 occupancies shall be in accordance with Section 403.9.2.2.
c. In Groups I-1 and R-4, See Section 403.7.1.4 and 403.9.3.4 for additional drills for staff.

(c) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **501.3** to read as follows:

501.3 Construction documents. *Construction documents* for proposed site development and/or building construction shall include fire apparatus access, location of *fire lanes*, security gates across fire apparatus access roads and *construction documents* and hydraulic calculations for fire flow for proposed buildings and for fire hydrant systems shall be submitted to the Fire Marshal's Office or 3rd party fire inspector for review and permitting prior to construction. A Fire Protection Plan Sheet (labeled as such) shall be submitted with the site plan construction documents *Construction documents* shall be drawn to an indicated scale, on sheets of uniform size, and shall show and include, but not be limited to, the following:

1. Property owners name, address, and contact information, developers name, address, and contact information, Engineers name, address, and contact information,
2. Compass Reading in the form of a North indicating arrow,
3. Property and/or Lot Lines,
4. Street Frontage,
5. Location of all buildings (existing and proposed), to include type of construction and proposed use,
6. Emergency apparatus access roads (i.e. fire lanes) to buildings. Fire lanes shall be highlighted and shall include dimensions (width, turning radii, clearance to overhead obstructions, support design requirement, etc.) and distance to all portions of the building(s),
7. Fences, gates, walls, retaining walls (to include heights of retaining walls), streams, and other obstructions to firefighter access,

8. Location of all fire hydrants (existing and proposed). This shall include the direction and distance to all hydrants not shown on the site plan, but within one thousand (1000) feet of the building(s) to be protected, to include measured distance from hydrant(s) to all portions of the building(s),
9. Location of all aboveground and underground utilities (electric, gas water, etc.) along or across the property and up to the building(s) with proposed location of meters,
10. Size (diameter and length) and location of all water main piping (proposed and existing). The pressure class and type of new pipe to be installed shall be identified,
11. Size, type, and location of valves including post indicator valves (if they are located in a pit), control room(s), automatic sprinkler system shut-off, etc.
12. The location, type, and size of backflow prevention device(s), where installed,
13. Location of Fire Department Connection(s) suppling automatic sprinkler risers and standpipe risers,
14. Location of all automatic sprinkler piping and standpipe riser piping,
15. Other water supplies where applicable, and
16. Current fire flow data for determining construction type and fire sprinkler requirements.

(ci) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **501.3.1** to amend a miss print to the Edition printing to read as follows:

501.3.1 Site safety plan. The *owner* or *owner's* authorized agent shall be responsible for the development, implementation and maintenance of an *approved* written *site safety plan* in accordance with Section 3303.

(cii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.1.1** to read as follows:

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building, dwelling, or portion of a building hereafter constructed or moved into or within the jurisdiction. The minimum street, road, drive, or lane width for streets, roads, drives, or lanes with fire hydrants along them is 26 feet curb face to curb face or clear unobstructed driving surface. Where streets, roads, or lanes have islands, curbs, or other obstructions present the 26-foot width is considered to be met when a minimum 20-foot curb face to curb face or clear unobstructed driving surfaces are provided on both sides of the obstruction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility, building, or dwelling and all portions of the *exterior walls* of the first story of the building as measured by an *approved* accessible route around the exterior of the building or facility. Facilities, buildings, or dwellings without fully accessible side yards to the rear and/or rear yards that are fenced, cross fenced, or designed in a manner that would create a land locked rear yard or otherwise obstructed preventing access for fire or emergency rescue operations shall provide *approved* fire apparatus access roads along the rear of the properties or lots.

Exception:

1. When request is made and evaluated by the *fire code official* based on the site, property conditions, and/or other factors the *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
    1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.
    1.2. There are not more than two Group R-3 or Group U occupancies, and where fire hydrants supplied from public water mains and are within 400 feet (122

m) of all portions of the dwelling or building and all portions of the *exterior walls* of the first story of the dwelling or building as measured by an *approved* accessible route around the exterior of the dwelling or building.

1.3. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an *approved* alternative means of fire protection is provided.

2. Where approved by the *fire code official*, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

The *fire code official* is authorized to require existing facilities, buildings, or portions of a building to comply with this section.

(ciii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.2.1** to read as follows:

503.2.1 Dimensions. Fire apparatus access roads with a fire hydrant shall have an unobstructed width of not less than 26 feet (7925 mm) curb face to curb face or clear unobstructed driving surface the length of the road. Where fire apparatus access roads have islands, curbs, or other obstructions present the 26-foot width is considered to be met when a minimum 20-foot curb face to curb face or clear unobstructed driving surfaces are provided on both sides of the obstruction. Fire apparatus access roads without a fire hydrant shall have an unobstructed width of not less than 20 feet (6096 mm) curb face to curb face or clear unobstructed driving surface, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm). All surface width measurements without curbs is exclusive of shoulders.

(civ) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.2.4** to read as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 50 foot outside radius and 28 foot inside radius the *fire code official* is authorized to adjust the radius if determined necessary based on any conditions present.

(cv) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.2.7** to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the *fire code official* based on the fire department's apparatus and shall not exceed 8 percent. Fire apparatus access roads shall not have high or low elevation changes that would allow an apparatus to bottom out the center of, or nose into, or cause the rear of the apparatus to drag the surface.

(cvi) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.2.8** to read as follows:

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus. Fire apparatus access roads shall not have high or low elevation changes that would allow an apparatus to bottom out the center of, or nose into, or cause the rear

of the apparatus to drag the surface. Designers are required to contact the *fire code official* for updated apparatus information. (See Figure 508.2.8)

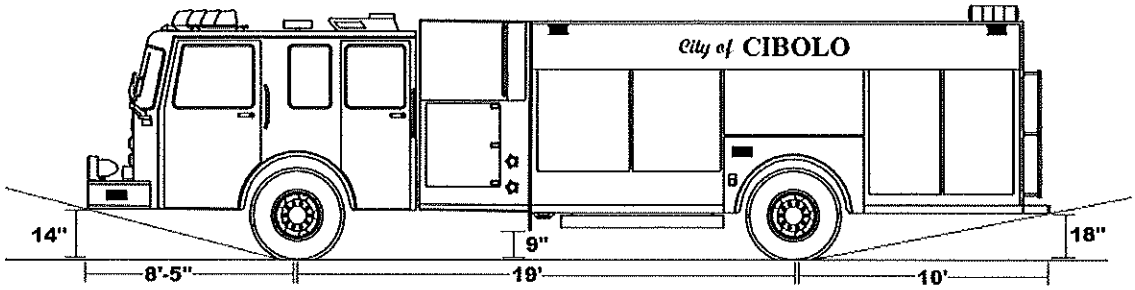

FIGURE 503.2.8
Apparatus Angles of Approach and Departure

(cvii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.3** to read as follows:

503.3 Markings. Where required by the *fire code official*, approved signs or other approved notices or markings that include the words NO PARKING — FIRE LANE — TOW / AWAY ZONE shall be provided for fire apparatus access roads and/or fire lanes to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clear and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility and shall comply with Section D103.6.

(cviii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.4.1** to read as follows:

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited within the city and shall not be placed on fire apparatus access roads or in public or private developments unless *approved* by the Fire Chief.

(civ) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.5** to read as follows:

503.5 Required gates or barricades. The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus access roads, trails or other accessways, not including county roads or highways. Electric gate operators, where provided shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Gates or barricades shall also meet the requirements of Section 503.6.

(cv) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **503.6** to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be *approved* by the Fire Chief or Fire Marshal. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed,

constructed and installed to comply with the requirements of ASTM F 2200. Electric gate operators using a keyed switch shall have a switch that allows for key removal when the switch is left in the emergency open position keeping the gate open until the key switch has been returned to the normal position.

The current key in use is by the Knox® Company. Security gates and gates across a fire apparatus access road shall have a minimum 20 foot (6096 mm) clear width opening (wider opening where required as part of an emergency access lane). Security gates and gates across a fire apparatus access road shall swing in the direction of travel towards the building(s) or development or open horizontally to avoid the backing up of apparatus.

(cvi) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **504.3** to read as follows:

504.3 Stairway access to roof and roof hatch or trap door access to a roof. New buildings four or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a stairway to the roof. *Stairway* access to the roof in buildings of any story shall be in accordance with Section 1011.12. Such *stairway* shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification. In buildings of any story where access to the roof is provided by a roof hatch or trap door the opening shall not be less than 16 square feet (1.5 m^2) in area and having a minimum dimension of 32 inches (813 mm).

(cvii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **505.1** to read as follows:

505.1 Address identification. New and existing buildings and complexes to include all buildings in a complex shall have *approved* address numbers, building numbers, or be provided with *approved* address identification. The address identification shall be legible and the preferred location shall be in the upper corner near the roof line or placed in an *approved* position on the building that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Address numbers shall be of a size clearly visible from the street or road the building is addressed off of, at a minimum each character shall be not less than 6 inches (152 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). For buildings with individual suites, the suite numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm) and be placed above the suite entry door. Tenant spaces with secondary access/exit doors accessible from corridors or the exterior of the building shall be provided with tenant identification by business name and complete address. Where buildings have access from a street or road other than the one address off of the address number and street name shall be posted on that side of the building or at the entry or required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained. Where there are multiple buildings in a complex or at a single property address, each building shall have building numbers or letters posted on the buildings in a location that is plainly legible and visible from the nearest emergency apparatus access road. Temporary addresses during construction shall be posted on signs at or near the entry and be clearly visible, maintained, and unobstructed at all times.

(cviii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **506.1** to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require one or more key boxes to be installed in an *approved* location in new construction and in existing buildings and structures. The mounting height of the key box should be 5 foot 6 inches (1676 mm) to not more than 6 feet (1829 mm) above finished floor or *approved* solid standing surface. Where the key box serves one door the key box shall be mounted on the latch side of the door opening. On new construction the key box shall be recess mounted in the wall. The key box shall be of an *approved* type Knox® rapid entry system and shall contain keys to gain necessary access to all portions and areas of buildings and keys to all life safety systems as required by the *fire code official*. The *fire code official* will require all businesses, buildings, and places open to the public in the City of Cibolo to install approved key boxes for full building access and key boxes for fire service elevator keys complying with Section 506.1.2. The key box type and brand shall be a Knox® rapid entry system the fire department currently has a master key for. Access to key boxes shall not be obstructed.

(cix) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.2** to read as follows:

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. Water mains public or private supplying fire hydrants shall be a minimum 8-inch (203 mm) diameter or larger as hydraulically calculated for the designed flow needed. Where public or private water mains supplying fire mains exceeds 100 linear feet (30 480 mm) from the point of connection at the municipal main to a fire hydrant, alarm check valve, or similar device a backflow prevention device shall be installed at or near the property line closest to the point of connection. Fire lines supplying system risers shall be hydraulically calculated and provide for a 5 psi (0.3 bar) safety factor. Fire department connection piping shall not be sized smaller than the largest system riser. Water pressure in private fire mains shall not be less than 35 psi (2.3 bar) with no fire hydrants in use. When fire hydrants are in use supplying the required fire flow, water pressure in the main at the fire hydrant discharge level shall not be less than 20 psi (1.4 bar) residual.

(cx) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.3** to read as follows:

507.3 Fire flow. Fire Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by an *approved* method acceptable to the *fire code official* and in accordance with Appendix B and Section B1000. Fire flow tests shall be submitted to determine available water for the proposed building(s) size and type of construction and for fire sprinkler system designs.

Fire flow tests shall be submitted with Site Plans to determine available water for the proposed building(s) size and type of construction and fire flow tests shall be submitted for fire sprinkler system plan designs. Fire flow tests shall be good for one year after date of testing. Fire flow tests shall be witnessed by the Fire Marshal or his or her designee and water purveyor.

(cxi) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.4** to read as follows:

507.4 Water supply test. The *fire code official* shall be notified prior to the water supply test.

Water supply tests shall be witnessed by the *fire code official* his or her designee and water purveyor or *approved* documentation of the test shall be provided to the *fire code official* prior to final *approval* of the water supply system. Water supply tests shall be performed in accordance with NFPA Standards and Appendix B Section B1000.

(cxii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.5** to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, Appendix B Section B1000, and Appendix C. Fire hydrant requirements shall include, but not be limited to the following:

1. Hydrant manufacture to be Muller or East Jordan,
2. Hydrant barrel to be minimum 5 ¼ inch,
3. Hydrant to be left open – right close,
4. Hydrant to have two 2 ½ inch hose nozzles,
5. Hydrant to have intergraded factory installed 5-inch Storz pumper nozzle, and
6. Hydrants shall be factory painted in one of the following colors, Public hydrants – Red, Private hydrants – Chrome Yellow (as defined by NFPA), and
7. Public hydrants in Green Valley Special Utility District shall be in accordance with their standards.

(cxiii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.5.1** to read as follows:

507.5.1 Where required. Where any portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a fire hydrant on a fire apparatus access road or adjacent public street, as measured by an *approved* accessible route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. Fire hydrants shall be within four hundred (400') feet of all portions of buildings as measured by the path of travel around objects and obstructions not by radius of coverage. The measurement around buildings shall be as a loosely rounded line and not measured tight against the building. Distance from fire hydrant to all buildings shall be measured along the centerline of the lane, street, or road up to and around the building. For the purpose of required fire hydrants and fire hydrant spacing fire hydrants at the ends of Cul-De-Sac's and dead ends will not count as one of the required fire hydrants. High value buildings, property and/or hazardous buildings, property fire hydrants shall be required near intersections and where any portion of the facility or building hereafter constructed or moved into a within the jurisdiction is more than 300 feet (91 m) from a fire hydrant on a fire apparatus access road or adjacent public street, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. High value buildings, property shall be determined by the *Economic Development Corporation* and hazardous buildings, property shall be determined by the *fire chief* or *fire code official*.

Exceptions:

1. For Group R-3 one- and two-family dwellings in Platted residential subdivisions the distance requirement shall be 400 feet (122 m) and 600 feet (183 mm) in rural un-platted property.
2. For Group U occupancies the distance requirement shall be 600 feet (183 m).
3. Group U buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 the distance may be increased to 500 feet (152 m) where *approved* by the *fire chief* or *fire code official* except where required by Appendix C.

A. Where *approved* in rural areas of the jurisdiction as per Section B103.3, and where it is not feasible due to the cost of extending water lines at the time of development, and where *approved* by the Fire Chief commercial buildings, upon being evaluated based on the site, size of the development, property conditions, number of buildings, emergency apparatus access, fire and life safety concerns, and/or any other factors such as the total square footage of the building, the type of construction, the occupancy group, and the actual use of the proposed building(s) may be permitted to install on-site water storage tanks. On-site water storage tanks be shall installed in accordance with NFPA 22 and sized in accordance with the Fire Marshal based on the largest proposed buildings to include proposed auxiliary buildings for fire flow for emergency firefighting operations.

B. Where *approved* in rural areas of the jurisdiction as per Section B103.3, and where it is not feasible due to the cost of extending water lines at the time of development, and where *approved* by the Fire Chief Group R-3 homes, upon being evaluated based on the site, property conditions, emergency apparatus access, fire and life safety concerns, and/or any other factors such as the total square footage of the single-family dwelling, the type of construction the proposed dwelling(s) may be permitted to install on-site water storage tanks. On-site water storage tanks be shall installed in accordance with NFPA 22 and sized in accordance with the Fire Marshal based on the largest proposed buildings to include proposed auxiliary buildings for fire flow for emergency firefighting operations.

1. For Group R-3 developments having one up to no more than two residential dwellings where the above water supply and fire hydrant coverage is not met the following will be needed:
   1.1 Each dwelling shall have an approved water storage tank installed in accordance with NFPA 22 and sized in accordance with the Fire Marshal based on the largest proposed dwelling to include proposed auxiliary buildings. The proposed water storage tank shall be design in accordance with the design standards outlined by the Fire Marshal,
   1.2 Shared ingress/egress, and emergency access road/lane, and
   1.3 An approved emergency apparatus access road to the last and/or farthest Lot with an approved emergency apparatus turnaround.

2. For Group R-3 developments having no more than three residential dwellings all of the following conditions will be needed.
   1.1 Shared ingress/egress, and emergency access road/lane in the form of an approved emergency apparatus access road to be a public or private street designed in accordance with the Unified Development Code and Design Construction Manual to the last and/or farthest Lot in accordance with Section 503 and Appendix D and be within 150 feet (45 720 mm) of all portions of the buildings with an approved emergency apparatus turnaround, and
   1.2 Each dwelling shall have an approved water storage tank installed in accordance with NFPA 22 and sized in accordance with the Fire Marshal based on the largest proposed dwellings or buildings to include proposed or potential auxiliary buildings. The water storage tank shall be located adjacent to a public right-of-way or private street. Water mains and fire hydrants shall be installed along the public or private street in accordance with the standards and requirements of the water system Purveyor and with Section 503 and Appendix B for future connection to public water mains. The proposed water storage tank shall be design in accordance with the design standards outlined by the Fire Marshal.

Exception: A single water storage tank when *approved* by the fire chief or *fire code official* may be used for the group of dwellings when meeting the following conditions to include, but not be limited to, all of the following:

1. Where development having no more than three residential dwellings and having a home owners or property owners association and having a signed document submitted identifying the person(s), group, and/or association responsible for the construction of, maintenance, and repair of the water storage tank and all appurtenances associated with the water storage tanks continued operation, and not limited to the maintenance and up keep of the grounds around and access to,
2. The water storage tank is sized for the combined fire flow of the two largest dwellings,
3. The water storage tank is adjacent to a public right-of-way,
4. The water storage tank is connected to a water line with hydrants properly spaced and within the distance requirements to buildings, and where the water lines meet the requirements of the Water Purveyor,
5. The water storage tank is designed and installed in accordance with the Fire Marshal's design standards, and
6. Any additional requirements the fire chief or *fire code official* determines is needed based on the site/Lot layouts, property conditions, and/or other factors.

The water storage tank for fire flow shall remain in operation until water mains and fire hydrants are extended to the property/development and are extended upon the development by the owner(s) and/or developer in accordance with Chapter 5 and Appendix B.

3. For Group R-3 developments having more than three residential dwellings the development shall have water mains and fire hydrants connected to a municipal water system in accordance with Sections 507.3, 507.5.1, 507.5.2, 507.5.4, 507.5.5, and 507.5.6 to include an approved emergency apparatus access road to be a public or private street designed in accordance with the Unified Development Code to the last and/or farthest Lot in accordance with Section 503 and Appendix D and be within 150 feet (45 720 mm) of all portions of the buildings with an approved emergency apparatus turnaround.

(cxiv) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.5.1.1** to read as follows:

507.5.1.1 Hydrant for fire department connections and standpipe systems. Buildings equipped with a fire department connection or standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 480 mm) where *approved* by the *fire chief* or *fire code official*.

(cxv) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.5.4** to read as follows:

507.5.4 Obstruction. Unobstructed access to fire hydrants, fire department connections, and similar appurtenances shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. Fire

hydrants, fire department connections or fire protection equipment shall not be placed behind fences or barriers without having *approved* gates or openings.

(cxvi) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **507.5.5** to read as follows:

507.5.5 Clear space around hydrants and fire department connections. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants and fire department connections except as otherwise required or *approved* by the *fire code official*.

A 15 foot (4572 mm) clear no parking distance/space along streets, roads, and fire apparatus access roads shall be maintained to each side of fire hydrants as measured from the centerline of the hydrant barrel.

(cxvii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **510.3** to read as follows:

510.3 Permit required. A construction permit for the installation of or modification to in-building, two-way emergency responder communication coverage systems and related equipment is required as specified in Section 105.7.5. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. Initial radio signal strength tests do not require permitting. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, with a plan of each floor. Construction documents shall be provided to the *fire code official* or 3rd party reviewers in accordance with this code, NFPA 70, and NFPA 72 to include, but not be limited to, all of the following:

1. A floor plan, which shows and indicates the use of all rooms, and all occupancies in the building including dimensions.
2. The designer's information and qualifications.
3. The installer and tester's information and qualifications.
4. Submit analysis and scope report.
5. Submit (grid maps) full floor plans with the grid overlay with readings (to include the grid maps that did not pass). Unconnected buildings and floors of the same elevation not interconnected at the same elevation are to be considered separate areas.
6. Submit information on type and model of radios and equipment used for testing with calibration dates.
7. Frequencies and systems supported.
8. Locations signals are transmitted and received to and from. Radio tower sites and information.
9. Specifications and information on equipment to be installed.
10. Submit information for back-up power with calculations.
11. Power connection to include location of electrical panel and breaker identification.
12. Manufacturers specification information, data sheets indicating model numbers and listing information for all equipment, devices, and materials.
13. Location of equipment, power supplies, antennas, and wiring schematic indicating wiring methods and locations of conduit, junction boxes, and wiring.
14. Power connection to include location of electrical panel and breaker identification.
15. Level 2 Survivability for both the riser and the branch wiring vertical and horizontal.
16. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including descriptions, applications, and limitations.

17. Any additional information required by the fire code official.

(cxviii) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **510.5** to read as follows:

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with Sections 510.5.1 through 510.5.4 and *National Fire Protection Association* standards and codes where applicable and not in conflict with this code.

(cxix) CHAPTER 5 FIRE SERVICE FEATURES is hereby amended by amending **510.5.4** to read as follows:

510.5.4 Acceptance test and procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building *owner* shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. The *fire code official* or 3rd party reviewers shall be notified prior to the acceptance test and may witness the acceptance test procedure. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas.
2. The test shall be conducted using a calibrated portable radio of the latest brand and model used by the agency talking through the *agency's* radio communications system or equipment approved by the *fire code official*.
3. Failure of not more than two nonadjacent test areas shall not result in failure of the test.
4. In the event that three of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than three nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.
5. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public *agency's* radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.
6. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file with the building *owner* so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building *owner* shall be required to rerun the acceptance test to reestablish the gain values.
7. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.
8. Systems incorporating Class B signal-booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with dBm levels as specified in Sections 510.4.1.1 and 510.4.1.2.

9. Final test grid maps (full floor plans with the grid overlay with readings) shall be provided to the owner and *fire code official* to show coverage readings and set a base line for future tests as required to show maintained compliance.

The submitted records of inspection and testing should not have open/blank areas. Areas on record of inspection and testing form not used should be identified as Not Used or marked N/A. All end of job documents and as-builts shall be submitted to the Fire Marshal.

(cxx) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **603.4** to amend a misprint to the Edition printing to read as follows:

603.4 Working space and clearances. Working space around electrical equipment shall be provided in accordance with Section 110.26 of NFPA 70 for electrical equipment rated 1,000 volts or less, and Section 110.32 of NFPA 70 for electrical equipment rated over 1,000 volts. The minimum required working space shall be not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the minimum working space shall be not less than the width of the equipment. Storage of materials shall not be located within the designated working space

(cxxi) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **604.5.1** to amend a miss print to the Edition printing to read as follows:

604.5.1 Fire service access elevators and lobbies. Where fire service access elevators are required by Section 3007 of the *International Building Code*, fire service access elevator fire protection and safety features shall be maintained and lobbies required by Section 3007 of the *International Building Code* shall be maintained free of storage and furniture.

(cxxii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **604.5.2** to amend a misprint to the Edition printing to read as follows:

604.5.2 Occupant evacuation elevators and lobbies. Where occupant evacuation elevators are provided in accordance with Section 3008 of the *International Building Code*, occupant evacuation elevator fire protection and safety features shall be maintained and lobbies required by Section 3008 of the *International Building Code* shall be maintained free of storage and furniture.

(cxxiii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **605.4.1.1** to amend a miss print to the Edition printing to read as follows:

605.4.1.1 Approval. Outdoor fuel oil storage tanks shall be in accordance with UL 80, UL 142 or UL 2085.

(cxxiv) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **603.5.2** to read as follows:

603.5.2 Application and use. Relocatable power taps, current taps, extension cords, surge protectors, power taps, multiplug adapters, holiday/decorative lighting, and similar shall be plugged directly into an *approved* permanently installed receptacle. Where *approved* multiplug extension cords are used for a fan, audio/visual projector, or similar temporary device, it shall

serve only one portable appliance and be temporary in use. Holiday/decorative lighting cords shall not be consecutively connected beyond manufactures recommendation and shall not have any other electrical device connected. Holiday/ decorative lighting cords are for temporary use and shall not be left in place beyond the holiday or event. Holiday/decorative lighting installations shall be permitted for a period not to exceed three weeks and shall not be in place consecutively or more than four times within a 12-month period.

(cxxv) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **603.5.3** to read as follows:

603.5.3 Installation. Relocatable power tap cords, surge protector cords, and similar shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage, or be placed across a path, walkway, or walkable surface. Relocatable power tap cords, surge protector cords, and similar shall not be used as an extension cord, and are only for use with low amp sensitive electronics devices. Relocatable power tap cords, surge protector cords, and similar shall be properly supported or attached to building components in accordance with manufactures recommendations.

(cxxvi) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **603.6** to read as follows:

603.6 Extension cords. Extension cords, flexible cord, multiplug adapters, holiday/decorative lighting, and similar shall not be a substitute for permanent wiring and shall be *listed* and *labeled* in accordance with UL 817. Extension cords, multiplug adapters, holiday/decorative lighting, flexible cords, and similar shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage, physical impact, or be placed across a path, walkway, or walkable surface. Extension cords shall be used only with portable appliances. Extension cords marked for indoor use shall not be used outdoors.

Exemption: Holiday/decorative lighting is permitted to be attached to structures when in accordance with manufactures recommendations.

(cxxvii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **603** to add **603.11** to read as follows:

603.11 Appliances. Electrical appliances and fixtures shall be tested and *listed* in published reports of inspected electrical equipment by an *approved* agency and installed and maintained in accordance with all instructions included as part of such listing. Appliances to include but not limited to refrigerators, microwaves, coffee makers, paper shredders, and similar shall be directly connected to a permanently installed receptacle.

(cxxviii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **604.6** to read as follows:

604.6 Elevator keys. All elevators shall be provided with elevator car door and fire-fighter service keys in accordance with Sections 604.6.1 through 604.6.2.4. Keys for the elevator car doors and fire-fighter service keys shall be kept in an *approved* location for immediate use by the fire department or provided to the fire department. Keys for the elevator car doors and fire- fighter service keys shall be stored in an elevator key box located at the elevator or elevator lobby and the type Knox® rapid entry system one the fire department currently has a master key for.

(cxxix) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **[M] 606.2** to read as follows:

[M] 606.2 Where required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances that are used outside of residential occupancies, and are used in a commercial setting or commercial food service establishment used for commercial purposes that produce grease vapor.

Exception:

1. A commercial grade residential vent/hood extinguishing system is permitted to be utilized in accordance with Section 904.14 when domestic cooking appliances are only utilized in the following:
    1.1. Employee Break Rooms.
    1.2. Licensed Care Facilities operating in Group R-3 occupancy.
    1.3. Group E occupancy - classrooms utilized for training in food preparation.
    1.4. Group R-2 college dormitories where domestic cooking facilities are installed in accordance with Section 420.10 of the *International Building Code*.
2. Factory-built commercial exhaust hoods that are *listed* and *labeled* in accordance with UL 710, and installed in accordance with Section 304.1 of the *International Mechanical Code*, shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4 and 507.5 of the *International Mechanical Code*.
3. Factory-built commercial cooking recirculating systems that are *listed* and *labeled* in accordance with UL 710B, and installed in accordance with Section 304.1 of the *International Mechanical Code*, shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4 and 507.5 of the *International Mechanical Code*. Spaces in which such systems are located shall be considered to be kitchens and shall be ventilated in accordance with Table 403.3.1.1 of the *International Mechanical Code*. For the purpose of determining the floor area required to be ventilated, each individual appliance shall be considered as occupying not less than 100 square feet (9.3 m^2).
4. Where cooking appliances are equipped with integral down-draft exhaust systems and such appliances and exhaust systems are *listed* and *labeled* for the application in accordance with NFPA 96, a hood shall not be required at or above them.

(cxxx) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **606.3.3.3.1** to read as follows:

606.3.3.3.1 Tags. When a commercial kitchen hood or duct system is inspected or cleaned, a tag containing the service provider name, address, telephone number, and date of service shall be provided in a conspicuous location, and for cleaning the next scheduled cleaning date. Prior tags shall be covered or removed.

(cxxxi) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **606.4** to read as follows:

606.4 Appliance connection to building utilities. Gas-fired commercial cooking appliances installed on casters or legs without casters and appliances that are moved for cleaning and sanitation purposes shall be connected to the piping system with an appliance connector *listed* as complying with ANSI Z21.69/CSA 6.16. The commercial cooking appliance connector installation shall be configured in accordance with the manufacturer's installation instructions.

Movement of appliances with casters or legs without casters shall be limited by a restraining device installed in accordance with the connector and appliance manufacturer's instructions. The restraining device shall be properly secured to the appliance and building component.

(cxxxii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **606.4** to add Subsection **609.4.1** as follows:

606.4.1 Appliance docking. An approved method shall be provided that will ensure that the appliance is returned to the design location. Appliances on casters or legs without casters shall be provided with caster or leg positioning devices securely attached to the floor. Where appliances do not appear to be properly located the *fire code official* is authorized to require an evaluation of the fixed suppression system to ensure all appliances are correctly positioned and the correct nozzles are in place.

(cxxxiii) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is hereby amended by amending **607.3** to read as follows:

607.3 Nonmetallic storage tanks. Nonmetallic cooking oil storage tanks shall be *listed* in accordance with UL 2152 and shall be installed in accordance with the tank manufacturer's instructions and shall also comply with all of the following:

1. Tanks shall be *listed* for use with cooking oil, including the maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 60 gallons (227 L) per tank.
3. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.

(cxxxiv) CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES is hereby amended by amending **701.1** to read as follows:

701.1 Scope. The provisions of this chapter shall govern the inspection and maintenance of the materials, systems and assemblies used for structural *fire resistance*, *fire-resistance-rated* construction separation of adjacent spaces and construction installed to resist the passage of smoke to safeguard against the spread of fire, smoke, and products of combustion within a building and the spread of fire to or from buildings. New buildings shall comply with the *International Building Code*.

(cxxxv) CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES is hereby amended by amending **701** to add Subsection **701.8** to read as follows:

701.8 Fire walls, fire barriers, and fire partitions. Required *fire walls*, *fire barriers*, and *fire partitions* shall not terminate at a glass window or glazed partition and shall be maintained to prevent the passage of fire or products of combustion. Openings protected with *approved* doors or fire dampers shall be maintained in accordance with NFPA 80.

(cxxxvi) CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES is hereby amended by amending **701** to add Subsection **701.9** to read as follows:

701.9 Occupancy separation. In a multiple occupancy building, where there is an undefined or unknown future occupancy area, all interior occupancy separation walls shall be a minimum of two (2) hour fire walls or fire barrier walls, completed and finished on both sides. Any fire rated wall, regardless of rating, may not terminate at a glass window or glazed partition.

Exceptions: In a fully sprinkled, multiple occupancy building, where there is an undefined or unknown future occupancy area that does not contain Group H, Group F-1 or Group S-1 occupancies, all interior occupancy separation walls shall be a minimum of one (1) hour fire walls or fire barrier walls, completed and finished on both sides. If using this exception, Group H, Group F-1 or Group S-1 occupancies will be prohibited from occupying the space unless they comply fully with Section 707.3.10 or Section 708.1 of the 2015 International Building Code whichever has the greatest fire protection rating.

(cxxxvii) CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES is hereby amended by amending **705.2.2** to read as follows:

705.2.2 Signs. Where required by the *fire code official*, a sign shall be permanently displayed on or near each fire door each side in letters not less than 2 inch (51 mm) high and of contrasting color to the background (preferably white background with red letters) to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR -- DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR -- KEEP CLOSED -- DO NOT BLOCK.
3. For doors designed for fire department access: FIRE DOOR -- DO NOT BLOCK

(cxxxviii) CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS is hereby amended by amending **807.5.2.2** to read as follows:

807.5.2.2 Artwork in corridors. Artwork, decorations, and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area, and no artwork, decorations, or teaching materials shall be on classroom doors, and artwork, decorations, and teaching materials shall not be attached to the ceilings in *corridors*.

No artwork, decorations, or teaching materials shall be attached to classroom doors or any doors that are part of the means of egress.

Exception: Where an *approved* sheet of material used for teacher student information.

(cxxxix) CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS is hereby amended by amending **807.5.2.3** to read as follows:

807.5.2.3 Artwork in classrooms. Artwork, decorations, and teaching materials shall be limited on the walls of classrooms to not more than 20 percent of the specific wall area to which they are attached in building without *approved fire sprinkler systems* and 50 percent of the specific wall area to which they are attached in buildings fully protected with an *approved fire sprinkler systems* and combustible artwork, decorations, and teaching materials shall not be attached to the ceilings. The *fire code official* is authorized to require the removal of consolidated combustibles materials within or over the allowable percentages when deemed a potential hazard.

Exemption: Suspended noncombustible artwork, decorations, or teaching materials shall not exceed 10 percent of the specific ceiling area and not be within 4 feet of a fire sprinkler head. Ceiling grids shall be evaluated by manufactures specifications or other means to ensure no restrictions to additional attachments and loading.

No artwork, decorations, or teaching materials shall be attached to classroom doors or any doors that are part of the means of egress.

Exception: Where an *approved* sheet of material used for teacher student information.

(cxl) CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS is hereby amended by amending **807.5.5.2** to read as follows:

807.5.5.2 Artwork in corridors. Artwork, decorations, and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area, and artwork, decorations, and teaching materials shall not be attached to the ceilings in *corridors*.

No artwork, decorations, or teaching materials shall be attached to classroom doors or any doors that are part of the means of egress.

Exception: Where an *approved* sheet of material used for teacher student information.

(cxli) CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS is hereby amended by amending **807.5.5.3** to read as follows:

807.5.5.3 Artwork in classrooms. Artwork, decorations, and teaching materials shall be limited on the walls of classrooms to not more than 20 percent of the specific wall area to which they are attached in building without *approved fire sprinkler systems* and 50 percent of the specific wall area to which they are attached in buildings fully protected with an *approved fire sprinkler systems* and combustible artwork, decorations, and teaching materials shall not be attached to the ceilings. The *fire code official* is authorized to require the removal of consolidated combustibles materials within or over the allowable percentages when deemed a potential hazard.

Exemption: Suspended noncombustible artwork, decorations, or teaching materials shall not exceed 10 percent of the specific ceiling area and not be within 4 feet of a fire sprinkler head. Ceiling grids shall be evaluated by manufactures specifications or other means to ensure no restrictions to additional attachments and loading.

No artwork, decorations, or teaching materials shall be attached to classroom doors or any doors that are part of the means of egress.

Exception: Where an *approved* sheet of material used for teacher student information.

(cxlii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **901.1** to add Subsection **901.1.1** as follows:

901.1.1 Installation. *Fire protection* and *life safety systems* shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection where the building is altered, remodeled, or added to. *Alterations* to *fire protection* or *life safety systems* shall be done in accordance with applicable standards. Document storage cabinets required. An *approved* copy of the *automatic sprinkler system* shall be located at an *approved* location near the system riser and stored in a manner to prevent damage or deterioration. An *approved* copy of the *fire alarm system* shall be located at an *approved* location near the fire alarm control panel and stored in a manner to prevent damage or deterioration. All electrical breakers serving *life safety systems* or components to include dry pipe air compressors shall have clips that prevent the breaker from being unintentionally turned off. Devices that have the appearance of light switches shall not be used to control power to *life safety systems* or components to include dry pipe air compressors.

Fire Sprinkler piping is Life Safety and shall take precedence over all ductwork, vents, lights, and main runs of all other piping, except structural members.

(cxliii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **901.4.6** to read as follows:

901.4.6 Appearance of equipment and devices. Any device that has the physical appearance of life safety or fire protection equipment but does not perform that life safety or fire protection function shall be prohibited. Life safety devices shall remain specific to their fire protection system and not be intermixed (water motor gongs/bells for fire sprinkler systems and horns/horn strobes for fire alarm systems). Non-fire protection systems shall not use devices of a similar color or sound. Red, white, or clear lens (with white flash) devices are reserved for fire and life safety.

(cxliv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **901.4.7** to read as follows:

901.4.7 Pump and riser room size. Where provided, fire pump rooms and *automatic sprinkler system* riser rooms shall be designed with adequate space for all equipment necessary for the installation, inspection, maintenance, and servicing as defined by the manufacture, and with a minimum of three (3) feet of working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire- resistance-rated assembly or without removing such elements of, or disabling the function of any other life safety system. Fire pump and *automatic sprinkler system* riser rooms shall be provided with a door(s) and unobstructed passageway large enough to allow removal of the largest piece of equipment. Fire pump and *automatic sprinkler system* riser rooms shall not be used for storage. Fire riser rooms housing an *automatic sprinkler system* riser only shall be a minimum 4 foot (1219 mm) by 4 foot (1219 mm) unless otherwise *approved* by the *fire code official*. Fire riser rooms housing *automatic sprinkler system* riser(s) and any other systems, non-fire systems, equipment, devices, plumbing piping and/or appurtenances, or similar shall be a minimum 8-foot (2438 mm) by 16-foot (4877 mm) with a minimum of four (4) feet of clear space from the system riser(s), piping, and appurtenances unless otherwise *approved* by the *fire code official*. System risers and fire department connection lead-ins shall be a minimum 12 inches (305 mm) from finish walls to outside edge of pipe as measured to back side of pipe and shall be a minimum 18 inches (457 mm) from finish walls or outside edge of adjacent risers to outside edge of pipe as measured to side of pipes.

(cxlv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **901.5** to read as follows:

901.5 Installation testing, acceptance tests and completion. *Fire protection* and *life safety systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* and/or the city's 3rd party inspection company shall be notified before any required acceptance testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other *fire protection systems* and appurtenances thereto shall be subject to operational testing. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* 3rd party tester. The *fire code official* may perform inspections to ensure proper operation of *fire protection systems* or allow *approved* 3rd party inspectors to perform inspections of *fire protection systems*.

(cxlvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.1.1** to amend a miss print to the Edition printing to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted instead of automatic sprinkler system protection where recognized by the applicable standard and *approved* by the *fire code official*.

(cxlvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2** to read as follows:

903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in this Section and Sections 903.2.1 through 903.2.12, and throughout multi-tenant buildings 5,000 square feet (464 m²) or more. The calculated area shall be total square footage (as measured from the exterior walls) including all space as well as the area of attached garages, storage facilities, hallways, stairways, and similar areas, and without exemptions for fire areas. Such systems shall be in accordance with Section 903 as well as *National Fire Protection Association Standards* where conflicts arise the more stringent shall govern.

Retrofit:

1. Building additions that exceed the allowed fire area.
2. Two or more building permits related to area increase, are issued over any three consecutive years.

Exception:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries, and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 2-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.
2. Detached non-combustible carports or shade canopies. Detached gazebos and open sided pavilions for residential use.
3. Independent buildings such as restrooms or snack shops 400 square feet (37 m²) or less that are associated with golf courses, parks, and similar uses.
4. Guardhouses that are less than 400 square feet (37 m²) in size used to control access to or within residential and/or commercial developments.
5. Detached equipment or storage buildings for commercial use not exceeding 400 square feet (37 m²).
6. Detached residential storage buildings or garages that are non-habitable not exceeding 900 square feet (84 m²).

(cxlviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.2** to add Group B occupancies and read as follows:

903.2.2 Group B. An *automatic sprinkler system* shall be provided for *fire areas* containing Group B occupancy and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m²).
2. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

(cxlix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.2** to **903.2.2.1** to read as follows:

903.2.2.1 Ambulatory care facilities. An *automatic sprinkler system* shall be provided for *fire areas* containing ambulatory care facility occupancies and intervening floors of the building where either of the following conditions exist at any time:

1. Four or more rooms, chairs, beds, or spaces are provided for care recipients that are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving the facility.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-preservation if the person is conscious, yet unable to determine the direction of or traverse the means of egress without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

In buildings where ambulatory care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest *level of exit discharge*, including the *level of exit discharge*.

(cl) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.3** to read as follows:

903.2.3 Group E. An *automatic sprinkler system* shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 12,000 square feet (1115 m^2) in area.
2. Throughout every portion of educational buildings located on a floor other than a *level of exit discharge* serving such occupancies.

(cli) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.4** to read as follows:

903.2.4 Group F-1 and F-2. An *automatic sprinkler* system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exist:

1. A Group F *fire area* exceeds 12,000 square feet (1115 m^2).
2. A Group F *fire area* is located more than one story above grade plane.

3. The combined area of all Group F *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

(cliii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.4.1** to read as follows:

903.2.4.1 Woodworking operations. An *automatic sprinkler system* shall be provided throughout all Group F occupancy *fire areas* that contain woodworking or milling operations in excess of 2,500 square feet (232 m²) which generate finely divided combustible waste or finely divided combustible materials, to include wood shavings, saw dust, sanding dust, and similar.

(cliii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.6** to read as follows:

903.2.6 Group I. An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exception: An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 Condition 1 facilities.

(cliv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.7** to read as follows:

903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exist:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than one story above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

(clv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.7.2** to read as follows:

903.2.7.2 Group M upholstered furniture or mattresses. An *automatic sprinkler system* shall be provided throughout a Group M *fire area* where the area used for the display and sale of upholstered furniture, mattresses, household goods, or similar exceeds 2,500 square feet (232 m²).

(clvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.9** to read as follows:

903.2.9 Group S-1 and S-2. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exist:

1. A Group S *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group S *fire area* is located more than three stories above grade plane.
3. The combined area of all Group S *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).
4. A Group S *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).

(clvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.9.1** to read as follows:

903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, as shown:

1. Buildings two or more stories above grade plane, including *basements*, with a *fire area* containing a repair garage exceeding 5,000 square feet (464 m²).
2. Buildings not more than one story above grade plane, with a *fire area* containing repair garage exceeding 5,000 square feet (464 m²).
3. Buildings with a repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).

(clviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.9.2** to read as follows:

903.2.9.2 Bulk Storage of tires. Buildings and structures where the area for the storage of tires exceeds 2,500 cubic feet (71 m³) in or adjacent to, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

(clix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.9.4** to read as follows:

903.2.9.4 Group S-1 and S-2 upholstered furniture and mattresses. An *automatic sprinkler system* shall be provided throughout a Group S *fire area* where the area used for the storage of upholstered furniture, mattresses, household goods, or similar exceeds 2,500 square feet (232 m²) regardless of separation walls.

(clx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.10** to delete Exception to read as follows:

903.2.10 Group S-2 parking garages. An *automatic sprinkler system* shall be provided throughout all buildings classified as parking garages in accordance with Section 406.6 of the *International Building Code* where any of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage exceeds 12,000 square feet (1115 m²).
2. Where the enclosed parking garage is located beneath other groups.

(clxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.11.1.1** to read as follows:

903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 36 inches (914 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

(clxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.11.3** to delete Exception to read as follows:

903.2.11.3 Buildings 55 feet or more in height. An *automatic sprinkler system* shall be installed throughout all buildings that have one or more stories with an *occupant load* of 30 or more located 55 feet (10 668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor of the highest level to include mezzanine floors.

(clxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.2.11** to add **903.2.11.7** to read as follows:

903.2.11.7 Porte-cocheres. All porte-cocheres shall be protected with fire sprinklers.
Exceptions: Porte-cocheres of non-combustible construction and design and where separated from a structure preventing fire and products of combustion from coming in contact with the structure.

(clxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.3** to read as follows:

903.3 Installation requirements. *Automatic sprinkler systems* shall be designed and installed in accordance with Section 903.3.1 through 903.3.8 and the following:

Construction documents. Fire sprinkler systems shall be submitted for review and approval prior to system installation or remodeling. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, with a plan of each floor, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with NFPA 13 and to include, but not be limited to, all of the following:

1. Fire sprinkler system plan design worksheet.
2. A site plan showing all buildings, fire department connections, fire hydrants, fire apparatus access roads, alleys, driveways, sidewalks, and similar items. To include lengths and widths.
3. A floor plan, which shows and indicates the use of all rooms, and all occupancies in the building including dimensions.
4. Unit plans which shows location and size of walls, rooms, doors, concealed spaces, closets, attics, bathrooms, and fire rated walls.
5. Dimensions of aisles, corridors, hallways, and stairways, doorways (door openings), including direction of swing.
6. Full height cross-section, or schematic diagram of the riser detail showing alarm check valve assembly, flow switch(s), water motor gong alarm, check valves assemblies, drain valve assemblies, and all associated piping and sizes.
7. Full height cross-section, or schematic diagram, including structural member information and including ceiling and wall construction and method of protection for nonmetallic piping and penetrations.
8. A mechanical system over lay showing no conflict with fire sprinkler system.
9. Manufactures specifications and ratings on equipment and materials, to include but not limited to sprinkler heads, couplings, valves, mounting brackets, hardware, hangers, alarm valves, water motor gong, switches, sensors, gauges, and similar components.
10. Location and description of all required signs.
11. Location and method of storing *approved* fire sprinkler system plans near system riser(s).
12. Any additional information required by the *fire code official*.
13. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including descriptions, applications, and limitations for any sprinklers, devices, piping, or fittings.

Inspector's test connection. The inspector test connection shall be in the upper story if multi-leveled, and the connection shall be piped from the end of the most remote branch line. The discharge should be at a point where it can be readily observed. In locations where it is not

practical to terminate the test connection outside the building, where *approved* by the *fire code official* the test connection is permitted to terminate into a drain capable of accepting full flow under system pressure. In this event, the test connection should be made using an approved sight test connection containing a smooth bore corrosion-resistant orifice giving a flow equivalent to one sprinkler simulating the least flow from an individual sprinkler in the system. The test valve should be located at an accessible point and preferably not over 7 ft (2.1 m) above the floor. The control valve on the test connection should be located at a point not exposed to freezing. The discharge pipe shall be installed so as to drain by gravity flow. The test connection valve shall be a full open valve and the end of the discharge pipe shall not be threaded.

Drains. Auxiliary Drains for Wet Pipe Systems, Preaction Systems and Dry Pipe systems.

1. Where the capacity of trapped sections of pipes in wet systems is less than 5 gal (18.9 L), one of the following arrangements shall be provided:
   1.1. An auxiliary drain shall consist of a nipple and cap or plug not less than ½ in. (12 mm) in size in an accessible location and piped to an approved location.
   1.2. An auxiliary drain shall not be required for trapped sections less than 5 gal (18.9 L) where the system piping can be drained by removing a single pendent sprinkler.
   1.3. Where flexible couplings or other easily separated connections are used, the nipple and cap or plug shall be permitted to be omitted.
2. Where the capacity of isolated trapped sections of pipe in wet systems is more than 5 gal (18.9 L) and less than 20 gal (76 L), the auxiliary drain shall consist of a valve ¾ in. (19 mm) or larger in an accessible location and a plug or a nipple and cap and be piped to an approved location.
3. Where the capacity of isolated trapped sections of pipe in wet systems is 20 gal (76 L) or more, the auxiliary drain shall consist of a valve in an accessible location not smaller than 1 in. (25.4 mm), piped to discharge at a suitable location.
4. Where the capacity of isolated trapped sections of Dry Pipe and Preaction System pipe is 1 gallon (3.7 L) or less, the auxiliary drain shall consist of a valve or a nipple and cap or plug not less than ½ in. (12 mm) in size in an accessible location and piped to an approved location.
5. Where the capacity of isolated trapped sections of Dry Pipe and Preaction System pipe is 1-gallon (3.7 L) or more, the auxiliary drain shall consist of two 1-inch full open valves and one 2-inch X 12-inch (50 mm X 305 mm) condensate nipple or equivalent, in an accessible location and piped to discharge at a suitable location.

Valves and risers. Alarm valve assemblies with water motor gong alarms shall be used, and all system risers shall be numbered and labeled indicating the zone locations and inspector test valve location, and all inspector test valves shall be numbered to match the system risers, all valves shall be labeled to include the zone along with what they control, fire department connection check valves shall be installed in the horizontal position and as close to the top of system riser as possible or off of a main line not smaller than the system riser, riser rooms and/or riser areas shall not be used for storage. Dry pipe valves should be piped from above the wet alarm check valve for exterior water flow notification by the water motor gong.

(clxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.3.1.1** to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

(clxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **903.5** to read as follows:

903.5 Testing and maintenance. Automatic Sprinkler systems, standpipe systems, and fire department connection lines shall be tested and maintained in accordance with Section 901 and after initial installation and/or alteration the following original copies of end of job documentation shall be provided to the *Fire Marshal*:

1. Contractor's Material and Test Certificate for Aboveground Piping,
2. Letter of Compliant Installation,
3. Backflow Test Report (where applicable), and
4. As-builts (if applicable).

(clxvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.2.2** to read as follows:

904.2.2 Commercial hood and duct systems. Each required commercial kitchen exhaust hood and duct system required by Section 606 to have a Type I hood shall be protected with an *approved* automatic fire-extinguishing system installed in accordance with this code.

Construction documents. Kitchen hood suppression systems shall be submitted for review and approval prior to system installation or remodeling. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, with a plan of each room or floor area, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with NFPA Standards and to include, but not be limited to, all of the following:

1. Kitchen hood suppression system plan design worksheet.
2. Identification of the hazards to be protected and including such information as physical dimensions, cooking appliances, energy sources for each appliance, and air-handling equipment.
3. Plan sheet scale is to be 1/8" = 1 foot.
4. A floor plan, which shows and indicates the location of all equipment, appliances, tables, electric shut-off or automatic gas shut-off valve(s), exhaust hoods, mobile cart, pull stations, suppression system control units, suppression agent cylinders, and similar.
5. Method of electric disconnects and/or gas shutout valves. Only manually resettable valves are permitted.
6. Operational sequence (shutdown) of auxiliary equipment, fans, makeup/supply air, and similar.
7. Size, length, and arrangement of connected piping.
8. Description/type of nozzles designed for the appliance being protected, number of nozzles, and location of nozzles to include the and distance to cooking surface.
9. The location and function of detection devices.
10. Cylinder size, capacity, and mounting information.
11. Operating devices.
12. Auxiliary equipment.
13. Electrical circuitry.
14. Power connections and locations.
15. Manual pull station is to be installed in the path of egress.

16. Appliance docking devices information, locations, types, and similar.
17. Manufacturers, model numbers, and listing information for all equipment, devices, controllers, cylinders, and materials.
18. Manufactures specifications and ratings on equipment and materials, to include but not limited to piping, control units, tanks, nozzles, fusible links, couplings, valves, mounting brackets, hardware, hangers, appliance docking ports, and similar components.
19. Location and description of all required signs.
20. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including descriptions, applications, and limitations for any nozzles, devices, piping, or fittings.
21. List of the specific tests that are required. Two system tests are to be performed one pull station and one fusible link per system.
22. Any additional information required by the *fire code official*.

(clxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.3.2** to read as follows:

904.3.2 Actuation. Automatic fire-extinguishing systems shall be automatically actuated and provided with a manual means of actuation in accordance with Section 904.13.1. Where more than one hazard could be simultaneously involved in fire due to their proximity, all hazards shall be protected by a single system designed to protect all hazards that could become involved. Where units are designed to use electronic pull stations the electronic pull station shall not resemble fire alarm pull stations.

Exception: Multiple systems shall be permitted to be installed if they are designed to operate simultaneously.

(clxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.4** to read as follows:

904.4 Inspection and testing. Automatic fire extinguishing systems shall be inspected and tested in accordance with the provisions of this section prior to completion. Upon completion of the installation, the system and all components shall be tested in accordance with manufacturer's installation instructions and code requirements. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* private 3rd party tester. The *fire code official* may perform inspections to ensure proper operation of *fire protection systems* or allow *approved* 3rd party inspectors to perform inspections of *fire protection systems*.

(clxx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.4.1** to read as follows:

904.4.1 Inspection. Prior to conducting final operational tests, all of the following items shall be inspected and provided:

1. Kitchen hood fixed suppression system contractor's acceptance inspection form.
2. Hazard specification for consistency with design hazard.
3. Type, location and spacing of automatic- and manual-initiating devices. Electronic pull stations shall not resemble fire alarm pull stations.
4. Size, placement and position of nozzles or discharge orifices.
5. Location and identification of audible and visible alarm devices. Visual system armed/ tripped indicators are to be clearly visible (not obscured or covered).

6. Identification of devices with proper designations.
7. Operating instructions.
8. End of job documentation.
   a) Certificate of Installation,
   b) Letter of Compliant Installation, and
   c) As-builts (if applicable).

(clxxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.4.2.1** to read as follows:

904.4.2.1 Audible and visible signals. The audibility and visibility of notification appliances signaling agent discharge or system operation, is required, and shall be verified. Visual system armed/tripped indicators are to be clearly visible from the floor area in front of the control unit and shall not be obscured or covered.

(clxxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.13.1** to add Subsections **904.13.1.1** and **904.13.1.2** to read as follows:

904.13.1.1 Manual system operation device and color. The manual actuation device for an alternative fire-extinguishing system shall be silver or white in color, and shall not resemble a fire alarm system actuation device. The color of the manual actuation device for an alternative fire-extinguishing system shall apply to both commercial systems and commercial grade residential fire-extinguishing systems for residential type cooking appliances.

904.13.1.2 Multiple manual system operation devices. Where there are multiple manual actuation devices for an alternative fire-extinguishing system, each actuation device and the corresponding fire-extinguishing system and hood shall be provided with an identification plate that indicates which system the device operates.

(clxxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **904.14** to read as follows:

904.14 Domestic cooking systems. The cooking hood provided over cooktops and ranges shall installed in accordance with Section 606.2. Domestic Cooktops and ranges installed in the following exception shall be protected in accordance with Section 904.14.1.

Exception: A commercial grade residential vent/hood extinguishing system is permitted to be utilized when only domestic cooking appliances are utilized in the following:

1. Employee Break Rooms.
2. Licensed Care Facilities operating in Group R-3 occupancy.
3. Group E occupancy - classrooms utilized for training in food preparation.
4. Group R-2 college dormitories where domestic cooking facilities are installed in accordance with Section 420.10 of the *International Building Code*.

The domestic cooking hood provided over the cooktop or range shall be equipped with an automatic fire-extinguishing system of a type recognized for the protection of domestic cooking equipment. Pre-engineered automatic extinguishing systems shall be tested in accordance with UL 300A and listed and labeled for the intended application. The system shall be installed in accordance with this code, its listing and manufacturer's instructions.

(clxxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **905.3** to read as follows:

905.3 Required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8 and where required in the locations indicated in Sections 905.4, 905.5 and 905.6 and where required elsewhere in the code, and Class I standpipe hose connections installed where required by the *fire chief* or *fire code official* interior hose connections shall be provided when distance from fire apparatus to interior portions of the building exceed 150 feet (45 720 mm) and so spaced in the interior of the building for firefighting operations. Interior hose connections shall be spaced for overlapping coverage around obstructions based one a 150-foot (45 720 mm) hose pack with 20-foot (6096 mm) nozzle stream. Standpipe systems shall be manual dry standpipe systems where required by the fire chief or *fire code official* unless required by a specific code Section or NFPA to be an automatic wet standpipe system or combined system. Automatic wet standpipe systems shall be piped in an arrangement so that the hose valves are not supplied from the same sprinkler zone and/or sprinkler system riser suppling water to the sprinkler heads within the hose valve coverage area and is to be labeled accordingly, combined systems should be piped in an arrangement where the standpipe system and hose valves are supplied from their own riser(s) separate from the sprinkler riser(s) and is to be labeled accordingly. Standpipe hose valves shall be equipped with 2 ½ inch by 1 ½ inch reducer caps with chains.

Exception: Standpipe systems are not required in Group R-3 occupancies.

(clxxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **905.8** to delete exception and read as follows:

905.8 Dry standpipes. Dry standpipes shall be installed where required by the fire chief or *fire code official* and where subject to freezing and in accordance with NFPA 14.

(clxxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **906.1** to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exceptions:

1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1- A:10-B:C.
2. In Group E occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each classroom is provided with a portable fire extinguisher having a minimum rating of 2-A:20-B:C.
3. In storage areas of Group S occupancies where forklift, powered industrial truck or powered cart operators are the primary occupants, fixed extinguishers, as specified in NFPA 10, shall not be required where in accordance with all of the following:
   3.1. Use of vehicle-mounted extinguishers shall be *approved* by the *fire code official*.
   3.2. Each vehicle shall be equipped with a 10-pound, 40A:80B:C extinguisher affixed to the vehicle using a mounting bracket *approved* by the extinguisher manufacturer or the *fire code official* for vehicular use.

3.3. Not less than two spare extinguishers of equal or greater rating shall be available on-site to replace a discharged extinguisher.
3.4. Vehicle operators shall be trained in the proper operation, use and inspection of extinguishers.
3.5. Inspections of vehicle-mounted extinguishers shall be performed daily.

2. Within 30 feet (9144 mm) distance of travel from commercial cooking equipment and from domestic cooking equipment permitted by Section 904.14.
3. In areas where *flammable* or *combustible liquids* are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3316.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.

(clxxvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.1.2** to read as follows:

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be prepared in accordance with NFPA 72 and submitted for review and permitting prior to system installation. Three copies will be submitted unless otherwise required by the *fire code official*. Construction documents shall include, but not be limited to, all of the following where applicable to the system being installed:

1. Fire alarm system plan design worksheet.
2. A floor plan, which shows and indicates the use of all rooms, and all occupancies in the building including dimensions.
3. Locations of alarm-initiating devices.
4. Locations of alarm notification appliances including candela ratings for visible alarm notification appliances.
5. Design minimum audibility level for occupant notification and a full Voice Intelligibility design analysis and report for Emergency Voice/Alarm Communication Systems.
6. Location of transponders, notification power supplies, and Fire Alarm Control Panel and size and capabilities for expansion.
7. Alarm control and trouble signaling equipment.
8. Wiring schematic indicating wiring methods and locations of conduit, junction boxes, and wiring.
9. Colored wiring schematic by zone (or run) for notification appliances.
10. Notification appliances shall be identified with listed output levels.
11. Annunciators.
12. Power connection to include location of electrical panel and breaker identification.
13. Battery calculations.
14. Conductor type and sizes.
15. Voltage drop calculations.
16. Manufacturers' data sheets indicating model numbers and listing information for all equipment, devices, and materials.
17. Details of ceiling height and construction.
18. The interface of fire safety control functions.
19. Dedicated communication lines information for primary and secondary fire alarm control panel communication.
20. Classification of supervising station including complete contact information.
21. Location and method of storing *approved* fire alarm system plans near fire alarm control panel.

22. Any additional information required by the *fire code official*.

(clxxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2** to read as follows:

907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Buildings with multi-tenant occupancies, office buildings, strip centers, and similar type occupancies shall have one Fire Alarm Control Panel and all suites, occupancies, and/or tenant spaces shall be connected to and all alarms, initiating devices, and similar shall be connected to the single Fire Alarm Control Panel. Multi-tenant complexes have more than one building shall have a Fire Alarm Control Panel for each separate building in the complex and shall act as a standalone system. It shall not be permitted to connect individual Fire Alarm Systems to one main panel in a group of buildings.

Exception: Group E occupancies class rooms and buildings within 50 feet of the primary school building shall be connected to the main fire alarm control panel.

Buildings with *automatic sprinkler systems* shall provide occupant notification devices within the building to alert the occupants to evacuate due to the activation of the *automatic sprinkler system* in response to a possible fire condition.

Not fewer than one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed. The required fire alarm box shall be located at the main entry. Tamper resistant covers are required on fire alarm boxes at educational facilities below High School level. Where multi-tenant buildings have the fire alarm control panel located in the Riser Room, IT Room, or other location away from the main entry the one required manual fire alarm box shall not be installed at the fire alarm control panel. Exterior horn/strobes are required to be on the side of the building facing the main road/entry. The exterior horn/strobe is to be clearly visible by approaching emergency responders (near roof line on single story buildings and near second floor line on multi-story buildings). Remote annunciator is to be provided at a constantly attended location/main entry when the Fire Alarm Control Panel is located away from the main entry. Remote keyed test switches for smoke detectors or magnets for testing devices are not permitted.

Communications integrity monitoring shall comply with the following:

1. Multiple paths of communication are permitted at least once every 24 hours for each path of communication. Multiple paths of communication shall be comprised of one of the following methods:
    1.1. Land lines Primary and Secondary (Allowed at alternating 24-hour intervals)
    1.2. Land line and Cellular communicator Primary and Secondary
    1.3. Cellular communicator Primary and a Cellular communicator Secondary
    1.4. Land line or Cellular communicator Primary and IP Data line Secondary
    1.5. Land line or Cellular communicator Primary and two-way RF Secondary
2. Single paths of communication are permitted at least once every 60 minutes for the following communicators:

1.1 Cellular communicators to include Dual Path.

Exception: Except where communication is required more frequently by this *code* or NFPA 72.

IP Data lines are not approved for use as the primary or singular communication line for Fire Alarm Control Panel's.

Where in duct smoke detectors are installed more than 10 feet above the finished floor or in arrangements where the detector's alarm or supervisory indicator is not visible to responding personnel, the detectors shall be provided with remote supervisory indication in a location acceptable to the *fire code official*. Activation of duct smoke detectors shall activate a general alarm condition.

Activation of the building fire alarm system by a manual pull station, waterflow switch, smoke detector, or any general alarm signal shall shutdown air handler units and ventilation systems to include extra-large ceiling fans.

The manual fire alarm box for Group R-2 occupancies is required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. The manual fire alarm box location shall be approved by the *fire code official* and may or may not be located in an area that is accessible to the public.

Exception: The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory services.

(clxxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.2.1** to read as follows:

907.2.2.1 Ambulatory care facilities. Buildings or *fire areas* containing ambulatory care facilities shall be provided with a manual fire alarm system with an electronically supervised automatic smoke detection system installed within the ambulatory care facility and in public use areas outside of tenant spaces, including public *corridors* and elevator lobbies where either of the following conditions exist at any time:

1. One or more rooms, chairs, beds, or spaces are provided for care recipients that are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the *level of exit discharge* serving the facility.

Care recipients are considered incapable of self-preservation where any of the following conditions exists to include, but not limited to:

1. Patients or care recipients requiring assistance or rescue by staff, other occupants or fire personnel to evacuate the building.
2. Medical staff must stabilize the patient prior to evacuation whereby staff would need to evacuate as well.
3. The use of medical gases including but not limited to oxidizing medical gases, such as oxygen and nitrous oxide.
4. The possibility of surgical fires.

The determination of whether or not a person is rendered incapable of self-preservation by the service provided need not be limited to persons who have been rendered unconscious for the procedure. It is reasonable to determine that a person has been rendered incapable of self-

preservation if the person is conscious, yet unable to determine the direction of or traverse the *means of egress* without supervision or direction from staff or other persons, to include persons with or experiencing an altered state of consciousness.

Exception: Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 provided that the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(clxxx) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.3** to correct a contradiction in the exceptions to read as follows:

907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. Where *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an *occupant load* of 50 or less.
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an *approved* occupant notification signal in accordance with Section 907.5.
3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
    3.1. Interior *corridors* are protected by smoke detectors.
    3.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by *heat detectors* or other *approved* detection devices.
    3.3. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other *approved* detection devices.
    3.4. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.
    3.5. The emergency voice/alarm communication system will activate on sprinkler water flow.
    3.6. Manual activation is provided from a normally occupied location.

(clxxxi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.4** to read as follows:

907.2.4 Group F. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where one of the following conditions exist:

1. The Group F occupancy is two or more stories in height.
2. The Group F occupancy *occupant load* of all floors is 100 or more persons

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(clxxxii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.7** to read as follows:

907.2.7 Group M. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exist:

1. The combined Group M *occupant load* of all floors is 100 or more persons.
2. The Group M *occupant load* is more than 50 persons above or below the lowest *level of exit discharge*.

Exceptions: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will automatically activate throughout the notification zones upon sprinkler water flow.

(clxxxiii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.10** to read as follows:

907.2.10 Group S. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S occupancies where one of the following conditions exist:

1. The combined Group S *occupant load* of all floors is 100 or more persons.
2. The Group S occupant load is more than 50 persons above or below the lowest *level of exit discharge*.
3. Group S occupancy storage buildings, storage units and buildings used for the storage of household goods, upholstered furniture, mattresses, and public- and self-storage occupancies for interior *corridors* and interior common areas. Visible notification appliances are not required within storage units.

Exception: Manual fire alarm boxes are not required for 1. or 2. where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(clxxxiv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **[M] 907.2.13.1.2** to read as follows:

[M] 907.2.13.1.2 Duct smoke detection. Duct smoke detectors complying with Section 907.3.1 shall be located in accordance with NFPA 90A: Standard for the Installation of Air-Conditioning and Ventilating Systems and as follows:

1. In the main supply air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.90 m^3/s) or a combination of units drawing and/or supplying air to an area in excess of 2,000 cubic feet per minute (cfm) (0.90 m^3/s). Such detectors shall be located in a serviceable area downstream of air filter(s), motors, electrical circuit boards, and/or controllers, and ahead of any branch connections in air supply systems.
2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m^3/s) and serving not more than 10 air-inlet openings.

(clxxxv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2.23** to amend a misprint to the Edition printing to read as follows:

907.2.23 Energy storage systems. An automatic smoke detection system or radiant-energy detection system shall be installed in rooms, areas and walk-in units containing energy storage systems as required in Section 1207.5.4.

(clxxxvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.2** to add **907.2.24** through **907.2.24.3** to read as follows:

907.2.24 Group R-4. Fire alarm systems and smoke alarms shall be installed in Group R-4 occupancies as required in Sections 907.2.24.1 through 907.2.24.3.

907.2.24.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-4 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building where all of the following conditions are met:
   1.1. The building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.
   1.2. The notification appliances will activate upon sprinkler water flow.
   1.3. Not fewer than one manual fire alarm box is installed at an *approved* location.
2. Manual fire alarm boxes in resident or patient sleeping areas shall not be required at *exits* where located at all nurses' control stations or other constantly attended staff locations, provided such stations are visible and continuously accessible and that the distances of travel required in Section 907.4.2.1 are not exceeded.

907.2.24.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in *corridors*, waiting areas open to *corridors*, and *habitable spaces* other than *sleeping units* and kitchens.

Exception:

1. Smoke detection in *habitable spaces* is not required where the facility is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1.
2. An automatic smoke detection system is not required in buildings that do not have interior *corridors* serving *sleeping units* and where each *sleeping unit* has a *means of egress* door opening directly to an *exit* or to an exterior *exit access* that leads directly to an *exit*.

907.2.24.3 Smoke alarms. Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11.

(clxxxvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.3.1** to read as follows:

907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be *listed* for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be installed

on the supply side of the unit downstream of air filter(s), motors, electrical circuit boards, and/or controllers, and ahead of any branch connections in air supply systems. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2 or when a fire alarm system is present in the building to include multi-tenant buildings. Activation of a duct smoke detector shall initiate a general alarm condition. In facilities that are required to be monitored by a supervising station, duct detectors shall report as a fire alarm. They shall not be used as a substitute for required open area detection.

Exceptions:

1. The supervisory signal at a *constantly attended location* is not required where duct smoke detectors activate the building's fire alarm notification appliances.
2. In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an *approved* location. Smoke detector trouble conditions shall activate a visible and audible signal in an *approved* location and shall be identified as air duct detector trouble.

(clxxxviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5** to read as follows:

907.5 Occupant notification. Occupant notification by fire alarms shall be in accordance with Sections 907.5.1 through 907.5.2.3.3. Occupant notification by smoke alarms in Group R-1 and R-2 occupancies shall comply with Section 907.5.2.1.3.2. Where an *automatic sprinkler system* is installed upon activation of the waterflow device the fire alarm control unit shall initiate occupant notification to alert building occupants.

(clxxxix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5.1** to read as follows:

907.5.1 Alarm activation and annunciation. Upon activation, fire alarm systems shall initiate occupant notification to alert building occupants, and shall annunciate at the fire alarm control unit, it shall be activated by:

1. Automatic fire detectors.
2. Automatic fire sprinkler system waterflow devices.
3. Manual fire alarm boxes.
4. Automatic fire extinguishing systems.

Exception: Where notification systems are allowed elsewhere in Section 907 to annunciate at a *constantly attended location*.

(cxc) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5.2** to read as follows:

907.5.2 Alarm notification appliances. Alarm notification appliances shall be provided and shall be *listed* for their purpose. An exterior audio/visual device shall be installed on the responder's approach side of the building and be visible from the roadway or entry. The location of the exterior audio/visual device shall be *approved* by the *fire code official*.

(cxci) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5.2.1** to read as follows:

907.5.2.1 Audible and visual alarms. Audible alarm notification appliances shall be provided and emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm,

and visual alarm notification appliances shall be provided and emit a distinctive light that is not to be used for any purpose other than that of a fire alarm in accordance with Section 901.4.6.

Exceptions:

1. Audible alarm notification appliances are not required in critical care areas of Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
2. A visible alarm notification appliance installed in a nurses' control station or other continuously attended staff location in a Group I-2, Condition 2 suite shall be an acceptable alternative to the installation of audible alarm notification appliances throughout a suite or unit in Group I-2, Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.
3. Where provided, audible notification appliances located in each enclosed occupant evacuation elevator lobby in accordance with Section 3008.9.1 of the *International Building Code* shall be connected to a separate notification zone for manual paging only.

(cxcii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5.2.3.1** to read as follows:

907.5.2.3.1 Public use areas and common use areas and occupiable areas. Visible alarm notification appliances shall be provided in *public use areas*, *common use areas*, and occupiable areas to include rooms and areas used for mechanical equipment, storage, electrical, information technologies, mezzanines, and similar.

Exception: Where employee work areas have audible alarm coverage, the notification appliance circuits serving the employee work areas shall be initially designed with not less than 20-percent spare capacity to account for the potential of adding visible notification appliances in the future to accommodate hearing-impaired employee(s).

(cxciii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.5.2.3.2** to read as follows:

907.5.2.3.2 Groups I-1, R-1, and R-2. *Habitable spaces* in *dwelling units* and *sleeping units* in Group I-1, R-1, and R-2 occupancies in accordance with Table 907.5.2.3.2 shall be provided with visible alarm notification appliances. Visible alarm notification appliances shall be activated by both the in-room smoke alarm and the building fire alarm system.

(cxciv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.6.3** to delete Exception to read as follows:

907.6.3 Initiating device identification. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate. General device addresses identifying or labeled as "zone" is not permitted.

Exceptions:

1. Fire alarm systems that only include one manual alarm box, waterflow initiating devices.
2. Special initiating devices that do not support individual device identification.
3. Fire alarm systems or devices that are replacing existing equipment and that are not capable of addressable programing.

(cxcv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **907.7** to read as follows:

907.7 Installation testing, acceptance tests and completion. Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested in accordance with NFPA 72. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* 3rd party tester. The *fire code official* may perform inspections to ensure proper operation of *fire alarm systems* or allow *approved* 3rd party inspectors to perform inspections of *fire alarm systems*. After initial installation and/or alteration the following original copies of end of job documentation shall be provided to the *Fire Marshal*:

1. Certificate of Installation – Record of Completion,
2. Cibolo's Emergency Communication Systems Record of Inspection and Testing,
3. Letter of Compliant Installation, and
4. As-builts (if applicable).

(cxcvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **909.12.1** to amend a miss print to the Edition printing to read as follows:

909.12.1 Verification. Control systems for mechanical smoke control systems shall include provisions for verification. Verification shall include positive confirmation of actuation, testing, manual override and the presence of power downstream of all disconnects. A preprogrammed weekly test sequence shall report abnormal conditions audibly, visually and by printed report. The preprogrammed weekly test shall operate all devices, equipment and components used for smoke control.

Exception: Where verification of individual components tested through the preprogrammed weekly testing sequence will interfere with, and produce unwanted effects to, normal building operation, such individual components are permitted to be bypassed from the preprogrammed weekly testing, where *approved* by the *fire code official* and in accordance with both of the following:

1. Where the operation of components is bypassed from the preprogrammed weekly test, presence of power downstream of all disconnects shall be verified weekly by a *listed* control unit.
2. Testing of all components bypassed from the preprogrammed weekly test shall be in accordance with Section 909.22.6.

(cxcvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **909.20.6.2** to amend a misprint to the Edition printing to read as follows:

[BF] 909.20.6.2 Standby power. Mechanical vestibule and *stairway* and *ramp* shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 1203.

(cxcviii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.1** to read as follows:

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.7.

Construction documents. Fire Line systems shall be submitted for review and permitting

prior to system installation or modifying. Three copies will be submitted unless otherwise stated by the *fire code official*. Deviation from approved plans shall require prior permission of the *fire code official*. Construction documents shall be drawn to an indicated scale, on sheets of uniform size, and shall show those items from the following list that pertain to the design of the system. Construction documents shall be provided in accordance with International Fire Code 2015 Edition with amendments, NFPA 13, NFPA 14, NFPA 24, and other national standards or regulations to include, but not be limited to, all of the following:

1. Fire line system plan design worksheet.
2. A plan showing all buildings, fire department connections, fire hydrants, fire apparatus access roads, alleys, driveways, sidewalks, and similar items. To include lengths and widths.
3. Compass point and the equipment symbol legend. (Note: Use of *NFPA 170* symbols is recommended)
4. Fire Line Plans are stamped and signed as required. (Designer and installer registered with Texas State Fire Marshal's Office)
5. Manufactures specifications and ratings on equipment and materials, to include but not limited to backflow prevention devices, couplings, valves, hardware, gauges, and similar components.
6. Location and description of all required signs. Each valve shall have identification signs indicating its function and what it controls, signage requirement and locations are noted on the plans, NFPA 6.6.
7. The fire line plan shows pipe size and placement to the hydrants and the building from the point of connection at the city main or water supply source.
8. Table identifying piping sizes, lengths, fittings, and similar.
9. Scale of plan sheets is to be 1/8 inch or similar as approved by the *fire code official*.
10. Method(s) of a restrained joint system is specified. If used, a thrust blocks size matrix with details or calculations is provided. Pipe system, thrust blocks, and fitting locations are detailed, NFPA 10.8.2. If used, the rod size and number of rods is specified, apply NFPA Section 10.8.3 and Table 10.8.3.1.2.2. If used, the size of restraint straps for tees is specified, apply Table 10.8.3.2.3. If used, clamp and rod detail is specified (1 pair of rods for each clamp) and the clamp size is specified, NFPA 10.8.3.1, A10.8.2.
11. Reduced Pressure Principal Backflow Prevention Device located on plans if installed outside of the building.
12. Valves in pits, used in lieu of Post Indicating Valves, are detailed to show conformance with NFPA Section 6.4, e.g. large enough for equipment placement, maintenance, inspection, and testing, and constructed to protect equipment from damage and accumulation of water.
13. The pipe is listed for fire protection service and complies with NFPA Table 10.1.1, is designed to withstand the system pressure needed based on the use of that portion of the system, and a listing data sheet is provided, NFPA 10.1.1, 10.1.5. Fire lines supplying system risers, and hydrants shall be minimum Class DR-18 and fire lines for fire department connections and standpipes systems shall be minimum Class DR-14.
14. The type and class of pipe material is specified, NFPA 10.1.4.
15. The method of joining pipe sections is specified and in compliance with Section 10.3 and the fittings are pressure compatible with the pipe, NFPA 10.2.5.
16. The depth of pipe for areas where frost is not a concern is detailed with the minimum depth being at 2.5 feet, or 3 feet when the pipe is located under vehicle traffic areas.
17. Backfill material for tamping around the pipe is specified, NFPA 10.9.
18. The flushing and hydrostatic test requirements are on the plans as specified in NFPA 10.10.2.

19. Hydraulic calculations of the fire line are provided on the plans.
20. Any additional information required by the *fire code official*.
21. The construction documents submittal shall include the manufacturer's installation instructions for any specially listed equipment, including equipment description, product literature (including cut sheets), specifications, applications, and limitations for any devices, piping, or fittings.

Fire department connection. Fire department connection and piping design shall meet the following to include, but not limited to the following:

1. Freestanding fire department connection piping and fire line piping shall not to be smaller than system riser piping.
2. Fire department connection piping is to run from the fire department connection to the riser room and connect directly to the fire sprinkler system riser above the alarm check valve. Fire department connection check valves are to be as high as possible and as close to the riser as possible or connect to a main line not smaller than the system riser.
3. No shutoff valves shall be permitted in the piping from the fire department connection head to the point that the fire department connection piping connects to the system piping suppling the sprinkler heads.
4. Automatic ball drip valve is to be located in a vault or below grade and be of an approved type.
5. The number of ports on a fire department connection head shall be determined by the sprinkler system demand with hose allowances calculated at 250 gpm per 2 ½ inch port.
   Example: Area/zone greatest system demand 995 gpm + interior hose demand 500 gpm = 1,495 gpm divided by 250 gpm = 5.98 requires a fire department connection head with six 2 ½ inch ports.
6. Freestanding fire department connection piping and fire line pipe system sizing recommendations unless otherwise *approved* by the *fire code official*.
   Clappered Siamese FDC head for up to 500 gpm, minimum 4-inch piping.
   Clappered Triamese FDC head for up to 750 gpm, 4- or 6-inch piping as design calculated.
   Clappered 4- or 6-way FDC head for flows greater than 750 gpm as hydraulically calculated, minimum 6- or 8-inch piping as design calculated.
   Clappered 8-way FDC head for flows greater than 1,500 gpm as hydraulically calculated, minimum 8 inch or larger piping as design calculated.

(cxcix) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.2** to read as follows:

912.2 Locations. With respect to fire hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Distance from a fire hydrant to fire department connection shall be within 100 feet (30 480 mm). No fire department connection shall be located on an exterior wall; fire department connections shall not be placed closer than the height of the exterior wall, unless *approved* by the *fire code official*. The fire department connection shall be located not less than 29 inches and not more than 39 inches above finish grade. The location of fire department connections shall be *approved* by the fire chief.

(cc) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.4** to read as follows:

912.4 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object.

Access to fire department connections shall be *approved* by the fire chief. The fire chief shall have the authority to require an increase in the minimum access widths where they are inadequate for fire operations.

Exception: Fences, where provided with a minimum 48-inch (1220 mm) access gate equipped with a sign complying with the legend requirement of Section 912.5 with letters not less than 2 inches (51 mm) high and a means of emergency operation shall be *approved* by the fire chief and maintained operational at all times.

(cci) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.4.1** to read as follows:

912.4.1 Locking fire department connection caps. On new and existing buildings, the *fire code official* is authorized to require locking caps on fire department connections for water-based *fire protection systems* where the responding fire department carries appropriate key wrenches for removal. The *fire code official* will require all fire department connections to be equipped with locking caps with swivel guards. The type and brand shall be of one the fire department currently has a master key for.

(ccii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.4.3** to read as follows:

912.4.3 Physical protection. Where fire department connections are subject to impact by a motor vehicle, vehicle impact protection shall be provided in accordance with Section 312. Fire department connections shall be no closer than 1 foot (304.8 mm), and no farther than of 15 feet (4572 mm), from the back of the curb of a fire apparatus access road. Fire department connections closer than 2 feet (610 mm) from the back of the curb or where no curbs are present shall be provided with vehicle impact protection in accordance with Section 312.

(cciii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.5** to read as follows:

912.5 Signs. A metal identification plate with raised letters not less than 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such metal identification plates shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable.

The fire department connection shall be identified by a metal sign installed on a pole behind and extending above the fire department connection where identifying a freestanding fire department connection or by a metal sign above the fire department connection where identifying a wall mounted fire department connection. The wording on the sign shall be sized to be visible and readable from the street or fire apparatus access road the sign faces and at a minimum with the letters "FDC" not less than six (6) inches high and mounted no lower than seven (7) feet from grade to the bottom edge of the sign.

Where the fire department connection does not serve the entire building, or where more than one fire department connection is provided, or where a fire department connection supplies more than the sprinkler system riser, a sign shall be provided indicating the portions of the building served, the zones or areas served, and any hose connections present.

(cciv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.6** to read as follows:

912.6 Backflow protection. The potable water supply to automatic sprinkler and standpipe systems and fire pumps shall be protected against backflow as required by the *International Plumbing Code* and as follows:

Connections to the potable water distribution system for Fire Sprinkler Systems, Standpipe Systems, and Fire Pumps. Potable water distribution systems supplying standpipes, automatic sprinkler systems, and fire pumps shall be protected from backpressure and backsiphonage by one of the following testable devices:

1. Double check valve backflow prevention assembly (DC)
2. Double check detector fire protection backflow prevention assembly
3. Reduced pressure principal backflow prevention assembly (RP)
4. Reduced pressure detector fire protection backflow prevention assembly

Fire Department Connections. Where fire protection systems are supplied from a nonpotable water source that is capable of being used by the fire department as a secondary water supply, such as a fire department connection the potable water supply shall be protected by one of the following:

1. Reduced pressure principal backflow prevention assembly (RP)
2. Reduced pressure detector fire protection backflow prevention assembly

Nonpotable water sources include fire department vehicles carrying water of questionable quality or water that is treated with antifreeze, corrosion inhibitors, or extinguishing agents. Fire apparatus carry tanks full of contaminated nonpotable water and it can be pumped into the sprinkler system through the FDC's at greater pressures (as much as 3 times) than the municipal water system. This is why reduced pressure principal backflow prevention assembly are required.

Hydraulic Design. Where a backflow device is installed to protect the potable water supply from a fire protection system, the hydraulic design of the system shall account for the pressure drop through the backflow device. Where such devices are retrofitted for an existing fire protection system, the hydraulics of the sprinkler system design shall be checked to verify that there will be sufficient water pressure available for satisfactory operation of the fire sprinklers.

(ccv) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **912.7** to read as follows:

912.7 Installation testing and maintenance. Fire department connections shall be periodically inspected tested and maintained in accordance with NPFA 25. Records of inspection, testing and maintenance shall be maintained. Upon completion of the installation, all components shall be tested in accordance with NFPA requirements. When required acceptance tests shall be performed as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing. Acceptance testing is performed by an *approved* 3rd party tester. The *fire code official* may perform inspections to ensure proper installation and operation of fire department connecting and underground fire lines or allow *approved* 3rd party inspectors to perform inspections of fire department connecting and underground fire lines. After initial installation and/or alteration the following original copies of end of job documentation shall be provided to the *Fire Marshal*:

1. Contractor's Material and Test Certificate for Underground Piping (State's form and Cibolo's form),
2. Letter of Compliant Installation,
3. Backflow Test Report (where applicable), and

4. As-builts (if applicable).

(ccvi) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **913.1** to read as follows:

913.1 General. Where provided, fire pumps shall be installed in accordance with this section and NFPA 20. The sizing of fire pumps shall include all factors including but not limited to, fire pumps supplying interior fire sprinkler systems only to include hose allowance, fire pumps supplying more than interior fire sprinkler systems where any of the following could be supplied by the fire pump, interior fire sprinkler systems to include hose allowances (inside and outside), on-site fire hydrants, fire apparatus connecting to on-site fire hydrants, additional fire protection systems, and any additional fire-flow gpm as specified by the *fire code official* or fire chief. The total demand from all factors shall be added to determine the needed size of the fire pump.

(ccvii) CHAPTER 9 FIRE PROTECTION SYSTEMS is hereby amended by amending **914.1** to read as follows:

914.1 General. This section shall specify where fire protection systems are required based on the detailed requirements of use and occupancy of the *International Building Code* except where stricture amendments have been written into *adopted codes*.

(ccviii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1003** to add **[BE] 1003.8** and read as follows:

[BE] 1003.8 Special Provisions. Rooms in E occupancies used for kindergarten or daycare, having any children five years of age or less, classified as an E occupancy shall not be located above or below the first story.

Exceptions:

1. Basements or stories having floor levels located within four feet, measured vertically, from adjacent ground level at the *level of exit discharge*, provided the basement or story has exterior *exit doors* at that level.
2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten or for daycare purposes may be located on the second story, provided there are at least two exterior *exit access stairways* or *ramps* for the exclusive use of such occupancies.

(ccix) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1008.3.2** to read as follows:

[BE] 1008.3.2 Buildings. In the event of power supply failure, in buildings that require two or more *exits* or *access to exits*, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior *exit access stairways* and *ramps*.
2. *Interior* and *exterior exit stairways* and *ramps*.
3. *Exit passageways*.
4. Vestibules and areas on the *level of discharge* used for *exit discharge* in accordance with Section 1028.2.
5. Exterior landings as required by Section 1010.1.5 for exit doorways that lead directly to the *exit discharge*.

6. Group E occupancies shall have emergency egress lighting in interior *exit access* and *exit stairways* and *ramps*, *corridors*, windowless areas with student occupancy, classrooms, shops, and laboratories. All classrooms with windows shall have emergency egress lighting installed, at minimum, inside at the egress doors to the space.

(ccx) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1008.3.2** to read as follows:

[BE] 1009.1 Accessible means of egress required. All new buildings or portions of buildings must comply with the accessibility standards adopted by the State of Texas. *Accessible means of egress* shall comply with this section. Accessible spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* is required by Section 1006.2 or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two *accessible means of egress*.

Exceptions:

1. One *accessible means of egress* is required from an accessible *mezzanine* level in accordance with Section 1009.3, 1009.4 or 1009.5.
2. In assembly areas with ramped *aisles* or stepped *aisles*, one *accessible means of egress* is permitted where the common path of travel is accessible and meets the requirements in Section 1030.8.

(ccxi) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1010.1.2** to read as follows:

[BE] 1010.1.2 Egress door types. Egress doors shall be of the side-hinged swinging door, pivoted door or balanced door types.

Exceptions:

1. Private garages other than attached residential garages, and storage areas with an *occupant load* of 5 or less.
2. Group I-3 occupancies used as a place of detention.
3. Critical or intensive care patient rooms within suites of health care facilities.
4. In other than Group H occupancies, revolving doors complying with Section 1010.3.1.
5. In other than Group H occupancies, special purpose horizontal sliding, accordion or folding door assemblies complying with Section 1010.3.3.
6. Power-operated doors in accordance with Section 1010.3.2.
7. Doors serving a bathroom within an individual *sleeping unit* in Group R-1.
8. In other than Group H occupancies, manually operated horizontal sliding doors are permitted in a *means of egress* from spaces with an *occupant load* of 10 or less.

(ccxii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1011.12.2** to read as follows:

[BE] 1011.12 Stairway to roof. In buildings four or more stories above *grade plane*, one *stairway* shall extend to the roof surface, unless the roof has a slope steeper than 4 units vertical in 12 units horizontal (33-percent slope). In buildings of any height where roof access is provided access shall be in accordance with Section 1011.12.2.

Exception: Other than where required by Section 1011.12.1, in buildings without an occupied roof, access to the roof from the top story shall be permitted to be by an *alternating tread device*, a ship's ladder or a permanent ladder.

(ccxiii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1011.12.2** to read as follows:

[BE] 1011.12.2 Roof access. Where a stairway is provided to a roof of any story, access to the roof shall be provided through a penthouse complying with Section 1510.2 of the *International Building Code*.

Exception: In buildings of any story without an occupied roof, access to the roof shall be permitted to be a roof hatch or trap door not less than 16 square feet (1.5 m^2) in area and having a minimum dimension of 32 inches (813 mm).

(ccxiv) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1013.3** to read as follows:

[BE] 1013.3 Illumination. Exit signs shall be internally or externally illuminated. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit signs are not permitted for use.

Exception: Tactile signs required by Section 1013.4 need not be provided with illumination.

(ccxv) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1013.5** to read as follows:

[BE] 1013.5 Internally illuminated exist signs. Electrically powered, *self-luminous* and *photoluminescent* exit signs shall be *listed* and labeled in accordance with UL 924 and shall be installed in accordance with manufacturer's instructions and Section 1203. Exit signs shall be illuminated at all times. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit signs are not permitted for use.

(ccxvi) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1013.6.3** to amend a miss print to the Edition printing to read as follows:

1013.6.3 Power source. Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 1203. Group I-2, Condition 2 exit sign illumination shall not be provided by unit equipment batteries only.

Exception: *Approved* exit sign illumination types that provide continuous illumination independent of external power sources for a duration of not less than 90 minutes, in case of primary power loss, are not required to be connected to an emergency electrical system.

(ccxvii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **[BE] 1025.5** to read as follows:

[BE] 1025.5 Illumination. When *approved* for installation by the *fire code official* and where *photoluminescent* exit path markings are installed, they shall be provided with not less than 1 footcandle (11 lux) of illumination for not less than 60 minutes prior to periods when the building is occupied and continuously during the building occupancy. Where rooms are equipped with automatic light switches or lighting is remotely controlled *photoluminescent* exit path markings are not permitted for use.

(ccxviii) CHAPTER 10 MEANS OF EGRESS is hereby amended by amending **1032.2.2** to amend a miss print to the Edition printing to read as follows:

1032.2.2 Locking arrangements in educational occupancies. In Group E occupancies, Group B educational occupancies and Group I-4 occupancies, egress doors with locking arrangements designed to keep intruders from entering the room shall comply with Section 1010.2.8.

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(ccxix) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending Table **1103.1** to amend a misprinted table to read as follows:

TABLE 1103.1 OCCUPANCY AND USE REQUIREMENTS[a]

Section	Use			Occupancy Classification																	
	High-rise	Atrium or covered mall	Under-ground building	A	B	E	F	H-1	H-2	H-3	H-4	H-5	I-1	I-2	I-3	I-4	M	R-1	R-2	R-3	R-4	S
1103.2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
1103.3	R	—	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
1103.4.1	R	—	R	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—	—	—	—	—
1103.4.2	R	—	R	R	R	R	R	R	R	R	R	R	R	—	—	R	R	R	R	R	R	R
1103.4.3	R	—	R	R	R	R	R	R	R	R	R	R	R	—	—	R	R	R	R	R	R	R
1103.4.4	—	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1103.4.5	—	—	—	—	R	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—
1103.4.6	—	—	—	R	—	R	R	R	R	R	R	R	R	R	R	R	—	R	R	R	R	R
1103.4.7	—	—	—	R	—	R	R	R	R	R	R	R	R	R	R	R	—	R	R	R	R	R
1103.4.8	R	—	R	R	R	R	R	R	R	R	R	R	R	—	—	R	R	R	R	R	R	R
1103.4.9	R	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—
1103.5.1	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—
1103.5.2[b]	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—
1103.5.3	—	—	—	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
1103.6.1	R	—	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	—	R	R
1103.6.2	R	—	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
1103.7.1	—	—	—	—	—	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1103.7.2	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—	—
1103.7.3	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—
1103.7.4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—
1103.7.5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—
1103.7.6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—
1103.7.7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—
1103.8	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	R	R	R	R	—
1103.9	R	—	—	—	—	—	—	—	—	—	—	—	R	R	—	R	—	R	R	R	R	—
1104	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
1105	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—
1106	—	—	—	—	—	—	—	—	—	—	—	—	—	R	—	—	—	—	—	—	—	—

a. Existing buildings shall comply with the sections identified as "Required" (R) based on occupancy classification or use, or both, whichever is applicable.

b. Only applies to Group I-2 Condition 2 as established by the adopting ordinance.

R = The building is required to comply.

(ccxx) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending **1103.5** to amend a miss print to the Edition printing to read as follows:

1103.5 Sprinkler systems. An *automatic sprinkler system* shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.3.

(ccxxi) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending **1103.5.3** to add a completion date for installation as follows:

1103.5.3 Group I-2, Condition 2. In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1. The *automatic sprinkler system* shall be installed as established by the adopting ordinance. The date by which the *automatic sprinkler system* shall be installed is 31 December 2024.

(ccxxii) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending **1103.5.4** to amend a miss print to the Edition printing to read as follows:

1103.5.4 High-rise buildings. Where Appendix M has not been adopted, existing high-rise buildings that do not have a previously *approved* fire sprinkler system shall be equipped with an *automatic sprinkler system*in accordance with Section 903.3.1.1 where any of the following conditions apply:

1. The high-rise building has an occupied floor located more than 120 feet (36 576 mm) above the lowest level of fire department vehicle access.
2. The high-rise building has occupied floors located more than 75 feet (22 860 mm) and not more than 120 feet (36 576 mm) above the lowest level of fire department vehicle access, and the building does not have at least two *interior exit stairways* complying with Section 1104.10 that are separated from the building interior by fire assemblies having a *fire-resistance rating* of not less than 2 hours with opening protection in accordance with Table 716.1(2) of the *International Building Code*.
3. The high-rise building has occupied floors located more than 75 feet (22 860 mm) and not more than 120 feet (36 576 mm) above the lowest level of fire department vehicle access, and the building does not have a fire alarm system that includes smoke detection in mechanical equipment, electrical, transformer, telephone equipment and similar rooms; *corridors*; elevator lobbies; and at doors penetrating *interior exit stairway* enclosures.

Building *owners* shall file a compliance schedule with the *fire code official* not later than 365 days after receipt of a written notice. The compliance schedule shall not exceed 12 years for completion of the *automatic sprinkler system* retrofit.

(ccxxiii) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending **1104.6.1** to amend a miss print to the Edition printing to read as follows:

1104.6.1 Height of guards. Guards shall form a protective barrier not less than 42 inches (1067 mm) high.

Exceptions:

1. Existing guards on the open side of exit access and exit *stairways* and ramps shall be not less than 30 inches (760 mm) high.
2. Existing *guards* within *dwelling units* shall be not less than 36 inches (910 mm) high.
3. Existing *guards* in assembly seating areas.

The remainder of this page is intentionally left blank.

(ccxxiv) CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS is hereby amended by amending **Table 1104.18** to amend a miss print to the Edition printing to read as follows:

TABLE 1104.18
COMMON PATH, DEAD-END AND TRAVEL DISTANCE LIMITS (by occupancy)

OCCUPANCY	COMMON PATH OF EGRESS TRAVEL LIMIT		DEAD-END LIMIT		EGRESS ACCESS TRAVEL DISTANCE LIMIT	
	Unsprinklered (feet)	Sprinklered (feet)	Unsprinklered (feet)	Sprinklered (feet)[j]	Unsprinklered (feet)	Sprinklered (feet)
Group A	75	20/75[i]	20[a]	20[a]	200	250[j]
Group B[h]	75[g]	100[j]	50	50	200	300[j]
Group E	75	75[j]	20	50	200	250[j]
Group F-1, S-1	75[g]	100[j]	50	50	200[c]	250[c, h, j]
Group F-2, S-2	75[g]	100[j]	50	50	300	400[j]
Group H-1	25	25[l]	0	0	75	75[j, l]
Group H-2	50	100[l]	0	0	75	100[j, l]
Group H-3	50	100[l]	20	20	100	150[j, l]
Group H-4	75	75[l]	20	20	150	175[j, l]
Group H-5	75	75[l]	20	50	150	200[j, l]
Group I-1	75	75[j]	20	50	200	250[j]
Group I-2	Notes [d, e, f]	Notes [d, e, f, j]	Note [e]	Note [e]	150	200[b, j]
Group I-3	100	100[j]	NR	NR	150[b]	200[b, j]
Group I-4	NR	NR	20	20	200	250[j]
Group M	75	100[j]	50	50	200	250[i, j]
Group R-1	75	75[j, k]	50	50	200	250[j, k]
Group R-2	75	125[j, k]	50	50	200	250[j, k]
Group R-3	NR	NR	NR	NR	NR	NR
Group R-4	NR	NR	NR	NR	NR	NR
Group U	75[g]	100[j]	20	50	300	400[j]

NR = No Requirements.
For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m^2.

a. See Section 1030.9.5 for dead-end aisles in Group A occupancies.
b. This dimension is for the total travel distance, assuming incremental portions have fully utilized their allowable maximums. For travel distance within the room, and from the room exit access door to the exit, see the appropriate occupancy chapter.
c. See Section 412 of the *International Building Code* for special requirements on spacing of doors in aircraft hangars.
d. Separation of exit access doors within a care recipient sleeping room, or any suite that includes care recipient sleeping rooms, shall comply with Section 1105.6.7.
e. In smoke compartments containing care recipient sleeping rooms and treatment rooms, dead-end corridors shall comply with Section 1105.6.6.
f. In Group I-2, Condition 2, care recipient sleeping rooms or any suite that includes care recipient sleeping rooms shall comply with Section 1105.7.
g. Where a tenant space in Group B, S and U occupancies has an occupant load of not more than 30, the length of a common path of egress travel shall be not more than 100 feet.
h. Where the building, or portion of the building, is limited to one story and the height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet or more, the exit access travel distance is increased to 400 feet.
i. For covered and open malls, the exit access travel distance is increased to 400 feet.
j. Buildings equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1.
k. Buildings equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.2.
l. Group H occupancies equipped with an approved automatic sprinkler system in accordance with Section 903.2.5.

(ccxxv) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1204.6** to amend a miss print to the Edition printing to read as follows:

1204.6 Cords and wiring. Extension cords and temporary wiring used to connect portable generators shall be in accordance with Section 603 and shall be provided with GFCI protection.

(ccxxvi) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1205.5.1** to amend a miss print to the Edition printing to read as follows:

1205.5.1 Vegetation control. A clear, brush-free area of 10 feet (3048 mm) shall be required around the perimeter of ground-mounted photovoltaic arrays. A maintained vegetative surface or a non-combustible base, approved by the *fire code official*, shall be installed and maintained under the photovoltaic arrays and associated electrical equipment installations.

(ccxxvii) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.1.4** to amend a miss print to the Edition printing to read as follows:

1207.1.4 Hazard mitigation analysis. A failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall be provided in accordance with Section 104.8.2 under any of the following conditions:

1. Where ESS technologies not specifically identified in Table 1207.1.1 are provided.
2. More than one ESS technology is provided in a room or enclosed area where there is a potential for adverse interaction between technologies.
3. Where allowed as a basis for increasing maximum allowable quantities. See Section 1207.5.2.

(ccxxviii) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.1.4** to amend a miss print to the Edition printing to read as follows:

1207.1.5 Large-scale fire test. Where required elsewhere in Section 1207, large-scale fire testing shall be conducted on a representative ESS in accordance with UL 9540A. The testing shall be conducted or witnessed and reported by an *approved* testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the *fire-resistance rating* of the room separation specified in Section 1207.7.4. The test report shall be provided to the *fire code official* for review and approval in accordance with Section 104.8.2.

(ccxxix) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.5.1** to amend a miss print to the Edition printing to read as follows:

1207.5.1 Size and separation. Electrochemical ESS shall be segregated into groups not exceeding 50 kWh (180 megajoules). Each group shall be separated a minimum of 3 feet (914 mm) from other groups and from walls in the storage room or area. The storage arrangements shall comply with Chapter 10.

Exceptions:

1. Lead-acid and nickel-cadmium battery systems in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.
2. The *fire code official* is authorized to approve larger capacities or smaller separation distances based on large-scale fire testing complying with Section 1207.1.5.

(ccxxx) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.6.3** to amend a miss print to the Edition printing to read as follows:

1207.6.3 Explosion control. Where required by Table 1207.6 or elsewhere in this code, explosion control complying with Section 911 shall be provided for rooms, areas or walk-in units containing electrochemical ESS technologies.

Exceptions:

1. Where *approved*, explosion control is permitted to be waived by the *fire code official* based on large-scale fire testing complying with Section 1207.1.5 that demonstrates that flammable gases are not liberated from electrochemical ESS cells or modules where tested in accordance with UL 9540A.
2. Where *approved*, explosion control is permitted to be waived by the *fire code official* based on documentation provided in accordance with Section 104.8 that demonstrates that the electrochemical ESS technology to be used does not have the potential to release flammable gas concentrations in excess of 25 percent of the LFL anywhere in the room, area, walk-in unit or structure under thermal runaway or other fault conditions.

(ccxxxi) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.7.2** to amend a miss print to the Edition printing to read as follows:

1207.7.2 Nondedicated-use buildings. For the purpose of Table 1207.7, nondedicated-use buildings include all buildings that contain ESS and do not comply with Section 1207.7.1 dedicated-use building requirements.

(ccxxxii) CHAPTER 12 ENERGY SYSTEMS is hereby amended by amending **1207.11.6** to amend a miss print to the Edition printing to read as follows:

1207.11.6 Fire detection. Rooms and areas within *dwellings units, sleeping units* and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section 907.2.11. A *heat detector listed* and interconnected to the smoke alarms shall be installed in locations within *dwelling units, sleeping units* and attached garages where smoke alarms cannot be installed based on their listing.

(ccxxxiii) CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended by amending **2304.1** to read as follows:

2304.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be in accordance with Section 2304.3, and as required by the Texas Commission on Environmental Quality (TCEQ) for certified operator.

The fueling-station operator shall establish procedures to follow in the event of a fuel spill. The fire department shall be notified of any fuel spill which is considered a hazard to people or property or which meets one or more of the following criteria:

1. Any dimension of the spill is greater than 5 feet (1524 mm).
2. The fuel flow is continuous in nature.

An investigation shall be conducted by the fueling-station operator of all spills requiring notification of the fire department. The investigation shall provide conclusive proof of the cause and verification of the appropriate use of emergency procedures. Where it is determined that corrective measures are necessary to prevent future incidents of the same nature, they shall be implemented immediately.

(ccxxxiv) CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended by amending **2306.2** to read as follows:

2306.2 Method of storage. *Approved* methods of storage for Class I, II and III liquid fuels at motor fuel-dispensing facilities, permanent on-site, and temporary fuel storage tanks shall be in accordance with Sections 2306.2.1 through 2306.2.7.

(ccxxxv) CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended by amending **2306.2.5** to read as follows:

2306.2.5 Portable tanks. Where approved by the *fire code official*, portable tanks are allowed to be temporarily used in conjunction with the dispensing of Class I, II or III liquids into the fuel tanks of motor vehicles or motorized equipment on premises not normally accessible to the public. The approval shall include a definite time limit. Permits shall have a 180-day expiration.

(ccxxxvi) CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended by amending **2306.2** to add **2306.2.7** to read as follows:

2306.2.7 Above-ground tanks change of system contents. It shall be a violation of this code to dispense or transfer Class I, II, or IIIA fuel into an above-ground fuel storage tank to be stored or dispensed for use unless the tank is *listed* and *labeled* for the fuel product. Above-ground fuel storage tanks and dispensing equipment subject to change in contents shall be subject to *fire code official* review and approval prior to commencing storage and/or dispensing operations.

(ccxxxvii) CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES is hereby amended by amending **2307.7.3** to read as follows:

2306.7.3 Mounting of dispensers. Dispensing devices, except those installed on top of a protected above-ground tank that qualifies as vehicle-impact resistant, shall be protected against physical damage by mounting on a concrete island 6 inches (152 mm) or more in height, or shall be protected in accordance with Section 312. Dispensing devices shall be installed and securely fastened to their mounting surface in accordance with the dispenser manufacturer's instructions. Dispensing devices installed indoors shall be located in an approved position where they cannot be struck by an out-of-control vehicle descending a ramp or other slope. (See Figure 2306.7.3)

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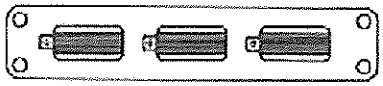
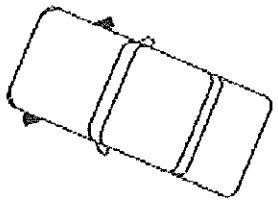
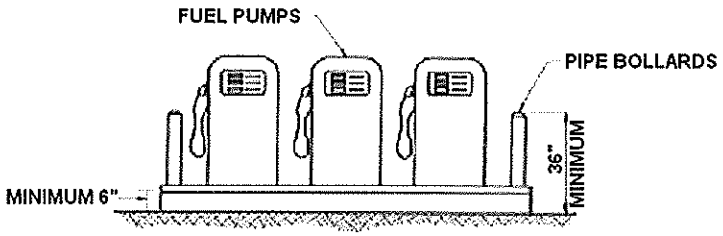
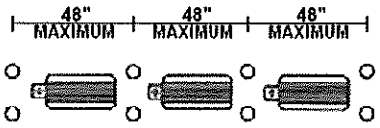


PLAN VIEW





ELEVATION ISLAND



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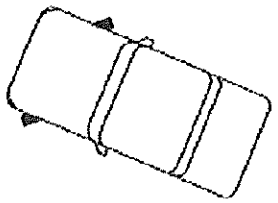
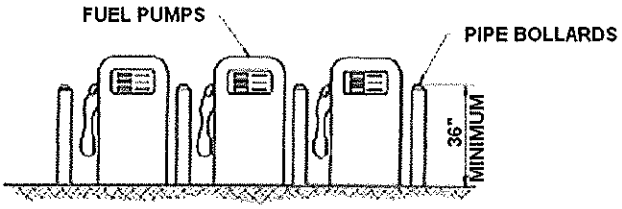




ELEVATION GRADE

FIGURE 2306.7.3
Dispenser Protection Against Physical Damage

(ccxxxviii) CHAPTER 24 FLAMMABLE FINISHES is hereby amended by amending **2401.2** to read as follows:

2401.2 Nonapplicability. This chapter shall not apply to spray finishing that does not utilize flammable or combustible liquids. Liquids with no flashpoint and/or in a water-miscible solution or dispersion with a water and inert (noncombustible) solids content of more than 80 percent by weight.

(ccxxxix) CHAPTER 24 FLAMMABLE FINISHES is hereby amended by amending **2404.3** to amend a miss print to the Edition printing to read as follows:

2404.3 Design and construction. Design and construction of spray rooms, spray booths and spray spaces shall be in accordance with Sections 2404.3.1 through 2404.3.4.1.

(ccxl) CHAPTER 28 LUMBER YARDS AND AGRO-INDUSTRIAL, SOLID BIOMASS AND WOODWORKING FACILITIES is hereby amended by amending **2807.2** to read as follows:

2807.2 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 25 feet (7620 mm) in width and 50 feet (15 240 mm) in length. Piles shall be separated from adjacent piles or other exposures by *approved* fire apparatus access roads.

Exception: The *fire code official* is authorized to allow the pile size to be increased when additional fire protection is provided in accordance with Chapter 9. The increase shall be based on the capabilities of the system installed.

(ccxli) CHAPTER 28 LUMBER YARDS AND AGRO-INDUSTRIAL, SOLID BIOMASS AND WOODWORKING FACILITIES is hereby amended by amending **2808.3** to read as follows:

2808.3 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 25 feet (7620 mm) in width and 50 feet (15 240 mm) in length. Stackable products shall not be stacked in excess of 15 feet (4572 mm) in height, 25 feet (7620 mm) in width and 50 feet (15 240 mm) in length.

(ccxlii) CHAPTER 28 LUMBER YARDS AND AGRO-INDUSTRIAL, SOLID BIOMASS AND WOODWORKING FACILITIES is hereby amended by amending **2808.3.1** to read as follows:

2808.3.1 Increase in pile or stack size. The *fire code official* is authorized to allow the piles or stackable products to be increased beyond the dimensions in Section 2808.3 provided that a written fire protection plan is *approved* by the *fire code official*. The fire protection plan shall include, but not be limited to, the following:

1. Contact information for after-hours response by facility personnel.
2. Storage yard areas and material-handling equipment selection, pile design and arrangement shall be based on sound safety, fire prevention, and fire protection principles.
3. *Approved* fire apparatus access roads around the piles or stacks and access roads to the top of piles, if applicable, shall be established, identified and maintained.
4. The potential for spontaneous heating shall be evaluated and provisions made to control the temperature of the piles. Methods for monitoring the internal temperature of the pile shall be provided.
5. Routine yard inspections shall be conducted by trained personnel.
6. A means for early fire detection and reporting to the public fire department shall be provided.

7. Facilities and equipment needed by the fire department for fire extinguishment shall be provided and maintained by the facility, business, company, agent, owner, and/or responsible persons, including a water supply in compliance with Section 507 and on-site heavy equipment necessary to move material.
8. A de-inventory plan shall be utilized to remove alternating piles or stacked products in a manner to increase the separation distances between the remaining piles or stacks.
9. The increased pile size shall be based on the capabilities of the installed fire protection systems and features including but not limited to water monitors, fire pumps, on-site hydrants, and similar.
10. An *approved* controlled burn area shall be provided on-site for smoldering or damaged product.
11. Any additional fire protection as deemed necessary by the Fire Chief.

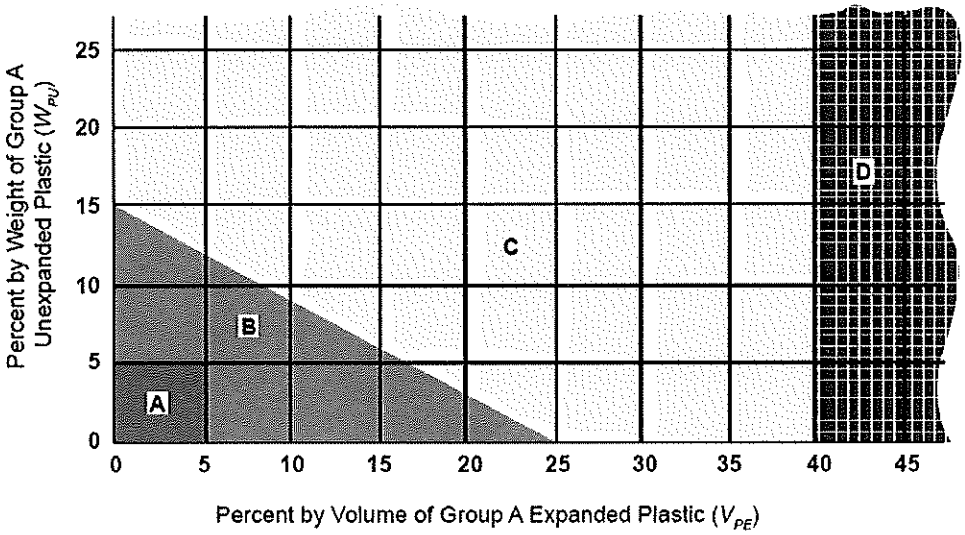
(ccxliii) CHAPTER 28 LUMBER YARDS AND AGRO-INDUSTRIAL, SOLID BIOMASS AND WOODWORKING FACILITIES is hereby amended by amending **2809.2** to read as follows:

2809.2 Size of piles. Exterior storage shall be arranged to form stable piles with a maximum height of 15 feet (4572 mm). Piles shall not exceed 18,750 cubic feet (531 m^3) in volume.

(ccxliv) CHAPTER 31 TENTS, TEMPORARY SPECIAL EVENT STRUCTURES AND OTHER MEMBRANE STRUCTURES is hereby amended by amending **2404.3** to amend a miss print to the Edition printing to read as follows:

3103.10.2 Fabric envelope design and construction. Air-supported and air-inflated structures shall have the design and construction of the fabric envelope and the method of anchoring in accordance with ASI-77.

(ccxlv) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **Figure 3203.9(1)** to amend a miss print to the Edition printing to read as follows:



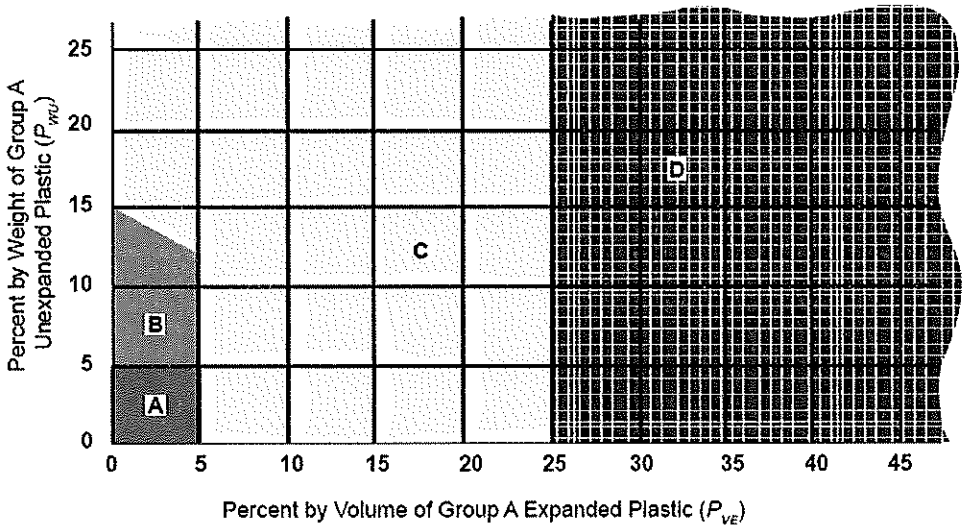
A = Class I, II or III commodity
B = Class IV commodity
C = High-hazard commodity (Group A Unexpanded)

D = High-hazard commodity (Group A Expanded)

FIGURE 3203.9(1)
EVALUATION OF CARTONED COMMODITIES CONTAINING GROUP A PLASTICS [a, b]

a. This figure is used to determine the commodity classification of a mixed commodity with Group A plastics in a package or crate.
b. The following is an example of how to apply Figure 3203.9(1): A pallet load consists of a Class III commodity in cardboard boxes with components of unexpanded Group A plastic and packing material of expanded Group A plastic. Using Equation 32-1, the weight of unexpanded Group A plastic is 5 percent. Using Equation 32-2, the volume of expanded Group A plastic is 15 percent. This commodity is classified as a Class IV commodity. If the volume of the expanded Group A plastic is increased to 20 percent, the classification changes to a High-hazard (Group A unexpanded) commodity. Where the load is stored on a plastic pallet, the requirements in Section 3203.10 also apply.

(ccxlvi) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **Figure 3203.9(2)** to amend a miss print to the Edition printing to read as follows:



A = Class I, II or III commodity
B = Class IV commodity
C = High-hazard commodity (Group A Unexpanded)
D = High-hazard commodity (Group A Expanded)

FIGURE 3203.9(2)
EVALUATION OF EXPOSED COMMODITIES CONTAINING GROUP A PLASTICS [a, b]

a. This figure is used to determine the commodity classification of a mixed commodity with Group A plastics where the products are exposed.
b. The following is an example of how to apply Figure 3203.9(2): A pallet load consists of an exposed Class III commodity with components of unexpanded Group A plastic and packing material of expanded Group A plastic. Using Equation 32-1, the weight of unexpanded Group A plastic is 5 percent. Using Equation 32-2, the volume of expanded Group A plastic is 6 percent. This commodity is classified as a High-hazard (Group A unexpanded) commodity. Where the load is stored on a plastic pallet, the requirements in Section 3203.10 also apply.

(ccxlvii) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3205.7** to read as follows:

3205.7 Designation of storage heights. Where required by the fire code official, a visual method of indicating the maximum allowable storage height shall be provided. The owner and/or tenant of premises subject to this section shall provide and maintain conspicuous markings on the walls and columns indicating the maximum permissible storage height.

(ccxlviii) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **Table 3206.2** to read as follows:

Table 3206.2
GENERAL FIRE PROTECTION AND LIFE SAFETY REQUIREMENTS

COMMODITY CLASS	SIZE OF HIGH-PILED STORAGE AREA[a] (square feet) (see sections 3206.2 and 3206.3)	ALL STORAGE AREAS (see Sections 3206, 3207 and 3208)[b]				SOLID-PILED STORAGE, SHELF STORAGE AND PALLETIZED STORAGE (see Section 3207.3)		
		Automatic fire extinguishing system (see Section 3206.4)	Fire detection system (see Section 3206.5)	Fire department access doors (see Section 3206.7)	Smoke and heat removal (see Section 3206.8)	Maximum pile dimension[c] (feet)	Maximum permissible storage height[d] (feet)	Maximum pile volume (cubic feet)
I-IV	0–500	Not Required[a]	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
	501–2,500	Not Required[a]	Yes[g]	Yes	Not Required	120	40	100,000
	2,501–12,000 Open to the public	Yes	Not Required	Yes	Not Required	120	40	400,000
	2,501–12,000 Not open to the public (Option 1)	Yes	Not Required	Yes	Not Required	120	40	400,000
	2,501–12,000 Not open to the public (Option 2)	Yes	Yes	Yes	Yes[h,i]	120	30[e]	200,000
	12,001–500,000	Yes	Not Required	Yes	Yes[h,i]	120	40	400,000
	Greater than 500,000[f]	Yes	Not Required	Yes	Yes[h,i]	120	40	400,000
High hazard	1–500	Not Required[a]	Not Required	Not Required	Not Required	Not Required	Not Required	Not Required
	501–2,500 Open to the public	Yes	Not Required	Yes	Not Required	60	30	75,000
	501–2,500 Not open to the public (Option 1)	Yes	Not Required	Yes	Not Required	60	30	75,000
	501–2,500 Not open to the public (Option 2)	Yes	Yes[g]	Yes	Yes[h,i]	60	20	50,000
	2,501–300,000	Yes	Not Required	Yes	Yes[h,i]	60	30	75,000
	Greater than 300,000[f]	Yes	Not Required	Yes	Yes[h,i]	60	30	75,000

For SI: 1 foot = 304.8 mm, 1 cubic foot = 0.02832 m^3, 1 square foot = 0.0929 m^2.

a. Where automatic sprinklers are required for reasons other than those in Chapter 32, the portion of the sprinkler system protecting the high-piled storage area shall be designed and installed in accordance with Sections 3207 and 3208.
b. For aisles, see Section 3206.10.
c. Piles shall be separated by aisles complying with Section 3206.10.
d. For storage in excess of the height indicated, special fire protection shall be provided in accordance with Note f where required by the fire code official. See Chapters 51 and 57 for special limitations for aerosols and flammable and combustible liquids, respectively.
e. For storage exceeding 30 feet in height, Option 1 shall be used.
f. Special fire protection provisions including, but not limited to, fire protection of exposed steel columns; increased sprinkler density; additional in-rack sprinklers, without associated reductions in ceiling sprinkler density; or fire department hose connections shall be provided where required by the fire code official.
g. Not required where an automatic fire-extinguishing system is designed and installed to protect the high-piled storage area in accordance with Sections 3207 and 3208.
h. Not required where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of 50 (meters-seconds)$^{1/2}$ or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems shall be required within these areas
i. Not required in frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

(ccxlix) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3206.7.4** to read as follows:

3206.7.4 Marking on fire department access doors. Fire department access doors shall be labeled on the interior and exterior side with the following sign or other *approved* sign:

FIRE DEPARTMENT ACCESS DOOR
DO NOT BLOCK

The lettering shall be in a contrasting color to the background (preferred red lettering on white background, and reflective. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of ⅜ inch (10 mm).

(ccl) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3206.7.5** to read as follows:

3206.7.5 Number of doors required. The required fire department access doors shall be distributed such that the lineal distance between adjacent fire department access doors does not exceed 100 feet (30 480 mm) measured center to center.

Exception: The linear distance between adjacent access doors shall not exceed 100 feet (30 480 mm) in existing buildings where change in occupancy is not proposed.

(ccli) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3206.7.6** to read as follows:

3206.7.6 Door size and type. Fire department access doors shall be not less than 3 feet (914 mm) in width and 6 feet 8 inches (2032 mm) in height. Roll-up doors shall not be considered fire department access doors. Doors shall have handles and be openable from the outside.

(cclii) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3206.7.7** to read as follows:

3206.7.7 Locking devices. Locking devices on fire department access doors shall be *approved*, and when unlocked shall remain unlocked until reset.

(ccliii) CHAPTER 32 HIGH-PILED COMBUSTIBLE STORAGE is hereby amended by amending **3206.9** to read as follows:

3206.9 Fire department hose connections. Where any portion of the storage area is greater than 150 feet (45 720 mm) away from a fire department access lane, or exit *passageways* are required by the *International Building Code* for egress, a Class I standpipe system shall be provided in accordance with Section 905.

(ccliv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3301** to add **3301.3** to read as follows:

3301.3 Address numbers. Buildings under construction shall have addressing posted at all times, and shall be maintained until permanent addressing is installed. For single buildings and where there are multiple buildings in a complex or at a single property address, each building shall have building numbers or letters posted in a location that is plainly legible and visible from the nearest fire apparatus access road, and at the drive entry where required. At a minimum address numbers and/or letters shall be sized to be plainly legible from the fire apparatus access road and may be no less than six (6) inch (152 mm) where plainly from the fire apparatus access road.

(cclv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3303.1** to amend a miss print to the Edition printing to read as follows:

3303.1 Program development and maintenance. The *owner* or *owner's* authorized agent shall be responsible for the development, implementation and maintenance an *approved*, written *site safety plan* establishing a fire prevention program at the project site applicable throughout all phases of the construction, repair, *alteration* or demolition work. The plan shall address the requirements of this chapter and other applicable portions of this code, the duties of staff and staff training requirements. The plan shall be submitted and approved before a building permit is issued. Any changes to the plan shall be submitted for approval.

(cclvi) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3303.3.1** to read as follows:

3303.3.1 Violations. Failure to properly maintain the construction site as required by this section, or properly conduct, document and maintain documentation required by this section shall constitute an unlawful act in accordance with Section 112.1 and shall result in the issuance of a notice of violation to the site safety director in accordance with Section 112.3. Upon the third offense, the *fire code official* is authorized to issue a stop work order in accordance with Section 113, and work shall not resume until satisfactory assurances of future compliance have been presented to and *approved* by the *fire code official*.

(cclvii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.1** to read as follows:

3305.1 Smoking. Smoking shall be prohibited except in *approved* areas. Smoking areas shall be *approved* by the *fire code official*. Signs shall be posted in accordance with Section 310. No smoking signs shall be posted at or near building entries. In *approved* areas where smoking is permitted, *approved* ashtrays shall be provided in accordance with Section 310.

(cclviii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.2.1** to read as follows:

3305.2.1 Combustible waste material accumulation. Combustible debris, rubbish and waste material shall not be accumulated within buildings or on the construction site. The site safety director shall be responsible for ensuring combustible debris, rubbish and waste material is properly contained and/or collected from the site, and no combustible debris, rubbish and waste material is permitted to leave the site where it is deposited on neighboring property by wind or weather.

(cclix) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.2.2** to read as follows:

3305.2.2 Combustible waste material removal. Combustible debris, rubbish and waste material shall be removed from buildings at the end of each shift of work and properly deposited in *approved* containers until removal to an authorized disposal site.

(cclx) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.2.3** to read as follows:

3305.2.3 Rubbish containers. Where rubbish containers with a capacity exceeding 5.33 cubic feet (40 gallons) (0.15 m^3) or larger are used for temporary storage of combustible debris, rubbish and waste material, they shall have tightfitting or self-closing lids. Such rubbish containers shall be constructed entirely of materials that comply with either of the following:

1. Noncombustible materials.
2. Materials that meet a peak rate of heat release not exceeding 300 kW/m^2 when tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m^2 in the horizontal orientation.

Combustible debris, rubbish and waste material, shall not be permitted to be left on the ground outside of *approved* containers. Containers shall be frequently emptied to prevent overflow conditions.

(cclxi) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.3** to read as follows:

3305.3 Burning of combustible debris, rubbish and waste. Combustible debris, rubbish and waste material shall not be disposed of by burning on the site.

(cclxii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.4** to read as follows:

3305.4 Open burning. *Open burning* shall not be permitted.

(cclxiii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3305.8** to read as follows:

3305.8 Cooking. Cooking shall be prohibited except in *approved* designated cooking areas separated from combustible materials by a minimum of 10 feet (3048 mm). Areas designated for cooking shall be *approved* by the *fire code official*. Signs with a minimum letter height of 3 inches (76 mm) and a minimum brush stroke of ½ inch (13 mm) shall be posted in conspicuous locations in designated cooking areas and state:

DESIGNATED COOKING AREA
COOKING OUTSIDE OF A DESIGNATED
COOKING AREA IS PROHIBITED

(cclxiv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.1** to read as follows:

3313.1 When required. An *approved* water supply for fire protection, being a permanent water supply, shall be made available as soon as combustible building materials arrive on the site, on commencement of vertical combustible construction and on installation of a standpipe system in buildings under construction, in accordance with Sections 3313.2 through 3313.5.

Exception: The *fire code official* is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

(cclxv) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.2** to read as follows:

3313.2 Combustible building materials. When combustible building materials of the building under construction are delivered to a site, a minimum fire flow of 1,500 gallons per minute (5678 L/m) shall be

provided. The fire hydrant used to provide this fire-flow supply shall be within 400 feet (122 m) of the combustible building materials, as measured along an *approved* fire apparatus access lane. Where the site configuration is such that one fire hydrant cannot be located within 400 feet (122 m) of all combustible building materials, additional fire hydrants shall be required to provide coverage in accordance with this section.

(cclxvi) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.3** to read as follows:

3313.3 Vertical construction of Types II, III, IV and V construction. Prior to commencement of vertical construction of Type II, III, IV or V buildings that utilize any combustible building materials, the fire flow required by Sections 3313.3.1 through 3313.3.3 shall be provided, accompanied by fire hydrants in sufficient quantity to deliver the required fire flow and proper coverage, and accessible from *approved* fire apparatus access roads.

(cclxvii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.3.1** to read as follows:

3313.3.1 Fire separation up to 30 feet. Where a building of Type II, III, IV or V construction has a *fire separation distance* of less than 30 feet (9144 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide either a minimum of 1,500 gallons per minute (5678 L/m) or the entire fire flow required for the building when constructed, whichever is greater.

(cclxviii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.3.2** to read as follows:

3313.3.2 Fire separation of 30 feet up to 60 feet. Where a building of Type II, III, IV or V construction has a fire separation distance of 30 feet (9144 mm) up to 60 feet (18 288 mm) from property lot lines, and an adjacent property has an existing structure or otherwise can be built on, the water supply shall provide a minimum of 1,500 gallons per minute (5678 L/m) or 50 percent of the fire flow required for the building when constructed, whichever is greater.

(cclxix) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.3.3** to read as follows:

3313.3.3 Fire separation of 60 feet or greater. Where a building of Type II, III, IV or V construction has a fire separation of 60 feet (18 288 mm) or greater from a property *lot line*, a water supply of 1,500 gallons per minute (5678 L/m) shall be provided.

(cclxx) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3313.4** to read as follows:

3313.4 Vertical construction, Type I construction. If combustible building materials are delivered to the construction site, water supply in accordance with Section 3313.2 shall be provided. Additional water supply for fire flow is not required prior to commencing vertical construction of Type I buildings, unless combustible materials are present within the walls of the building.

(cclxxi) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3314.1** to read as follows:

3314.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be

installed prior to construction exceeding 25 feet (7620 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable *stairways*. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring.

(cclxxii) CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION is hereby amended by amending **3315** to add **3315.3** to read as follows:

3315.3 Furniture, fixtures, and equipment. In buildings where an *automatic sprinkler system* is required, furniture, fixtures, and equipment shall not be stored in the building or areas of the building until the system is in service and approved by the *fire code official* and monitoring of system is active. In building where the system is installed in segments furniture, fixtures, and equipment shall only be permitted in areas where the system is in service and monitored.

Exception: As approved by the *fire code official.*

(cclxxiii) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3405.1** to read as follows:

3405.1 Individual piles. Tire storage shall be restricted to individual piles not exceeding 700 square feet (65 m^2) of continuous area. Piles shall not exceed 7,000 cubic feet (198 m^3) in volume or 10 feet in height and all piles shall be covered with a permanent type roof designed and constructed to prevent water from collecting in the tires.

(cclxxiv) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3405.6** to read as follows:

3405.6 Volume more than 49,000 cubic feet. Where the bulk volume of stored product is more than 49,000 cubic feet (1387 m^3), additional fire protection is required in accordance with Chapter 9. The increase shall be based on the capabilities of the system installed, and the storage arrangement shall be in accordance with the following:

1. Individual storage piles shall comply with size and separation requirements in Section 3405.1 through 3405.5.
2. Adjacent storage piles shall be considered a group, and the aggregate volume of storage piles in a group shall not exceed 49,000 cubic feet (1387 m^3).
3. Groups shall provide a fire protection plan. Fire protections plans submitted for review shall include, but is not limited to, the following:
    a) Tire storage yard layout of areas, tire-handling equipment selection, pile design and arrangement, fire protection systems, and shall be based upon sound fire prevention and protection principles.
    b) Factors that lead to water collection in stored tires and vector control shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the stability of the pile(s).
    c) The plan shall include means for early fire detection and reporting to the public fire department; and facilities needed by the fire department for fire extinguishment including a water supply and fire hydrants.
    d) Fire apparatus access roads to the piles shall be established, identified and maintained.
    e) Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code. The increase of the number of piles shall be based upon the capabilities of the installed fire protection systems and features.

Separation between groups shall be not less than 75 feet (22 860 mm) wide.

(cclxxv) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3405.7** to read as follows:

3405.7 Location of storage. Outdoor new and/or waste tire storage shall not be located within 10 feet (3048 mm) of a means of egress, under bridges, elevated trestles, elevated roadways, or elevated railroads and shall comply with Section 304.

(cclxxvi) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3407.1** to read as follows:

3407.1 Where required. Where the aggregate volume of stored material is more than 5,000 cubic feet (141 m^3), a firmly anchored fence or other *approved* method of security that controls unauthorized access to the tire storage yard shall surround the tire storage yard.

(cclxxvii) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3408.1** to read as follows:

3408.1 Water supply. A public or private fire protection water supply shall be provided in accordance with Section 507. The water supply shall be arranged such that any part of the storage yard can be reached by using not more than 300 feet (91 m) of hose.

(cclxxviii) CHAPTER 34 TIRE REBUILDING AND TIRE STORAGE is hereby amended by amending **3409.1** to read as follows:

3409.1 Pile dimensions. Where tires are stored on-tread, the dimension of the pile in the direction of the wheel hole shall not be more than 20 feet (6096 mm). Tires stored adjacent to or along one wall shall not extend more than 10 feet (3048 mm) from that wall. Other piles shall be not more than 10 feet (3048 mm) in width.

(cclxxix) CHAPTER 35 WELDING AND OTHER HOT WORK is hereby amended by amending **3503.3** to read as follows:

3503.3 Hot work program permit. Hot work operational permits, issued by the *fire code official* or 3rd party fire inspector to an *approved* responsible person under a hot work program, shall be posted on site, working permits issued by a hot work supervisor shall be available for review by the *fire code official* at the time the work is conducted and for 48 hours after work is complete.

(cclxxx) CHAPTER 35 WELDING AND OTHER HOT WORK is hereby amended by amending **3503.4** to read as follows:

3503.4 Qualifications of operators. An operational permit for hot work operations shall not be issued unless the individuals in charge of supervising and those performing such operations are capable of performing such operations safely. The *approved* personnel shall be trained in the fire safety aspects denoted in this code and NFPA 51B Standard for Fire Prevention During Welding,

Cutting, and Other Hot Work, and demonstration of a working knowledge of the provisions of this chapter shall constitute acceptable evidence of compliance with this requirement.

(cclxxxi) CHAPTER 36 MARINAS is hereby amended by amending **3603.5** to amend a miss print to the Edition printing to read as follows:

3603.5 Electrical equipment. Electrical equipment shall be installed and used in accordance with its listing, Section 603 of this code and Chapter 5 of NFPA 303 as required for wet, damp and hazardous locations.

(cclxxxii) CHAPTER 37 COMBUSTIBLE FIBERS is hereby amended by amending **3703** to read as follows:

SECTION 3703
GENERAL PRECAUTIONS, CONSTRUCTION AND PROTECTION REQUIREMENTS

(cclxxxiii) CHAPTER 37 COMBUSTIBLE FIBERS is hereby amended by amending **3703.6** to amend a miss print to the Edition printing to read as follows:

3703.6 Portable fire extinguishers. Portable fire extinguishers shall be provided in accordance with Section 906 as required for extra-hazard occupancy protection as indicated in Table 906.1.

(cclxxxiv) CHAPTER 37 COMBUSTIBLE FIBERS is hereby amended by amending **3703** to add **Sections 3703.8** through **3703.10** to read as follows:

3703.8 Handling and storage. Handling and storage of large quantities of waste paper, rags, or other combustible materials shall not be allowed in a building of any type in excess of 1500 square feet area unless the building is protected with an approved automatic sprinkler system.

3703.9 Limitations on building height. A building used for handling and storage of waste paper, rags or other combustible materials shall not exceed one story in height unless of Type I construction and fully protected with approved automatic sprinkler system.

3703.10 Materials outside of building. No loose waste paper, rags, trash or rubbish of any kind, or similar combustible materials shall be allowed on the premises on the outside of any building.

(cclxxxv) CHAPTER 37 COMBUSTIBLE FIBERS is hereby amended by amending **3703** to read as follows:

3705.1 Bale size and separation. Baled combustible fibers (including waste paper, rags, and other combustibles in baled lots) shall be stored in buildings and limited to single blocks or piles not more than 25,000 cubic feet (700 m^3) in volume, not including aisles or clearances. Blocks or piles of baled fiber shall be separated from adjacent storage by aisles not less than 5 feet (1524 mm) wide, or by flash-fire barriers constructed of continuous sheets of noncombustible material extending from the floor to a minimum height of 1 foot (305 mm) above the highest point of the piles and projecting not less than 1 foot (305 mm) beyond the sides of the piles. Baled materials, if stored outside of buildings, shall not be stored within 25 feet of any building.

Exception: Baled materials may be stored within 25 feet of a building's outside wall, but no closer than 10 feet, when a wall sprinkler curtain is provided on the building.

(cclxxxvi) CHAPTER 38 HIGHER EDUCATION LABORATORIES is hereby amended by amending **Table 3805.4** to amend a miss print to the Edition printing to read as follows:

TABLE 3805.4
DESIGN AND NUMBER OF CONTROL AREAS IN EXISTING NONSPRINKLERED LABORATORIES

FLOOR LEVEL		PERCENTAGE OF THE MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA [a, e]	NUMBER OF CONTROL AREAS PER FLOOR	FIRE-RESISTANCE RATING FOR FIRE BARRIERS IN HOURS [b, c, d]
Above grade plane	Higher than 9	5	1	2[c]
	7-9	10	2	2[c]
	4-6	25	2	2[c]
	3	75	2	1
	1-2	100	4	1
Below grade plane	1	100	3	1
	2	75	2	1
	Lower than 2	Not allowed	Not allowed	Not allowed

a. Percentages shall be of the maximum allowable quantity per control area shown in Table 5003.1.1(1) and Table 5003.1.1(2), excluding all increases allowed in the footnotes to those tables.
b. Fire barriers shall include walls, floors and ceilings necessary to provide separation from other portions of the building.
c. Vertical fire barriers separating control areas from other spaces on the same floor are permitted to be 1-hour fire-resistance rated.
d. See Section 414.2.4 of the *International Building Code* for additional requirements.
e. The percentage of the maximum allowable quantity per control area shown in Table 3805.4 shall be applied to 25 percent of Table 5003.1.1(1) limits for Class 4 oxidizers or pyrophoric materials.

(cclxxxvii) CHAPTER 40 STORAGE OF DISTILLED SPIRITS AND WINES is hereby amended by amending **4003.3.4** to amend a miss print to the Edition printing to read as follows:

4003.3.4 Electrical. Electrical wiring and equipment shall be installed and maintained in accordance with Section 603 and NFPA 70.

(cclxxxviii) CHAPTER 50 HAZARDOUS MATERIALS – GENERAL PROVISIONS is hereby amended by amending **5001.2** to read as follows:

5001.2 Material classification. Hazardous materials are those chemicals or substances defined as such by this code. Material classification letters shall be submitted for all occupancy groups storing chemicals including occupancy groups storing less than the maximum allowable quantity to include a floor layout showing locations and amounts to be stored, method of use, and any other information required by the *fire code official*, and where applicable any additional information required by this Section or another Section of the code. Definitions of hazardous materials shall apply to all hazardous materials, including those regulated elsewhere in this code.

(cclxxxix) CHAPTER 54 CORROSIVE MATERIALS is hereby amended by amending **5401.1** to amend a miss print to the Edition printing to read as follows:

5401.1 Scope. The storage and use of *corrosive* materials shall be in accordance with this chapter. *Compressed gases* shall also comply with Chapter 53.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.11.
2. Stationary storage battery systems in accordance with Section 1207.
3. This chapter shall not apply to R-717 (ammonia) where used as a refrigerant in a refrigeration system (see Section 608).

(ccxc) CHAPTER 56 EXPLOSIVES AND FIREWORKS is hereby amended by amending **5601.2.1** to read as follows:

5601.2.1 Residential uses. Persons shall not keep or store, nor shall any permit be issued to keep or store, any *explosives* at any place of habitation, or within 100 feet (30 480 mm) thereof unless authorized by federal and/or state law.

Exception: Storage of smokeless propellant, black powder and small arms primers for personal use and not for resale in accordance with Section 5606.

(ccxci) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5703.6** to add **Section 5703.6.12** to read as follows:

5703.6.12 Pressurized piping. Where a pressurized (remote pumped) piping system is connected to a tank, the piping system shall have an approved, listed leak detection device installed in the system to monitor for leaks in the piping.

(ccxcii) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.2.13** to read as follows:

5704.2.13 Abandonment and status of tanks. Tanks taken out of service shall be removed in accordance with Section 5704.2.14, or safeguarded in accordance with Sections 5704.2.13.1 through 5704.2.13.2.3 and API 1604. Before an underground tank is removed, a permit shall be obtained from the city permit office and the *fire code official* shall be present for the removal. Prior to transporting any removed tank, it shall be properly marked and made inert in the presence of the *fire code official*.

(ccxciii) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.2.13.1.3** to read as follows:

5704.2.13.1.3 Out of service for one year. Underground tanks that have been out of service for a period of one year shall be removed from the ground in accordance with Section 5704.2.14.

(ccxciv) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.2.13.1.4** to read as follows:

5704.2.13.1.4 Tanks abandoned in place. Tanks shall not be abandoned in place.

(ccxcv) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.3.8.1** to amend a miss print to the Edition printing to read as follows:

5704.3.8.1 Quantities and storage arrangement. The total quantities of liquids in a liquid storage warehouse shall not be limited. The arrangement of storage shall be in accordance with Table 5704.3.6.3(2) or 5704.3.6.3(3).

(ccxcvi) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.3.8.3** to amend a miss print to the Edition printing to read as follows:

5704.3.8.3 Ventilation. Liquid storage warehouses storing containers greater than 5 gallons (19 L) in capacity shall be ventilated at a rate of not less than 0.25 cfm per square foot 0.00127 $m^3/s \times m^2$) of floor area over the storage area. Ammonia where used as a refrigerant in a refrigeration system (see Section 608).

(ccxcvii) CHAPTER 61 LIQUEFIED PETROLEUM GASES is hereby amended by amending **6107.4** to read as follows:

6107.4 Protecting containers from vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312 and NFPA 58.

(ccxcviii) CHAPTER 80 REFERENCED STANDARDS is hereby amended by amending the following Standards to amend a miss print to the Edition printing to read as follows:

The portions of text and tables not shown are unaffected by the amendment.

AFSI — Architectural Fabric Structures Institute, c/o Industrial Fabric Association International, 1801 County Road B West, Roseville, MN 55113

ASI-77 — Design and Standards Manual
3103.10.2

ASME — American Society of Mechanical Engineers, Two Park Avenue, New York, NY 10016-5990

A17.3 — 2017 Safety Code for Existing Elevators and Escalators
1103.3.1, 1103.3.2

ASSP — American Society of Safety Professionals, 520 N. Northwest Highway, Park Ridge, IL 60068

ANSI/ASSP Z359.1 — 2020 The Fall Protection Code
1015.6, 1015.7

BHMA — Builders Hardware Manufacturers' Association, 355 Lexington Avenue, 15th Floor, New York, NY 10017

A156.19 — 2019 Power Assist and Low-energy Power-operated Doors
1010.3.2

A156.38 — 2019 Low-energy Power-operated Sliding and Folding Doors
1010.3.2

CGA — Compressed Gas Association, 14501 George Carter Way, Suite 103, Chantilly, VA 20151

ANSI/CGA G-13 — 2015 Storage and Handling of Silane and Silane Mixtures
(an American National Standard)
6404.1, 6404.2, 6405.3

IIAR International Institute of Ammonia Refrigeration
1001 N. Fairfax Street, Suite 503
Alexandria, VA 22314

ANSI/IIAR 6 — 2019 Standard for Inspection, Testing, and Maintenance of Closed-circuit Ammonia Refrigeration Systems 608.1.2
608.1.2

ANSI/IIAR 7 — 2019 Developing Operating Procedures for Closed-circuit Ammonia Refrigeration Systems 608.1.2
608.1.2

ANSI/IIAR 9 — 2020 Standard for Minimum System Safety Requirements for Existing Closed-circuit Ammonia Refrigeration Systems 608.1.2
608.1.2

NFPA National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471

02 — 20 Hydrogen Technologies Code
1206.3, 1206.4, 2309.1, 2309.3.1.1, 2309.3.1.2, 2309.4, 2309.6, 2311.8, 2311.8.2, 2311.8.10, 2311.8.11, 5301.1, 5801.1

10 — 18 Standard for Portable Fire Extinguishers
Table 901.6.1, 906.2, Table 906.3(1), Table 906.3(2), 906.3.2, 906.3.4, 3006.3

17 — 21 Standard for Dry Chemical Extinguishing Systems
Table 901.6.1, 904.6, 904.13

17A — 21 Standard for Wet Chemical Extinguishing Systems
Table 901.6.1, 904.5, 904.13

55 — 20 Compressed Gases and Cryogenic Fluids Code
3508.1, 5301.1, 5307.4.2, 5501.1, 5801.1, 6301.1

96 — 21 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations
606.2, 904.13

UL Underwriters Laboratories LLC
333 Pfingsten Road
Northbrook, IL 60062

UL 1389 — 2019 Plant Oil Extraction Equipment for Installation and Use in Ordinary (Unclassified) Locations and Hazardous (Classified) Locations.
3904.2.1

AFSI Architectural Fabric Structures Institute
c/o Industrial Fabric Association International
1801 County Road B West
Roseville, MN 55113

ASI-77 Design and Standards Manual 3103.10.2

(ccxcix) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B102.1** to read as follows:

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

FIRE FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, used to determined Type of construction by square footage.

FIRE-FLOW CALCULATION AREA. The total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, in square feet (m^2), used to determine the required fire flow.

(ccc) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B103.2** to read as follows:

B103.2 Increases. The fire chief or *fire code official* is authorized to increase the *fire-flow* requirements where based on factors such as the total square footage of the building(s), the type of construction, the occupancy group, and the actual use of the proposed building and shall be not more than twice that required for the building under consideration.

(ccci) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B103.2** to read as follows:

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes and where *approved* in rural and suburban areas in which adequate and reliable water supply systems do not exist, the *fire code official* is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*. The use of water storage tanks for fire flow will be based on the following:

1. Areas where public water supply systems are not capable of suppling the required fire flow and where the water provider is capable of suppling water to water storage tanks.
2. On-site water storage tanks shall be design in accordance with the design standards outlined by the Fire Marshal and shall installed in accordance with NFPA 22 and sized in accordance with the Fire Marshal's design worksheet.

Exception: Where the water provider due to the proximity of water mains capable of suppling the needed fire flow requires the extension of water mains to and/or across the property or development.

(cccii) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B104.1** to read as follows:

B104.1 General. The *fire-flow calculation area* shall be the total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

Where 33% or more of exterior and/or interior walls are of combustible construction the building shall be classified as Type V-B construction for fire flow requirements.

(ccciii) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105.1** to read as follows:

B105.1 One- and two-family dwellings Group R-3. The minimum *fire-flow* and flow duration requirements for one- and two-family *dwellings*, Group R-3 shall be as specified in Tables B105.1(1) and B105.1(2).

(ccciv) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105.2** to read as follows:

B105.2 Townhouses and Group R-4 buildings and buildings other than one- and two-family dwellings, Group R-3. The minimum *fire-flow* and flow duration requirements for townhouses and Group R-4 buildings and buildings other than one- and two-family *dwellings*, Group R-3 shall be as specified in Tables B105.1(2) and B105.2.

Exception: A reduction in required *fire-flow* for any building equipped with a fire sprinkler system shall be based on the total square footage of the building, the type of construction, the occupancy group, and the actual use of the proposed building.

The allowed reduction of fire flow in Table B105.1(2) is for fire sprinkler systems and is not an equal reduction to fire hydrant flow requirements in Appendix C.

(cccv) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105 Table B105.1(1)** to read as follows:

TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3

Fire-Flow Calculation Area (square feet)	Automatic Sprinkler-System (Design Standard)	Minimum Fire-Flow (gallons per minute)	Flow Duration (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required flow rate
0-3,600	Section 903.3.1.3 of the *International Fire Code* or Section P2904 of the *International Residential Code*	500	½
3,601 and greater	Section 903.3.1.3 of the *International Fire Code* or Section P2904 of the *International Residential Code*	½ value in Table B105.1(2)[a]	1

For SI: 1 square foot = 0.0929 m^2, 1 gallon per minute = 3.785 L/m.
a. The minimum fire-flow shall not be less than 1,000 gallons per minute.

The remainder of this page is intentionally left blank.

(cccvi) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105 Table B105.1(2)** to read as follows:

TABLE B105.1(2)
REFERENCE TABLE FOR TABLES B105.1(1) AND B105.2

FIRE-FLOW CALCULATION AREA (square feet)					FIRE-FLOW (gallons per minute)[b, c]	FLOW DURATION (hours)
Type IA and IB[a]	Type IIA and IIIA[a]	Type IV and VA[a]	Type IIB and IIIB[a]	Type VB[a]		
0-22,700	0-12,700	0-8,200	0-5,900	0-3,600	1,500	2
22,701-30,200	12,701-17,000	8,201-10,900	5,901-7,900	3,601-4,800	1,750	
30,201-38,700	17,001-21,800	10,901-12,900	7,901-9,800	4,801-6,200	2,000	
38,701-48,300	21,801-24,200	12,901-17,400	9,801-12,600	6,201-7,700	2,250	
48,301-59,000	24,201-33,200	17,401-21,300	12,601-15,400	7,701-9,400	2,500	
59,001-70,900	33,201-39,700	21,301-25,500	15,401-18,400	9,401-11,300	2,750	
70,901-83,700	39,701-47,100	25,501-30,100	18,401-21,800	11,301-13,400	3,000	3
83,701-97,700	47,101-54,900	30,101-35,200	21,801-25,900	13,401-15,600	3,250	
97,701-112,700	54,901-63,400	35,201-40,600	25,901-29,300	15,601-18,000	3,500	
112,701-128,700	63,401-72,400	40,601-46,400	29,301-33,500	18,001-20,600	3,750	
128,701-145,900	72,401-82,100	46,401-52,500	33,501-37,900	20,601-23,300	4,000	4
145,901-164,200	82,101-92,400	52,501-59,100	37,901-42,700	23,301-26,300	4,250	
164,201-183,400	92,401-103,100	59,101-66,000	42,701-47,700	26,301-29,300	4,500	
183,401-203,700	103,101-114,600	66,001-73,300	47,701-53,000	29,301-32,600	4,750	
203,701-225,200	114,601-126,700	73,301-81,100	53,001-58,600	32,601-36,000	5,000	
225,201-247,700	126,701-139,400	81,101-89,200	58,601-65,400	36,001-39,600	5,250	
247,701-271,200	139,401-152,600	89,201-97,700	65,401-70,600	39,601-43,400	5,500	
271,201-295,900	152,601-166,500	97,701-106,500	70,601-77,000	43,401-47,400	5,750	
295,901-Greater	166,501-Greater	106,501-115,800	77,001-83,700	47,401-51,500	6,000	
–	–	115,801-125,500	83,701-90,600	51,501-55,700	6,250	
–	–	125,501-135,500	90,601-97,900	55,701-60,200	6,500	
–	–	135,501-145,800	97,901-106,800	60,201-64,800	6,750	
–	–	145,801-156,700	106,801-113,200	64,801-69,600	7,000	
–	–	156,701-167,900	113,201-121,300	69,601-74,600	7,250	
–	–	167,901-179,400	121,301-129,600	74,601-79,800	7,500	
–	–	179,401-191,400	129,601-138,300	79,801-85,100	7,750	
–	–	191,401-Greater	138,301-Greater	85,101-Greater	8,000	

For SI: 1 square foot = 0.0929 m^2, 1 gallon per minute = 3.785 L/m, 1 pound per square inch = 6.895 kPa.

a. Types of construction are based on the International Building Code.

b. Measured at 25 psi for use during initial building design. Actual flow required for fire emergencies to be determined by *fire code official* or fire chief.

c. The total required fire-flow for any building can be increased and shall be established based on the total square footage of the building, the type of construction, the occupancy group, and the actual use of the proposed building. Building(s) in excess of the greatest square footage value shown can have the fire-flow increased based on the total square footage of the building, access to and around the building, the type of construction, the occupancy group, and the actual use of the proposed building for emergency firefighting operations.

(cccvii) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105 Table B105.2** to read as follows:

TABLE B105.2
REQUIRED FIRE-FLOW FOR TOWNHOUSES AND GROUP R-4 BUILDINGS AND BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3

Automatic Sprinkler-System (Design Standard)	Minimum Fire-Flow (gallons per minute)	Flow Duration (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the *International Fire Code*	The percentage from Table B105.3 reduction of flow in Table B105.1(2)[a]	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the *International Fire Code*	50% reduction of flow in Table B105.1(2)[b]	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.
a. The minimum fire-flow shall not be less than 1,000 gallons per minute.
b. The minimum fire-flow shall not be less than 1,500 gallons per minute.

(cccviii) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105** to add **Table B105.3** to read as follows:

Table B105.3
Fire-Flow Reduction and Flow Duration for Buildings[a]

Occupancy Type	Construction Type[d]	% of Reduction[b]
A	All Except V	75
A	V	50
B	All Except V	75
B	V	50
E	All	75
F	All Except V	75
F	V	50
H	All	50
I	All Except V	75
I	V	50
M	All Except V	75
M	V	50
R	All[c]	50
S not high piled	All Except V	75
S-1 high piled, Class I-V commodities	All Except V	50
S-1 Aircraft Hangers, Helistops	All Except V	75
S	V	50

a. As determined by the *fire chief* or *fire code official* on a case by case basis.
b. The reduction in required fire-flow can be less than shown for any building equipped with a fire sprinkler system however shall be based on the total square footage of the building, the type of construction, the occupancy group, and the actual use of the proposed building.
c. Group R building equipped throughout with an automatic sprinkler system in accordance with NFPA 13 may receive a reduction of 75%.
d. Where 33% or more of exterior and/or interior walls are of combustible construction the building shall be classified as Type V construction.

(cccix) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105.3** to read as follows:

B105.3 Water supply for buildings equipped with an automatic sprinkler system. For buildings equipped with an approved *automatic sprinkler system*, the water supply shall be capable of providing the greater of:

1. The *automatic sprinkler system* demand, including interior and exterior hose stream demand.

2. The required fire flow as determined by the *fire code official* based on the total square footage of the building, the type of construction, the occupancy group, and the actual use of the proposed building.
3. Building(s) in excess of the greatest square footage value shown in Table B105.1(2) shall have adequate fire flow to supply the fire sprinkler system, interior hose connections, and fire apparatus where on-site hydrants are provided.

(cccx) APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS is hereby amended by amending **B105** to add **B1000 through B2002** to read as follows:

Section **B107 through B109 Reserved**

Section **B1000 Flow Testing**

Section **B1001.1 Fire Flow Testing.**

B1001.1.1 Fire flow test on municipal/public fire hydrants shall be performed by employees of the municipality and be witnessed by the Purveyor and Fire Marshal or representative of the fire department. Fire flow tests on private fire hydrants are the responsibility of the property owner or authorized agent to apply for and shall be witnessed by or performed by the Fire Marshal and Purveyor. Fire Flow Tests conducted by a 3rd party tester is subject to permitting and payment of fees and shall be witnessed by the Fire Marshal and municipality's Water Purveyor or representative of the fire department. Private fire hydrants shall be tested every two years.

B1001.1.2 Fire flow test will consist of two hydrants, one hydrant for pressure readings, and one hydrant for flow readings. Flowing of additional hydrants without changing the hydrant the pressure is read from will be calculated as each additional hydrant. Changing the hydrant the pressure is read from constitutes a new fire flow test from each fire hydrant flowed.

B1001.1.3 For the purpose of fire flow testing to determine available water for construction and for designing fire and life safety systems on all fire hydrants having a static pressure in excess of 40 psi (2.8 bar). The formula used for calculating flow is $29.84 \times \text{Cof.} \times 2.50^2 \times P\sqrt{} = Q$, and for graphing $P = (Pr - Ps)(Q / Qr)1.85 + Ps$. For testing of fire hydrants theoretical discharge Tables shall not be used to calculate flow.

Section **B1002 Rating Pressure.**

B1002.1 For the purpose of uniform marking of fire hydrants, the rated capacities should be based upon actual flow for all fire hydrants having a static pressure in excess of 40 psi (2.8 bar). For testing of fire hydrants theoretical discharge Tables shall not be used to calculate flow. The formula used for calculating flow is $29.84 \times \text{Cof.} \times 2.50^2 \times P\sqrt{} = Q$.

B1002.2 To obtain satisfactory test results of calculations of expected flows or rated capacities, sufficient discharge should be achieved to cause a drop in pressure at the residual hydrant of at least 25 percent below static pressure for all hydrants having a static pressure in excess of 40 psi (2.8 bar). For testing fire flow theoretical discharge Tables shall not be used to calculate flow and determining flow discharge. Tests without a pitot(s) that sample water from the middle of the stream shall not be permitted.

B1002.3 It is recommended that a minimum residual pressure of 25 psi (1.7 bar) should be maintained at fire hydrants when delivering the fire flow. Pressures dropping below 25 psi (1.7 bar) will stop the test immediately to prevent damage to the municipal water system.

B1002.4 It should be noted that the use of residual pressures of less than 20 psi (1.4 bar) is not permitted by many state health departments and is not permitted by the City of Cibolo.

Section **B1003 Procedure.**

B1003.1 When it is recommended and as deemed necessary by the *fire code official* that two tests should be made one should be performed during a period of ordinary demand and one made during a period of peak demand.

B1003.2 The procedure consists of discharging water at a measured rate of flow from the system at a given location and observing the corresponding pressure drop in the mains. From the standpoint of accuracy, the mathematical formula is to be used to compute the required fire flow available rather than the theoretical discharge table.

Section **B1004 Layout of Test.**

B1004.1 After the location where the test is to be run has been determined, a group of test hydrants in the vicinity is selected as approved by the *fire code official.*

B1004.2 Once selected, due consideration should be given to potential interference with traffic flow patterns, damage to surroundings (e.g., roadways, sidewalks, landscapes, vehicles, and pedestrians), and potential flooding problems both local and remote from the test site. It shall be the responsibility of the tester to provide *approved* diffusers, deflectors, mats, or other *approved* devices.

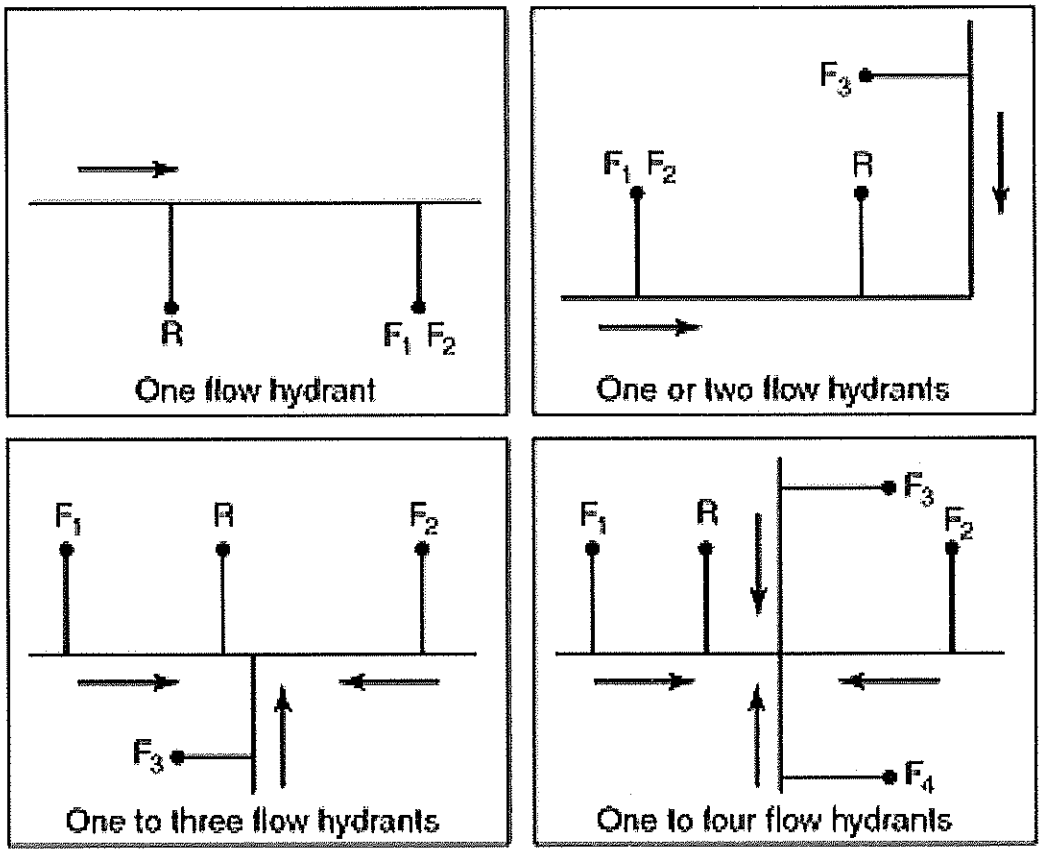
B1004.3 One hydrant, designated the residual hydrant, is chosen to be the hydrant where the normal static pressure will be observed with the other hydrants in the group closed, and where the residual pressure will be observed with the other hydrants flowing.

B1004.4 This hydrant is chosen so it will be located between the hydrant to be flowed and the large mains that constitute the immediate sources of water supply in the area. All reports shall include layout diagrams similar to that shown in Figure B1004.4, test layouts are indicated showing the residual hydrant designated with the letter R and hydrants to be flowed with the letter F.

B1004.5 The number of fire hydrants to be used in any test depends upon the strength of the distribution system in the vicinity of the test location as approved by the *fire code official.* The pitot reading shall be measured from both 2.5-inch ports from one hydrant to determine available fire flow. Unless otherwise determined by the *fire code official.*

B1004.6 To obtain satisfactory test results of expected flows or rated capacities, sufficient discharge should be achieved to cause a drop in pressure at the residual hydrant of at least 25 percent, or to flow the total demand necessary for providing fire suppression services in a fire emergency.

FIGURE B1004.4 Suggested Test Layout for Hydrants.



Arrows indicate direction of flow; R – residual hydrant; F – flow hydrant

Section **B1005 Equipment.**

B1005.1 The equipment necessary for field work consists of the following:

(1) A single 160 or 200 psi bourdon pressure gauge with no more than 1 psi graduations or equivalent as approved by the *fire code official*.

(2) A hydrant cap with a T connection for the 160 or 200 psi gauge and a cock at the end for relieving air pressure or equivalent as approved by the *fire code official*.

(3) Two *approved* pitot tubes that sample water from the center of the stream with 50 or 60 psi bourdon pressure gauges with 1 psi graduations or equivalent as approved by the *fire code official*. Due to higher pressures in certain parts of the jurisdiction 100 psi bourdon pressure gauges with 1 psi graduations will be needed as necessary.

(4) Hydrant wrenches.

(5) Diffusers, deflectors, mats, or other *approved* devices as necessary.

B1005.2 All pressure gauges should be calibrated at least every 12 months, or more frequently depending on use. Calibration certificates shall be provided to the *fire code official* as requested.

Section **B1006 Test Procedure.**

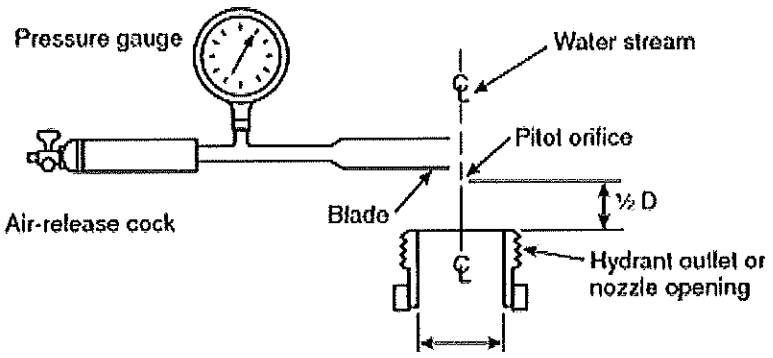
B1006.1 Testing procedure for fire flow.

(1) Opening the hydrants to be tested, water should be allowed to flow for a sufficient time to clear all debris and foreign substances from the stream(s) then close the hydrants.
(2) In a typical test, the 160 or 200 psi gauge is attached to one of the 2½ in. (6.4 cm) outlets of the residual hydrant using the special cap.
(3) The cock on the gauge piping is opened, (as soon as the air is exhausted from the barrel, the cock is closed) and the hydrant valve is opened full.
(4) A reading (static pressure) is taken when the needle comes to rest.
(5) At a given signal, each of the other hydrants is opened in succession, with discharge taking place directly from the open hydrant ports.
(6) Hydrants should be opened one at a time.
(7) At that time, a signal is given to the people at the hydrants to read the pitot pressure of the streams simultaneously while the residual pressure is being read.
(8) The final magnitude of the pressure drop can be controlled by the number of hydrants used and the number of outlets opened on each.
(9) After the readings have been taken, hydrants should be shut down slowly, one at a time, to prevent undue surges in the system.

Section **B1007 Pitot Readings.**

B1007.1 Procedure for pitot readings.
(1) When measuring discharge from open hydrant ports, it is always preferable from the standpoint of accuracy to use 2½ in. (6.4 cm) outlets rather than pumper outlets.
(2) In practically all cases, the 2½ in. (6.4 cm) outlets are filled across the entire cross-section during flow, while in the case of the larger outlets there is very frequently a void near the bottom.
(3) When measuring the pitot pressure of a stream of practically uniform velocity, the orifice in the pitot tube is held downstream approximately one-half the diameter of the hydrant outlet or nozzle opening, and in the center of the stream. (See Figure B1007.3) Diffusers shall have pitot tubes for sampling water from the center of the stream.
(4) The center line of the orifice should be at right angles to the plane of the face of the hydrant outlet.
(5) The air chamber on the pitot tube should be kept elevated.
(6) Pitot readings of less than 10 psi (0.7 bar) and more than 30 psi (2.0 bar) should be avoided, if possible.
(7) Opening additional hydrant outlets will aid in controlling the pitot reading.
(8) Hydrant valves shall be wide open to minimize problems with underground drain valves, and to give a more streamlined flow and a more accurate pitot reading.

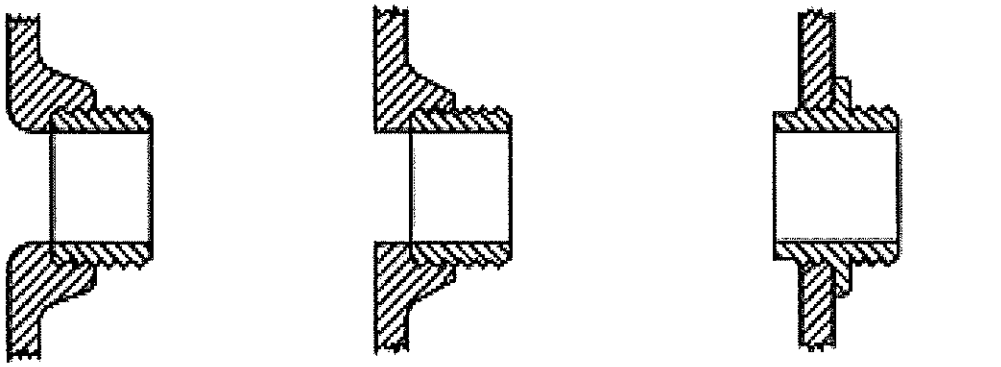
FIGURE B1007.3 Pitot Tube Position.



Section **B1008 Determination of Discharge.**

B1008.1 At the hydrants used for flow during the test, the discharges from the open ports are determined from measurements of the diameter of the outlets flowed, the pitot pressure (velocity head) of the streams as indicated by the pitot gauge readings, and the coefficient of the outlet being flowed as determined from Figure B1008.1.

FIGURE B1008.1 Three General Types of Hydrant Outlets and Their Coefficients of Discharge.



B1008.2 The formula used to compute the discharge, Q, in gpm from these measurements is as follows:

$$Q = 29.84cd^2\sqrt{p}$$

where:
c = coefficient of discharge (see Equation B1008.2)
d = diameter of the outlet in inches
p = pitot pressure (velocity head) in psi

Section **B1009 Use of Pumper Outlets.**

B1009.1 If it is necessary to use a pumper outlet, and flow tubes (stream straighteners) are not available, the best results are obtained with the pitot pressure (velocity head) maintained between 5 psi and 10 psi (0.3 bar and 0.7 bar). The use of pumper outlets shall require prior approval by the *fire code official*.

B1009.2 For pumper outlets, the approximate discharge can be computed from Equation B1008.3 using the pitot pressure (velocity head) at the center of the stream and multiplying the result by one of the coefficients in Table B1009.2, depending upon the pitot pressure (velocity head).

Table B1009.2 Pumper Outlet Coefficients		
Pitot Pressure (Velocity Head)		
psi	bar	Coefficient
2	0.14	0.97
3	0.21	0.92
4	0.28	0.89
5	0.35	0.86
6	0.41	0.84
7 and Over	0.48 and Over	0.83

B1009.3 These coefficients are applied in addition to the coefficient in Equation B1008.2 and are for average-type fire hydrants.

Section **B1010 Determination of Discharge.**

B1010.1 If additional hydrants are used (flowed) to control the residual pressure drop, the discharges from the additional outlet(s) is not added to the total flow calculation.

B1010.2 The formula that is generally used to compute the discharge at the specified residual pressure or for any desired pressure drop is Equation 1010.2:

$$Q_R = Q_f \times \frac{h_r^{0.54}}{h_f^{0.54}}$$

where:

Q_R = flow predicted at desired residual pressure

Q_F = total flow measured during test

h_r = pressure drop to desired residual pressure

h_f = pressure drop measured during test

B1010.3 In this equation, any units of discharge or pressure drop may be used as long as the same units are used for each value of the same variable.

B1010.4 In other words, if Q_R is expressed in gpm, Q_F must be in gpm, and if h_r is expressed in psi, h_f must be expressed in psi.

B1010.5 These are the units that are normally used in applying Equation 1010.2 to fire flow test computations.

Section **B1011 Data Sheet.**

B1011.1 The data secured during the testing of fire hydrants for uniform marking can be valuable for other purposes.

B1011.2 With this in mind, it is suggested that the form shown in Figure 1011.2 or a similar form be used to record information that is taken and the form(s) used shall be submitted to the *fire code official*.

B1011.3 The back of the form should include a location sketch or on a separate form and the form(s) used shall be submitted to the *fire code official*.

B1011.4 Results of the flow test should be indicated on a hydraulic graph, such as the one shown in Figure 1011.4.

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FIGURE B1011.2 Sample Report of a Hydrant Flow Test.

CITY OF CIBOLO
FIRE FLOW TEST FORM

L. Perry
Fire Marshal

"City of Choice"

P. O. Box 826 • 204 Loop 539 West Cibolo, Texas 78108 • 210-566-7008 • Fax 210-566-5758

Date: _____
Time: _____

Project Name: _____
Address: _____
_____

Test By: _____
Conducted By: _____ Signature: _____

Water Purveyor: _____ Signature: _____
Water Supplied By: _____

DATA

FLOW HYDRANTS(S)	Hyd # F1	Hyd # F2	Hyd # F3
Size Opening:	2.5	2.5	
Coefficient:			
Pitot Reading:			
GPM:			

Total Flow During Test: _____ GPM

Static Reading: _____ PSI Residual: _____ PSI Hyd #

Results: At 20 PSI Residual _____ GPM Water Main Size: _____

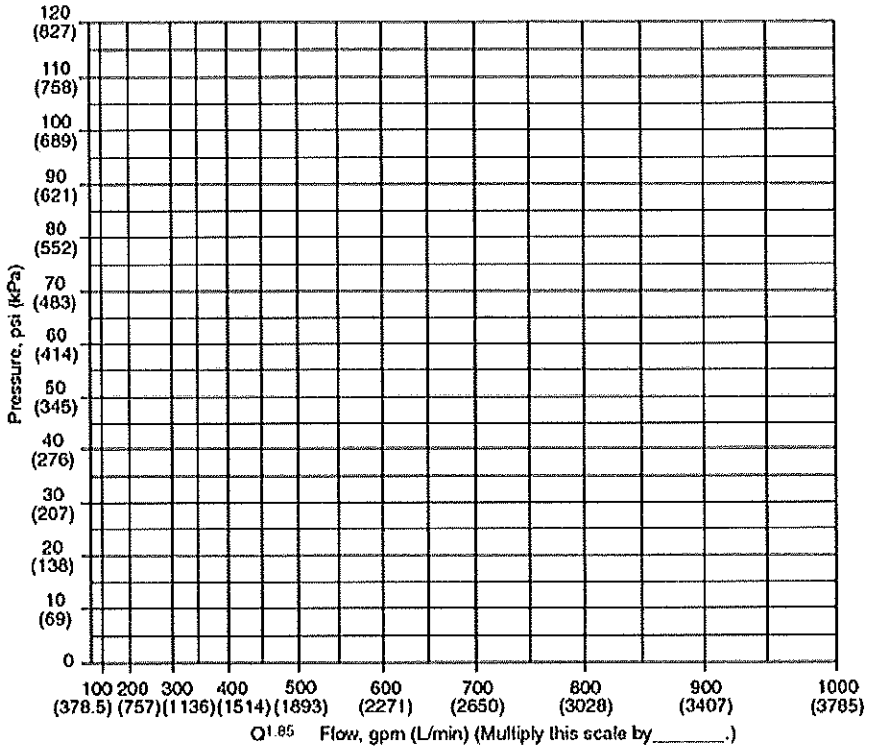
Estimated Consumption: _____ Gal. Flow Duration (minutes): _____

Remarks: _____
_____

Map

City of Cibolo Water Flow Test Report Form Revised 13 December 2013

FIGURE B1011.4 Sample Graph Sheet.



B1011.5 When the tests are complete, the forms should be filed for future reference by interested parties.

Section **B2000 Marking of Fire Hydrants**

B2001 Classification of Hydrants. Hydrants should be classified in accordance with their rated capacities based upon actual flow as follows:

(1) Class AA — Rated capacity of 1500 gpm (5680 L/min) or greater
(2) Class A — Rated capacity of 1000 – 1499 gpm (3785–5675 L/min)
(3) Class B — Rated capacity of 500 – 999 gpm (1900–3780 L/min)
(4) Class C — Rated capacity of 251 – 500 gpm (1900 L/min)
(5) Class D — Rated capacity of less than 250 gpm (950 L/min) is considered nonfunctioning.

Section **B2002 Marking of Fire Hydrants.**

B2002.1 Public and Private Hydrants.

B2002.1.1 Public Hydrants. All new and existing public hydrants the hydrant barrels are to be red in color. Marking on all new and existing public hydrants or any device having the appearance of a fire hydrant on or adjacent to fire apparatus access roads shall be in accordance with Section B2001 and Section B2002.1.3 through B2002.1.8.

B2002.1.2 Private Hydrants. All new and existing private hydrants the hydrant barrels shall be painted chrome yellow, to distinguish them from public hydrants. Marking on all new and existing private hydrants or any device having the appearance of a fire hydrant on or adjacent to

fire apparatus access roads shall be in accordance with Section B2001 and Section B2002.1.3 through B2002.1.8.

B2002.1.3 All new and existing tops (bonnets) and nozzle caps shall be painted with the following capacity-indicating color scheme to provide simplicity and consistency with colors used in signal work for safety, danger, and intermediate condition:

(1) Class AA — Light blue
(2) Class A — Green
(3) Class B — Orange
(4) Class C — Red
(5) Class D — Black

B2002.1.4 For rapid identification at night, it is recommended that the capacity colors be of a reflective-type paint or have reflective (ground or crushed crystals and/or similar) material added to the finish.

B2002.1.5 Fire hydrants rated at less than 25 psi (1.72 bar) shall have the rated pressure stenciled in black or a contrasting color on the hydrant top (bonnet).

B2002.1.6 In addition to the painted top and nozzle caps, it can be advantageous to stencil the rated capacity of high-volume hydrants on the top (bonnet).

B2002.1.7 The classification and marking of fire hydrants provided for in this Section anticipate determination based on individual flow test.

B2002.1.8 Where a group of hydrants can be used at the time of a fire, some special marking designating group-flow capacity may be desirable.

B2002.2 Permanently Inoperative Hydrants. Public and private fire hydrants or any device having the appearance of a fire hydrant that are permanently inoperative or unusable shall be replaced as soon as reasonably possible.

B2002.3 Temporarily Inoperative Hydrants. Public and private fire hydrants or any device having the appearance of a fire hydrant that are temporarily inoperative or unusable should be wrapped or otherwise provided with temporary indication of their condition and repaired or replaced as soon as reasonably possible.

B2002.4 Flush Hydrants. Location markers for new and existing flush hydrants should carry the same background color as stated above for class indication, with such other data stenciled thereon as deemed necessary.

(cccxi) APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by amending **C101.1** to read as follows:

C101.1 Scope. In addition to the requirements of Section 507.5 of the *International Fire* Code, fire hydrants shall be provided in accordance with this appendix for the protection of buildings, or portions of buildings, hereafter constructed, or moved into the jurisdiction.

(cccxii) APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by amending **C101** to add **C101.2** to read as follows:

C101.2 Fire hydrant locations. Required fire hydrants shall not be installed at the end of dead-end streets, roads, or Cul-De-Sac's. Fire hydrants shall be provided within 100 feet (30 480 mm) on the approach to a fire department connection. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. Fire hydrants shall be accessible by an *approved* fire apparatus access road.

(cccxiii) APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by amending **C102.1** to read as follows:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1 and shall not be less than required to meet the spacing requirements in Section 507.5. The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in Table C102.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted.

(cccxiv) APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by amending **C102.1 Table C102.1** to read as follows:

Table C102.1
Required Number and Spacing of Fire Hydrants[g]

Fire-Flow Requirement (gpm)	Minimum Number of Hydrants	Average Spacing Between Hydrants[a, b, c, f] (feet)	Maximum Distance from any Point on Street or Road Frontage to a Hydrant[d, f]
1,750 or less	1	500	250
2,000-2,250	2	450	225
2,251-2,500	3	400	225
2,501-3,000	3	350	225
3,500-4,000	4	350	210
4,500-5,000	5	300	180
5,001-5,500	6	300	180
5,501-6,000	6	250	150
6,500-7,000	7	250	150
7,500 or more	8 or more[e]	200	120

For SI: 1 foot = 304.8 mm, 1 gallon per minute = 3.785 L/m.

a. Reduce by 100 feet for dead-end streets or roads.
b. Where streets are provided with median dividers or where streets are provided with four or more traffic lanes, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and 400 feet on an alternating basis for higher fire-flow requirements.
c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
d. Reduce by 50 feet for dead-end streets or roads.
e. One hydrant for each 1,000 gallons per minute or fraction thereof above 7,500 gpm.
f. A 25-percent spacing increase when *approved* by the *fire code official* or *fire chief* may be permitted where the building is equipped throughout with an approved automatic fire sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code* or Section P2904 of the *International Residential.*
g. The *fire code official* or *fire chief* is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints, conditions, and hazards.

(cccxv) APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by amending **C104.1** to read as follows:

C104.1 Existing fire hydrants. Existing fire hydrants located across intersections or roadways may not be considered as available. Existing fire hydrants on public streets are allowed to be considered as available to meet the requirements of Sections C102 and C103 provided they are

located adjacent to the property to be protected as *approved* by the *Fire Code Official*. Existing fire hydrants on adjacent properties are allowed to be considered as available to meet the requirements of Sections C102 and C103 provided that a fire apparatus access road extends between properties and that an easement is established to prevent obstruction of such roads or fire hydrant access.

(cccxvi) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D102.1** to read as follows:

D102.1 Access and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete, or other *approved* driving surface capable of supporting the imposed load of a fire apparatus weighing at least 80,000 pounds (36 287 kg) or heaviest rated fire apparatus responding within the jurisdiction.

(cccxvii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.1** to read as follows:

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm) the full length of the fire apparatus access road, lane, or roadway, exclusive of shoulders. (see Figure D103.1 The *fire code official* is authorized to increase the minimum width.

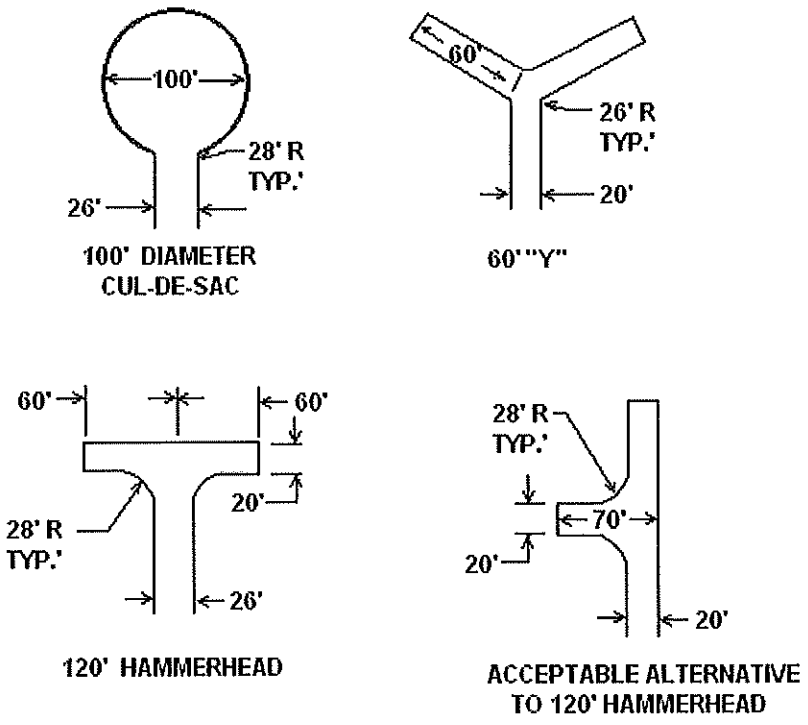


Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround

(cccxviii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.2** to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed 8 percent in grade. Fire apparatus access roads shall not have high or low elevation changes that would allow an apparatus to bottom out the center of, or nose into, or cause the rear of the apparatus to drag the surface in accordance with Section 503.2.7 and 503.2.8.

Exception: A local jurisdiction alternative to the 8 percent grade restriction where *approved* by the fire chief: If the grade exceeds 8 percent, the first portion of the grade shall be limited to 10 percent for a length of 150 feet transitioning back to 8 percent for 250 feet and then 10 percent for a length of 150 feet transitioning back to 8 percent for 250 feet, repeat the cycle as necessary. Grades steeper than 10 percent can only be *approved* by the fire chief.

(cccxix) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.3** to read as follows:

D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*. The standard radius is 50 foot outside and 28 foot inside turning radius.

(cccxx) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.4** to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and Figure D103.1. The *fire code official* is authorized to increase the minimum width and length.

Table D103. REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

Length (feet)	Width (feet)	Turnarounds Required
0–150	20[a, b]	None required
151–500	20[a, b]	120-foot Hammerhead, 60-foot "Y" or 100-foot-diameter cul-de-sac in accordance with Figure D103.1
501–750	26[a]	120-foot Hammerhead, 60-foot "Y" or 100-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

a. The *fire code official* or *fire chief* is authorized to increase the minimum width.

b. 26-foot width where hydrants are located on access roads.

(cccxxi) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.5** to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the minimum gate width shall be not less than 20 feet (6096 mm), or where more than one gate is provided the minimum unobstructed opening width across any driving surface shall be not less than 20 feet (6096 mm) and 26 feet (7925 mm) where fire hydrants are located along roadways. Where a fire apparatus road consists of a divided roadway, the minimum unobstructed opening width across any driving surface shall be not less than 20 feet (6096 mm) and 26 feet (7925 mm) where fire hydrants are

located along roadways. The *fire code official* is authorized to increase the minimum width.

2. Gates shall be of the side hinged swinging or horizontal sliding type. Side hinged swinging gates shall open in the direction of travel.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Electric gates shall be designed to be in the open position during a failure of the opening device or electrical power failure. Emergency opening devices shall be *approved* by the *fire code official*.
6. Methods of locking shall be submitted for approval by the *fire code official* and meet the requirements of Section 506.
7. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by a key box containing the key(s) and the lock-box is installed at the gate location.
8. Locking device specifications shall be submitted for approval by the *fire code official*.
9. Electric gate operators, where provided, shall be listed in accordance with UL 325.
10. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

(cccxxii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D103.6** to read as follows:

D103.6 Signs and markings. Where required by the *fire code official*, new and existing fire apparatus access roads shall be marked with permanent NO PARKING — FIRE LANE — TOW / AWAY ZONE markings and signs complying with Figure D103.6. Markings shall be a minimum 6-inch (153 mm) wide red background with a minimum 4 inch (102 mm) high white lettering and where required by the *fire code official* for large complex's stripping shall be a minimum 8-inch-wide red background with a minimum 6-inch-high white lettering. Signs shall have red letters on a white reflective background and have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high for NO PARKING – FIRE LANE and a minimum dimension of 12 inches (305 mm) wide by 6 inches (153 mm) high for TOW – AWAY ZONE or overall dimension of 12 inches (305 mm) wide by 24 inches (610 mm) high with all of the wording and arrows. The minimum height, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement, of signs installed at the side of the road in rural areas shall be 7 feet. The minimum height, measured vertically from the bottom of the sign to the top of the curb, or in the absence of curb, measured vertically from the bottom of the sign to the elevation of the near edge of the traveled way, of signs installed at the side of the road in business, commercial, or residential areas where parking or pedestrian movements are likely to occur, or where the view of the sign might be obstructed, shall be 7 feet. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. The *fire code official* is authorized to increase the minimum width of marking strips and letter size for visibility.

Painted curbs and flat stripping shall comply with Figure D103.6. Where curbs are present the curb face and top shall be painted red with the lettering at the top of the curb face with the words " FIRE LANE NO PARKING TOW-AWAY ZONE " spaced a minimum every 45 feet and a transition to a flat stripe at parking areas and approach ramps. Stenciling and stripping shall be on curb face where curbs are present.

When signs with arrows are used to indicate the extent of the restricted zones, the signs shall be set at an angle of not less than 30 degrees nor more than 45 degrees with the line of traffic flow in order to be visible to approaching traffic. If the signs are mounted at an angle of 90 degrees to the curb line, two signs shall be mounted back to back at the transition point between two parking zones, each with the appended message THIS SIDE OF SIGN. At intermediate points within a zone, a single sign without any arrow or appended plaque should be used, facing in the direction of approaching traffic. Otherwise the standards of placement should be the same as for signs using directional arrows.

Spacing of signs without painted marking/stripping shall be at intervals not exceeding 45 feet (13 716 mm) and based on legibility and sign orientation. The *fire code official* is authorized to decrease the minimum distance between signs because of location on property, topography, obstructions, or other similar conditions.

FIGURE D103.6
FIRE LANE MARKINGS AND SIGNS

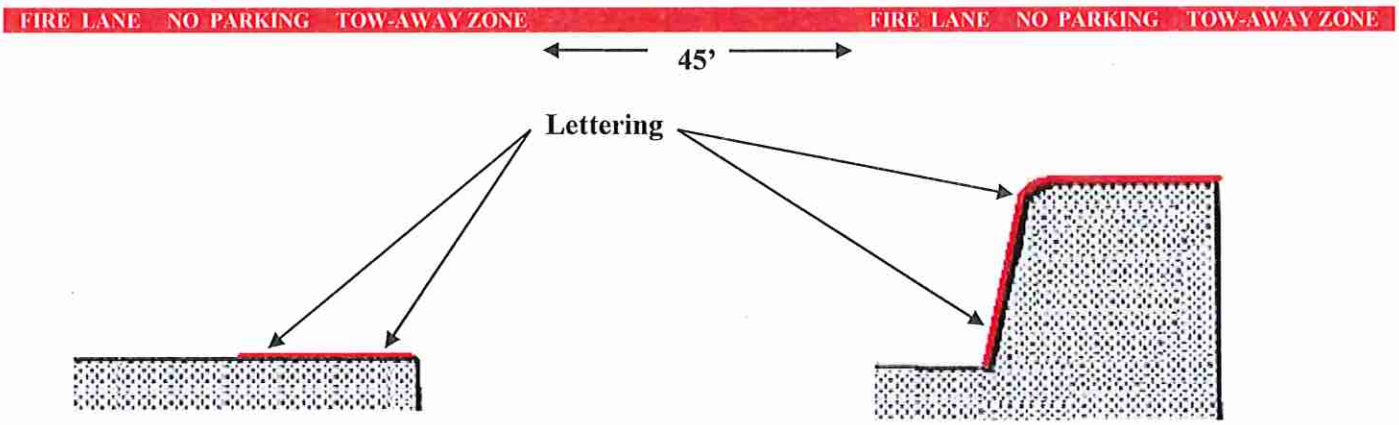
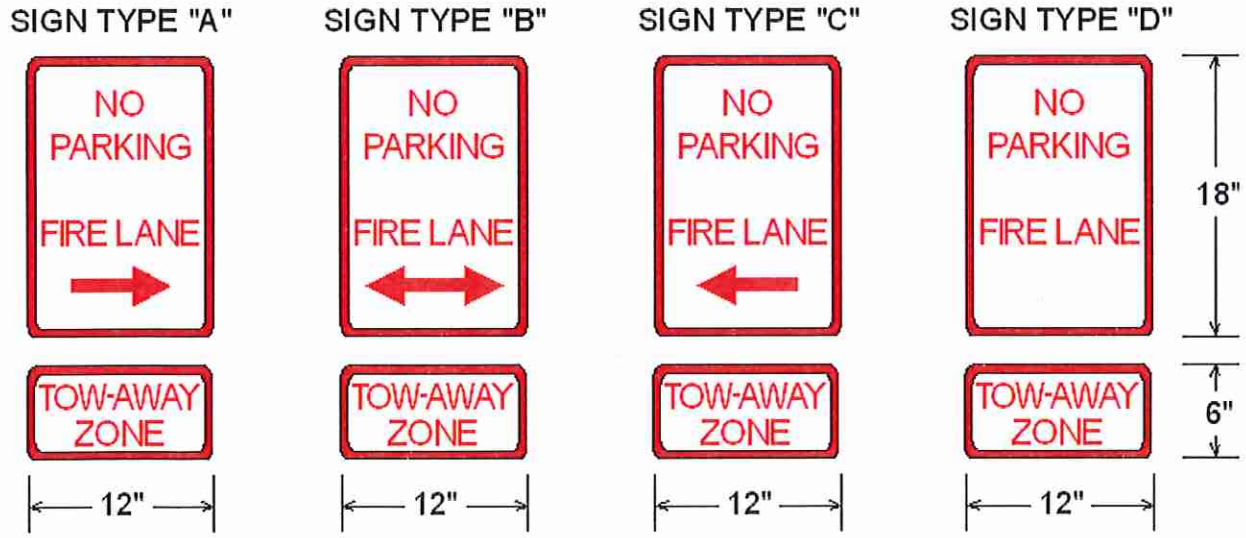


FIGURE D103.6 - continued
FIRE LANE MARKINGS AND SIGNS



(cccxxiii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by deleting the exception **D104.2** to read as follows:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m^2) shall be provided with two separate and *approved* fire apparatus access roads.

(cccxxiv) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D104.3** to read as follows:

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot, property, or area to be served, measured in a straight line between accesses and connect to a public way.

(cccxxv) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D105.2** to read as follows:

D105.2 Width and grade. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) exclusive of shoulders, in the immediate vicinity of any building or portion thereof. Aerial fire apparatus access roads shall not exceed 8 percent in grade.

(cccxxvi) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D106.1** to read as follows:

D106.1 Multiple-family Residential Projects including townhouses and multiplex units and projects having up to 60 dwelling units. Multiple-family residential projects having up to 60 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads.

Exception:

1. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless the fire apparatus access road connects to a public way. No further development shall occur once the maximum number of *dwelling units* allowed by this Section has been reached unless the second *approved* fire apparatus access road has been extended to a public way. Where *approved* by the *fire code official* and where there is reasonable assurance the fire apparatus access road will connect with future development having access to a public way provided that the development is currently underway and an agreement is signed providing for the access to be completed within a year of the permitting for the increase of *dwelling units*.
2. Projects having up to 60 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout (all areas and to include attic spaces not just occupiable areas) with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

(cccxxvii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D106.2** to read as follows:

D106.2 Multiple-family Residential Projects including townhouses and multiplex units and projects having more than 60 dwelling units. Multiple-family residential projects having more

than 60 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

(cccxxviii) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D106.3** to read as follows:

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot, property, or area to be served, measured in a straight line between accesses and connect to a public way.

(cccxxix) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D107.1** to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

Exceptions:

1. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless the fire apparatus access road connects to a public way. No further development shall occur once the maximum number of *dwelling units* allowed by this Section has been reached unless the second *approved* fire apparatus access road has been extended to a public way. Where *approved* by the *fire code official* and where there is reasonable assurance the fire apparatus access road will connect with future development having access to a public way provided that the development is currently underway and an agreement is signed providing for the access to be completed within a year of the permitting for the increase of *dwelling units*.
2. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3 of the *International Fire Code*, access from two directions shall not be required.

(cccxxx) APPENDIX D FIRE APPARATUS ACCESS ROADS is hereby amended by amending **D107.2** to read as follows:

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot, property, or area to be served, measured in a straight line between accesses and connect to a public way.

(cccxxxi) APPENDIX H HAZARDOUS MATERIAL MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENTS (HMIS) INSTRUCTIONS is hereby amended by amending **H101.1** to read as follows:

H101.1 Part A. (See Example Format in Figure H101.1).

1. Fill out items and sign the declaration. Declarations are to comply with this Section and Section 5001.2.
2. Part A of this section is required to be updated and submitted annually, or within 30 days of a change of chemicals or quantities, process, or management change.

(cccxxxii) APPENDIX H HAZARDOUS MATERIAL MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENTS (HMIS) INSTRUCTIONS is hereby amended by amending **H101.2** to read as follows:

H101.2 Part B–General Facility Description/Site Plan. (See Example Format in Figure H101.2).

1. Provide a site plan on a minimum 11 inch by 17-inch paper and in an electronic format, showing the locations of all buildings, structures, outdoor chemical control or storage and use areas, parking lots, internal roads, fire lanes, storm and sanitary sewers, trash/waste dumpsters, wells, and adjacent property uses. Indicate the scale (scale is to be a common number), North indicating arrow, and the date the drawing was completed.

(cccxxxiii) APPENDIX H HAZARDOUS MATERIAL MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENTS (HMIS) INSTRUCTIONS is hereby amended by amending **H101.3** to read as follows:

H101.3 Part C–Facility Storage Map – Confidential Information (See Example Format in Figure H101.3).

1. Provide a floor plan of each building identified on the site plan as containing chemicals or hazardous materials on a minimum 11 inch by 17-inch paper and in an electronic format, with the North indicating arrow, a description of use for all rooms, and showing the location of each storage and use area.
2. Identify storage and use areas, including hazard waste storage areas.
3. Show the following:
   - 3.1 Access to each storage and use area.
   - 3.2 Location of emergency equipment.
   - 3.3 Location where liaison will meet emergency responders.
   - 3.4 Facility evacuation meeting point locations.
   - 3.5 The general purpose (description of use) of the other areas within the building.
   - 3.6 Location of all aboveground and underground tanks to include sumps, vaults, below-grade treatment systems, piping, etc.
   - 3.7 Show hazard classes in each area.
   - 3.8 Show locations of all Group H occupancies to include chemical storage areas in Non-Group H areas, *control areas*, and exterior storage and use areas.
   - 3.9 Show emergency exits.

(cccxxxiv) APPENDIX H HAZARDOUS MATERIAL MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENTS (HMIS) INSTRUCTIONS is hereby amended by amending **H102.1** to read as follows:

H102.1 Inventory statement contents.

1. HMIS Summary Report (See Example Format in Figure H102.1).
   - 1.1 Complete a summary report for each *control area*, Group H occupancy and chemical storage areas in Non-Group H areas.
   - 1.2 The storage summary report includes the HMIS Inventory Report amounts in storage, use-closed, and use-open conditions.
   - 1.3 Provide separate summary reports for storage, use-closed and use-open conditions.
   - 1.4 IBC/IFC Hazard Class.
   - 1.5 Inventory Amount. [Solid (lb), Liquid (gal), Gas (cu ft, gal, or lbs)].
   - 1.6 IBC/IFC *Maximum Allowable Quantity per control area* (MAQ). (If applicable, double MAQ for sprinkler protection and/or storage in cabinets. For wholesale and retail sales

occupancies, go to Tables 5003.11.1 and 5704.3.4.1 of the *International Fire Code* for MAQs.).

2. HMIS Inventory Report (See Example Format in Figure 5).
   2.1 Complete an inventory report by listing products by location.
   2.2 Product name.
   2.3 Components. (For mixtures specify percentages of major components if available.)
   2.4 Chemical Abstract Service (CAS) Number. (For mixtures list (CAS) Numbers of major components if available.)
   2.5 Location. (Identify the control area or, if it is a Group H occupancy, provide the classification, such as H-2, H-3, etc.)
   2.6 Container type and container capacity. (Provide type of material product container, vessel, or tank is made of and size of container along with quantity of containers.
   2.7 Hazard Classification. (List applicable classifications for each product.)
   2.8 Stored. (Amount of product in storage conditions.)
   2.9 Closed. (Amount of product in use-closed systems.)
   2.10 Open. (Amount of product in use-open systems.)

Facilities that have prepared, filed and submitted a Tier II Inventory Report required by the U. S. Environmental Protection Agency (USEPA) or as required by the state and that has secured USEPA approval for a similar form is still required to submit the HMIS Summary Report unless the submitted Tier II Inventory Report includes all information specified in H102.1(1) and (2) of this section.

(cccxxxv) APPENDIX J BUILDING INFORMATION SIGN is hereby amended by amending **J101.1.1** to read as follows:

J101.1.1 Sign Location. The building information sign shall be placed at one of the following locations:

1. On the entry door or sidelight at a minimum height of 42 inches (1067 mm) above the walking surface on the address side of the building or structure.
2. On the exterior surface of the building or structure on either side of the entry door, not more than 3 feet (76 mm) from the entrance door, or below the Knox key box at the primary entry, at a minimum height of 42 inches (1067 mm) above the walking surface on the address side of the building or structure.

(cccxxxvi) APPENDIX J BUILDING INFORMATION SIGN is hereby amended by amending **J101.1.4** to read as follows:

J101.1.4 Sign size and lettering. The minimum size of the building information sign and lettering shall be in accordance with the following:

1. The width and height shall be a minimum 8 inches by 8 inches (203 mm by 203 mm), but not smaller than needed to contain the required wording.
2. The height or width of each Maltese cross wing area shall be a minimum 1 ⅛ inches (29 mm) and have a stroke width of ½ inch (13 mm), but stay proportional to the overall size of the center circle or oval.
3. The center of the Maltese cross, a circle or oval, shall be large enough to contain all required wording.
4. All Roman numerals and alphabetic designations, shall be 1 ¼ inch (32 mm) height and have a stroke width of ¼ inch (6 mm).

(cccxxxvii) APPENDIX J BUILDING INFORMATION SIGN is hereby amended by amending **J101.3** to read as follows:

J101.3 Construction type (top wing). The building method and construction types shall be use to set the type of construction and shall be designated by assigning the appropriate Roman numeral, and letter, placed inside the top wing of the Maltese cross. The hourly rating provided is for the structural framing in accordance with Table 601 of the International Building Code.

BUILDING METHOD	CONSTRUCTION TYPE	FIRE-RESISTANCE RATING
Concrete Construction	IA—Noncombustible	3 Hours
Concrete Construction	IB—Noncombustible	2 Hours
Metal Structural Building	IIA—Noncombustible	1 Hour
Metal Structural Building	IIB—Noncombustible	0 Hours
Brick or Block Structural Wall	IIIA—Noncombustible/combustible	1 Hour
Brick or Block Structural Wall	IIIB—Noncombustible/combustible	0 Hours
Log & Wood Beam Construction	IV—Heavy timber (HT)	HT
Wood-Frame Construction	VA—Combustible	1 Hour
Wood-Frame Construction	VB—Combustible	0 Hours

(cccxxxviii) APPENDIX J BUILDING INFORMATION SIGN is hereby amended by amending **J101.7** to read as follows:

J101.7 Tactical considerations (center circle). The center circle shall include the information necessary for an overview of the building statistics and, where required, the letters "TC" for "tactical considerations". Where needed for unique situation(s) and tactical considerations signs shall be identified and the information provided to the fire dispatch communications center to further assist fire fighters in identifying that there is special consideration(s) for this occupancy. The minimum information required in the center circle shall include, but not limited to:

1. Type of roof material and type of roof supporting structure including but not limited to bar joists, solid wood joists, rafters, trusses, wood web joists with pressed in metal attachment plates, cold-formed galvanized steel, light weight steel, open web steel joists, purlin joists, I-joists and I-beams; green roof with vegetation, soil and plants.
2. Roof access and location (interior or exterior).
3. Electrical main, gas main, and similar disconnect locations.
4. Floor structural members where more than one type are present including but not limited to pier and beam, post-tension concrete, reinforced concrete.

Special consideration designations include, but are not limited to:

1. Impact-resistant drywall with locations.
2. Impact-resistant glazing, such as blast, bullet, or hurricane-type glass with locations.
3. Medical gases (as defined in NFPA 99) with locations and type of gases, to include shutoff valve locations if remote from the cylinder and/or manifold.
4. Hazardous materials to include those under the maximum allowable quantities (such as *explosives*, chemicals, plastics, gases to include hazardous and/or toxic refrigeration and air conditioning system gases, acetylene and oxygen sets/cylinders/systems).
5. Solar panels and DC electrical energy.
6. HVAC system; and smoke management system for pressurization and exhaust methods.
7. Elevators, dumbwaiters, escalators, and similar.
8. Gas detection systems with locations and type.

9. High piled storage areas.
10. Overhead cranes, hoists, lifts, and similar.
11. Floor pits with locations.
12. Tire storage with location (interior or exterior).
13. Paint booths, paint mixing rooms.
14. Other unique characteristic(s) within the building that are ranked according to a potential risk to occupants and fire fighters.

Utility main disconnects shall be identified by firefighter nomenclature.
Where located near the middle of a building side,
A Side, B Side, C Side, or D Side.
Where located near a corner of a building side,
A Side corner of B Side, B Side corner of C Side, etc.
Where not located along a building side,
Located on pole corner of B Side C Side, or similar.
Front of the building being A, clockwise to the left side being B, with the rear being C, and the right side being D.

(cccxxxix) APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS is hereby amended by amending **L101.1** to read as follows:

L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in new and existing buildings when any of the following conditions occur:

1. Any new building 4 or more stories in height.
2. Any new building with 2 or more floors below grade.
3. Any new building 500,000 square feet total all floors, levels, and areas or more in size, except where the fire fighter air replenishment systems (FARS) is needed as determined by the fire chief the size can be 300,000 square feet total all floors, levels, and areas or more based on the occupancy Group and use.
4. Any existing building remodels that equal 50% or more of the existing building floor area in buildings that meet the square footage threshold, or building additions where an increase in building size or height exceeds the square footage threshold.

Each stairwell shall have a supply riser. SCBA fill panels shall be located on odd numbered floors commencing at the first level in the primary stairwell and on even numbered floors commencing at level 2 in the remaining stairwells. Fill panels in multi- or single-story buildings over 300,000 square feet shall be located adjacent to each standpipe connection and any locations as required by the fire chief.

(cccxl) APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS is hereby amended by amending **L104.13.1** to read as follows:

L104.13.1 Locations. Fill stations for refilling breathing air cylinders shall be located in accordance with Section L101.1 and any locations as required by the fire chief.

(cccxli) APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS is hereby amended by amending **L104.14** to read as follows:

L104.14 External mobile air connection. An external mobile air connection shall be provided for fire department mobile air apparatus where required by Section L104.5 to supply the system with breathing air.

The external mobile air connection shall be located with *approved* separation from the Fire Department Connection (FDC) to allow functionality of both devices by first responders; shall be visible from and within 50 ft. of a fire apparatus access road along an unobstructed path; and shall be located in an *approved* secured cabinet with *approved* signage.

(b) That the following sections and/or sub-sections of the Fire Code are hereby revised to read as follows:

That the geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

(i) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5704.2.9.6.1** to establish geographic limits within the jurisdiction as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Prohibited locations shall be in all zoning districts except: as allowed in areas as regulated by the adopted Unified Development Code. Setback requirements shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, nature of occupancy of adjacent structures, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided, and capabilities of the local fire department.

(ii) CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS is hereby amended by amending **5706.2.4.4** to establish geographic limits within the jurisdiction as follows:

Section **5706.2.4.4 Locations where above-ground tanks are prohibited.** The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Prohibited locations shall be in all zoning districts except: as allowed in areas as regulated by the adopted Unified Development Code. Setback requirements shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, nature of occupancy of adjacent structures, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided, and capabilities of the local fire department.

(iii) CHAPTER 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC LIQUIDS is hereby amended by amending **5806.2** to establish geographic limits within the jurisdiction as follows:

5806.2 Limitations. Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.

Prohibited locations shall be in all zoning districts except: as allowed in areas as regulated by the adopted Unified Development Code. Setback requirements shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of

occupancy, nature of occupancy of adjacent structures, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided, and capabilities of the local fire department.

(iv) CHAPTER 61 LIQUEFIED PETROLEUM GASES is hereby amended by amending **6104.2** to establish geographic limits within the jurisdiction as follows:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

Prohibited locations shall be in all zoning districts except: as allowed in areas as regulated by the adopted Unified Development Code.

Exception: In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, nature of occupancy of adjacent structures, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided, and capabilities of the local fire department.

(c) That the following sections and/or sub-sections of the Fire Code are hereby added to read as follows:

(i) Fire Service Fee Schedule

A. Purpose. The purpose of the Fire Department Service Fee Schedule is to provide for the reimbursement of costs for emergency and/or non-emergency responses by the Cibolo Fire Department for certain emergency and non-emergency incidents, special events, unwarranted incidents, hazardous material incidents, technical or specialized rescue incidents, motor vehicle collisions, incidents caused by negligence and/or willful disregard for established fire and life-safety codes, and fire code enforcement. Additionally, the Fee Schedule shall be applied to responses made by the fire department and/or those responses not covered under an approved mutual or automatic-aid agreement.

B. Fire Department Service Fees. The City Council authorizes the Fire Chief to establish Fire Department Service Fees, and policies and regulations governing the collection of those fees. The Fire Chief shall provide the City Council with an annual updated fee schedule with a summary of changes adopted during the previous year, if the fees, or policies and regulations are changed within the preceding year.

C. Special Events / Mass Gathering Fees. Special events or mass gathering sponsors or property owners shall be charged for any and all services required by the fire department, as determined by the fire department in its sole discretion, including, but not limited to standby fire apparatus and its personnel, and/or fire/medical crews and vehicles. Such special events or mass gathering fees shall be due and payable upon receipt of an invoice, and shall be in addition to any fees incurred for other fire department services rendered.

D. Eligible Expenses/Incidents. The following types of occurrences and incidents that involve the response of Cibolo Fire Department personnel and/or resources are eligible for invoicing pursuant to this document.

Fire protection services:

1. Elevator Incidents may be invoiced per occurrence, on the second and subsequent occurrence within a calendar year. The property owner and/or tenant shall be considered the responsible party.
2. Hazardous Material Incidents may be invoiced per occurrence for events, with the property owner, tenant, and/or vehicle owner, operator as the responsible party.
3. Interstate Highway Incidents may be invoiced per occurrence to the responsible party.
4. Motor Vehicle Collisions where extrication is performed may be invoiced per occurrence. In the event multiple vehicles are involved, responsibility for costs may be prorated, as determined by the Fire Chief, among the person(s), operator(s), or vehicle owner(s).
5. Other charges (use of City owned equipment, products, supplies, etc.).
6. Out-of-City Responses to non-City properties or persons not covered under an approved mutual or automatic-aid agreement may be invoiced to the property owner, tenant, and/or vehicle owner, operator, or person receiving assistance from Fire Department resources and/or personnel.
7. Railway Incidents may be invoiced per occurrence to the responsible party.
8. Responses or use of Fire Department personnel and/or resources, and including City owned equipment requested for use during an emergency event may be invoiced per occurrence to the responsible party.
9. Services for preservation of life (hazardous material, technical rescue, mvc, etc.).
10. Special Events and/or Mass Gatherings may be invoiced per occurrence or response, with the property owner, tenant, or event organizer(s) responsible as indicated at the time of the event, event planning, or unplanned event.
11. Standby charges (apparatus and personnel, special events, fire watch, standby services, etc.).
12. Swift Water, Flood, or Technical Rescue Incidents may be invoiced per occurrence, or for negligent events that result in rendered services.
13. Unwarranted and Nuisance Incidents may be invoiced per occurrence, on the third and subsequent occurrence within a calendar year. The property owner, tenant, and/or individual responsible for the response shall be considered the responsible party.
14. Utility and/or Natural Gas or LP-Gas Incidents may be invoiced per occurrence to the responsible party.
15. Water testing for Fire Flow requirements establishing available water for buildings, developments, and fire sprinkler systems.

Reimbursement rates shall be invoiced at the determined rate for each resource and/or employee. Additional time shall be prorated to the nearest ½-hour increments as rounded up. The established reimbursement rates are published in the City of Cibolo Master Fee Schedule. Payment of the invoice shall be due within 30-days of the invoice date, and interest may be applied as accrue at a ten percent (10%) Annual Percentage Rate (APR) beginning the thirty-first (31st) day.

E. Fee Collection.

1. The Cibolo Fire Department is authorized to collect fees for services provided inside the city limits as well as those provided outside the city limits pursuant to all applicable rules, regulations, state, and local law.
2. Fees that are the result of any actions listed in the Master Fee Schedule and/or Subsection D are the responsibility of the vehicle owner or operator, property owner or occupant, and/or other responsible party and are due and payable upon receipt of an invoice from the fire department or its authorized agent.
3. The Cibolo Fire Department is authorized to obtain the requisite incident information to collect fees through internal and/or contractual services.
4. The Cibolo Fire Department shall coordinate with development services for applicable fee collection along with utilizing fire records management for the collection of any additional fees not collected by development services.

5. Fees for fire flow tests shall be paid prior to testing. Same day testing will be performed within 24 hours of receipt of payment.

Calls for service at residential properties shall not be subject to any fees unless it is determined to be for cause, as is identified in Subsection D 10 and 13.

F. Invoicing.
The invoice must contain, at minimum, the date on which services were rendered by the Cibolo Fire Department, due date for payment of invoice, mailing address for payment, the type of incident under the Fee Schedule that serves as the basis for the invoice, an explanation of the services provided, and the cost of rendered services.

G. Enforcement.
All enforcement, invoicing, and application of the Fee Schedule is the responsibility of the Fire Chief and/or his designee.

H. Liability.
The Cibolo Fire Department shall, at its sole discretion, determine whether or not Fire Department resources and/or personnel are available for reimbursable services cited within this document. Furthermore, all persons responsible for the enforcement or application of the Fee Schedule, shall not be liable for any damage or injury to persons or property arising out of or relating in any way to the application or enforcement of this Fee Schedule.

I. Definitions for Fire Department Services. Unless the context specifically indicates otherwise, the meaning of terms used in the Fee Schedule shall be as follows:

Elevator Rescue Response: Shall mean those incidents involving the rescue or removal of persons from an elevator or elevator shaft as a result of a mechanical failure, power failure, or form of accident.

Emergency Personnel: Shall mean personnel who are employees of the Cibolo Fire Department during their involvement in an emergency or non-emergency incident.

Emergency Response: Shall mean those incidents that require fire, rescue, and/or medical response in an immediate fashion, following established emergency response protocols.

False Alarm Response: Shall mean those incidents that are of the same nature, on a repetitive basis, at the same location, due to the lack of servicing to mechanical and/or electrical equipment of an emergency system, or the failure to correct a previously documented fire hazard, or false reporting of an emergency incident or any other fire department response that is deemed unnecessary by the Fire Chief, including but not limited to false alarms caused by carelessness.

Fire Department: Shall mean the Cibolo Fire Department.

Fire Standby: Shall mean the assignment of fire department personnel who are not actively working an emergency scene, but are on duty and/or on scene in the event their assistance is needed, to include working any events and/or venues.

Fire Watch: Shall mean one or more qualified individuals whose sole duty is performing a continuous and systematic watch and patrol of a property, building(s) or portion thereof and keeping record at timed intervals of any suspicious or potentially hazardous conditions, any abnormalities or concerns that need close observation, identifying and controlling fire hazards, detecting early signs of unwanted fire or other

emergency, and raising an alarm of any fire or other emergency and notifying Emergency Services Dispatch and the Fire Department. Fire watch personnel shall have proper and adequate means of communication devices. Also see Fire Watch IFC Chapter 202, 403.11.1, 901.7, 3305.5, and 3504.2.

Flood Rescue Response: Shall mean those incidents involving the rescue or removal of persons from their homes or property as a result of rising waters inhibiting their ability to get to safety without assistance, after a warning has been given to evacuate their home or property.

Haz-Mat Response: Shall mean those Hazardous Material incidents involving the release of any product that could prove a danger to health or the environment.

Interstate Highway Response: Shall mean those incidents on Interstate Highways, access roads along, or in the right-of-way of Interstate Highways.

Natural Gas or LP-Gas Leak Response: Shall mean those incidents involving the unwanted release of gas vapors or liquid from lines, mains, containers, tanks, or vessels. Person's rupturing gas mains and/or service lines while digging with tools or equipment are also subject to additional fines.

Non-Emergency Response: Shall mean those incidents which allow for fire, rescue and/or emergency medical response in a less urgent fashion, following established non-emergency response protocols, or response to an emergency call that that did not warrant an emergency response.

Other Utility Response: Shall mean those incidents involving the unwanted dropping of and/or damage to underground or aboveground water, waste water, cable, telephone, power lines, and similar.

Railway Incident Response: Shall mean incidents on railroad tracks, along railroad tracks, or in the railroad right-of-way involving persons, one or more motorized vehicles including cars, trucks, buses, planes, helicopters, motorcycles, and the vehicles and trailers being pulled by motorized vehicles, or train cars and/or engines.

Special Events: Shall mean those emergency or non-emergency incidents at Special Event and/or Mass Gathering events that occur within and/or outside the City of Cibolo that require the presence of Emergency Apparatus and/or Personnel employed by the Cibolo Fire Department, or as requested by owner/coordinator of the involved property.

Swift Water Response: Shall mean incidents that require water rescue and/or recovery.

Technical Rescue Response: Shall mean incidents that require rope rescue, confined space rescue, or technical rescue services and/or extrication.

Unwarranted Response: Shall mean those unwarranted, nuisance, negligent, or malicious incidents that are of the same or similar nature, on a repetitive basis, at the same location, or false reporting of an emergency incident, non-emergency response, or any other fire department response that is deemed unnecessary by the Fire Chief, including but not limited to false responses caused by carelessness, or which stem from an individual's intentional purpose to cause property damage, endanger lives, and/or cause the response of emergency personnel for other than an actual emergency.

(d) That the following sections and/or sub-sections of the Fire Code are hereby added to read as follows:

(i) That all pressure gauges installed for use or used for testing shall have the working range in the middle third of the gauges minimum and maximum pressure ends.

City of Cibolo

City Council Regular Meeting Staff Report

Approval of the Final Plat of Buffalo Crossing II Knights Crossing.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7E

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7E Final Plat Buffalo Crossing II.pdf

CITY COUNCIL

AGENDA ITEM: SUBDIVISION DEVELOPMENT PETITION

FINAL PLAT OF BUFFALO CROSSING II KNIGHTS CROSSING

Located east of Wiedner Road and Ramsdale Way intersection

PC-24-05-FP

MEETING DATE: February 27, 2024

STAFF: Susana Huerta, Assistant Planning Director

CITY COUNCIL ACTION: Approval/Disapproval of the above referenced petition

PLANNING & ZONING COMMISSION RECOMMENDATION: Approval by a 6-0 vote

PREVIOUS CITY COUNCIL ACTION: Council voted to deny this plat at the regular meeting of November 14, 2023.

PROPERTY INFORMATION:

Project Name:	Buffalo Crossing II Knights Crossing
Owner:	IF Development Associates, Israel Fogiel
Representative:	Civil Engineering Consultants, Mary Stewart
Area:	14.885 acres
Location:	East of Wiedner Road and Ramsdale Way intersection
Council District:	4
Zoning (map):	Planned Unit Development (PUD), Ord. 1129
Proposed Use:	Rights-of-way (ROW), one (1) Open Space Lot and one (1) Open Space/Greenbelt Lot
Utility Providers:	Sewer/Water – City of Cibolo Electricity - GVEC

FINDINGS/CURRENT ACTIVITY:

Per Unified Development Code (UDC) Article 20.3.5., 'Final Plat' The one official and authentic map of any given subdivision of land prepared from actual field measurement and staking of all identifiable points by a surveyor or engineer, with the subdivision location referenced to a survey corner, and with all boundaries, corners and curves of the land division sufficiently described so that they can be reproduced without additional references.

Knights Crossing is part of the Buffalo Crossing II Subdivision. It extends from Buffalo Crossing (Xing) to Wiedner Rd. The land is currently undeveloped. The Preliminary Plat for Knights Crossing

was recommended for approval by the P&Z on August 11, 2021, and approved by City Council on August 24, 2021. Revisions since the approval of the preliminary plat that are shown within the final plat include the offsite drainage easement adjustment and addition of a 900 lot (open space/drainage/subdivision sign, etc.) in the ROW at the intersection of Knights Crossing and Wiedner Rd.

A Public Improvements Agreement (PIA) was approved in 2016, as well as Planned Unit Development (PUD) and Land Study in 2015.

STREETS/FUTURE THOROUGHFARE PLAN (FTPX):
Knights Crossing will connect Wiedner Rd to Buffalo Crossing, an existing public thoroughfare of 66' Rights-of-way (ROW) collector. It will serve as access to future Units 5, 6, and 7. Thirty-foot (30') ROW dedication is provided along Wiedner Road for an ultimate width of 100' Minor Arterial Thoroughfare. Per the approved Planned Unit Development (PUD) this thoroughfare connects Phase V and K from Wiedner Road to Buffalo Crossing (3A). The owner has modified the thoroughfare to accommodate additionally acquired property to the east and north of Phase K. Approximately 1,577 linear feet of roadway is provided including planned intersections of Knight's Run, Dalton Lake and Buffalo Crossing.

UTILITIES:
The developer will continue the 12" water main along Knights Crossing and extend/loop an eight (8") throughout Buffalo Crossing II Phases K and V.

DRAINAGE:
The Drainage Plan was approved by staff in June 2021. A small portion of the property is located within the 100-year floodplain per FEMA maps and has been dedicated as parkland. The design of the Primary Arterial road will require a culvert to convey the 100-year flows from Town Creek East Trib. No. 1 through it. The culvert will be designed through detailed hydrologic and hydraulic analysis as required and will accompany a CLOMR / LOMR report submitted to the City and FEMA for approval. Two additional detention ponds will be provided at the west and south portions of the property.

STAFF RECOMMENDATION:
Staff and the City Engineer have reviewed the Final Plat and associated documents. Per the review letter attached, all comments have been addressed. Therefore, Staff recommends approval of this plat.

ATTACHMENTS:
1. Application
2. Plat
3. City Engineer Letters
4. Property Information Map

City of Cibolo

Planning Department
201 Loop 539 W/P.O. Box 826
Cibolo, TX 78108
Phone: (210) 658 - 9900

UNIVERSAL APPLICATION - FINAL PLAT

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Please use a separate application for each submittal.* Your application will not be accepted until the application is completed and required information provided.

Project Name: Buffalo Crossing II Knight Crossing

Total Acres: 11.18 AC Survey Name: Trinidad Garcia Survey No. 94 Abstract No.: 137

Project Location (address): East of the intersection of Weidner Rd. and Ramsdal Way

Current Zoning: PUD Overlay: ☒ None ☐ Old Town ☐ FM 78

Proposed Zoning: PUD # of Lots: 0 # of Units: 1

Please Choose One: ☒ Single-Family ☐ Multi-Family ☐ Commercial ☐ Industrial

☒ Other Dedication, Collector, & Local B

Current Use: Agriculture Total Proposed Square Footage:

Proposed Use: Single Family (Commercial/Industrial only)

Applicant Information:

Property Owner Name: IF Development Associates, Inc. (Contact: Israel Fogiel)

Address: 1003 NW Military Hwy., Suite 2201 City: San Antonio

State: Texas Zip Code: 78231 Phone: (210) 334-9200

Email: fogtex@aol.com Fax:

**Applicant (if different than Owner):*
* Letter of Authorization required

Address: City:

State: Zip Code: Phone:

Email: Fax:

Representative: KCI Technologies (Contact: Mary Stewart)

Address: 2806 West Bitters Road, Suite 218 City: San Antonio

State: Texas Zip Code: 78248 Phone: (210) 641-9999

Email: mary.stewart@kci.com Fax:

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application. Also, you waive the statutory time limits in accordance with Section 211, and 245 of the Texas Local Government Code.

Owner or Representative's Signature

Israel Fogiel
Typed / Printed Name

State of Texas

County of Bexar

Before me, Marian G. Adams, on this day personally appeared
Name of Notary Public

Israel Fogiel, to be the person(s) who is/are subscribed to the
Name of signer(s)

foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of September, 2023.

Marian G. Adams
Notary Public Signature

Notary Stamp: MARIAN G. ADAMS
Notary Public, State of Texas
Comm. Expires 08-05-2024
Notary ID 1059986-3

City of Cibolo Use Only
Total Fees
Payment Method
Submittal Date
Accepted by
Case Number

1 OPEN SPACE LOT AND
1 OPEN SPACE LOT & OPEN/WELT

FINAL PLAT

BUFFALO CROSSING II
KNIGHTS CROSSING

BEING 11.11 ACRES OUT OF A 63.0 ACRE PARCEL OF LAND RECORDED IN VOLUME 2015 PAGE 19579 AND OUT OF A 2.83 ACRE PARCEL OF LAND RECORDED IN VOLUME 2015 PAGE 20114 AND OUT OF A 4.237 ACRE PARCEL OF LAND RECORDED IN VOLUME 20 PAGE 324 AND OUT OF A 41.13 ACRE PARCEL OF LAND RECORDED IN VOLUME 20, ALL FOUR RECORDED DEEDS RECORDS OF GUADALUPE COUNTY, TEXAS, AND 11.1414 ACRE PARCEL OF LAND RECORDED IN DOCUMENT NUMBER 201 RECORDS AND OUT OF A 1.63 ACRE PARCEL OF LAND RECORDED IN DOCUMENT NUMBER 201 RECORDS BOTH RECORDED IN THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, IN THE FRANCISCO GARCIA SURVEY NO. 94, ABSTRACT NO. 197, OF GUADALUPE COUNTY, TEXAS.

CEC

CIVIL ENGINEERING CONSULTANTS
dba. DON DURDEN, INC.
11550 IH 10 WEST, SUITE 395
SAN ANTONIO, TEXAS 78230-1337
TEL: (210) 641-5555
FAX: (210) 641-6440
REGISTRATION #F-2214 / #10261200

DATE PREPARED: FEB 2024
JOB NUMBER: CE0566.2

STATE OF TEXAS
COUNTY OF GUADALUPE

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

F DEVELOPMENT ASSOCIATES, INC.
10003 NW MILITARY HWY., SUITE 2201
SAN ANTONIO, TEXAS 78231

BY: ISRAEL FOGEL

STATE OF TEXAS
COUNTY OF GUADALUPE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

ISRAEL FOGEL KNOWN TO ME

TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND & SEAL OF OFFICE, THIS _____ DAY OF _____, A.D., 2024

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF GUADALUPE

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, TO THE BATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY COUNCIL OF THE CITY OF CIBOLO.

REGISTERED PROFESSIONAL ENGINEER
BARRY R. STEWART

SWORN TO & SUBSCRIBED BEFORE ME, THE _____ DAY OF _____, A.D., 2024

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF GUADALUPE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

REGISTERED PROFESSIONAL LAND SURVEYOR

SWORN TO & SUBSCRIBED BEFORE ME, THE _____ DAY OF _____, A.D., 2024

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

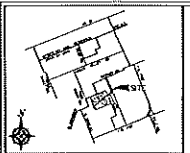
THIS PROPOSED DEVELOPMENT HAS BEEN REVIEWED AND APPROVED BY THE CIBOLO WATER AUTHORITY (CWA) OF WATER AND WASTEWATER PLANT CAPACITY AND REQUIRING ALL FEES DUE AT THE TIME OF THE CWA AT TIME OF CONNECTION WILL BE CALCULATED AT SUBMITTAL OF BUILDING PERMIT APPLICATION.

BY: _____
AGENT FOR CIBOLO WATER MANAGEMENT AUTHORITY

PLAT EFFECTIVE
EFFECTIVE DATE: _____

WHEREAS ON THE _____ DAY OF _____, 20__, THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS

BY: _____
MAYOR, CITY OF CIBOLO, TEXAS



LOCATION MAP
N.T.S.

PLAT EFFECTIVE	
①	BUFFALO CROSSING II, UNIT 1 (11.11 ACRES) (104 LOTS)
②	BUFFALO CROSSING II, UNIT 2 (11.11 ACRES) (104 LOTS)
③	EXPIRATION OF PRELIMINARY PLAT (COUNTY REGULATIONS)
④	FINAL PLAT EFFECTIVE DATE (CITY REGULATIONS)

LAND OWNER / DEVELOPER:
F DEVELOPMENT ASSOCIATES, INC.
ATTN: ISRAEL FOGEL
10003 NW MILITARY HWY., SUITE 2201
SAN ANTONIO, TEXAS 78231
TEL: (210) 344-9200

LEGEND

1. BUILDING SETBACK LINE	BSL
2. SCENIC VALLEY SPECIAL UTILITY DISTRICT	SVSUD
3. CERTIFICATE OF CONVENIENCE AND NECESSITY	CCN
4. GAS, ELECTRIC, TELEPHONE, CABLE TV, ETC.	U.E.T.C.TV.
5. OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS	O.P.R.
6. PLAT RECORDS OF GUADALUPE COUNTY, TEXAS	P.R.
7. DEED RECORDS OF GUADALUPE COUNTY, TEXAS	D.R.
8. CENTERLINE	C/L
9. CLEAR VISION EASEMENT	C.V.E.
10. ACRE	AC.
11. FACE	F.C.
12. LINEAR FEET	L.F.
13. POINT OF BEGINNING	P.O.B.
14. STREET REVISION	℄
15. SQUARE FEET/SQUARE FEET	S.F.
16. BLOCK	BLK
17. SQUARE FEET/AC.	S.F./AC.
18. ACRE	AC.
19. PROPERTY LINE	P.L.
20. PROPOSED FIRE HYDRANT	
21. EXISTING CONTOUR	
22. PROPOSED CONTOUR	
23. 1/2" IRON ROD FOUND W/ NO CAP, OR CAP SHOWN	
24. 1/2" IRON ROD FOUND W/ "DON DURDEN" CAP	
25. 1/2" IRON ROD SET W/ RED CAP "DON DURDEN"	
26. THE VALUES OF THE DATA OF CONTROL ARE SHOWN HEREON WERE DETERMINED WITH GLOBAL POSITIONING SYSTEM (GPS) METHODS AND ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (5205) NAD 83 (NSRS2007) & (2007)	
27. ALL DISTANCES AS SHOWN ON THIS PLAT ARE GRID DISTANCES. ALL COORDINATES SHOWN HEREON ARE GRID AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE FACTOR: 1.00013	

TYPICAL FOR METER LOCATIONS (SHOWN SHOWN ON "TYPICAL INTERIOR EASEMENT & ROW PROFILE" UNIT)

WATER DISTRIBUTION SERVICES ARE UTILIZED. CWA WILL INSTALL 3/4" WATER METER AT EASEMENT TO SERVICE METER LOCATION. EASEMENT TO INCLUDE SERVICE LINE AND METER. EXACT LOCATION OF METER MAY DIFFERENT DEPENDING ON LOCATION OF BACKFLOW OF STRUCTURE.

CWA SHALL HAVE ACCESS TO METER LOCATIONS FROM THE FRONT YARD WITH THE LOCATION NOT BEING WITHIN A FENCED AREA.

AN EASEMENT DESIGNATED AS A CWA 20' U.E. OR UTILITY EASEMENT SHALL REMAIN OPEN FOR ACCESS AT ALL TIMES AND SHALL NOT BE WITHIN A FENCED AREA.

ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), FEEDING OF WATERS, AND REPAIR OF ALL EXPOSED AND UNDERGROUND UTILITIES.

ALL ELECTRIC EASEMENTS FOR BOTH PRIMARY AND SECONDARY EXISTING SERVICE, AND/OR FUTURE SERVICE, ARE HEREBY GRANTED ACROSS THE SUBDIVISION FOR THE PURPOSE OF INSTALLING, SERVICING, AND MAINTAINING THE ELECTRIC FACILITIES.

ANY MONIES TO EASEMENTS REQUIRE ANY PORTION OF THE ELECTRIC FACILITIES INSTALLED SHALL BE SUBJECT TO THE CONVENIENCE, REASONABLE DISCRETION, AND THE RELATING PARTY SHALL BEAR ALL COSTS INCURRED WITH SUCH RELOCATION.

THE DEDICATED STREETS SHALL BE GRADED TO FULL GRADE, AND BEFORE GRADING GIVEN BACK TO ORIGINAL GRADE AS A RESULT OF ANY EXCAVATION BY OR ON BEHALF OF THE COOPERATIVE.

THIS SUBDIVISION PLAT OF BUFFALO CROSSING II SUBDIVISION HAS BEEN SUBMITTED TO AND APPROVED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. FOR EASEMENTS.

AGENT FOR GUADALUPE VALLEY ELECTRIC COOP., INC.

THIS PLAT OF BUFFALO CROSSING II SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF CIBOLO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, A.D., 2024

BY: _____ BY: _____
CHAIR SECRETARY

THIS PLAT OF BUFFALO CROSSING II SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS AND IS HEREBY APPROVED BY SUCH COUNCIL.

DATED THIS _____ DAY OF _____, A.D., 2024

BY: _____ BY: _____
MAYOR CITY SECRETARY

Line Table		
Line	Length	Direction
L1	45.00'	N89°51'55"W
L2	45.00'	N89°51'55"W
L3	34.48'	S00°08'05"W
L4	50.00'	S89°51'55"E
L5	45.74'	N00°08'05"E
L6	45.00'	S89°51'55"E
L7	47.39'	S89°51'55"E
L8	45.00'	S89°51'55"E
L9	45.00'	S89°51'55"E
L10	50.00'	S89°51'55"E
L11	50.00'	S89°51'55"E
L12	50.00'	S89°51'55"E
L13	50.00'	S89°51'55"E
L14	50.00'	S89°51'55"E
L15	50.00'	S89°51'55"E
L16	50.00'	S89°51'55"E
L17	50.00'	S89°51'55"E
L18	50.00'	S89°51'55"E
L19	50.00'	S89°51'55"E
L20	50.00'	S89°51'55"E
L21	50.00'	S89°51'55"E
L22	50.00'	S89°51'55"E
L23	50.00'	S89°51'55"E
L24	50.00'	S89°51'55"E
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L26	50.00'	S89°51'55"E
L27	50.00'	S89°51'55"E
L28	50.00'	S89°51'55"E
L29	50.00'	S89°51'55"E
L30	50.00'	S89°51'55"E
L31	50.00'	S89°51'55"E
L32	50.00'	S89°51'55"E
L33	50.00'	S89°51'55"E
L34	50.00'	S89°51'55"E
L35	50.00'	S89°51'55"E
L36	50.00'	S89°51'55"E
L37	50.00'	S89°51'55"E
L38	50.00'	S89°51'55"E
L39	50.00'	S89°51'55"E
L40	50.00'	S89°51'55"E
L41	50.00'	S89°51'55"E
L42	50.00'	S89°51'55"E
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L50	50.00'	S89°51'55"E
L51	50.00'	S89°51'55"E
L52	50.00'	S89°51'55"E
L53	50.00'	S89°51'55"E
L54	50.00'	S89°51'55"E
L55	50.00'	S89°51'55"E
L56	50.00'	S89°51'55"E
L57	50.00'	S89°51'55"E
L58	50.00'	S89°51'55"E
L59	50.00'	S89°51'55"E
L60	50.00'	S89°51'55"E
L61	50.00'	S89°51'55"E
L62	50.00'	S89°51'55"E
L63	50.00'	S89°51'55"E
L64	50.00'	S89°51'55"E
L65	50.00'	S89°51'55"E
L66	50.00'	S89°51'55"E
L67	50.00'	S89°51'55"E
L68	50.00'	S89°51'55"E
L69	50.00'	S89°51'55"E
L70	50.00'	S89°51'55"E
L71	50.00'	S89°51'55"E
L72	50.00'	S89°51'55"E
L73	50.00'	S89°51'55"E
L74	50.00'	S89°51'55"E
L75	50.00'	S89°51'55"E
L76	50.00'	S89°51'55"E
L77	50.00'	S89°51'55"E
L78	50.00'	S89°51'55"E
L79	50.00'	S89°51'55"E
L80	50.00'	S89°51'55"E
L81	50.00'	S89°51'55"E
L82	50.00'	S89°51'55"E
L83	50.00'	S89°51'55"E
L84	50.00'	S89°51'55"E
L85	50.00'	S89°51'55"E
L86	50.00'	S89°51'55"E
L87	50.00'	S89°51'55"E
L88	50.00'	S89°51'55"E
L89	50.00'	S89°51'55"E
L90	50.00'	S89°51'55"E
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L95	50.00'	S89°51'55"E
L96	50.00'	S89°51'55"E
L97	50.00'	S89°51'55"E
L98	50.00'	S89°51'55"E
L99	50.00'	S89°51'55"E
L100	50.00'	S89°51'55"E
L101	50.00'	S89°51'55"E
L102	50.00'	S89°51'55"E
L103	50.00'	S89°51'55"E
L104	50.00'	S89°51'55"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	39.27'	25.00'	90°00'00"	N44°51'55"W	35.36'
C2	39.27'	25.00'	90°00'00"	S45°08'05"W	35.36'
C3	39.27'	25.00'	90°00'00"	S44°51'55"E	35.36'
C4	39.27'	25.00'	90°00'00"	N45°08'05"E	35.36'
C5	39.27'	25.00'	90°00'00"	N44°51'55"W	35.36'
C6	39.27'	25.00'	90°00'00"	S45°08'05"W	35.36'
C7	39.27'	25.00'	90°00'00"	S44°51'55"E	35.36'
C8	39.27'	25.00'	90°00'00"	N45°08'05"E	35.36'
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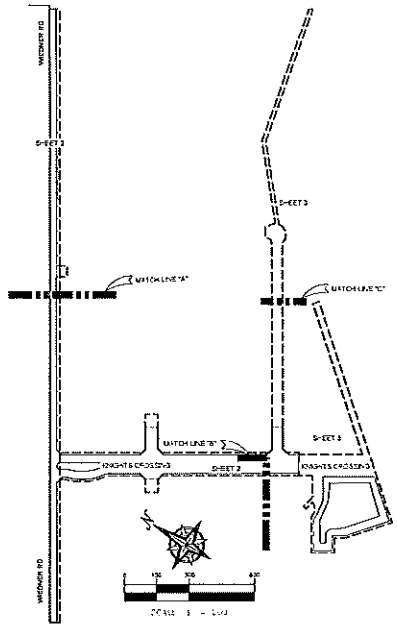
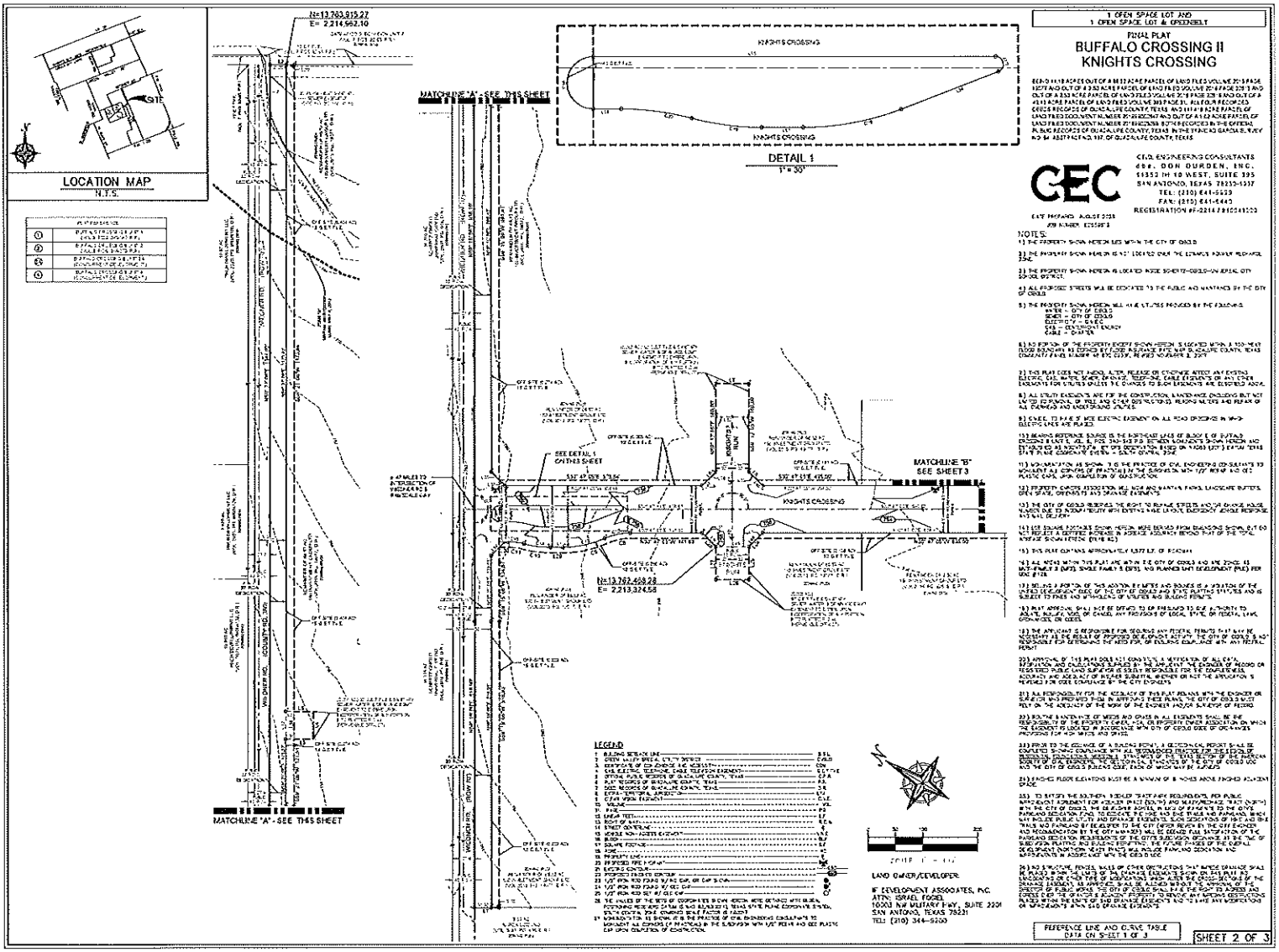
C51	39.27'	25.00'	90°00'00"	S44°51'55"E	35.36'
C52	39.27'	25.00'	90°00'00"	N45°08'05"E	35.36'





1 OPEN SPACE LOT AND
1 OPEN SPACE LOT & GREENBELT

FINAL PLAT

BUFFALO CROSSING II
KNIGHTS CROSSING

BEING 11.11 ACRES OUT OF A 68.12 ACRE PARCEL OF LAND FILED VOLUME 20119 PAGE 1829 AND OUT OF A 9.92 ACRE PARCEL OF LAND FILED VOLUME 20119 PAGE 2251 AND OUT OF A 2.53 ACRE PARCEL OF LAND FILED VOLUME 20119 PAGE 2251 AND OUT OF A 45.11 ACRE PARCEL OF LAND FILED VOLUME 1681 PAGE 51, ALL OF THE RECORDS OF GUADALUPE COUNTY, TEXAS, AND 0.11 ± ACRE PARCEL OF LAND FILED DOCUMENT NUMBER 201806220401 AND OUT OF A 1.40 ACRE PARCEL OF LAND FILED DOCUMENT NUMBER 201806220401 BOTH RECORDED IN THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, IN THE STARACA GARCIA SURVEY NO. 84, ABSTRACT NO. 197, OF GUADALUPE COUNTY, TEXAS

CIVIL ENGINEERING CONSULTANTS
GEC, DON DURDEN, INC.
19352 IH 10 WEST, SUITE 305
SAN ANTONIO, TEXAS 78232-1337
TEL: (210) 641-6529
FAX: (210) 641-6440
REGISTRATION #F-2214 / 8100491500

DATE PREPARED: AUGUST 2018
JOB NUMBER: 1205881

NOTES:

1) THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF OBOLO

2) THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.

3) THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.

4) ALL PROPOSED STREETS WILL BE DEDICATED TO THE PUBLIC AND MAINTAINED BY THE CITY OF OBOLO.

5) THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
WATER - CITY OF OBOLO
SEWER - CITY OF OBOLO
GAS - TEXAS GAS SERVICE
ELECTRIC - GUADALUPE VALLEY ELECTRIC COOP, INC.

6) NO PORTION OF THE PROPERTY EXCEPT SHOWN HEREON IS LOCATED WITHIN THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD BOUNDARY AS DEPICTED BY FLOOD INSURANCE RATE MAP (FIRM) FOR GUADALUPE COUNTY, TEXAS AND INCORPORATED AREAS, NUMBER 48187C0215F, EFFECTIVE AUGUST 2, 2018.

7) THIS PLAT DOES NOT VACATE, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING EASEMENTS, OIL, WATER, GAS OR MINERAL RESERVATIONS, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE OWNERS TO SUCH EASEMENTS ARE ESCROWED HEREIN.

8) ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, LANDSCAPING (INCLUDING BUT NOT LIMITED TO TREES, SHRUBS, SOD AND SIMILAR RESTRICTIONS), REMOVAL OF TREES AND RELEASE OF ALL DRAINAGE AND LANDSCAPING EASEMENTS.

9) CHAIN TO PLACE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD FRONTAGES IN WHICH ELECTRIC LINES ARE PLACED.

10) BEARING REFERENCE SHOWN IS THE NORTHEAST LINE OF BLOCK 1, OF SUTTLES CROSSING 1 UNIT 1, AS FILED UNDER DOCUMENT NO. 201806220401, GUADALUPE COUNTY, TEXAS AND BEARING AS SHOWN HEREON IS N 61°00'00" E.

11) DOCUMENTATION AS SHOWN TO BE THE PRACTICE OF CIVIL ENGINEERING OR SURVEYING TO ACCURATELY ALL CORNERS OF PROPERTY IN THE SUBDIVISION, WITH 1/2" IRON PIPE AND CAP PLACED AT ALL LOT CORNERS, UPON COMPLETION OF CONSTRUCTION.

12) PROPERTY OWNERS ASSOCIATION WILL HOLD ANY MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, DRAINAGE FACILITIES AND DRAINAGE EASEMENTS.

13) THE CITY OF OBOLO ASSUMES NO RESPONSIBILITY FOR DRIVEWAY CULVERTS AND/OR DRIVEWAY CULVERTS REQUIRED FOR ACCESS FROM ROADWAYS WITHIN THE CITY'S RIGHT-OF-WAY TO PRIVATE PROPERTY. DRIVEWAY CULVERTS SHALL BE INSTALLED AT THE EXPENSE OF THE PROPERTY OWNER.

14) LOT DRAINAGE EASEMENTS SHOWN HEREON WERE DERIVED FROM DRAINAGE STUDY, BUT DO NOT CONSTITUTE ALL DRAINAGE EASEMENTS REQUIRED FOR PART OF THE TOTAL DRAINAGE SYSTEM WITHIN THE PLAT.

15) THIS PLAT CONTAINS APPROXIMATELY 11.0371 LOTS OF RESIDENTIAL

16) A NOTE WITHIN THIS PLAT LIMITING ACCESS TO THE CITY OF OBOLO AND THE SCHOOL IS MUST PHASE 2 (NOT) SHALL PHASE 1 (SFR), AND PLANNED UNIT DEVELOPMENT (PUD) PER ORD. #178.

17) NO USE OR PORTION OF THIS ADDITION BE WITHIN AND SUBJECT TO A DEDICATION OF THE UNITED RESERVATION SIDE OF THE CITY OF OBOLO AND STATE PLATTED STATUTES AND IS SUBJECT TO PENALTIES AND WITHDRAWALS AS PROVIDED BY LAW.

18) PLAT APPROVAL SHALL NOT BE DEEMED TO OR PURSUANT TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID OR CANCEL ANY PROVISION OF LOCAL, STATE OR FEDERAL LAW, ORDINANCE OR CODE.

19) THE APPLICANT IS RESPONSIBLE FOR SECURING ANY PERMITS PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF OBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR OR SECURING COMPLIANCE WITH ANY FEDERAL PERMIT.

20) APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A REPRESENTATION OF ALL DATA, INFORMATION, AND PLAN CONCEPTS SHOWN BY THE DEVELOPMENT THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS RELEASED FOR GOOD COMPLIANCE BY THE CITY ENGINEER.

21) ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT RESTS WITH THE ENGINEER OR SURVEYOR WHO PREPARED IT AND IN APPROVING THESE PLANS, THE CITY OF OBOLO IS NOT RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.

22) ALL THE BOUNDARY LINE OF MONUMENTS AND OTHER IN ALL EASEMENTS SHALL BE AND THE DEDICATION TO THE PROPERTY OWNERS, OR DESCRIPTION THAT ARE CLOSED ON WHICH THE EASEMENT IS PLACED OR IN ACCORDANCE WITH CITY OF OBOLO RULES OF ORDINANCES PROVISIONS FOR THE METES AND BOUNDS.

23) PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, A GEOTECHNICAL REPORT SHALL BE COMPLETED BY A FIRM CONSISTING WITH ALL RECOMMENDED PRACTICES FOR THE SOILS AND FOUNDATION ENGINEERING. ANY RECOMMENDATIONS CONTAINED IN THE REPORT SHALL BE IMPLEMENTED DURING THE CONSTRUCTION OF ALL IMPROVEMENTS. A COPY OF THE REPORT SHALL BE SUBMITTED TO THE CITY OF OBOLO AND THE CITY OF OBOLO BUILDING OFFICIAL PRIOR OF ISSUANCE OF BUILDING PERMITS.

24) MINIMUM FINISH ELEVATIONS MUST BE A MINIMUM OF 18 INCHES ABOVE FINISHED ADJACENT GRADE.

25) TO SATISFY THE SOUTHERN MIDDLE "SAFE PARK" REQUIREMENTS PER PUBLIC IMPROVEMENT AGREEMENT FOR 4.00 ± ACRES (PLAT DOC. NO. AND MAINTENANCE, WHICH CONSISTS OF 2 PARK SITES IN THE CITY OF OBOLO, THE DEVELOPMENT THE DEVELOPER OF PHASE 2 TO THE CITY PARKLAND DEDICATION FUND TO CONSTRUCT THE ONE AND ONE HALF ACRE PARK AND PARKLAND SHALL BE DEDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS. SAID DEDICATION SHALL INCLUDE TRAILS AND PARKLAND BY DEVELOPER TO BE CITY IMPROVEMENTS WITHIN THE CITY ENGINEER AND MAINTENANCE BOND BY THE CITY OF OBOLO WILL BE ISSUED FOR SATISFACTION OF THE PARKLAND DEDICATION REQUIREMENTS OF THE CITY'S SUBDIVISION ORDINANCE. AT THE TIME OF SUBDIVISION PLATTING AND BUILDING PERMITS. THE FUTURE PHASES OF THE OVERALL DEVELOPMENT SHALL MEET THESE PARK AND TRAIL DEDICATION REQUIREMENTS IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENTS IN ACCORDANCE WITH THE DEVELOPMENT.

26) ANY STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE LANDOWNER OR OWNER THAT IS RESPONSIBLE FOR THE OBSTRUCTION WITHIN ANY OF THE DRAINAGE EASEMENTS, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF OBOLO. ALL COSTS INCIDENT TO APPROVED ACCESS SHALL BE THE OWNER'S EXPENSE. THE CITY OF OBOLO SHALL HAVE THE RIGHT TO REMOVE ANY APPROVED OBSTRUCTIONS WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AT THE EXPENSE OF THE OWNER(S) OF THE LOT(S) AT ANY TIME AS DEEMED NECESSARY BY THE CITY OF OBOLO FOR THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES.

REFERENCE LINE AND CURVE TABLE
DATA ON SHEET 1 OF 3

SHEET 2 OF 3

1 OPEN SPACE LOT AND
1 OPEN SPACE LOT & DRAINAGE)

FINAL PLAT

BUFFALO CROSSING II
KNIGHTS CROSSING

BEING 11.18 ACRES OUT OF A 68.0 ACRE PARCEL OF LAND FILED VOLUME 2011 PAGE 19277 AND OUT OF A 2.50 ACRE PARCEL OF LAND FILED VOLUME 2014 PAGE 229.13 AND OUT OF A 6.53 ACRE PARCEL OF LAND FILED VOLUME 2012 PAGE 21.84 AND OUT OF A 49.13 ACRE PARCEL OF LAND FILED VOLUME 669 PAGE 31, ALL FOUR RECORDED DEEDS RECORDS OF GUADALUPE COUNTY, TEXAS, AND 111.419 ACRE PARCEL OF LAND FILED DOCUMENT NUMBER 201706000445 AND OUT OF A 6.82 ACRE PARCEL OF LAND FILED DOCUMENT NUMBER 201706000446 BOTH RECORDED IN THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, IN THE FRANCISCO GARCIA SURVEY A-23 M, ABSTRACT NO. 197, OF GUADALUPE COUNTY, TEXAS.

GEC

GBA ENGINEERING CONSULTANTS
GBA, DON OURDEN, INC.
11103 IH 10 WEST, SUITE 325
SAN ANTONIO, TEXAS 78230-1037
TEL: (210) 641-9999
FAX: (210) 641-6440
REGISTRATION #F-2214 / #BC641200

DATE PREPARED: AUG. 07, 2020
JOB NUMBER: 6268.03

NOTES:
1) THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF GONZALES
2) THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3) THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-SEGUIN LOCAL GOVERNMENT CORPORATION
4) ALL REQUIRED STREETS WILL BE DEDICATED TO THE PUBLIC AND MAINTAINED BY THE CITY OF GONZALES
5) THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
WATER - CITY OF GONZALES
SEWER - CITY OF GONZALES
ELECTRIC - GVEC
GAS - CENTERPOINT ENERGY
CABLE - CHARTER
6) NO PORTION OF THE PROPERTY DEPICTED SHOWN HEREON IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS ESTABLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FOR GUADALUPE COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48187C0140F, EFFECTIVE DATE JUNE 19, 2007.
7) THIS PLAT DOES NOT ABROGATE, NULLIFY, VOID OR CANCEL ANY EXISTING EASEMENTS, COVENANTS, RESTRICTIONS, OR PRIOR PLATTING ACTIONS OF RECORD, EXCEPT AS SPECIFICALLY AMENDED HEREIN. WHERE THERE IS A CONFLICT, THE MORE RESTRICTIVE SHALL GOVERN.
8) ALL UTILITY EASEMENTS SHALL BE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), MOVING OR TRIMMING OF TREES AND REMOVAL OF ALL OVERHANG AND ENCROACHMENTS.
9) A 10 FOOT, 15 FOOT, OR WIDER ELECTRIC EASEMENT ON ALL ROAD FRONTAGES IN WHICH GVEC FACILITIES ARE PLACED.
10) BEARINGS REFERENCE NORTH 0° 05' 14" WEST ALONG THE WEST LINE OF BLOCK 6 OF ESTATES OF KNIGHTS CROSSING, VOL. 8, PGS. 290-291 P.R.G.C.T. BETWEEN MONUMENTS SHOWN HEREON AND DETERMINED AS A GRID BEARING (NAD 83 (2011) EPOCH 2010.0000) OF TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
11) COORDINATES AS SHOWN, ARE THE PRODUCT OF GPS OBSERVATIONS PERFORMED TO MONUMENT ALL CORNERS OF BOUNDARY IN THE SUBDIVISION WITH 1/2" REBAR ACC GEC PLASTIC CAPS, UPON COMPLETION OF CONSTRUCTION.
12) BEARINGS, DISTANCES, ACREAGE, NEW ROW AND EASEMENT WIDTHS, EXISTING BUFFER, CREEK OR RIVER, IMPROVEMENTS AND SURVEY ELEMENTS.
13) THE CITY OF GONZALES RESERVES THE RIGHT TO REVISE, EFFECTS, AND OR CHANGE, ROUTE, ALIGNMENT, AND OR IMPROVEMENTS WITH EXISTING RANK OR FUTURE EMERGENCY SERVICE RESPONSE, AS NEEDED.
14) LOT SQUARE FOOTAGES SHOWN HEREON ARE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REPRESENT A SURVEYED ACREAGE. A PORTION OF THE DRAINAGE AREA(S) BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON (IF ANY).
15) THIS PLAT CONTAINS APPROXIMATELY 1,577 LF. OF ROADWAY.
16) ALL WORK WITHIN THIS PLAT ARE WITHIN THE CITY OF GONZALES AND ARE ZONED AS NEIGHBORHOOD FAMILY 5 (NF5). SHALL FAMILY 5 (SF5), AND PLANNED UNIT DEVELOPMENT (PUD) PER ORD. #1178.
17) BEING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A SUBDIVISION OF THE LANDS AND EXISTING ORD. OF THE CITY OF GONZALES AND STATE AND THAT STATUTES AND IS SUBJECT TO FINES AND PENALTIES AS PRESCRIBED BY SAID PENALTY.
18) PLAT APPROVAL SHALL NOT BE DEEMED TO OR PERFORMED TO OR OF THE CITY TO PREVENT, ENFORCE, VOID OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES OR CODES.
19) THE APPLICANT IS RESPONSIBLE FOR OBTAINING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT WITHIN THE CITY OF GONZALES & MAY REQUIRE FOR DEVELOPMENT THAT MEET FOR, OR INCLUDES DISTURBANCE OF ANY FEDERAL PERMIT.
20) APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A CERTIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS RESPONSIBLE FOR THE CORRECTNESS OF THE DESIGNS, AND ASSUMES ALL OF HIS OWN ESSENTIAL WITHIN OR NOT THE APPLICATION IS OTHERWISE IN ACCORDANCE WITH ORDINANCES.
21) ALL EASEMENTS TO FOR THE ACCESS OF THIS PLAT REQUIRES BY THE ENGINEER OR SURVEYOR AND PREPARED FOR IN APPROVED PLAT, THE CITY OF GONZALES WILL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF ANY BUILDING, FENCE, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS IN OR UPON ANY EASEMENTS.
22) BEFORE THE APPROVAL OF A BUILDING PERMIT, A DEVELOPMENT PERMIT SHALL BE ISSUED TO ENSURE COMPLIANCE WITH ALL REQUIREMENTS PRESCRIBED FOR THE ISSUING OF DEVELOPMENT PERMITS, INCLUDING PAYMENT OF THE TRAFFIC IMPACT FEE, AND ANY OTHER REQUIREMENTS IMPOSED BY THE CITY OF GONZALES AND THE CITY OF GONZALES SUBDIVISION ORDINANCE.
23) FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 18 INCHES ABOVE FINISHED ADJACENT GRADE.
24) TO ENSURE THE SUBDIVISION VEHICLES THEY HAVE REQUIREMENTS FOR PUBLIC IMPROVEMENT AGREEMENT FOR ROADWAY IMPROVEMENTS AND MAINTENANCE, WHICH WORK WITH THE CITY OF GONZALES THE RECAPTURE ACCESS IN LIEU OF PAYMENTS TO THE CITY'S PARKLAND DEDICATION FUND, TO PROVIDE FOR TIME AND SITE TABLE AND PARKLAND, WHICH WILL ENSURE PUBLIC ACCESS AND MAINTENANCE OF THE PARK AND RECREATION FACILITIES. ALL PARKLAND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL TAXES AND ENCUMBRANCES AT THE TIME OF DEDICATION, WITH THE EXCEPTION OF UTILITY EASEMENTS OR OTHER EASEMENTS APPROVED BY THE CITY OF GONZALES. THE FUTURE PHASES OF THE OVERALL DEVELOPMENT FROM WHICH PARCEL(S) ARE INCLUDED PARKLAND DEDICATION TO BE DETERMINED IN ACCORDANCE WITH THE CITY'S UDC.
25) ALL STRUCTURAL REMOVAL WILL BE OF OTHER OBSTRUCTIONS "AS" BEFORE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT AS PROHIBITED BY CITY'S TYPE OF ENFORCEMENT WHICH ALTER THE CROSS SECTION OF THE DRAINAGE EASEMENT AS APPROVED BY THE CITY OF GONZALES WITHOUT THE APPROVAL OF THE CITY ENGINEER. ANY ALTERATIONS TO THE DRAINAGE EASEMENTS SHALL BE DONE IN ACCORDANCE WITH THE CITY'S DRAINAGE CRITERIA MANUAL. ANY IMPROVEMENTS OR OBSTRUCTIONS PLACED IN THE DRAINAGE EASEMENTS MAY BE REMOVED AT THE EXPENSE OF THE PROPERTY OWNER BY THE CITY OF GONZALES.

LOCATION MAP
N.T.S.

PLAT REFERENCE	
①	BUFFALO CROSSING UNIT 1 (VOL 8 PGS 290-291 P.R.G.C.T.)
②	BUFFALO CROSSING UNIT 2 (VOL 8 PGS 292-293 P.R.G.C.T.)
③	BUFFALO CROSSING ESTATES (VOL 8 PGS 290-291 P.R.G.C.T.)
④	BUFFALO CROSSING UNIT 3 (DOC. #201706000445 O.P.R.G.C.T.)

LAND OWNER / DEVELOPER:
B DEVELOPMENT ASSOCIATES, INC.
ATTN: ISRAEL FOGEL
10333 NW MILITARY HWY., SUITE 2201
SAN ANTONIO, TEXAS 78231
TEL: (210) 344-6200

LEGEND

1. BASIS OF BEARING LINE	BBL
2. SPRING VALLEY SPECIAL UTILITY DISTRICT	SVSD
3. CITY LIMITS OF GONZALES, TEXAS	CL
4. CITY LIMITS, EXTRA-TERRITORIAL JURISDICTION	CL ETJ
5. OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS	OPR
6. PLAT RECORDS OF GUADALUPE COUNTY, TEXAS	PR
7. DEED RECORDS OF GUADALUPE COUNTY, TEXAS	DR
8. EXTRA-TERRITORIAL JURISDICTION	ETJ
9. CENTERLINE	CL
10. POINT	PT
11. POINT OF BEGINNING	POB
12. POINT OF TANGENCY	PT
13. POINT OF CURVE	PC
14. RADIUS	R
15. RADIUS POINT	RP
16. PROPERTY LINE	
17. PROPOSED FIRE HYDRANT	
18. FOUND 1/2" IRON ROD	
19. PROPOSED FIRE HYDRANT	
20. 1/2" IRON ROD FOUND W/ CAP, "GEC"	
21. 1/2" IRON ROD FOUND W/ CAP, "GEC"	
22. 1/2" IRON ROD SET W/ CAP, "GEC"	
23. 1/2" IRON ROD SET W/ CAP, "GEC"	
24. THE VALUES OF THE STATE OF COORDINATES SHOWN HEREON ARE GRID AND WITH GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS. THE GPS FIELD PROCEDURES ESTABLISH RELATIVE ERROR, COMBINED SCALE FACTOR IS 0.999913	
25. CERTIFICATION AS SHOWN, I, BEING THE PRINCIPAL OF GBA ENGINEERING CONSULTANTS TO MONUMENT ALL CORNERS OF BOUNDARY IN THE SUBDIVISION WITH 1/2" REBAR ACC GEC PLASTIC CAPS, UPON COMPLETION OF CONSTRUCTION.	

MATCHLINE "C" - SEE THIS SHEET

(N=13,782,193.79
E= 2,214,429.72

(N=13,782,735.28
E= 2,214,633.25

MATCHLINE "B"
SEE SHEET 2

KNIGHTS CROSSING

MATCHLINE "C" - SEE THIS SHEET

SCALE: 1" = 100'

REFERENCE LINE AND CURVE TABLE
DATA ON SHEET 1 OF 3

On behalf of the:

February 6, 2024

City of Cibolo
Attn: Grant Fore
200 S. Main Street
Cibolo, Texas 78108

Re: Final Plat Review
Buffalo Crossing II Knights Crossing

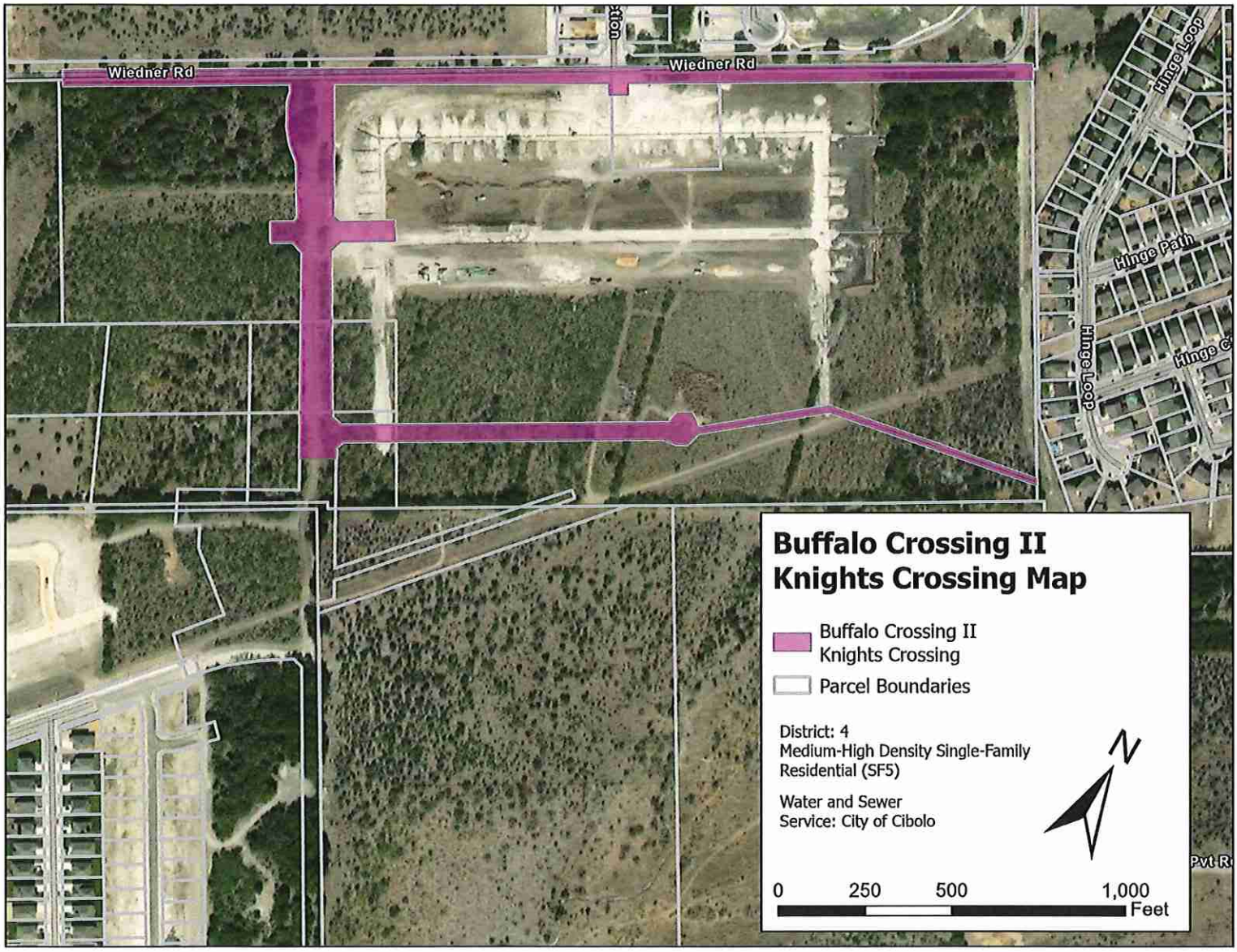
Mr. Fore,

KFW Engineers has completed its review of the referenced subdivision. We find that the development is in conformance with the City of Cibolo Unified Development Code and flood ordinances. We have no further comments.

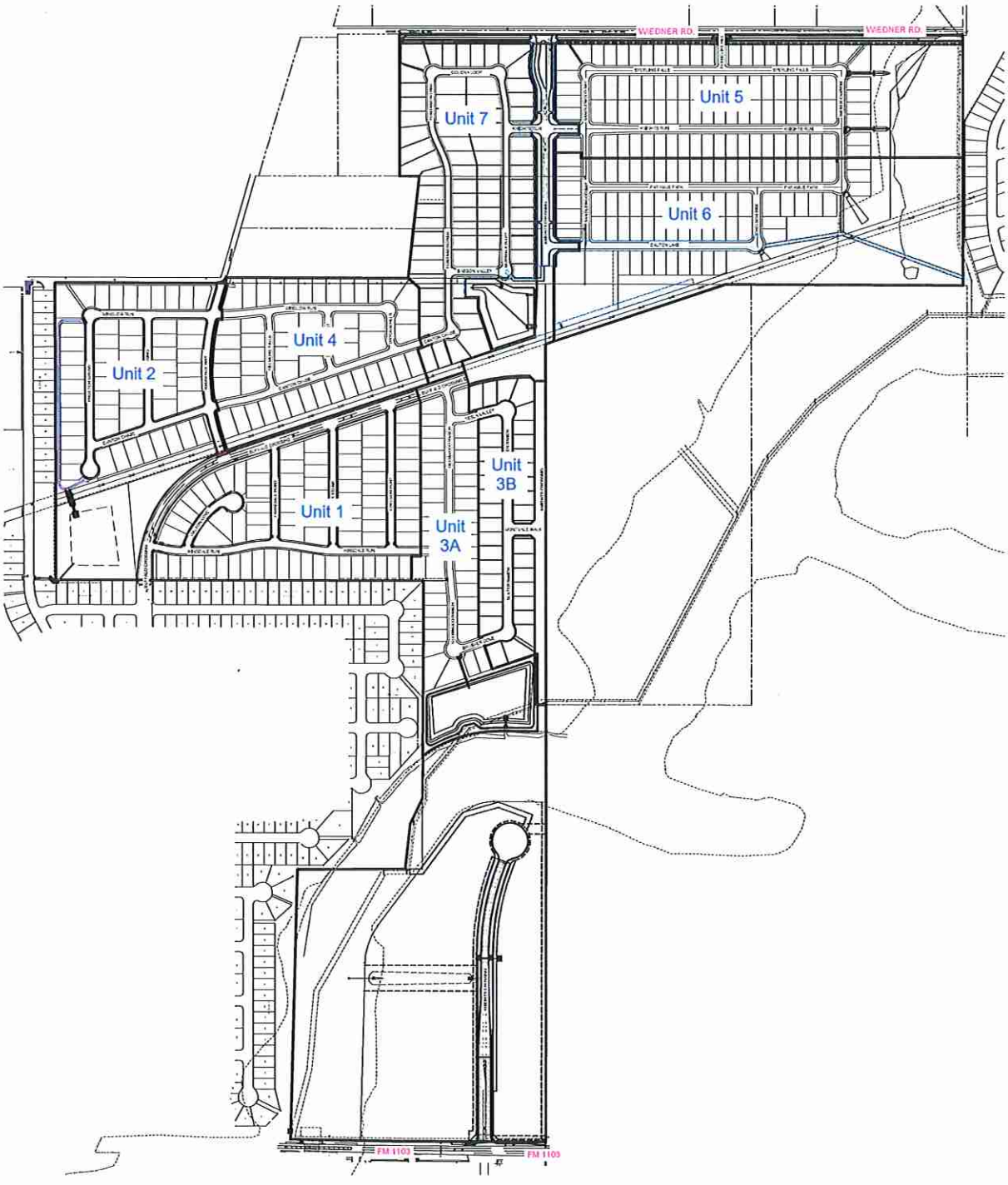
Our review does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

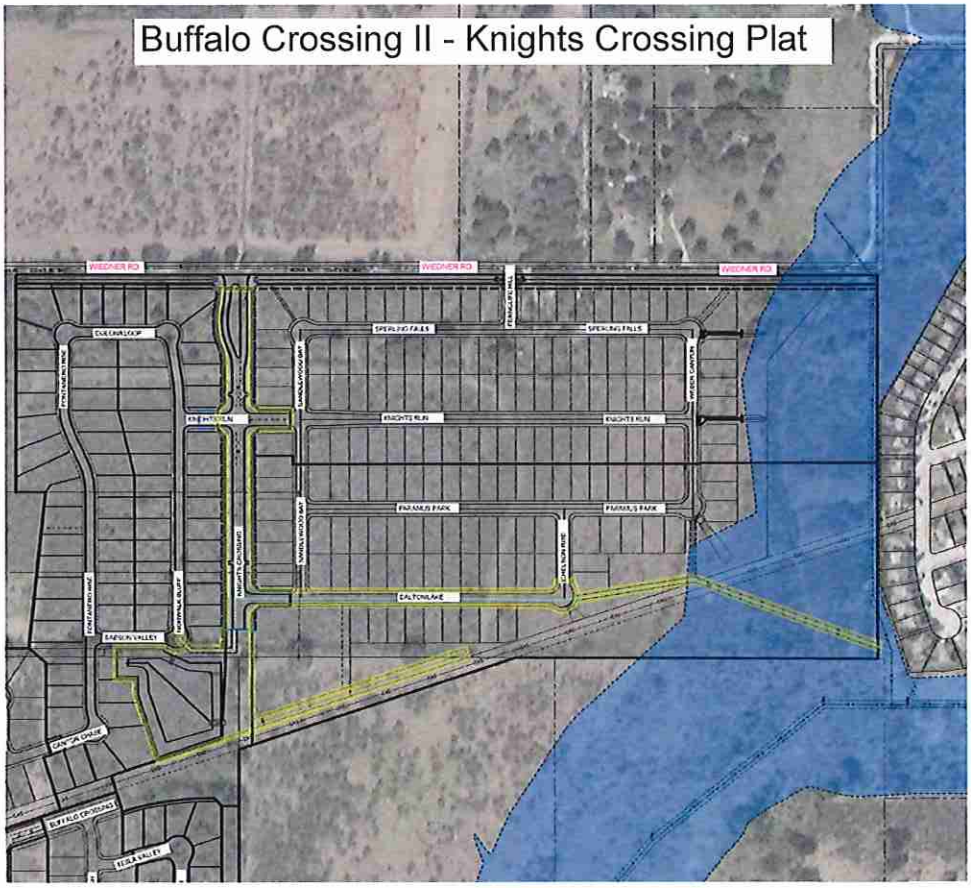
Sincerely,

Andy Carruth, P.E.
Plan Reviewer for the City of Cibolo

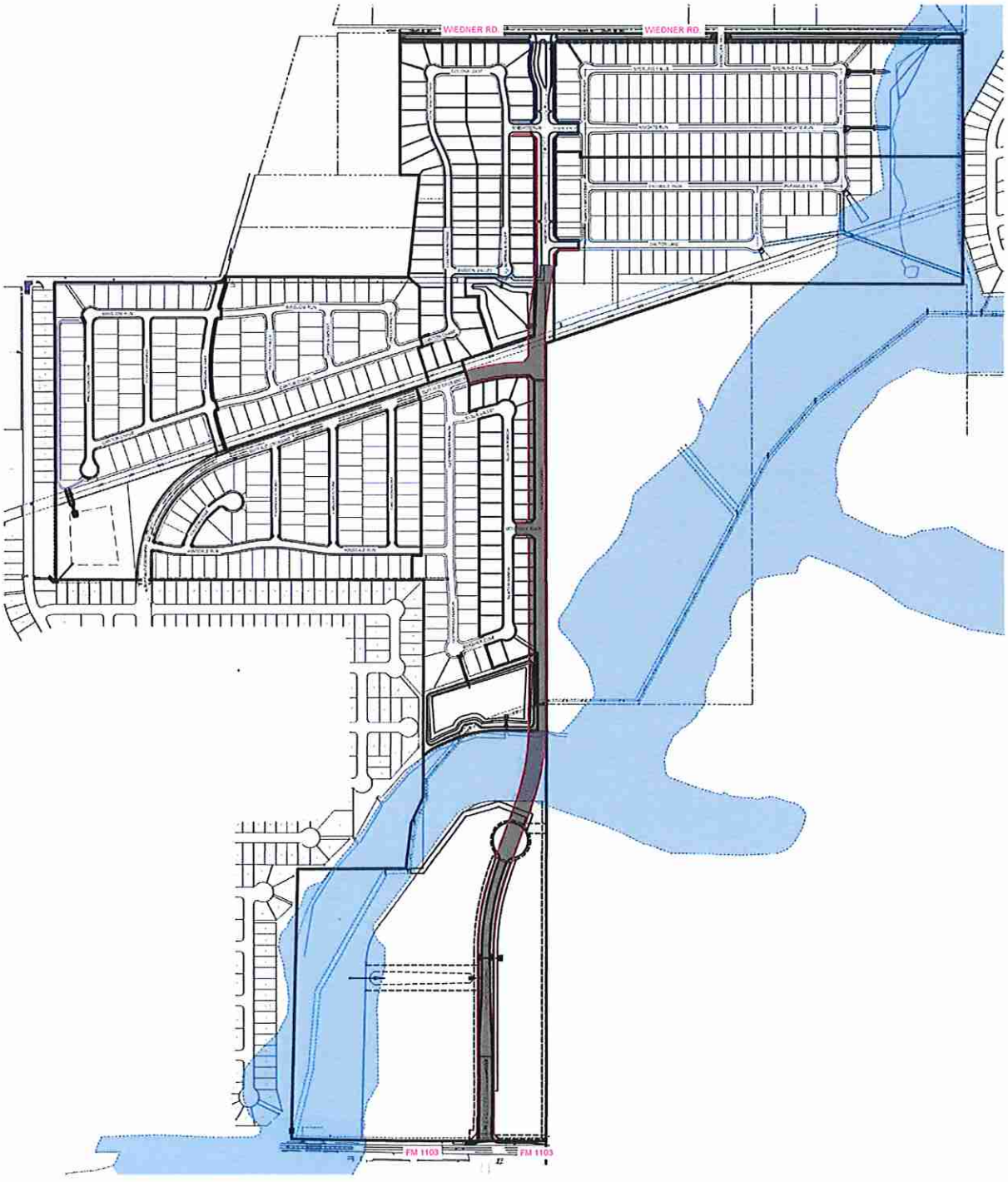

Wiedner Rd
Wiedner Rd
Hinge Loop
Hinge Path
Hinge Loop
Buffalo Crossing II
Knights Crossing Map
Buffalo Crossing II
Knights Crossing
Parcel Boundaries
District: 4
Medium-High Density Single-Family
Residential (SF5)
Water and Sewer
Service: City of Cibolo
N
0
250
500
1,000
Feet

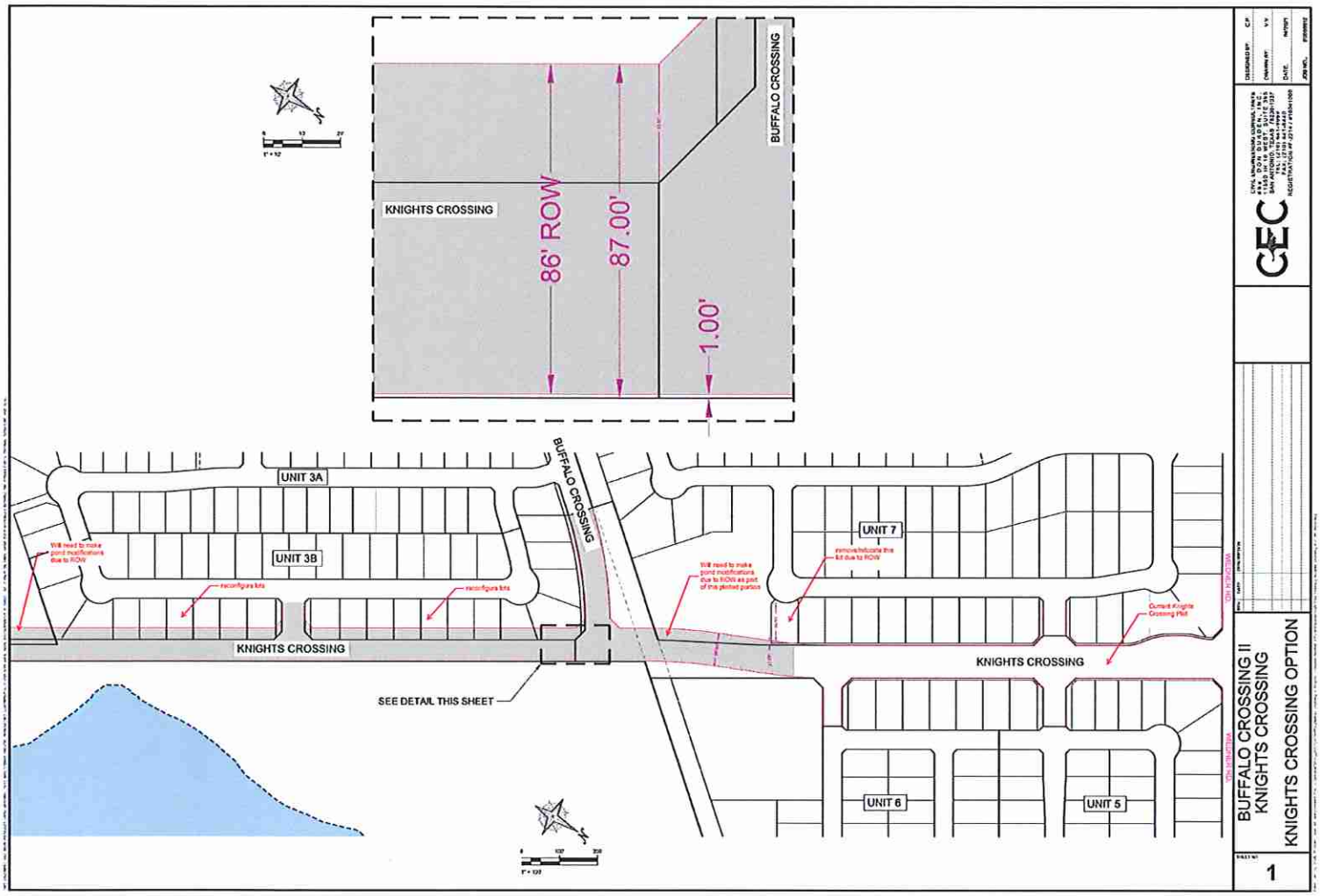
Overall Buffalo Crossing II




Buffalo Crossing II - Knights Crossing Plat
WEDEMEYER RD
WEDEMEYER RD
WEDEMEYER RD
SPERLING FALLS
SPERLING FALLS
KNIGHTS RUN
KNIGHTS RUN
PARAMUS PARK
PARAMUS PARK
CALTON LANE
BARSON VALLEY
BUFFALO CROSSING
BUFFALO CROSSING

Overall Knights Crossing ROW





CEC

BUFFALO CROSSING II
KNIGHTS CROSSING

KNIGHTS CROSSING OPTION

1

CEC

CIVIL ENGINEERING CONSULTANTS
4165 DOW STREET, SUITE 1
BOERNE, TEXAS 78006
8441 ANTONIO | TEXAS | 78230-1037
PHONE: (210) 641-2000
FAX: (210) 641-2440
REGISTRATION #: F-11756 | TBPLS #10041000

DESIGNED BY: C.P.
DRAWN BY: V.V.
DATE: 6/17/21
JOB NO.: 2130002

BUFFALO CROSSING II
KNIGHTS CROSSING

KNIGHTS CROSSING OPTION

SHEET NO.
2

1

BUFFALO CROSSING II
KNIGHTS CROSSING

KNIGHTS CROSSING OPTION

CEC

CIVIL ENGINEERING CONSULTANTS
ken DON DUGGEN, INC.
11500 IH 10 WEST, SUITE 365
SAN ANTONIO, TEXAS 78230-1037
TEL: (210) 641-9999
FAX: (210) 641-6440
REGISTRATION #F-2214 / #1604-1068

DESIGNED BY: C.P.
DRAWN BY: V.V.
DATE: 04/2021
JOB NO.: 2105012

City of Cibolo

City Council Regular Meeting Staff Report

Approval of the Replat of Mesa at Turning Stone – C7 Lot 3.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7F

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7F Replat Lot 3 Mesa at TS - C7.pdf

CITY COUNCIL

AGENDA ITEM: SUBDIVISION DEVELOPMENT PETITION

REPLAT OF LOT 3, MESA AT TURNING STONE - C7

PC-24-01-RP

MEETING DATE: February 27, 2024

STAFF: Susana Huerta, Assistant Planning Director

CITY COUNCIL ACTION: Approval/Disapproval of the above referenced petition

PLANNING & ZONING COMMISSION RECOMMENDATION: Denial by a 6-0 vote due to now resolved comments

PROPERTY INFORMATION:

Project Name:	**PC-24-01-RP**
Owner:	AmeyaFive Investments LLC
Representative:	Jose Villagomez, PE, Villagomez Engineering Company
Area:	1.700 acres
Location:	2640 FM 1103
Council District:	5
Zoning (map):	Retail/Office (C-3)
Proposed Use:	Commercial
Utility Providers:	Water – GVSUD, Sewer – City of Cibolo, Electricity - GVEC

FINDINGS/CURRENT ACTIVITY:

Per Unified Development Code (UDC) Article 20.3.14, 'Replat' A property owner who proposes to re-subdivide any portion of an already approved and filed final plat must submit a replat, which is similar to the final plat process. The plat shall also bear a detailed "Purpose for Re-plat" statement which describes exactly what has been changed since the previously approved plat.

The purpose of this Replat is to modify the 43' sanitary sewer and drainage easement located at the rear of the property to 25'.

STREETS/FUTURE THOROUGHFARE PLAN (FTP):

This Replat does not warrant any additional traffic studies.

UTILITIES:
Water is provided by GVSUD, sewer by the City of Cibolo, and Electricity by GVEC. The purpose of this Replat is to modify the 43' sanitary sewer and drainage easement to 25' located at the rear of the property.

DRAINAGE:
A drainage plan was submitted and has been approved.

STAFF RECOMMENDATION:
Staff and the City Engineer have reviewed the Replat and associated documents. Per the review letter attached, all comments have been addressed. Therefore, Staff recommends APPROVAL of this Replat at this time.

ATTACHMENTS:

A. Application
B. Plat
C. City Engineer Letters
D. Property Information Map

City of Cibolo

Planning Department
201 Loop 539 W/P.O. Box 826
Cibolo, TX 78108
Phone: (210) 658 - 9900

UNIVERSAL APPLICATION - REPLAT

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Please use a separate application for each submittal.* Your application will not be accepted until the application is completed and required information provided.

Project Name: Replat of Lot 3 Mesa at Turning Stone - C7

Total Acres: 1.700 Survey Name: James W. Gray Survey No. 255 Abstract No.: 144

Project Location (address): 2640 FM 1103

Current Zoning: General Retail/Office (C3) Overlay: ☒ None ☐ Old Town ☐ FM 78

Proposed Zoning: General Retail/Office (C3) # of Lots: 1 # of Units: 1

Please Choose One: ☐ Single-Family ☐ Multi-Family ☒ Commercial ☐ Industrial

☐ Other

Current Use: Undeveloped Total Proposed Square Footage: 74,052

Proposed Use: Retail/Restaurant (Commercial/Industrial only)

Applicant Information:

Property Owner Name: AmeyaFive Investments LLC

Address: 11 Millcroft Place City: Sugar Land

State: Texas Zip Code: 77479 Phone: 832-227-1113

Email: Fax:

**Applicant* *(if different than Owner)*:

* Letter of Authorization required

Address: City:

State: Zip Code: Phone:

Email: Fax:

Representative: Jose Villagomez, P.E., Villagomez Engineering Company

Address: 24165 IH-10W, Suite 217-708 City: San Antonio

State: Texas Zip Code: 78257 Phone: 210-724-0816

Email: jlvillagomez@villagomezengineering.com Fax:

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application.

Owner or Representative's Signature

SATIN SANGHI
Typed / Printed Name

State of Texas

County of Fort Bend

Before me, Chintan A Rangatia, on this day personally appeared
Name of Notary Public

Satin Sanghi, to be the person(s) who is/are subscribed to the
Name of signer(s)

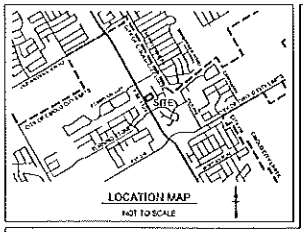
foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 16th day of January, 2024

Notary Public Signature

CHINTAN A. RANGATIA
Notary Public, State of Texas
(Notary Seal)
Comm. Expires 01-27-2025
Notary ID 132892217

City of Cibolo Use Only
Total Fees
Payment Method
Submittal Date
Accepted by
Case Number



GREEN VALLEY SPECIAL UTILITY DISTRICT CERTIFICATE

THIS LAND DEVELOPMENT PLAT HAS BEEN SUBMITTED TO AND APPROVED BY GREEN VALLEY SPECIAL UTILITY DISTRICT FOR EASEMENTS. UPON RECEIPT OF THE DISTRICT'S AND PAYMENT OF THE REQUIRED FEES, THE DISTRICT WILL PROVIDE DOMESTIC WATER SERVICE TO EACH LOT IN THIS SUBDIVISION, BY AGREEMENT WITH THE DEVELOPER.

AGENT FOR GREEN VALLEY SPECIAL UTILITY DISTRICT

GUADALUPE VALLEY ELECTRIC COOP, CERTIFICATE

THIS SUBDIVISION PLAT OF THE REPLAT OF LOT 3 MESA AT TURNING STONE - ET, SUBMITTED AND APPROVED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. FOR EASEMENTS.

AGENT FOR GUADALUPE VALLEY ELECTRIC COOP, INC.

OBOLO CREEK MUNICIPAL AUTHORITY CERTIFICATE

THIS PROPOSED DEVELOPMENT PLAT HAS BEEN REVIEWED AND APPROVED BY THE OBOLO CREEK MUNICIPAL AUTHORITY (OCMA) FOR WASTEWATER TREATMENT PLANT CAPACITY AND EASEMENTS. ALL FEES DUE FOR IMPACTS TO THE SYSTEM AT TIME OF CONNECTION ARE TO BE CALCULATED AT BUILDING PERMIT APPLICATION.

AGENT FOR OBOLO CREEK MUNICIPAL AUTHORITY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER CONSIDERATION HAS BEEN GIVEN TO THIS PLAT TO THE MATTERS OF STREET LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY OF OBOLO PLANNING AND ZONING COMMISSION.

PRELIMINARY - NOT FOR RECORDATION

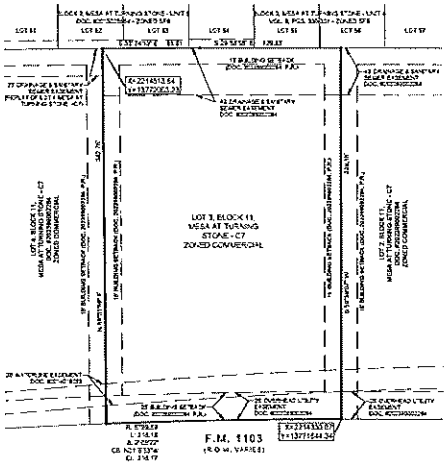
LICENSED PROFESSIONAL ENGINEER NO. 105118
JOSE A. GOMEZ P.E.
FIRM REGISTRATION NO. F10938

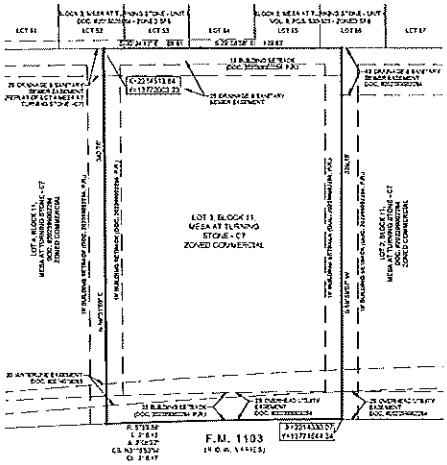
JOSE L. GOMEZ
105118
LICENSED
PROFESSIONAL ENGINEER
STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC, BEXAR COUNTY, TEXAS





REASON FOR REPLATTING:

TO REMOVE 30' x 45' OFF-SITE DRAINAGE AND SANITARY SEWER EASEMENT FROM LOT 3, (DOC. NO. 20150025624 P.R.)

TO REDUCE THE PROPOSED 40' DRAINAGE AND SANITARY SEWER EASEMENT TO ONLY 25' WIDE ON LOT 3.

REPLAT OF LOT 3
MESA AT TURNING STONE - C7

A 1.300 ACRE TRACT OUT OF A 6.783 ACRE TRACT OF LAND OUT OF THAT REMAINING PORTION OF A 33.240 ACRE TRACT CONVEYED TO BLANTON FAMILY LIMITED PARTNERSHIP, BY DEED RECORDED IN VOLUME 4227, PAGE 369 OF THE DEED AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS, OUT OF THE JAMES W. GRAY SURVEY NO. 255, ABSTRACT NO. 144, THE CITY OF OBOLO, GUADALUPE COUNTY, TEXAS.

(1 - COMMERCIAL LOT)

SCALE 1" = 60'

0 60 120

LEGEND

D.P.R.G.C.	DEED AND PLAT RECORDS GUADALUPE COUNTY, TEXAS
N.C.B.	NEW CITY BLOCK
R.O.W.	RIGHT OF WAY
TEL.	TELEPHONE
C.A.T.V.	CABLE TELEVISION
℄	STREET CENTERLINE
○	1/2" IRON ROD WITH CAP
●	1/2" IRON ROD FOUND
	STREET CENTERLINE
	PROPERTY LINE
	ADJACENT PROPERTY LINE
	EASEMENT LINE
	MINOR CONTOUR
345	MAJOR CONTOUR

STATE OF TEXAS
COUNTY OF GUADALUPE

WHEREAS _____ ACTING BY AND THROUGH THE UNDERSIGNED, IS THE DULY AUTHORIZED AGENT IS THE SOLE OWNER OF A TRACT OF LAND LOCATED IN THE JAMES W. GRAY SURVEY 255, ABSTRACT 144 CITY OF OBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN VOLUME 4227, PAGE 369 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC EXCEPT AREAS IDENTIFIED AS PRIVATE OF PART OF AN INDIVIDUAL OR PLANNED UNIT DEVELOPMENT, FOR EVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER _____ ANGELA LEE RODRIGUEZ, LLC 1234 MAIN ST. 11 VALLEY FORT PLACE SUGAR LAND, TEXAS 77479

STATE OF TEXAS
COUNTY OF GUADALUPE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____ A.D. 20__.

NOTARY PUBLIC, GUADALUPE COUNTY, TEXAS

THIS PLAT OF _____ HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF OBOLO, TEXAS AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED THIS _____ DAY OF _____ A.D. 20__.

BY: _____ BY: _____
CHAIR VICE-CHAIR

APPROVED THIS THE _____ DAY OF _____ A.D. 20__.
BY THE CITY ENGINEER, CITY OF OBOLO, TEXAS

CITY ENGINEER, CITY OF OBOLO

THIS PLAT OF _____ HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF OBOLO, TEXAS AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED THIS _____ DAY OF _____ A.D. 20__.

BY: _____ BY: _____
CITY SECRETARY MAYOR

VILLAGOMEZ ENGINEERING CO.
26165 IH-10 W., E-CITE 212-716
SAN ANTONIO, TEXAS 78257
PH (210) 764-0818
FAX (210) 858-2232
TBPE FIRM REGISTRATION NO. F10938

REPLAT OF LOT OF 3
MESA AT TURNING STONE - C7

FILE:			
DATE:		DRAWN BY: V.R.	
SCALE: 1" = 60'		REVIEWED BY: J.V.	
JOB NO.: 23-038			
NO.	REVISION	BY	DATE

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

REGISTERED PUBLIC SURVEYOR

SIGNED TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

3421 Paesanos Pkwy., Ste. 200 San Antonio Tx 78231
Main: 877 627 3772

Colliers
Engineering
& Design

February 16, 2024

On behalf of the:

City of Cibolo
Attn: Lindsey Walker
200 S. Main Street
Cibolo, Texas 78108

Re: Replat Review
Mesa at Turning Stone – C7 – Lot 3

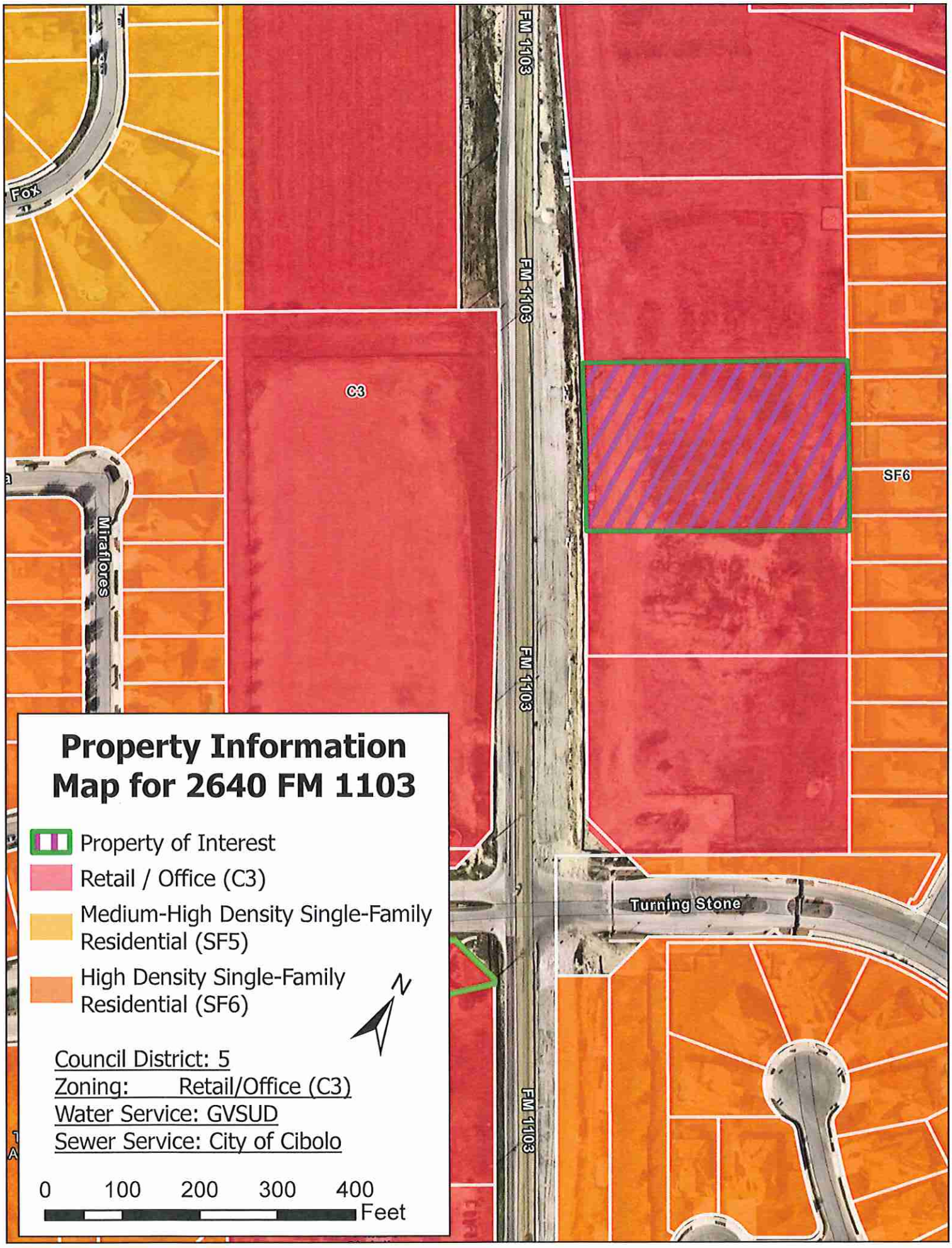
Ms. Walker,

Colliers Engineering & Design has completed its review of the referenced project. We find that the development is in conformance with the City of Cibolo Unified Development Code and flood ordinances. We have no further comments.

Our review does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,

Andy Carruth, P.E.
Plan Reviewer for the City of Cibolo


FM 1103
FM 1103
FM 1103
FM 1103
Fox
C3
SF6
Miraflores
Turning Stone
Property Information
Map for 2640 FM 1103
Property of Interest
Retail / Office (C3)
Medium-High Density Single-Family Residential (SF5)
High Density Single-Family Residential (SF6)
N
Council District: 5
Zoning: Retail/Office (C3)
Water Service: GVSUD
Sewer Service: City of Cibolo
0 100 200 300 400
Feet

City of Cibolo

City Council Regular Meeting Staff Report

Approval of the Preliminary Plat of Grace Valley Ranch Phase 3 Street Extension.

Meeting	Agenda Group
Tuesday, February 27, 2024, 6:30 PM	Consent Agenda - Consent Items (General Items) Item: 7G

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

7G Prelim. Plat Grace Valley Ranch Phase 3.pdf

CITY COUNCIL

AGENDA ITEM: SUBDIVISION DEVELOPMENT PETITION

PRELIMINARY PLAT OF GRACE VALLEY RANCH PHASE 3 STREET EXTENSION

Located near intersection of Weil Road and Lazy Acres Lane

PC-23-26-PP

MEETING DATE: February 27, 2024

STAFF: Susana Huerta, Assistant Planning Director

CITY COUNCIL ACTION: Approval/Disapproval of the above referenced petition

PLANNING & ZONING COMMISSION RECOMMENDATION: Denial by a 6-0 vote due to pending review comments (now resolved)

PROPERTY INFORMATION:

Project Name:	Grace Valley Phase 3 Street Extension
Owner:	Lennar Homes of Texas Land and Construction, LTD.
Representative:	Cude Engineers
Area:	1.09 acres
Location:	Near Intersection of Weil Road and Lazy Acres Lane
Council District:	N/A, ETJ
Zoning (map):	N/A, ETJ
Proposed Use:	776 Linear Feet of roadway
Utility Providers:	Water, Sewer – GVSUD, Electricity - GVEC

FINDINGS/CURRENT ACTIVITY:

Per Unified Development Code (UDC) Article 20.3.3., 'Preliminary Plat', property is required to be platted prior to development of a site within or outside the City Limits. The plat or subdivision of land must comply with the Land Study, if applicable, and meet all requirements of the Unified Development Code and the Design and Construction Manual.

The Grace Valley development is located outside City Limits in the Extra-Territorial Jurisdiction (ETJ). This Preliminary Plat establishes an approximate 776 Linear Foot extension of Wyatt Way to the northwestern limits of the overall Grace Valley Subdivision. This matches the limits and layout proposed in the land study that was approved in 2019.

STREETS/FUTURE THOROUGHFARE PLAN (FTPX):

This plat includes 776 Linear Feet of roadway.

UTILITIES:
GVSUD is the Water and Sewer provider for this development. GVEC is the Electric provider.

DRAINAGE:
The drainage plan complies with the approved master drainage study.

STAFF RECOMMENDATION:
Staff and the City Engineer reviewed the proposed Preliminary Plat and associated documents. Per the review letter attached, there are pending review comments. Therefore, Staff recommends APPROVAL of this Preliminary Plat.

ATTACHMENTS:

1. Application
2. Plat
3. City Engineer Letter
4. Property Information Map

City of Cibolo

Planning Department
201 Loop 539 W/P.O. Box 826
Cibolo, TX 78108
Phone: (210) 658 - 9900

UNIVERSAL APPLICATION - PRELIMINARY PLAT

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Please use a separate application for each submittal.* Your application will not be accepted until the application is completed and required information provided.

Project Name: Grace Valley Ranch Phase 3 Street Extension

Total Acres: 1.09 Survey Name: Frallan De La Garza Abstract No.: 143

Project Location (address): 1,500 east of Weil Rd. and Lazy Acres Ln. intersection

Current Zoning: N/A Overlay: ■ None ☐ Old Town ☐ FM 78

Proposed Zoning: N/A # of Lots: 0 # of Units: 0

Please Choose One: ■ Single-Family ☐ Multi-Family ☐ Commercial ☐ Industrial

☐ Other

Current Use: Ag Total Proposed Square Footage:

Proposed Use: Single-Family Residential (Commercial/Industrial only)

Applicant Information:

Property Owner Name: Lennar Homes of Texas Land and Construction, Ltd.

Address: 100 NE Loop 410 City: San Antonio

State: Texas Zip Code: 78216 Phone: 210-889-5516

Email: richard.mott@lennar.com Fax:

**Applicant* *(if different than Owner)*:*

* Letter of Authorization required

Address: City:

State: Zip Code: Phone:

Email: Fax:

Representative:

Address: City:

State: Zip Code: Phone:

Email: Fax:

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application. Also, you waive the statutory time limits in accordance with Section 211, and 245 of the Texas Local Government Code.

Owner or Representative's Signature

Richard Mott Richard Mott

Typed / Printed Name

State of Texas

County of Bexar

Before me, Brenda Campos, on this day personally appeared

Richard Mott, to be the person(s) who is/are subscribed to the

Name of signer(s)

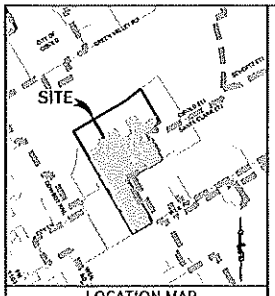
foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of December 2023

Notary Public Signature

Notary Seal: BRENDA CAMPOS Notary Public State of Texas Comm Expires 07-13-2024 Notary ID 130737862

City of Cibolo Use Only
Total Fees
Payment Method
Submittal Date
Accepted by
Case Number



NOTES:

KEY NOTES:

LEGEND

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°59'59"E	75.00'
L2	N00°00'01"E	20.00'
L3	S89°59'59"E	25.00'
L4	S00°00'01"W	5.00'
L5	S89°59'59"E	317.72'
L6	S00°00'01"W	20.00'
L7	S89°59'59"E	75.00'
L8	N00°00'01"E	20.00'
L9	S89°59'59"E	75.00'
L10	S00°00'01"W	20.00'
L11	S89°59'59"E	75.00'
L12	N00°00'01"E	20.00'
L13	S89°59'59"E	75.00'
L14	S00°00'01"W	20.00'
L15	S89°59'59"E	75.00'
L16	N00°00'01"E	20.00'
L17	S89°59'59"E	75.00'
L18	S00°00'01"W	20.00'
L19	S89°59'59"E	75.00'
L20	N00°00'01"E	20.00'
L21	S89°59'59"E	75.00'
L22	S00°00'01"W	20.00'
L23	S89°59'59"E	75.00'
L24	N00°00'01"E	20.00'
L25	S89°59'59"E	75.00'
L26	S00°00'01"W	20.00'
L27	S89°59'59"E	75.00'
L28	N00°00'01"E	20.00'
L29	S89°59'59"E	75.00'
L30	S00°00'01"W	20.00'
L31	S89°59'59"E	75.00'
L32	N00°00'01"E	20.00'
L33	S89°59'59"E	75.00'
L34	S00°00'01"W	20.00'
L35	S89°59'59"E	75.00'
L36	N00°00'01"E	20.00'
L37	S89°59'59"E	75.00'
L38	S00°00'01"W	20.00'
L39	S89°59'59"E	75.00'
L40	N00°00'01"E	20.00'
L41	S89°59'59"E	75.00'
L42	S00°00'01"W	20.00'
L43	S89°59'59"E	75.00'
L44	N00°00'01"E	20.00'
L45	S89°59'59"E	75.00'
L46	S00°00'01"W	20.00'
L47	S89°59'59"E	75.00'
L48	N00°00'01"E	20.00'
L49	S89°59'59"E	75.00'
L50	S00°00'01"W	20.00'
L51	S89°59'59"E	75.00'

LINE TABLE		
LINE	BEARING	LENGTH
L52	S89°59'59"E	75.00'
L53	S00°00'01"W	20.00'
L54	S89°59'59"E	75.00'
L55	S00°00'01"W	20.00'
L56	S89°59'59"E	75.00'
L57	S00°00'01"W	20.00'
L58	S89°59'59"E	75.00'
L59	S00°00'01"W	20.00'
L60	S89°59'59"E	75.00'
L61	S00°00'01"W	20.00'
L62	S89°59'59"E	75.00'
L63	S00°00'01"W	20.00'
L64	S89°59'59"E	75.00'
L65	S00°00'01"W	20.00'
L66	S89°59'59"E	75.00'
L67	S00°00'01"W	20.00'
L68	S89°59'59"E	75.00'

CURVE TABLE						
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	CHORD BEARING
C1	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C2	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C3	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C4	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C5	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C6	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C7	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C8	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
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C16	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C17	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C18	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C19	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C20	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C21	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C22	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C23	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
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C25	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
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C27	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
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C40	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C41	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C42	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C43	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C44	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C45	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C46	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C47	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C48	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C49	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
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C55	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C56	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C57	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C58	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C59	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C60	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C61	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C62	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
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C65	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C66	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C67	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C68	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C69	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C70	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C71	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C72	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C73	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C74	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C75	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C76	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C77	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C78	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C79	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C80	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C81	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C82	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C83	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C84	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C85	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C86	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C87	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C88	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C89	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C90	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C91	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C92	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C93	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C94	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C95	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C96	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C97	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C98	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C99	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C100	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C101	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C102	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C103	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C104	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C105	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C106	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C107	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C108	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C109	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C110	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C111	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C112	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C113	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C114	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C115	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C116	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C117	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C118	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C119	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C120	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C121	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C122	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C123	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C124	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C125	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C126	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C127	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C128	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C129	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C130	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C131	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C132	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C133	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C134	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C135	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C136	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C137	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C138	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C139	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C140	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C141	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C142	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C143	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C144	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C145	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C146	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C147	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C148	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C149	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C150	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C151	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C152	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C153	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C154	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C155	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C156	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C157	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C158	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C159	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C160	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C161	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C162	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C163	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C164	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C165	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C166	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C167	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C168	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C169	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C170	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C171	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C172	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C173	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C174	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C175	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C176	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C177	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C178	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C179	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C180	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C181	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C182	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C183	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C184	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C185	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C186	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C187	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C188	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C189	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C190	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C191	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C192	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C193	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C194	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C195	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C196	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C197	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C198	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C199	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C200	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C201	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C202	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C203	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C204	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C205	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C206	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C207	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C208	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C209	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C210	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C211	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C212	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C213	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C214	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C215	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C216	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C217	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C218	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C219	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C220	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C221	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C222	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C223	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C224	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C225	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C226	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C227	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C228	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C229	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C230	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C231	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C232	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C233	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C234	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C235	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C236	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C237	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C238	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C239	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C240	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C241	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C242	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C243	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C244	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C245	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C246	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C247	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C248	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C249	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C250	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C251	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C252	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C253	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C254	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C255	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C256	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C257	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C258	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C259	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C260	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C261	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C262	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C263	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C264	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C265	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C266	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C267	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C268	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C269	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C270	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C271	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C272	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C273	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C274	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C275	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C276	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C277	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C278	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C279	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C280	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C281	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C282	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C283	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C284	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C285	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C286	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C287	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C288	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C289	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C290	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C291	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C292	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C293	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C294	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C295	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C296	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C297	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C298	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C299	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C300	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C301	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"E
C302	25.00'	90°00'00"	25.00'	39.27'	35.36'	S45°00'00"W
C303	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"W
C304	25.00'	90°00'00"	25.00'	39.27'	35.36'	N45°00'00"E
C305	25.00'	90°00'00"	25.00'	39.27

3421 Paesanos Pkwy., Ste. 200 San Antonio Tx 78231
Main: 877 627 3772

Colliers
Engineering
& Design

February 16, 2024

On behalf of the:

City of Cibolo
Attn: Grant Fore
200 S. Main Street
Cibolo, Texas 78108

Re: Preliminary Plat Review
Grace Valley Ranch Unit 3 Street Extension

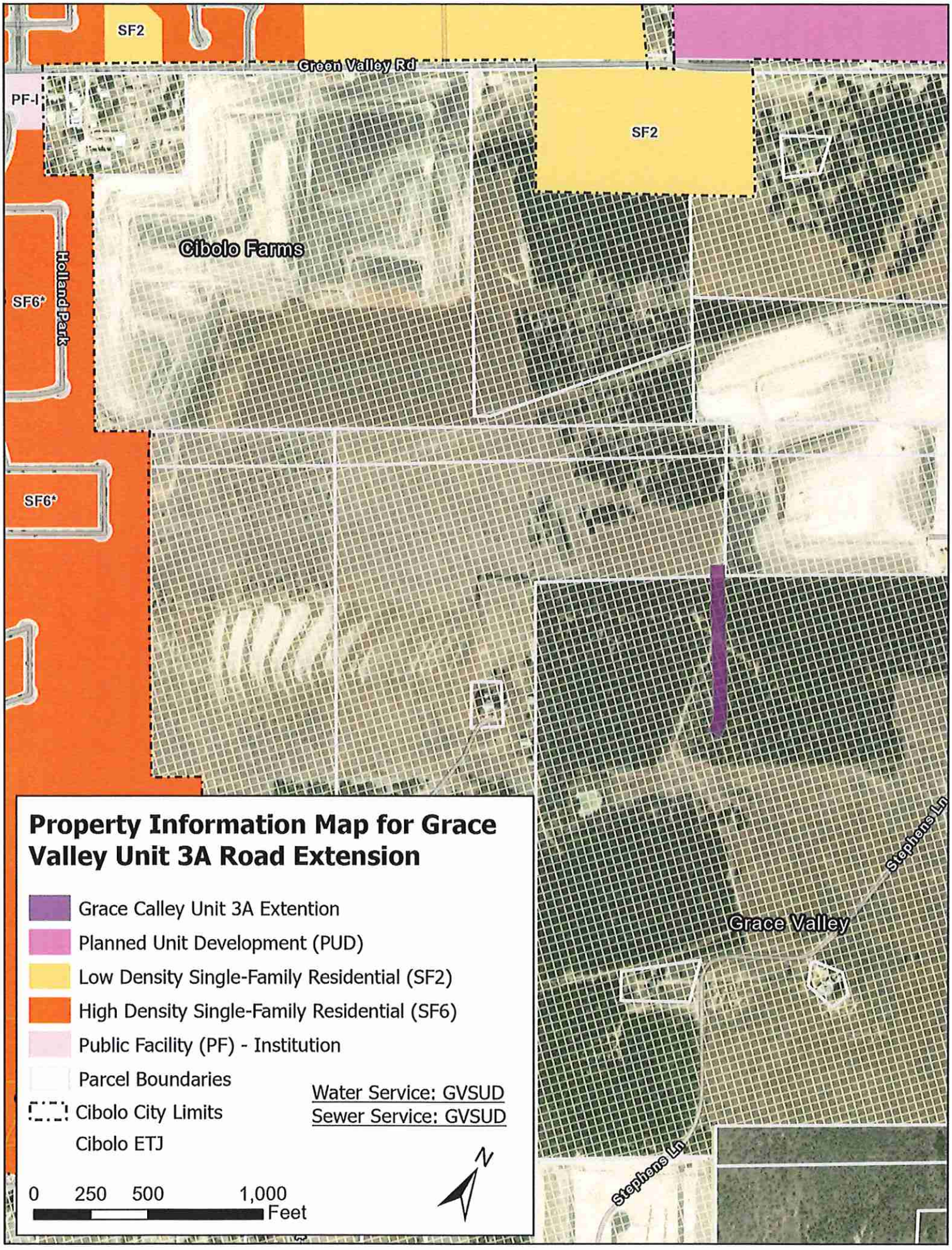
Mr. Fore,

Colliers Engineering & Design has completed its review of the referenced project. We find that the development is in conformance with the City of Cibolo Unified Development Code and flood ordinances. We have no further comments.

Our review does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,

Andy Carruth, P.E.
Plan Reviewer for the City of Cibolo


SF2
Green Valley Rd
PF-I
SF2
Cibolo Farms
Holland Park
SF6*
SF6*
Stephens Ln
Grace Valley
Stephens Ln
Property Information Map for Grace Valley Unit 3A Road Extension
Grace Calley Unit 3A Extention
Planned Unit Development (PUD)
Low Density Single-Family Residential (SF2)
High Density Single-Family Residential (SF6)
Public Facility (PF) - Institution
Parcel Boundaries
Cibolo City Limits
Cibolo ETJ
Water Service: GVSUD
Sewer Service: GVSUD
N
0 250 500 1,000
Feet

City of Cibolo

City Council Regular Meeting Staff Report

Administration a. Strategic Management Workshop (March 16, 2024) b. City Fiber Project Update c. Strategic Grant Partnership Application Update d. Request for Proposals (RFP)/Request for Qualifications (RFQ) – Animal Services Facility Request for Bids (RFB) (due Feb. 6th), Economic Development Corporation Legal Services RFP (due Feb. 12) e. Capital Improvement Program (CIP) Projects: Haeckerville Rd and Town Creek Drainage Phase II, Dean Rd, Bolton Rd, and Lower Seguin Rd, and Design and Bidding for Green Valley Rd (2 sections), Silver Wing, Firebird Lane, and Town Creek f. City Hall Furniture Update

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Staff Update	Item: 8A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Police Department

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Staff Update	Item: 8B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

8B Police Dept.pdf

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
ACCIDENT, HIT & RUN				
ACCIDENT, HIT & RUN	24-00151	Thursday, January 25, 2024	154	BLUE SAGE LANE
ACCIDENT, HIT & RUN	24-00130	Monday, January 22, 2024	1000	CIBOLO VALLEY DRIVE
ACCIDENT, HIT & RUN	24-00071	Thursday, January 11, 2024	12601	IH 10W EASTBOUND
3	**ACCIDENT, HIT & RUN**			
ACCIDENT, MOTOR VEHICLE				
ACCIDENT, MOTOR VEHICLE	24-00041	Sunday, January 7, 2024	500	COUNTRY
ACCIDENT, MOTOR VEHICLE	24-00003	Monday, January 1, 2024	8713	IH 10 W EAST BOUND
2	**ACCIDENT, MOTOR VEHICLE**			
ANIMAL BITE/SCRATCH				
ANIMAL BITE/SCRATCH	24-00184	Saturday, January 13, 2024		
ANIMAL BITE/SCRATCH	24-00064	Wednesday, January 10, 2024	344	BRUSH TRAIL BEND
ANIMAL BITE/SCRATCH	24-00194	Wednesday, January 31, 2024	413	CATTLE RUN
ANIMAL BITE/SCRATCH	24-00052	Monday, January 8, 2024	108	CIBOLO
ANIMAL BITE/SCRATCH	24-00095	Tuesday, January 2, 2024	113	CLAPBOARD RUN
ANIMAL BITE/SCRATCH	24-00033	Thursday, January 4, 2024	433	SEMINOLE
ANIMAL BITE/SCRATCH	24-00159	Thursday, January 25, 2024	113	WEEPING WAY
7	**ANIMAL BITE/SCRATCH**			
ASSAULT				
ASSAULT	24-00189	Wednesday, January 31, 2024	565	BOLTON RD
ASSAULT	24-00137	Monday, January 22, 2024	421	BROOK SHADOW
ASSAULT	24-00088	Sunday, January 14, 2024	224	FENNEC FOX
ASSAULT	24-00166	Friday, January 26, 2024	253	FLINT ROAD
ASSAULT	24-00080	Saturday, January 13, 2024	564	LILAC SHOALS
ASSAULT	24-00156	Thursday, January 25, 2024	13710	LUNAR LIGHT
ASSAULT	24-00068	Wednesday, January 10, 2024	336	MORGAN RUN
ASSAULT	24-00087	Saturday, January 13, 2024	115	NAVAJO CIRCLE
ASSAULT	24-00085	Saturday, January 13, 2024	115	NAVAJO CIRCLE
ASSAULT	24-00022	Thursday, January 18, 2024	168	NIEMETZ COVE
ASSAULT	24-00115	Thursday, January 18, 2024	218	NOTCHLEAF
ASSAULT	24-00081	Saturday, January 13, 2024	105	WIND WILLOW
12	**ASSAULT**			
ASSAULT, AGGRAVATED				
ASSAULT, AGGRAVATED	24-00190	Wednesday, January 31, 2024	200	CIBOLO VALLEY DRIVE
ASSAULT, AGGRAVATED	24-00121	Friday, January 19, 2024	2451	FM 1103
2	**ASSAULT, AGGRAVATED**			

2/1/2024

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
ASSAULT, BODILY INJURY				
ASSAULT, BODILY INJURY	24-00074	Friday, January 12, 2024	105	CARNOUSTY DR
ASSAULT, BODILY INJURY	24-00176	Monday, January 29, 2024	1300	FM 1103
ASSAULT, BODILY INJURY	24-00124	Friday, January 19, 2024	213	STETSON STREET
3 ASSAULT, BODILY INJURY				
ASSIST, OUTSIDE AGENCY				
ASSIST, OUTSIDE AGENCY	24-00066	Wednesday, January 10, 2024	395	BORGFELD ROAD WEST
ASSIST, OUTSIDE AGENCY	24-00069	Wednesday, January 10, 2024	111	COMANCHE CIRCLE
ASSIST, OUTSIDE AGENCY	24-00098	Wednesday, January 17, 2024	17319	IH 35 NORTH
ASSIST, OUTSIDE AGENCY	24-00168	Friday, January 26, 2024	12400	IH-10 WEST
ASSIST, OUTSIDE AGENCY	24-00061	Tuesday, January 9, 2024	107	ROBIN DR
ASSIST, OUTSIDE AGENCY	24-00030	Thursday, January 4, 2024	332	SORENSTAM WAY
ASSIST, OUTSIDE AGENCY	24-00139	Tuesday, January 23, 2024		SYCAMORE DRIVE/ SMOKEY CREEK
7 ASSIST, OUTSIDE AGENCY				
BURGLARY, BUILDING				
BURGLARY, BUILDING	24-00122	Friday, January 19, 2024	408	CITADEL ROCK
1 BURGLARY, BUILDING				
BURGLARY, HABITATION				
BURGLARY, HABITATION	24-00148	Wednesday, January 24, 2024	325	GLENWOOD RANCH
BURGLARY, HABITATION	24-00147	Wednesday, January 24, 2024	313	MOKI PLACE
2 BURGLARY, HABITATION				
BURGLARY, VEHICLE				
BURGLARY, VEHICLE	24-00135	Monday, January 22, 2024		
BURGLARY, VEHICLE	24-00021	Wednesday, January 3, 2024	102	BRAMBLEWOOD CIRCLE
BURGLARY, VEHICLE	24-00181	Tuesday, January 30, 2024	224	BROAD OAK
BURGLARY, VEHICLE	24-00044	Sunday, January 7, 2024	233	CORDERO
BURGLARY, VEHICLE	24-00067	Wednesday, January 10, 2024	608	HINGE FALLS
BURGLARY, VEHICLE	24-00025	Wednesday, January 3, 2024	18124	I-35
BURGLARY, VEHICLE	24-00026	Wednesday, January 3, 2024	18124	IH-35
BURGLARY, VEHICLE	24-00140	Tuesday, January 23, 2024	405	LANDMARK FALLS
BURGLARY, VEHICLE	24-00129	Sunday, January 21, 2024	417	LANDMARK POND
BURGLARY, VEHICLE	24-00019	Tuesday, January 2, 2024	152	SPRINGTREE
BURGLARY, VEHICLE	24-00039	Saturday, January 6, 2024	108	SPRINGTREE BEND
BURGLARY, VEHICLE	24-00128	Sunday, January 21, 2024	540	STONEBROOK DRIVE
BURGLARY, VEHICLE	24-00015	Tuesday, January 2, 2024	116	SUMMIT
BURGLARY, VEHICLE	24-00014	Tuesday, January 2, 2024	114	SUMMIT
BURGLARY, VEHICLE	24-00084	Saturday, January 13, 2024	148	VERBENA GAP

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
15 BURGLARY, VEHICLE				
CHILD PROTECTIVE SERVICES REFER				
CHILD PROTECTIVE SERVICES REFERRAL	24-00044	Tuesday, January 23, 2024	520	ALBARELLA
CHILD PROTECTIVE SERVICES REFERRAL	24-00041	Tuesday, January 23, 2024	104	LANDMARK HAVEN
CHILD PROTECTIVE SERVICES REFERRAL	24-00086	Saturday, January 13, 2024	236	TOWN CREEK WAY
3 CHILD PROTECTIVE SERVICES REFERRAl				
CIVIL INFORMATION				
CIVIL INFORMATION	24-00076	Friday, January 12, 2024	395	BORGFELD ROAD WEST
CIVIL INFORMATION	24-00097	Wednesday, January 17, 2024	110	CARMEL DRIVE
CIVIL INFORMATION	24-00020	Wednesday, January 3, 2024	700	FM 1103
CIVIL INFORMATION	24-00063	Tuesday, January 9, 2024	675	FM 1103
CIVIL INFORMATION	24-00178	Monday, January 29, 2024	1300	FM 1103
CIVIL INFORMATION	24-00188	Wednesday, January 31, 2024	108	PHANTOM
6 CIVIL INFORMATION				
CRIMINAL MISCHIEF				
CRIMINAL MISCHIEF	24-00133	Monday, January 22, 2024	117	BRAMBLEWOOD CIRCLE
CRIMINAL MISCHIEF	24-00099	Wednesday, January 17, 2024	100	HINGE IRON
CRIMINAL MISCHIEF	24-00167	Friday, January 26, 2024	101	RAIL LANE
3 CRIMINAL MISCHIEF				
DEADLY CONDUCT				
DEADLY CONDUCT	24-00062	Tuesday, January 9, 2024	100	MOHAWK
1 DEADLY CONDUCT				
DEATH INVESTIGATION				
DEATH INVESTIGATION	24-00172	Sunday, January 28, 2024	812	EVRYDAY WAY
DEATH INVESTIGATION	24-00157	Thursday, January 25, 2024	326	SUNROSE LANE
2 DEATH INVESTIGATION				
DISTURBANCE, FAMILY				
DISTURBANCE, FAMILY	24-00042	Sunday, January 7, 2024	620	AMBER CREEK
DISTURBANCE, FAMILY	24-00054	Monday, January 8, 2024	212	ANTRIUM
DISTURBANCE, FAMILY	24-00027	Wednesday, January 3, 2024	224	BROAD OAK DRIVE
DISTURBANCE, FAMILY	24-00108	Wednesday, January 17, 2024	310	BURKWOOD LANE
DISTURBANCE, FAMILY	24-00038	Saturday, January 6, 2024	125	CANYON VISTA
DISTURBANCE, FAMILY	24-00056	Tuesday, January 9, 2024	121	FRITZ WAY
DISTURBANCE, FAMILY	24-00060	Tuesday, January 9, 2024	121	FRITZ WAY

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
DISTURBANCE, FAMILY	24-00079	Friday, January 12, 2024	262	HOLLAND PARK
DISTURBANCE, FAMILY	24-00164	Friday, January 26, 2024	316	LONGHORN WAY
DISTURBANCE, FAMILY	24-00057	Tuesday, January 9, 2024	616	MINERALS WAY
DISTURBANCE, FAMILY	24-00169	Saturday, January 27, 2024	113	ROYAL TROON DRIVE
DISTURBANCE, FAMILY	24-00170	Saturday, January 27, 2024	104	WILLOW HILL
DISTURBANCE, FAMILY	24-00150	Wednesday, January 24, 2024	201	WINTER FROST
DISTURBANCE, FAMILY	24-00138	Monday, January 22, 2024	417	ZOELLER WAY
14 DISTURBANCE, FAMILY				
DRIVE WHILE LIC INVALID				
DRIVE WHILE LIC INVALID	24-00091	Tuesday, January 16, 2024	1200	CIBOLO VALLEY DRIVE
DRIVE WHILE LIC INVALID	24-00110	Thursday, January 18, 2024	500	CIBOLO VALLEY DRIVE
2 DRIVE WHILE LIC INVALID				
DRUG VIOLATION				
DRUG VIOLATION	24-00083	Saturday, January 13, 2024	602	CIBOLO VALLEY DRIVE
DRUG VIOLATION	24-00120	Friday, January 19, 2024	1300	FM 1103
2 DRUG VIOLATION				
EMERGENCY DETENTION				
EMERGENCY DETENTION	24-00034	Thursday, January 4, 2024	224	BROAD OAK DRIVE
EMERGENCY DETENTION	24-00045	Monday, January 8, 2024	269	CANSIGLIO
EMERGENCY DETENTION	24-00055	Monday, January 8, 2024	253	GARDNER CV
EMERGENCY DETENTION	24-00106	Wednesday, January 17, 2024	185	NOTCHLEAF
EMERGENCY DETENTION	24-00126	Saturday, January 20, 2024	236	TOWN CREEK WAY
5 EMERGENCY DETENTION				
FRAUD				
FRAUD	24-00013	Monday, January 1, 2024	8234	AGORA PKWY
FRAUD	24-00008	Monday, January 1, 2024	8210	AGORA PKWY
FRAUD	24-00155	Thursday, January 25, 2024	244	CINNABAR TRAIL
FRAUD	24-00152	Thursday, January 25, 2024	3850	COLLEGE STREET
FRAUD	24-00179	Tuesday, January 30, 2024	129	COMANCHE CIRCLE
FRAUD	24-00117	Thursday, January 18, 2024	506	DEVNET FIELD
FRAUD	24-00002	Monday, January 1, 2024	14535	FORUM PKWY
FRAUD	24-00011	Monday, January 1, 2024	14535	FORUM PKWY
FRAUD	24-00005	Monday, January 1, 2024	15350	I-35 N
FRAUD	24-00154	Thursday, January 25, 2024	220	IH-10
FRAUD	24-00006	Monday, January 1, 2024	15320	IH-35 N
FRAUD	24-00007	Monday, January 1, 2024	16830	IH-35 N
FRAUD	24-00012	Monday, January 1, 2024	11718	IH-35 N
FRAUD	24-00010	Monday, January 1, 2024	17460	IH-35 N

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
FRAUD	24-00103	Wednesday, January 17, 2024	4625	LOWER SEGUIN
FRAUD	24-00180	Monday, January 29, 2024	206	MAINSTONE COVE
FRAUD	24-00009	Monday, January 1, 2024	8153	PAT BOOKER ROAD
FRAUD	24-00123	Friday, January 19, 2024	105	S WILLOW WAY
FRAUD	24-00153	Thursday, January 25, 2024	7820	SOUTH BROADWAY AVE
FRAUD	24-00134	Monday, January 22, 2024	126	VALLEY HILL LANE
FRAUD	24-00035	Friday, January 5, 2024	208	WEXFORD
FRAUD	24-00049	Monday, January 8, 2024	511	WHISPERING WELL
FRAUD	24-00047	Monday, January 8, 2024	220	WILLOW CREST
FRAUD	24-00191	Wednesday, January 31, 2024	237	WILLOW CREST
	24	FRAUD		
HARASSMENT, SEXUAL				
HARASSMENT, SEXUAL	24-00077	Friday, January 12, 2024	395	BORGFELD ROAD WEST
HARASSMENT, SEXUAL	24-00023	Wednesday, January 3, 2024	124	BRUSH TRAIL BEND
	2	HARASSMENT, SEXUAL		
HARASSMENT, TELEPHONE				
HARASSMENT, TELEPHONE	24-00058	Tuesday, January 9, 2024	412	CORTIJO
HARASSMENT, TELEPHONE	24-00050	Monday, January 8, 2024	205	RIDGE BLUFF
HARASSMENT, TELEPHONE	24-00193	Wednesday, January 31, 2024	114	ROYAL TROON DRIVE
HARASSMENT, TELEPHONE	24-00089	Sunday, January 14, 2024	528	SADDLE GLEN
HARASSMENT, TELEPHONE	24-00078	Friday, January 12, 2024	213	TURNING STONE
	5	HARASSMENT, TELEPHONE		
HARASSMENT, VERBAL				
HARASSMENT, VERBAL	24-00059	Tuesday, January 9, 2024	213	SOMERSET AVE
	1	HARASSMENT, VERBAL		
HARASSMENT, WRITING				
HARASSMENT, WRITING	24-00075	Friday, January 12, 2024	325	EGLINGTON WAY
HARASSMENT, WRITING	24-00024	Wednesday, January 3, 2024	325	EGLINGTON WAY
	2	HARASSMENT, WRITING		
HOSPICE				
HOSPICE	24-00182	Tuesday, January 30, 2024	110	BAY HILL DRIVE
HOSPICE	24-00040	Saturday, January 6, 2024	201	CORDERO DRIVE
HOSPICE	24-00090	Sunday, January 14, 2024	2332	FM 3009
HOSPICE	24-00127	Sunday, January 21, 2024	2332	FM 3009
HOSPICE	24-00160	Thursday, January 25, 2024	2300	FM 3009
HOSPICE	24-00136	Monday, January 22, 2024	200	SUMMIT VW

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
HOSPICE	24-00111	Thursday, January 18, 2024	121	WILLOW PATH
	7	HOSPICE		
IMPOUND, ABANDONED				
IMPOUND, ABANDONED	24-00028	Thursday, January 4, 2024	100	DERWARD OVERLOOK
IMPOUND, ABANDONED	24-00036	Saturday, January 6, 2024	13500	IH-10W
IMPOUND, ABANDONED	24-00132	Monday, January 22, 2024	110	NORTH MAIN STREET
	3	IMPOUND, ABANDONED		
INDECENT EXPOSURE				
INDECENT EXPOSURE	24-00162	Friday, January 26, 2024	602	CIBOLO VALLEY DRIVE
	1	INDECENT EXPOSURE		
INTERFERENCE WITH CHILD CUSTOD				
INTERFERENCE WITH CHILD CUSTODY	24-00116	Thursday, January 18, 2024	421	WILDCAT RUN
	1	INTERFERENCE WITH CHILD CUSTODY		
INTOXICATED, DRIVING WHILE				
INTOXICATED, DRIVING WHILE	24-00070	Thursday, January 11, 2024	2100	BLK FM 1103
INTOXICATED, DRIVING WHILE	24-00145	Tuesday, January 23, 2024	1300	FM 1103
	2	INTOXICATED, DRIVING WHILE		
MINOR IN POSSESSION				
MINOR IN POSSESSION	24-00102	Wednesday, January 17, 2024	2200	CIBOLO VALLEY DRIVE
	1	MINOR IN POSSESSION		
MINOR IN POSSESSION OF TOBACCO P				
MINOR IN POSSESSION OF TOBACCO PRO	24-00105	Wednesday, January 17, 2024	1300	FM 1103
MINOR IN POSSESSION OF TOBACCO PRO	24-00112	Thursday, January 18, 2024	1300	FM 1103
	2	MINOR IN POSSESSION OF TOBACCO PRO		
MISSING/ENDANGERED				
MISSING/ENDANGERED	24-00143	Tuesday, January 23, 2024	301	SEA HEADRIG
	1	MISSING/ENDANGERED		
PROPERTY, DAMAGED				
PROPERTY, DAMAGED	24-00043	Sunday, January 7, 2024	181	TOLLE ROAD
	1	PROPERTY, DAMAGED		

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
PROPERTY, FOUND				
PROPERTY, FOUND	24-00072	Thursday, January 11, 2024	1300	FM 1103
PROPERTY, FOUND	24-00131	Monday, January 22, 2024	1500	FM 1103
PROPERTY, FOUND	24-00149	Wednesday, January 24, 2024	1300	FM 1103
PROPERTY, FOUND	24-00053	Monday, January 8, 2024	140	KIPPER AVE
4 PROPERTY, FOUND				
PROTECTIVE ORDER VIOLATION				
PROTECTIVE ORDER VIOLATION	24-00032	Thursday, January 4, 2024	177	SPRINGTREE PKWY
1 PROTECTIVE ORDER VIOLATION				
RUNAWAY/MISSING				
RUNAWAY/MISSING	24-00073	Thursday, January 11, 2024	117	BRONCO BEND
RUNAWAY/MISSING	24-00094	Tuesday, January 16, 2024	129	FIREBIRD RUN
RUNAWAY/MISSING	24-00174	Sunday, January 28, 2024	129	SPRINGTREE GROVE
3 RUNAWAY/MISSING				
STALKING				
STALKING	24-00114	Thursday, January 18, 2024	111	ELM ST
STALKING	24-00031	Thursday, January 4, 2024	100	WILLOW COVE
2 STALKING				
SUSPICIOUS, SITUATION				
SUSPICIOUS, SITUATION	24-00177	Monday, January 29, 2024	521	LANDMARK FALLS
1 SUSPICIOUS, SITUATION				
TERRORISTIC THREAT				
TERRORISTIC THREAT	24-00142	Thursday, January 11, 2024	1300	FM 1103
TERRORISTIC THREAT	24-00048	Monday, January 8, 2024	213	GATEWOOD TRACE
TERRORISTIC THREAT	24-00065	Wednesday, January 10, 2024	236	KILKENNY
TERRORISTIC THREAT	24-00171	Sunday, January 28, 2024	117	SKY HARBOR
4 TERRORISTIC THREAT				
THEFT				
THEFT	24-00004	Monday, January 1, 2024	133	BLAZE MOON
THEFT	24-00125	Friday, January 19, 2024	602	CIBOLO VALLEY DRIVE
THEFT	24-00175	Monday, January 29, 2024	602	CIBOLO VALLEY DRIVE
THEFT	24-00037	Saturday, January 6, 2024	220	COUNTRY LN
THEFT	24-00113	Thursday, January 18, 2024	863	FM 1103
THEFT	24-00107	Wednesday, January 17, 2024	446	FOXTAIL VALLEY

Cibolo Police Department
Report Call Summary
January 2024

Description	Incident	Rep Date	Loc Block	Loc Street
THEFT	24-00051	Monday, January 8, 2024	109	PILOT POINT
THEFT	24-00192	Wednesday, January 31, 2024	204	WERNER
THEFT	24-00119	Friday, January 19, 2024	444	WESTMONT
THEFT	24-00029	Thursday, January 4, 2024	217	WILLOW BLUFF
	10	**THEFT**		
THEFT, SERVICE				
THEFT, SERVICE	24-00093	Tuesday, January 16, 2024	224	COUNTRY LANE
	1	**THEFT, SERVICE**		
TRAFFIC COMPLAINT				
TRAFFIC COMPLAINT	24-00173	Friday, January 26, 2024	2200	FM 1103
	1	**TRAFFIC COMPLAINT**		
WARRANT SERVICE				
WARRANT SERVICE	24-00118	Thursday, January 18, 2024	602	CIBOLO VALLEY DRIVE
WARRANT SERVICE	24-00046	Monday, January 8, 2024	10800	IH 10 W
WARRANT SERVICE	24-00109	Thursday, January 18, 2024	305	LANDMARK RUN
WARRANT SERVICE	24-00165	Friday, January 26, 2024	376	WAGON WHEEL WAY
WARRANT SERVICE	24-00001	Monday, January 1, 2024	225	WILLOW
	5	**WARRANT SERVICE**		
Grand Total:	**177**			

CIBOLO ANIMAL SERVICES **MONTHLY REPORT** **January 2024**

	TOTALS
INTAKES	
Return/Owner Surrender	4
Seized/Custody	0
Stray	37
Wildlife In	2
TOTAL	**43**

OUTCOMES	
Adoption	24
Admin Missing	0
Died in Shelter Care	0
Return to Owner	20
Transfer Out	0
Euthanasia	0
Wildlife Out	2
TOTAL	**46**

Transfer Out - Locations	
Austin Pets Alive	0
In Dog We Trust	0
Humane Society of New Braunfe	0
Good Catch Dog Rescue	0
Purrfect Treasures	0
TOTAL	**0**

BITE CASES	**8**
Currently in Foster	**2**

TOTAL NEW LICENSES ISSUED	**6** (Does not count renewals)
VOLUNTEER HOURS	**173.92**
LIVE RELEASE RATE	**100%**

City of Cibolo

City Council Regular Meeting Staff Report

Any related infrastructure and real property necessary to improve streets, water and sewer utilities, electric utilities, or gas utilities, drainage, and related site improvements for Tolle Road. (Mr. Reed)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Executive Session	Item: 9A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Legros v. City of Cibolo (Cause No. 23-0697-CV-E) (Mr. Hyde)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Executive Session	Item: 9B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

City-wide enforcement options related to obtaining compliance with the City's Unified Development Code, zoning, subdivision rules, and public health and safety regulations. (Mr. Hyde)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Executive Session	Item: 9C

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of an Ordinance of the City of Cibolo, Texas adding section 74-186 – control of non-residential private property entrances and exits; providing for regulation and enforcement; amending section 74-190 – parking on non-residential private property parking areas and providing regulation and enforcement. (Ms. Lee)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Ordinances	Item: 11A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

11A Ord. Parking Non-Residential.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT: Approval/Disapproval of an Ordinance of the City of Cibolo, Texas, adding section 74-186 - control of non-residential private property entrances and exits; providing for regulation and enforcement; amending section 74-190 - parking on non-residential private property parking areas; providing regulation and enforcement; providing for savings, repeal, severability, publication, and codification, declaring adoption in compliance with the Texas Open Meetings Act, providing penalties; providing restitution; and providing an effective date.

BACKGROUND:

Amending City Code Article 74-186

Councilmember Roberts addressed the City Council in a previous meeting regarding the traffic problems that occur when certain businesses block driveway entrances and exits. Traffic congestion impacts the health and safety of the community; therefore, the amendment requires a permit from the city to block driveways, so the impact to the traffic flow may be evaluated and addressed with the private property owner, to avoid the negative secondary effects resulting from the conduct.

Amending City Code Article 74-190:

It has been reported that businesses located near Steele High School are having their business parking lots inundated with vehicles, which have parked for up to two hours or more, awaiting the release of the students, to provide them with transportation after school is in recess for the day. Property Owners/Lessee's operating businesses are losing the opportunity to conduct business when this happens. Additionally, Property Owners/Lessees have reported that drivers who have been asked to remove their vehicles from the parking lot have responded harshly and refuse to comply. The city received a prior legal opinion which focused on Criminal Trespass, not private parking lot regulations, and which opined mistakenly that criminal trespass did not apply to open privately owned parking areas.

Upon appointment, the City Attorney's Office was asked by the City Manager to provide a second opinion. Our opinion, focusing on private parking lot regulation authority, identified a legal means for any municipality (home rule, or not) to legislate local regulations applicable to such parking lots. The ordinance created the regulations provides that a violation is a Class C criminal offense, which may be prosecuted in the City of Cibolo Municipal Court and any fines be retained by the city. In contrast, the offense of criminal trespass is a Class B criminal offense, which is prosecuted and County or District Courts, and holds a fine of up to $1,000 and incarceration of up to 180 days in the County Jail. Enforcing a Class B criminal offense would generally include arresting an offender, taking custody of the offender, and placing the offender in county jail. To maintain efficiency of the Police Department personnel, the

Class C approach, while allowing arrest, if necessary, will typically result in a citation and release of any offender, which keeps officer in the city and available for other calls. At Councilmember Benson's request a minimum fine was included, which elevates to the maximum fine of $500, for subsequent offenses.

PREVIOUS ACTIONS

None.

NEXT STEPS:

If the ordinance passes, the penalty requires publication in the newspaper before the law is effective. Additionally, between the passage of the ordinance and the effective date, we recommend law enforcement schedule to monitor the parking areas affected and provide "would be violators" of the new law, as a means to encourage compliance.

Property owners wishing to take advantage of the law must erect signs, consistent with the ordinance, that will clearly identify the authorized parking/prohibited parking. Once the signs are properly placed and the law is in effect, police officers may cite the violators for violation of our private property parking regulations.

FINANCIAL IMPACT:
While the Court will act independently, and this is an ordinance that is intended to quickly provide compliance and relief to the business owners/lessees, any fines assessed and paid should increase city revenue. However, this also places greater obligations on law enforcement to address new violations.

MOTION (Resolution): I move to approve an Ordinance of the City of Cibolo, Texas, adding section 74-186 - control of non-residential private property entrances and exits; providing for regulation and enforcement; amending section 74-190 - parking on non-residential private property parking areas; providing regulation and enforcement; providing for savings, repeal, severability, publication, and codification, declaring adoption in compliance with the Texas Open Meetings Act, providing penalties; providing restitution; and providing an effective date.

SUBMITTED BY: George E. Hyde, Esq. City Attorney.

ATTACHMENTS:

1. Proposed Ordinance

"City of Choice•

ORDINANCE NO:

AN ORDINANCE OF THE CITY OF CIBOLO, TEXAS, ADDING SECTION 74-186 - CONTROL OF NON-RESIDENTIAL PRIVATE PROPERTY ENTRANCES AND EXITS; PROVIDING FOR REGULATION AND ENFORCEMENT; AMENDING SECTION 74-190 - PARKING ON NON-RESIDENTIAL PRIVATE PROPERTY PARKING AREAS; PROVIDING REGULATION AND ENFORCEMENT; PROVIDING FOR SAVINGS, REPEAL, SEVERABILITY, PUBLICATION AND CODIFICATION, DECLARING ADOPTION IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, PROVIDING PENALTIES; PROVIDING RESTITUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo, Texas (the "City") is a home-rule municipality; and

WHEREAS, the City Council finds that Texas Local Government Code Section 601.001, authorizes all municipalities in Texas to regulate the parking of motor vehicles on private property, and further authorizes the enforcement of those regulations by ordinance; and

WHEREAS, the City Council finds that obstructing existing entrances into, and existing exits out of, non-residential private property parking areas, can have detrimental impacts on traffic flow and congestion on adjacent public roadways; thereby placing the public health and safety in danger, necessitating reasonable regulation; and

WHEREAS, the City Council finds that the unauthorized use of non-residential parking areas located on private property unlawfully interferes with the property owners' and any lessees' rights to peaceful enjoyment of property as guaranteed by Texas law; and

WHEREAS, the City Council finds that Texas Penal Code Section 30.05 declares it unlawful for a person to enter or remain on, or in, the private property of another without the effective consent of the owner; and that a person violates Texas law by failing to immediately depart from the property after having notice that their entry on or in the private property was forbidden; and

WHEREAS, the City Council finds that the unlawful use of non-residential private property parking areas creates the opportunity for public conflict, disturbances of the peace, and other unacceptable activities, which are likely to escalate, leading to misdemeanor assaults or worse; and

WHEREAS, the City Council finds that the facts and circumstances presently identified in the municipality warrant the adoption of non-residential private parking area regulations by Ordinance, which includes a criminal penalty, to deter the unlawful use of non-residential private property parking areas, and

WHEREAS, the City Council finds that providing the use of signage at each entrance of a non-residential private property parking areas that provides notice to the general public of the approved and authorized use(s) of the non-residential private property parking areas is necessary and required to enforce the criminal penalties provided by this ordinance, without the necessity to confront a violator; and

WHEREAS, the City Council finds the adoption of this Ordinance regulating non-residential private property parking area use, and providing a criminal penalty is necessary to maintain the public health and safety of the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS:

SECTION 1. Incorporating Recitals. The City Council approves the recitals hereto and incorporates them herein as findings of fact as if recited verbatim.

SECTION 2. Repeal and Substitution. The Code of Ordinances of the City of Cibolo Texas, is amended by adding Section 74-186 to Chapter 74, deleting Section 74-190 and substituting a new Section 74-190 to provide as set forth in Exhibit A attached hereto.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal by final judgment of a court of competent authority, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and ordained all the remaining portions of this Ordinance without the inclusion of such portion or portions found to be unconstitutional or invalid.

SECTION 4. Repeal. All resolutions, ordinances, or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other resolution, code or ordinance of the City, or parts thereof, the terms and provisions of this Ordinance shall govern.

SECTION 5. Savings. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances regulating non-residential private property parking areas which have accrued at the time of the effective date of this Ordinance; and such accrued violations and litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. Publication and Codification. The City shall publish this Ordinance in the newspaper designated as the official newspaper of the City twice as required by Section 3.13(3) of the City Charter. This Ordinance will be codified in the Cibolo Code in the next appropriate update.

SECTION 7. Open Meeting Compliance. The City Council finds that the meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

SECTION 8. Penalty. It shall be unlawful to do or perform any act prohibited in this Ordinance, and it shall be unlawful to fail to do or perform any act required in this Ordinance. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a class "C" misdemeanor.

(1) Any person found in violation of Section 74-186, or any part thereof shall, upon the first conviction thereof, be punished by a fine of at least One Hundred Dollars ($100.00), but not to exceed Five Hundred Dollars ($500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. The minimum fine shall increase by $100.00 for each subsequent violation, until the maximum fine for the offense is reached.

(2) Any person found in violation of Section 74-190, or any part thereof, shall, upon the first conviction thereof, be punished by a fine of at least Two Hundred Fifty Dollars ($250.00), but not to exceed Five Hundred Dollars ($500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. The minimum fine shall increase by $100.00 for each subsequent violation, until the maximum fine for the offense is reached.

(3) If requested by the complainant, any person found in violation of Section 74-190, in addition to any fine, shall pay restitution to the complainant in an amount of up to $500.00 to compensate the complainant for the economic loss proximately causes by defendant's illegal use of the non-residential private property parking area. The amount of restitution owed is presumed to be $150.00, unless the complainant can make a showing of additional injury warranting a greater amount, up to the $500 maximum provided.

SECTION 9. Effective Date. This Ordinance will become effective within the corporate city limits of the City of Cibolo upon the required newspaper publication.

ORDERED on this day of 2024.

_____
By: Mark Allen, Mayor

ATTEST:

By: _____
Peggy Cimics, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Hyde Kelley LLP
City Attorney

Section 74-186. – Control of Non-Residential Private Property Parking Area Entrances and Exits

It shall be unlawful for any person to obstruct, interfere with, or otherwise impede the use of existing entrances into, and existing exits out of, non-residential private property parking areas in any manner, without first obtaining a permit from the City.

Section 74-190. – Parking in Non-Residential Private Property Parking Areas

It shall be unlawful to stop, stand, or park any vehicle in a non-residential private property parking areas in a manner which is unauthorized by the private property owner or any lessee having possession or control of all or part of the private property parking area.

(1) A person is presumed to have violated this section if the person enters a non-residential private property parking area and uses the non-residential parking area in a manner inconsistent with any signage which is readily visible from each entry into the private property parking lot describing the uses, or limitations, or prohibitions applicable to the use of the private property parking area.

(2) Signage referred to above for private property parking areas must meet the following criteria:

i. The signs must be readily visible at all entrances into the non-residential private property parking area at the time the offense occurs.

ii. The signs must be fabricated with engineer grade or higher reflective sheeting. The lettering of the sign and viewing distance from each entry of the private property parking area must, at a minimum, comply with the following:

Letter Height	Maximum Viewing Distance
3"	30'
4"	40'
6"	60'
8"	80'
9"	90'
10"	100'
12"	120'

(4) The sign must clearly state the prohibition, limitation, or regulation applicable to the non-residential private property parking area. (i.e., "Customer and Employee Parking Only," "Customer Parking Only," or "Parking limited to one-hour only," etc.).

(5) The police department may remove a vehicle from the non-residential private property parking area upon request by the non-residential private property parking area owner or lessee with possession or use rights to the non-residential private property parking area. All expenses related to any vehicle removal, transportation, and storage are the obligation of the vehicle owner(s).

(6) It is an affirmative defense to prosecution under this section that the vehicle parked, stopped, or standing, on or in the non-residential private property parking area in violation of this Section if the violator is:

(i) parked, stopped or standing for the purpose of delivering or picking up merchandise or material from an owner or tenant on the property; or

(ii) an employee of a governmental entity performing official duties or is performing work under a contract with a governmental entity, owner, or tenant on the property; or

(iii) an employee of a public utility company performing official duties or is performing work under a contract with a public utility company; or

(iv) parked because of, or responding to, an emergency.

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas authorizing participation in the Equalis Group Cooperative Purchasing Program and authorizing the City Manager to execute the Master Intergovernmental Cooperative Purchasing Agreement. (Ms. Miranda)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12A Res. Equalis Gp.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Consider a Resolution authorizing participation in the Equalis Group Cooperative Purchasing Program, and authorizing the City Manager to execute the Master Intergovernmental Cooperative Purchasing Agreement.

ITEM SUMMARY:
Equalis Group is a cooperative purchasing organization that provides contracts competitively solicited by public agencies (Lead Agencies) for a wide array of products and services. As a member of Equalis, the City will be able to quickly acquire products and services by having immediate access to the portfolio of contracts which were competitively procured.

Participation in Equalis Group Pruchasing Cooperative is authorized by both Chapter 791 of Texas Government Code and Chapter 271 of Texas Local Government Code.

There is strength in numbers when it comes to buying products and services; City staff recommends authorizing participation in Equalis Group.

FINANCIAL IMPACT:
There is no fee for participation.

ATTACHMENTS:
Resolution
Master Intergovernmental Cooperative Purchasing Agreement
Program FAQs

RESOLUTION # _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS AUTHORIZING PARTICIPATION IN THE EQUALIS GROUP COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

WHEREAS, Texas Local Government Code 271 authorizes Texas local governments to participate in cooperative purchasing programs (such as Equalis Group) with another local government (such as an Equalis Group Lead Agency) in Texas or outside of Texas to purchase goods and services and states that such purchases satisfy the requirements of local governments to seek competitive bids.

WHEREAS, Texas Government Code 791, the Inter-local Cooperation Act, authorizes local governments to purchase goods and services through an intergovernmental agreement (such as the Equalis Group Master Intergovernmental Cooperative Purchasing Agreement) with other local governments or state agencies (such as Equalis Group Lead Agencies) and states that such purchases satisfy the requirements of local governments to seek competitive bids.

WHEREAS, the City of Cibolo, is of the opinion that participation in the Equalis Group Cooperative Purchasing will be highly beneficial to the taxpayers of the local government through the efficiencies and potential savings to be realized through participation; and

WHEREAS, the City of Cibolo desires to participate and join with other local governments in a cooperative inter-local agreement for the purpose of fulfilling and implementing their respective public governmental purposes, needs, objectives, programs, functions and services.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cibolo does hereby authorize its City Manager to execute the Master Intergovernmental Cooperative Purchasing Agreement.

APPROVED AND ADOPTED ON THIS 27th DAY OF FEBRUARY 2024 BY THE CITY OF CIBOLO.

_____
Mark Allen, Mayor

ATTEST:

_____
Peggy Cimics, City Secretary

MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

This Master Intergovernmental Cooperative Purchasing Agreement (the "**Agreement**") is entered into by and between those certain government agencies that execute a Management Services Agreement ("**Lead Agencies**") with Equalis Group LLC ("**Equalis Group**") to be appended and made a part hereof and such other public agencies, non-profit organizations, and businesses (each a "**Purchasing Group Member**") who register to participate in the cooperative purchasing programs administered by Equalis Group and its affiliates and subsidiaries (collectively, "**Equalis Group Purchasing Program**") by either registering on an Equalis Group Purchasing Program website (such as www.equalisgroup.org) or by executing a copy of this Agreement.

RECITALS

WHEREAS, after a competitive solicitation and selection process conducted by Lead Agencies, Lead Agencies enter into master agreements ("**Master Agreements**") with awarded suppliers to provide a variety of goods, products, and services ("**Products**") to the applicable Lead Agency and Purchasing Group Members;

WHEREAS, Master Agreements are made available to Purchasing Group Members by Lead Agencies through the Equalis Group Purchasing Program and provide that Purchasing Group Members may voluntarily purchase Products on the same terms, conditions, and pricing as the Lead Agency, subject to any applicable federal and/or local purchasing ordinances and the laws of the State of purchase; and

WHEREAS, in addition to Master Agreements, the Equalis Group Purchasing Program may from time to time offer Purchasing Group Members the opportunity to acquire Products through other group purchasing agreements.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and of the mutual benefits to result, the parties hereto agree as follows:

1. Each party will facilitate the cooperative procurement of Products.

2. The procurement of Products by Purchasing Group Member party to this Agreement shall be conducted in accordance with and subject to the relevant federal, state, and local statutes, ordinances, rules, and regulations that govern Purchasing Group Member's procurement practices.

3. The cooperative use of Master Agreements and other group purchasing agreements shall be conducted in accordance with the terms and conditions of such agreements, except as modification of those terms and conditions is otherwise allowed or required by applicable federal, state, or local law.

4. The Lead Agencies will make available, upon reasonable request and subject to convenience, information about Master Agreements which may assist in facilitating and improving the procurement of Products by the Purchasing Group Member.

5. Purchasing Group Member agrees that Equalis Group Purchasing Program may provide access to group purchasing organization ("**GPO**") agreements directly or indirectly by enrolling Purchasing Group Member in another GPO's purchasing program; provided that the purchase of Products shall be at Purchasing Group Member's sole discretion.

6. Purchasing Group Member shall make timely payments to the distributor, manufacturer, or other vendor (each a "**Supplier**") for Products procured and received through any Master Agreement or GPO group purchasing agreement (each an "**Equalis Agreement**") in accordance with the terms and conditions of this Agreement and of the Equalis Agreement, as applicable.

7. Purchasing Group Member acknowledges and agrees that Equalis Group may receive fees ("**Administrative Fees**") from Suppliers, which are typically calculated as a percentage of the dollar value of purchases made by Purchasing Group Member under an Equalis Agreement. Equalis Group's standard Administrative Fees are two percent (2%) or less. Equalis Group shall provide Purchasing Group Member with access to a listing of Equalis Agreements that provide for the payment to Equalis of

Administrative Fee in excess of three percent (3%). Additionally, Equalis Group shall provide Purchasing Group Member with access to an annual report listing Purchasing Group Member's purchases of Products through Equalis Agreements and the associated Administrative Fees received by Equalis Group.

8. Purchasing Group Member agrees that Products purchased under Equalis Agreements are for Purchasing Group Member's own use in the conduct of its business, and in no event shall Purchasing Group Member sell, resell, lease, or otherwise transfer goods purchased through Equalis Agreements to an unrelated third party unless expressly permitted by the terms of the applicable Equalis Agreement.

9. Payment for Products and inspections and acceptance of Products ordered by Purchasing Group Member shall be the exclusive obligation of Purchasing Group Member. Disputes between Purchasing Group Member and any Supplier shall be resolved in accordance with the law and venue rules of the State of purchase unless otherwise agreed to by Purchasing Group Member and the Supplier. The exercise of any rights or remedies by Purchasing Group Member shall be the exclusive obligation of Purchasing Group Member.

10. Purchasing Group Member shall not use this Agreement or the terms and conditions of any Equalis Agreement as a method for obtaining additional concessions or reduced prices for similar products or services.

11. Purchasing Group Member shall be responsible for the ordering of Products under this Agreement. A non-procuring party shall not be liable in any fashion for any violation by a party procuring Products under this Agreement. Without limiting the generality of the foregoing, Equalis Group Purchasing Program makes no representations or warranties regarding any Product or Equalis Agreement and shall have no liability for any act or omission by a Supplier or other party under an Equalis Agreement.

12. This Agreement shall remain in effect unless terminated by one party giving thirty (30) days' written notice to the other party. The provisions of **Sections 5**, **6**, **7**, **8**, and **9** hereof shall survive any such termination.

13. If any term or provision of this Agreement is held invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

14. This Agreement and the rights and obligations hereunder may not be assignable by either party hereto without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned, or delayed, provided, however, that Purchasing Group Member and Equalis Group may assign their respective rights and obligations under this Agreement without the consent of the other party in the event either Purchasing Group Member or Equalis Group shall hereafter effect a corporate reorganization, consolidation, merger, merge into, sell to, or transfer all or substantially all of its properties or assets to another entity. Subject to the preceding sentence, this Agreement will be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and assigns. Any instrument purporting to make an assignment in violation of this **Section 14** will be null and void.

15. This Agreement, together with any other documents incorporated herein by reference, constitutes the sole and entire agreement of the parties to this Agreement with respect to the subject matter contained herein, and supersedes all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral, with respect to such subject matter.

16. Equalis shall not be liable to Purchasing Group for any action, or failure to take action, of a Supplier in connection with the performance of Supplier's obligations under an Equalis Agreement.

17. Each party to this Agreement acknowledges it has read the Agreement and represents and warrants that it has the necessary legal authority and is legally authorized to execute and enter into this Agreement.

18. This Agreement shall take effect upon Purchasing Group Member (i) executing a copy of this Agreement, or (ii) registering on an Equalis Group Purchasing Program website.

The easiest way to complete this form is to visit: www.equalisgroup.org/member-registration. You may also fill out this form electronically, print and sign it, then scan and email the fully completed document to membership@equalisgroup.org.

Agency Information			
Agency Name:	CITY OF CIBOLO, TEXAS		
Agency Type:	Government - City		
Agency Department:	Administration		
Street Address:	200 SOUTH MAIN ST		
City / St / Zip:	CIBOLO	TEXAS	78108
Phone #:	210-658-9900		
Federal Tax ID:	74-1812576		
Website URL:	CIBOLOTX.GOV		

Primary Contact Information	
Name:	LEILI SAMUELSON
Title:	PROCUREMENT MANAGER
Phone #:	210-658-9900
Email:	LSAMUELSON@CIBOLOTX.GOV
Which contract(s) are you interested in?:	INFORMATION TECHNOLOGY

IN WITNESS WHEREOF, I hereby acknowledge, on behalf of _CITY OF CIBOLO, TEXAS_, that I have read and agreed to the general terms and conditions set forth in the Equalis Group Master Intergovernmental Purchasing Agreement.

Authorized Signator	
Name:	WAYNE REED
Title:	CITY MANAGER
Date:	FEBRUARY 28, 2024

Signed: _____

Membership FAQ

Save Time. Save Money. Stay Legal. **That's our commitment to our members.**

Why Become A Member Of Equalis Group?

Your organization receives immediate access to our expanding portfolio of compliant, already-procured contract vehicles. These contracts are designed to achieve the lowest Total Cost of Ownership for our members, delivering the best possible overall value. Our contracts feature enhanced contract terms and conditions and aggressive pricing not typically available to individual entities purchasing independently. There is strength in numbers when it comes to buying products and services.

How Does Equalis Group Work?

Equalis Group collaborates with our Lead Agencies to deliver compliant, publicly procured cooperative agreements that Public Sector entities across the country can utilize to: *i)* quickly acquire the products and services they need directly from our awarded suppliers; *ii)* receive better pricing through the collective buying power of Equalis Group Members; and, *iii)* save time through Equalis Group's legal and compliant alternative to conducting their own resource-consuming solicitation process.

What Types Of Entities Are Eligible To Join?

Equalis Group membership is available to federal, state, and local government agencies; public and private educational institutions, including K-12 schools, colleges, and universities; non-profit organizations; and private sector companies. Typically, any individual within an organization who is authorized to sign documents on behalf of the organization can complete the membership form without any formal board action, although approval requirements do vary from state to state.

What's The Catch?

There is no catch. There is no cost to join Equalis Group, and there are no membership dues or obligations of any kind. Joining Equalis Group is like getting a library card – membership simply ensures your organization has access to our contract portfolio. You decide which contracts to utilize and when.

How Do I Join?

Joining Equalis Group online takes less than five minutes. Simply visit our Join Page and follow the instructions provided.

If you would rather send us a hard copy of the Membership Agreement, download the Agreement from our Join Page and email the signed PDF to Membership@EqualisGroup.org.

What Happens After Joining?

Immediately after completing the membership registration form you will receive an email confirmation letting you know that your membership is being processed. Within one to two business days, Equalis Group will email your welcome email, which includes your membership number. To begin purchasing, simply provide your membership number to an Equalis Group awarded supplier and you will receive the improved pricing and other benefits of our competitively solicited contracts.

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City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the First Responder Support Team (FRST) Project and designating an authorized official. (Ms. Miranda)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12B Res. Grant Appl. First Responder.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Consider a Resolution authorizing the submission of a grant application to the Office of the Governor for the **First Responder Mental Health Program (FY2025)** and agree to designate an official to administer the grant.

ITEM SUMMARY:
The purpose of this program is to provide services and assistance directly to peace officers and first responders to address direct and indirect trauma that occurs in the course of their normal duties either as the result of the commission of crimes by other persons or in response to an emergency.
The objectives of the program are to:

- Provide a confidential, specialized, evidence-based approach to treating and reducing stress for officers and first responders.
- Improve coping mechanism/strategies.
- Increase morale and productivity; and
- Reduce the stigma associated with seeking help by providing safe, effective, and confidential services.

Proposed Project Budget:

Request	OOG Funds	In Kind Match	Cash Match	Total
30% FTE for program management of staff PD	$39,940.63	0.00	$13,914.51	$53,855.14
Contractual/Professional Services for Mental Health Advocacy-Blue Bonnet Services	$50,000.00	$10,000.00	0.00	$60,000.00
Contractual/Professional Services for Mental Health Advocacy-NAMI of Guadalupe	$16,000.00	$4,000.00	0.00	$20,000.00
Printing Services	$2,400.00	0.00	$600.00	$3,000.00

Contractual Services-Enhanced Services for PD & FD	$112,000.00	$28,000.00	0.00	$140,000.00
Travel and Training	$7,594.32	0.00	$1,898.58	$9,492.90
Supplies and Direct Operating Expenses	$50,720.00	0.00	$12,680.00	$63,400.00
Equipment	$40,000.00	0.00	$10,000.00	$50,000.00
Indirect Costs - De Minimis Rate * Indirect Costs - De Minimus Rate @ 10%	$27,979.84	0.00	$6,994.96	$34,974.80
Total Project Budget	**$346,634.79**	**$42,000.00**	**$46,088.05**	**$434,722.84**

FINANCIAL IMPACT:
Twenty Percent (20%) match is required.

ATTACHMENTS:
Resolution – Grant Number: 4995001

RESOLUTION _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS APPROVING SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE FIRST RESPONDER SUPPORT TEAM (FRST) PROJECT AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, The Cibolo City Council finds it in the best interest of the citizens of Cibolo, that the **First Responder Support Team (FRST) Project** be operated for the FY 25; and

WHEREAS, the Cibolo City Council agrees to provide **20% applicable matching** funds for the said project as required by the First Responder Mental Health Program, FY2025 grant application; and

WHEREAS, the Cibolo City Council agrees that in the event of loss or misuse of the Office of the Governor funds, Cibolo City Council assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the Cibolo City Council designates the Executive Director of Safety and Infrastructure 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 Cibolo City Council approves submission of the grant application for the **First Responder Support Team (FRST) Project** to the Office of the Governor.

PASSED AND ADOPTED by the City Council of the City of Cibolo on the 27th day of February 2024.

APPROVED:

_____

Mark Allen, Mayor

ATTEST:

_____

Peggy Cimics, TRMC, City Secretary

Grant Number: **4995001**

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Special Tactical Operations Project (STOP) and designating an authorized official. (Ms. Miranda)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12C

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12C Res. Grant Appl. STOP.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Consider a Resolution authorizing the submission of a grant application to the Office of the Governor for the **Special Tactical Operations Project (STOP) (FY2025)** and agree to designate an official to administer the grant.

ITEM SUMMARY:
The purpose of this program is to support efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of citizens.

The objectives of the program are to:

- Sustaining and enhancing capacity to detect and resolve threats involving chemical, biological, radiological, nuclear, and explosive (CBRNE) devices or weapons of mass destruction (WMD).
- Sustaining and enhancing tactical teams including HAZMAT response and decontamination, Urban Search and Rescue, and SWAT.
- Sustaining equipment needs, including personal protective equipment, to update or sustain current equipment.
- Sustaining and enhancing efforts to delay, divert, intercept, halt, apprehend, or secure threats or hazards (includes capabilities related to Border Security).
- Coordinating regional training exercises with federal, state and local law enforcement participation focused on responding to terrorism-related events and increasing participation with community and business organizations.

Proposed Project Budget:

Request	OOG Funds	Cash Match	Total
Mini Caliber Robot to detect and resolve threat to minimize human casualty	$56,020.00	0.00	$56,020.00
Long Range Hailing and warning device LRAD to enhance and sustain current equipment	$39,575.00	0.00	$39,575.00
Project Total	**$95,595.00**	**0.00**	**$95,595.00**

FINANCIAL IMPACT:
NO match is required.

ATTACHMENTS:
Resolution – Grant Number: 4972601

RESOLUTION _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS APPROVING SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE SPECIAL TACTICAL OPERATIONS PROJECT (STOP) AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, The Cibolo City Council finds it in the best interest of the citizens of Cibolo, that the **Special Tactical Operations Project (STOP)** be operated for the FY 25; and

WHEREAS, the Cibolo City Council agrees to provide **NO applicable matching** funds for the said project as required by the HS Homeland Security Grant Program grant application; and

WHEREAS, the Cibolo City Council agrees that in the event of loss or misuse of the Office of the Governor funds, Cibolo City Council assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the Cibolo City Council designates the Executive Director of Safety and Infrastructure 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 Cibolo City Council approves submission of the grant application for the **Special Tactical Operations Project (STOP)** to the Office of the Governor.

PASSED AND ADOPTED by the City Council of the City of Cibolo on the 27th day of February 2024.

APPROVED:

_____

Mark Allen, Mayor

ATTEST:

_____

Peggy Cimics, TRMC, City Secretary

Grant Number: **4972601**

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Victims Liaison Coordinator Program and designating an authorized official. (Ms. Miranda)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12D

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12D Res. Grant Appl. Victims Liaison.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Consider a Resolution authorizing the submission of a grant application to the Office of the Governor for the **Victims Liaison Coordinator Program (FY2025)** and agree to designate an official to administer the grant.

ITEM SUMMARY:
The purpose of this program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process.

The objectives of the program are to:

- Responding to the emotional and physical needs of crime victims;
- Assisting victims in stabilizing their lives after a victimization;
- Assisting victims to understand and participate in the criminal justice system; and
- Providing victims with safety and security.

Proposed Project Budget:

Request	OOG Funds	Cash Match	Total
Printing Services	$3,700.00	$740.00	$4,440.00
Travel and Training	$2,083.00	$705.75	$2,788.75
Non-Law Enforcement Vehicle for Project	$36,000.00	$9,000.00	$45,000.00
Public Notice/Victims' rights Informational	$2,880.00	$720.00	$3,600.00
VSTracking Case Management and reporting software	$4,000.00	$1,000.00	$5,000.00
Office Supplies for Project	$2,880.00	$720.00	$3,600.00
Project Total	**$51,543.00**	**$12,885.75**	**$64,428.75**

FINANCIAL IMPACT:
20% match is required and which will be considered in the FY2025 budget planning process.

ATTACHMENTS:
Resolution – Grant Number: 5111701

RESOLUTION _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS APPROVING SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE VICTIMS LIAISON COORDINATOR PROGRAM AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, The Cibolo City Council finds it in the best interest of the citizens of Cibolo, that the **VICTIMS LIAISON COORDINATOR PROGRAM** be operated for the FY 25; and

WHEREAS the Cibolo City Council agrees to provide **Twenty percent (20%) applicable matching** funds for the said project as required by the **VA-VICTIMS OF CRIME ACT FORMULA GRANT PROGRAM** grant application; and

WHEREAS, the Cibolo City Council agrees that in the event of loss or misuse of the Office of the Governor funds, Cibolo City Council assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the Cibolo City Council designates the Executive Director of Safety and Infrastructure 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 Cibolo City Council approves submission of the grant application for the **VICTIMS LIAISON COORDINATOR PROGRAM** to the Office of the Governor.

PASSED AND ADOPTED by the City Council of the City of Cibolo on the 27th day of February, 2024.

APPROVED:

_____

Mark Allen, Mayor

ATTEST:

_____

Peggy Cimics, TRMC, City Secretary

Grant Number: **5111701**

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City Council of the City of Cibolo, Texas approving submission of a Grant Application to the Office of the Governor for the Public Safety Project and designating an authorized official. (Ms. Miranda)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12E

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12E Res. Grant Appl. Public Safety.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Consider a Resolution authorizing the submission of a grant application to the Office of the Governor for the **Public Safety Project (FY2025)** and agree to designate an official to administer the grant.

ITEM SUMMARY:
The purpose of this program is to promote public safety, reduce crime, and improve the criminal justice system.

The objectives of the program are to:

- Crime Prevention and Education – Includes cultivating an individualized, understanding-based system that takes a multi-pronged approach, infused with basic life skills and alternative tracks to crime prevention.
- State Priority Areas include:
  a. Life-skills Training Programs
  b. Community-based Prevention Programs

Proposed Project Budget

Request	**OOG Funds**	**Cash Match**	**Total**
Audio Visual System and Accessories for Police Department Security Access	$45,731.53	0.00	$45,731.53
2 LED Fixed speed trailers with wireless configuration	$23,619.60	0.00	$23,619.60
Project Total	**$69,351.13**	**0.00**	**$69,351.13**

FINANCIAL IMPACT:
NO match is required.

ATTACHMENTS:
Resolution – Grant Number: 4972301

RESOLUTION _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS APPROVING SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE PUBLIC SAFETY PROJECT AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, The Cibolo City Council finds it in the best interest of the citizens of Cibolo, that the **Public Safety Project** be operated for the FY 25; and

WHEREAS, the Cibolo City Council agrees to provide **NO applicable matching** funds for the said project as required by the HS Homeland Security Grant Program grant application; and

WHEREAS, the Cibolo City Council agrees that in the event of loss or misuse of the Office of the Governor funds, Cibolo City Council assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, the Cibolo City Council designates the Executive Director of Safety and Infrastructure 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 Cibolo City Council approves submission of the grant application for the Public Safety Project to the Office of the Governor.

PASSED AND ADOPTED by the City Council of the City of Cibolo on the 27th day of February 2024.

APPROVED:

_____

Mark Allen, Mayor

ATTEST:

_____

Peggy Cimics, TRMC, City Secretary

Grant Number: **4972301**

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving and directing the City Attorney to represent the City of Cibolo, Texas as an intervening co-plaintiff joining fifteen other cities as plaintiff in City of Grand Prairie, et. al v. The State of Texas, pending in the 261st Judicial District of Travis County, Texas, challenging Senate Bill 2038 as invalid, unconstitutional, and void. (Mr. Reed)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12F

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12F Res. Senate Bill 2038.pdf

"City of Choice"

RESOLUTION NO._____

RESOLUTION OF THE CITY OF CIBOLO, TEXAS, APPROVING AND DIRECTING THE CITY ATTORNEY TO REPRESENT THE CITY OF CIBOLO, TEXAS AS AN INTERVENING CO-PLAINTIFF JOINING FIFTEEN OTHER CITIES AS PLAINTIFF IN *CITY OF GRAND PRAIRIE V. THE STATE OF TEXAS*, PENDING IN THE 261ST JUDICIAL DISTRICT OF TRAVIS COUNTY, TEXAS, CHALLENGING SENATE BILL 2038 AS INVALID, UNCONSTITUTIONAL, AND VOID; PROVIDING FOR REPEAL AND SEVERABILITY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo ("City") is a Texas Home Rule Municipality, as defined by applicable law; and

WHEREAS, the City Council finds that on October 25, 2023, the City of Grand Prairie filed a lawsuit in Travis County to have S.B. 2038 declared unconstitutional and void; and,

WHEREAS, the City Council finds S.B. 2038, which went into effect on September 1, 2023, generally authorizes residents of a city's extraterritorial jurisdiction ("ETJ") to petition for removal from the city's ETJ under certain circumstances; and

WHEREAS, the City Council finds that among other things, the Plaintiff cities argue that S.B. 2038 violates the "separation of powers" doctrine in the Texas Constitution by delegating legislative decisions to private property owners, violates due course of law for being unconstitutionally vague and for lack of notice and an opportunity for property owners to be heard, and conflicts with existing state law requiring city council consent for the reduction in size of a city's ETJ; and

WHEREAS, the City Council finds that by intervening, it will join the cities of Anna, Auburn, Brownsville, Bulverde, Clyde, Crandall, Denson, Denton, Grand Prairie, Hutto, Kaufman, Lockhart, McKinney, Navasota, Van Alstyne ("Plaintiff cities"), as Plaintiffs; and

WHEREAS, the City Council finds the legal arguments of the Plaintiff cities are well supported by legal authorities, both statutory and common law; and

WHEREAS, the City Council finds that the City of Cibolo, Texas is similarly situated with the Plaintiff cities, and will equally suffer the same harm as presented by the Plaintiff cities in its Amended Original Petition, making it necessary for the Cit to join in the pending suit to protect its ETJ from being illegally deminished.

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

1, The statements set forth in and by reference in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

2. The City Attorney is authorized to represent the City of Cibolo, Texas in the *Grand Prairie v. State of Texas* lawsuit pending in Travis County, Texas, challenging SB 2038, and may file all necessary and appropriate pleadings, motions and other filings on behalf of the city, and must continue to do so, through any appeal, until a final unappealable judgment is obtained, or as further directed by the City Council.

3. The City Attorney's is authorized to charge the city the flat rate of $160 per hour for work performed in connection with this matter.

4. This Resolution shall be and is hereby cumulative of all other resolutions of the Corporation and this Resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

5. If any section, subsection, sentence, clause, or phrase of this Resolution shall for any reason is held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

6. The meeting at which this Resolution passed was conducted in compliance with the Texas Open Meetings Act.

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7. This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Cibolo, Texas.

PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 27th DAY OF FEBRUARY 2024.

MARK ALLEN
Mayor

ATTEST:

PEGGY CIMICS, TRMC
City Secretary

APPROVED AS TO FORM:

Hyde Kelley LLP
City Attorney

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving the acquisition of a 22.683-acre tract of land in the City of Cibolo, Texas described as Lot 1 Block 2 of the final subdivision plat establishing FM 1103 and Main Street Commercial, a subdivision in Guadalupe County, Texas according to the map or plat thereof, recorded in the map and plat records of Guadalupe County, Texas in book/volume 8 on page 453-458; authorizing the City Manager to execute all customary closing documents and to dispense public funds. (Ms. Lee)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12G

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12G Res. HEB Conveyance of Land.pdf

CITY COUNCIL
AGENDA ITEM: HEB CONVEYANCE OF LAND

MEETING DATE: February 27, 2024

STAFF: Kelsee Jordan Lee, Planning & Economic Development Director
Susana Huerta, Assistant Planning Director

REQUEST: Approve/Disapprove of a Resolution by the City of Cibolo, Texas approving the acquisition of a 22.683-acre tract of land in the City of Cibolo, Texas described as Lot 1 Block 2 of the final subdivision plat establishing FM 1103 and Main Street Commercial, a subdivision in Guadalupe County, Texas according to the map or plat thereof, recorded in the map and plat records of Guadalupe County, Texas in book/volume 8 on page 453-458; authorizing the City Manager to execute all customary closing documents approved as to form by the city attorney's office, authorizing the city manager to dispense public funds; providing for repeal and severability; determining that the meeting at which this resolution was passed was conducted in compliance with the Texas Open Meetings Act; and providing an effective date.

COUNCIL ACTION: Approval/Disapproval of the land conveyance

PROPERTY INFORMATION:
Owners: H-E-B, LP
Location/Area: FM 1103 and Main Street Commercial Subdivision
Council District: 7
Existing Zoning: C-3 Retail / Office District

FINDINGS:
The plat of FM 1103 and Main Street Commercial Subdivision was recorded on February 22, 2016. Lot 1, Block 2, which is 22.683 acres in size was designated as a Drainage Easement, Open Space and Greenbelt on the plat. H-E-B, LP has offered to transfer title of Lot 1, Block 2, which is located adjacent to the Cibolo H-E-B Store location. The 22.68-acre tract is generally undeveloped and located in a low-lying area.

The property includes a walking trail which was constructed by H-E-B and a pond. The City desires to accept the property as an added amenity to the City's park system. This initiative supports the City Council's Strategic Plan to provide additional park and recreation amenities to residents. Guiding Principle #4 of the Strategic Plan is Quality of Life and states that *"The City of Cibolo will strive to create and sustain safe and well-kept neighborhoods and parks, while also providing recreational activities for all-ages to create memorable experiences."* Increasing City park land and infrastructure available to the public promotes a healthy lifestyle for citizens who use the park and promotes the beautification of the City with open space and additional public facilities.

A selection of action items and goals from the Strategic Plan related to this effort are included below for reference:

- **1.4.2** Explore options to enhance the pond near H-E-B; provide options to Council for consideration (and include in Parks and Rec. Master Plan)
- **4.1** Promote active lifestyles for all ages by providing opportunities to recreate
- **4.1.2** Develop a trail system that connects neighborhoods and commercial areas
- **4.2.8** Develop a neighborhood parks range of features so that as local parks develop, the features complement, rather than duplicate one another
- **4.4** Provide unique outdoor experiences - "Memorable Experiences"

In addition to providing recreation amenities and the health benefits it brings to Cibolo residents, acquiring the property will also support the City' interest in protecting the regional drainage system and the ability to make improvements as needed. The property would be restricted to park and public uses by deed restrictions and a reverter clause. The property is also located within an existing municipal utility district (MUD) but does not appear to affect the City's proposed park/public uses.

An existing Texas Department of Transportation (TxDOT) easement may need to be revised to accommodate planned road and drainage improvements along with an easement agreement with H-E-B for continued stormwater drainage onto the property. These items would be considered as needed. H-E-B is proposing to transfer the property without a warranty. In discussions with representatives of TxDOT, the lack of a warranty does not appear to be a large concern for their needs, and City staff will continue to work with TxDOT for this separate item to support the expansion of FM 1103.

COUNCIL ACTION:

1. **Approve** the conveyance of 22.683 acres to the City of Cibolo.
2. **Deny** the conveyance of 22.683 acres to the City of Cibolo.

ATTACHMENTS:

- Resolution
- Deed Without Warranty

RESOLUTION NO._____

RESOLUTION BY THE CITY OF CIBOLO, TEXAS APPROVING THE ACQUISITION OF A 22.683-ACRE TRACT OF LAND IN THE CITY OF CIBOLO, TEXAS DESCRIBED AS LOT 1 BLOCK 2 OF THE FINAL SUBDIVISION PLAT ESTABLISHING FM 1103 AND MAIN STREET COMMERCIAL, A SUBDIVISION IN GUADALUPE COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS IN BOOK/VOLUME 8 ON PAGE 453-458; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL CUSTOMARY CLOSING DOCUMENTS APPROVED AS TO FORM BY THE CITY ATTORNEY'S OFFICE, AUTHORIZING THE CITY MANAGER TO DISPENSE PUBLIC FUNDS; PROVIDING FOR REPEAL AND SEVERABILITY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo ("City") is a Texas Home Rule Municipality, as defined by applicable law; and

WHEREAS, the City Council finds H-E-B, LP, owns certain property within the City; and

WHEREAS, the City Council finds H-E-B, LP, desires to convey a 22.683-acre tract of land in the City described as Lot 1 Block 2 of the final subdivision plat establishing FM 1103 and Main Street commercial, a subdivision in Guadalupe County, Texas ("the Property"); and

WHEREAS, the City Council finds the Property suitable and desired to acquire the property for use as a public park and trailhead parking area;

WHEREAS, the City Council finds the expenditure of funds as necessary for the acquisition and related closing costs, if any, related to acquiring the Property is a proper use of municipal funds and the City Manager should be authorized to expend the funds necessary to acquire and close the property transaction; and

WHEREAS, the City Council finds adding a 22.683-acre tract of land to the city park system is in the best interest of the citizens of the municipality and increases the municipality park land and infrastructure available to the public, promotes a healthy lifestyle for its citizens who will

make use of the park and its infrastructure, and promotes the beautification of the city with open space and additional public facilities; and

WHEREAS, the City Council finds that all conditions precedent for the property acquisition have been fulfilled.

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

1, The statements set forth in and by reference in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

2. The acquisition of the Property is approved.

3. The City Manager is hereby authorized to execute the deed of conveyance (attached to this Resolution as Attachment 1 and incorporated into this Resolution as if restated verbatim herein) and all customary closing documentation, approved as to form by the City Attorney's Office.

4. The City Manager is authorized to expend the funds necessary to acquire and close the property transaction.

5. This Resolution shall be and is hereby cumulative of all other resolutions of the Corporation and this Resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

6. If any section, subsection, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

7. The meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

[THIS SPACE LEFT INTENTIONALLY BLANK]

8. This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Cibolo, Texas.

PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 27th DAY OF FEBRUARY 2024.

_____
MARK ALLEN
Mayor

ATTEST:

_____
PEGGY CIMICS, TRMC
City Secretary

APPROVED AS TO FORM:

_____
GEORGE HYDE, City Attorney
Hyde Kelley LLP

DEED WITHOUT WARRANTY

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: _____, 2024

Grantor: **H-E-B, LP**, a Texas limited partnership

Grantor's Mailing Address: 646 S. Flores Street, San Antonio, Bexar County, Texas 78204

Grantee: **CITY OF CIBOLO, TEXAS,** Texas home rule municipality

Grantee's Mailing Address: 200 South Main Street, Cibolo, Guadalupe County, Texas 78108

Consideration: TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property: That certain approximately 22.683 acre tract of land in the City of Cibolo, Guadalupe County, Texas, legally described on **Exhibit "A"** attached hereto and incorporated herein.

Exceptions to Conveyance and Warranty: This conveyance is expressly made and accepted subject to all easements, rights of way, liens, restrictions, covenants and other matters of public record affecting the Property, including but not limited to, that certain Variable Width Drainage and Floodway Easement created by that certain Final Subdivision Plat of FM 1103 and Main Street Commercial, a subdivision of Guadalupe County, Texas, according to the map or plat thereof recorded under Document No. 2016003593 of the Map and Plat Records of Guadalupe County, Texas (the "Plat") and all other easements, rights of way, restrictions covenants and other matters appearing on the Plat.

If requested by Grantor, Grantee shall grant to Grantor a storm water or drainage easement for drainage from Grantor's property to the Property in a location reasonably requested by Grantor.

Grantor, for the Consideration and subject to the Reversionary Interest (defined below) and the Exceptions to Conveyance and Warranty referenced above, hereby grants and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, without express or implied warranty, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns for so long as the Property is not used for any purpose other than for a public park (the "Public Park Use"). All warranties that might arise by common law, as well as the warranties in Section 5.023 of the Texas Property Code (or its successor statute), are expressly excluded.

Grantee hereby agrees that it shall construct the public park, park improvements, and trailhead parking lot (collectively, the "Park Work") on the Property, at Grantee's cost and expense, as provided herein and in accordance with the plans ("Plans") attached hereto as **Exhibit "B"**.

Grantee shall construct the Park Work in accordance with the approved Plans and shall open the trailhead parking lot to the public no later than six (6) months following the date hereof. Any material modifications to the Plans or to the Park Work, or construction of new improvements on the Property, shall be subject to Grantor's prior written consent; provided, however, that Grantor's prior written consent shall not be required for Grantee's maintenance and/or landscaping of the Park Work or for the installation of a playscape on the Property. The Park Work shall be deemed completed after Grantee's completion of the Park Work and certification of such completion by Grantee's engineer, as confirmed and agreed to in writing by Grantor (the "Completion Certification"). The Completion Certification shall be issued to Grantor promptly after completion of the Park Work.

If Grantee does not construct and open the public park and trailhead parking lot on the Property in accordance with the terms, provisions, and conditions herein on or before _____, 2024 or if the Property is used for any purpose other than as the Public Park Use, then in either event title to the Property shall automatically and immediately vest in Grantor or its successors and assigns (such interest referred to herein as the "Reversionary Interest"); provided further that if (a) the Reversionary Interest has not vested on the date that is twenty-one (21) years after the death of the last survivor of the now living descendants of Charles III, King of England, and (b) Texas law as applied at such time makes the Reversionary Interest subject to the rule against perpetuities, then the Reversionary Interest shall be deemed to have lapsed and terminated on the date that falls 21 years after the death of the last survivor of the now living descendants of Charles III, King of England. If Grantee requests a clarification by Grantor as to whether an ancillary use is permitted under the Public Park Use, Grantee may submit such proposed use and request for clarification to Grantor for Grantor's consideration, which consideration shall be in Grantor's sole discretion.

When the context requires, singular nouns and pronouns include the plural.

[Signature Pages Follow]

Grantor:

H-E-B, LP,
a Texas limited partnership

By: _____
Name: Benjamin R. Scott
Title: Group Vice President of Real Estate and Shopping Center Development

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on the _____ day of _____, 2024, by Benjamin R. Scott, the Group Vice President of Real Estate and Shopping Center Development of H-E-B, LP, a Texas limited partnership, on behalf of said limited partnership.

_____
Notary Public, State of Texas
My commission expires: _____

Grantee:

City of Cibolo,
a Texas home rule municipality

By: _____
Name: Mark Allen
Title: Mayor

STATE OF TEXAS §
§
COUNTY OF GUADALUPE §

This instrument was acknowledged before me on the _____ day of _____, 2024, by Mark Allen, in his capacity as Mayor of the City of Cibolo, on behalf of said municipality.

_____
Notary Public, State of Texas
My commission expires: _____

After recording return to:

City of Cibolo
Attn: City Attorney
200 South Main Street
Cibolo, Texas 78108

EXHIBIT "A"

Lot 1 Block 2 of the Final Subdivision Plat Establishing FM 1103 and Main Street Commercial, a subdivision in Guadalupe County, Texas according to the map or plat thereof, recorded in the Map and Plat Records of Guadalupe County, Texas in Book/Volume 8 on Page 453-458.

BURY

70 NE Loop 410, Suite1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1046
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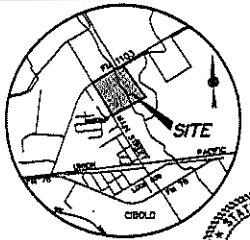
FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.83 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1318, PAGE 790, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA MCUSAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 622, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 595, PAGE 705 OF SAID DEED RECORDS.

VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS



LEGEND

- ● 1/2" IRON ROD FOUND (UNLESS NOTED)
- ○ 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BHI" (UNLESS NOTED)
- ■ MONUMENT FOUND (TxDOT)
- □ MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
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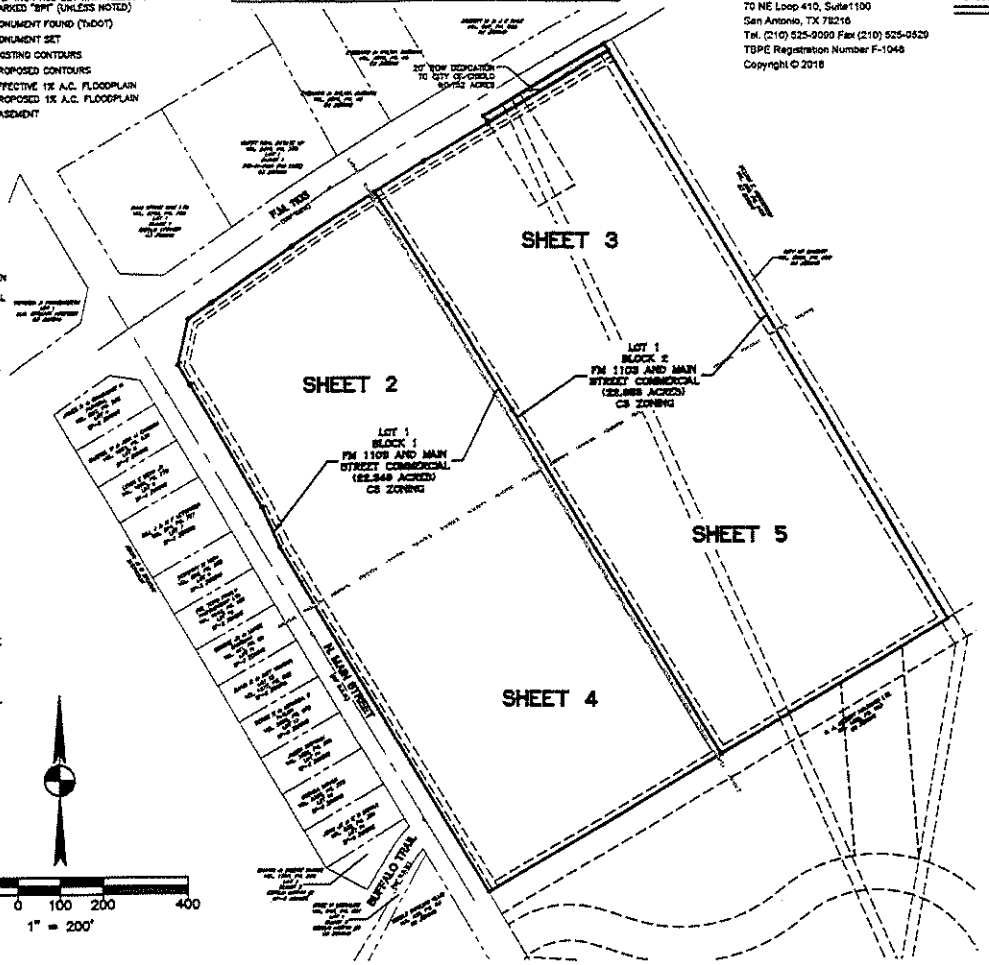
C2	01°22'02"	5669.58'	135.29'	N38°29'28"E	135.29'



INDEX MAP

PROPOSED 1 COMMERCIAL LOT AND 1 OPEN SPACE/GREENBELT/DRAINAGE EASEMENT LOT, 2 BLOCKS

DATE REVISED: AUGUST 6, 2015

200 0 100 200 400
1" = 200'

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY COUNCIL OF THE CITY OF CIBOLO.

02/03/16
DATE

MARK R. JOHNSON, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 82650
922 ISOM RD, SAN ANTONIO, TX 78216

SWORN TO & SUBSCRIBED BEFORE ME THIS THE 3rd DAY OF February, A.D. 2016

NOTARY PUBLIC
STATE OF TEXAS

ANNA M. McKENNEY
Notary Public State of Texas
My Commission Expires
OCTOBER 22, 2017

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

2/4/16
DATE

MAL B. LANE, III, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4690
922 ISOM RD, SAN ANTONIO, TX 78216

SWORN TO & SUBSCRIBED BEFORE ME, THIS THE 4th DAY OF February, A.D. 2016

NOTARY PUBLIC
STATE OF TEXAS

ANNA M. McKENNEY
Notary Public State of Texas
My Commission Expires
OCTOBER 22, 2017

STATE OF TEXAS
COUNTY OF GUADALUPE

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS (EXCEPT THOSE EASEMENTS CREATED BY SEPARATE INSTRUMENT OR IDENTIFIED AS PRIVATE) AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER: TODD A. PLAND, EXECUTIVE VICE PRESIDENT
H-E-B GROCERY COMPANY, LP

STATE OF TEXAS
COUNTY OF GUADALUPE

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Todd A. Pland KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8th DAY OF February, A.D. 2016

NOTARY PUBLIC
STATE OF TEXAS

TXDOT NOTES:

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING AND ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY.
3. A MAXIMUM COMBINED TOTAL OF TWO (2) ACCESS POINTS WILL BE ALLOWED TO THE STATE HIGHWAY IN THE LOCATIONS SHOWN ON THE PLAT, BASED ON AN OVERALL HIGHWAY FRONTAGE OF APPROXIMATELY 1,290 FEET. THE WESTERN DRIVEWAY WILL BE RESTRICTED TO RIGHT TURNING MOVEMENTS ONLY. THE EASTERN DRIVEWAY WILL BE A FULL ACCESS DRIVEWAY WITH TRAFFIC SIGNAL TO BE INSTALLED BY THE DEVELOPER, ONCE SIGNAL WARRANTS ARE MET, AND ALIGN WITH THE ACCESS POINT ON THE NORTH SIDE OF THE STATE HIGHWAY. GEOMETRIC DESIGN OF THE ROADWAY AND AUXILIARY LANES WILL BE BASED ON TXDOT'S ACCESS MANAGEMENT MANUAL, ROADWAY DESIGN MANUAL, AND TRAFFIC IMPACT ANALYSES TO BE SUBMITTED FOR TXDOT REVIEW. THIS MODIFIED ACCESS IS BEING ALLOWED BASED ON THE FLOODPLAIN CONSTRAINTS AND UNDERSTANDING THAT WITH A FUTURE EXTENSION OF FM 1103, THE CITY OF CIBOLO WILL TRANSFER THIS SEGMENT OF HIGHWAY FROM THE STATE HIGHWAY SYSTEM TO THE CITY STREET SYSTEM. FURTHER, THIS ACCESS IS BEING ALLOWED BASED ON THIS BEING A GROCERY STORE DEVELOPMENT. IF A DEVELOPMENT OTHER THAN A GROCERY STORE OCCUPIES THE PROPERTY, THE MAXIMUM ACCESS POINTS TO THE STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TXDOT'S ACCESS MANAGEMENT MANUAL AND TRAFFIC IMPACT ANALYSIS, SUBMITTED FOR TXDOT REVIEW, SPECIFIC TO THE ULTIMATE DEVELOPMENT PROPOSED.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TXDOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER.

GVEC NOTES:

1. EACH LOT IS SUBJECT TO A FLOATING 10' WIDE BY 30' LONG ELECTRIC GUY WIRE EASEMENT TO BE LOCATED BY GVEC.
2. ALL UTILITY EASEMENTS ARE FOR CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), READING OF METERS, AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.

THIS PROPOSED DEVELOPMENT HAS BEEN REVIEWED AND APPROVED BY THE CIBOLO CREEK MUNICIPAL AUTHORITY (CCMA) FOR WASTEWATER TREATMENT PLANT CAPACITY AND EASEMENTS. ALL FEES DUE FOR IMPACT TO THE SYSTEM AT TIME OF CONNECTION WILL BE CALCULATED AT SUBMITTAL OF BUILDING PERMIT APPLICATION.

BY: _____
AGENT FOR CIBOLO CREEK MUNICIPAL AUTHORITY

THIS SUBDIVISION PLAT OF FM 1103 and Main Street HAS BEEN SUBMITTED TO AND APPROVED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC., FOR EASEMENTS.

BY: _____
AGENT FOR GUADALUPE VALLEY ELECTRIC COOP., INC.

CERTIFICATION OF APPROVAL/DISAPPROVAL AND RECOMMENDATIONS

RECOMMENDED FOR APPROVAL/DISAPPROVAL THIS 9 DAY OF February A.D. 2016 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF CIBOLO.

BY: _____
CHAIRMAN PLANNING & ZONING

BY: _____
SECRETARY PLANNING & ZONING

STATE OF TEXAS
COUNTY OF GUADALUPE

THE CITY ENGINEER OF THE CITY OF CIBOLO HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED

DATED THIS 10th DAY OF February, A.D. 2016

BY: _____
CITY ENGINEER
TX #79559

THIS PLAT OF FM 1103 AND MAIN St. Commercial HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF CITY OF CIBOLO, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED THIS 16 DAY OF February A.D. 2016

BY: _____
MAYOR

BY: _____
CITY SECRETARY

STATE OF TEXAS
COUNTY OF GUADALUPE

2016003593

I, Teresa Kiel COUNTY CLERK OF GUADALUPE COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE 23rd DAY OF February A.D. 2016 AT 12:20PM AND DULY RECORDED THE 23rd DAY OF February A.D. 2016 AT 12:20PM IN THE RECORDS OF Plat Records OF SAID COUNTY, IN BOOK/VOLUME _____ ON PAGE 165 - 169 OF SAID COUNTY, IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS THE 23rd DAY OF February A.D. 2016

COUNTY CLERK, Teresa Kiel
GUADALUPE COUNTY, TEXAS

BY: C Nelson
DEPUTY

Date: Feb 03, 2016, 8:38am User ID: dclark
File: Q:\100010\30232\PLAT\100010232PLAT(2).dwg

V8P454

FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.63 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 750, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HEUSINKVELD SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 622, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 595, PAGE 708 OF SAID DEED RECORDS.

BURY
70 NE Loop 410, Suite1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1045

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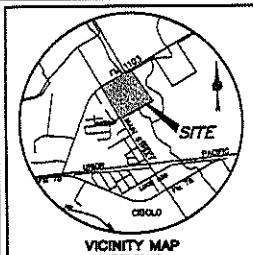
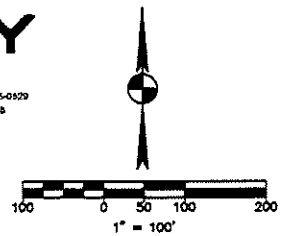
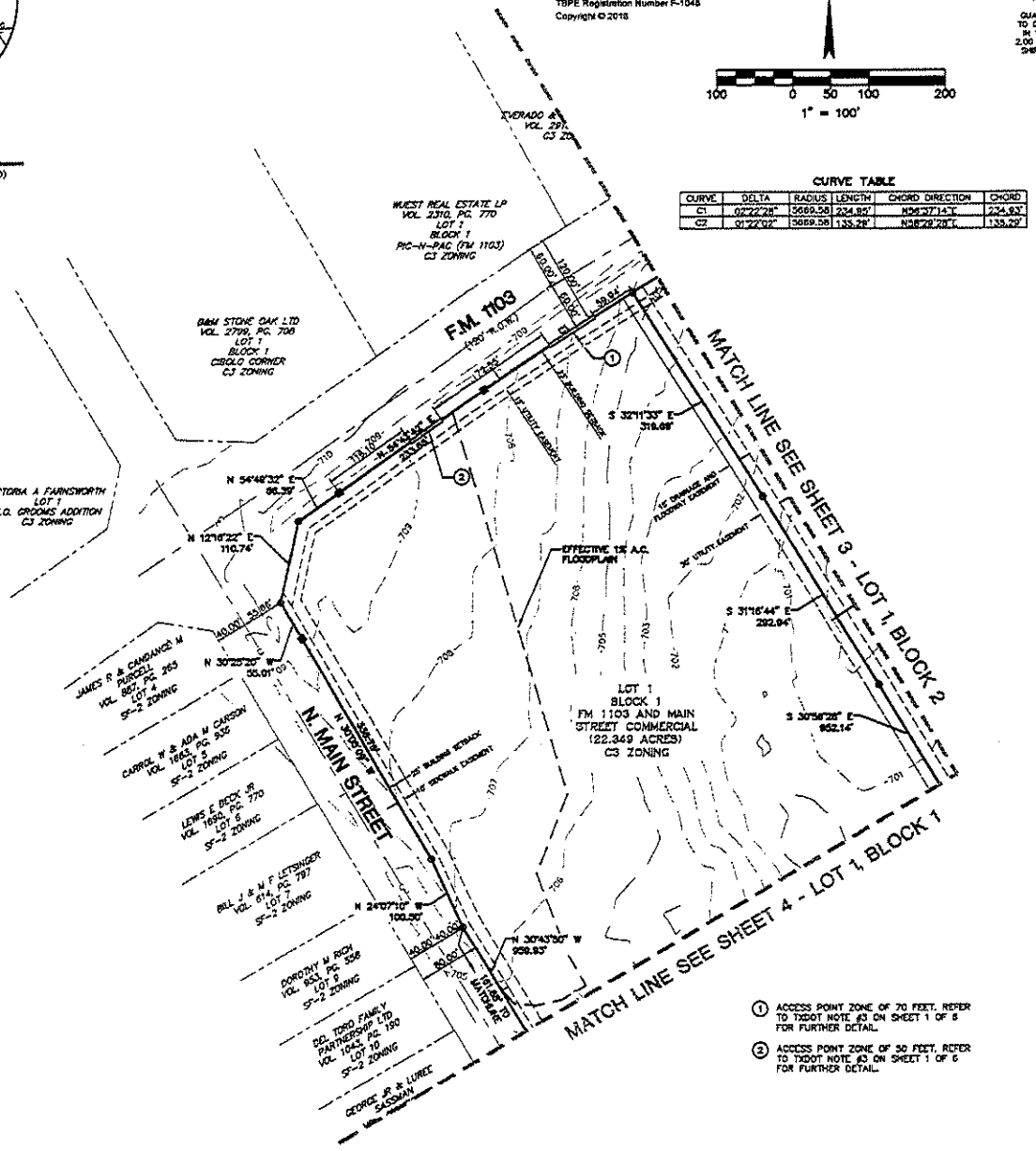


VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BRY" (UNLESS NOTED)
- MONUMENT FOUND (TxDOT)
- MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT




F.M. 1103
N. MAIN STREET
MATCH LINE SEE SHEET 3 - LOT 1, BLOCK 2
MATCH LINE SEE SHEET 4 - LOT 1, BLOCK 1
LOT 1
BLOCK 1
FM 1103 AND MAIN
STREET COMMERCIAL
(22.349 ACRES)
C3 ZONING
EFFECTIVE 1% A.C.
FLOODPLAIN
WEST REAL ESTATE LP
VOL. 2310, PG. 770
LOT 1
BLOCK 1
PIC-N-PAC (FM 1103)
C3 ZONING
B&H STONE OAK LTD
VOL. 2799, PG. 706
LOT 1
BLOCK 1
CIBOLO CORNER
C3 ZONING
VICTORIA A FARNSWORTH
LOT 1
M.O. GROOMS ADDITION
C3 ZONING
JAMES R & CANDANCE M PURCELL
VOL. 867, PG. 263
LOT 4
SF-2 ZONING
CARROL W & ADA M CARSON
VOL. 1663, PG. 535
LOT 5
SF-2 ZONING
LEWIS E BECK JR
VOL. 1690, PG. 770
LOT 6
SF-2 ZONING
BILL J & M F LETSINGER
VOL. 614, PG. 797
LOT 7
SF-2 ZONING
DOROTHY M ROY
VOL. 933, PG. 556
LOT 8
SF-2 ZONING
DD TORD FAMILY PARTNERSHIP LTD
VOL. 1043, PG. 190
LOT 10
SF-2 ZONING
GEORGE JR & LUREE SASSMAN
N 54°46'32" E
86.39'
N 12°16'22" E
110.74'
N 30°25'20" W
35.01'
N 24°07'10" W
100.50'
N 30°43'30" W
958.83'
S 32°11'33" E
318.08'
S 31°16'44" E
282.94'
S 30°58'28" E
952.14'
N 54°46'32" E
118.10'
N 54°46'32" E
233.05'
S 54°46'32" W
40.00'
S 35°13'28" E
40.00'
S 54°46'32" W
40.00'
S 35°13'28" E
40.00'
S 54°46'32" W
50.00'
S 35°13'28" E
50

V8 P455

FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

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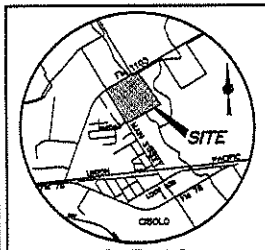
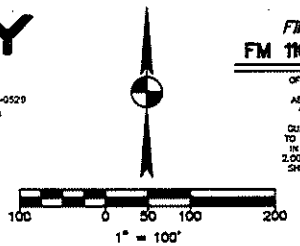


VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS



LEGEND

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- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- MONUMENT FOUND (TxDOT)
- MONUMENT SET
- EXISTING CONTOURS
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CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
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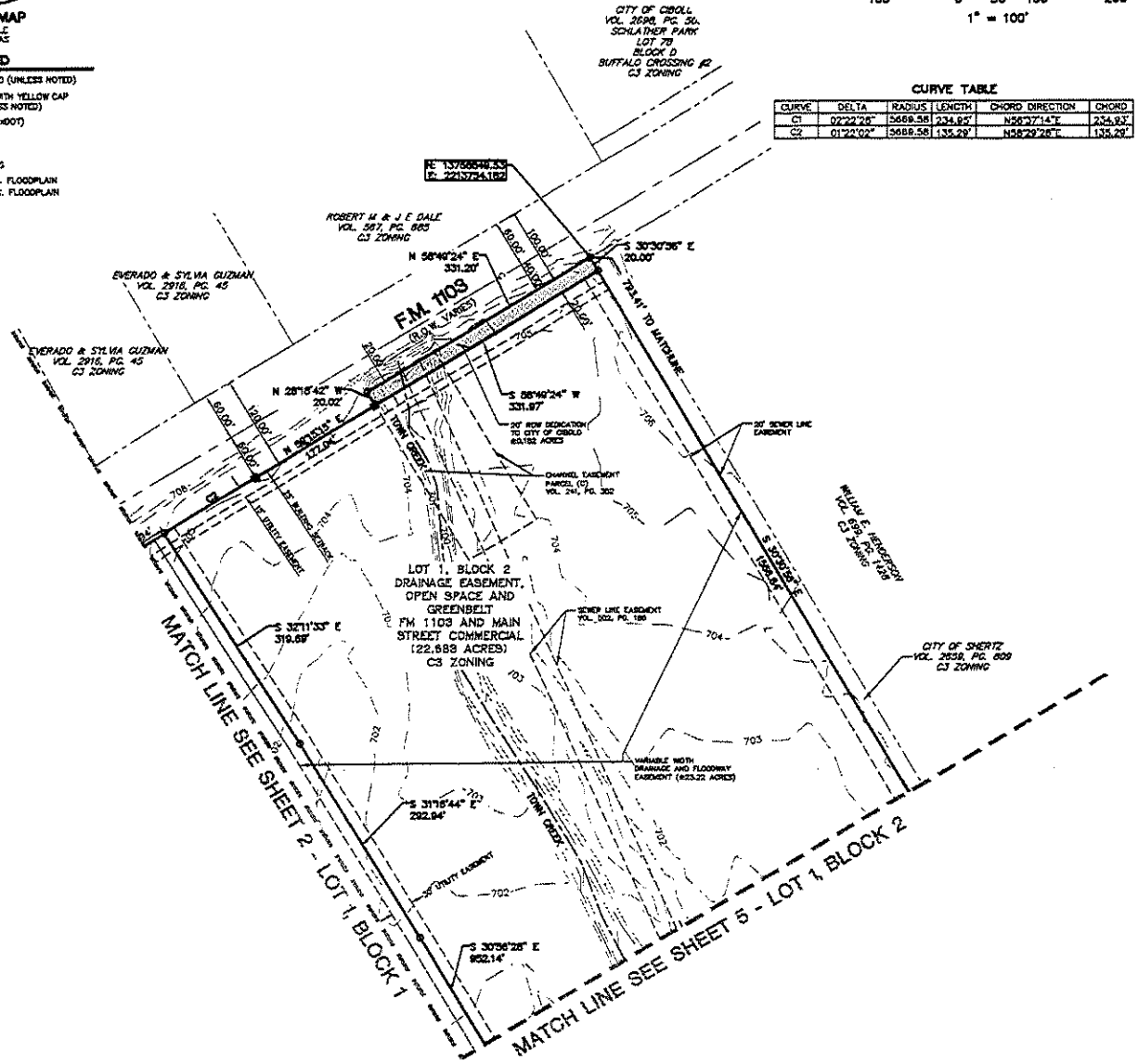

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREE AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS 30°43'30"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (HARN), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH 1/2" REBAR W/ BURY D-R 5" PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL MOW AND MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO RENAME STREETS AND/OR CHANGE HOUSE NUMBER DUE TO INCOMPATIBILITY WITH EXISTING NAME LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
13. LOT SQUARE FOOTAGES SHOWN HEREON WERE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED INCREASE IN ACREAGE ACCURACY BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON. (45.184 AC.)
14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-3.
16. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
17. PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
18. THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH, ANY FEDERAL PERMIT.
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20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THIS. IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
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23. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE SIDEWALKS WITH HANDICAP RAMPS ALONG N. MAIN STREET AND F.M.1103 AS REQUIRED BY THE CITY OF CIBOLO AND TxDOT, WHERE PRACTICAL.
24. LOT 1, BLOCK 2 IS REGULATED BY THE DRAINAGE AND FLOODWAY EASEMENT NOTE AS SHOWN ON SHEET 6 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HEROIN THAT ARE GRANTED BY SEPARATE INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH EASEMENTS AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF THE SEPARATE INSTRUMENT.
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27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 19, 2015, CASE NO. 15-06-2156R.

Date: Feb 03, 2016, 8:36am User ID: dstark
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V8 P456

BURY

70 NE Loop 410, Suite 1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1046
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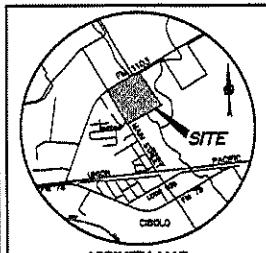
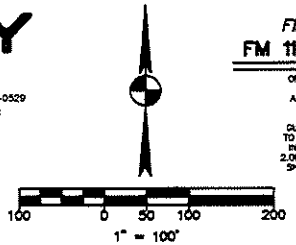
FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID WILLER SURVEY NO. 87, ABSTRACT 229, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HOUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 522, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 395, PAGE 708 OF SAID DEED RECORDS.

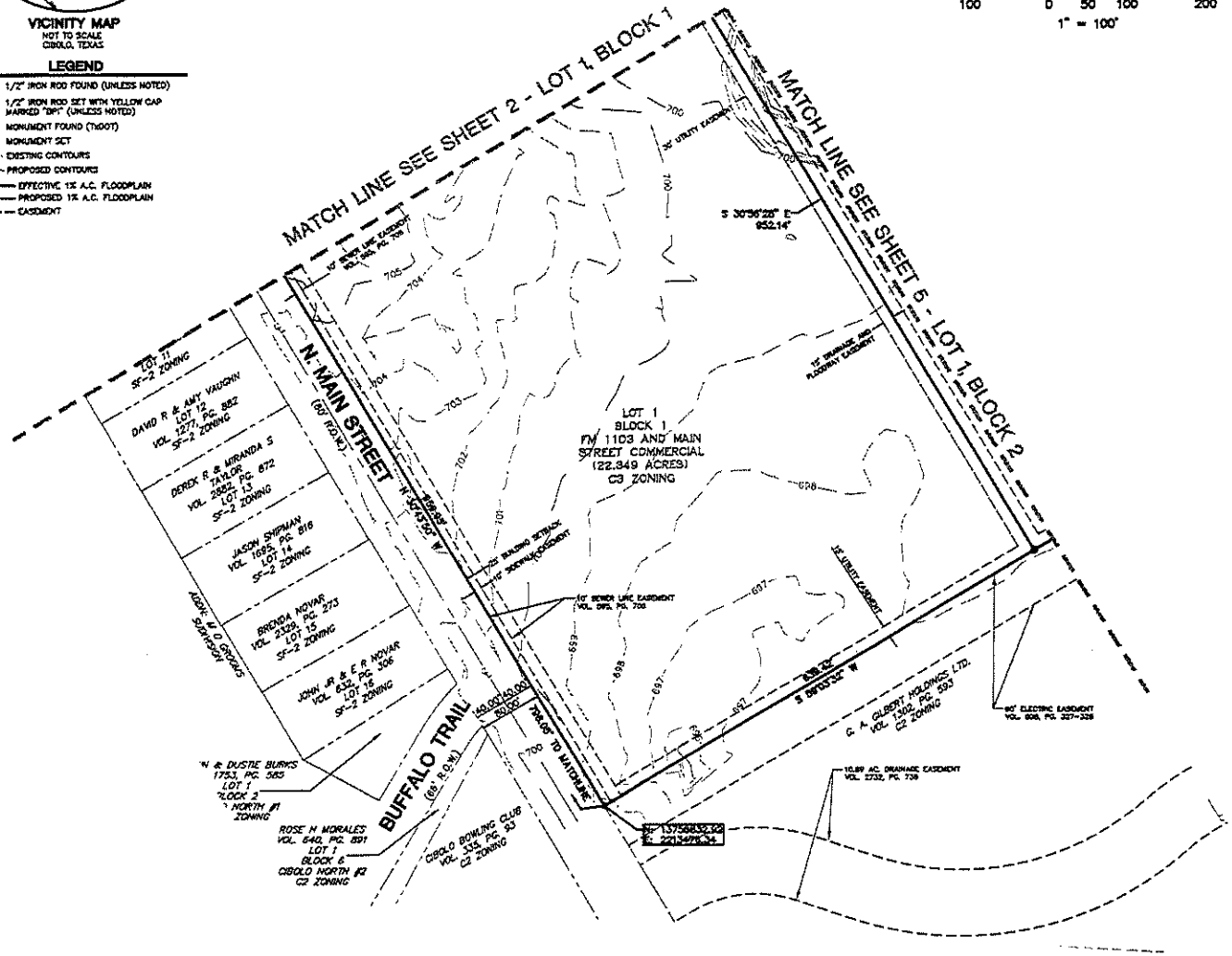


VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS



LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- MONUMENT FOUND (TxDOT)
- MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT



NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREE AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS 30°43'30"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (NAR94), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN. IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH 1/2" REBAR WITH BURY D-R-E PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL MOW AND MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO RENAME STREETS AND/OR CHANGE HOUSE NUMBER DUE TO INCOMPATIBILITY WITH EXISTING NAME LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
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Date: Feb 03, 2016, 9:38am User ID: dshirk
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V&P457

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70 NE Loop 410, Suite1100
San Antonio, TX 78216
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FM 1103 AND MAIN STREET COMMERCIAL

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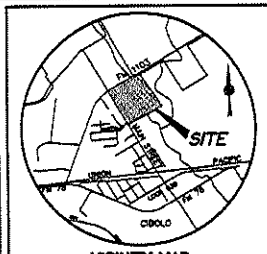

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NOT TO SCALE
CIBOLO, TEXAS

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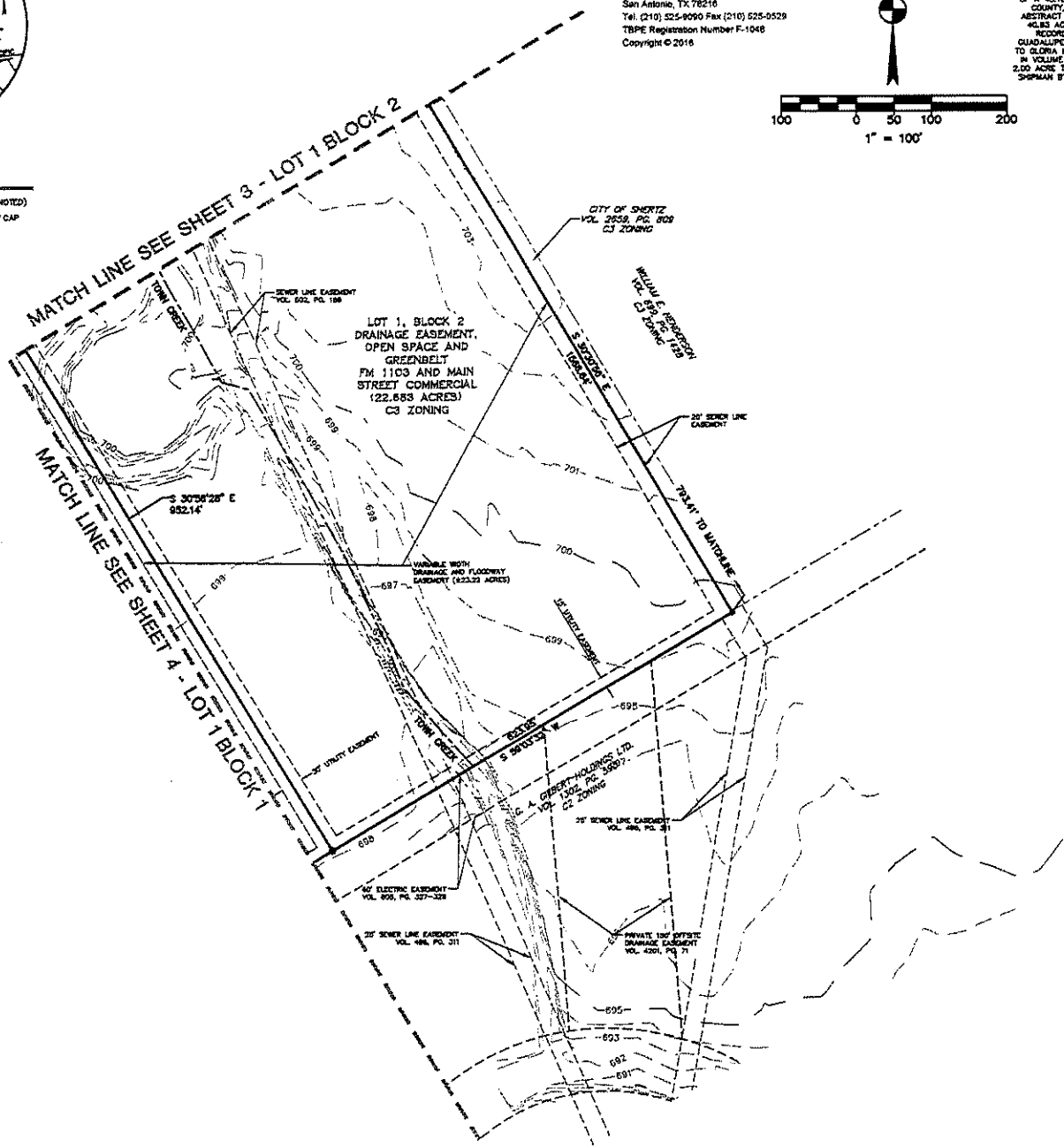

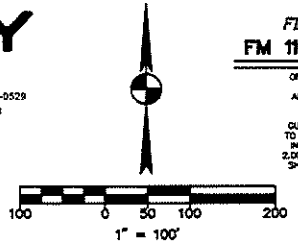

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V8P458

FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

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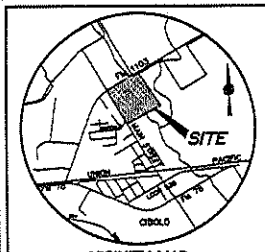

VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

BURY
70 NE Loop 410, Suite1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1046

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VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT MAINTENANCE NOTE:

THE MAINTENANCE OF DRAINAGE EASEMENTS, ACCESS EASEMENTS, GREENBELTS, AND OPEN PERMEABLE PLACES SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND THEIR SUCCESSOR OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF CIBOLO OR GUADALUPE COUNTY. HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO CHANNELIZE OR CONSIDER ERECTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE DRAINAGE, THEN IN SUCH EVENT, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER UPON THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AT ANY POINT, OR POINTS, WITH ALL REASONABLE RIGHTS OF INGRESS AND EGRESS, TO INVESTIGATE, SURVEY, ERECT, CONSTRUCT OR MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR THE CITY FOR DRAINAGE PURPOSES; PROVIDED THAT ANY ACTIVITIES BY THE CITY TO IMPROVE DRAINAGE WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AREA, INCLUDING BUT NOT LIMITED TO THE CONSTRUCTION OF DRAINAGE STRUCTURES, SHALL COMPLY WITH THE CITY'S THEN EXISTING DESIGN AND CONSTRUCTION MANUAL'S REQUIREMENTS FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND SHALL OCCUR SOLELY WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT, AS SHOWN HEREON.

FIELD NOTES FOR FINAL PLAT - FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HEUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 622, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 395, PAGE 708 OF SAID DEED RECORDS; SAID 45.184 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017:

BEGINNING, at a FOUND ½ INCH IRON IN THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET (R.O.W. VARIES), BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 149.22 ACRE TRACT CONVEYED TO G.A. GILBERT HOLDINGS LTD. BY DEED OF RECORD IN VOLUME 1322, PAGE 393 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS, SAME BEING THE SOUTHWESTERLY CORNER OF SAID 40.93 ACRE TRACT;

THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET, BEING THE WESTERLY LINES OF SAID 40.93 ACRE TRACT AND THE WESTERLY LINE OF SAID BOTH 2.00 ACRE TRACTS, THE FOLLOWING COURSES:

N 30° 43' 50" W, A DISTANCE OF 958.93 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 24° 07' 10" W, A DISTANCE OF 100.50 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 30° 05' 09" W, A DISTANCE OF 336.78 FEET TO A FOUND txdot TYPE II CONCRETE MONUMENT;

N 30° 25' 20" W, A DISTANCE OF 55.01 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP AND THE SOUTHERLY CUTBACK CORNER OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103 (R.O.W. VARIES);

THENCE, N 12° 16' 22" E, ALONG THE AFOREMENTIONED CUTBACK CORNER, A DISTANCE OF 110.74 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP IN THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, BEING THE NORTHWESTERLY CORNER OF SAID 40.93 ACRE TRACT;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, THE FOLLOWING COURSES:

N 54° 49' 32" E, A DISTANCE OF 66.39 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 54° 43' 42" E, A DISTANCE OF 233.65 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5669.58 FEET, A CENTRAL ANGLE OF 03° 44' 30", AN ARC LENGTH OF 370.24 FEET AND A CHORD BEARING: N 37° 18' 15" E, A DISTANCE OF 370.17 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 59° 15' 15" E, A DISTANCE OF 177.04 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 28° 18' 42" W, A DISTANCE OF 20.02 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 58° 40' 24" E, A DISTANCE OF 331.20 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP MARKING THE NORTHEASTERLY CORNER OF SAID 40.93 ACRE TRACT, BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 46.34 ACRE TRACT CONVEYED TO WILLIAM E. HENDERSON BY DEED OF RECORD IN VOLUME 899, PAGE 1428 OF SAID DEED RECORDS;

THENCE, S 30° 30' 56" E, LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, ALONG THE COMMON BOUNDARY LINE OF SAID 40.93 ACRE TRACT AND SAID 46.34 ACRE TRACT, A DISTANCE OF 1066.83 FEET TO A FOUND ½ INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER OF SAID 46.34 ACRE TRACT, BEING THE SOUTHEASTERLY CORNER OF SAID 40.93 ACRE TRACT, SAME BEING A POINT IN THE NORTHERLY LINE OF SAID 149.22 ACRE TRACT;

THENCE, S 59° 03' 32" W, ALONG THE COMMON BOUNDARY LINE OF SAID 40.93 ACRE TRACT AND SAID 149.22 ACRE TRACT, A DISTANCE OF 1263.37 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 45.184 ACRES (1,968,194 SQ. FT.) OF LAND, MORE OR LESS.

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREE AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS 30°43'50"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (NAA88), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN. IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH 1/2" REBAR WITH BURY P-# C PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL MOW AND MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO RENAME STREETS AND/OR CHANGE HOUSE NUMBER DUE TO INCOMPATIBILITY WITH EXISTING NAME LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
13. LOT SQUARE FOOTAGES SHOWN HEREON WERE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED INCREASE IN ACREAGE ACCURACY BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON. (45.184 AC.)
14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-3.
16. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
17. PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRECLUDED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
18. THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
19. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEERS.
20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
21. ROUTINE MAINTENANCE OF WEEDS AND GRASS IN ALL EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR PROPERTY OWNER ASSOCIATION ON WHICH THE EASEMENT IS LOCATED IN ACCORDANCE WITH CITY OF CIBOLO CODE OF ORDINANCES PROVISIONS FOR HIGH WEEDS AND GRASS.
22. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 1 FOOT ABOVE 1% ANNUAL CHANCE BASE FLOOD ELEVATION.
23. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE SIDEWALKS WITH HANDICAP RAMPS ALONG N. MAIN STREET AND F.M.1103 AS REQUIRED BY THE CITY OF CIBOLO AND TXDOT, WHERE PRACTICAL.
24. LOT 1, BLOCK 2 IS REGULATED BY THE DRAINAGE AND FLOODWAY EASEMENT NOTE AS SHOWN ON SHEET 6 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HEREON THAT ARE GRANTED BY SEPARATE INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH EASEMENTS AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF THE SEPARATE INSTRUMENT.
26. 10 FOOT SIDEWALK EASEMENT ALONG N. MAIN STREET TO BE DEDICATED TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT WIDE SIDEWALK.
27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 18, 2013, CASE NO. 13-06-2168R.

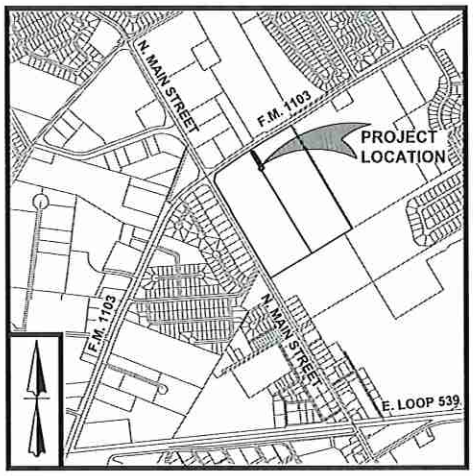
Date: Feb 03, 2015, 8:36am User ID: dclark
File: G:\100010\50252\PLAT\100010252PLAT(6).dwg

EXHIBIT "B"
Plans

TRAILHEAD PARKING AREA AT HEB/FM1103

TRAIL HEAD AT HEB FISHING POND

824 FM 1103, CIBOLO, TEXAS 78108



LOCATION MAP
NOT TO SCALE

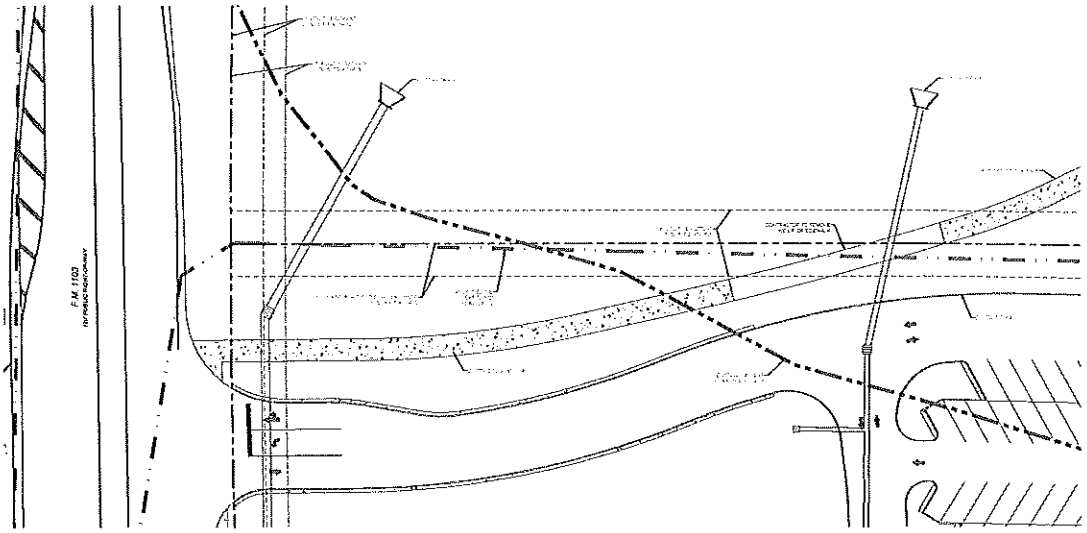
SHEET INDEX	
SHEET NO.	SHEET TITLE
C1.0	COVER SHEET
C1.1	EXISTING CONDITIONS PLAN
C2.0	OVERALL SITE PLAN
C3.0	DIMENSIONAL CONTROL PLAN
C4.0	GRADING & EROSION CONTROL PLAN
C5.0	PAVING PLAN
C5.1	PAVING DETAILS
C6.0	CIVIL DETAIL SHEET

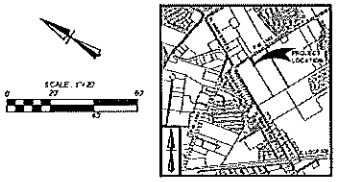
STATE OF TEXAS
TRAVIS R. SMITH
86354
REGISTERED PROFESSIONAL ENGINEER
7/4/23

KFW
ENGINEERS + SURVEYING

KFW JOB NO. - 687-01-XX
SHEET NUMBER: C1.0

DEMOLITION NOTES





LOCATION MAP
NOT TO SCALE

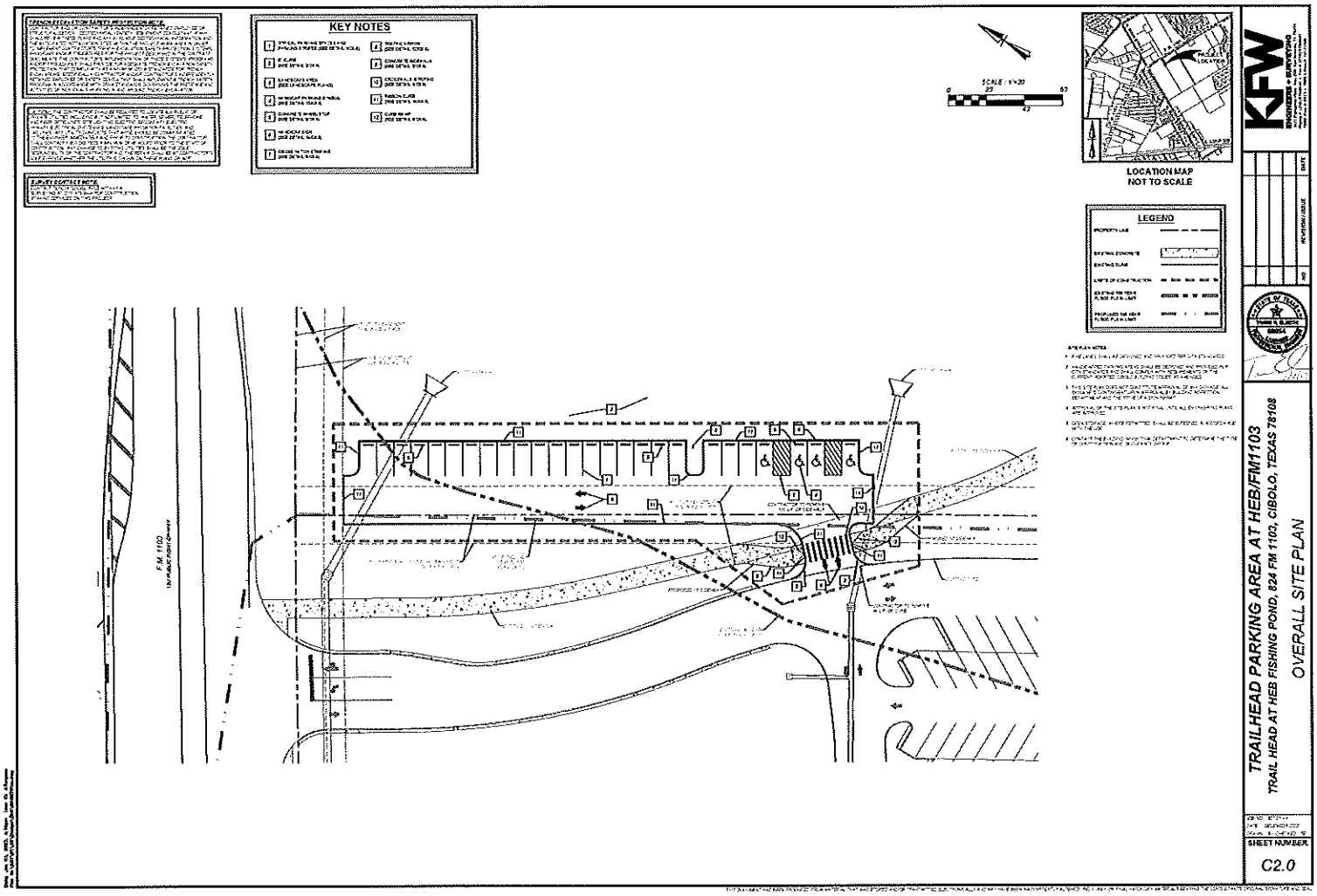
LEGEND

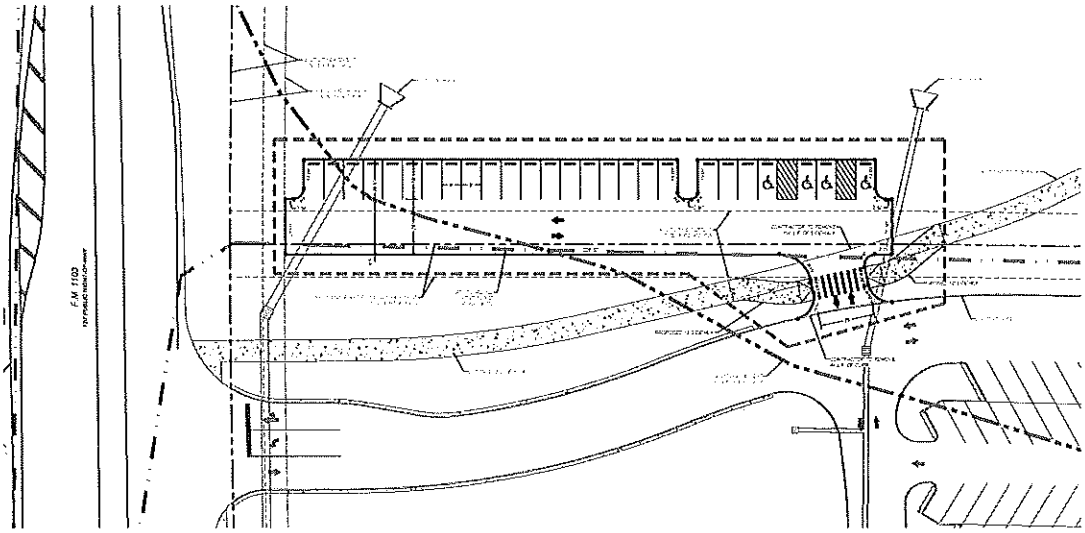
KFW
ENGINEERS + SURVEYING

TRAILHEAD PARKING AREA AT HEB/FM1103
TRAIL HEAD AT HEB FISHING POND, 624 FM 1103, CIBOLO, TEXAS 78108

EXISTING CONDITIONS PLAN

SHEET NUMBER:
C1.1


KEY NOTES
LEGEND
LOCATION MAP
NOT TO SCALE
F.M. 1103
TRAILHEAD PARKING AREA AT HEB/FM1103
TRAIL HEAD AT HEB FISHING POND, 824 FM 1103, CIBOLO, TEXAS 78108
OVERALL SITE PLAN
SHEET NUMBER
C2.0



LOCATION MAP
NOT TO SCALE

LEGEND

KFW
ENGINEERS + SURVEYING

NO	REVISION/ISSUE	DATE

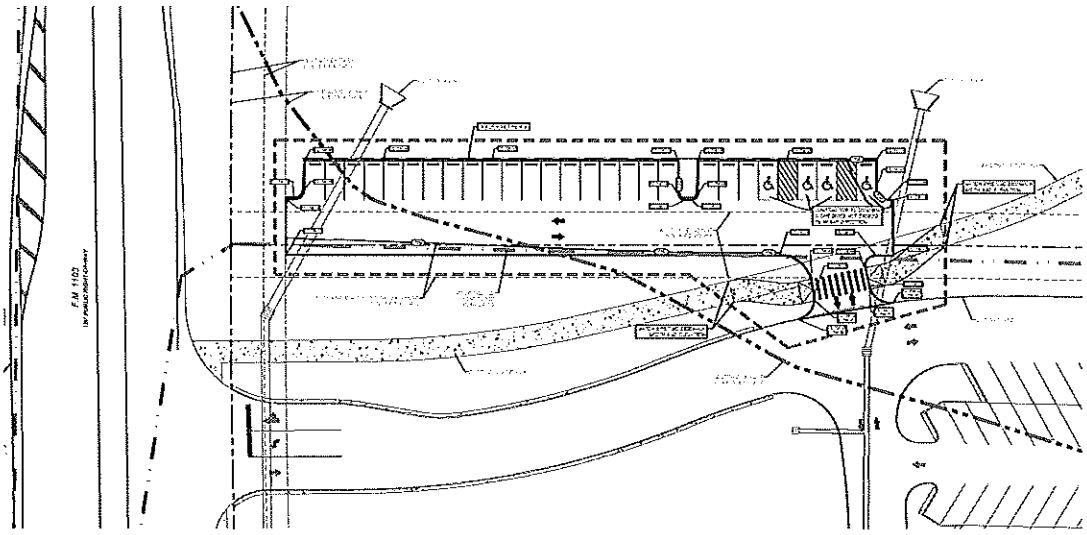
TRAILHEAD PARKING AREA AT HEB/FM1103

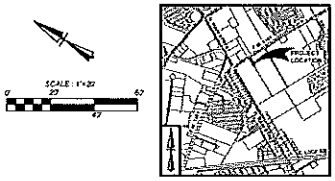
TRAIL HEAD AT HEB FISHING POND, 824 FM 1103, CIBOLO, TEXAS 78108

DIMENSIONAL CONTROL PLAN

SHEET NUMBER

C3.0





LOCATION MAP
NOT TO SCALE

LEGEND

PROPERTY LINE

ADJACENT PROPERTY LINE

EXISTING CONTOURS

PROPOSED CURB (REFER SHEET C5.0 FOR TYPE OF CURB)

PROPOSED SIDEWALK

PROPOSED CONTOURS

PROPOSED SPOT ELEVATION (TOP OF CURB AND GUTTER)

KFW
ENGINEERS + SURVEYING

NO | REVISION / ISSUE | DATE

TRAILHEAD PARKING AREA AT HEB/FM1103
TRAIL HEAD AT HEB FISHING POND, 624 FM 1103, CIBOLO, TEXAS 78108

GRADING & EROSION CONTROL PLAN

SHEET NUMBER:
C4.0

KFW
ENGINEERS + SURVEYING

NO	REVISION/ISSUE	DATE

TRAILHEAD PARKING AREA AT HEB/FM1103

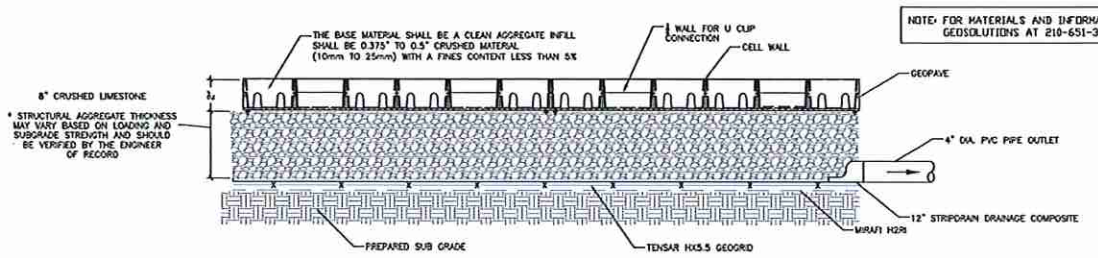
TRAIL HEAD AT HEB FISHING POND, 824 FM 1103, CIBOLO, TEXAS 78108

PAVING PLAN

SHEET NUMBER

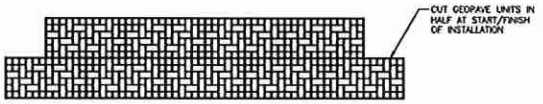
C5.0

NOTE: FOR MATERIALS AND INFORMATION CONTACT GEOSOLUTIONS AT 210-651-3816

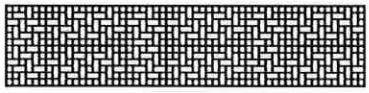


NOTES:

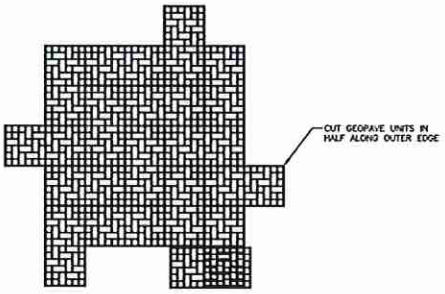
1. AGGREGATE INFILL SHALL BE 0.375" TO 0.5" CRUSHED MATERIAL WITH FINES LESS THAN 5%.
2. MIRAFI H2R8 MATERIAL INSTALLED WITH 6" OVERLAP SHINGLED IN DIRECTION OF GRADE.
3. GEOSOLUTIONS IS AN APPROVED SUPPLIER OF GEOPAVE SYSTEM WWW.GEOSOLUTIONSINC.COM 210-651-3816.
4. 12" STRIP DRAIN PLACED HORIZONTALLY SPACED 10' O.C.



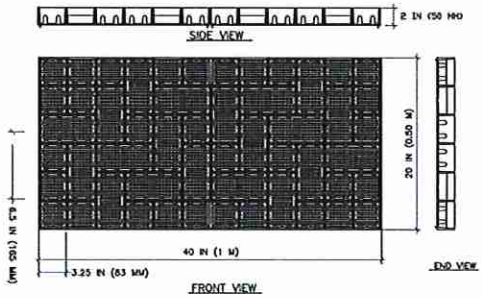
TYPICAL LAYOUT – BRICKLAYER PATTERN–PATHWAYS



TYPICAL LAYOUT – OFFSET PATTERN–PATHWAYS



TYPICAL LAYOUT – HERRINGBONE PATTERN–VEHICULAR TRAFFIC



KFW ENGINEERS & SURVEYING

NO	REVISION/ISSUE	DATE

STATE OF TEXAS
FRANK N. ELBERT
90354
LICENSED PROFESSIONAL ENGINEER

TRAILHEAD PARKING AREA AT HEB/FM1103

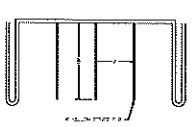
TRAIL HEAD AT HEB FISHING POND, 824 FM 1103, CIBOLO, TEXAS 78108

PAVING DETAILS

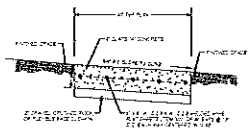
DATE: DECEMBER 2023

SHEET NUMBER:

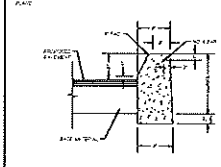
C5.1



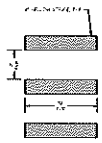
1 TYPICAL PARKING SPACES AND PARKING STRIPES
NOT-TO-SCALE



2 TYPICAL SIDEWALK DETAIL
NOT-TO-SCALE



3 6" CURB DETAIL
NOT-TO-SCALE



4 CROSSWALK DETAIL
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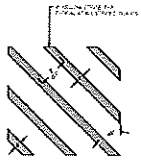

5 CROSS HATCH STRIPING DETAIL
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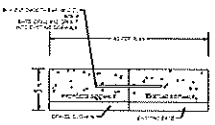

7 SIDEWALK/DRIVEWAY JUNCTURE
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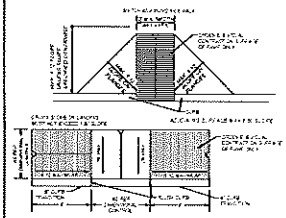
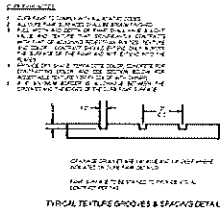
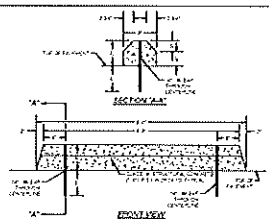


8 GROOVE CURB RAMP DETAIL
NOT-TO-SCALE



TYPICAL TEXTURE GROOVES & SPACING DETAIL



9 WHEEL STOP DETAIL
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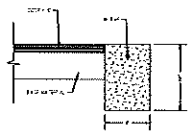

10 RISER CURB DETAIL
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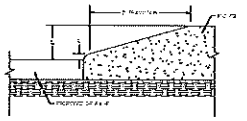

11 3 CURB TRANSITION
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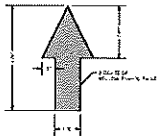
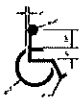
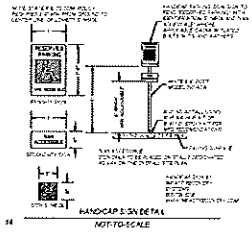


12 TRAFFIC ARROW DETAIL
NOT-TO-SCALE



13 HANDICAP PARKING SYMBOL DETAIL
NOT-TO-SCALE



14 HANDICAP SIGN DETAIL
NOT-TO-SCALE

KFW
ENGINEERS + SURVEYING

NO	REVISION / ISSUE	DATE

TRAILHEAD PARKING AREA AT HEB/FM1103
TRAIL HEAD AT HEB FISHING POND, 824 FM 1103, CIBOLO, TEXAS 78108
CIVIL DETAIL SHEET

SHEET NUMBER
C6.0

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City of Cibolo, Texas, approving an Affiliated Entities Confidentiality Agreement between the City of Cibolo, Texas as the authorizing unit of the Cibolo Economic Development Corporation, and the Cibolo Economic Development Corporation as the constituted authority or instrumentality of the City of Cibolo, Texas, and other representatives. (Mr. Reed)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12H

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12H Res. Confidentiality Agreement.pdf

RESOLUTION NO._____

RESOLUTION OF THE CITY OF CIBOLO, TEXAS, APPROVING AN AFFILIATED ENTITIES CONFIDENTIALITY AGREEMENT BETWEEN THE CITY OF CIBOLO, TEXAS AS THE AUTHORIZING UNIT OF THE CIBOLO ECONOMIC DEVELOPMENT CORPORATION, AND THE CIBOLO ECONOMIC DEVELOPMENT CORPORATION AS THE CONSTITUTED AUTHORITY OR INSTRUMENTALITY OF THE CITY OF CIBOLO, TEXAS AND OTHER REPRESENTATIVES; PROVIDING FOR REPEAL AND SEVERABILITY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo ("City") is a Texas Home Rule Municipality, as defined by applicable law; and

WHEREAS, the City Council finds that it is the "Authorizing Unit" of the Cibolo Economic Development Corporation ("CEDC") pursuant to Texas Local Government Code section 501.002(1).

WHEREAS, the City Council finds that the CEDC is the City's "Constituted Authority or Instrumentality" as defined by Texas Local Government Code section 501.055(a).

WHEREAS, the City Council finds that that as the Authorizing Unit, it holds a statutory duty to supervise the CEDC, evaluate and in its discretion approve all programs, projects and expenditures of the CEDC and has access to the corporation's books and records, including all confidential records therein pursuant to Texas Local Government Code section 501.073(a) and (b).

WHEREAS, the City Council finds that in the course of economic development, the City and the CEDC may have access to confidential information, including but not limited to the legal advice of the attorneys representing the CEDC and the CEDC may have access to legal advice provided by the City's attorneys; thereby necessitating an acknowledgement of an expectation of confidentiality and an agreement of confidentiality securing such confidentiality expectations of the City and CEDC.

WHEREAS, the City Council finds that prior to public announcements of economic development agreements, both the City Council and CEDC Board of Directors and other representatives of both, may have obligations during a negotiation of financial incentives and other terms of an agreement with a business prospect that is seeking to locate, stay or expand in the City of Cibolo, Texas, necessitating this Agreement.

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

1, The statements set forth in and by reference in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

2. The attached Affiliated Entities Confidentiality Agreement ("Agreement") is approved.

3. Any City Councilmember, CEDC Board of Director, City Employee, or City representative desiring access to confidential information related to economic development operations, projects, programs, or expenditures, must agree to and indicate their acceptance of the obligations provided in the Agreement by executing the agreement as Accepted and Agreed.

4. This Resolution shall be and is hereby cumulative of all other resolutions of the Corporation and this Resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

5. If any section, subsection, sentence, clause, or phrase of this Resolution shall for any reason is held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

6. The meeting at which this Resolution passed was conducted in compliance with the Texas Open Meetings Act.

[THIS SPACE LEFT INTENTIONALLY BLANK]

7. This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Cibolo, Texas.

PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 27th DAY OF FEBRUARY 2024.

MARK ALLEN
Mayor

ATTEST:

PEGGY CIMICS, TRMC
City Secretary

APPROVED AS TO FORM:

Hyde Kelley LLP
City Attorney

AFFILIATED ENTITIES CONFIDENTIALITY AGREEMENT

This Affiliated Entities Agreement ("Agreement") is entered into by and among City of Cibolo, Texas ("City"), a home-rule municipality; and the Cibolo Economic Development Corporation ("CEDC"), a non-profit corporation created by the City under Chapters 501 and 505 of the Texas Local Government Code. The City and the CEDC are referred to as "Party" or "Parties" throughout this Agreement.

WHEREAS, the City is the CEDC's authorizing unit under Chapter 501 of the Texas Local Government Code;

WHEREAS, the CEDC is a constituted authority and instrumentality under Chapter 501 of the Texas Local Government Code and may act on behalf of the City for the purpose of promoting economic development;

WHEREAS, the City and the CEDC have a common interest in promoting economic development;

WHEREAS, the City and the CEDC wish to be able to share information, strategy and documents related to past, present and future projects, as the term is defined in Chapters 501 and 505 of the Local Government Code ("Projects"), while avoiding any suggestion of waiver of the privileged status, immunity, or confidentiality of any such communications, information, documents, or things of any nature or description shared among the Parties;

WHEREAS, the Parties desire to cooperate with one another to the extent practicable in recognition of their common interests and in an effort to reduce costs and improve efficiency;

NOW THEREFORE, in consideration of the promises and the mutual covenants of the Parties contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged individually by each of them, the Parties individually and collectively do hereby agree, promise, and covenant as follows:

1. **Confidential Information Defined.** Confidential Information means all non-public, confidential, proprietary or privileged information disclosed by either Party (the "Originating Party") to the other Party or its employees, officers, directors, agents, attorneys, accountants or advisers ("Representatives"), whether disclosed orally or disclosed or accessed in written, electronic or other form or media, and whether or not marked, designated or otherwise identified as "confidential," including, but not limited to:

   a. all information, in any form, related to past, present or future Projects;

   b. all information, in any form, related all commercial or financial information that the Originating Party has received from a business prospect that the Originating Party seeks to have locate, stay, or expand in or near the territory of the City and with which the Originating Party is conducting economic development negotiations;

   c. all offers of financial or other incentives to a business prospect of the Originating Party;

   d. all communications with the Originating Party's attorneys and all legal advice provided by the attorneys related in any way to past, present or future Projects;

e. all memoranda, drafts, summaries, notes, outlines or any other work product prepared by the Originating Party's attorney related in any way to past, present or future Projects;

f. all notes, analyses, compilations, reports, forecasts, studies, samples, data, statistics, summaries, interpretation and other material prepared by or for a Party or its Representatives related in any way to past, present or future Projects.

To serve the mutual interests of Parties, provide for communication related to common issues, and facilitate economic development, the undersigned agree that any and all Confidential Information, whether written or oral, tangible or intangible, regardless of how disclosed to the Parties (including through direct communication between or among the Parties), shall be covered by this Agreement.

Confidential Information shall not include information that: (a) is or later becomes part of the public domain (provided that it does not become part of the public domain in any way contrary to the terms of this Agreement); or (b) was or is originated by the Party and does not contain privileged or protected information obtained directly or indirectly from another Party.

2. **Discretionary Sharing of Confidential Information; Use of Confidential Information; Confidential Information Confidentiality and Nondisclosure; Designation of Confidential Information**. All Confidential Information shared pursuant to this Agreement by any Party is provided to the other Party in the sole discretion of the Originating Party providing the Confidential Information. No Party to this Agreement is required to share information or to receive information pursuant to this Agreement, and no Party is entitled to receive another Party's Confidential Information without the consent of the Originating Party. No Party has any right to receive Confidential Information by virtue of the Party's common interest or as a result of being a Party to this Agreement. Restrictions on Confidential Information such as "for attorney's eyes only" may be imposed by an Originating Party if made known to the other Party to the Agreement before the information subject to the restriction is shared. It shall not be presumed that information in the possession of, or available to, any Party to this Agreement has been shared with any other Party to this Agreement. The disclosure of Confidential Information among the Parties shall not waive any applicable privilege or protection.

Except as required by law, the Parties will use their best efforts to ensure that the confidentiality of Confidential Information is maintained at all times and that no disclosure is made that would result in a waiver or loss of any privilege or protection otherwise available. Neither Party will voluntarily disclose Confidential Information unless they have first obtained the consent of the Originating Party. This obligation will survive notwithstanding withdrawal of a Party from this Agreement or termination of this Agreement.

In the event that any Party receives a request or demand, by subpoena or otherwise, from any person or a court order that appears to call for the disclosure or production of Confidential Information, such Party shall, in addition to preserving and invoking any applicable privilege or other protection from disclosure, immediately notify, unless prohibited by law, the other Party to this Agreement and provide the Party with copies of any writings or documents, including subpoenas, summonses or other papers, that relate to the request. The Party that received the request to secure or obtain Confidential Information covered by this Agreement shall not voluntarily surrender any Confidential Information (except those originated by such Party) without providing, to the extent legally

permissible, the affected Party a reasonable opportunity to protect their respective interests in an appropriate forum.

Each Party also agrees that, at the conclusion of this Agreement, unless otherwise agreed, such Party shall within thirty (30) days either destroy or return to the Originating Party all Confidential Information in tangible form (including Confidential Information maintained in any computer memory, storage media, or electronic form) and will not retain any copies, extracts, or other reproductions in whole or in part of such tangible Confidential Information provided by another Party. Notwithstanding the conclusion of this Agreement and/or the Transaction, all Confidential Information will be treated as confidential.

3. Intent to Maintain Privilege. The voluntary disclosure of Confidential Information by a Party to this Agreement to the other Party to this Agreement shall not be deemed an express or implied waiver of any applicable privilege, doctrine, or confidentiality protection protecting communications, documents, or information from disclosure. The Parties shall receive, and hold in confidence, any Confidential Information disclosed to or received by them hereunder and shall take all steps necessary to maintain the privileged and confidential nature of the Confidential Information. No information obtained by any Party as a result of this Agreement shall be disclosed to any third party without: (a) the express written consent of the Originating Party; or (b) a final order from a court or arbitrator of competent jurisdiction. This limitation shall survive the withdrawal of any Party from this Agreement and/or the termination of this Agreement.

The Parties agree that the Confidential Information is privileged from disclosure to third parties who are not Parties to this Agreement based upon Texas Rule of Evidence 503(b)(1)(C), the attorney-client privilege, the work product doctrine, privileges and doctrines applicable to Parties having common or joint interests, and all other applicable privileges and protections. By this Agreement, the Parties hereby confirm that in pursuit of their common interests they do not intend to waive, and will not waive, any applicable privileges by sharing Confidential Information and that they intend to preserve to the maximum extent permitted by applicable law the attorney-client privilege, protection under the work product doctrine, and all other privileges and protections that they may have regarding the confidentiality of Confidential Information, notwithstanding the sharing of Confidential Information among the Parties. It is agreed that waiver of protection or privilege as to any Confidential Information can be made only with the consent of the Originating Party.

Any waiver in any instance of the rights and limitations contained herein shall not be deemed, and is not intended to be, a general waiver of any rights or limitations contained herein and shall not operate as a waiver beyond the particular instance. The Parties agree that the inadvertent or unintentional disclosure of privileged or work product materials supplied under this Agreement, regardless of whether the information was designated as privileged or Confidential Information at the time of disclosure, shall not be deemed a waiver in whole or in part of any confidentiality, privilege, or immunity, either as to the specific communication disclosed or as to any other information relating thereto or to related subject matter (and the Parties agree that none of them will assert such a waiver argument). Upon discovery of any inadvertent error, the Parties shall cooperate to restore the confidentiality, privilege, or immunity to that disclosed material, including retrieval of all copies.

4. No Limitations on Originating Party's Use of Confidential Information. Nothing herein shall affect or in any manner limit the rights or discretion of an Originating Party to disclose to another person or entity or otherwise use the Originating Party's own

Confidential Information. If the Parties advance either inconsistent or adverse positions, they will nonetheless be bound by the confidentiality and conflict waiver provisions in this Agreement. Nothing contained in this Agreement shall bind or obligate any Party to agree to a course of action or to share information that they may have.

5. Non-Waiver Agreement. This Agreement shall not create any agency or similar relationship between or among the Parties. No Party to this Agreement shall have authority to waive any applicable privilege, doctrine, or confidentiality protection on behalf of the other Party; neither shall waiver of any applicable privilege, doctrine, or confidentiality protection by any Party to this Agreement be construed to apply to any other Party to this Agreement. Any waiver in a particular instance of the rights and limitations contained in this Agreement shall not be deemed, and is not intended to be, a general waiver of any rights or limitations contained herein and shall not operate as a waiver beyond the particular instance.

6. Discretionary and Mandatory Withdrawal from the Agreement. A Party may withdraw voluntarily from this Agreement, prospectively upon giving fifteen (15) business days' written notification to the other Party ("Discretionary Withdrawal"). Immediately upon demand by any Party to this Agreement, the Discretionary Withdrawing Party shall return all Confidential Information and copies thereof.

If any Party:

a. ceases to have a common interest sufficient to support either participation in this Agreement; or

a. asserts or takes a position that is contrary, inconsistent, or adverse to the common interest underlying this Agreement;

that Party agrees to promptly notify the other Party in writing of that fact but shall continue to protect all communications and information, including Confidential Information, covered by this Agreement. That Party shall immediately cease to be part of this Agreement and shall forfeit all rights to receive Confidential Information ("Mandatory Withdrawal"). The Withdrawing Party in a Mandatory Withdrawal also shall immediately give written notice of withdrawal from this Agreement to the other Party (and the foregoing 15-day notice period shall not apply). Should a Party fail to withdraw as required by this Agreement, such Party shall be deemed to have withdrawn as of the date the Party ceased to have a common interest, which triggered Mandatory Withdrawal provided for in this Agreement.

Upon withdrawal, the Withdrawing Party will not be entitled to receive or access any Confidential Information (and shall not ask for Confidential Information). Without necessity of a demand, the Withdrawing Party shall return to each Originating Party all Confidential Information received from them pursuant to this Agreement, including all copies or summaries or excerpts of the same (including material incorporated into work product), within five (5) business days after giving notice of withdrawal.

This Agreement may be terminated at any time by agreement of the Parties, but the confidentiality and nondisclosure provisions of this Agreement shall survive termination. Withdrawal from or termination of this Agreement does not authorize violation of the Agreement or operate as a waiver of any terms or conditions of this Agreement. In particular, the effect of such termination, Discretionary Withdrawal, or Mandatory Withdrawal is prospective only and shall not affect the Parties' (including a Withdrawing Party's) obligations to continue to hold confidential all Confidential Information exchanged prior to termination or notice of withdrawal in accordance with all of the terms of this Agreement.

No agreement entered into between any Party and anyone else that is not also a Party to this Agreement, shall affect or diminish any right or privilege attaching to any Confidential Information exchanged or disclosed under this Agreement or the provisions of this Agreement regarding nondisclosure to third parties that are not Parties to this Agreement.

7. Not an Agreement to Violate Any Law. This Agreement is in no way intended to encourage or commit any violation of law or unlawful interference with any official proceeding or investigation. Each Party acknowledges and agrees with that intention and understanding.

8. Effective Date. This Agreement became effective upon execution.

9. Notice. All notices, requests, and demands required by this Agreement shall be in writing and shall be deemed to have been duly given when received after mailing notice by first-class mail, postage prepaid, by delivering notice by hand, or by sending notice by email to the Parties. Notices to the City shall be sent to:

Wayne Reed
City Manager
City of Cibolo
200 South Main Street
Cibolo, TX 78108
wreed@cibolotx.gov

Notices to the CEDC shall be sent to:

President
Cibolo Economic Development Corporation
200 South Main Street
P.O. Box 826
Cibolo, Texas 78108
EDCDistrict5@cibolo.tx.us

All notices shall also be sent to:

George E. Hyde
Hyde Kelley LLP
2806 Flintrock Trace, Suite A104
Austin, TX 78738
ghyde@txlocalgovlaw.com

10. Counterparts. This Agreement may be executed in counterparts and constitutes the complete Agreement among the Parties. Scanned signatures shall be valid as originals.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, United States of America, without giving effect to its choice of law provisions. Venue of any case or controversy arising under or pursuant to this Agreement will be exclusively in Guadalupe County, Texas, United States of America.

12. Enforcement of Agreement; Exclusive Forum. Each Party agrees that immediate injunctive relief is an appropriate and necessary remedy for violation of this Agreement. Furthermore, each Party consents to the entry of immediate injunctive relief against any Party to this Agreement that is in any way whatsoever communicating, intending to communicate, or attempting to communicate Confidential Information to any third party in violation of this Agreement.

The Parties agree that all disputes, claims, motions, actions, or proceedings directly or indirectly arising out of or relating to this Agreement shall be litigated exclusively in a state court located in Guadalupe County, Texas hereby consent to personal jurisdiction in such forum for purposes of those proceedings. Any dispute regarding the Agreement shall be resolved to the extent possible through *in camera* proceedings.

Should any provision of this Agreement be determined invalid or unenforceable by a court of competent jurisdiction, the remaining provisions will continue to be enforceable and binding upon the Parties to the full extent of the law.

14. Entire Agreement. This Agreement constitutes the complete Agreement among the Parties, memorializes any and all earlier oral agreements pursuant to which Confidential Information has been exchanged previously, and incorporates prior agreements between or among the Parties to which Confidential Information has been exchanged previously.

This Agreement may not be amended, waived, or modified except upon the written consent of all persons then Parties to this Agreement and not under an obligation to withdraw.

By signing this Agreement, each Parties certifies that it is fully authorized to enter into and execute this Agreement on its own behalf and that it agrees to be bound by the terms of the Agreement and the understandings contained in it.

Accepted and Agreed, by:

City of Cibolo, Texas

Dated:_____

_____
Wayne Reed
City Manager

Cibolo Economic Development Corporation

Dated:_____

_____
Marcus Mattingly
President

Accepted and Agreed, by:

City of Cibolo

Mark Allen
Mayor

T.G. Benson
City Council, District 1

Randy Roberts
City Council, District 2

Robert Mahoney
City Council, District 3

Katie Cunningham
City Council, District 4

Norma Sanchez-Stephens
City Council, District 5

Dick Hetzel
City Council, District 6

Joel Hicks
City Council, District 7

Cibolo Economic Development Corporation

Patricia Qaiyyim
Secretary, District 1

Stosh Boyle
Director, District 2

Kenderlynn Christophe
Director, District 3

Derek Ottman
Director, District 4

Marcus Mattingly
President, District 5

Cody Hicks
Treasurer, District 6

Justin Triesch
Vice President, District 7

[Additional signature pages may be appended hereto as necessary.]

City of Cibolo

City Council Regular Meeting Staff Report

Approval/Disapproval of a Resolution of the City of Cibolo, Texas approving Amendment 1 of a Chapter 380 Economic Development Agreement between the City of Cibolo, Texas, the Cibolo Economic Development Corporation and HEB, LP effective March 17, 2022; authorizing the City Manager to execute Amendment No. 1. (Mr. Reed)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Resolutions	Item: 12I

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

12I Res. Amendment 1 380 Agreement.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Approve/Disapprove a Resolution by the City of Cibolo, Texas approving Amendment No. 1 of a Chapter 380 Economic Development Agreement between the City of Cibolo, Texas, the Cibolo Economic Development Corporation and H-E-B, LP, effective March 17, 2022; authorizing the city manager to execute Amendment No. 1 approved as to form by the city attorney's office; providing for repeal and severability; determining that the meeting at which this resolution was passed was conducted in compliance with the Texas Open Meetings Act; and providing an effective date.

ITEM SUMMARY:
The City of Cibolo and Cibolo Economic Development Corporation entered into a Chapter 380 Economic Development Agreement, effective March 17, 2022, which promotes economic development within the City of Cibolo. This Chapter 380 Agreement requires that H-E-B must (1.) develop approximately 45 acres, located on the northeast corner of FM 1103 and Main Street, and (2.) construct both an H-E-B-branded grocery store and Economic Fulfillment Center (EFC) on the subject site. In doing so, it was determined that these actions would thereby contribute to the promotion of local economic development, would assist in diversifying the local economy, and would enhance commercial activity within the City of Cibolo. The City agreed to incentivize the development of the EFC by (a.) providing a 10-year rebate of the Maintenance & Operations (M&O) portion of the ad valorem taxes due to the City, in an amount not to exceed a maximum rebate of $1,000,000 throughout the term of the Agreement, and (b.) offering impact fee offsets.

Article 2 of the Chapter 380 Agreement requires certain performance measures be met, related to the opening of the facility and the public improvements resulting from the Project. These include:

(a) Store Opening. H-E-B shall open the Store for business to the public on or before June 30, 2023 (the "Store Opening").
- Status: Complete

(b) Curbside Facility. H-E-B will construct the Curbside Facility on the same timeline as the Store; provided, however, that with the City's approval, H-E-B may commence operations at the Curbside Facility up to eighteen (18) months after the Store Opening.
- Status: Complete

(c) EFC Facility. H-E-B will construct and open the EFC Facility on the same timeline as the Store; provided, however, that with the City's approval, H-E-B may commence operations at the EFC Facility up to eighteen (18) months after Store Opening.
- Status: In-Progress

(d) Main Street Widening. H-E-B will complete construction required to widen Main Street no later than the Store Opening.
- Status: Complete

(e) Traffic Signal along FM 1103. H-E-B will complete construction and installation of the traffic signal at FM 1103 by the Store Opening.
- Status: Complete

(f) Regional Trail. H-E-B will construct a 10' wide concrete trail. Upon completion, H-E-B will grant a public access (trail) easement to the City.

- Status: In-Progress

(g) Trailhead Parking Lot. H-E-B will rough grade an area for the City to construct a Trailhead Parking Lot.
- Status: Complete

(h) Submittal of Building Permits. H-E-B will submit its initial Building Permit plans to the City by no later than November 4, 2022.
- Status: Complete

(i) Truck Route. H-E-B agrees that its Class 8 and Class 9 delivery vehicles shall NOT utilize Main Street south of the Property for access to or from the Property.
- Status: Complete

In this original Agreement, the intent was that H-E-B would pay the City of Cibolo all required assessed impact fees due, and then the Cibolo EDC would reimburse H-E-B directly for these fees, up to $450,000. During a review of the planning and building process, however, it was uncovered that impact fees were never collected by the City. This First Amendment, therefore, seeks to alter the original Agreement to reflect that, rather than making a payment directly to H-E-B, the Cibolo EDC will render $450,000 in funds directly to the City to account for impact fees associated with the EFC.

Further, this First Amendment establishes that the Cibolo EDC will not be obligated to pay the $450,000 until H-E-B opens its Economic Fulfillment Center, which is currently anticipated during FY 24. The Cibolo EDC Board of Directors has approved this First Amendment during their June 15, 2023, Regular Board Meeting. This item has been delayed in coming before City Council for formal Action in anticipation of the City being ready to also vote to accept all infrastructure improvements for the Project and for conveyance of the trail land.

FINANCIAL IMPACT:
According to the terms of the Agreement, the first assessed tax year is anticipated to be calendar year 2024, which will be paid out in FY 25. The City's primary financial incentive is a step-down tax rebate that begins at 100% of M&O in years 1-5, then 75% in years 6-8, and finally 50% in years 9-10. The Cibolo EDC has agreed to contribute $450,000 toward impact fee offsets.

SUBMITTED BY:
Kelsee Jordan Lee – Planning & Economic Development Director
Alora Wachholz – Economic Development Manager

ATTACHMENTS:
- Resolution
- Proposed Amendment No. 1 to the Chapter 380 Agreement between the City of Cibolo, Cibolo Economic Development Corporation, and HEB Grocery Company, LP
- Original Chapter 380 Agreement between the City of Cibolo, Cibolo Economic Development Corporation, and HEB Grocery Company, LP

RESOLUTION NO._____

RESOLUTION BY THE CITY OF CIBOLO, TEXAS APPROVING AMENDMENT NO. 1 OF A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CIBOLO, TEXAS, THE CIBOLO ECONOMIC DEVELOPMENT CORPORATION AND H-E-B, LP, EFFECTIVE MARCH 17, 2022; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 APPROVED AS TO FORM BY THE CITY ATTORNEY'S OFFICE; PROVIDING FOR REPEAL AND SEVERABILITY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo ("City") is a Texas Home Rule Municipality, as defined by applicable law; and

WHEREAS, the City Council finds H-E-B, LP, owns certain property within the City; and

WHEREAS, the City Council finds H-E-B, LP, developed an H-E-B branded grocery store of approximately 110,000 square feet, along with an obligation to construct an approximately 55,000 square foot Economic Fulfillment Center, supporting H-E-B's Curbside and Delivery Business.

WHEREAS, the City Council finds the City and EDC agreed to certain economic incentives in exchange for certain development and capital improvement within the City of Cibolo, Texas;

WHEREAS, the City Council finds it necessary to make its first amendment to the March 17, 2022, Chapter 380 Economic Development Agreement ("Agreement") due to changes in circumstances, which is attached hereto as if recited verbatim herein as Attachment 1; and

WHEREAS, the City Council finds H-E-B, LP, also finds it necessary to make its first amendment to the Agreement due to changes in circumstances; and

WHEREAS, the City Council finds that it anticipates the Cibolo Economic Development Corporation will also find it necessary to make its first amendment to the Agreement due to changes in circumstances.

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

1, The statements set forth in and by reference in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

2. Amendment No. 1 to the Agreement is approved.

3. The City Manager is hereby authorized to execute Amendment No. 1 (attached to this Resolution as Attachment 1 and incorporated into this Resolution as if restated verbatim herein).

4. This Resolution shall be and is hereby cumulative of all other resolutions of the Corporation and this Resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

5. If any section, subsection, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

6. The meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

8. This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Cibolo, Texas.

PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 27th DAY OF FEBRUARY 2024.

_____
MARK ALLEN
Mayor

ATTEST:

_____
PEGGY CIMICS, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Hyde Kelley LLP
City Attorney

Attachment 1, Amendment No. 1 to H-E-B, LP's

March 17, 2022 Chapter 380 Economic Development Agreement

CITY OF CIBOLO TEXAS,
CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
AND
H-E-B GROCERY COMPANY, LP

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT
AMENDMENT NO. 1

This First Amendment to Chapter 380 Economic Development Agreement *(the "**Amendment**")* is made and entered into as of February _____, 2024 (the "***Amendment Effective Date***") by and between the **City of Cibolo, Texas**, a Texas home-rule municipality *(the "**City**")*, **the Cibolo Economic Development Corporation**, a Texas development corporation (*the "**CEDC**"*), and **H-E-B, LP**, a Texas limited partnership *("**H-E-B**")*, (the City, the CEDC, and H-E-B each referred to herein individually as a *"**Party**"* and collectively as the *"**Parties**")*.

RECITALS

WHEREAS, the City of Cibolo, the CEDC, and H-E-B entered into a Chapter 380 Economic Development Agreement (hereinafter referred to as the "***Agreement***"), approved by City Council and the EDC and effective as of March 17, 2022, to provide for economic incentives should H-E-B develop an H-E-B branded grocery store of approximately 110,000 square feet on the Property (as such term is defined in the Agreement) (the "***Store***") along with an approximately 55,000 square foot Economic Fulfillment Center (the "***EFC Facility***"), supporting H-E-B's Curbside and Delivery Business (the "***Curbside Facility***") (the Store, EFC Facility, and Curbside Facility are together referred to herein as the *"**Project**"*); and

WHEREAS, the City and EDC agreed to provide economic incentives including: a ten (10)-year ad valorem tax rebate of the Maintenance & Operation's (M&O) portion of the property tax received by the City for improvements caused by Project for a maximum rebate not to exceed One Million Dollars ($1,000,000), the provision of Impact Fee Offsets, and other economic development incentives as further described in the Agreement; and

WHEREAS, under the terms of the Agreement, if H-E-B fulfilled the conditions as set forth therein, the CEDC would pay to H-E-B an amount of Four Hundred Fifty Thousand Dollars ($450,000) for the cost of Impact Fees (as such term is defined in the Agreement) that were paid by H-E-B to the City for the Project; and

WHEREAS, construction of the Project, including the EFC, has been completed but the City agreed not to collect Impact Fees from H-E-B directly, the CEDC will pay the $450,000 for Impact Fees to the City instead of H-E-B, since H-E-B did not pay these fees to the City;

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the CEDC, and H-E-B agree as follows:

SECTION 1. Amendment to Article 4 of the Agreement. Notwithstanding anything in the Agreement to the contrary, the CEDC shall pay to the City the aforementioned sum of Four Hundred Fifty Thousand Dollars ($450,000) for Impact Fees and H-E-B shall have no further obligation to pay Impact Fees related to the Project to the City.

SECTION 2. Other Terms. All other terms, conditions and provisions of the Agreement are hereby ratified and confirmed and will remain in full force and effect as of the date thereof, except as expressly modified hereby.

SECTION 3. Recitals. The foregoing recitals are hereby incorporated by reference for all purposes hereunder.

SECTION 4. Counterparts. This Amendment may be executed by facsimile transmission in two or more counterparts, each of which will be deemed to be an original, but all of which taken together will constitute but one and the same instrument.

SECTION 5. Electronic Signatures. The Parties agree that this Amendment to be delivered in connection herewith may be electronically signed, and that any electronic signatures, with the exception of italic font, appearing on this Amendment are the same as handwritten signatures, which shall be considered as original signatures for the purposes of validity, enforceability and admissibility. Without limitation, "electronic signature" shall include DocuSign, faxed versions of an original signature, or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

SECTION 6. Binding Effect. This Amendment will be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

SECTION 7. Defined Terms. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of the Amendment Effective Date.

ATTEST:

_____
Peggy Cimics
City Secretary

CITY:

CITY OF CIBOLO TEXAS,
a Texas Home-Rule Municipality

By:_____
Date: _____

CEDC:

CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
a Texas Development Corporation

By:_____
Date:_____

H-E-B, LP,
a Texas limited partnership

By:_____
Name: Benjamin R. Scott
Title: Group Vice President of Real Estate and Shopping Center Development
Date:_____

CITY OF CIBOLO TEXAS,
CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
AND
HEB GROCERY COMPANY, LP

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT *("**Agreement**")* is entered into by and between the **City of Cibolo, Texas**, a Texas home-rule municipality *(the "**City**")*, **the Cibolo Economic Development Corporation**, a Texas development corporation (the "***CEDC***"), and **H-E-B, LP**, a Texas limited partnership *("**HEB**")* (the City, the CEDC and HEB each referred to herein sometimes individually as a *"**Party**"* and collectively as the *"**Parties**"*).

RECITALS

(a) HEB is the owner of approximately 45.184 acres known as the FM 1103 and Main Street Commercial Subdivision located at the southeast corner of the intersection of FM 1103 and Main Street within the City of Cibolo (the *"**Property**"*).

(b) The Property is depicted on the attached Exhibit A.

(c) HEB intends to build an H-E-B branded grocery store (a.k.a. discount super store/supermarket) with approximately 110,000 square feet on the Property (the *"**Store**"*) along with an approximately 55,000 square foot facility Economic Fulfillment Center (the "***EFC Facility***") supporting HEB's Curbside and Delivery Business (the *"**Curbside Facility**"*) (the Store, EFC Facility and Curbside Facility are together referred to herein as the *"**Project**"*).

(d) The City seeks to incentivize the Project by providing a ten (10)-year ad valorem tax rebate of the Maintenance & Operation (M&O) portion of the ad valorem for a maximum rebate of One Million Dollars ($1,000,000) and providing impact fee offsets and other economic development incentives as further described in this Agreement.

(e) The City possesses the legal and statutory authority under Chapter 380 of the Texas Local Government Code to create programs to promote local economic development and to stimulate business and commercial activity within the City.

(f) The City has determined that the City's economic development program and incentives set forth in this Agreement will serve the public purpose of promoting local economic development and stimulating business and commercial activity including creation and retention of jobs within the City.

(g) The City has concluded and hereby finds that the specific initiatives set forth in the Agreement promote economic development in the City, and, as such, meet the requisites under Chapter 380 of the Texas Local Government Code, and further, that this Agreement is in the best interests of the City.

(h) The City has concluded and hereby finds that this Agreement promotes economic development in the City, and, as such, meets the requirements of Article III, Section 52-a of the Texas Constitution, by assisting in the development and diversification of the economy of the State, by eliminating unemployment or underemployment in the State, and by the development or expansion of commerce within the State.

(i) Section 380.001, Texas Local Government Code, authorizes the City Council of the City to establish and provide for the administration of one or more programs in order to stimulate business and commercial activity in the City including, but not limited to, programs for making loans and grants of public money to promote local economic development, (ii) accepting contributions, gifts and other resources to develop and administer a program.

(j) The City has established an economic development program for the purposes of creation and retention of jobs for the citizens of the City and region, to promote economic expansion, and to add to the tax base of the City and now the City desires to enter into this Agreement, under the authority granted by Chapter 380 of the Texas Local Government Code;

(k) The CEDC, pursuant to state law, was established by the City Council for the purposes of promoting the general economic welfare of the City of Cibolo and its residents and businesses by developing new or expanded business enterprises that create or retain primary jobs.

(l) The CEDC has concluded and hereby finds that the Project will result in new economic development in the City including creating new jobs; and therefore desires to enter into this Agreement under the authority granted by Chapters 501 and 505 of the Texas Local Government Code.

(m) HEB's proposed Project will result in new economic development in the City, including creating new jobs, increasing sales and use tax revenues for the City and increasing property values and ad valorem taxes within the City.

(n) HEB's proposed Project will have a direct positive and measurable economic benefit to the City and HEB therefore desires to enter into this Agreement.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the CEDC and HEB agree as follows:

ARTICLE 1.
TERM

This Agreement shall be effective as of the Effective Date and shall continue until the payment of all Tax Rebates (as defined below), Impact Fee Offsets (as defined below) and other economic development incentives specified in Articles 2 and 3 due to HEB hereunder or earlier termination as provided hereunder.

ARTICLE 2.
HEB PERFORMANCE CONDITIONS

The City and the CEDC acknowledge and agree that HEB is not obligated to construct the Project. However, HEB also acknowledges and agrees that it will only be eligible to receive the Tax Rebates and the Impact Fee Offsets provided in Article 2 and other economic development incentives provided for in Articles 2 and 3 under this Agreement if it fulfills the following terms and conditions:

(a) Store Opening. HEB shall open the Store for business to the public on or before June 30, 2023 (the "***Store Opening***").

(b) Curbside Facility. HEB will construct and open the Curbside Facility on the same timeline as the Store; provided, however, that, with the City's approval, HEB may commence operations at the Curbside Facility up to eighteen (18) months after the Store Opening.

(c) EFC Facility. HEB will construct and open the EFC Facility on the same timeline as the Store; provided, however, that with the City's approval, HEB may commence operations at the EFC Facility up to eighteen (18) months after the Store Opening.

(d) Main Street Widening. HEB will complete the construction required to widen Main Street in accordance with the plans referenced on the attached Exhibit B, no later than the Store Opening.

(e) Traffic Signal along FM 1103. HEB will complete the construction and installation of the traffic signal meeting the specifications described on the attached Exhibit B, will make commercially reasonable efforts to complete by the Store Opening subject to TxDOT approval.

(f) Regional Trail. HEB will construct a 10' wide concrete trail per specifications in Exhibit C in the general location shown on Exhibit B. Upon completion, HEB will grant a public access (trail) easement to the City.

(g) Trailhead Parking Lot. HEB will rough grade an area for the city to construct a Trailhead Parking lot as shown on the site plan (see Exhibit B).

(h) Submittal of Building Permit. HEB will submit its initial Building Permit plans to the City by no later than 11/4/2021. The City will expedite its review and issue of comments to HEB's Building Permit plans within thirty (30) calendar days (and each subsequent round) to progress toward issuance of a building permit. Should the City not provide comments within thirty (30) days, the City will provide HEB with an update as to when comments will be provided.

(i) Truck Route. HEB agrees that its class 8 or class 9 delivery vehicles ("***HEB Delivery Vehicles***") shall NOT utilize Main Street south of the Property for access to or from the Property. Exhibit D shows the primary path for HEB Delivery Vehicles. The HEB Delivery Vehicles shall not utilize Main Street between the Store's south most entrance and FM 78. Notice and coordination with HEB of any change in routes due to future construction, shall come from the City Manager or designee at least thirty (30) days prior to the change taking effect.

HEB will also inform its vendors of the approved Truck Route and on the prohibition of class 8 and 9 vehicles using Main Street south of the Property for access to or from the Property.

ARTICLE 3.
ECONOMIC DEVELOPMENT GRANTS

(a) Property Tax Rebate. In the manner described below, the City shall do a ten (10) year ad valorem tax rebate to pay HEB amounts (such amounts, the ***"Tax Rebates"***) equal to 100% rebate of the Maintenance & Operation (M&O) portion of the ad valorem for the first five (5) years, reduced to seventy five percent (75%) for years six through eight and then reduced to fifty percent (50%) for final two years of the ad valorem property taxes paid by HEB and levied against the Property by the City or any special district formed by the City (unless HEB expressly petitions the City for the formation of such special district) and attributable to the ten-year period commencing on January 1st of the first calendar year commencing after the date that the Store opens for business to the public (the ***"Tax Rebate Period")***; provided, however, that such Tax Rebates shall be capped at an aggregate total of One Million Dollars ($1,000,000) based on actual taxes received during the ten (10) year ad valorem tax rebate. The City shall pay to HEB such Tax Rebates in annual payments due on or before June 1st of each year of the Tax Rebate Period. The Tax Rebates shall only be made to the extent HEB is not delinquent on the payment of its ad valorem taxes. In the event HEB is disputing the ad valorem tax in accordance with state law, HEB shall not be deemed delinquent; however, the City shall not pay the Tax Rebate until the dispute is resolved.

(b) Credits Toward Impact Fees. Reference is hereby made to any current or future ordinance adopted by the City that imposes water, wastewater, drainage, or transportation impact fees against the Project (any such fees, the ***"Impact Fees"***). The City agrees to offset (the ***"Impact Fee Offsets"***) against any Impact Fees payable in connection with the Project the amount of up to Four Hundred Fifty Thousand Dollars ($450,000) in consideration of the benefits of HEB's undertakings pursuant to this agreement, such Impact Fee Offsets to be in addition to any that HEB may qualify for under the City's impact fee ordinances in connection with HEB's construction of qualifying public infrastructure.

(c) Transportation and Drainage Impact Fee Credit. HEB will receive from the City Transportation and Drainage Impact Fee Credits for construction of Main Street Widening and construction of a hike and bike trail from the south end of their Property to FM 1103 on the north end of the Property. Transportation Fee Credits shall be in the amount of Five Hundred Sixty Thousand Dollars ($560,000) and Drainage Fee Credits shall be in the amount of One Hundred Ninety Thousand Dollars ($190,000).

(d) Reimbursement for Enhanced Trail Width. The City will reimburse HEB an amount of Fifteen Thousand Five Hundred Dollars ($15,500) for expanding the 8-foot wide hike and bike trail to a 10-foot wide hike and bike trail from the south end of their Property to FM 1103 as depicted in Exhibit B pursuant to the specifications in Exhibit C. Payment by the City shall be made within thirty (30) days of the City receiving the executed trail easement from HEB.

ARTICLE 4.
CEDC OBLIGATIONS

(a) If HEB fulfills the terms and conditions under Article 2 of this Agreement including constructing the EFC, acceptance of the EFC by the City and the opening of the EFC in accordance with the terms and conditions under Article 2 of this Agreement, the CEDC shall pay to HEB the amount of Four Hundred Fifty Thousand Dollars ($450,000) for the EFC that together with the rest of the HEB Project will result in new economic development in the City including creating new jobs. If HEB fails to fulfill its obligations involving the EFC under Article 2 of this Agreement, the CEDC shall have no obligation to pay HEB the sum of $450,000.

ARTICLE 5.
DEFAULT AND REMEDIES

(a) Before any failure of any Party to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement such that another Party's remedies are available, the Party claiming such failure shall notify, in writing, the Party alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Agreement may be found to have occurred if such breach has been cured within sixty (60) days following the receipt of such notice; provided, however, if such breach is not reasonably curable within such 60-day period, and HEB has commenced and is pursuing such remedies as shall be reasonably necessary to cure such breach, then HEB shall have an additional ninety (90) days to cure such breach (the ***"Cure Period"***).

(b) In the event of a breach of this Agreement by HEB beyond the applicable Cure Period, the City may seek to exercise its rights to (i) recapture any Tax Rebates provided to HEB (if any) (ii) recapture any Impact Fee Offsets provided to HEB that HEB would not have be entitled to pursuant to the City's ordinances but for this Agreement; (iii) recapture any other economic development incentives provided to HEB; (iv) recover from HEB any legal expenses incurred by the City to enforce recapture provisions or any other provision under this Agreement; and/or (v) terminate this Agreement by the delivery of written notice to HEB.

(c) In the event of a breach of this Agreement by the City beyond the Cure Period, HEB may (i) seek to exercise its rights to enforce City's obligations hereunder in order to receive Tax Rebates or Impact Fee Offsets due to HEB; (ii) seek to recover from City any legal expenses incurred by HEB to enforce City's payment of monetary obligations under this Agreement; and/or (iii) terminate this Agreement by the delivery of written notice to the City.

(d) In the event of a breach by HEB as to the CEDC, the CEDC may seek to exercise its rights to (i) enforce HEB's obligations under this Agreement; (ii) recover the $450,000 paid to HEB; and/or (iii) recover from HEB any legal expenses incurred by the CEDC to enforce HEB's obligations to the CEDC under this Agreement.

ARTICLE 6.
MISCELLANEOUS PROVISIONS

The following miscellaneous provisions are a part of this Agreement:

(a) Amendments. This Agreement constitutes the entire understanding and agreement of the Parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

(b) Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Guadalupe County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Guadalupe County, Texas.

(c) Assignment. This Agreement may not be assigned by HEB without the express written consent of the City and the CEDC, which shall not be unreasonably withheld or delayed. Notwithstanding the foregoing, HEB may assign this Agreement to an affiliate of HEB without the City's and the CEDC's consent but shall provide notice of such assignment promptly to the City and the CEDC.

(d) Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. The CEDC warrants and represents that the individual executing this Agreement on behalf of the CEDC has full authority to execute this Agreement and bind the CEDC to the same. HEB warrants and represents that the individual executing this Agreement on HEB 's behalf has full authority to execute this Agreement and bind HEB to the same.

(e) Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

(f) Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

(g) Entire Agreement. This written agreement represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the Parties. There are no unwritten oral agreements between the Parties.

(h) Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of war, civil commotion, acts of God, inclement weather, fire or other casualty, court injunction, delays in issuing permits of approvals, the unavailability of materials, pandemic or other public health conditions, or other cause outside the control of the Party who is to perform, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or requirement shall be extended for a period of time equal to the period such Party was delayed.

(i) Notice. All notices required to be given under this Agreement shall be given in writing and shall be effective when actually delivered or when deposited in the United States mail, first class, postage prepaid, addressed to the Party to whom the notice is to be given at the addresses shown below. Any Party may change its address for notices under the Agreement by giving formal written notice to the other Parties, specifying that the purpose of the notice is to change the Party's address. For notice purposes, each Party agrees to keep the other informed at all times of its current address. The addresses of the Parties are:

If to the City:	City of Cibolo 200 South Main Street Cibolo, TX 78108 Attn: City Manager
If to the CEDC:	Cibolo Economic Development Corporation 200 South Main Street Cibolo, TX 78108 Attn: President of the Board
If to HEB:	H-E-B, LP 646 South Flores San Antonio, TX 78204 Attn: Benjamin Scott

(j) Severability. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation that have the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

(k) Employment of Undocumented Workers. During the term of this Agreement, HEB agrees not to knowingly employ any undocumented workers at the Project, and if convicted of a violation under 8 U.S.C. Section 1324a (f), HEB shall repay the amount of the Tax Rebates, Impact Fee Offsets and any other economic development incentives received by HEB as of the date of such violation within 120 days after the date HEB is notified by the City of such violation, plus interest at the rate periodically announced by the Wall Street Journal as the prime or base commercial lending rate, or if the Wall Street Journal shall ever cease to exist or cease to announce a prime or base lending rate, then at the annual rate of interest from time to time announced by Citibank, N.A. (or by any other New York money center bank selected by the City) as its prime or base commercial lending rate, from the date of such notice until paid.

(l) Incorporation of Recitals. Any recitals in this Agreement are represented by the Parties to be accurate and constitute a part of the Agreement.

(m) Payment of Expenses. Except as otherwise expressly provided in this Agreement, (i) each of the Parties shall pay its own costs and expenses relating to this Agreement, including, but not limited to, its costs and expenses of the negotiations leading up to this Agreement, and of its performance and compliance with this Agreement, and (ii) in the event of a dispute between the Parties in connection with this Agreement, the prevailing Party in the resolution of any such dispute, whether by litigation or otherwise, shall be entitled to full recovery of all legal expenses including reasonable and necessary attorneys' fees (including a reasonable hourly fee for in-house legal counsel), costs and expenses incurred in connection therewith, including costs of court, from the non-prevailing Party to the extent allowed by law.

(n) Limitations on Liability. The City and/or the CEDC shall not be liable for consequential damages, specifically lost profits, and any damages claimed against the City and/or

the CEDC shall be limited to amounts recoverable under §271.153 of the Texas Local Government Code. The parties agree that this Agreement shall not be interpreted as or otherwise claimed to be a waiver of sovereignty on the part of the City and/or the CEDC.

(o) Effective Date. The words "Effective Date" mean the date this Agreement has been executed by the City, the CEDC and HEB.

(p) Exhibits. The following exhibits are attached to this Agreement and incorporated hereto for all purposes:

A. Legal Description and Survey
B. Site Plan illustrating street, signal, and trail improvements
C. Trail Specifications
D. Truck Route

[The Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

ATTEST:

APPROVED AS TO FORM:

Frank J. Garza

ATTEST:

APPROVED AS TO FORM:

Ruben Barrera

CITY:

CITY OF CIBOLO TEXAS,
a Texas Home-Rule Municipality

By: Wayne Reed
Date: 3-7-2022

CEDC:

CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
a Texas Development Corporation

By:
Date: 3-17-2022

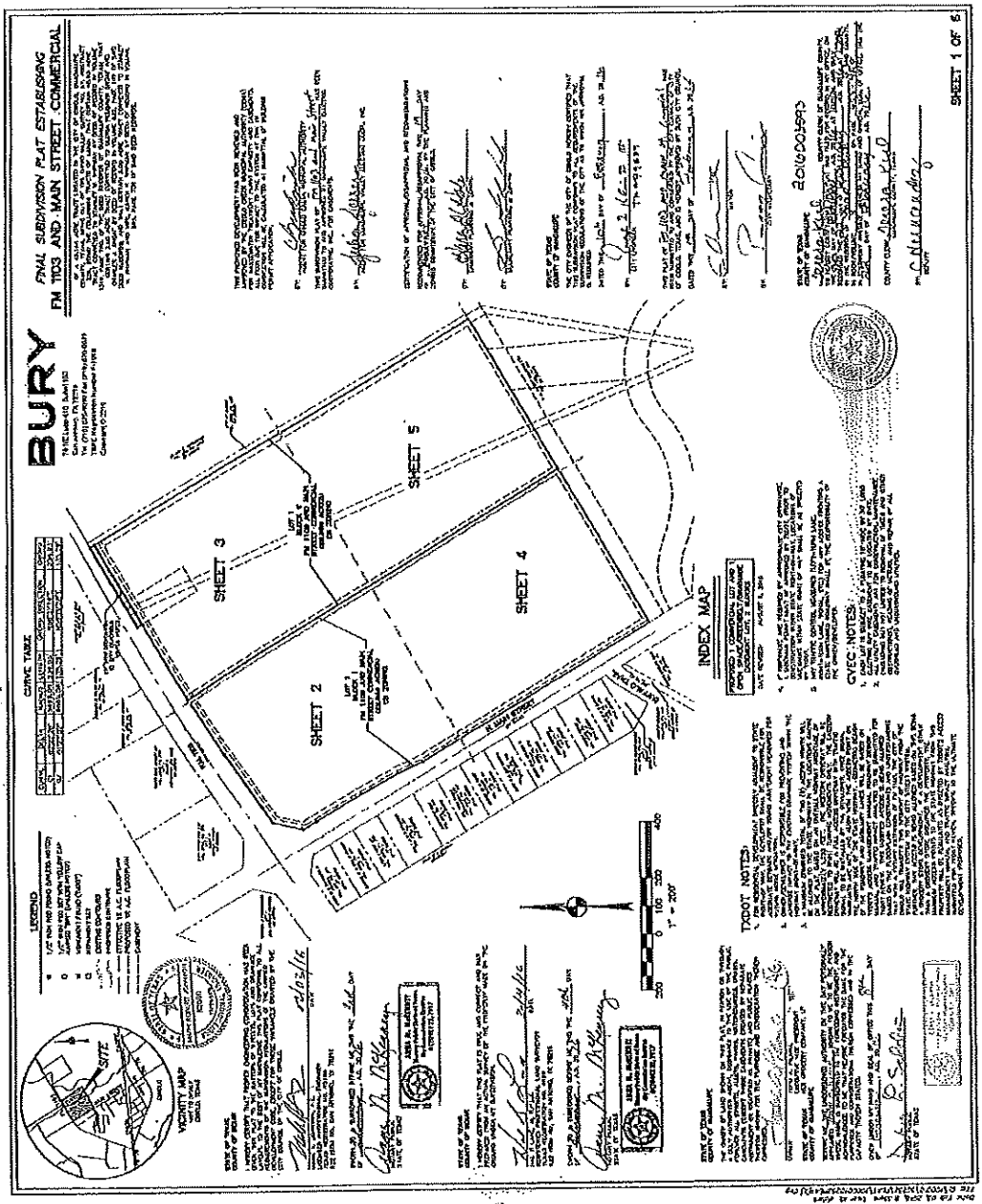
H-E-B, LP,
a Texas limited partnership

By:
Name: Benjamin R. Scott
Title: Vice President of Real Estate
Date: March 3, 2022

EXHIBIT A

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HEUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 622, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 595, PAGE 708 OF SAID DEED RECORDS.

EXHIBIT A (CONTINUED)



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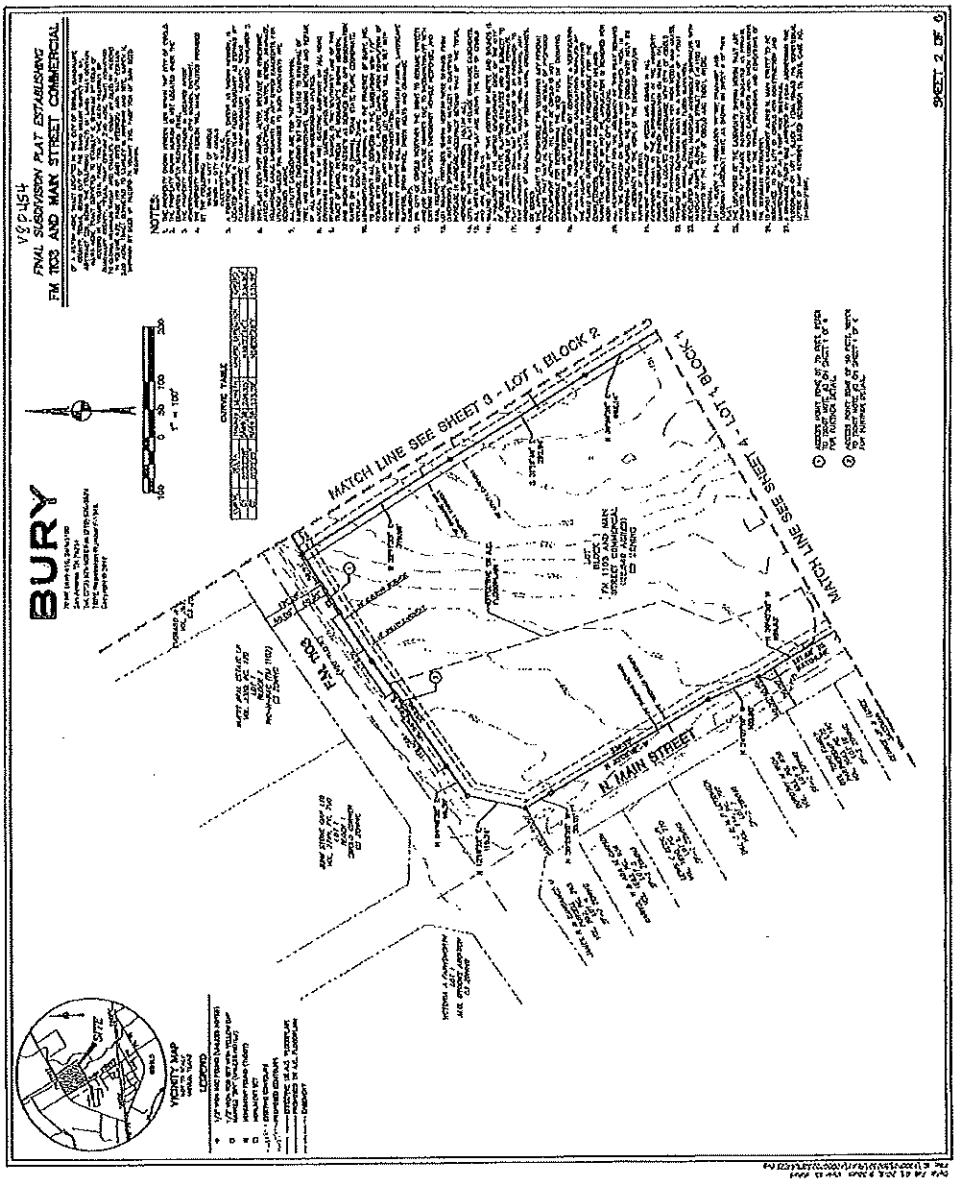

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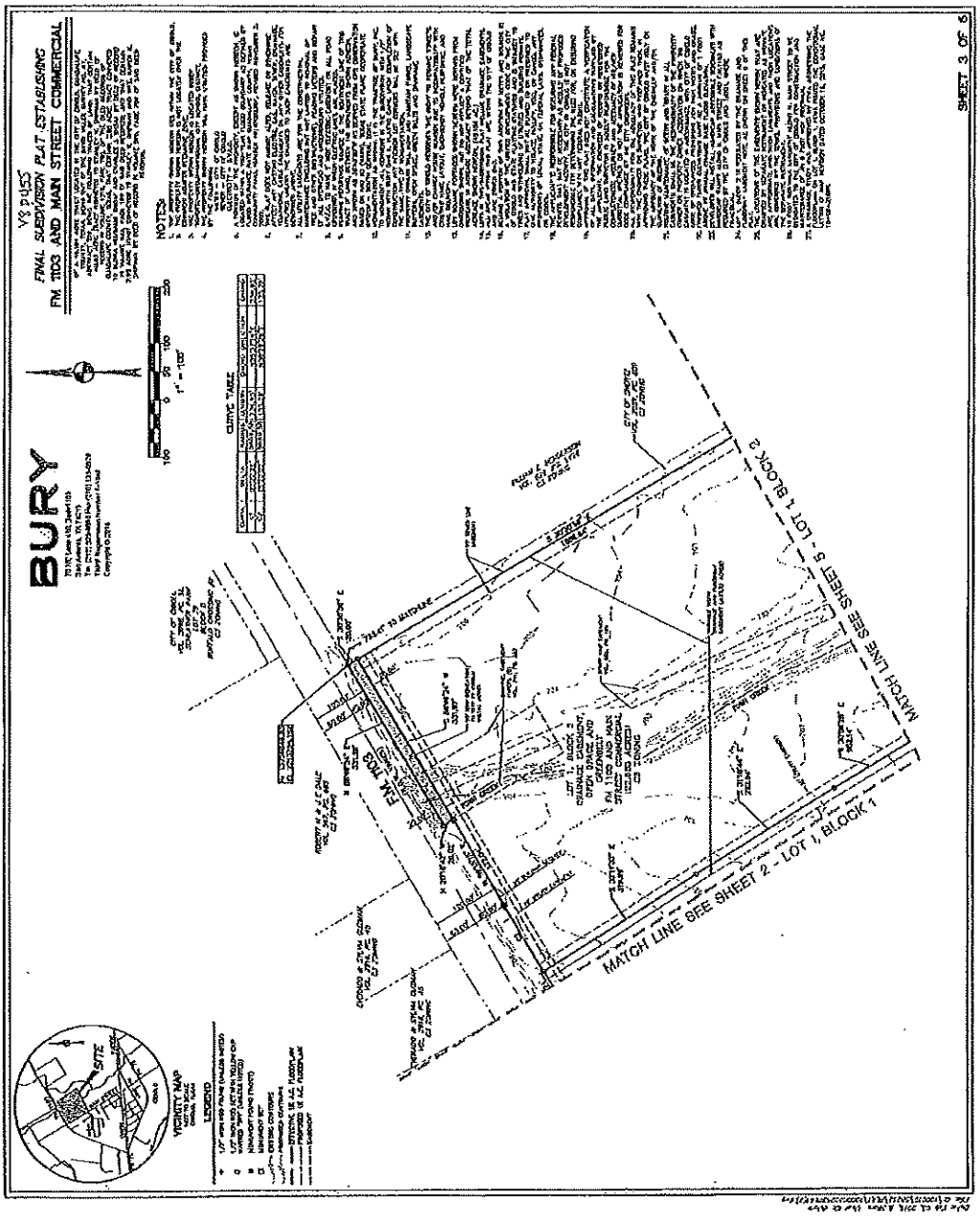

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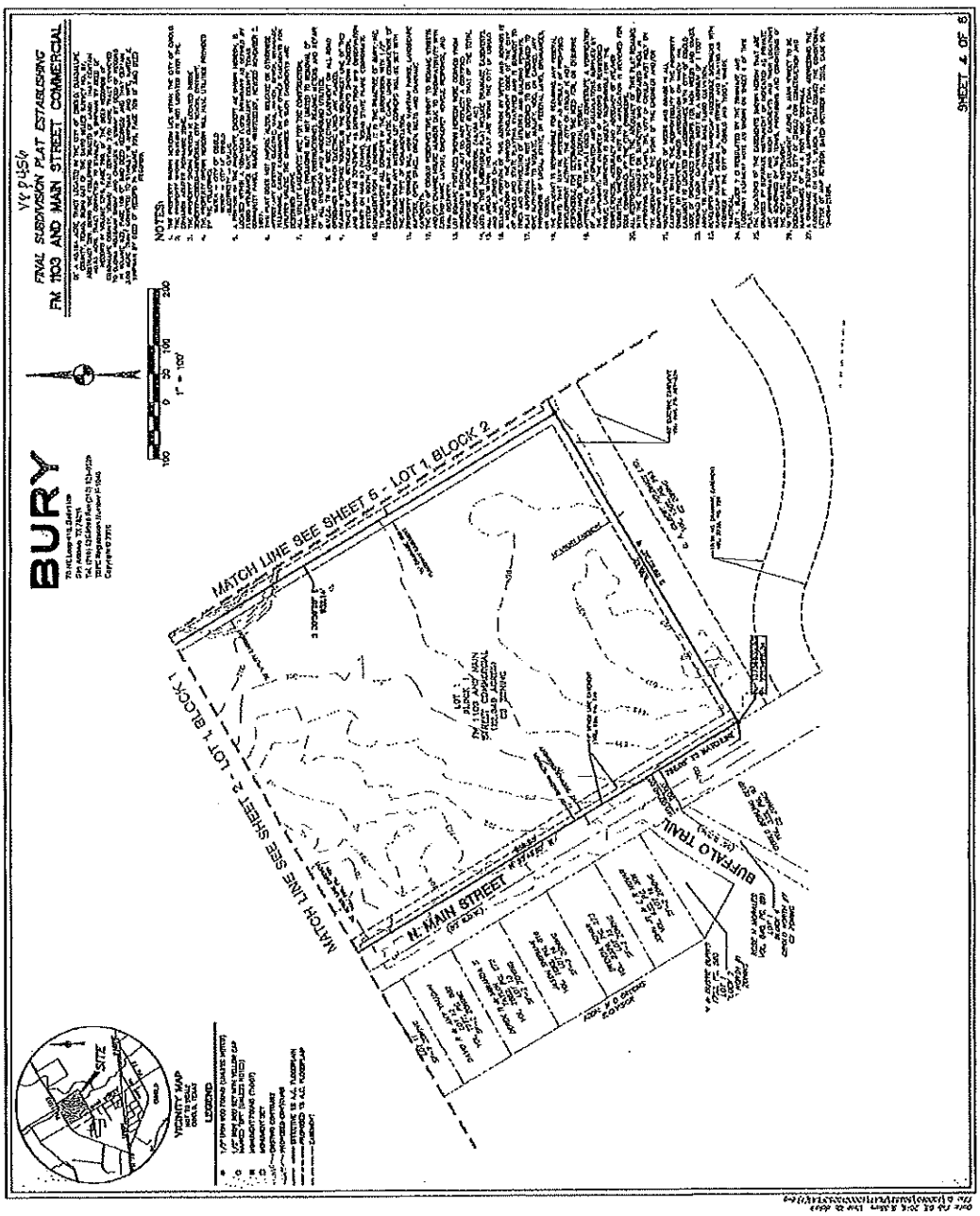

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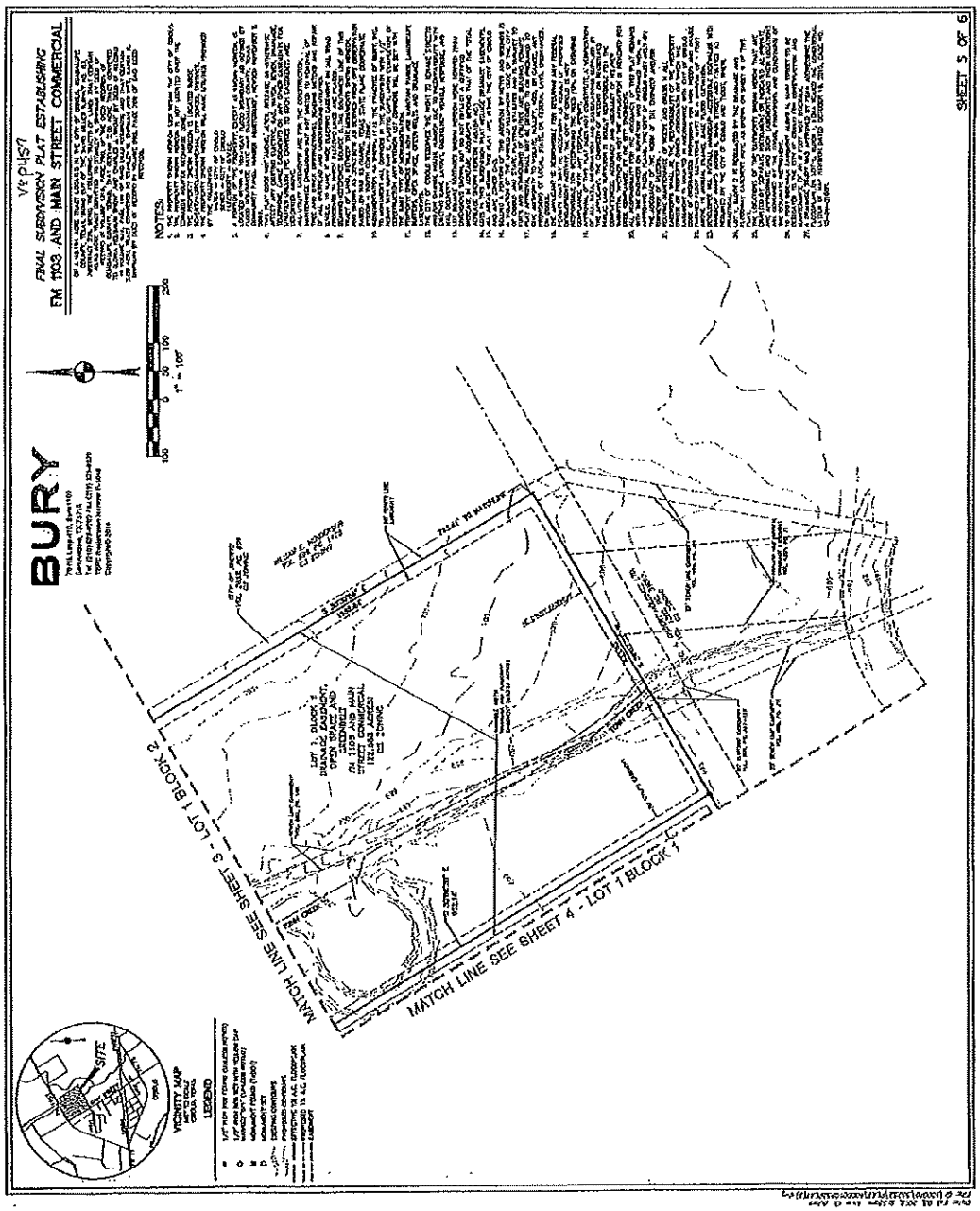

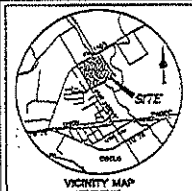

VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

BURY

Pt 142 Lobby Area, Suite 1100
San Antonio, TX 78216
Tel: (210) 524-9992 Fax: (210) 872-9579
TBPE Registration Number F-1046

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V8 P458

FINAL SUBDIVISION PLAT ESTABLISHING FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.10± ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID WILLEY SURVEY NO. 97, ABSTRACT 526, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY K. SHIPMAN BY DEED OF RECORD IN VOLUME 1309, PAGE 1966 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA NEUMANN SHAW AND CHARLES A. SHAW BY DEED OF RECORD IN VOLUME 4151, PAGE 1709 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY K. SHIPMAN AND WIFE, KANDY K. SHIPMAN BY DEED OF RECORD IN VOLUME 3913, PAGE 1265 OF SAID DEED RECORDS; SAID 45.10± ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00021;

BEGINNING, AT A FOUND ½ INCH IRON IN THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET (FLOW VARIED), BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 148.27 ACRE TRACT CONVEYED TO G.A. CRUDDY HOLDINGS LTD. BY DEED OF RECORD IN VOLUME 13015, PAGE 343 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS, SAME BEING THE SOUTHWESTERLY CORNER OF SAID 40.93 ACRE TRACT;

THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET, BEING THE WESTERLY LINES OF SAID 40.93 ACRE TRACT AND THE WESTERLY LINE OF SAID BOTH 2.00 ACRE TRACTS, THE FOLLOWING COURSES:

N 20° 43' 59" W, A DISTANCE OF 518.83 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 24° 09' 10" W, A DISTANCE OF 100.02 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 20° 00' 09" W, A DISTANCE OF 234.78 FEET TO A FOUND (NAIL TYPE) CONCRETE MONUMENT;

N 20° 23' 20" W, A DISTANCE OF 0.01 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP, AND THE SOUTHERLY OUTBACK CORNER OF THE FOUNDATION OF THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103 (FLOW VARIED);

THENCE, N 12° 16' 23" E, ALONG THE AFOREMENTIONED OUTBACK CORNER, A DISTANCE OF 110.74 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP IN THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, BEING THE NORTHWESTERLY CORNER OF SAID 40.93 ACRE TRACT;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, THE FOLLOWING COURSES:

N 64° 48' 32" E, A DISTANCE OF 64.59 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 64° 47' 42" E, A DISTANCE OF 253.49 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2289.36 FEET, A CENTRAL ANGLE OF 05° 46' 20", AN ARC LENGTH OF 574.24 FEET AND A CHORD BEARING N 67° 18' 15" E, A DISTANCE OF 572.77 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 69° 52' 05" E, A DISTANCE OF 177.84 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 69° 56' 42" W, A DISTANCE OF 20.62 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 69° 56' 34" E, A DISTANCE OF 201.06 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP MARKING THE NORTHEASTERLY CORNER OF SAID 40.93 ACRE TRACT, BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 44.21 ACRE TRACT CONVEYED TO WILLIAM C. ANDERSON BY DEED OF RECORD IN VOLUME 4199, PAGE 1428 OF SAID DEED RECORDS;

THENCE, S 20° 20' 56" E, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, ALONG THE COMMON BOUNDARY LINE OF SAID 40.93 ACRE TRACT AND SAID 44.21 ACRE TRACT, A DISTANCE OF 1,340.80 FEET TO A FOUND ½ INCH IRON ROD MARKING THE SOUTHEASTERLY CORNER OF SAID 40.93 ACRE TRACT, BEING THE SOUTHEASTERLY CORNER OF SAID 40.93 ACRE TRACT, SAME BEING A POINT IN THE NORTHERLY LINE OF SAID 148.27 ACRE TRACT;

THENCE, S 69° 02' 32" W, ALONG THE COMMON BOUNDARY LINE OF SAID 40.93 ACRE TRACT AND SAID 148.27 ACRE TRACT, A DISTANCE OF 1,261.37 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 45.10± ACRES (1,964,566 SQ. FT.) OF LAND, MORE OR LESS.

VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT MAINTENANCE NOTE:

THE MAINTENANCE OF DRAINAGE EASEMENTS, ACCESS EASEMENTS, DRAINLOTS, AND OPEN SPACE/AMENITIES PLACED SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND THEIR SUCCESSOR OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF CIBOLO OR GUADALUPE COUNTY. HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO CHANGE/ALTER OR CONSIDER EXISTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE DRAINAGE THEN IN SUCH EVENT, THE CITY SHALL MAKE THE MOVE, BUT NOT THE OBLIGATION, TO ENTER UPON THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AT ANY POINT, OR POINTS, WITH ALL REASONABLE RIGHTS OF INGRESS AND EGRESS, TO INVESTIGATE, SURVEY, SPUDY, CONSTRUCT OR MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR THE CITY FOR DRAINAGE PURPOSES; PROVIDED THAT ANY ACTIVITIES BY THE CITY TO IMPROVE DRAINAGE WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AREA, INCLUDING BUT NOT LIMITED TO THE CONSTRUCTION OF DRAINAGE STRUCTURES, SHALL COMPLY WITH THE CITY'S THEN EXISTING DESIGN AND CONSTRUCTION MANUAL'S REQUIREMENTS FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND SHALL OCCUR SOLELY WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT, AS SHOWN HEREON.

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN WATER/WASTEWATER/UNIFORMAL CITY LIMITS, DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   ELECTRICITY = GVEC
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT ABOLISH, ALTER, VACATE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE ELEMENTS HEREIN.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVING OF TREES AND OTHER OBSTRUCTIONS), READING METERS AND ACTIVITIES OF ALL AMERICAN AND UNDERGROUND UTILITIES.
8. A 6'x10' TO HAVE 8' HIGH ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS GRID NORTH AS DERIVED FROM GPS OBSERVATION TIES TO GAD 83 (NA2011) TEXAS STATE PLANE COORDINATE SYSTEM in SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH ½" INCH IRON RODS WITH BURY INC. PLASTIC CAPS AFTER CONSTRUCTION AND INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL KEEP AND MAINTAIN SHRUBS, LANDSCAPE PLANTS, SIGNS, SPACES, CHILDREN PLAYS, AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO REMOVE STREETS AND/OR DRAINAGE IMPROVEMENTS GIVE NO RESPONSIBILITY WITH REGARD TO ANY LANDSCAPING, DRIVEWAYS, HOUSES, FENCING, AND ANY RELATED.
13. LOT CORNERS, POST-MONUMENTS SHOWN HEREON, MORE CERTAIN FROM SUBDIVISIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED BOUNDARY SURVEY ACCURACY BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON. (MINIMUM ACC)
14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-2.
16. BUILDING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNITED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
17. PLAT APPROVAL SHALL NOT BE ISSUED TO BE PROCURED TO WHO AUTHORITY TO VACATE, NULLITY, VOID, BY CONFLICT ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
18. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS PART OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR OBTAINING COMPLIANCE WITH ANY FEDERAL PERMITS.
19. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A WARRANTY OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY OF CIBOLO.
20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THIS, IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
21. PLATTING, MAINTENANCE, OF MOORE AND GRADE (F-41) LANDOWNER'S SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR PROPERTY OWNER ASSOCIATION ON WHICH THE EASEMENT IS LOCATED IN ACCORDANCE WITH CITY OF CIBOLO CODE OF ORDINANCES PROVISIONS FOR SUCH MOORE AND GRADE.
22. FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 1 FOOT ABOVE THE ANNUAL CHANCE BASE FLOOD ELEVATION.
23. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE RAMPS/CURB WITH SIDEWALK RAMPS ALONG N. MAIN STREET AND CR1103 AS REQUIRED BY THE CITY OF CIBOLO AND SHALL MAINTAIN.
24. LOT 1, BLOCK 1 IS REGULATED BY THE DRAINAGE AND LANDSCAPE EASEMENT NOTE AS SHOWN ON SHEET 3 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HEREIN THAT ARE GRANTED BY SEPARATE INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH BOUNDARIES AND THEIR LOCATIONS AND DIMENSIONS BY THE SURVEY PREPARING AND DEPICTING OF THE SURVEYOR HEREINABOVE.
26. 10 FOOT NORTHSIDE EASEMENT ALONG N. MAIN STREET TO BE DEDICATED TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT WIDE WALK.
27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA PERMIT THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 14, 2015, CASE NO. 15-06-1749R.

SHEET 5 OF 6

EXHIBIT A (CONTINUED)

EXHIBIT B

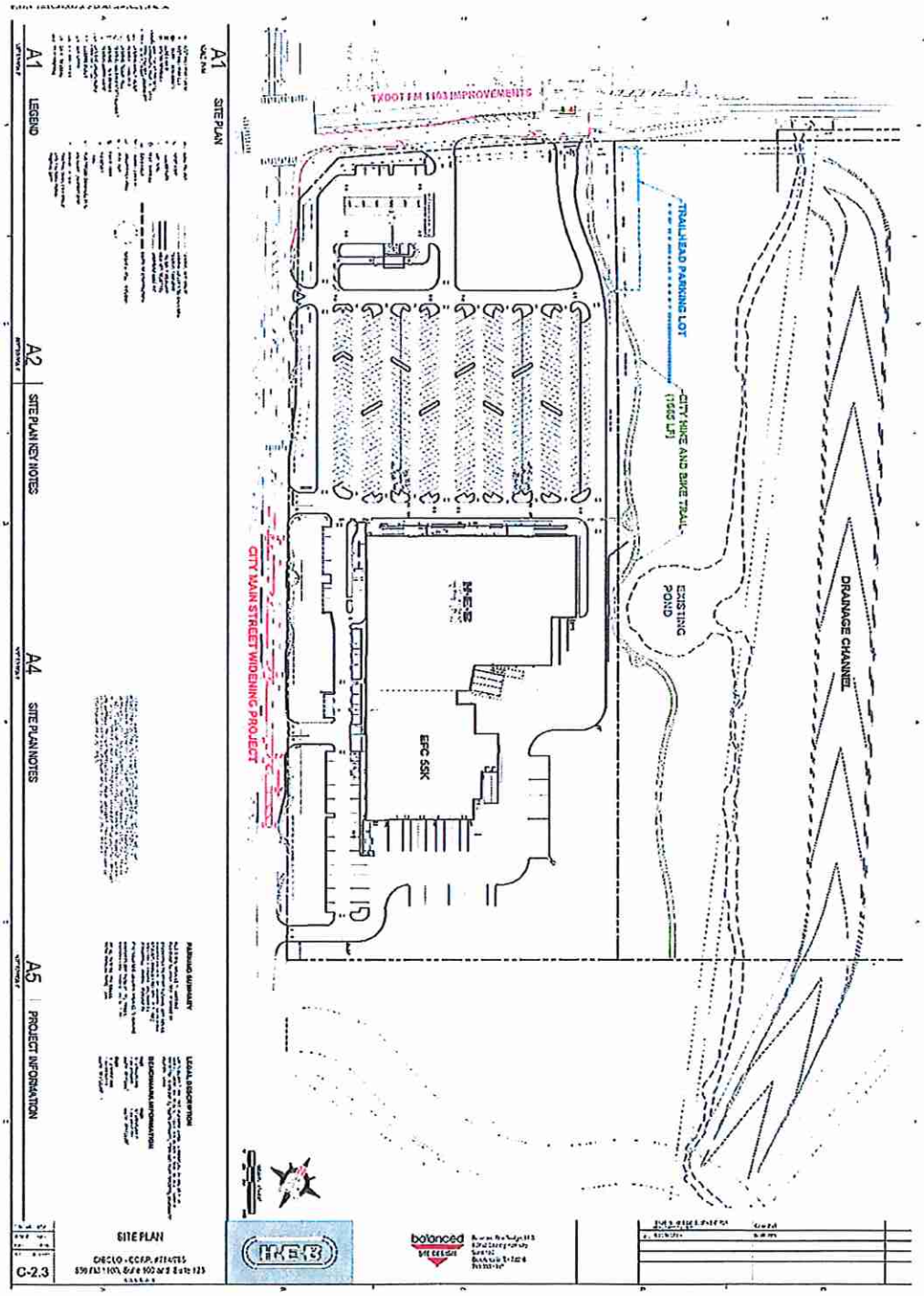

A1 SITE PLAN
A1 LEGEND
A2 SITE PLAN KEY NOTES
A4 SITE PLAN NOTES
A5 PROJECT INFORMATION
SITE PLAN
C-2.3
TXDOT FM 1463 IMPROVEMENTS
TRAILHEAD PARKING LOT
CITY HIKE AND BIKE TRAIL (1650 LF)
EXISTING POND
DRAINAGE CHANNEL
CITY MAIN STREET WIDENING PROJECT
EPC 55K
balanced

EXHIBIT C

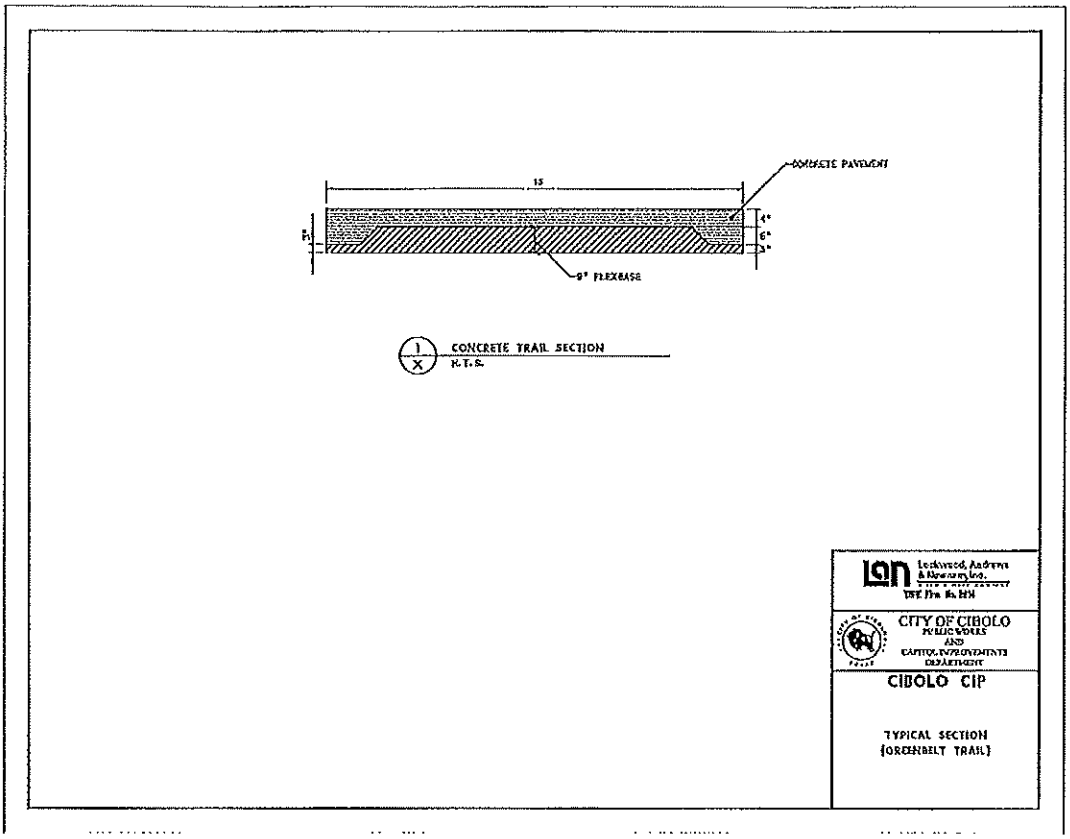
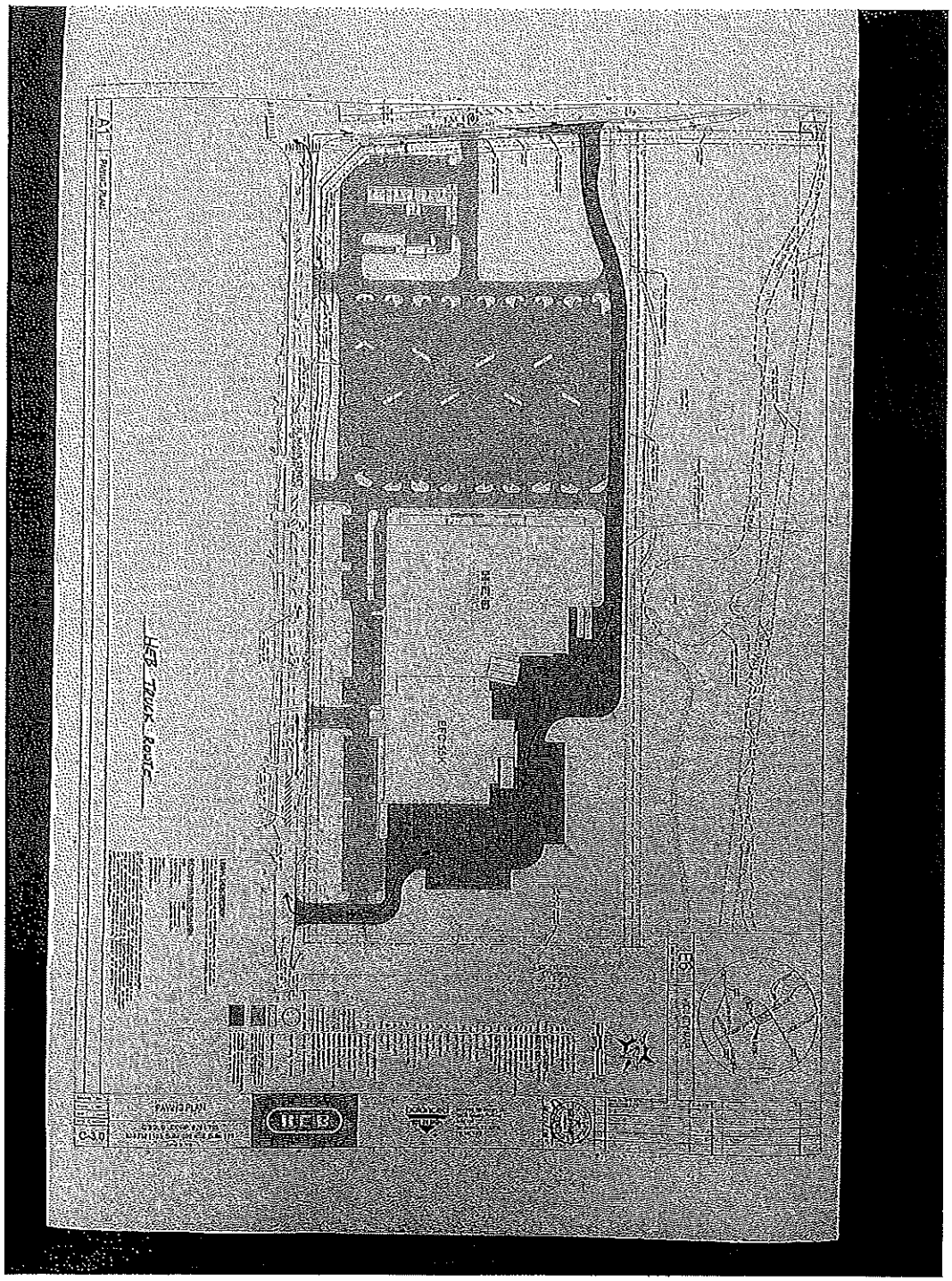

15
CONCRETE PAVEMENT
4"
6"
3"
9" FLEXBASE
1
X
CONCRETE TRAIL SECTION
N.T.S.
Lockwood, Andrews & Newnam, Inc.
CITY OF CIBOLO
PUBLIC WORKS
AND
CAPITOL IMPROVEMENTS
DEPARTMENT
CIBOLO CIP
TYPICAL SECTION
(GREENBELT TRAIL)

EXHIBIT D



City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on the Final Plat of Venado Crossing Unit 5. (Ms. Huerta)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13A

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13A Final Plat Venado Crossing U-5.pdf

CITY COUNCIL

AGENDA ITEM: SUBDIVISION DEVELOPMENT PETITION

FINAL PLAT OF VENADO CROSSING UNIT 5

Located south of FM-78 west of Meadowview Estates

PC-24-02-FP

MEETING DATE: February 27, 2024

STAFF: Susana Huerta, Assistant Planning Director

CITY COUNCIL ACTION: Approval/Disapproval of the above referenced petition

PLANNING & ZONING COMMISSION RECOMMENDATION: Denial by a 6-0 vote

PROPERTY INFORMATION:

Project Name:	Venado Crossing Unit 5
Owner:	HDC Venado Crossing, LLC
Representative:	Wayne Flores, Colliers Engineers and Surveying
Area:	18.62 acres
Location:	South of FM 78, West of Meadowview Estates
Council District:	7
Zoning (map):	Planned Unit Development (PUD), Ord. 1118 and amended Ord. #1197
Proposed Use:	Single-Family Residential; 42 Residential Lots and 6 Drainage Easement Lots
Utility Providers:	Water – GVSUD, Sewer – City of Cibolo, Electricity – GVEC

FINDINGS/CURRENT ACTIVITY:

Per Unified Development Code (UDC) Article 20.3.5., 'Final Plat' The one official and authentic map of any given subdivision of land prepared from actual field measurement and staking of all identifiable points by a surveyor or engineer, with the subdivision location referenced to a survey corner, and with all boundaries, corners and curves of the land division sufficiently described so that they can be reproduced without additional references.

Unit 5 is the fifth Unit of the Venado Crossing Subdivision. It is adjacent to Unit 4 and just south of Unit 2. This plat establishes 42 lots that are typically 65' in width. Per UDC Article 14.2.L, the one-foot vehicular non-access easement requirement will be placed along lots with ingress/egress concerns, i.e., lots that back up to the Venado Crossing (ROW).

A Planned Unit Development (PUD) was approved for this development in 2014, and a Land Study and Public Improvements Agreement (PIA) in 2017.

STREETS/FUTURE THOROUGHFARE PLAN (FTPX):
This plat contains approximately 1,435 Linear Feet of roadway to serve this unit within the development.

UTILITIES:
The site is served water by GVSUD, and new mains will be extended throughout the unit. A city sewer main was extended during construction of Unit 1 through the development to this unit to a new City owned lift station adjacent to Unit 4.

DRAINAGE:
The Drainage Plan was reviewed and approved in May of 2020. Storm water detention mitigation was done with Units 1 and 2 that included two detention basins that account for the development of this unit.

PARKLAND:
This proposed subdivision does not warrant dedication of parkland per the UDC. The minimum required parkland was dedicated with Unit 1.

STAFF RECOMMENDATION:
Staff and the City Engineer have reviewed the Final Plat and associated documents. Per the review letters attached to this report, there are comments pending. Therefore, Staff recommends DENIAL of this plat at this time.

ATTACHMENTS:

1. Application
2. Plat
3. City Engineer Letters
4. Property Information Map

City of Cibolo

Planning Department
201 Loop 539 W/P.O. Box 826
Cibolo, TX 78108
Phone: (210) 658 - 9900

UNIVERSAL APPLICATION - FINAL PLAT

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Please use a separate application for each submittal.* Your application will not be accepted until the application is completed and required information provided.

Project Name: Venado Crossing Subdivision Unit 5

Total Acres: 18.62 Survey Name: Jeronimo Leal Survey No. 85 Abstract No.: 210

Project Location (address): South of FM 78 and immediately West of Meadowview Estates

Current Zoning: SF-3 Low-Medium Density Residential Overlay: ☐ None ☐ Old Town ■ FM 78

Proposed Zoning: N/A # of Lots: 42 # of Units: ____

Please Choose One: ■ Single-Family ☐ Multi-Family ☐ Commercial ☐ Industrial

☐ Other ____

Current Use: Residential Total Proposed Square Footage: N/A

Proposed Use: N/A (Commercial/Industrial only)

Applicant Information:

Property Owner Name: HDC Venado Crossing, LLC

Address: 100 NE Loop 410, Suite 1080 City: San Antonio

State: TX Zip Code: 78216 Phone: 210-838-6784

Email: bryan@hdc-group.com Fax: ____

**Applicant (if different than Owner):* ____

* Letter of Authorization required

Address: ____ City: ____

State: ____ Zip Code: ____ Phone: ____

Email: ____ Fax: ____

Representative: Colliers Engineering & Design; Attn: Wayne Flores, P.E.

Address: 640 N Walnut Ave, Suite 1101 City: New Braunfels

State: TX Zip Code: 78130 Phone: 830-220-6042

Email: wayne.flores@collierseng.com Fax: ____

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application.

Owner or Representative's Signature

Bryan Sims
Typed / Printed Name

State of Texas

County of Bexar

Before me, Gregory Sean Nagis, on this day personally appeared

Bryan Sims, to be the person(s) who is/are subscribed to the
Name of signer(s)

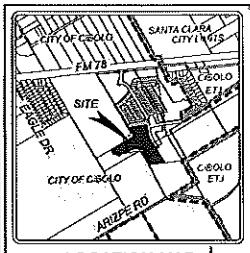
foregoing instrument and acknowledge to me that he/she/they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 11th day of January,

Notary Public Signature

NOTARY PUBLIC STATE OF TEXAS
Gregory Sean Nagis (Notary Seal)
My Commission Expires
10/20/2024
ID No 132754928

City of Cibolo Use Only
Total Fees
Payment Method
Submittal Date
Accepted by
Case Number



LOCATION MAP
SCALE : 1" = 2000'

PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT.

GENERAL NOTES:

1. NO CONSTRUCTION WITHIN EASEMENTS OTHER THAN THAT FOR WHICH THE EASEMENT IS DEDICATED.
2. BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE (4204).
3. ALL DISTANCES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY APPLYING THE COMBINED SCALE FACTOR OF 0.99987.
4. THERE ARE NO KNOWN CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY.

THIS PLAT OF VENADO CROSSING SUBDIVISION UNIT 5 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF CIBOLO, TEXAS.

DATED THIS _____ DAY OF _____, _____.

BY: _____
(CHAIR)

BY: _____
(CITY SECRETARY)

THIS PLAT OF VENADO CROSSING SUBDIVISION UNIT 5 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF CIBOLO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, _____.

BY: _____
(CHAIR)

BY: _____
(VICE CHAIR)

STATE OF TEXAS §
COUNTY OF GUADALUPE §

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

PETER A. SIEGEL
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5872
M.A.S.-P.H.D.V.G., LLC
3421 PAESANOS PKWY, SUITE 101
SAN ANTONIO, TEXAS 78231
PHONE 210.979.8444
FAX 210.979.8441

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE ____ DAY OF _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF GUADALUPE §

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE UNITED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY COUNCIL OF THE CITY OF CIBOLO.

_____
LICENSED PROFESSIONAL ENGINEER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE ____ DAY OF _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

1. ALL STREETS, ALLEYS, DRAINAGE EASEMENTS, AND OTHER PUBLIC IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CIBOLO'S STANDARDS AND SPECIFICATIONS IN EFFECT AT THE TIME OF CONSTRUCTION.
2. NO BUILDING OR STRUCTURE SHALL BE ERECTED ON ANY LOT UNTIL THE STREET UPON WHICH THE LOT FRONTS HAS BEEN ACCEPTED BY THE CITY OF CIBOLO.
3. THE OWNER OF EACH LOT IS RESPONSIBLE FOR MAINTAINING THE DRAINAGE FLOW ACROSS THEIR LOT AND SHALL NOT ALTER OR OBSTRUCT THE FLOW OF STORMWATER RUNOFF FROM ADJACENT PROPERTIES.
4. ALL LOTS SHALL COMPLY WITH THE MINIMUM LOT AREA, WIDTH, AND SETBACK REQUIREMENTS OF THE CITY OF CIBOLO'S ZONING ORDINANCE FOR THE APPLICABLE ZONING DISTRICT.
5. NO DRIVEWAY SHALL BE CONSTRUCTED WITHIN 25 FEET OF THE INTERSECTION OF TWO PUBLIC STREETS, MEASURED FROM THE NEAREST RIGHT-OF-WAY LINE.
6. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND, EXCEPT FOR ELECTRIC TRANSMISSION LINES OF 69 KV OR GREATER.
7. ALL RESIDENTIAL LOTS SHALL BE SERVED BY A PUBLIC WATER AND WASTEWATER SYSTEM APPROVED BY THE CITY OF CIBOLO AND THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

EASEMENT CERTIFICATE

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE GOLDEN VALLEY GROUNDWATER DISTRICT THE PERPETUAL RIGHT AND EASEMENT ON THE PROPERTY SHOWN HEREON AS "GVGD EASEMENT" FOR THE PURPOSE OF MONITORING GROUNDWATER LEVELS AND GROUNDWATER QUALITY. THE GVGD EASEMENT SHALL BE FREE OF ANY OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO FENCES, BUILDINGS, STRUCTURES, OR LANDSCAPING, THAT MAY IMPEDE ACCESS TO THE MONITORING WELLS. THE GVGD EASEMENT SHALL BE FOR THE BENEFIT OF THE GOLDEN VALLEY GROUNDWATER DISTRICT, ITS AGENTS, EMPLOYEES, AND CONTRACTORS, WHO SHALL HAVE THE RIGHT TO ENTER THE EASEMENT AT ANY REASONABLE TIME FOR THE PURPOSES STATED HEREIN. THE OWNER RESERVES THE RIGHT TO USE THE SURFACE OF THE GVGD EASEMENT FOR ANY PURPOSE NOT INCONSISTENT WITH THE GVGD EASEMENT, PROVIDED THAT SUCH USE DOES NOT DAMAGE OR INTERFERE WITH THE MONITORING WELLS OR THE GVGD'S ACCESS THERETO.

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE CITY OF CIBOLO, TEXAS, AND TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN HEREON AND GRANTS TO THE CITY OF CIBOLO AND TO ALL PUBLIC UTILITIES A PERPETUAL EASEMENT ON AND OVER THE UTILITY EASEMENTS AS SHOWN ON THIS PLAT FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING THEREIN AND THEREON PIPELINES, CONDUITS, POLES, WIRES, AND APPURTENANCES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, GAS, TELEPHONE, CABLE TELEVISION, WATER, SEWER, AND OTHER UTILITIES. THE CITY OF CIBOLO AND ALL PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND ALL PUBLIC UTILITIES SHALL HAVE THE RIGHT AT ALL TIMES TO EXERCISE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

IN ADDITION, IT IS AGREED THAT ALL OF THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, BOTH SURFACE AND UNDERGROUND, AND THAT NO BUILDINGS, CONCRETE PAVING, OR OTHER PERMANENT IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF CIBOLO. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, AND USE BY ANY PUBLIC UTILITY BEING SUBORDINATE TO THE PUBLIC AND CITY OF CIBOLO'S USE THEREOF. THE CITY OF CIBOLO AND PUBLIC UTILITIES SHALL MAKE THE BEST EFFORTS POSSIBLE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS, BUT ANY PUBLIC UTILITY SHALL BE LIABLE ONLY FOR DAMAGE TO OR REMOVAL OF IMPROVEMENTS OR GROWTHS CAUSED BY ITS NEGLIGENCE.

ANY MONETARY LOSS TO GREEN VALLEY S.U.D. RESULTING FROM MODIFICATIONS REQUIRED OF FACILITIES TO ACCOMMODATE SUBDIVISION DEVELOPMENT DUE TO GRADE CHANGE OF GROUND ELEVATION ALTERATION OF WATERWAYS OR THE REMOVAL OR PERSONS (SERVICE RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS UPON WHICH SAID LEGAL EASEMENT THE DISTRICT SHALL NOT BE OBLIGATED TO THE LAND SURFACE FOR A USABLE CONDITION, BUT IS NOT OBLIGATED TO RESTORE IT TO A PRE-EXISTING CONDITION.

THE EASEMENT CONVEYED HEREIN AS BEING GRANTED OR IMPROVED THROUGH FEDERAL FINANCIAL ASSISTANCE (FOR EASEMENTS SUBJECT TO THE PROVISION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AND THE REGULATIONS ISSUED PURSUANT THERETO FOR SO LONG AS THE EASEMENT CONTINUES TO BE USED FOR THE SAME OR SIMILAR PURPOSE FOR WHICH FINANCIAL ASSISTANCE WAS EXTENDED OR FOR SO LONG AS THE GRANTEE OWNS IT, WHICHEVER IS LONGER.

_____ OWNER

KEYNOTES

1. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
2. DRAINAGE EASEMENT
3. 10' UTILITY EASEMENT
4. 15' UTILITY EASEMENT
5. 15' PUBLIC ACCESS EASEMENT (VARIABLE WIDTH)
6. 20' DRAINAGE EASEMENT
7. 25' DRAINAGE EASEMENT
8. 30' DRAINAGE EASEMENT
9. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
10. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
11. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
12. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
13. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
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16. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
17. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
18. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
19. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
20. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
21. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)
22. ELECTRIC DISTRIBUTION EASEMENT (VARIABLE WIDTH)

DRAINAGE AND FLOODWAY EASEMENT NOTE

THIS PLAT IS HEREBY ADOPTED BY THE OWNERS (OR THEIR SUCCESSORS AND ASSIGNS) AND APPROVED BY THE CITY OF CIBOLO (HEREIN "CITY"), SUBJECT TO THE FOLLOWING CONDITIONS WHICH SHALL BE BINDING UPON THE OWNERS, THEIR HEIRS, GRANTEES, SUCCESSORS, AND ASSIGNS: THE DRAINAGE AND FLOODWAY EASEMENTS AS SHOWN AND DESCRIBED BY BEARINGS AND DISTANCES ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC AS DRAINAGE AND FLOODWAY EASEMENTS ("THE DRAINAGE AND FLOODWAY EASEMENTS") RESERVED FOR THE PUBLIC'S USE FOREVER, SUBJECT TO THE FOLLOWING COVENANTS WITH RESPECT TO MAINTENANCE RESPONSIBILITIES, WHICH COVENANTS OR CHARGES THAT RUN WITH THE DRAINAGE AND FLOODWAY EASEMENT AND PERSON AS AN OPEN CHANNEL AT ALL TIMES AND SHALL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE AND FLOODWAY EASEMENT. THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID CREEK OR FOR ANY DAMAGE OR INJURY TO PRIVATE PROPERTY OR PERSON THAT RESULTS FROM THE FLOW OF WATER ALONG SAID CREEK, OR FOR THE CONTROL OF EROSION. NO OBSTRUCTION TO THE NATURAL FLOW OF STORMWATER IN A WAY SHALL BE PERMITTED BY CONSTRUCTION OF ANY TYPE OF BUILDING, FENCE, OR ANY OTHER STRUCTURE within THE DRAINAGE AND FLOODWAY EASEMENT, PROVIDED, HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY, ITS DRAINAGE OR CONSERVATION DISTRICT OF CIBOLO CREEK TO ERECT ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE STORM DRAINAGE THAT IS ON EASEMENT, THE CITY SHALL HAVE THE RIGHT TO DO THE OBLIGATION, TO RESTRICTION THE DRAINAGE AND FLOODWAY EASEMENT AT ANY POINT, OR POINTS, WITHOUT ANY OF THE OWNERS AND ASSIGNS, TO MAINTAIN THE SURVEY EFFECT, GOAS PLACE, OR WHATEVER ANY DRAINAGE FACILITY DEEMED NECESSARY BY THE CITY FOR DRAINAGE PURPOSES. EACH PROPERTY OWNER SHALL KEEP THE LOTS AND DRAINAGE CHANNELS AND CREEKS PASSING THE DRAINAGE AND FLOODWAY EASEMENT ADJACENT TO HIS PROPERTY CLEAN AND FREE OF DEBRIS, SILT, AND ANY SUBSTANCE WHICH WOULD RESULT IN UNSANITARY CONDITIONS OR OBSTRUCT THE FLOW OF WATER, AND THE CITY OF CIBOLO SHALL HAVE THE RIGHT OF ACCESS AND EGRESS FOR THE PURPOSE OF INSPECTION AND SUPERVISION OF MAINTENANCE WORK BY THE PROPERTY OWNER TO ALLEVIATE ANY UNDESIRABLE CONDITIONS WHICH MAY OCCUR. THE NATURAL DRAINAGE CHANNELS AND CREEKS THROUGH THE CANYONS AND FLOODWAY EASEMENT ARE IN THE CASE OF ALL NATURAL CHANNELS, ARE SUBJECT TO STORM WATER OVERFLOW AND NATURAL BANK EROSION TO A DEGREE WHICH CANNOT BE EXACTLY LOCATED. THE CITY SHALL NOT BE HELD LIABLE FOR ANY DAMAGES OR INJURIES OF ANY NATURE RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA, NOR RESULTING FROM THE FAILURE OF ANY STRUCTURE OR STRUCTURES, WITHIN THE NATURAL DRAINAGE CHANNELS AND THE OWNERS HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY FROM ANY SUCH DAMAGES AND INJURIES. BUILDING SETBACKS OUTSIDE THE DRAINAGE AND FLOODWAY EASEMENT LINE SHALL BE PLACED TO A MINIMUM ELEVATION AS SHOWN ON THE PLAT THE MINIMUM FINISH ELEVATION FOR EACH LOT SHALL BE AS SHOWN ON THE PLAT.

THIS RESIDENTIAL DEVELOPMENT HAS BEEN REVIEWED AND APPROVED BY THE CIBOLO CREEK MUNICIPAL AUTHORITY (CCMA) FOR WASTEWATER TREATMENT PLANT CAPACITY AND EASEMENTS. ALL FEES DUE PER CONTRACT TO THE CCMA AT THE TIME OF CONNECTION WILL BE CALCULATED AT SUBMITTAL OF BUILDING PERMIT APPLICATION.

_____
AGENT FOR CIBOLO CREEK MUNICIPAL AUTHORITY

THIS LAND DEVELOPMENT PLAT HAS BEEN SUBMITTED TO AND APPROVED BY GREEN VALLEY SPECIAL UTILITY DISTRICT FOR EASEMENTS UPON REQUEST OF THE OLD TANKARD FARMHOUST OF THE REQUIRED FEES. THE DISTRICT WILL PROVIDE DOMESTIC WATER SERVICE TO EACH LOT IN THIS SUBDIVISION, BY AGREEMENT WITH THE DEVELOPER.

_____
AGENT GREEN VALLEY SPECIAL UTILITY DISTRICT

DEDICATION STATEMENT

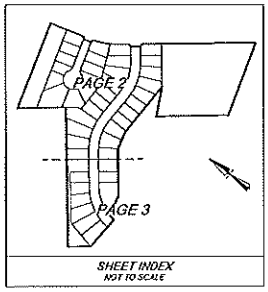
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____ ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS _____, AN ADDITION TO THE CITY OF CIBOLO, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND PUBLIC PARKLAND SHOWN THEREON. THE STREETS, ALLEYS AND PARKLAND ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF CIBOLO. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, AND USE BY ANY PUBLIC UTILITY BEING SUBORDINATE TO THE PUBLIC AND CITY OF CIBOLO'S USE THEREOF. THE CITY OF CIBOLO AND PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS, BUT ANY PUBLIC UTILITY SHALL BE LIABLE ONLY FOR DAMAGE TO OR REMOVAL OF IMPROVEMENTS OR GROWTHS CAUSED BY ITS NEGLIGENCE.

IN ADDITION, IT IS AGREED THAT ALL OF THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, BOTH SURFACE AND UNDERGROUND, AND THAT NO BUILDINGS, CONCRETE PAVING, OR OTHER PERMANENT IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF CIBOLO. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, AND USE BY ANY PUBLIC UTILITY BEING SUBORDINATE TO THE PUBLIC AND CITY OF CIBOLO'S USE THEREOF. THE CITY OF CIBOLO AND PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS, BUT ANY PUBLIC UTILITY SHALL BE LIABLE ONLY FOR DAMAGE TO OR REMOVAL OF IMPROVEMENTS OR GROWTHS CAUSED BY ITS NEGLIGENCE.

LEGEND

- ◆ 1/2" = SET 1/2" IRON ROD WITH PLASTIC CAP STAMPED "M.A.S.-P.H.D.V.G."
- ▲ S.F. = SET MAG NAIL WITH SHINER STAMPED "M.A.S.-P.H.D.V.G."
- R.O.W. = RIGHT-OF-WAY
- P.O.B. = POINT OF BEGINNING
- P.R.G.C.T. = OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- VOL. = VOLUME
- PG. = PAGE
- D.E. = DRAINAGE EASEMENT
- ℄ = CENTERLINE
- = BOUNDARY LINE



SHEET INDEX
NOT TO SCALE

RESIDENTIAL LOTS
DRAINAGE EASEMENT LOTS

FINAL SUBDIVISION PLAT ESTABLISHING

VENADO CROSSING SUBDIVISION UNIT 5

BEING 14.642 ACRES TRACT OF LAND, OUT OF THE ALEXANDER EL. SURVEY NO. 65, ABSTRACT 210 AND THE JOSEPH DE LEON SURVEY NO. 64, ABSTRACT 183, BOTH IN GUADALUPE COUNTY, TEXAS, AND A CALLED 17.1 ACRE TRACT OF LAND AS CONVEYED TO VENADO CROSSING, LLC, OF RECORD IN DOC. NO. 201706034, OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF GUADALUPE

WHEREAS, VENADO CROSSING, LLC, ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF A TRACT OF LAND LOCATED IN THE _____ JURISDICTION AS FOLLOWS, TO WIT:

CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN VOLUME _____, PAGE _____, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

KFW
ENGINEERS & SURVEYING
[illegible]

1. ALL PLAT NOTES AND RESTRICTIONS SHOWN HEREON SHALL BE ENFORCEABLE BY THE CITY OF CIBOLO.
2. NO BUILDING SHALL BE ERECTED IN ANY DEDICATED EASEMENT OR ROADWAY EXCEPT AS MAY BE AUTHORIZED BY THE CITY OF CIBOLO.
3. ANY EASEMENT OR UTILITY DEDICATED BY THIS PLAT WITHIN THE CITY LIMITS OF THE CITY OF CIBOLO SHALL BE CONSTRUED TO INCLUDE THE BENEFIT OF THE CITY OF CIBOLO AND ALL PUBLIC UTILITIES FIRST APPROVED BY THE CITY OF CIBOLO, AS TO SIZE, LOCATION AND USE.
4. ALL LOTS SHALL HAVE ACCESS TO INTERNAL STREETS ONLY. NO DIRECT ACCESS TO ARIPPE ROAD SHALL BE PERMITTED.
5. ANY PROVISION OR RESTRICTION PROHIBITING OR RESTRICTING THE SALE OR RENTAL OF PROPERTY ON THE BASIS OF RACE, COLOR, RELIGION, SEX, FAMILIAL STATUS, OR NATIONAL ORIGIN IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
6. ANY REQUEST TO REVISE OR AMEND THIS PLAT SHALL BE SUBJECT TO ALL CURRENT SUBDIVISION ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME OF SUBMITTAL.

THE DEVELOPER OR HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS, DRAINAGE EASEMENTS, AND PRIVATE OPEN SPACE WITHIN THE SUBDIVISION.

_____
DEVELOPER

STATE OF TEXAS §
COUNTY OF GUADALUPE §

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

_____
OWNER
ACC VENADO CROSSING, LLC
100 NE LOOP 410, SUITE 1000
SAN ANTONIO, TX 78216
PHONE (210) 824-3191

_____
DULY AUTHORIZED AGENT

STATE OF TEXAS §
COUNTY OF GUADALUPE §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS _____ DAY OF _____, A.D. _____

_____
NOTARY PUBLIC STATE OF TEXAS

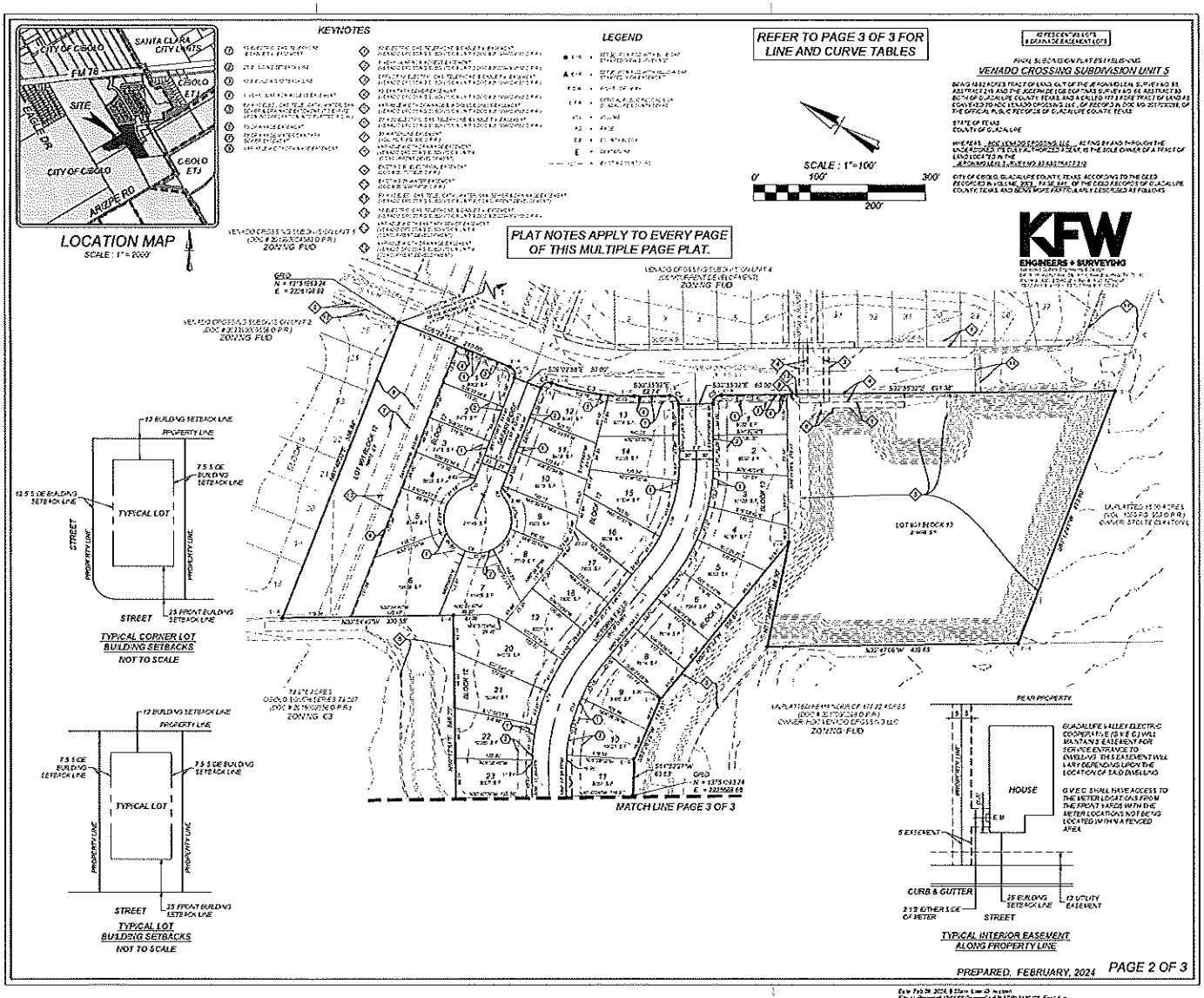
CERTIFICATE OF APPROVAL BY CITY ENGINEER

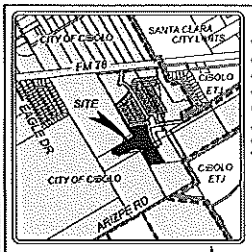
APPROVED ON THIS THE _____ DAY OF _____, 20_____, BY THE CITY ENGINEER, CITY OF CIBOLO, TEXAS.

_____
CITY ENGINEER, CITY OF CIBOLO

PREPARED FEBRUARY, 2024 PAGE 1 OF 3

Date: Feb 26, 2024, 8:31am User ID: mattson
File: G:\Projects\16010\Design\CAD\PLAT\16010_PLAT_Unit 5.dwg


KEYNOTES
LEGEND
REFER TO PAGE 3 OF 3 FOR LINE AND CURVE TABLES
SCALE : 1"=100'
0'
100'
200'
300'
LOCATION MAP
SCALE : 1" = 2000'
SANTA CLARA CITY LIMITS
CITY OF CIBOLO
FM 78
CIBOLO ETJ
SITE
ARIPE RD
PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT.
VENADO CROSSING SUBDIVISION UNIT 5
KFW
ENGINEERS + SURVEYING
TYPICAL CORNER LOT BUILDING SETBACKS
NOT TO SCALE
TYPICAL LOT BUILDING SETBACKS
NOT TO SCALE
TYPICAL INTERIOR EASEMENT ALONG PROPERTY LINE
MATCH LINE PAGE 3 OF 3
PREPARED: FEBRUARY, 2024
PAGE 2 OF 3



LOCATION MAP
SCALE : 1" = 2000'

KEYNOTES

LEGEND

SCALE : 1"=100'
0' 100' 200'

RESIDENTIAL LOTS
0 ENGRANGE EASEMENT (LOT)

FINAL SUBDIVISION PLAT ESTABLISHING
VENADO CROSSING SUBDIVISION UNIT 5

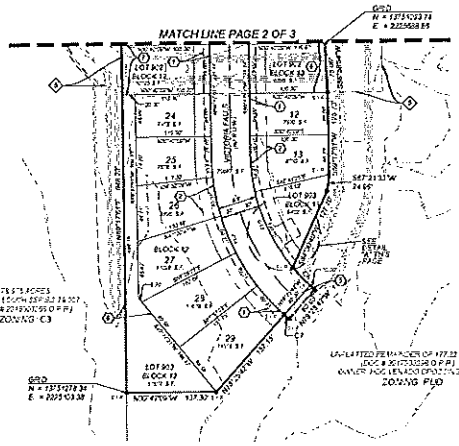
STATE OF TEXAS
COUNTY OF GUADALUPE

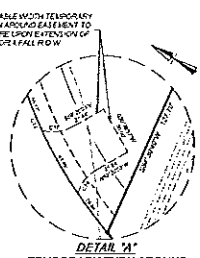
WHEREAS, HOC VENADO CROSSING, LLC, ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF A TRACT OF LAND LOCATED IN THE

CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN VOLUME 3901, PAGE 641, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

KFW
ENGINEERS & SURVEYING

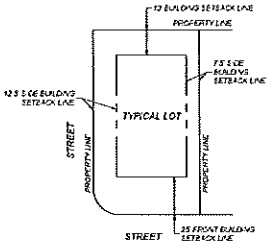
MATCH LINE PAGE 2 OF 3



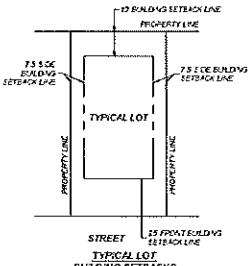


DETAIL "A"
TEMPORARY TURN AROUND
SCALE 1"=40'

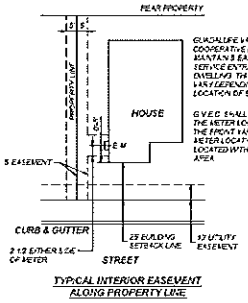
CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD BEARING
C1	23.56'	15.00'	15.00'	90°00'00"	21.21'	S75°38'51"E
C2	23.77'	15.00'	15.22'	90°48'24"	21.36'	S14°21'09"E
C3	14.73'	44.00'	7.43'	19°11'19"	14.66'	S15°45'04"E
C4	23.56'	15.00'	15.00'	90°00'00"	21.21'	S14°21'09"E
C5	23.56'	15.00'	15.00'	90°00'00"	21.21'	S75°38'51"E
C6	41.27'	25.00'	26.41'	94°33'55"	36.73'	S14°21'09"E
C7	15.36'	981.00'	7.68'	0°53'48"	15.36'	S74°47'45"E
C8	14.28'	17.00'	7.57'	48°07'29"	13.86'	S47°57'39"W
C9	33.73'	81.00'	17.16'	23°51'40"	33.49'	S12°25'09"W
C10	14.73'	44.00'	7.43'	19°11'19"	14.66'	S15°45'04"E
C11	28.33'	28.33'	15.71'	57°19'00"	27.17'	S75°41'39"E
C12	15.12'	775.00'	7.56'	1°07'03"	15.12'	S74°13'08"E
C13	23.40'	25.00'	12.64'	53°37'49"	22.56'	S13°21'09"E
C14	23.56'	15.00'	15.00'	90°00'00"	21.21'	S14°21'09"E
C15	22.12'	15.00'	13.61'	84°29'37"	20.17'	S75°38'51"E
C16	14.73'	44.00'	7.43'	19°11'19"	14.66'	S15°45'04"E
C17	15.36'	981.00'	7.68'	0°53'48"	15.36'	S74°47'45"E
C18	14.28'	17.00'	7.57'	48°07'29"	13.86'	S47°57'39"W



TYPICAL CORNER LOT
BUILDING SETBACKS
NOT TO SCALE



TYPICAL LOT
BUILDING SETBACKS
NOT TO SCALE



GUADALUPE VALLEY ELECTRIC COOPERATIVE'S (G.V.E.C.) WILL MAINTAIN A EASEMENT FOR SERVICE ENTRANCE TO DWELLING. THIS EASEMENT WILL VARY DEPENDING UPON THE LOCATION OF SAID DWELLING.

G.V.E.C. SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARDS WITH THE METER LOCATIONS NOT BEING LOCATED WITHIN A FENCED AREA.

TYPICAL INTERIOR EASEMENT
ALONG PROPERTY LINE

PREPARED: FEBRUARY, 2024

On behalf of the:

February 1, 2024

City of Cibolo
Attn: Grant Fore
200 S. Main Street
Cibolo, Texas 78108

Re: Final Plat Review
Venado Crossing Subdivision Unit 5

Mr. Fore,

KFW Engineers has completed its review of the referenced subdivision. KFW has the following comments:

General Note –

1. Please include as part of your resubmittal a comment response letter addressing all comments.

Sheet 1 of 3 –

1. Update the zoning to PUD on Universal Development Application.
2. Update available recording information.
3. Keynote 14 was not utilized. Remove if not needed.

Sheet 2 of 3 –

1. Update recording information to match pages 1 and 3.
2. Update available recording information.
3. If recording information is not available, please update to "Concurrent Development" for Unit 4.

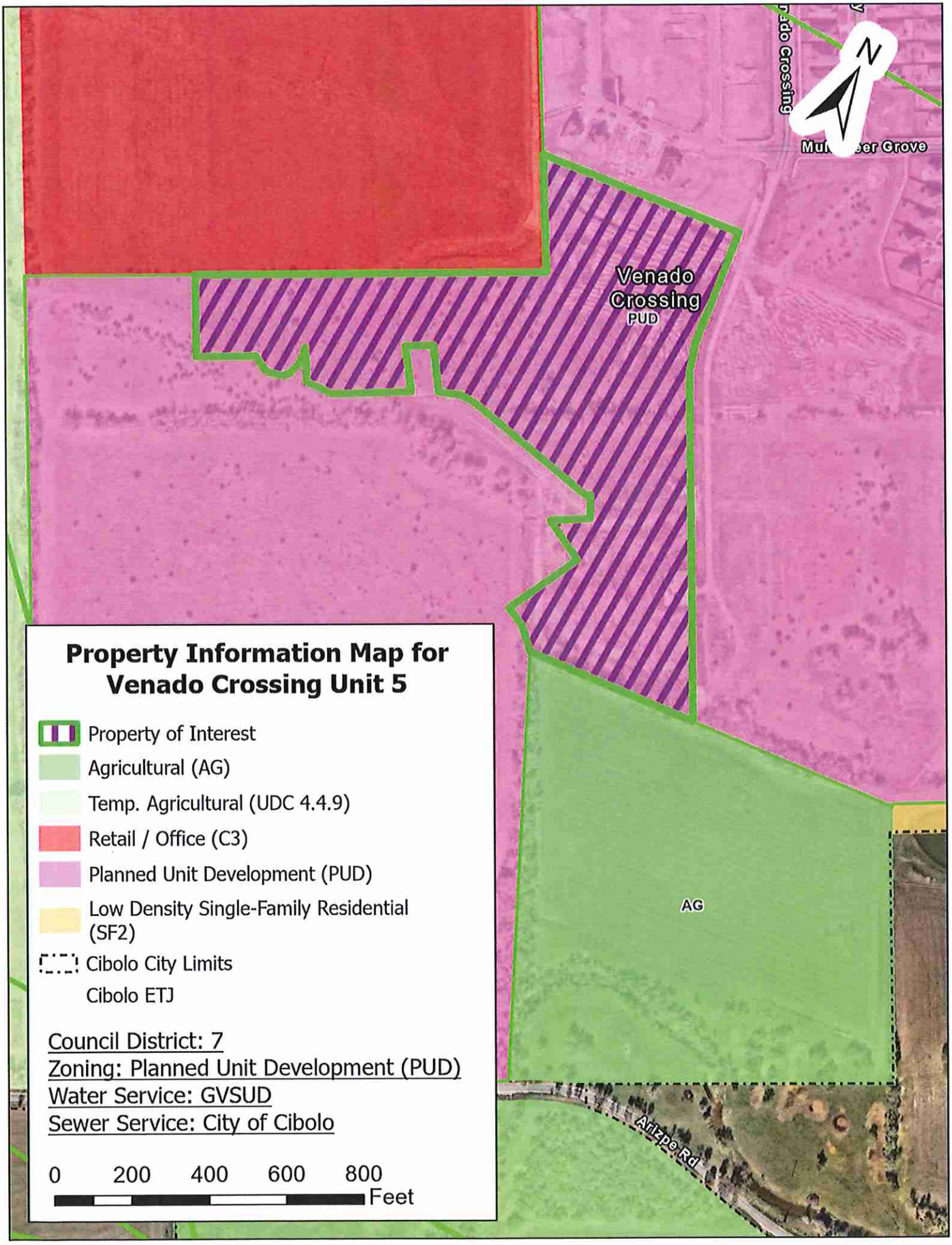
Sheet 3 of 3 –

1. Keynote 14 was not utilized. Remove if not needed.
2. Update available recording information.
3. Provide dimensions for building setback lines as shown in marked up plat.

Our review of the subdivision does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,

Andy Carruth, P.E.
Plan Reviewer for the City of Cibolo



Property Information Map for Venado Crossing Unit 5

- Property of Interest
- Agricultural (AG)
- Temp. Agricultural (UDC 4.4.9)
- Retail / Office (C3)
- Planned Unit Development (PUD)
- Low Density Single-Family Residential (SF2)
- Cibolo City Limits
- Cibolo ETJ

Council District: 7
Zoning: Planned Unit Development (PUD)
Water Service: GVSUD
Sewer Service: City of Cibolo

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on the Final Acceptance of Public Infrastructure for HEB. (Mr. Otto)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13B

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

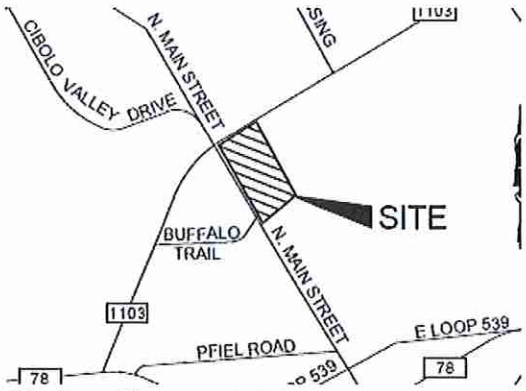
Attachments

13B Final Acceptance Public Infrastructure HEB.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Discussion/Action regarding the Final Acceptance of Public Infrastructure for HEB.

ITEM SUMMARY:



Project Name:	**HEB**
Owner/Applicant:	HEB, LP
Representative:	Ben Scott
Contractor:	Joeris
Council District	7
Vested Rights	N/A
Current Use:	HEB Grocery Store
Plat Recordation	02/22/2016
Acres	45.184 acres

Findings/Current Activity

A Final Acceptance walkthrough was conducted and all punch list items (deficiencies) that were documented have been addressed. The developer requests Final Acceptance of the following improvements located within the HEB development.

The following Plat has been recorded:

Name	Lots	Recordation Date
FM 1103 and Main Street Commercial	1 Commercial Lot	02/22/2016

Acceptance of Public Improvements – Final Acceptance

Section 20.3.11 of the UDC speaks to Public Improvements Acceptance. It is expressly understood that as a condition to the approval of said subdivision, no Building Permits will be issued until all public infrastructure is installed and other improvements required by this UDC is accepted for the subdivision in which said lot is contained.

Inspection and Acceptance of Public Improvements. The City Engineer, the City's Construction Inspectors, and the Public Works Department have conducted their inspections and walkthroughs of HEB. Based upon this walkthrough and any developer's corrections, City staff have found the construction to be in accordance with the approved construction plans. The applicant's engineer has submitted a signed and sealed

letter to the City Engineer stating that the development of public infrastructure at HEB is complete in accordance with the approved construction plans and all known deficiencies ("punch list" items) have been corrected.

Final Acceptance of Public Improvements. The City's Final Acceptance Criteria in the UDC are as follows.

I. After 18 months from the date of preliminary acceptance in accordance with Part I, or when 75% of the buildable lots within the development or the unit of the development being presented for final acceptance have been developed, whichever point in time occurs last, the developer may petition the City for final acceptance of public improvements by completing Part II of the "Developer Petition for Acceptance of Public Improvements" as shown in this UDC and providing three (3) copies of the form to the City.

City Engineer has walked the site and found the public improvements to be in general conformance with the approved construction documents and the "Developer Petition for Acceptance of Public Improvements" has been received.

II. Upon the submission of a complete petition with all the required information and attachments specified in this UDC, the Construction Inspector or appointed City staff members, in conjunction with the City Engineer, shall perform final acceptance inspections to determine that the owner has maintained the public improvements in good condition and has corrected any and all deficiencies specified in the Preliminary Acceptance procedure.

City Engineer has verified that all punch list items have been addressed and recommends final acceptance of the public improvements.

III. Each public improvement shall be tabulated and quantified into terms of lineal road length, lineal sidewalk length, lineal water line length (per diameter of water line), lineal sanitary sewer line length (per diameter of sanitary sewer line), lineal drainage channel lengths, acreage of storm water pond acreage, and the like, as well as the valuation for each public improvement.

Public Infrastructure:

Street: Widening of Main Street as described in that certain Chapter 380 Economic Development Agreement dated March 17, 2022, by and between HEB, LP, and the City of Cibolo ("the Agreement")

Other: Traffic Signal along FM 1103, regional trail and trailhead parking lot, all of which are described in the Agreement

Total Valuation of Accepted Public Infrastructure Improvements dedicated to the City of Cibolo:

$870, 000.00

City Engineer has reviewed the quantities and valuations of public improvements and agrees with the values above.

I. In conjunction with the submittal of the Final Acceptance instrument, the applicant shall submit the following:
- Completed Part II Developer Petition for Final Acceptance of Public Improvements
- Executed Warranty Bond

- Copy of recorded Final Plat
- As-Built Plans
- A DVD with AutoCAD and PDF's of all items on the above list.

City Engineer is in receipt of the above items.

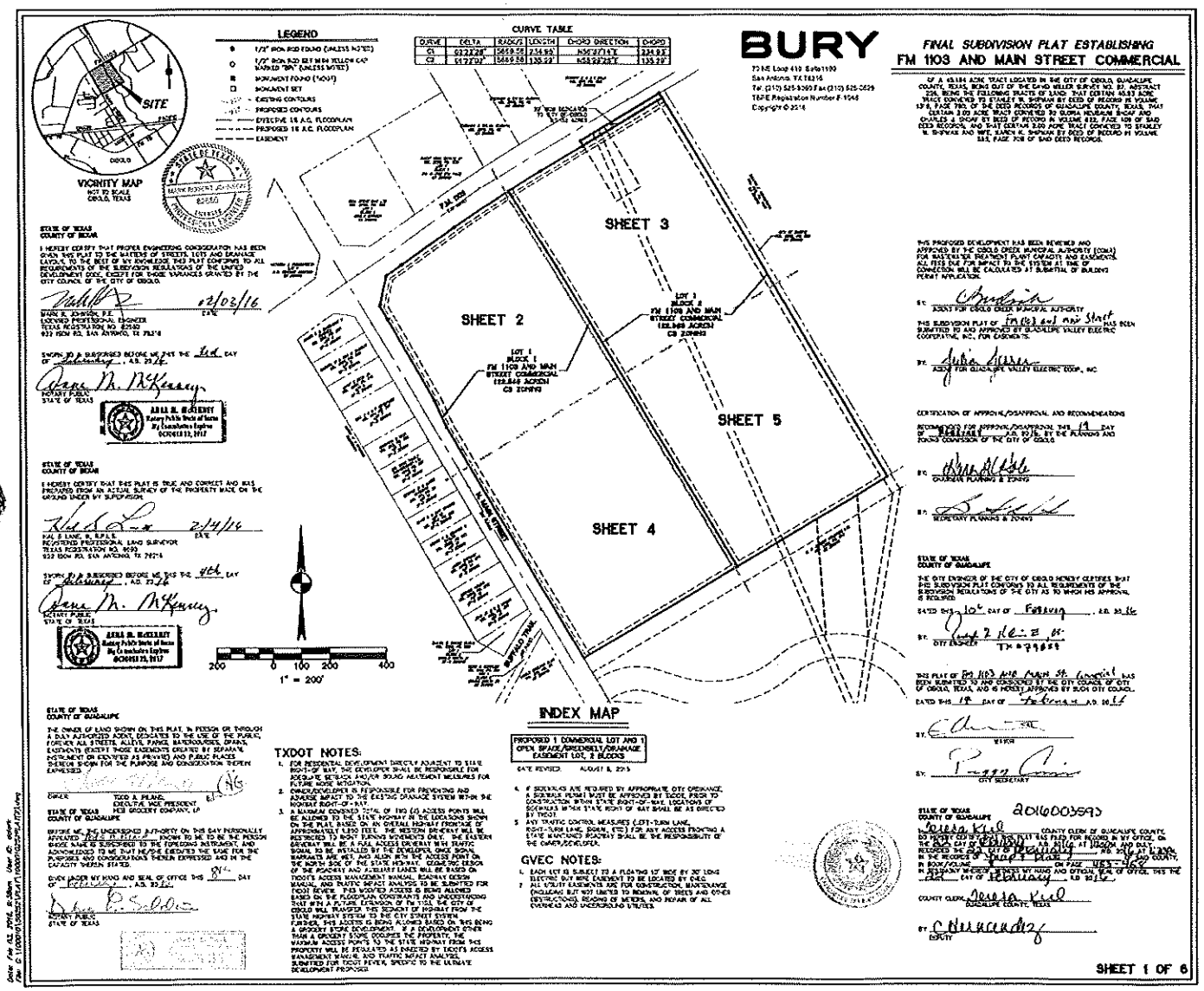
City Engineer Recommendation: The City Engineer recommends approval to the applicant's request for Final Acceptance on public infrastructure at HEB.

SUBMITTED BY:

Christopher Otto, P.E., CFM, City Engineer

ATTACHMENTS:

- Recorded Mylar
- City Engineer Approval Letter


LEGEND
1/2" IRON ROD FOUND (UNLESS NOTED)
1/2" IRON ROD SET WITH YELLOW CAP MARKED "BRY" (UNLESS NOTED)
MONUMENT FOUND (TxDOT)
MONUMENT SET
EXISTING CONTOURS
PROPOSED CONTOURS
EFFECTIVE 1% A.C. FLOODPLAIN
PROPOSED 1% A.C. FLOODPLAIN
EASEMENT
CURVE TABLE
CURVE | DELTA | RADIUS | LENGTH | CHORD DIRECTION | CHORD
C1 | 5°22'28" | 5659.58' | 234.99' | N36°27'51"E | 234.93'
C2 | 5°17'09" | 5659.58' | 135.23' | N32°28'28"E | 135.23'
BURY
7115 Loop 410 Suite 1100
San Antonio, TX 78216
Tel: (210) 525-9090 Fax: (210) 525-0525
TBPE Registration Number F-1046
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FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL
SITE
VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS
SHEET 2
SHEET 3
SHEET 4
SHEET 5
LOT 1
BLOCK 1
FM 1103 AND MAIN STREET COMMERCIAL
1.93.849 ACRES(±)
CB ZONING
LOT 1
BLOCK 2
FM 1103 AND MAIN STREET COMMERCIAL
1.93.849 ACRES(±)
CB ZONING
1" = 200'
INDEX MAP
PROPOSED 1 COMMERCIAL LOT AND 1 OPEN SPACE/APPURTENANCE/DRAINAGE EASEMENT LOT, 2 BLOCKS
DATE REVISED: AUGUST 8, 2016
TXDOT NOTES:
1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ASSESSING NEEDED AND/OR WARRANTED MITIGATION MEASURES FOR FUTURE NOISE MITIGATION.
2. OWNER/DEVELOPER IS RESPONSIBLE FOR PROVIDING AND ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE ADJACENT RIGHT-OF-WAY.
3. A MAXIMUM COMBINED TOTAL OF TWO (2) ACCESS POINTS WILL BE ALLOWED TO THE STATE HIGHWAY IN THE LOCATIONS SHOWN ON THE FINAL PLANS. ON AN OVERALL HIGHWAY FRONTAGE OF APPROXIMATELY 1,200 FEET. THE WESTERN DRIVEWAY WILL BE RESTRICTED TO RIGHT TURNING MOVEMENTS ONLY. THE EASTERN DRIVEWAY WILL BE A FULL ACCESS DRIVEWAY WITH TRAFFIC SIGNAL TO BE INSTALLED BY THE DEVELOPER(S), ONCE SIGNAL WARRANTS ARE MET, AND ALIGN WITH THE ACCESS POINT ON THE NORTH SIDE OF THE STATE HIGHWAY. SIGNALIZED DESIGN OF THE ROADWAY AND ALIGNMENT LANES WILL BE BASED ON TXDOT'S ACCESS MANAGEMENT MANUAL, ROADWAY DESIGN MANUAL, AND TRAFFIC IMPACT ANALYSIS TO BE SUBMITTED FOR TXDOT REVIEW. TWO INTERNAL ACCESS IS BEING ALLOWED BASED ON THE FLOODPLAIN CONSTRAINTS AND UNDERSTANDING THAT WITH A FUTURE EXTENSION OF INTERNAL ST. CUT OFF CIBOLO WILL TRANSFER THE SEGMENT OF HIGHWAY FROM THE STATE HIGHWAY SYSTEM TO THE CITY STREET SYSTEM. FURTHER, THIS ACCESS IS BEING ALLOWED BASED ON THIS BEING A GREENFIELD DEVELOPMENT. IF A DEVELOPMENT OTHER THAN A GREENFIELD TYPE OCCUPIES THE PROPERTY, THE MAXIMUM ACCESS POINTS TO THE STATE HIGHWAY FROM THIS PROPERTY WILL BE REVALUATED AS DIRECTED BY TXDOT'S ACCESS MANAGEMENT MANUAL AND TRAFFIC IMPACT ANALYSES SUBMITTED FOR TXDOT REVIEW, SPECIFIC TO THE ULTIMATE DEVELOPMENT PROPOSED.
4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT-OF-WAY SHALL BE AS DIRECTED BY TXDOT.
5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER.
GVEC NOTES:
1. EACH LOT IS SUBJECT TO A FLOATING 10' WIDE BY 30' LONG ELECTRIC SERVICE EASEMENT TO BE LOCATED BY GVEC.
2. ALL UTILITY EASEMENTS ARE FOR CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO TRIMMING OF TREES AND OTHER OBSTRUCTIONS), READING OF METERS, AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT COMPLIES TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY COUNCIL OF THE CITY OF CIBOLO.
12/02/16
DATE
MARK R. JOHNSON, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 83920
922 ISOM RD, SAN ANTONIO, TX 78216
SWORN TO & SUBSCRIBED BEFORE ME THIS THE 1st DAY OF February, A.D. 2016
NOTARY PUBLIC
STATE OF TEXAS
ANNA M. McKENNEY
Notary Public State of Texas
My Commission Expires
AUGUST 15, 2017
STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.
2/4/16
DATE
RAL E. LINE, III, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5930
922 ISOM RD, SAN ANTONIO, TX 78216
SWORN TO & SUBSCRIBED BEFORE ME THIS THE 4th DAY OF February, A.D. 2016
NOTARY PUBLIC
STATE OF TEXAS
ANNA M. McKENNEY
Notary Public State of Texas
My Commission Expires
AUGUST 15, 2017
STATE OF TEXAS
COUNTY OF GUADALUPE
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO USE OF THE PUBLIC, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS (EXCEPT THOSE EASEMENTS GRANTED BY INSTRUMENT, DOCUMENT OR DEDICATED AS PRIVATE) AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.
OWNER
TODD A. PRUNE
EXECUTIVE VICE PRESIDENT
H-E-B GROCERY COMPANY, LP
STATE OF TEXAS
COUNTY OF GUADALUPE
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TODD A. PRUNE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8th DAY OF February, A.D. 2016
NOTARY PUBLIC
STATE OF TEXAS
THIS PROPOSED DEVELOPMENT HAS BEEN REVIEWED AND APPROVED BY THE CIBOLO CREEK MUNICIPAL AUTHORITY (CCMA) FOR WASTEWATER TREATMENT PLANT CAPACITY AND EASEMENTS. ALL FEES DUE FOR IMPACT TO THE SYSTEM AT TIME OF CONNECTION WILL BE CALCULATED AT SUBMITTAL OF BUILDING PERMIT APPLICATION.
BY: [signature]
AGENT FOR CIBOLO CREEK MUNICIPAL AUTHORITY
THIS SUBDIVISION PLAT OF FM 1103 and Main Street HAS BEEN SUBMITTED TO AND APPROVED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. FOR EASEMENTS.
BY: [signature]
AGENT FOR GUADALUPE VALLEY ELECTRIC COOP., INC.
CERTIFICATION OF APPROVAL/DISAPPROVAL AND RECOMMENDATIONS
RECOMMENDED FOR APPROVAL/DISAPPROVAL THIS 19 DAY OF November A.D. 2016, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF CIBOLO.
BY: [signature]
CHAIRMAN, PLANNING & ZONING
BY: [signature]
SECRETARY, PLANNING & ZONING
STATE OF TEXAS
COUNTY OF GUADALUPE
THE CITY ENGINEER OF THE CITY OF CIBOLO HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.
DATED THIS 10th DAY OF February, A.D. 2016
BY: [signature]
CITY ENGINEER
TX # 79888
THIS PLAT OF FM 1103 AND Main St. Commercial HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF CITY OF CIBOLO, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.
DATED THIS 19 DAY OF December A.D. 2016
BY: [signature]
MAYOR
BY: [signature]
CITY SECRETARY
STATE OF TEXAS
COUNTY OF GUADALUPE
2016003693
I, Teresa Kiel, COUNTY CLERK OF GUADALUPE COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 23rd DAY OF February A.D. 2016 AT 10:30A AND DULY RECORDED ON THE 24th DAY OF February A.D. 2016 AT 1:30P IN THE RECORDS OF Volume 4 PAGE 345-350 OF SAID COUNTY, IN BOOK/VOLUME ____ ON PAGE ____ IN INSTRUMENT NUMBER 2016003693
IN TESTIMONY WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL OF OFFICE, THIS THE 24th DAY OF February A.D. 2016
COUNTY CLERK, Teresa Kiel
GUADALUPE COUNTY, TEXAS
BY: [signature]
DEPUTY
SHEET 1 OF 6

V8P454

BURY

79 Hill Loop 410, Suite 1100
San Antonio, TX 78216
TX: (210) 525-9090 Fax: (210) 525-9629
TBPE Registration Number F-1043

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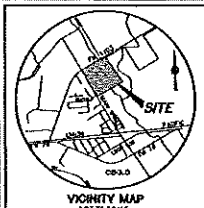
FINAL SUBDIVISION PLAT ESTABLISHING FM 1103 AND MAIN STREET COMMERCIAL

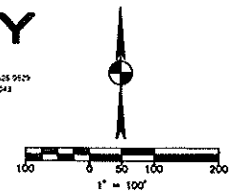
OF A 48.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 67, ABSTRACT 336, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 44.83 ACRE TRACT CONVEYED TO STANLEY R. SHIPMAN BY DEED OF RECORD IN VOLUME 1974, PAGE 785 OF THE REAL PROPERTY RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 3.00 ACRE TRACT CONVEYED TO GLORIA MCCAULEY SHOAF AND DONALD J. SHOAF BY DEED OF RECORD IN VOLUME 832, PAGE 109 OF SAID DEED RECORDS; AND SAID CERTAIN 3.00 ACRE TRACT CONVEYED TO STANLEY R. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 949, PAGE 708 OF SAID DEED RECORDS.

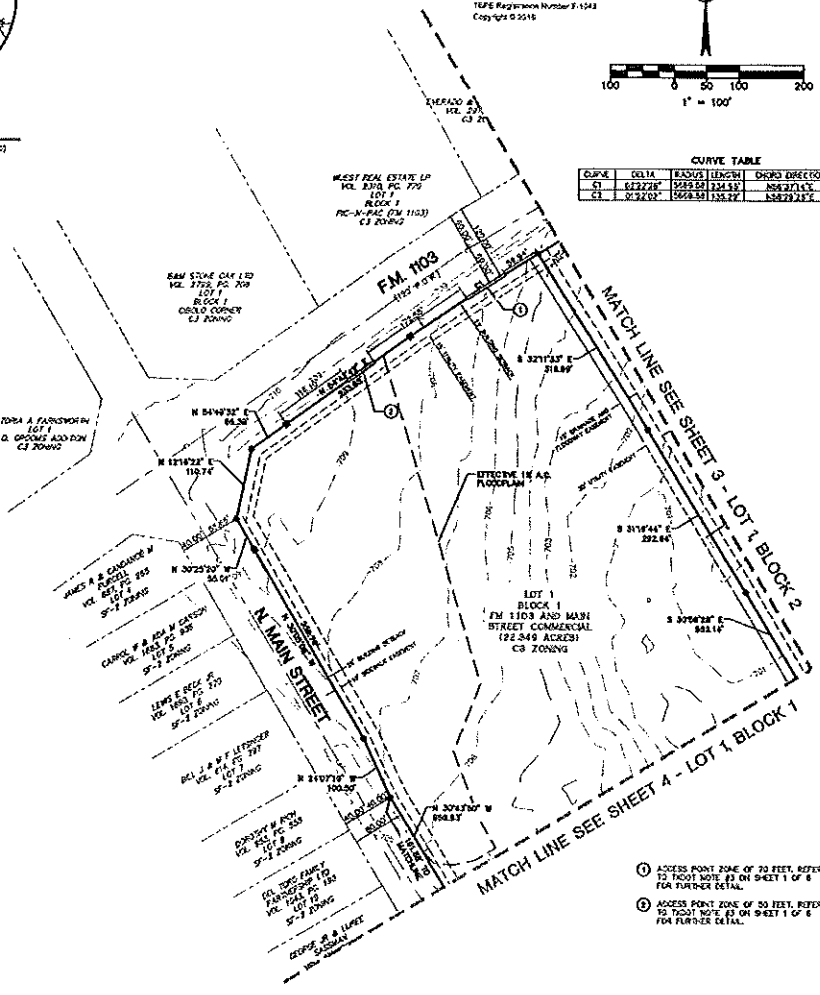


VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

LEGEND

- ● 1/2" IRON ROD FOUND (UNLESS NOTED)
- ○ 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BRY" (UNLESS NOTED)
- ■ MONUMENT FOUND (TXDOT)
- □ MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT




FM 1103
(120' R.O.W.)
MAIN STREET
(80' R.O.W.)
MATCH LINE SEE SHEET 3 - LOT 1, BLOCK 2
MATCH LINE SEE SHEET 4 - LOT 1, BLOCK 1
LOT 1
BLOCK 1
FM 1103 AND MAIN
STREET COMMERCIAL
(22.349 ACRES)
C3 ZONING
EFFECTIVE 1% A.C.
FLOODPLAIN
WEST REAL ESTATE LP
VOL. 8319, PG. 770
LOT 1
BLOCK 1
PIC-N-PAC (CM 1103)
C3 ZONING
BAM STONE CAP LTD
VOL. 3722, PG. 709
LOT 1
BLOCK 1
CIBOLO CORNER
C3 ZONING
VICTORIA A. FARNSWORTH
LOT 1
M.Q. GROCKE ADDITION
C3 ZONING
JAMES A. & CANDANCE M. PURCELL
VOL. 657, PG. 755
LOT 2
SF-7 ZONING
CAROL W. & JEAN W. CATSCH
VOL. 1983, PG. 836
LOT 5
SF-7 ZONING
LEWIS E. BECK JR.
VOL. 1983, PG. 370
LOT 6
SF-7 ZONING
BILL J. & P.F. LETSCHER
VOL. 614, PG. 297
LOT 7
SF-7 ZONING
DOROTHY M. IRON
VOL. 1983, PG. 839
LOT 8
SF-7 ZONING
CEL TEXAS COUNTY
FARMERS CO-OP
VOL. 1041, PG. 191
LOT 10
SF-7 ZONING
GEORGE J. & J. LUKAT
SUBDIVISION
N 84°49'32" E
64.36'
N 12°18'23" E
110.74'
N 30°25'30" W
56.01'
N 84°49'32" E
253.86'
S 32°17'23" E
318.89'
S 31°19'44" E
292.84'
S 30°48'28" E
662.16'
N 24°07'18" W
100.25'
N 30°47'30" W
664.83'
R=1,960.00'
L=110.00'
CB=N 32°22'15" W
110.00

V8 P455

FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.83 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA NEUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 822, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 393, PAGE 708 OF SAID DEED RECORDS.

BURY
70 NE Loop 410, Suite 1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1046

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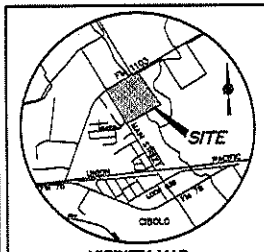
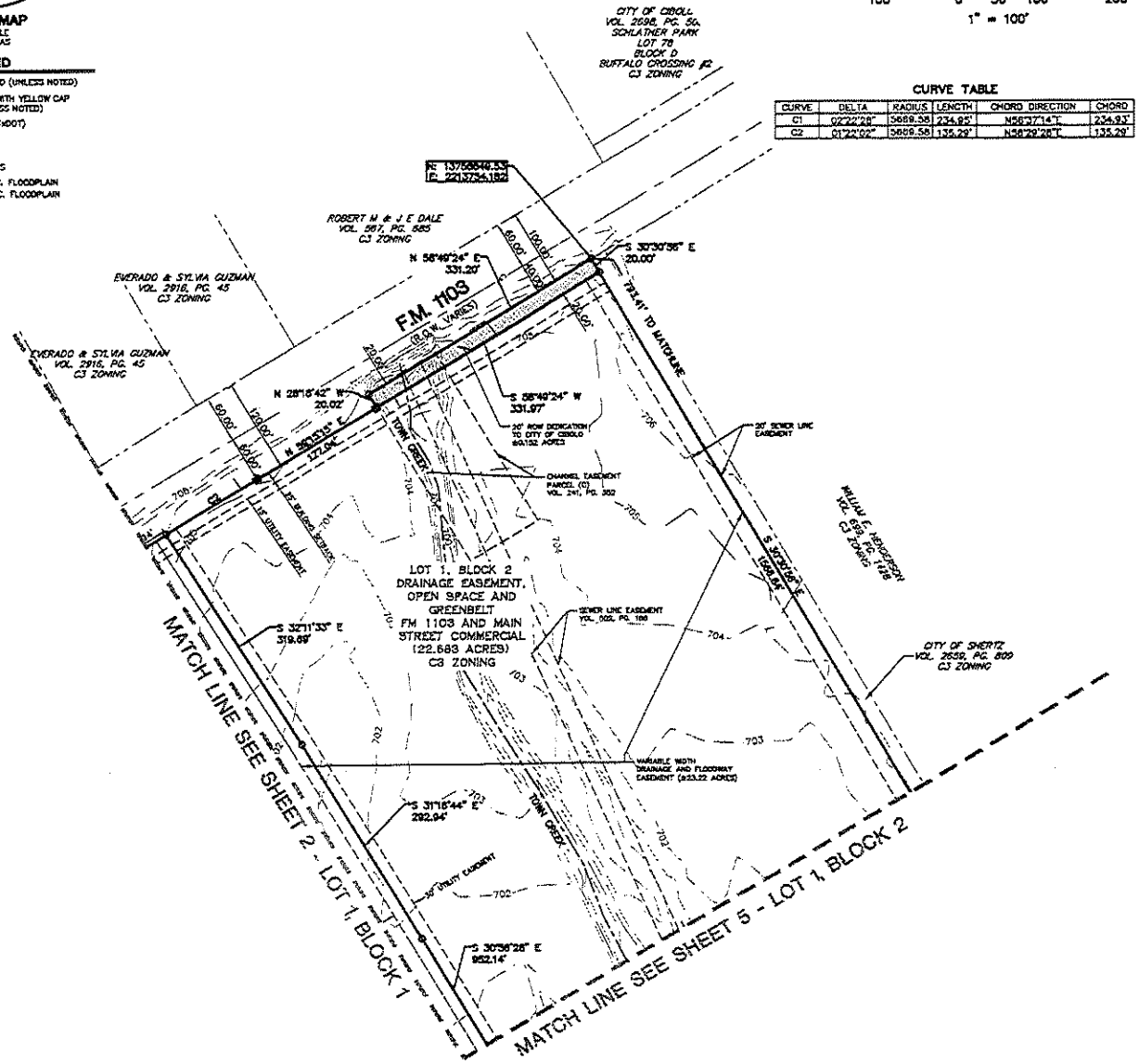


VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

LEGEND

- ● 1/2" IRON ROD FOUND (UNLESS NOTED)
- ○ 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- ■ MONUMENT FOUND (TxDOT)
- □ MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT

100 0 50 100 200
1" = 100'



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
C1	02°22'28"	5669.58'	234.95'	N59°37'14"E	234.93'
C2	01°22'02"	5669.58'	135.29'	N58°29'28"E	135.29'

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREE AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS S30°45'36"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (NA2011), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN. IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH 1/2" REBAR WITH BURY D-M E. PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL MOW AND MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO RENAME STREETS AND/OR CHANGE HOUSE NUMBER DUE TO INCOMPATIBILITY WITH EXISTING NAME LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
13. LOT SQUARE FOOTAGES SHOWN HEREON WERE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED INCREASE IN ACREAGE ACCURACY BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON. (45.184 AC.)
14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-3.
16. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
17. PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
18. THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH, ANY FEDERAL PERMIT.
19. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEERS.
20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
21. ROUTINE MAINTENANCE OF WEEDS AND GRASS IN ALL EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR PROPERTY OWNER ASSOCIATION ON WHICH THE EASEMENT IS LOCATED IN ACCORDANCE WITH CITY OF CIBOLO CODE OF ORDINANCES PROVISIONS FOR HIGH WEEDS AND GRASS.
22. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 1 FOOT ABOVE 1% ANNUAL CHANCE FLOOD ELEVATION.
23. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE SIDEWALKS WITH HANDICAP RAMPS ALONG N. MAIN STREET AND F.M.1103 AS REQUIRED BY THE CITY OF CIBOLO AND TxDOT, WHERE PRACTICAL.
24. LOT 1, BLOCK 2 IS REGULATED BY THE DRAINAGE AND FLOODWAY EASEMENT NOTE AS SHOWN ON SHEET 6 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HERON THAT ARE GRANTED BY SEPARATE INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH EASEMENTS AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF THE SEPARATE INSTRUMENT.
26. 10 FOOT SIDEWALK EASEMENT ALONG N. MAIN STREET TO BE DEDICATED TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT WIDE SIDEWALK.
27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 19, 2015, CASE NO. 15-06-2166R.

Date: Feb 03, 2016, 9:38am User ID: sdoat
File: Q:\Cibolo\140231\PLAT\Cibolo140231PLAT(3).dwg

V8 P456

BURY

70 NE Loop 410, Suite1100
San Antonio, TX 78216
Tel. (210) 525-8090 Fax (210) 525-0529
TBPE Registration Number F-1046
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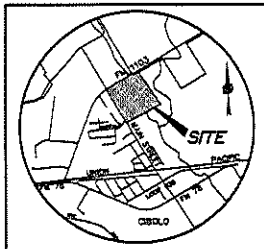
FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

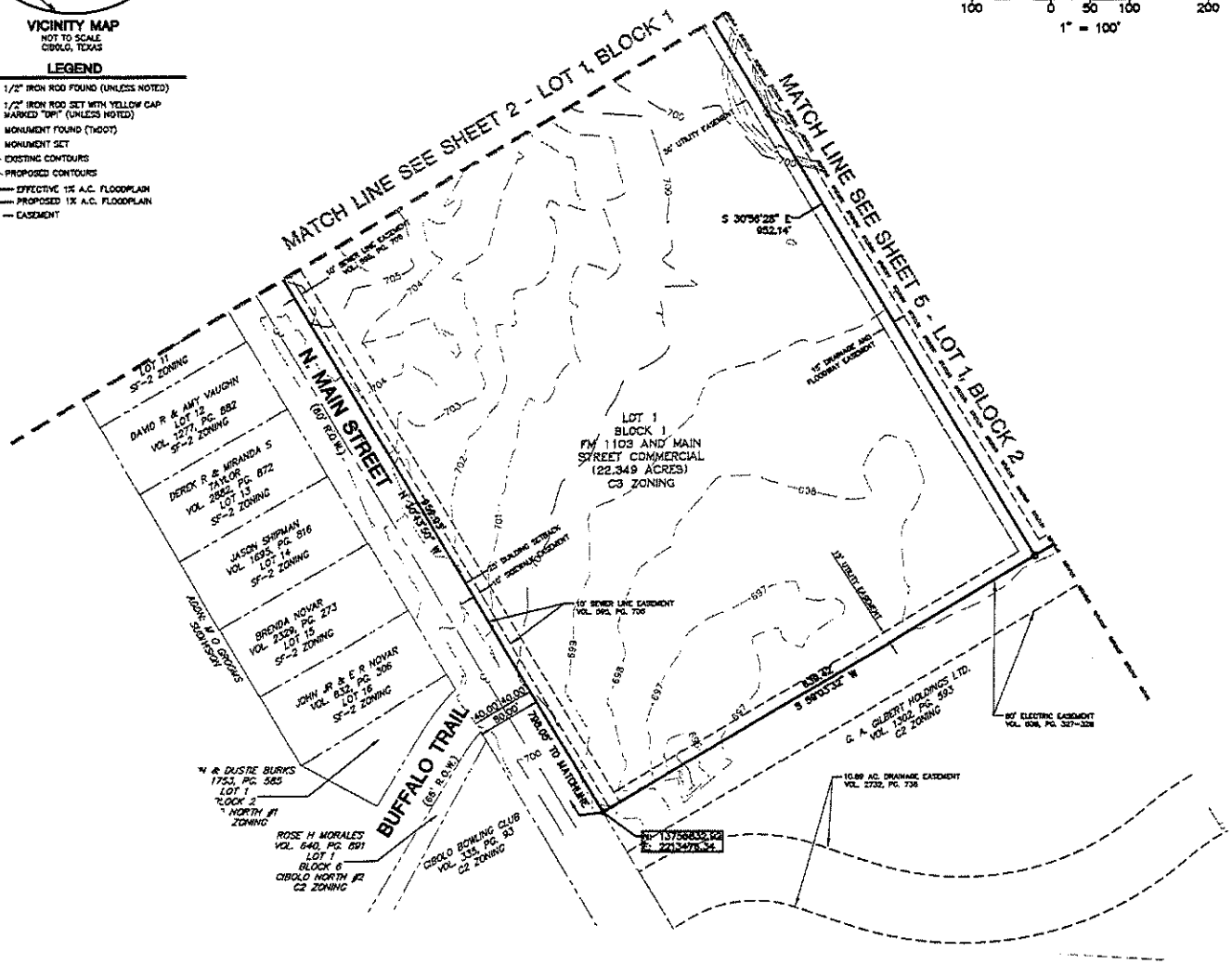
OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 67, ABSTRACT 225, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HEUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 822, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 595, PAGE 708 OF SAID DEED RECORDS.



VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

LEGEND
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET WITH YELLOW CAP MARKED "DPI" (UNLESS NOTED)
- MONUMENT FOUND (TxDOT)
- MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT

100 0 50 100 200
1" = 100'



NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREE AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.
8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS 30°43'30"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (HARN), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH 1/2" REBAR WITH BURY D-R-E PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY INTERIOR LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
11. PROPERTY OWNERS WILL MOW AND MAINTAIN PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO RENAME STREETS AND/OR CHANGE HOUSE NUMBER DUE TO INCOMPATIBILITY WITH EXISTING NAME LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
13. LOT SQUARE FOOTAGES SHOWN HEREON WERE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED INCREASE IN ACREAGE ACCURACY BEYOND THAT OF THE TOTAL ACREAGE SHOWN HEREON. (45.184 AC.)
14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-3.
16. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
17. PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
18. THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
19. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEERS.
20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
21. ROUTINE MAINTENANCE OF WEEDS AND GRASS IN ALL EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR PROPERTY OWNER ASSOCIATION ON WHICH THE EASEMENT IS LOCATED IN ACCORDANCE WITH CITY OF CIBOLO CODE OF ORDINANCES PROVISIONS FOR HIGH WEEDS AND GRASS.
22. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 1 FOOT ABOVE 1% ANNUAL CHANCE BASE FLOOD ELEVATION.
23. DEVELOPER SHALL INSTALL HANDICAP ACCESSIBLE SIDEWALKS WITH HANDICAP RAMPS ALONG N. MAIN STREET AND F.M.1103 AS REQUIRED BY THE CITY OF CIBOLO AND TxDOT, WHERE PRACTICAL.
24. LOT 1, BLOCK 2 IS REGULATED BY THE DRAINAGE AND FLOODWAY EASEMENT NOTE AS SHOWN ON SHEET 6 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HERON THAT ARE GRANTED BY SEPARATE INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH EASEMENTS AND THOR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF THE SEPARATE INSTRUMENT.
26. 10 FOOT SIDEWALK EASEMENT ALONG N. MAIN STREET TO BE DEDICATED TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT WIDE SIDEWALK.
27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 19, 2015, CASE NO. 15-06-2168R.

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V&P457

BURY

79 NE Loop 410, Suite1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE Registration Number F-1046

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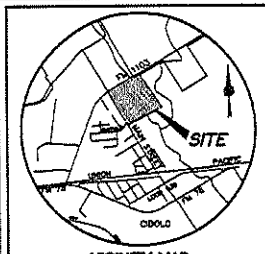
FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

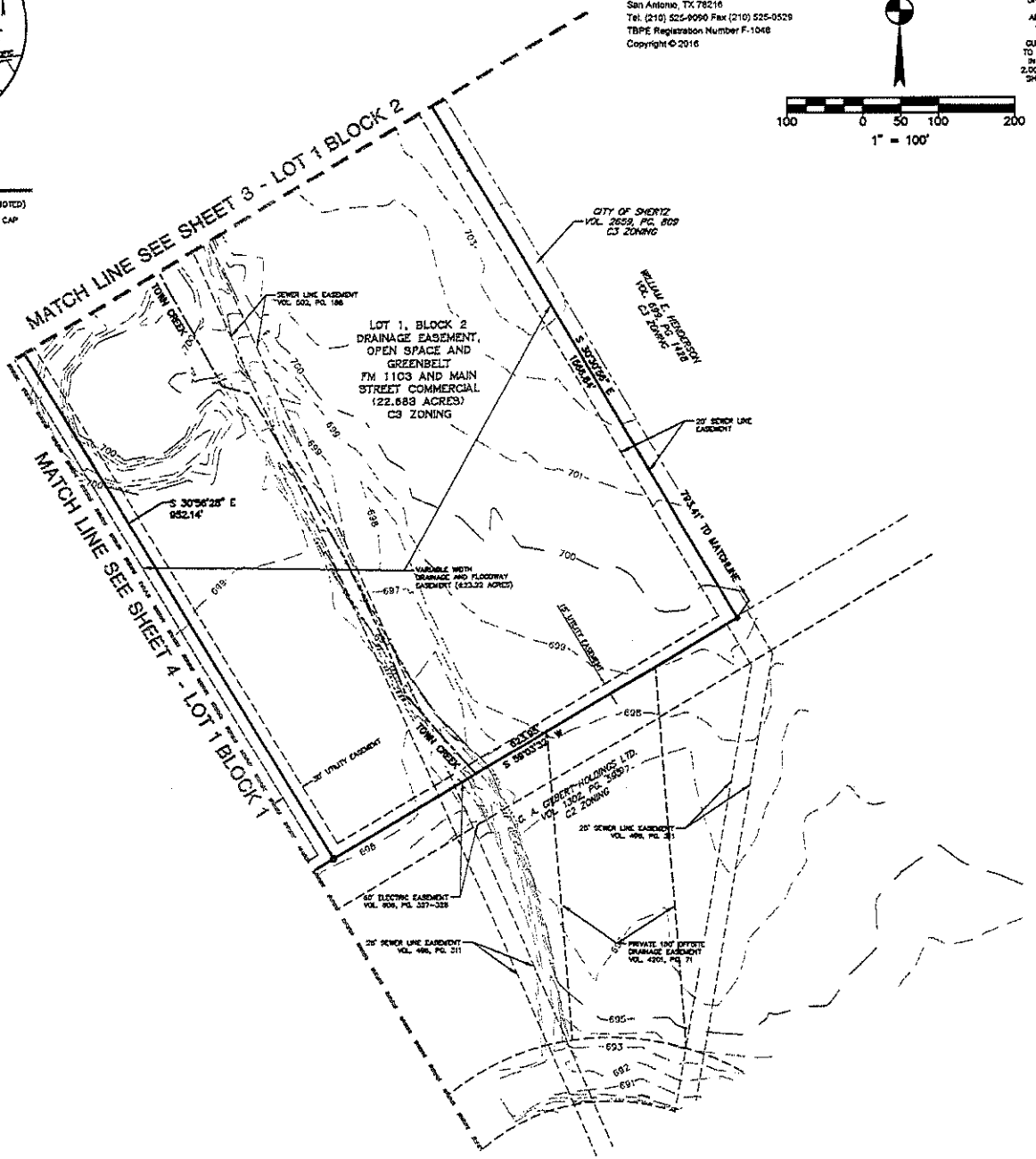
OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 67, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.83 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1310, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA MCUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 922, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 393, PAGE 708 OF SAID DEED RECORDS.



VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

LEGEND

- ● 1/2" IRON ROD FOUND (UNLESS NOTED)
- ○ 1/2" IRON ROD SET WITH YELLOW CAP MARKED "BPI" (UNLESS NOTED)
- ■ MONUMENT FOUND (TxDOT)
- □ MONUMENT SET
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EFFECTIVE 1% A.C. FLOODPLAIN
- PROPOSED 1% A.C. FLOODPLAIN
- EASEMENT



100 0 50 100 200
1" = 100'

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED INSIDE SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
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5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0230F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
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8. G.V.E.C. TO HAVE 5' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IN WHICH ELECTRIC LINES ARE PLACED.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS 30°43'30"W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (HARN), TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
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14. LOTS IN THIS SUBDIVISION PLAT INCLUDE DRAINAGE EASEMENTS.
15. ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-3.
16. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
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20. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THOU IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
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22. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 1 FOOT ABOVE 1% ANNUAL CHANCE BASE FLOOD ELEVATION.
23. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE SIDEWALKS WITH HANDICAP RAMPS ALONG N. MAIN STREET AND F.M.1103 AS REQUIRED BY THE CITY OF CIBOLO AND TxDOT, WHERE PRACTICAL.
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27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 19, 2015, CASE NO. 15-06-2168R.

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V8P458

FINAL SUBDIVISION PLAT ESTABLISHING
FM 1103 AND MAIN STREET COMMERCIAL

OF A 43.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 326, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.83 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1378, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA BENJAMIN SHAW AND CHARLES J. SHAW BY DEED OF RECORD IN VOLUME 832, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 5.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 565, PAGE 708 OF SAID DEED RECORDS; SAID 43.184 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017.

BEGINNING, at a FOUND ½ INCH IRON IN THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET (FROM MARKED), BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 149.22 ACRE TRACT CONVEYED TO G.A. GILBERT HOLDINGS, LTD. BY DEED OF RECORD IN VOLUME 1503, PAGE 583 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS, SAME BEING THE SOUTHWESTERLY CORNER OF SAID 40.83 ACRE TRACT;

THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET, BEING THE WESTERLY LINES OF SAID 40.83 ACRE TRACT AND THE WESTERLY LINE OF SAID BOTH 2.00 ACRE TRACTS, THE FOLLOWING COURSES:

N 30° 43' 50" W, A DISTANCE OF 958.93 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 24° 07' 10" W, A DISTANCE OF 100.50 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 30° 05' 08" W, A DISTANCE OF 326.76 FEET TO A FOUND 5/8INCH TYPE II CONCRETE MONUMENT;

N 30° 25' 23" W, A DISTANCE OF 55.01 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP AND THE SOUTHERLY OUTBACK CORNER OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF N. MAIN STREET AND THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103 (R.O.W. VARIES);

THENCE, N 13° 16' 32" E, ALONG THE AFOREMENTIONED OUTBACK CORNER, A DISTANCE OF 110.74 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP IN THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, BEING THE NORTHWESTERLY CORNER OF SAID 40.83 ACRE TRACT;

THENCE, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, THE FOLLOWING COURSES:

N 54° 49' 32" E, A DISTANCE OF 88.39 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 54° 43' 42" E, A DISTANCE OF 233.65 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2069.58 FEET, A CENTRAL ANGLE OF 05° 44' 20", AN ARC LENGTH OF 379.24 FEET AND A CHORD BEARING: N 57° 15' 15" E, A DISTANCE OF 378.17 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 59° 15' 15" E, A DISTANCE OF 477.04 FEET TO A FOUND TXDOT TYPE II CONCRETE MONUMENT;

N 29° 18' 42" W, A DISTANCE OF 20.00 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 58° 49' 31" E, A DISTANCE OF 331.93 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP MARKING THE NORTHEASTERLY CORNER OF SAID 40.83 ACRE TRACT, BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 46.34 ACRE TRACT CONVEYED TO WILLIAM E. HODGSON BY DEED OF RECORD IN VOLUME 839, PAGE 1435 OF SAID DEED RECORDS;

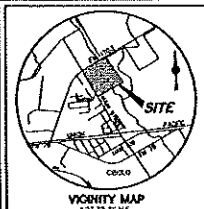
THENCE, S 33° 30' 56" E, LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF F.M. 1103, ALONG THE COMMON BOUNDARY LINE OF SAID 40.83 ACRE TRACT AND SAID 46.34 ACRE TRACT, A DISTANCE OF 1386.83 FEET TO A FOUND ½ INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER OF SAID 46.34 ACRE TRACT, BEING THE SOUTHEASTERLY CORNER OF SAID 40.83 ACRE TRACT, SAME BEING A POINT IN THE NORTHERLY LINE OF SAID 149.22 ACRE TRACT;

THENCE, S 59° 03' 33" W, ALONG THE COMMON BOUNDARY LINE OF SAID 40.83 ACRE TRACT AND SAID 149.22 ACRE TRACT, A DISTANCE OF 1093.77 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 43.184 ACRES (1,880,896 SQ. FT.) OF LAND, MORE OR LESS.

FIELD NOTES
FOR
FINAL PLAT - FM 1103 AND MAIN STREET COMMERCIAL

VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT MAINTENANCE NOTE:

THE MAINTENANCE OF DRAINAGE EASEMENTS, ACCESS EASEMENTS, GREENBELTS, AND OPEN PERMEABLE PLACES SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND THEIR SUCCESSOR OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF CIBOLO OR GUADALUPE COUNTY. HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO CHANNELIZE OR CONSIDER ERECTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE DRAINAGE, THEN IN SUCH EVENT, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER UPON THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AT ANY POINT, OR POINTS, WITH ALL REASONABLE RIGHTS OF INGRESS AND EGRESS, TO INVESTIGATE, SURVEY, ERECT, CONSTRUCT OR MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR THE CITY FOR DRAINAGE PURPOSES; PROVIDED THAT ANY ACTIVITIES BY THE CITY TO IMPROVE DRAINAGE WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AREA, INCLUDING BUT NOT LIMITED TO THE CONSTRUCTION OF DRAINAGE STRUCTURES, SHALL COMPLY WITH THE CITY'S THEN EXISTING DESIGN AND CONSTRUCTION MANUAL'S REQUIREMENTS FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND SHALL OCCUR SOLELY WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT, AS SHOWN HEREON.



VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

BURY
70 NE Loop 410, Suite 1100
San Antonio, TX 78216
Tel (210) 525-9090 Fax (210) 525-9559
TBPE Registration Number F-1049
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NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRICITY – G.V.E.C.
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD BOUNDARY AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48187C0335F, REVISED NOVEMBER 2, 2007.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED ABOVE.
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8. G.V.E.C. TO HAVE 3' WIDE ELECTRIC EASEMENT ON ALL ROAD CROSSINGS IF NOT RECEIVING LINES OF FLOOD.
9. BEARING REFERENCE SOURCE IS THE SOUTHWEST LINE OF THIS TRACT OF LAND, BETWEEN THE MONUMENTS SHOWN HEREON, AND SHOWN AS S59°03'W AS DERIVED FROM GPS OBSERVATION BASED ON NAD 83 (NA2011) TEXAS STATE PLANE COORDINATE SYSTEM – SOUTH CENTRAL ZONE.
10. MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF BURY, INC. TO MONUMENT ALL CORNERS IN THE SUBDIVISION WITH ½" REBAR WITH BURY C.M.S. PLASTIC CAPS. UPON COMPLETION OF CONSTRUCTION ANY MISSING LOT CORNERS WILL BE SET WITH THE SAME TYPE OF MONUMENTATION.
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12. THE CITY OF CIBOLO RESERVES THE RIGHT TO REVAMP STREETS AND/OR DRIVING PATTERN DUE TO INCOMPATIBILITY WITH EXISTING BLANK LAYOUT, EMERGENCY VEHICLE RESPONSE, AND MAIL DELIVERY.
13. LOT SQUARE FOOTAGES SHOWN HEREON ARE DERIVED FROM DIMENSIONS SHOWN, BUT DO NOT REFLECT A CERTIFIED SURVEY OF THE AREA. ACREAGE IS BASED ON THE TOTAL BOUNDARY SHOWN HEREON, AND NOT LOT BY LOT.
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24. LOT 1, BLOCK 3 IS REGULATED BY THE SIGNAGE AND FLOODWAY EASEMENT NOTE SHOWN ON SHEET 5 OF THIS PLAT.
25. THE LOCATIONS OF THE EASEMENTS SHOWN HEREIN THAT ARE GRANTED BY SEPARATE INSTRUMENTS OR INDICATED AS PRIVATE ARE APPROXIMATE AND SUCH EASEMENTS AND SUBDIVISIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF THE SEPARATE INSTRUMENT.
26. 10 FOOT SIDEWALK EASEMENT ALONG N. MAIN STREET TO BE DEDICATED TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT WIDE SIDEWALK.
27. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 16, 2015, CASE NO. 15-06-2160R.

Date: Feb 02, 2016, 9:36am User ID: sdavis
File: G:\1000\015\SURVEY\PLAT\1000015SSSPLAT2.dwg

September 12, 2023

City of Cibolo
Planning Department
Attn: Kelsee Lee
200 S. Main Street
Cibolo, Texas 78108

On behalf of the:

Re: HEB

Mrs. Lee;

On August 16, 2023, I conducted a site visit for HEB. After visiting the site, it is my opinion that the infrastructure has been constructed in accordance with the approved plans and all punch list items have been addressed. Therefore, I recommend approval of the Final Acceptance for the public infrastructure.

Our review does not relieve or release the Engineer of Record or Surveyor of Record from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,

Chris Otto, P.E., CFM
City Engineer

Cc: Timothy Fousse, Public Works Department

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on a contract of the Cibolo Economic Development Corporation with Colliers Engineering and Design for $29,600 to conduct a market assessment/fiscal impact model of 590 W FM 78. (Ms. Lee)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13C

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13C Contract EDC with Colliers Eng. & Design.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:

Discussion/Action regarding a contract of the Cibolo Economic Development Corporation with Colliers Engineering and Design for $29,600 to conduct a market assessment/fiscal impact model of 590 W FM 78.

ITEM SUMMARY:

To assist with the discussion and evaluation of a potential land exchange between the Cibolo Economic Development Corporation (Cibolo EDC) and City of Cibolo, City staff was asked to seek bids for a hotel and market feasibility study focused on the property previously identified as part of the Niemietz Park Land Swap site. Previous discussions between the Cibolo EDC and City Council throughout the Letter of Intent process have been conceptual. The purpose of these studies would be to evaluate at a more serious level if the market would support a hotel and associated support services, whether a sufficient return on the investment is possible, and how the built-out development would affect the City's financial position.

Three separate quotes were requested from three different companies that provide services similar to those requested and based on these quotes and the scope of work included, Staff made a recommendation to the Cibolo EDC Board at their February 15, 2024, Regular Call meeting to select Colliers Engineering as the firm of choice. The Cibolo EDC Board voted unanimously at their February 15th Regular Meeting in favor of this recommendation.

Details for the scope of the study are described as follows:

Colliers Engineering: Proposes an encompassing scope of work that includes two major task orders:

1. Market Analysis Task: Provides the data needed at numerous levels about the properties in question, their viability for different types of development, including a hotel, and would provide future phasing possibilities and facility recommendations. This task entails:
    a. Analysis of Site Location
    b. Area Review
    c. Market Analysis
    d. Facilities Recommendations
    e. CBRE Hotel Report
    f. Future Phases

2. Professional Planning Services Task: This portion of the proposal would result in the use of the Task 1 data to produce viable concept options based on real market demand with renderings and next steps for development process.

Colliers has been a part of the potential land swap process throughout the previous stages of investigation and is able to provide a cost-effective and complete analysis of the properties in question in a manner that allows for future service delivery consistent with the views and desires previously expressed by the City Council and Cibolo EDC. They have broken payment down by Task order with the first section assigned a fee of $6,750 and Task 2 with a fee of $22,850 for a total estimates quote of = $29,600.

FINANCIAL IMPACT:

$29,600 paid for by the Cibolo EDC bond

SUBMITTED BY:

Kelsee Jordan Lee – Director of Planning and Economic Development
Alora M. Wachholz, CEcD, MEDP – Economic Development Manager

ATTACHMENTS:

- Colliers Engineering Market Feasibility Study Quote

3421 Paesanos Parkway San Antonio Texas 78231
Main: 877 627 3772

TBPLS Reg. 10194550 • TBPE Reg. F-14909 • TBPG 50617

Colliers
Engineering
& Design

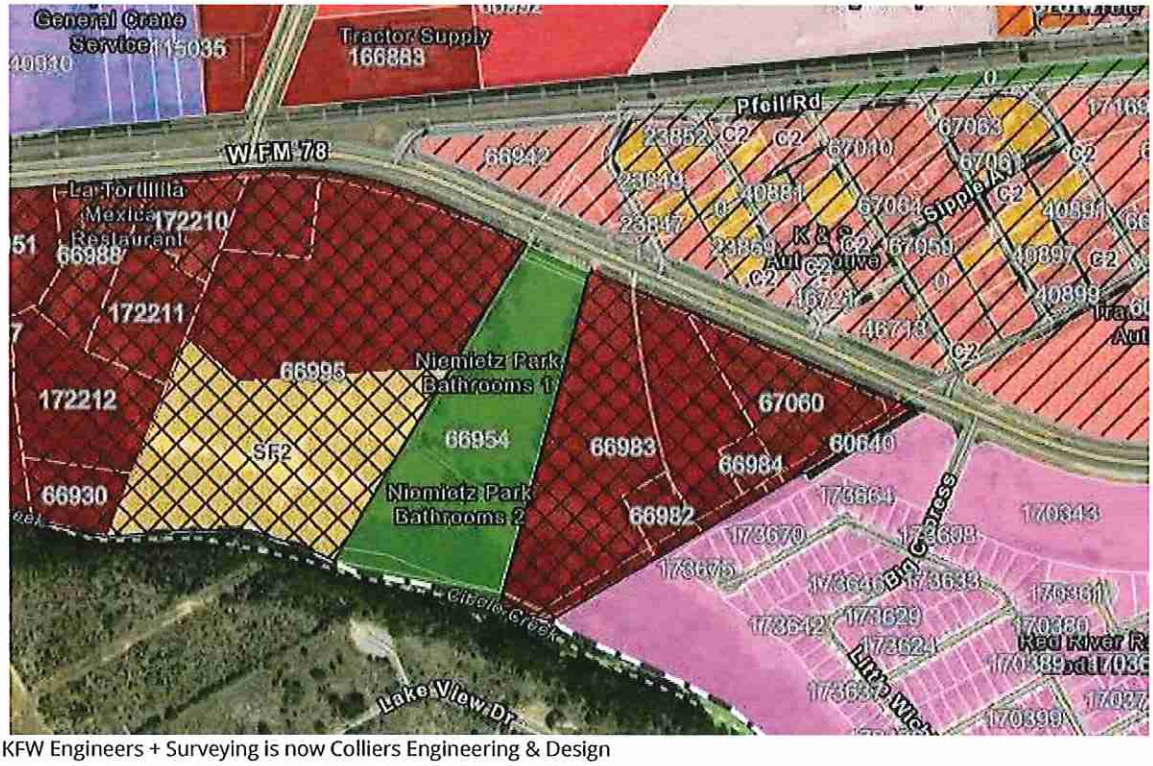
February 8, 2024

City of Cibolo
Attn: Alora M. Wachholz, CEcD, MEDP
Economic Development Manager
Cibolo Economic Development Corporation
201 W. Loop 539
Cibolo, Texas 78108

Proposal for Professional Services
City of Cibolo - EDC Market Planning
Colliers Engineering & Design Proposal No.: CIBP0001P

Dear Ms. Wachholz,

Colliers Engineering & Design is pleased to submit this proposal for professional services to assist the Cibolo Economic Development Corporation (CEDC) to conduct a planning analysis and market study for parcels owned by the CEDC and the City of Cibolo. It is our understanding that the subject properties are located on Seguin Road and includes Niemietz Park owned by the City of Cibolo and adjacent parcels to the east owned by the CEDC. The CEDC parcels are located within the City of Cibolo FM 78 Mixed Use Overlay District intended to provide design and use standards to support the corridor as a local and regional commercial center as shown below.



This proposal is divided into two sections as follows:

Section I – Scope of Services
Section II – Client Contract Authorization

The order in which the following scope of services are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Colliers Engineering & Design to meet project schedules.

Section I – Scope of Services

Based on our conversations and information noted above, we propose to complete the following:

TASK 1.0 MARKET ANALYSIS

The study will be conducted in phases and the work program will be concerned with the determination of current and potential future lodging demand in the market area, the assessment of existing and potential future supply and the share of the market that could reasonably be attained by the proposed project, and our facilities recommendations. Our work plan for the study will be as follows.

- Analysis of the Site Location - This part of the study is designed to evaluate the site in terms of its opportunities and constraints for development. Some of the factors to be examined include:
    - Access
    - Visibility
    - Ambiance
    - Present utilization
    - Topography
    - Relationship to demand generators
    - Relationship to area amenities
    - Advantages/disadvantages of the site versus the major competitors

- Area Review - We will gather and analyze relevant economic data regarding the market area to determine whether the overall economic environment in the area appears to be suitable for hotel development. We will examine correlations between key economic factors and the demand for lodging and will utilize any available forecasts of these indicators in our evaluation of potential future demand.

  We will perform primary market research in the site area, consisting of interviews with key demand generators, inspection and evaluation of competition and discussions with persons familiar with development patterns and the local hotel market. Among those with whom we will conduct such interviews are:

    - Managers of tourist attractions
    - Owners and managers of potentially competitive lodging facilities

- Government officials in zoning, development and transportation
- Major employers in the area
- Convention and Visitors Bureau representatives

On the basis of the foregoing research, we will prepare estimates of future growth in demand for, and the supply of lodging facilities in the market area.

We will analyze historical economic growth in the area and the characteristics of each of the principal segments of demand for hotels. Then, using the information gathered in our research, we will estimate growth in demand for each market segment and project demand for each of the next five years, expressed in terms of room nights.

- Market Analysis - The focus here will be on estimated demand for the subject hotel. We will define a competitive set of hotels and analyze historic performance, as well as ascertain future supply growth and expansion. The following factors will determine whether a new hotel project could fit on the site.
  - Occupancy, Average Daily Rate (ADR), and/or Revenue per Available Room (RevPAR)
  - Supply and Demand characteristics
  - Site analysis
  - Proximity to demand generators
  - Area demographics

  If there is demonstrated support for additional lodging supply at the site, we will provide facility recommendation.

- Facilities Recommendations - As part of our analysis, we will review your plans for the proposed project and may make preliminary recommendations as to the proposed hotel's facilities, including:
  - Number, type, and mix of guest rooms
  - Restaurant and lounge facilities, if appropriate
  - Banquet and meeting space requirements
  - Other facilities and amenities
  - Recommendations for branding/flag of the hotel

  These recommendations are intended to provide you with the basis for a design program for the proposed hotel.

- CBRE Report - We will codify our conclusion determining the need for a hotel into a concise draft letter report (~10 pages), and it will be for your internal use for discussion purposes with us. Once you have reviewed the draft, we will be pleased to review it with you, address any additional questions or concerns necessary and then finalize our report.

  The intended user is Colliers Engineering and Design, the City of Cibolo, Texas, and such other parties and entities (if any) expressly recognized by CBRE as "Intended Users" (as further defined herein). The Report may be relied on by the named parties herein, their respective affiliates, successors and assigns. The Report speaks only as of its date in the absence of a specific written update of the Report signed and delivered by CBRE, Inc.

Reliance on any reports produced by CBRE under this Agreement is extended solely to parties and entities expressly acknowledged in a signed writing by CBRE as Intended Users of the respective reports, provided that any conditions to such acknowledgement required by CBRE or hereunder have been satisfied. Parties or entities other than Intended Users who obtain a copy of the report or any portion thereof (including Client if it is not named as an Intended User), whether as a result of its direct dissemination or by any other means, may not rely upon any opinions or conclusions contained in the report or such portions thereof, and CBRE will not be responsible for any unpermitted use of the report, its conclusions or contents or have any liability in connection therewith.

- Future Phases - We understand this analysis is a preliminary phase in a potentially larger scope master planning/zoning study. The following presents potential additional phases we will be able to assist with under a separate engagement.
    - If there is market support for a hotel at this site, we will be able to provide a market/feasibility study containing 10 years of operating data, as well as economic feasibility with an internal rate of return analysis utilizing market-based development estimates.
    - If you determine potential uses for the site that could support additional hotel supply, we will assist in determining an optimal hotel addition with a market/feasibility study.
    - We will potentially assist in determining operating statistics for other uses outside of hotels utilizing our variety of expertise from the overall CBRE platform.

TASK 2.0 PROFESSIONAL PLANNING SERVICES

Planning services shall be provided to review the existing conditions of the site and evaluate the City of Cibolo and the Cibolo Economic Development Corporation plans and land development regulations. Planning services scope of work for the market study are anticipated to include:

- Conduct kick-off meeting with team.
- Inspect subject site virtually and/or in person. We will evaluate the sites and features of the subject properties. This will include the utilization of current mapping indicating boundary, utilities, zoning, wetlands, and floodplain as background documents.
- Review local plans and land use ordinance documents. These documents include but are not limited to:
    - Historic land uses and development patterns
    - Land use changes
    - Local and regional planning documents (Cibolo Comprehensive Master Plan, the FM 78 Corridor Plan, the Comprehensive Economic Development Strategy, the Hotel Feasibility Study – Limited Service and Select Service)
    - Ordinances (Cibolo Unified Development Code)
- Hold interviews with up to 12 community stakeholders identified by the CEDC to gather input on existing site conditions and community needs, issues and possible solutions, and visions for the property during the Market Study process. One-on-one interviews will be

coordinated to perform multiple interviews on the same day. Interviews may occur in person or virtually by telephone or Teams.

- Develop concept alternatives for future site development based on existing land use, market analysis, site restrictions, local and regional plans, and stakeholder feedback.
- Present and discuss existing conditions, visioning, the market analysis, and site development alternatives with team. All feedback received will be reviewed and incorporated into the written report.
- Prepare the Market Study that includes the existing conditions of the subject properties, the market analysis, alternatives and recommendations for future development, and next steps for master site planning and renderings.
- Provide final Market Study to team.

Additional time or tasks may be provided upon request and billed as Additional Services upon written authorization of the client.

Schedule of Fees

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

Task Name	Fee
Task 1.0 Market Analysis	$ 6,750
Task 2.0 Professional Planning Services	22,850
TOTAL Lump Sum	**$29,600**

Delivery, mileage, printing and reproduction, overnight mail service and postage costs are not included in the lump sum fees and will be added to each monthly invoice. **Payment terms are NET30 of receipt of invoice.**

Exclusions and Understandings

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Environmental, Structural, Cost Estimating, Logistics Planning, Irrigation System Design, traffic and any other specialty services not included above;
- Additional Survey services of any nature;
- Analysis of, and testing of, existing utility systems;
- Off-site and out of the project area design services;
- Additional permit/approval services;
- Electrical service and distribution design for site lighting;
- LEED design, credentialing and certification;
- Exploratory or testing work, interpretations or conclusions related to determination of potential chemical, toxic, radioactive or other type of contaminants on the site;

- Application fees and escrow deposits for any regulatory review agencies;
- Changes or revisions beyond our control or changes in basic concept after design service has been accomplished;
- Substantial plan revisions, changes, or preparation of additional design support documents requested during the course of the review of the project;
- Additional meeting attendance;
- Pavement cores, laboratory testing and analysis services;
- Construction Administration and Observation services;
- Stormwater management and collection system design services.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary, Colliers Engineering & Design may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the extra services.

Professional Service Agreement

The basis of compensation for the Scope of Services will be an hourly invoice for the actual hours spent on each task. A fee of $29,600 is the cost of the Scope Services. This budget does not include any other services or matters, including, without limitation, applicable tax or direct expenses for reprographics, travel, express mail, courier services, or any required sub-consultant services not covered under the Scope of Services. Direct expenses will be invoiced monthly with a 10% markup. Any and all other terms and conditions related to this proposal will be per the Professional Services Agreement between the City of Cibolo and CED Engineers.

Section II – Client Contract Authorization

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature	Date
Printed Name	Title

If you find this proposal acceptable, please sign where indicated above in Section IV, and return one signed copy to this office. **Payment terms are NET30 of receipt of invoice**. This proposal is valid until (60 days per business terms).

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Sincerely,

Christopher Otto, P.E. CFM
Regional Discipline Lead – Municipal
Colliers Engineering & Design, Inc.

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City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action concerning accepting a donation (on loan) for a historic Surrey (two-seater horse drawn buggy) from the Hinze Family for the preservation of Cibolo's Old Town character. (Mr. Reed)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13D

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13D Surrey.pdf

"City of Choice"

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT: Discussion/Action concerning accepting a donation (on loan) for a historic Surrey (two-seater horse drawn buggy) from the Hinze Family for the preservation of Cibolo's Old Town character.

ITEM SUMMARY: Previously, the City Council discussed the offer from the Hinze family on June 27, 2023. Based on the presentation and Mr. Hinze's request, City Council directed City staff to take this item to the Historical Committee to discuss how it could be displayed, how to tell the story of the surrey, and so forth. Also, there was a suggestion to have the Parks Commission consider the use of the Tolle Park property and the existing house and garage to store and display the surrey.

The City's Historical Committee considered this request in late 2023. Based on the existing City facilities, the need and costs to repair to the surrey, and other factors, the Historical Committee recommends the City pass on this loan of the surrey at this time. The Historical Committee expressed concern that the City currently lacks an adequate, air conditioned space to display the surrey and the cost to repair the surrey. They felt the most appropriate location for the display area would be in Old Town given it represents the historic character of the City.

Background (The following Background was provided for the June 27, 2023, agenda item)
The Hinze family are the proprietors of a rare piece of Cibolo's history. They own a four-seater buggy or surrey, once owned and used by a local Cibolo doctor, which is in very good condition considering its age. This surrey is by and large complete with the original seats, leather roof, yoke, and shafts that attach to the harnessing. The surrey is dated to approximately 1880-1895.

In researching the origin of this surrey and how it became part of Cibolo's history, Terri Hinze located the builders tag, a brass emblem attached to the rear axle, stamped Nic. Holz and son, New Braunfels. Mr. Holz was quite an entrepreneur in New Braunfels. As a blacksmith, he built farm implements, wagons, buggies, and even ambulances, becoming quite prosperous in his business endeavors. After the turn of the century, Nicolas constructed a two-story building on his property located at 474 W. San Antonio Street in New Braunfels, now known as the Holz-Forshage Building, which is still used today. He had even built his wife a mansion that was razed in 1966 in order to build a Goodyear store. Whether this surrey was purchased by or donated to the local Doctor in Cibolo during the late 1890s to early 1900s is unknown.

What the Hinze family does know is this. The doctor had made a house call, as was common in the time, to diagnose and treat a sick young boy. His diagnosis was measles. The doctor's recommendation was to mind the boy's fever, keep him comfortable, and go ahead and place the approximately one-year-old brother in the bed with the young boy. This would introduce the measles to the infant so he would "catch them" and never have to worry about the measles again. The first part of the plan worked, and the infant "caught" the measles. The second part, however was an utter failure. The infant died. The older boy grew to become a grandfather here in Cibolo.

The children's father made a vow that as soon as the funeral and burial of the infant concluded, he would change his clothes, get his gun, and kill that infernal doctor. The statement had been made to another member of the community, who then warned the doctor that if he valued his life, he would leave town with haste. The doctor heeded this advice, mounted his horse, and rode away without looking back.

This is how the Hinze family became the proprietors of the famed Doctor's Surrey in Cibolo, Texas. Their desire is to offer this surrey to the City on a long-term, museum-type loan. The Hinze family would ask that the City provide an enclosed, preferably climate-controlled, environment for permanent display. If, at a time in the distant future, representatives of the City decide they no longer desire to be caretakers of this surrey and its story, the Hinze Family would request to have first right of refusal to take full unencumbered ownership of the surrey once more.

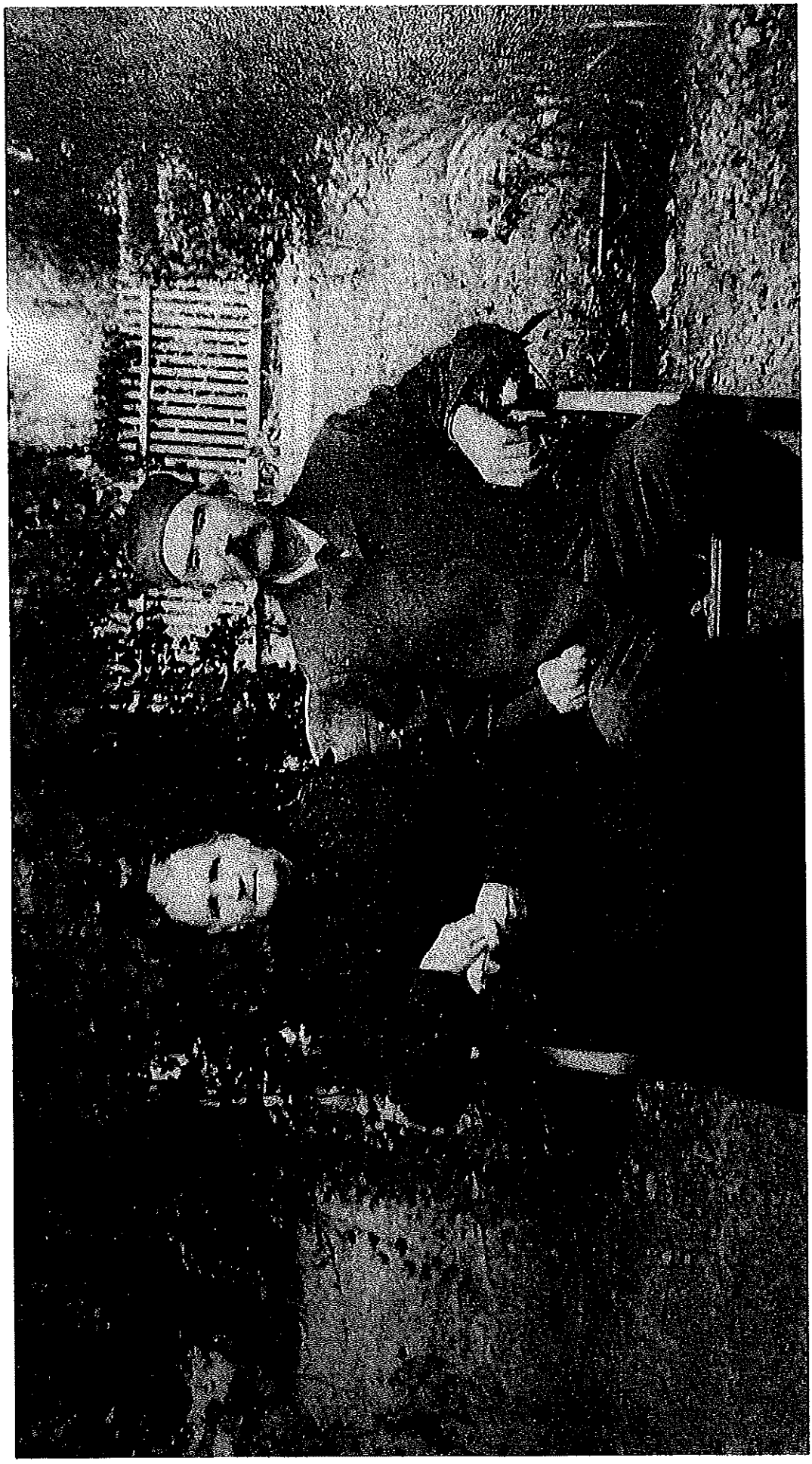
Council's Vision is a *community that is proud of* ***our historic roots****, responsive to residents, and innovating for our future.* Preservation of the surrey would be one way of preserving and promoting the community's past.

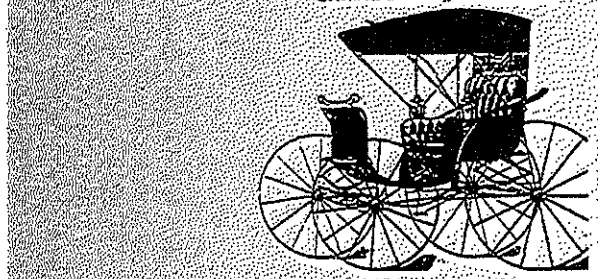
FINANCIAL IMPACT: This is to be determined. There will be cost to restore the buggy should the City want it restored. Currently, the City does not have a facility with room to place the surrey in a climate controlled location to be on exhibit.

SUBMITTED BY:
Wayne Reed, City Manager

ATTACHMENT:
1. Photos

NIC. HOLZ & SON.
NEW BRAUNFELS, TEX.





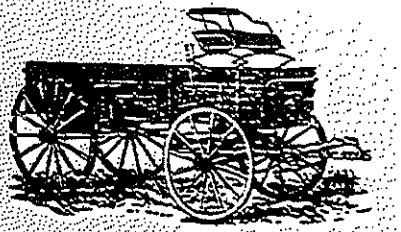
Buggies, Surreys, Phaeton
Mitchell Springwagen und
Farmwagen.

N. Holz & Sor

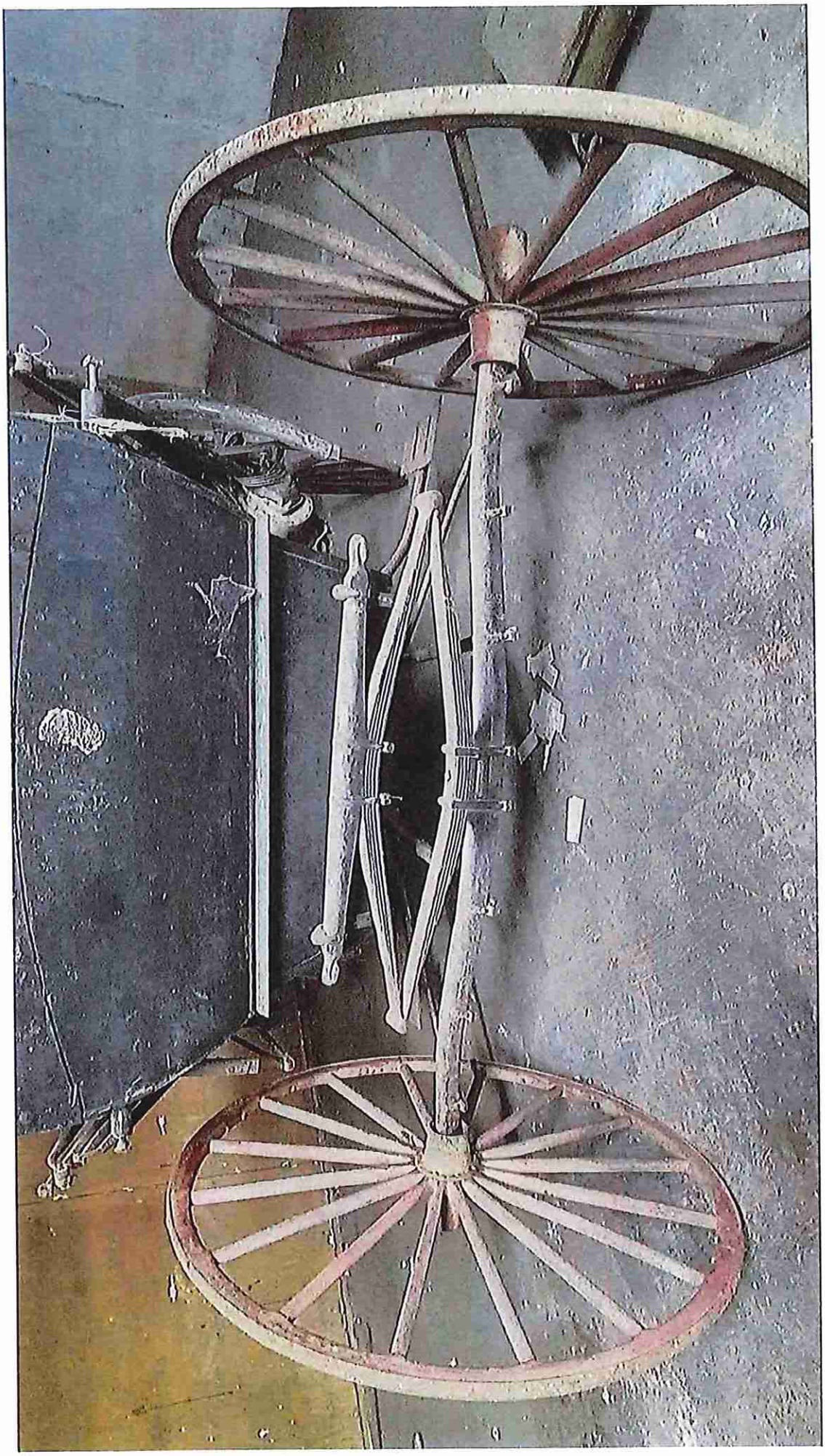
Der Avery Graphit Pflug
ist jetzt der einzigste Pflug
welcher vollkommen Zufrieden
stellt giebt.

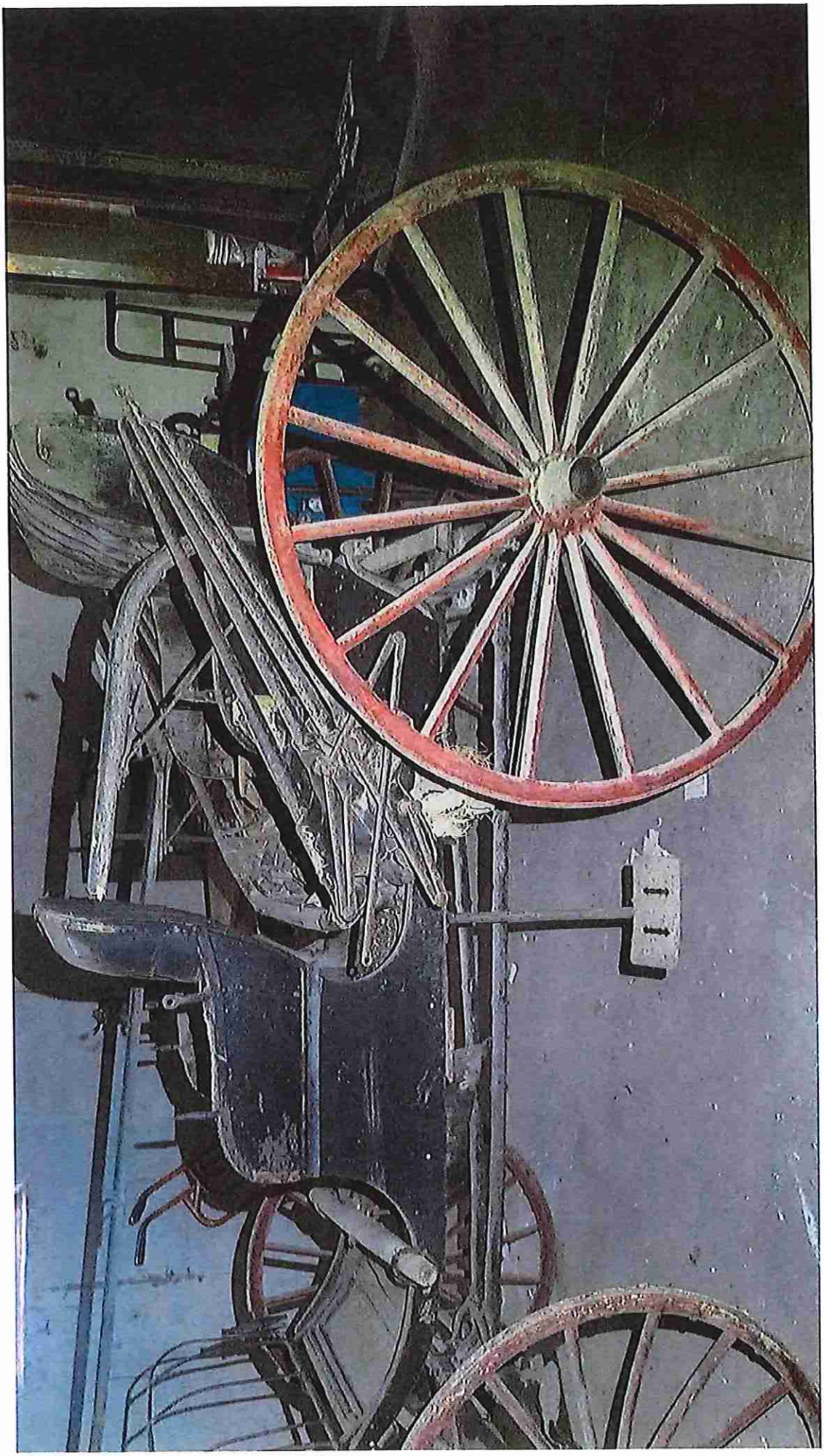
N. Holz & Son.

N. Holz & Son



Smith Boisdarc Farm - Wagen.
Der beste Wagen im Markt.
**Ambulancen, Buggies, Car-
riages und Carts**
in größter Auswahl und zu den niedrigsten Preisen.





PRINZ SOLMS BRAUEREI

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action concerning the preferred design for the Tolle Road Improvements. (Mr. Hugghins)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13E

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13E Tolle Rd. Improvements.pdf

City of Cibolo, Texas
City Council Workshop
February 27, 2024

SUBJECT: Discussion/Action concerning the preferred design for the Tolle Road Improvements.

PRIOR CITY COUNCIL ACTION: City Council authorized the issuance of debt in 2019 following approval by voters to improvement pavement and drainage along Tolle Road (see Attachment 1). City Council approved a Public Improvement Agreement with DR Horton that provides additional funding for this project as described below. City Council approved the FY24 budget and 5-Year Capital Improvement Program (CIP); the CIP shows the Tolle Road right-of-way acquisition in FY27 (cost to be determined) and construction in FY28 ($7,000,000). In 2023, the Mayor and City Council members (along with staff members) participated in two Town Hall meetings (August and October) with residents living along Tolle Road to collect their input on the design of the road improvements to provide additional information on decision-making. On January 23, 2034, the City Council held a special meeting to discuss Option 1 and Option 5 of the Tolle Road proposed improvements.

OVERVIEW: City staff is seeking direction from City Council on the preferred design of the Tolle Road improvements. Attachment 2 provides the Lockwood, Andrews, & Newman, Inc., (LAN) opinion of probable construction costs (OPCC) for Tolle Road for both the 20 Year pavement and 5 Year pavement designs with some options that was provided at the January 23rd special meeting.

As shown on Attachment 2, LAN developed five (5) different project scopes. These ranged from a project with a 20 Year pavement design that includes full-depth reconstruction and slight widening of the road, installing new drainage structures, moving water mains, and the installation of a new sanitary sewer main (approximately $7.0 million) to a project that provides for a mill and overlay of existing Tolle Road with a 5 Year pavement design (approximately $2.1 million). The prices for both Option 1 and Option 5 have been updated by LAN to reflect current OPCC. The first project is referred to as the original design; the estimated $8.54 million construction cost excludes additional design cost, surveying, appraisals, land acquisition costs, and utility relocations costs.

At the January 23, 2024 City Council special meeting, Council asked to table the matter to further consider the two options presented. It was suggested at a later date that we consider adding drainage upgrades to Option 5 as an alternative to the two options presented. It should be noted that adding drainage upgrades to Option 5, that is a basic mill and overlay, would require additional engineering to provide another option to consider, because certain sections of Tolle Road only have about three (3) inches of material over existing culverts.

If additional and/or larger culverts were required to provide adequate drainage for a five (5) year flooding event as would occur with Option 1 as compared to the current Tolle Road drainage conditions, the road

surface would need to be raised to install upgraded culverts. The addition of new and larger culverts would essentially preclude a basic mill and overlay as provided in Option 5.

FINANCIAL IMPACT: Option 1 has an estimated opinion of probable construction cost of $7.7 million, plus additional engineering, surveying, appraisals, and some land acquisition. Option 5 estimated opinion of probable construction cost is $3.4 million. The City has adequate funds on hand for either design option.

DIRECTION/ACTION: Direction to Staff to proceed with final plan designs for either Option 1, Option 5 or additional engineering and design of Option 5 with Upgraded Drainage of the Tolle Road rehabilitation project and wastewater line installation.

SUBMITTED BY: Bryan Hugghins, Executive Director

ATTACHMENTS:

1. PowerPoint Presentation

Cibolo Tolle Road Roadway and Drainage Improvements

City Council Meeting
February 13, 2024

Council Feedback and Action

- Confirm council preference of project scope based on Option 5 (Mill & Overlay), Option 1 (Full-Depth Reconstruction), or design of Option 5 with upgraded drainage of the Tolle Road rehabilitation project and wastewater line installation.

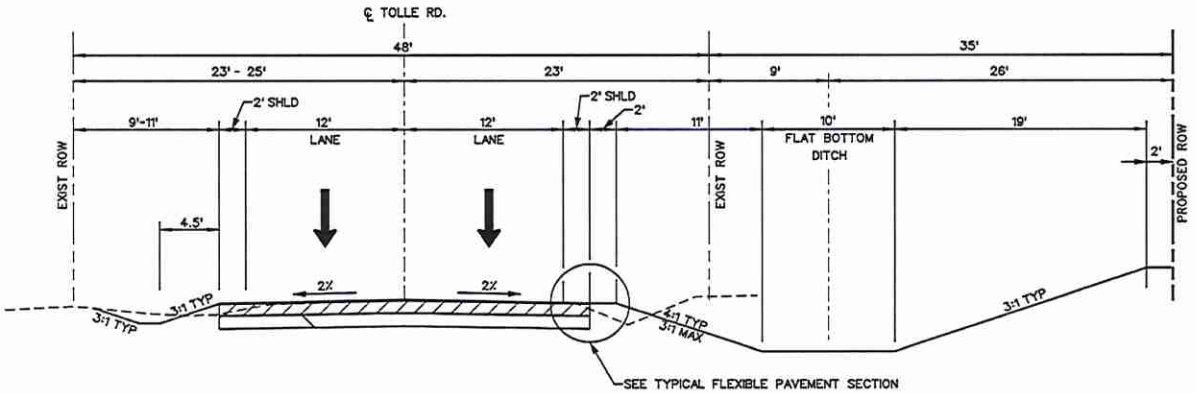
Opinion of Probable Construction Cost

Option No.	Service life	Base Bid / Project	Project Total
1	20 years pavement	BASE BID 1 - TOLLE ROAD STREET, DRAINAGE, AND UTILITY IMPROVEMENTS	**$7.7 M**
~~2~~	~~N/A~~	~~BASE BID 2 - TOLLE ROAD WASTEWATER IMPROVEMENTS~~	~~$ 1.88 M~~
~~3~~	~~20 years pavement~~	~~BASE BID 3 - TOLLE ROAD STREET IMPROVEMENTS~~	~~$ 5.37 M~~
~~4~~	~~5 years pavement~~	~~MILL & OVERLAY OPTION~~	~~$ 2.18 M~~
5	5 years pavement	MILL & OVERLAY W/ WW OPTION	**$3.4 M**

NOTES:

- Construction costs were updated in January 2024 based on recent City of Cibolo Bid tabulations
- Additional soft costs, including engineering, surveying, appraisals and right-of-way acquisitions, are required for Option 1.
- **Adding drainage improvements to Option 5 would require additional design and engineering, as there locations on Tolle Road that only have about three (3) inches of material on top of culverts**

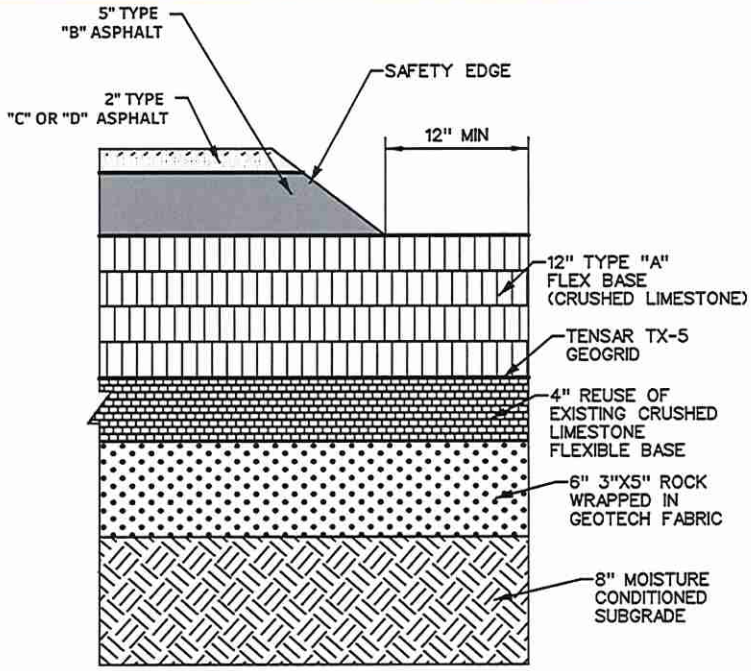
Option 1 – Full-Depth Reconstruction



TYPICAL PROPOSED ROADWAY SECTION (TOLLE ROAD)

Existing Culverts to be replaced

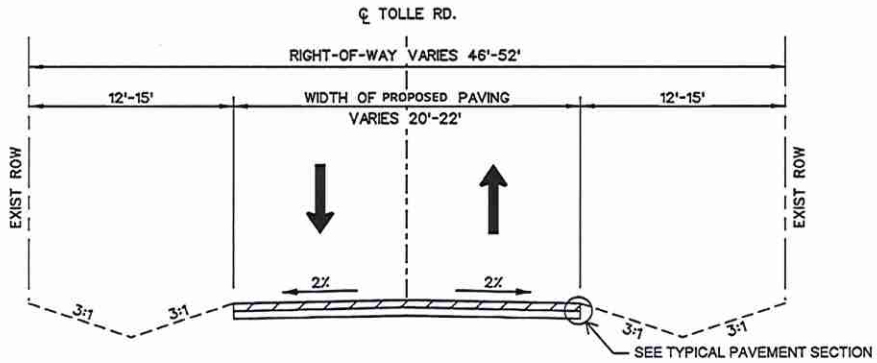
Proposed open channel/culverts:
1647.1 LF of Drainage Channel, 10'-15' Bottom Width
1 – 6'X3' MBC (Tolle Rd)
16 – 8'X3' MBC (Tolle Rd)
9 – 9'X4' MBC (Tolle Rd)



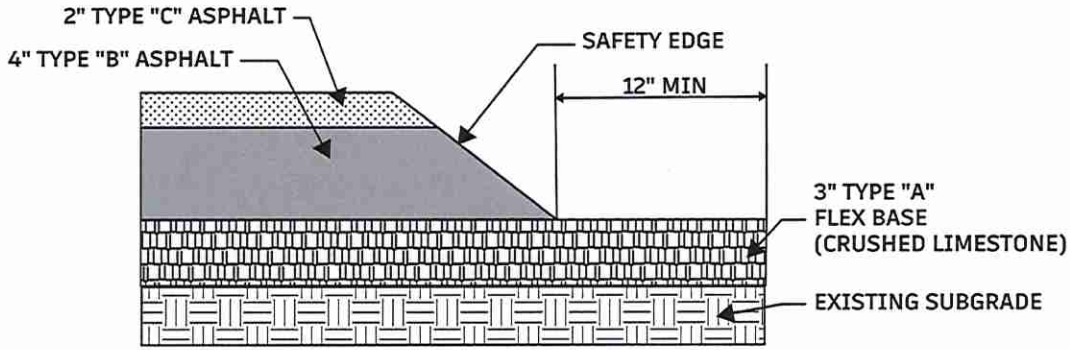
Proposed Pavement Typical Section

Pavement Service Life: 20 years

Option 5 – Mill & Overlay



PROPOSED SECTION (TOLLE ROAD)



Proposed Pavement Typical Section

Existing culverts to remain:
4 – 24" CMP (Weil Rd)
1 – 15" CMP (Tolle Rd)
2 – 15" CMP (Tolle Rd)
1 – 18" RCP (Country Ln)
2 – 18" CMP (Country Ln)

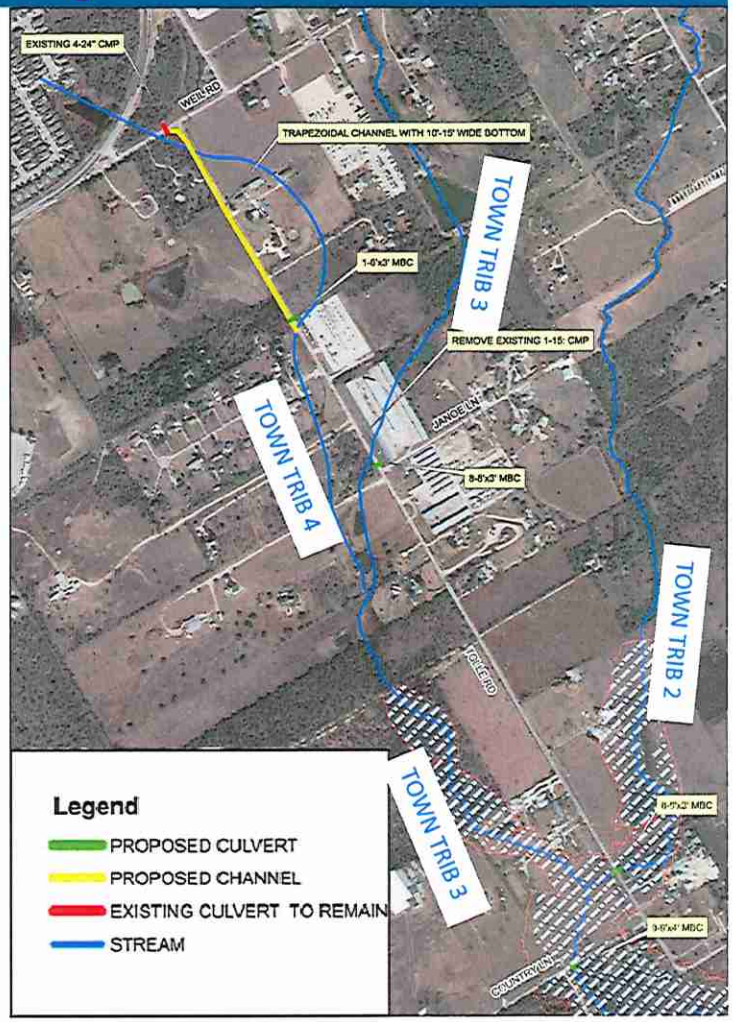
Existing culverts provide very little capacity (passing less than 1-yr storm event)

Pavement Service Life: 3-5 years

Option 1 – Drainage Improvements

Extensive flooding and sheet flow occurs on Tolle Rd at the electric substation, development along Janoe Ln, and other residential structures.

- **Tolle Rd near Weil Rd:** Existing culverts at Weil Rd do not have the capacity to carry the 5-year storm event.
  - **Proposed 30-feet open Channel**
- **Tolle Rd North of Electric Substation:** Currently, no drainage structures exist North of the electric substation, an existing 20" steel sleeve south end of the substation.
  - **Proposed 6'x3' box culvert**
- **Tolle Rd North of Janoe Ln:** Existing culverts do not have the capacity to carry the 5-year design flow.
  - **Proposed 8-8'x3' multi box culvert**
- **Tolle Rd at Town Creek Tributary 2:**
  - **Proposed 8-8'x3' multi box culvert**
- **Country Ln:**
  - **Proposed 9-9'x4' multi box culvert**



Existing/Proposed Culverts

Figure 1: Existing 15” CMP on Tolle Rd

Figure 2: Proposed 8’X3’ Culvert on Tolle Rd

Figure 3: Existing 2-18” CMP & 1-18” RCP on Country Ln

Figure 4: Proposed 9’X4’ Culvert on Country Ln

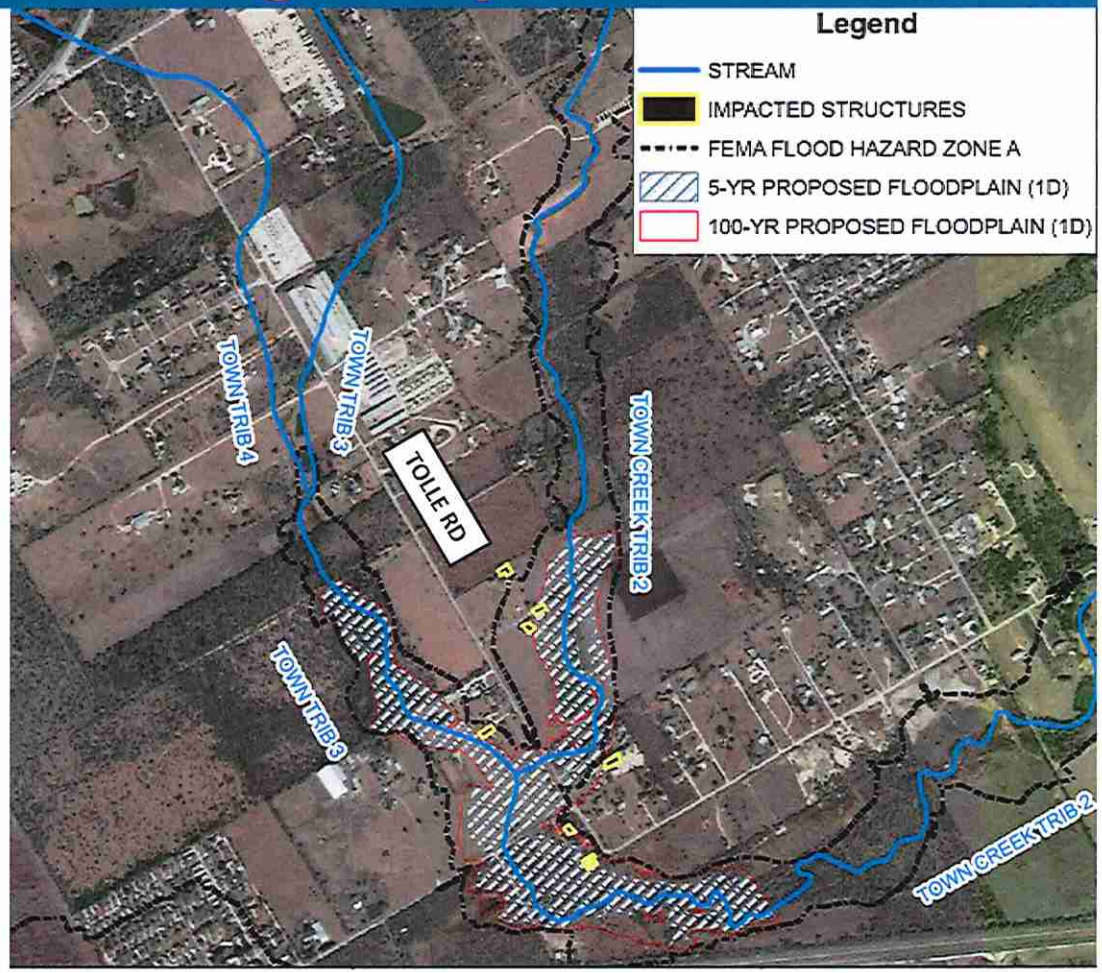
Tolle Road – Drainage Improvements

Benefits:

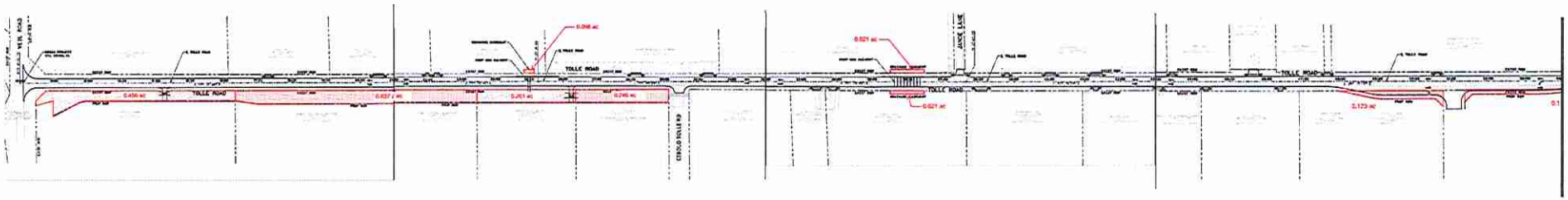
1. Seven (7) structures will be removed or have significantly reduced flood potential from 100-yr floodplain.

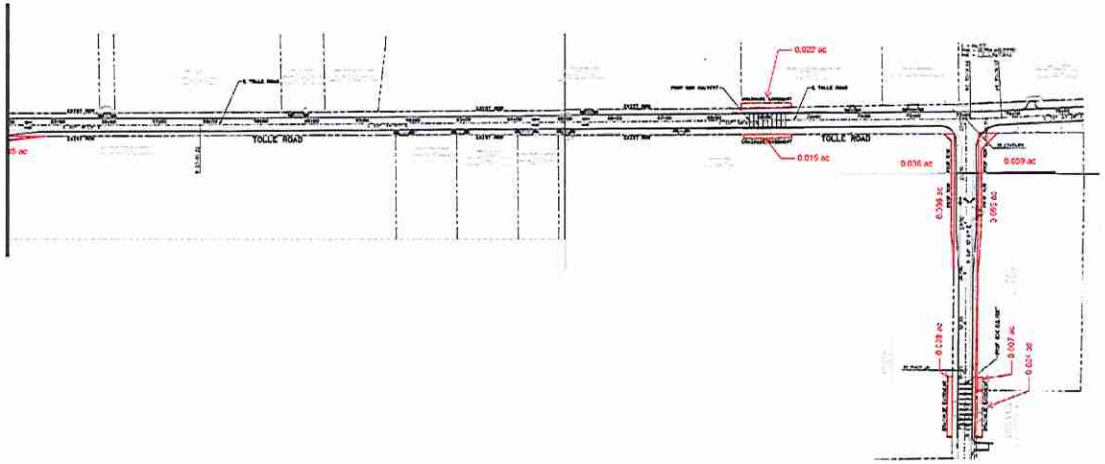
2. 5-yr water surface elevation reductions:

Location	5-yr water surface elev. Reductions (Ft)
South of Weil Rd	-1.81
Adjacent to Elec. Substation	-0.36
NW of Janoe Ln.	-0.19
Tolle Rd @ Town Creek Trib. 2	-0.05



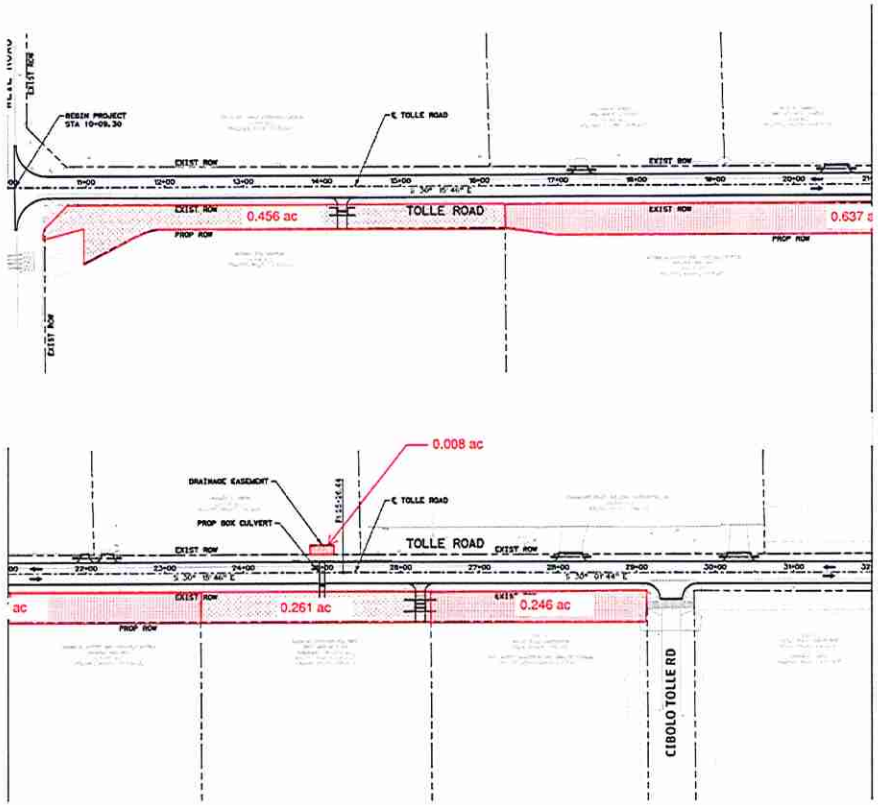
ROW Impacts – Option 1





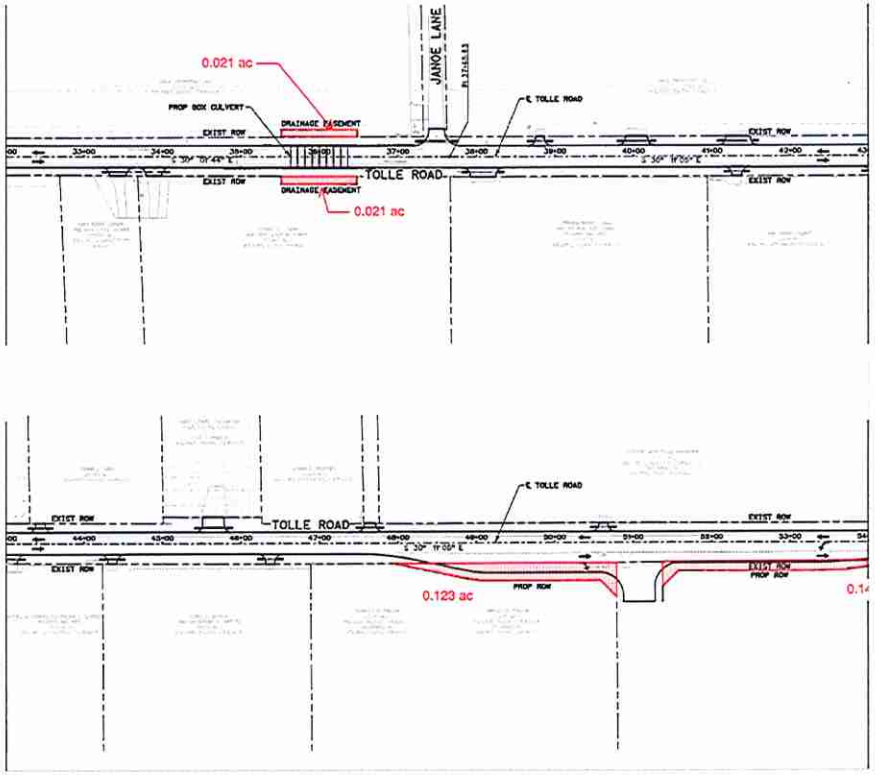
ROW Impacts (Tolle Rd)

STATION RANGE	ACREAGE NEEDED	PROPERTY INFORMATION
STA 10+50 TO STA 16+25	0.456	ID: 66367 775 Tolle Rd
STA 16+25 TO STA 23+50	0.637	ID: 66309 1540 FM 1103
STA 23+50 TO STA 26+40	0.261	ID: 66385 Tolle Rd
STA 26+40 TO STA 29+15	0.246	ID: 18725 101 Cibolo Tolle Dr
STA 25+00	0.008	ID: 66521 672 Tolle Rd



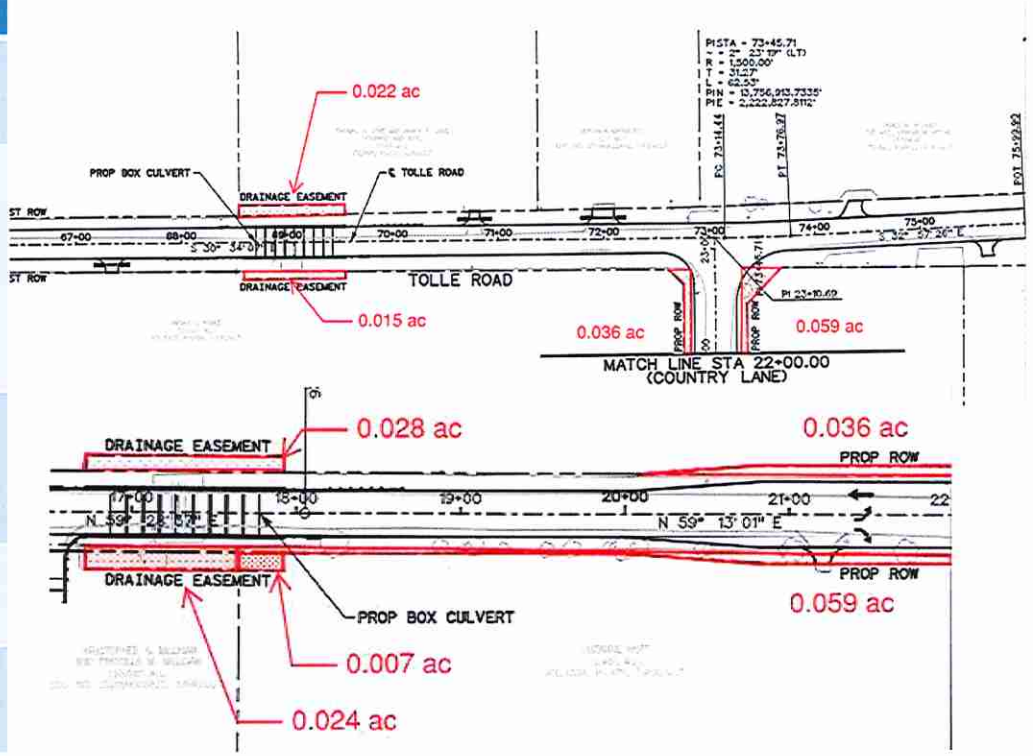
ROW Impacts (Tolle Rd)

STATION RANGE	ACREAGE NEEDED	PROPERTY INFORMATION
STA 36+00	0.021	ID: 130021 100 Janoe Ln
STA 36+00	0.021	ID: 168375 549 Tolle Rd
STA 48+00 TO STA 50+80	0.123	ID: 66433 Tolle Rd
STA 50+80 TO STA 54+75	0.145	ID: 66384 Tolle Rd



ROW Impacts (Tolle Rd & Country Ln)

STATION RANGE	ACREAGE NEEDED	PROPERTY INFORMATION
STA 69+00	0.022	ID: 66277 134 Tolle Rd
STA 69+00	0.015 (Drainage) 0.028 (Drainage) 0.036 (ROW)	ID: 66512 181 Tolle Rd
STA 17+70-17+90	0.007 (Drainage) 0.059 (ROW)	ID: 66501 591 Country Ln
STA 16+80-17+70	0.024	ID: 110713
TOTALS:	**2.109**	**16 Acquisitions (4 ROW, 12 Drainage)**



Option Timeline

	Option 1 (Full-Depth Reconstruction)	Option 5 (Mill & Overlay)
Additional Project Costs		
Engineering/Surveying/Appraisals	~$300K	$0
Land Acquisition (16 total)	TBD	$0
Schedule (Months)		
Finalize Design Documents	2-3	1-2
Permitting	12	2-3
TCEQ Approval	2-3	**2-3**
Utility Relocations (GVEC, GVSUD)	6	0
Land Acquisitions (16 total)	**12**	0
Bidding Phase	5-6	3
Construction	12	4
TOTAL (MONTHS)	**31-33**	**10-12**

- Bolded items are critical path activities.
- Determination of land acquisitions costs is subject to completing property appraisals.

Project Timeline

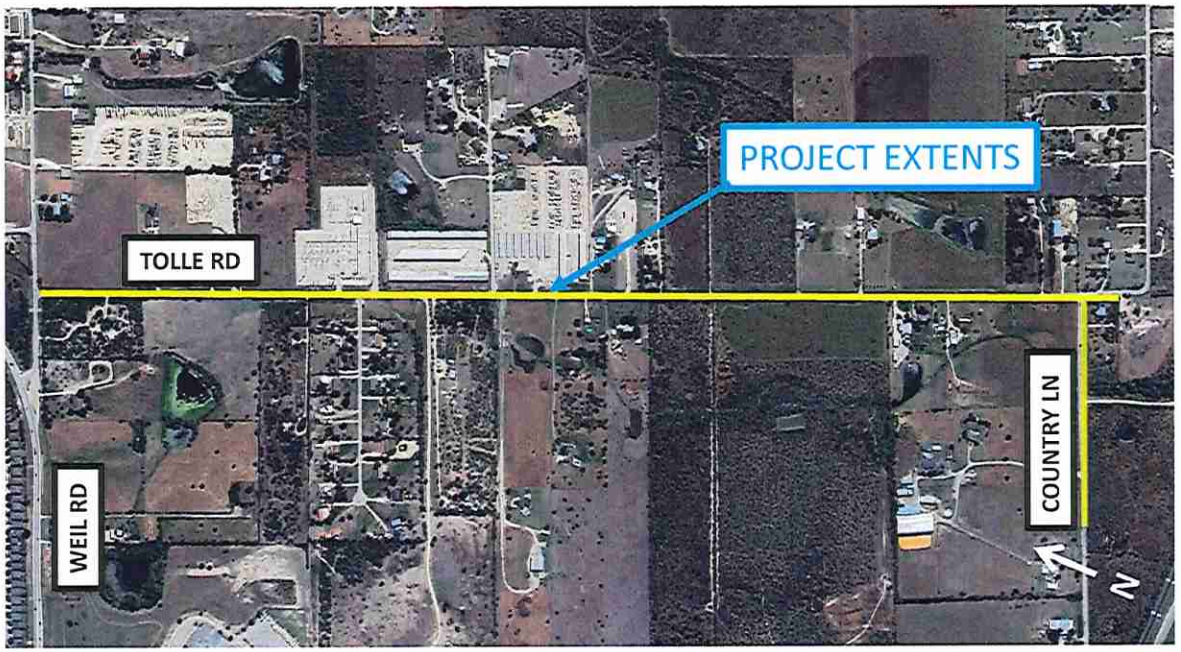
CIP Sub-committee meeting – Council members reach consensus to recommend wider road with wider shoulder. Council gave directions to continue investigations.	March 2023
CIP Sub-committee meeting – council members were reluctant to move forward with the project due to ROW acquisitions and other acquisitions.	June 2023
Council Budget Workshop #1 – Tolle Road placed on 5-Year CIP for FY26 by Group A	June 2023
Council to work on consolidated 5-Year CIP at July 11th Council Meeting, which will finalize CM proposed budget on August 8th	July 2023
Public Open House	August 2023
Public Open House Council Discussion on project scope. Motion to table and receive additional information.	October 2023 December 2023
City Council Workshop – Tolle Rd Project	January 2024

Next Steps

- Complete and Finalize 100% Deliverables
- Submit Project for TCEQ permit (New WW Line)

Council Feedback and Action

- Confirm council preference of project scope based on Option 5 (Mill & Overlay), Option 1 (Full-Depth Reconstruction), or design of Option 5 with upgraded drainage of the Tolle Road rehabilitation project and wastewater line installation.



"City of Choice"

RESOLUTION NO._____

RESOLUTION BY THE CITY OF CIBOLO, TEXAS APPROVING AMENDMENT NO. 1 OF A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CIBOLO, TEXAS, THE CIBOLO ECONOMIC DEVELOPMENT CORPORATION AND H-E-B, LP, EFFECTIVE MARCH 17, 2022; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 APPROVED AS TO FORM BY THE CITY ATTORNEY'S OFFICE; PROVIDING FOR REPEAL AND SEVERABILITY; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the City of Cibolo ("City") is a Texas Home Rule Municipality, as defined by applicable law; and

WHEREAS, the City Council finds H-E-B, LP, owns certain property within the City; and

WHEREAS, the City Council finds H-E-B, LP, developed an H-E-B branded grocery store of approximately 110,000 square feet, along with an obligation to construct an approximately 55,000 square foot Economic Fulfillment Center, supporting H-E-B's Curbside and Delivery Business.

WHEREAS, the City Council finds the City and EDC agreed to certain economic incentives in exchange for certain development and capital improvement within the City of Cibolo, Texas;

WHEREAS, the City Council finds it necessary to make its first amendment to the March 17, 2022, Chapter 380 Economic Development Agreement ("Agreement") due to changes in circumstances, which is attached hereto as if recited verbatim herein as Attachment 1; and

WHEREAS, the City Council finds H-E-B, LP, also finds it necessary to make its first amendment to the Agreement due to changes in circumstances; and

WHEREAS, the City Council finds that it anticipates the Cibolo Economic Development Corporation will also find it necessary to make its first amendment to the Agreement due to changes in circumstances.

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

1, The statements set forth in and by reference in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

2. Amendment No. 1 to the Agreement is approved.

3. The City Manager is hereby authorized to execute Amendment No. 1 (attached to this Resolution as Attachment 1 and incorporated into this Resolution as if restated verbatim herein).

4. This Resolution shall be and is hereby cumulative of all other resolutions of the Corporation and this Resolution shall not operate to repeal or affect any such other resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event such conflicting provisions, if any, in such other resolution or resolutions are hereby repealed.

5. If any section, subsection, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

6. The meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

8. This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council of the City of Cibolo, Texas.

PASSED AND ADOPTED BY THE CITY COUNCIL ON THE 27th DAY OF FEBRUARY 2024.

_____
MARK ALLEN
Mayor

ATTEST:

_____
PEGGY CIMICS, TRMC
City Secretary

APPROVED AS TO FORM:

_____
Hyde Kelley LLP
City Attorney

Attachment 1, Amendment No. 1 to H-E-B, LP's

March 17, 2022 Chapter 380 Economic Development Agreement

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:
Approve/Disapprove a Resolution by the City of Cibolo, Texas approving Amendment No. 1 of a Chapter 380 Economic Development Agreement between the City of Cibolo, Texas, the Cibolo Economic Development Corporation and H-E-B, LP, effective March 17, 2022; authorizing the city manager to execute Amendment No. 1 approved as to form by the city attorney's office; providing for repeal and severability; determining that the meeting at which this resolution was passed was conducted in compliance with the Texas Open Meetings Act; and providing an effective date.

ITEM SUMMARY:
The City of Cibolo and Cibolo Economic Development Corporation entered into a Chapter 380 Economic Development Agreement, effective March 17, 2022, which promotes economic development within the City of Cibolo. This Chapter 380 Agreement requires that H-E-B must (1.) develop approximately 45 acres, located on the northeast corner of FM 1103 and Main Street, and (2.) construct both an H-E-B-branded grocery store and Economic Fulfillment Center (EFC) on the subject site. In doing so, it was determined that these actions would thereby contribute to the promotion of local economic development, would assist in diversifying the local economy, and would enhance commercial activity within the City of Cibolo. The City agreed to incentivize the development of the EFC by (a.) providing a 10-year rebate of the Maintenance & Operations (M&O) portion of the ad valorem taxes due to the City, in an amount not to exceed a maximum rebate of $1,000,000 throughout the term of the Agreement, and (b.) offering impact fee offsets.

Article 2 of the Chapter 380 Agreement requires certain performance measures be met, related to the opening of the facility and the public improvements resulting from the Project. These include:

(a) Store Opening. H-E-B shall open the Store for business to the public on or before June 30, 2023 (the "Store Opening").
- Status: Complete

(b) Curbside Facility. H-E-B will construct the Curbside Facility on the same timeline as the Store; provided, however, that with the City's approval, H-E-B may commence operations at the Curbside Facility up to eighteen (18) months after the Store Opening.
- Status: Complete

(c) EFC Facility. H-E-B will construct and open the EFC Facility on the same timeline as the Store; provided, however, that with the City's approval, H-E-B may commence operations at the EFC Facility up to eighteen (18) months after Store Opening.
- Status: In-Progress

(d) Main Street Widening. H-E-B will complete construction required to widen Main Street no later than the Store Opening.
- Status: Complete

(e) Traffic Signal along FM 1103. H-E-B will complete construction and installation of the traffic signal at FM 1103 by the Store Opening.
- Status: Complete

(f) Regional Trail. H-E-B will construct a 10' wide concrete trail. Upon completion, H-E-B will grant a public access (trail) easement to the City.

- Status: In-Progress

(g) Trailhead Parking Lot. H-E-B will rough grade an area for the City to construct a Trailhead Parking Lot.
- Status: Complete

(h) Submittal of Building Permits. H-E-B will submit its initial Building Permit plans to the City by no later than November 4, 2022.
- Status: Complete

(i) Truck Route. H-E-B agrees that its Class 8 and Class 9 delivery vehicles shall NOT utilize Main Street south of the Property for access to or from the Property.
- Status: Complete

In this original Agreement, the intent was that H-E-B would pay the City of Cibolo all required assessed impact fees due, and then the Cibolo EDC would reimburse H-E-B directly for these fees, up to $450,000. During a review of the planning and building process, however, it was uncovered that impact fees were never collected by the City. This First Amendment, therefore, seeks to alter the original Agreement to reflect that, rather than making a payment directly to H-E-B, the Cibolo EDC will render $450,000 in funds directly to the City to account for impact fees associated with the EFC.

Further, this First Amendment establishes that the Cibolo EDC will not be obligated to pay the $450,000 until H-E-B opens its Economic Fulfillment Center, which is currently anticipated during FY 24. The Cibolo EDC Board of Directors has approved this First Amendment during their June 15, 2023, Regular Board Meeting. This item has been delayed in coming before City Council for formal Action in anticipation of the City being ready to also vote to accept all infrastructure improvements for the Project and for conveyance of the trail land.

FINANCIAL IMPACT:
According to the terms of the Agreement, the first assessed tax year is anticipated to be calendar year 2024, which will be paid out in FY 25. The City's primary financial incentive is a step-down tax rebate that begins at 100% of M&O in years 1-5, then 75% in years 6-8, and finally 50% in years 9-10. The Cibolo EDC has agreed to contribute $450,000 toward impact fee offsets.

SUBMITTED BY:
Kelsee Jordan Lee – Planning & Economic Development Director
Alora Wachholz – Economic Development Manager

ATTACHMENTS:
- Resolution
- Proposed Amendment No. 1 to the Chapter 380 Agreement between the City of Cibolo, Cibolo Economic Development Corporation, and HEB Grocery Company, LP
- Original Chapter 380 Agreement between the City of Cibolo, Cibolo Economic Development Corporation, and HEB Grocery Company, LP

CITY OF CIBOLO TEXAS,
CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
AND
H-E-B GROCERY COMPANY, LP

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT
AMENDMENT NO. 1

This First Amendment to Chapter 380 Economic Development Agreement *(the "**Amendment**")* is made and entered into as of February _____, 2024 (the "***Amendment Effective Date***") by and between the **City of Cibolo, Texas**, a Texas home-rule municipality *(the "**City**")*, **the Cibolo Economic Development Corporation**, a Texas development corporation (*the "**CEDC**"*), and **H-E-B, LP**, a Texas limited partnership *("**H-E-B**")*, (the City, the CEDC, and H-E-B each referred to herein individually as a *"**Party**"* and collectively as the *"**Parties**")*.

RECITALS

WHEREAS, the City of Cibolo, the CEDC, and H-E-B entered into a Chapter 380 Economic Development Agreement (hereinafter referred to as the "***Agreement***"), approved by City Council and the EDC and effective as of March 17, 2022, to provide for economic incentives should H-E-B develop an H-E-B branded grocery store of approximately 110,000 square feet on the Property (as such term is defined in the Agreement) (the "***Store***") along with an approximately 55,000 square foot Economic Fulfillment Center (the "***EFC Facility***"), supporting H-E-B's Curbside and Delivery Business (the "***Curbside Facility***") (the Store, EFC Facility, and Curbside Facility are together referred to herein as the *"**Project**"*); and

WHEREAS, the City and EDC agreed to provide economic incentives including: a ten (10)-year ad valorem tax rebate of the Maintenance & Operation's (M&O) portion of the property tax received by the City for improvements caused by Project for a maximum rebate not to exceed One Million Dollars ($1,000,000), the provision of Impact Fee Offsets, and other economic development incentives as further described in the Agreement; and

WHEREAS, under the terms of the Agreement, if H-E-B fulfilled the conditions as set forth therein, the CEDC would pay to H-E-B an amount of Four Hundred Fifty Thousand Dollars ($450,000) for the cost of Impact Fees (as such term is defined in the Agreement) that were paid by H-E-B to the City for the Project; and

WHEREAS, construction of the Project, including the EFC, has been completed but the City agreed not to collect Impact Fees from H-E-B directly, the CEDC will pay the $450,000 for Impact Fees to the City instead of H-E-B, since H-E-B did not pay these fees to the City;

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the CEDC, and H-E-B agree as follows:

SECTION 1. Amendment to Article 4 of the Agreement. Notwithstanding anything in the Agreement to the contrary, the CEDC shall pay to the City the aforementioned sum of Four Hundred Fifty Thousand Dollars ($450,000) for Impact Fees and H-E-B shall have no further obligation to pay Impact Fees related to the Project to the City.

SECTION 2. Other Terms. All other terms, conditions and provisions of the Agreement are hereby ratified and confirmed and will remain in full force and effect as of the date thereof, except as expressly modified hereby.

SECTION 3. Recitals. The foregoing recitals are hereby incorporated by reference for all purposes hereunder.

SECTION 4. Counterparts. This Amendment may be executed by facsimile transmission in two or more counterparts, each of which will be deemed to be an original, but all of which taken together will constitute but one and the same instrument.

SECTION 5. Electronic Signatures. The Parties agree that this Amendment to be delivered in connection herewith may be electronically signed, and that any electronic signatures, with the exception of italic font, appearing on this Amendment are the same as handwritten signatures, which shall be considered as original signatures for the purposes of validity, enforceability and admissibility. Without limitation, "electronic signature" shall include DocuSign, faxed versions of an original signature, or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

SECTION 6. Binding Effect. This Amendment will be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

SECTION 7. Defined Terms. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed as of the Amendment Effective Date.

ATTEST:

_____
Peggy Cimics
City Secretary

CITY:

CITY OF CIBOLO TEXAS,
a Texas Home-Rule Municipality

By:_____
Date: _____

CEDC:

CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
a Texas Development Corporation

By:_____
Date:_____

H-E-B, LP,
a Texas limited partnership

By:_____
Name: Benjamin R. Scott
Title: Group Vice President of Real Estate and Shopping Center Development
Date:_____

CITY OF CIBOLO TEXAS,
CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
AND
HEB GROCERY COMPANY, LP

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT *("Agreement")* is entered into by and between the **City of Cibolo, Texas**, a Texas home-rule municipality *(the "City")*, **the Cibolo Economic Development Corporation**, a Texas development corporation (the "*CEDC*"), and **H-E-B, LP**, a Texas limited partnership *("HEB")* (the City, the CEDC and HEB each referred to herein sometimes individually as a *"Party"* and collectively as the *"Parties")*.

RECITALS

(a) HEB is the owner of approximately 45.184 acres known as the FM 1103 and Main Street Commercial Subdivision located at the southeast corner of the intersection of FM 1103 and Main Street within the City of Cibolo (the *"Property")*.

(b) The Property is depicted on the attached Exhibit A.

(c) HEB intends to build an H-E-B branded grocery store (a.k.a. discount super store/supermarket) with approximately 110,000 square feet on the Property (the *"Store")* along with an approximately 55,000 square foot facility Economic Fulfillment Center (the "*EFC Facility*") supporting HEB's Curbside and Delivery Business (the *"Curbside Facility")* (the Store, EFC Facility and Curbside Facility are together referred to herein as the *"Project")*.

(d) The City seeks to incentivize the Project by providing a ten (10)-year ad valorem tax rebate of the Maintenance & Operation (M&O) portion of the ad valorem for a maximum rebate of One Million Dollars ($1,000,000) and providing impact fee offsets and other economic development incentives as further described in this Agreement.

(e) The City possesses the legal and statutory authority under Chapter 380 of the Texas Local Government Code to create programs to promote local economic development and to stimulate business and commercial activity within the City.

(f) The City has determined that the City's economic development program and incentives set forth in this Agreement will serve the public purpose of promoting local economic development and stimulating business and commercial activity including creation and retention of jobs within the City.

(g) The City has concluded and hereby finds that the specific initiatives set forth in the Agreement promote economic development in the City, and, as such, meet the requisites under Chapter 380 of the Texas Local Government Code, and further, that this Agreement is in the best interests of the City.

(h) The City has concluded and hereby finds that this Agreement promotes economic development in the City, and, as such, meets the requirements of Article III, Section 52-a of the Texas Constitution, by assisting in the development and diversification of the economy of the State, by eliminating unemployment or underemployment in the State, and by the development or expansion of commerce within the State.

(i) Section 380.001, Texas Local Government Code, authorizes the City Council of the City to establish and provide for the administration of one or more programs in order to stimulate business and commercial activity in the City including, but not limited to, programs for making loans and grants of public money to promote local economic development, (ii) accepting contributions, gifts and other resources to develop and administer a program.

(j) The City has established an economic development program for the purposes of creation and retention of jobs for the citizens of the City and region, to promote economic expansion, and to add to the tax base of the City and now the City desires to enter into this Agreement, under the authority granted by Chapter 380 of the Texas Local Government Code;

(k) The CEDC, pursuant to state law, was established by the City Council for the purposes of promoting the general economic welfare of the City of Cibolo and its residents and businesses by developing new or expanded business enterprises that create or retain primary jobs.

(l) The CEDC has concluded and hereby finds that the Project will result in new economic development in the City including creating new jobs; and therefore desires to enter into this Agreement under the authority granted by Chapters 501 and 505 of the Texas Local Government Code.

(m) HEB's proposed Project will result in new economic development in the City, including creating new jobs, increasing sales and use tax revenues for the City and increasing property values and ad valorem taxes within the City.

(n) HEB's proposed Project will have a direct positive and measurable economic benefit to the City and HEB therefore desires to enter into this Agreement.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the CEDC and HEB agree as follows:

ARTICLE 1.
TERM

This Agreement shall be effective as of the Effective Date and shall continue until the payment of all Tax Rebates (as defined below), Impact Fee Offsets (as defined below) and other economic development incentives specified in Articles 2 and 3 due to HEB hereunder or earlier termination as provided hereunder.

ARTICLE 2.
HEB PERFORMANCE CONDITIONS

The City and the CEDC acknowledge and agree that HEB is not obligated to construct the Project. However, HEB also acknowledges and agrees that it will only be eligible to receive the Tax Rebates and the Impact Fee Offsets provided in Article 2 and other economic development incentives provided for in Articles 2 and 3 under this Agreement if it fulfills the following terms and conditions:

(a) Store Opening. HEB shall open the Store for business to the public on or before June 30, 2023 (the "***Store Opening***").

(b) Curbside Facility. HEB will construct and open the Curbside Facility on the same timeline as the Store; provided, however, that, with the City's approval, HEB may commence operations at the Curbside Facility up to eighteen (18) months after the Store Opening.

(c) EFC Facility. HEB will construct and open the EFC Facility on the same timeline as the Store; provided, however, that with the City's approval, HEB may commence operations at the EFC Facility up to eighteen (18) months after the Store Opening.

(d) Main Street Widening. HEB will complete the construction required to widen Main Street in accordance with the plans referenced on the attached Exhibit B, no later than the Store Opening.

(e) Traffic Signal along FM 1103. HEB will complete the construction and installation of the traffic signal meeting the specifications described on the attached Exhibit B, will make commercially reasonable efforts to complete by the Store Opening subject to TxDOT approval.

(f) Regional Trail. HEB will construct a 10' wide concrete trail per specifications in Exhibit C in the general location shown on Exhibit B. Upon completion, HEB will grant a public access (trail) easement to the City.

(g) Trailhead Parking Lot. HEB will rough grade an area for the city to construct a Trailhead Parking lot as shown on the site plan (see Exhibit B).

(h) Submittal of Building Permit. HEB will submit its initial Building Permit plans to the City by no later than 11/4/2021. The City will expedite its review and issue of comments to HEB's Building Permit plans within thirty (30) calendar days (and each subsequent round) to progress toward issuance of a building permit. Should the City not provide comments within thirty (30) days, the City will provide HEB with an update as to when comments will be provided.

(i) Truck Route. HEB agrees that its class 8 or class 9 delivery vehicles ("***HEB Delivery Vehicles***") shall NOT utilize Main Street south of the Property for access to or from the Property. Exhibit D shows the primary path for HEB Delivery Vehicles. The HEB Delivery Vehicles shall not utilize Main Street between the Store's south most entrance and FM 78. Notice and coordination with HEB of any change in routes due to future construction, shall come from the City Manager or designee at least thirty (30) days prior to the change taking effect.

HEB will also inform its vendors of the approved Truck Route and on the prohibition of class 8 and 9 vehicles using Main Street south of the Property for access to or from the Property.

ARTICLE 3.
ECONOMIC DEVELOPMENT GRANTS

(a) Property Tax Rebate. In the manner described below, the City shall do a ten (10) year ad valorem tax rebate to pay HEB amounts (such amounts, the ***"Tax Rebates"***) equal to 100% rebate of the Maintenance & Operation (M&O) portion of the ad valorem for the first five (5) years, reduced to seventy five percent (75%) for years six through eight and then reduced to fifty percent (50%) for final two years of the ad valorem property taxes paid by HEB and levied against the Property by the City or any special district formed by the City (unless HEB expressly petitions the City for the formation of such special district) and attributable to the ten-year period commencing on January 1st of the first calendar year commencing after the date that the Store opens for business to the public (the ***"Tax Rebate Period"***); provided, however, that such Tax Rebates shall be capped at an aggregate total of One Million Dollars ($1,000,000) based on actual taxes received during the ten (10) year ad valorem tax rebate. The City shall pay to HEB such Tax Rebates in annual payments due on or before June 1st of each year of the Tax Rebate Period. The Tax Rebates shall only be made to the extent HEB is not delinquent on the payment of its ad valorem taxes. In the event HEB is disputing the ad valorem tax in accordance with state law, HEB shall not be deemed delinquent; however, the City shall not pay the Tax Rebate until the dispute is resolved.

(b) Credits Toward Impact Fees. Reference is hereby made to any current or future ordinance adopted by the City that imposes water, wastewater, drainage, or transportation impact fees against the Project (any such fees, the ***"Impact Fees"***). The City agrees to offset (the ***"Impact Fee Offsets"***) against any Impact Fees payable in connection with the Project the amount of up to Four Hundred Fifty Thousand Dollars ($450,000) in consideration of the benefits of HEB's undertakings pursuant to this agreement, such Impact Fee Offsets to be in addition to any that HEB may qualify for under the City's impact fee ordinances in connection with HEB's construction of qualifying public infrastructure.

(c) Transportation and Drainage Impact Fee Credit. HEB will receive from the City Transportation and Drainage Impact Fee Credits for construction of Main Street Widening and construction of a hike and bike trail from the south end of their Property to FM 1103 on the north end of the Property. Transportation Fee Credits shall be in the amount of Five Hundred Sixty Thousand Dollars ($560,000) and Drainage Fee Credits shall be in the amount of One Hundred Ninety Thousand Dollars ($190,000).

(d) Reimbursement for Enhanced Trail Width. The City will reimburse HEB an amount of Fifteen Thousand Five Hundred Dollars ($15,500) for expanding the 8-foot wide hike and bike trail to a 10-foot wide hike and bike trail from the south end of their Property to FM 1103 as depicted in Exhibit B pursuant to the specifications in Exhibit C. Payment by the City shall be made within thirty (30) days of the City receiving the executed trail easement from HEB.

ARTICLE 4.
CEDC OBLIGATIONS

(a) If HEB fulfills the terms and conditions under Article 2 of this Agreement including constructing the EFC, acceptance of the EFC by the City and the opening of the EFC in accordance with the terms and conditions under Article 2 of this Agreement, the CEDC shall pay to HEB the amount of Four Hundred Fifty Thousand Dollars ($450,000) for the EFC that together with the rest of the HEB Project will result in new economic development in the City including creating new jobs. If HEB fails to fulfill its obligations involving the EFC under Article 2 of this Agreement, the CEDC shall have no obligation to pay HEB the sum of $450,000.

ARTICLE 5.
DEFAULT AND REMEDIES

(a) Before any failure of any Party to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement such that another Party's remedies are available, the Party claiming such failure shall notify, in writing, the Party alleged to have failed to perform of the alleged failure and shall demand performance. No breach of this Agreement may be found to have occured if such breach has been cured within sixty (60) days following the receipt of such notice; provided, however, if such breach is not reasonably curable within such 60-day period, and HEB has commenced and is pursuing such remedies as shall be reasonably necessary to cure such breach, then HEB shall have an additional ninety (90) days to cure such breach (the ***"Cure Period"***).

(b) In the event of a breach of this Agreement by HEB beyond the applicable Cure Period, the City may seek to exercise its rights to (i) recapture any Tax Rebates provided to HEB (if any) (ii) recapture any Impact Fee Offsets provided to HEB that HEB would not have be entitled to pursuant to the City's ordinances but for this Agreement; (iii) recapture any other economic development incentives provided to HEB; (iv) recover from HEB any legal expenses incurred by the City to enforce recapture provisions or any other provision under this Agreement; and/or (v) terminate this Agreement by the delivery of written notice to HEB.

(c) In the event of a breach of this Agreement by the City beyond the Cure Period, HEB may (i) seek to exercise its rights to enforce City's obligations hereunder in order to receive Tax Rebates or Impact Fee Offsets due to HEB; (ii) seek to recover from City any legal expenses incurred by HEB to enforce City's payment of monetary obligations under this Agreement; and/or (iii) terminate this Agreement by the delivery of written notice to the City.

(d) In the event of a breach by HEB as to the CEDC, the CEDC may seek to exercise its rights to (i) enforce HEB's obligations under this Agreement; (ii) recover the $450,000 paid to HEB; and/or (iii) recover from HEB any legal expenses incurred by the CEDC to enforce HEB's obligations to the CEDC under this Agreement.

ARTICLE 6.
MISCELLANEOUS PROVISIONS

The following miscellaneous provisions are a part of this Agreement:

(a) Amendments. This Agreement constitutes the entire understanding and agreement of the Parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

(b) Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Guadalupe County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Guadalupe County, Texas.

(c) Assignment. This Agreement may not be assigned by HEB without the express written consent of the City and the CEDC, which shall not be unreasonably withheld or delayed. Notwithstanding the foregoing, HEB may assign this Agreement to an affiliate of HEB without the City's and the CEDC's consent but shall provide notice of such assignment promptly to the City and the CEDC.

(d) Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. The CEDC warrants and represents that the individual executing this Agreement on behalf of the CEDC has full authority to execute this Agreement and bind the CEDC to the same. HEB warrants and represents that the individual executing this Agreement on HEB 's behalf has full authority to execute this Agreement and bind HEB to the same.

(e) Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

(f) Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

(g) Entire Agreement. This written agreement represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the Parties. There are no unwritten oral agreements between the Parties.

(h) Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of war, civil commotion, acts of God, inclement weather, fire or other casualty, court injunction, delays in issuing permits of approvals, the unavailability of materials, pandemic or other public health conditions, or other cause outside the control of the Party who is to perform, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or requirement shall be extended for a period of time equal to the period such Party was delayed.

(i) Notice. All notices required to be given under this Agreement shall be given in writing and shall be effective when actually delivered or when deposited in the United States mail, first class, postage prepaid, addressed to the Party to whom the notice is to be given at the addresses shown below. Any Party may change its address for notices under the Agreement by giving formal written notice to the other Parties, specifying that the purpose of the notice is to change the Party's address. For notice purposes, each Party agrees to keep the other informed at all times of its current address. The addresses of the Parties are:

If to the City:	City of Cibolo 200 South Main Street Cibolo, TX 78108 Attn: City Manager
If to the CEDC:	Cibolo Economic Development Corporation 200 South Main Street Cibolo, TX 78108 Attn: President of the Board
If to HEB:	H-E-B, LP 646 South Flores San Antonio, TX 78204 Attn: Benjamin Scott

(j) Severability. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation that have the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

(k) Employment of Undocumented Workers. During the term of this Agreement, HEB agrees not to knowingly employ any undocumented workers at the Project, and if convicted of a violation under 8 U.S.C. Section 1324a (f), HEB shall repay the amount of the Tax Rebates, Impact Fee Offsets and any other economic development incentives received by HEB as of the date of such violation within 120 days after the date HEB is notified by the City of such violation, plus interest at the rate periodically announced by the Wall Street Journal as the prime or base commercial lending rate, or if the Wall Street Journal shall ever cease to exist or cease to announce a prime or base lending rate, then at the annual rate of interest from time to time announced by Citibank, N.A. (or by any other New York money center bank selected by the City) as its prime or base commercial lending rate, from the date of such notice until paid.

(l) Incorporation of Recitals. Any recitals in this Agreement are represented by the Parties to be accurate and constitute a part of the Agreement.

(m) Payment of Expenses. Except as otherwise expressly provided in this Agreement, (i) each of the Parties shall pay its own costs and expenses relating to this Agreement, including, but not limited to, its costs and expenses of the negotiations leading up to this Agreement, and of its performance and compliance with this Agreement, and (ii) in the event of a dispute between the Parties in connection with this Agreement, the prevailing Party in the resolution of any such dispute, whether by litigation or otherwise, shall be entitled to full recovery of all legal expenses including reasonable and necessary attorneys' fees (including a reasonable hourly fee for in-house legal counsel), costs and expenses incurred in connection therewith, including costs of court, from the non-prevailing Party to the extent allowed by law.

(n) Limitations on Liability. The City and/or the CEDC shall not be liable for consequential damages, specifically lost profits, and any damages claimed against the City and/or

the CEDC shall be limited to amounts recoverable under §271.153 of the Texas Local Government Code. The parties agree that this Agreement shall not be interpreted as or otherwise claimed to be a waiver of sovereignty on the part of the City and/or the CEDC.

(o) Effective Date. The words "Effective Date" mean the date this Agreement has been executed by the City, the CEDC and HEB.

(p) Exhibits. The following exhibits are attached to this Agreement and incorporated hereto for all purposes:

A. Legal Description and Survey
B. Site Plan illustrating street, signal, and trail improvements
C. Trail Specifications
D. Truck Route

[The Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed.

ATTEST:

APPROVED AS TO FORM:

Frank J. Garza

ATTEST:

APPROVED AS TO FORM:

Ruben Barrera

CITY:

CITY OF CIBOLO TEXAS,
a Texas Home-Rule Municipality

By: Wayne Reed
Date: 3-7-2022

CEDC:

CIBOLO ECONOMIC DEVELOPMENT CORPORATION,
a Texas Development Corporation

By:
Date: 3-17-2022

H-E-B, LP,
a Texas limited partnership

By:
Name: Benjamin R. Scott
Title: Vice President of Real Estate
Date: March 3, 2022

EXHIBIT A

OF A 45.184 ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID MILLER SURVEY NO. 87, ABSTRACT 226, BEING THE FOLLOWING TRACTS OF LAND: THAT CERTAIN 40.93 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN BY DEED OF RECORD IN VOLUME 1319, PAGE 780, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA HEUBAUM SHOAF AND CHARLES J. SHOAF BY DEED OF RECORD IN VOLUME 622, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO STANLEY W. SHIPMAN AND WIFE, KAREN K. SHIPMAN BY DEED OF RECORD IN VOLUME 595, PAGE 708 OF SAID DEED RECORDS.

EXHIBIT A (CONTINUED)

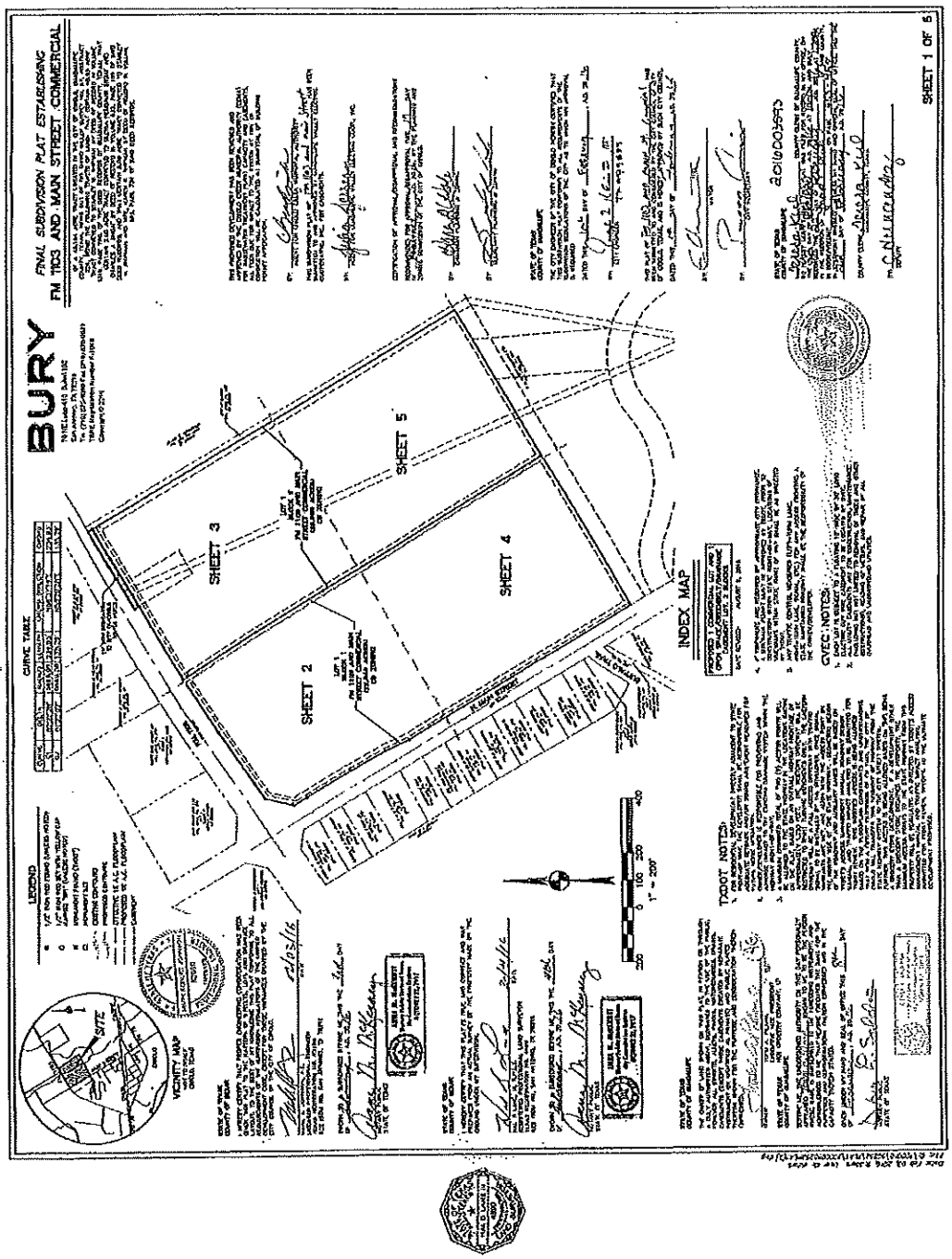


EXHIBIT A (CONTINUED)

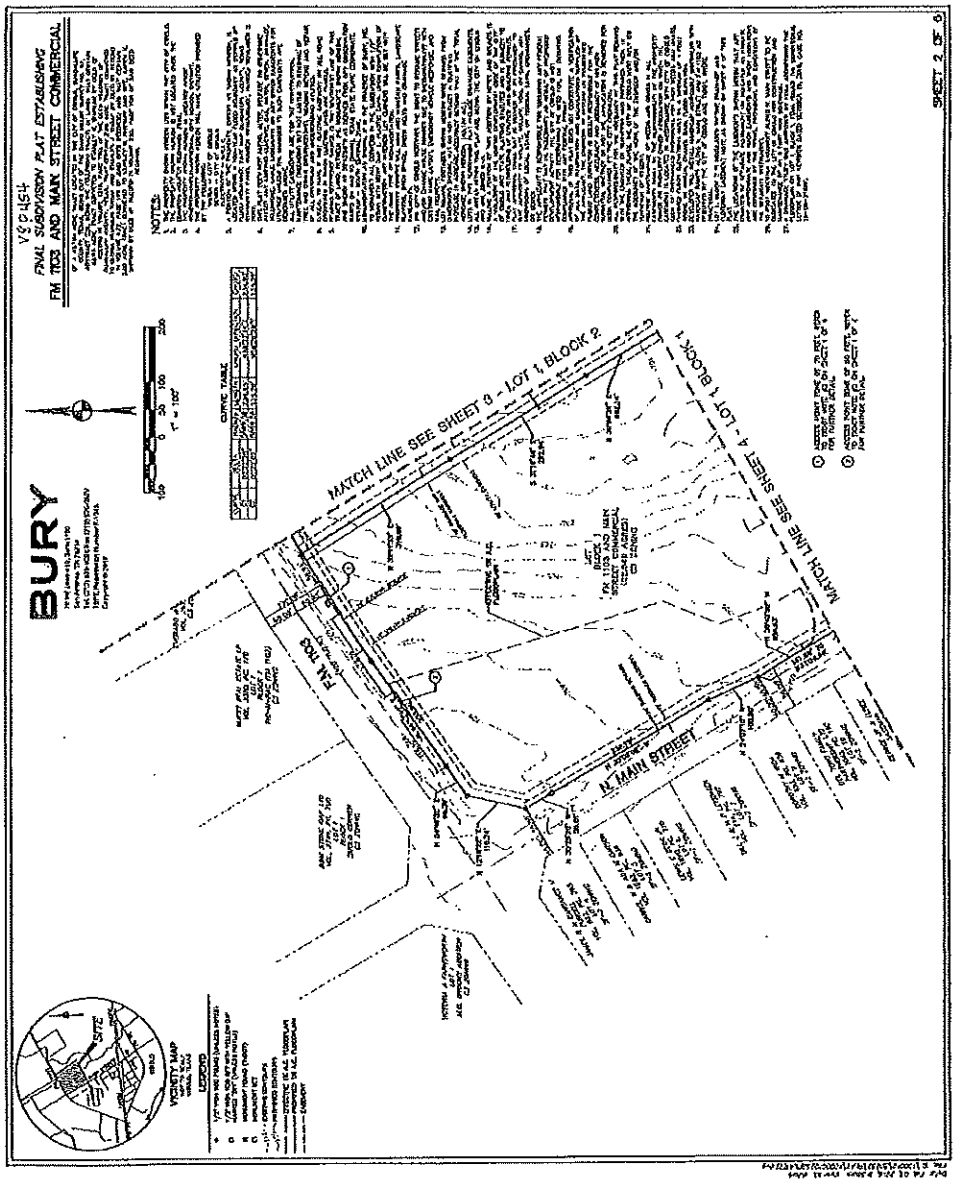
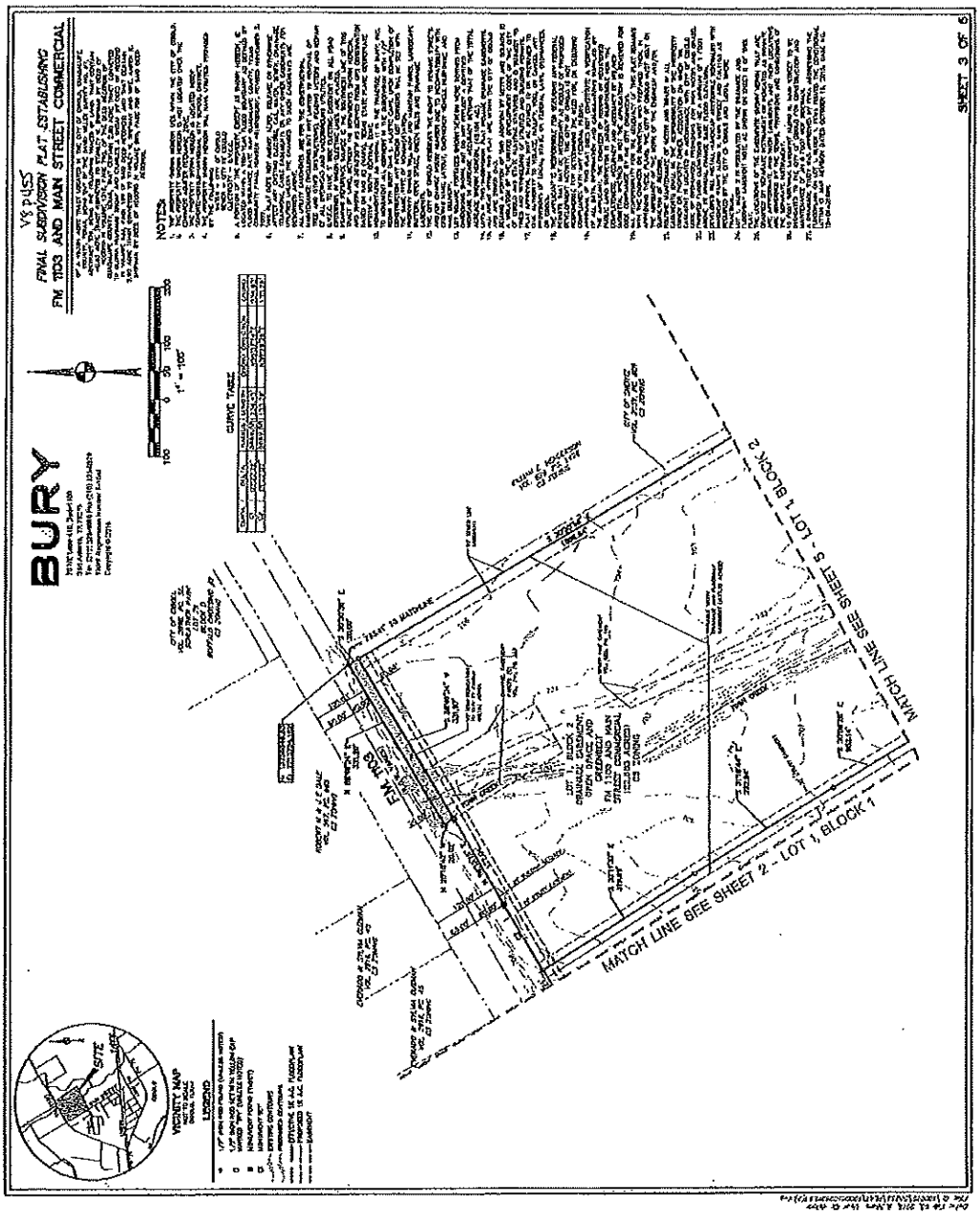


EXHIBIT A (CONTINUED)



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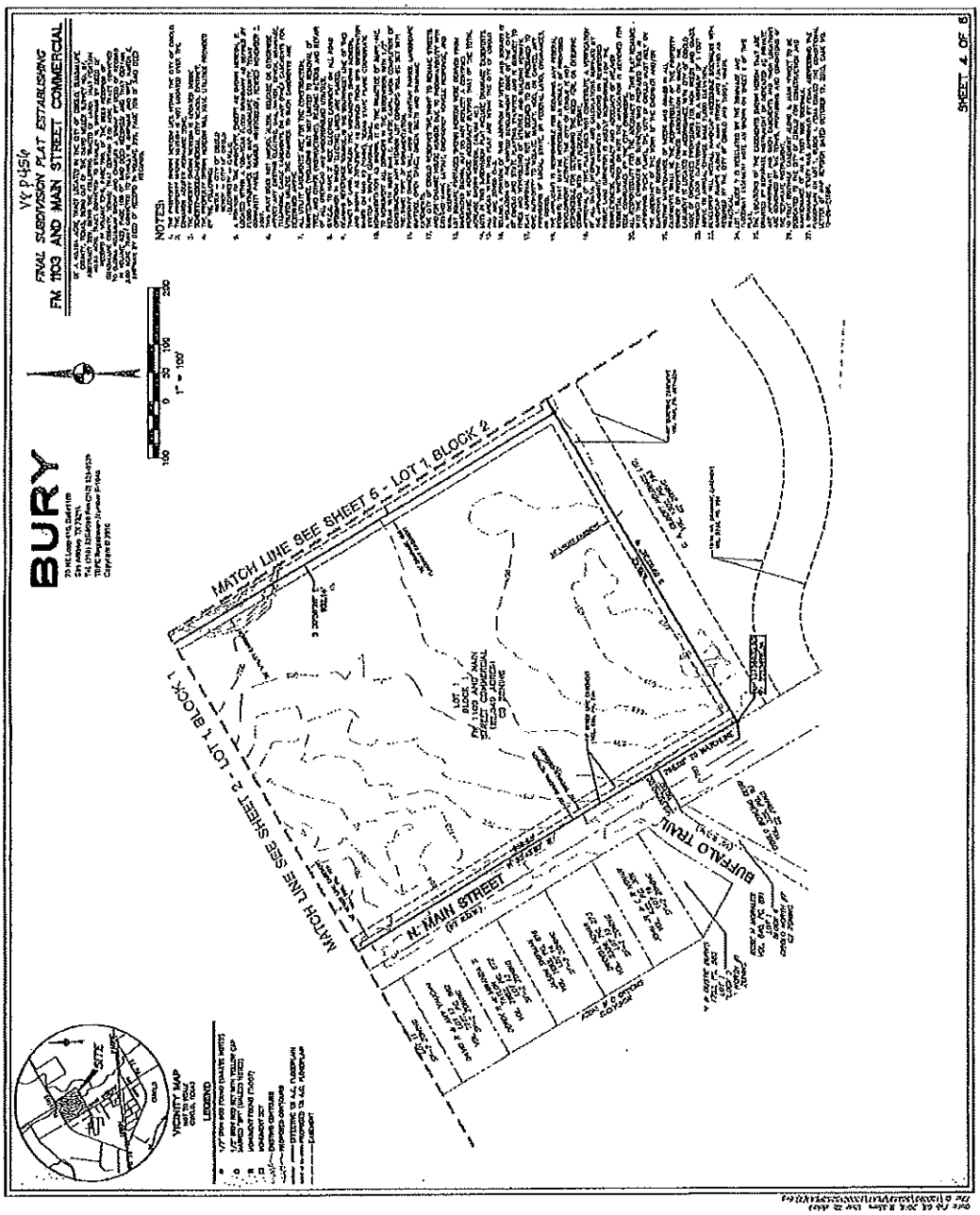

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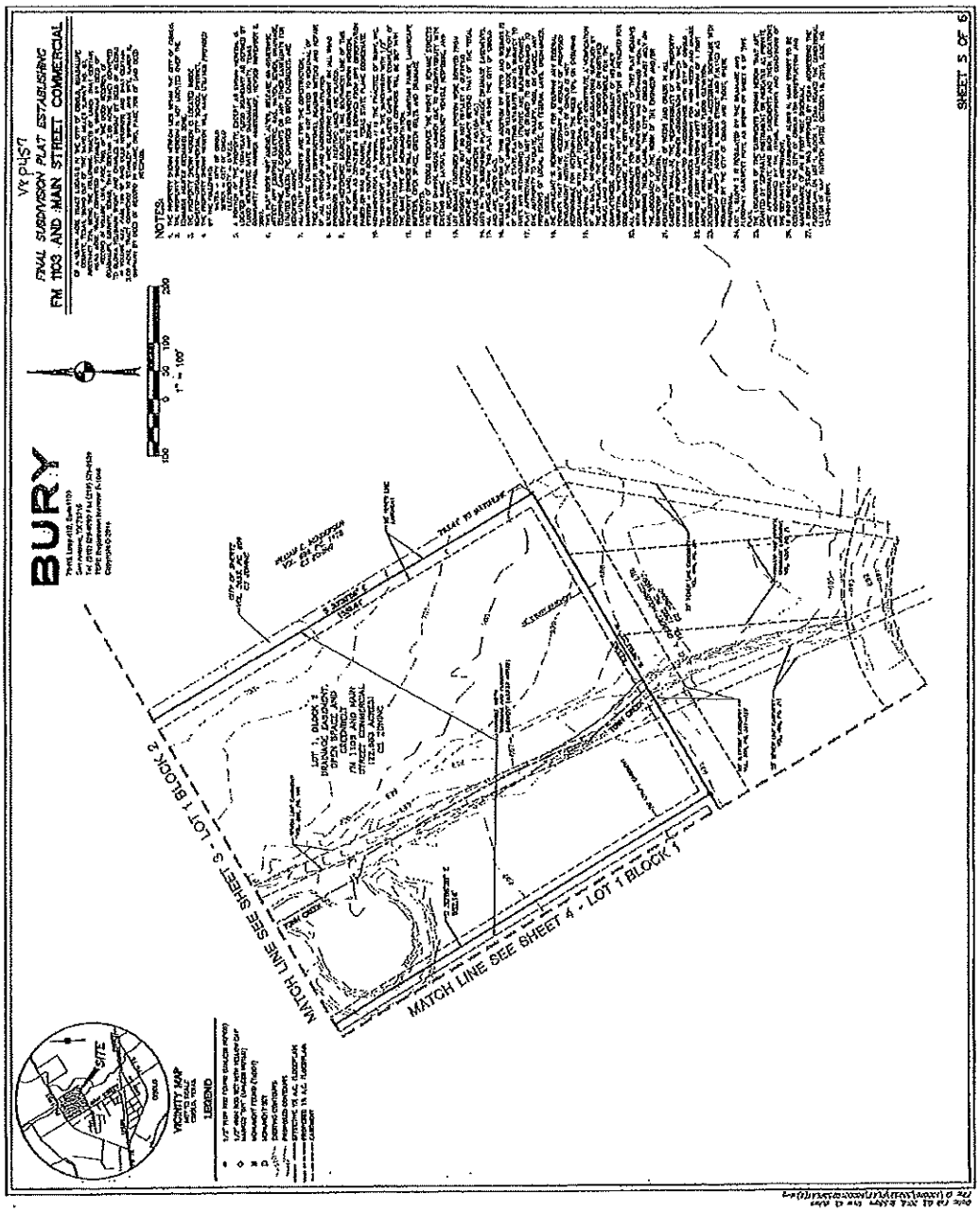

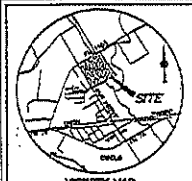

VICINITY MAP
NOT TO SCALE
CIBOLO, TEXAS

VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT MAINTENANCE NOTE:

THE MAINTENANCE OF DRAINAGE EASEMENTS, ACCESS EASEMENTS, GREENBELTS, AND OPEN SPACE/AREAS PLACED SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND THEIR SUCCESSOR OR ASSIGNEE AND NOT THE RESPONSIBILITY OF THE CITY OF CIBOLO OR GUADALUPE COUNTY. HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY TO CHANNELIZE OR CONSIDER EXISTING ANY TYPE OF DRAINAGE STRUCTURE IN ORDER TO IMPROVE THE DRAINAGE, THEN IN SUCH EVENT, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER UPON THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AT ANY POINT OR POINTS, WITH ALL REASONABLE RIGHTS OF INGRESS AND EGRESS, TO INVESTIGATE, SURVEY, DIRECT, CONSTRUCT OR MAINTAIN ANY DRAINAGE FACILITY DEEMED NECESSARY FOR THE CITY FOR DRAINAGE PURPOSES; PROVIDED THAT ANY ACTIVITIES BY THE CITY TO IMPROVE DRAINAGE WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT AREA, INCLUDING BUT NOT LIMITED TO THE CONSTRUCTION OF DRAINAGE STRUCTURES, SHALL COMPLY WITH THE CITY'S THEN EXISTING DESIGN AND CONSTRUCTION MANUALS REQUIREMENTS FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND SHALL OCCUR SOLELY WITHIN THE VARIABLE WIDTH DRAINAGE AND FLOODWAY EASEMENT, AS SHOWN HEREON.

BURY

74 NE Loop 410, Suite 1100
San Antonio, TX 78216
Tel: (210) 829-9900 Fax: (210) 829-9979
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VOL 9458

FINAL SUBDIVISION PLAT ESTABLISHING

FM 1103 AND MAIN STREET COMMERCIAL

OF A 15.18± ACRE TRACT LOCATED IN THE CITY OF CIBOLO, GUADALUPE COUNTY, TEXAS, BEING OUT OF THE DAVID WELSH SURVEY NO. 97, ABSTRACT 308, BEING THE FOLLOWING SHARES OF LAND: THAT CERTAIN 10.62 ACRE TRACT CONVEYED TO STANLEY E. SHIPMAN BY DEED OF RECORD IN VOLUME 1396, PAGE 366, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS; THAT CERTAIN 2.00 ACRE TRACT CONVEYED TO GLORIA NORMAN SHOW AND CHARLES A. SHOW BY DEED OF RECORD IN VOLUME 4121, PAGE 109 OF SAID DEED RECORDS; AND THAT CERTAIN 3.00 ACRE TRACT CONVEYED TO STANLEY E. SHIPMAN AND NATE KAMON K. SHIPMAN BY DEED OF RECORD IN VOLUME 3415, PAGE 358 OF SAID DEED RECORDS; SAID 15.18± ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00013:

BEGINNING, at a found ½ inch iron rod in the easterly right-of-way line of N. Main Street (FM 1103, variable width) being the northwesterly corner of that certain 148.22 acre tract conveyed to GLA Cibolo I Holdings LTD, by deed of record in Volume 1062, Page 340 of the deed records of Guadalupe County, Texas, same being the southwesterly corner of said 48.83 acre tract;

THENCE, along the easterly right-of-way line of N. Main Street, being the westerly lines of said 48.83 acre tract and the westerly line of said 10.62 acre tract, the following courses:

N 39° 43' 50" W, a distance of 938.93 feet to a set ½ inch iron rod with BH cap;

N 34° 09' 19" W, a distance of 100.56 feet to a set ½ inch iron rod with BH cap;

N 30° 02' 09" W, a distance of 208.79 feet to a found 1/2inch type II concrete monument;

N 29° 21' 39" W, a distance of 29.01 feet to a set ½ inch iron rod with BH cap and the southerly outback corner of the intersection of the easterly right-of-way line of N. Main Street and the southerly right-of-way line of F.M. 1103 (Main Street);

THENCE, N 12° 16' 23" E, along the aforementioned outback corner, a distance of 110.79 feet to a set ½ inch iron rod with BH cap in the southerly right-of-way line of F.M. 1103, being the northwesterly corner of said 48.83 acre tract;

THENCE, along the southerly right-of-way line of F.M. 1103, the following courses:

N 64° 46' 32" E, a distance of 64.39 feet to a found TxDOT type II concrete monument;

N 74° 43' 42" E, a distance of 253.66 feet to a found TxDOT type II concrete monument;

Northeasterly, along the arc of a curve to the right having a radius of 1999.36 feet, a central angle of 03° 41' 39", an arc length of 128.91 feet, and a chord bearing N 67° 15' 15" E, a distance of 128.91 feet to a found TxDOT type II concrete monument;

N 65° 25' 15" E, a distance of 117.04 feet to a found TxDOT type II concrete monument;

N 23° 15' 42" W, a distance of 20.00 feet to a set ½ inch iron rod with BH cap;

N 65° 48' 34" E, a distance of 331.26 feet to a set ½ inch iron rod with BH cap marking the northeasterly corner of said 48.83 acre tract, being the northwesterly corner of that certain 44.24 acre tract conveyed to William E. Hodgkinson by deed of record in Volume 694, Page 1408 of said deed records;

THENCE, S 30° 28' 59" E, leaving the southerly right-of-way line of F.M. 1103, along the common boundary line of said 48.83 acre tract and said 44.24 acre tract, a distance of 1,396.83 feet, to a found ½ inch iron rod marking the southeasterly corner of said 44.24 acre tract, being the southeasterly corner of said 48.83 acre tract, same being a point in the northerly line of said 148.22 acre tract;

THENCE, S 59° 02' 21" W, along the common boundary line of said 48.83 acre tract and said 148.22 acre tract, a distance of 1244.27 feet to the point of beginning, containing an area of 15.18± acres (1,148,184 sq. ft.) of land, more or less.

FIELD NOTES
FOR
FINAL PLAT – FM 1103 AND MAIN STREET COMMERCIAL

NOTES:

1. THE PROPERTY SHOWN HEREON LIES WITHIN THE CITY OF CIBOLO.
2. THE PROPERTY SHOWN HEREON IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.
3. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN SCHERTZ-CIBOLO-UNIVERSAL CITY SCHOOL DISTRICT.
4. THE PROPERTY SHOWN HEREON WILL HAVE UTILITIES PROVIDED BY THE FOLLOWING:
   WATER – CITY OF CIBOLO
   SEWER – CITY OF CIBOLO
   ELECTRIC – GVEC
5. A PORTION OF THE PROPERTY, EXCEPT AS SHOWN HEREON, IS LOCATED WITHIN A 100-YEAR FLOOD HAZARD AS DEFINED BY FLOOD INSURANCE RATE MAP GUADALUPE COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48187C0210F, EFFECTIVE SEPTEMBER 2, 2010.
6. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER AGREEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE ACKNOWLEDGED HEREIN.
7. ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING—BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), READING METERS AND REPAIR OF ALL OVERHEAD AND UNDERGROUND FACILITIES.
8. A.V.E.C. TO HAVE 8' VOC ELECTRIC EASEMENT ON ALL ROAD FRONTAGE IN WHICH ELECTRIC LINES ARE LOCATED.
9. BEARINGS ARE BASED UPON GRID NORTH, AS PER THE TEXAS COORDINATE SYSTEM OF 1983 (NAD 83), SOUTH CENTRAL ZONE, AS DERIVED FROM GPS OBSERVATIONS. DISTANCES SHOWN HEREON ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY APPLYING THE COMBINED SCALE FACTOR OF 1.00013.
10. MONUMENTATION TO BE SHOWN, (1) AT THE DIRECTION OF POINTS, NO OTHER MONUMENTS ARE TO BE SET, (2) AT ALL ANGLE POINTS, POINTS OF CURVATURE, POINTS OF TANGENCY, AND POINTS OF REVERSE CURVATURE ALONG THE PERIMETER BOUNDARY OF THE SUBDIVISION WITH ½" STEEL RODS WITH PLASTIC CAPS, UPON COMPLETION OF CONSTRUCTION OF BUILDINGS. LOT CORNERS WILL BE SET WITH ½" STEEL RODS WITH PLASTIC CAPS.
11. PROPERTY OWNERS SHALL PROVIDE AND MAINTAIN LANDSCAPING WITHIN OPEN SPACE, GREEN BELTS AND DRAINAGE EASEMENTS.
12. THE CITY OF CIBOLO RESERVES THE RIGHT TO REMOVE STREETS FROM OR CHANGE NAMES, WHICH DUE TO INCOMPATIBILITY WITH EXISTING LAYOUT, DISORDERLY VEHICLE MOVEMENT, AND SAFE ACCESS.
13. LOT SHALL CONTAIN SUFFICIENT AREA TO PREVENT RUNOFF FROM ENGINEERING DESIGN, BUT DO NOT EXCEED A CERTAIN PERCENTAGE OF IMPERVIOUS COVERAGE TO THAT OF THE TOTAL ACREAGE, SHOWN HEREON, (NEARA. AC).
14. LOTS IN THIS SUBDIVISION PLAT HAVE BEEN DESIGNED TO CONTAIN ALL DRAINAGE, EXCEPTIONS OR ALL AREAS WITHIN THIS PLAT ARE WITHIN THE CITY OF CIBOLO AND ARE ZONED C-2.
15. BUILDING & DIVISION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE SUBDIVISION ORDINANCE OF THE CITY OF CIBOLO AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS. A PLAT APPROVAL SHALL EXIST IF, ZONED TO BE PREPARED TO THE SATISFACTION OF THE CITY OF CIBOLO AND IN ACCORDANCE WITH PROVISIONS OF LOCAL, STATE, AND FEDERAL LAWS, ORDINANCES, OR CODES.
16. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ANY FEDERAL PERMITS THAT MAY BE REQUIRED AS RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF CIBOLO IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR OBTAINING COMPLIANCE WITH ANY FEDERAL PERMITS.
17. APPROVAL OF THIS PLAT VESTS ANY CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER ESSENTIAL WITHIN OR NOT THE APPLICATION IS VERIFIED TO OTHERWISE COMPLIANCE BY THE CITY ENGINEER.
18. ALL RESPONSIBILITY AND THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED SUCH. IN APPROVING THESE PLANS, THE CITY OF CIBOLO MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
19. POSTING, MAINTENANCE OF MOWING AND CLEANUP IN ALL EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR PROPERTY OWNER ASSOCIATION OR WHEN THE EASEMENT IS LOCATED IN ACCORDANCE WITH CITY OF CIBOLO CODE OF ORDINANCES PERTAINING TO HIGH WEEDS AND GRASS.
20. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 1 FOOT ABOVE THE ANNUAL CHANCE BASE FLOOD ELEVATION.
21. DEVELOPER WILL INSTALL HANDICAP ACCESSIBLE RAMPS AT HANDICAP RAMPS ALONG N. MAIN STREET AND CALLIES AS REQUIRED BY THE CITY OF CIBOLO AND TXDOT, WHERE APPLICABLE.
22. LOT 1, BLOCK 1 IS ACCESSED BY THE DRAINAGE AND LANDSCAPE EASEMENT SHOWN ON SHEET 2 OF TWO PLATS.
23. THE LOCATIONS OF THE EASEMENTS SHOWN HEREIN THAT ARE GRANTED BY DOMINANT INSTRUMENT OR INDICATED AS PRIVATE ARE APPROXIMATE, AND SUCH EASEMENTS AND THEIR LOCATIONS ARE GOVERNED BY THE TERMS, PROVISIONS AND CONDITIONS OF SAID INSTRUMENTS.
24. 10 FOOT WIDTHS EASEMENT ALONG N. MAIN STREET TO BE WITHDRAWN TO THE CITY OF CIBOLO FOR CONSTRUCTION AND MAINTENANCE OF AN 8 FOOT TRAIL.
25. A DRAINAGE STUDY WAS APPROVED BY FEMA ADDRESSING THE FLOODPLAIN ON LOT 1, BLOCK 1. FEMA ISSUED THE CONDITIONAL LETTER OF MAP REVISION DATED OCTOBER 19, 2018, CASE NO. 18-06-2168A.

EXHIBIT A (CONTINUED)

EXHIBIT B

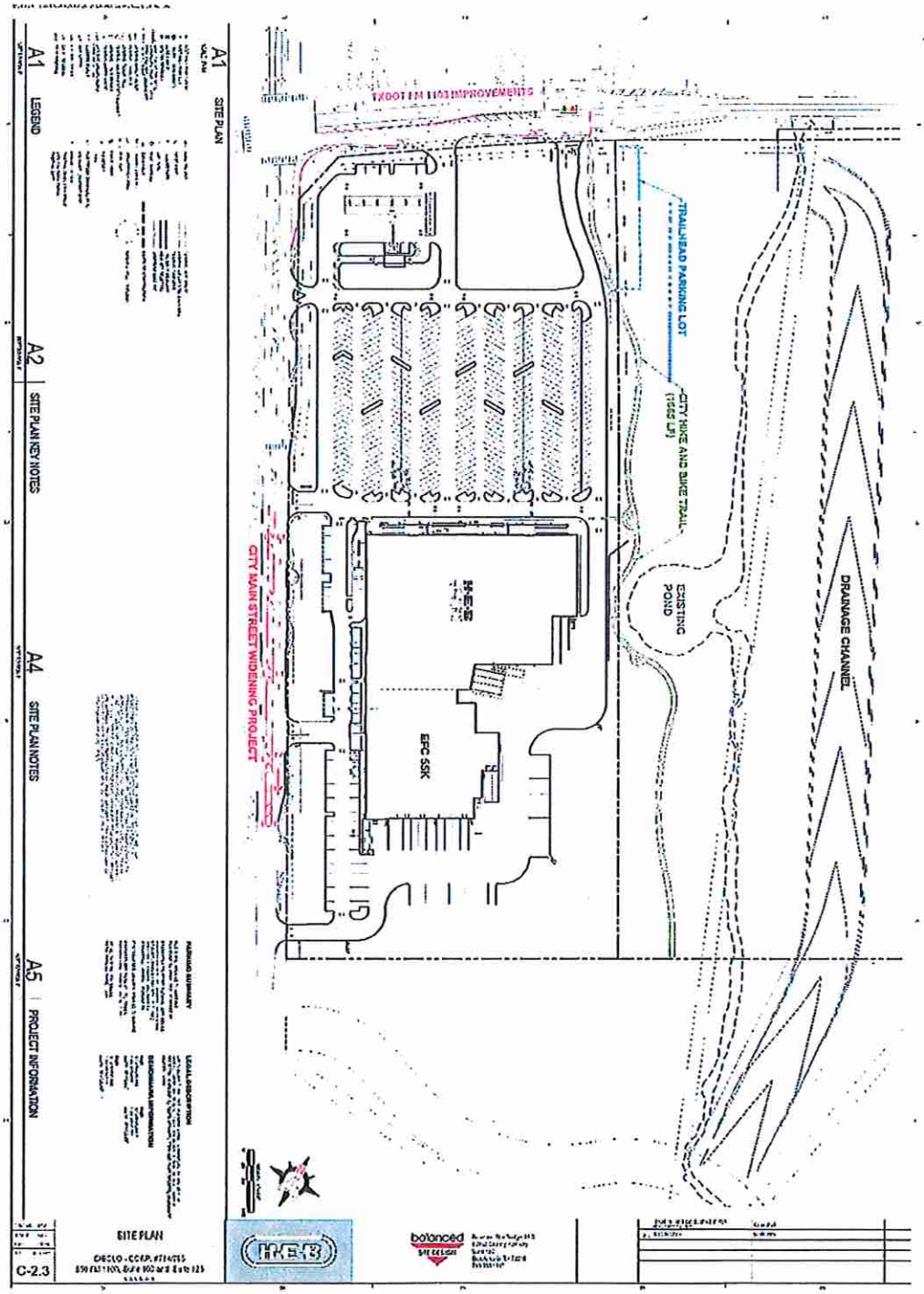

A1 SITE PLAN
A1 LEGEND
A2 SITE PLAN KEY NOTES
A4 SITE PLAN NOTES
A5 PROJECT INFORMATION
TXDOT FM 1103 IMPROVEMENTS
TRAILHEAD PARKING LOT
CITY HIKE AND BIKE TRAIL (1565 LF)
EXISTING POND
DRAINAGE CHANNEL
CITY MAIN STREET WIDENING PROJECT
EFC SSK
SITE PLAN
C-2.3

EXHIBIT C

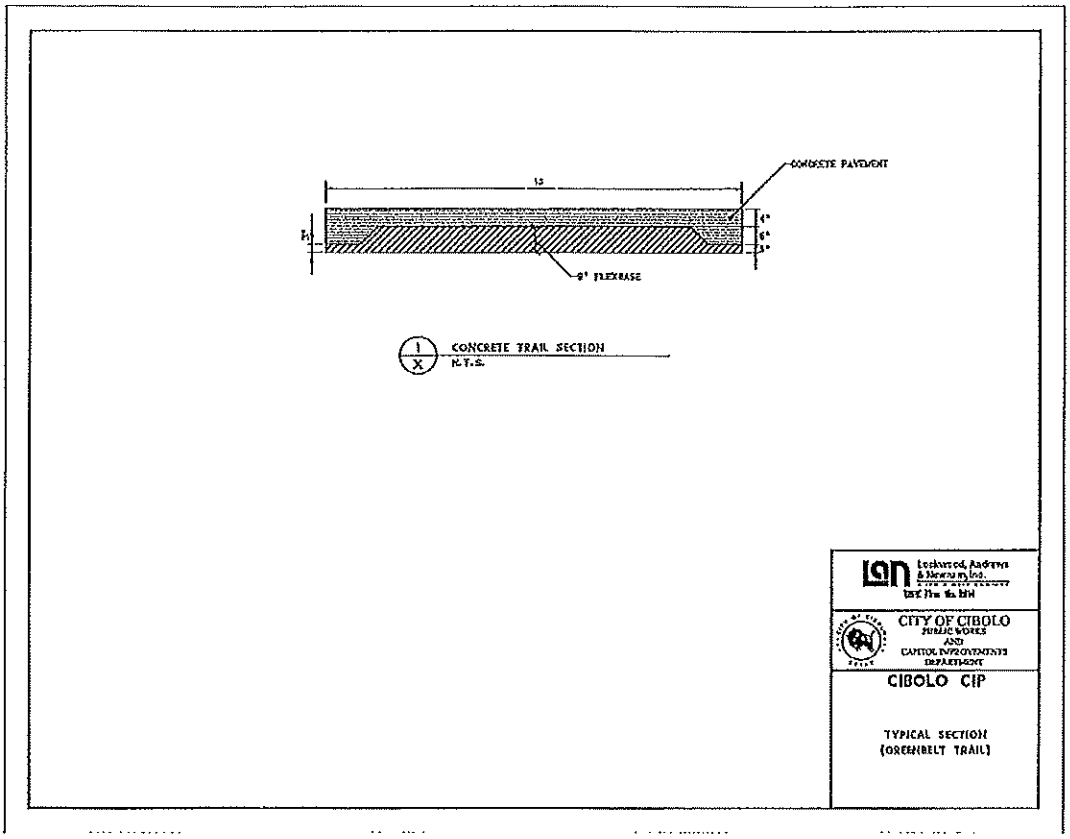
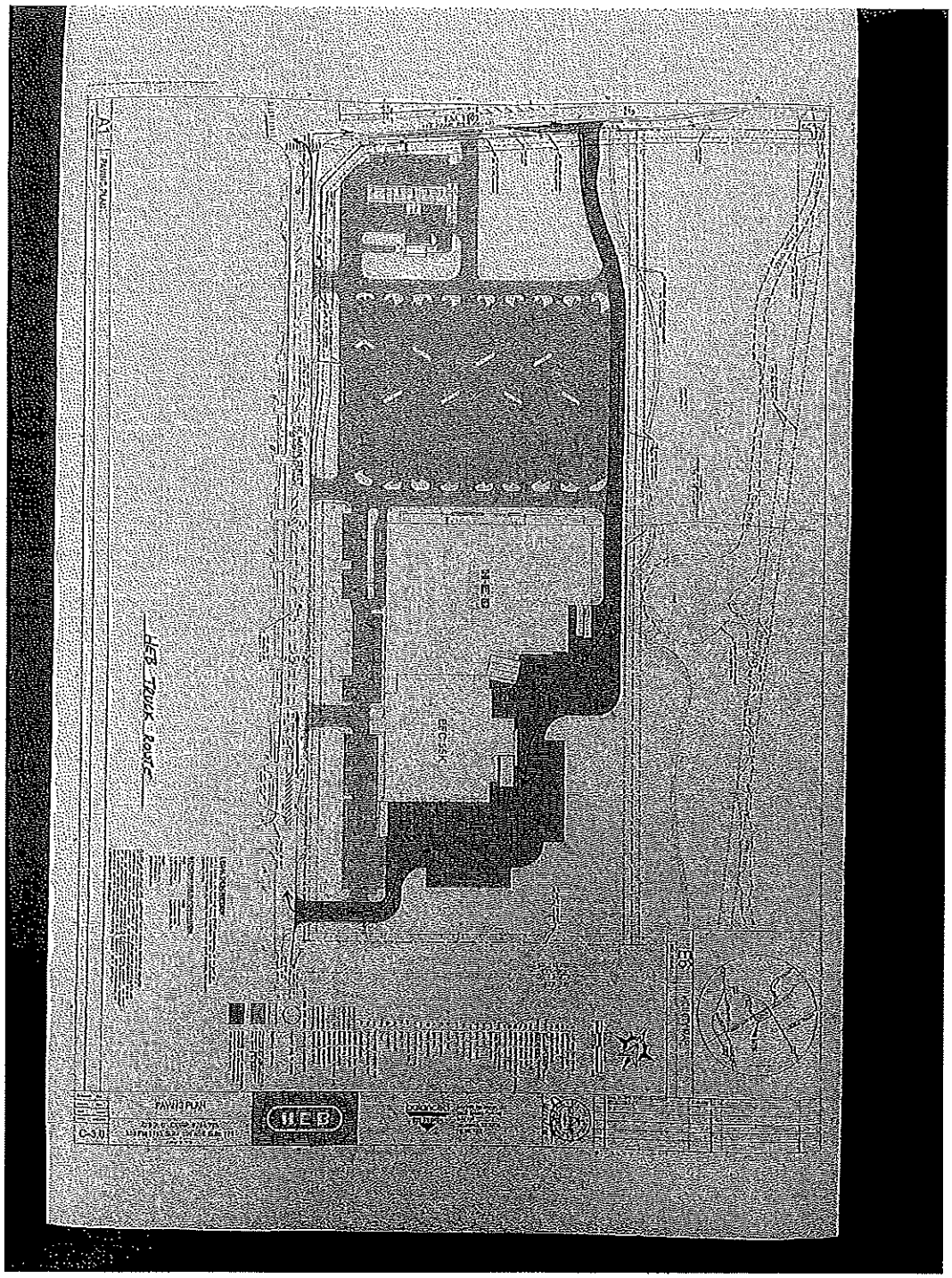

CONCRETE PAVEMENT
6" FLEXBASE
1
X
CONCRETE TRAIL SECTION
N.T.S.
CITY OF CIBOLO
PUBLIC WORKS
AND
CAPITOL IMPROVEMENTS
DEPARTMENT
CIBOLO CIP
TYPICAL SECTION
(GREENBELT TRAIL)

EXHIBIT D



City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on Cibolo Valley Drive traffic study and Borgfeld Road signal timing (Councilman Benson)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13F

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion on Council's Procedure to appoint volunteers to Boards, Committees, Commissions, and Corporations. (Ms. Cimics)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13G

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on escrow money collected from all sources and distribution of sidewalks funds to owners. (Councilman Benson)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13H

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Presentation on a proposed Parental Leave Policy. (Mr. Knott)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13I

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13I Parental Leave Policy.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:

Discussion/Direction on a Proposed Parental Leave Policy.

ITEM SUMMARY:

The city manager conducts two employee town halls annually. These forums provide an opportunity for Mr. Reed to update the employees on current, organizational initiatives and important matters. It is also an opportunity for employees to ask questions of the city manager. During the employee town hall meeting in September 2023, an employee inquired if the City would consider implementing a paid parental leave policy. At the time, Mr. Reed committed to bringing a draft policy in front of the City Council in early 2024 to seek direction on a Parental Leave Policy with paid time off.

The proposed Parental Leave Policy (see attached) would provide two (2) weeks of paid parental leave to full-time employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. This time is for parents to bond with their new child, adjust to their new family situation, and balance their professional obligations.

The benefits of this policy include:

- Supporting Work-Life Balance
- Enhancing Employee Retention
- Attracting Top Talent

SUBMITTED BY:

Bruce Knott

ATTACHMENT:

1. Draft Parental Leave Policy

1.4.12 Paid Parental Leave

The City of Cibolo (City) provides two (2) weeks of paid parental leave to full-time employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. This time is for parents to bond with their new child, adjust to their new family situation, and balance their professional obligations.

Procedures

Approved paid parental leave must be taken immediately following the birth, adoption, or placement of a child with the employee and must be used in one continuous period of leave. Any unused paid parental leave will be forfeited upon return to work.

The employee will provide his or her supervisor and the Director of People & Performance with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible).

Employees wishing to use paid parental leave must complete required FMLA paperwork IAW Policy 1.0.03.

Paid parental leave will not impact other paid leave an employee has accrued, and the employee will continue to accrue leave while on paid parental leave status.

Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period.

In no case will an employee receive more than two weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.

If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay: however, such holiday pay will not extend the total paid parental leave entitlement.

Parental Leave Policy
February 27, 2024

Council Feedback/Direction

- Does the Council approve the Parental Leave concept as outlined in the policy?
- Does the council have additional input on the guidance outlined in the policy?

Agenda

- Purpose
- Benefits
- General Guidelines

Purpose

The City would provide two (2) weeks of paid parental leave to full-time employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. This time is for parents to bond with their new child, adjust to their new family situation, and balance their professional obligations.

Benefits

- Supporting Work-Life Balance
- Enhancing Employee Retention
- Attracting Top Talent

General Guidelines

- Approved paid parental leave must be taken immediately following the birth, adoption, or placement of a child with the employee and must be used in one continuous period of leave. Any unused paid parental leave will be forfeited upon return to work.

General Guidelines

- The employee will provide his or her supervisor and the Director of People & Performance with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible).
- Employees wishing to use paid parental leave must complete required FMLA paperwork IAW Policy 1.0.03.

General Guidelines

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period.

General Guidelines

- In no case will an employee receive more than two weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
- If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay: however, such holiday pay will not extend the total paid parental leave entitlement.

Council Feedback/Direction

- Does the Council approve the Parental Leave concept as outlined in the policy?
- Does the council have additional input on the guidance outlined in the policy?

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Presentation on the adoption of an updated Incentive Policy of the City of Cibolo. (Ms. Wachholz)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13J

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13J Incentive Policy-1.pdf

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBJECT:

Discussion/Presentation on the adoption of an updated Incentive Policy of the City of Cibolo.

ITEM SUMMARY:

The formalization of the economic incentive process by means of the Incentive Policy attached herein, is intended to achieve the following: 1.) to better define the available types of economic incentives that the City of Cibolo and Cibolo EDC have available to them and are willing to consider for exceptional commercial investment and added jobs, 2.) to standardize the process that prospects face when seeking to apply for and be considered for economic incentives, and 3.) to further professionalize the Economic Development Department's efforts to attract high quality development. A policy for incentives was previously approved by Council on October 25, 2011, but was largely focused on detailing State incentives and programs available at that time. This document is included in this packet for informational purposes.

Other attachments to this Staff Report include a brief presentation and two additional documents: the updated Incentive Policy under consideration and an updated Procedures & Application document. The Procedures & Application is meant for City staff use and is presented to the Council for informational purposes only. No action or approval will be needed for the Procedures & Application by the Council or EDC. This document will guide City staff and applicants through the process of applying for an economic incentive and requests information needed to begin an analysis of the project's economic impact on the community. This information is used to build a fiscally responsible incentive package for the City Council and/or Cibolo EDC Board to consider.

The Incentive Policy outlines different types of incentives currently available for consideration by the City of Cibolo and the Cibolo EDC, provides metrics to describe how certain tax abatement and/or rebate percentages may be determined, and answers a number of the most common questions that arise during the incentive process. It also establishes that an Annual Incentives Report be created by the Economic Development Department and made available to the public in an effort to be transparent in our incentive contract offerings and dedicated to only use incentives as a tool toward greater financial and economic return to the community. This document is based on local incentive policies from cities across the State.

As with all policies, this document is not legally binding, shall act as a guiding document for the Cibolo Economic Development Department and is intended to streamline and standardize the economic incentives process. Nothing in the policy should be misconstrued to guarantee incentivization of any project, guarantee any incentivization rates, or to prevent the City Council from being able to uniquely negotiate additional terms or monetary rates for any project they so choose.

NEXT STEPS:

No action needed by City Council this evening. This item is only being brought for discussion. It will be brought forward to both the EDC and City Council for action at a future date.

FINANCIAL IMPACT:

N/A

City of Cibolo, Texas
City Council Regular Meeting
February 27, 2024

SUBMITTED BY:

Alora M. Wachholz, CEcD, MEDP – Economic Development Manager

ATTACHMENTS:

- 2024 Cibolo Economic Incentive Policy Presentation
- 2024 Cibolo Economic Incentive Policy
- 2024 Cibolo Economic Incentive Procedures & Application
- 2011 Incentives For Economic Development Activities and Projects

CITY OF CIBOLO

Cibolo Incentive Policy

February 27, 2024

Overview

- Purpose of Policy
- Review of Terms in Policy
- Discussion of Terms
- Next Steps

Questions for City Council

- Does the Council have any feedback on the proposed Incentive Policy?
  A. Is there a desire to adjust any of the specific incentive thresholds identified under Section IV?

What It Is

- The intention of this formal Incentive Policy is to:
  1. Standardize the application process for incentives,
  2. Standardize the incentive approval/disapproval process,
  3. Provide generalized criteria regarding the types of projects that may typically be considered for incentivization, and
  4. Communicate clearly and professionally to commercial prospects the City's willingness to engage in economic incentive discussions.

All incentives shall be considered on a case-by-case basis.

What It Isn't

- The intention of this formal Incentive Policy is **NOT** to:
  1. Guarantee any project of any size, scope, or investment with incentives,
  2. Guarantee any specific amount, type, or value of incentives,
  3. Require the City to authorize any individual economic incentive agreement, or
  4. Deny any interested commercial project from the opportunity to request consideration by the City Council and/or EDC for incentives.

All incentives shall be considered on a case-by-case basis.

Procedures & Application

- This document is presented for informational purposes
- Acts as a guide for City staff in collecting necessary project data and moving incentive request through consideration process
- The information requested on the Application is that which is used to build a Cost-Benefit Analysis for each individual project

Incentive Policy (1)

- This document is presented for Council discussion and feedback

Section I: GENERAL PURPOSE AND OBJECTIVES

- Brief overview of purpose of having an Incentive Policy and of offering incentives

Section II: METHODOLOGY

- Specifies that incentives will be considered on a case-by-case basis
- Incentives must meet standard 'but for' clause for consideration, as is the intention of the provision of incentives by State law ("This project would not occur but for the assistance provided via incentives.")

Section III: CRITERIA

- Describes some of the criteria the City prioritizes when considering incentives
- Calls out that the City will perform a Cost-Benefit Analysis for every incentive under consideration and use that information to assist in determining the merits of incentivization

Incentive Policy (2)

Section IV: AVAILABLE INCENTIVES

A. Tax Abatement/Rebate for Real and/or Personal Property

- Provides some thresholds to assist applicants in determining what they may be eligible to receive in return for their corresponding investment in the community
- Based on three (3) main methods of investment that may be considered in individual or as stacked values:
  1. Value of project's added capital investment
     - Identifies minimum capital investment value of $5M
     - Identifies maximum abatement/rebate term of 10 years
  2. Number of new full-time equivalent jobs created by completed project
     - Identifies minimum number of added FTEs as 25
  3. Whether a majority of the new jobs created offer annual employee wages that exceed county averages for similar job classifications
     - Identifies threshold for consideration at +15%

Incentive Policy (3)

B. Cibolo Economic Development Corporation Grants for Job Creation
- Describes the ability of the CEDC to incentivize job creation with cash grants

C. Fee-Based Incentives
- Describes the reduction or crediting of permit fees and rebating of impact fees as potential incentive offerings

D. Speculative Development
- Describes the prioritization of speculative development seeking incentive when it is located along the IH-10 corridor

E. Chapter 380 Agreements
- Describes the performance-based incentive agreements authorized under Chapter 380 of the Texas Local Government Code

Incentive Policy (4)

F. Other Incentives

- Describes a variety of other common incentive programs that may be applied to certain projects either now or in the future

G. Guaranteed Incentives

- Showcases the incentives the City of Cibolo already offers to new commercial development

V. EXISTING BUSINESS RETENTION/EXPANSION

- Specifies that the City and CEDC are open to discussing incentives for the retention or expansion of existing businesses and not only for new companies entering the market

Incentive Policy (5)

VI. APPROVAL

- Reiterates that all incentives will be considered on a case-by-case basis and must be approved by a formal vote of the City Council and/or CEDC
- Outlines the legal standards within the Texas Government Code that Cibolo upholds for all entities under contract or in agreement with the City
- Outlines the legal disclosure standards required via Form 1295 for all incentive agreements

VII. INCENTIVE RECONSIDERATION

- Describes the process for incentive requests that have been previously denied

VIII. EXCEPTIONS

- Exempts projects located within a Tax Increment Reinvestment Zone (TIRZ) from consideration of an ad valorem tax abatement
- Exempts all residential projects from consideration of incentives
- Reiterates City's ability to enter into incentive agreements that do not comply with any specific term of the Incentive Policy

Incentive Policy (6)

IX. PERFORMANCE

- Specifies that all incentive agreements entered into with the City of Cibolo will be performance-based and will include claw back provisions to protect the City from any unfulfilled performance terms

X. ANNUAL EVALUATION

- Requires that City staff complete an Annual Incentives Report to evaluate the status of all active incentive agreements
- Opportunity to ensure transparency, monitor returns, and legitimize incentives awarded
- Report will be presented to the City Council and CEDC Board
- Report must be posted online and made accessible to the public
- This Annual Incentives Report is in addition to and apart from all legal reporting requirements to Guadalupe County, the Texas Comptroller, and the State

Questions for City Council

- Does the Council have any feedback on the proposed Incentive Policy?
  - A. Is there a desire to adjust any of the specific incentive thresholds identified under Section IV?
    1. Value of project's added capital investment
       - Identifies minimum capital investment value of $5M

Some recent examples of projects between $1M - $5M include:

- Firestone ($1.2M)
- Magnolia Pancake Haus ($1.3M)
- Willie's Grill & Icehouse ($1.7M)
- Chamberlin Roofing & Waterproofing ($1.3M)
- ~12,000 SF industrial building at Jorgenson Industrial Park ($1.2M)
- Kiddie Academy ($1.1M)
- ~35,000 SF shopping center building at Buffalo Heights ($3.8M)
- ~Chick-fil-A ($1.2M)

Some recent examples of projects exceeding $5M include:

- Legacy Traditional School ($20M)
- H-E-B Electronic Fulfillment Center ($10.5M)
- Phase 2 of Aisin ($42.7M)
- Just a Closet Storage ($16M)

       - Identifies maximum abatement/rebate term of 10 years
         Chapter 312 of Texas Tax Code sets maximum term for ad valorem tax abatement at 10 years
    2. Number of new full-time equivalent jobs created by completed project
       - Identifies minimum number of added FTEs as 25
    3. Whether a majority of the new jobs created offer annual employee wages that exceed county averages for similar job classifications
       - Identifies threshold for consideration at +15%

CITY OF CIBOLO & CIBOLO ECONOMIC DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT INCENTIVE POLICY 2024

I. GENERAL PURPOSE AND OBJECTIVES

The City of Cibolo is committed to the attraction of high-quality development that meets the needs and desires of residents throughout the community and which helps to grow and diversify the local tax base. Success in economic development ensures Cibolo's financial ability to provide continued quality service and updated infrastructure for its residents and corporate citizens.

The purpose of this policy is to establish standards and guidelines that will govern the granting of financial initiatives to facilitate economic growth. The City encourages the use of incentives only as necessary to fill financial gaps and limits them to reasonable and appropriate project expenses which have a public benefit.

Insofar as such objectives are generally served by the enhancement and expansion of the local economy, the City may, on a case-by-case basis, consider providing financial incentives as a stimulus for commercial development in Cibolo. It is the policy of the City that consideration for such incentives be provided in accordance with the procedures and criteria outlined in this document. Nothing herein shall imply or suggest that the City is under any obligation to provide incentives to any applicant.

II. METHODOLOGY

All applications shall be considered and negotiated on a case-by-case basis. Incentives may be utilized only as inducements to generate development that otherwise would not occur. Incentives will not be considered if a building permit for new construction has already been issued, the purchase of an existing building has been finalized, or a tenant lease has been executed.

III. CRITERIA

Information provided in applications will be used to determine whether or not it is in the best interest of the City to recommend incentives be offered for a project. In order to determine the feasibility of a project, a Cost/Benefit Analysis will be performed internally to determine the expected economic impact to the community. The application shall be evaluated based upon a review of the projected fiscal, community, and employment impacts to the City.

Specific considerations will be given to projects which further the goals and objectives of the community as described in the City of Cibolo's Master Plan and the Cibolo EDC's Strategic Plan, as well as those with a significant positive impact on diversifying existing markets, adding employment, expanding the local tax base through added improvement values, and increasing sales tax revenues to the City.

IV. AVAILABLE INCENTIVES

A. Tax Abatement/Rebate for Real and/or Personal Property

The City of Cibolo may offer real and/or business personal property tax abatements or rebates for qualifying projects that meet the minimum capital investment values listed below, as authorized by Chapter 312 of the Texas Tax code and other applicable State laws. Qualifying projects include new tenancies, expansions, or renovations of existing facilities. Tax incentives shall only apply to the value of improvements made to real property and/or to the value that new business personal property has brought into the taxing jurisdiction. If the determination is made that a tax incentives should be offered for a project, the value and term of the incentive may be determined by the following factors:

- Financial Investment in Improvements:

Minimum Capital Investment	Years of Abatement/Rebate	Percentage of Abatement/Rebate
$40M +	Negotiable up to 10	Negotiable
$30M - $34,999,999	6-7	40%
$20M - $29,999,999	5	30%
$10M - $19,999,999	4	25%
$5M - $9,999,999	3	20%

Projects applying for incentive must result in a minimum capital improvement value of $5 million. The City reserves the right to offer property tax rebates in lieu of abatements as it sees fit. Abatements or rebates may also be offered for only a portion of the total taxable valuation attributed to the City of Cibolo (ie: only the Operations & Maintenance portion of the local tax rate may be available for abatement or rebate).

- Increased Local Employment:

Added Full-Time Equivalents (FTEs)	Percentage of Abatement/Rebate
250+	20%
100 – 249	15%
50 – 99	10%
25 – 49	5%

Projects applying for incentive must add, through relocation or new creation, a minimum of 25 FTEs.

- Wages:

Rate of Annual Wages	Percentage of Abatement/Rebate
15%+ higher than the average wages for similar positions in Guadalupe County, Texas for all employees located at the operations in Cibolo, Texas	Additional 5%

The thresholds as described above are considered only guidelines for establishing tax incentive agreement terms; however, the City retains discretion to determine the resulting amounts and terms of abatement for individual projects. Nothing herein shall imply or suggest that the City is under any obligation to provide financial incentives at any time to any applicant or at the rates described above. Each incentive shall be considered on a case-by-case basis.

B. Cibolo Economic Development Corporation Grants for Job Creation

The Cibolo Economic Development Corporation (CEDC), a Type B non-profit corporation created in 2007 by the citizens of Cibolo, under Chapter 501-505 of the Texas Local Government Code and funded by local sales tax dollars, endeavors to create primary jobs by attracting targeted industries and commercial development to the City of Cibolo. As such, the CEDC may offer cash grants to companies who add primary jobs at livable wages in an amount commensurate to the overall numbers of FTEs added. Projects applying for CEDC grants must add, through relocation or new creation, a minimum of 25 FTEs to be considered for such grants.

C. Fee-Based Incentives

Fee-based incentives may also be considered in lieu of or in addition to a tax incentive or jobs grant if the project presents extraordinary value to the City of Cibolo in terms of added tax value, increased employment opportunity, or through the enhancement of quality-of-life amenities for residents. Fee-based incentives may include the reduction of, or the crediting of, building permit fees in an equal amount as assessed by the City, and/or rebated impact fees. By no means may impact fees be waived from payment, but equivalent monetary amounts may be provided in rebated return for certain incentivized projects.

D. Speculative Development

In the case of speculative development, the City Council or the CEDC may, at their sole discretion, incentivize a speculative building or development if it meets the following qualifications:

1. Is located in the IH-10 Corridor, as defined in the approved IH-10 Corridor Plan Study,
2. Is intended for users who supply primary jobs,
3. Meets a minimum capital investment value as determined by the project's scope, and
4. Meets the City Council's goals for future development.

E. Chapter 380 Agreements

Under Chapter 380 of the Texas Local Government Code, the City may, on a case-by-case basis, enter into one-on-one agreements with specific development firms, business owners, property owners, or other applicable parties, to consider other incentive options that promote and encourage economic development, including but not limited to any combination of:

- Cash grants
- Forgivable loans
- Hotel occupancy tax rebates
- Relocation assistance
- Matching grants
- Sales tax rebates
- Training grants

The length of term for such Chapter 380 Agreements, the terms under consideration therein, and the valuation of such incentives offered will be:

1. Determined on a case-by-case basis,
2. Will include performance measures the contracting party must uphold to receive incentive,
3. Will include claw back provisions intended to protect and uphold the expenditure of public dollars for economic development reasons, and,
4. Shall not be considered guaranteed, or replicable, for any additional party or in future consideration with the same party, whether of a similar project scope and size or not.

F. Other Incentives

Additional incentives may be provided to certain projects as is both legally allowable and reasonable to entice and promote economic growth that would otherwise not be able to occur in the City of Cibolo. Examples of some of these incentives may include, but are not limited to:

1. Cooperative payment agreements for public infrastructure projects,
2. Revolving Loan Program assistance, as is applicable and available,
3. Assistance with job training, internship, and other workforce programs,
4. Assistance with State, federal, and private grants for projects that meet the criteria of such programs, and/or
5. The Cibolo Economic Development Corporation's Business Improvement Grant Program for projects that meet the criteria of such program.

G. Guaranteed Incentives

In an effort to showcase the City of Cibolo's continued commitment to attract quality commercial development and be a cooperative partner in the process, certain incentives are guaranteed to new commercial projects and do not require approval of an incentive agreement. These offerings are subject to change but may include:

1. Expedited building plan review for commercial projects under $15M in valuation with a guaranteed 15-business-day initial review and 5-business-day re-reviews,
2. Expedited building plan review for commercial projects over $15M in valuation with a guaranteed 20-business-day initial review and 10-business-day re-reviews,
3. Guaranteed next-business-day building inspections,
4. 80% Building Permit Fee Rate for all commercial projects under the following designations: Manufacturing Facilities, Warehouses, and Distribution Centers,
5. Free promotional and marketing opportunities on public social media throughout the year,
6. Personal assistance from City staff for any number of needs and concerns you may have, and
7. Free initial Pre-Development meeting, upon request, with essential City staff to assist in planning and construction process.

V. EXISTING BUSINESS RETENTION/EXPANSION

The City of Cibolo may consider the use of incentives to retain existing businesses that have necessity to request assistance in the cases that these businesses propose to improve or redevelop property within the City limits, or to keep jobs in Cibolo that would otherwise go elsewhere. Any tax-based incentive for the expansion of an existing facility will only apply to the increased valuation of the improvements over the appraised value of the property prior to such improvements established by the appraisal district the year in which the tax abatement agreement is executed. For additional existing business incentive, as may be awarded through matching grants for exterior site improvements and only in those designated zones as determined therein, please refer to the Cibolo Business Improvement Grant policy and guidelines already established by the Cibolo Economic Development Corporation.

VI. APPROVAL

All applications are considered on a case-by-case basis and all incentive agreements are subject to final approval by the City Council and/or the Cibolo Economic Development Corporation. Even though a project may meet the criterion set forth in this policy, an application may be denied for any reason at the discretion of the City or CEDC.

The City will only enter into incentive agreements with business entities who certify that they:

1. (i) do not Boycott Israel; and (ii) will not Boycott Israel during the term of the incentive agreement. This section does not apply if the company is a sole proprietor, a non-profit entity, or a governmental entity; and only applies if: (i) the company has ten (10) or more fulltime employees and (ii) the incentive agreement has a value of $100,000.00 or more, pursuant to Texas Government Code, Chapter 2271, Section 2271.002,
2. do not do business with Iran, Sudan, or a foreign terrorist organization, pursuant to Texas Government Code, Chapter 2252, Section 2252.153,
3. do not boycott energy companies and will not boycott energy companies during the term of the incentive agreement, pursuant to Texas Government Code, Chapter 2274, Section 2274.002,
4. (i) do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (ii) will not discriminate against a firearm entity or firearm trade association during the term of the incentive agreement, pursuant to Texas Government Code, Chapter 2274, Section 2274.002, and
5. are not (i) owned or controlled by (a) individuals who are citizens of China, Iran, North Korea, Russia, or a designated country; or (b) a company or other entity, including a governmental entity, that is owned or controlled by citizens of, or is directly controlled by, the government of China, Iran, North Korea, Russia, or a designated country; or (ii) headquartered in China, Iran, North Korea, Russia, or a designated country, pursuant to Texas Government Code, Chapter 2274.

The City will not enter into an incentive agreement with a business entity unless the business entity in accordance with Section 2252.908 of the Texas Government Code and rules adopted by the Texas Ethics Commission, submits a Form 1295, disclosure of interested parties, to the City at the time the business entity submits the signed incentive agreement to the City.

VII. INCENTIVE RECONSIDERATION

Application for incentive may be made at any time and in regards to any commercial project within the City of Cibolo, or within the Cibolo Extra Territorial Jurisdiction (ETJ) if accompanied by an annexation plan. Reconsideration of an application previously denied may be requested after any of the following alterations: the type of incentive requested is different, the terms associated with the requested incentive are different, new information related to the project and its benefit to the community is obtained, or on an annum basis following initial rejection in response to the changing economic needs, desires, goals, and objectives of the community.

Applicants seeking the reconsideration of an incentive are to complete and submit an Incentive Application in the same manner as a new incentive request and will receive additional information in the same timely manner as a new incentive request. Previously submitted documents may be referenced by staff and governing bodies in each subsequent determination but should not be assumed to take the place of any documentation required by the Incentive Application criteria outlined within.

VIII. EXCEPTIONS

Tax abatements will not be considered within any Tax Increment Reinvestment Zone (TIRZ) created in the City. Providing ad valorem tax abatements in a TIRZ would dilute the fund's projected value and limit the City's ability to carry out approved projects within these zones. Additionally, the City will not consider any incentives for residential projects or the residential portion of mixed-use projects.

In order to encourage the retention/expansion of existing business, attraction of new businesses which satisfy a community goal or objective, or to meet a special need of the community, the City Council retains the ability to approve an incentive which does not comply with the terms outlined in this Policy.

IX. PERFORMANCE

All financial incentives granted by the City of Cibolo and the Cibolo EDC are performance-based. Should a project granted incentive fail to satisfy the terms outlined within each individual agreement, the contracted party will be denied the full amount of incentives to be received for that given year. Approved incentive agreements other than tax abatements will include individual performance measures to be met by the contracted party and specific recapture provisions intended to safeguard the City from potential financial loss.

X. ANNUAL EVALUATION

Throughout the year, the City will perform evaluations of approved incentive agreements in order to ensure compliance by all parties. An Annual Incentives Report will be generated and made available online to the public which will summarize the status of each incentive that was active during the respective year. Additionally, the City will comply with all legal reporting requirements as set forth by the Office of the Texas Comptroller of Public Accounts and the State of Texas.

Definitions

"Abatement" means the full or partial exemption of ad valorem taxes for eligible properties in a reinvestment zone designated as such for economic development purposes. Abatement may be granted for real property improvements and/or business personal property as determined by the terms of each individual agreement.

"Base Year Value" shall mean the taxable value of the specified real property and business personal property (including inventory and supplies) located in a designated reinvestment zone on January 1 of the year of the execution of the agreement, as determined by the Guadalupe Appraisal District.

"Full-Time Equivalent (FTE)" shall mean any employee working for a company on the specified project site on a forty (40) hour or more per week schedule, or a combination of two (2) or more employees on part-time scheduled that equal forty (40) hours.

"Reinvestment Zone" shall mean an area designated as such for the purposes of tax abatement as authorized by Chapter 312, Subchapter B, Texas Tax Code.

CITY OF CIBOLO & CIBOLO ECONOMIC DEVELOPMENT CORPORATION
ECONOMIC INCENTIVE PROCEDURE & APPLICATION 2024

I. PROCEDURAL GUIDELINES

Any person, organization, or corporation desiring that the City of Cibolo or the Cibolo EDC consider providing incentives to encourage local economic development is expected to comply with the following procedural guidelines. Nothing within these guidelines shall imply or suggest that the City is under any obligation to provide tax abatements or any other incentives to any applicant.

Completion of the Application

1. Applicants should complete the "Application for Economic Incentives" and include a statement explaining why incentives are being sought for the specific project.

2. The incentive request should include a map or other documentation showing the following:
    a. The location of the project property and all roadways within 500 feet of the site,
    b. Complete legal description of the project property,
    c. Any known existing uses assigned to, and conditions of, the project property,
    d. Summary of the proposed improvements and uses on the site,
    e. Proposed project site plan and elevations, if applicable,
    f. Any proposed changes in zoning that may be requested,
    g. Statement indicating that the applicant understands the project must be compatible with the City of Cibolo's Master Plan, applicable building codes, and all City ordinances.

3. Completed application forms and supplementary information may be submitted to the Cibolo Economic Development Department, at:

    City of Cibolo
    ATTN: Economic Development Office
    PO Box 826
    Cibolo, Texas 78108

    Or via email by sending electronic documents to: economicdevelopment@cibolotx.gov

4. All information in the application package detailed above will be reviewed for completeness and accuracy. Additional information may be requested.

Consideration of the Application

The following describes the steps involved in the consideration of an incentive application in the City of Cibolo:

1. The application and supplemental documentation are determined by the Economic Development Office to provide a complete overview of the project and incentive request. Additional information may be requested of the applicant at this time, as needed.

2. Depending on the type of incentive requested, the appropriate governing body will review the application and supplemental information during Executive Session at their next available Regular Call Meeting[1]. A Cost/Benefit Analysis will also be provided to the governing body by City staff in this initial consideration. Additional information may be requested of the applicant again following these meetings.

3. The recommendation of the City Council and/or Cibolo EDC will be communicated to Economic Development staff who will provide a response to the applicant on behalf of the City.

4. If the City Council and/or Cibolo EDC wish to formally consider a request for tax abatement and the project meets all applicable criteria, the City will call a public hearing to consider the establishment of a tax reinvestment zone in accordance with Section 312.201 of the Tax Code[2].

5. For other financial incentive requests that the City Council and/or Cibolo EDC may be generally interested in granting, terms will be discussed and outlined, and an agreed-upon draft incentive will be constructed and verified for legal compliance.

6. Once the incentive agreement terms have been agreed to by the applicant, three (3) copies of the drafted agreement will be signed by the applicant in blue ink and sent to the City Economic Development staff. No electronic signatures will be allowed on official documents of record.

7. The incentive agreement draft will be brought before the City Council at a Regular Call Meeting for public presentation, discussion, and a final vote[3].

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[1] If the requested incentive package includes consideration of both City of Cibolo and Cibolo EDC funds, the Cibolo EDC Board of Directors will first review the request in Executive Session and make an initial recommendation on their portion of participation before it is presented to City Council in Executive Session. If the incentive package requested concerns only Cibolo EDC funds, both the Cibolo EDC Board and the City Council will still be required to review and approve any incentive agreement that may result. If the incentive package only concerns City of Cibolo funds, the Cibolo EDC will not need to review the application.

[2] If a public hearing is called to consider the incentive request, the application and all supplemental information shall be regarded as a matter of public record and will be available for inspection by the public. Notwithstanding the foregoing, pursuant to Section 312.003 of the Texas Tax Code, information the applicant provides to the City in connection with its application or request for a tax abatement that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which the applicant seeks a tax abatement is confidential and not subject to public disclosure until the tax abatement is executed, unless a waiver has been obtained from the applicant. The applicant's information in the custody of the City after the agreement is executed is not confidential.

[3] If the incentive agreement includes any consideration of Cibolo EDC funds, the Cibolo EDC Board must first review, discuss, and take action on a draft agreement before it may be taken to the City Council for final action. Only incentive requests that do not include consideration of Cibolo EDC funds are eligible to go directly to City Council.

8. Following a majority approval vote, the Mayor or his or her designee will execute the three (3) copies of the agreement. One original copy will be returned to the applicant. One original copy will be filed with Guadalupe County. One original copy will be filed with the City Secretary's Office and kept by the City of Cibolo. An electronic copy of the agreement will be kept by the Cibolo Economic Development Department.

The City reserves the authority to enter into incentive agreements on a case-by-case basis and at differing terms than any previous or existing agreement that may have been approved in the City or elsewhere, whether or a similar scope and size or not. Nothing within these guidelines shall imply or suggest that the City is under any obligation to provide tax abatement or any other incentives to any applicant.

Definitions

"Abatement" means the full or partial exemption of ad valorem taxes for eligible properties in a reinvestment zone designated as such for economic development purposes. Abatement may be granted for real property improvements and/or business personal property as determined by the terms of each individual agreement.

"Base Year Value" shall mean the taxable value of the specified real property and business personal property (including inventory and supplies) located in a designated reinvestment zone on January 1 of the year of the execution of the agreement, as determined by the Guadalupe County Central Appraisal District.

"Full-Time Equivalent (FTE)" shall mean any employee working for a company on the specified project site on a forty (40) hour or more per week schedule, or a combination of two (2) or more employees on part-time scheduled that equal forty (40) hours.

"Reinvestment Zone" shall mean an area designated as such for the purposes of tax abatement as authorized by Chapter 312, Subchapter B, Texas Tax Code.

Application for Economic Incentives

Completed application and supplementary information may be submitted to: City of Cibolo, ATTN: Economic Development, PO Box 826, Cibolo, Texas 78108 or via email to economicdevelopment@cibolotx.gov. Contact 210-659-1471 with questions.

Contact Name: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Project/Company Name: _____

Project Address/Location: _____

Company's Primary Business: _____

Please provide the following information based on the completed project at full operation. It will be assumed that the project is phased in equal annual increments unless indicated otherwise. All values should be those on Appraisal District tax rolls. Please provide supporting documentation where appropriate. Additional pages for responses may be attached.

1. Incentive(s) Requested: _____
   (Rank order of priority)

   _____

2. Necessity of Requested Incentive(s): _____
   (Describe the reason(s) why this project is seeking assistance)

   _____

   _____

3. Would this project be financially feasible without requested incentive(s)?: _____

4. Is the project a relocation or new facility expansion?: _____

   a. If relocation, please state current location(s): _____

5. Is the project new construction or lease?: _____

   a. If new construction, is it a shell building or build-to-suit?: _____

   b. If new construction, number of water and irrigation meters and size(s): _____

   _____

   c. If a lease, will it occupy existing space or new construction?: _____

6. Number and square footage of project building(s)?: _____

7. Will the incentive applicant be the owner and/or tenant?: _____

8. List the specific operations to be performed at proposed location (items manufactured or services provided):

_____

_____

9. Projected date of occupancy: _____

10. Property size (acreage): _____

11. Current assessed value of land: _____

12. Estimated value of improvements to property: _____

13. Proposed uses for project: _____
(Include percentage of each use based on total project space)

14. Estimated value and description of business personal property proposed to be on-site: _____

_____

15. Number of new FTEs on-site: _____

16. Average annual salary: _____

17. Annual estimates sales subject to local sales tax at site: _____

18. Annual estimated sales subject to City hotel occupancy tax: _____

19. Will Cibolo be designated as point of sale for construction/equipment purchases?: _____

    a. If so, estimated project construction/equipment cost?: _____

20. Is the property zoned to accommodate proposed use(s)?: _____

    a. If not, what zoning is required for the project?: _____

21. Will the property need to be annexed into the City limits?: _____

22. Will there be expected environmental impact resulting from operations on the property site?: _____

    a. If so, describe type: _____

23. Are there other factors you would like taken into consideration?: _____
(Include additional pages, as needed)

_____

_____

_____

_____

24. Please sign here signifying that you understand the project must be consistent with the City's Master Plan, applicable development codes, Section VI of the City's Incentive Policy, and all ordinances to be considered for incentives and to indicate that you believe the proposed project does, in fact, meet those criteria:

_____ _____

(Sign) *(Date)*

_____

(Print Name)

Supplemental Attachments – Check all documents that may be attached to submitted application:

☐ Map of property location

☐ Legal description of property

☐ Existing uses assigned to property

☐ Utility requirements

(water, sewer, electric, and gas)

☐ Summary of proposed site improvements

☐ Proposed project site plan

☐ Proposed project elevations

☐ Phasing plan, as applicable

☐ Other: _____

☐ Other: _____

☐ Other: _____

☐ Other: _____

☐ Other: _____

☐ Other: _____

"City of Choice"

200 South Main Street, P.O. Box 826, Cibolo, Texas 78108
City Hall (210) 658-9900 Fax No. (210) 658-1687
www.cibolotx.gov

Incentives For Economic Development Activates and Projects
For The City of Cibolo Texas
Adopted by City Council on October 25, 2011

Mission Statement:
"To attract, retain, and expand jobs and development for Cibolo, that enhances quality of life"

City of Cibolo Incentives:

- Capital Investment Grant Program for businesses open 3 years or longer
- Tax Phase in Guidelines with Guadalupe County if possible
- Tax Abatement Program
- Impact Fee reduction or waver if possible
- Building Permits fee reduction
- Expedited Plan Review process
- Expedited Permit Process
- Pre construction activity permitted prior to permit being issued if approved by City Manager only
- Economic Development Staff assistance with utility (GVEC & local gas provider, tel communications and internet providers, etc.)
- Tax Increment Financing Program established
- Inner City Reinvestment Program established
- Partnership with the Small Business Administration (SBA 504 & 7A program with local bankers)
- Free Port Exemption established
- Chapter 380 Agreements
- Coordination with the U S Department of Commerce to market Cibolo companies overseas utilizing U S Export Assistance Program.

To Create Primary Employment/Jobs: companies that produce products or services that are used ultimately in statewide, national or international markets.

Guadalupe County Tax Abatement & Reinvestment Zones Incentives:

- Guadalupe County supports the City of Cibolo's efforts in increasing commercial tax base and jobs. The benefit to Guadalupe County is that the City of Cibolo Staff is working on their behalf to increase Ad Valorem property tax revenue to increase the County's budget.

State of Texas Incentives:

- For examples: Texas Enterprise Fund, Emerging Technology Program, Texas Capital Fund Infrastructure, etc.

Alamo Worksource Solution:

- Alamo Worksource Solution: job recruitment, training and grant programs to increase skilled workforce and to assist with addition leverage funding to promote job growth and stability.

Introduction:

Cibolo is committed to the promotion of quality development in all parts of the City and to improving the quality of life for its citizens. In order to meet these goals, the City Council will consider providing a property tax phase-in, sales tax rebates and other incentives to stimulate economic development in Cibolo and its Extraterritorial Jurisdiction (ETJ). The City will consider providing incentives to appropriate businesses in accordance with the procedures and criteria outlined in this Policy. Prospective businesses are strongly encouraged to discuss potential incentives with City officials and staff members early in the stages of a development, since a project is not eligible for incentives under this Policy if a building or site development permit has been issued for the project before an incentive application is submitted and approved.

1. Eligibility Criteria:

The following criteria must be met for an applicant to be considered eligible for property tax phase-in and any other economic development incentive. Additional criteria for specific incentives are listed below under their individual description or with the issuing agency if not the City of Cibolo in this Policy:

a. The proposed development and/or redevelopment must create and maintain or retain at least 5 jobs, and/or
b. An investment by the applicant of at least $75,000 in property improvements is required.
c. In addition to meeting a or b above, the project must conform to the requirements of the City's Master Plan, Land Development Code and other applicable City ordinances (except to the extent waived or modified in a development incentive agreement in accordance with this Policy).

2. Evaluation Criteria:

The following criteria will be considered in determining what level of incentives will be provided to the applicant. Preference will be given to businesses that use local suppliers, contractors and labor force, and require no new public improvements.

a. Expansion of the local tax base.

b. Creation of permanent employment opportunities. The number and types of jobs to be created or retained (permanent full-time) and whether or not benefits for employees will be provided.

c. Whether the architecture and site design including landscaping and public amenities meets or exceeds the minimum requirements in the City Code.

d. Whether City utilities will be used.

e. The types and cost of public improvements (e.g. streets, water, wastewater, drainage) and services (e.g. fire, police) which will be required of the City.

f. The types and value of public improvements which will be made by the applicant.

g. The financial capacity of the applicant to undertake and complete the proposed project.

h. The extent to which the proposed project will make use of local contractors, suppliers and labor force (from the Cibolo area) during construction and during operation.

i. Appropriate type of activity for the designated zoning (e.g. office, retail, etc.).

j. The market conditions and growth potential for the business activity.

k. The method or methods which will be available to recapture property tax revenue lost as a result of entering into a tax phase-in agreement with the applicant if the applicant fails to fulfill its responsibilities under the agreement.

l. The amount of time necessary to complete the project and create the jobs which are to be provided by the applicant.

m. The extent to which the proposed project carries out the goals and objectives of the City's Master Plan.

n. A comparative analysis of the costs of the incentives requested to the benefits provided to the City by the applicant's development or expansion.

o. Other incentive programs for which the applicant has applied or is qualified.

p. Any other factors that the City Council finds helpful and relevant to accomplishing the City's economic development objectives.

3. Case-by-Case Evaluation:

Nothing in these policies, procedures or the application form shall imply or suggest, or be construed to imply or suggest that the City of Cibolo is under any obligation to provide any incentive to any applicant. All applicants for tax phase-ins and/or other economic development incentives shall be considered on an individual case-by-case basis.

Description of Incentives:

1. Business Services

A. Economic Development Cibolo (EDC): Business and development assistance is provided by the office of EDC, the economic development services provider for the City of Cibolo. EDC is charged with business recruitment, job creation, business retention and expansion.

B. Development Director: The City of Cibolo offers development services coordination and assistance through their Development Director.

C. Cibolo Area Chamber of Commerce: The Cibolo Area Chamber of Commerce provides these additional services to aid with relocations and expansions:

- Relocation assistance for key personnel
- Special banking and mortgage assistance
- Job fairs to attract employees
- Residential real estate assistance
- Community orientation, introduction and tours
- Spouse employment assistance
- Welcome and announcement/press conference coordination
- Identification of business support services

D. Cibolo Business Owners Association: Business and networking assistance is provided by the Cibolo Business Owners

E. Cibolo Manufacturers Association: A forum for local industry to communicate common needs, problems and objectives is provided by the Cibolo Manufacturers Association.

F. Service Corp of Retired Executives (SCORE): SCORE provides business planning and counseling services to small businesses and start-up companies.

G. Small Business Development Center: Small business counseling services for existing and start-up businesses including: market research, financial analysis, and business plan assistance are provided through the Small Business Development Center (UTSA).

H. Texas Manufacturing Assistance Centers (TMAC): TMAC exists to enhance the competitive position of the state's manufacturing sector. Manufacturing specialists work with small to medium-sized manufacturers, providing technical support and implementing best business practices. Typical areas covered include cost management, productivity improvements, environmental assistance, software systems selection and application, and e-commerce decisions.

I. Texas State University Internship Program (TSU):
TSU provides student and faculty internship opportunities in all degree plans. You may contact them at 512.245.2645.

J. University of Texas at San Antonio Graduate Level Internship Program (UTSA): Establishment of a program that will be mutually beneficial to the City of Cibolo/UTSA/Graduate Candidate relating to governmental administration & management.

2. Local Incentives:

A. Development Fee Waivers: The City is willing to consider reducing or eliminating fees including building permit fees, inspection and contractor's fees, site development permit fees, utility connection fees, and processing fees for platting, zoning and land use applications. This fee waiver incentive does not include the waiver of impact fees.

B. Facilitation of Permits: Cibolo is eager to work with companies locating or expanding in the City, and the staff will make every effort to expedite the permitting process and, when possible, meet necessary timelines.

C. Foreign Trade Zone (FTZ): FTZs are sites in or near a U.S. Customs port of entry where foreign and domestic merchandise is generally considered to be in international trade. Goods can be brought into a zone without formal Customs entry or without incurring Customs duties or excise taxes unless and until they are imported into the United States. The purpose of the Zone is the creation of jobs realized from the cost savings from delayed or forgiven tariffs.

D. Freeport Exemption: Businesses involved in the export of tangible property such as goods, wares, and merchandise may be eligible for the Freeport Exemption. This incentive is designed to exempt some or a company's entire inventory from property taxes. To be eligible, property must be assembled, stored, manufactured or fabricated locally and then exported out of the state within 175 days after the property was

acquired or imported into the state. This is an exemption available to any company that conforms to qualifications set out by state law.

E. Historically Underutilized Business (HUB) Zone Empowerment Contracting Program: This program provides federal contracting assistance for qualified small businesses that are located in HUB zones, increase employment opportunities, stimulate capital investment in those geographic areas and empower communities through economic leveraging.

Eligibility Criteria:

1. The business must be registered as a small business per the U.S. Small Business Administration (SBA) standards.

2. The business must be owned and controlled by a U.S. citizen.

3. The principal place of business should be located in a HUB Zone.

4. At least 35% of the business' employees must reside in a HUB Zone.

F. Property Tax Phase-In Program: The City of Cibolo offers property tax phase-ins for new or expanded commercial or industrial construction, as well as business personal property taxes associated with real property. City property tax phase-ins are granted through a contract approved by the City Council. After qualification, the City will assist applicants in seeking phase-in agreements with the other taxing authorities.

Eligibility Criteria:
1. Micro Business and Small Business Criteria:

a. Proposed development and/or redevelopment must create, maintain, or retain at least five (5) jobs.

b. Twenty percent (20%) of the job salaries for the created, maintained, or retained five (5) positions must pay hourly employees over $17 per hour base rate at the straight time rate or pay salaried employees over $36,000 annually.

c. Applicant can be an existing business and must provide financial statements and/or income tax returns.

d. Applicants must have a business plan with appropriate projected financial statements.

e. Capital investment by applicant must equal at least $250,000.

f. Start-up businesses will be considered on case-by-case basis.

2. Medium and Large Business Criteria:

a. Proposed development and/or redevelopment must create, maintain, or retain at least ten (10) jobs.

b. Twenty percent (20%) of the job salaries for the created, maintained, or retained ten (10) positions must pay hourly employees over $17 per hour base rate at the straight time rate or pay salaried employees over $36,000 annually.

c. Temporary positions will not be considered as full-time positions for tax phase-in purposes.

d. Applicant can be an existing business and must provide financial statements and/or income tax returns.

e. Capital investment by the applicant must equal at least $1,000,000.

f. Start-up businesses will be considered on case-by-case basis.

Minimum Required Investment:

An applicant requesting a tax phase-in shall agree as a condition of any tax phase-in ultimately approved by the City Council to expend a certain minimum amount of funds on real or personal property improvements and to provide a certain number of jobs, as provided in the table below:

Minimum Required Real and Personal Property Investment and Job Creation

% if increased Value to be abated	Micro & Small Business Investment Required	Medium & Large Business Investment Required	Number of Jobs Created
5%	$250,000	$1,000,000	0-2
10%	$300,000	$1,250,000	2-3
15%	$350,000	$1,500,000	3-4
20%	$425,000	$1,750,000	4-5
25%	$550,000	$2,000,000	5-10
30%	$650,000	$2,500,000	11-20
35%	$775,000	$3,000,000	21-30
40%	$925,000	$3,600,000	31-40
45%	$1,000,000	$4,250,000	41-50
50%	$1,250,000	$5,000,000	51-60
55%	$1,500,000	$6,000,000	61-65
60%	$1,750,000	$7,250,000	66-70
65%	$2,000,000	$8,600,000	71-80
70%	$2,500,000	$10,350,000	81-90
75%	$3,000,000	$12,250,000	91-95
80%	$3,600,000	$14,750,000	96-100
85%	$4,250,000	$17,750,000	101-110

90%	$5,000,000	$21,300,000	111-120
95%	$6,000,000	$25,000,000	121-130
100%	>$6,000,000	>$25,000,000	>130

Additional Considerations
If upon initial application a project qualifies for a tax phase-in under the guidelines set forth in this policy, the City Council may consider granting an additional 5% abatement for each one of the following factors provided, however, the total tax phase-in will not exceed 100% annually or continue for a period of more than ten (10) years. No applicant may receive credit for more than five (5) of the following factors:

- The project will occupy a building that has been vacant for at least two (2) years.
- The project will create high-skilled, high-paying jobs as documented by the applicant.
- The project will involve a significant relationship with Texas State University & City of Cibolo.
- At least 25% of the new jobs created by the project will be filled by Cibolo residents.
- The project will donate significant materials/equipment to either the Schertz Cibolo Universal City Independent School District.
- The project will create improvements in the Cibolo Downtown Master Plan area.
- The project is an international or national headquarters facility.
- The project wages are above the $17 per hour base rate at the straight time rate wage or the $36,000 annual salary wage.
- The applicant provides health and/or other benefits to their workforce.
- The project significantly uses local contractors and suppliers both during construction and in its business operation.
- The business is a certified Small, Minority, or Woman owned business.

G. Public Improvement District (PID): PIDs allow a City to levy and collect special assessments on property within the City or its Extraterritorial Jurisdiction (ETJ). A PID may be formed to provide services such as health and sanitation, water and wastewater, mass transit, public safety or security services, etc.

H. Sales Tax Rebate Incentives (Local & State Government):

Eligibility Criteria:

In addition to the eligibility criteria for incentives listed above, a project for which sales tax rebates are requested must meet the following minimum requirements:

1. The project must either:
- Result in a minimum increased taxable value for the City of $25,000,000 in real and business personal property (excluding inventory and supplies); or
- Result in a minimum increased taxable value for the City of $250,000 in real and business personal property (excluding inventory and supplies) in the Downtown Zoning District; or

• Result in a minimum increased taxable value for the City of $15,000,000 in real and business personal property (excluding inventory and supplies) for the redevelopment-but not relocation-of existing businesses; or
• Will result in a sales tax increase of at least $100,000 to the City over the most recently completed fiscal year.
Note: An increased taxable value qualifier may be waived as consideration for a pioneering retail development anticipated to spur significant additional investment in a desired location or if development is proposed for an underutilized, obsolete industrial building in the downtown area where redevelopment is expected to stimulate additional development in the surrounding area.

2. In addition, the project must:

a. Qualify as a target industry according to these policies and procedures; or

b. Make a unique or unequaled contribution to development or redevelopment efforts in the City of Cibolo, due to its magnitude, significance to the community or aesthetic quality.

3. In addition, if the project involves new development, it must serve a regional market.

Additional Considerations:
Other factors to be considered by the City Council in determining whether to authorize an agreement for sales tax rebates are:

1. The number and types of jobs to be created or retained (full-time vs. part-time)-describe wages and indicate if insurance benefits are provided.

2. Whether City utilities will be used.

3. Whether the project incorporates high quality architecture and site design, including landscaping and public amenities, beyond the minimum required by the City Code as represented in architectural drawings, site plans and landscaping plans.

4. The financial capacity of the applicant to undertake and complete the proposed project.

5. Whether the applicant has applied or is qualified for other incentive programs.

6. The market conditions and growth potential for the project's business activity.

7. Any other factors the City Council finds helpful and relevant to accomplishing the City's economic development objectives.

Level of Incentives
Incentives established for any project will be provided to the extent that the revenue realized by the City and attributable to the project exceeds a minimum amount established in the Economic Development Agreement to be entered into by the City and the applicant. The public benefit or amount of revenue realized by the City and attributable to the project must equal or exceed the value of any incentives granted under the application. The City will not rebate more than 75% of sales taxes in any year.
I. Cibolo Special Downtown Reinvestment Zone: Provides for a tax phase-in, on a case-by-case basis, within the Central Business Area downtown. The City has been designated as a Texas Main Street City. The Main Street program has a façade improvement grant that can be used for such things as signage or new canopies.

Historic Downtown Cibolo Economic Incentives

Cibolo has been actively involved in the Texas Main Street Program s. This program promotes economic revitalization of an historic downtown through historic preservation and the program's Four-point Approach to Design, Promotions, Economic Restructuring and Organization. To encourage reinvestment in downtown Cibolo the following programs are in place.

- 10% or 20% Federal Tax Credits. Properties located in the National Register Historic Commercial District are eligible for consideration for this incentive. Tax Credit projects involve major repairs and restoration work and approval from the Texas Historic Commission. Tax credits are not available for new construction.

- Tax Abatement. This provides for a five-year, 100% abatement of city taxes on the value of improvements made to a property in the downtown historic district. It is anticipated that Guadalupe County will support revitalization in downtown Cibolo by offering 50% abatement on improvements for the same five-year period.

- FIX-IT Façade Grants. Downtown properties can apply for grants to improve the outside of a building. This can include paint, window repair, signage and canopy work. Property owners are eligible to receive up to 50% reimbursement or a maximum $1,000 reimbursement for improvements.

- LOW INTEREST LOAN. Several banks participate in a low interest loan program providing up to $35,000 below prime rate for improvements made to properties in the downtown historic district. These can be improvements made to the exterior and/or interior of the property.

Downtown property, both for sale or lease, tends to be available at a lower rate than other nearby cities. A variety of space is available ranging from historic homes to multi-story commercial buildings. Larger-scale investment opportunities for combined retail, office and residential use are available.

J. Tax Increment Reinvestment Zone: In the state of Texas, a TIRZ may be city-initiated or petitioned by property owners. A TIRZ may be petitioned when property owners constituting more than 50% of the appraised value of the area submit a petition to the City. A TIRZ may be created for one of three reasons:

- to address inner city deterioration;
- to develop raw land in suburban fringe areas; or
- to proactively address the decline of major activity centers

A TIRZ sets a geographic boundary around a particular area within a city. These boundaries can be used to allow for tax increment financing (TIF) or other tax-related agreements. For example, a TIRZ may be established to allow businesses within the area to apply for various kinds of tax phase-ins. In any case, a TIRZ must be set up separately and before tax increment financing may be considered. Once the TIRZ is created, then negotiations regarding any tax-related agreement can begin; it is possible to set up a TIRZ and then have it stand alone, not related to any financial agreement.

Note: The creation of a TIRZ does not in any way impact the tax rate. TIRZs have no taxing or assessment powers. Property owners within the zone will continue to pay a normally increasing tax bill.

K. Utility Rate Reductions and Infrastructure Extensions:

1. Standard utility incentive: The municipally-owned power, water, and wastewater departments have adopted rate policies that permit reduced rates for customer rate classifications or categories based upon usage. Agreements may be available to reduce utility rates based upon adopted usage categories.

2. Standard utility incentive: The City partners with developers on infrastructure improvements. The City's development policy commits city funds to provide for the cost of over-sizing infrastructure when deemed necessary for future development. This policy eliminates the need for developers to absorb the total cost of over-sizing "up front" and then waiting to recover a portion of the costs when future development ties into the improvements.

3. Special utility incentive: The City has the capacity and flexibility to offer qualified companies infrastructure improvements and extensions at reduced cost. Such incentives may include improvements to curbs and gutters, street paving, water and wastewater, electrical supply, and public lighting.

L. Waiver or Modification of Development Regulations/Standards: A development incentive agreement may include provisions for waiving or modifying City development regulations or standards. To be eligible for such a waiver or modification, a development must:

1. Be a unique and regional economic draw with projections to support major direct new tax benefits for the City that far exceed those of the typical development or business; or

2. Incorporate design or construction features or characteristics that exceed City regulations or standards in other respects; or

3. Make a unique or unequaled contribution to development or redevelopment efforts in the City of Cibolo, due to its magnitude, uniqueness to the community, or aesthetic quality.

3. Financial Incentives:

A. Chapter 380 Grants and Loans: The City Council can provide grants or loans to eligible prospects on a case-by-case basis to promote local economic development and to stimulate business and commercial activity in the City, in accordance with Chapter 380 of the Texas Local Government Code. The grants or loans can be used to facilitate the acquisition or improvement of real property, the acquisition of equipment or facilities, or other purposes directly related to economic development.

B. Economic Development Fund: The City Council has created a line item in the General Fund as an incentive war chest for economic development projects. The amount and availability of these funds are subject to City Council approval each budget year. Receipt of these funds by a project is considered on a case-by-case basis by City Council.

C. Industrial Revenue Bonds: The State of Texas Industrial Revenue Bond Program is designed to provide tax-exempt financing of land and depreciable property for eligible industrial or manufacturing projects. The Development Corporation Act allows cities, counties, and conservation/reclamation districts to form non-profit industrial development corporations or authorities on their behalf. The purpose is to issue taxable and tax-exempt bonds for eligible projects in their jurisdictions. The City of Cibolo Industrial Development Corporation acts as a conduit through which funds are channeled. Generally, all debt service on the bonds is paid by the business under the terms of a lease, sale, or loan agreement. As such, it does not constitute a debt or obligation of the City, the Industrial Development Corporation, or the State of Texas. If Revenue bonds would help a prospect, the City stands ready to assist with selecting bond counsel and working to issue the bonds.

D. Revolving Loan Funds: The City has available a limited amount of funds to commit to businesses. Applicants should check with the City Community Development Block Grant staff for funding availability.

E. Tax Increment Financing (TIF): Tax increment financing is a tax reinvestment tool that allows local governments to fund infrastructure improvements within a defined area. TIFs work by allowing taxing entities to repay the costs of improvements to a designated area with the future tax revenues generated by increased property values. TIFs can be created on a case-by-case basis by the City Council.

4. State and Federal Incentives:

The City of Cibolo can assist businesses with the State application process for the following programs:

A. Ad Valorem/Property Tax Exemption
B. Bonds
C. Business Express Loan
D. Economic Development and Diversification In-State Tuition for Employees
E. Property Tax Rule 9.105
F. Renewable Energy Incentives
G. Sales and Use Tax Exemptions
H. Section 108
I. Self-Sufficiency Fund
J. Skills Development Fund
K. Small Business Administration 504 Loan
L. Small Business Administration 7(a) Loan
M. Small Business Community Express Loan
N. Small Business Patriot Express Pilot Loan
O. Southwest Trade Adjustment Assistance Center Grant
P. State Infrastructure Bank (SIB) Financing
Q. State Permit Assistance
R. Texas Capital Fund Infrastructure Program
S. Texas Capital Fund Real Estate Development Program
T. Texas Economic Development Act
U. Texas Emerging Technology Fund
V. Texas Enterprise Fund
W. Texas Enterprise Zone Program
X. Texas Industry Development Program
Y. Texas Leverage Fund

STATE OF TEXAS SUMMARY OF INCENTIVES & PROGRAMS

Summary Includes:

- ☐ Texas Enterprise Fund
- ☐ Emerging Technology Program
- ☐ Texas Enterprise Zone Program
- ☐ Texas Capital Fund Infrastructure Program
- ☐ Texas Capital Fund Real Estate Development Program
- ☐ Rural Municipal Finance Program
- ☐ State Sales and Use Tax Exemptions
- ☐ Chapter 380
- ☐ Texas Industry Development Program
- ☐ Texas Leverage Fund
- ☐ Bonds

- Section 108
- Texas Economic Development Act
- Ad Valorem/Property Tax Exemption
- Economic Development Refund
- Renewable Energy Incentives
- Permit Assistance
- Moving Image Industry Incentive Program
- Economic Development and Diversification In-State Tuition for Employees

DISCLAIMER: *The material contained in this Summary of State Incentives is provided for informational purposes only and cannot be construed as a commitment .Assumptions are based on creating jobs and providing a capital investment. Total jobs and capital investment have been included as eligible costs for the various incentive programs available. However, actual jobs and capital investment may vary from the assumptions made due to final determination of program eligibility and site location.*

TEXAS ENTERPRISE FUND

The 78th Texas Legislature established the Texas Enterprise Fund to provide financial resources to help strengthen the state's economy. The Governor, Lieutenant Governor, and the Speaker of the House must unanimously agree to support the use of the Texas Enterprise Fund for each specific project.

Projects that are considered for Enterprise Fund support must demonstrate a project's worthiness, maximize the benefit to the State of Texas and realize a significant rate of return of the public dollars being used for economic development in Texas. Capital investment, job creation, wages generated, financial strength of the applicant, applicant's business history, analysis of the relevant business sector, and federal and local government and private sector financial support of a project will all be significant factors in approving the use of the Enterprise Fund.

EMERGING TECHNOLOGY PROGRAM

The $200 million Texas Emerging Technology Program is designed to help Texas create jobs and grow the economy over the long-term by expediting the development and commercialization of new technologies and attracting and creating jobs in technology fields that will form the backbone of our economy. The program will work through partnerships between the state, institutions of higher education and private industry to focus greater attention on the research, development and commercialization of emerging technology. The Emerging Technology Program is dedicated to three areas:

1. Regional Centers of Innovation and Commercialization (RCICs). These centers will become
concentrated with applied R&D activities, be incubators (including specialized workforce training)

for startup firms and encourage expansion of existing companies resulting from commercializing
their developments.
2. Matching grant funds. Applied technology research and development projects that accelerate
commercialization into production and have a demonstrated ability to receive or have received
federal grants or non-state grants may apply for matching dollars from the Emerging Technology
Fund. Grants such as Small Business Innovation Research grants, Small Business Technology
Transfer grants, etc
3. Attracting research talent. The state will help Texas public universities attract highly renowned
research teams from universities and institutions in other states.

For more information regarding the application process or funding, please contact Mark Ellison with the
Office of the Governor at 512/463-1472.

TEXAS ENTERPRISE ZONE PROGRAM

Under the statewide cap of 105 projects per biennium a community with less than 250,000 in population may have up to four enterprise projects. A community with 250,000 in population or greater may have up to six enterprise projects.

Upon a community designating a business as an enterprise project, and upon that project's designation being approved by the state, the business would be eligible for the following incentives:

State Sales and Use Tax refunds

Beginning September 1, 2007 an enterprise project is eligible for a refund for all state sales and use taxes paid and used at the qualified business site. The total amount of any refund will continue to be predicated on investment amount and number of jobs created/retained.

The refund can be an amount ranging from a minimum of $2,500 per job to a maximum of $7,500 per job as follows:
1. If project investment amount is greater than $40,000 and less than $400,000, then refund amount is $2,500 per job up to a maximum of 10 jobs created/retained;
2. If project investment amount is equal to or greater than $400,000 and less than $1,000,000, then
refund amount is $2,500 per job up to a maximum of 25 jobs created/retained;

3. If project investment amount is equal to or greater than $1,000,000 and less than $5,000,000, then refund amount is $2,500 per job up to a maximum of 125 jobs created/retained;
4. If project investment amount is equal to or greater than $5,000,000 and less than $150,000,000, then refund amount is $2,500 per job up to a maximum of 500 jobs created/retained;
5. If project investment amount is equal to or greater than $150,000,000 and less $250,000,000, then refund amount is $5,000 per job up to a maximum of 500 jobs created/retained;
6. If project investment amount is equal to or greater than $250,000,000, then refund amount is $7,500 per job up to a maximum of 500 jobs created/retained;

Receipts for purchases of building materials and machinery and equipment and payroll information are required to be retained as part of the audit process. (Note: All contracts should separate the costs for building materials and/or equipment from the costs of labor and services in order to be eligible.)

The refund for sales and use tax must be for all eligible items for use at the qualified business site.

TEXAS CAPITAL FUND INFRASTRUCTURE PROGRAM

The Texas Capital Fund Infrastructure Program is an economic development tool designed to provide financial resources to non-entitlement communities. Funds from this program can be utilized for public infrastructure (water, sewer, roads, etc.) needed to assist a business, which commits to create and/or retain permanent jobs, primarily for low and moderate-income persons. The minimum award is $50,000 and the maximum is $750,000. The award may not exceed fifty percent (50%) of the total project cost.

The Texas Department of Agriculture administers the Texas Capital Fund Program. For further details on
the program, please contact Karl Young at 512/936-0281.

TEXAS CAPITAL FUND REAL ESTATE DEVELOPMENT PROGRAM

The Texas Capital Fund Real Estate Development Program is designed to provide financial resources to non-entitlement communities. Funds must be used for real estate development (acquisitions, construction and/or rehabilitation) to assist a business, which commits to create and/or retain permanent jobs, primarily for low and moderate-income persons. This program encourages business development and expansions located in non-entitlement communities. The minimum award is $50,000 and the maximum is $750,000. The award may not exceed fifty percent (50%) of the total project cost. Funds are provided with no interest accruing and with payments based on a 20-year amortization schedule.

The Texas Department of Agriculture administers the Texas Capital Fund Program. For further details on the program, please contact Karl Young at 512/936-0281.

** Total Texas Capital Fund participation from both Infrastructure program and Real Estate Development program may not exceed $750,000.

RURAL MUNICIPAL FINANCE PROGRAM

The Rural Municipal Finance Program was created by the Texas Agricultural Finance Authority (TAFA) to stimulate economic activity in rural Texas. TAFA was created in 1987 as a Public Authority within the Texas Department of Agriculture

This loan program is designed for eligible applicants located within rural areas of the state that provide significant benefits for the rural area, and provide evidence of ability to repay the commitments. Applicants can include: city and county governments; economic development corporations; hospital districts; rail districts; utility districts; special districts; agricultural districts; and private water and wastewater corporations.

An applicant must certify to TAFA that:
1. The project is located in a non-metropolitan statistical area (county); or
2. If in a metropolitan statistical area, the project is in an unincorporated area; or
3. Located in a city with a population of under 20,000, that is not adjoining a city or group of cities with an aggregate population of 50,000 or greater.

Loan amounts range from $50,000 to an amount approved by TAFA's board of directors, but target projects for less than $1,000,000. Loans may be used for real estate purchase, building construction, site improvements, equipment, water and wastewater systems, municipal infrastructure projects and any other use that can be identified to improve or assist in the economic development of the rural area.

The Texas Department of Agriculture administers the Rural Municipal Finance Program. For further details on the program, please contact Karl Young at 512/936-0281.

STATE SALES & USE TAX EXEMPTIONS

Manufacturing Machinery & Equipment

Leased or purchased machinery, equipment, replacement parts, and accessories that have a useful life of more than six months, and that are used or consumed in the manufacturing, processing, fabricating, or repairing of tangible personal property for ultimate sale, are exempt from state and local sales and use tax. Texas businesses are exempt from paying state sales and use tax on labor for constructing new facilities.

Texas businesses are exempt from paying state sales and use tax on the purchase of machinery exclusively used in processing, packing, or marketing agricultural products by the original producer at a location operated by the original producer.

Natural Gas & Electricity

Texas companies are exempt from paying state sales and use tax on electricity and natural gas used in manufacturing, processing, or fabricating tangible personal property. The company must complete a "predominant use study" that shows that at least 50% of the electricity or natural gas consumed by the business directly causes a physical change to a product.

CHAPTER 380

Section 380.001 of the Local Government Code authorizes municipalities to offer a range of incentives designed to promote state or local economic development. Specifically, it allows for the provision of loans and grants of city funds, as well as the use of city staff, city facilities or city services, at minimal or no charge.

To establish a loan or grant or to offer discounted or free city services, the city must meet the requirements contained in the Texas Constitution and in applicable Texas statutes. Additionally, cities must review their city charters and any other local provisions that may limit the city's ability to provide such a grant or loan. To determine the latitude of whether a municipality is able to offer a particular incentive of combination of incentives, local communities should consult their city attorney.

TEXAS INDUSTRY DEVELOPMENT

The Office of the Governor Economic Development and Tourism Division hereby gives notice that The Texas Small Business Industrial Corporation is accepting applications for loans to be funded through the Texas Industry Development Revolving Loan program.

The Texas Industry Development Revolving Loan Program, provides capital to Texas communities and eligible 501(c) 3 corporations at favorable market rates. The program supports eligible tax exempt public purpose projects that stimulate economic development within the community. The loans are available with low cost, variable rate long term financing with the term of the loan not extending beyond the useful life of the assets and up to bond maturity in 2025.

Eligible projects must meet the project definition as described in the Development Corporation Act of 1979, the Texas Industry Development Program Guidelines and all appropriate state and federal regulations as applicable to the program. Examples of public projects include: public facilities; community infrastructure (i.e. water, wastewater, drainage, streets); remediation on public land/facilities, and public transportation. Loan

terms are available for participants with a credit rating of an A or above with a term not to exceed December 2025.

A project must be found to be required or suitable for the promotion of economic development as deemed by the Corporation's board of directors in the performance of its public purposes, functions and duties.

A project will not be eligible for funding under the program for moving existing jobs from one municipality or county in Texas to another municipality or county within the state.

Applications will be accepted at any time during a quarterly round. The initial quarterly round will close at 5:00 p.m. June 1, 2006. Application may be found at: http://www.governor.state.tx.us/divisions/ecodev/ed_bank/TID_loan_program

For additional information please contact Donna Weinberger-Rourke with The Office of the Governor Economic Development and Tourism Division at 512/936-6443.

TEXAS LEVERAGE FUND

The Texas Leverage Fund (TLF) is an "economic development bank" offering an added source of financing to communities that have passed the economic development sales tax. Approximately 500 communities in Texas have adopted the local economic development sales tax. EDT may loan funds directly to a local Industrial Development Corporation (IDC) to finance eligible projects. Sales tax revenues pledged by the IDC need only be sufficient to cover projected annual debt service as specified in the Texas Leverage Fund Program Guidelines. This allows cities to leverage their economic development sales tax and to pursue additional projects.

BONDS

Sales Tax Bonds

Sales Tax Bonds do not fall under the volume cap and are eligible to communities that have passed the economic development sales tax. Ineligible projects include for-profit hospitals, multi-family projects and municipal services.

Exempt-Facility Bonds

Bonds can be issued to finance certain facilities such as airports, dock and wharf facilities, mass commuting facilities, high-speed inter-rail facilities, or certain qualified hazardous waste facilities (including certain training and storage facilities). There is no limit on the amount of the issue and these issues do not require a reservation under the volume cap. Although the facility must be governmentally owned, it may be leased or subject to management contracts with the business.

Other types of exempt bonds include projects for water, sewage and solid waste facilities, facilities for the local furnishing of electricity or gas, local district heating or cooling facilities. These types of exempt-facility issues must reserve a portion of the volume cap. Exempt-facility bonds that are not governmentally owned may reserve up to $25 million in tax-exempt volume cap allocation each year, however, there is no restriction to project size.

Tax-Exempt Industrial Revenue Bonds

Tax-Exempt Industrial Revenue Bonds are designed to provide tax-exempt financing to finance land and depreciable property for eligible industrial or manufacturing projects. The maximum bond amount is $10 million (which can include certain capital and administrative costs). (On January 1, 2007, the maximum bond amount will increase to $20 million.) These issues must receive a reservation under the State's volume limitation ("volume cap") managed by the Texas Bond Review Board.

The Tax Reform Act of 1986 imposes a volume ceiling on the aggregate principal amount of "private activity bonds" that may be issued with the State during any calendar year. Generally, the reservation of state ceiling issues is allocated by lottery in October each program year.

For more information on the "volume cap" or the lottery dates, contact the Texas Bond Review Board at
512/463-1741.

SECTION 108

Entitlement communities may access the Section 108 program through HUD. The program allows entitlement communities the ability to borrow funds guaranteed by Section 108 through pledging their current and future CDBG allocations (up to the loan amount) as security for the loan. HUD provides additional security for the loan (as a loan-loss reserve or debt-service) to reduce the exposure of a community's CDBG funds. Economic Development Initiative (EDI) provides grants to local governments that can be used to enhance both the security of loans guaranteed through Economic Development Loan Fund and the feasibility of the large economic development and revitalization projects they finance. The guaranteed amount may be extended up to five times the community's most recent CDBG allocation. Eligible activities include property acquisition; rehabilitation of publicly owned property; economic development activities; installation of public facilities; and other site improvements.

TEXAS ECONOMIC DEVELOPMENT ACT

In 2001, the 77th Texas Legislature enacted House Bill 1200 creating Tax Code Chapter 313, Texas Economic Development Act, to encourage large-scale manufacturing, research and development, renewable energy, nuclear and integrated

gasification combined cycle electric generation facilities capital investment projects in the State of Texas. It requires companies to invest a specified amount of money to qualify for a tax credit and an eight-year limitation on the appraised value of a property for the maintenance and operations portion of the school district property tax. The local school district must elect to participate in order for the Company to recognize this benefit.

The qualifying investment amount is determined on a sliding scale that begins at $100 million for large urban areas and $30 million for rural areas. The qualifying investment amount is reduced for areas with a lower tax base.

For detailed information regarding this incentive, please contact Gary Price with the Comptroller of Public Accounts at 512/463-3993.

AD VALOREM/ PROPERTY TAX EXEMPTION

Freeport Exemption

A community may choose to offer the Freeport exemption for various types of goods that are detained in Texas for a short period of time. Freeport property includes goods, wares, merchandise, ores, and certain aircraft and aircraft parts. Freeport property qualifies for an exemption from ad valorem taxation only if it has been detained in the state for 175 days or less for the purpose of assembly, storage, manufacturing, processing, or fabricating. For more information, please visit the following links: Texas Constitution Article 8, SectionJ:
http://www.capitol.state.tx.us/txconst/sections/cn000800-01-j00.html
Administrative Code:
http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&ptloc=&p_ploc=&pg=1&p_tac=&ti=34&pt=1&ch=9&rl=415

Goods-in-Transit Incentive

House Bill 621 of the 80th Texas Legislature amends the Tax Code and the Government Code to add an exemption from ad valorem taxation for goods-in-transit. To qualify for the exemption, personal property used for assembling, storing, manufacturing, processing, or fabricating purposes would have to be acquired in Texas or imported into Texas and stored at a Texas location in which the owner of the goods does not have a direct or indirect ownership interest. The goods-intransit would have to be transported to another location in Texas or out of state no later than 175 days after the property was acquired in or imported into the state. Oil and gas and their immediate derivatives, aircraft, and dealer's special inventories would not qualify for the exemption. For more information, please visit the following links:
http://www.capitol.state.tx.us/BillLookup/BillSummary.aspx?LegSess=80R&Bill=HB621
http://www.capitol.state.tx.us/tlodocs/80R/fiscalnotes/html/HB00621F.HTM

Pollution Control Equipment Incentive

A Texas constitutional amendment providing an exemption from property taxation for pollution control was approved in 1993. The intent was to ensure that compliance with environmental mandates, through capital investments, did not result in an increase in a facility's property taxes. A facility must first receive a determination from the Texas Commission on Environment Quality (TCEQ) that property is for pollution control purposes. That positive use determination is then provided to the local appraisal district, which must accept the TCEQ's decision and grant the property an exemption from property taxes.

To be eligible for a positive use determination, the property must have been purchased, acquired, constructed, installed, replaced, or reconstructed after January 1, 1994 to meet or exceed federal, state, or local environmental laws, rules, or regulations.

For detailed information regarding this incentive, please contact David Greer with the Texas Commission on Environmental Quality at 512/239-5344.

ECONOMIC DEVELOPMENT REFUND

The Texas Comptroller of Public Accounts offers a refund of State franchise and sales/use taxes paid by companies owning certain abated property. A company who meets the following three conditions may apply for a refund:

1. Paid property taxes to a school district on property that is located in a reinvestment zone established under Chapter 312.

2. Is exempt in whole or in part from property tax imposed by a city or county under a tax abatement agreement established under Chapter 312.

3. Is not in a tax abatement agreement with a school district.

The refund is equal to the amount of property taxes that would have been paid had the company entered into a school district abatement agreement with terms identical to the city or county abatement agreement, not to exceed the net state sales and use taxes and state franchise taxes paid or collected and remitted during that calendar year. The refund amount may also be limited by a statewide appropriation per year for this refund program.

For more information and assistance on this incentive, contact the Comptroller of Public Accounts at 800/252-9121 or 512/305-9999.

RENEWABLE ENERGY INCENTIVES

Wind and Solar Energy Tax Exemptions and Deductions

Tax Code Section 171.056 extends a franchise tax exemption to manufacturers, sellers, or installers of solar energy devices. The state also permits a corporate deduction from the state's franchise tax for renewable energy sources. Business owners may deduct the cost of the system from the company's taxable capital or deduct 10% from the company's income.

Wind energy qualifies under the term "solar energy" for the exemption and deduction under Sections 171.056 and 171.107.

For more information on the tax exemption, visit the State Energy Conservation Office's website at http://www.seco.cpa.state.tx.us/re_incentives.htm or contact the Comptroller of Public Accounts.

Texas property tax code permits a 100% exemption on the appraised value of solar, wind or biomass energy devices installed or constructed for the production and use of energy on-site.

See Texas property tax Form 50-123, "Exemption Application for Solar or Wind-Powered Energy Devices" to claim this exemption.

Texas also offers a loan program for eligible efficiency technologies. The "LoanSTAR" program is available to schools, hospitals and local governments. The low interest loans are capped at a $5 million maximum and are required to meet certain technical guidelines including a detailed energy assessment report.

Website: http://seco.cpa.state.tx.us/ls.htm

Franchise tax questions
1-800-531-5441, ext. 5-9952 or (512) 305-9952
Property tax questions
1-800-531-5441, ext. 5-9806 or (512) 305-9806

PERMIT ASSISTANCE

TCEQ and the Office of the Governor Economic Development & Tourism division have established a relationship to assist companies, which may experience unwarranted delays in their environmental permitting process for projects that could affect job creation or have a high economic impact.

MOVING IMAGE INDUSTRY INCENTIVE PROGRAM

In 2007, the 81st Texas Legislature enacted House Bill 1634 establishing the Moving Image Industry Incentive Program. Under the legislation, grants to promote industry growth in Texas can be made to applicant production companies.

The incentive is available in the form of a production grant equal to 5% of in-state spending, including wages paid to Texas residents. Grants are available upon project completion to features, television programs, television commercials and video games. Both live action and animated projects are eligible. The maximum grant amounts available after September 1, 2007 are:

- $2 million for features;
- $2.5 million for television programs (for episodic series, $2.5 million per season);
- $200,000 for a commercial, series of commercials or music videos; and
- $250,000 for video games.

Available for review at the Texas Film Commissions website are the specific eligibility qualifications for projects including investment thresholds, employment requirements and content. Specific incentive enhancements related to underused areas are provided.

Website: http://www.governor.state.tx.us/divisions/film/incentives/grants.htm

ECONOMIC DEVELOPMENT & DIVERSIFICATION IN-STATE TUITION FOR EMPLOYEES

The Economic Development and Diversification In-state Tuition incentive may be offered to qualified businesses that are in the decision-making process to relocate or expand their operations into Texas. The incentive allows employees and family members of the qualified businesses to pay in-state tuition fees if the individual files with a Texas institution of higher education. Without this incentive designation, a student must reside in Texas for a 12-month period to be entitled to pay the tuition fees of a Texas resident.

Cibolo Incentive Policy

February 27, 2024

Overview

- Purpose of Policy
- Review of Terms in Policy
- Discussion of Terms
- Next Steps

Questions for City Council

- Does the Council have any feedback on the proposed Incentive Policy?
  A. Is there a desire to adjust any of the specific incentive thresholds identified under Section IV?

What It Is

- The intention of this formal Incentive Policy is to:
  1. Standardize the application process for incentives,
  2. Standardize the incentive approval/disapproval process,
  3. Provide generalized criteria regarding the types of projects that may typically be considered for incentivization, and
  4. Communicate clearly and professionally to commercial prospects the City's willingness to engage in economic incentive discussions.

All incentives shall be considered on a case-by-case basis.

What It Isn't

- The intention of this formal Incentive Policy is **NOT** to:
  1. Guarantee any project of any size, scope, or investment with incentives,
  2. Guarantee any specific amount, type, or value of incentives,
  3. Require the City to authorize any individual economic incentive agreement, or
  4. Deny any interested commercial project from the opportunity to request consideration by the City Council and/or EDC for incentives.

All incentives shall be considered on a case-by-case basis.

Procedures & Application

- This document is presented for informational purposes
- Acts as a guide for City staff in collecting necessary project data and moving incentive request through consideration process
- The information requested on the Application is that which is used to build a Cost-Benefit Analysis for each individual project

Incentive Policy (1)

- This document is presented for Council discussion and feedback

Section I: GENERAL PURPOSE AND OBJECTIVES

- Brief overview of purpose of having an Incentive Policy and of offering incentives

Section II: METHODOLOGY

- Specifies that incentives will be considered on a case-by-case basis
- Incentives must meet standard 'but for' clause for consideration, as is the intention of the provision of incentives by State law ("This project would not occur but for the assistance provided via incentives.")

Section III: CRITERIA

- Describes some of the criteria the City prioritizes when considering incentives
- Calls out that the City will perform a Cost-Benefit Analysis for every incentive under consideration and use that information to assist in determining the merits of incentivization

Incentive Policy (2)

Section IV: AVAILABLE INCENTIVES

A. Tax Abatement/Rebate for Real and/or Personal Property

- Provides some thresholds to assist applicants in determining what they may be eligible to receive in return for their corresponding investment in the community
- Based on three (3) main methods of investment that may be considered in individual or as stacked values:
  1. Value of project's added capital investment
     - Identifies minimum capital investment value of $5M
     - Identifies maximum abatement/rebate term of 10 years
  2. Number of new full-time equivalent jobs created by completed project
     - Identifies minimum number of added FTEs as 25
  3. Whether a majority of the new jobs created offer annual employee wages that exceed county averages for similar job classifications
     - Identifies threshold for consideration at +15%

Incentive Policy (3)

B. Cibolo Economic Development Corporation Grants for Job Creation
- Describes the ability of the CEDC to incentivize job creation with cash grants

C. Fee-Based Incentives
- Describes the reduction or crediting of permit fees and rebating of impact fees as potential incentive offerings

D. Speculative Development
- Describes the prioritization of speculative development seeking incentive when it is located along the IH-10 corridor

E. Chapter 380 Agreements
- Describes the performance-based incentive agreements authorized under Chapter 380 of the Texas Local Government Code

Incentive Policy (4)

F. Other Incentives

- Describes a variety of other common incentive programs that may be applied to certain projects either now or in the future

G. Guaranteed Incentives

- Showcases the incentives the City of Cibolo already offers to new commercial development

V. EXISTING BUSINESS RETENTION/EXPANSION

- Specifies that the City and CEDC are open to discussing incentives for the retention or expansion of existing businesses and not only for new companies entering the market

Incentive Policy (5)

VI. APPROVAL

- Reiterates that all incentives will be considered on a case-by-case basis and must be approved by a formal vote of the City Council and/or CEDC
- Outlines the legal standards within the Texas Government Code that Cibolo upholds for all entities under contract or in agreement with the City
- Outlines the legal disclosure standards required via Form 1295 for all incentive agreements

VII. INCENTIVE RECONSIDERATION

- Describes the process for incentive requests that have been previously denied

VIII. EXCEPTIONS

- Exempts projects located within a Tax Increment Reinvestment Zone (TIRZ) from consideration of an ad valorem tax abatement
- Exempts all residential projects from consideration of incentives
- Reiterates City's ability to enter into incentive agreements that do not comply with any specific term of the Incentive Policy

Incentive Policy (6)

IX. PERFORMANCE

- Specifies that all incentive agreements entered into with the City of Cibolo will be performance-based and will include claw back provisions to protect the City from any unfulfilled performance terms

X. ANNUAL EVALUATION

- Requires that City staff complete an Annual Incentives Report to evaluate the status of all active incentive agreements
- Opportunity to ensure transparency, monitor returns, and legitimize incentives awarded
- Report will be presented to the City Council and CEDC Board
- Report must be posted online and made accessible to the public
- This Annual Incentives Report is in addition to and apart from all legal reporting requirements to Guadalupe County, the Texas Comptroller, and the State

Questions for City Council

- Does the Council have any feedback on the proposed Incentive Policy?
  - A. Is there a desire to adjust any of the specific incentive thresholds identified under Section IV?
    1. Value of project's added capital investment
       - Identifies minimum capital investment value of $5M

Some recent examples of projects between $1M - $5M include:

- Firestone ($1.2M)
- Magnolia Pancake Haus ($1.3M)
- Willie's Grill & Icehouse ($1.7M)
- Chamberlin Roofing & Waterproofing ($1.3M)
- ~12,000 SF industrial building at Jorgenson Industrial Park ($1.2M)
- Kiddie Academy ($1.1M)
- ~35,000 SF shopping center building at Buffalo Heights ($3.8M)
- ~Chick-fil-A ($1.2M)

Some recent examples of projects exceeding $5M include:

- Legacy Traditional School ($20M)
- H-E-B Electronic Fulfillment Center ($10.5M)
- Phase 2 of Aisin ($42.7M)
- Just a Closet Storage ($16M)

       - Identifies maximum abatement/rebate term of 10 years

         Chapter 312 of Texas Tax Code sets maximum term for ad valorem tax abatement at 10 years
    2. Number of new full-time equivalent jobs created by completed project
       - Identifies minimum number of added FTEs as 25
    3. Whether a majority of the new jobs created offer annual employee wages that exceed county averages for similar job classifications
       - Identifies threshold for consideration at +15%

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Presentation on information regarding Texas Municipal League (TML) Youth Advisory Committee Summit. (Councilwoman Sanchez-Stephens)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13K

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13K Youth Advisory Comm.pdf

Youth Advisory Committee Summit

Feb 3-4

Council,

On the weekend of February 3-4, 2024, attended TML's Youth Advisory Committee Summit sponsored and held by the City of Lewisville, TX. These were my notes taken from my time spent there and would appreciate your kind consideration of reviewing their websites to have a further understanding of the impact a YAC can have in a student's life as well as the difference our students can make in our community.

The youth organization can be named various ways: Youth Council, Youth Advisory Committee, Youth Action Council, Youth Advisory Commission. Some youth councils were restricted to grades 10-12 grade while others allowed as young as 7th Grade. Killeen celebrated their YAC's 30th anniversary and mentors as young as 4th grade. YAC's can be arranged formally to sit at the dais or at tables like other boards/commissions. Examples of positions held are: Chair, Vice Chair, Secretary, Treasurer, Social Media, Photographer, etc.

Rockwall, TX: Established YAC 2018. Currently 12 students. Run through Parks and Recreation Staff
Goal: Teach students about local government to create more informed citizens.
2024 Event: Hosting **Life Skills** event to help students prepare for future with resume building, managing finances, looking for employment, searching for scholarships, etc
2023 Event: Arbor event that involved planting trees and leaf pressing for younger attendees.
By Laws: https://rockwall.com/documents/CitySec/YAC/bylaws.pdf
Website: https://rockwall.com/citysec_yac.asp

Lewisville, TX: YAC asks for recruitment from church youth groups, school district, school counselors, local Chamber and through community announcement.
They educate YAC with tours to Animal Shelter, Police Department, Fire Stations, Library Tour, and other Departments of the City so that students are become aware in what it takes to run a city and city services provided.
Website: https://www.cityoflewisville.com/city-hall/city-council-and-mayor/youth-action-council

DeSoto, TX: $40 dues ($25 goes to recreation revolving fund) 15-20 students with serving alternates, focus is on local government and meeting with each department head giving a presentation where then YAC students shadow departments.
Events: Involved with full marketing campaign with their Art Advisory Committee
Shadowed on a CIP project with Engineers
4 Pillars: Sports, Education, Life Skills and Mental Health
2024 Event: Will be hosting a Mental Health and Emotional Fair that will include Therapists and Counselors to provide presentations on anxiety, healthy mindsets, having healthy relationships with parents, etc.
Meets twice a month 5:30pm-6:30pm
Internship Opportunities for the city are created for Youth Council to participate in local government.
Master Plan:
https://cms3.revize.com/revize/desoto/Document%20Center/Departments/Parks%20And%20Recreation/Parks%20Plans%20And%20Projects/City%20of%20DeSoto%20Youth%20Master%20Plan_Final.pdf
Website:
https://www.ci.desoto.tx.us/departments/parks__recreation/about/get_involved/desoto_teen_council.php

Killeen, TX: YAC Focus on 4 PODS: Leadership, Volunteering, Youth Activities, Outreach (all events will fall under any of these specific goals)
Jr. High students are placed in subcommittees of High School Students
Past Events: Youth CPR/First Aide Certification, Create Youth City Cohort, Hosted Local Youth Leadership Conference
Partner with local recreation organization for youth events.
Website: https://www.killeentexas.gov/597/Youth-Advisory-Commission

Dallas,TX: 15 Districts, has a Youth Council Magazine, Podcast, Social Media
This youth commission is large, well established and well funded and receives plenty of donations.
Website: https://www.dallasyouthcommission.com/events

City of University Park Texas Youth Advisory Commission By Laws:
https://www.uptexas.org/DocumentCenter/View/518/Youth-Advisory-Commission-Bylaws-and-Rules-of-Procedure-PDF?bidId=

JR YAC additional notes
Older mentor younger students
Starts at 7th grade and allows them to grow up into the program
Some are combined with High School

Alumni's can be used for mentorship and as speakers as to how their YAC helped them towards their future.

Budgets used for social gatherings to create cohesiveness and team building, snacks for meeting, YAC t-shirts, and any other swag or marketing promoting the YAC at local events. Biggest expensive is TML annual Youth Summit.

Fundraiser: YAC garage sale

Non-Profits: love using YAC's for networking and volunteering

Texas Youth Action Network: provides mini grants upto 10k over a 2 year period for YAC's
Website: https://tyan.tamu.edu

Youth Councils have received overwhelming support in their communities through fundraising, and community donations.

I appreciate the opportunity to have gathered this information for the possibility of beginning our own Youth Council. Your kind consideration would be greatly appreciated.

Professionally,
Norma Sanchez-Stephens
Cibolo City Council District 5

City of Cibolo

City Council Regular Meeting Staff Report

Discussion on whether certain roads in our 5-Year Capital Improvement Plan (CIP) should accommodate sidewalks or bike lanes. (Councilwoman Sanchez-Stephens)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13L

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion and possible policy on Council’s travel, training, and meeting. (Councilwoman Cunningham)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13M

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion on amending the Council's budget to add funds to travel/training or meeting expense. (Councilman Hicks)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13N

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion from Councilmembers that have attended seminars, events, or meetings. (Council)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13O

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion on items the City Council would like to see on future agendas. (Council)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13P

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

City of Cibolo

City Council Regular Meeting Staff Report

Discussion/Action on the review and confirmation of all upcoming special meetings and workshops and scheduling the time, date and place of additional special meetings or workshops. (Ms. Cimics)

Meeting	Agenda Group	
Tuesday, February 27, 2024, 6:30 PM	Discussion/Action	Item: 13Q

From
Valerie Chapman, Assistant City Secretary

PRIOR CITY COUNCIL ACTION:

N/A

BACKGROUND:

N/A

STAFF RECOMMENDATION:

N/A

FINANCIAL IMPACT:

N/A

MOTION(S):

N/A

Attachments

13Q Calendars.pdf

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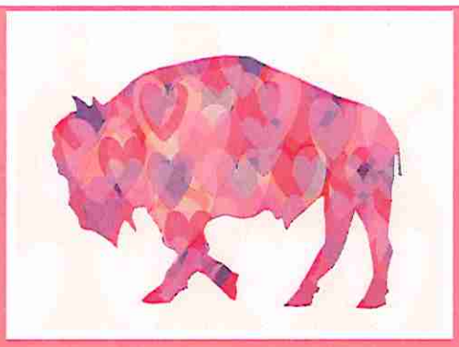

2024

onday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3
5	6	7 Parks Meeting 6:30pm	8 Historic Meeting 6:30pm	9	10
12 helter Advisory eting 6:30pm	13 Council Meeting 6:30pm	14 P&Z Meeting 6:30pm	15 EDC Meeting 6:30pm	16	17
es Closed 19 	20 Joint Strategic Plan, Council, and EDC Meeting 6:30pm	21	22 MPAC Meeting 6:30pm	23	24
26	27 Council Meeting 6:30pm	28	29 Joint MPAC, Council, EDC Meeting 6:30pm		

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2024

onday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2
4	5	6 Parks Meeting 6:30pm	7	8	9
11	12 Council Meeting 6:30pm	13 P&Z Meeting 6:30pm	14 Historic Meeting 6:30pm	15	16 Council Strategic Management Workshop 9am-4:30pm
18	19 Joint Council/EDC Strategic Plan Meeting 6:30pm	20	21 EDC Meeting 6:30pm	22	23
25	26 Council Meeting 6:30pm	27	28 Land Swap, Council, EDC Meeting 6:30pm	City Offices Closed 29 	30