

City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS
AUGUST 5, 2010 6:00 P.M.

AGENDA

CALL TO ORDER: AUGUST 5, 2010 @ 6:00 P.M.

CALL OF ROLL: CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

CITIZENS COMMUNICATIONS:

THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING COUNCIL. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COUNCIL CONSIDERATION.

1. CONSENT AGENDA

THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 15, 2010.
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JULY 21, 2010.
- (C) APPROVAL OF THE JUNE 2010 FINANCIAL STATEMENTS FOR THE CITY OF WIMBERLEY

2. PRESENTATION

PRESENTATION BY REPRESENTATIVE(S) OF THE CITY OF WIMBERLEY TRANSPORTATION ADVISORY BOARD OF A PROPOSED TEN (10) YEAR CAPITAL IMPROVEMENT PROGRAM TO IMPROVE CITY STREETS. (TRANSPORTATION ADVISORY BOARD)

3. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE EFFORTS UNDERWAY TO SECURE FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON THE DEVELOPMENT OF A CONTRACT LAW ENFORCEMENT PLAN FOR THE CITY OF WIMBERLEY
- STATUS REPORT ON THE RECONSTRUCTION OF LAS FLORES DRIVE, LA PAIS DRIVE AND PALOS VERDES DRIVE
- STATUS REPORT ON THE INSTALLATION OF SPEED HUMPS ON LA BUENA VISTA DRIVE
- STATUS REPORT ON THE DEVELOPMENT OF A PROPOSED EXTENSION TO THE CITY OF WIMBERLEY'S SOLID WASTE/RECYCLING CONTRACT WITH TEXAS DISPOSAL SYSTEMS
- STATUS REPORT ON THE OPERATION OF THE BLUE HOLE REGIONAL PARK
- STATUS REPORT ON THE IMPLEMENTATION OF A NEW PROCESS FOR THE POSTING OF CITY COUNCIL MEETING AGENDAS AND THE PRODUCTION OF CITY COUNCIL AGENDA PACKETS
- STATUS REPORT ON THE PROPOSED FISCAL YEAR 2011 WORK PLAN AND BUDGET FOR THE WIMBERLEY WASTEWATER TREATMENT PLANT SYSTEM SERVING THE DEER CREEK REHABILITATION CENTER

4. **PUBLIC HEARING AND POSSIBLE ACTION**

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MARCILIA ANDERSON TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .41 ACRE TRACT LOCATED AT 110 OAK DRIVE, WIMBERLEY, TEXAS, ZONED COMMERCIAL-LOW IMPACT (C-1), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(MARCILIA ANDERSON, APPLICANT)*
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY JAMES AND JUDY THOMPSON TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY 1.024 ACRE TRACT LOCATED AT 408 BLUE HERON RUN, WIMBERLEY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(JAMES AND JUDY THOMPSON, APPLICANTS)*
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DONN AND PAMELA LAMOUREUX TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .50 ACRE TRACT LOCATED AT 444 BLUE HERON RUN, WIMBERLEY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(DONN AND PAMELA LAMOUREUX, APPLICANTS)*

- (D) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DONN AND PAMELA LAMOUREUX TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .35 ACRE TRACT LOCATED AT 430 BLUE HERON RUN, WIMBERLEY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. (*DONN AND PAMELA LAMOUREUX, APPLICANTS*)
- (E) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING CHAPTER 155 (ZONING) SUBSECTIONS 155.107(B)(2) AND (B)(3) (PLANNING AND ZONING COMMISSION) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE APPOINTMENT PROCESS FOR PLANNING AND ZONING COMMISSION MEMBERS; AND PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY. (*CITY ADMINISTRATOR*)

5. **ORDINANCES**

- (A) CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE III (ADMINISTRATION), SECTION 35.01 (FEE SCHEDULE) OF THE CODE OF ORDINANCES TO AMEND SUBSECTION (D) (ZONING SCHEDULE OF FEES) TO ADD AN APPLICATION FEE TO AMEND APPROVED WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) ZONING ORDINANCES; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. (*CITY ADMINISTRATOR*)
- (B) CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, ORDERING A SPECIAL ELECTION ON SEPTEMBER 18, 2010, FOR THE PURPOSE OF FILLING A VACANCY ON THE CITY COUNCIL BY ELECTING A CITY COUNCIL MEMBER FOR PLACE TWO OF THE CITY OF WIMBERLEY CITY COUNCIL; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THE ELECTION; MAKING OTHER PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE. (*CITY ADMINISTRATOR*)

6. **DISCUSSION AND POSSIBLE ACTION**

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION AUTHORIZING THE COUNTY OF HAYS TO RESURFACE THAT PORTION OF FLITE ACRES ROAD LOCATED WITHIN THE WIMBERLEY CITY LIMITS AT NO COST TO THE CITY OF WIMBERLEY. (*CITY ADMINISTRATOR*)
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION ON A REQUEST FROM THE CITIZENS ALLIANCE FOR RESPONSIBLE DEVELOPMENT (CARD) FOR THE CITY OF WIMBERLEY TO BE A CO-HOST OF *ECO FEST 2010* ON OCTOBER 16, 2010. (*JIM MC MEANS, CARD*)
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION ON 2010 PRIORITIES FOR THE CITY OF WIMBERLEY. (*CITY ADMINISTRATOR*)

- (D) DISCUSS AND CONSIDER POSSIBLE ACTION ON ISSUES RELATING TO THE DEVELOPMENT OF THE FISCAL YEAR 2011 OPERATING BUDGET FOR THE CITY OF WIMBERLEY. (CITY ADMINISTRATOR)
- (E) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSED ELECTION SERVICES AGREEMENT WITH THE HAYS COUNTY ELECTIONS DIVISION TO CONDUCT A SPECIAL ELECTION FOR THE CITY OF WIMBERLEY ON SEPTEMBER 18, 2010. (CITY ADMINISTRATOR)
- (F) DISCUSS AND CONSIDER POSSIBLE ACTION ON A CHANGE ORDER TO THE CITY OF WIMBERLEY'S ROAD CONSTRUCTION CONTRACT WITH CHAD SPRINGS CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$11,325.14 FOR THE INSTALLATION OF A CUL-DE-SAC ON LAS FLORES DRIVE. (CITY ADMINISTRATOR)
- (G) DISCUSS AND CONSIDER POSSIBLE ACTION ON A CHANGE ORDER TO THE CITY OF WIMBERLEY'S ROAD CONSTRUCTION CONTRACT WITH CHAD SPRINGS CONSTRUCTION IN THE AMOUNT OF \$6,601.56 FOR ADDITIONAL BASE MATERIAL AND WATER ASSOCIATED WITH THE RECONSTRUCTION OF LAS FLORES DRIVE, LA PAIS DRIVE AND PALOS VERDES DRIVE. (CITY ADMINISTRATOR)
- (H) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSED SPEED HUMP POLICY FOR THE CITY OF WIMBERLEY, TEXAS. (CITY ADMINISTRATOR)

7. **EXECUTIVE SESSION:**

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session. After the executive session discussion on any of the following items, any final action or vote taken will be in public:

CONSULTATION WITH ATTORNEY REGARDING PENDING LITIGATION IN CAUSE NO. 08-1984, CYNDI BROWN, INDIVIDUALLY VS. CITY OF WIMBERLEY, TOM HALEY, INDIVIDUALLY AND DON FERGUSON, INDIVIDUALLY IN THE 428TH DISTRICT COURT OF HAYS COUNTY, TEXAS AND THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

8. **CITY COUNCIL REPORTS**

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

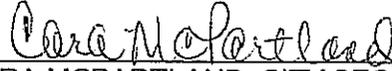
ADJOURNMENT

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE;

DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

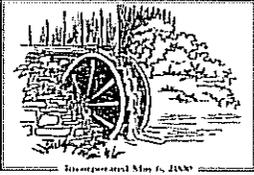
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on August 2, 2010 at 5:30 p.m.



CARA MCPARTLAND, CITY SECRETARY

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: APPROVAL OF JULY 15,
2010 MINUTES OF REGULAR CITY COUNCIL
MEETING

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the July 15, 2010 Regular City Council Meeting for review and consideration.

City of Wimberley
 City Hall, 221 Stillwater
 Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
 July 15, 2010 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Bob Flocke.

Mayor Flocke gave the Invocation and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Bob Flocke and Councilmembers Charles Roccaforte, Mac McCullough, Bill Appleman, Steve Thurber, and John White.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland.

Citizens Communications

No citizen comments were heard.

1. Consent Agenda

- A. Approval of the minutes of the regular City Council meeting of July 1, 2010
- B. Approval of the minutes of the special City Council meeting of June 29, 2010
- C. Approval of the appointment of Tevis Grinstead to the City of Wimberley Board of Adjustment as an alternate member. (*Place Three Councilmember Bill Appleman's nominee*)

Councilmember Thurber pulled Consent Agenda Items 1A and 1B, and moved to approve Consent Agenda Item 1C. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

Councilmember Thurber requested the following amendment to Consent Agenda Item 1A relating to Item 4B on page 4: "Councilmember Thurber moved to *continue* this item until Council's meeting on July 15, 2010."

Councilmember Thurber requested the following amendment to Consent Agenda Item 1B: Delete Councilmember Thurber's name from those listed as present.

Councilmember Thurber moved to approve Consent Agenda Items 1A and 1B as amended. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

- Status report on the efforts underway to secure federal funding for the downtown wastewater project

City Administrator Ferguson reported that presentation of the City's loan application is anticipated at the Texas Water Development Board's August 19, 2010 meeting. He advised that a joint workshop to be held with City Council, Water Wastewater Advisory Board, and Hays County is tentatively scheduled for late summer pending completion of a regional study.

- Status report on development activity in the City of Wimberley

As compared to last calendar year, City Administrator Ferguson cited an increase in subdivision activity, relatively dormant residential building permit activity, decrease in new home starts, and increase in remodels and construction of secondary residences. He noted that commercial building permit statistics are significantly lower this year due to last year's large-scale Wimberley Independent School District's building projects. Most commercial building permits were issued for remodeling, fences, and general internal work. With City-initiated zoning completed, more applications for conditional use permits are anticipated.

- Status report on the reconstruction of Las Flores Drive, La Pais Drive, and Palos Verdes Drive

City Administrator Ferguson reported that lack of base materials on La Pais and Palos Verdes Drives is expected to increase costs by approximately \$5,000, but hoped to save on this added expense by reusing leftover base material from Las Flores Drive. He anticipated project completion before the end of this fiscal year. He thanked residents for their cooperation and noted that only three trees had to be removed from the right of way for safety reasons.

- Status report on the operation of the Blue Hole Regional Park

City Administrator Ferguson reported on recent weather-related closures, decreases in issuance of season passes, increased gate receipts, and positive impact on attendance from favorable media coverage. He stated that *Design Workshop* is beginning the permitting process and that a general clearance letter will be required from U.S. Fish and Wildlife Service. In response to Councilmember White, City Administrator Ferguson replied that design options are being considered to facilitate water access at Blue Hole.

- Status report on the upcoming *City Council Goals and Objectives Workshop*

City Administrator Ferguson reported that the workshop is scheduled for Wednesday, July 21, 2010 at 10:00 a.m. at the Way Ranch. He advised that an agenda will be posted at City Hall and on the City's website. The public is invited and lunch will be provided to Council.

- Status report on Fourth of July festivities in the City of Wimberley

City Administrator Ferguson reported that around 2,000 people attended the Fourth of July Jubilee and fireworks display. He stated that traffic control is needed to help facilitate exiting the events next year. Around 2,500 people observed Monday's July 5th parade, with only one minor injury of a parade participant reported. Despite the Friday, July 2nd closure due to inclement weather, more than 700 people visited Blue Hole over the holiday weekend.

3. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by *Leaning Pear, LLC* to permit a sit down eating establishment including the sale of beer, wine, and alcohol for on premise consumption on a tract of land located at 111 River Road, Wimberley, Hays County, Texas, zoned Commercial – Low Impact (C-1), and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Leaning Pear, LLC, Applicant; this item was continued from the July 1, 2010 City Council meeting*)

City Administrator Ferguson presented staff's report including subject property location, current/proposed zoning and uses, acreage, and planning area. No public comments were received on the application. Maps/aerials were displayed detailing the subject property, which will not require a distance waiver. He stated that the Planning and Zoning Commission unanimously recommended approval.

No public comments were heard.

Councilmember Thurber moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

After the vote was taken, Councilmember McCullough asked City Administrator Ferguson how much money had been collected for the Fourth of July fireworks display (referring to the last item under Agenda Item 3). City Administrator Ferguson replied that after all collections were received, the City expects to pay the remaining balance of \$1,200 to \$1,500.

- B. Hold a public hearing and consider approval of the first reading of an ordinance amending Chapter 155 (Zoning) Subsections 155.107(B)(2) and (B)(3) (Planning and Zoning Commission) of the Code of Ordinances of the City of Wimberley, Texas in order to revise the appointment process for Planning and Zoning Commission members; and providing for findings of fact, and effective date; proper notice and meeting, and severability. (*City Administrator*)

City Administrator Ferguson explained the proposed ordinance, which establishes an appointment process where each member of the City Council and Mayor shall nominate one (1) member to the Commission at the first regular meeting in July following their election to office. A seventh member shall be nominated by a consensus of the Council at the first meeting in July following the Mayor's election to office. Each person nominated must be approved by a simple majority vote of the Council before becoming a member of the Commission. Each member's term in office will run concurrent with the term of the City Councilmember who made his or her appointment, unless sooner removed or resigned. The term of the consensus member shall run concurrent with the term of the Mayor. The members of the Board shall serve until their successors are appointed. Each Commission shall be eligible for reappointment.

It was noted that a similar appointment process currently exists for most of the other City boards and commissions and that the proposed ordinance would replace the appointment process that has been in place for several years.

No public comments were heard.

Councilmember Appleman moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 5-0.

4. Discussion and Possible Action

- A. Discuss and consider possible action on a proposal to make Las Flores Drive a dead end street. *(Place Three Councilmember Bill Appleman)*

Councilmember Appleman hoped that this proposal offers a compromise solution that allows for access from Ranch Road 12 to FM 2325 at a slightly greater distance, while discouraging use as a cut-through street. Addressing concerns expressed over precedent-setting street closures, he stated that any future street closure(s) should be considered on the basis of the public's health, safety, and welfare. Councilmember Appleman cited examples of successful street closures in other cities that improved safety for affected neighborhoods. He felt that over time people will adjust and find that using other cross over streets such as Emergency Lane will be just as easy as using the longer La Buena Vista loop to access FM 2325, and discourage speeding cut-through traffic on Las Flores Drive.

Craig Fore of 311 La Buena Vista agreed with Councilmember Appleman's proposal to discourage cut-through traffic and added that implementation should take place before the start of the school year in order for drivers to become accustomed to the changed route.

Tammy Sedam of 10 Las Flores Drive felt that this proposal is a good compromise solution that will improve safety. She stated that low attendance by Las Flores neighborhood residents at tonight's meeting may be due to threatening emails. Ms. Sedam feared for her son's safety while riding his bicycle and sought advice from legal counsel and law enforcement to deal with possible acts resulting from threats. She asked that Council approve action to make Las Flores a dead end street.

Madonna Kimball asked for clarification on the exact route drivers would take through the neighborhood to cross from FM 12 to FM 2325. Discussion established that traffic would be routed from Las Flores Drive to La Buena Vista at the existing 3-way stop intersection, then briefly back onto Las Flores for about 100 feet, to reach FM 2325.

City Administrator Ferguson stated that there will be conspicuous speed limit signage, a designated school zone, and possible speed humps on La Buena Vista, with the partially blocked intersection of Las Flores/La Buena Vista becoming a two-way stop intersection. Mrs. Kimball questioned why Council voted to keep Las Flores Drive open at its last meeting and is now considering closure at tonight's meeting. Councilmember Appleman explained that Council acted at its last meeting on a specifically worded agenda item relating to complete closure of Las

Flores Drive that would not allow any way to cross from Ranch Road 12 to FM 2325. Mrs. Kimball expressed concerns about possible congestion at Emergency Lane and asked about repaving of La Buena Vista, should this proposal be approved. Councilmember Appleman replied that Emergency Lane was designed as a cross over, unlike Las Flores Drive which cuts through a neighborhood. He stated that he would not propose repaving of La Buena Vista, which is in good condition.

Jean Veriato of 8 Las Flores spoke in favor of this proposal and felt that cut-through traffic will decrease due to the longer, winding route, which would include a school zone, and possible speed hump(s), if approved. She stated that traffic backed up from FM 2325 would no longer block residential driveway exits if Las Flores Drive became a dead end street.

Discussion addressed the specific location for school zone designation, proposed route of traffic from Ranch Road 12 to FM 2325, prohibition of trucks, and associated signage.

Councilmember Thurber cited statistics on public input to date indicating an even number of supporters and opponents on the issue of completely barricading any through traffic in the Las Flores neighborhood. He felt that this proposal to make Las Flores Drive a dead end street is a good compromise that will give residents their neighborhood back.

Discussion clarified the exact proposed route for Councilmember White, who expressed concerns about impact on residents of La Buena Vista. City Administrator Ferguson felt that this proposal would not present as much of a problem on La Buena Vista Drive, which contains approximately twelve residences that are set back on fairly large lots. In the event of a Council motion in favor of this agenda item, discussion established that it may include language relating to installation of speed humps on La Buena Vista, creation of a school zone, and signage as part of the motion (see Agenda Item 4B). In response to Mayor Flocke, City Administrator Ferguson stated that the lowest probable speed designation for schools zones is 15 miles per hour, with cell phone use prohibited. It was suggested to add signage clearly indicating that traffic turning onto FM 2325 from Las Flores Drive is entering an existing school zone.

Councilmember Appleman moved to approve the item as presented, with additional direction to staff to proceed with installation of two speed humps on La Buena Vista in locations deemed appropriate by City Administrator Ferguson. Councilmember McCullough seconded.

Councilmember Thurber requested a friendly amendment to add language to the motion relating to school zone signage on La Buena Vista and consultation with the City Engineer on speed hump installation. Councilmember Appleman accepted Councilmember Thurber's friendly amendment. Councilmember McCullough seconded.

In response to Mayor Flocke, City Administrator Ferguson replied that at least two speed humps will likely be needed on La Buena Vista. Councilmember McCullough requested a second friendly amendment to add language to the amended motion that allows installation of up to four speed humps on La Buena Vista. Councilmember Thurber seconded.

Mayor Flocke called for a vote as follows: Councilmember Roccaforte, aye; Councilmember McCullough, aye; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, nay. Motion carried on a vote of 4-1.

- B. Discuss and consider possible action on a proposal to install speed humps on Las Flores Drive and La Buena Vista Drive. (*City Administrator*)

Mayor Flocke introduced the item, which died for lack of a motion (see previous Agenda Item 4A).

- C. Discuss and consider possible action on a proposed speed hump policy for the City of Wimberley, Texas. (*City Administrator*)

City Administrator Ferguson summarized key differences between two proposed policies, one of which includes cost sharing options, and recommended the cost sharing version.

Councilmember McCullough felt that the City should be responsible for costs if there is a need established for speed humps, regardless of whether installation was requested by the City or by residents.

Councilmember Thurber believed that the need for speed humps will change as the City grows, favored the cost sharing option, and felt that citizens who request and benefit from speed humps should bear part of the responsibility for costs.

Referring to recent examples, Councilmember McCullough stated that the neighborhood would want and request speed humps because they feel there is a need for them.

Mayor Flocke stated that if citizens' speed hump requests meet defined eligibility criteria, then the City should bear the costs. If eligibility criteria are not met and citizens still want speed humps installed, they could do so at their own cost.

Councilmember Thurber expressed budgetary concerns and discussion addressed funding options based on budget procedures/constraints, various cost sharing scenarios, and associated deadlines relating to submission of requests, review procedures, funding, and installation. City Administrator Ferguson suggested a system for request submission with specific deadlines and clarified differences in the two versions before Council, particularly relating to eligibility and cost responsibility.

Councilmember White favored cost sharing and felt that the City needs to bear some cost responsibility, once need and eligibility have been established per defined criteria.

Clarification was provided to Councilmember McCullough regarding the ability of Council to approve speed hump installation, regardless of submission/review deadlines, if there is an imminent need established in the interest of public safety. Discussion among Council and City Administrator Ferguson addressed protections against frivolous requests for speed humps.

Councilmember Thurber suggested the following changes to the final draft of the cost sharing version:

2(A)(3) - Delete the clause, "In the absence of a neighborhood association" and replace with wording that effectively states "Regardless of the existence of a neighborhood association."

2(B)(8) - Replace the reference to *eight hundred (800) vehicles* with *four hundred-fifty (450) vehicles*.

City Administrator Ferguson reminded that the cost sharing version assigns points for both eligibility *and* cost sharing. He provided examples with specific shared percentages.

Councilmember Thurber requested to continue this item until Council's next regular meeting on August 5, 2010 to allow for further review. City Administrator Ferguson agreed to provide examples at Council's next meeting by using specific streets to better illustrate implementation of proposed speed hump policies.

Mayor Flocke entertained a motion to continue this item and advised Council to forward input to City Administrator Ferguson so that suggested changes may be incorporated into the revised draft. Councilmember Thurber moved to continue this item until Council's next regular meeting on August 5, 2010. Councilmember McCullough seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action on a proposal for the City of Wimberley to contract with off-duty law enforcement officers to provide traffic enforcement on City streets.
(Place Two Councilmember Mac McCullough)

Lacking a city marshal program, Councilmember McCullough stated that the City has no means to enforce traffic regulations or City ordinances. Given expressed concerns from residents about lack of enforcement, he felt that hiring of contract law enforcement may provide an interim solution.

City Administrator Ferguson reviewed the City's history of using contract law enforcement for heavy traffic periods (such as the beginning of the school year) and to supplement the former city marshal's efforts. He provided details on costs (approximately \$125 per hour) and advised that Council may give specific directions to contract personnel on traffic enforcement.

Discussion addressed coordination of staffing with off-duty personnel from Hays County Sheriff's Office (HCSO) and Hays County Constable Offices, limited number of available peace officers, filing of citations in the Hays County Justice of the Peace Court, scheduling deadlines, specific duties, estimated minimum number of hours needed per week, and extra hours for certain heavy traffic times. City Administrator Ferguson anticipated the need for three to five four-hour shifts per week. He stated that logistics of enforcing City Code violations would have to be worked out with personnel, if Council desires to add Code enforcement to traffic duties. Discussion addressed lack of enforcement for City ordinances, actual and hypothetical examples of Code violations, and feasibility of consolidation with other entities.

After discussion on motion wording, Councilmember McCullough moved to approve a proposal for the City of Wimberley to contract with off-duty law enforcement officers to provide traffic enforcement on city streets and enforcement for other City ordinances, if possible. Councilmember Thurber seconded. Discussion clarified that the motion authorizes staff to enter negotiations with the appropriate law enforcement agencies in order to bring a proposal to Council for future consideration and does not authorize expenditures, which would require a budget amendment of the current fiscal year. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action on a proposal to reinstate the City Marshal Program for the City Wimberley. (*Place Two Councilmember Mac McCullough*)

Councilmember McCullough stated the need for means to enforce City Code and traffic regulations and commended the former city marshal's performance.

Discussion addressed apportionment of duties, possible cost sharing with City of Woodcreek, use of the term "marshal" versus "police," sharing of duties between jurisdictions, need for a city marshal program, funding concerns, and traffic/ordinance enforcement.

Mayor Flocke felt that the term "marshal" is ambiguous compared to "police officer." He suggested that action be delayed until after Council has held more in-depth budget discussions. There was general agreement to further discuss this issue during the budget process.

Councilmember Appleman moved to table this item for a later time during the budget process. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider possible action authorizing the County of Hays to resurface that portion of Flite Acres Road located within the Wimberley city limits at no cost to the City of Wimberley. (*City Administrator*)

City Administrator Ferguson presented Hays County Precinct 3 Commissioner Will Conley's letter proposing to resurface Flite Acres Road, including the portion within the city limits, at no cost to the City in order to maintain connectivity and continuity of pavement surface throughout its entire length. City Administrator Ferguson recommended approval contingent upon the following conditions: No costs will be incurred by the City and Hays County Commissioners Court must authorize such work.

Flite Acres resident Alice Wightman recalled Hays County Transportation Director Jerry Borcharding's statement from October 2009 that road work "will not happen" unless residents want it. Ms. Wightman also recalled Hays County Judge Liz Sumter's remarks to her in April 2010, indicating that Flite Acres Road repaving is "dead." Ms. Wightman preferred the small "country lane" look of the current road, which she stated has been improved within the last five years, and cited problems with speeding vehicles. She questioned the fairness of the public process and asked that action on this item be postponed. Ms. Wightman felt that blacktop would distinguish Flite Acres from other roads and attract attention to it. She stated that a new, smooth surface would only encourage speeders. Ms. Wightman asked for more time to better inform the public, gauge residents' support, and decide if repaving is needed.

Because only certain portions of Flite Acres Road are inside city limits, City Administrator Ferguson advised that Hays County can proceed with repaving on its portions, regardless of Council action. If Hays County proceeds with repaving only its portion of Flite Acres, there may be problems with surface continuity. He acknowledged that according to the City's grading system, Flite Acres Road would not be a high priority. Discussion addressed the scope of work to be done.

Cynthia Marion asked which portions of Flite Acres are inside city limits versus county limits. City Administrator Ferguson stated that there are several different City-owned portions along Flite Acres Road of varying lengths. Ms. Marion stated that when "someone's offering to give me something for free, I kind of wonder what's going on."

Denise Jackson asked why resurfacing is scheduled and worried that speeders could lose control, drive through her fence, and endanger her grandchildren. She stated that she has a problem with making Flite Acres a "drag strip." Lee Jackson suggested speed humps.

Mayor Flocke agreed that money could be better spent on other Precinct 3 roads, but cautioned that the City's portions, if not resurfaced with Hays County's portions, would create an uneven surface. Several speakers requested additional specifics on the exact parameters of work to be done and identification of sections of Flite Acres Road that are located within the City of Wimberley versus Hays County. City Administrator displayed a map of Flite Acres Road and stated that barring an exact survey of each section, the total estimated City portion is over 8,000 linear feet.

Alice Wightman acknowledged that residents need to express their concerns to the Hays County Commissioners Court and felt that in light of work done on Flite Acres in the last five years, resurfacing is not necessary. She described the public process as "shadowy," repeated Jerry Borcharding's previously cited statement, and questioned why the road is being resurfaced again.

Mayor Flocke advised that residents' questions should be directed to Hays County Commissioners Court. He stated that Hays County has improved Flite Acres Road within the last five years. Referring to the timing of resurfacing, City Administrator Ferguson stated that Hays County has a regular maintenance schedule.

Councilmember Thurber cited earlier conversations with several residents, including one who was surveyed about the project. Based on these contacts, Councilmember Thurber felt that residents favoring resurfacing only wanted chip sealing, with no striping or new asphalt surface, in order to maintain the character of the neighborhood. Councilmember Thurber felt that this project is a waste of taxpayer money and favored delaying action until Hays County provides specific information on the proposed work and assures that all work is done in accordance with City Code. Councilmember Thurber did not feel that Council should act on this item until Hays County Commissioners Court has approved the project. Mayor Flocke stated that Hays County does not need Commissioners Court approval for allocation of road funds. Councilmember Thurber did not feel that a commissioner should be able to initiate road improvement projects at

his own discretion without Commissioners Court approval and was uncomfortable with accepting a gift from Hays County without such approval.

Councilmember Thurber moved to *not* authorize the County of Hays to resurface that portion of Flite Acres Road located within the Wimberley city limits until the City receives specifications on work to be done and concurrence with Hays County Commissioners Court.

Discussion addressed the role of Hays County Commissioners Court related to road fund expenditures, associated responsibilities, and the existing interlocal agreement between Hays County and the City of Wimberley. Councilmember Thurber was concerned about a commissioner giving a gift to the City utilizing taxpayer dollars, and found it hard to accept such a gift without approval of the entire Commissioners Court. Discussion established that Hays County can still resurface its own portions of Flite Acres Road, regardless of Council's action relevant to the City's portion.

Councilmember Thurber restated his motion to *not* authorize Hays County to resurface that portion of Flite Acres Road within the city limits of Wimberley.

Councilmember McCullough stated concerns about creation of uneven road surface conditions. Councilmember Thurber felt that un-resurfaced City portions would serve to slow traffic down along Flite Acres Road.

Motion died for lack of a second.

Councilmember McCullough moved to direct City Administrator Ferguson to provide Council with explicit details obtained from Commissioner Conley on the exact extent of construction, including striping, in order for Council to make an informed decision.

City Administrator Ferguson stated that Commissioner Conley indicated that construction will be confined to an asphalt overlay for maintenance purposes, with no striping work, other than that requested by the City at the Flite Acres Road/FM 3237 intersection. There was no mention of tree removal and only minimal drainage work, as needed.

Councilmember Thurber stated that Council needs more details.

At Mayor Flocke's request, Councilmember McCullough restated his motion to authorize City Administrator Ferguson to obtain explicit details from Commissioner Conley for the entire project.

Councilmember McCullough replied negatively to City Administrator Ferguson's inquiry about exploring Hays County's position on project authorization.

Councilmember Appleman seconded.

Mayor Flocke called for a vote as follows: Councilmember McCullough, aye; Councilmember Appleman, aye; Councilmember Thurber, nay; Councilmember White, aye; Councilmember Roccaforte, aye. Motion carried on a vote of 4-1.

There was brief discussion on determination of City of Wimberley/Hays County boundaries and the need for a city limits survey.

Mayor Flocke stated that Council has completed discussion and action on this matter and advised Ms. Wightman that she may provide further input at a later time.

G. Discuss and consider possible action on issues relating to the development of the Fiscal Year 2011 Operating Budget for the City of Wimberley. *(City Administrator)*

City Administrator Ferguson explained the budget process/timeline. Councilmember Appleman stressed the need for street improvements and hoped to receive the Transportation Advisory Board's five-year capital improvement plan before budget discussions. Mayor Flocke suggested a ten-year plan is more common for street maintenance. Councilmember Appleman recommended a five-year plan to bring City streets up to minimum standards. Councilmember Thurber felt that sidewalks are needed to improve pedestrian safety and mobility. Councilmember McCullough stated that lighting is needed from the City parking lot to the Square.

5. City Council Reports

- Announcements
- Future Agenda Items

As a future agenda item, Councilmember McCullough requested that consideration be given to tasking the Hays County Voter Registrar, City Administrator Ferguson, and two or more respected citizens with reviewing and scrutinizing voter rolls for ineligible voters.

Councilmember Thurber asked City Administrator Ferguson to check with the Planning and Zoning Commission on providing a member to present Commission reports to Council.

Councilmember Appleman requested that City boards/commissions report to Council on a regularly scheduled basis. Discussion addressed the possibility of scheduling joint workshops with certain boards/commissions.

Councilmember Appleman requested quarterly reports Wimberley Community Center (WCC) operations. City Administrator Ferguson advised that the last report was provided to Council in late May and noted that details on WCC revenues/expenditures are included as part of the City's monthly financial statements.

Hearing no further announcements or future agenda item requests, Mayor Flocke called the meeting adjourned at 8:21 p.m.

Adjournment: Council meeting adjourned at 8:21 p.m.

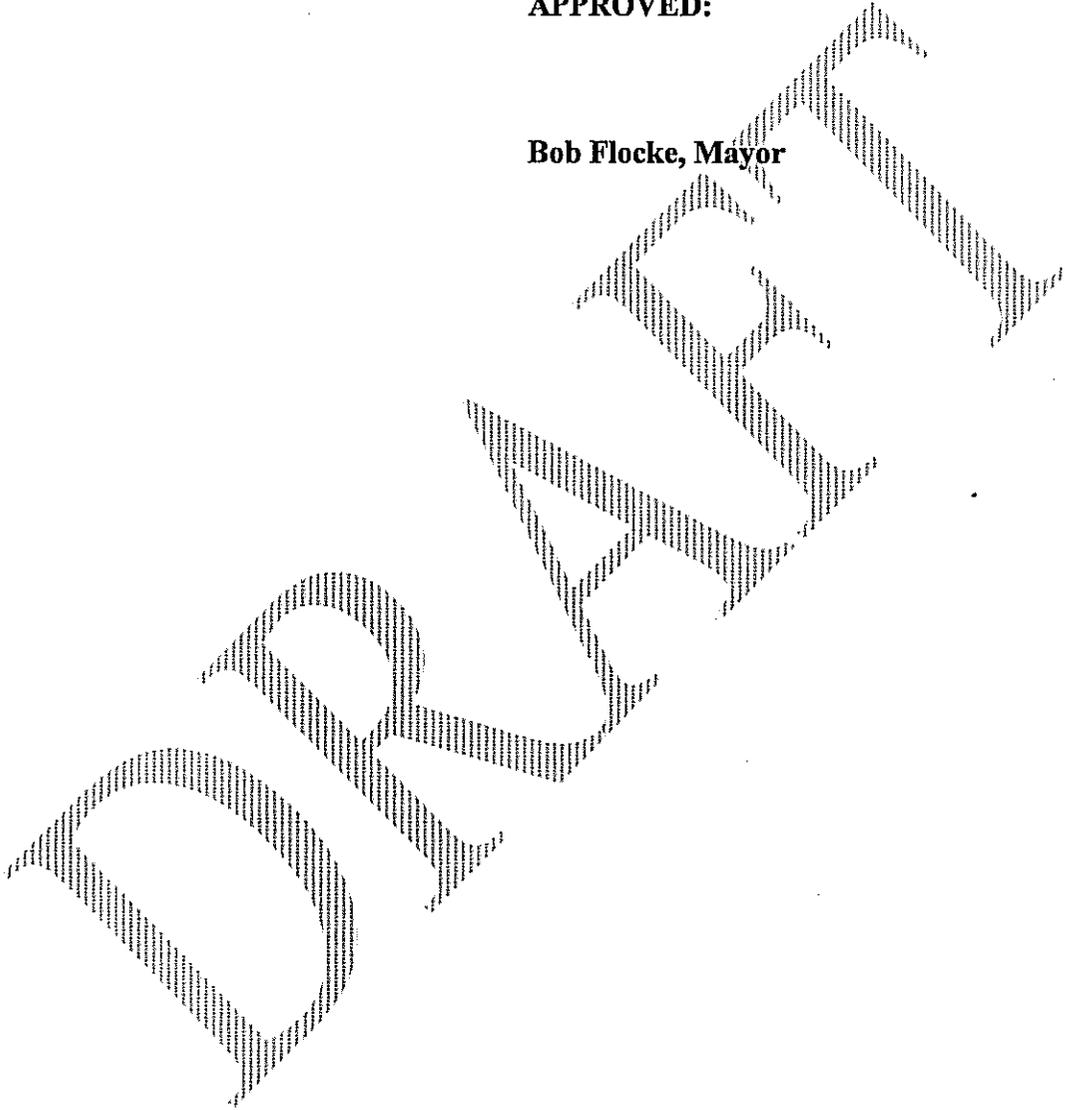
Recorded by:

Cara McPartland

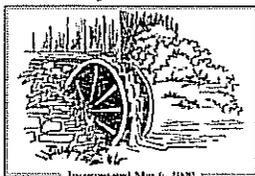
These minutes approved on the ____ of August, 2010.

APPROVED:

Bob Flocke, Mayor



City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: APPROVAL OF JULY 21,
2010 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the July 21, 2010 Special City Council Meeting for review and consideration.

City of Wimberley
Way Family Ranch
987 Fox Road (Off Little Arkansas Road)
San Marcos, Texas 78666
Minutes of Special Meeting of City Council
July 21, 2010 at 11:00 a.m.

City Council meeting called to order at 11:00 a.m. by Mayor Bob Flocke.

Councilmembers Present: Mayor Bob Flocke and Councilmembers Charles Roccaforte, Mac McCullough, Bill Appleman, Steve Thurber, and John White.

Staff Present: City Administrator Don Ferguson

Workshop Session

Discuss establishing short and long term priorities for the City Council and Staff.

Mayor Flocke outlined meeting procedures and City Administrator Ferguson reviewed last year's prioritization process and established categories such as critical, critical-moderate, moderate, low, and ongoing issues. City Administrator Ferguson provided progress reports on specific items/projects in each category from last year's prioritization. Discussion included:

CRITICAL PRIORITIES

- Alternate water sources
- Adoption of water quality rules and regulations (two of three phases completed)
- City initiated zoning (completed, except for several specific properties)
- Downtown wastewater service (application submitted to Texas Water Development Board)
- Alternative options for downtown wastewater service, financing/funding, including "bought" capacity in Aqua Texas wastewater system
- Possible bank financing for development of a wastewater system
- Legal review of existing contract with Guadalupe Blanco River Authority
- Regular legal review/update of all existing contracts
- Different wastewater funding mechanisms, the City's financial commitments, and potential impact on downtown business owners
- Complete recodification of City ordinances
- Rewrite of the City sign ordinance, including discussion of "sandwich board"-type signs, off-premise advertising, way-finding signs, and enforcement issues
- Regional transportation planning, including a Wimberley bypass and right-of-way acquisition
- Available water sources/quality, and regulation of development

CRITICAL-MODERATE PRIORITIES

- Development of a proactive community communication program
- Revision of the City's website
- Conduct regular public forums
- Establish City newsletter and possible master City listserv
- Establish local and/or regional emergency communications system
- Develop and implement drainage plan and mapping updates
- Develop and implement incentives promoting rainwater collection

MODERATE PRIORITIES

- Develop and implement ad valorem tax
- Downtown sidewalk development program
- Review and adjust permit fees
- Review of regulations for bed and breakfast facilities, including water access issues such as navigability
- Develop and implement way-finding signage and directional signage for the bypass

LOW PRIORITIES

- Explore possible consolidation of the City of Wimberley and the City of Woodcreek
- Review of the need for City of Wimberley standing committees
- Develop and implement volunteer recognition program, including possible formation of a volunteer corps
- Better relations with other governmental entities, including possible joint meetings
- Establish better Council communication with boards and commissions, including possible appointment of liaisons
- Reduce traffic congestion related to school and Market Days
- Improve traffic flow and safety in entrance corridors
- Provide quality services for senior citizens

Mayor Flocke called a brief recess at 1:30 p.m. and reconvened at 1:40 p.m.

LONG-TERM VISIONS AND/OR PROJECTS

- Control over downtown sewer service
- Pedestrian-friendly Wimberley
- All streets rated at least "C-" per grading criteria
- Street lighting
- Law enforcement
- Repair of speed monitors

- Downtown parking improvements and possible relocation
- Community radio station
- Underground utilities
- Affordable cyclical street improvement program
- Opinion survey
- Citizen volunteer corps
- Economic development, including retaining and attracting certain types of businesses
- Partnerships with non-profit service organizations
- Pursuit of grant funds
- Definition and preservation of Wimberley's character, including design standards and architectural controls
- Downtown preservation district
- Boundary protection and annexation of key entry/impact zones in order to control commercial development
- Modification of Protected Water Overlay District
- Promotion of live music
- Volunteer park maintenance

SPECIAL ISSUES

- Alternatives for funding future City operations, including ad valorem taxation, best methods for gauging public opinion, and spending plan
- Recruitment of volunteers to assist in locating grant funds
- Creation of Improvement Districts/Assessments/Utility Districts
- Ability of the City to provide matching funds
- Reinstatement of the city marshal program, possibly in conjunction with City of Woodcreek
- Hiring of off-duty officers as contract law enforcement
- Pedernales Electric Cooperative's proposal to upgrade distribution system in Wimberley
- Code enforcement policy
- Governance policy, parliamentary procedures, public/media contact, and agenda posting deadlines
- Possible modification of Planning and Zoning Commission meeting schedule

Mayor Flocke, City Administrator Ferguson and Council members expressed thanks for a productive meeting.

Adjournment: Council meeting adjourned at 4:10 p.m.

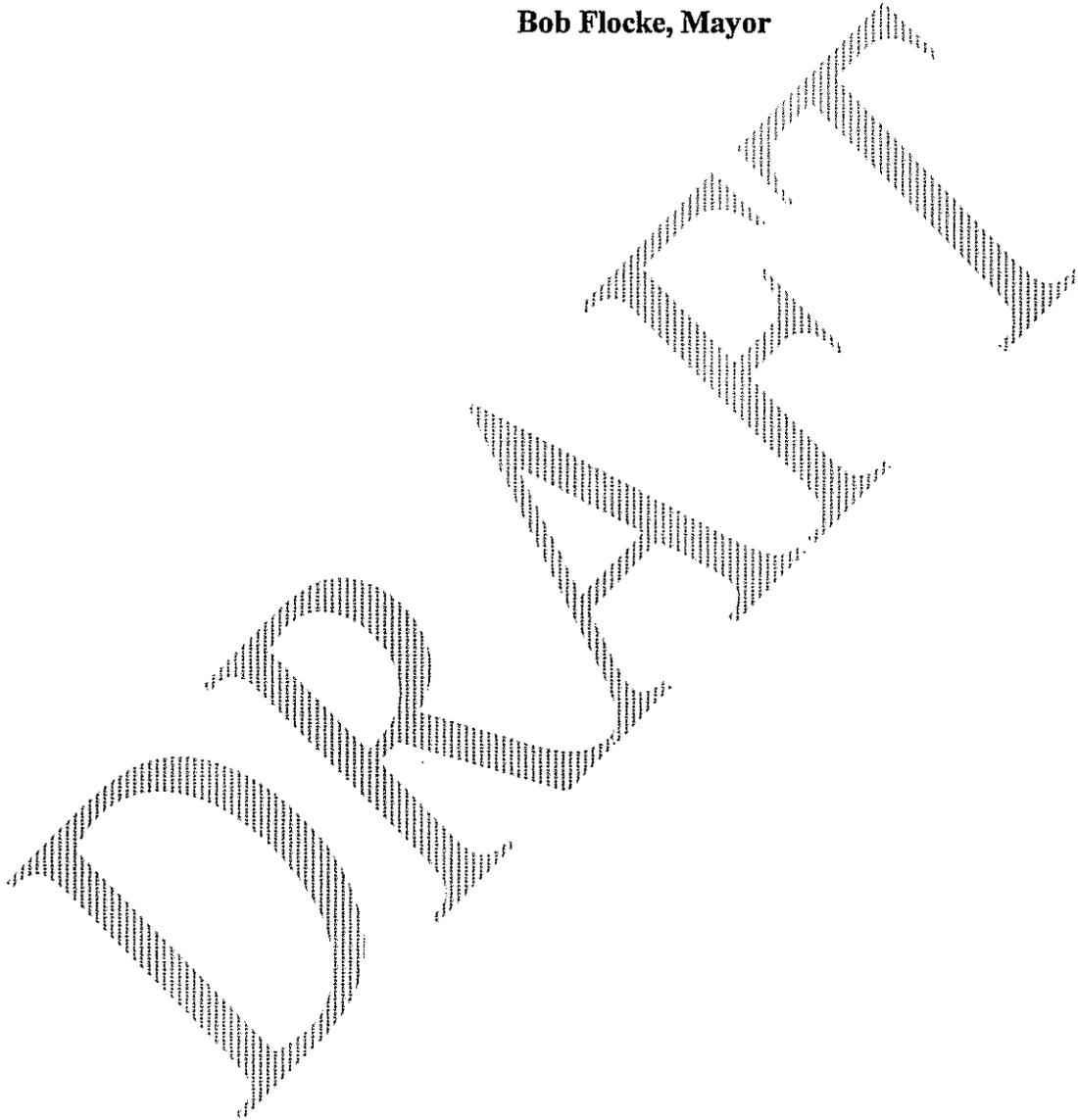
Recorded by:

Cara McPartland

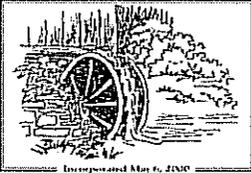
These minutes approved on the ____ of August, 2010.

APPROVED:

Bob Flocke, Mayor



City Council Agenda Form



Date Submitted: August 1, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: APPROVAL OF JUNE 2010
FINANCIAL STATEMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the June 2010 Financial Statements for review and consideration.

Council Package
Financial Statements City of Wimberley
For the Period Ended 6/30/2010

- Balance Sheet - General Fund
- Revenue/Expenditure - General Fund
- Budget Vs Actual - General Fund
- Balance Sheet - Blue Hole Parkland
- Revenue/Expenditure - Blue Hole Parkland
- Budget Vs Actual - Blue Hole Parkland
- Balance Sheet - Municipal Court
- Revenue/Expenditure - Municipal Court
- Budget Vs Actual - Municipal Court
- Balance Sheet - Blue Hole Capital Project Fund
- Revenue/Expenditure - Blue Hole Capital Project Fund
- Budget Vs Actual - Blue Hole Capital Project Fund
- Journal Report

7-16-10 Faxed to: 512-847-0422 *31 pages*

City of Wimberley
General Fund
Balance Sheet - Modified Accrual Basis
 June 30, 2010

Assets

Current Assets

101.10 Petty Cash-General	\$ 150.00
102.10 Cash - Ozona National Bank - General	284,952.07
103.10 Cash - Blanco National Bank - General	171.32
105.10 Cash - Ozona National Bank - CD	225,740.79
116.10 Due From Municipal Court	94.00
119.10 Texpool - General	176,276.55
120.10 Accounts Receivable	6,278.17
121.10 Sales Tax Receivable	37,721.27
124.10 Allowance for Uncollectible Accounts	<u>(5,076.37)</u>

Total Current Assets \$ 726,307.80

Total Assets \$ 726,307.80

Liabilities and Fund Balance

Current Liabilities

302.10 FICA Tax Payable	\$ 209.35
311.10 TMRS Payable	944.74
316.10 Due to Blue Hole Parkland	270.00
330.10 Community Center Security Deposits Payable	<u>4,425.00</u>

Total Current Liabilities \$ 5,849.09

Total Liabilities 5,849.09

Fund Balance

467.10 Fund Balance - Undesignated	578,306.93
469.10 Designated Fund Balance - Public Works	300,000.00
470.10 Designated Fund Balance - New City Hall	50,000.00
471.10 Designated Fund Balance - W/W on Square	30,000.00
472.10 Designated Fund Balance - Future Grant Match	50,000.00
498.10 Net Excess (Deficit)	<u>(287,848.22)</u>

Total Fund Balance 720,458.71

Total Liabilities and Fund Balance \$ 726,307.80

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
501.10 Sales & Use Tax	\$ 37,721.27	77.10	\$ 410,168.52	62.82
502.10 Mixed Beverage Tax	0.00	0.00	3,390.79	0.52
503.10 Interest Income - General	183.63	0.38	1,988.93	0.30
504.10 Miscellaneous Income	1,692.00	3.46	33,394.93	5.11
505.10 Building Permits	2,278.26	4.66	12,313.12	1.89
506.10 Building Inspections	1,840.00	3.76	20,560.00	3.15
509.10 Plan Reviews	910.00	1.86	5,622.00	0.86
510.10 Beer & Wine Permits	0.00	0.00	1,375.00	0.21
511.10 Sign Permits	395.00	0.81	1,346.00	0.21
512.10 Subdivision	0.00	0.00	2,320.00	0.36
513.10 Zoning	0.00	0.00	4,986.60	0.76
516.10 Municipal Court Costs/Fines	0.00	0.00	660.47	0.10
521.10 Time Warner Cable	0.00	0.00	19,950.65	3.06
522.10 Pedernales Electric Cooperative, Inc.	0.00	0.00	48,170.13	7.38
523.10 Texas Disposal Systems	0.00	0.00	19,248.98	2.95
524.10 Verizon	0.00	0.00	11,655.08	1.79
525.10 Franchise Fees - Misc	0.00	0.00	10,864.70	1.66
527.10 Food Permits	200.00	0.41	11,515.00	1.76
528.10 Septic Lease	400.00	0.82	4,120.00	0.63
532.10 Community Center Rental Fees	3,305.00	6.76	29,282.00	4.48
Total Revenues	48,925.16	100.00	652,932.80	100.00
Expenditures				
Admin - Personnel				
601.10 City Administrator	7,307.70	14.94	65,769.30	10.07
602.10 City Secretary	2,846.16	5.82	25,615.44	3.92
603.10 Receptionist/Clerk	1,944.00	3.97	17,690.40	2.71
606.10 Payroll Taxes	1,245.76	2.55	9,339.94	1.43
607.10 TMRS - Admin	367.92	0.75	3,095.35	0.47
608.10 Health Care	712.00	1.46	6,408.00	0.98
Total Admin - Personnel	14,423.54	29.48	127,918.43	19.59
Admin - Operating				
609.10 Dues - TML & City Mgr Assoc	1,121.00	2.29	2,418.24	0.37
610.10 Public Notices	671.48	1.37	4,518.60	0.69
611.10 Printing	271.03	0.55	953.20	0.15
612.10 Telephone	596.91	1.22	4,399.08	0.67

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
613.10 Copies	\$ 2.00	0.00	\$ 195.17	0.03
614.10 Rent	525.00	1.07	31,409.00	4.81
615.10 Cleaning	400.00	0.82	3,400.00	0.52
616.10 Office Supplies	272.87	0.56	1,805.12	0.28
617.10 Utilities	495.88	1.01	5,697.80	0.87
618.10 Equipment Leases	428.03	0.87	2,879.41	0.44
619.10 Water Cooler	38.49	0.08	335.91	0.05
620.10 Postage	125.00	0.26	827.70	0.13
621.10 Insurance	0.00	0.00	13,580.48	2.08
622.10 Records Management	1,140.36	2.33	1,952.18	0.30
623.10 Office Technology	(146.95)	(0.30)	2,029.77	0.31
624.10 Moving Expenditures	0.00	0.00	2,615.33	0.40
626.10 Security Expense	0.00	0.00	3,108.70	0.48
628.10 Technology Consultant	712.50	1.46	777.50	0.12
631.10 Capital Outlay - Technology	0.00	0.00	1,200.00	0.18
632.10 Capital Outlay - Other	1,346.53	2.75	403,364.53	61.78
635.10 Mileage	0.00	0.00	292.60	0.04
636.10 Training - Travel	0.00	0.00	454.48	0.07
637.10 Contract Labor	0.00	0.00	250.00	0.04
638.10 Repairs & Maintenance	0.00	0.00	608.15	0.09
639.10 Signs/Zoning	0.00	0.00	1,098.00	0.17
640.10 Refunds	200.00	0.41	2,340.00	0.36
Total Admin - Operating	8,200.13	16.76	492,510.95	75.43
Legal				
641.10 Legal	855.50	1.75	23,018.44	3.53
Total Legal	855.50	1.75	23,018.44	3.53
Council - Boards Expenditures				
651.10 Association Dues	0.00	0.00	443.00	0.07
652.10 Training	0.00	0.00	100.00	0.02
654.10 Election	2,997.92	6.13	2,997.92	0.46
655.10 Financial Management Services	1,000.00	2.04	8,000.00	1.23
656.10 Audit	0.00	0.00	13,000.00	1.99
658.10 Planning	0.00	0.00	1,470.00	0.23
661.10 Public Relations / Receptions	313.89	0.64	1,562.66	0.24
664.10 Fitness Council Expenses	0.00	0.00	57.10	0.01
Total Council - Boards Expenditures	4,311.81	8.81	27,630.68	4.23

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Building Department Expenditures				
676.10 Contract Inspector	\$ 2,145.00	4.38	\$ 11,125.00	1.70
677.10 Site Plan Reviews	978.92	2.00	9,865.20	1.51
Total Building Department Expenditures	3,123.92	6.39	20,990.20	3.21
Public Works - Personnel				
702.10 Salaries-Code Enforcement & Permitting	2,163.20	4.42	19,685.12	3.01
704.10 Salaries-GIS/Permitting Clerk	2,480.00	5.07	23,187.54	3.55
706.10 Payroll Taxes	355.21	0.73	3,139.45	0.48
707.10 TMRS - Public Works	140.23	0.29	1,205.08	0.18
708.10 Health Benefits	400.00	0.82	3,600.00	0.55
Total Public Works - Personnel	5,538.64	11.32	50,817.19	7.78
Public Works - Operating				
715.10 Supplies - Public Works	70.40	0.14	127.97	0.02
720.10 Fuel	118.42	0.24	920.59	0.14
721.10 Tools	0.00	0.00	27.99	0.00
722.10 Vehicle Maint. & Insurance	0.00	0.00	143.20	0.02
Total Public Works - Operating	188.82	0.39	1,219.75	0.19
Roads				
727.10 Road Maintenance	1,700.00	3.47	60,077.72	9.20
729.10 Road Engineering	150.00	0.31	5,035.96	0.77
731.10 Mowing / Tree Trimming	1,200.00	2.45	5,303.10	0.81
732.10 Signs/Barricades	0.00	0.00	3,988.55	0.61
733.10 Parking Lot Lease	100.00	0.20	900.00	0.14
735.10 Survey Services	8,635.18	17.65	8,635.16	1.32
736.10 Contract Labor	0.00	0.00	2,200.00	0.34
Total Roads	11,785.16	24.09	86,140.49	13.19
Water/Wastewater				
756.10 Public Restroom Wastewater	570.00	1.17	3,492.54	0.53

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Total Water/Wastewater	\$ 570.00	1.17	\$ 3,492.54	0.53
Public Safety - Personnel				
801.10 Salaries - City Marshall	0.00	0.00	(259.70)	(0.04)
806.10 Payroll Taxes	0.00	0.00	(86.88)	(0.01)
807.10 TMRS City Contribution-PS	0.00	0.00	35.89	0.01
	<u>0.00</u>	<u>0.00</u>	<u>(310.69)</u>	<u>(0.05)</u>
Total Public Safety - Personnel	0.00	0.00	(310.69)	(0.05)
Public Safety - Operating				
821.10 City Prosecutor	0.00	0.00	639.34	0.10
824.10 Animal Control	0.00	0.00	6,000.00	0.92
825.10 Fuel-Public Safety	0.00	0.00	41.57	0.01
826.10 Supplies - Public Safety	0.00	0.00	131.88	0.02
827.10 Vehicle Maintenance and Repair	0.00	0.00	28.00	0.00
830.10 Capital Outlay - Vehicle	0.00	0.00	19,031.13	2.91
837.10 Sanitarian - Contract Labor	1,214.50	2.48	9,611.00	1.47
	<u>1,214.50</u>	<u>2.48</u>	<u>35,482.92</u>	<u>5.43</u>
Total Public Safety - Operating	1,214.50	2.48	35,482.92	5.43
Parks - Operating				
859.10 Nature Trail Operations	250.95	0.51	1,734.83	0.27
	<u>250.95</u>	<u>0.51</u>	<u>1,734.83</u>	<u>0.27</u>
Total Parks - Operating	250.95	0.51	1,734.83	0.27
Community Center - Personnel				
901.10 Salaries - Director	1,640.00	3.35	14,489.40	2.22
902.10 Salaries - Maintenance	2,276.34	4.65	17,473.58	2.68
906.10 Payroll Taxes - Comm Ctr	174.14	0.36	2,381.29	0.36
907.10 TMRS - City Contribution Comm Ctr	40.25	0.08	301.83	0.05
908.10 Health Benefits - Comm Ctr	200.00	0.41	800.00	0.12
909.10 Contract Labor - Comm Ctr	0.00	0.00	2,465.35	0.38
	<u>4,330.73</u>	<u>8.85</u>	<u>37,911.45</u>	<u>5.81</u>
Total Community Center - Personnel	4,330.73	8.85	37,911.45	5.81
Community Center - Operating				
910.10 Advertising	0.00	0.00	839.00	0.13

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
912.10 Telephone - Comm Ctr	\$ 96.33	0.20	\$ 393.51	0.06
915.10 Cleaning - Comm Ctr	0.00	0.00	3,210.00	0.49
916.10 Office Supplies - Comm Ctr	0.00	0.00	462.20	0.07
917.10 Utilities - Comm Ctr	1,790.02	3.66	21,940.87	3.36
920.10 Postage - Comm Ctr	0.00	0.00	8.80	0.00
923.10 Office Technology - Comm Ctr	0.00	0.00	400.00	0.06
926.10 Security Expense - Comm Ctr	93.45	0.19	841.05	0.13
927.10 Maintenance & Repair - Comm Ctr	0.00	0.00	926.16	0.14
928.10 Supplies - Comm Ctr	560.60	1.15	2,347.35	0.36
951.10 Dues & Memberships - Comm Ctr	150.00	0.31	150.00	0.02
961.10 Public Relations/Receptions - Comm Ct	0.00	0.00	705.00	0.11
	<hr/>	<hr/>	<hr/>	<hr/>
Total Community Center - Operating	2,690.40	5.50	32,223.94	4.94
	<hr/>	<hr/>	<hr/>	<hr/>
Total Expenditures	57,484.10	117.49	940,781.12	144.09
	<hr/>	<hr/>	<hr/>	<hr/>
NET EXCESS (DEFICIT)	\$ (8,558.94)	(17.49)	\$ (287,848.22)	(44.09)

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
501.1 Sales & Use Tax	\$ 37,721.27	\$ 410,168.52	62.82%	\$ 522,300.00	(112,131.48)	-21.47%	-25.00%
502.1 Mixed Beverage Tax	-	3,390.79	0.52%	10,000.00	(6,609.21)	-66.09%	-25.00%
503.1 Interest Income	183.63	1,988.93	0.30%	12,000.00	(10,011.07)	-83.43%	-25.00%
504.1 Misc. Income	1,692.00	33,394.93	5.11%	12,500.00	20,894.93	0.00%	-25.00%
505.1 Building Permits	2,278.26	12,313.12	1.89%	15,000.00	(2,686.88)	-17.91%	-25.00%
506.1 Building Inspections	1,840.00	20,560.00	3.15%	17,500.00	3,060.00	17.49%	-25.00%
507.1 Fire Inspections	-	-	0.00%	5,000.00	(5,000.00)	-100.00%	-25.00%
509.1 Plan Reviews	910.00	5,622.00	0.86%	15,000.00	(9,378.00)	-62.52%	-25.00%
510.1 Beer & Wine Permits	-	1,375.00	0.21%	3,000.00	(1,625.00)	0.00%	-25.00%
511.1 Sign Permits	395.00	1,346.00	0.21%	3,500.00	(2,154.00)	-61.54%	-25.00%
512.1 Subdivision	-	2,320.00	0.36%	10,000.00	(7,680.00)	-76.80%	-25.00%
513.1 Zoning	-	4,986.60	0.76%	7,500.00	(2,513.40)	-33.51%	-25.00%
514.1 Copies/Maps/Misc.	-	-	0.00%	500.00	(500.00)	-100.00%	-25.00%
516.1 Municipal Court/Costs Fines	-	660.47	0.10%	5,000.00	(4,339.53)	-86.79%	-25.00%
525.1 Franchise Fees	-	109,889.54	16.83%	230,000.00	(120,110.46)	-52.22%	-25.00%
526.1 Health Fees	-	-	0.00%	17,500.00	(17,500.00)	-100.00%	-25.00%
527.1 Food Permits	200.00	11,515.00	1.76%	-	11,515.00	0.00%	-25.00%
528.1 Septic Lease/Permits	400.00	4,120.00	0.63%	-	4,120.00	0.00%	-25.00%
532.1 Community Center Rental Fees	3,305.00	29,282.00	4.48%	45,000.00	(15,718.00)	-34.93%	-25.00%
533.1 Parking Lot Lease	-	-	0.00%	1,200.00	(1,200.00)	0.00%	-25.00%
TOTAL REVENUES	48,925.16	652,932.90	100.00%	932,500.00	(279,567.10)	-29.98%	-25.00%
EXPENDITURES							
ADMINISTRATION EXPENDITURES							
<i>Personnel</i>							
601.1 City Administrator	7,307.70	65,769.30	6.99%	95,000.00	(29,230.70)	-30.77%	-25.00%
602.1 City Secretary	2,846.16	25,615.44	2.72%	37,000.00	(11,384.56)	-30.77%	-25.00%
603.1 Receptionist/Clerk	1,944.00	17,690.40	1.88%	29,204.00	(11,513.60)	-39.42%	-25.00%
604.1 Fire Marshal (Contract Labor)	-	-	0.00%	5,000.00	(5,000.00)	0.00%	-25.00%
606.1 Payroll Taxes	1,245.76	9,339.94	0.99%	12,770.00	(3,430.06)	-26.86%	-25.00%
607.1 TMRS	367.92	3,095.35	0.33%	5,336.00	(2,240.65)	-41.99%	-25.00%
608.1 Health Benefits	712.00	6,408.00	0.68%	8,544.00	(2,136.00)	-25.00%	-25.00%
<i>Total Personnel</i>	14,423.54	127,918.43	13.60%	192,854.00	(64,935.57)	-33.67%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
<u>Operating</u>							
609.1 Dues (TML & City Mgr Assoc.)	1,121.00	2,418.24	0.26%	3,000.00	(581.76)	-19.39%	-25.00%
610.1 Public Notices	671.48	4,518.60	0.48%	4,500.00	18.60	0.41%	-25.00%
611.1 Printing	271.03	953.20	0.10%	500.00	453.20	90.64%	-25.00%
612.1 Telephone	596.91	4,399.08	0.47%	5,187.00	(787.92)	-15.19%	-25.00%
613.1 Copies	2.00	195.17	0.02%	750.00	(554.83)	-73.98%	-25.00%
614.1 Rent	525.00	31,409.00	3.34%	55,000.00	(23,591.00)	-42.89%	-25.00%
615.1 Cleaning	400.00	3,400.00	0.36%	5,200.00	(1,800.00)	-34.62%	-25.00%
616.1 Office Supplies	272.87	1,805.12	0.19%	4,000.00	(2,194.88)	-54.87%	-25.00%
617.1 Utilities	495.88	5,697.80	0.61%	6,000.00	(302.20)	-5.04%	-25.00%
618.1 Equipment Leases	428.03	2,879.41	0.31%	4,600.00	(1,720.59)	-37.40%	-25.00%
619.1 Water Cooler	38.49	335.91	0.04%	650.00	(314.09)	-48.32%	-25.00%
620.1 Postage	125.00	827.70	0.09%	2,500.00	(1,672.30)	-66.89%	-25.00%
621.1 Insurance	-	13,580.48	1.44%	13,750.00	(169.52)	-1.23%	-25.00%
622.1 Records Management	1,140.36	1,952.18	0.21%	2,500.00	(547.82)	-21.91%	-25.00%
623.1 Office Technology	(146.95)	2,029.77	0.22%	4,200.00	(2,170.23)	-51.67%	-25.00%
624.1 Moving Expenses	-	2,615.33	0.00%	-	2,615.33	0.00%	-25.00%
625.1 Security Expense	-	3,108.70	0.33%	800.00	2,308.70	288.59%	-25.00%
628.1 Technology Consultant	712.50	777.50	0.08%	3,350.00	(2,572.50)	-76.79%	-25.00%
629.1 Pay Comparability Adjustment	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-25.00%
630.1 Capital Outlay - Furnishings	-	-	0.00%	500.00	(500.00)	-100.00%	-25.00%
631.1 Capital Outlay - Technology	-	1,200.00	0.13%	2,000.00	(800.00)	-40.00%	-25.00%
632.1 Capital Outlay - Other	1,346.53	403,364.53	42.88%	-	403,364.53	0.00%	-25.00%
635.1 Mileage	-	292.60	0.03%	500.00	(207.40)	-41.48%	-25.00%
636.1 Training-Travel	-	454.48	0.05%	1,500.00	(1,045.52)	-69.70%	-25.00%
637.1 Contract Labor	-	250.00	0.03%	-	250.00	0.00%	-25.00%
638.1 Repairs & Maintenance	-	608.15	0.06%	-	608.15	0.00%	-25.00%
639.1 Signs/Zoning	-	1,098.00	0.12%	-	1,098.00	0.00%	-25.00%
640.1 Refunds	200.00	2,340.00	0.25%	-	2,340.00	0.00%	-25.00%
<u>Total Operating</u>	<u>8,200.13</u>	<u>492,510.95</u>	<u>52.35%</u>	<u>121,987.00</u>	<u>370,523.95</u>	<u>303.74%</u>	<u>-25.00%</u>
TOTAL ADMINISTRATION EXPENDITURES	22,623.67	620,429.38	65.95%	314,841.00	305,588.38	97.06%	-25.00%
LEGAL DEPARTMENT EXPENDITURES	855.50	23,018.44	2.45%	55,000.00	(31,981.56)	-58.15%	-25.00%
641.1 Legal	-	-	0.00%	-	-	0.00%	-25.00%
649.1 Operating Transfer-Out	-	-	-	-	-	-	-

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
TOTAL LEGAL	855.50	23,018.44	2.45%	55,000.00	(31,981.56)	-58.15%	-25.00%
COUNCIL - BOARD EXPENDITURES							
651.1 Association Dues	-	443.00	0.05%	-	443.00	0.00%	-25.00%
652.1 Training	-	100.00	0.01%	1,000.00	(900.00)	-90.00%	-25.00%
653.1 Town Hall Meetings	-	-	0.00%	-	-	0.00%	-25.00%
654.1 Election	2,997.92	2,997.92	0.32%	3,200.00	(202.08)	-6.32%	-25.00%
655.1 Financial Management Services	1,000.00	8,000.00	0.85%	12,000.00	(4,000.00)	-33.33%	-25.00%
656.1 Audit	-	13,000.00	1.38%	13,500.00	(500.00)	-3.70%	-25.00%
657.1 Public Satisfaction Survey	-	-	0.00%	2,500.00	(2,500.00)	0.00%	-25.00%
658.1 Planning	-	1,470.00	0.16%	-	1,470.00	0.00%	-25.00%
659.1 Recording Secretary	-	-	0.00%	-	-	0.00%	-25.00%
660.1 Economic Development	-	-	0.00%	-	-	0.00%	-25.00%
661.1 Public Relations/Receptions	313.89	1,562.66	0.17%	4,500.00	(2,937.34)	-65.27%	-25.00%
662.1 Public Information	-	-	0.00%	-	-	0.00%	-25.00%
663.1 Visitor Center Support	-	-	0.00%	-	-	0.00%	-25.00%
664.1 Fitness Council Expenditures	-	57.10	0.01%	5,000.00	(4,942.90)	-98.86%	-25.00%
TOTAL COUNCIL - BOARD EXPENDITURES	4,311.81	27,630.68	2.94%	41,700.00	(14,069.32)	-33.74%	-25.00%
BUILDING DEPARTMENT EXPENDITURES							
676.1 Contract Inspector	2,145.00	11,125.00	1.18%	17,500.00	(6,375.00)	-36.43%	-25.00%
677.1 Site Plan Reviews	978.92	9,865.20	1.05%	15,000.00	(5,134.80)	-34.23%	-25.00%
678.1 Building Code Books	-	-	0.00%	-	-	0.00%	-25.00%
TOTAL BUILDING DEPARTMENT EXPENDITURES	3,123.92	20,990.20	2.23%	32,500.00	(11,509.80)	-35.41%	-25.00%
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES							
<i>Public Works</i>							
<i>Personnel</i>							
701.1 Salaries-Planning Director	-	-	0.00%	-	-	0.00%	-25.00%
702.1 Salaries-Code Enforcement & Permittit	2,163.20	19,685.12	2.09%	28,121.00	(8,435.88)	-30.00%	-25.00%
703.1 Salaries-Assst. to Planning Director	-	-	0.00%	-	-	0.00%	-25.00%
704.1 Salaries-GIS/Permitting Clerk	2,480.00	23,187.54	2.46%	32,240.00	(9,052.46)	-28.08%	-25.00%
706.1 Payroll Taxes	355.21	3,139.45	0.33%	4,708.00	(1,568.55)	-33.32%	-25.00%
707.1 TMRS - Public Works	140.23	1,205.08	0.13%	1,998.00	(792.92)	-39.69%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
708.1 Health Benefits	400.00	3,600.00	0.38%	4,800.00	(1,200.00)	-25.00%	-25.00%
Total Personnel	5,538.64	50,817.19	5.40%	71,867.00	(21,049.81)	-29.29%	-25.00%
Operating							
712.1 Mileage	-	-	0.00%	250.00	(250.00)	0.00%	-25.00%
713.1 Training	-	-	0.00%	500.00	(500.00)	0.00%	-25.00%
714.1 Certificates	-	-	0.00%	-	-	0.00%	-25.00%
715.1 Supplies - Public Works	70.40	127.97	-0.04%	500.00	(372.03)	-74.41%	-25.00%
720.1 Fuel	116.42	920.59	0.10%	2,000.00	(1,079.41)	-53.97%	-25.00%
721.1 Tools	-	27.99	0.00%	500.00	(472.01)	-94.40%	-25.00%
722.1 Vehicle Maintenance & Insurance	-	143.20	0.02%	500.00	(356.80)	-71.36%	-25.00%
Total Operating	188.82	1,219.75	0.13%	4,250.00	(3,030.25)	-71.30%	-25.00%
Total Public Works	5,727.46	52,036.94	5.53%	76,117.00	(24,080.06)	-31.64%	-25.00%
Roads							
727.1 Road Maintenance	1,700.00	60,077.72	6.39%	85,000.00	(24,922.28)	-29.32%	-25.00%
Transfer to Road Maintenance Reserve	-	-	0.00%	20,000.00	(20,000.00)	-100.00%	-25.00%
729.1 Road Engineering	150.00	5,035.96	0.54%	6,000.00	(964.04)	-16.07%	-25.00%
730.1 Road Insurance	-	-	0.00%	-	-	0.00%	-25.00%
731.1 Mowing/Tree Trimming	1,200.00	5,303.10	0.56%	10,500.00	(5,196.90)	-49.49%	-25.00%
732.1 Signs/Barricades	-	3,988.55	0.42%	3,500.00	488.55	13.95%	-25.00%
733.1 Parking Lot Lease	100.00	900.00	0.10%	1,200.00	(300.00)	-25.00%	-25.00%
734.1 Master Planning Traffic Studies	-	-	0.00%	-	-	0.00%	-25.00%
735.1 Survey Services	8,635.16	8,635.16	0.92%	50,000.00	(41,364.84)	-82.73%	-25.00%
736.1 Contract Labor	-	2,200.00	0.23%	-	2,200.00	0.00%	-25.00%
737.1 Ranch Road 12 Mitigation	-	-	0.00%	-	-	0.00%	-25.00%
740.1 Capital Outlay Roads	-	-	0.00%	250,000.00	(250,000.00)	-100.00%	-25.00%
741.1 Capital Outlay Sidewalks	-	-	0.00%	25,000.00	-	0.00%	-25.00%
Total Roads	11,785.16	86,140.49	9.16%	451,200.00	(365,059.51)	-80.91%	-25.00%
Water/Wastewater							
752.1 Water Quality Testing	-	-	0.00%	1,500.00	(1,500.00)	-100.00%	-25.00%
753.1 Wastewater System Start-up	-	-	0.00%	-	-	0.00%	-25.00%
754.1 Map Services	-	-	0.00%	-	-	0.00%	-25.00%
755.1 Water/Wastewater Purchases	-	-	0.00%	-	-	0.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
756.1 Public Restroom Wastewater	570.00	3,492.54	0.37%	6,000.00	(2,507.46)	-41.79%	-25.00%
Total Water/Wastewater	570.00	3,492.54	0.37%	7,500.00	(4,007.46)	-53.43%	-25.00%
TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES	18,082.62	141,669.97	15.06%	534,817.00	(393,147.03)	-73.51%	-25.00%
PUBLIC SAFETY/COURTS EXPENDITURES							
<i>Personnel</i>							
801.1 Salaries - City Marshall	-	(259.70)	-0.03%	-	(259.70)	0.00%	-25.00%
806.1 Payroll Taxes	-	(86.88)	-0.01%	-	(86.88)	0.00%	-25.00%
807.1 TMRS City Contribution	-	35.89	0.00%	-	35.89	0.00%	-25.00%
808.1 Health Benefits	-	-	0.00%	-	-	0.00%	-25.00%
Total Personnel	-	(310.69)	-0.03%	-	(310.69)	0.00%	-25.00%
<i>Operating</i>							
820.1 Municipal Court Judge	-	-	0.00%	1,200.00	(1,200.00)	-100.00%	-25.00%
821.1 City Prosecutor	-	639.34	0.07%	2,610.00	(1,970.66)	-75.50%	-25.00%
822.1 Emergency Plan	-	-	0.00%	-	-	0.00%	-25.00%
823.1 Training	-	-	0.00%	2,500.00	(2,500.00)	-100.00%	-25.00%
824.1 Animal Control	-	6,000.00	0.64%	6,000.00	-	0.00%	-25.00%
825.1 Fuel	-	41.57	0.00%	-	41.57	0.00%	-25.00%
826.1 Supplies	-	131.88	0.01%	-	131.88	0.00%	-25.00%
827.1 Vehicle Maintenance & Repair	-	28.00	0.00%	-	28.00	0.00%	-25.00%
830.1 Capital Outlay - Vehicles	-	19,031.13	2.02%	12,552.00	6,479.13	51.62%	-25.00%
831.1 Capital Outlay - Equipment	-	-	0.00%	-	-	0.00%	-25.00%
832.1 Capital Outlay - Technology	-	-	0.00%	-	-	0.00%	-25.00%
837.1 Sanitarian (Contract Labor)	-	-	0.00%	-	-	0.00%	-25.00%
Total Operating	1,214.50	9,611.00	1.02%	15,000.00	(5,389.00)	-35.93%	-25.00%
TOTAL PUBLIC SAFETY/COURTS EXPENDITURES	1,214.50	35,482.92	3.77%	39,862.00	(4,379.08)	-10.99%	-25.00%
TOTAL PUBLIC SAFETY/COURTS EXPENDITURES	1,214.50	35,172.23	3.74%	39,862.00	(4,689.77)	-11.77%	-25.00%
PARKS & RECREATION EXPENDITURES							
<i>Personnel</i>							
851.1 Assistant to City Admin	-	-	0.00%	-	-	0.00%	-25.00%
852.1 Health Benefits	-	-	0.00%	-	-	0.00%	-25.00%
853.1 Payroll Taxes	-	-	0.00%	-	-	0.00%	-25.00%
Total Personnel	-	-	0.00%	-	-	0.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
<u>Operating</u>							
854.1	-	-	0.00%	-	-	0.00%	-25.00%
855.1	-	-	0.00%	-	-	0.00%	-25.00%
856.1	-	-	0.00%	500.00	(500.00)	-100.00%	-25.00%
857.1	-	-	0.00%	-	-	0.00%	-25.00%
859.1	250.95	1,734.83	0.18%	5,000.00	(3,265.17)	-65.30%	-25.00%
<u>Total Operating</u>	250.95	1,734.83	0.18%	5,500.00	(3,765.17)	-68.46%	-25.00%
TOTAL PARKS & RECREATION EXPENDITURES	250.95	1,734.83	0.18%	5,500.00	(3,765.17)	-68.46%	-25.00%
COMMUNITY CENTER EXPENDITURES							
<u>Personnel</u>							
901.1	1,640.00	14,489.40	1.54%	18,231.00	(3,741.60)	-20.52%	-25.00%
902.1	2,276.34	17,473.58	1.86%	35,182.00	(17,708.42)	-50.33%	-25.00%
906.1	174.14	2,381.29	0.25%	4,177.00	(1,795.71)	-42.99%	-25.00%
907.1	40.25	301.83	0.03%	1,165.00	(863.17)	-74.09%	-25.00%
908.1	200.00	800.00	0.09%	2,400.00	(1,600.00)	-66.67%	-25.00%
909.1	-	2,465.35	0.26%	750.00	1,715.35	228.71%	-25.00%
<u>Total Personnel</u>	4,330.73	37,911.45	4.03%	61,905.00	(23,993.55)	-38.76%	-25.00%
<u>Operating</u>							
910.1	-	839.00	0.09%	5,000.00	(4,161.00)	-83.22%	-25.00%
912.1	96.33	393.51	0.04%	-	393.51	0.00%	-25.00%
915.1	-	3,210.00	0.34%	-	3,210.00	0.00%	-25.00%
916.1	-	462.20	0.05%	2,500.00	(2,037.80)	-81.51%	-25.00%
917.1	1,790.02	21,940.87	2.33%	26,068.00	(4,127.13)	-15.83%	-25.00%
920.1	-	-	0.00%	-	-	0.00%	-25.00%
923.1	-	400.00	0.00%	-	400.00	0.00%	-25.00%
926.1	93.45	841.05	0.09%	1,100.00	(258.95)	-23.54%	-25.00%
927.1	-	926.16	0.10%	2,000.00	(1,073.84)	-53.69%	-25.00%
928.1	560.60	2,347.35	0.25%	3,500.00	(1,152.65)	-32.93%	-25.00%
951.1	150.00	150.00	0.00%	-	150.00	0.00%	-25.00%
961.1	-	705.00	0.07%	-	705.00	0.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
<i>Total Operating</i>	2,690.40	32,223.94	3.43%	40,168.00	(7,944.06)	-19.78%	-25.00%
TOTAL COMMUNITY CENTER EXPENDITURES	7,021.13	70,135.39	7.46%	102,073.00	(31,937.61)	-31.29%	-25.00%
TOTAL EXPENDITURES	57,484.10	940,781.12	0.93	1,126,293.00	(153,574.27)	-13.64%	-25.00%
TRANSFER IN (FUND BALANCE)				193,793.00			
Net Excess (Deficit)	\$ (8,558.94)	\$ (287,848.22)	7.46%	\$ -	(287,848.22)	0.00%	-25.00%

City of Wimberley
Blue Hole Parkland
Balance Sheet - Modified Accrual Basis
June 30, 2010

Assets

Current Assets

101.40 Petty Cash-Blue Hole	\$	200.00
110.40 Cash - Ozona National Bank - BH Operating		117,812.12
115.40 Due From General - BH		270.00
119.40 Texpool - Blue Hole		<u>163,993.84</u>

Total Current Assets \$ 282,275.96

Total Assets \$ 282,275.96

Liabilities and Fund Balance

Current Liabilities

340.40 Blue Hole Rental Deposits Payable	\$	<u>600.00</u>
--	----	---------------

Total Current Liabilities \$ 600.00

Total Liabilities 600.00

Fund Balance

467.40 Fund Balance - Blue Hole Parkland	111,579.97
473.40 Designated Fund Balance Blue Hole - Soccer Fields	146,701.58
498.40 Net Excess (Deficit)	<u>23,394.41</u>

Total Fund Balance 281,675.96

Total Liabilities and Fund Balance \$ 282,275.96

City of Wimberley
Blue Hole Parkland
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.40 Interest Income - Blue Hole Parkland	\$ 50.15	0.17	\$ 386.05	1.31
504.40 Misc Income - Blue Hole	0.00	0.00	55.16	0.19
541.40 Gate Fees	28,730.40	99.83	28,840.40	97.58
542.40 Rental Fees	<u>0.00</u>	<u>0.00</u>	<u>275.00</u>	<u>0.93</u>
Total Revenues	<u>28,780.55</u>	<u>100.00</u>	<u>29,556.61</u>	<u>100.00</u>
Expenditures				
Parks - Operating				
861.40 Contract Labor/Wages	2,741.51	9.53	2,741.51	9.28
862.40 Utilities	55.10	0.19	630.90	2.13
863.40 Mowing	375.00	1.30	375.00	1.27
864.40 Operating Supplies	383.39	1.33	780.59	2.64
866.40 Rental	0.00	0.00	139.20	0.47
868.40 Public Restroom Facilities	<u>645.00</u>	<u>2.24</u>	<u>1,495.00</u>	<u>5.06</u>
Total Parks - Operating	<u>4,200.00</u>	<u>14.59</u>	<u>6,162.20</u>	<u>20.85</u>
Total Expenditures	<u>4,200.00</u>	<u>14.59</u>	<u>6,162.20</u>	<u>20.85</u>
NET EXCESS (DEFICIT)	<u>\$ 24,580.55</u>	<u>85.41</u>	<u>\$ 23,394.41</u>	<u>79.15</u>

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - BLUE HOLE SPECIAL REVENUE FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.4 Interest Income	\$ 50.15	\$ 386.05	1.31%	\$ 500.00	(113.95)	-22.79%	-25.00%
504.4 Misc Income	-	55.16	24.10%	-	55.16	0.00%	-25.00%
518.4 Designated Funds	-	-	0.00%	-	-	0.00%	-25.00%
520.4 Grant Funds	-	-	0.00%	-	-	0.00%	-25.00%
541.4 Gate Fees	28,730.40	28,840.40	97.58%	60,000.00	(31,159.60)	-51.93%	-25.00%
542.4 Rental Fees	-	275.00	0.93%	2,000.00	(1,725.00)	-86.25%	-25.00%
TOTAL REVENUES	28,780.55	29,556.61	123.91%	\$62,500.00	(32,943.39)	-52.71%	-25.00%
EXPENDITURES							
858.4 Blue Hole Master Plan	-	-	0.00%	-	-	0.00%	-25.00%
861.4 Contract Labor/Wages	2,741.51	2,741.51	44.49%	23,455.00	(20,713.49)	-88.31%	-25.00%
862.4 Utilities	55.10	630.90	10.24%	1,500.00	(869.10)	-57.94%	-25.00%
863.4 Mowing	375.00	375.00	6.09%	2,500.00	(2,125.00)	-85.00%	-25.00%
864.4 Operating Supplies	383.39	780.59	12.67%	2,045.00	(1,264.41)	-61.83%	-25.00%
865.4 Contract Services	-	-	0.00%	27,000.00	(27,000.00)	-100.00%	-25.00%
866.4 Rental	-	139.20	2.26%	1,500.00	(1,360.80)	-90.72%	-25.00%
867.4 Materials	-	-	0.00%	2,000.00	(2,000.00)	-100.00%	-25.00%
868.4 Public Restroom Facilities	645.00	1,495.00	24.26%	2,500.00	(1,005.00)	-40.20%	-25.00%
TOTAL BLUE HOLE PARKLAND EXPENDITURES	4,200.00	6,162.20	100.00%	62,500.00	(56,337.80)	-90.14%	-25.00%
Net Excess (Deficit)	\$ 24,580.55	\$ 23,394.41	23.91%	-	23,394.41	37.43%	-25.00%

City of Wimberley
Municipal Court
Balance Sheet - Modified Accrual Basis
 June 30, 2010

Assets

Current Assets

112.50 Cash - Ozona National Bank - Municipal Court	\$	<u>1,349.67</u>	
Total Current Assets	\$		<u>1,349.67</u>
Total Assets	\$		<u><u>1,349.67</u></u>

Liabilities and Fund Balance

Current Liabilities

304.50 Due to General - Municipal Court	\$	90.00	
350.50 Municipal Court Cost Payable		<u>3.43</u>	
Total Current Liabilities	\$		<u>93.43</u>
Total Liabilities			<u>93.43</u>

Fund Balance

467.50 Fund Balance - Municipal Court		1,221.52	
498.50 Net Excess (Deficit)		<u>34.72</u>	
Total Fund Balance			<u>1,256.24</u>
Total Liabilities and Fund Balance	\$		<u><u>1,349.67</u></u>

City of Wimberley
Municipal Court
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.50 Interest Income - Municipal Ct	\$ 0.00	0.00	\$ 2.24	6.45
550.50 Court Technology Fees	0.00	0.00	2.73	7.86
551.50 Building Security Fees	0.00	0.00	2.05	5.90
552.50 Child Safety Fees	0.00	0.00	25.00	72.00
553.50 Judicial Efficiency Fees	0.00	0.00	2.70	7.78
	<u>0.00</u>	<u>0.00</u>	<u>34.72</u>	<u>100.00</u>
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>34.72</u>	<u>100.00</u>
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET EXCESS (DEFICIT)	<u>\$ 0.00</u>	<u>0.00</u>	<u>\$ 34.72</u>	<u>100.00</u>

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - MUNICIPAL COURT SPECIAL REVENUE FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.5 Interest Income	\$ -	2.24	6.45%	\$ -	2.24	0.00%	-25.00%
550.5 Court Technology Fees	-	2.73	7.86%	425.00	(422.27)	-99.36%	-25.00%
551.5 Building Security Fees	-	2.05	5.90%	325.00	(322.95)	-99.37%	-25.00%
552.5 Child Safety Fees	-	25.00	72.00%	325.00	(300.00)	-92.31%	-25.00%
553.5 Judicial Efficiency Fees	-	2.70	7.78%	20.00	(17.30)	-86.50%	-25.00%
TOTAL REVENUES	-	34.72	100.00%	1,095.00	(1,060.28)	-96.83%	-25.00%
EXPENDITURES							
<u>Court Technology</u>							
Office Supplies	-	-					-25.00%
Office Technology	-	-					-25.00%
Capital Outlay - Technology	-	-					-25.00%
Total Court Technology	-	-					-25.00%
<u>Building Security</u>							
Office Supplies	-	-					-25.00%
Security Expense	-	-					-25.00%
Capital Outlay - Furnishings	-	-					-25.00%
Total Building Security	-	-					-25.00%
<u>Child Safety</u>							
Printing	-	-					-25.00%
Contract Labor	-	-					-25.00%
Signage	-	-					-25.00%
Total Child Safety	-	-					-25.00%
<u>Judicial Efficiency</u>							
Office Supplies	-	-					-25.00%
Printing	-	-					-25.00%
Signage	-	-	0.00%	-	-	0.00%	-25.00%
Total Judicial Efficiency	-	-					-25.00%
TOTAL MUNICIPAL COURT EXPENDITURES	-	-	0.00%	-	-	0.00%	-25.00%
Net Excess (Deficit)	\$ -	\$ 34.72	100.00%	\$ 1,095.00	\$ 1,060.28	-96.83%	-25.00%

Restricted for Management's Use Only

City of Wimberley
Blue Hole Capital Project Fund
Balance Sheet - Modified Accrual Basis
June 30, 2010

Assets

Current Assets

111.60 Cash - Ozona National Bank - BH Development \$ 162,874.57

Total Current Assets \$ 162,874.57

Total Assets \$ 162,874.57

Liabilities and Fund Balance

Total Liabilities \$ 0.00

Fund Balance

467.60 Fund Balance - Capital Project Fund \$ 445,258.78

498.60 Net Excess (Deficit) (282,384.21)

Total Fund Balance 162,874.57

Total Liabilities and Fund Balance \$ 162,874.57

City of Wimberley
Blue Hole Capital Project Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2010

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.80 Interest Income	\$ 70.92	100.00	\$ 1,693.52	100.00
Total Revenues	<u>70.92</u>	<u>100.00</u>	<u>1,693.52</u>	<u>100.00</u>
Expenditures				
Parks - Operating				
870.60 Capital Outlay - Development Project	19,526.57	27533.23	284,077.73	16774.39
Total Parks - Operating	<u>19,526.57</u>	<u>27533.23</u>	<u>284,077.73</u>	<u>16774.39</u>
Total Expenditures	<u>19,526.57</u>	<u>27533.23</u>	<u>284,077.73</u>	<u>16774.39</u>
NET EXCESS (DEFICIT)	<u>\$ (19,455.65)</u>	<u>(27433.23)</u>	<u>\$ (282,384.21)</u>	<u>(16674.39)</u>

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - BLUE HOLE CAPITAL PROJECT FUND
 For The Nine Months Ended June 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.6 Interest Income'	\$ 70.92	\$ 1,693.52	100.00%	\$ 4,500.00	\$ (2,806.48)	-62.37%	-25.00%
503.6 Misc Income	-	-	0.00%	-	-	0.00%	-25.00%
518.6 Designated Funds	-	-	0.00%	-	-	0.00%	-25.00%
520.6 Grant Funds	-	-	0.00%	1,131,125.00	(1,131,125.00)	-100.00%	-25.00%
TOTAL REVENUES	70.92	1,693.52	100.00%	1,135,625.00	(1,133,931.48)	-99.85%	-25.00%
EXPENDITURES							
861.6 Contract Labor/Wages	-	-	0.00%	-	-	0.00%	-25.00%
865.6 Contract Services	-	-	0.00%	321,125.00	(321,125.00)	-100.00%	-25.00%
869.6 Capital Outlay - Equipment	-	-	0.00%	14,500.00	-	0.00%	-25.00%
870.6 Capital Outlay - Development	19,526.57	284,077.73	100.00%	800,000.00	(515,922.27)	-64.49%	-25.00%
TOTAL BLUE HOLE PARKLAND EXPENDITURES	19,526.57	284,077.73	100.00%	1,135,625.00	(851,547.27)	-74.98%	-25.00%
Net Excess (Deficit)	\$ (19,455.65)	\$ (282,384.21)	0.00%	\$ -	\$ (282,384.21)	-24.87%	-25.00%

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City of Wimberley
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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/8/10	870.60	Capital Outlay - Development Project	19,526.57	2009	design workshop
6/7/10	302.40	FICA Tax Payable	38.52	3028	ozona natl bank
6/8/10	864.40	Operating Supplies	196.00	3029	mr e tee's
6/8/10	862.40	Utilities	55.10	3030	wimberley water supply
6/21/10	301.40	Withholding Tax Payable	27.00	3039	ozona natl bank
6/21/10	302.40	FICA Tax Payable	351.12	3039	ozona natl bank
			378.12	3039	Reference Total
6/22/10	864.40	Operating Supplies	187.39	3040	ace hardware
6/22/10	863.40	Mowing	375.00	3041	affordable lawn service
6/22/10	868.40	Public Restroom Facilities	645.00	3042	leinneweber plumbing
6/1/10	733.10	Parking Lot Lease	100.00	7562	calkins interest
6/1/10	608.10	Health Care	200.00	7563	cara mcpartland
6/1/10	608.10	Health Care	312.00	7564	don ferguson
6/1/10	608.10	Health Care	200.00	7565	monica alcalá
6/1/10	708.10	Health Benefits	200.00	7566	sandra irvin
6/1/10	614.10	Rent	525.00	7567	todd routh
6/1/10	708.10	Health Benefits	200.00	7568	william bowers
6/1/10	908.10	Health Benefits - Comm Ctr	200.00	7569	james kroll
6/4/10	607.10	TMRS - Admin	367.92	7575	tmrs
6/4/10	707.10	TMRS - Public Works	140.23	7575	tmrs
6/4/10	907.10	TMRS - City Contribution Comm Ctr	40.25	7575	tmrs
6/4/10	311.10	TMRS Payable	903.67	7575	tmrs
			1,452.07	7575	Reference Total
6/7/10	301.10	Withholding Tax Payable	1,003.00	7576	ozona natl bank
6/7/10	302.10	FICA Tax Payable	1,601.90	7576	ozona natl bank
			2,604.90	7576	Reference Total
6/8/10	623.10	Office Technology	50.00	7577	anvil communications
6/8/10	917.10	Utilities - Comm Ctr	500.66	7578	aqua texas inc
6/8/10	676.10	Contract Inspector	830.00	7579	ats
6/8/10	641.10	Legal	855.50	7580	bickerstaff heath pollan & caroom
6/8/10	661.10	Public Relations / Receptions	58.90	7581	brookshire bros
6/8/10	611.10	Printing	16.03	7582	don ferguson
6/8/10	611.10	Printing	255.00	7583	engelhart printing
6/8/10	727.10	Road Maintenance	450.00	7584	garrett allen
6/8/10	619.10	Water Cooler	38.49	7585	hill country springs
6/8/10	632.10	Capital Outlay - Other	129.95	7586	hired killers
6/8/10	610.10	Public Notices	671.48	7587	holly media group

City of Wimberley
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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/8/10	928.10	Supplies - Comm Ctr	21.65	7588	kay henderson
6/8/10	618.10	Equipment Leases	281.03	7589	kyocera mita america
6/8/10	756.10	Public Restroom Wastewater	275.00	7590	leinneweber plumbing
6/8/10	655.10	Financial Management Services	1,000.00	7591	lori graham cpa
6/8/10	622.10	Records Management	1,125.00	7592	municipal code corporation
6/8/10	617.10	Utilities	362.66	7593	pec
6/8/10	859.10	Nature Trail Operations	96.57	7593	pec
6/8/10	917.10	Utilities - Comm Ctr	1,078.26	7593	pec
			1,537.49	7593	Reference Total
6/8/10	727.10	Road Maintenance	950.00	7594	pendleton excavation
6/8/10	632.10	Capital Outlay - Other	150.00	7595	reliable air
6/8/10	640.10	Refunds	200.00	7596	rocky river ranch
6/8/10	661.10	Public Relations / Receptions	30.00	7597	star awards in
6/8/10	917.10	Utilities - Comm Ctr	89.84	7598	texas disposal systems
6/8/10	720.10	Fuel	55.59	7599	texas fleet fuel
6/8/10	632.10	Capital Outlay - Other	421.20	7600	texas re-key locksmith
6/8/10	623.10	Office Technology	365.55	7601	time warner
6/8/10	609.10	Dues - TML & City Mgr Assoc	1,121.00	7602	tml
6/8/10	612.10	Telephone	418.13	7603	verizon
6/8/10	330.10	Community Center Security Deposits Payable	300.00	7604	wimberley band boosters
6/8/10	617.10	Utilities	38.00	7605	wimberley water supply
6/8/10	859.10	Nature Trail Operations	35.50	7605	wimberley water supply
6/8/10	917.10	Utilities - Comm Ctr	121.26	7605	wimberley water supply
			194.76	7605	Reference Total
6/8/10	661.10	Public Relations / Receptions	83.00	7606	written in stone
6/8/10	632.10	Capital Outlay - Other	645.38	7607	adt security
6/21/10	301.10	Withholding Tax Payable	979.00	7611	ozona natl bank
6/21/10	302.10	FICA Tax Payable	1,558.68	7611	ozona natl bank
			2,537.68	7611	Reference Total
6/22/10	616.10	Office Supplies	41.62	7612	ace hardware
6/22/10	715.10	Supplies - Public Works	70.40	7612	ace hardware
6/22/10	928.10	Supplies - Comm Ctr	255.91	7612	ace hardware
			367.93	7612	Reference Total
6/22/10	731.10	Mowing / Tree Trimming	725.00	7613	affordable lawn service
6/22/10	859.10	Nature Trail Operations	100.00	7613	affordable lawn service

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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/22/10	731.10	Mowing / Tree Trimming	475.00	7613	affordable lawn service
			1,300.00	7613	Reference Total
6/22/10	623.10	Office Technology	150.00	7614	anvil communications
6/22/10	926.10	Security Expense - Comm Ctr	93.45	7615	asg security
6/22/10	612.10	Telephone	178.78	7616	at&t
6/22/10	676.10	Contract Inspector	1,315.00	7617	ats
6/22/10	735.10	Survey Services	8,635.16	7618	bake-aicken & assoc
6/22/10	616.10	Office Supplies	112.16	7619	c&h distributors
6/22/10	837.10	Sanitarian - Contract Labor	1,214.50	7620	environmental concepts
6/22/10	727.10	Road Maintenance	300.00	7621	garrett allen
6/22/10	654.10	Election	2,997.92	7622	hays co elections admin
6/22/10	756.10	Public Restroom Wastewater	295.00	7623	leinneweber plumbing
6/22/10	677.10	Site Plan Reviews	978.92	7624	neptune-wilkinson assoc
6/22/10	729.10	Road Engineering	150.00	7624	neptune-wilkinson assoc
			1,128.92	7624	Reference Total
6/22/10	618.10	Equipment Leases	147.00	7625	pitney bowes
6/22/10	620.10	Postage	125.00	7626	purchase power
6/22/10	615.10	Cleaning	400.00	7627	pow-wow services
6/22/10	616.10	Office Supplies	119.09	7628	sam's club
6/22/10	661.10	Public Relations / Receptions	141.99	7628	sam's club
6/22/10	859.10	Nature Trail Operations	18.88	7628	sam's club
6/22/10	928.10	Supplies - Comm Ctr	283.04	7628	sam's club
			563.00	7628	Reference Total
6/22/10	720.10	Fuel	62.83	7629	texas fleet fuel
6/22/10	613.10	Copies	2.00	7630	tx dept of public safety
6/22/10	912.10	Telephone - Comm Ctr	96.33	7631	verizon
6/22/10	951.10	Dues & Memberships - Comm Ctr	150.00	7632	wimberley chamber of commerce
6/25/10	617.10	Utilities	95.22	7633	pec
6/30/10	111.60	Cash - Ozona National Bank - BH Development	-19,526.57	disb	disb
6/30/10	110.40	Cash - Ozona National Bank - BH Operating	-1,875.13	disb	disb
6/25/10	102.10	Cash - Ozona National Bank - General	-41,382.48	disb	disb
			-62,784.18	disb	Reference Total

**City of Wimberley
JOURNAL REPORT**

June 30, 2010

CD - Cash disbursements

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
		Total for 93 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

June 30, 2010

JE -

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/10	102.10	Cash - Ozona National Bank - General	52,122.36	1	deposits
6/30/10	504.10	Miscellaneous income	-1,692.00	1	misc income
6/30/10	505.10	Building Permits	-2,278.26	1	bldg permits'
6/30/10	506.10	Building Inspections	-1,840.00	1	bldg inspections
6/30/10	509.10	Plan Reviews	-910.00	1	plan reviews
6/30/10	511.10	Sign Permits	-395.00	1	sign permits
6/30/10	527.10	Food Permits	-200.00	1	food permits
6/30/10	528.10	Septic Lease	-400.00	1	septic permits
6/30/10	532.10	Community Center Rental Fees	-3,305.00	1	rental fees comm ctr
6/30/10	121.10	Sales Tax Receivable	-37,425.55	1	s/t receivable
6/30/10	330.10	Community Center Security Deposits Payable	-1,900.00	1	deposits - comm ctr
6/30/10	120.10	Accounts Receivable	-1,780.55	1	a/r
6/30/10	116.10	Due From Municipal Court	4.00	1	due from municipal court
			0.00	1	Reference Total
6/30/10	622.10	Records Management	15.36	2	q b s/c
6/30/10	102.10	Cash - Ozona National Bank - General	-15.36	2	cash
			0.00	2	Reference Total
6/30/10	110.40	Cash - Ozona National Bank - BH Operating	28,730.40	3	deposits
6/30/10	541.40	Gate Fees	-28,730.40	3	gate fees
			0.00	3	Reference Total
6/30/10	110.40	Cash - Ozona National Bank - BH Operating	22.16	4	cash
6/30/10	503.40	Interest Income - Blue Hole Parkland	-22.16	4	interest
			0.00	4	Reference Total
6/30/10	111.60	Cash - Ozona National Bank - BH Development	70.92	5	cash
6/30/10	503.60	Interest Income	-70.92	5	interest
			0.00	5	Reference Total
6/30/10	102.10	Cash - Ozona National Bank - General	60.83	6	cash
6/30/10	503.10	Interest Income - General	-60.83	6	interest
			0.00	6	Reference Total

City of Wimberley
JOURNAL REPORT

June 30, 2010

JE -

Client No: 347

Page 6

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/10	105.10	Cash - Ozona National Bank - CD	92.73	7	cash
6/30/10	503.10	Interest Income - General	-92.73	7	interest
			0.00	7	Reference Total
6/30/10	861.40	Contract Labor/Wages	194.82	8	wages
6/30/10	302.40	FICA Tax Payable	-194.82	8	fica payable
			0.00	8	Reference Total
6/30/10	628.10	Technology Consultant	712.50	9	tech consultant
6/30/10	623.10	Office Technology	-712.50	9	ofc technology
			0.00	9	Reference Total
6/30/10	606.10	Payroll Taxes	-529.35	10	p/r taxes admin
6/30/10	706.10	Payroll Taxes	355.21	10	p/r taxes pw
6/30/10	906.10	Payroll Taxes - Comm Ctr	174.14	10	p/r taxes comm ctr
			0.00	10	Reference Total
6/30/10	112.50	Cash - Ozona National Bank - Municipal Court	94.00	11	cash
6/30/10	304.50	Due to General - Municipal Court	-94.00	11	due to general
			0.00	11	Reference Total
6/30/10	121.10	Sales Tax Receivable	37,721.27	12	sales tax receivable
6/30/10	501.10	Sales & Use Tax	-37,721.27	12	sales tax revenue
			0.00	12	Reference Total
6/30/10	119.10	Texpool - General	30.07	13	texpool
6/30/10	503.10	Interest Income - General	-30.07	13	interest
			0.00	13	Reference Total
6/30/10	119.40	Texpool - Blue Hole	27.99	14	texpool bh
6/30/10	503.40	Interest Income - Blue Hole Parkland	-27.99	14	interest
			0.00	14	Reference Total
		Total for 40 Items	0.00 ..		

City of Wimberley
JOURNAL REPORT

June 30, 2010

PYA - Generated payroll accrual

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/10	606.10	Payroll Taxes	1,438.65	CKS	Employer's FICA
6/30/10	302.10	FICA Tax Payable	-1,438.65	CKS	Employer's FICA
6/30/10	606.10	Payroll Taxes	336.46	CKS	Employer's Medicare
6/30/10	302.10	FICA Tax Payable	-336.46	CKS	Employer's Medicare
			0.00	CKS	Reference Total
		Total for 4 Items	0.00		

City of Wimberley
JOURNAL REPORT

June 30, 2010

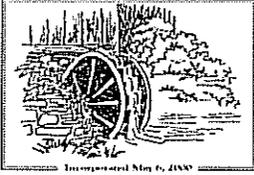
PYR - Generated payroll transaction

Client No: 347

Page 8

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/10	601.10	City Administrator	7,307.70	CKS	SALARY
6/30/10	301.10	Withholding Tax Payable	-1,982.00	CKS	Federal Withholding
6/30/10	302.10	FICA Tax Payable	-1,580.29	CKS	Fica + Medicare Withholding
6/30/10	311.10	TMRS Payable	-944.74	CKS	TMRS Contribution
6/30/10	102.10	Cash - Ozona National Bank - General	-16,150.37	CKS	Net Payroll Checks
6/30/10	602.10	City Secretary	2,846.16	CKS	SALARY
6/30/10	603.10	Receptionist/Clerk	1,944.00	CKS	SALARY
6/30/10	861.40	Contract Labor/Wages	2,546.69	CKS	SALARY
6/30/10	302.40	FICA Tax Payable	-194.82	CKS	Fica + Medicare Withholding
6/30/10	110.40	Cash - Ozona National Bank - BH Operating	-2,324.87	CKS	Net Payroll Checks
6/30/10	301.40	Withholding Tax Payable	-27.00	CKS	Federal Withholding
6/30/10	901.10	Salaries - Director	1,640.00	CKS	SALARY
6/30/10	704.10	Salaries-GIS/Permitting Clerk	2,480.00	CKS	SALARY
6/30/10	902.10	Salaries - Maintenance	2,276.34	CKS	SALARY
6/30/10	702.10	Salaries-Code Enforcement & Permitting	2,163.20	CKS	SALARY
			0.00	CKS	Reference Total
		Total for 15 Items	0.00		

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: PRESENTATION BY THE
TRANSPORTATION ADVISORY BOARD OF A 10-YEAR
CAPITAL IMPROVEMENT PROGRAM TO IMPROVE
CITY STREETS

Funds Required:

Funds Available:

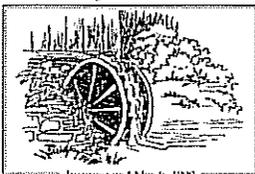
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow representative(s) of the Transportation Advisory Board to present a proposed ten (10) year capital improvement program to improve city streets.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:
Funds Available:

Council Action Requested:

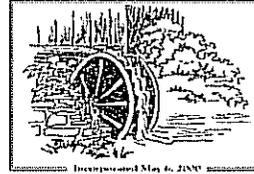
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The City Administrator will present a report on the following items:

- Status report on the efforts underway to secure federal funding for the downtown wastewater project
- Status report on the development of a contract law enforcement plan for the City of Wimberley
- Status report on the reconstruction of Las Flores Drive, La Pais Drive and Palos Verdes Drive
- Status report on the installation of speed humps on La Buena Vista Drive
- Status report on the development of a proposed extension of the City of Wimberley's solid waste/recycling contract with Texas Disposal Systems
- Status report on the operation of the Blue Hole Regional Park
- Status report on the implementation of a new process for the posting of City Council meeting agendas and the production of City Council agenda packets
- Status report on the proposed Fiscal Year 2011 Work Plan & Budget for the Wimberley Wastewater Treatment Plant System serving Deer Creek Rehabilitation Center

Report for Conditional Use Permit CUP-10-009



Summary:

A Request for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at 110 Oak Drive

Applicant Information:

Applicant: Marcilia Anderson
P.O. Box 2110
Wimberley, TX 78676

Property Owner: Marcilia Anderson

Subject Property:

Legal Description: ABS 461 AMASA TURNER SURVEY 0.41 AC/17,860 SF (0.0234 AC/1,018 SF HS)

Location: 110 Oak Drive

Existing Use of Property: Vacant; previously a child day care

Existing Zoning: C1

Proposed Use of Property: Bed and Breakfast

Proposed Zoning: N/A

Planning Area: III

Overlay District: Village Center

Surroundings:

Frontage On: Oak Drive and Henson Road

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	R2, C1, C2	Residential, Commercial
S of Property	R2, MH, C1	Residential, Commercial, Vacant
E of Property	R2, C1, C2, C3	Residential, Commercial
W of Property	C1, L2	Residential, Vacant

Legal Notice

200' Letters 7/2/2010

Published 7/10/2010

Sign Placement 7/11/2010

Responses (1) - Please see below

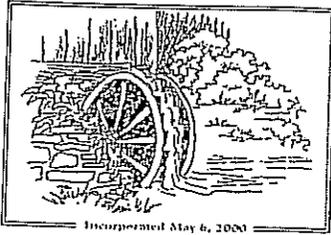
Comments:

The applicant, Marcilia Anderson, has requested a Conditional Use Permit (CUP) to allow for the operation of a *Bed and Breakfast* on a .41 acre tract located at 110 Oak Drive. The subject property is located in Planning Area III, the Village Center Overlay District and is currently zoned Commercial - Low Impact (C-1). *Bed and Breakfast* operations are allowed in C-1 zoning districts with a CUP.

Currently, there are two (2) vacant buildings on the subject property which once housed a day care operation. The primary building is approximately 4,200 square feet in size while the secondary structure is approximately 1,400 square feet. The applicant is proposing to have six (6) bedrooms, seven (7) bathrooms, lounge, reception area, office, and computer room in the primary structure. The secondary building will not be part of the proposed *Bed and Breakfast* operation. A total of seven (7) parking spaces will be provided on-site for the *Bed and Breakfast* which complies with the City code. The applicant is proposing to house up to eighteen (18) people in the *Bed and Breakfast*. The existing on-site septic system has the capacity to handle the proposed occupancy load.

One (1) concerned near-by business owner contacted City staff regarding the proposed *Bed and Breakfast* operation. The business owner had concerns regarding parking, septic capacity and maximum occupancy.

On July 22, 2010, the Planning and Zoning Commission held a public hearing on proposed CUP. Afterwards, the Commission discussed the proposal at length. The discussion centered on parking, septic capacity and whether the proposed *Bed and Breakfast* would be better classified as a lodge or hotel considering its proposed maximum occupancy. Following the discussion, a motion was made to recommend approval of the CUP application but the motion died for lack of a second. As such, the application comes to City Council without a recommendation of the Commission.



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-10 - 009

FOR OFFICIAL USE ONLY

Application Date: 6/22/2010 Tentative P&Z Hearing: 7/22 Tentative Council Hearing: 8/5

FEES: \$400.00 DATE PAID: 4/22 CHECK NO. 1014 REC'D BY SANDY IRVIN

PROJECT SITE ADDRESS: 110 OAK DRIVE Wimberley, TX. 78676

OWNER/APPLICANT MARCELLIA ANDERSON PHONE (512) 633-2608

FAX () _____ EMAIL: marci.anderson@gmail.com

Mailing Address: P.O. Box 2110 CITY: Wimberley STATE: TX ZIP: 78676

APPLICANT UNDERSTANDS that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

ZONING: C-1 CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

BED & BREAKFAST LODGING; "SQUARE INN"

Planning Area III Zoning C-1 Total Acreage or Sq. Ft. 0.41 ac / 17,860 SF

Subdivision: ABS 461 AMASA Lot _____ Block TRACT 1

Appraisal District Tax ID#: R 18546

Deed Records Hays County: Volume _____ Page _____ EX # 9909-0069

Is property located in an overlay district? () Yes () No - If Yes,

Type: Village Center

Is property located in flood plain? () Yes () No

Utilities:

Electric Provider: PEC

Water Provider or Private Well: WIMBERLEY WATER

Wastewater Service Provider or Hays County Septic Permit No: FPA 7848

MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- The use requested by the applicant is set forth as a conditional use in the base district;
- The nature of the use is reasonable;
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and .
- That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

ADDITIONAL REQUIREMENTS/DOCUMENTATION

- Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- List of Special Conditions that Applicant agrees apply to property.
- List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property.
- Payment of Application fee \$400.00
- Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the Village zoning action does not relieve any obligation of these restrictions.
- Applicant agrees to provide additional documentation as needed by the Village.
- Applicant understands that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- Applicant hereby authorizes the Village representatives to visit and inspect the subject property.

Date 6/7/10


APPLICANT SIGNATURE

WHEN APPLICABLE:

Date _____

AGENT SIGNATURE

Welcome to the SQUARE INN

Located on the Wimberley Square, 110 Oak Drive

Thank you for choosing the Square Inn of Wimberley. It is our pleasure to provide you with a homey environment and comfortable furnishings for your enjoyment. Please make yourself at home...and for the enjoyment of all the guests, please care for our Inn as if it were your home. We sincerely hope you enjoy your stay with us.

Please review the following Inn Regulations:

- Check in time: 3:00 p.m. - Check out time 11 a.m.
- Please park all guest vehicles in the designated parking spaces in the front of the Inn. Additional parking is available half a block down Oak Drive.
- Smoking is allowed outside only.
- Please remember that we have good neighbors close by so please keep the noise down after 10:00 pm, as sound travels. Please respect our neighbors' property.
- All children that visit with us will require adult supervision at all times.
- Please respect, preserve and protect the nature and animals indigenous to the area. For your safety, do not attempt to approach or handle any wild animals.
- The Square Inn has its' own septic system. Please be gentle. Do not put trash or non-degradable items down the toilet. For disposal of feminine products, please place in the appropriate trash container provided.
- For the safety and protection of all guests, we reserve the right to ask any unruly or unsafe guests to leave the property immediately.
- We are an eco-friendly community. Please conserve water usage to preserve our resources and our septic.
- Please place all trash inside the large green container located outside.
- Cleaning after your visit is provided, an additional fee will be charged if excessive clean up is required.
- We are not responsible for items left behind. Please double check all rooms before you leave.
- Please do not move indoor or outdoor furniture from its original location.
- Please contact us if you have any issues as we can be reached at:
 - Josie Sturdivant (512) 847-7460 or (210) 710-0209
 - Marci Anderson (512) 633-2608
- Please call 911 for all emergencies and fires!

Your suggestions and comments are encouraged. Please take a few minutes to let us know about your stay with us. We hope to see you again soon!

Thank You,
Josie Sturdivant, Property Manager
Marci Anderson, Property Owner

SQUARE INN
110 OAK DRIVE
WIMBERLEY, TX

110 Oak Drive is an existing commercial building of approximately 5,600 total square feet on .41 acres, locating behind the Wimberley Square. The main building is approximately 4,200sf and currently has 6 bathrooms with 3 of those bathrooms plumbed for showers. There is also a second building of approximately 1,400sf with 2 bathrooms. The kitchen already exists in the main building and will not be remodeled.

In January 2010, the building sustained damage from water pipes breaking and much of the work is repair from this damage.

Our scope of work is primarily to re-model the pre-existing bathrooms with details of work below. It is our intention to open an 'Inn' with 6 bedrooms. We believe that this would be an asset to the merchants of the square as well as the economy of Wimberley.

SCOPE OF WORK

- Front Exterior:
1. Wanes-coat rock façade across front and right side
 2. Paint
 3. Wood façade on front peaks
 4. Install front door wood awning extended 3 feet
 5. Re-attach rain cutter
 6. Replace light fixtures
 7. Replace signage with same dimensions and placement
 8. Replace 4' wood fence on left side
- Back Exterior:
1. Wanes-coat rock façade in court-yard
 2. Paint
 3. Install 4 foot overhang above court yard doors
 4. Replace chain-link fence with 6' wood privacy fence on sides
- Reception:
1. Sheetrock patch and paint
 2. Replace flooring
- Hallway:
1. Sheetrock patch and paint.
 2. Replace flooring.
 3. Install French doors at end of hallway to back porch.
- Lounge Area:
1. Sheetrock patch and paint
 2. Install common area toilet, move sink. Frame 4'6"x6' bathroom
 3. Replace flooring

- Room 1:
1. Sheetrock patch and paint
 2. Frame out existing bathroom to 9'x6. Install shower
 3. Frame, insulate, sheetrock, paint 14' division wall between Room 1 and Room 2
 4. Replace flooring
- Room 2:
1. Sheetrock patch and paint.
 2. Frame out existing bathroom to 8'x7. Install shower.
 3. Replace window with exterior door.
 4. Replace flooring.
- Room 3:
1. Sheetrock patch and paint.
 2. Frame out existing bathroom to 9'6"x11'8". Re-install shower, reinstall sink.
 3. Frame 15' dividing wall.
 4. Replace flooring.
- Room 4:
1. Sheetrock patch and paint.
 2. Replace tub/shower.
 3. Replace flooring.
- Room 5:
1. Sheetrock patch and paint.
 2. Re-install shower.
 3. Replace flooring.
- Room 6:
1. Sheetrock patch and paint.
 2. Frame out existing bathroom to 7'6"x7'8". Install shower.
 3. Enclose water heater in closet.
 4. Frame 17'7" dividing wall.

Install hard-wired fire alarm system with 2 detectors in hallway and 1 in each room. Install lighted exit signs with battery back up.

PRO-TECH ENGINEERING GROUP

P. O. Box 1064

San Marcos, Texas 78666

(512) 392-3391

FIELD NOTE DESCRIPTION
OF
A SURVEY OF
0.40 ACRES OF LAND
OUT OF THE
AMASA TURNER SURVEY
HAYS COUNTY, TEXAS

BEING ALL THAT TRACT OF LAND CONVEYED TO LARRY E. FOWLER BY RANDALL L. WILLIS BY DEED DATED MAY 2, 1980, AND RECORDED IN VOLUME 341, PAGE 707, HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING at an iron stake found on the Southeast line of Oak Street, at the East corner of that tract of 0.35 acres of land conveyed to Wimberley Restoration Association by Mrs. Georgia Bell Clayton by deed dated May 2, 1966, and recorded in Volume 211, Page 371, Hays County Deed Records, for the North corner of the tract herein described;

THENCE, leaving the said Wimberley Restoration Association 0.35 acre tract, with the Southeast line of said Oak Street, S 38° 13' E, 70.03 feet to an iron stake found, at a corner fence post, for the East corner of the tract herein described, same being the North corner of that tract of land conveyed to J. C. Lane by Mrs. Georgia Bell Clayton by deed dated April 15, 1946, and recorded in Volume 134, Page 435, Hays County Deed Records;

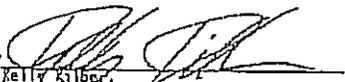
THENCE, leaving the said Oak Street, with fence, the Northwest line of the said Lane tract, S 50° 36' W, 100.56 feet to an iron stake found at the West corner of the said Lane tract;

THENCE, leaving fence, the said Lane tract, S 50° 13' W, 149.79 feet to an iron stake found, for the South corner of the tract herein described;

THENCE, N 37° 20' W, 69.17 feet to the West corner of the tract herein described;

THENCE, N 50° 13' E, at 3.42 feet passing an iron stake found, at the South corner of that tract of 0.24 acres of land conveyed to Sander Engineering Corporation by J. Arthur York by deed dated May 3, 1973, and recorded in Volume 258, Page 517, Hays County Deed Records, at 103.29 feet passing an iron stake found at the East corner of the said Sander Engineering Corporation 0.24 acre tract, same being the South corner of the aforementioned Wimberley Restoration Association 0.35 acre tract, and continuing on, in all, 149.89 feet to an iron stake found;

THENCE, continuing with the Southeast line of the said Wimberley Restoration Association 0.35 acre tract, N 50° 07' E, 99.42 feet to the POINT OF BEGINNING containing 0.40 acres of land. Field notes prepared February, 1981, from a Survey in November, 1980.

By 
Kelly Kilger,
Registered Public Surveyor #2219

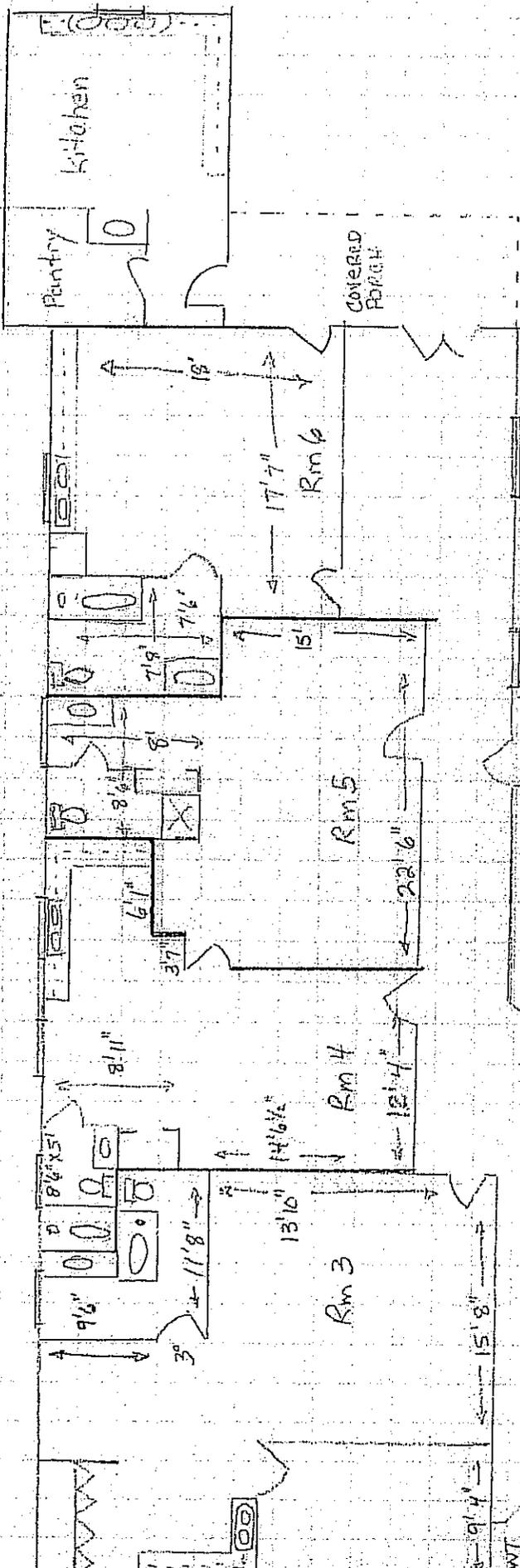
MARSHA FOWLER
FB 114 PG 4
PLAN NO. 607
EO 76-13107

EXHIBIT A

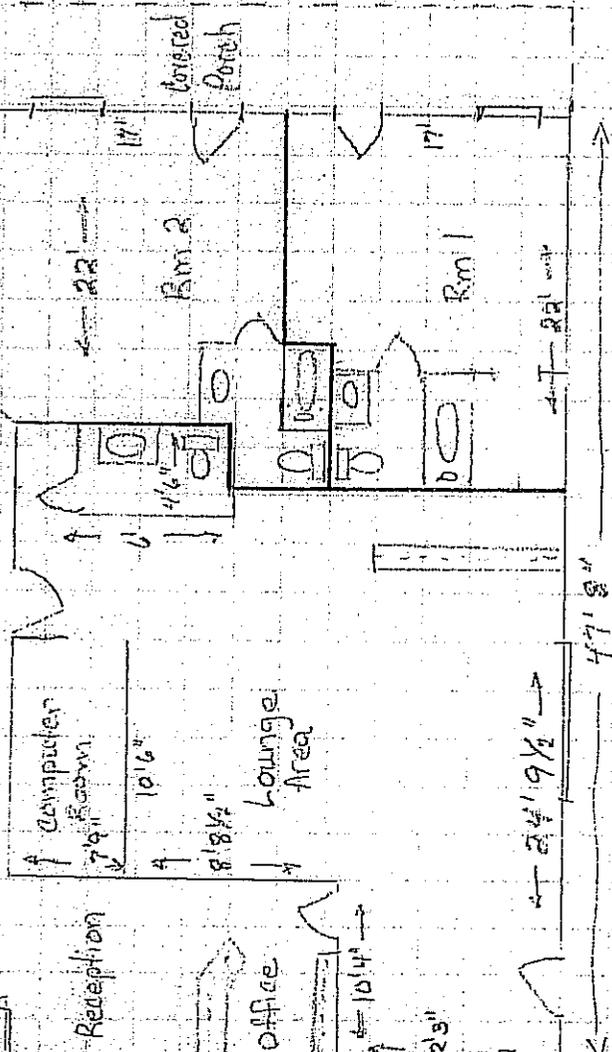
FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

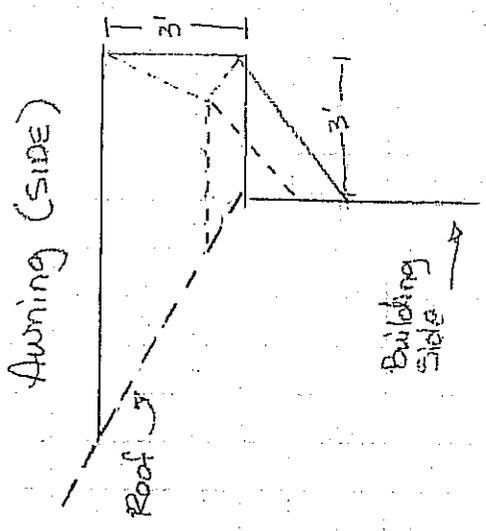
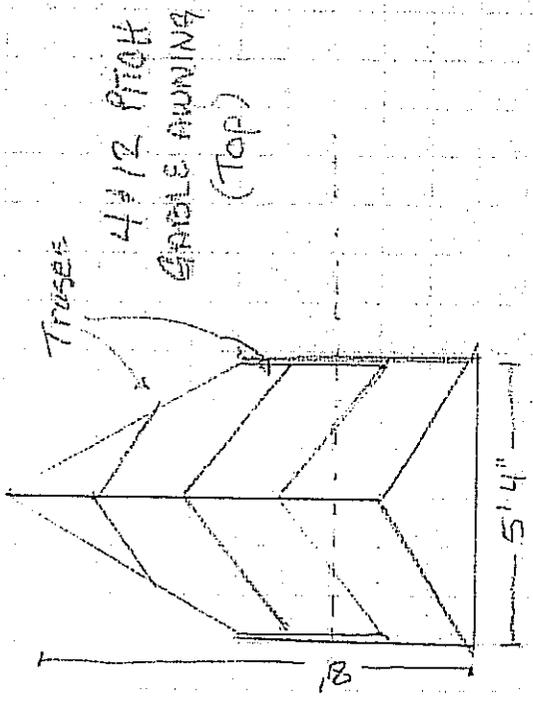
Lee Carlisle

11-12-99 08:49 AM 9926831
LACKEY \$23.00
LEE CARLISLE, County Clerk
HAYS COUNTY

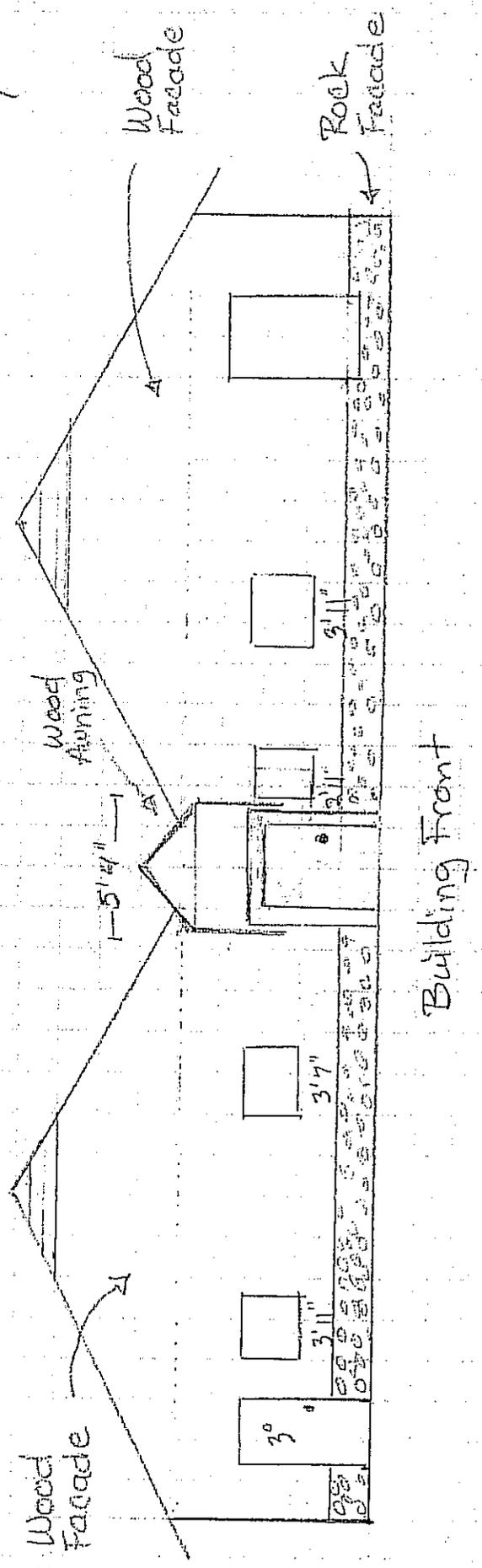


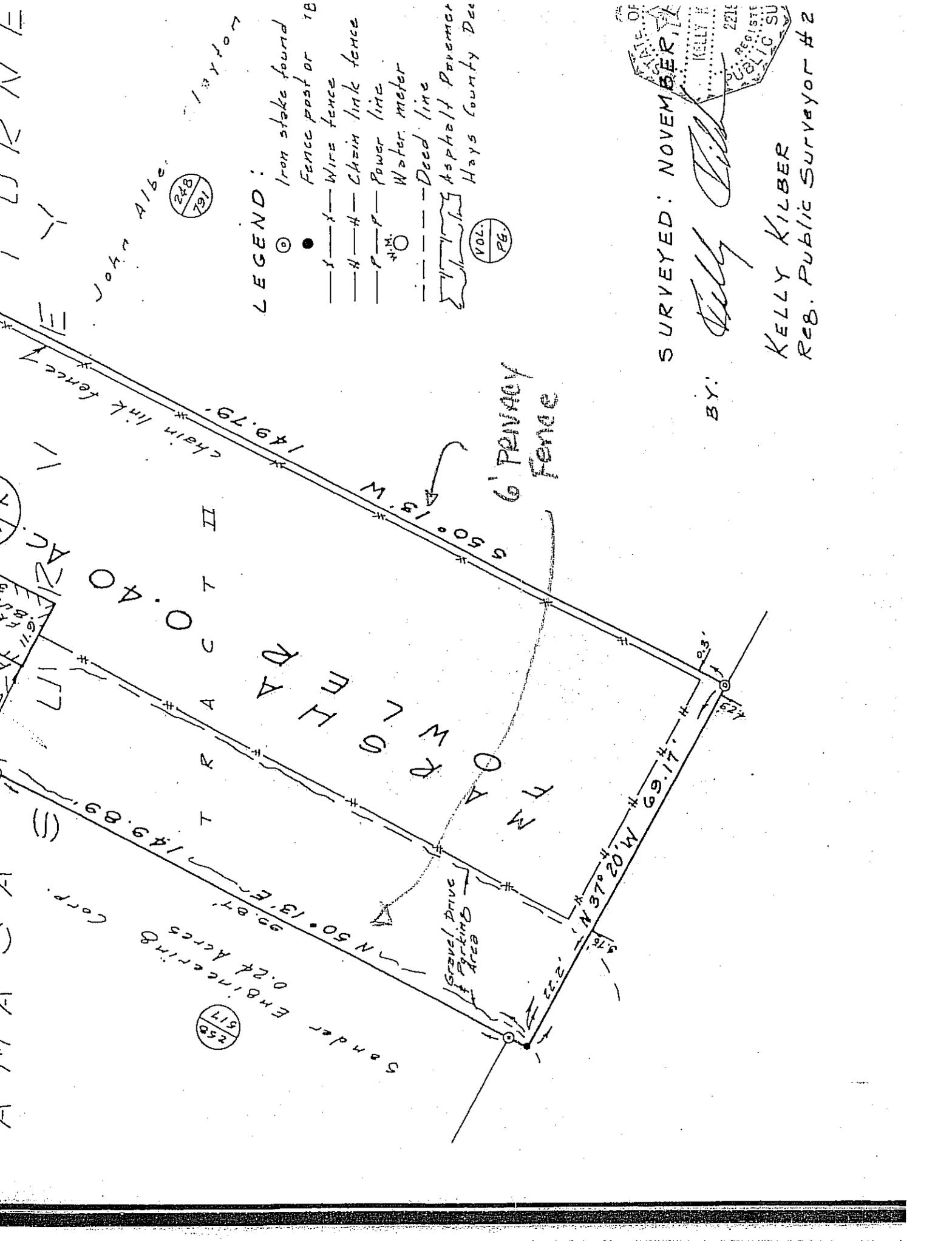
"Square Inn"
 110 Oak Drive
 Approx. 4200 sf
 Main Building





"Square Inn"
110 Oak Dr.
Wimberley





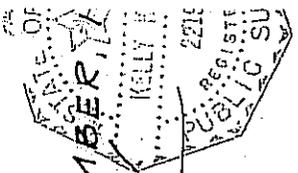
Vol. 248 Pg. 791

248
791

LEGEND:

- ⊙ Iron stake found
- Fence post or 18"
- x— Wire fence
- H— Chain link fence
- P— Power line
- M— Water meter
- Deed line
- ▭ Asphalt Pavement

Vol. 248 Pg. 791



SURVEYED: NOVEMBER 17, 2007

BY: Kelly Kilber

KELLY KILBER
REG. PUBLIC SURVEYOR #2

Sender ENGINEERING Corp.
0.24 Acres
250 517

Gravel Drive
Parking Area

6' Privacy Fence

W L G M H A D A C T II

Chain link fence

149.89'

99.87'

149.79'

69.17'

N 37° 20' W

4.23'

4.76'

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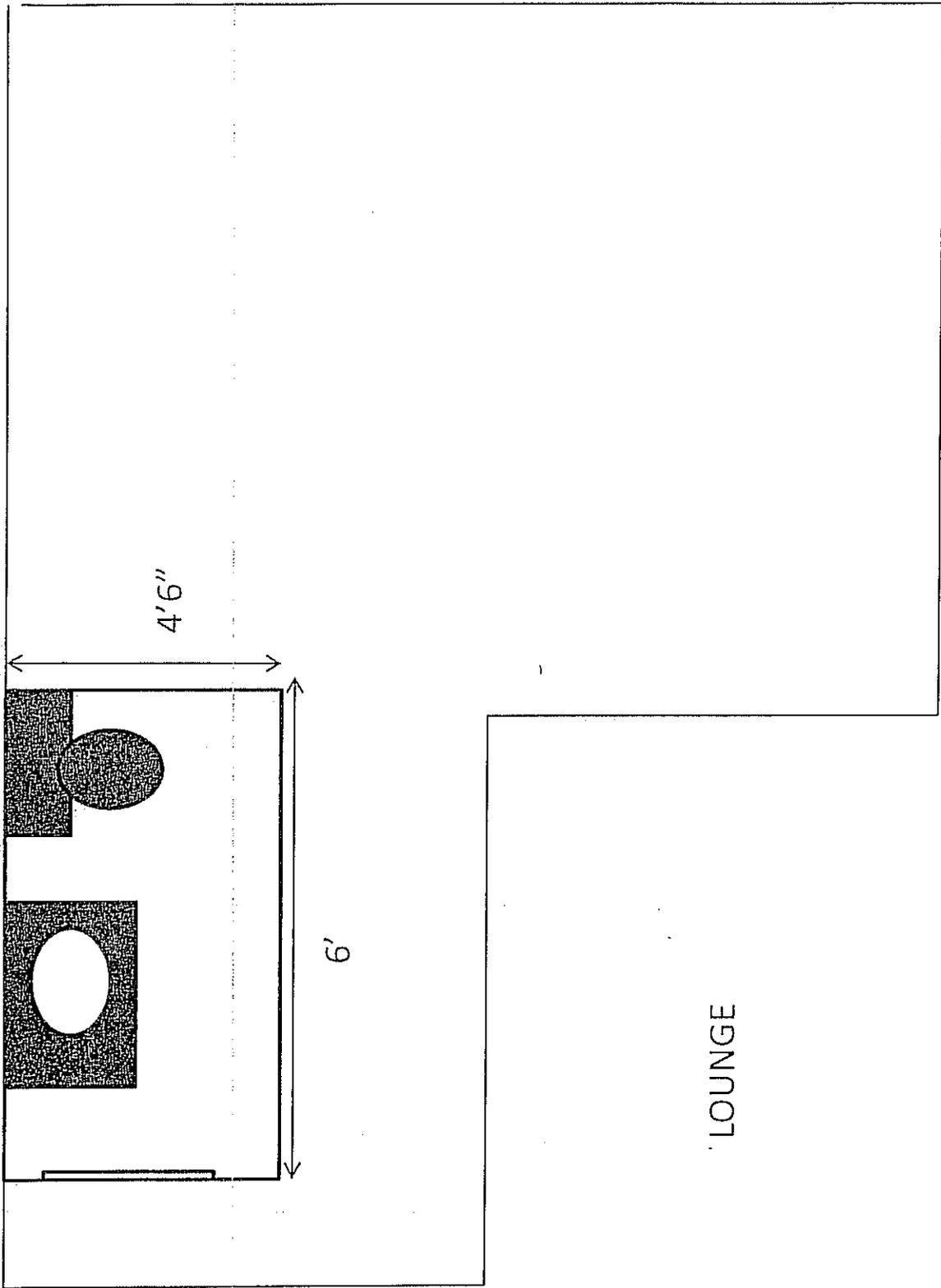
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0.3'

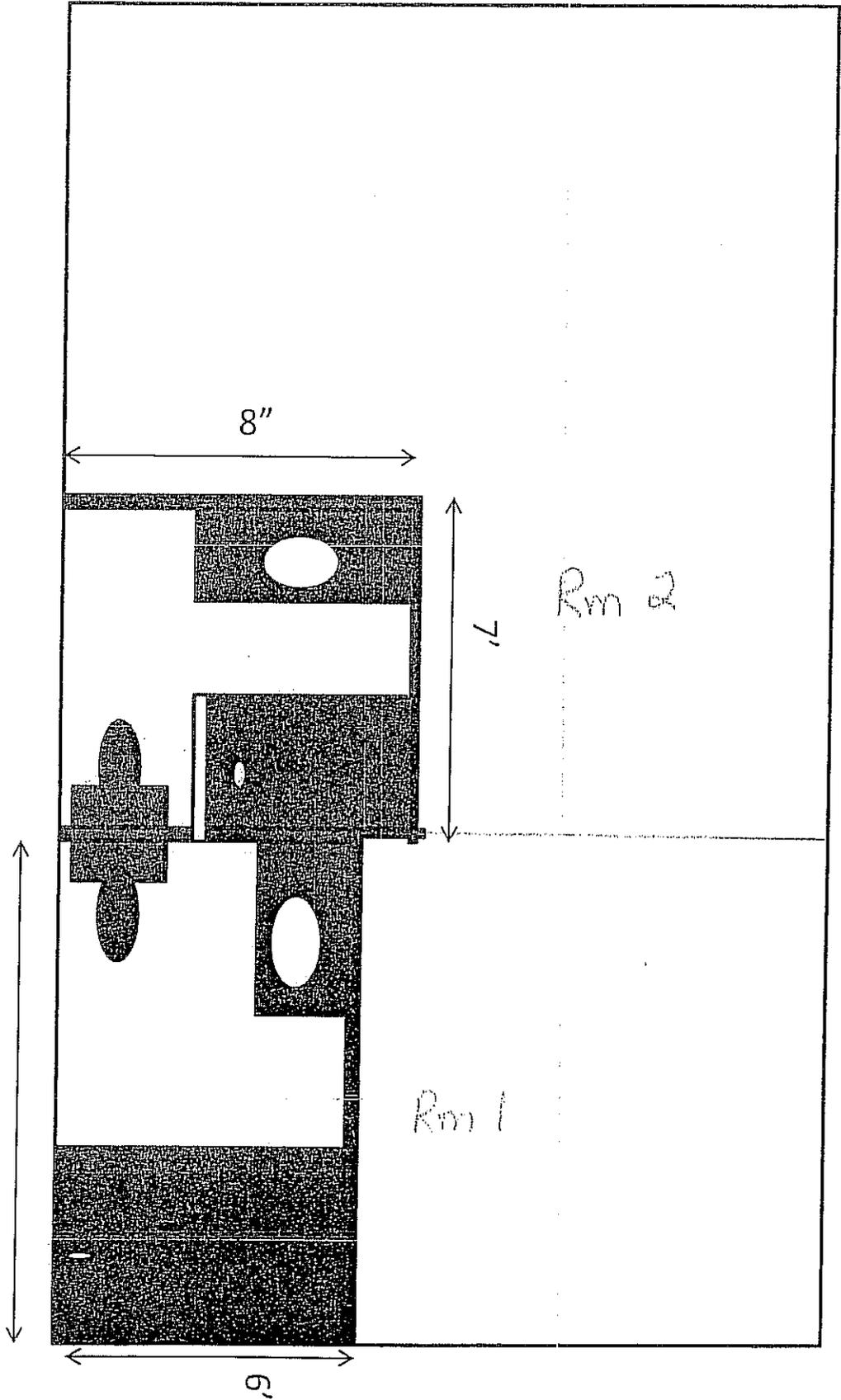
4.23'

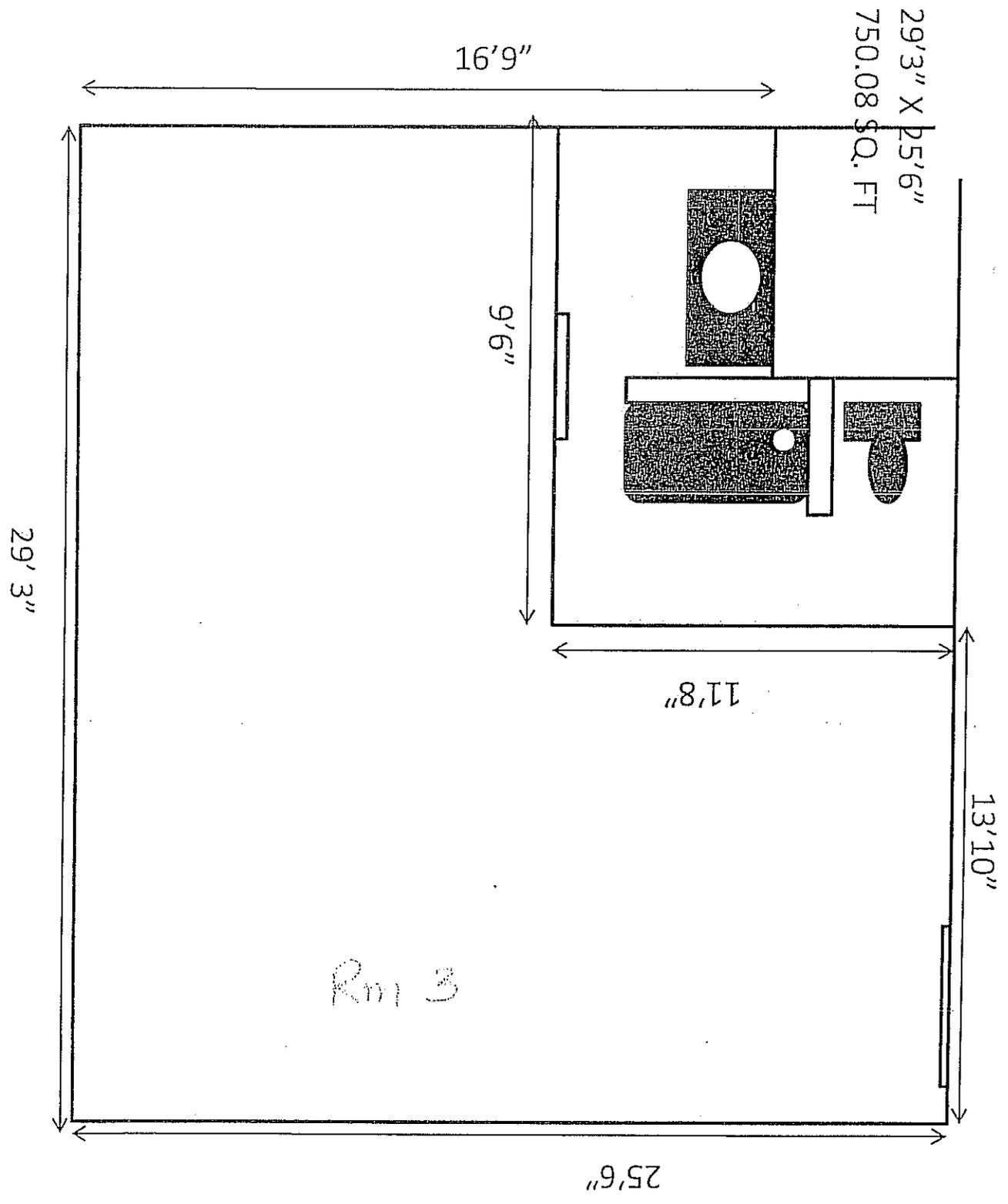
0.3'

4.23'



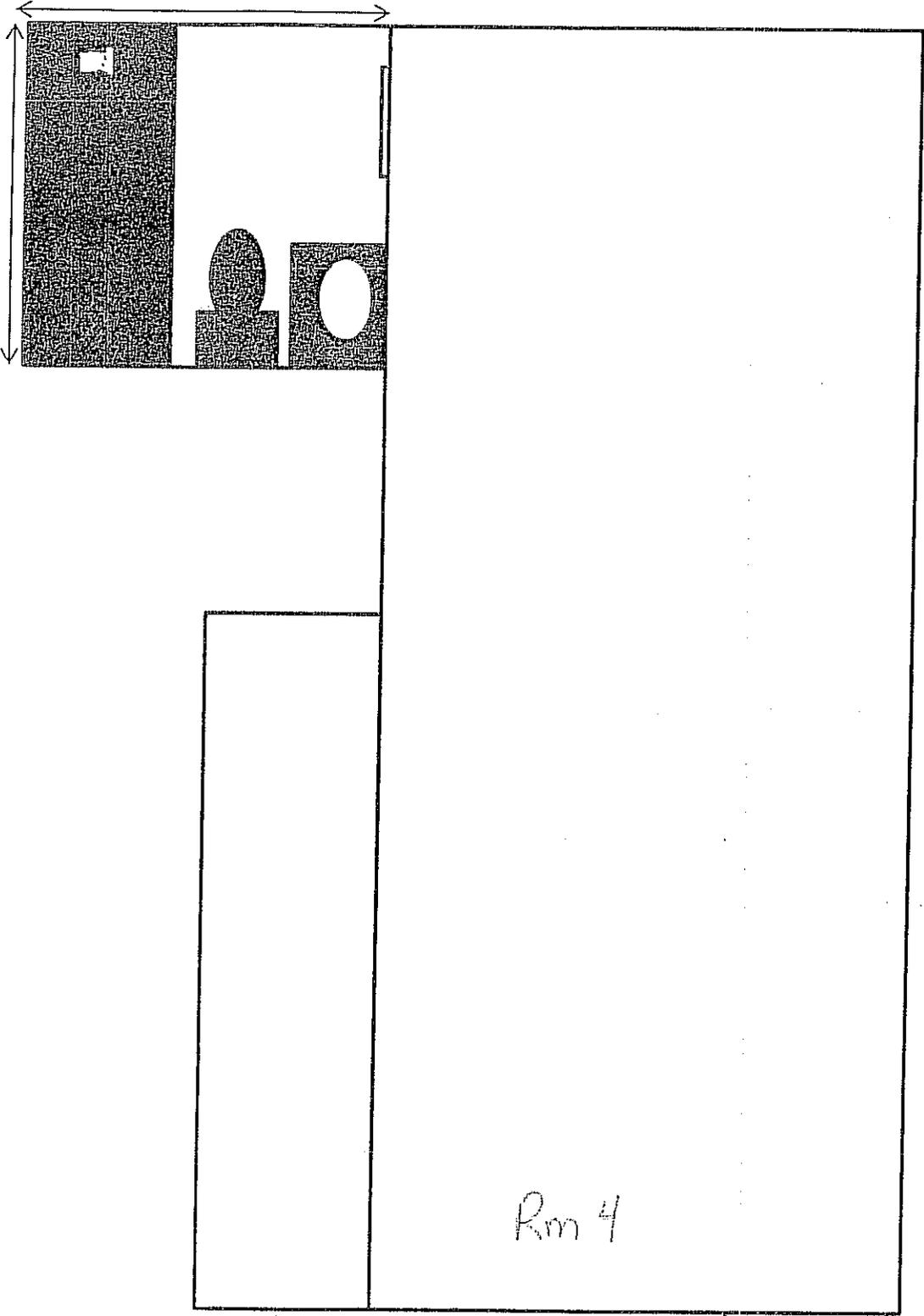
LOUNGE



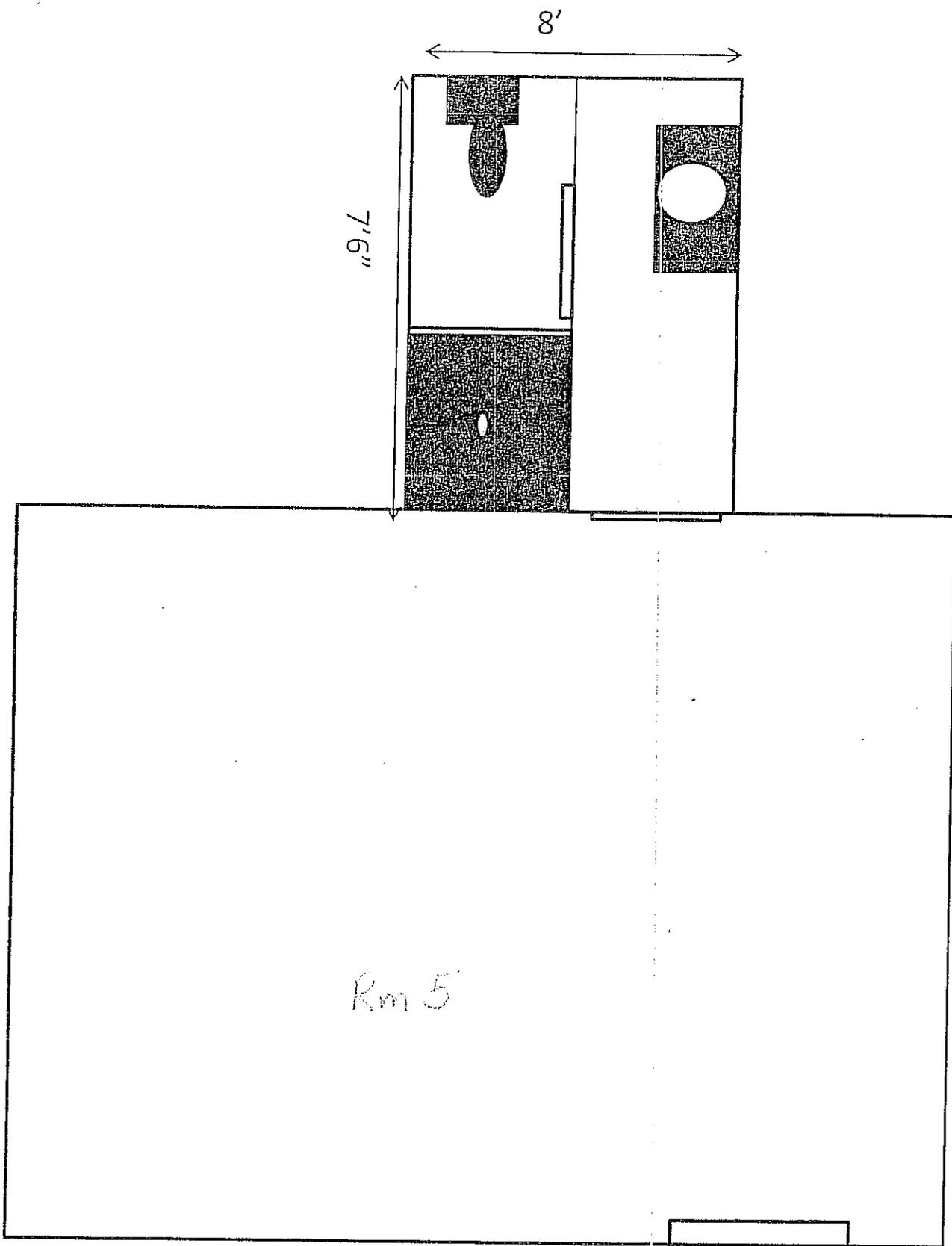


8'6"

5'



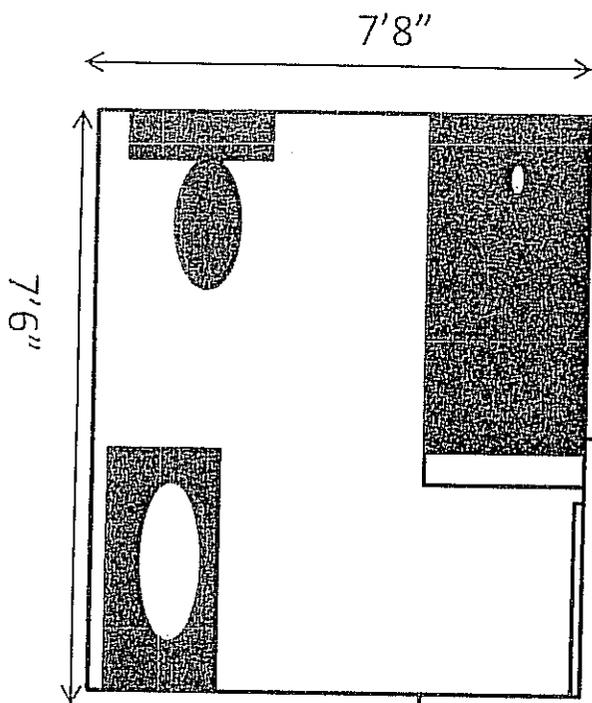
Rm 4



8'

7'6"

Rm 5

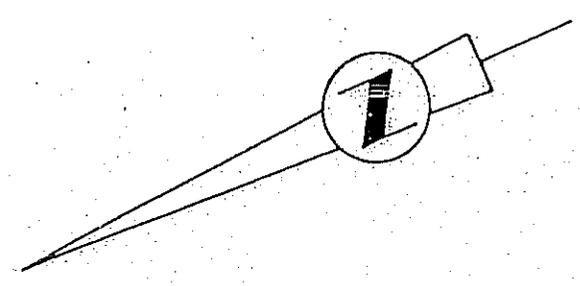
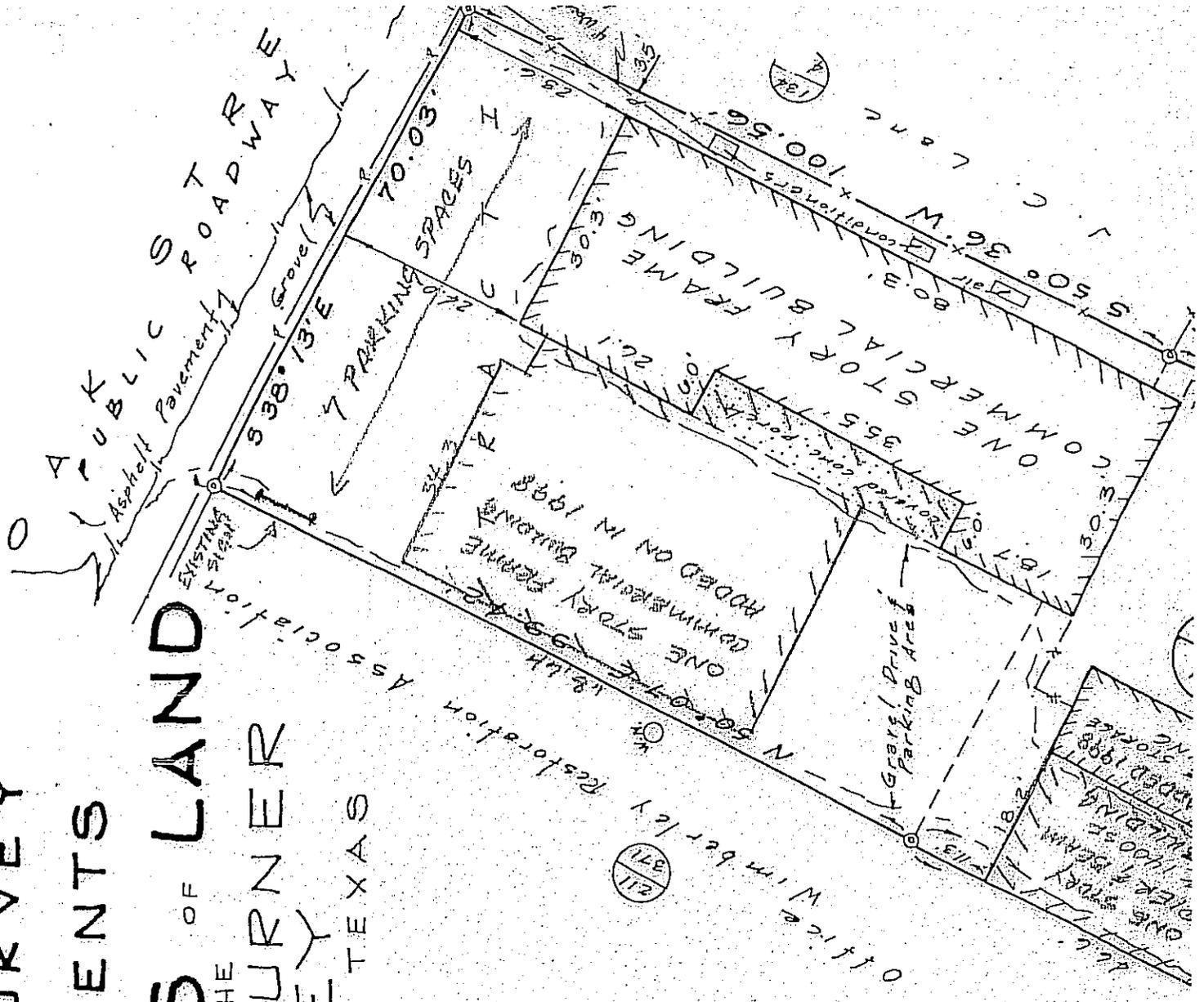


WATER
HEATER

Rm 6

MAP OF SURVEY
AND
IMPROVEMENTS

ON
0.40 ACRES OF LAND
OUT OF THE
AMASATURNER
SURVEY
HAYS COUNTY, TEXAS





The construction in progress with Hays County regulations and Private Sewage Facilities. Please post this certificate in County Inspectors.

Private Sewage Facility # _____
 Flood Plain Development Permit # _____

Location: 110 Oak Dr.

7848
 7848



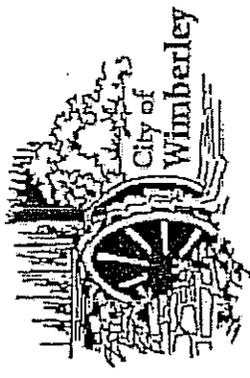
Private Sewage Facility # _____ 7848
 Flood Plain Development

Permit # _____ FPA 7848

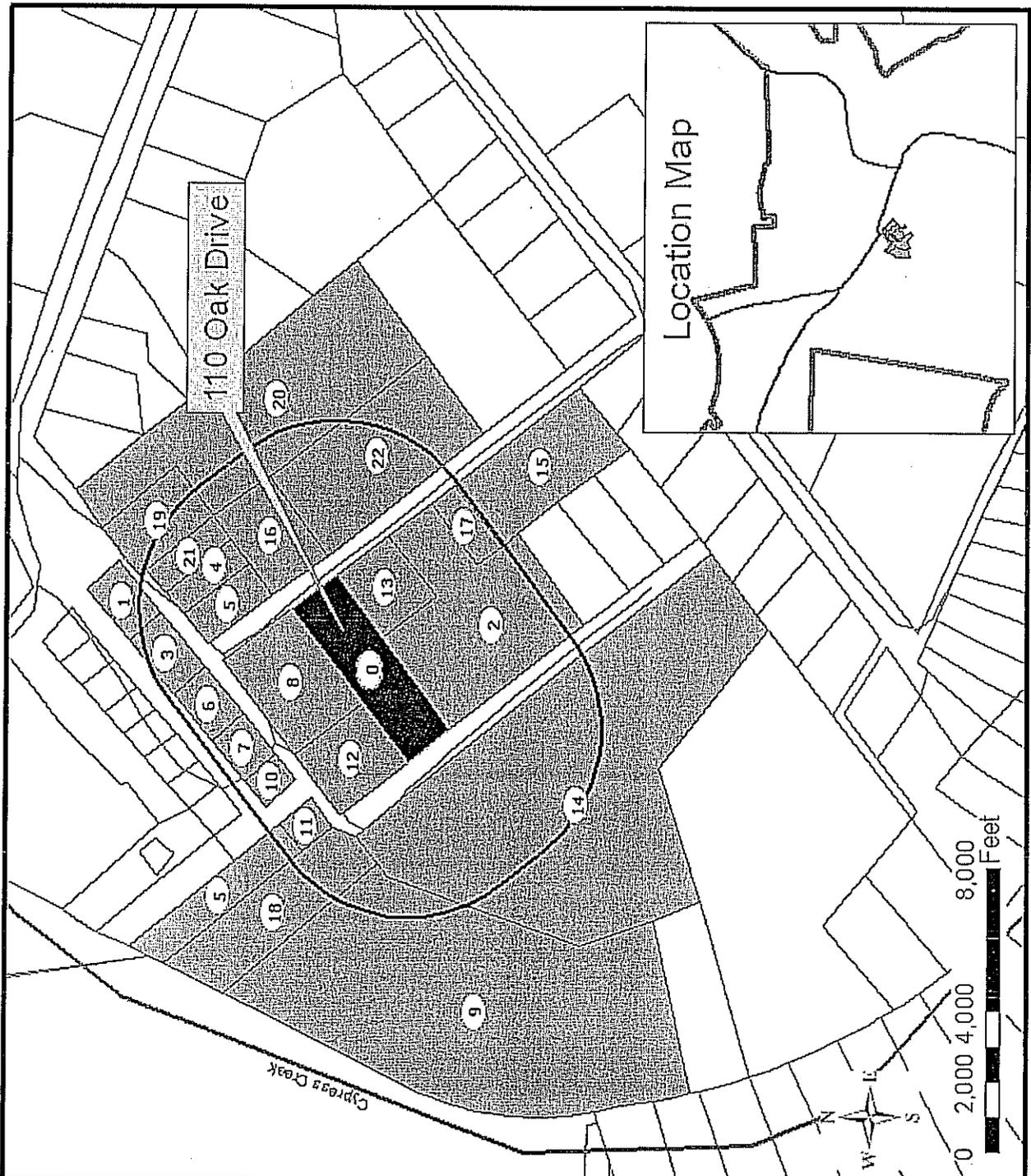
Location: 110 Oak Dr. Wimberley TX 78676

The construction in progress at above location is in compliance with Hays County regulations governing Flood Plain Management and Private Sewage Facilities. Please post this certificate at the jobsite where it can be seen by County Inspectors.

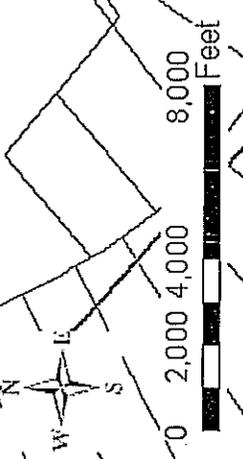
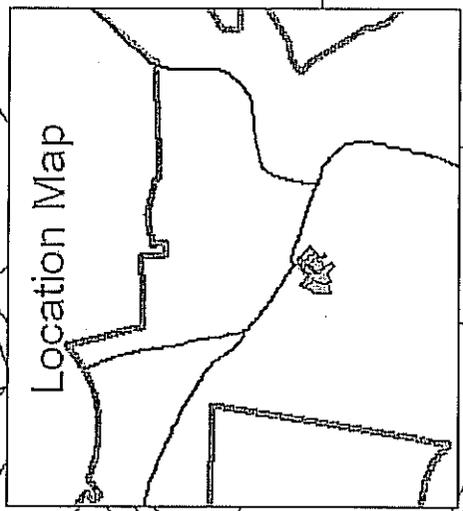
Notification Map for Case CUP-10-009



P.O. Box 2027 • Wimberley, Texas 78676



- 200' Notification Buffer
- Subjctd Property
- 0, ANDERSON, MARCILIAL
- 1, MCCULLOUGH HERSCHEL & ROBINETTE
- 2, LANE, JOY
- 3, MCCULLOUGH HERSCHEL & ROBINETTE
- 4, FLOCKE, ROBERT
- 5, SHEFFIELD, JAMES L
- 5, FRANKLIN SUE M & EST OF JAMES R
- 6, MCCULLOUGH HERSCHEL & ROBINETTE
- 7, SHEKARFOROOSH, EFFAT
- 8, VAN OSTRAND PHILLIP M & MARYL
- 9, CARSON, W C
- 10, JC & BB LTD
- 11, ALEXANDRIALEE LLC
- 12, REDD, MARY LOU
- 13, LANE JOY & BERRYDOT LANE
- 14, CLAYTON, CHARLES E, JR.
- 15, SCHNAUTZ, NANCY L
- 16, MCQUIGG, MARYKAY
- 17, LANE, JOY
- 18, CARSON, W C
- 19, CLAIM PROCESSING SOLUTIONS INC
- 20, USELTON, CHARLES
- 21, CLAIM PROCESSING SOLUTIONS INC
- 22,



MCCULLOUGH HERSCHEL &
ROBINETTE
101-A WIMBERLEY SQUARE
WIMBERLEY, TX 78676

LANE, JOY
P O BOX 42
WIMBERLEY, TX 78676-0042

FLOCKE, ROBERT
P O BOX 1315
WIMBERLEY, TX 78676-1315

SHEFFIELD, JAMES L
P O BOX 736
WIMBERLEY, TX 78676-0736

FRANKLIN SUE M & EST OF
JAMES R
18 CYPRESS PT
WIMBERLEY, TX 78676

SHEKARFOROOSH, EFFAT
P O BOX 397
WIMBERLEY, TX 78676-0397

VAN OSTRAND PHILLIP M &
MARY L
12 BROOKSIDE DR
WIMBERLEY, TX 78676

CARSON, W C
1911 CORPORATE DR, STE 102
SAN MARCOS, TX 78666

JC & BB LTD
P O BOX 2849
WIMBERLEY, TX 78676-2849

ALEXANDRIA LEE LLC
12704 TRAIL DRIVER
AUSTIN, TX 78737

REDD, MARY LOU
2 CONCHA CANYON TRL
WIMBERLEY, TX 78676

LANE JOY & BERRY DOT LANE
P O BOX 42
WIMBERLEY, TX 78676-0042

CLAYTON, CHARLES E, Jr.
513 WILLOW CREEK CIR
SAN MARCOS, TX 78666-5025

RIVERS, RACHEL
190 OAK DR
WIMBERLEY, TX 78676

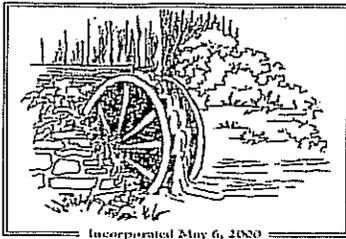
MCQUIGG, MARY KAY
280 OLD KYLE RD
WIMBERLEY, TX 78676

ANDERSON, MARCILIA L
P O BOX 2110
WIMBERLEY, TX 78676-2110

LANE, JOY
P O BOX 42
WIMBERLEY, TX 78676-0042

CLAIM PROCESSING
SOLUTIONS INC, THE OLD
MILL STORE
P O BOX 708
WIMBERLEY, TX 78676-0708

USELTON, CHARLES
P.O. BOX 229
WIMBERLEY, TX 78676



City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com
Bob Flocke, Mayor - Charles Roccaforte, Mayor Pro-tem
Council Members - Mac McCullough, Bill Appleman, Steve Thurber, John White
Don Ferguson, City Administrator

July 2, 2010

NOTICE OF PUBLIC HEARING

Re: **File No. CUP-10-009**

110 Oak Drive

A Request for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at this location.

Dear Property Owner:

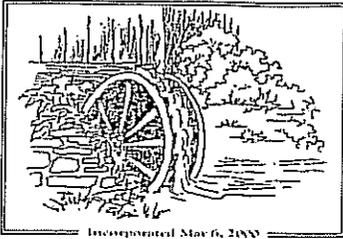
You are receiving this letter because you own property within 200 feet of the above-referenced location.

The applicant, Marcilia Anderson, has requested a Conditional Use Permit (CUP) to operate a Bed and Breakfast at 110 Oak Drive. The current zoning for this property is Commercial Low-Impact (C-1). The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, July 22, 2010, at 6:30 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, August 5, 2010, at 6:00 p.m.**

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

CITY OF WIMBERLEY



City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

E-mail: Wimberley@anvilcom.com - Web: www.vil.wimberley.tx.us

NOTICE BY SIGN POSTING

Zoning No: CUP-10-009

Owner _____

Date 7/11/10

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

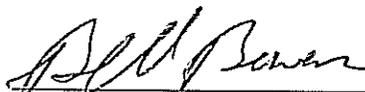
(*) Project Site Address 110 Oak Pr

which is located Oak Pr

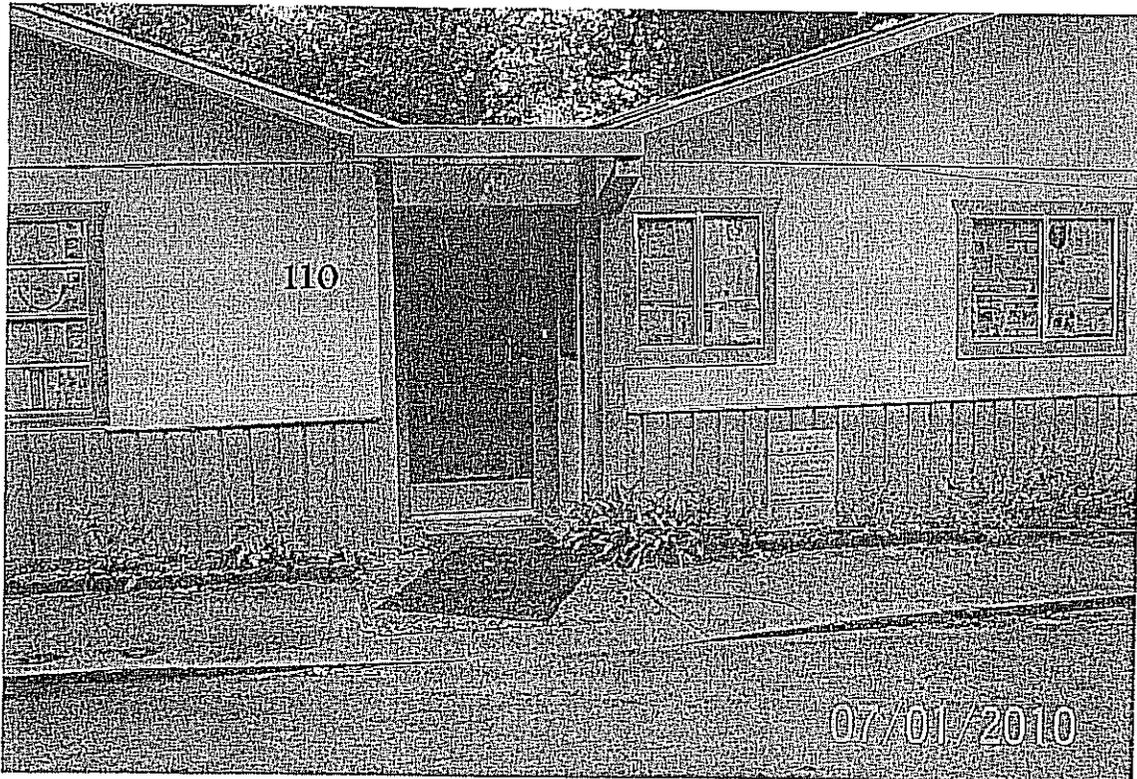
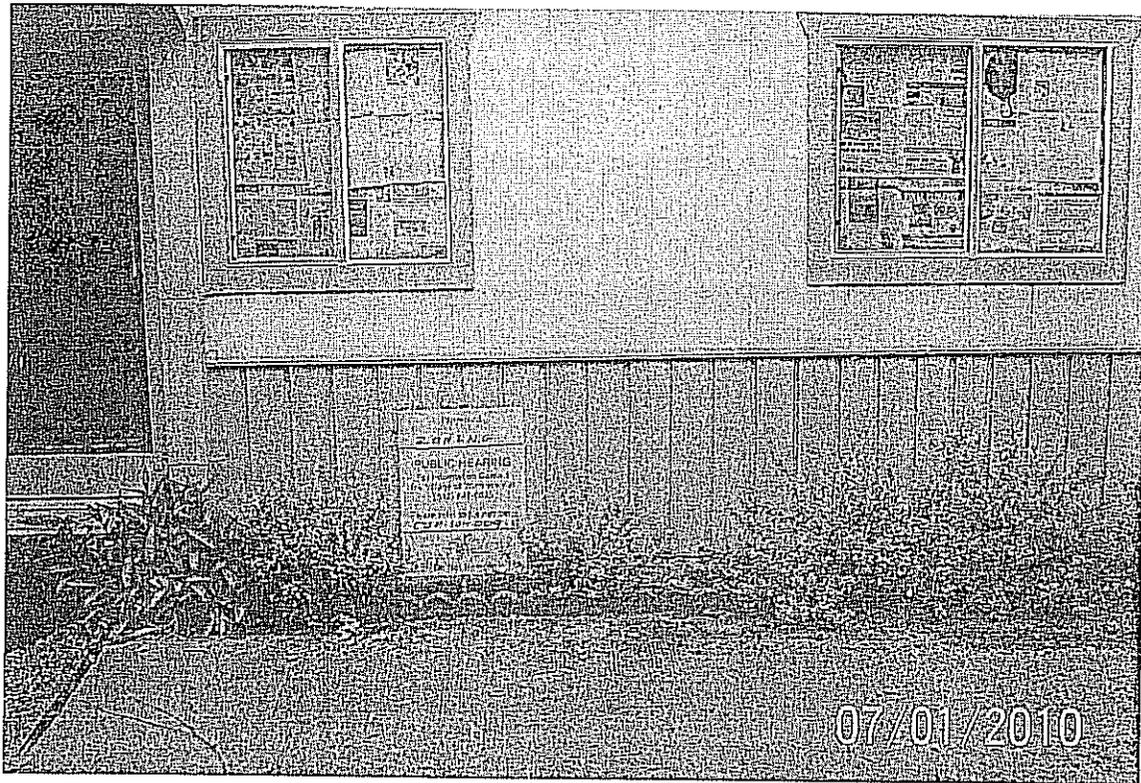
Bill Bowers
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

7/11/10, 2010



Signature



Century News 858-4163 • Wimberley View 847-2202

CLASSIFIED

★ LEGALS & PUBLIC NOTICES

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 22, 2010, at 6:30 p.m. to consider the following: CUP-10-009 - an application for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at 110 Oak Drive. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, August 5, 2010, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas (12239/1a/55)

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of

NOTICE OF PUBLIC MEETING TO DISCUSS PROPOSED TAX RATE

The Wimberley Independent School District will hold a public meeting at 7:00 PM, July 21, 2010 in Wimberley High School Library, 100 Carney Lane, Wimberley, Texas 78076. The purpose of this meeting is to discuss the school district's tax rate that will be adopted. Public participation in the discussion is invited.

The school district has elected to adopt a tax rate before receiving the certified appraisal roll from the chief appraiser(s) of the appraisal district(s) and before adopting a budget. In accordance with Texas Tax Code, Section 26.05(g), the chief appraiser(s) of the appraisal district(s) in which the school district participates has (have) the assessor for the school district an estimate of the taxable value of property in the school district as provided by Texas Tax Code, Section 26.01(e). In accordance with Texas Education Code, Section 44.004(f) following adoption of the tax rate, the school district will publish notice and hold another public hearing before the school district adopts a budget.

The tax rate that is ultimately adopted at this meeting or at a separate meeting at a later date may not exceed the proposed rate shown below, unless the district publishes revised notice containing the same information and comparisons set out below and holds another public meeting to discuss the revised notice.

Maintenance Tax	\$1.06000/\$100 (proposed rate for maintenance and operations)
School Debt Service Tax	\$0.17270/\$100 (proposed rate to pay bonded indebtedness)
Approved by Local Voters	

Total Appraised Value and Total Taxable Value (as calculated under Section 26.04, Tax Code)		
	Preceding Tax Year	Current Tax Year
Total appraised value** of all property	\$1,563,752,161	\$1,628,184,953
Total appraised value** of new property***	\$109,561,401	\$73,638,044
Total taxable value**** of all property	\$1,487,717,363	\$1,543,775,162
Total taxable value**** of new property****	\$43,456,713	\$26,870,859

* All values identified are based on estimate(s) of taxable value received pursuant to Section 26.01(e), Tax Code.
 ** Appraised value is the amount shown on the appraisal roll and defined by Section 1.04(8), Tax Code.
 *** New property is defined by Section 26.012(17), Tax Code.
 **** Taxable value is defined by Section 1.04(10), Tax Code.

Bonded Indebtedness	
Total amount of outstanding and unpaid bonded indebtedness*	\$36,998,984
* Outstanding principal	

Comparison of Proposed Rates with Last Year's Rates				
	Maintenance & Operations	Interest & Sinking Fund	Total	Local Revenue Per Student
Last Year's Rate	\$1.01000	\$0.19270	\$1.23270	\$7.954
Rate to Maintain Same Level of Maintenance & Operations Revenue & Pay Debt Service	\$1.05790	\$0.21228	\$1.27018	\$8.012
Proposed Rate	\$1.06000	\$0.17270	\$1.23270	\$8.020

* The Interest & Sinking Fund tax revenue is used to pay for bonded indebtedness on construction, equipment, or both. The bonds and the tax rate necessary to pay those bonds, were approved by the voters of this district.

Comparison of Proposed Levy with Last Year's Levy on Average Residence		
	Last Year	This Year
Average Market Value of Residences	\$192,717	\$192,717
Average Taxable Value of Residences	\$177,717	\$177,717
Last Year's Rate Versus Proposed Rate per \$100 Value	\$1.23270	\$1.23270
Taxes Due on Average Residence	\$2,190.72	\$2,190.72
Increase (Decrease) in Taxes		

ORDINANCE NO. 2010-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MARCILIA ANDERSON TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .41 ACRE TRACT LOCATED AT 110 OAK DRIVE, WIMBERLEY, TEXAS, ZONED COMMERCIAL-LOW IMPACT (C-1), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Marcillia Anderson (“Applicant”) requesting authorization to operate a bed and breakfast lodging facility on real property out of the Amasa Turner Survey, consisting of approximately 0.41 acres, zoned Commercial–Low Impact (C-1); and

WHEREAS, a bed and breakfast lodging facility is an authorized use in areas zoned Commercial–Low Impact (C-1) upon the granting of a Conditional Use Permit; and

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission offered no recommendation on the CUP application; and

WHEREAS, Applicant has submitted a Conditional Use Permit Application, site plan, and list of conditions on the use of the property for the bed and breakfast purposes, attached hereto as Exhibits “A” and “B”, respectively, and incorporated herein, and other necessary information, and has complied with the requirements of the Wimberley Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission and City Council have conducted Public Hearings on the Application for a Conditional Use Permit wherein public comment was received and considered on the Application; and

WHEREAS, the City Council finds that the use of the subject property as a bed and breakfast lodging facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Marcilia Anderson (“Applicant”) for use as a bed and breakfast lodging facility on real property described as approximately 0.41 acres out of the Amasa Turner Survey, as more particularly described by metes and bounds in Exhibit “C”, attached and incorporated by reference, zoned Commercial-Low Impact (C-1), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of a bed and breakfast lodging facility in accordance with the site plan attached hereto as Exhibit “A”, and subject to the conditions described in Exhibit “B”, attached and incorporated by reference, as well as all applicable regulations in effect at the time of the submission of the building permit application. No other use of the property is authorized by this Conditional Use Permit.
3. No commercial signage shall be permitted on the subject property. No more than one (1) sign shall be permitted to provide the property street address and not identify the business. Any signage material, color and dimension shall be compatible with the “Hill Country” theme.
4. Maximum occupancy of the bed and breakfast facility shall be eighteen (18), and seven (7) on-site parking places shall be provided.
5. Owner shall provide up to date contact information to the neighbors immediately adjacent to the subject property as well as across the street.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses,

sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the Wimberley City Council on the ___ day of _____, 2010 by a vote of ___ (Ayes) and ___ (Nays).

WIMBERLEY, TEXAS

By: _____
Bob Flocke, Mayor

ATTEST:

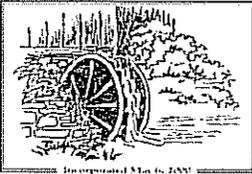
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: Consider approval of ordinance for a CUP to allow for a bed and breakfast at 408 Blue Heron Run

Funds Required:
Funds Available:

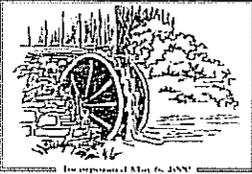
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Prior to the Planning and Zoning Commission's hearing on July 22, 2010, the applicants, Jim and Judy Thompson withdrew their application. Therefore, no action is needed by Council.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: Consider approval of ordinance for a CUP to allow for a bed and breakfast at 444 Blue Heron Run

Funds Required:

Funds Available:

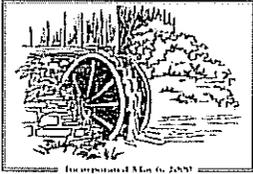
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Prior to the Planning and Zoning Commission's hearing on July 22, 2010, the applicants, Donn and Pamela Lamoureux withdrew their application. Therefore, no action is needed by Council.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: Consider approval of ordinance for a CUP to allow for a bed and breakfast at 430 Blue Heron Run

Funds Required:

Funds Available:

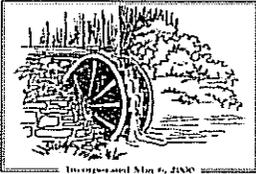
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Prior to the Planning and Zoning Commission's hearing on July 22, 2010, the applicants, Donn and Pamela Lamoureux withdrew their application. Therefore, no action is needed by Council.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: DISCUSS AND CONSIDER A PROPOSED ORDINANCE RELATING TO THE PROCESS FOR APPOINTING MEMBERS OF THE PLANNING AND ZONING COMMISSION

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The purpose of this agenda item is to allow the City Council to hold a public hearing and consider the second and final reading of an ordinance relating to the appointment of Planning and Zoning Commission members and their terms.

Specifically, the proposed ordinance establishes an appointment process where each member of the City Council and Mayor shall nominate one (1) member to the Commission at the first regular meeting in July following their election to office. A seventh member shall be nominated by a consensus of the Council at the first meeting in July following the Mayor's election to office. Each person nominated must be approved by a simple majority vote of the Council before becoming a member of the Commission. Each member's term in office will run concurrent with the term of the City Councilmember who made his or her appointment, unless sooner removed or resigned. The term of the consensus member shall run concurrent with the term of the Mayor. The members of the Board shall serve until their successors are appointed. Each Commissioner shall be eligible for reappointment. A similar appointment process currently exists for most of the other City boards and commissions.

The proposed ordinance would replace a "staggered term" appointment process that has been in place for several years.

On July 15, 2010, the City Council approved the first reading of the proposed ordinance. A second and final reading of the ordinance must be approved in order for the changes in the appointment process to occur.

ORDINANCE NO. 2010-_____

AN ORDINANCE AMENDING CHAPTER 155 (ZONING) SUBSECTIONS 155.107(B)(2) AND (B)(3) (PLANNING AND ZONING COMMISSION) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE APPOINTMENT PROCESS FOR PLANNING AND ZONING COMMISSION MEMBERS; AND PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards and commissions to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards and commissions; and,

WHEREAS, the City Council desires to amend the terms of the boards referenced in this ordinance so that they are appointed by newly elected council members in a consistent manner; and further, the City Council finds amending the board members' terms will ensure uniformity and will enhance the membership of the City's boards and commissions.

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

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENT

A. THAT § 155.107 (PLANNING AND ZONING COMMISSION), subsections (B)(2) and (B)(3) of the Code of Ordinances of the City of Wimberley, Texas are hereby amended to read as follows:

“(B) *Creation; membership; officers; rules and bylaws.*

(2) The City Council and Mayor shall each nominate 1 member to the Commission. A seventh Commissioner shall be nominated by consensus of the City Council. Each member of the City Council and Mayor shall present their nominations for designated non-consensus commission positions at the first regular Council meeting in the month of July following their election to office. At the same meeting in July, city council shall consider those nominations for appointment. Once appointed by a majority vote of city council, the appointed board members shall serve until their successor is appointed. Each Board member shall be eligible for reappointment.

For the one consensus position on the commission, the Mayor and Council shall present their nominations for the consensus commission position at the first regular Council meeting in the month of July following the Mayor's election to office. At the same meeting in July, city council shall consider those nominations for appointment. Once appointed by a

majority vote of city council, the consensus commission member shall serve until their successor is appointed. Each consensus member shall be eligible for reappointment.

(2) The term for each commission member shall be for two (2) years from date of appointment.

Except as amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

III. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

IV. EFFECTIVE DATE

This Ordinance shall take effect following its passage and publication as may be required by governing law.

V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON FIRST READING this _____ day of _____, 2010, by a _____ (Ayes) _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED ON SECOND READING this _____ day of _____, 2010, by a _____ (Ayes) _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

Bob Flocke, Mayor

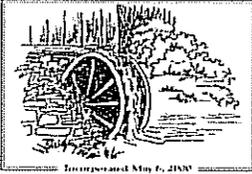
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER APPROVAL OF AN AMENDMENT TO THE CITY OF WIMBERLEY FEE ORDINANCE RELATING TO WPDD AMENDMENTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider amending the City of Wimberley's Fee Ordinance to reduce the fees for amending a Wimberley Planned Development District (WPPD) Agreement.

Currently, an applicant is required to pay the same fee for a WPPD amendment as he/she would pay for a new WPDD agreement. That fee can sometimes be well over \$1,000, depending upon the acreage of the proposed development, even when the amendment may be minor.

City staff is proposing to leave the initial WPDD application fee the same, but establish a flat \$500 fee for WPDD amendments. In addition, the applicant would be responsible for any engineering or legal fees incurred by the City in its review of the proposed WPDD amendment.

Attached is a draft of the proposed amendment to the fee ordinance for review and consideration.

ORDINANCE NO. 2010 _____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE III (ADMINISTRATION), SECTION 35.01 (FEE SCHEDULE) OF THE CODE OF ORDINANCES TO AMEND SUBSECTION (D) (ZONING SCHEDULE OF FEES) TO ADD AN APPLICATION FEE TO AMEND APPROVED WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) ZONING ORDINANCES; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wimberley, Texas (the "City") seeks to provide for the health, safety and welfare of its citizens; and,

WHEREAS, the Council has adopted regulations related to the review and processing of Wimberley Planned Development District (WPDD) zoning applications; and once a WPDD ordinance is approved by the City, the development may change requiring the property owner to request for an amendment to the approved WPDD ordinance,

WHEREAS, the fees proposed herein are in amounts to cover the City's actual cost to administer and process such amendment requests; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public meetings conducted by the City Council, agendas for each meeting were posted at City Hall more than seventy-two (72) hours prior to the respective meeting.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all

Section 2. Amendment.

THAT the City of Wimberley Code of Ordinances, Title III (Administration), Section 35.01 (Fee Schedule), subsection (D) (Zoning Schedule of Fees) is hereby amended to add subsection (3) to read as follows:

"35.01 (D)(3) Amendment of Wimberley Planned Development District (WPDD) zoning ordinance. A fee of \$500.00 shall be accompanied by every written request to amend an approved Wimberley Planned Development District (WPDD) zoning ordinance. In addition to the fee stated herein, prior to placement of the amendment request on a City Council agenda, the applicant shall pay any costs incurred by the City in the review and processing of the application to include legal and engineering fees. An additional deposit may be required if it is anticipated additional costs will be incurred by the City after placement of the request on a City Council

agenda but prior to adoption or denial of an application by the City Council.”

Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 3. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Capt. 551, Loc. Gov’t. Code.

PASSED AND APPROVED First Reading this ___ day of _____, 2010, by a vote of ___ (Ayes) to ___ (Nays) ___ (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED Second Reading this ___ day of _____, 2010, by a vote of ___ (Ayes) to ___ (Nays) ___ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS

Bob Flocke, Mayor

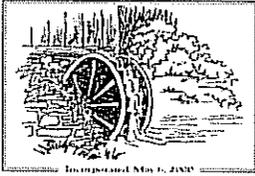
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER APPROVAL OF AN ORDINANCE ORDERING A SEPTEMBER 18, 2010 SPECIAL ELECTION FOR THE CITY OF WIMBERLEY

Funds Required:
Funds Available:

Council Action Requested:

Ordinance
 Resolution
 Motion
 Discussion

Project/Proposal Summary:

The item was placed on the agenda to allow City Council to discuss and consider ordering a Special Election to fill the Place Two position on the Wimberley City Council. The need for this action stems from a Court Order dated July 29, 2010 which voided the May 8, 2010 City election for Place Two on the Council.

The candidates in the upcoming election will be Mac McCullough and Gary "Catfish" Pigg. Election Day will be Saturday, September 18, 2010. The election day polling place will be the Wimberley Community Center where the polls will be open from 7 a.m. to 7 p.m.

Early voting by personal appearance will also be conducted at the Community Center on Wednesday, September 1, 2010 through Friday, September 3, 2010 from 8 a.m. to 5 p.m.; Tuesday, September 7, 2010 from 7 a.m. to 7 p.m.; Wednesday, September 8, 2010 through Friday, September 10, 2010 from 8 a.m. to 5 p.m.; Saturday, September 11, 2010 from 10 a.m. to 2 p.m.; Monday, September 13, 2010 from 7 a.m. to 7 p.m. and Tuesday, September 14, 2010 from 8 a.m. to 5 p.m.. There will be no voting on Labor Day.

The City will contract with the Hays County Elections Division to conduct the election. The County Election Administrator will serve as the early voting clerk.

Approval of the attached ordinance is necessary to proceed with preparations for the election.

CAUSE NO. 10-1076

GARY "CATFISH" FIGG, Contestant,	§	IN THE DISTRICT COURT
	§	
	§	
VS.	§	OF HAYS COUNTY, TEXAS
	§	
HERSCHEL P. "MAC" McCULLOUGH, Contestee.	§	
	§	
	§	207 TH JUDICIAL DISTRICT

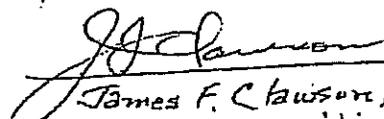
AGREED FINAL JUDGMENT AND ORDER CALLING A
NEW ELECTION

On this 28th day of July, 2010, the parties to this election contest appeared in person and by counsels of record and requested the Court to declare the results of the election held on May 10, 2010 void and call a new election for the office of member of the City Council, Place 2 of Wimberley, Hays County, Texas. The Court finds that the parties are in agreement and that their request that a new election be called is justified.

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the election for City Council, Place 2 of Wimberley, Hays County, Texas, held on May 10, 2010 be and the same is hereby DECLARED VOID.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a new election for such office shall be held under the supervision of the appropriate election officials between Gary "Catfish" Figg and Herschel P. "Mac" McCullough on Saturday, September 18, 2010 and with a full period for absentee and early voting.

Signed this 29th day of July, 2010


James F. Clawson, Jr.
Judge presiding

ORDINANCE NO. 2010-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, ORDERING A SPECIAL ELECTION ON SEPTEMBER 18, 2010, FOR THE PURPOSE OF FILLING A VACANCY ON THE CITY COUNCIL BY ELECTING A CITY COUNCIL MEMBER FOR PLACE TWO OF THE CITY OF WIMBERLEY CITY COUNCIL; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THE ELECTION; MAKING OTHER PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.

WHEREAS, on Saturday, May 8, 2010, the City of Wimberley held a general election for the purpose of electing a Mayor and City Council Members for Places Two and Four; and,

WHEREAS, in accordance with all applicable law, the election was held and the results canvassed finding that Herschel P. "Mac" McCullough was elected by a majority of the voters for City Council Place Two; and

WHEREAS, an election contest was filed in the 207th District Court in Hays County, Texas, by Gary "Catfish" Pigg, contesting the results of the May 8th election for City Council Member Place Two; and

WHEREAS, the Court entered an agreed final judgment declaring the election void as to the Place Two Council Member and ordered that a new election be held on September 18, 2010, between Gary "Catfish" Pigg and Herschel P. "Mac" McCullough, as further described in the attached judgment of the Court labeled Exhibit "A", and incorporated by reference for all purposes;

WHEREAS, the City will enter into an agreement with Hays County to conduct early voting and the special election; and

WHEREAS, this ordinance is in furtherance of the public interest, for the good of government, peace and order of the City, and necessary and proper for carrying out the power granted by law to the City.

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

SECTION 1. Call of Election; Date; Eligible Electors; and Hours. A Special Election ("election") is ordered to be held, at a polling place and election precincts within the corporate limits of the City of Wimberley, as hereinafter designated, on Saturday, September 18, 2010, from the hours of 7:00 a.m. to 7:00 p.m., at which election there shall be elected one (1) City Councilmember for Place Two for the City of Wimberley. The Council Member shall be

elected to serve the remainder of a two (2) year term which will end May 2012. All residents, qualified electors of the City shall be entitled to vote in the election.

SECTION 2. Voting Precincts. The boundaries and territory of the respective Hays County Election Precincts that are partially within the territorial boundaries of the City are hereby designated as the voting precincts of the City for the election. The precinct numbers for the City's election precincts shall be the corresponding Hays County Election Precinct Number of each precinct.

The Council finds that combination of the territory of the three (3) Hays County Election Precincts (election precincts 333, 335 and 337) that are partially within the City into one voting precinct of the City served by a single polling place for the purposes of this election will result in a more convenient voting opportunity for the voters and a more efficient and cost effective administration of this election and such voting precincts are hereby combined and are designated with the corresponding numbers of the three Hays County Election Precinct Numbers of the underlying precincts (Precinct No. 333/335/337).

SECTION 3. Voting Locations. The polling place for the combined election precincts for this election shall be as follows:

City of Wimberley
Community Center
14068 Ranch Road 12
Wimberley, Texas 78676

SECTION 4. Conduct of Election and Election Services Contract. Pursuant to Subchapter D of Chapter 31 of the Texas Election Code and Chapter 791 of the Texas Government Code, the City Council orders that this election be conducted under the terms and conditions of a Contract for Election Services between the City and County of Hays ("County"), attached as "Exhibit B" and incorporated herein for all purposes. Pursuant to Chapter 271 of the Texas Election Code, the City election shall be conducted by Hays County Elections Administrator under the terms and conditions of the Election Services Contract. The election shall be held under, and in accordance with the laws of the State of Texas.

SECTION 5. Appointment of Election Officers. The City Council shall appoint the persons described on Exhibit "C", attached and incorporated by reference, for purposes of presiding judge and alternate presiding judge to serve for this election including early voting, which shall act in accordance with the Texas Election Code and all applicable ordinances. The presiding judge may appoint up to two clerks to serve and assist in conducting the election.

Each presiding and alternate presiding judge shall be given written notice of the appointment in accordance with Texas Election Code Section 32.009. Each presiding judge shall be served with a writ of election (notice of election) in accordance with Texas Election Code Section 4.007.

The Presiding Election Judge shall be compensated at the rate of \$7.00 per hour and election clerks shall be compensated at the rate of \$7.00 per hour. In addition, election judges responsible for delivering the ballots and other election materials and records to the Return Center shall be paid \$25.00 for such delivery. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws.

SECTION 6. Early Voting. Joyce A. Cowan is appointed early voting clerk for early voting for the City.

SECTION 7. Early Voting by Personal Appearance. The polling place for early voting by personal appearance for the City election is:

City of Wimberley
Community Center
14068 Ranch Road 12
Wimberley, Texas 78676

Early voting by personal appearance shall be conducted on Wednesday, September 1, 2010 through Friday, September 3, 2010 from 8 a.m. to 5 p.m.; Tuesday, September 7, 2010 from 7 a.m. to 7 p.m.; Wednesday, September 8, 2010 through Friday, September 10, 2010 from 8 a.m. to 5 p.m.; Saturday, September 11 from 10 a.m. to 2 p.m.; Monday, September 13, 2010 from 7 a.m. to 7 p.m. and Tuesday, September 14, 2010 from 8 a.m. to 5 p.m.

SECTION 8. Early Voting by Mail. Early voting by mail shall be conducted in accordance with applicable provisions of the Texas Election Code. Ballot applications and ballots voted by mail shall be sent to: Hays County Elections Administrator, 401 Broadway Street, San Marcos, Texas, 78666. Applications for ballot by mail must be received no later than the close of business on Friday, September 10, 2010.

SECTION 9. Early Voting Ballot Board. The City Council appoints the Presiding Judge of the Early Voting Ballot Board as described on Exhibit "C", attached and incorporated by reference. The Presiding Judge shall appoint two or more election clerks, and such judge and clerks shall constitute the Early Voting Ballot Board. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Early Voting Ballot Board at the Hays County Election Administrator's Office, 401-C Broadway Street in the City of San Marcos, Texas in accordance with the Election Code. The Early Voting Ballot Board shall perform its duties in accordance with applicable provisions of the Election Code.

SECTION 10. Ballots and Election Expenditures Authorized. All ballots shall be prepared in accordance with the Texas Election Code. Paper ballots shall be used for early voting by mail and eSlate Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day, both of which are part of the eSlate DRE Voting System. The Board hereby adopts for use in early and Election Day the eSlate Direct Recording Electronic (DRE) Voting System as approved by the Secretary of

State. All expenditures necessary for the conduct of the election, the purchase of materials, the securing of election services from the Hays County Elections Administrator pursuant to an Election Service Contract and the employment of all election officials is hereby authorized.

SECTION 11. The election shall be held under, and in accordance with the laws of the State of Texas.

SECTION 12. Notice. Notice of the election, including a Spanish translation thereof, shall be published at least once in a newspaper published within the territory of the City of Wimberley on or before September 8, 2010, and shall be posted on the bulletin board at City Hall on or before August 28, 2010.

SECTION 13. Election Information to be provided in Spanish. Election notices, instructions, orders, ballots and other written material pertaining to the Election shall be translated into and furnished to voters in both the English and the Spanish language.

SECTION 14. Severability. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 15. Conflicting Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 16. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 17. Proper Notice and Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was acted upon was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 18. Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the City Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

SECTION 19. Effective Date. This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED by the City of Wimberley City Council on the _____ day of August, 2010 by a vote of ____ (Ayes) and ____ (Nays).

CITY OF WIMBERLEY

By: _____
Bob Flocke, Mayor

ATTEST:

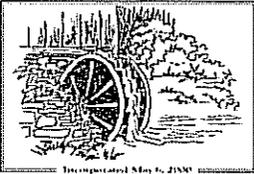
Cara Mc Partland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER AUTHORIZING HAYS COUNTY TO RESURFACE FLITE ACRES ROAD

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council discuss and consider authorizing the County of Hays to resurface that portion of Flite Acres Road located within the city limits of Wimberley.

On July 2, 2010, Hays County Precinct 3 Commissioner Will Conley notified the City in writing of the County's desire to resurface the entire length of Flite Acres Road within the next sixty (60) days. In his letter, the Commissioner stated the importance of including those portions of the roadway that are in the city in order to maintain connectivity and the continuity of pavement surface throughout the length of Flite Acres Road. Hays County is proposing to do the roadwork at no cost to the City.

The Commissioner's request was discussed at length at the July 22nd meeting of City Council. Afterwards, the Council delayed consideration of the request and directed City staff to gather and present additional detail on the proposal. The following additional background information has been provided by Commissioner Conley:

Surface Treatment:	2 inch asphalt overlay
Surface to be Improved:	7,830 linear feet belonging to Hays County 4,930 linear feet belong to City of Wimberley*
Widening:	No roadway widening proposed
Drainage Improvements:	Minor drainage work in a couple of areas
Roadway Striping	No striping of roadway with the exception of that portion of the roadway in the area of the Corral Theatre
Estimated Savings to City:	\$56,129.90

* length of City portion incorrectly stated on July 2nd letter from Commissioner Conley

Commissioner Conley said the asphalt overlay project, including the City's portion, is part of the current County-approved *Precinct Three Road Improvement Budget*. He adds the proposed overlay should eliminate the need for significant roadwork on Flite Acres for at least ten (10) years.

As portions of the roadway to be improved are located within the city limits, there is a need for City Council to authorize the roadwork before the City's portion can be improved. Commissioner Conley will be present at the meeting to answer questions regarding his request.



OFFICE OF THE COUNTY ENGINEER
Jerry Borcharding, P.E.
P. O. Box 906 San Marcos, Texas 78667
(512) 393-7385 Fax (512) 393-7393

July 30, 2010

Ref: Flite Acres Hot Mix Project (FY 2010)

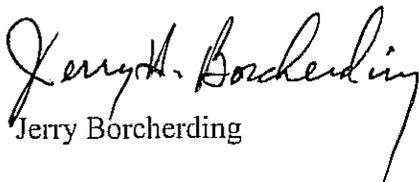
Commissioner Conley:

Tim and I take responsibility for the confusion regarding costs issues that came up in Court this past Tuesday. Tim's estimate took the project to the end of Flite Acres. Regardless, in the field, the actual project limits would have been respected and the pricing to Wimberley would have been adjusted accordingly.

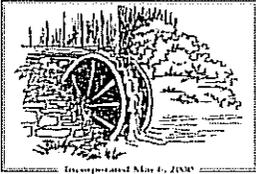
The City portions of Flite Acres that are included in the Hot Mix Project are:

1. FM3237 to near Buttercup Lane – 1,405 feet
2. Near Little Ranches Road to approximately 100 feet past Little Arkansas Road – 3,525
3. Total LF = 4,930 = 0.9 miles
4. Total Cost = \$56,128.90
5. There is to be expected some variance from this estimated cost due to the need for "level-up" material needed at some locations.

Thank you,


Jerry Borcharding

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: DISCUSS AND CONSIDER A REQUEST FOR THE CITY OF WIMBERLEY TO CO-HOST ECO FEST 2010

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a request from the *Citizens Alliance for Responsible Development (CARD)* for the City of Wimberley to co-host *Eco Fest 2010* on October 16, 2010. There is no cost involved with co-hosting the event that will take place at the Katherine Anne Porter School in Wimberley.

Attached is a copy of the written request from CARD. A representative of the local organization will be present at the City Council meeting to answer questions.

CITIZENS ALLIANCE FOR RESPONSIBLE DEVELOPMENT

PO BOX 2905

WIMBERLEY, TX 78676

www.hayscard.org

July 20, 2010

Mr. Don Ferguson
City Administrator
City of Wimberley
PO Box 2027
Wimberley, TX 78676

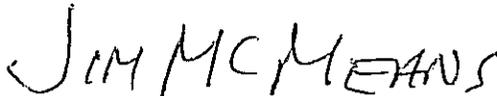
Dear Mr. Ferguson:

On October 17, 2009 the Citizens Alliance for Responsible Development (CARD) sponsored the first annual, free-to-the-public ECO FEST 2009 at the Katherine Ann Porter School, our host for the event. The school was an ideal venue for the ECO FEST providing classrooms for speakers, exhibitor space on the main floor, and food service for attendees. Even though the event was inadvertently scheduled on the day of the Texas/Oklahoma game, we had over 250 attendees and twenty-two exhibitors. The program from ECO FEST 2009 is attached for your information.

Our Steering Committee is now planning **ECO FEST 2010 to be held on October 16th** from 9:30 am until 4:30 pm, again at the Katherine Ann Porter School. The program will feature speakers on water, environmental, and Hill Country life-style issues. With Katherine Ann Porter School headed by Dr. Yana Bland as our host, we would like to ask that the city of Wimberley be a co-host for the event. We would not ask any special favors or any cost sharing, just your support for the type of educational program we plan to present. We would ask that the city provide publicity for the event on your website and through any of your other communication methods. As last year, **ECO FEST 2010 will again be free to the public.** Commercial exhibitors pay a modest fee just to help cover expenses. Food will be sold by the students of KAPS to help support the school. All food sale proceeds go to the school.

We will be happy to appear before your City Council at a future meeting to answer any questions. We respectfully ask that you present this request to your City Council for their consideration. Thank you.

Sincerely



Jim McMeans, CARD Steering Committee

Cc: Ed Pope and Louis Parks – Event Co-Chairs

THANK YOU

CARD asks you to thank these local people & businesses for supporting Wimberley Eco Fest and environmental education

A Studio Z 711 RR 2325, Wimberley, Russell Cox & Amy Cartee-Cox

All About Image Dan Gauthier, Photographer, 14500 RR 12

Argus Eco Services Land Management
Jamie Kinscherff, Karen Archer, www.argusecoservices.com

Arrowhead Asset Mngmt. Rocky Boschert, www.texorp.com

Black Forest Family Restaurant at the Junction, 9595 RR 12

Bob Lawson's Lube & Auto 453 Old Kyle Rd., Steve Phillips

By the Bridge Antiques 14015 Ranch Road 12, Jill Jones

Char Moreland Artist/Photographer, dmoreland3@austin.rr.com

Climb On Organic Products 101G Wimberley Square

Cool Mint Café & Catering 415 Burleson, San Marcos

Heart of Texas Yoga 111 Old Kyle Rd., Becky Jordan

The Hill Country Sun Ralph & Julie Harrington

Keep Wimberley Beautiful Martha Knies

King Feed & Hardware 14210 RR 12, Tim Thompson

Kliss the Cook Kitchen Essentials 201 Wimberley Square

The Leaning Pear Café 111 River Rd., Rachel & Matthew Buchanan

Linda's Fine Foods 500 FM 2325, Linda Allen

Maul Wowi Hawaiian Coffees 14200 RR 12, DuAnne Redus

The Old Mill Store Wimberley Square, Steve Klepfer

Pedernales Electric Cooperative Diana Gonzales

Richard Baker: Wood.turner.rbf02@bxwinet.com

290 Fence & Ranch Supply 2110 W. US-290, Dripping Springs

www.hayscountyroundup.blogspot.com Bob Ochoa

VisitWimberley.com Marilyn Griffin

Wimberley Chamber of Commerce Carrie Harris, Jenelle Flocke

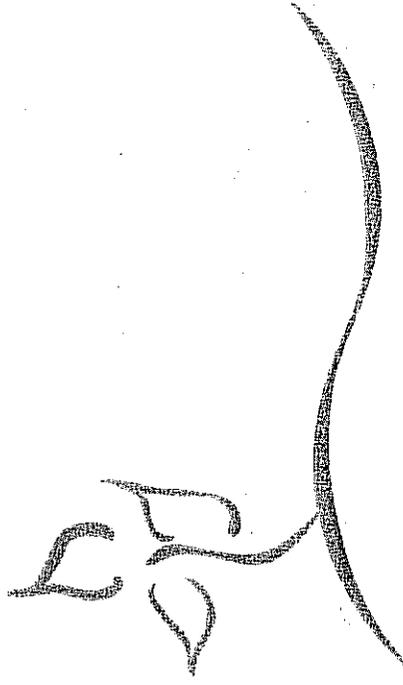
The Wimberley View Dave Cadriel, Leslie Stearns

Wimberley Eco fest 2009

Living Greener in the Hill Country

October 17, 2009.

Katherine Anne Porter School - Wimberley, TX



Presented by CARD

Citizens Alliance for Responsible Development
Sensible growth in Wimberley & western Hays County

www.HaysCard.org

ECO FEST SPEAKER SCHEDULE

10:00-10:45 AM

Land Stewardship

Jamie Kinscherff & Karen Archer, Argus EcoServices ▪ Location: Theatre

Cedar: Wanted Dead or Alive

Elizabeth McGreevy, landscape architect & permaculture designer
Location: Speaker Room A

11:00-11:45 AM

Rainwater Harvesting for Home Use

Richard Heinechen, co-author of "Rainwater Collection for the Mechanically Challenged" ▪ Location: Theatre

Home Energy: Savings without Sacrifice

Diana Gonzales, PEC ▪ Location: Speaker Room A

NOON-12:45 PM

Organic Gardening

Malcolm Beck, author & co-founder of Garden-Ville
Location: Theatre

Preventing Oak Wilt

Eric Beckers, Texas Forest Service ▪ Location: Speaker Room A

1:00-1:45 PM

Home Wildfire Prevention & Protection

Jan Fulkerson, Texas Forest Service ▪ Location: Theatre

Understanding Your Aquifer

Doug Wierman & Al Broun, Hays Trinity Groundwater Conservation District ▪ Location: Speaker Room A

2:00-2:45 PM

Wildlife Management for Small Acreage

Bryan Davis, Bexar County (& formerly Hays County) Agrilife Extension Service ▪ Location: Theatre

Flood Preparedness

Heidi Carlin, CFM, Floodplain Management Coordinator, LCRA
Location: Speaker Room A

3:00-4:30 PM ▪ SPECIAL PRESENTATION

Green Building

Peter L. Pfeiffer, Barley & Pfeiffer ▪ Location: Theatre

MASTER NATURALIST

MINI-SEMINARS

Room 16 & Open Areas

10 AM **Native Plants in Your Backyard** – Ray Franklin

11 AM **Backyard Bird Habitat** – Jane Little/Cara Wernli

12 NOON **Teaching Kids about Nature** – Jean McMeans

1 PM **Rain Barrels** – Cara Wernli/Jane Little

AS HAPPENS **Rainfall Simulator** – Ray Franklin

Check out the information in our BOOTH AREA

CARD — Citizens Alliance for Responsible Development

Argus EcoServices — Personal land management

Arrowhead Asset Management

Bartlett Tree Experts

BlueScope Water Storage (with T&E Services)

Bountiful Harvest — online local groceries

Earth Uprising — Pressed Adobe Blocks

Green Living for the Hill Country/Hill Country Solar

Guadalupe-Blanco River Trust

Hays County Master Naturalists

Hill Country Ecobuilders/Hill Country Ecopower

Lower Colorado River Authority

Montesino Farm & Ranch — Organic foods

Pedernales Electric Cooperative

The Rain Man — Rainwater harvesting services

The Samford Group — Real Estate

T & E Services — Rainwater systems and services

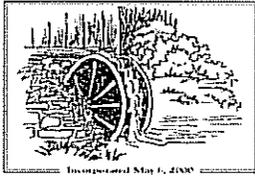
Techsun Solar Water Heating Systems

Texas Forest Service

Wimberley Valley Watershed Association

Young Living Essential Oils

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: DISCUSS AND CONSIDER APPROVAL OF THE 2010 CITY OF WIMBERLEY PRIORITIES

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval the *2010 City of Wimberley Priorities* developed at the City Council Workshop held on July 21st. Attached is a copy of the proposed priorities for review and consideration.

CITY OF WIMBERLEY PRIORITIES
(PER WORKSHOP 7.21.10)

Critical Priority

1. Explore and secure additional water supplies for the City of Wimberley, including the possible surface water development.
2. Adopt water quality rules and regulations for the City of Wimberley
3. Develop and implement a street improvement program including curbs
4. Provide wastewater service to the downtown area (short term)
5. Provide citywide wastewater service (long term)
6. Complete the recodification of the City of Wimberley Code of Ordinances.
7. Rewrite the City Sign Ordinance

Critical Moderate Priority

1. Develop and implement a proactive community communication program
 - Revise City Web Site
 - Conduct Regular Public Forums
 - Establish City Newsletter
 - Establish Emergency Communication System
2. Develop and implement drainage improvement plan

Moderate Priority

1. Develop and implement City of Wimberley Ad Valorem Tax
2. Develop and implement downtown sidewalk development program
3. Review and adjust permit fees including but not limited to those relating to Conditional Use Permits for Bed and Breakfasts
4. Develop and implement way-finding signage program
5. Install directional signage for bypass

Low Priority

1. Explore possible consolidation of the City of Wimberley and City of Woodcreek

On Going Priority

1. Review the need for City of Wimberley Standing Committees
2. Develop and implement City Volunteer Recognition Program

3. Establish better relations with other governmental bodies
4. Establish better Council communication with City Boards and Commissions
5. Reduce traffic congestion relating to school and Market Days
6. Improve traffic flow and safety in entry corridors to the City

ELEMENTS OF THE VISION
OF THE CITY OF WIMBRLEY
(PER WORKSHOP 7.21.10)

Two Year Vision

- Wastewater Service in Downtown Wimberley
- All Streets With Condition Grade Above C-
- City-Operated Law Enforcement Program
- Enhanced Off-Street Parking in Downtown Wimberley
- Citywide Way Finding Signage Program Implemented
- Regular Public Opinion Surveys Being Conducted
- Business Retention Partnership Program Implemented
- Architectural Standards Adopted
- Alternate Funding Sources for City Operations Explored And In Place

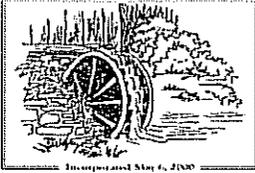
Five Year Vision

- Enhanced Traffic Control in Downtown Wimberley
- Enhanced Pedestrian Safety Citywide
- Community Radio Station in Operation
- On-Going Economic Development Initiatives In Place
- Historic Preservation District Created
- Boundary Protection Program In Place

Ten Year Vision

- All Utilities In Downtown Wimberley Are Buried Underground

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER ISSUES
RELATING TO DEVELOPMENT OF FY 2011 BUDGET

Funds Required:

Funds Available:

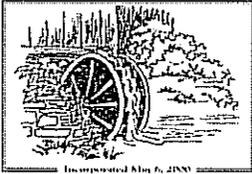
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for discussion of issues to be considered in the upcoming development and adoption of the City of Wimberley FY 2011 Budget beginning October 1, 2010.

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER APPROVAL OF AN ELECTION SERVICES CONTRACT WITH HAYS COUNTY

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow the City Council to discuss and consider approval of a proposed contract with the Hays County Elections Administrator to conduct the Special Election for Place Two on the City Council on Saturday, September 18, 2010. The proposed agreement calls for the City to be responsible for the following:

- Preparing and adopting all orders and resolutions necessary to conduct the election
- Preparing and publishing all required election notices
- Providing the ballot language including the list of candidates, or any measures that are to be printed on the ballot with the exact form, wording and spelling that is to be used
- Providing the services necessary to translate any election documents into Spanish
- Providing technical assistance requested by the Elections Administrator

The Hays County Elections Administrator would be responsible for providing all equipment, supplies, manpower, and oversight for the election.

As for the cost, the agreement calls for the City to be responsible for all expenses incurred for the Election. In addition, the City would be required to pay an administrative fee of 10% of the total cost of the election.

4. Procure, prepare, and distribute election equipment, transport equipment to and from the polling places, and issue election supplies to the precinct judges.
5. Supervise the conduct of early voting by personal appearance and by mail, and supply personnel to serve as deputy early voting clerks.
6. Assist in providing general overall supervision of the Election and provide advisory services in connection with the decisions to be made and actions to be taken by officers of the City who are responsible for holding the Election.
7. Other incidental related services as may be necessary to effectuate the Election.
8. Remit to the City a detailed listing of expenses incurred to conduct the Election for payment within the time period set forth in Article 4. (Cost of Services).

NOTHING IN THIS AGREEMENT IS INTENDED TO LIMIT THE DISCRETION OF THE OFFICER IN THE EXECUTION OF HER DUTIES. IT IS FOR THE OFFICER, IN THE EXERCISE OF REASONABLE DISCRETION, TO DETERMINE HOW THE EFFORTS OF HER OFFICE SHOULD BE ALLOCATED THROUGHOUT THE COUNTY.

Article 2. CITY'S DUTIES AND SERVICES. The City agrees to perform the following duties:

1. Prepare and adopt all orders and resolutions necessary to conduct the Election.
2. Prepare and publish all required election notices.
3. Deliver to the Officer as soon as possible, but not later than legally required before the Election, the ballot language including the list of candidates, or any measures that are to be printed on the ballot with the exact form, wording and spelling that is to be used.
4. Provide the services necessary to translate any election documents into Spanish.
5. Pay any additional costs incurred by the Officer if a recount for said Election is required, or the Election is contested in any manner.
6. Provide technical assistance requested by the Officer.

Article 3. ADMINISTRATION. The Officer will be responsible for administering this Agreement and providing supervisory control and command over all agents, officers, and other personnel performing services pursuant to this Agreement. The contact person and representative for the Elections Office is the Officer, or her designee, and the contact person and representative for the City is the City Administrator.

Article 4. COST OF SERVICES. The City shall reimburse the Officer for all expenses incurred for the Election, or any runoff election that may be required and which is conducted by the Officer and, in addition, the City shall pay an administrative fee of 10% of the total cost of the Election. An itemized list of estimated elections expenses is attached as Exhibit "A" and incorporated by reference for all purposes. In the event the services are provided for a joint election, the cost shall be equally prorated between the participating entities. A runoff election shall be treated as a separate election. Within 20 days of the completion of the Election, the Officer shall submit a statement to the City listing all of the expenses and the administrative fee. The City shall pay the total amount within 45 days of the Election or any runoff election.

Article 5. LIABILITY. The City shall be responsible for any actual expenses for repairs for any damage that occurs to the DRE machines by the City to the extent that any such repairs are not covered under the vendor's warranty. The City shall not be liable for any damage to a DRE machine that is caused by a third party outside of the control of the City.

Article 6. GENERAL CONDITIONS. The following general conditions shall apply:

1. Nothing contained in this contract shall authorize or permit a change in the office with whom or the place at which any document or record relating to the Election is to be filed, or place at which any function of the canvass of the election returns is to be performed, or the officer to serve as custodian of voted ballots or other election records.
2. The Officer may assign deputies to perform any of the contracted services.
3. The Officer may contract with third persons for Election services and supplies; and the Officer will pay the claims for those election expenses, and shall remain responsible for the supervision and conduct of such third parties.
4. This contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Hays County, Texas.
5. In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
6. No amendment, modification, or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by the parties hereof.

Article 7. MISCELLANEOUS. Nothing in this Agreement shall be deemed to waive, modify or amend any legal defenses available at law or in equity to the County, the City or the Officer, or to create any legal rights or claim on behalf of any third party. Neither the County, the City,

nor the Officer waives any defenses whatsoever, including, but not limited to, governmental immunity.

Article 8. NOTICE. Any notice provided for under this Agreement shall be forwarded to the following addresses:

Hays County
Elections Administrator
401-C Broadway St.
San Marcos, TX 78666

City of Wimberley
City Administrator
PO Box 2027
Wimberley, TX 78676

SIGNED AND AGREED UPON THIS THE ____ DAY OF _____, 2010.

HAYS COUNTY

CITY OF WIMBERLEY

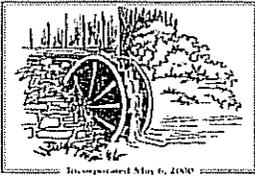
JOYCE A. COWAN
Elections Administrator

BOB FLOCKE
Mayor

EXHIBIT "A"

ESTIMATED ELECTION EXPENSES

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: APPROVAL OF CHANGE ORDER TO ROAD CONSTRUCTION CONTRACT WITH CHAD SPRINGS CONSTRUCTION

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a change order in an amount not to exceed \$11,325.14 to the City's contract with *Chad Springs Construction* for the reconstruction of Las Flores Drive, La Pais Drive and Palos Verdes Drive. The scope of work detailed in the change order relates to the development of a cul-de-sac at the end of Las Flores Drive. The cul-de-sac was part of a proposal to make Las Flores Drive a dead end street which was approved by City Council on July 15, 2010.

City staff recommends approval of the proposed change order.

FIELD ORDER
Neptune-Wilkinson Associates, Inc.
Consulting Engineers
4010 Manchaca Road
Austin, Texas 78704
(512) 462-3373

JUL 28 2010
NEPTUNE-WILKINSON
ASSOCIATES INC

Project : City of Wimberley Road Reconstruction
Palos Verdes Drive, La Pais Drive, Las Flores Drive Project Number: 4853

Contractor: CAS Construction, Inc.

Field Order No. : TWO Date: July 23, 2010

The following change is hereby made to the approved plans and specifications issued for the referenced project:

Description: Beginning at Station 14+13, the construction shown on Plan Sheet 7 of 13 is changed to terminate Las Flores drive as a thru-street by the construction of a cul-de-sac within the 50' right-of-way of Las Flores Drive as shown on the attached sheet. The center point of the cul-de-sac is Station 14+62.79 and left 0.96' off base line.

Description of Work and Cost: The construction associated with the above change is briefly described below with quantities and cost. The unit costs shown are taken from the Bid Schedules.

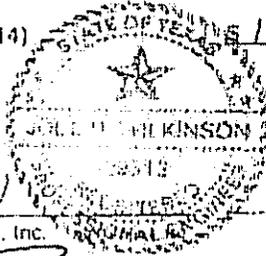
1. Excavation for placement of 6" base material outside limit of previous pulverized area.
Add 23 CY at \$14.52/CY (+\$333.96).
2. Compaction of subgrade of excavated area outside limit of previous pulverized area.
Add 153 SY at \$1.46/SY (+\$223.38).
3. Placement and compaction of 6" base material outside limit of previous pulverized area.
Add 153 SY at \$6.05/SY (+\$925.65).
4. Lay and compact hot mix asphaltic concrete outside limit of pavement area shown on original Plans to include area shown on Revised Plan Sheet 7 of 13.
Add 132 SY at \$7.62/SY (+\$1,005.84).
5. Sawcut existing asphalt along new defining edge of Las Buena Vista.
Add 135 LF at \$1.21/LF (+\$163.35).
6. Remove existing asphalt in area between new pavement edge of La Buena Vista and limit of previous pulverized area of Las Flores Drive.
Add 290 SY at \$1.00/SY (+\$290.00).
7. Remove existing stop sign/street sign on Las Flores at La Buena Vista.
Add 1 EA at \$30.25/EA (+\$30.25).

- 8. Furnish and install No Outlet sign on Las Flores at La Buena Vista tee intersection
Add 1 EA at \$302.50/EA (+\$302.50)
- 9. Field Layout Control
Add 1 lump sum at \$240.00/LS (+\$240.00).
- 10. Furnish and install two 20' barricades and one 15' barricade
Add 1 lump sum at \$6019.75/LS (+\$6019.75) CAS Construction, Inc. to complete
- 11. Furnish, install and shape 30 CY of topsoil berms (two each with 22' base length x 6' base width x 4' height)
Add 1 lump sum at \$894.96/LS (+\$894.96) CAS Construction, Inc. to complete
- 12. Furnish and spread to 4" depth 25 CY of topsoil in area asphalt pavement removed.
Add 1 lump sum at \$678.00/LS (+\$678.00) CAS Construction, Inc. to complete
- 13. Hydromulch area covered with topsoil
Add 260 SY at \$520.00/LS (+\$520.00) CAS Construction, Inc. to complete
- 14. Delete placement of pavement stop bar at stop sign removed in Item 7
Deduct 1 EA at \$302.50/EA (-\$302.50).

TOTAL COST (Sum of Items 1 through 14)

11,326.14

Refer to Attached Sheets.



Issued by Joe L. Wilkinson Date 7/25/10
Reptune-Wilkinson Associates, Inc.

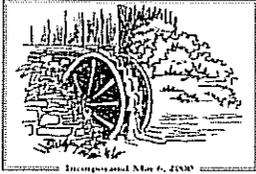
Agreed: [Signature] Date 7/27/10
CAS Construction, Inc.

Accepted _____ Date _____
City of Wimberley

Contractor to retain Engineer's executed Order and return one copy to Engineer after execution

- Copies to
- 1. Inspector
- 2. Owner
- 3. Other:

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: APPROVAL OF CHANGE ORDER TO ROAD CONSTRUCTION CONTRACT WITH CHAD SPRINGS CONSTRUCTION

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a change order in the amount of \$6,601.56 to the City's contract with *Chad Springs Construction* for the reconstruction of Las Flores Drive, La Pais Drive and Palos Verdes Drive. The change order is needed to fund additional base needed for the project along with water used to compact the roadway and keep dust to a minimum.

City staff recommends approval of the proposed change order.

FIELD ORDER
Neptune-Wilkinson Associates, Inc.
Consulting Engineers
4010 Manchaca Road
Austin, Texas 78704
(512) 462-3373

Project : City of Wimberley Road Reconstruction
Palos Verdes Drive, La Pais Drive, Las Flores Drive Project Number: 4853

Contractor: CAS Construction, Inc.

Field Order No. : ONE Date: July 16, 2010

The following change and clarification is hereby made to the approved plans and specifications issued for the referenced project:

1. The pulverized material on Palos Verdes Drive and La Pais Drive shall be excavated to the full 4" depth pulverized, removed from the site and replaced with compacted crushed limestone base. The payment to the Contractor for excavation, shaping and compaction of subgrade and haul-off of excavated material shall be \$14.52 per cubic yard which is estimated to be 403 CY and payment of \$5,851.56.

Base material not required for Las Flores Drive shall be added to the base material previously specified for Palos Verdes Drive and La Pais Drive to provide 5" thickness over the prepared subgrade material.

2. The Owner's payment to Contractor for all water used in construction of project shall be \$750.00.

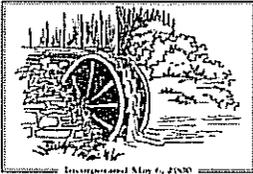
Issued by: Joel D. Wilkinson July 16, 2010
Neptune-Wilkinson Associates, Inc. TBPE Firm# F-359 Date

Agreed: _____ Date
Contractor

Contractor to retain Engineer's executed Order and return one copy to Engineer after execution.

Copies to: Inspector
 Owner
 Other

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CONSIDER APPROVAL OF A POLICY RELATING TO INSTALLATION OF SPEED HUMPS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a policy relating to the installation of speed humps on city streets.

In early July of this year, the Transportation Advisory Board presented a proposed policy which outlined the criteria for when speed humps would be considered for installation by the City. In addition, the proposed policy assigned responsibility for the cost of installing the humps to the citizens requesting the humps. It did not preclude the City from initiating the installation of speed humps, at City cost, at locations the City deems necessary.

After discussing the proposed policy, the City Council directed City staff to develop an alternate policy which included a cost sharing formula to be used when assigning responsibility for the cost of installing speed humps requested by citizens. That policy was presented to City Council at its July 15th meeting. Under the proposed policy, the level of City participation in the funding of speed hump installations varies depending upon the severity of the traffic problem on the subject street. The proposed policy does not preclude the City from initiating the installation of speed humps, at City cost, at locations where the City deems them necessary.

Consideration of the policy was continued until the August 5th City Council meeting to allow council members additional time to review the policy.

SPEED HUMP POLICY

1. GENERAL

The purpose of this policy is to provide guidelines for the application of speed humps. A “speed hump” is a gradual rise and fall of pavement surface across the width of the roadway. Two common designs of speed humps include 1) circular humps – 12 feet long with a maximum height of three to four inches, and 2) flat-topped humps – 22 feet long having a 10-foot long and three to four-inch high plateau with six-foot long circular arc approaches. A speed hump differs from a “speed bump”, which is more abrupt, having a height of three to four inches over a length of one to three feet. Due to gentle vehicle rocking, speed humps cause some driver discomfort and result in most vehicles slowing down at humps and between properly spaced successive humps.

Research has shown that speed humps are effective in safely reducing speeds along a roadway. There is, however, a potential for traffic diversion onto neighboring streets as a result of motorists avoiding the speed hump street.

In order for speed hump installation to be effective, their provision should be in accordance with established transportation engineering criteria and documented facts. As is the case with all traffic control devices, proper installation will encourage compliance and safe driving practices. This policy provides criteria and procedures for installation of safe and effective speed humps.

As this is a new program, the City reserves the right to change any or all of the criteria and procedures in these guidelines if deemed necessary.

2. ELIGIBILITY REQUIREMENTS

All of the following criteria shall be satisfied for a street to be considered eligible for speed hump installation.

A. PETITION

1. A petition from the residents and business owners documenting that at least two-thirds of all households and businesses adjacent to the project street support the installation of speed humps.
2. A verification statement from the contact person confirming that the signatures on the speed hump petition are valid and represent at least two-thirds of the households/businesses adjacent to the project street (refer to attached verification statement).
3. A statement from the neighborhood association endorsing speed hump installation on the project street. In the absence of a neighborhood association, the petition area may be extended to include nearby streets

that may see an increase in traffic as a result of this project. Staff will determine the petition area.

B. OPERATIONAL AND GEOMETRIC CHARACTERISTICS OF THE STREET

1. The street shall provide access (via driveway or on-street parking) to abutting residential and/or commercial properties (residential local or collector streets). Residential properties include single family dwellings, duplexes, apartment complexes, etc.
2. The street shall not have more than one traffic lane in each direction.
3. The street shall have a regulatory speed limit of 30 mph or less as determined in accordance with the State Law.
4. The 85th percentile speed on the street section must be at least 35 mph or 5 mph over the regulatory speed limit.
5. The speed humps should not be located on a horizontal curve, on vertical curves where visibility of the hump is restricted, or on the approaches to these curves.
6. The street should have curb and gutter. Consideration may be given to streets without curb and gutter. In such cases, special care should be used to accommodate drainage and prevent vehicle run-arounds.
7. The street must be approved by the emergency services departments for installation of speed humps.
8. The street must have a 24-hour traffic volume of at least 800 vehicles.

3. PROJECT PRIORITIZATION

Speed hump projects are prioritized on a citywide basis. This would ensure proper allocation of the City's resources. The projects will be ranked according to the criteria developed by the staff.

4. COST RESPONSIBILITY

The cost for speed hump installation (including humps, signs, pavement markings and if necessary, special features) may be shared between the City and the residents according to the cost share criteria.

The residents' cost share is that percentage of the total cost that is not the City's responsibility. One or more residents may pay this share or it may come from other private sources. Of the allocated City funds, seventy percent (70%) will be reserved for projects requiring one hundred percent (100%) City financing. Thirty percent (30%) of the allocated City funds will be reserved for projects that require cost sharing by the residents. City funded participation will proceed in descending order from the top of the priority list until all funds are allocated. Residents may be able to expedite hump installation by voluntarily paying the full installation cost. Alternate sources of funding may be available in certain circumstances.

5. SPEED HUMP LOCATION

A speed hump shall not be located in front of a property if the occupant objects to its placement or, in the case of multiple dwellings if a majority of the households on the property object to its placement. Fulfillment of this requirement is the responsibility of the applicant(s).

6. DESIGN, CONSTRUCTION, AND MAINTENANCE

The City Engineer shall prepare design standards and installation procedures for speed humps and related features such as signs and pavement markings. The City Engineer will administer construction of speed humps. The City will maintain the speed humps and all related features.

7. SPEED HUMP REMOVAL AND ALTERATION

The process for speed hump alteration or removal requested by the residents is the same as the process for installation, except that there will be no City participation in the cost incurred. A petition documenting that at least two-thirds (2/3) of all the households and businesses adjacent to the speed hump street are in favor of speed hump removal, will be required.

SPEED HUMP INSTALLATION PRODECURE

The following items describe the procedure to be followed for speed hump installation. A flowchart of the speed hump installation process is presented.

1. PROJECT REQUEST

Individual residents or neighborhood associations can initiate request for speed hump installation. A request must be made to:

Transportation Advisory Board
City of Wimberley
221 Stillwater
Wimberley, TX 78676

2. PRELIMINARY REVIEW

- A. After a request for speed humps has been received, City staff will conduct an initial investigation and collect data to determine the street's eligibility in regards to the operational and geometric characteristics. This eligibility process includes approval from the emergency services departments.
- B. If the operational and geometric requirements for eligibility are not met, the street will not be considered for speed humps and the requester(s) will be notified.
- C. If after the initial study it is determined that the street qualifies for speed hump installation, a petition packet consisting of the speed hump petition, a verification statement for the contact person, and an endorsement statement for the neighborhood association, if applicable, will be mailed to the requester(s). The project requester(s) will be responsible for circulating the petition in the petition area.
- D. Signatures representing two-thirds of all the households and businesses within the petition area must be in favor of speed hump installation for the study to proceed further. Multi-family dwellings with more than four units will be counted as one household, with the property owner or manager representing the household.
- E. The cut-off date for receiving requests for speed hump projects to be undertaken during a particular fiscal year will be February 1st of the preceding fiscal year. The cut-off date for receiving the approved petition, verification statement, and endorsement statement will be May 1st of the preceding fiscal year.

- F. If the approved petition, completed verification statement, and endorsement statement from the neighborhood association (if applicable) is received by the specified date, the street will be placed on the list of streets eligible for speed hump installation. A priority ranking will be assigned to the street according to the project prioritization criteria.

3. FUNDING

- A. Each year, funds will be allocated for speed humps in the Annual Operating Budget for the City of Wimberley. The allocation of City funding will proceed in descending order from the top of the priority list. Cost sharing criteria will be used to determine the residents' share of the installation cost.
- B. City staff will submit a statement to the requester(s) of each approved project indicating the estimated total speed hump installation cost, City's cost share (if any), residents' cost share (if any), and the project's ranking on the priority list. If the project does not receive high enough priority to receive City funding, residents have the option to voluntarily pay for the full installation cost.
- C. For projects eligible for partial City funding, it will be the responsibility of the requester(s) to ensure the residents' cost share is paid to the City within three months of the statement date. If the City does not receive the residents' cost share within three months, the project will not be considered for that fiscal year.
- D. Once the project is listed on the priority list, it will be considered for funding up to three consecutive years. If, after three years, a project has not received high enough priority to justify City funding, it will no longer be considered eligible. The time limit ensures that the project request has not become obsolete because of changing traffic conditions and/or new residents in the area. The project requester(s) will be notified when the three-year time limit expires. At that time, a new request may be made to re-enter the project in the program and, in such case, the usual procedures will be followed.

4. SPEED HUMP INSTALLATION

Upon receipt of residents' share (if any) and allotment of City's share (if any), speed humps will be installed as scheduling permits. The construction of humps and the placement of signs and marking will conform to the current design standards as established by the City Engineer.

PROJECT PRIORITIZATION CRITERIA

Speed hump projects will be ranked according to the criteria established in this Section. Projects will be assigned points on the basis of existing speeds and volumes, average number of speed related accidents reported to the Hays County Sheriffs Department and presence of schools and/or other special pedestrian generators in the area. The project accumulating the greatest number of points will be considered to have the highest priority. Among projects with the same rank, higher priority will be given to the one with the earliest application date.

1. ACCIDENT CRITERIA

All accidents considered for point assignment must be speed-related accidents within the Hays County Sheriffs Department database and on the project street, either at intersections or at mid-block locations.

TOTAL NUMBER OF REPORTED ACCIDENTS OVER A PERIOD OF 3 CONSECUTIVE YEARS	POINTS ASSIGNED
3	1
4-6	2
7-9	3
10-12	4
13 or more	5

2. SPEED CRITERIA

The speed criteria considers the difference between the 85th percentile speed during the entire 24-hour period and the regulatory speed limit (85th percentile speed is the speed at or below which 85 percent of the drivers are traveling).

SPEED DIFFERENCE BETWEEN 85TH PERCENTILE SPEED AND REGULATORY SPEED LIMIT (MPH)	POINTS ASSIGNED
5 - 7	4
8 -10	6
GREATER THAN 10	8

3. TRAFFIC VOLUME CRITERIA

Traffic volumes (two-way) during the peak hour are considered.

HOURLY VOLUME (VEH/HOUR)	POINTS ASSIGNED
< 50	0
50 – 225	1
226 – 300	2
301 – 375	3
376 – 450	4
GREATER THAN 450	5

4. TYPE OF NEIGHBORHOOD CRITERIA

Points will be assigned to the project if there are schools and/or special pedestrian generators (such as parks, elderly housing, and community center, shopping areas).

1. Schools within a ½ mile radius of the project street. 1 point
2. Special pedestrian generators within a 1000 ft. radius of the project street. 1 point
3. Absence of sidewalks on the project street. 1 point

COST SHARING CRITERIA

The cost of speed hump installation shall be shared between the City and the residents according to the following criteria. Points considered for cost share are based on points assigned for priority ranking.

POINTS FROM PRIORITY RANKING	CITY'S COST SHARE
GREATER THAN 9	100%
8 – 9	75%
6 – 7	50%
5	25%
4	0%

DESIGN STANDARDS

1. DIMENSION AND CROSS-SECTION

Two types of speed hump designs, circular or flat-topped, may be considered. The circular speed hump will be 12 feet long and have the cross section of a segment of a circle with a maximum height of 3.5 inches at the center. The flat-topped speed hump will be approximately 22 feet long consisting of a 10-foot long plateau with 6-foot long circular arc approaches on either side. This flat-topped speed hump will be 3.5 inches in height.

On streets with barrier curbs, humps should extend fully across the road from curb joint to curb joint. A 12-inch minimum taper may be considered for drainage. For humps installed on non-curbed roadways, special treatment such as delineator posts should be considered to prevent vehicle run-arounds.

2. SPACING AND LOCATION

Speed humps will usually be placed between 200 feet and 600 feet apart. Other spacing may be used based upon engineering judgement. The following guidelines will be considered when determining speed hump spacing.

1. On single short blocks (300 ft. to 500 ft.) a single hump positioned near mid-point is usually sufficient.
2. On single blocks of moderate length (500 ft. to 1000 ft.) a two hump configuration is usually adequate.
3. On very long blocks (1000 ft. to 1600 ft.) three or more humps may be necessary.
4. On lengthy continuous street segments or for humps provided over a series of blocks, interior humps may be placed 400 ft. to 600 ft. apart.

The following points should be considered when locating speed humps:

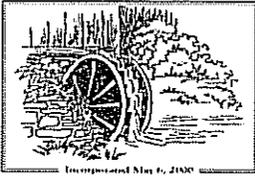
1. A speed hump should not be located in front of a driveway or within an intersection. Speed humps should not be located within 250 feet of a traffic signal or within 50 feet of an intersection.
2. Speed humps should not be located over, or contain manholes, or be located adjacent to fire hydrants.
3. For humps located near drainage inlets the hump should be placed just downstream of the inlet. If this is not feasible, special treatment should be considered for drainage.
4. If possible, humps should be located on property lines rather than directly in front of a residence.
5. The advantage of existing or planned street lighting should be taken into consideration when determining hump location.

3. TRAFFIC CONTROL

Traffic control consisting of signs and markings should be provided to advise roadway users of a speed hump's presence and to guide their subsequent action. Traffic signs and pavement markings should conform to Manual of Uniform Traffic Control and Devices Standards (MUTCD).

DRAFT

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: EXECUTIVE SESSION TO
CONSULT WITH ATTORNEYS REGARDING PENDING
LITIGATION

Funds Required:

Funds Available:

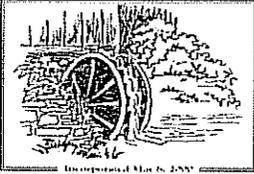
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to meet in Executive Session to consult with attorneys regarding pending litigation in *Cause No. 08-1984, Cyndi Brown, Individually vs. City of Wimberley, Tom Haley, Individually, and Don Ferguson, Individually, in the 428th District Court of Hays County, Texas and the United States District Court for the Western District of Texas.*

City Council Agenda Form



Date Submitted: August 2, 2010

Agenda Date Requested: August 5, 2010

Project/Proposal Title: CITY COUNCIL REPORTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for reports to be presented by the Mayor and members of City Council and for future agenda item requests.