

# City of Wimberley

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

**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS – WIMBERLEY CITY HALL**  
**221 STILLWATER, WIMBERLEY, TEXAS**  
**SEPTEMBER 1, 2016 - 6:00 P.M.**

## AGENDA

CALL TO ORDER                      SEPTEMBER 1, 2016 @ 6:00 P.M.

CALL OF ROLL                      CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

PROCLAMATION

PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS,  
PROCLAIMING THE MONTH OF SEPTEMBER 2016 AS HUNGER ACTION MONTH  
IN WIMBERLEY, TEXAS

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  
AUGUST 18, 2016

- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF AUGUST 19, 2016
- (C) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF AUGUST 23, 2016

2. CITY ADMINISTRATOR REPORT

- STATUS REPORT ON CENTRAL WIMBERLEY WASTEWATER PROJECT INCLUDING BUT NOT LIMITED TO DESIGN, EASEMENTS AND PROJECT MANAGEMENT
- STATUS REPORT ON DOWNTOWN PEDESTRIAN SAFETY SIGNAGE
- STATUS REPORT ON OPERATION OF THE BLUE HOLE REGIONAL PARK
- STATUS REPORT ON THE LA BUENA VISTA DRIVE IMPROVEMENT PROJECT
- STATUS REPORT ON 2015 FLOOD RECOVERY

3. PRESENTATION

PRESENTATION FROM THE CITY OF WIMBERLEY TRANSPORTATION ADVISORY BOARD REGARDING A PROPOSED WAYFINDING SIGNAGE PROGRAM. (*BERT RAY, TRANSPORTATION ADVISORY BOARD*)

4. PUBLIC HEARINGS AND CONSIDER ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY CARLTON BASS TO OPERATE A VACATION RENTAL FACILITY ON PROPERTY LOCATED AT 140 MALONE DRIVE, WIMBERLEY, HAYS COUNTY, 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. (*CARLTON BASS, APPLICANT*)
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF A PROPOSED ORDINANCE AMENDING TITLE XV (LAND USAGE), CHAPTER 155 (ZONING), SUBCHAPTERS 155.105 (CONDITIONAL USES) AND 155.077 (DEVELOPMENT PLAN REVIEW), SECTION (E) (APPROVAL PROCESS), SUBSECTION (3) (EFFECT OF DEVELOPMENT PLAN APPROVAL) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES TO PROVIDE AN EXPIRATION DATE FOR UNUSED CONDITIONAL USE PERMITS; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; SAVINGS; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. (*CITY ADMINISTRATOR*)
- (C) HOLD A PUBLIC HEARING ON THE PROPOSED *FISCAL YEAR 2017 CITY OF WIMBERLEY BUDGET*. (*CITY ADMINISTRATOR; NO ACTION WILL BE TAKEN ON THIS ITEM*)

5. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION ON ISSUES RELATING TO THE DEVELOPMENT OF THE PROPOSED FISCAL YEAR 2017 CITY OF WIMBERLEY BUDGET. (CITY ADMINISTRATOR)
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE PROPOSED FISCAL YEAR 2017 CITY COUNCIL GOALS AND PRIORITIES. MAYOR MAC MCCULLOUGH)
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION TO REVOKE THE WIMBERLEY PLANNED DEVELOPMENT DISTRICT ("WPPD") ORDINANCE FOR 400 MILL RACE LANE. (MAYOR MAC MCCULLOUGH)
- (D) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE FUTURE COLLECTION OF CERTAIN BUILDING PERMIT, ZONING AND SUBDIVISION FEES RELATING TO PROPERTIES IMPACTED BY THE MAY 2015 FLOOD IN WIMBERLEY, TEXAS. (CITY ADMINISTRATOR)
- (E) DISCUSS AND CONSIDER POSSIBLE ACTION ON MATTERS STEMMING FROM THE SECOND MEETING OF REPRESENTATIVES OF AQUA TEXAS AND REPRESENTATIVES OF THE CITY OF WIMBERLEY REGARDING THE POTENTIAL PROVISION OF VARIOUS WASTEWATER SERVICES IN CENTRAL WIMBERLEY. (PLACE THREE COUNCIL MEMBER SALLY TRAPP)
- (F) DISCUSS AND CONSIDER ACTION AWARDDING A CONTRACT FOR PROFESSIONAL AUDITING SERVICES. (CITY ADMINISTRATOR)
- (G) DISCUSS AND CONSIDER POSSIBLE ACTION AUTHORIZING THE CITY ADMINISTRATOR TO SEEK CONSTRUCTION BIDS FOR THE HIDDEN VALLEY LOW WATER CROSSING RECONSTRUCTION PROJECT. (CITY ADMINISTRATOR)
- (H) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE COMPREHENSIVE FUND BALANCE POLICY AND FUND BALANCE CLASSIFICATION PLAN FOR THE CITY OF WIMBERLEY. (CITY ADMINISTRATOR)
- (I) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE CITY OF WIMBERLEY INVESTMENT POLICY. (CITY ADMINISTRATOR)
- (J) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE PROPOSED RENEWAL OF THE CITY OF WIMBERLEY'S EXISTING LEASE AGREEMENT FOR AN OFF-SITE STORAGE UNIT. (CITY ADMINISTRATOR)
- (K) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A REQUEST FROM THE WIMBERLEY VOLUNTEER FIRE DEPARTMENT ("WVFD") FOR THE CITY OF WIMBERLEY TO WAIVE A PORTION OF THE CITY'S BUILDING PERMIT FEES FOR THE PLANNED CONSTRUCTION OF A CANOPY AT THE WVFD FIRE STATION. (CITY ADMINISTRATOR)

- (L) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING PLANS FOR THE UPCOMING 2016 BREWSTER'S MUSIC FEST ON SATURDAY, SEPTEMBER 17, 2016. (CITY ADMINISTRATOR)
- (M) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING PLANS FOR THE 2016 SPIRIT OF TEXAS BIKE RIDE ON SUNDAY, OCTOBER 2, 2016. (CITY ADMINISTRATOR)

6. CITY COUNCIL REPORTS

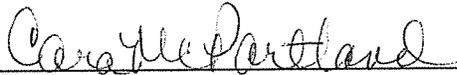
- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

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**

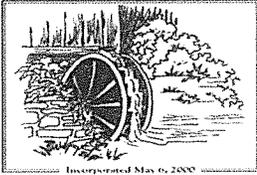
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on August 25, 2016 at 10:00 p.m.



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Cara McPartland, Assistant City Administrator/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 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: APPROVAL OF AUGUST  
18, 2016 MINUTES OF REGULAR CITY  
COUNCIL MEETING

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 consider approving the minutes for the August 18, 2016 Regular City Council Meeting.

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas 78676  
**Minutes of Regular Meeting of City Council**  
August 18, 2016 at 6:00 p.m.

City Council meeting called to order at 6:00 p.m. by Mayor Mac McCullough.

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

Councilmembers Present: Mayor Mac McCullough, Councilmembers Bob Dussler, Craig Fore, Sally Trapp, Gary Barchfeld, and John White.

Staff Present: City Administrator Don Ferguson & City Secretary Cara McPartland

### **Citizens Communications**

Rocky Springs resident Craig Reitz spoke of Wimberley's rare small-town qualities cherished by those who think this is the perfect place to live. He said that those who own vacation rentals think of Wimberley as a cash register and favor keeping Wimberley a good place to visit. He stated vacation rental owners have learned it is easy to break into our neighborhoods and turn them into cash cows. Mr. Reitz stated it is a false premise that Wimberley needs vacation rental homes to provide sales tax dollars and said the bulk of sales tax dollars comes from Wimberley residents who shop daily at all of our businesses. He felt previous Councils have not developed a plan to sustain prosperity without destroying what makes Wimberley a special place. He spoke of demographics and growth patterns of surrounding areas that show Wimberley to be an easily accessible destination for visitors as a small, iconic Texas town. Mr. Reitz said it is not "heads in beds" that produces sales tax dollars - it is "cars in lots." He felt the spread of vacation rental properties is destroying our neighborhoods. He said vacation rental properties could be homes for families, but they are expensive because of their rental values. He feared continuing this course could destroy Wimberley's sense of community and asked Council to stop granting vacation rental Conditional Use Permit (CUP) applications and start a program of cancelling any CUPs that were granted over the objection of the neighboring property owners.

#### **1. Consent Agenda**

- A. Approval of minutes of the Regular City Council meeting of August 4, 2016
- B. Approval of the July 2016 Financial Statements for the City of Wimberley
- C. Approval of the appointment of Jennifer Marino to the City of Wimberley Ethics Commission

Councilmember White moved to approve all Consent Agenda items, as presented. Councilmember Barchfeld seconded. Motion carried on a vote 5-0.

#### **2. City Administrator Report**

- Status report on the Central Wimberley Wastewater Project including but not limited to design, easements and project management

City Administrator Ferguson reported that responses to the City's Request for Qualifications (RFQ) for wastewater impact fee studies are due on August 26, 2016. He advised that responses to the City's RFQ for project management are due on September 8, 2016. He noted there is a final easement acquisition meeting scheduled for next week and anticipated a 1-2 week delay in submittal of the City's system design plan to TCEQ. He stated the City's EDA grant application is still under review.

- Status report on the Downtown Restroom Trailer Project

City Administrator Ferguson reported that the smaller restroom trailer is now open every day from 8 a.m. to dusk and is being maintained by Park staff, with some assistance from the trailer owner. He noted the City will be entering into a utilities service agreement with the resident adjacent to the trailer who is providing electrical/water service to the trailer. He anticipated launch of the advertising program for the trailers in the coming fiscal year.

In addition, City Administrator Ferguson reported sales tax collections remain very strong, with the August check, representing June collections, totaling \$96,506, which is probably the second or third largest sales tax check received in the City's history, up 3 percent (3%) from the same period last year, and running well ahead of budget.

- Status report on operation of the Blue Hole Regional Park

City Administrator Ferguson reported on recent rain-related closures, attendance statistics (25,000 visitors during the current season), capacity crowds, and the reduced admission price program on Tuesday and Wednesday evenings for local residents. He advised the maintenance building project has been delayed until 2017. Minimal damage to the Park was noted, due to recent rains.

- Status report on the La Buena Vista Drive Improvement Project

No report was given on this item.

- Status report on 2015 Flood Recovery

City Administrator Ferguson reported on the August 31<sup>st</sup> deadline to spend emergency relief funds, which were intended to provide for the City's matching requirement related to the curbside debris collection program. He advised that Hays County may need more time to finalize issuance of an invoice for the City's portion (if any) and said it may be necessary to carry over our allocation for another 60-90 days. He reported on \$10,000,000 in federal funding received by Hays County and specific uses for such funds, including housing assistance such as elevation/buy-out/flood mitigation programs. City Administrator Ferguson reported that design for the Hidden Valley Low Water Crossing Reconstruction is complete and provided the timeframe for bidding and construction of the project. He anticipated a public release of

FEMA's proposed flood maps within the next ninety (90) days and noted there will be a response period for challenge or appeal of FEMA's determinations.

### 3. Presentation

Presentation from the City of Wimberley Transportation Advisory Board regarding a proposed wayfinding signage program. (*Bert Ray, Transportation Advisory Board*)

Mayor McCullough advised this item will be continued until Council's next regular meeting.

### 4. Public Hearings and Consider Action

- A. Hold a public hearing and consider approval of an ordinance approving an application for a Conditional Use Permit submitted by Wayne McQuaid to operate a vacation rental facility on property located at 207 Little Ranches Road, Wimberley, Hays County, Texas, zoned Residential Acreage (RA), 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. (*Wayne McQuaid, Applicant*)

City Administrator Ferguson reported on the subject property's location, current/proposed zoning and uses, and existing residential structure. Based on a review of the property functioning and permitted septic system, City staff recommended a maximum occupancy of three (3) people. City Administrator Ferguson read a list of conditions to be included in the CUP, if approved, and noted that two written responses in support, one verbal inquiry seeking information, and one verbal response in opposition of the CUP request have been received. He advised that the Planning and Zoning Commission held a public hearing and unanimously recommended approval of the CUP at its August 11<sup>th</sup> meeting.

Applicant Wayne McQuaid acknowledged that vacation rentals have caused a hotbed of issues for the last few months, but also believed in personal property rights. He felt that his property represents the perfect scenario for a vacation rental, which contains an 832-square foot cabin on a fully-fenced 10-acre tract, with a wonderful view, plenty of on-site parking, and an electric gate. He noted that of the nine (9) notified property owners, all but three (3) are already operating vacation rentals or are duplexes. Mr. McQuaid stated that he and his wife, a local school teacher, both work here and are long-time residents. He pointed out the location of the cabin on the subject property and said the rentals would be professionally managed by his friend, Aaron Scott of SkyRun Vacation Rentals. He spoke on video surveillance and security measures that will be installed on the property to monitor rental activity and traffic. He noted that the cabin is very private and is located approximately 900 feet from Little Ranches Road.

Mayor McCullough opened the public hearing.

Kenneth Belote of 400 Little Ranches spoke of his long ownership history and conveyed his disapproval of the proposed vacation rental. He expressed concerns regarding noise, litter, and traffic and said he has had to call law enforcement in the past due to noise from vacation rentals.

He said renters could be nice or could be hoodlums and felt that rules and security cameras do not stop anything from happening, but do help you catch “whoever did it.” He also expressed concerns regarding trespassing and vandalism by renters. He asked Council members if they would buy a house next to a motel and did not want his property values to go down. Mr. Belote said he would like to keep the neighborhood as residential and opposed the CUP request.

Scott Teuton of SkyRun Vacation Rentals spoke of his company’s proposed management of the subject property, including nearby local employees, who live on Little Ranches Road and would be able to promptly respond, if needed. He said his company would be the primary contact in the event of issues and stated his belief in personal property rights.

Applicant Wayne McQuaid distributed a handout to Council showing the locations of neighboring properties and existing vacation rental operations.

Hearing no further comments, Mayor McCullough closed the public hearing.

Discussion addressed use of the subject property as a vacation rental versus a bed and breakfast, septic system capacity limiting maximum occupancy to three (3) people, possible additional CUP condition to mandate that advertising for the vacation rental reflect three (3) people as the maximum occupancy, number of existing area vacation rentals, and historically minimal amount of criminal activity associated with renters. Councilmember Dussler cited a list of reasons stating why he does not favor establishing businesses in residential neighborhoods.

Councilmember Barchfeld moved to approve the ordinance, as presented, with the additional condition that the vacation rental shall not be marketed or advertised for a maximum occupancy of more than three (3) people. Councilmember Trapp seconded. Mayor McCullough called for a vote as follows: Councilmember Dussler, nay; Councilmember Fore, aye; Councilmember Trapp, aye; Councilmember Barchfeld, aye; and Councilmember White, aye. Motion carried on a vote of 4-1.

- B. Hold a public hearing and consider approval of the first reading of a proposed ordinance amending Title XV (Land Usage), Chapter 155 (Zoning), Subchapters 155.105 (Conditional Uses) and 155.077 (Development Plan Review), Section (E) (Approval Process), Subsection (3) (Effect of Development Plan Approval) of the City of Wimberley Code of Ordinances to provide an expiration date for unused conditional Use Permits; and including the following: findings of fact; savings; severability; repealer; effective date; and proper notice and meeting. (*City Administrator*)

City Administrator Ferguson explained the proposed ordinance establishing a “sunset” review for all future CUPs, which would be reviewed two (2) years after they are granted to see if progress has been made toward completion of the project described in the CUP. He noted that on August 11<sup>th</sup> the Planning and Zoning Commission held a public hearing and voted unanimously to recommend approval.

Mayor McCullough opened the public hearing. Hearing no comments, Mayor McCullough closed the public hearing.

Councilmember Trapp moved to approve the ordinance on first reading, as presented. Councilmember Barchfeld seconded. Motion carried on a vote of 5-0.

## 5. Ordinance

Consider approval of an ordinance amending Title IX (General Regulations) Chapter 98 (Keeping of Chickens) of the Code of Ordinances for the City of Wimberley to modify lot size and zoning requirements regarding the keeping of chickens; providing findings of fact, a repealing clause, savings and severability clause, and effective date. *(Place Three Councilmember Sally Trapp)*

Per prior Council discussion, Councilmember Trapp felt the 2-acre minimum lot size requirement was restrictive and favored removal of the reference to “single family” in §98.02(A). Councilmembers Fore and Barchfeld felt it appropriate to state a limit on the number of chickens allowed. Councilmember Trapp felt the limit on number of chickens should be related to the property’s acreage. Councilmember Fore recommended a limit of twelve (12) chickens per half-acre. Discussion addressed enforcement issues, potential for noise/wandering complaints, prohibition on roosters, and lack of restrictions on the number of chickens on properties larger than one-half acre.

Councilmember Trapp moved to approve the ordinance, as presented, with the additional restriction that up to twelve (12) chickens will be allowed per each one-half acre property, with no restrictions on the number of chickens allowed on properties larger than one-half acre. Councilmember Fore seconded. Motion carried on a vote of 5-0.

## 6. Discussion and Possible Action

- A. Discuss and consider action on a proposal to initiate the proceedings necessary to impose a moratorium on the issuance of building permits, business licenses, conditional use permits, and certificates of occupancy to be used for the construction or operation of vacation rentals and bed and breakfasts within any residentially zoned area within the city limits of Wimberley, Texas. *(City Administrator)*

Per Council’s direction at its August 4<sup>th</sup> meeting, City Administrator Ferguson presented the following proposed tentative schedule to enact the subject moratorium:

- Thursday, August 18, 2016 – Council votes to initiate the moratorium process
- Thursday, August 25, 2016 – City publishes notice of public hearings
- Monday, August 29, 2016 – Public hearing before the Planning and Zoning Commission
- Thursday, September 1, 2016 – Public hearing before City Council; Council considers first reading of moratorium ordinance. 90-day moratorium automatically goes into effect (moratorium temporary until Council passes ordinance on second reading).
- Monday, September 5, 2016 – City Council adopts moratorium ordinance on second reading
- Wednesday, November 30, 2016 – Expiration of 90-day moratorium

He stressed the importance of the public process and noted that applications submitted prior to enactment of the moratorium would not be subject to the moratorium.

Discussion addressed balancing of all sides regarding short-term rentals, effectiveness of a potential moratorium, divisiveness in the community, role of the Planning and Zoning Commission, and possible need to adjust scheduling of the proposed meeting dates based on Council members' availability.

City Administrator Ferguson suggested possibly setting meeting dates at Council's workshop to be held on August 23, 2016 and recommended action to move forward to initiate the moratorium process, with specific meeting dates to be determined.

Councilmember Barchfeld moved to direct staff to initiate the process to impose a 90-day moratorium on the issuance of building permits, business licenses, conditional use permits, and certificates of occupancy to be used for the construction or operation of vacation rentals and bed and breakfasts within any residentially zoned area within the city limits. Councilmember Trapp seconded. Motion carried on a vote of 5-0.

- B. Discuss and consider action regarding the possible addition of a second effluent storage tank for the Central Wimberley Wastewater Project to reduce the potential of effluent discharge. (*Mayor Mac McCullough*)

Mayor McCullough pulled this item from consideration at this time. No action was taken.

- C. Discuss and consider action regarding the possible development of plans for a roadside effluent irrigation system on Winter's Mill Parkway for the Central Wimberley Wastewater Project. (*Mayor Mac McCullough*)

City Administrator Ferguson reviewed estimated engineering and construction costs and Mayor McCullough favored delaying consideration of this item at this time. Brief discussion addressed right-of-way acquisition. Councilmember Fore felt this option may not be viable due to cost concerns.

Gail Pigg stated it is impossible to determine "no discharge" options until a water balance is performed, which she said was a recommendation or conclusion of the Ad Hoc Wastewater Review Committee's report. She said costs cannot be estimated until it is determined how many acres will be needed to dispose of effluent. She favored keeping this item on the table "until we have a water balance equation." City Administrator Ferguson advised that Alan Plummer Associates is currently performing a water balance. Ms. Pigg said the Ad Hoc Committee conclusions also asked for other costs related to the Blue Hole Project to be included and that has not been done. She said the Ad Hoc Committee and the RCCWA both asked for the land application area in Blue Hole to be identified and shown as phases, in addition to the existing area, as well as the soccer fields. She stated there is baseline testing that is supposed to be getting done.

Mayor McCullough stated the water balance might reduce the area and may show there is not enough water to go all the way down Winter's Mill Parkway. He agreed with Councilmember Fore that this option is too costly and favored bringing this item back for consideration at a later date. Discussion addressed incurring additional engineering costs for options that the City may not exercise, alternative proposals to minimize discharge, and cost of bid alts which require engineering and design. No motion was made and no action was taken on this item.

- D. Discuss and consider possible action on matters stemming from the August 16<sup>th</sup> meeting of representatives of Aqua Texas and representatives of the City of Wimberley regarding the potential provision of various wastewater services in central Wimberley. *(Place Three Councilmember Sally Trapp)*

Councilmember Trapp reported favorably on the August 16<sup>th</sup> meeting with Aqua Texas' President Robert Laughman and Regional Director Brian Robinson, also attended by Councilmember Barchfeld, Ad Hoc Wastewater Review Committee member John Urban, and City Administrator Ferguson. She said the meeting was a frank discussion covering the following points: a retail solution; a wholesale system; acceptance of excess treated or untreated effluent.

City Administrator Ferguson spoke on a rate offered by Aqua Texas (\$3 per 1,000 gallons) to accept untreated effluent to Aqua Texas's polishing pond and possible diversion of waste via a bypass line to Aqua Texas's line, then to its lift station behind Ace Hardware or Brookshire Brothers. Councilmember Trapp stated Aqua Texas asked to come back with some valid numbers for the retail and wholesale options, with sharing of engineering data from Plummer. City Administrator Ferguson explained that the retail option would involve giving up the central Wimberley portion of its CCN and everyone within that area would become a retail customer. He explained the wholesale option involves the City building the collection system and cost sharing of the line the crossing the creek to behind Ace Hardware, with costs estimated at \$425,000 to \$450,000, with the City's costs capped at \$250,000. A portion of the CIAC (impact) fees paid by customers would be used to cover Aqua Texas's portion of those costs. He said Aqua Texas would charge an estimated wholesale rate of \$11.73 per 1,000 gallons for five years without an increase. City Administrator Ferguson stated that the excess effluent options would not require a standby fee to send raw waste across the creek, but the City would be responsible for the full cost of crossing the creek and taking the line to Ace or Brookshire, with the same aforementioned wholesale cost. To address concerns regarding capacity, Aqua Texas said such capacity could be bought at the front end. As an alternative to bypass irrigation, spray irrigation from a tank truck or hauling to Aqua Texas's polishing pond was discussed.

Councilmember Trapp stated that Aqua Texas representatives were lovely to talk to and were there to work with us. Councilmember Barchfeld said Aqua Texas representatives were most generous in their concessions to the City and conveyed Mr. Laughman's response regarding Aqua Texas's desire to be a good neighbor and willingness to help. Councilmember Barchfeld cited a KXAN news story regarding Aqua Texas's record on pollution and noted Mr. Laughman's answer that Aqua Texas has had only a little more than 30 statewide violations in a 5-year period. Councilmember Barchfeld said his research showed that Aqua Texas had 7 violations and Aqua Utilities had 25 violations, which is in the median range of violators. He

further stated that only 2 of the violations were in Hays County and were water-related. Councilmember Barchfeld said Aqua Texas gets a lot of bad press but does a pretty good job and has put a lot of money into this valley. He found Aqua Texas very agreeable to work with and felt a follow-up meeting is needed. He offered to relinquish his seat at the table for any subsequent meeting.

Councilmember White questioned whether any of the Aqua Texas options would change the engineering on the Square. City Administrator Ferguson replied that trucking of excess effluent would not, however, there would be additional engineering costs to send raw waste to Aqua Texas, as opposed the proposed "purple pipe" option. Regarding the wholesale Aqua Texas option, City Administrator Ferguson stated that the City would build the collection system, but not the treatment plant. Under the retail option, Councilmember White asked if everything we have done so far is thrown out and City Administrator Ferguson replied affirmatively and noted the City would also have to give up part of its CCN.

Mayor McCullough spoke of the retail option, which would give up a good part of the City's CCN, and asked City Administrator Ferguson to summarize the long, contentious and expensive process associated with the City's acquiring its CCN. Mayor McCullough explained to the audience the purpose and value of the CCN granted to the City by TCEQ and its effect on property values and control over development. Mayor McCullough cautioned developments such as motels could not be stopped should the City give up its CCN and asked how many people would want that type of development here. He stated Aqua Texas could expand its service area and that kind of growth and development could not be stopped. Mayor McCullough found it bewildering why the City would want to easily relinquish its CCN, given its value. It was noted that Mr. Laughman of Aqua Texas recognized the CCN as the City's "cash at the table," as well as concerns that Guadalupe Blanco River Authority (GBRA) had expressed in the past about growth should the City give up portions of its CCN.

Gary Callon asked why the City cannot just give up its CCN on the small area of the Square and Mayor McCullough stated he did not favor the retail option involving giving up any of the City's CCN and questioned how the City could hold another Aqua Texas meeting with different Council members in attendance and not violate open meetings regulations. City Administrator Ferguson cautioned against holding a series of meetings with different Council members at each meeting (so-called "daisy chaining"). Councilmember Barchfeld felt a second meeting is needed and said the option to send effluent to Aqua Texas is very cost effective. Discussion addressed the preference for not discharging, consideration of sending effluent to Aqua Texas via tanker truck, and holding a second meeting focusing on sharing information with Aqua Texas to establish costs of the retail option. Councilmember Barchfeld said it makes common sense to keep talking to Aqua Texas as a back-up option if bids come in and are unaffordable. Discussion included speculation on prospective bid amounts and the City's ability to afford the proposed wastewater system.

Councilmember Barchfeld moved to hold another meeting with Aqua Texas representatives, with the same attendees as the first meeting. Councilmember White seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action regarding a proposal to contract with Raftelis Financial Consultants of Austin, Texas, to develop various rates and fees for the Central Wimberley Wastewater System. (*City Administrator*)

This item was heard after Agenda Item 6F.

City Administrator Ferguson recommended approving a letter of engagement with Raftelis to develop preliminary rates for submission to the Texas Water Development Board (TWDB) and explained the two-part process to build the framework for the rate calculation, including a public meeting, and the second part to re-evaluate the volumetric information to firm up costs and finalize rates. He stressed that these are user rates and that an impact fee study will be also be conducted.

Discussion addressed possible additional costs in the event more than one public meeting is scheduled and the two-step process to set and finalize rates based on current data and public involvement. It was noted that the cost of the proposed contract (not to exceed \$14,495) will be paid from the General Fund.

Councilmember White moved to approve the proposal to contract with Raftelis Financial Consultants to develop rates and fees for the Central Wimberley Wastewater System and to adjust the budget accordingly. Councilmember Barchfeld seconded. Motion carried on a vote of 5-0.

- F. Discuss and consider action awarding a contract for the *La Buena Vista Road Overlay Project*. (*City Administrator*)

This item was heard after Agenda Item 6J.

City Administrator Ferguson presented information on bids received and noted key differences in the proposals, including reasons for disqualification of certain bids, and wide variation in asphalt costs. He recommended awarding the contract to Lone Star Site Work, based on criteria such as estimated completion date and prior work history. Discussion addressed the scope of work, amount of funds available for the project, and the bidding process.

Councilmember White moved to approve awarding the contract for the *La Buena Vista Road Overlay Project* to Lone Star Site Work. Councilmember Dussler seconded. Motion carried on a vote of 5-0.

- G. Discuss and consider possible action authorizing the city administrator to seek bids for the *River Road Riverbank Restoration Project*. (*City Administrator*)

This item was heard after Agenda Item 6E.

City Administrator Ferguson highlighted the proposed design plans, including a cast concrete retaining wall on the most damaged section and a curb with concrete riprap on the less damaged section. He advised that funding for the repair project will come from insurance proceeds and

recommended approval. Discussion addressed the positive outcome of neighborhood meetings on project design.

Councilmember Trapp moved to approve authorizing City Administrator Ferguson to seek bids for the *River Road Riverbank Restoration Project*. Councilmember Barchfeld seconded. Motion carried on a vote of 5-0.

- H. Discuss and consider possible action authorizing further steps to be taken by the City of Wimberley relating to the execution of sewer easements required for the provision of wastewater service from Aqua Texas for properties on Mill Race Lane. (*Mayor Mac McCullough*)

Councilmember Trapp recused herself from the meeting at this time (8:15 p.m.)

Mayor McCullough stated that he selected Councilmember White to accompany him for a meeting with a certain Mill Race Lane property owner. Councilmember White reported on the extensive discussion at the subject meeting, which did not yield any progress toward resolution of this private property matter. Councilmember White stressed that he did not want the City in any way to get into this private property dispute, but noted the right-of-way is being held up by one individual who has been a party to an ongoing property dispute. Councilmember White felt the actions of an individual are jeopardizing the health and safety of everyone who goes into Cypress Creek, but did not know what the City could do about it, as he did not want the City to get involved in a property dispute that the courts have settled twice. Mayor McCullough agreed with Councilmember White that there is nothing the City can do to intervene in this issue and advised that they also visited with the other party involved in the property dispute to see if that party would be open to appeasement on this issue. He stated that no interest in appeasement was expressed, despite the City's efforts, which were intended to help prevent further pollution of Cypress Creek. City Administrator Ferguson reported on septic inspection report results and post-Market Days water testing data showing persistent high levels at the Cypress Creek Bridge. He said one of the challenges is that an undivided interest easement requires all property owners to sign off and agreed that this is a civil conflict between two property owners who need to come together and be neighbors.

Discussion addressed the long and intractable nature of this dispute, which is unlikely to be resolved among the parties.

Former owner of one of the properties involved in the boundary dispute, Merry Gibson, spoke on the ownership history of one of the subject properties, said this is a question between two Spanish land grant surveys, and cited Texas law regarding such surveys. Ms. Gibson named the aforementioned individual who met with Mayor McCullough and Councilmember White as someone who took her to court in a suit that was defended by her title company.

Discussion addressed concerns relating to legitimate complaints received regarding the referenced individual's Mill Race Lane property that may affect the status of his existing Wimberley Planned Development District agreement and what future action Council may wish to consider relative to that agreement.

Councilmember Trapp returned to the meeting at this time (8:37 p.m.)

- I. Discuss and consider action regarding issues relating to the development of the FY 2017 City of Wimberley Operating Budget. (*Mayor Mac McCullough*)

Mayor McCullough advised that Council has received the proposed FY 2017 City of Wimberley Operating Budget and asked for Council input. He noted there is a budget workshop planned for next Tuesday, August 23, 2016. City Administrator Ferguson summarized all funds included in the FY 2017 Budget and highlighted revenues and expenditures. Key topics included breakdowns of revenue sources, capital expenditures (such as street/drainage improvements/tree trimming/mowing), and other types of expenditures (such as social service funding/legal/administrative/Council). Increases/decreases were noted in various line items such as public safety, pass-through plan review/inspection fees, municipal court, public works, and parks. After providing a snapshot of the City's funds, City Administrator Ferguson noted the City's Budget is a balanced budget and reminded that further explanations of each line item in the Budget will be provided in Council's upcoming August 23<sup>rd</sup> workshop.

Councilmember Fore stated his understanding that Council would have input before filing of the proposed FY 2017 Operating Budget and said a review of every line item in the Budget is needed at the upcoming workshop. Mayor McCullough assured Councilmember Fore that Council can meet as often as necessary before Budget adoption. Discussion agreed to hold the aforementioned workshop on Tuesday, August 23, 2016 at 4:00 p.m. No vote was taken.

#### **Addendum to Agenda**

- J. Discuss and consider action regarding the possible use of an effluent storage pond for the Central Wimberley Wastewater Project to reduce the potential of effluent discharge. (*Place Two Councilmember Craig Fore*)

This item was heard after Agenda Item 6D.

Councilmember Fore proposed getting a cost estimate from the City's engineer on an approximately one-acre holding pond as another option for no discharge. As an example, he stated a 1-foot deep, 1.75-acre pond would hold 650,000 gallons and a 4-foot deep, 1-acre pond would hold 2,500,000 gallons or 1,000 days of discharge. Discussion established that this idea has been considered before and required bringing in a lot of dirt to build the pond.

Councilmember Fore moved to request a cost estimate from the City's engineer on an effluent storage pond for the Central Wimberley Wastewater Project. Councilmember Trapp seconded. Motion carried on a vote of 5-0.

#### **7. City Council Reports**

- Announcements
- Future Agenda Items

This item was heard after Agenda Item 6I.

Councilmember Barchfeld requested consideration of re-scheduling Council's Goals and Priorities Workshop meeting set for 7:30 a.m. on Friday, August 19, 2016. Mayor McCullough did not favor re-scheduling the meeting. Councilmember White said he would be out of town on August 19<sup>th</sup>.

In response to Councilmember Trapp's request for information on upcoming board/commission meetings, City Administrator Ferguson provided anticipated meeting dates.

Councilmember Trapp requested discussion of goals attainable within the next year (as opposed to long-term goals).

Hearing no further announcements or future agenda items, Mayor McCullough called the meeting adjourned.

**Adjournment:** Council meeting adjourned at 9:03 p.m.

Recorded by:

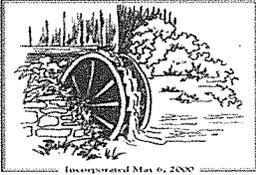
Cara McPartland

These minutes approved on the \_\_\_\_ of September, 2016.

**APPROVED:**

**Mac McCullough, Mayor**

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** APPROVAL OF AUGUST 19, 2016 MINUTES OF SPECIAL CITY COUNCIL MEETING

**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 consider approving the minutes for the August 19, 2016 Special City Council Meeting.

**City of Wimberley**  
 City Hall, 221 Stillwater  
 Wimberley, Texas  
**Minutes of Special Meeting of City Council**  
 August 19, 2016 at 7:30 a.m.

City Council meeting called to order at 7:30 a.m. by Mayor Mac McCullough

Councilmembers Present: Mayor Mac McCullough; Councilmembers Bob Dussler, Craig Fore, Sally Gibson Trapp, and Gary Barchfeld. Councilmember John White was absent.

Staff Present: City Administrator Don Ferguson

**Workshop Session**

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

After review of Council's last goals workshop session, Council discussed and developed a draft list of goals and priorities (*attached to these minutes*).

Hearing no further comments, Mayor McCullough called the meeting adjourned.

**Adjourn**

Mayor McCullough called the meeting adjourned at 10:45 a.m.

Recorded by:

Cara McPartland

These minutes approved on the \_\_\_ of September, 2016.

**APPROVED:**

**Mac McCullough, Mayor**

## FISCAL YEAR 2017

### CITY OF WIMBERLEY GOALS AND PRIORITIES

Below are the goals and priorities established by the Wimberley City Council for Fiscal Year 2017. The goals and priorities are grouped into two (2) categories – high priority and moderate priority. Please be advised projects listed in each category are not listed in any priority order.

#### STAGE 1 (High Priority Projects)

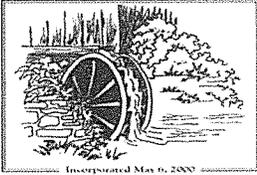
- Maintain citizen involvement in the City of Wimberley government
- Complete development of the *Central Wimberley Wastewater System* project
- Partner with Ace Hardware to complete beautification of the City-owned property located at the intersection of FM 2325 & Ranch Road 12
- Maintain strong relationships Federal, State and local government agencies
- Complete development of a written local emergency response plan for local emergencies including but not limited to wildfires, floods, etc.
- Enhance the City's technology footprint including, but not limited to, redesign of the City of Wimberley website and the possible implementation of various social media platforms
- Complete a comprehensive review and update the City of Wimberley Zoning and Subdivision Code of Ordinances
- Complete a comprehensive review and update of the City of Wimberley Building Codes
- Encourage the use of rainwater collection in existing and future commercial and residential development through the sponsorship of community information forums and the development of rainwater collection incentives, such as a low interest loan program for rainwater collection systems and building permit fee discounts for such systems
- Partner with Hays County to complete the design and development of planned safety improvements at the intersection of Ranch Road 12 and FM 3237
- Advocate for the development of future senior housing through the use of USDA funded senior housing programs, church-based partnerships, public-private partnerships and possibly facilitating the development of "small home" neighborhoods
- Complete the development of the City's owned parking lot on Oak Drive.

- Acquire and complete development of a parking lot and public restroom facility on property located on Oak Drive currently leased by the City for parking.
- Implement a citywide Way-Finding Signage Program
- Develop a Capital Improvements Program (CIP) and CIP funding plan for drainage improvements, street lighting, public restrooms, street improvements, underground utilities and sidewalks.
- Fund and complete a citywide drainage study
- Partner with the Wimberley ISD and Hays County to develop a public swimming pool
- Explore consolidation of certain City services with neighboring municipalities
- Accept and dedicate the roads in the South River Business Park as public streets
- Implement Baldy Park improvements including but not limited to improved signage, railing repairs and the designation of no-parking areas.

#### STAGE 2 (Moderate Priority Projects)

- Encourage the development of an alternate public water supply for the City of Wimberley
- Develop a sidewalk on the west side of FM 2325 from Twilight Trail to Wimberley High School
- Partner with Hays County to complete the final “leg” of the Regional Hike and Bike Trail extending from Winters Mill Parkway to Joe Wimberley Blvd.
- Acquire and beautify the triangular portion of State-owned right-of-way at the junction of FM 32 and Ranch Road 12. *(Possible improvements could include, but are not limited to, placement of a decorative “Welcome to Wimberley” monument sign, construction of a park and ride facility, landscape improvements with picnic tables and limited lease space for the signage of adjacent businesses)*
- Acquire the necessary right-of-way and develop the extension of Green Acres Road from FM 2325 to Ranch Road 12.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: APPROVAL OF AUGUST 23, 2016 MINUTES OF SPECIAL CITY COUNCIL MEETING

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 consider approving the minutes for the August 23, 2016 Special City Council Meeting.

**City of Wimberley**  
City Hall, 221 Stillwater  
Wimberley, Texas  
**Minutes of Special Meeting of City Council**  
August 23, 2016 at 4:00 p.m.

City Council meeting called to order at 4:05 p.m. by Mayor Mac McCullough

Councilmembers Present: Mayor Mac McCullough; Councilmembers Bob Dussler, Craig Fore, Sally Gibson Trapp, Gary Barchfeld, and John White.

Staff Present: City Administrator Don Ferguson

**Workshop Session**

Discuss and consider issues relating to the Proposed Fiscal Year 2017 City of Wimberley Budget

Mayor McCullough, Council members, and City Administrator Ferguson reviewed each line item in the Proposed FY 2017 Budget. Public input was heard and discussion included, but was not limited to, the following topics:

- Requesting funding help from the Merchants Association for City of Wimberley-funded events
- Proposed expenditures for social service funding
- Expenditures for downtown restrooms
- Irrigation at Blue Hole Regional Park
- City marshal position

Mayor McCullough left the workshop meeting at 6:15 p.m.

Remaining Council members continued with the workshop and discussed specific line items with City Administrator Ferguson.

**Adjourn**

Mayor Pro-tem White called the meeting adjourned at 6:57 p.m.

Recorded by:

Cara McPartland

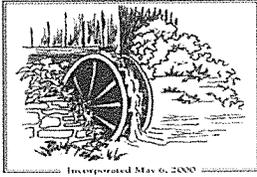
These minutes approved on the \_\_\_\_ of September, 2016.

**APPROVED:**

**Mac McCullough, Mayor**

**DRAFT**

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:  
Funds Available:

Council Action Requested:

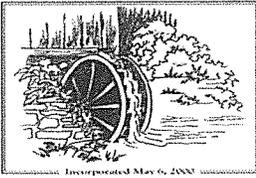
- Ordinance
- Resolution
- Motion
- Discussion

## Project/Proposal Summary:

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

- Status report on the Central Wimberley Wastewater Project including but not limited to design, easement and project management
- Status report on downtown pedestrian safety signage
- Status report on the operation of the Blue Hole Regional Park
- Status report on La Buena Vista Drive improvement project
- Status report on 2015 flood recovery

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: PRESENTATION  
REGARDING A PROPOSED WAYFINDING SIGNAGE  
PROGRAM

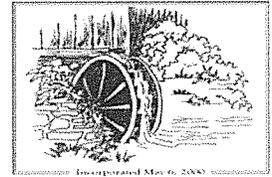
**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to allow representatives of the City of Wimberley Transportation Advisory Board to brief City Council on a proposed Wayfinding Signage Program.

# Report for CUP-16-020



## Summary:

An application for a Conditional Use Permit to allow for the operation of a vacation rental facility at 140 Malone Drive

## Applicant Information:

**Applicant(s):** Carlton D. Bass  
P.O. Box 1422  
Wimberley, TX 78676

**Property Owner(s):** Carlton Daves Bass

## Subject Property:

**Legal Description:** Harrison Resort Sec 1, Lot 9 & Pt of 8 & 10  
**Location:** 140 Malone Drive  
**Existing Use of Property:** Residential  
**Existing Zoning:** Single Family Residential 2 (R-2)  
**Proposed Use of Property:** Vacation Rental  
**Proposed Zoning:** R-2 with CUP  
**Planning Areas** II  
**Overlay District** Protected Waterway

## Surroundings:

**Frontage On:** Malone Drive

**Area Zoning and Land Use Pattern:**

	Current Zoning	Existing Land Use
<b>N of Property</b>	C-1	Commercial
<b>S of Property</b>	SC	Residential
<b>E of Property</b>	MF-1; R-2	Multi-Family; Residential
<b>W of Property</b>	R-2; C-2; C-1	Residential; Commercial

## Legal Notice

**200' Letters:** 8/2/16  
**Published:** 8/4/16  
**Sign Placement:** 8/2/16  
**Responses:** One (1) written opposition

## Comments:

The applicant, Carlton D. Bass, is seeking a Conditional Use Permit (CUP) to allow for the operation of a vacation rental facility at 140 Malone Drive. The subject property is zoned Single Family Residential 2 (R-2) and located in Planning Area II and the Protected Waterway Overlay District. Vacation rental facilities are allowed on R-2 zoned properties with a CUP.

Currently, there is a 1,621 square foot, two and one-half (2 ½) bedroom, two (2) bath residence on the property. The applicant is proposing to use the residence as a vacation rental, with a maximum occupancy of six (6) people.

There is a properly permitted and functioning on-site septic system that serves the residence for which the CUP is being sought. Based on a review of the septic system and proposed use, City staff is recommending a maximum occupancy of four (4) guests for the proposed vacation rental facility.

Guests would be required to park on the subject property.

Based on the City's regulations for vacation rental facilities, City staff is recommending the following conditions be made part of the requested CUP, should the Commission desire to recommend approval:

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in writing, in advance, by the owner or his agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed *City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire*, no later than thirty (30) days following approval of the CUP.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners

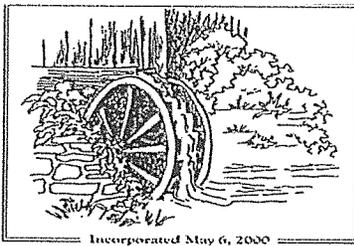
within two (200) feet of the subject property, with the current name and contact information.

10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one(1) or more of the following conditions or events on public or private property; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided, if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part on the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. Signage for the vacation rental shall be limited to one (1) sign not to exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
14. The maximum occupancy for the property shall be four (4) people.
15. Landline telephone service, with a publicly listed phone number, shall be maintained on the property at all times to allow for receipt of emergency notification phone calls. Notice, in a form acceptable to the City, shall be posted on the property advising guests of the purpose for the telephone and the need to answer the phone. In addition, the phone number for the subject landline telephone shall be registered with the City and Hays County emergency phone notification systems.
16. If guests have water access, guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water.

To date, City staff has received one (1) written response opposing the CUP request.

On August 25, 2016, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend denial of the CUP. In addition, the Commission recommended

consideration be given to waiving or reducing the applicant's CUP application fee should the applicant reapply for the CUP in the future following the City Council's upcoming review of short term rental regulations.

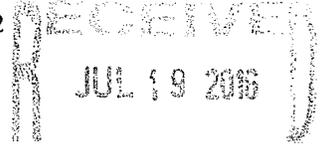


# City of Wimberley

221 Stillwater Drive, P.O. Box 2027, Wimberley, TX 78676

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

[www.cityofwimberley.com](http://www.cityofwimberley.com)



## CONDITIONAL USE PERMIT APPLICATION

No. CUP 16 - 020

### FOR OFFICIAL USE ONLY

Application Date: 7/19/16 Tentative P&Z Hearing: 8/25 Tentative Council Hearing: 9/1

FEES: \$400.00 DATE PAID: 7/19/16 CHECK NO. 8315 REC'D BY [Signature]

PROJECT SITE ADDRESS: 140 MALONE DR. Wimberley, TX 78676

OWNER/APPLICANT CARLTON D BASS PHONE ( ) 512-538-2514

MAILING ADDRESS: P.O. Box 1422

CITY: WIMBERLEY TX 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.

SPECIFIC CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging, Vacation Rental)

Lodging - VR

Planning Area 5704 IV Zoning AE R-2 Total Acreage or Sq. Ft. 1,757 sq. ft

Subdivision: HARRISON RESORT Lot 9 Block 1

Appraisal District Tax ID #: R 29771

Deed Records Hays County: Volume 971 Page 402

Is property located in an overlay district?  Yes ( ) No If Yes, type: PWOD

Is property located in flood plain?  Yes ( ) No

### UTILITY PROVIDERS:

Electric Provider: PEDERNALES ELEC. COOP

Water Provider or Private Well: WIMBERLEY WATER

Wastewater Service Provider or Hays County Septic Permit No: SEPTIC SYSTEM 1

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 (non-refundable)
- 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 City zoning action does not relieve any obligation of these restrictions.
- Applicant agrees to provide additional documentation as needed by the City.
- Applicant understands that City 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 City representatives to visit and inspect the subject property.

7/18/16  
DATE

Carlton D Bass  
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date \_\_\_\_\_

\_\_\_\_\_  
AGENT SIGNATURE

**LIST OF CONDITIONS THAT MAY BE INCLUDED IN A  
BED AND BREAKFAST/VACATION RENTAL CUP**

Owner: CARLTON D. BASS

LOCATION OF PROPERTY: 140 MALONE DR. WIMBERLEY TX.

LEGAL DESCRIPTION: \_\_\_\_\_

PLANNING AREA: \_\_\_\_\_

PRESENT ZONING: \_\_\_\_\_

EXISTING USE: Single family dwelling

USE TO BE GRANTED: \_\_\_\_\_ *Bed & Breakfast* OR  *Vacation Rental*

**NEW CONSTRUCTION:** (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional “Hill Country” design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules and regulations.

**COMPATIBILITY TO NEARBY AREAS:** The facilities on the property will at all times be harmonious and compatible with surrounding uses 42.2 A 1.

**OFF-STREET PARKING:** All parking will be off-street.  Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 6 guests. Parking will be in these spaces only. 42.2 A 5; 42.3 F.

**SIGNAGE:** All signage will be of traditional “Hill Country” design and will comply with the City Sign Ordinance. 42.2 A 1; 42.2 A 6.

**NOISE AND LIGHTING:** Exterior lighting to be only landscape lighting. All noise audible from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted.

**NUMBER OF BEDROOMS:** 2 1/2 42.3 B.

**MAXIMUM OCCUPANCY:** 6 guests. 42.3 B.

**OCCUPANT REGULATIONS AND GUIDELINES:** Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests. 42.3 D.

**WASTEWATER SYSTEM:** The wastewater treatment system (to be designed and constructed) will at all times be adequate for the maximum occupancy.42.3 H.

**WATERFRONT USAGE:** (Applicable if guests have water access) Guests may only use the ✓ River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason. 42.3 E.

**PROPERTY MANAGEMENT:** Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The property shall be the owner's principal place of residence and the owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. 42.3 D.

**MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. 42.2 A 1.

**REVOCATION:** The cup may be revoked by the City Council upon recommendation of the planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

**OWNER COMPLIANCE:** Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules and regulations.

ACCEPTED AND AGREED TO:

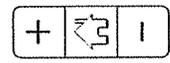
July 19, 16  
DATE

Carlton D Bass  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
OWNER

Details
+ Add
Basemap
Save
Share
Print
Measure
Bookmarks
140 Malone Dr, Wimberley, Texas, USA



Legend

- NS
- O2
- R2
- PPU
- HC

Zoning

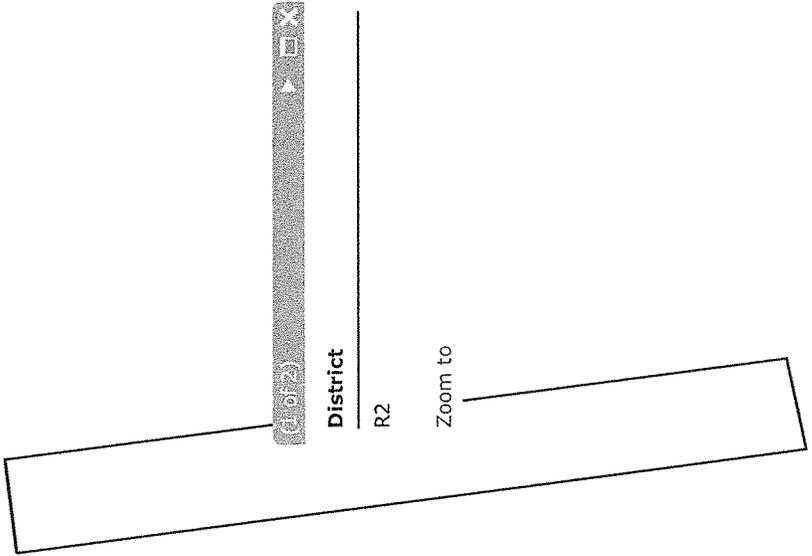
- R2
- R1

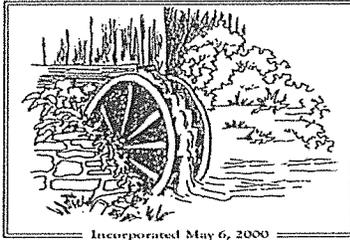
Zoning

- R2
- R1

Zoning

- R3
- RA
- R1
- R4
- R5
- MF1
- MH
- MF2





# City of Wimberley

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

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

[www.cityofwimberley.com](http://www.cityofwimberley.com)

Mac McCullough, Mayor - John D. White, Mayor Pro-Tem  
Council Members - Bob Dussler, Craig Fore, Sally Trapp & Gary Barchfeld  
City Administrator - Don Ferguson

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August 2, 2016

## NOTICE OF PUBLIC HEARING

Re: **File No. CUP-16-020**  
140 Malone Drive, Wimberley, Texas

Dear Property Owner:

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

The applicant, Carlton D. Bass, has applied for a Conditional Use Permit to allow for a vacation rental facility on property zoned Single Family Residential 2 (R-2) located at 140 Malone Drive, Wimberley, Texas.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, August 25, 2016 at 6:00 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, September 1, 2016, at 6:00 p.m.** in the Wimberley City Hall.

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**

Est of Alice M. Williams  
c/o Jack Williams, Jr., Ind Exec  
2601 River Rd  
Wimberley, TX 78676

KKP 3237 LLC  
131 River Bend Rd.  
Wimberley, TX 78676-5241

Mary Anderson  
P.O. Box 109  
Wimberley, TX 78676-0109

Hoffman River House LLC  
10 Pine Forest Cir.  
Houston, TX 77056-1408

Jack & Alice Williams, Jr.  
2601 River Rd.  
Wimberley, TX 78676

Boatright Revocable Living Trust  
Charles & Jacqueline Boatright  
14914 Laguna Edge Dr.  
Katy, TX 77494-3924

Wimberley Twin Lions Inc.  
5707 Costas Cv.  
Austin, TX 78759

Jack Williams, Jr. & Alice M.  
Williams Trust Agreement  
c/o Jack Williams, Jr. Trustee  
2601 River Rd.  
Wimberley, TX 78676

Mary Anderson (Life Estate) &  
Rue Hatfield  
P.O. Box 109  
Wimberley, TX 78676-0694

Sally E. Dunphy & Randolph  
E. Engemoen & Roger J.  
Engemoen, Jr. & Katherine M.  
Lindzey & Laura E. Lindzey  
1907 Georgia Landing Cv.  
Austin, TX 78746

# Advertising Receipt

## Ad 31432

# San Marcos Daily Record

P.O. Box 1109  
 San Marcos, TX 78667  
 512-392-2458

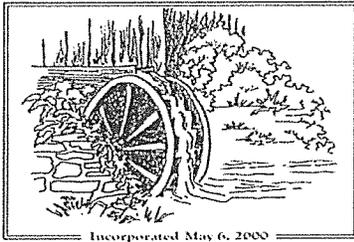
Accounts Payable  
 City of Wimberley  
 P.O. Box 2027  
 Wimberley, TX 78676

Customer: RA0684  
 Phone: 847-0025  
 Ad No.: 31432  
 Date: 08/01/16  
 Sales Rep: Barker, Taffy

Legals	Publication	First Date	Last Date	Days	Cost
<b>NOTICE OF PUBLIC HEARING (Conditional Use Permit)</b>	Wimberley Legal Classifieds	08/04/16	08/04/16	1	\$63.18
				<b>Total Days: 1</b>	<b>Total Cost: \$63.18</b>

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, August 25, 2016 at 6:00 p.m.** to consider the following: CUP-16-020 – an application for a Conditional Use Permit (CUP) to allow for a vacation rental facility on property zoned Single Family Residential 2 (R-2) located at 140 Malone Drive in Wimberley, Hays County, Texas. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, September 1, 2016, 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 (P.O. 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.

<b>Payment Type:</b>	<b>Payment Date:</b>	<b>Payment Amount:</b>
<b>Check/Card No.</b>	<b>Other Credits:</b>	<b>Amount Due: \$63.18</b>



# City of Wimberley

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

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

E-mail: [www.cityofwimberley.com](http://www.cityofwimberley.com); [www.cityofwimberley.com](http://www.cityofwimberley.com)

## NOTICE BY SIGN POSTING

Zoning No: CUP-16-020

Owner \_\_\_\_\_

Date 8/2/16

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

( ) Project Site Address 140 Malone Dr

which is located Malone Dr

Bill Bowers  
Asst. Public Works

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

8/2, 2016

  
Signature

AUG 22 2016

City of Wimberley  
PO Box 2027  
Wimberley, TX 78676

Re: File No. CUP-16-020  
140 Malone Dr. , Wimberley, TX

Attn: Don Ferguson

Dear Don,

I am writing in response to the letter of August 2, 2016 in reference to the proposed re-zoning of the property next door to mine owned by Dave Bass.

I would like to go on record as being vehemently opposed to the Conditional Use Permit being applied for by Dave.

I have owned my property in Wimberley for over 20 years. I recently lost 2 houses in the flood. We are in the process of working on the plans for a new, bigger and better home. Re-zoning would certainly make us reconsider our decision.

I certainly do not want a situation whereby I have a different set of trespassers in residence next door to my property on a weekly basis.

I believe that granting the conditional use permit would put me in financial jeopardy if someone was to be hurt on my property.

Being next door to a commercial enterprise would impact the value of my property.

I can assure you, if our positions were reversed, Dave's and mine, he would feel exactly as I do.

Don, I really hope the city will see it my way. I would certainly not want to, but I would consider litigation to protect my property .

Best Regards,  
Charles Boatright  
1421 Ave. C  
Katy, TX 77493  
(281) 384-0145

ORDINANCE NO. 2016-\_\_\_\_\_

**AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY CARLTON BASS TO OPERATE A VACATION RENTAL FACILITY ON PROPERTY LOCATED AT 140 MALONE DRIVE, WIMBERLEY, HAYS COUNTY, 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.**

**WHEREAS**, an application for a Conditional Use Permit has been filed by Carlton Bass (“Applicant”) requesting authorization to operate a vacation rental facility on real property, described as Harrison Resort Section 1, Lot 9 & Part of 8 & 10, zoned Single Family Residential 2 (R-2); and

**WHEREAS**, a vacation rental facility is an authorized use in areas zoned Single Residential 2 (R-2) upon the approval of a Conditional Use Permit; and

**WHEREAS**, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

**WHEREAS**, Applicant has submitted a Conditional Use Permit Application and site plan, 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 vacation rental 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 Carlton Bass ("Applicant") for use as a vacation rental facility on real property, described as Harrison Resort Section 1, Lot 9 & Part of Lot 8 & 10, as more particularly described by survey in Exhibit "C", attached and incorporated by reference, zoned Single Family Residential 2 (R-2), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in writing, in advance, by the owner or his agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed *City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire*, no later than thirty (30) days following approval of the CUP.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one(1) or more of the following conditions or events on public or private property; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive

noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.

11. The property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided, if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part on the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. Signage for the vacation rental shall be limited to one (1) sign not to exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
14. The maximum occupancy for the property shall be four (4) people.
15. Landline telephone service, with a publicly listed phone number, shall be maintained on the property at all times to allow for receipt of emergency notification phone calls. Notice, in a form acceptable to the City, shall be posted on the property advising guests of the purpose for the telephone and the need to answer the phone. In addition, the phone number for the subject landline telephone shall be registered with the City and Hays County emergency phone notification systems.
16. If guests have water access, guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water.

### **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 1<sup>st</sup> day of September, 2016 by a vote of \_\_\_\_ (Ayes) and \_\_\_\_ (Nays).

**WIMBERLEY, TEXAS**

By: \_\_\_\_\_  
Herschel "Mac" McCullough, Mayor

**ATTEST:**

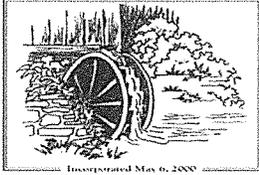
\_\_\_\_\_  
Cara McPartland, City Secretary

(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Catherine B. Fryer, City Attorney

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE ESTABLISHING A "SUNSET REVIEW" PROCESS FOR CONDITIONAL USE PERMITS

**Commission Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to hold a public hearing and consider adoption of the second and final reading of an ordinance establishing a "sunset" review for all future Conditional Use Permits ("CUP") granted.

According to the proposed ordinance, all future CUPs would be reviewed two (2) years after they are granted. If no progress has been made toward the completion of the project described by a CUP, the CUP shall expire two (2) years from the effective date of the ordinance authorizing the CUP.

Currently, there is no review provision in place for CUPs.

The City Council approved the first reading of the ordinance on August 18, 2016. The second reading of the ordinance must be approved for the "sunset" review process to be implemented.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE XV (LAND USAGE), CHAPTER 155 (ZONING), SUBCHAPTERS 155.105 (CONDITIONAL USES) AND 155.077 (DEVELOPMENT PLAN REVIEW), SECTION (E) (APPROVAL PROCESS), SUBSECTION (2) (EFFECT OF DEVELOPMENT PLAN APPROVAL) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES TO PROVIDE AN EXPIRATION DATE FOR UNUSED CONDITIONAL USE PERMITS; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; SAVINGS; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

WHEREAS, the City Council of the City of Wimberley (“Council”) seeks to provide for the orderly arrangement and regulation of compatible uses within its corporate limits; and

WHEREAS, in the course of reviewing the proposed amendments detailed in this Ordinance, the Planning and Zoning Commission and City Council have given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the City’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based upon the City’s statutory regulatory authority, including but not limited to Texas Local Government Code Chapters 51, 52, 211, and 213; and

WHEREAS, the City Council finds that the provisions of this Ordinance will serve to promote the public health, safety, morals, and general welfare; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City’s official newspaper before the 15<sup>th</sup> day before the first public hearing and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearing;

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

**Section 1. 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.

**Section 2. Amendments.**

- A. Title XV (Land Usage), Chapter 155 (Zoning), Subchapter 155.105 (Conditional Use Permits) of the City of Wimberley Code of Ordinances is hereby amended as follows:

**“§ 155.105 CONDITIONAL USE PERMITS.**

(A) *Conditional uses.*

(1) The purpose of the CUP, conditional use permit, process is to allow certain uses which are not specified, permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under “conditional uses” within the specific zoning district. Possible conditional uses, if any, are listed in each zoning district.

(2) The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the intent of the Comprehensive Plan and with general objectives of the city, and containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a CUP. As a zoning action, issuance of a CUP shall only apply to real property (such as shall not be attached to any person, business entity, or the like)-and shall not be transferred from one property to another (such as shall not move if a business operation relocates), ~~and shall not expire without proper zoning action to rescind the CUP (such as change the zoning to remove the CUP, with appropriate public notification, public hearing, and the like).~~

(3) A zoning application for a CUP shall be accompanied by a metes and bounds description and a survey or scale drawing showing the property for which the CUP is being requested, and by a development plan (see § 155.077) 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 200 feet. The city shall make available application forms specifying drawing requirements. The Director or his or her designee, the Planning and Zoning Commission, or the City Council may require additional information or drawings (such as building floor plans), operating data, and expert evaluation or testimony concerning the location, function, and characteristics of any building or use proposed. The development plan shall be reviewed and approved along with the CUP zoning application, and in accordance with § 155.077 of this code.

(B) *Conditional use permit regulations.*

....

~~(3) No conditional use permit shall be granted unless the applicant, owner, and grantee of the conditional use permit shall be willing to accept and agree to be bound by and~~

~~comply with the written requirements or conditions of the conditional use permit, as incorporated into the amending ordinance establishing the CUP, and as reviewed by the Planning and Zoning Commission and approved by the City Council.(4) A building permit or certificate of occupancy shall be applied for and secured within 1 year from the time of granting the conditional use permit; provided, however, that the City Council may authorize 1 extension of 1 additional year. After the 1 year period (and the 1 year extension, if it has been granted by the City Council) has elapsed, the Planning and Zoning Commission and the City Council may review the development plan for continued validity and compliance. If the development plan is determined to be invalid or no longer viable, then the applicant and property owner(s) must submit a new or revised development plan for approval prior to any construction or to application for a building permit for the area designated for the conditional use permit. The new development plan must be resubmitted for review and approval in accordance with § 155.077 of this code. If building construction or use of a CUP has not commenced within a reasonable amount of time after 1 year, then the City Council, at its option, may initiate proceedings to rescind the CUP for lack of use. In the event that no progress has been made toward the completion of the project described by a CUP, the CUP shall expire two years from the effective date of the ordinance authorizing the CUP. No development right, if any, shall vest in a CUP that has expired or is no longer valid.~~

....”

B. Title XV (Land Usage), Chapter 155 (Zoning), Subchapter 155.077 (Development Plan Review), Section (E) (Approval Process), Subsection (2) (Effect of Development Plan Approval) of the City of Wimberley Code of Ordinances is hereby amended as follows:

~~“(3) *Effect of development plan approval.* If development of a property with an approved development plan has not commenced (such as a building permit has not been applied for or issued) within 1 year two years of the date of final City Council approval of the development plan, then the development plan shall be deemed to have expired. Resubmission of the development plan following expiration as described herein shall be in accordance with development plan submission and review procedures then in effect and shall be accompanied by all required items and information, including payment of filing fees, and reconsideration of the development plan shall take into account all changes to applicable ordinances which may have occurred since prior approval of the development plan. No development interest, if any, shall vest in an expired development plan.”~~

**Section 3.** Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

**Section 4.** 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 5.** 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 6.** 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 7.** 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 Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by a vote of \_\_\_\_\_ (Ayes) to \_\_\_\_\_ (Nays) \_\_\_\_\_ (Abstain) vote of the City Council of the City of Wimberley, Texas.

**CITY OF WIMBERLEY**

By: \_\_\_\_\_  
Hershel "Mac" McCullough, Mayor

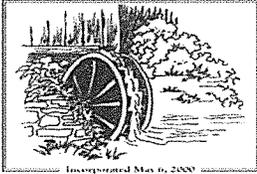
**ATTEST:**

\_\_\_\_\_  
Don Ferguson, City Administrator

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Catherine Fryer, City Attorney

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: PUBLIC HEARING ON  
PROPOSED FY 2017 CITY 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 a public hearing on the proposed Fiscal Year 2017 Budget for the City of Wimberley.

Attached is a copy of the proposed budget that was filed by Mayor Mac McCullough with the City Secretary last month. The City Administrator will make a brief presentation on the proposed budget at the City Council meeting in advance of any public comment. No action will be taken on the proposed budget at this meeting.

A City Council vote to consider adoption of the Fiscal Year 2017 Budget for the City of Wimberley is scheduled for September 15, 2016.

CITY OF WIMBERLEY GENERAL FUND BUDGET  
FISCAL YEAR 2017

GENERAL FUND REVENUES		Approved	Approved	Amended	Approved	YTD	Proposed	Difference
		FY 2014	FY 2015	FY 2015	FY 2016	FY 2016	FY 2017	Between
		Budget	Budget	Budget	Budget	Budget	Budget	FY 2016-FY 2017
<i>Tax Revenue</i>								
5120	General Sales & Use Tax	560,000.00	600,000.00	500,000.00	650,000.00	662,821.86	750,000.00	100,000.00
5131	Mixed Beverage Tax	10,000.00	10,000.00	15,145.00	13,200.00	16,145.00	15,000.00	1,800.00
5171	Franchise Tax - TWC	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5172	Franchise Taxes	252,000.00	252,000.00	252,000.00	265,000.00	150,820.00	265,000.00	0.00
5173	Franchise Tax - TDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5174	Franchise Tax - Aqua Texas	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5175	Franchise Tax - WWS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5176	Franchise Tax - Verizon	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5177	Franchise Tax - Misc	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Subtotal</b>	<b>822,000.00</b>	<b>862,000.00</b>	<b>967,145.00</b>	<b>928,200.00</b>	<b>829,786.86</b>	<b>1,030,000.00</b>	<b>101,800.00</b>
<i>License &amp; Permit Fees</i>								
5211	Beer & Wine Permits	2,500.00	2,500.00	0.00	2,500.00	0.00	2,500.00	0.00
5212	Food Permits	13,200.00	12,000.00	12,000.00	11,000.00	11,375.00	12,000.00	1,000.00
5213	Septic Permits	8,000.00	10,000.00	10,000.00	10,000.00	16,425.00	12,000.00	2,000.00
5219	Sign Permits	2,000.00	2,000.00	3,200.00	2,000.00	1,625.00	2,000.00	0.00
5221	Building Permits	25,000.00	26,500.00	36,000.00	26,500.00	20,086.00	26,500.00	0.00
5222	Short-Term Rental	0.00	0.00	0.00	0.00	0.00	1,750.00	1,750.00

Subtotal	50,700.00	53,000.00	61,200.00	52,000.00	49,411.00	56,750.00	4,750.00
Service Fees							
5413 Zoning	4,500.00	10,000.00	2,500.00	8,500.00	1,172.00	8,500.00	0.00
5414 Subdivision Fees	1,750.00	7,500.00	1,500.00	5,000.00	2,575.00	5,000.00	0.00
5415 Copies/Maps/Misc.	500.00	500.00	0.00	500.00	0.00	500.00	0.00
5416 Building Inspections	25,000.00	26,500.00	29,930.00	25,000.00	27,475.00	25,000.00	0.00
5417 Plan Reviews	15,000.00	20,000.00	20,000.00	13,400.00	24,014.00	15,000.00	1,600.00
5424 Fire Inspections	0.00	3,000.00	0.00	1,500.00	0.00	0.00	(1,500.00)
5475 Community Center Rental Fees	55,000.00	55,000.00	50,000.00	50,000.00	31,690.00	50,000.00	0.00
Subtotal	101,750.00	122,500.00	103,930.00	103,900.00	86,926.00	104,000.00	100.00
Fines							
5411 Court Costs, Fees & Charges	30,000.00	30,000.00	6,000.00	25,000.00	2,993.00	20,000.00	(5,000.00)
Subtotal	30,000.00	30,000.00	6,000.00	25,000.00	2,993.00	20,000.00	(5,000.00)
Other Income							
5611 Interest Revenues	1,000.00	750.00	750.00	750.00	846.00	850.00	100.00
5620 Parking Lot Lease	1,200.00	1,200.00	1,200.00	1,200.00	3,700.00	1,200.00	0.00
5630 Restroom Revenue	0	12,020.00	0.00	12,020.00	0.00	7,391.00	(4,629.00)
5701 Other Revenue	12,500.00	3,000.00	20,800.00	3,000.00	51,936.00	3,000.00	0.00
5799 Operating Transfer In	9,400.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal	24,100.00	16,970.00	22,750.00	16,970.00	56,482.00	12,441.00	(4,525.00)
<b>Total Revenues</b>	<b>1,028,550.00</b>	<b>1,084,470.00</b>	<b>1,161,025.00</b>	<b>1,126,070.00</b>	<b>1,025,598.86</b>	<b>1,223,191.00</b>	<b>97,121.00</b>

**GENERAL FUND EXPENDITURES**

ADMINISTRATION DEPARTMENT

	Approved FY 2014		Approved FY 2015		Amended FY 2015		Approved FY 2016		YTD FY 2016		Proposed FY 2017		Difference Between FY 2016-FY 2017
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	
<i>Transfer Out</i>													
6990 Operating Transfer Out (For GBRA & Debt Service)	0.00	93,887.00	93,887.00	93,887.00	93,887.00	125,137.00	125,137.00	128,627.00	128,627.00	132,871.00	132,871.00	7,734.00	
Subtotal	0.00	93,887.00	93,887.00	93,887.00	93,887.00	125,137.00	125,137.00	128,627.00	128,627.00	132,871.00	132,871.00	7,734.00	
<i>Personnel Services</i>													
6110 Salaries & Wages - Admin	98,800.00	101,775.00	101,775.00	101,775.00	101,775.00	101,775.00	101,775.00	72,461.00	72,461.00	101,775.00	101,775.00	0.00	
6260 Salaries & Wages - Assistant Admin	0.00	45,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
6120 Salaries & Wages - Assistant Admin/Secretary	39,650.00	40,835.00	49,696.00	49,696.00	49,696.00	55,835.00	55,835.00	39,761.00	39,761.00	55,835.00	55,835.00	0.00	
6130 Salaries & Wages - Clerk/Rec	27,082.00	27,895.00	30,588.00	30,588.00	30,588.00	32,906.00	32,906.00	23,426.00	23,426.00	32,906.00	32,906.00	0.00	
6210 Health Care	17,215.00	22,815.00	16,000.00	16,000.00	16,000.00	17,305.00	17,305.00	12,168.00	12,168.00	17,085.00	17,085.00	(220.00)	
6220 Payroll Taxes	14,163.00	16,487.00	14,500.00	14,500.00	14,500.00	14,575.00	14,575.00	10,481.00	10,481.00	14,575.00	14,575.00	0.00	
6230 TIMRS Contributions	3,013.00	5,000.00	5,000.00	5,000.00	5,000.00	3,468.00	3,468.00	3,847.00	3,847.00	3,468.00	3,468.00	0.00	
6250 Unemployment Compensation	0.00	216.00	216.00	216.00	216.00	191.00	191.00	486.00	486.00	191.00	191.00	0.00	
Subtotal	199,913.00	260,023.00	217,775.00	217,775.00	217,775.00	226,055.00	226,055.00	162,630.00	162,630.00	225,835.00	225,835.00	(220.00)	
<i>Supplies &amp; Maintenance</i>													
6410 Utilities	6,261.00	8,400.00	7,000.00	7,000.00	7,000.00	7,500.00	7,500.00	4,283.00	4,283.00	7,500.00	7,500.00	0.00	
6430 Bldg Repairs/Maintenance	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	1,857.00	1,857.00	3,000.00	3,000.00	0.00	
6433 Equip Maintenance	0.00	0.00	205.00	205.00	205.00	0.00	0.00	251.00	251.00	0.00	0.00	0.00	
6442 Water Cooler	480.00	450.00	500.00	500.00	500.00	450.00	450.00	311.00	311.00	450.00	450.00	0.00	
6521 Security/Alarm Sys.	614.00	649.00	700.00	700.00	700.00	684.00	684.00	511.00	511.00	684.00	684.00	0.00	
6610 General Supplies	0.00	0.00	821.00	821.00	821.00	500.00	500.00	1,241.00	1,241.00	500.00	500.00	0.00	

6660 Office Supplies	2,000.00	2,000.00	2,200.00	2,000.00	1,314.00	2,000.00	0.00
6790 Capital Outlay - Furnishings	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6791 Capital Outlay - Technology	2,500.00	2,500.00	1,200.00	2,500.00	3,637.00	2,500.00	0.00
6792 Capital Outlay - Other	15,000.00	25,000.00	76,643.00	25,000.00	1,500.00	25,000.00	0.00
Subtotal	29,855.00	41,999.00	92,269.00	41,634.00	14,605.00	41,634.00	0.00
<i>Other Services &amp; Charges</i>							
6270 Dues	2,786.00	2,786.00	2,786.00	2,786.00	1,898.00	2,786.00	0.00
6340 Technology Consultant	500.00	500.00	500.00	500.00	2,203.00	500.00	0.00
6370 Contract Services	0.00	2,581.00	1,000.00	2,581.00	171.00	2,581.00	0.00
6411 Telephone	4,348.00	5,050.00	5,050.00	5,054.00	3,688.00	5,054.00	0.00
6420 Office Cleaning	5,200.00	5,200.00	5,200.00	5,200.00	3,900.00	5,200.00	0.00
6441 Storage Rent	6,300.00	6,300.00	6,300.00	6,300.00	4,725.00	6,600.00	300.00
6443 Equipment Rent/Lease	4,898.00	5,681.00	7,400.00	5,693.00	5,702.00	8,506.00	2,613.00
6444 Parking Lot Lease	0.00	1,200.00	1,200.00	1,200.00	900.00	1,200.00	0.00
6520 Insurance	20,000.00	20,000.00	21,166.00	25,000.00	20,420.00	25,000.00	0.00
6530 Communications	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6531 Public Notices	2,500.00	2,500.00	2,500.00	2,500.00	3,162.00	2,500.00	0.00
6532 Office Technology	8,138.00	10,405.00	7,500.00	10,405.00	5,354.00	10,405.00	0.00
6540 Advertising	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6551 Printing	500.00	500.00	1,300.00	500.00	468.00	500.00	0.00
6552 Copies	0.00	0.00	250.00	0.00	9.00	0.00	0.00
6570 Travel	1,000.00	1,000.00	0.00	1,000.00	368.00	1,000.00	0.00
6571 Mileage	510.00	504.00	100.00	504.00	281.00	504.00	0.00
6572 Training	0.00	0.00	825.00	0.00	280.00	0.00	0.00

6580 Pay Comparability Adj	1,000.00	1,000.00	1,000.00	1,000.00	0.00	1,000.00	0.00
6581 Refunds	500.00	500.00	1,460.00	500.00	913.00	500.00	0.00
6583 Fuel	0	0.00	60.00	0.00	0.00	0.00	0.00
6589 Records Management	7,915.00	4,919.00	4,919.00	4,919.00	5,012.00	4,919.00	0.00
6651 Postage	750.00	1,000.00	5,000.00	1,000.00	1,089.00	1,000.00	0.00
Subtotal	66,846.00	71,828.00	75,556.00	76,842.00	60,543.00	79,755.00	2,913.00
<b>TOTAL ADMINISTRATION</b>	<b>296,613.00</b>	<b>373,848.00</b>	<b>385,600.00</b>	<b>344,531.00</b>	<b>237,778.00</b>	<b>347,224.00</b>	<b>2,693.00</b>

LEGAL DEPARTMENT

*Other Services & Charges*

6350 Legal	45,000.00	55,000.00	185,000.00	135,000.00	146,013.00	60,000.00	(75,000.00)
Subtotal	45,000.00	55,000.00	185,000.00	135,000.00	146,013.00	60,000.00	(75,000.00)
<b>TOTAL LEGAL</b>	<b>45,000.00</b>	<b>55,000.00</b>	<b>185,000.00</b>	<b>135,000.00</b>	<b>146,013.00</b>	<b>60,000.00</b>	<b>(75,000.00)</b>

CITY COUNCIL/BOARD DEPARTMENT

*Other Services & Charges*

6320 Financial Mgmt Services	14,400.00	14,400.00	14,400.00	14,400.00	10,800.00	14,400.00	0.00
6330 Audit Svs	13,500.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	0.00
6382 Social Services Support	3,000.00	0.00	0.00	0.00	0.00	30,000.00	30,000.00
6533 Public Information	3,788.00	3,788.00	3,788.00	4,000.00	3,432.00	4,000.00	0.00
6541 Public Relations/Receptions	2,200.00	4,050.00	2,500.00	4,050.00	21,312.00	2,800.00	(1,250.00)
6572 Training	0.00	0.00	165.00	0.00	0.00	0.00	0.00
6590 Elections	4,500.00	4,500.00	3,885.00	4,500.00	335.00	3,000.00	(1,500.00)
6591 Planning	50,000.00	50,000.00	7,001.00	0.00	27,300.00	0.00	0.00
6592 Economic Development	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00

Subtotal	96,388.00	91,738.00	46,739.00	41,950.00	78,179.00	69,200.00	33,500.00
<b>TOTAL CITY COUNCILBOARD</b>	<b>96,388.00</b>	<b>91,738.00</b>	<b>46,739.00</b>	<b>41,950.00</b>	<b>78,179.00</b>	<b>69,200.00</b>	<b>33,500.00</b>
<b>BUILDING DEPARTMENT</b>							
<i>Other Services &amp; Charges</i>							
6360 Contract Inspections	25,000.00	26,250.00	48,000.00	25,000.00	29,999.00	25,000.00	0.00
6582 Site Plan Reviews	15,000.00	20,000.00	20,000.00	13,400.00	7,448.00	15,000.00	1,600.00
6640 Building Code Books	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal	40,000.00	46,250.00	68,000.00	38,400.00	37,441.00	40,000.00	1,600.00
<b>TOTAL BUILDING DEPARTMENT</b>	<b>40,000.00</b>	<b>46,250.00</b>	<b>68,000.00</b>	<b>38,400.00</b>	<b>37,441.00</b>	<b>40,000.00</b>	<b>1,600.00</b>

<b>PUBLIC SAFETY DEPARTMENT</b>							
<i>Personnel Services</i>							
6170 Salaries & Wages - City Marshal	41,200.00	42,440.00	20,028.00	42,440.00	22,165.00	50,700.00	8,260.00
6210 Health Care	8,343.00	7,144.00	4,019.00	7,871.00	0.00	0.00	(7,871.00)
6220 Payroll Taxes	3,523.00	3,244.00	1,788.00	3,247.00	1,695.00	3,878.00	631.00
6230 TMRS Contributions	750.00	984.00	500.00	773.00	0.00	923.00	150.00
6250 Unemployment Compensation	0.00	43.00	216.00	43.00	171.00	51.00	8.00
Subtotal	53,816.00	53,855.00	26,551.00	54,374.00	24,031.00	55,552.00	1,178.00
<i>Supplies &amp; Maintenance</i>							
6431 Vehicle Maint/Insurance	500.00	750.00	92.00	750.00	1,055.00	750.00	0.00
6583 Fuel	3,235.00	4,056.00	1,078.00	3,676.00	487.00	3,188.00	(508.00)
6610 General Supplies	1,500.00	1,500.00	726.00	1,500.00	899.00	1,500.00	0.00
6791 Capital Outlay - Technology	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal	5,235.00	6,306.00	1,896.00	5,926.00	2,412.00	5,418.00	(508.00)

*Other Services & Charges*

6370 Contract Services	0.00	1,005.00	635.00	1,005.00	0.00	1,180.00	175.00
6371 Sanitarian (Contract Labor)	18,500.00	18,500.00	20,302.00	19,500.00	5,290.00	0.00	(19,500.00)
6373 Animal Control	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	0.00
6411 Telephone	900.00	1,000.00	1,409.00	1,000.00	990.00	1,320.00	320.00
6570 Travel	0.00	0.00	469.00	0.00	1,060.00	0.00	0.00
6571 Mileage	0.00	0.00	214.00	0.00	249.00	0.00	0.00
6572 Training	1,500.00	1,500.00	103.00	1,500.00	600.00	1,500.00	0.00
6793 Capital Outlay - Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6794 Capital Outlay - Equipment	1,500.00	1,000.00	3,630.00	1,000.00	0.00	1,000.00	0.00
Subtotal	28,400.00	29,005.00	32,762.00	30,005.00	14,169.00	11,000.00	(19,005.00)
<b>TOTAL PUBLIC SAFETY</b>	<b>87,451.00</b>	<b>89,166.00</b>	<b>61,209.00</b>	<b>90,305.00</b>	<b>40,632.00</b>	<b>71,970.00</b>	<b>(18,335.00)</b>

MUNICIPAL COURT DEPARTMENT

*Other Services & Charges*

6380 Municipal Court Judge	7,200.00	5,400.00	3,688.00	5,400.00	675.00	5,400.00	0.00
6381 City Prosecutor	10,440.00	8,700.00	7,000.00	8,700.00	585.00	8,700.00	0.00
Subtotal	17,640.00	14,100.00	10,688.00	14,100.00	1,260.00	14,100.00	0.00
<b>TOTAL MUNICIPAL COURT</b>	<b>17,640.00</b>	<b>14,100.00</b>	<b>10,688.00</b>	<b>14,100.00</b>	<b>1,260.00</b>	<b>14,100.00</b>	<b>0.00</b>

PUBLIC WORKS DEPARTMENT

*Personnel Services*

6150 Salaries & Wages - CodeEnforce	30,118.00	31,022.00	33,777.00	36,026.00	25,654.00	36,026.00	0.00
6160 Salaries & Wages - GIS/Permit	34,536.00	0.00	0.00	0.00	0.00	0.00	0.00
6210 Health Care	8,287.00	728.00	685.00	824.00	582.00	798.00	(26.00)
6220 Payroll Taxes	5,528.00	2,374.00	2,597.00	2,756.00	1,983.00	2,756.00	0.00

6230	TMRS Contributions	1,177.00	720.00	720.00	720.00	656.00	728.00	728.00	728.00	72.00
6250	Unemployment Compensation	0.00	32.00	9.00	158.00	37.00	37.00	37.00	37.00	0.00
	<i>Subtotal</i>	79,646.00	34,876.00	37,788.00	40,299.00	29,105.00	40,345.00	40,345.00	40,345.00	46.00
	<i>Supplies &amp; Maintenance</i>									
6431	Vehicle Main/Insurance	600.00	600.00	150.00	600.00	226.00	600.00	600.00	600.00	0.00
6583	Fuel	2,000.00	2,508.00	1,200.00	2,273.00	711.00	1,959.00	1,959.00	1,959.00	(314.00)
6610	General Supplies	500.00	500.00	100.00	500.00	931.00	500.00	500.00	500.00	0.00
6612	Tools	6,298.00	500.00	275.00	500.00	32.00	500.00	500.00	500.00	0.00
	<i>Subtotal</i>	9,398.00	4,108.00	1,725.00	3,873.00	1,900.00	3,559.00	3,559.00	3,559.00	(314.00)
	<i>Other Services &amp; Charges</i>									
6571	Mileage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6572	Training	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6794	Capital Outlay - Equipment	18,000.00	3,000.00	1,500.00	3.30	0.00	0.00	0.00	0.00	0.00
	<i>Subtotal</i>	18,000.00	3,000.00	1,500.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL PUBLIC WORKS</b>	107,044.00	41,984.00	41,013.00	44,172.00	31,005.00	43,904.00	43,904.00	43,904.00	(268.00)

**ROAD DEPARTMENT**

	<i>Supplies &amp; Maintenance</i>									
6492	Road Maintenance	70,000.00	70,000.00	154,386.00	70,000.00	146,885.00	80,000.00	80,000.00	80,000.00	10,000.00
6584	Mowing/Trimming	28,500.00	50,000.00	25,000.00	50,000.00	36,105.00	50,000.00	50,000.00	50,000.00	0.00
6611	Signs/Barricades	4,000.00	5,000.00	15,000.00	5,000.00	6,223.00	5,000.00	5,000.00	5,000.00	0.00
	<i>Subtotal</i>	102,500.00	125,000.00	194,386.00	125,000.00	189,213.00	135,000.00	135,000.00	135,000.00	10,000.00
	<i>Other Services &amp; Charges</i>									
6370	Contract Services	645.00	1,550.00	3,250.00	2,200.00	1,495.00	2,200.00	2,200.00	2,200.00	0.00

6372 Survey Services	1,000.00	1,000.00	0.00	15,032.00	0.00	5,000.00	(10,032.00)
6444 Parking Lot Lease	1,200.00	0.00	0.00	0.00	0.00	0.00	0.00
6470 Engineering - Roads	5,000.00	20,344.00	0.00	10,000.00	0.00	30,000.00	20,000.00
6520 Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6795 Capital Outlay - Roads	0.00	133,807.00	0.00	100,000.00	0.00	208,906.00	106,906.00
6796 Capital Outlay - Sidewalks	0.00	0.00	0.00	73,991.00	0.00	0.00	(73,991.00)
6797 Capital Outlay - Other	0.00	32,000.00	12,000.00	0.00	0.00	0.00	0.00
Subtotal	7,845.00	188,701.00	15,250.00	201,223.00	1,495.00	244,106.00	42,883.00
TOTAL ROADS	110,345.00	313,701.00	209,636.00	326,223.00	190,708.00	379,106.00	52,883.00

WATERWASTEWATER DEPARTMENT

<i>Supplies &amp; Maintenance</i>							
6586 Quality Testing WW	3,000.00	2,000.00	800.00	3,500.00	0.00	12,500.00	9,000.00
6587 System Start-Up WW	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6588 Public Restroom WW	4,625.00	17,655.00	30,125.00	20,000.00	17,167.00	37,400.00	17,400.00
Subtotal	7,625.00	19,655.00	30,925.00	23,500.00	17,167.00	49,900.00	26,400.00
<i>Other Services &amp; Charges</i>							
6561 State Sanitation Fees	200.00	500.00	500.00	500.00	0.00	500.00	0.00
6900 Wastewater Debt Service - Prin	96,889.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal	97,089.00	500.00	500.00	500.00	0.00	500.00	0.00
TOTAL WATERWASTEWATER	104,714.00	20,155.00	31,425.00	24,000.00	17,167.00	50,400.00	26,400.00

COMMUNITY CENTER DEPARTMENT

*Personnel Services*

6140 Salaries & Wages - Director	34,939.00	35,987.00	36,200.00	35,987.00	23,336.00	35,987.00	0.00
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6180 Salaries & Wages - Maintenance	21,632.00	22,281.00	25,000.00	22,281.00	20,554.00	22,281.00	0.00
6210 Health Care	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6220 Payroll Taxes	4,384.00	4,458.00	4,600.00	4,458.00	3,386.00	4,458.00	0.00
6230 TMRS Contributions	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6250 Unemployment Compensation	0.00	59.00	150.00	60.00	267.00	60.00	0.00
Subtotal	60,955.00	62,765.00	65,950.00	62,766.00	47,543.00	62,766.00	0.00
<i>Supplies &amp; Maintenance</i>							
6410 Utilities	24,844.00	30,000.00	27,500.00	30,000.00	14,149.00	27,500.00	(2,500.00)
6430 Bldg Repairs/Maintenance	6,000.00	6,000.00	4,000.00	5,000.00	1,866.00	5,000.00	0.00
6621 Security/Alarm Svs.	1,407.00	1,407.00	1,576.00	1,407.00	1,260.00	1,800.00	393.00
6610 General Supplies	3,000.00	4,000.00	4,000.00	4,000.00	4,045.00	4,000.00	0.00
6660 Office Supplies	1,500.00	500.00	550.00	500.00	144.00	500.00	0.00
6790 Capital Outlay - Furnishings	0.00	5,886.00	0.00	0.00	0.00	0.00	0.00
6800 Capital Outlay - Equipment	0.00	2,500.00	5,000.00	3.00	0.00	0.00	0.00
6810 Capital Outlay - Facilities	0.00	10,000.00	0.00	0.00	4,335.00	0.00	0.00
Subtotal	36,751.00	60,293.00	42,626.00	40,907.00	25,799.00	38,800.00	(2,107.00)
<i>Other Services &amp; Charges</i>							
6270 Dues	0.00	150.00	150.00	150.00	200.00	200.00	50.00
6370 Contract Services	0.00	0.00	750.00	0.00	190.00	0.00	0.00
6411 Telephone	1,020.00	1,020.00	1,134.00	1,020.00	1,012.00	1,250.00	230.00
6420 Office Cleaning	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6443 Equipment Rent/Lease	0.00	0.00	450.00	500.00	0.00	500.00	0.00
6532 Office Technology	2,430.00	3,830.00	3,830.00	430.00	640.00	430.00	0.00
6540 Advertising	10,000.00	2,500.00	2,500.00	2,500.00	1,697.00	2,500.00	0.00

6541 Public Relations/Receptions	0.00	750.00	750.00	750.00	169.00	750.00	0.00
6551 Printing	3,000.00	2,000.00	0.00	2,000.00	217.00	2,000.00	0.00
6551 Postage	200.00	200.00	75.00	200.00	56.00	200.00	0.00
Subtotal	16,650.00	10,450.00	9,639.00	7,550.00	4,181.00	7,830.00	280.00
<b>TOTAL COMMUNITY CENTER</b>	<b>114,356.00</b>	<b>133,528.00</b>	<b>118,215.00</b>	<b>111,243.00</b>	<b>77,523.00</b>	<b>109,416.00</b>	<b>(1,827.00)</b>

PARKS DEPARTMENT

Supplies & Maintenance

6585 Nature Trail/Baldy	9,000.00	5,000.00	3,500.00	5,000.00	3,463.00	5,000.00	0.00
Subtotal	9,000.00	5,000.00	3,500.00	5,000.00	3,463.00	5,000.00	0.00
<b>TOTAL PARKS</b>	<b>9,000.00</b>	<b>5,000.00</b>	<b>3,500.00</b>	<b>5,000.00</b>	<b>3,463.00</b>	<b>5,000.00</b>	<b>0.00</b>

<b>TOTAL EXPENDITURES</b>	<b>1,028,551.00</b>	<b>1,184,470.00</b>	<b>1,161,025.00</b>	<b>1,300,061.00</b>	<b>889,796.00</b>	<b>1,323,191.00</b>	
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NET EXCESS (DEFICIT)				(173,991.00)		(100,000.00)	
USE OF GENERAL FUND BALANCE				173,991.00		100,000.00	
NET EXCESS (DEFICIT)				0.00		0.00	

**FY 2017 BLUE HOLE REGIONAL PARK  
OPERATING FUND BUDGET**

	Approved FY 2014		Approved FY 2015		Amended FY 2015		Approved FY 2016		YTD FY 2016		Proposed FY 2017		Difference Between FY '16- FY'17
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	
<b>FUND REVENUES</b>													
<i>Charges for Services</i>													
5472 Gate Fees	170,240.00	230,000.00	230,000.00	256,416.00	230,000.00	230,000.00	87,980.00	245,991.00	15,991.00				
5474 Park Rental Fees	22,745.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	4,565.00	10,000.00	0.00				
5476 Special Events/Activities	10,000.00	5,000.00	5,000.00	5,000.00	30,000.00	30,000.00	21,035.00	30,000.00	0.00				
5479 Vending/Merchandise	15,000.00	15,000.00	15,000.00	11,354.00	15,000.00	15,000.00	4,872.00	7,500.00	(7,500.00)				
<b>Subtotal</b>	<b>260,000.00</b>	<b>260,000.00</b>	<b>260,000.00</b>	<b>282,770.00</b>	<b>285,000.00</b>	<b>285,000.00</b>	<b>118,452.00</b>	<b>293,491.00</b>	<b>8,491.00</b>				
<i>Interest</i>													
5611 Interest Revenues	150.00	150.00	150.00	150.00	150.00	150.00	113.00	150.00	0.00				
<b>Subtotal</b>	<b>150.00</b>	<b>150.00</b>	<b>150.00</b>	<b>150.00</b>	<b>150.00</b>	<b>150.00</b>	<b>113.00</b>	<b>150.00</b>	<b>0.00</b>				
<i>Other Income</i>													
5701 Other Revenue	0.00	0.00	0.00	0.00	0.00	0.00	8,545.00	0.00	0.00				
5900 Designated Funds	25,000.00	5,000.00	5,000.00	5,000.00	0.00	0.00	0.00	0.00	0.00				
<b>Subtotal</b>	<b>25,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>8,545.00</b>	<b>0.00</b>	<b>0.00</b>				
<b>Total Revenues</b>	<b>285,150.00</b>	<b>285,150.00</b>	<b>285,150.00</b>	<b>287,920.00</b>	<b>285,150.00</b>	<b>285,150.00</b>	<b>127,110.00</b>	<b>293,641.00</b>	<b>8,491.00</b>				

	Approved FY 2014		Approved FY 2015		Amended FY 2015		Approved FY 2016		YTD FY 2016		Proposed FY 2017		Difference Between FY'16- FY'17
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	
<b>EXPENDITURES</b>													
<i>Personnel Services</i>													
6140 Salaries & Wages - Director	41,200.00	42,441.00	42,441.00	42,441.00	42,441.00	42,441.00	24,787.00	50,000.00	7,559.00				
6180 Salaries & Wages - Maintenance Supervisor	30,000.00	30,894.00	30,894.00	35,227.00	30,000.00	30,000.00	28,849.00	30,000.00	0.00				

6182 Salaries & Wages - Laborer	0	22,800.00	0.00	22,800.00	0.00	22,800.00	0.00
6181 Salaries & Wages - Part-Time	75,190.00	75,190.00	82,000.00	75,190.00	33,718.00	75,190.00	0.00
6210 Health Care	14,457.00	21,148.00	20,000.00	22,976.00	10,343.00	22,976.00	0.00
6220 Payroll Taxes	11,345.00	13,107.00	13,107.00	13,107.00	6,594.00	13,615.00	508.00
6230 TMRs Contributions	2,664.00	2,231.00	1,870.00	2,231.00	1,577.00	2,231.00	0.00
6250 Unemployment Compensation	0.00	172.00	950.00	172.00	487.00	976.00	804.00
Subtotal	174,856.00	207,983.00	195,595.00	208,917.00	106,355.00	217,788.00	8,871.00
<i>Supplies &amp; Maintenance</i>							
6374 Contract Services	16,000.00	13,600.00	9,500.00	12,200.00	27,075.00	12,200.00	0.00
6410 Utilities	16,253.00	16,253.00	16,253.00	16,253.00	10,090.00	16,253.00	0.00
6431 Vehicle Maint/Insurance	0.00	500.00	500.00	500.00	282.00	500.00	0.00
6433 Equip Maintenance	0.00	450.00	450.00	450.00	107.00	450.00	0.00
6563 Fuel	2,000.00	2,000.00	1,500.00	2,000.00	542.00	1,000.00	(1,000.00)
6584 Mowing/Trimming	2,000.00	2,000.00	0.00	2,000.00	0.00	0.00	(2,000.00)
6610 General Supplies	17,175.00	15,865.00	23,000.00	21,280.00	22,200.00	25,000.00	3,720.00
6613 Materials	5,000.00	8,700.00	7,500.00	8,500.00	6,776.00	7,500.00	(1,000.00)
6615 Bldg & Maint Supplies	4,000.00	4,000.00	1,350.00	4,000.00	2,379.00	4,000.00	0.00
6660 Office Supplies	500.00	500.00	1,000.00	500.00	286.00	500.00	0.00
Subtotal	62,928.00	63,868.00	61,053.00	67,663.00	69,737.00	67,403.00	(280.00)
<i>Other Services &amp; Charges</i>							
6411 Telephone	2,311.00	1,800.00	2,000.00	2,000.00	1,643.00	2,100.00	100.00
6443 Equipment Rent/Lease	360.00	3,000.00	5,500.00	3,000.00	2,821.00	3,000.00	0.00
6520 Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6562 BH CC Processing Fees	1,000.00	1,000.00	5,275.00	3,500.00	1,651.00	3,000.00	(500.00)
6581 Refunds	0.00	0.00	1,875.00	0.00	1,795.00	0.00	0.00
6651 Postage	100.00	50.00	0.00	50.00	35.00	50.00	0.00

6570 Travel	0	0.00	2,000.00	0.00	0.00	0.00	0.00	0.00
6571 Mileage	0	0.00	150.00	0.00	147.00	150.00	150.00	150.00
6572 Training	0	0.00	912.00	0.00	130.00	150.00	150.00	150.00
6793 Capital Outlay - Vehicles	6,800.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6794 Capital Outlay - Equipment	11,300.00	13,560.00	13,560.00	0.00	0.00	0.00	0.00	0.00
6795 Capital Outlay-Facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Subtotal 21,861.00 19,410.00 31,272.00 8,550.00 8,222.00 8,450.00 (100.00)

**Total Expenditures 281,261.00 287,920.00 285,150.00 184,314.00 283,641.00 8,491.00**

Net Excess (Deficit) (26,111.00) 0.00 0.00 0.00

Use of Blue Hole Fund Balance 26,111.00 0.00 0.00 0.00

Net Excess (Deficit) 0.00 0.00 0.00 0.00

FISCAL YEAR 2017 CITY OF WIMBERLEY  
BLUE HOLE DEVELOPMENT FUND BUDGET

<b>REVENUES</b>		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	Proposed FY 2017 Budget
<i>Interest</i>						
5611 Interest Revenue		125.00	30.00	30.00	40.00	40.00
Subtotal		125.00	30.00	30.00	40.00	40.00
<i>Other Income</i>						
5340 Grant Funds		36,336.00	0.00	0.00	0.00	0.00
5900 Designated Funds		6,307.00	0.00	0.00	0.00	0.00
Subtotal		6,307.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>		<b>39.32</b>	<b>6,432.00</b>	<b>30.00</b>	<b>40.00</b>	<b>40.00</b>

<b>EXPENDITURES</b>		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	Proposed FY 2017 Budget
<i>Other Services &amp; Charges</i>						
6797 Capital Outlay- Facilities		0.00	0.00	0.00	25,000.00	25,000.00
6794 Capital Outlay -Equipment		0.00	0.00	0.00	0.00	0.00

6798 Capital Outlay - Development	37,543.00	15,000.00	15,000.00	0.00	0.00
Subtotal	37,543.00	15,000.00	15,000.00	25,000.00	25,000.00

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Total Expenditures 37,543.00 15,000.00 15,000.00 25,000.00 25,000.00

Use of Development Fund Fund Balance 14,999.70 14,999.00 24,960.00 24,960.00

**FISCAL YEAR 2017 CITY OF WIMBERLEY  
WASTEWATER FUND BUDGET**

<b>REVENUES</b>		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	YTD FY 2016 Budget	Proposed FY 2017 Budget	Difference Between FY 16-FY 17
<i>Charges for Services</i>								
5400	Service Fees	156,851.00	217,009.00	144,305.00	118,776.00	99,082.00	118,776.00	0.00
	<i>Subtotal</i>	156,851.00	217,009.00	144,305.00	118,776.00	99,082.00	118,776.00	0.00
<i>Interest</i>								
5611	Interest Revenue	100.00	100.00	112.00	100.00	131.40	130.00	30.00
	<i>Subtotal</i>	100.00	100.00	112.00	100.00	131.40	130.00	30.00
<i>Other Income</i>								
5940	Grant Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5799	Operating Transfer In	9,400.00	93,887.00	93,887.00	125,137.00	128,627.50	132,871.00	7,734.00
	<i>Subtotal</i>	9,400.00	93,887.00	93,887.00	125,137.00	128,627.50	132,871.00	7,734.00
<b>Total Revenues</b>		<b>166,351.00</b>	<b>310,996.00</b>	<b>238,304.00</b>	<b>244,013.00</b>	<b>227,840.90</b>	<b>251,777.00</b>	

<b>EXPENDITURES</b>		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	YTD FY 2016 Budget	Proposed FY 2017 Budget	Difference Between FY 16-FY 17
<i>Supplies &amp; Maintenance</i>								

6374 Contract Services	68,500.00	104,000.00	89,059.00	99,000.00	55,967.04	99,000.00	0.00
6410 Utilities	9,679.00	10,000.00	11,000.00	10,000.00	6,815.88	10,000.00	0.00
6610 General Operating Supplies	0.00	0.00	250.00	0.00	0.00	0.00	0.00
6660 Office Supplies	0.00	500.00	0.00	500.00	0.00	0.00	(500.00)
<i>Subtotal</i>	78,179.00	114,500.00	100,309.00	109,500.00	62,782.92	109,000.00	(500.00)
<i>Other Services &amp; Charges</i>							
6797 Capital Outlay- Facilities	31,250.00	31,250.00	31,250.00	31,250.00	31,250.00	31,250.00	0.00
6792 Capital Outlay-Other	0.00	0.00	51,420.00	0.00	0.00	0.00	0.00
6900 Wastewater Debt Service Principle	0.00	93,887.00	93,887.00	93,887.00	0.00	98,311.00	4,424.00
6901 Wastewater Debt Service - Interest	0.00	3,887.00	3,887.00	3,887.00	3,838.75	3,311.00	(576.00)
6990 Operating Transfer Out	0.00	0.00	5,000.00	0.00	0.00	0.00	0.00
<i>Subtotal</i>	31,250.00	129,024.00	185,444.00	129,024.00	35,088.75	132,872.00	3,848.00

**Total Expenditures** 109,429.00 243,524.00 285,753.00 238,524.00 97,871.67 241,872.00

NET EXCESS (DEFICIT) 56,922.00 67,472.00 -47,449.00 5,489.00 129,969.23 9,905.00



FY 2017 CITY OF WIMBERLEY MUNICIPAL COURT  
TECHNOLOGY FUND BUDGET

REVENUE		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	Proposed FY 2017 Budget
<i>Fines</i>						
5514 Court Technology		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
Subtotal		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
Total Revenue		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00

EXPENDITURES		Approved FY 2014 Budget	Approved FY 2015 Budget	Amended FY 2015 Budget	Approved FY 2016 Budget	Proposed FY 2017 Budget
<i>Other Services &amp; Charges</i>						
6532 Office Technology		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
Subtotal		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
Total Expenditures		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
Net Excess(Deficit)		0.00	0.00	0.00	0.00	0.00

FY 2017 CITY OF WIMBERLEY MUNICIPAL COURT  
BUILDING SECURITY FUND BUDGET

REVENUE	Approved FY 2014		Approved FY 2015		Amended FY 2015		Approved FY 2016		Proposed FY 2017	
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
<i>Fines</i>										
5515 Building Security Fees	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00
<i>Subtotal</i>	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00
<i>Total Revenue</i>	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00

EXPENDITURES	Approved FY 2014		Approved FY 2015		Amended FY 2015		Approved FY 2016		Proposed FY 2017	
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
<i>Supplies &amp; Maintenance</i>										
6790 Capital Outlay - Furnishings	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00
<i>Subtotal</i>	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00
<i>Total Expenditures</i>	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00	1,050.00

Net Excess (Deficit)

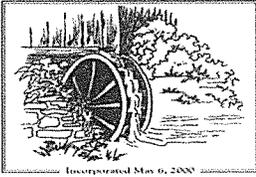


FY 2017 CITY OF WIMBERLEY  
FM 2325 SIDEWALK FUND BUDGET

	Approved FY 2014 Budget		Approved FY 2015 Budget		Amended FY 2015 Budget		Approved FY 2016 Budget		Proposed FY 2017 Budget	
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
<b>REVENUE</b>										
<i>Interest</i>										
5611 Interest Revenue	0.00		2.00	2.00	2.00		2.00	2.00	2.00	2.00
Subtotal	0.00		2.00	2.00	2.00		2.00	2.00	2.00	2.00
<b>Total Revenue</b>	<b>0.00</b>		<b>2.00</b>	<b>2.00</b>	<b>2.00</b>		<b>2.00</b>	<b>2.00</b>	<b>2.00</b>	<b>2.00</b>

	Approved FY 2014 Budget		Approved FY 2015 Budget		Amended FY 2015 Budget		Approved FY 2016 Budget		Proposed FY 2017 Budget	
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
<b>EXPENDITURES</b>										
<i>Other Services &amp; Charges</i>										
6797 Capital Outlay - Facilities	0.00		0.00	0.00	0.00		0.00	0.00	0.00	0.00
Subtotal	0.00		0.00	0.00	0.00		0.00	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION ON ISSUES RELATING TO THE DEVELOPMENT OF THE FY 2017 BUDGET FOR THE CITY OF WIMBERLEY

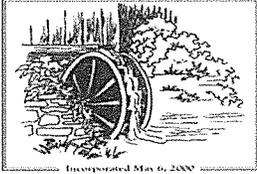
**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to allow the City Council to discuss and consider action on various issues relating to the development of the Fiscal Year 2017 Budget for the City of Wimberley.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: CONSIDER ACTION  
REGARDING THE PROPOSED *FISCAL YEAR 2017*  
*CITY OF WIMBERLEY GOALS AND PRIORITIES*

**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 action regarding the proposed *Fiscal Year 2017 City of Wimberley Goals and Priorities* developed at the City Council Workshops on July 6, 2016 and August 19, 2016.

Attached is a copy of the subject goals and priorities for review and consideration.

## FISCAL YEAR 2017

### CITY OF WIMBERLEY GOALS AND PRIORITIES

Below are the goals and priorities established by the Wimberley City Council for Fiscal Year 2017. The goals and priorities are grouped into two (2) categories – high priority and moderate priority. Please be advised projects listed in each category are not listed in any priority order.

#### STAGE 1 (High Priority Projects)

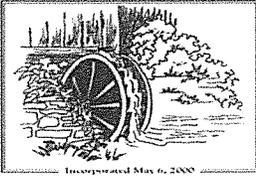
- Maintain citizen involvement in the City of Wimberley government
- Complete development of the *Central Wimberley Wastewater System* project
- Partner with Ace Hardware to complete beautification of the City-owned property located at the intersection of FM 2325 & Ranch Road 12
- Maintain strong relationships Federal, State and local government agencies
- Complete development of a written local emergency response plan for local emergencies including but not limited to wildfires, floods, etc.
- Enhance the City's technology footprint including, but not limited to, redesign of the City of Wimberley website and the possible implementation of various social media platforms
- Complete a comprehensive review and update the City of Wimberley Zoning and Subdivision Code of Ordinances
- Complete a comprehensive review and update of the City of Wimberley Building Codes
- Encourage the use of rainwater collection in existing and future commercial and residential development through the sponsorship of community information forums and the development of rainwater collection incentives, such as a low interest loan program for rainwater collection systems and building permit fee discounts for such systems
- Partner with Hays County to complete the design and development of planned safety improvements at the intersection of Ranch Road 12 and FM 3237
- Advocate for the development of future senior housing through the use of USDA funded senior housing programs, church-based partnerships, public-private partnerships and possibly facilitating the development of "small home" neighborhoods
- Complete the development of the City's owned parking lot on Oak Drive.

- Acquire and complete development of a parking lot and public restroom facility on property located on Oak Drive currently leased by the City for parking.
- Implement a citywide Way-Finding Signage Program
- Develop a Capital Improvements Program (CIP) and CIP funding plan for drainage improvements, street lighting, public restrooms, street improvements, underground utilities and sidewalks.
- Fund and complete a citywide drainage study
- Partner with the Wimberley ISD and Hays County to develop a public swimming pool
- Explore consolidation of certain City services with neighboring municipalities
- Accept and dedicate the roads in the South River Business Park as public streets
- Implement Baldy Park improvements including but not limited to improved signage, railing repairs and the designation of no-parking areas.

#### STAGE 2 (Moderate Priority Projects)

- Encourage the development of an alternate public water supply for the City of Wimberley
- Develop a sidewalk on the west side of FM 2325 from Twilight Trail to Wimberley High School
- Partner with Hays County to complete the final “leg” of the Regional Hike and Bike Trail extending from Winters Mill Parkway to Joe Wimberley Blvd.
- Acquire and beautify the triangular portion of State-owned right-of-way at the junction of FM 32 and Ranch Road 12. *(Possible improvements could include, but are not limited to, placement of a decorative “Welcome to Wimberley” monument sign, construction of a park and ride facility, landscape improvements with picnic tables and limited lease space for the signage of adjacent businesses)*
- Acquire the necessary right-of-way and develop the extension of Green Acres Road from FM 2325 to Ranch Road 12.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION TO REVOKE THE WIMBERLEY PLANNED DEVELOPMENT DISTRICT ("WPDD") FOR PROPERTY LOCATED AT 400 MILL RACE LANE

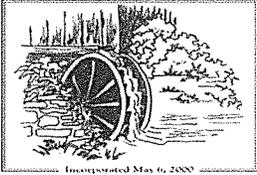
**Council Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda by Mayor Mac McCullough to allow the City Council to discuss and consider action to revoke the Wimberley Planned Development District ("WPDD") for property located at 400 Mill Race Lane.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION REGARDING THE FUTURE COLLECTION OF CERTAIN BUILDING PERMIT, ZONING AND SUBDIVISION FEES RELATING TO PROPERTIES IMPACTED BY THE MAY 2015 FLOOD

**Council Action Requested:**

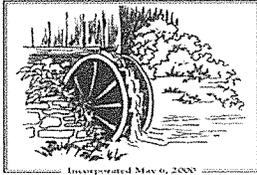
- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to allow City Council to discuss and consider regarding the future collection of certain building permit, zoning and subdivision fees relating to properties impacted by the May 2015 Flood in Wimberley.

Background information on this request will be presented to City Council under separate cover in advance of the meeting.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION REGARDING MATTERS STEMMING FROM A SECOND MEETING BETWEEN REPRESENTATIVES OF AQUA TEXAS AND THE CITY OF WIMBERLEY REGARDING THE PROVISION OF WASTEWATER SERVICES

**Commission Action Requested:**

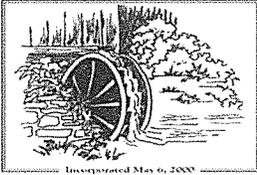
- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

This item was placed on the agenda to allow the City Council to discuss and consider action regarding matters stemming from a second meeting between representatives of Aqua Texas and the City of Wimberley regarding the potential provision of various wastewater services in the Wimberley.

No further background was provided on this agenda item.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: CONSIDER ACTION  
AWARDING A CONTRACT FOR PROFESSIONAL AUDITING  
SERVICES

Commission Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

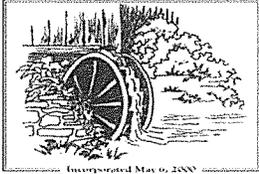
Project/Proposal Summary:

This item was placed on the agenda to allow the City Council to discuss and consider action awarding a contract for professional auditing services.

In mid-August, the City of Wimberley issued a Request for Proposals ("RFP") for professional auditing services. The deadline for submission of bids is 2.p.m. on Friday, August 26<sup>th</sup>. The auditing firm awarded a contract will be responsible for auditing the City's financial statements for Fiscal Years 2016, 2017 and 2018, with an option to audit the City's financial statements for Fiscal Years 2019 and 2020.

Following the deadline, City staff will evaluate the proposals received and recommend a vendor for contract award at the Council meeting.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION  
AUTHORIZING CITY STAFF TO SEEK CONSTRUCTION BIDS  
FOR THE HIDDEN VALLEY LOW WATER CROSSING  
RECONSTRUCTION PROJECT

**Commission 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 action authorizing City staff to seek construction bids for the reconstruction of the Hidden Valley Low Water Crossing.

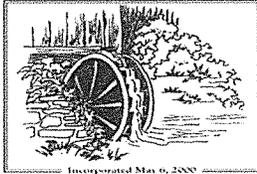
In the May 2015 flood, the Hidden Valley Low Water Crossing was destroyed.

Following the flood, the City contracted with an engineer to develop a plan for reconstructing the low water crossing. The new crossing will be similar in size, height and character to the previous crossing. However, the crossing will be built to withstand a 500-year flood, unlike the previous crossing.

With the design work complete, City staff is ready to seek construction bids for the planned reconstruction.

City staff is recommending City Council authorize bidding of the referenced flood repair project. Funding for the reconstruction project will come from the City's road and bridge insurance policy.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER APPROVAL OF COMPREHENSIVE FUND BALANCE POLICY AND ASSOCIATED CLASSIFICATION PLAN

**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 approving the Comprehensive Fund Balance Policy ("Policy") and Fund Balance Classification Plan ("Plan") for the City of Wimberley.

Much like the City's Investment Policy, the City is obligated to review the Policy and Plan on an annual basis. No changes in the policy or plan are being recommended.

The Policy was first adopted by the City Council in 2011. The primary objective of the Policy is to improve the usefulness and comparability of fund balance information by reporting fund balance in more insightful and meaningful components. This policy also clarifies the definitions of the different types of funds that a governmental entity may set up for financial reporting purposes.

The Plan simply identifies how the dollars in fund balance are to be classified. While an approved classification plan must be in place, the classifications can be changed at any time by City Council with the exception of those funds classified as non-spendable or restricted.

City staff is recommending City Council approve the Policy and Plan as submitted.

**CITY OF WIMBERLEY**  
**COMPREHENSIVE FUND BALANCE POLICY**

BACKGROUND

The Governmental Accounting Standards Board (“GASB”) has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions (“GASB-54”)*. The primary objective of this new standard is to improve the usefulness and comparability of fund balance information by reporting fund balance in more intuitive and meaningful components. This standard also clarifies the definitions of the different types of funds that a governmental entity may set up for financial reporting purposes.

GASB-54 now requires the City of Wimberley to classify the fund balance amounts reported within our financial statements in accordance with five new and more detailed classifications shown below. These categories are as follows:

*Non-spendable Fund Balance.* Fund balance reported as “non-spendable” represents fund balance associated with inventory or prepaid items. The cash outlay for these types of items has already been made and therefore the resources represented by this fund balance category cannot be spent again; hence the term “non-spendable”.

*Restricted Fund Balance.* Fund balance reported as “restricted” represents amounts that can be spent only on the specific purposes stipulated by law or by the external providers of those resources.

*Committed Fund Balance.* Fund balance reported as “committed” includes amounts that can be used only for the specific purposes determined by a formal action of City Council.

*Assigned Fund Balance.* Fund balance reported as “assigned” represents amounts intended to be used for specific purposes, but not meeting the criteria to be reported as committed or restricted fund balance. In addition, the City Council may grant to the City administrator the authority to “assign” fund balance.

*Unassigned Fund Balance.* Fund balance reported as “unassigned” represents the residual classification of fund balance and includes all spendable amounts not contained within the other classifications.

GASB-54 is effective for periods beginning after June 15, 2010. Therefore, the City of Wimberley was required to implement this new standard starting with Fiscal Year 2011.

A written Comprehensive Fund Balance Policy is recommended to be formally adopted by the governing body of our organization depicting the procedures that will be used for committing fund balance, assigning fund balance, how stabilization funds, if any, will be determined, order of spending the fund balance categories, minimum fund balance levels, and use of governmental fund types.

## COMPREHENSIVE FUND BALANCE POLICIES

### 1.0 Policy on Committing Funds

In accordance with GASB-54, it is the policy of the City of Wimberley that fund balance amounts will be reported as “Committed Fund Balance” only after formal action and approval by the City Council. The action to constrain amounts in such a manner must occur prior to year end; however, if the actual dollar amount is not known that may be determined in the subsequent period.

For example, the City Council may approve a motion prior to year end to report within the year-end financial statements, if available, up to a specified dollar amount as Committed Fund Balance for Capital Projects. The exact dollar amount to be reported as Committed Fund Balance for Capital Projects may not be known at the time of approval due to the annual financial audit not yet being completed. This amount can be determined at a later date when known and appropriately reported within the year-end financial statements due to the governing body approving this action before year-end.

It is the policy of the City of Wimberley that the City Council may commit fund balance for any reason that is consistent with the definition of Committed Fund Balance contained within GASB-54. Examples of reasons to commit fund balance would be to display intentions to use portions of fund balance for future capital projects, stabilization funds, or to earmark special General Fund revenue streams unspent at year-end that are intended to be used for specific purposes.

After approval by the City Council, the amount reported as Committed Fund Balance cannot be undone without utilizing the same process required to commit the funds. Therefore, in accordance with GASB-54, it is the policy of the City of Wimberley that funds can only be removed from the Committed Fund Balance category after motion and approval by the City Council.

### 2.0 Policy on Assigning Funds

In accordance with GASB-54, funds that are *intended* to be used for a specific purpose but have not received the formal approval action by City Council may be recorded as Assigned Fund Balance. Likewise, redeploying assigned resources to an alternative use does not require formal action by the governing body.

GASB-54 states that resources can be assigned by the governing body or by another internal body or person whom the governing body gives the authority to do so, such as the City Administrator.

Therefore, having considered the requirements to assign fund balance, it is the policy of the City of Wimberley that the City Administrator will have the authority to assign fund balance of this organization based on intentions for use of fund balance communicated by the City Council.

### 3.0 Policy on Order of Spending Resources

It is the policy of the City of Wimberley that when expenditures are incurred that would qualify as expenditures of either Restricted Fund Balance or Unrestricted Fund Balance (Committed, Assigned, or Unassigned), those expenditures will first be applied to the Restricted Fund Balance category.

Furthermore, it is the policy of the City of Wimberley that when expenditures are incurred that would qualify as a use of any of the Unrestricted Fund Balance categories (Committed, Assigned, or Unassigned), those expenditures will be applied in the order of Committed first, then Assigned, and then Unassigned.

### 4.0 Policy on the Acceptable Minimum Level of Fund Balances

It is the policy of the City of Wimberley to maintain at all times an overall Unrestricted Fund Balance (Committed Fund Balance, Assigned Fund Balance, and Unassigned Fund Balance) of not less than three months of regular General Fund operating expenditures, measured based on the most recently completed fiscal year. If it is determined that the City of Wimberley is below this minimum established fund balance level, the City Council will be informed of this condition and take necessary budgetary steps to bring the fund balance level into compliance with this policy through budgetary actions.

### 5.0 Review of Governmental Fund Classifications

The City of Wimberley desires that the governmental fund types available for use in governmental financial reporting be appropriately selected based on the GASB-54 definitions of these fund types. Furthermore, the fund balance categories utilized within each these fund types are also to be appropriately selected from the new GASB-54 classifications.

Therefore, after consideration of the purpose of each governmental fund type, it is the policy of the City of Wimberley to limit the fund balance categories that may be used with each governmental fund type as follows:

General Fund

Non-spendable Fund Balance  
Restricted Fund Balance  
Committed Fund Balance  
Assigned Fund Balance  
Unassigned Fund Balance

Debt Service Funds

Restricted Fund Balance  
Committed Fund Balance  
Assigned Fund Balance

Capital Projects Funds

Restricted Fund Balance  
Committed Fund Balance  
Assigned Fund Balance

Special Revenue Funds

Restricted Fund Balance  
Committed Fund Balance  
Assigned Fund Balance

## CITY OF WIMBERLEY FUND BALANCE DESIGNATION

### **General Fund**

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 40% of the funds for public works (roads, drainage, etc)
- 25% of the funds for future grant matches
- 35% of the funds for wastewater improvements

Assigned Fund Balance

- 0% of funds

### **Blue Hole Parkland Fund (*Special Revenue Fund*)**

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 100% of funds for Blue Hole Park & Park Operations

Assigned Fund Balance

- 0% of funds

### **Blue Hole Development Fund (*Special Revenue Fund*)**

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 100% of funds for development of Blue Hole Park

Assigned Fund Balance

- 0% of funds

### **Municipal Court Funds (*Special Revenue Fund*)**

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 100% of funds for Municipal Court

Assigned Fund Balance

- 0% of funds

### **Sidewalk Fund (*Special Revenue Fund*)**

Restricted Fund Balance

- 100% of funds for sidewalk development

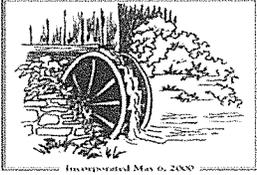
Committed Fund Balance

- 0% of funds

Assigned Fund Balance

- 0% of funds

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** APPROVAL OF CITY OF WIMBERLEY INVESTMENT POLICY

**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 the City of Wimberley Investment Policy. State law requires the Council to review the policy on an annual basis. No changes to the policy are proposed at this time.

City staff recommends approval of the policy as presented.

# Investment Policy

## I. Purpose

The purpose of this document is to establish the investment policies for the management of the public funds of the City of Wimberley, Texas (City). This policy will be reviewed on an annual basis by City Council. At such time, the council will adopt a resolution that (1) states that the investment policy has been reviewed and (2) enumerates the changes to be made to the policy.

These policies are designed to ensure the prudent management of public funds, the availability of operating and capital funds when needed, and an investment return competitive with those of comparable funds and financial market indexes.

A copy of this policy will be provided to all business organizations offering to engage in investment transactions with the City. A qualified representative of the business organization must confirm in writing (1) that this policy has been read and thoroughly reviewed and (2) that reasonable controls have been established to preclude unauthorized investment transactions. The City prior to the firm providing any services must receive this confirmation.

## II. Statutory Authority

This policy was adopted in accordance with the Public Funds Investment Act (V.T.C.A., Government Code §2256).

## III. Policy Scope

This investment policy applies to all of the financial assets (i.e., cash, bank deposits and securities) of the City. These assets are pooled into a single common investment fund that incorporates the following accounting fund types:

- General fund;
- Special revenue funds; and
- Enterprise funds.

Investments in the City's employee deferred compensation plan are independently managed and are not covered by this policy.

## IV. Investment Strategy Statement

It is the City's policy to invest public funds in a manner that meets the following objectives:

- Ensure the suitability of the investment to the financial requirements of the City;
- Ensure preservation and safety of capital;
- Provide sufficient liquidity to meet cash flow needs;
- Ensure the marketability of the investments;
- Provide sufficient diversification; and

- Provide a competitive return on investment.

## V. Investment Objectives

The following is a detailed discussion of the City's investment objectives, in priority order:

### A. Suitability of Investments

Investments shall be made with the primary focus of having cash available to meet the City's financial requirements. This requires that the City match investment maturities with anticipated expenditures.

### B. Preservation and Safety of Capital

Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To achieve this objective it is necessary to minimize credit risk and interest rate risk.

Credit risk is the risk of loss due to failure of the security issuer to pay interest and/or principal in a timely manner. It may be reduced by:

- Limiting investments to the safest types of securities;
- Pre-qualifying the business organizations with which the City will do business; and
- Requiring that investments not insured or guaranteed by the United States Government be fully collateralized.

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. The longer the term, the more tendencies there are for rates to fluctuate. Interest rate risk may be reduced by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity; and
- Investing primarily in shorter-term securities.

Both types of risk may also be controlled through diversification.

### C. Liquidity

It is the City's objective that the investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Liquidity is the relative ease with which a security may be converted to cash, typically through sale on the open market. The goals of liquidity and preservation of capital may conflict at times. While a security may be easily converted to cash, the amount of cash received may be less than the amount initially paid due to fluctuations in market value. For

that reason, it is important for the portfolio to be structured so that securities mature concurrent with anticipated cash needs, hereby avoiding the need to liquidate investments under adverse market conditions.

#### D. Marketability of Investments

Marketability is the availability to quickly purchase and sell a security at competitive prices in secondary markets. Some investments, such as Treasury bills, can be sold at any time. Other more exotic instruments may not be much in demand by other investors and, consequently, may be much harder to sell.

Since all possible cash demands cannot be anticipated, the portfolio should consist of securities with active secondary or resale markets. This will ensure that in the event the City must sell a security, a buyer can be readily found.

At all times, selling a security before maturity may produce a loss. With the exception of the following situations, securities shall not be sold at a loss:

- A security with a declining market value could be sold early to minimize loss;
- A security swap would improve the quality, yield, or target duration in the portfolio; or
- Liquidity needs of the portfolio require that a security be sold and all other sales would result in a larger loss.

#### E. Diversification

The constraints established by this investment policy minimize the City's risk exposure. Through diversification, the City can further limit risk exposure. The City will address diversification in its portfolio by *not* limiting its exposure to any one type of investment, staggering investment maturities, and using several investment providers.

#### F. Yield

A fundamental rule of investments is that risk equals return. The City has deliberately established a low risk threshold in order to protect its financial resources and ensure that cash is available when needed. Return on investment is the least important objective of the City's investment program. It is anticipated, however, that the City will still earn a competitive rate of return given the level of risk assumed.

### VI. Standards of Care

#### A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio, not each investment decision. Investment officers acting in accordance with this investment policy

and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that the investment decision was consistent with this written policy.

The "prudent person" standard requires that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived.

#### B. Ethics and Conflicts of Interest

Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper executing and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from under-taking personal investment transactions with the same individual with which business is conducted on behalf of the City.

#### C. Delegation of Authority

The City Administrator shall be responsible for insuring that all of the physical and monetary assets of the City are appropriately safeguarded and controlled and perform any duties of City Treasurer as required by the general laws of the State of Texas. Through the adoption of this policy, the position of City Administrator shall be designated as an investment officer who is responsible for the investment of the City's funds. In the absence of the City Administrator, the Mayor shall have the responsibility for investment decisions and activities. No person may engage in an investment transaction or the management of funds except as provided under the terms of this Investment Policy as approved by the City Council. The investment authority granted to the investment officer is effective until rescinded by the governing body.

The City Administrator shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

#### D. Training

The City Administrator and Finance Officers shall attend at least one training session related to their respective duties within 24 months of assuming office or duties. This training must include education in investment controls, security risks, strategy risks, market risks and compliance with the Public Funds Investment Act.

Both the City Administrator and the Mayor shall receive training as required by state law, which is designed to ensure the continued proper performance of their duties under this policy and the Public Funds Investment Act. The City Administrator and the Mayor shall attend an investment

training session no less often than once every two fiscal years commencing February 1, 2009 and shall receive not less than 10 hours of instruction relating to investment responsibilities. The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an “independent source” from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a business organization with whom the City of Wimberley may engage in an investment transaction.

## DI. Execution of Security Transactions

### A. Authorized Financial Dealers and Institutions

A list will be maintained of the business organizations authorized by the City Council to provide investment services. These may include “primary dealers” or regional dealers that qualify under Securities and Exchange Commission Rule 15C3 1 (uniform net capital rule).

All business organizations desiring to become qualified bidders for investment transactions must supply the following, as appropriate:

- Audited financial statements
- Proof of National Association of Securities Dealers (NASD) certification
- Proof of state registration
- Completed broker/dealer questionnaire
- Certification signed by a qualified representative of the firm, of having read and thoroughly reviewed the City’s investment policy and having implemented reasonable procedures and controls in an effort to preclude unauthorized investment transactions. (See Appendix B for an example.)

A qualified representative of a business organization is a person who holds a position with the organization, is authorized to act on behalf of the organization, and who is:

- For organizations regulated or registered with a securities commission, registered under the rules of the National Association of Securities Dealers; or
- For state and national banks and savings banks, a member of the loan committee or authorized by corporate resolution to act on behalf of and bind the banking institution.
- For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment.

The City Administrator shall conduct an annual review of the financial condition and registration of qualified business organizations interested in providing investment services for the City. The City Administrator shall recommend six or more qualified bidders to the City Council, which will then select qualified bidders to provide investment services for the City for the next year.

## B. Selection of Investments

The City Administrator shall establish a competitive process for the selection of investments.

## C. Delivery vs. Payment

With the exception of mutual funds, all investment transactions will be executed by delivery vs. payment (DVP). This requires that the release of funds and the receipt of the investment occur simultaneously.

## D. Safekeeping

The City will utilize an independent third party as a custodial agent for safekeeping of the City's investments. Book entry only securities may be held in the custodial agent's account with a Federal Reserve Bank, as long as the custodial agent's internal records clearly indicate the City's ownership of the securities. Any physical securities will be transferred directly to the custodial agent.

Receipts must be issued by the custodial agent for all property received in physical or book entry form. Not less than quarterly, the City should be provided with reports of all assets held in safekeeping.

## E. Measuring Market Value

The City shall use The Wall Street Journal or a comparable nationally recognized business publication to measure the market value of its investments. The price quote used will be as of the date of market valuation.

# VIII. Internal Controls and Compliance Audit

## A. Internal Controls

The City Administrator is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal control structure should address the following points:

- Control of collusion. Collusion is a situation where two or more employees work in conjunction to defraud their employer.
- Separation of transaction authority from accounting and record keeping. By separating the person who authorizes or performs the transactions from the people who record or otherwise account for the transaction, a separation of duties is

achieved.

- Custodial safekeeping. Securities purchased from any bank or dealer including appropriate collateral shall be placed with an independent third party for custodial safekeeping.
- Avoidance of physical delivery securities. Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
- Clear delegation of authority to subordinate staff members. Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.
- Written confirmation of telephone transactions for investments and wire transfers. Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.
- Development of a wire transfer agreement with the lead bank or third party custodial. This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.

## B. Annual Audit

The City Administrator shall establish a process for annual independent review by an external auditor to:

- Assure compliance with policies and procedures; and
- Review monthly investment reports.

This review is to be done in conjunction with the annual audit of the City's financial statements.

## IX. Suitable and Authorized Investments

### A. Investment Types

The following investments are permitted under this policy.

- Obligations of the United States Government (i.e., treasury bills, treasury notes and treasury bonds):
  - Mutual funds offered by the City's depository bank as part of its cash

- management program;
- Certificates of deposit issued by a state or national bank or a savings bank domiciled in the State of Texas; and
- Demand deposits with state and national banks and savings banks.
- Statewide investment pools.

#### B. Collateralization

Certificates of deposit and all other deposits with banks and savings banks shall be 1) guaranteed or insured by the Federal Deposit Insurance Corporation or 2) fully collateralized as required by the Public Funds Investment Act. In order to provide an appropriate level of protection, the market value of the pledged security will be a minimum of 105% of the amount on deposit plus accrued interest.

The City prior to the substitution taking place must approve substitution of collateral in writing.

Collateral will be held by an independent third party. A clearly marked safekeeping receipt showing the securities pledged in the City's name must be provided to the City on a monthly basis.

#### C. Prohibited Investments

Any investment not specifically authorized by this policy is prohibited. Any investment that is a derivative in nature, even though the underlying asset may meet the guidelines established in this policy, is also prohibited.

#### D. Additional Qualifications by Investment Type:

##### 1. Mutual Funds

As part of its overall cash management program, the City intends to utilize the automatic investment sweep program offered by its depository bank. This program will enable the City to eliminate idle cash balances in its checking accounts, while ensuring that adequate cash is on hand to meet daily requirements.

For this purpose, the City is authorized to invest in a no-load money market mutual fund, if the mutual fund:

- Is registered with and regulated by the Securities and Exchange Commission;
- Provides the City with a prospectus and any other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- Invests exclusively in obligations of the U.S. Treasury and/or repurchase

- agreements fully collateralized by such obligations;
  - Is continuously rated as AAA or its equivalent by at least one nationally recognized rating service;
  - Has a dollar-weighted average stated maturity of 90 days or less; and
  - Includes in its investment objectives the maintenance of a stable net asset value of \$1 per share.
2. State Wide Investment Pools

Statewide investment pools are separate legal entities established to invest the funds of 2 or more other government entities. The investment pool typically has its own management and investment staff and provides a highly liquid investment option.

In order to be eligible to provide services to the City, investment pools must meet all the requirements of state law as determined under Chapter 2256 of the Government Code, as amended and the following requirements:

- Provide the City with an offering circular and other information required by the Public Funds Investment Act;
- Provide investment transaction confirmations;
- Provide monthly detailed transaction and performance reports as specified by state statute;
- Establish an advisory board composed of qualified members representing participants and non-participants;
- Be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

In addition to the preceding requirements, investment pools created to function, as money market mutual funds must mark-to-market daily and must maintain a market value ratio (market value divided by book value) between .995 and 1.005.

Investment in a particular pool will be made only after a thorough investigation of the pool and approval by the City Council. The City Administrator shall conduct an annual review of the pools and recommend qualified pools to the City Council, which will then select and adopt a list of approved pools.

With the exception of mortgage-backed securities or any other derivative, pools are permitted to invest in a broader range of investment instruments than those authorized under this policy, provided those instruments are authorized under the Public Funds Investment Act.

## X. Investment Parameters

#### A. Investment Management Style

Investment maturities are timed to correspond with anticipated cash requirements and should be purchased at or near par. The City employs a passive management style in which investments are expected to be held to maturity. This does not preclude the use of active portfolio management techniques.

#### B. Diversification

At the time of purchase, investments will be selected to ensure that the City's portfolio is diversified by security type and institution as follows:

- United States Treasuries;
- No-load money market mutual funds;
- Certificates of deposit within maximum limitation of FDIC and/or collateralization limits.
- Savings bank deposits within maximum limitation of FDIC and/or collateralization limits.
- Authorized investment pools.

#### C. Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements.

Maximum allowable stated maturities are limited by investment type as follows:

- 3 years for United States treasuries securities;
- 90 days for certificates of deposit; and
- 90 days for no-load money market mutual funds.

### XI. Performance Standards

During an environment of stable interest rates, the portfolio should obtain a market average rate of return. Since the City follows a passive investment strategy, the basis used by the City Accountant to determine whether market yields are being achieved shall be the average 90-day Treasury for the month, as quoted in The Wall Street Journal or comparable nationally recognized business publication.

### XII. Reporting

The City Administrator or his designee shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter. The report shall be signed by all designated investment officers and include the statement that the report is in full compliance with the investment strategies as established by

the City of Wimberley Investment Policy and Public Funds Investment Act (Government Code Chapter 2256)

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Council. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio which each type of investment represents.
- Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.

A formal annual review of the quarterly reports will be performed by an independent auditor with the results reported to the governing body.

## APPENDIX A: GLOSSARY

**ACTIVE PORTFOLIO MANAGEMENT:** An approach to investment management in which the investment officer actively trades the portfolio to take advantage of changing market conditions. This style requires the investment officer to develop a comprehensive economic outlook and to take action based upon that outlook. Requires relatively technical knowledge of the investment field.

**BENCHMARKS:** A measure used to evaluate the effectiveness of the investment program. Suitable benchmarks are readily available and share the characteristics of the portfolio with respect to legal constraints and investment policy compliance. Benchmarks may be published figures or indexes in publications such as the Wall Street Journal or they may be specially created for entity.

**BOOK ENTRY SECURITIES:** Securities that are purchased, sold and held with only electronic computer entries rather than the transfer of physical certificates. Buyers typically receive receipts or confirmations as evidence of ownership.

**BROKER:** A party who brings buyers and sellers together. Brokers do not take ownership of the property being traded. They are compensated by commissions.

**COLLATERAL:** Securities that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

**DEALER:** A firm or an individual who buys and sells for his own account. Dealers have ownership, even if only for an instant, between a purchase from one party and a sale to another party. They are compensated by the spread between the price they pay and the price they receive.

**DERIVATIVES:** Financial instruments whose value depends on the values of underlying assets or indexes.

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold.

**PASSIVE INVESTMENT MANAGEMENT:** An approach to investment management in which the investment officer adopts a buy and hold strategy. Some investment techniques are used. Requires basic level investment knowledge.

**PRIMARY DEALERS:** A group of securities dealers who are recognized as major participants in the government securities markets and who are willing to market all government securities. Primary dealers must submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its oversight.

**RATE OF RETURN:** The yield obtain-able on a security based on its purchase price or its current market price.

**REGIONAL DEALERS:** The second tier of broker/dealers (after primary dealers) composed of brokerage firms that specialize in certain market niches, typically on a regional basis.

**SAVINGS BANK DEPOSITS:** Demand deposits held in an account at a savings and loan association.

**SECONDARY MARKET:** A market made for the purchase and sale of outstanding debt issues following the initial distribution.

**TREASURY BILLS:** Short term obligations issued by the United States Treasury. Bills are issued for maturities of one year or less. They do not pay interest but are issued on a discount basis instead.

**TREASURY NOTES:** Medium term obligations issued by the United States Treasury. Notes are issued for initial maturities over 1 to 10 years.

**YIELD:** The annual return on an investment expressed as a percentage.

**APPENDIX B: ILLUSTRATIVE BROKER/DEALER  
CERTIFICATION FORM**

**Broker Dealer Certification Form**

(As required by Texas Government Code 2256.005(k))

The City of Wimberley (City) acknowledges that the only means the firm has to preclude unauthorized investment transactions between the firm and the City is to confirm that all provisions of the City's investment policy are followed in investment transactions conducted between the firm and the City, and, the second paragraph below should be read accordingly.

I, \_\_\_\_\_, as a qualified representative for the firm \_\_\_\_\_ do hereby certify that I and the broker covering this account, \_\_\_\_\_, have received and thoroughly reviewed the investment policy of the City of Wimberley.

I acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude investment transactions not authorized by the City's investment policy.

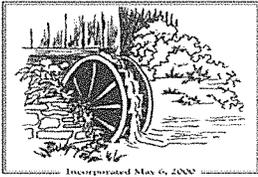
\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION REGARDING PROPOSED REVISIONS TO THE EXISTING COMMERCIAL LEASE AGREEMENT FOR OFF-SITE STORAGE SPACE CURRENTLY LEASED BY THE CITY OF WIMBERLEY

**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 action regarding the proposed renewal of the City of Wimberley's existing lease agreement for an off-site storage unit.

For more than ten (10) years, the City has leased a storage unit from Mr. Todd Routh. The storage space is located behind the Plaza Del Sol Center at 12111 Ranch Road 12. The space is used to store surplus City property and public works materials such as barricades. The monthly cost for the storage is \$525.

The City recently received a revised lease agreement for signature from Mr. Routh. The revised agreement changes the expiration date of the lease from September 1, 2016 to August 31, 2017. The monthly payment is \$550 in the revised agreement.

City staff recommends approval of the revisions to the City's lease agreement for off-site storage space.



TEXAS ASSOCIATION OF REALTORS®
COMMERCIAL LEASE AMENDMENT

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AMENDMENT TO THE COMMERCIAL LEASE BETWEEN THE UNDERSIGNED PARTIES CONCERNING
THE LEASED PREMISES AT 12111 RR 12, suite B-204, Wimberly, TX 78676

Effective on September 1, 2016, Landlord and Tenant amend the above-referenced lease as follows:

A. Leased Premises: The suite or unit number identified in Paragraph 2A(1) is:

(1) changed to

(2) contains approximately square feet.

B. Term:

(1) The length of the term stated in Paragraph 3A is changed to months and days.

(2) The Commencement Date stated in Paragraph 3A is changed to

(3) The Expiration Date stated in Paragraph 3A is changed to August 31, 2017

C. Rent: The amount of the base monthly rent specified in Paragraph 4A is changed to:

\$ 550.00 from September 1, 2016 to August 31, 2017 ;
\$ from to ;
\$ from to ;
\$ from to ;
\$ from to ;

D. Security Deposit: The amount of the security deposit in Paragraph 5 is changed to \$

E. Maintenance and Repairs: The following item(s) specified in the identified subparagraph of Paragraph 15C will be maintained by the party designated below:

Table with 3 columns: Para. No., Description, Responsible Party. Responsible Party options: N/A, Landlord, Tenant.

F. Parking:

(1) Common Parking: The number of vehicles identified in Paragraph A(1) of the Commercial Lease Parking Addendum is changed to vehicles.

(2) Restricted Common Parking for Tenants: The number of vehicles identified in Paragraph A(2) of the Commercial Lease Parking Addendum is changed to vehicles.

(3) Assigned Parking: Tenant's assigned parking areas identified in Paragraph A(3) of the Commercial Lease Parking Addendum is changed to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

(4) Parking Rental: The amount of rent identified in Paragraph B of the Commercial Lease Parking Addendum is changed to \$ \_\_\_\_\_.

G. Other: Paragraph(s) \_\_\_\_\_ are changed to read (*cite specific paragraphs and copy the applicable paragraphs verbatim, making any necessary changes*):  
All other terms and conditions shall remain as stated in the Original Lease Agreement dated November 1, 2008.

Landlord: Routh-II Investment Group, L.P.

Tenant: Village of Wimberley

By: Todd Routh

By: Don Ferguson

By (signature): \_\_\_\_\_

By (signature): \_\_\_\_\_

Printed Name: Todd Routh

Printed Name: Don Ferguson

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By (signature): \_\_\_\_\_

By (signature): \_\_\_\_\_

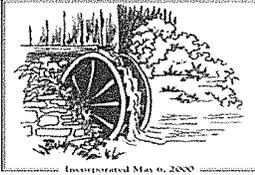
Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER ACTION ON A REQUEST FROM WIMBERLEY VOLUNTEER FIRE DEPARTMENT FOR THE CITY TO WAIVE A PORTION OF THE CITY BUILDING PERMIT FEES ASSOCIATED WITH THE PLANNED CONSTRUCTION OF A CANOPY

**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 action on a request from the Wimberley Volunteer Fire Department (“WVFD”) for the City to waive a portion of the City building permit fees associated with the planned construction of a canopy at the WVFD Fire Station on Green Acres Road.

The WVFD is finalizing plans to construct a canopy structure to house a surplus military vehicle recently acquired for fire fighting purposes. The WVFD has requested the City consider waiving the City’s portion of the building fees for the planned construction project. The exact amount of the City building permit fees requested to be waived is \$153.75.

It is important to note the WVFD would be responsible for the plan review and inspection fees from A-T-S – the City’s contract building inspection firm.

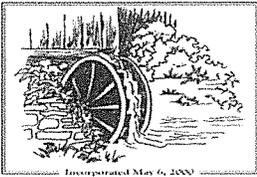
Generally, the Texas Constitution prohibits the waiving of a building permit fee for an individual or organization. Cities are prohibited from lending their credit or granting public money or anything of value in aid of an individual, association, or corporation.

State law does, however, allow cities to waive building permit fees for economic development purposes, construction in neighborhood empowerment zones or in cases where a city council makes the determination that waiving the fee serves a valid municipal purpose.

In the past, the City Council has waived the City’s portion of the building permit fees on at least two (2) previous WVFD building projects.

Should the City Council desire to grant the WVFD’s fee waiver request, the motion considered by the Council should state that waiving the fees serves a valid municipal purpose.

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

Project/Proposal Title: CONSIDER ACTION  
REGARDING PLANS FOR THE UPCOMING 2016  
BREWSTER'S MUSIC FEST ON SEPTEMBER 17, 2016

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 action regarding plans for the upcoming 2016 Brewster's Music Fest.

On Saturday, September 17, 2016, Brewster's at the Junction will host an outdoor music event from 3 p.m. to 9:15 p.m. The event will feature music from *Jensen Collie and Band*, *Jazz, Blues and Diamonds* and *Texas Renegade*. Capping off the event will be a small fireworks display.

In addition to the music and fireworks, there will be Sheriff's Department canine demonstrations, bouncy houses, vendors and food.

The event is a fundraiser for Wimberley E-M-S.

Outdoor concerts are prohibited by City Code unless approved in advance by City Council. City staff recommends approval of the proposed music festival.

**Subject:** Brewster's Music Fest

**Date:** Wednesday, August 17, 2016 11:31:28 AM Central Daylight Time

**From:** Bruce Collie

**To:** Don Ferguson

Brewster's Music Fest  
Benefitting Wimberley EMS

Saturday, Sept. 17th, 2016 from 3:00-9:15.

3:00-4:00 Canine Demonstration from Hays County Sheriffs' Dept./ Team Collie performances

4:00-5:00 Jensen Collie and band

5:30-7:00 Jazz, Blues and Diamonds

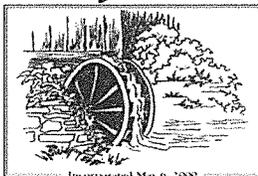
7:30-9:00 Texas Renegade

9:00 small Fireworks Display

We will have bouncy houses, Princess photo ops, vendors, and food. Restaurants on site will be open and operating.

Thank you so much! We appreciate your support in this wonderful community and family event.  
Team Collie

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

**Project/Proposal Title:** CONSIDER APPROVAL OF THE ROUTES FOR THE 2016 SPIRIT OF TEXAS BIKE RIDE EVENT ON SUNDAY, OCTOBER 2, 2016 AND AUTHORIZING THE PLACEMENT OF ROUTE IDENTIFICATION SIGNAGE WITHIN THE CITY RIGHT-OF-WAY

**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 the routes for the *2016 Spirit of Texas Bike Ride* on Sunday, October 2, 2016.

The bike ride sponsor, the Wimberley High School Band Booster Club, is proposing to utilize portions of Ranch Road 12, FM 2325, River Road, Carney Lane and Wayside Drive within the city along with several Hays and Comal County roads. The Ride will offer 15, 35, 50 and 65-mile courses. The courses will begin and end in the area of Wimberley High School/ Danforth Junior High School.

Approximately 300 riders are expected to take part in the event. Local law enforcement officers will provide traffic control. Advance notification signage will be placed along the four (4) courses prior to the day of the ride to alert motorists about the upcoming event.

City staff has reviewed the proposed route and recommends approval.

## Spirit of Texas Ride 2016

The **Spirit of Texas Ride** page, provides you with the official registration information, ride distances etc. and if you scroll down a bit, videos, interviews and ride reports for this even you don't see a ride report and you participated in the event in the past, feel free to type something up and we'll add it here!



**Date:** October 2, 2016

**Event:** *Spirit of Texas Ride 2016*

**Route Distances:** 15, 35, 50 and 65 miles

### About the Ride:

Join us for a memorable 15, 35, 50 or 65 mile spin on some of the finest cycling roads anywhere. Based in scenic Wimberley, Texas, and just a short drive from Austin and San Antonio this ride has earned a reputation for fun, outstanding scenery, excellent organization and friendly staff!

This event raises much-needed funds for the Wimberley High School band program, which has experienced crippling budget cuts at the State level. Your participation helps keep the music alive for the next generation.

If you cannot join us in the saddle for the ride, please consider a tax deductible contribution to the WHS Band Booster organization.

### World Class Course

"World Class" – words not lightly chosen. It seems we are not alone in this opinion:

- For years, Lance Armstrong's LIVESTRONG Austin Challenge used these very roads for its event.
- Team Garmin-Sharp (a US professional cycling team which figures prominently each year in the European racing circuit, including the Tour de France) based its development team for 2012 and 2013 at the Williams Racing Academy in Wimberley, TX. See the following article: <http://cyclingillustrated.com/?s=garmin-sharp+development>.

Our priority is that YOU have a WONDERFUL CYCLING EXPERIENCE !! Consequently, the course has been carefully selected by a group of local cyclists for the beauty of the routes, the quality of the roads, and the minimal traffic.

The ride course is set in the heart of the exquisite Central Texas Hill Country so the routes are hilly in general – this ride's predecessor ride was aptly named the "Wimberley Hillclimb". Please choose your distance accordingly. While the 15-mile route is plenty picturesque, the three longer routes "up the ante" in terms of rolling hills and offer spectacular vistas along with a couple of especially challenging climbs (one of which was "affectionately" referred to as "The Hill of Death" by a 2012 participant!).

We are honored to have the opportunity to present such an outstanding cycling event. We look forward to seeing YOU in the saddle for this year's Spirit of Texas Ride!

And, on behalf the entire Wimberley High School Spirit of Texas Band organization, thanks for your support!!

**Location:** Danforth Middle School located at 200 Texan Blvd, Wimberley, TX

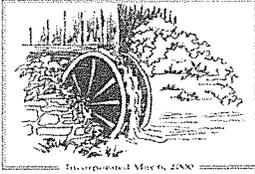
**Event website:** <http://www.spiritoftexasride.org/index.html>

**Registration:** Online registration

**Contact info:** [info@spiritoftexasride.org](mailto:info@spiritoftexasride.org)

*Find more information about other rides on our mainpage*

# City Council Agenda Form



Date Submitted: August 25, 2016

Agenda Date Requested: September 1, 2016

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.