

City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422

Steve Thurber, Mayor - Matt Meeks, Mayor Pro-Tem
Council Members - Tom Talcott, Cindy Anderson, Pam Showalter, John White
Don Ferguson, City Administrator

September 22, 2014

Jo Dawn Bomar, Director
Program Administration and Reporting
Water Supply and Infrastructure
Texas Water Development Board
P.O. Box 13231, 1700 N. Congress Ave.
Austin, Texas 78711-3231

RE: City of Wimberley State Fiscal Year 2015 Clean Water State Revolving Fund
Program Application

Dear Ms. Bomar:

Enclosed you will find one (1) original, one (1) paper copy and one (1) electronic copy of the State Fiscal Year 2015 Clean Water State Revolving Fund Program Application submitted by the City of Wimberley for funding the planning and design of a wastewater collection and treatment system for central Wimberley.

We appreciate your consideration of this application and encourage favorable review. If you have any questions, please feel free to contact me at 512.847.0025 or dferguson@cityofwimberley.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Ferguson", with a long, sweeping flourish extending to the right.

Don Ferguson
City Administrator

**City of Wimberley State Fiscal Year 2015
Clean Water State Revolving Fund Program Application**

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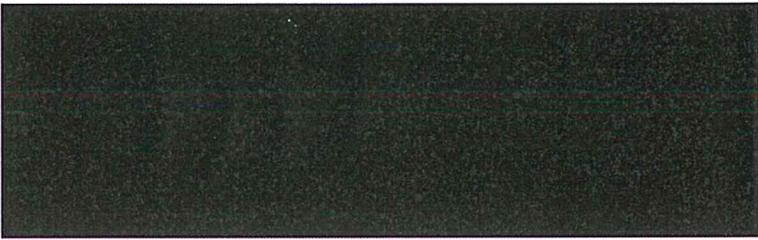
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APPLICATION FOR FINANCIAL ASSISTANCE

FOR WATER AND WASTEWATER INFRASTRUCTURE CONSTRUCTION

NOTICE TO ALL APPLICANTS

This application is comprehensive, covering all loan and grant assistance applications for water and wastewater infrastructure financing through the various TWDB programs. The format of the application is intended to expedite the review process for both the applicant and TWDB staff. This application is intended for political subdivisions, including Water Supply Corporations.

Each applicant must submit **TWO** double-sided copies of which **ONE** is marked **ORIGINAL**. Also **ONE** indexed, electronic copy, via electronic storage media such as CD or flash drive using MS Word, Excel or Adobe Acrobat. The application must be submitted to:

Texas Water Development Board
Water Supply & Infrastructure
P O Box 13231
1700 N. Congress Avenue, 5th Floor
Austin, Texas 78711-3231
(78701 for courier deliveries)

Only **COMPLETE APPLICATIONS** for projects will be considered for funding. A **COMPLETE APPLICATION** consists of all of the applicable information and forms requested in this document.

IMPORTANT NOTICE

Applicants **MUST** use this form for application to ensure all requested information is included for review.

When preparing this application please review the Application and all Guidance and Forms, listed at the end.

TWDB Use Only

Name of Applicant: _____

Date application received: _____

Date administratively complete: _____

Please label each attachment with the number of the pertinent application section (i.e. "A5")

Part A. General Information

- A1 Legal name of applicant along with physical and mailing addresses.
City of Wimberley
P.O. Box 2027 / 221 Stillwater
Wimberley, Texas 78676
- A2 Brief description of project. Currently, the City of Wimberley (the "City") owns and operates a 15,000 gallon per day (the "GPD") wastewater treatment plant located on the site of the City-owned Blue Hole Regional Park in Wimberley. This plant provides wastewater service for two (2) customers – Deer Creek of Wimberley Nursing Home and Rehabilitation Center and the Regional Park. The treatment plant is an extended aeration activated sludge package plant which has an interim operating permit of 15,000 GPD and a final permit of 50,000 GPD. It produces effluent that is disposed of on the Park site via subsurface irrigation. The City is proposing to relocate, upgrade and expand the treatment plant at the Park to provide wastewater service to approximately 170 properties in the adjacent central Wimberley area. Plans call for initially increasing the plant capacity to 75,000 GPD, and ultimately to 100,000 GPD, to meet projected service demands. The plant will utilize a tertiary treatment process that will produce a higher quality effluent (Type I) than is currently being produced (Type II). While the City would have the ability to discharge treated effluent into a local stream, the City intends to minimize the need for discharges by beneficially reusing the treated effluent at the Park and potentially in other parts of the service area. In addition to the above-mentioned plant expansion, plans call for the construction of a collection system in the service area, along with the infrastructure needed to deliver treated effluent to the Park and service area for reuse. The design phase of the wastewater project is about to begin. The City has applied for the major amendment to the City's existing wastewater permit required for the wastewater project. The preliminary cost estimate for the project is \$5.5 million. To fund the project, the City intends to issue System Revenue Bonds, with a pledge of utility revenues from users of the wastewater system along with revenues from the sale of effluent for beneficial reuse.
- A3 List service area county(ies). Hays County
- A4 Population of Applicant's total service area. 90
- A5 Name, title, address, phone, and email address(es) of official representative(s).
Don Ferguson
City Administrator
P.O. Box 2027 / 221 Stillwater
Wimberley, Texas 78676
512.847.0025 (Office)
512.847.0422 (Fax)
dferguson@cityofwimberley.com
- A6 Names and titles of principal officers.
Steve Thurber
Mayor
City of Wimberley
- A7 Name, address, phone, e-mail address and contact person for:
a) Project Engineer
Steve Coonan, PE

Please label each attachment with the number of the pertinent application section (i.e. "A5")

Alan Plummer Associates, Inc.
6300 La Calma, Suite 400
Austin, Texas 78752
512.452.5905 (Office)
512.452.2325 (Fax)
scoonan@apienv.com

b) Bond Counsel

Tom Pollan
Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expressway, Building #1, Suite 300
Austin, Texas 78746
512.472.8021 (Office)
512.320.5638 (Fax)
tpollan@bickerstaff.com

c) Financial Advisor

Garry Kimball & Jennifer Douglas
Specialized Public Finance Inc.
248 Addie Roy Road, Suite B-103
Austin, Texas 78746
512.275.7300 (Office)
512.275.7305 (Fax)
garry@spubfin
jennifer@spubfin

d) Certified Public Accountant (or other appropriate rep)

N/A

e) Legal Counsel (if other than Bond Counsel)

Emily Rogers
Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expressway, Building #1, Suite 300
Austin, Texas 78746
512.472.8021 (Office)
512.320.5628 (Fax)
erogers@bickerstaff.com

f) Any other consultant representing the Applicant before the Board

N/A

g) Applicant's **primary contact person** for day-to-day project implementation.

Don Ferguson
City Administrator
City of Wimberley

A8 Current funding request is for which phases? Check all that apply.
 Planning Acquisition Design X Construction

Please label each attachment with the number of the pertinent application section (i.e. "A5")

A9 Requesting funding from which programs? Check all that apply.

PROGRAM	AMOUNT REQUESTED
a) Drinking Water State Revolving Fund (DWSRF) <input type="checkbox"/>	\$ _____
b) Clean Water State Revolving Fund (CWSRF) <input type="checkbox"/>	\$ 5,500,000
c) Texas Water Development Fund (DFund) <input type="checkbox"/>	\$ _____
d) State Participation <input type="checkbox"/>	\$ _____
e) Rural Water Assistance Fund (RWAFF) <input type="checkbox"/>	\$ _____
f) Water Infrastructure Fund (WIF) <input type="checkbox"/>	\$ _____
g) Economically Distressed Areas Program (EDAP) <input type="checkbox"/>	\$ _____
h) If other please explain: _____	\$ _____

A10 Is Applicant requesting funding to refinance existing debt?
 Yes No \$ _____

If yes, provide a copy of the document securing the debt to be refinanced.
 Item attached Yes No

A11 If additional funds are necessary to complete the project, or you have applied or received a commitment from any other funding agency for this project or any aspect of this project, please provide a listing of those sources.

Funding Source	Type of Funds(Loan/Grant)	Amount (\$)	Date Applied for Funding	Funding Secured Date
CWSRF	Loan	\$650,000	10/29/12	4/18/13
CWSRF	Loan	\$5,500,000	9/22/14	N/A
Total Funding from All Sources		\$6,150,000		

Comments: A \$650,000 loan was previously secured from the Texas Water Development Board (the "Board") to fund the planning and design phase of the proposed wastewater project. The planning phase is complete and design work is about to begin. The City is seeking a second loan, in the amount of \$5,500,000 from the Board to fund actual construction of the subject wastewater system.

Please label each attachment with the number of the pertinent application section (i.e. "A5")

Please label each attachment with the number of the pertinent application section (i.e. "A5")

Only applicants applying for funding from the CWSRF and DWSRF Programs must complete A12 through A15 of this section.

Pursuant to Federal Funding Accountability and Transparency Act (FFATA) the applicant is required to:

1. Obtain a DUNS number that will represent a universal identifier for all federal funding assistance. DUNS numbers can be obtained from Dun and Bradstreet at <http://fedgov.dnb.com/webform/>;
2. Register with System for Award Management (SAM) and maintain current registration at all times during which the Board loan agreement is active or under consideration by the Board. Register at: <https://sam.gov>.

A12 Applicant's Data Universal Number System (DUNS) Number:

DUNS 004496922

A13 The applicant has registered and will maintain current SAM registration at all times during which a federal subaward is active or under consideration by the Board.

Yes No

A14 Federal Awards information:

1. Did applicant receive over 80% of their revenue from Federal Awards last year?
Yes No
2. Did applicant receive over \$25 million in Federal Awards last year?
Yes No
3. Public does not have access to executive compensation information via SEC or IRS reports?
Yes No

A15 If applicant checked YES to ALL three boxes in A14 above, applicant is required to disclose the name and compensation of the five most highly compensated officers.

Officer's Name	Officer's Compensation (\$)
N/A	N/A

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

Part B. Financial Information

B1 List top ten customers of the water and wastewater system by annual revenue and with corresponding usage and percentage of total use, including whether any are in bankruptcy.

Water

Customer Name	Annual Billings (\$)	Annual Usage (gal)	Percent of Total Water Revenue	Bankruptcy (Y/N)
N/A	N/A	N/A	N/A	N/A

Comments: Public water service in Wimberley is not provided by the City of Wimberley but rather by the Wimberley Water Supply Corporation (the "WWSC"), a non-profit water supply corporation.

Wastewater

Customer Name	Annual Billings (\$)	Annual Usage (gal)	Percent of Total Wastewater Revenue	Bankruptcy (Y/N)
Deer Creek of Wimberley	\$230,588.16	6,622,431	97%	N
Blue Hole Regional Park – City of Wimberley	\$7,416	170,340	3%	N

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

Comments: The City of Wimberley acquired and assumed operation of its wastewater treatment plant in January 2012. The volumetric wastewater rates have not been adjusted since acquisition of the plant.

B2 **Attach** a five-year comparative system operating statement (not condensed) including audited prior years and an unaudited year-to-date statement, with number of customers for each year. Unaudited year-to-date statement must reflect the financial status for a period not exceeding the latest 6 months.

Item attached Yes No

B3 Current average Residential Usage and Rate Information

Service	No. of Connections	Avg. Monthly Usage (gallons)	Avg. Monthly Bill (\$)	Projected Monthly Increase Necessary (\$)
Water	N/A			
Wastewater	N/A			

B4 Provide the date of the last water and wastewater rate increase and the average amount of increase per customer.

Service	Date of Increase	Avg. Monthly Increase (\$)
Water	N/A	
Wastewater	N/A	

B5 Describe procedures for collecting monthly customer bills (include procedures for collection of delinquent accounts)
Wastewater customers are billed by the City of Wimberley on a monthly basis. In addition to a base service fee, each customer pays a volumetric fee based on a customer's average water usage. All charges billed are due and payable on or before sixteen (16) days after the date of billing. A penalty in the amount of five percent (5%) of the existing unpaid balance is accessed on each delinquent account on the thirtieth (30) day after the date of billing. Failure to pay all charges when due shall authorize the City, at its discretion, to discontinue and/or disconnect all sewer service with such notice as may be provided by law. If the City discontinues sewer service for any reason, there will be a reconnection charge.

B6 **Attach ONE** copy of an annual audit of financial statements, including the management letter, for the preceding fiscal year, prepared by a certified public accountant or firm of accountants and, if the last annual audit was more than 6 months ago, then, provide interim financial information.

Item attached Yes No

B7 If financial assistance is in the form of a loan, all bonds are book-entry only. The applicant acknowledges that they are aware of, and will abide by, the Depository Trust Company participant requirements.

Yes No

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

B8 Disclose all issues that may affect the project or the applicant's ability to issue and/or repay debt. The City of Wimberley issued \$650,000 in Tax Notes in 2013 to secure a loan from the Texas Water Development Board for the planning and design loan of the proposed wastewater system. As part of the debt issuance, the City pledged ad valorem tax revenues to repay the debt, if existing funds were not available. To date, the City has not had to levy and collect ad valorem taxes, as existing funds have been available to make the required debt payments. As structured, the referenced Tax Notes would not limit, reduce or attach to the expected revenue pledge required for the loan being sought in this application to construct the subject wastewater system. No other known issues exist which would limit the City's ability to issue debt for construction of the wastewater system. Funding for repayment of the construction loan will come from connection fees and system revenues collected by the City from users of the wastewater system, along with revenue from the sale of treated effluent for beneficial reuse.

B9 Has the applicant ever defaulted on any debt? Yes No

If yes, disclose all circumstances surrounding prior default(s). N/A

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

B10 **Attach** a listing of total outstanding debt. Segregate by type (General Obligation or Revenue) and present a consolidated schedule for each, showing total annual requirements. Note any authorized but unissued debt.

Item attached Yes No

B11 **Attach** the direct and overlapping tax rate table (regardless of pledge);

Item attached Yes No

B12 Provide the last five-years of data showing total taxable assessed valuation including net ad valorem taxes levied and corresponding tax rate (detailing debt service and general purposes), and tax collection rate. **If applicant does not have taxing authority, provide the assessed values of the county.**

Fiscal Year Ending	Net Taxable Assessed Value (\$)	Tax Rate	General Fund	Interest & Sinking Fund	Tax Levy \$	Percentage Current Collections	Percentage Total Collections
2011	\$429,515,195	N/A	N/A	N/A	N/A	N/A	N/A
2012	\$435,216,811						
2013	\$439,002,587						
2014	\$452,664,298						
2015	\$468,437,184						

Comments: The net taxable assessed values listed above represent the value of all property within the City. The requested tax rate information is not available as the City does not currently levy an ad valorem tax.

B13 **Attach** the last five-years of tax assessed values delineated by Classification (Residential, Commercial and Industrial). **If applicant does not have taxing authority, provide the assessed values of the county.**

Items attached Yes No

B14 If the Applicant collects sales tax, provide the sales tax collection history for the past five years (regardless of pledge).

Fiscal Year Ending	Total Collections
2010	\$561,113
2011	\$594,429
2012	\$628,460
2013	\$650,914
2014 YTD	\$628,637

Comments: The sales tax collection data reported above reflects collections for the entire City of Wimberley. FY 2014 is through 8/31/2014.

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

B15 Pro forma:

- a) If system revenues are anticipated to be used to repay the proposed debt, provide a pro forma indicating, for each year debt is outstanding:
 - 1. projected gross revenues;
 - 2. operating and maintenance expenditures;
 - 3. outstanding and proposed debt service requirements; and
 - 4. net revenues available for debt service and coverage of current and proposed debt paid from revenues.

- b) If taxes are anticipated to be used to repay the proposed debt, provide a pro forma indicating, for each year debt is outstanding:
 - 1. the tax rate necessary to repay current and proposed debt paid from taxes; and
 - 2. list the assumed collection rate and tax base used to prepare the schedule.

- c) If a combination of system revenues and taxes are anticipated to be used to repay the proposed debt, provide a pro forma indicating, for each year debt is outstanding:
 - 1. projected gross revenues, operating and maintenance expenditures, net revenues available for debt service;
 - 2. the tax rate necessary to pay the current and proposed debt; and
 - 3. list the assumed collection rate and tax base used to prepare the schedule

Item(s) attached Yes No

B16 If you have taxing authority, provide the current top ten taxpayers showing percentage of ownership to total assessed valuation. State if any are in bankruptcy and explain anticipated prospective impacts in comments below. If any of these have changed in the past three years, please provide information on the changes to the top ten.

Taxpayer Name	Assessed Value	Percent of Total	Bankruptcy (Y/N)
N/A	N/A	N/A	N/A

Comments: The City of Wimberley does not currently levy and collect ad valorem taxes.

Please label each attachment with the number of the pertinent application section (i.e. "Part B5")

B17 Provide the maximum tax rate permitted by law per \$100 of property value \$1.50

B18 Provide any current bond ratings with date received.

	Standard & Poor's	Moody's	Fitch
G.O.	NR	NR	NR
Revenue			

B19 Provide the following Community Information from the most current Census. This information may be found at: <http://factfinder2.census.gov/>

- a) Median Household income (MHI) \$48,971
- b) Unemployment rate 3.5%
- c) Percentage of area below poverty level 24.1%
- d) Median age of work force 55.7
- e) Population 2,626
- f) List 10 largest employers

Name	Number of Employees
Educational Services, Healthcare and Social Assistance	340
Professional, Scientific, Management, Administrative and Waste Management Services	156
Retail/Trade	137
Finance, Insurance, Real Estate, Rental and Leasing	107
Manufacturing	71
Public Administration	68
Construction	64
Transportation, Warehousing and Utilities	32
Arts, Entertainment, Recreation, Accommodation and Food Services	21
Other Services, except Public Administration	16

Comments (example, any anticipated changes to the tax base, employers etc.) N/A

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

Part C. Legal

- C1 Citation to the specific legal authority in the Texas Constitution or statutes pursuant to which the applicant is authorized to provide the service for which the applicant is requesting financial assistance. The City is a General Law City (Section 5.001, Texas Local Government Code) which has a Certificate of Convenience and Necessity and owns and operates a wastewater system. Section 552.001, Texas Local Government Code)
- C2 Citation to legal authority under which debt is proposed to be issued including authority to make proposed pledge of revenues. Chapter 1501, Texas Government Code
- C3 Full legal name of the security for the proposed debt issue(s). Provide a full explanation of pledge being offered and existing rate covenants as well as relevant additional bonds requirements, reserve fund requirements or other requirements needed to ensure parity with other outstanding creditors.
City of Wimberley, Texas Sewer System Revenue Bonds, Series 2014 (Central Wimberley Wastewater Project. No existing rate covenants exist, as there are no outstanding sewer system revenue obligations. The pledge will be utility net revenues from users of the wastewater system, along with revenues from the sale of effluent for beneficial reuse
- C4 For proposed revenue bonds, **attach** copies of the most recent resolution/ordinance(s) authorizing any outstanding parity debt. This is essential to insure outstanding bond covenants are consistent with covenants that might be required for TWDB financing.
Item(s) attached Yes No NA X
- C5 **Attach** the resolution from the governing body requesting Financial Assistance.
TWDB-0201A (<http://www.twdb.texas.gov/financial/instructions/index.aspindex.asp>)
Item attached Yes X No
- C6 **Attach** the Application Affidavit
TWDB-0201 (<http://www.twdb.texas.gov/financial/instructions/index.aspindex.asp>)
Item attached Yes X No
- C7 **Attach** the Certificate of Secretary
TWDB-201B (<http://www.twdb.texas.gov/financial/instructions/index.aspindex.asp>)
Item attached Yes X No

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

C8 List and attach copies of all draft and/or executed contracts for consultant services included in the total project costs and if applicable whether those contracts were awarded according to Disadvantaged Business Enterprises (DBE) rules.

For further explanation see Part H – Disadvantaged Business Enterprise Requirements

Consultant	Service Provided	Contract Attached (Y/N)	Awarded Using DBE rules (Y/N)	Contract Execution Date
Alan Plummer Associates Inc.	Project Engineering	Y	Y	September 9, 2013
Specialize Public Finance Inc.	Financial Advisor	Y	N	September 27, 2012
Bickerstaff Heath Delgado Acosta LLP	Bond Counsel	Y	N	October 12, 2012

C9 If the applicant is a Water Supply Corporation (WSC), attach copies of the following:

- a) Articles of Incorporation
- b) Certificate of Incorporation from the Texas Secretary of State evidencing that the current Articles of Incorporation are on file with the Secretary.
- c) By-laws and any amendments
- d) Certificate of Status (i.e. Certificate of Existence) from the Texas Secretary of State
- e) Certificate of Account Status from the Texas Comptroller of Public Accounts (certifies that the WSC is exempt from the franchise tax and that the WSC is in good standing)

Item a) attached Yes No X
 Item b) attached Yes No X
 Item c) attached Yes No X
 Item d) attached Yes No X
 Item e) attached Yes No X

C10 If this project will result in: (a) an increase by the applicant in the use of groundwater, (b) drilling a new water well, or (c) an increase by the applicant in use of surface water, then the applicant must demonstrate that it has acquired – by contract, ownership or lease – the necessary property rights, groundwater permits, and/or surface water rights sufficient for the project before funds can be released for construction.

- a) Does the applicant currently own all the property rights, groundwater permits and surface water rights needed for this project?
 Yes No NA X

If yes, please attach the completed, appropriate form.

- a. WRD 208A (<http://www.twdb.texas.gov/financial/instructions/index.asp>) (Surface Water)
- b. WRD 208B (<http://www.twdb.texas.gov/financial/instructions/index.asp>) (Groundwater)

Item a) attached Yes No X

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

Item b) attached

Yes

No X

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

b) If all property rights, groundwater permits, and surface water rights, needed for this project have not yet been acquired, identify the rights and/or permits that will need to be acquired and provide the anticipated date by which the applicant expects to have acquired such rights and/or permits.

Type of Permit Water Right	Entity from which the permit or right must be acquired	Acquired by lease or full ownership	Expected acquisition date	Permit / Water Right ID No.
N/A	N/A	N/A	N/A	N/A

C11 Does the applicant possess a Certificate of Convenience and Necessity (CCN)? If yes, attach a copy of the CCN and a service area map showing the areas to which it is allowed to provide water or wastewater services.

Yes No NA

If yes, is item attached Yes No

If no, what is the status of the CCN? N/A

If the area to be served by the project, is within the service area of a municipality or other public utility, has the applicant obtained an affidavit stating that the utility does not object to the construction and operation of the services and facilities in its service area?

Yes No NA

If yes, is item attached Yes No

C12 Has the applicant obtained all necessary land and easements for the project?

Yes No

If yes, the applicant must complete and attach a site certificate.

(ED-101 - <http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No

If no, the applicant is required to describe the land or easements that will need to be acquired and provide the anticipated date by which the applicant expects to have the land or easements and if funding from TWDB is to be used for the acquisition.

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

Description of Land or Easement Permit	Entity from which the permit or right must be acquired	Acquired by lease or full ownership	Expected acquisition date	To Be Funded by TWDB (Yes/No)
Easements	Private	Full Ownership	5/1/2015	No
Lift Station Sites	Private	Full Ownership	5/1/2015	No

C13 If the applicant is applying for CWSRF or DWSRF, the applicant **must** complete form WRD 213 (<http://www.twdb.texas.gov/financial/instructions/index.asp> - Certification Regarding Lobbying)

Item attached Yes No NA

C14 Does the applicant currently contract for water or sewer services with another provider?
Yes No

Is the project intended to allow the applicant to provide or receive services to another entity?
Yes No

If yes, the applicant must provide, at minimum, the proposed agreement, contract, or other documentation establishing the service relationship, with the final and binding agreements provided prior to loan closing.

Item attached Yes No

C15 Has the applicant been the subject of any enforcement action by the Texas Commission on Environmental Quality, the Environmental Protection Agency, or any other entity within the past three years?

Yes No

If yes, **attach** a brief description of every enforcement action within the past three years and action(s) to address requirements.

Item attached Yes No

All Economically Distressed Programs (EDAP) applicants must complete C16 through C18.

In accordance with TWDB Rules (31 TAC §363), an application for EDAP will **not** be considered until the County has adopted and is enforcing the Model Subdivision Rules (MSRs) Tex. Water Code 16.343. If the proposed project is within a municipality or its extraterritorial jurisdiction (ETJ), or if the applicant is a municipality, the municipality must also have adopted and be enforcing MSRs.

C16. If financing is for a wastewater project, a copy of the resolution/ordinance establishing a mandatory hookup policy is required.

Item attached Yes No

If no, please explain: N/A

Please label each attachment with the number of the pertinent application section (i.e. "Part C5")

C17. Texas Water Code §16.356 states "A political subdivision that receives financial assistance from the economically distressed areas program under Subchapter K, Chapter 17, may not use any revenue received from fees collected from a water supply or sewer service constructed in whole or in part from funds from the economically distressed areas program account for purposes other than utility purposes. The applicant acknowledges that they are aware of and will abide by the statute.

Yes No

C18. Unless the applicant is a water supply corporation, the applicant must attach a copy of the Texas Commission on Environmental Quality order granting the applicant a designation as an authorized agent for regulation of on-site septic sewage disposal systems or provide documentation that the applicant is seeking such authority under Tex. Health & Safety Code ch. 366, subch. C.

Item attached Yes No N/A

Please label each attachment with the number of the pertinent application section (i.e. "Part D5")

Part D. Engineering Information

Applications for Planning, Acquisition, and Design funding (PAD) or Pre-Design Funding (PDF) require the submittal of a preliminary engineering feasibility data. During the Planning phase, a complete Engineering Feasibility Report (EFR) that complies with TWDB-0555 or TWDB-0556 will be required.

- D1 A complete preliminary engineering feasibility data must include:
- a) A description and purpose of the project, including existing facilities.
 - Note: CWSRF and DWSRF must address issues scored in Intended Use Plan submittal
 - b) A map of the service area and drawings as necessary to locate and describe the project.
 - c) A project schedule including proposed timing of funding needs for phases of the project. Schedule should include:
 - Estimated loan closing date
 - Estimated date to complete planning (environmental & engineering)
 - Estimated number of proposed Construction Contracts.
 - Estimated Construction start date for first contract.
 - Estimated Construction end date for last contract.
 - DWSRF applicants must complete a Projected Draw Schedule (TWDB-1202 – <http://www.twdb.texas.gov/financial/instructions/index.asp>)
 - d) A copy of current and future populations and projected water use or wastewater flows.
 - Include entities to be served
 - e) A description of alternatives the applicant has considered (or to be considered during detailed planning) and reasons for the selection of the project proposed.
 - f) **If project is not PAD or PDF, attach an Engineering Feasibility Report that complies with the requirements of:**
 - **Water:** TWDB-0555
(<http://www.twdb.texas.gov/financial/instructions/index.asp>)
Item attached Yes No NA
 - **Wastewater:** TWDB-0556
(<http://www.twdb.texas.gov/financial/instructions/index.asp>)
Item attached Yes No NA
 - **EDAP** – See D15
- D2 Provide the most current itemized project cost estimate (include all costs and funding sources). Utilize the budget format provided. If applying for pre-construction costs only (ie, P, A, D), then itemize only the relevant portions in the attached budget template

Budget format TWDB-1201

(<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No

Please label each attachment with the number of the pertinent application section (i.e. "Part D5")

D3 All Wastewater applicants must attach a completed Wastewater Project Information Form WRD-253a (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

D4 All Water applicants must attach a completed Water Project Information Form WRD-253d (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

D5 Has the applicant prepared Plans and Specifications for the proposed project?

Prepared P&S Yes No
If yes, percent complete? N/A %

Do not send copies of the P&S. TWDB staff may request copies at a later date.

D6 For wastewater projects that involve the construction of a new plant or the expansion of an existing plant and/or associated facilities, attach evidence that an application for a new Texas Pollution Discharge Elimination System Permit or amendment to an existing permit related to the proposed project has been filed with the Texas Commission on Environmental Quality (TCEQ). Final permit authorization must be obtained from the TCEQ before funds can be released for construction activities.

Item attached Yes No NA

Comments: An application to amend the City's existing wastewater land application permit to a wastewater discharge permit was filed with TCEQ in May 2014. The application has been determined to be administratively complete. The City is awaiting a draft permit.

D7 If applying for CWSRF Equivalency or DWSRF, **attach** the Preaward Compliance Review Report. EPA-4700-4 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

D8 If applying for CWSRF Equivalency or DWSRF, **attach** the Certification Regarding Debarment, Suspension and Other Responsibility. SRF-404 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

D9 If applying for CWSRF Equivalency or DWSRF, **attach** the Assurances - Construction Programs. EPA-424D (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

D10 If applying for assistance from either the Clean Water or Drinking Water State Revolving fund, the Applicant must comply with the Davis-Bacon Act regarding prevailing wage rates. The applicant acknowledges that they are aware of, and will abide by, the Davis-Bacon Act requirements.

Please label each attachment with the number of the pertinent application section (i.e. "Part D5")

Yes No

Further information on the Davis-Bacon requirement is available through the TWDB Guidance document, DB-0156 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

D11 If the application is for a CWSRF project, the applicant must be a Designated Management Agency (DMA) for wastewater collection and treatment. Please complete and attach DMA resolutions. WRD-210 (<http://www.twdb.texas.gov/financial/instructions/index.asp>) is an example of this type of resolution.

Item attached Yes No NA

D12 List any major permits not identified elsewhere (C10 or E2) that are necessary for completion of project. Also, list any more necessary minor permits that may involve particular difficulty due to the nature of the proposed project.

Permit	Issuing Entity	Permit Acquired (Y/N)
Amendment to Wastewater Permit No. WQ0013321001	TCEQ	N
Chapter 210 Authorization for Use of Reclaimed Water	TCEQ	N

Additional requirements for EDAP applicants

D13 Preliminary EDAP Eligibility (31 TAC §363)

Required documentation:

a) Documented data for the project area is required.

- Documentation of inadequacy of water and/or wastewater services. (31 TAC §363)

Item attached Yes No

- Documentation regarding the financial resources of the residential users in the EDAP area. Census data or documentation regarding median household income should be provided. (31 TAC §363)

Item attached Yes No

- Documentation demonstrating existence of a residence in the project area prior to **June 1, 2005**. This could include tax records of residence, dated aerial maps, or, other documentation demonstrating existence of a residence. (31 TAC §363)

Item attached Yes No

Please label each attachment with the number of the pertinent application section (i.e. "Part D5")

- D14 Is the applicant requesting more than 50% grant funding for any component of planning, acquisition, design or construction? Yes No

If yes, has the Department of State Health Services issued a determination stating a public health nuisance exists in the project area?

Yes No

If no determination exists, provide documentation demonstrating a public health nuisance exists in the project area.

Item attached Yes No

*(Photographs may be submitted, but they **must** be labeled with location and date when taken. If the soil types are mentioned in the project area as an issue, include soil profile maps)*

- D15 Is this project providing new service? Yes No

If yes, plats of the affected subdivisions must be attached.

Items attached Yes No

(Property Boundaries are shown on Part D3 –WRD253a)

- D16 **EDAP applicants must attach** an EDAP Facility Engineering Plan/Scope of Services report that complies with the requirements of WRD-023A.

(<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

Please label each attachment with the number of the pertinent application section (i.e. "Part E5")

Part E. Environmental Documentation

An applicant seeking commitment for a project under the Pre-design funding option must provide a discussion of any known permitting, social, or environmental issues that may affect the evaluation of project alternatives or implementation of the proposed project. Environmental review of the project may be expedited if valid environmental determinations from another state or federal agency are available or if work has already been completed by the applicant.

E1 Attach a discussion of any known permitting, social, or environmental issues that may affect the evaluation of project alternatives or implementation of the proposed project; e.g. these could include rate increases, potential impacts to known cultural resources, potential impacts to waters of the U.S. or to protected species, etc.

Item attached Yes No

E2 Any Environmental Permits, Registrations, Licenses, Authorizations necessary for the project and the status of each. E.g.:

- Endangered species act, Section 10A take permit,
- Clean Water Act Section 404-individual permit or Rivers and Harbors Section 10 permit

Permit	Issuing Entity	Permit Acquired (Y/N)
N/A	N/A	N/A

Comments: N/A

E3 Is the project potentially eligible for a Categorical Exclusion (CE) because it involves only minor rehabilitation or the functional replacement of existing equipment?

Yes No

If yes, attach documentation showing that the project may be eligible for a CE.

Item attached Yes No

For further explanation see Section J – Guidance

Please label each attachment with the number of the pertinent application section (i.e. "Part E5")

E4 If the project is not eligible for a CE, has the applicant prepared an Environmental Assessment (EA) or Environmental information Document (EID) in accordance with 31 TAC 363, 31 TAC 371 or 31 TAC 375, of the TWDB's rules and TWDB Instructions? Or has an Environmental Impact Statement (EIS) been prepared by the applicant in coordination with an authorized state or federal agency for this project?

Yes No

Do not send copies of the EA, EIS, or EID. TWDB staff may request copies at a later date.

For further explanation see Section J – Guidance

E5 Has a CE, a Finding of No Significant Impact (FONSI), a Record of Decision (ROD), or any other environmental determination been issued for this project by the TWDB or another authorized state or federal agency within the last five years?

Yes No

Comment: It is anticipated the Texas Water Development Board will affirm the EID on October 2, 2014.

If yes, **attach** a complete copy of the CE, FONSI, ROD, or other environmental determination and all supporting documents (i.e. EID or EA, with all agency consultation correspondence).

Item(s) attached Yes No

Please label each attachment with the number of the pertinent application section (i.e. "Part F5")

Part F. Planning and Water Conservation Plan

- F1 If the assistance requested is more than \$500,000 a Water Conservation Plan (WCP) is required. The WCP cannot be more than **five** years old and must have been adopted by the applicant. Has the applicant adopted a Board-approved WCP ?
Yes No NA (Request is less than \$500,000)

If yes, date of applicant's WCP Adoption: The City of Wimberley Water Conservation Ordinance was adopted on February 5, 2009 while its companion Drought contingency & Emergency Water Demand Management Plan of the Wimberley Water Supply Corporation was adopted on December 15, 2011.

If no, attach a copy of a draft Water Conservation Plan and Drought Contingency Plan prepared in accordance with TWDB Guidance.

TWDB-1968 (<http://www.twdb.texas.gov/financial/instructions/index.asp>) and Utility Profile TWDB-1965

(<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Items attached Yes No

- F2 Does the applicant provide retail water services?
Yes No

If yes, complete item F3 and F4.

- F3 Has the applicant submitted to the TWDB the annual water use survey of groundwater and surface water for the last **three** years?
Yes No

If **No**, please download survey forms and attach a copy of the completed water use surveys to the application.

(<http://www.twdb.texas.gov/waterplanning/waterusesurvey/survey/printable.asp>)

Item attached Yes No (N/A)

- F4 If the applicant is a retail public utility that provides potable water, has the applicant submitted a most recently required water loss audit to the TWDB?

Yes No

If **No**, and if applying for a water supply project, please complete the online TWDB Water Audit worksheet found at <http://www.twdb.texas.gov/conservation/municipal/waterloss/> and **attach** a copy to the application.

Item attached Yes No NA

Note:

- If the applicant will utilize the project financed by the TWDB to furnish services to another entity that in turn will furnish services to the ultimate consumer, the requirements for the WCP may be met through contractual agreements between the applicant and the other entity providing for establishment of a water conservation plan. The provision requiring a WCP shall be included in the contract at the earliest of the original execution, renewal or substantial amendment of that contract, or by other appropriate measures.

- An approvable plan must be submitted before a commitment for funding can be received, but an approved plan must be adopted by the applicant before any funds can be released.
- In order to be eligible for funding, a proposed water project has to be consistent with the Regional and State Water Plans.

Please label each attachment with the number of the pertinent application section (i.e. "Part G5")

Part G. Documentation of "Green" Projects and Project Components
CWSRF and DWSRF Applicants Only

All Drinking Water and Clean Water applicants must complete this section if green benefits are all, or a substantial part, of the project (more than an incidental benefit). Project means the entire project or a component of the project. This section is required so that the TWDB can determine whether the project qualifies as "green" as pursuant to Environmental Protection Agency (EPA) Guidance.

A project (or project component) is "green" if the primary purpose qualifies under EPA rules as one of the following:

- a. Green Infrastructure,
- b. Water Efficiency-related,
- c. Energy Efficiency-related, or
- d. Environmentally Innovative.

You must use the Green Project Reserve guidance to complete this section. Current guidance can be found at: **Green Project Reserve: Guidance for determining project eligibility**
TWDB-0161 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

G1 Does your project or a component of your project qualify as Green, per EPA guidance?
Yes No

If Yes, Please complete the remainder of Section G.

G2. Type of Green Project
X Water Efficiency Energy Efficiency Green Infrastructure Environmentally Innovative

G3 The correct worksheets must be completed.
Green Project Reserve: CWSRF Green Project Worksheets
TWDB-0162 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Green Project Reserve: DWSRF Green Project Worksheets
TWDB-0163 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

TWDB will make the final determination whether your project (or project component) meets federal criteria as "green". You may be required to submit a **business case, utilizing the Green guidance**

Correct worksheets attached Yes No NA

Please label each attachment with the number of the pertinent application section (i.e. "Part H5")

Part H. Disadvantaged Business Enterprise Requirements

CWSRF and DWSRF Applicants Only

All Drinking Water and Clean Water Equivalency applicants must complete this section.

All project costs funded by the TWDB through DWSRF or CWSRF Equivalency must comply with the federal, Disadvantaged Business Enterprise (DBE) program rules and requirements. The federal DBE program requires a good faith effort to contract with DBE's for all procurements including: professional and non-professional consulting services, equipment, supplies and construction to be funded by federal equivalency dollars. Guidance and forms are found at TWDB-0210 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

- H 1 **At a minimum, you must complete and attach** the Applicant Affirmative Steps Certification and Goals. This form is required to obtain a financial assistance commitment. TWDB-0215 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No

- H 2 If you have already solicited contractors, complete and attach the Affirmative Steps Solicitation Report. TWDB-216 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

- H 3 All Contractors that have been awarded will need to complete and attach the Prime Contractor Affirmative Steps Certification and Goals. This form must be submitted for review prior to loan closing and release of funds. TWDB-217 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

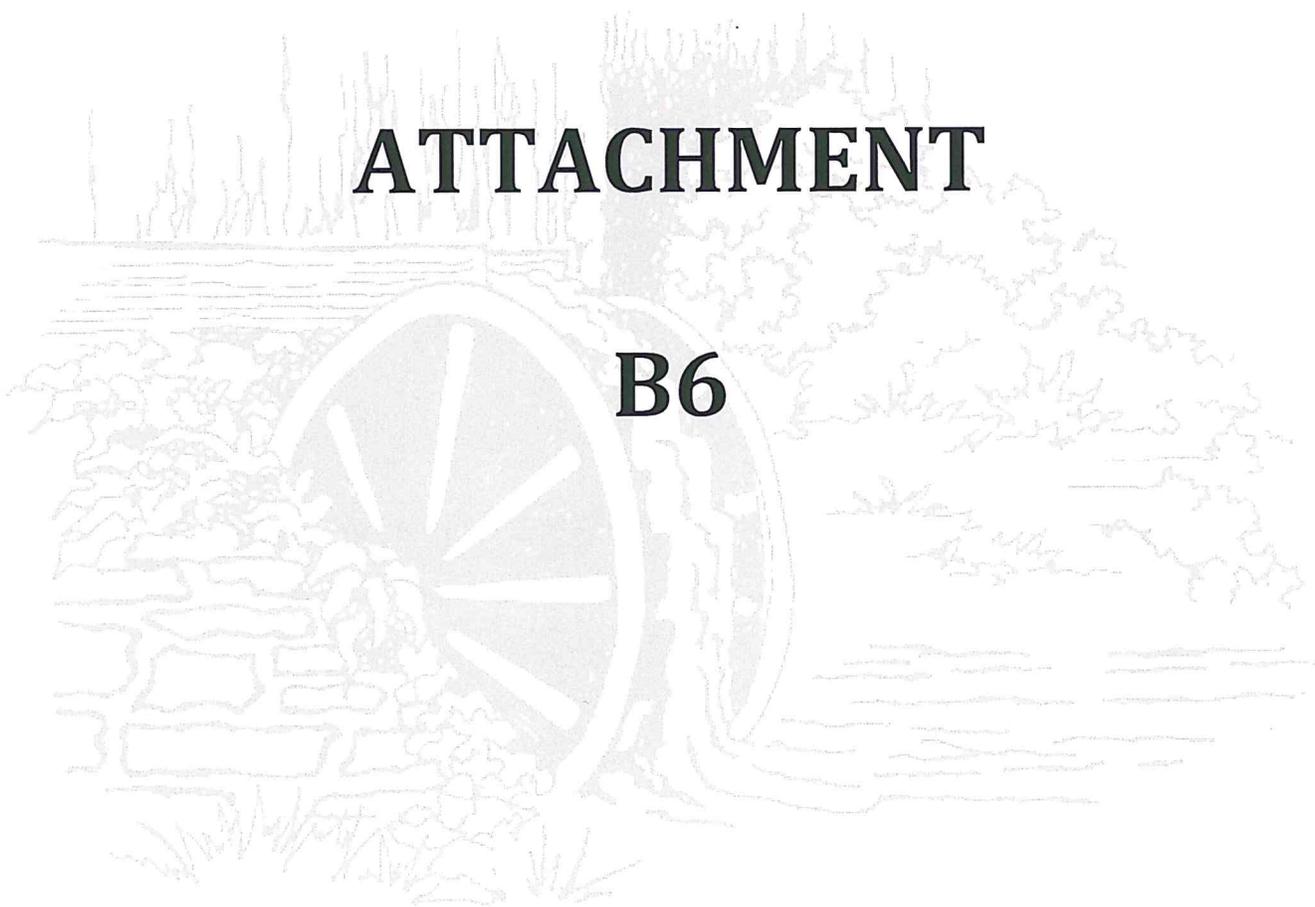
Item attached Yes No NA

- H 4 If you have awarded contracts to contractors, complete and attach the Loan/Grant Participation Summary. This form must be submitted for review prior to loan closing and release of funds. TWDB-0373 (<http://www.twdb.texas.gov/financial/instructions/index.asp>)

Item attached Yes No NA

ATTACHMENT

B6



CITY OF WIMBERLEY, TEXAS
ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2013

CITY OF WIMBERLEY, TEXAS
ANNUAL FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2013

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FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council
City of Wimberley, Texas

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Wimberley, Texas (the "City") as of and for the year ended September 30, 2013, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of September 30, 2013, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis section be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

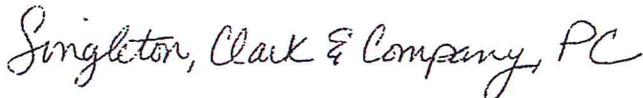
Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual fund financial statements and supplemental schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual fund financial statements and supplemental schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 27, 2013 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.



Singleton, Clark & Company, PC
Austin, Texas

December 27, 2013

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Management's Discussion and Analysis

As management of the City of Wimberley, Texas, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2013.

Financial Highlights

- The assets of the City of Wimberley, Texas exceeded its liabilities at the close of the most recent fiscal year by \$11,177,535 (*net position*). Of this amount, \$1,395,453 represents unrestricted net position, which may be used to meet the government's ongoing obligations to citizens and creditors.
- The City of Wimberley, Texas's total net position increased by \$282,389 primarily due to the net change in the Blue Hole Park Fund and Capital Projects Fund related to park revenues and grant revenue, respectively.
- At the close of the current fiscal year, the City of Wimberley, Texas's governmental funds reported combined fund balances of \$1,321,531, an increase of \$410,561 in comparison with the prior year. The City did not report any governmental fund unassigned fund balances as of year-end meaning all fund balances are committed or restricted for specific purposes.

Overview of the Financial Statements

The discussion and analysis provided here are intended to serve as an introduction to the City of Wimberley, Texas's basic financial statements. The City's basic financial statements consist of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) the notes to financial statements. This report also includes supplementary information intended to furnish additional detail to support the basic financial statements themselves.

Government-wide Financial Statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City of Wimberley, Texas's finances, in a manner similar to a private-sector business.

The *statement of net position* presents financial information on all of the City's assets, liabilities, and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City of Wimberley, Texas that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include general government, public safety, highways and streets, and culture and recreation. The business-type activity of the City is the operation of a wastewater utility.

The government-wide financial statements can be found on pages 11-13 of this report.

Fund Financial Statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City of Wimberley, Texas, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City of Wimberley, Texas can be divided into two categories, governmental funds and proprietary funds.

Governmental Funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in assessing a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City of Wimberley, Texas maintains five individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund and the Blue Hole Park Fund which are considered to be major funds. Data from the other three governmental funds are combined into a single aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements in the combining and individual fund statements and schedules section of this report.

The City of Wimberley, Texas adopts an annual appropriated budget for its general fund. A budgetary comparison statement has been provided for the General Fund to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 14-18 of this report.

Proprietary Funds. The City of Wimberley, Texas has the option of maintaining two different types of proprietary funds. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City uses an enterprise fund to account for its wastewater utility operation. *Internal service funds* are an accounting device used to accumulate and allocate costs internally among a City's functions. The City is not currently utilizing an internal service fund. Because the services provided by internal service funds predominantly benefit governmental rather than business-type functions, they are usually included within *governmental activities* in the government-wide financial statements.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide information for the wastewater utility, which is considered to be a major fund of the City of Wimberley, Texas. Conversely, when internal service funds are utilized, they are combined into a single, aggregated presentation in the proprietary fund financial statements. Individual fund data for the internal service funds are then provided in the form of combining statements in the combining and individual fund statements and schedules section of this report.

The basic proprietary fund financial statements can be found on pages 19-21 of this report.

Notes to the Financial Statements. The notes provide additional information that is necessary to acquire a full understanding of the data provided in the government-wide and fund financial statements.

The notes to the financial statements can be found on pages 22-37 of this report.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* concerning the City's pension participation. Required supplementary information can be found on page 38 of this report. The combining statements referred to earlier in connection with nonmajor governmental funds are presented immediately following the required supplementary information on pensions.

Combining and individual fund statements and schedules can be found on pages 40-41 of this report.

Government-wide Overall Financial Analysis

As noted earlier, net position over time, may serve as a useful indicator of a government's financial position. In the case of the City of Wimberley, Texas, assets exceeded liabilities by \$11,177,535 at the close of the most recent fiscal year.

City of Wimberley, Texas's Net Position

	Governmental Activities 2013	Governmental Activities 2012	Change	Business- Type Activities 2013	Business- Type Activities 2012	Change
ASSETS						
Current & other assets	\$ 1,454,870	\$ 995,741	\$ 459,129	\$ 759,607	\$ 57,682	\$ 701,925
Capital assets	9,714,801	9,911,365	(196,564)	214,826	220,922	(6,096)
Total assets	11,169,671	10,907,106	262,565	974,433	278,604	695,829
LIABILITIES						
Current liabilities	133,339	102,812	30,527	12,639	35,195	(22,556)
Long-term liabilities	18,034	-	18,034	802,557	152,557	650,000
Total liabilities	151,373	102,812	48,561	815,196	187,752	627,444
NET POSITION						
Net investment in capital assets	9,714,801	9,911,365	(196,564)	50,462	48,052	2,410
Restricted	5,012	11,207	(6,195)	-	-	-
Unrestricted	1,413,402	881,722	531,680	108,775	42,800	65,975
Total net position	\$ 11,133,215	\$ 10,804,294	\$ 328,921	\$ 159,237	\$ 90,852	\$ 68,385

By far, the largest portion of the City of Wimberley, Texas's net position (88% overall), and respectively 87% and 40% for governmental activities and business-type activities, reflects its investment in capital assets (e.g., land, buildings, machinery, equipment, vehicles, and infrastructure), less any related outstanding debt that was used to acquire those assets. The City uses these capital assets to provide a variety of services to its citizens. Accordingly, these assets are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources used to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City of Wimberley, Texas's net position less than (1%) represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$1,395,453 is unrestricted and may be used to meet the government's ongoing obligations to its citizens and creditors. At the end of the current fiscal year, the City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

The City of Wimberley, Texas's overall net position increased by \$282,389 from the prior fiscal year, the reasons for this overall increase are discussed in the following sections for governmental activities and business-type activities.

Governmental Activities. During the current fiscal year, net position for governmental activities increased \$214,004 from the prior fiscal year for an ending balance of \$11,018,298. While the current recession certainly had an impact on the City of Wimberley, Texas, management was able to take various actions (e.g., increasing rates for certain revenue sources, delaying certain nonrecurring expenses, reducing expenses related to non-essential ongoing programs in the culture and recreation function) that neutralized its effect on governmental activities. The increase in the overall net position of governmental activities is primarily the result of Blue Hole Park revenues and Capital Projects Fund grant revenue.

Business-type Activities. For the City of Wimberley, Texas's business-type activities, the results for the current fiscal year were positive in that overall net position increased to reach an ending balance of \$159,237. The total increase in net position for business-type activities was \$68,385 or 75% from the prior fiscal year.

City of Wimberley, Texas's Changes in Net Position

	Governmental Activities 2013	Governmental Activities 2012	Change	Business- Type Activities 2013	Business- Type Activities 2012	Change
REVENUES						
Program Revenues:						
Charges for services	\$ 436,317	\$ 320,705	\$ 115,612	\$ 171,441	\$ 124,155	\$ 47,286
Capital grants and contributions	116,353	90,469	25,884	-	-	-
General Revenues:						
Other taxes	650,914	875,962	(225,048)	-	-	-
Grants and contributions not restricted to specific programs	223,974	650,215	(426,241)	-	-	-
Other	172,194	32,843	139,351	48	7	41
Total revenue	1,484,835	1,970,194	(485,359)	171,489	124,162	47,327
EXPENSES						
General government	485,793	392,876	92,917	-	-	-
Public safety	125,744	97,639	28,105	-	-	-
Highways and streets	275,413	232,036	43,377	-	-	-
Culture and recreation	383,881	286,352	97,529	-	-	-
Interest on long-term debt	-	-	-	10,245	8,203	2,042
Wastewater operations	-	-	-	92,859	56,357	36,502
Total expenses	1,270,831	1,008,903	261,928	103,104	64,560	38,544
Increase (decrease) in net position before transfers	214,004	961,290	(747,286)	68,385	59,602	8,783
Transfers	-	-	-	-	31,250	(31,250)
Increase (decrease) in net position	214,004	961,290	(747,286)	68,385	90,852	(22,467)
Net position - beginning	10,804,294	9,843,003	961,291	90,852	-	90,852
Net position - ending	\$ 11,018,298	\$ 10,804,294	\$ 214,004	\$ 159,237	\$ 90,852	\$ 68,385

Financial Analysis of Governmental Funds

As noted earlier, the City of Wimberley, Texas uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the City of Wimberley, Texas's *governmental funds* is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City of Wimberley, Texas's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City of Wimberley, Texas itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the City of Wimberley, Texas's Council.

At September 30, 2013, the City of Wimberley, Texas's governmental funds reported combined fund balances of \$1,321,531, an increase of \$410,561 in comparison with the prior year. The fund balance is either *restricted or committed* to indicate that it is 1) restricted for particular purposes (\$5,012) and 2) committed for particular purposes (\$1,316,519).

The general fund is the chief operating fund of the City of Wimberley, Texas. At the end of the current fiscal year, committed fund balance of the general fund was \$1,039,666 which includes an increase of \$231,522 from prior year balance of \$808,144. The City currently commits its entire General Fund fund balance according to the formula 40% for public works, 35% for wastewater improvements, and 25% future grant matches.

The fund balance of the City of Wimberley, Texas's General Fund increased by \$231,522 during the current fiscal year. As discussed earlier in connection with governmental activities, the increase was due primarily to actual expenditures being significantly less than appropriated for the year.

The Blue Hole Park Fund, a major fund, had a \$116,196 increase in fund balance during the current fiscal year which put the overall fund balance to end the year at \$205,533. The City commits the fund's entire ending fund balance to the park and park operations.

In addition to the City's two major governmental funds, the City maintains three special revenue funds—the Capital Projects Fund, the Municipal Court Fund, and the Sidewalks Donations Fund. These separate funds are used to segregate financial transactions of the activities accounted for in those funds.

Proprietary Funds. The City of Wimberley, Texas's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail. Unrestricted net position of the Wastewater Service at the end of the year was \$108,775 while the amount of net investment in capital assets was \$50,462. The total growth in net position was \$68,385 from prior year balance of \$90,852. The fund ended the year with a net position of \$159,237.

General Fund Budgetary Highlights

Original budget compared to final budget. During the year there was no need for any significant amendments to increase either the original estimated revenues or original budgeted appropriations.

Capital Assets and Debt Administration

Capital assets. The City of Wimberley, Texas's investment in capital assets for its governmental and business-type activities as of September 20, 2013, amounts to \$9,714,801 and \$214,826 respectively (net of accumulated depreciation). This investment in capital assets includes land, buildings, machinery, equipment, vehicles, park facilities, roads, highways, bridges, and the wastewater treatment plant. The total increase in capital assets for its governmental and business-type activities for the current fiscal year was approximately 1.2% and 0% respectively.

City of Wimberley, Texas's Capital Assets

	Governmental Activities 2013	Governmental Activities 2012	Change
Land	\$ 3,391,499	\$ 3,391,499	\$ -
Buildings	2,717,303	2,653,897	63,406
Furniture and Equipment	3,928,783	200,253	3,728,530
Infrastructure	663,227	644,491	18,736
Construction in Progress	10,736	3,693,874	(3,683,138)
Total	10,711,548	10,584,014	127,534
Less Accumulated Depreciation	(996,747)	(672,649)	(324,098)
Capital assets, net of depreciation	\$ 9,714,801	\$ 9,911,365	\$ (196,564)

	Business-Type Activities 2013	Business-Type Activities 2012	Change
Buildings and improvements	\$ -	\$ 223,970	\$ -
Total	-	223,970	(223,970)
Less Accumulated Depreciation	-	(3,048)	3,048
Capital assets, net of depreciation	\$ -	\$ 220,922	\$ (220,922)

Additional information on the City of Wimberley, Texas's capital assets can be found in Note IV.C on pages 31-32 of this report.

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Long-term Debt. At the end of the current fiscal year, the City of Wimberley, Texas had notes payable outstanding of \$802,557. Of this amount, \$152,557 relates to the City's wastewater assets executed during fiscal year 2011/2012 and the remaining \$650,000 relates to tax surplus revenue notes issued during the current fiscal year. The \$650,000 in new notes payable related to the City's wastewater expansion were issued through the Texas Water Development Board and are guaranteed by the federal government.

City of Wimberley, Texas Outstanding Debt

	Business-Type Activities 2013	Business-Type Activities 2012	Change
Notes Payable	\$ 802,557	\$ 172,870	\$ 629,687
Total	\$ 802,557	\$ 172,870	\$ 629,687

During the year, the City of Wimberley, Texas's total debt increased by \$629,687 (364 percent). The reason for the increase was that during the year the City repaid \$20,313 related to its existing notes payable and issued \$650,000 in new notes payable.

Additional information on the City of Wimberley, Texas's long-term debt can be found in Note IV.F on pages 35-36 of this report.

Economic Factors and Next Year's Budgets and Rates

The City's elected and appointed officials considered many factors when setting the fiscal year 2013/2014 budget and fees to be charged. The City's 2013/2014 General Fund budget is \$1,028,550. And, it represents an increase of less than 1% over the adopted budget for the previous fiscal year.

Requests for Information

This financial report is designed to provide a general overview of the City of Wimberley, Texas's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the City of Wimberley, Texas's City Administrator, Don Ferguson, P. O. Box 2027, Wimberley, Texas 78676 or at (512) 847-0025.

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GOVERNMENT-WIDE FINANCIAL STATEMENTS

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CITY OF WIMBERLEY, TEXAS
STATEMENT OF NET POSITION
SEPTEMBER 30, 2013

	Primary Government		
	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and cash equivalents	\$ 1,160,854	\$ 108,343	\$ 1,269,197
Investments - current	176,970	-	176,970
Accounts receivable, net	66,449	13,071	79,520
Intergovernmental receivable	50,597	-	50,597
Restricted cash	-	638,193	638,193
Capital assets, not being depreciated:			
Land	3,391,499	-	3,391,499
Construction in progress	10,736	-	10,736
Capital assets, being depreciated:			
Buildings and improvements	6,400,441	-	6,400,441
Machinery, equipment, and vehicles	245,645	-	245,645
Infrastructure	663,227	223,970	887,197
Accumulated depreciation	(996,747)	(9,144)	(1,005,891)
Total Assets	<u>11,169,671</u>	<u>974,433</u>	<u>12,144,104</u>
LIABILITIES			
Accounts payable	116,408	5,128	121,536
Accrued salaries and benefits	16,931	-	16,931
Accrued interest payable	-	7,511	7,511
Noncurrent liabilities:			
Due within one year	-	111,656	111,656
Due in more than one year	18,034	690,901	708,935
Total Liabilities	<u>151,373</u>	<u>815,196</u>	<u>966,569</u>
NET POSITION			
Net investment in capital assets	9,714,801	50,462	9,765,263
Restricted for capital projects	5,012	-	5,012
Unrestricted	1,413,402	108,775	1,522,177
Total Net Position	<u>\$ 11,133,215</u>	<u>\$ 159,237</u>	<u>\$ 11,292,452</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2013

Functions/Programs:	Expenses	Program Revenues	
		Charges for Services	Capital Grants and Contributions
Primary Government:			
Governmental activities:			
General government	\$ 485,793	\$ 99,475	\$ -
Public safety	125,744	17,487	-
Highways and streets	275,413	-	-
Culture and recreation	383,881	319,355	116,353
Total Governmental Activities:	<u>1,270,831</u>	<u>436,317</u>	<u>116,353</u>
Business-type activities:			
Wastewater Service	103,104	171,441	-
Total Business-Type Activities:	<u>103,104</u>	<u>171,441</u>	<u>-</u>
Total primary government	<u>\$ 1,373,935</u>	<u>\$ 607,758</u>	<u>\$ 116,353</u>

General Revenues:

Sales taxes
Franchise taxes
Investment earnings
Miscellaneous

Total general revenues and transfers

Change in Net Position

Net Assets -- Beginning

Net Assets -- Ending

The notes to the financial statements are an integral part of this statement.

<u>Net (Expense) Revenue and Changes in Net Position</u>		
<u>Primary Government</u>		
<u>Governmental</u>	<u>Business-Type</u>	<u>Total</u>
<u>Activities</u>	<u>Activites</u>	
\$ (386,318)	\$ -	\$ (386,318)
(108,257)	-	(108,257)
(275,413)	-	(275,413)
51,827	-	51,827
<u>(718,161)</u>	<u>-</u>	<u>(718,161)</u>
-	68,337	68,337
<u>-</u>	<u>68,337</u>	<u>68,337</u>
<u>(718,161)</u>	<u>68,337</u>	<u>(649,824)</u>
650,914	-	650,914
223,974	-	223,974
910	48	958
56,367	-	56,367
<u>932,165</u>	<u>48</u>	<u>932,213</u>
328,921	68,385	397,306
10,804,294	90,852	10,895,146
<u>\$ 11,133,215</u>	<u>\$ 159,237</u>	<u>\$ 11,292,452</u>

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FUND BASIS FINANCIAL STATEMENTS

CITY OF WIMBERLEY, TEXAS
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2013

	General Fund	Blue Hole Park Fund	Total Nonmajor Funds	Total Governmental Funds
ASSETS				
Cash and cash equivalents	\$ 866,899	\$ 211,950	\$ 82,005	\$ 1,160,854
Investments - current	176,970	-	-	176,970
Accounts receivable	73,495	-	-	73,495
Allowance for uncollectible accounts receivable	(7,046)	-	-	(7,046)
Intergovernmental receivable	50,597	-	-	50,597
Due from other funds	838	-	-	838
Total assets	<u>\$ 1,161,753</u>	<u>\$ 211,950</u>	<u>\$ 82,005</u>	<u>\$ 1,455,708</u>
LIABILITIES				
Accounts payable	\$ 107,600	\$ 3,973	\$ 4,835	\$ 116,408
Accrued salaries and benefits	14,487	2,444	-	16,931
Due to other funds	-	-	838	838
Total Liabilities	<u>122,087</u>	<u>6,417</u>	<u>5,673</u>	<u>134,177</u>
FUND BALANCES (DEFICITS)				
Restricted:				
Fund balance - restricted for capital projects	-	-	5,012	5,012
Committed:				
Fund balance - committed for public works	415,866	-	-	415,866
Fund balance - committed for ww improvements	259,917	-	-	259,917
Fund balance - committed for grant matches	363,883	-	-	363,883
Fund balance - committed for capital projects	-	-	67,545	67,545
Fund balance - committed for parks	-	205,533	-	205,533
Fund balance - committed for municipal court	-	-	3,775	3,775
Total Fund Balances	<u>1,039,666</u>	<u>205,533</u>	<u>76,332</u>	<u>1,321,531</u>
Total liabilities, def. inflows, and fund balances	<u>\$ 1,161,753</u>	<u>\$ 211,950</u>	<u>\$ 82,005</u>	<u>\$ 1,455,708</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE
STATEMENT OF NET POSITION
SEPTEMBER 30, 2013

Amounts reported for governmental activities in the statement of net position are different because:

Total fund balances - governmental funds	\$ 1,321,531
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	9,714,801
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.	<u>(18,034)</u>
Net position of governmental activities	<u><u>\$ 11,018,298</u></u>

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2013

	General Fund	Blue Hole Park Fund	Total Nonmajor Funds	Total Governmental Funds
REVENUES				
Sales taxes	\$ 650,914	\$ -	\$ -	\$ 650,914
Franchise taxes	223,974	-	-	223,974
Licenses and permits	97,430	-	-	97,430
Intergovernmental revenues	-	55,018	61,335	116,353
Charges for services	53,056	266,299	2,045	321,400
Fines	17,487	-	-	17,487
Investment earnings	806	81	23	910
Miscellaneous revenue	21,144	35,223	-	56,367
Total revenues	1,064,811	356,621	63,403	1,484,835
EXPENDITURES				
Current:				
General government	361,348	-	560	361,908
Public safety	93,676	-	-	93,676
Highways and streets	205,175	-	-	205,175
Culture and recreation	88,282	197,699	-	285,981
Capital outlay	84,808	4,205	38,521	127,534
Total expenditures	833,289	201,904	39,081	1,074,274
Excess (deficiency) of rev. over expenditures	231,522	154,717	24,322	410,561
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	38,521	38,521
Transfers out	-	(38,521)	-	(38,521)
Total Other Financing Sources (Uses)	-	(38,521)	38,521	-
Net Change in Fund Balance	231,522	116,196	62,843	410,561
Fund Balance - Beginning	808,144	89,337	13,489	910,970
Fund Balance - Ending	\$ 1,039,666	\$ 205,533	\$ 76,332	\$ 1,321,531

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
 RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES,
 EXPENDITURES, AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds	\$	410,561
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Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation expense in the current period.		(196,564)
--	--	-----------

The issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.

		7
	\$	<u>214,004</u>

The notes to the financial statements are an integral part of this statement.

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CITY OF WIMBERLEY, TEXAS
 STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
 BUDGET AND ACTUAL – GENERAL FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance With Final Budget</u>
	<u>Original</u>	<u>Final</u>		
REVENUES				
Sales taxes	\$ 585,000	\$ 645,000	\$ 650,914	\$ 5,914
Franchise taxes	252,000	241,000	223,974	(17,026)
Licenses and permits	84,500	101,000	97,430	(3,570)
Charges for services	59,200	56,200	53,056	(3,144)
Fines	30,000	20,000	17,487	(2,513)
Investment earnings	1,500	1,000	806	(194)
Miscellaneous revenue	12,500	9,500	21,144	11,644
Total revenues	<u>1,024,700</u>	<u>1,073,700</u>	<u>1,064,811</u>	<u>(8,889)</u>
EXPENDITURES				
Current:				
General government	470,995	472,470	361,348	111,122
Public safety	103,782	105,962	93,676	12,286
Highways and streets	248,985	284,706	205,175	79,531
Culture and recreation	141,445	123,023	88,282	34,741
Capital outlay	52,493	87,539	84,808	2,731
Total Expenditures	<u>1,017,700</u>	<u>1,073,700</u>	<u>833,289</u>	<u>240,411</u>
Excess (deficiency) of revenues over expenditures	7,000	-	231,522	231,522
Net Change in Fund Balances	7,000	-	231,522	231,522
Fund balance - beginning	808,144	808,144	808,144	-
Fund balance - ending	<u>\$ 815,144</u>	<u>\$ 808,144</u>	<u>\$ 1,039,666</u>	<u>\$ 231,522</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
STATEMENT OF NET POSITION
PROPRIETARY FUND
SEPTEMBER 30, 2013

	Business-Type Activities
	Wastewater Service
ASSETS	
Current Assets:	
Cash and cash equivalents	\$ 108,343
Accounts receivable, net	13,071
Restricted cash	638,193
Total current assets	759,607
Noncurrent Assets:	
Infrastructure	223,970
Accumulated depreciation	(9,144)
Total noncurrent assets	214,826
Total assets	974,433
LIABILITIES	
Current liabilities:	
Accounts payable	5,128
Accrued interest payable	7,511
Notes payable - current	111,656
Total current liabilities	124,295
Noncurrent Liabilities:	
Notes payable	690,901
Total noncurrent liabilities	690,901
Total liabilities	815,196
NET POSITION	
Net investment in capital assets	50,462
Unrestricted	108,775
Total net position	\$ 159,237

The notes to the financial statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2013

	<u>Business-Type Activities</u>
	<u>Wastewater Service</u>
Operating revenues:	
Charges for services:	
Wastewater service	\$ 171,441
Total operating revenues	<u>171,441</u>
Operating expenses:	
Purchased prof. and technical services	66,054
Other operating expenses	8,902
Depreciation	6,096
Total operating expenses	<u>81,052</u>
Operating income (loss)	90,389
Nonoperating revenues (expenses)	
Investment earnings	48
Debt issuance costs	(11,807)
Interest expense	(10,245)
Total nonoper. revenues (expenses)	<u>(22,004)</u>
Change in net position	68,385
Net position-beginning	<u>90,852</u>
Net position-ending	<u>\$ 159,237</u>

The notes to the financial statements are an integral part of this statement.

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CITY OF WIMBERLEY, TEXAS
STATEMENT OF CASH FLOWS
PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2013

	Business-Type Activities Wastewater Service
CASH FLOWS FROM OPERATING ACTIVITIES	
Receipts from customers	\$ 174,359
Payments to suppliers and service providers	(68,297)
Payments to employees for other operating	(8,902)
	97,160
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES	
Principal paid on capital debt	(20,313)
Interest paid on capital debt	(10,245)
	(30,558)
CASH FLOWS FROM INVESTING ACTIVITIES	
Interest on investments	48
	48
Net increase (decrease) in cash and cash equivalents	66,650
Cash and cash equivalents-beginning	41,693
Cash and cash equivalents-ending	\$ 108,343
Reconciliation of operating income (loss) to net cash provided (used for) operating activities:	
Operating income (loss)	\$ 90,389
Adjustments to reconcile operating income (loss) to net cash provided by (used for) operating activities:	
Depreciation expense	6,096
(Increase) decrease in accounts receivable	2,918
(Decrease) increase in accounts payable	(1,551)
(Decrease) increase in accrued liabilities	(692)
	6,771
Net cash provided by (used for) operating activities	\$ 97,160
Schedule of non-cash capital and related financing activities:	
Contributions of capital assets	

The notes to the financial statements are an integral part of this statement.

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NOTES TO THE FINANCIAL STATEMENTS

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CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

I. Summary of significant accounting policies

A. Description of government-wide financial statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government. *Governmental activities*, which normally are supported by taxes, intergovernmental revenues, and other nonexchange transactions, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support.

B. Reporting entity

Wimberley, Texas was incorporated on May 5, 2000 as the "Village of Wimberley" under the provisions of the State of Texas. In June 2008, the Village of Wimberley officially changed its name to the "City of Wimberley" (hereafter the "City"). The City, a general law municipality, operates as a Mayor/Council form of government and the Mayor is the executive officer of the City. With few exceptions, all powers of the City are vested in the Mayor and the elected five member Council which enacts local legislation, adopts budgets, determines policies, and appoints the City Administrator, Attorney, and the Municipal Court Judge. The Mayor and Council also are primarily responsible for fiscal matters. The City provides the following services-public safety, street maintenance, recreation programs, community development, public improvements, and general administrative services.

C. Basis of presentation – government-wide financial statements

While separate government-wide and fund financial statements are presented, they are interrelated. The governmental activities column incorporates data from governmental funds and internal service funds, while business-type activities incorporate data from the government's enterprise funds. Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements.

D. Basis of presentation – fund financial statements

The fund financial statements provide information about the government's funds, including its fiduciary funds and blended component units. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds. Major individual governmental and enterprise funds are reported as separate columns in the fund financial statements.

The government reports the following major governmental funds:

The *general fund* is the government's primary operating fund. It accounts for all financial resources of the general government, except those accounted for in another fund.

The *park fund* accounts for the operation of the City's Blue Hole Park.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

The government reports the following major enterprise funds:

The *wastewater service fund* accounts for the activities of the utility. The fund operates the wastewater system for the City.

Additionally, the government reports the following fund types:

The *capital projects fund* accounts for the acquisition and construction of the government's major capital facilities, other than those financed by proprietary funds.

The *special revenue funds*, Municipal Court Fund and Sidewalks Donations Fund, account for specific activities the City accounts for separate from the general fund. The Municipal Court Fund is used to account for the proceeds of revenue sources which are legally restricted to expenditures for the court. And, the Sidewalks Donations Fund is used to account for donations made to the City to contribute to the costs related to complete the sidewalk project in the City's downtown area along Ranch Road 2325.

During the course of operations the government has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds or advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Further, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

E. Measurement focus and basis of accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as *current financial resources* or *economic resources*. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

The governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under capital leases are reported as other financing sources.

Sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). All other revenue items are considered to be measurable and available only when cash is received by the government.

Proprietary activities are reported using the *economic resources measurement focus* and the *accrual basis of accounting*.

F. Budgetary information

1. Budgetary basis of accounting

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the City's general fund. Other City funds do not have appropriated budgets since other means control the use of these resources (e.g., grant awards and endowment requirements) and sometimes span a period of more than one fiscal year.

The appropriated budget is prepared by fund and department. The government's department heads may make transfers of appropriations within a department. Transfers of appropriations between departments require the approval of the council. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the department level.

Appropriations in all budgeted funds lapse at the end of the fiscal year even if they have related encumbrances. Encumbrances are commitments related to unperformed (executory) contracts for goods or services (i.e., purchase orders, contracts, and commitments). Encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. While all appropriations and encumbrances lapse at year end, valid outstanding encumbrances (those for which performance under the executory contract is expected in the next year) are re-appropriated and become part of the subsequent year's budget pursuant to state regulations.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

2. Excess of expenditures over appropriations

For the year ended September 30, 2013, expenditures did not exceed appropriations in any of the City's funds.

G. Assets, liabilities, deferred outflows/inflows of resources, and net position/fund balance

1. Cash and cash equivalents

The government's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

2. Investments

Investments for the government are reported at fair value (generally based on quoted market prices) except for positions in Local Government Investment Pools, like TexPool, when applicable. In accordance with state law, these investment pools operate in conformity with all of the requirements of the Securities and Exchange Commission's (SEC) Rule 2a7 as promulgated under the Investment Company Act of 1940, as amended. Accordingly, the pools qualify as 2a7-like pools and are reported at the net asset value per share (which approximates fair value) even though it is calculated using the amortized cost method.

3. Inventories and prepaid items

The City does not report inventories of supplies or consumable items due to the unused amount of these items on hand at any given time being deemed immaterial. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

4. Capital assets

Capital assets which include property, plant, equipment, and infrastructure assets (e.g. roads, bridges, sidewalks, and similar items) are reported in the applicable governmental or business-type activities column in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$1,000 and an estimated useful life of more than one year.

As the government constructs or acquires additional capital assets each period, including infrastructure assets, they are capitalized and reported at historical cost. The reported value excludes normal maintenance and repairs which are essentially amounts spent in relation to capital assets that do not increase the capacity or efficiency of the item or increase its estimated useful life. Donated capital assets are recorded at their estimated fair value at the date of donation.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

Land and construction in progress are not depreciated. The other property, plant, equipment, and infrastructure of the primary government are depreciated using the straight line method over the following estimated useful lives:

Capital asset classes	Lives
Buildings and improvements	20-40
Machinery and equipment	5
Vehicles	5
Infrastructure	20-40

5. *Deferred outflows/inflows of resources*

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/ expenditure) until then. The government currently does not have any financial transactions that qualify for reporting in this category. In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The government currently does not have any financial transactions that qualify for reporting in this category.

6. *Net position flow assumption*

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the government’s policy to consider restricted – net position to have been depleted before unrestricted – net position is applied.

7. *Fund balance flow assumptions*

Sometimes the government will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the government’s policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

8. Fund balance policies

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The government itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance). The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. The governing council is the highest level of decision-making authority for the government that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation. Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

H. Revenues and expenditures/expenses

1. Program revenues

Amounts reported as *program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions (including special assessments) that are restricted to meeting the operational or capital requirements of a particular function or segment. All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

2. Property taxes

Currently, the City does not assess ad valorem property taxes for either maintenance and operations or interest and sinking.

3. Compensated absences

Vacation

The government's policy permits employees to accumulate earned but unused vacation benefits, which are eligible for payment upon separation from government service. The liability for such leave is reported as incurred in the government-wide and proprietary fund financial statements. A liability for those amounts is recorded in the governmental funds only if the liability has matured as a result of employee resignations or retirements. The liability for compensated absences includes salary-related benefits, where applicable.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

Sick Leave

Accumulated sick leave lapses when employees leave the employment of the government and, upon separation from service, no monetary obligation exists.

4. Proprietary funds operating and nonoperating revenues and expenses

Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the water fund and electric fund are charges to customers for sales and services. The water fund also recognizes as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses for enterprise funds and internal service funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

II. Reconciliation of government-wide and fund financial statements

A. Explanation of certain differences between the governmental fund balance sheet and the government-wide statement of net position

The governmental fund balance sheet includes a reconciliation between *fund balance - total governmental funds* and *net position - governmental activities* as reported in the government-wide statement of net position. Items shown in summary form on that reconciliation are provided in detail below.

One element of that reconciliation explains that "capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds." The details of this amount are as follows:

Capital assets not being depreciated:	
Land	\$ 3,391,499
Construction in progress	10,736
Capital assets, being depreciated	
Buildings and improvements	2,717,303
Machinery, equipment, and vehicles	3,928,783
Infrastructure	663,227
Accumulated depreciation	<u>(996,747)</u>
Net adjustment to increase <i>fund balance - total governmental funds</i> to arrive at <i>net position - governmental activities</i>	<u><u>\$ 9,714,801</u></u>

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

Another element of that reconciliation explains that “long-term liabilities, including bonds payable, are not due and payable in the current period and therefore are not reported in the funds.” The details of this amount are as follows:

Compensated absences	\$ 18,034
	<u>18,034</u>
Net adjustment to reduce <i>fund balance - total governmental funds</i> to arrive at <i>net position - governmental activities</i>	\$ 18,034
	<u>18,034</u>

B. Explanation of certain differences between the governmental fund statement of revenues, expenditures, and changes in fund balances and the government-wide statement of activities

The governmental fund statement of revenues, expenditures, and changes in fund balances includes reconciliation between *net changes in fund balances - total governmental funds* and *changes in net position of governmental activities* as reported in the government-wide statement of activities. Items shown in summary form on that reconciliation are provided in detail below.

One element of that reconciliation explains that “governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation expense in the current period.” The details of this amount are as follows:

Capital outlay	\$ 127,534
Depreciation expense	(324,098)
	<u>(196,564)</u>
Net adjustment to increase <i>net changes in fund balance - total governmental funds</i> to arrive at <i>changes in net position of governmental activities</i>	\$ (196,564)
	<u>(196,564)</u>

Another element of that reconciliation states that “the issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statements of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.” The details of this amount are as follows:

Principal repayments:	
Change in compensated absences	\$ 7
	<u>7</u>
Net adjustment to decrease <i>changes in fund balances - total governmental funds</i> to arrive at <i>changes in net position of governmental activities</i>	\$ 7
	<u>7</u>

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

III. Stewardship, compliance and accountability

A. Violations of legal or contractual provisions

No violations of legal or contractual provisions were noted during the current year.

B. Deficit fund equity

For the year ended September 30, 2013 there were no funds reported with deficit fund equity.

IV. Detailed notes on all activities and funds

A. Cash deposits with financial institutions

Custodial credit risk-deposits. In the case of deposits, this is the risk that in the event of a bank failure, the government's deposits may not be returned to it. The government does have a deposit policy for custodial credit risk. As of September 30, 2013, the government's bank balance was \$1,273,855 and \$0 of that amount was exposed to custodial credit risk because it was insured and/or collateralized with securities held by the pledging or financial institution's trust department or agent.

B. Investments

The City currently holds investments with TexPool, the largest local government investment pool in the State of Texas. TexPool has a credit rating of AAAM from Standard & Poor's Financial Services. Local government investment pools in this rating category meet the highest standards for credit quality, conservative investment policies, and safety of principal. TexPool's investments are governed by the Public Funds Investment Act (PFIA), Chapter 2256 of the Texas Government Code. State statutes authorize the government to invest in obligations of the U.S. Treasury, commercial paper, corporate bonds, repurchase agreements, and government investment pools.

As of September 30, 2013, the government had the following investments:

Investment Type	Maturity Time in Years Less than 1
Investment Pools-TexPool	\$ 176,970
Total Investments	\$ 176,970

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

Interest rate risk. In accordance with its investment policy, the government manages its exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than ten months.

Credit risk. State law limits investments in commercial paper and corporate bonds to the top two ratings issued by nationally recognized statistical rating organizations (NRSROs). It is the government's policy to limit its investments in these investment types to the top rating issued by NRSROs. As of June 30, 2022, the government's investment in the State Treasurer's investment pool was rated AAA by Standard & Poor's and Aaa by Moody's Investors Service. The government's investments in commercial paper were rated A1 by Standard & Poor's, F-1 by Fitch Ratings, and P-1 by Moody's Investor's Service. The government's investments in corporate bonds were rated AAA by Standard & Poor's and Fitch Ratings, and Aaa by Moody's Investors Service.

Concentration of credit risk. The government's investment policy does not allow for an investment in any one issuer that is in excess of 5 percent of the government's total investments. This restriction however does not apply to government investment pools due to the low risk nature of this type of investment.

Custodial credit risk-investments. For an investment, this is the risk that, in the event of the failure of the counterparty, the government will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party.

C. Capital Assets

Capital assets activity for the year ended September 30, 2013, was as follows:

Business-Type Activities:

	Balance 10/1/12	Increases	Decreases	Adjustments	Balance 9/30/13
Capital assets, being depreciated:					
Infrastructure	\$ 223,970	-	-	-	\$ 223,970
Total capital assets, being depreciated	223,970	-	-	-	223,970
Less accumulated depreciation for:					
Infrastructure	(3,048)	(6,096)	-	-	(9,144)
Total accumulated depreciation	(3,048)	(6,096)	-	-	(9,144)
Total capital assets being depreciated, net	220,922	(6,096)	-	-	214,826
Business-type activities capital assets, net	\$ 220,922	\$ (6,096)	\$ -	\$ -	\$ 214,826

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

Governmental Activities:

	Balance 10/1/12	Increases	Decreases	Adjustments	Balance 9/30/13
Capital assets, not being depreciated:					
Land	\$3,391,499	\$ -	\$ -	\$ -	\$3,391,499
Construction-in-progress	3,693,874	-	-	(3,683,138)	10,736
Total capital assets, not being depreciated	<u>7,085,373</u>	<u>-</u>	<u>-</u>	<u>(3,683,138)</u>	<u>3,402,235</u>
Capital assets, being depreciated:					
Buildings and improvements	2,653,897	63,406	-	-	2,717,303
Machinery, equipment, and vehicles	200,253	45,392	-	3,683,138	3,928,783
Infrastructure	644,491	18,736	-	-	663,227
Total capital assets, being depreciated	<u>3,498,641</u>	<u>127,534</u>	<u>-</u>	<u>3,683,138</u>	<u>7,309,313</u>
Less accumulated depreciation for:					
Buildings and improvements	(422,964)	(264,810)	-	-	(687,774)
Machinery, equipment, and vehicles	(142,856)	(26,127)	-	-	(168,983)
Infrastructure	(106,829)	(33,161)	-	-	(139,990)
Total accumulated depreciation	<u>(672,649)</u>	<u>(324,098)</u>	<u>-</u>	<u>-</u>	<u>(996,747)</u>
Total capital assets being depreciated, net	<u>2,825,992</u>	<u>(196,564)</u>	<u>-</u>	<u>3,683,138</u>	<u>6,312,566</u>
Governmental activities capital assets, net	<u>\$9,911,365</u>	<u>\$ (196,564)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$9,714,801</u>

Depreciation expense was charged to the functions/programs of the governmental activities of the primary government as follows:

Governmental activities:

General government	\$ 123,892
Public safety	32,068
Highways and streets	70,238
Culture and recreation	97,900
Total depreciation expense - governmental activities	<u>\$ 324,098</u>

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

D. Pension obligations

Texas Municipal Retirement System (TMRS)

Plan Description

The City provides pension benefits for all of its eligible employees through a nontraditional, joint contributory, hybrid defined benefit plan in the state-wide, Texas Municipal Retirement System (TMRS), an agent multiple-employer public employee retirement system. The plan provisions that have been adopted by the City are within the options available in the governing statutes of TMRS.

TMRS issues a publicly available comprehensive annual financial report that includes financial statements and required supplementary information (RSI) for TMRS; the report also provides detailed explanations of the contributions, benefits and actuarial methods and assumptions used by the System. This report may be obtained from TMRS' website at www.TMRS.com.

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions for the City were as follows:

	Plan Year 2012	Plan Year 2013
Employee Deposit Rate	5%	5%
Matching Ratio (City to Employee)	1 to 1	1 to 1
Years Required for Vesting	5	5
Service Retirement Eligibility (Expressed as Age/Years of Service)	60/5, 0/20	60/5, 0/20
Updated service credit	0%	0%
Annuity increase (to retirees)	0% of CPI	0% of CPI

Contributions

Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Projected Unit Credit actuarial cost method. This rate consists of the normal cost contribution rate and the prior service cost contribution rate, which is calculated to be a level percent of payroll from year to year. The normal cost contribution rate finances the portion of an active member's projected benefit allocated annually; the prior service contribution rate amortizes the unfunded (overfunded) actuarial liability (asset) over the applicable period for that city. Both the normal cost and prior services contribution rates include recognition of the projected impact of annually repeating benefits, such as Updated Service Credit and Annuity Increases.

The City contributes to the TMRS Plan at an actuarially determined rate. Both the employees and the City make contributions monthly. Since the City needs to know its contribution rate in advance for budgetary purposes, there is a one-year delay between the actuarial valuation that serves as the basis for the rate and the calendar year when the rate goes into effect.

CITY OF WIMBERLEY, TEXAS
Notes to the Financial Statements
For the year ended September 30, 2013

The required contribution rates for fiscal year 2013 were determined as part of the December 2010 and 2011 actuarial valuations. Additional information as of the latest actuarial valuation, December 31, 2012, also follows:

Valuation Date	12/31/2010	12/31/2011	12/31/2012
Actuarial Cost Method	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit
Amortization Method	Level % of Payroll	Level % of Payroll	Level % of Payroll
GASB 25 Equivalent Single Amortization Period	21.9 years; closed period	21.1 years; closed period	19.9 years; closed period
Amortization Period for New Gains/Losses	11 years	12 years	13 years
Asset Valuation Method	10-year Smoothed Market	10-year Smoothed Market	10-year Smoothed Market
Actuarial Assumptions:			
Investment Rate of Return*	7.0%	7.0%	7.0%
Projected Salary Increases*	varies by age and service	varies by age and service	varies by age and service
*Includes Inflation at Cost of Living Adjustments	3.0%	3.0%	3.0%
	0.0%	0.0%	0.0%

The funded status as of September 30, 2013, the most recent actuarial valuation date, is as follows:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)	Funded Ratio	Unfunded AAL (UAAL)	Covered Payroll	UAAL as a Percentage of Covered Payroll
	(a)	(b)	(c)	(d)	(e)	(f)
			(a) / (b)	(b) - (a)		(d) / (e)
12/31/2012	\$ 124,857	\$ 148,045	84.3%	\$ 23,188	\$ 319,919	7.2%

The schedule of funding progress, presented as Required Supplementary Information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability of benefits.

E. Risk management

The government is exposed to various risks of loss related to torts: theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. During the year, the City purchased commercial insurance to cover general liabilities. There were no significant reductions in coverage in the past fiscal year and no settlements exceeding insurance coverage for each of the past three fiscal years.

CITY OF WIMBERLEY, TEXAS
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED SEPTEMBER 30, 2013

F. Long-Term Liabilities

Tax Notes and Other Notes Payable

The government issues tax notes or obtains regular notes payable financing arrangements from banks to provide funds for the acquisition of equipment, minor capital projects, or to provide advance funding for larger capital projects where it is anticipated that larger debt instruments will be issued in the future. Tax notes and regular notes payable are direct obligations and pledge the full faith and credit of the government. These debt instruments are generally repaid in equal installments of principal and interest over a period of 3 to 10 years.

Details of long-term debt obligations outstanding at September 30, 2013 are as follows:

Business-type Activities:

Type	Issue Date	Original Borrowing	Interest Rates to Maturity	Final Maturity	Outstanding 9/30/13
Notes Payable:					
Guadalupe-Blanco River Authority	2012	\$ 172,870	5.00%	2019	\$ 152,557
Comb. Tax and Surplus Rev. Ant. Notes, Series 2013	2013	650,000	.44%-2.36%	2020	650,000
Total Notes Payable					<u>\$ 802,557</u>

Changes in long-term liabilities

Changes in the government's long-term liabilities for the year ended September 30, 2013 are as follows:

Governmental Activities:

Description	Balance 10/1/12	Additions	Deletions	Balance 9/30/13
Compensated absences	\$ 18,041	\$ -	\$ (7)	\$ 18,034
Governmental activities long-term liabilities	<u>\$ 18,041</u>	<u>\$ -</u>	<u>\$ (7)</u>	<u>\$ 18,034</u>

For compensated absences, the general fund normally liquidates 100 percent of the liability when it becomes due.

Business-type Activities:

Description	Balance 10/1/12	Additions	Deletions	Balance 9/30/13	Due in One Year
Notes payable	\$ 172,870	\$ 650,000	\$ (20,313)	\$ 802,557	\$ 111,656
Business-type activities long-term liabilities	<u>\$ 172,870</u>	<u>\$ 650,000</u>	<u>\$ (20,313)</u>	<u>\$ 802,557</u>	<u>\$ 111,656</u>

CITY OF WIMBERLEY, TEXAS
 NOTES TO THE FINANCIAL STATEMENTS
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

The debt service requirements for the government's tax notes and notes payable are as follows:

Business-type Activities:

Year Ended September 30,	Business-Type Activities					
	Tax Notes		Notes Payable		Totals	
	Principal	Interest	Principal	Interest	Principal	Interest
2014	\$ 90,000	\$ 6,715	\$ 21,656	\$ 9,594	\$ 111,656	\$ 16,309
2015	90,000	7,774	23,066	8,184	113,066	15,958
2016	90,000	7,378	24,547	6,703	114,547	14,081
2017	95,000	6,622	26,102	5,148	121,102	11,770
2018	95,000	5,510	27,735	3,515	122,735	9,025
2019-2023	190,000	6,308	29,451	1,800	219,451	8,108
Totals	\$ 650,000	\$ 40,307	\$ 152,557	\$ 34,944	\$ 802,557	\$ 75,251

G. Interfund receivables and payables

The composition of interfund balances as of September 30, 2013 is as follows:

Due to/from other funds:

Receivable Fund	Payable Fund	Amount
General Fund	Municipal Court	\$ 838
Total		\$ 838

The outstanding balances between funds result mainly from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the accounting system, and (3) payments between funds are made. These amounts also include balances of working capital loans made to several nonmajor governmental funds which the general fund expects to collect in the subsequent year.

H. Interfund transfers

Occasionally, transfers are used to move revenues from a fund with collection authority to another fund with related expenditure requirements or move general fund resources to provide subsidies to other funds as needs arise.

During the year ended September 30, 2013, the government made the following one-time transfer:

A transfer of \$38,521 from the Blue Hole Park Fund to the capital projects fund to assist with on-going park capital projects.

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CITY OF WIMBERLEY, TEXAS
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED SEPTEMBER 30, 2013

I. Litigation

The City was not involved in any litigation at year-end that the City's attorneys feel would result in a negative outcome or present any material liability to the City.

J. Subsequent events

The City has evaluated subsequent events through December 27, 2013, the date of the audit report. The City is not aware of any subsequent events that materially affect the financial statements.

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REQUIRED SUPPLEMENTARY INFORMATION

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CITY OF WIMBERLEY, TEXAS
 REQUIRED SUPPLEMENTARY INFORMATION
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

REQUIRED SUPPLEMENTARY INFORMATION

Schedule of Funding Progress – Texas Municipal Retirement System Plan

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)	Funded Ratio	Unfunded AAL (UAAL)	Covered Payroll	UAAL as a % of Covered Payroll
	(a)	(b)	(c)	(d)	(e)	(f)
			(a) / (b)	(a) - (b)		(d) / (e)
12/31/2010	\$ 73,409	\$ 99,839	73.5%	\$ 26,430	\$ 238,071	11.1%
12/31/2011	98,925	122,739	80.6	23,814	276,986	8.6
12/31/2012	124,857	148,045	84.3	23,188	319,919	7.2

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Nonmajor Governmental Funds

Special Revenue Funds

Special revenue funds are used to account for specific revenue sources that are restricted, committed, or assigned to expenditures for particular purposes.

The Municipal Court Fund is used to account for the proceeds of revenue sources which are legally restricted to expenditures for the court.

The Sidewalks Donations Fund is used to account for donations made to the City to contribute to the costs related to complete the sidewalk project in the City's downtown area along Ranch Road 2325.

Capital Projects Funds

Capital projects funds are used to account for the acquisition and construction of the government's major capital facilities, other than those financed by proprietary funds.

The current Capital Projects Fund is used to account for ongoing projects related to the City's Blue Hole Park.

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CITY OF WIMBERLEY, TEXAS
 COMBINING BALANCE SHEET
 NONMAJOR GOVERNMENTAL FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

	Capital Projects Fund	Municipal Court Fund	Sidewalks Donations Fund	Total Non-Major Governmenta Funds
ASSETS				
Cash and cash equivalents	\$ 67,545	\$ 9,448	\$ 5,012	\$ 82,005
Total Assets	<u>\$ 67,545</u>	<u>\$ 9,448</u>	<u>\$ 5,012</u>	<u>\$ 82,005</u>
LIABILITIES				
Accounts payable	\$ -	\$ 4,835	\$ -	\$ 4,835
Due to other funds	-	838	-	838
Total Liabilities	<u>-</u>	<u>5,673</u>	<u>-</u>	<u>5,673</u>
FUND BALANCES (DEFICITS)				
Restricted for:				
Restricted for capital projects	-	-	5,012	5,012
Committed for:				
Committed for capital projects	67,545	-	-	67,545
Committed for municipal court	-	3,775	-	3,775
Total Fund Balances	<u>67,545</u>	<u>3,775</u>	<u>5,012</u>	<u>76,332</u>
Total liabilities and fund balances	<u>\$ 67,545</u>	<u>\$ 9,448</u>	<u>\$ 5,012</u>	<u>\$ 82,005</u>

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CITY OF WIMBERLEY, TEXAS
 COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
 NONMAJOR GOVERNMENTAL FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2013

	Capital Projects Fund	Municipal Court Fund	Sidewalks Donations Fund	Total Non-Major Governmenta Funds
REVENUES				
Intergovernmental revenues	\$ 61,335	\$ -	\$ -	\$ 61,335
Charges for services	-	2,045	-	2,045
Investment earnings	12	8	3	23
Total revenues	<u>61,347</u>	<u>2,053</u>	<u>3</u>	<u>63,403</u>
EXPENDITURES				
Current:				
General government	-	560	-	560
Capital outlay	38,521	-	-	38,521
Total expenditures	<u>38,521</u>	<u>560</u>	<u>-</u>	<u>39,081</u>
Excess (deficiency) of revenues over expenditures	<u>22,826</u>	<u>1,493</u>	<u>3</u>	<u>24,322</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	38,521	-	-	38,521
Total Other Financing Sources (Uses)	<u>38,521</u>	<u>-</u>	<u>-</u>	<u>38,521</u>
Net Change in Fund Balance	61,347	1,493	3	62,843
Fund Balance - Beginning	6,198	2,282	5,009	13,489
Fund Balance - Ending	<u>\$ 67,545</u>	<u>\$ 3,775</u>	<u>\$ 5,012</u>	<u>\$ 76,332</u>

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OTHER SUPPLEMENTARY INFORMATION SECTION

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REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS

Honorable Mayor and Members of the City Council
City of Wimberley, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Wimberley, Texas, as of and for the year ended September 30, 2013, and the related notes to the financial statements, which collectively comprise City of Wimberley, Texas's basic financial statements, and have issued our report thereon dated December 27, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered City of Wimberley, Texas's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Wimberley, Texas's internal control. Accordingly, we do not express an opinion on the effectiveness of City of Wimberley, Texas's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether City of Wimberley, Texas's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Singleton, Clark & Company, PC

Singleton, Clark & Company, PC
Austin, Texas

December 27, 2013

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CITY OF WIMBERLEY, TEXAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED SEPTEMBER 30, 2013

SECTION I – SUMMARY OF AUDITOR’S RESULTS

FINANCIAL STATEMENTS

Type of auditor’s report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? Yes No
- Significant deficiencies identified that are not considered to be material weaknesses? Yes None reported

Noncompliance material to financial statements noted? Yes No

FEDERAL AWARDS

Under the guidelines of OMB Circular A-133, a Single Audit was not required due to expenditures of federal awards being below \$500,000.

SECTION II – FINANCIAL STATEMENT FINDINGS

Findings Related to Financial Statements Which are Required to be Reported in Accordance with Government Auditing Standards:

No findings or questioned costs are required to be reported in accordance with *Government Auditing Standards* for the years ended September 30, 2013 and 2012.

SECTION III – FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS

Findings Related to Federal Awards Which are Required to be Reported in Accordance with Section 510(c) of OMB Circular A-133:

No findings or questioned costs are required to be reported in accordance with Section 510(c) of OMB Circular A-133 for the years ended September 30, 2013 and 2012.

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 100 - General Fund

Assets

1011 Petty Cash	350.00
1020 General Checking - ONB	787,099.43
1021 Certificate of Deposit - Ozona	228,090.37
1030 Texpool	177,024.96
1050 Sales Tax Receivable	55,561.47
1053 Franchise Taxes Receivable	45,161.45
1150 Accounts Receivable	11,679.55
1151 Allowance for Uncoll Acct Rec	-7,046.65
1302 Due from Municipal Court	2,233.34
1304 Due from BH Parkland	-0.01

Total Assets

1,300,153.91

Liabilities

2010 Accounts Payable	19,121.92
2015 CC Security Deposits Payable	7,157.00
2022 Payroll Deductions Payable	-2.02
2023 TML IEBP Payable	126.21
2074 TMRS Payable	465.75
2075 Septic Fees Payable	130.00
2082 Due to Special Revenue Fund	11,547.07

Total Liabilities

38,545.93

Reserves/Balances

3510 Committed FB - Public Works	300,000.00
3520 Committed FB - New City Hall	50,000.00
3530 Committed FB - W/W on Square	30,000.00
3540 Committed FB-Future Grant Matc	50,000.00
3600 Fund Balance - Uncommitted	609,081.67
3650 Net Excess (Deficit)	222,526.31

Total Reserves/Balances

1,261,607.98

Total Liabilities & Balances

1,300,153.91

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 100 - General Fund

Revenues

Function: 10 General

Dept: 15 ADMINISTRATION

Acct Class: 4100 Taxes

5120 General Sales & Use Tax

5131 Mixed Beverage Tax

5172 Franchise Taxes

55,491.47 639,279.67 560,000.00 114.16
0.00 13,293.27 10,000.00 132.93
18,924.17 240,604.17 252,000.00 95.48

Taxes

Acct Class: 4500 Licenses & Permits

5211 Beer & Wine Permits

5212 Food Permits

5213 Septic Permits

5219 Sign Permits

5221 Building Permits

74,415.64 893,177.11 822,000.00 108.66
350.00 410.00 2,500.00 16.40
575.00 10,255.00 13,200.00 77.69
1,550.00 15,475.00 8,000.00 193.44
230.00 2,921.00 2,000.00 146.05
1,089.44 26,541.55 25,000.00 106.17

Licenses & Permits

Acct Class: 6000 Charges for Services

5413 Zoning

5414 Subdivision Fees

5415 Copies/Maps/Misc.

5416 Building Inspections

5417 Plan Reviews

5475 Community Center Rental Fees

3,794.44 55,602.55 50,700.00 109.67
361.00 5,141.00 4,500.00 114.24
1,604.00 22,710.77 1,750.00 1,297.76
0.00 0.00 500.00 0.00
710.00 21,470.00 25,000.00 85.88
585.00 9,750.00 15,000.00 65.00
2,218.05 48,100.36 55,000.00 87.46

Charges for Services

Acct Class: 6500 Fines

5411 Court Costs, Fees & Charges

5,478.05 107,172.13 101,750.00 105.33
2,606.04 18,417.96 30,000.00 61.39

Fines

Acct Class: 6600 Interest

5611 Interest Revenues

2,606.04 18,417.96 30,000.00 61.39
58.06 591.26 1,000.00 59.13

Interest

Acct Class: 6700 Other Income

5620 Parking Lot Lease

5701 Other Revenue

5799 Operating Transfer In

58.06 591.26 1,000.00 59.13
100.00 1,000.00 1,200.00 83.33
0.00 3,839.12 12,500.00 30.71
0.00 0.00 0.00 0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 100 - General Fund

Revenues

Function: 10 General

Dept: 15 ADMINISTRATION

Acct Class: 6700 Other Income

5900 Designated Funds

0.00 70,233.30 0.00 0.00

100.00 75,072.42 13,700.00 547.97

ADMINISTRATION

86,452.23 1,150,033.43 1,019,150.00 112.84

General

86,452.23 1,150,033.43 1,019,150.00 112.84

Revenues

86,452.23 1,150,033.43 1,019,150.00 112.84

Expenditures

Function: 10 General

Dept: 15 ADMINISTRATION

Acct Class: 5 Expenditures

6990 Operating Transfer Out

0.00 87,489.24 87,489.24 100.00

0.00 87,489.24 87,489.24 100.00

Acct Class: 7100 Personal Services

6110 Salaries & Wages - Admin

6120 Salaries & Wages - Secretary

6130 Salaries & Wages - Clerk/Rec

6210 Health Care

6220 Payroll Taxes

6230 TMRS Contributions

6250 Unemployment Compensation

7,828.00 88,388.00 98,800.00 89.46

3,049.98 34,922.27 39,650.00 88.08

2,083.20 23,852.64 27,092.00 88.08

1,305.90 15,241.02 17,215.00 88.53

991.53 11,270.67 14,153.00 79.63

235.89 2,358.79 3,013.00 78.29

0.00 557.74 0.00 0.00

Personal Services

Acct Class: 7200 Supplies & Maintenance

6410 Utilities

6430 Bldg Repairs/Maintenance

6433 Equip Maintenance

6442 Water Cooler

6521 Security/Alarm Svs.

6583 Fuel

6610 General Supplies

15,494.50 176,591.13 199,913.00 88.33

687.83 8,168.34 6,261.00 130.46

248.00 2,830.03 3,000.00 94.33

0.00 152.55 0.00 0.00

41.97 381.07 480.00 79.39

0.00 488.08 614.00 79.49

56.29 56.29 0.00 0.00

36.39 155.75 0.00 0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 100 - General Fund

Expenditures

Function: 10 General

Dept: 15 ADMINISTRATION

Acct Class: 7200 Supplies & Maintenance

6660 Office Supplies

6791 Capital Outlay - Technology

6792 Capital Outlay - Other

Supplies & Maintenance

Acct Class: 8000 Other Services & Charges

6270 Annual/Assoc DUES

6340 Technology Consultant

6370 Contract Services

6411 Telephone

6420 Office Cleaning

6441 Storage Rent

6443 Equipment Rent/Lease

6444 Parking Lot Lease

6520 Insurance

6531 Public Notices

6532 Office Technology

6540 Advertising

6551 Printing

6552 Copies

6570 Travel

6571 Mileage

6580 Pay Comparability Adj

6581 Refunds

6589 Records Management

6651 Postage

Other Services & Charges

ADMINISTRATION

Dept: 16 LEGAL

Acct Class: 8000 Other Services & Charges

6350 Legal

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 100 - General Fund

Expenditures

Function: 10 General
Dept: 16 LEGAL

Other Services & Charges	10,461.89	73,569.90	45,000.00	163.53
LEGAL	10,461.89	73,569.90	45,000.00	163.53
Dept: 17 COUNCILBOARD				
Acct Class: 8000 Other Services & Charges				
6320 Financial Mgmt Services	1,200.00	13,725.00	14,400.00	95.31
6330 Audit Svs	0.00	9,730.00	13,500.00	72.07
6382 Social Services Support	0.00	750.00	3,000.00	25.00
6533 Public Information	0.00	3,572.49	3,788.00	94.31
6541 Public Relations/Receptions	23.00	2,478.82	2,200.00	112.67
6572 Training	0.00	139.38	0.00	0.00
6590 Elections	0.00	5,873.27	4,500.00	130.52
6591 Planning	8,921.65	46,684.99	50,000.00	93.37
6592 Economic Development	0.00	0.00	5,000.00	0.00

Other Services & Charges	10,144.65	82,953.95	96,388.00	86.06
COUNCILBOARD	10,144.65	82,953.95	96,388.00	86.06

Dept: 18 BUILDING

Acct Class: 8000 Other Services & Charges

6360 Contract Inspections	2,785.00	25,405.00	25,000.00	101.62
6582 Site Plan Reviews	0.00	28,828.93	15,000.00	192.19

Other Services & Charges	2,785.00	54,233.93	40,000.00	135.58
BUILDING	2,785.00	54,233.93	40,000.00	135.58

General

Function: 20 Public Safety

Dept: 21 PUBLIC SAFETY

Acct Class: 7100 Personal Services

Salaries & Wages - City Marsha

6170 Salaries & Wages - City Marsha	0.00	32,206.67	41,200.00	78.17
6210 Health Care	0.00	5,593.23	8,343.00	67.04
6220 Payroll Taxes	0.00	2,372.34	3,523.00	67.34
6230 TMRS Contributions	41.08	566.23	750.00	75.50

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Function: 20 Public Safety				
Dept: 21 PUBLIC SAFETY				
Acct Class: 7100 Personal Services				
6250 Unemployment Compensation	0.00	207.00	0.00	0.00
Personal Services				
Acct Class: 7200 Supplies & Maintenance	41.08	40,945.47	53,816.00	76.08
6431 Vehicle Maint/Insurance	0.00	568.51	500.00	113.70
6563 Fuel	0.00	2,650.13	3,235.00	81.92
6610 General Supplies	0.00	148.00	1,500.00	9.87
Supplies & Maintenance				
Acct Class: 8000 Other Services & Charges	0.00	3,366.64	5,235.00	64.31
6370 Contract Services	0.00	1,005.00	0.00	0.00
6371 Sanitarian (Contract Labor)	1,281.80	17,388.26	18,500.00	93.99
6373 Animal Control	0.00	6,000.00	6,000.00	100.00
6411 Telephone	76.41	875.00	900.00	97.22
6572 Training	0.00	0.00	1,500.00	0.00
6794 Capital Outlay - Equipment	0.00	736.00	1,500.00	49.07
Other Services & Charges				
	1,358.21	26,004.26	28,400.00	91.56
PUBLIC SAFETY				
Dept: 25 MUNICIPAL COURT	1,399.29	70,316.37	87,451.00	80.41
Acct Class: 8000 Other Services & Charges				
6380 Municipal Court Judge	600.00	4,575.00	7,200.00	63.54
6381 City Prosecutor	660.00	7,456.86	10,440.00	71.43
Other Services & Charges				
	1,260.00	12,031.86	17,640.00	68.21
MUNICIPAL COURT				
	1,260.00	12,031.86	17,640.00	68.21
Public Safety				
Function: 30 Public Works	2,659.29	82,348.23	105,091.00	78.36
Dept: 30 PUBLIC WORKS				
Acct Class: 7100 Personal Services				
6150 Salaries & Wages - CodeEnforce	2,316.80	26,527.36	30,118.00	88.08
6160 Salaries & Wages - GIS/Permit	0.00	12,282.02	34,536.00	35.56

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 100 - General Fund

Expenditures

Function: 30 Public Works

Dept: 30 PUBLIC WORKS

Acct Class: 7100 Personal Services

6210 Health Care	60.66	3,834.62	8,287.00	46.27
6220 Payroll Taxes	177.24	3,076.10	5,528.00	55.65
6230 TMRS Contributions	42.17	627.58	1,177.00	53.32
6250 Unemployment Compensation	0.00	306.26	0.00	0.00

Personal Services

Acct Class: 7200 Supplies & Maintenance

6431 Vehicle Maint/Insurance	0.00	906.20	600.00	151.03
6583 Fuel	0.00	1,859.37	2,000.00	92.97
6610 General Supplies	0.00	24.72	500.00	4.94
6612 Tools	478.27	1,077.11	6,298.00	17.10

Supplies & Maintenance

Acct Class: 8000 Other Services & Charges

6572 Training	0.00	280.00	0.00	0.00
6794 Capital Outlay - Equipment	0.00	17,614.63	18,000.00	97.86

Other Services & Charges

	0.00	17,894.63	18,000.00	99.41
PUBLIC WORKS	3,075.14	68,415.97	107,044.00	63.91

Dept: 31 ROADS

Acct Class: 7200 Supplies & Maintenance

6432 Road Maintenance	525.00	50,600.95	70,000.00	72.29
6584 Mowing/Trimming	50.00	20,055.00	28,500.00	70.37
6611 Signs/Barricades	400.00	6,163.43	4,000.00	154.09

Supplies & Maintenance

Acct Class: 8000 Other Services & Charges

6370 Contract Services	0.00	1,900.00	645.00	294.57
6372 Survey Services	0.00	0.00	1,000.00	0.00
6444 Parking Lot Lease	0.00	300.00	1,200.00	25.00
6470 Engineering - Roads	0.00	11,500.00	5,000.00	230.00
6795 Capital Outlay - Roads	0.00	19,980.26	0.00	0.00

Other Services & Charges

	0.00	33,680.26	7,845.00	429.32
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* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 100 - General Fund

Expenditures

Function: 30 Public Works

ROADS	975.00	110,499.64	110,345.00	100.14
Dept: 33 WATER/WASTEWATER				
Acct Class: 7200 Supplies & Maintenance				
6586 Quality Testing WW	0.00	1,382.00	3,000.00	46.07
6588 Public Restroom WW	1,214.88	13,040.05	4,625.00	281.95
Supplies & Maintenance	1,214.88	14,422.05	7,625.00	189.14
Acct Class: 8000 Other Services & Charges				
6561 State Sanitation Fees	0.00	0.00	200.00	0.00
6900 Wastewater Debt Service - Prin	0.00	0.00	0.00	0.00
Other Services & Charges	0.00	0.00	200.00	0.00
WATER/WASTEWATER	1,214.88	14,422.05	7,825.00	184.31
Public Works	5,265.02	193,337.66	225,214.00	85.85
Function: 50 Culture and Recreation				
Dept: 51 COMMUNITY CENTER				
Acct Class: 7100 Personal Services				
6140 Salaries & Wages - Director	2,332.11	25,716.25	34,939.00	73.60
6180 Salaries & Wages - Maintenance	1,276.60	16,477.43	21,632.00	76.17
6220 Payroll Taxes	276.07	3,221.76	4,384.00	73.49
6230 TMRS Contributions	0.00	8.17	0.00	0.00
6250 Unemployment Compensation	0.00	249.17	0.00	0.00
Personal Services	3,884.78	45,672.78	60,955.00	74.93
Acct Class: 7200 Supplies & Maintenance				
6410 Utilities	2,235.02	27,045.39	24,844.00	108.86
6430 Bldg Repairs/Maintenance	221.00	4,405.88	6,000.00	73.43
6521 Security/Alarm Svs.	131.29	1,345.70	1,407.00	95.64
6610 General Supplies	238.42	4,397.95	3,000.00	146.60
6660 Office Supplies	92.52	463.86	1,500.00	30.92
Supplies & Maintenance	2,918.25	37,658.78	36,751.00	102.47
Acct Class: 8000 Other Services & Charges				
6270 Annual/Assoc DUES	0.00	180.00	0.00	0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Function: 50 Culture and Recreation				
Dept: 51 COMMUNITY CENTER				
Acct Class: 8000 Other Services & Charges				
6411 Telephone	88.44	983.63	1,020.00	96.43
6443 Equipment Rent/Lease	0.00	180.00	0.00	0.00
6532 Office Technology	0.00	430.00	2,430.00	17.70
6540 Advertising	36.10	1,865.80	10,000.00	18.66
6551 Printing	0.00	0.00	3,000.00	0.00
6651 Postage	0.00	42.00	200.00	21.00
Other Services & Charges	124.54	3,681.43	16,650.00	22.11
COMMUNITY CENTER				
Dept: 52 PARKS	6,927.57	87,012.99	114,356.00	76.09
Acct Class: 7200 Supplies & Maintenance				
6585 NATURE TRAIL	417.75	3,410.29	9,000.00	37.89
Supplies & Maintenance	417.75	3,410.29	9,000.00	37.89
PARKS	417.75	3,410.29	9,000.00	37.89
Culture and Recreation	7,345.32	90,423.28	123,356.00	73.30
Expenditures	58,427.63	927,507.12	1,019,151.24	91.01

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 200 - Blue Hole Parkland

Assets

1011 Petty Cash	400.00
1022 BH Parkland - ONB	330,310.34
1301 Due from General	11,547.07

Total Assets 342,257.41

Liabilities

2010 Accounts Payable	8,333.62
2016 BH Rental Deposits Payable	2,400.00
2022 Payroll Deductions Payable	267.98
2074 TMRS Payable	586.97

Total Liabilities 11,588.57

Reserves/Balances

3600 Fund Balance - Uncommitted	205,533.30
3650 Net Excess (Deficit)	125,135.54

Total Reserves/Balances 330,668.84

Total Liabilities & Balances 342,257.41

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 200 - Blue Hole Parkland				
Revenues				
Function: 50 Culture and Recreation				
Dept: 52 PARKS				
Acct Class: 6000 Charges for Services				
5472 Gate Fees	95,936.05	303,610.49	170,240.00	178.34
5474 Park Rental Fees	800.00	6,438.56	22,745.00	28.31
5476 Special Events	0.00	150.00	10,000.00	1.50
5479 Vending/Merchandise	2,920.58	3,777.98	15,000.00	25.19
Charges for Services				
Acct Class: 6600 Interest	99,656.63	313,977.03	217,985.00	144.04
5611 Interest Revenues	12.43	79.27	150.00	52.85
Interest				
Acct Class: 6700 Other Income	12.43	79.27	150.00	52.85
5701 Other Revenue	222.02	1,099.46	0.00	0.00
5900 Designated Funds	0.00	11,547.07	25,000.00	46.19
Other Income	222.02	12,646.53	25,000.00	50.59
PARKS				
	99,891.08	326,702.83	243,135.00	134.37
Culture and Recreation				
	99,891.08	326,702.83	243,135.00	134.37
Revenues				
	99,891.08	326,702.83	243,135.00	134.37
Expenditures				
Function: 50 Culture and Recreation				
Dept: 52 PARKS				
Acct Class: 7100 Personal Services				
6140 Salaries & Wages - Director	3,169.24	29,949.48	41,200.00	72.69
6180 Salaries & Wages - Maintenance	3,903.21	31,731.95	30,000.00	105.77
6181 Salaries & Wages - Part-Time	8,037.16	44,717.08	75,190.00	59.47
6210 Health Care	1,178.81	11,488.77	14,457.00	79.47
6220 Payroll Taxes	1,127.80	10,238.71	11,345.00	90.25
6230 TMRs Contributions	97.18	1,225.15	2,664.00	45.99
6250 Unemployment Compensation	0.00	1,044.54	0.00	0.00
Personal Services				
	17,513.40	130,395.68	174,856.00	74.57

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 200 - Blue Hole Parkland				
Expenditures				
Function: 50 Culture and Recreation				
Dept: 52 PARKS				
Acct Class: 7200 Supplies & Maintenance				
6374 Contract Services	369.00	15,115.32	16,000.00	94.47
6410 Utilities	1,351.06	14,128.93	16,253.00	86.93
6431 Vehicle Maint/Insurance	0.00	29.50	0.00	0.00
6433 Equip Maintenance	0.00	565.14	0.00	0.00
6583 Fuel	148.98	1,224.68	2,000.00	61.23
6584 Mowing/Trimming	0.00	575.00	2,000.00	28.75
6610 General Supplies	2,703.78	15,094.28	17,175.00	87.89
6613 Materials	0.00	1,463.98	5,000.00	29.28
6615 Bldg & Maint Supplies	0.00	0.00	4,000.00	0.00
6660 Office Supplies	104.97	398.11	500.00	79.62
Supplies & Maintenance	4,677.79	48,594.94	62,928.00	77.22
Acct Class: 8000 Other Services & Charges				
6411 Telephone	160.85	1,768.00	2,311.00	76.50
6443 Equipment Rent/Lease	130.00	2,814.00	350.00	804.00
6520 Insurance	0.00	0.00	2,000.00	0.00
6562 BH CC Processing Fees	1,176.00	2,500.93	1,000.00	250.09
6581 Refunds	0.00	200.00	0.00	0.00
6651 Postage	0.00	14.74	100.00	14.74
6793 Capital Outlay - Vehicles	0.00	0.00	6,800.00	0.00
6794 Capital Outlay - Equipment	0.00	15,279.00	11,300.00	135.21
Other Services & Charges	1,466.85	22,576.67	23,861.00	94.62
PARKS	23,658.04	201,567.29	261,645.00	77.04
Culture and Recreation	23,658.04	201,567.29	261,645.00	77.04
Expenditures	23,658.04	201,567.29	261,645.00	77.04

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 201 - Municipal Court

Assets

1023 Municipal Court - ONB

9,574.70

1024 MC Bonds - ONB

663.70

Total Assets

10,238.40

Liabilities

2076 Municipal Court Cost Payable

1,445.68

2080 Due to General

2,233.34

Total Liabilities

3,679.02

Reserves/Balances

3600 Fund Balance - Uncommitted

3,774.77

3601 Transfer

292.70

3650 Net Excess (Deficit)

2,491.91

Total Reserves/Balances

6,559.38

Total Liabilities & Balances

10,238.40

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 201 - Municipal Court

Revenues

Function: 10 General

Dept: 00

Acct Class: 6500 Fines

5514 Court Technology Fees	40.00	820.00	1,400.00	58.57
5515 Building Security Fees	30.00	615.00	1,050.00	58.57
5516 Child Safety Fees	25.00	900.00	350.00	257.14
5517 Judicial Efficiency Fees	16.00	133.10	583.00	22.83
5518 Bond Fees	0.00	0.00	4,000.00	0.00

Fines

Acct Class: 6600 Interest

5611 Interest Revenues	111.00	2,468.10	7,383.00	33.43
------------------------	--------	----------	----------	-------

Interest

Acct Class: 6700 Other Income

5701 Other Revenue	0.69	8.81	0.00	0.00
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Other Income

Dept: 00

	111.69	2,491.91	7,383.00	33.75
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General

	111.69	2,491.91	7,383.00	33.75
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Revenues

	111.69	2,491.91	7,383.00	33.75
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Expenditures

Function: 10 General

Dept: 00

Acct Class: 7200 Supplies & Maintenance

6614 Signage	0.00	0.00	250.00	0.00
6660 Office Supplies	0.00	0.00	983.00	0.00
6790 Capital Outlay - Furnishings	0.00	0.00	1,050.00	0.00

Supplies & Maintenance

Acct Class: 8000 Other Services & Charges

6532 Office Technology	0.00	0.00	1,000.00	0.00
6551 Printing	0.00	0.00	100.00	0.00
6563 Bond Transfers	0.00	0.00	4,000.00	0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 201 - Municipal Court

Expenditures

Function: 10 General

Dept: 00

Other Services & Charges

Dept: 00

General

Expenditures

0.00	0.00	0.00	5,100.00	0.00
0.00	0.00	0.00	7,383.00	0.00
0.00	0.00	0.00	7,383.00	0.00
0.00	0.00	0.00	7,383.00	0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 202 - Wastewater Fund

Assets

1027 Wastewater - ONB	136,104.11
1028 WW Construction Fund	55,011.66
1029 WW Int & Sinking Fund	2,007.24
1150 Accounts Receivable	31,668.56
1152 Tax Notes 2013-Restricted Cash	400,582.00
1729 WW Reclamation Facility	184,018.36
1730 Utility Plant - WW	223,970.00
1731 Accumulated Deprec.-Bldgs	-9,143.50

Total Assets

1,024,218.43

Liabilities

2010 Accounts Payable	1,587.06
2140 Accrued Interest Payable	7,510.73
2240 Notes Payable - Current	111,655.84
2550 Notes Payable - Utility Plant	130,901.66
2551 Notes Payable-Tax Notes 2013	560,000.00

Total Liabilities

811,655.29

Reserves/Balances

3600 Fund Balance - Uncommitted	159,237.34
3650 Net Excess (Deficit)	53,325.80

Total Reserves/Balances

212,563.14

Total Liabilities & Balances

1,024,218.43

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 202 - Wastewater Fund				
Revenues				
Function: 04 Water/Wastewater				
Dept: 04 WATER/WASTEWATER				
Acct Class: 6000 Charges for Services				
5400 Service Fees	58,883.04	196,191.36	156,851.00	125.08
Charges for Services	58,883.04	196,191.36	156,851.00	125.08
Acct Class: 6600 Interest				
5611 Interest Revenues	7.62	90.50	100.00	90.50
Interest	7.62	90.50	100.00	90.50
Acct Class: 6700 Other Income				
5799 Operating Transfer In	0.00	93,873.05	87,489.24	107.30
Other Income	0.00	93,873.05	87,489.24	107.30
WATER/WASTEWATER	58,890.66	290,154.91	244,440.24	118.70
Water/Wastewater	58,890.66	290,154.91	244,440.24	118.70
Revenues	58,890.66	290,154.91	244,440.24	118.70
Expenditures				
Function: 04 Water/Wastewater				
Dept: 04 WATER/WASTEWATER				
Acct Class: 5 Expenditures				
6990 Operating Transfer Out	0.00	6,383.81	0.00	0.00
Expenditures	0.00	6,383.81	0.00	0.00
Acct Class: 7200 Supplies & Maintenance				
6374 Contract Services	5,900.00	91,505.24	68,500.00	133.58
6410 Utilities	1,070.50	10,260.68	9,679.00	106.01
6660 Office Supplies	0.00	398.94	0.00	0.00
Supplies & Maintenance	6,970.50	102,164.86	78,179.00	130.68
Acct Class: 8000 Other Services & Charges				
6797 Capital Outlay - Facilities	0.00	31,250.00	31,250.00	100.00
6900 Wastewater Debt Service - Prin	0.00	94,036.75	96,888.19	97.06
6901 Wastewater Debt Service - Int	0.00	2,993.69	0.00	0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 202 - Wastewater Fund

Expenditures

Function: 04 Water/Wastewater

Dept: 04 WATER/WASTEWATER

Other Services & Charges	0.00	128,280.44	128,138.19	100.11
WATER/WASTEWATER	6,970.50	236,829.11	206,317.19	114.79
Water/Wastewater	6,970.50	236,829.11	206,317.19	114.79
Expenditures	6,970.50	236,829.11	206,317.19	114.79

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 600 - BHP Development Projects

Assets

1025 BH Development - ONB

46,104.37

Total Assets

46,104.37

Reserves/Balances

3550 FB Committed - Soccer Fields

109,279.00

3600 Fund Balance - Uncommitted

-41,734.31

3650 Net Excess (Deficit)

-21,440.32

Total Reserves/Balances

46,104.37

Total Liabilities & Balances

46,104.37

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Annual Budget Current Year % of Budget

Fund: 600 - BHP Development Projects

Revenues

Function: 10 General

Dept: 00

Acct Class: 6600 Interest

5611 Interest Revenues

Interest	3.92	47.16	125.00	37.73
Acct Class: 6700 Other Income				
5340 Grant Funds	0.00	0.00	36,336.00	0.00
5900 Designated Funds	0.00	0.00	6,307.00	0.00

Other Income 0.00 0.00 42,643.00 0.00

Dept: 00 3.92 47.16 42,768.00 0.11

General 3.92 47.16 42,768.00 0.11

Revenues 3.92 47.16 42,768.00 0.11

Expenditures

Function: 10 General

Dept: 00

Acct Class: 8000 Other Services & Charges

6794 Capital Outlay - Equipment

6798 Capital Outlay-Development

Other Services & Charges	0.00	21,487.48	37,543.00	57.23
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Dept: 00 0.00 21,487.48 37,543.00 57.23

General 0.00 21,487.48 37,543.00 57.23

Expenditures 0.00 21,487.48 37,543.00 57.23

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 8/31/2014

Balances

Fund: 602 - FM 2325 Sidewalk

Assets

1026 FM 2325 Sidewalks - ONB

5,014.34

Total Assets

5,014.34

Reserves/Balances

3600 Fund Balance - Uncommitted

5,012.05

3650 Net Excess (Deficit)

2.29

Total Reserves/Balances

5,014.34

Total Liabilities & Balances

5,014.34

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 8/1/2014 to 8/31/2014 CY ATD: 10/1/2013 to 9/30/2014

CY MTD Actual CY YTD Actual CY Amended Current Year %
Annual Budget of Budget

Fund: 602 - FM 2325 Sidewalk

Revenues

Function: 10 General

Dept: 00

Acct Class: 6600 Interest

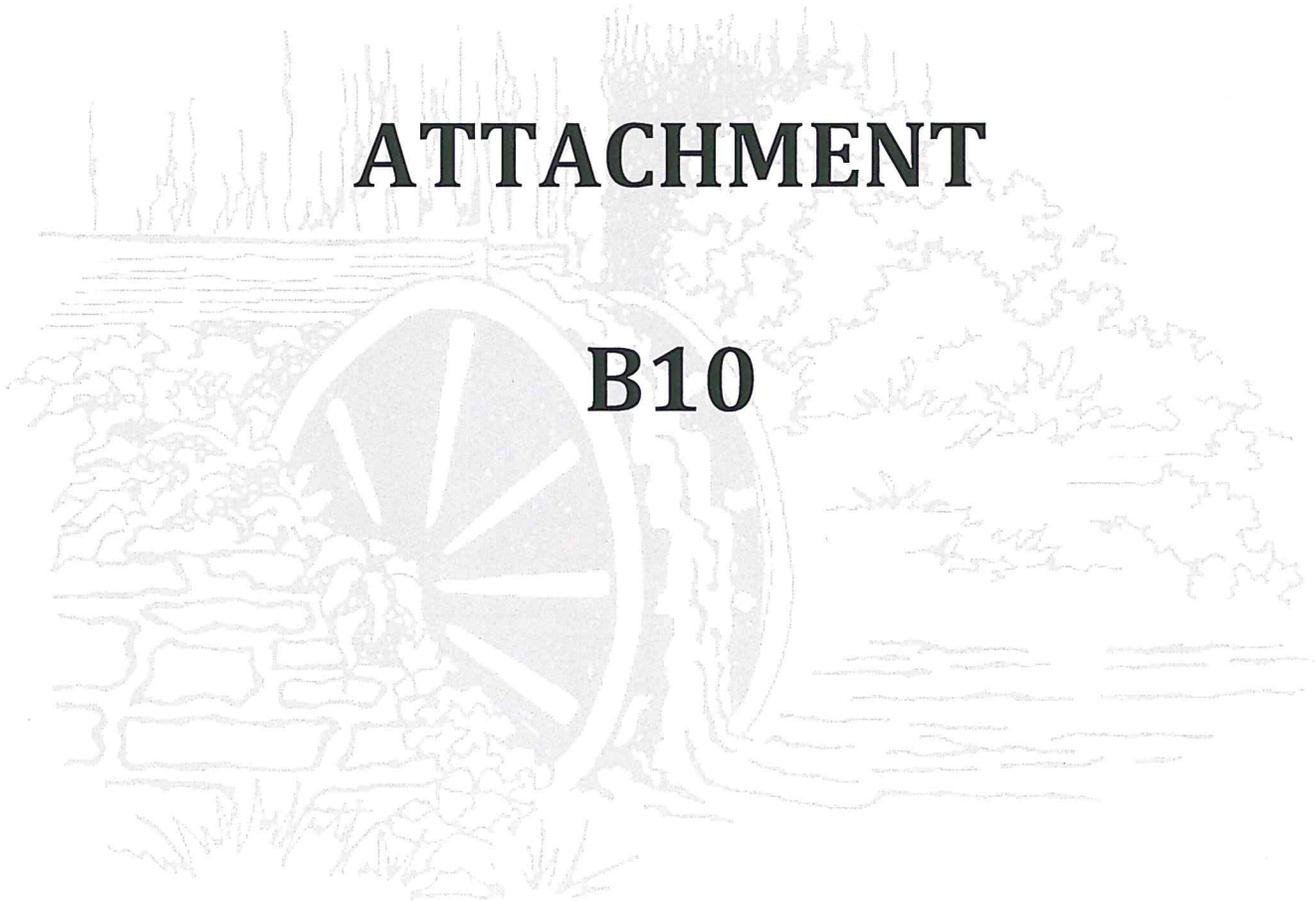
5611 Interest Revenues

Interest	0.21	2.29	0.00	0.00
Acct Class: 6700 Other Income	0.00	0.00	5,000.00	0.00
5900 Designated Funds	0.00	0.00	5,000.00	0.00
Other Income	0.21	2.29	5,000.00	0.05
Dept: 00	0.21	2.29	5,000.00	0.05
General	0.21	2.29	5,000.00	0.05
Revenues	0.21	2.29	5,000.00	0.05

Grand Total Net Effect: 156,293.62 382,041.53 29,836.81 1,280.44

ATTACHMENT

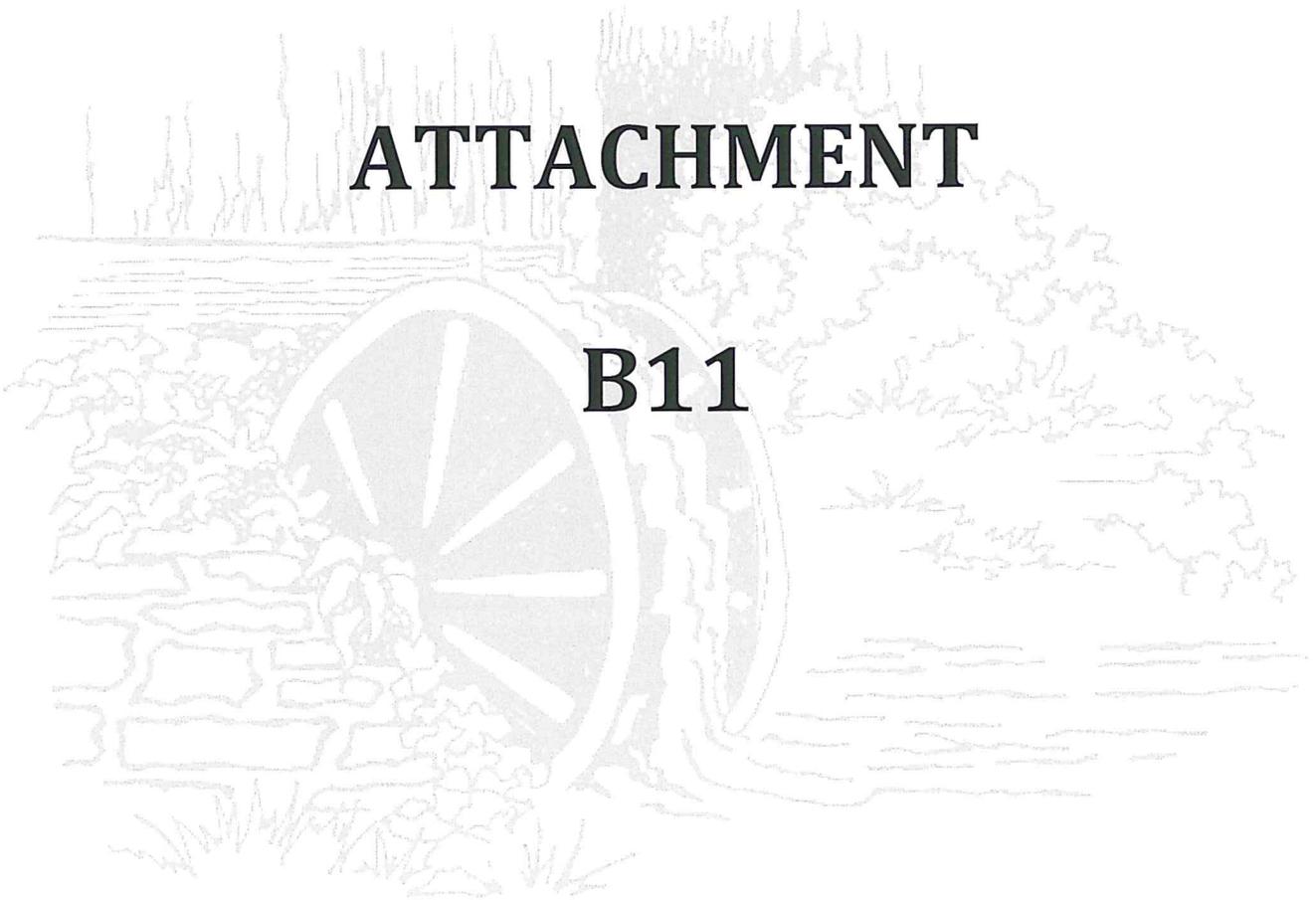
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Fiscal Year Ending 9/30	Guadalupe-Blanco River Authority Note, Series 2012			Combination Tax & Surplus Revenue Anticipation Notes, Series 2013			Combination Tax & Surplus Revenue Tax Anticipation Notes, Series 2015			Total Outstanding Debt		
	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total
2015	\$ 23,066	\$ 8,184	\$ 31,250	\$ 90,000	\$ 7,774	\$ 97,774	\$ -	\$ -	\$ -	\$ 113,066	\$ 15,958	\$ 129,024
2016	24,547	6,703	31,250	90,000	7,378	97,378	-	177,598	177,598	114,547	191,679	306,226
2017	26,102	5,148	31,250	95,000	6,622	101,622	145,000	121,550	266,550	266,102	133,320	399,422
2018	27,735	3,515	31,250	95,000	5,510	100,510	145,000	118,346	263,346	267,735	127,371	395,106
2019	29,451	1,800	31,251	95,000	4,066	99,066	150,000	115,141	265,141	274,451	121,007	395,458
2020				95,000	2,242	97,242	155,000	111,826	266,826	250,000	114,068	364,068
2021							155,000	108,401	263,401	155,000	108,401	263,401
2022							160,000	104,975	264,975	160,000	104,975	264,975
2023							165,000	101,439	266,439	165,000	101,439	266,439
2024							165,000	97,793	262,793	165,000	97,793	262,793
2025							170,000	94,146	264,146	170,000	94,146	264,146
2026							175,000	90,389	265,389	175,000	90,389	265,389
2027							180,000	86,522	266,522	180,000	86,522	266,522
2028							185,000	82,544	267,544	185,000	82,544	267,544
2029							185,000	78,455	263,455	185,000	78,455	263,455
2030							190,000	74,367	264,367	190,000	74,367	264,367
2031							195,000	70,168	265,168	195,000	70,168	265,168
2032							200,000	65,858	265,858	200,000	65,858	265,858
2033							205,000	61,438	266,438	205,000	61,438	266,438
2034							210,000	56,908	266,908	210,000	56,908	266,908
2035							215,000	52,267	267,267	215,000	52,267	267,267
2036							220,000	47,515	267,515	220,000	47,515	267,515
2037							225,000	42,653	267,653	225,000	42,653	267,653
2038							225,000	37,681	262,681	225,000	37,681	262,681
2039							230,000	32,708	262,708	230,000	32,708	262,708
2040							240,000	27,625	267,625	240,000	27,625	267,625
2041							245,000	22,321	267,321	245,000	22,321	267,321
2042							250,000	16,907	266,907	250,000	16,907	266,907
2043							255,000	11,382	266,382	255,000	11,382	266,382
2044							260,000	5,746	265,746	260,000	5,746	265,746
	<u>\$ 130,901</u>	<u>\$ 25,350</u>	<u>\$ 156,251</u>	<u>\$ 560,000</u>	<u>\$ 33,591</u>	<u>\$ 593,591</u>	<u>\$ 5,500,000</u>	<u>\$ 2,114,663</u>	<u>\$ 7,614,663</u>	<u>\$ 6,190,901</u>	<u>\$ 2,173,604</u>	<u>\$ 8,364,505</u>

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B11

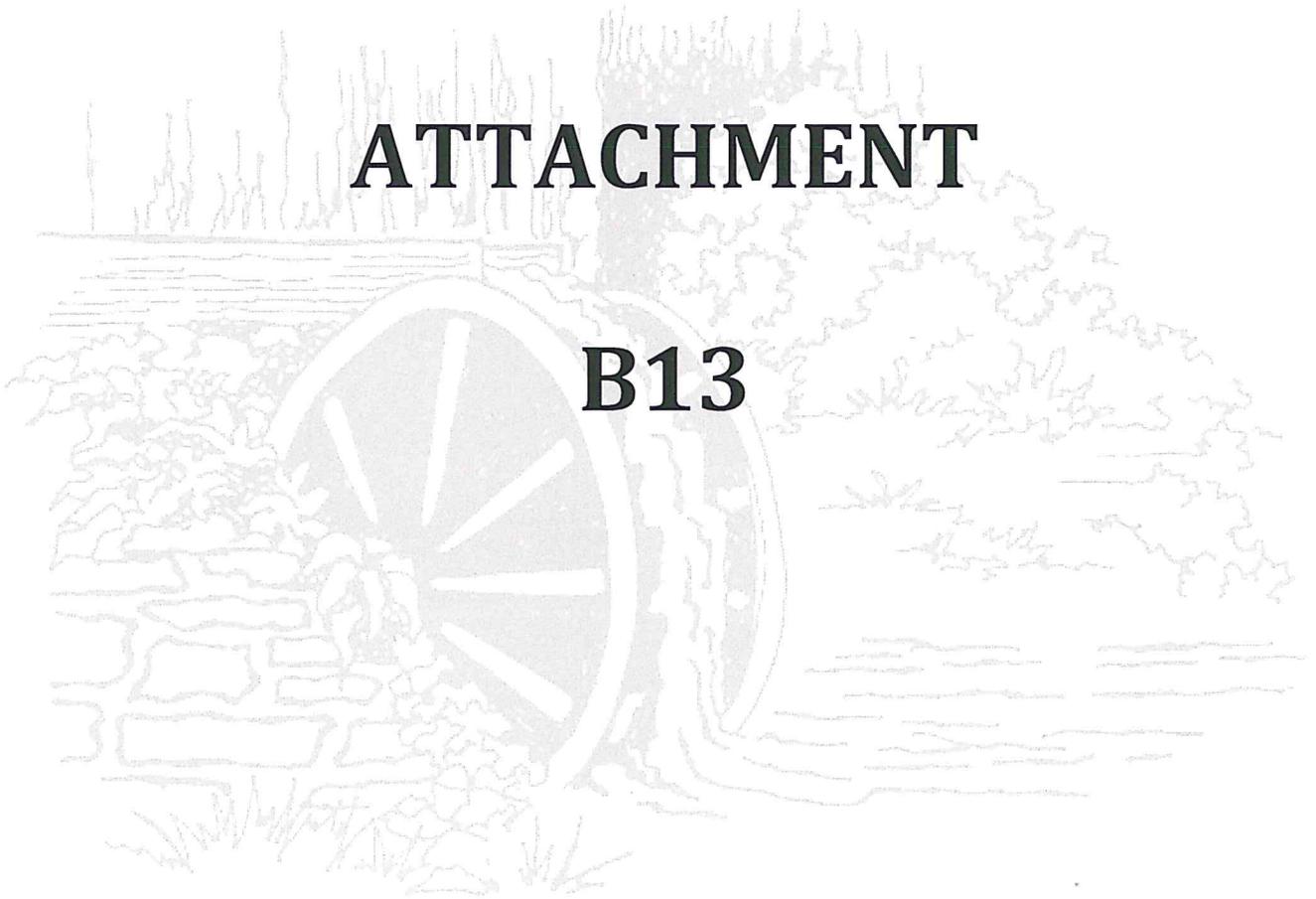


DIRECT AND OVERLAPPING TAX RATE TABLE

<i>Jurisdiction</i>	<i>Tax Rate</i>	<i>Homestead</i>	<i>Over 65</i>	<i>Disabled</i>	<i>Veteran</i>
Hays County ESD #7 (EMS)	0.0667	-	-	-	X
Hays County ESD #4 (Fire)	0.0346				X
Hays County	0.4252	1% or \$5,000	\$45,000	\$45,000	X
Special Road (Over 65 Only)	0.0438	1% or \$5,000	\$45,000	\$45,000	X
Special Road (Homestead Only)	-	\$3,000	-	-	-
Wimberley ISD	1.2977	\$15,000	\$10,000	\$10,000	X
City of Wimberley	-	-	-	-	-

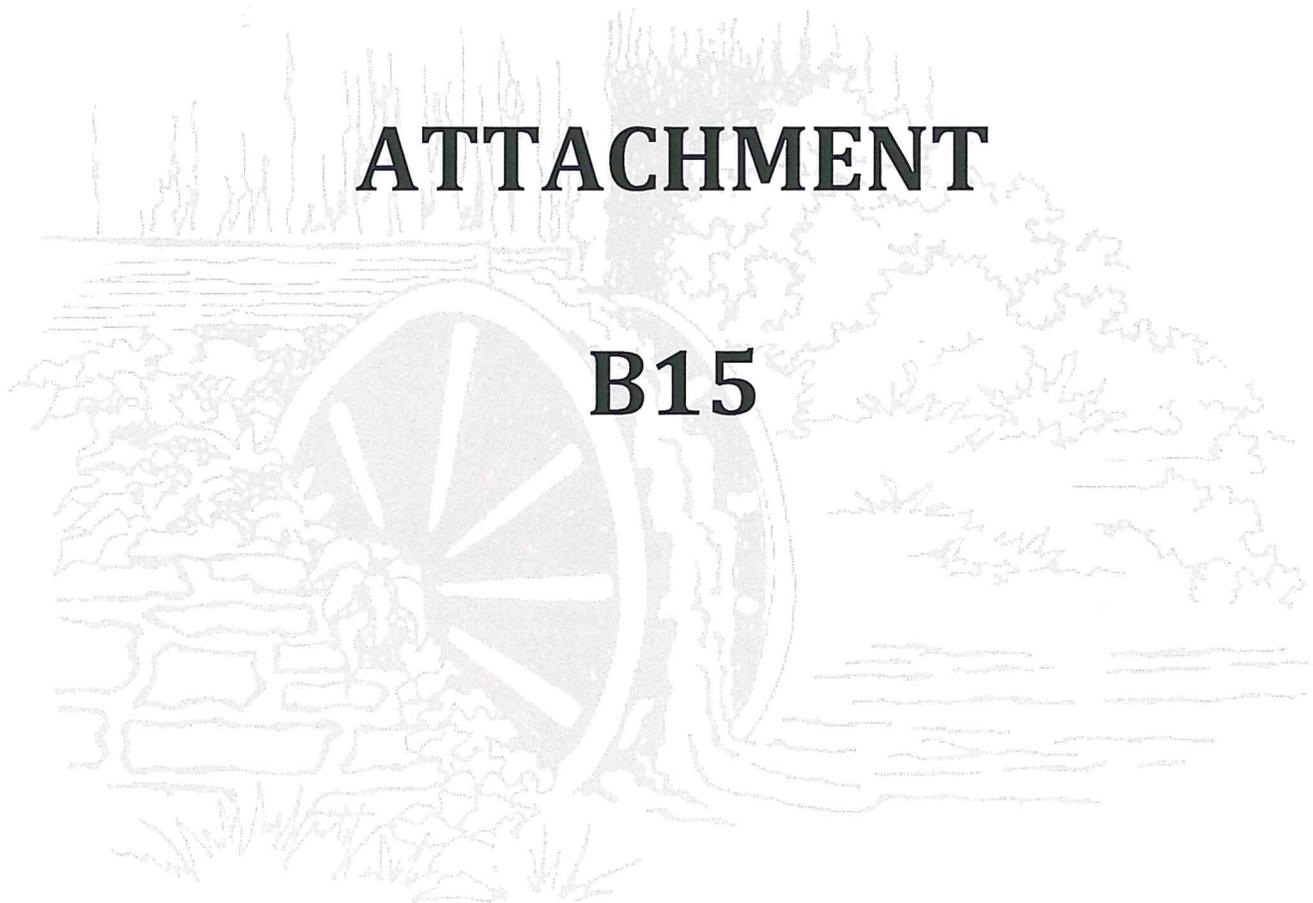
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B15



City of Wimberley, Texas
Revenue Bond Proforma
Preliminary as of September 16, 2014

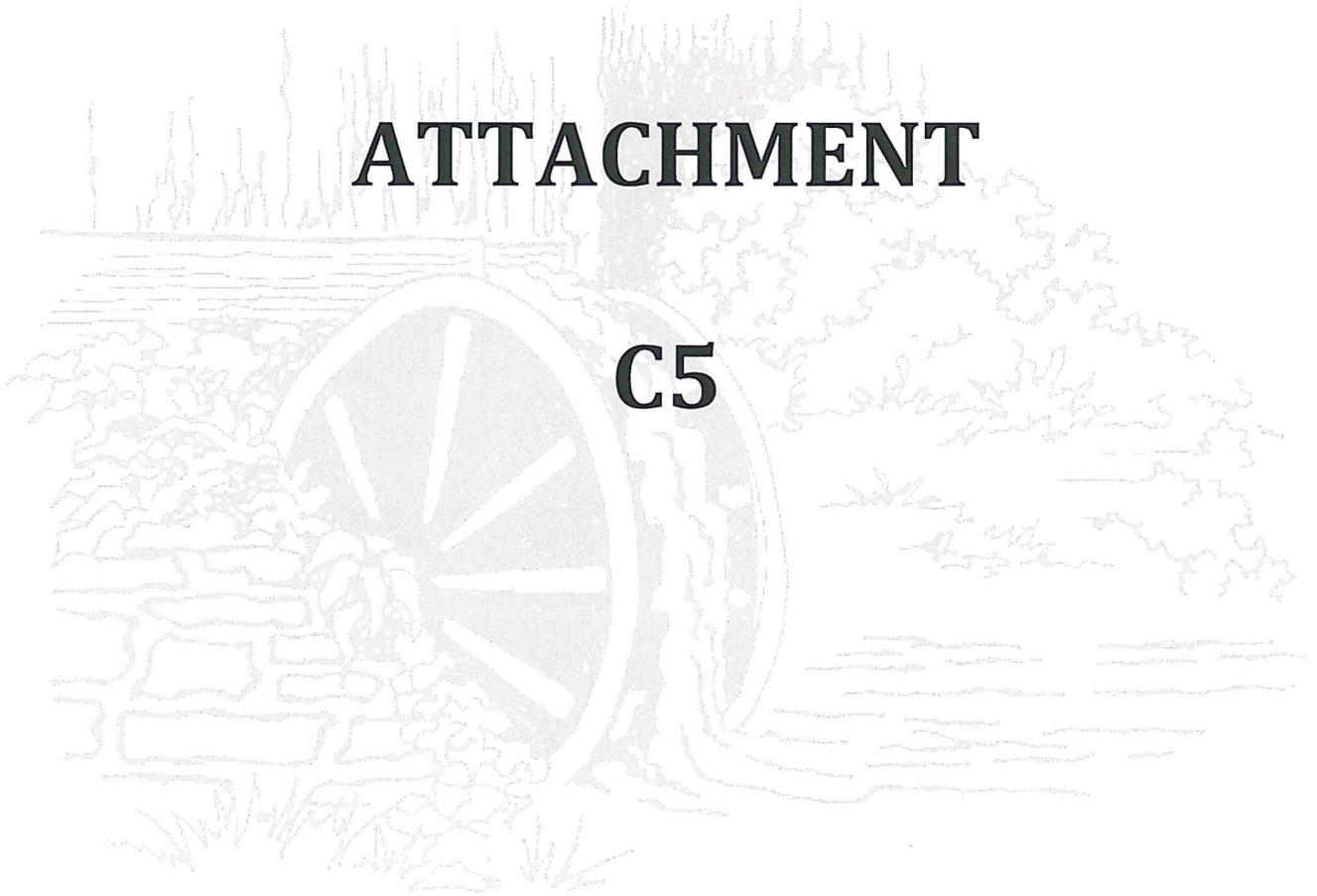
Fiscal Year Ending 9/30	Impact Fee Revenues	Utility Base Rate Revenues	Utility Volumetric Rate Revenues	Gray Water Re- Use Rate	Total Combined Utility Revenues	Minus: Projected Maintenance & Operations Expenses	Total Revenue Available for Debt Service	Existing Debt Service - Wimberley portion of GBRA loan	Plus: \$5,500,000 TWDB Series 2015 Revenue Bonds	Total Debt Service	Projected Coverage
2014	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ (146,521)	\$ 53,479	\$ 31,250	\$ -	\$ 31,250	171.13%
2015	-	-	-	-	200,000	(146,521)	53,479	31,250	-	31,250	171.13%
2016	40,762	80,901	130,080	150,000	401,744	(146,737)	255,007	31,250	177,598	208,848	122.10%
2017	37,057	80,901	130,080	200,000	448,038	(146,953)	301,086	31,250	266,550	297,800	101.10%
2018	43,426	82,191	130,122	200,000	455,738	(147,168)	308,570	31,250	263,346	294,596	104.74%
2019	43,426	83,480	130,163	200,000	457,069	(147,483)	309,586	31,250	265,141	296,391	104.45%
2020	43,426	84,769	130,204	200,000	458,400	(147,797)	310,602	-	266,826	266,826	116.41%
2021	46,497	86,520	130,261	200,000	463,277	(148,112)	315,165	-	263,401	263,401	119.65%
2022	46,497	88,271	130,317	200,000	466,085	(148,427)	316,658	-	264,975	264,975	119.50%
2023	46,497	90,022	130,373	200,000	466,892	(148,741)	318,150	-	266,439	266,439	119.41%
2024	9,440	91,773	130,430	200,000	431,642	(149,254)	282,388	-	262,793	262,793	107.46%
2025	9,440	93,523	130,486	200,000	433,450	(149,767)	283,683	-	264,146	264,146	107.40%
2026	15,581	96,197	130,573	200,000	442,351	(150,280)	292,071	-	265,389	265,389	110.05%
2027	15,581	98,871	130,659	200,000	445,111	(150,793)	294,318	-	267,544	267,544	110.85%
2028	15,581	101,544	130,746	200,000	447,871	(151,306)	296,566	-	269,813	269,813	113.42%
2029	15,581	104,218	130,833	200,000	450,632	(151,819)	298,813	-	263,455	263,455	113.42%
2030	15,581	106,892	130,919	200,000	453,392	(152,431)	300,961	-	264,367	264,367	113.84%
2031	15,581	109,566	131,006	200,000	456,152	(153,043)	303,110	-	265,168	265,168	114.31%
2032	18,651	112,701	131,108	200,000	462,459	(153,043)	309,417	-	265,858	265,858	116.38%
2033	18,651	115,836	131,209	200,000	465,696	(153,043)	312,654	-	266,438	266,438	117.35%
2034	18,651	115,836	133,834	200,000	468,320	(153,043)	315,278	-	266,908	266,908	118.12%
2035	18,651	115,836	136,510	200,000	470,997	(153,043)	317,955	-	267,267	267,267	118.97%
2036	18,651	115,836	139,240	200,000	473,727	(153,043)	320,685	-	267,515	267,515	119.88%
2037	18,651	115,836	142,025	200,000	476,512	(153,043)	323,470	-	267,653	267,653	120.85%
2038	18,651	115,836	144,866	200,000	479,353	(153,043)	326,310	-	267,708	267,708	124.22%
2039	18,651	115,836	147,763	200,000	482,250	(153,043)	329,207	-	267,811	267,811	125.31%
2040	18,651	115,836	150,718	200,000	485,205	(153,043)	332,163	-	267,907	267,907	124.11%
2041	18,651	115,836	153,733	200,000	488,220	(153,043)	335,177	-	267,977	267,977	125.38%
2042	18,651	115,836	156,807	200,000	491,294	(153,043)	338,252	-	268,032	268,032	126.73%
2043	18,651	115,836	159,943	200,000	494,430	(153,043)	341,388	-	268,077	268,077	128.16%
2044	18,651	115,836	163,142	200,000	497,629	(153,043)	344,587	-	268,112	268,112	129.67%
	\$ 702,415	\$ 2,982,369	\$ 3,978,153	\$ 5,750,000	\$ 13,812,937	\$ (4,672,705)	\$ 9,140,232	\$ 187,500	\$ 7,614,663		

Notes:

Existing debt service excludes Series 2013 Tax Notes for TWDB PAD loan because that loan is supported by sources from General Fund (\$100,000 annual contribution.)
Series 2015 Revenue Bonds assume 2.01% interest rate with 2/15/15 closing date and 2/1/16 first interest and 8/1/17 first principal.

ATTACHMENT

C5



Application Filing and Authorized Representative Resolution (WRD-201a)

A RESOLUTION by the City Council of the City of Wimberley, Texas requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$5.5 million to provide for the costs of constructing a wastewater treatment system to serve the central area of Wimberley.

SECTION 2: That City Administrator Don Ferguson be and is hereby designated the authorized representative of the City of Wimberley for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City of Wimberley before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor: Gary Kimball & Jennifer Douglas
Specialized Public Finance Inc.
7000 N. Mopac Expressway, Suite 410, Austin, Texas

Engineer: Steve Coonan, PE
Alan Plummer Associates, Inc.
6300 La Calma, Suite 300, Austin, Texas

Bond Counsel: Tom Pollan
Bickerstaff Heath Delgado Acosta LLP
3711 Mopac Expressway, Building 1, Suite 300, Austin, Texas

PASSED AND APPROVED, this the 18th day of September, 2014.

ATTEST:

Cara McPartland



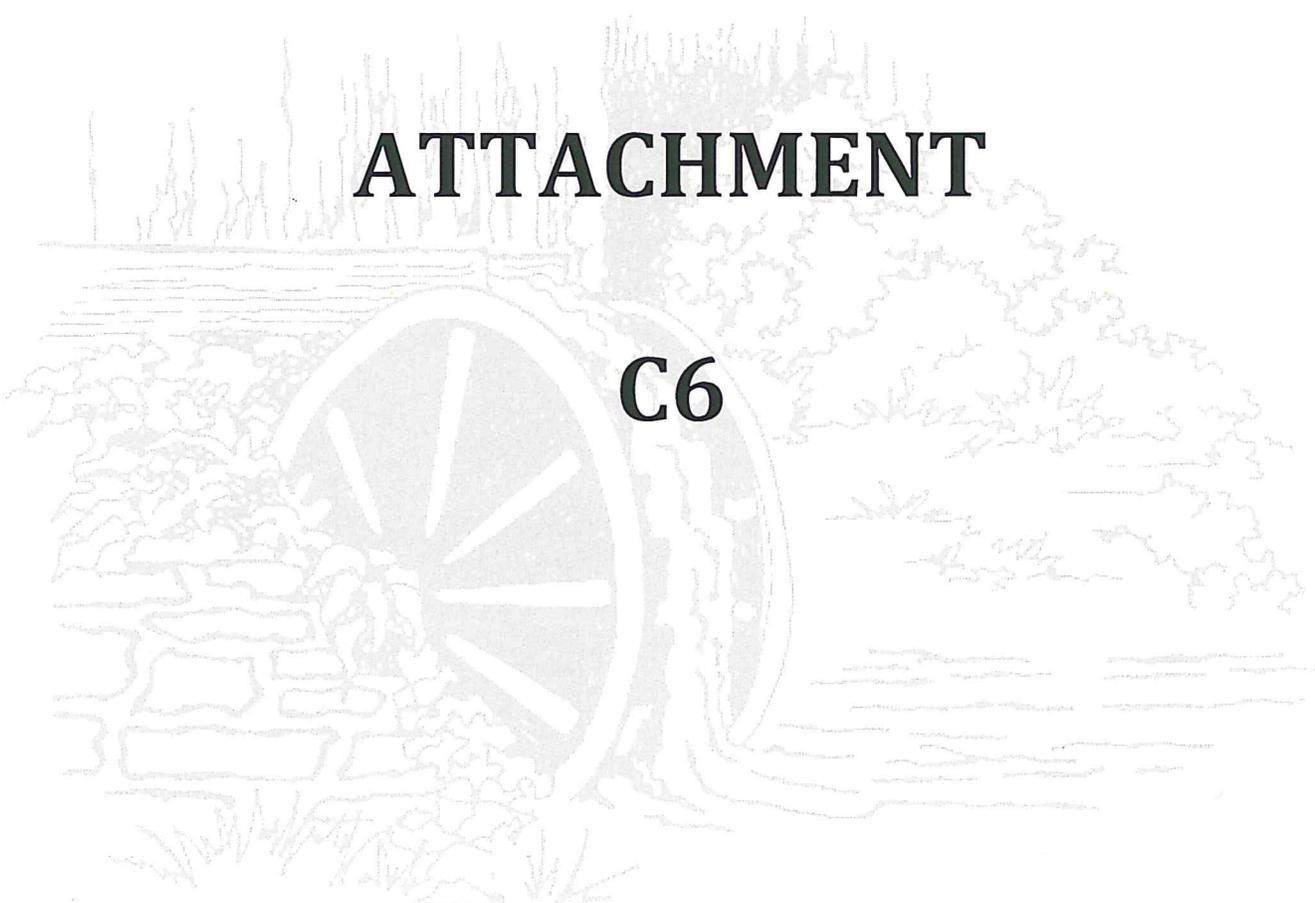
By:

Steve Coonan
MAYOR

(Seal)

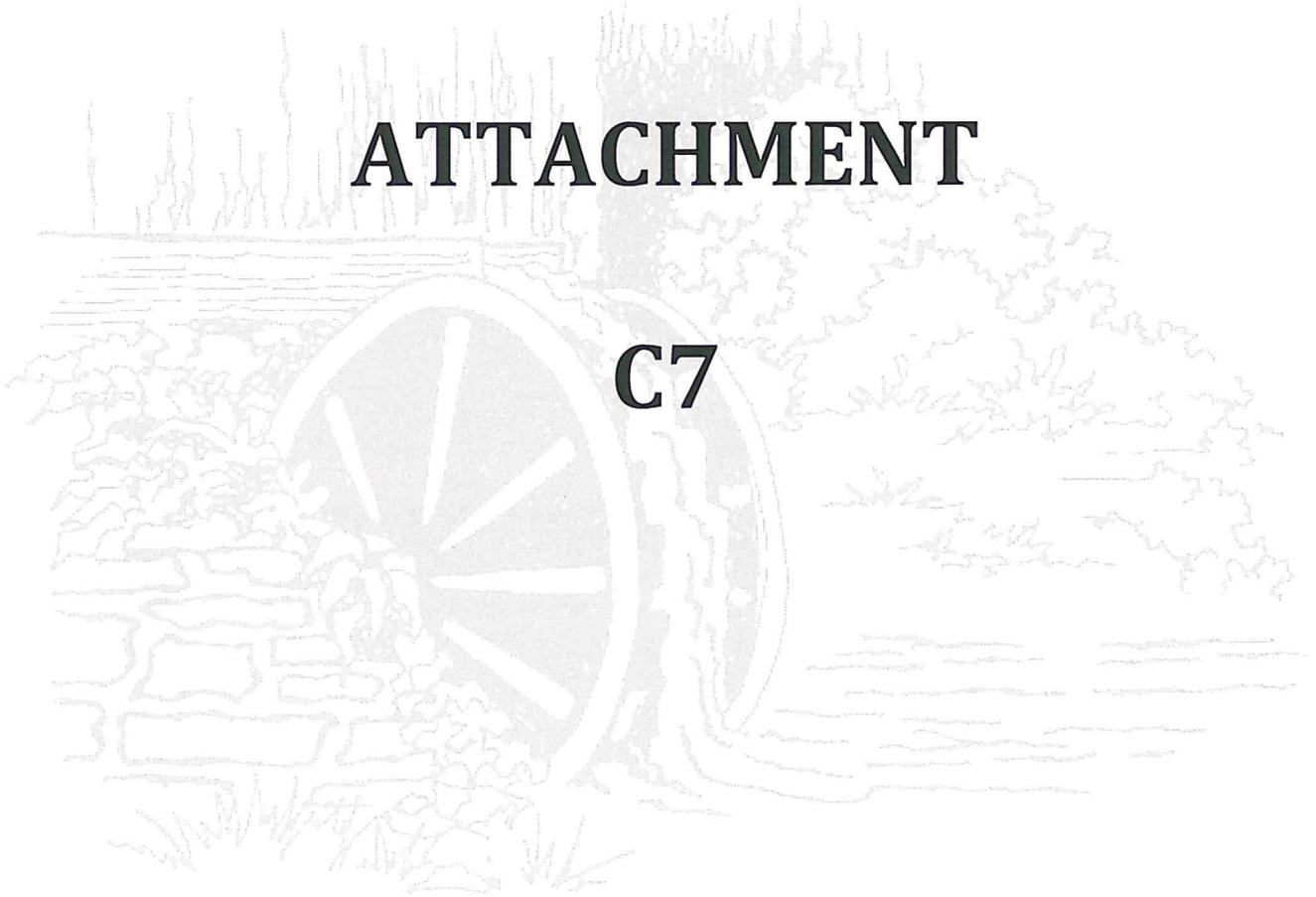
ATTACHMENT

C6



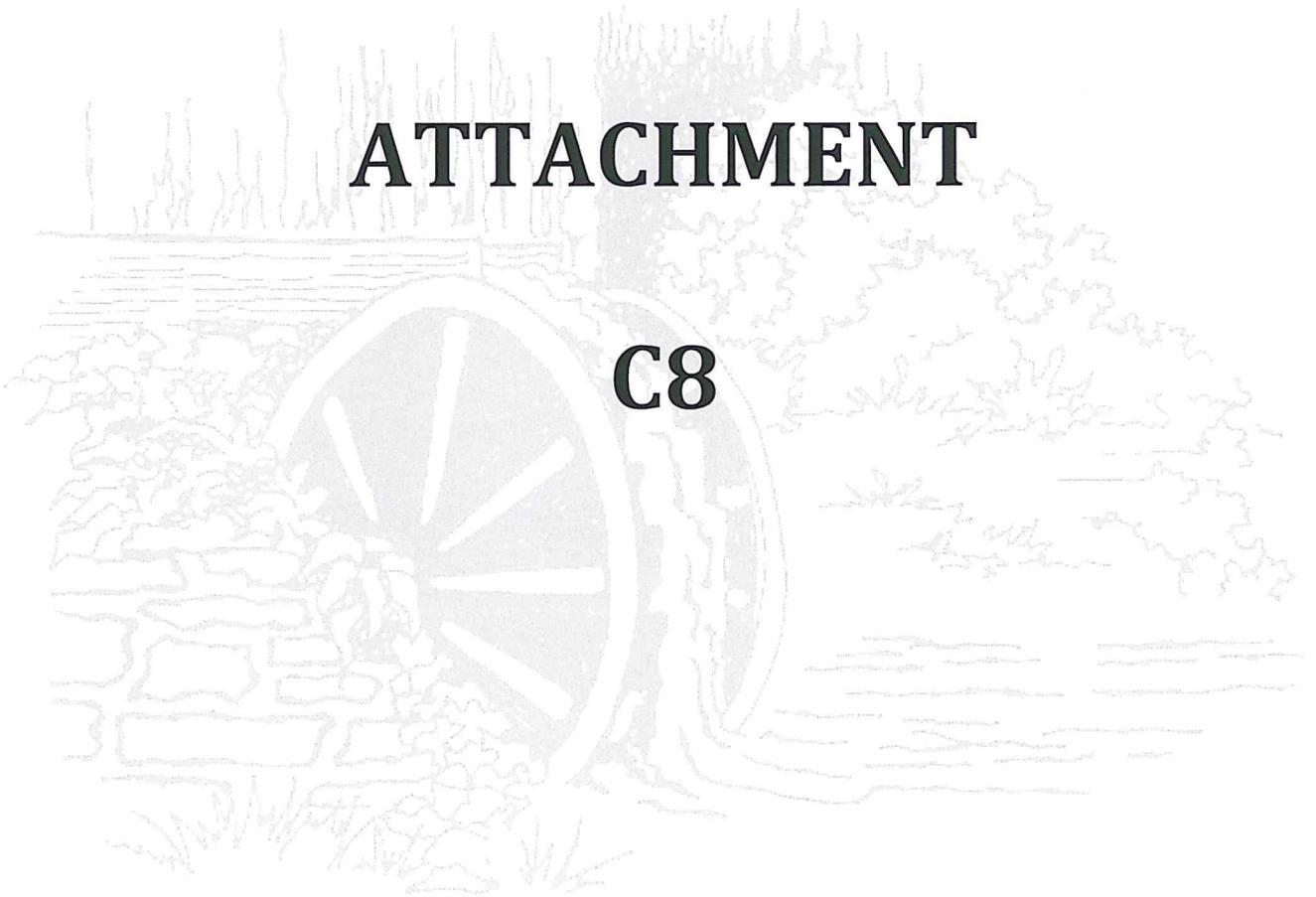
ATTACHMENT

C7



ATTACHMENT

C8



AGREEMENT FOR PROFESSIONAL SERVICES

This is an agreement ("Agreement") by and between the City of Wimberley, Texas ("Owner"), and Alan Plummer Associates, Inc. ("Engineer"), entered into the 9th day of September 2013, whereby Engineer agrees to perform professional services and Owner agrees to pay for the services as provided herein.

ARTICLE I -- PROJECT, SCOPE OF SERVICES AND TIME FOR PERFORMANCE

1.01 Project. The Project is the Wimberley, Texas Wastewater System Improvement Project, to be located on property identified by the City in Hays County, Texas.

1.02 Preconstruction Services. It is understood and agreed that, unless this Agreement is amended as provided in Section 1.03, the Engineer will be providing only the pre-construction phase professional services described in the proposal attached hereto as Exhibit "A" and incorporated herein (the "Proposal"). Engineer shall not commence a Service described in the Proposal until and unless Owner provides Engineer with written authorization to proceed with such Services.

1.03 Construction Phase Services. If at any time after the execution of this Agreement the Owner desires the Engineer to provide construction administration or other construction-phase services, Owner will request the Engineer to provide a proposal for such services and the parties will negotiate in good faith to reach a written amendment to this Agreement identifying the services to be performed and the compensation for such services. The provisions of this Agreement, including those set forth in Article VI, shall apply to the construction phase services. It is understood and agreed that the compensation proposed by Engineer for the performance of such services shall be fair and reasonable and in keeping with compensation customarily charged by Engineer, and by other engineers practicing in the area of Austin, Texas, for similar types of services.

1.04 Scope of Services. Engineer will provide the services required to be performed under this Agreement ("Services") in accordance with the requirements of this Agreement. Engineer shall be responsible for the Services performed by its employees, principals, subconsultants, and other persons with whom it contracts to provide Services in connection with this Agreement, and all such Services shall be deemed to be Engineer's Services under the terms of this Agreement.

1.05 Time for Performance. Engineer will commence the performance of Services promptly after receiving a written notice to proceed from City. Within ten (10) days after the execution of this Agreement, Engineer will provide Owner with a schedule for the performance of the Services, for approval by the Owner. Engineer, with Owner's approval, may modify the schedule from time to time, but the schedule shall not be modified to extend the time for performance past any deadlines established by the Owner for the completion of the Services, or any portion of the Services, unless Owner expressly agrees to the extension in writing. If no time frame is established for a specific Service, then such service shall be completed in an orderly and timely manner so as not to delay the progress of the Project and Owner's payment or reimbursement from the Texas Water Development Board ("TWDB").

1.06 Deadlines. As of the date hereof, Engineer shall comply with the timeframes set

forth in the attached Scope of Services. In addition to the foregoing, Engineer shall be required to provide its services in accordance with any deadlines established by the Texas Water Development Board in connection with its funding of the Project. It is understood that Owner may modify or establish new deadlines from time to time with the concurrence and cooperation of Engineer.

1.07. Subconsultant Agreements. All agreements between Engineer and Subconsultants for the performance of Services in connection with this Agreement shall be in writing, and shall set out and conform to the provisions and requirements of this Agreement that are applicable to such persons or Services.

ARTICLE II – ENGINEER’S RESPONSIBILITIES

2.01 The Engineer will serve as the Owner's professional consultant in those phases of the Project to which this Agreement applies, and will consult and advise the Owner during the performance of the Engineer's Services. Engineer shall designate a representative to act as the contact person on behalf of the Engineer.

2.02. Engineer understands that funding for this Project is being provided, in whole or in part, through a grant or loan from the TWDB. IT IS THE OBLIGATION OF ENGINEER TO BECOME FAMILIAR WITH THE PROGRAM REQUIREMENTS FOR THE TWDB GRANT OR LOAN (“TWDB PROGRAM”) AS THEY APPLY TO THIS PROJECT AND THE ENGINEERING AND OTHER PROFESSIONAL SERVICES TO BE PROVIDED UNDER THIS AGREEMENT, AND TO COMPLY WITH THE SAME IN THE PERFORMANCE OF THE SERVICES, INCLUDING, BUT NOT LIMITED TO, COMPLIANCE WITH ANY DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS FOR THE SOLICITATION OF SUBCONSULTANTS IF REQUIRED BY THE TWDB.

2.03. Upon receipt of authorization to commence Services, Engineer shall meet with Owner for the purpose of determining the nature of the Project, and Owner’s needs. Engineer, and any necessary subconsultants, shall meet with Owner at regular intervals established by the Engineer and the Owner for the purpose of updating Owner on the status of the Services and any issues that have arisen in connection with the Project. The Engineer agrees to record in writing the major proceedings of each Project conference and submit them to the Owner within seven (7) days of the date of the conference.

2.04. The Engineer will retain subconsultants approved by the Owner who are qualified and experienced and have all required licenses and/or accreditations to perform the Services. Such subconsultants must be selected by Engineer in accordance with any requirements of the TWDB Program. Subconsultants who have been approved by Owner may not be replaced except with the written authorization of Owner. Engineer must select replacement subconsultants in accordance with any TWDB Program requirements. The Engineer’s employees and the Engineer’s associated subconsultants to be utilized in the Project for the performance of professional services are identified in Exhibit “B” to this Agreement. If geotechnical laboratory services are provided for the Project through this AGREEMENT, either by the Engineer or its subconsultant(s), these services shall be performed by a laboratory accredited in soils or geotechnical testing, as appropriate, by the American Association of Laboratory Accreditation or by the American Association of State Highway and Transportation Officials.

2.05. The Engineer and Engineer's employees, principals and subconsultants shall perform their services in accordance with the terms of this Agreement and in a good and competent manner, with the professional skill and care ordinarily provided by engineering firms and the same types of subconsultants practicing in the area of Austin, Texas on similar types of projects. Such services shall be performed in accordance with any time frames established pursuant to this Agreement, or if no time frame is established for a specific Service, then such services shall be completed in an orderly and timely manner so as not to delay the progress of the Project, Owner's payment or reimbursement from the Texas Water Development Board ("TWDB").

2.06. The Engineer and/or its subconsultants, as appropriate, as part of the basic services, will make presentations on at least a monthly basis to Owner's City Council and at public meetings and to other bodies as required by the Owner, and will meet with applicable regulatory bodies as necessary to perform its Services under this Agreement, and with the TWDB as required by that body for administration of the funding of this Project.

2.07. Engineer's Services shall be performed in compliance with all applicable laws and any TWDB Program requirements. The Engineer shall incorporate into the design for the Project, all applicable standards, specifications, guidelines and regulations of governmental entities having jurisdiction over such matters. The Engineer shall not knowingly specify, request or approve for use any asbestos containing materials or lead-based paint without the Owner's written approval.

2.08. The Engineer shall prepare and submit at the appropriate times all applications, drawings, specifications and other documents in the name of the Owner to utility companies and providers and governmental authorities having jurisdiction over the Project and shall assist in efforts to obtain all approvals and all development and building permits necessary to complete the Project in accordance with the Production Schedule described in Section IV. Development and permitting fees may be paid for in one of the following methods as mutually agreed:

1. Paid by Engineer and billed to Owner as a reimbursable, if such cost is included in the budget identified in Paragraph 6.05 or
2. At Owner's discretion, provide Owner with ten (10) days prior notice of the cost and party to whom payment is due and Owner will provide a check for payment.

2.09. As part of the Engineer's basic services to be performed under this Agreement, the Engineer shall assist Owner in establishing estimates for the cost of the construction of the Project ("Fixed Construction Budget") and, if requested by Owner, the overall cost of the Project ("Project Budget") with sufficient contingencies to allow for escalation in construction costs and Project unknowns, and that are sufficiently reliable to permit Owner to seek financing for the Project through the TWDB based on such Budgets. The Fixed Construction Budget shall be established by the Owner and shall be adjusted only by written approval of the Owner.

The Fixed Construction Budget shall be the total cost or estimated cost to the Owner of all elements of the Project designed or specified by the Engineer. The Fixed Construction Budget shall include the cost at current market rates of labor and materials furnished by the Owner and materials and equipment designed, specified or specially provided for by the Engineer, plus a reasonable allowance for the Contractor's overhead and profit. In addition, a reasonable allowance for contingencies shall be included for market conditions. The Fixed Construction Budget shall not include the compensation of the Engineer or the Engineer's subconsultants, the cost of the land, rights-of-way, or other costs which are the responsibility of the Owner.

It is the obligation of the Engineer to design the Project to be constructible within the limits of the Fixed Construction Budget. To accommodate the Fixed Construction Budget, the Engineer shall determine what materials, equipment, component systems and types of construction are to be included in the Agreement Documents, may make reasonable adjustments in the scope of the Project, and may include in the Bid Documents alternative bids.

If the Fixed Construction Budget is exceeded by the lowest bona fide bid or proposal, the Owner shall either (1) give written approval of an increase in such fixed limit, (2) authorize rebidding of the Project within a reasonable time, (3) abandon the Project or terminate this Agreement, or (4) cooperate in revising the Project scope and quality as required to reduce the construction cost. In the case of (4), the Engineer, without additional charge, shall modify the Drawings and Specifications as necessary to comply with the Fixed Construction Budget and the requirements of the TWDB. Engineer shall use its best efforts to complete such modifications as soon as possible after the date the bids are opened, but in no event later than thirty (30) days after such date, unless an alternate time is agreed upon by Engineer and Owner in writing.

Should the Engineer prepare documents for alternative bids as a means to keep the Project cost within the Fixed Construction Budget of the Agreement, compensation shall remain at the established fee amount set out in the Proposal, irrespective of the outcome of bids.

If Owner requires rebidding of the Project, Engineer shall furnish the required services for the rebidding within a reasonable period of time after it has received direction to do so by the Owner, and all services of the Engineer in connection with the rebidding shall be performed and paid for by Engineer at its sole cost and expense.

2.10 Engineer understands that funding for this Project is being provided, in whole or in part, through a grant or loan from the TWDB. IT IS THE OBLIGATION OF ENGINEER TO BECOME FAMILIAR WITH THE PROGRAM REQUIREMENTS FOR THE TWDB GRANT OR LOAN AS THEY APPLY TO THIS PROJECT AND THE ENGINEERING AND OTHER PROFESSIONAL SERVICES TO BE PROVIDED UNDER THIS AGREEMENT, AND TO COMPLY WITH THE SAME IN THE PERFORMANCE OF THE SERVICES, INCLUDING, BUT NOT LIMITED TO, COMPLIANCE WITH ANY DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS FOR THE SOLICITATION OF SUBCONSULTANTS IF REQUIRED BY THE TWDB.

ARTICLE III – OWNER'S RESPONSIBILITIES

3.01 The Owner will:

- a. Provide full information as to their requirements for the Project.

- b. Designate a representative to act on behalf of Owner in connection with this Project, provided however, it is understood that certain decisions, including those affecting the scope of services and a change in costs, may require City Council approval.
- c. Assist Engineer by placing at its disposal available reports and other data relevant to the development of the Project.
- d. Assist Engineer in gaining entry to public and private property as may be required by the Engineer in the performance of their services under this Agreement.
- f. Review submissions and render decisions pertaining thereto within a reasonable time so as not to unreasonably delay the services of the Engineer. The time for review shall include the time period required to take any proposed action to City Council for approval and authorization.

**ARTICLE IV—
PRELIMINARY SERVICES AND ENGINEERING PHASE SERVICES**

4.01 Phase A: Preliminary Services-Stakeholder Meetings.

The Engineer shall perform the Phase A: Preliminary Phase services as described below and in Exhibit A after issuance by Owner of the Notice to Proceed for such Services:

- a. Attend preliminary conferences with Owner and other interested or involved persons approved by Owner regarding the alternatives for the Project. Report progress of this phase to the Owner relative to approved schedule at intervals not exceeding fourteen (14) days.
- b. Review existing plans, maps, records, traffic (vehicular and pedestrian), water and wastewater studies, planning studies, zoning, land use, other utility, population, and other available information relevant to the development of the Project. Provide for surveys, geotechnical investigations, and environmental reports as required by this Agreement.
- c. Prepare, conduct and document studies, analyses and reports of the Project alternatives in sufficient detail to clearly indicate the problems involved and reasonable solutions available to the Owner. Such studies, analyses and reports may include but not necessarily be limited to: preliminary layouts, maps, exhibits, sketches, construction materials and methods evaluations, schedules, utility coordination plans, design criteria, environmental reviews, and other investigations pertinent to the evaluation of the Project alternatives.
- d. Collect all pertinent information concerning proposed roadway/street improvements in the project area, including the potential for additional right-of-way being acquired. For all public streets and roadways that will be impacted, obtain information concerning the most recent paving works (full reconstruction, partial reconstruction, overlay, seal coat, etc.) on the street/roadway.

- e. Prepare preliminary Project schedule and estimate of the probable Project construction costs for all alternative solutions. The Engineer shall apply reasonable consideration and knowledge to the preliminary cost estimate development.
- f. Conduct preliminary field surveys and determine site constraints and special permitting requirements.
- g. Evaluate Project easement requirements, both permanent and temporary construction.
- h. Evaluate alternative materials and construction methods.
- i. Prepare recommendations for the number of Project construction contracts to be bid.
- j. The Engineer shall, upon conclusion of their reviews, investigations, and preliminary evaluations, present their findings, recommendations, cost estimates, alternate routes, recommendations for construction and a design and construction schedule for the recommended Project to Owner for its review and comment.

4.02 Phase B: Design and Bidding Documents Preparation

If authorized by the Owner to proceed with this Phase, the Engineer shall:

- a. Attend and/or arrange for conferences, at periodic intervals not to exceed fourteen (14) days, with the Owner for the purposes of explaining completed design activities and review of schedule for completing of remaining activities.
- b. Conduct or otherwise acquire, upon receipt of Owner's written authorization, the necessary field surveys, soils, additional analysis and peripheral investigations which, in the opinion of the Engineer, may be required for the proper execution of the design of the Project.
- c. Locate and provide for geotechnical test boring sites, if such borings are required, and review the results of such tests.
- d. Provide for field surveys, which may include photogrammetry, and perform related office computations and drafting for the purpose of collecting information required for design. Such surveys shall include horizontal and vertical control adequately documented on the final plans. Horizontal control for facilities shall be on the Texas State Grid Coordinate System carried to second-order accuracy to permit actual construction staking to third order accuracy. The vertical control shall be based on the U.S. Geological Survey (USGS) datum and BM's shall be established not more than 1000 feet apart at accuracy of 0.01 feet. Visible topographic features shall be tied to the Project centerlines(s) and shall include, but not necessarily be limited to, existing property or lease lines, property or lease corners, utilities and appurtenances, roadways, structure, railroad structures, trees over eight inches in diameter, and other features within the limits of construction and twenty-five (25)

feet beyond. Project control must be complete and staked in the field at the time of advertisement for bid so that construction staking can be accomplished immediately thereafter.

- e. Prepare detailed specifications (utilizing the Owner's standards) and prepare Project construction contract drawings, at approved horizontal and vertical scales in electronic format and hard copy as required by the Owner. The drawings shall, at minimum, include plan views, sections and details clearly defining and describing the intent of the improvements, limits of work and storage areas, sequencing requirements, access routes, environmental-protection requirements, and contractor staging and storage areas.
- f. Prepare cost estimates of authorized Project construction, and review and evaluate such costs estimates at intervals agreed upon by Owner and Engineer, and prior to going out for bids. If such estimated cost exceeds the Fixed Construction Budget as established herein as adjusted by the Owner from time to time, the Engineer shall consult with the Owner so that revisions can be made to the Project scope to reduce the Project cost as required to stay within approved or authorized cost limitations. The Engineer shall then make such revisions to the Project design and construction documents at no additional cost to the Owner.
- g. Provide Owner with copies of draft Bidding Documents (consisting of plans, details and the Project Manual) and, one (1) set of final design criteria and calculations of principal elements of final design as required by Owner.
- h. Assist Owner in obtaining any required Site Development Permit, Building Permit, and other required regulating agency permits/approvals.
- i. Obtain Owners' approval of the Project bidding documents and provide for duplication of sets of final Project bidding documents for distribution to contractors when authorized by Owner to do so. Engineer shall also provide five (5) half size sets, and one electronic version in AutoCAD 12 DWG format, or other format acceptable to Owner, of the Project Construction drawings.
- j. Assist the Owner in the advertisement of the Project for construction bids.
- k. Attend and conduct pre-bid conference to provide clarification and interpretation of the Project bid documents to bidders.
- l. Prepare and issue all addenda required to clarify the Project bid documents.
- m. Maintain a record of bidding document issuance and receipt of same.
- n. Attend the Owner's opening of Project bids, review bids and furnish to the Owner a recommendation regarding the award of the contract(s), within five (5) working days following bid opening. Should the as-bid construction cost of the Project (or component thereof) be greater than the Fixed Construction Budget (or appropriate portion thereof) Owner shall have the rights provided by this Agreement.

- o. Prepare an environmental report for the recommended Project alternatives with consideration given to air, noise, and water quality, historical features, vegetation (including applicable City ordinances), and endangered species.
- p. Prepare a geotechnical report for the recommended Project alternatives which includes but may not be limited to: delineating geological sensitive areas, soils formation, and information necessary to estimate cost of contractor's trench safety provisions.

ARTICLE V -- CONSTRUCTION PHASE AND WARRANTY PERIOD SERVICES

5.01 If Owner and Engineer enter into an amendment to this Agreement for Engineer to provide Construction Phase services, and Warranty Period Services, Engineer shall perform the Services as described below and in the amendment.

A. Construction Phase Services

- a. Engineer shall consult with Owner and act as its representative in interacting with the Contractor in performing construction administration and warranty period services.
- b. Engineer shall make periodic site visits to the site to observe as an experienced and qualified design professional, the progress and quality of the executed work of contractor and his subcontractors, and to determine if such work is proceeding in general accordance with the Agreement documents. Daily on-site inspection is not included in the scope of services.
- c. Engineer shall keep Owner informed of the progress of the work, shall endeavor to guard Owner against defects and deficiencies in such work, and may disapprove or reject work failing to conform with the agreement documents.
- d. Engineer shall review and approve shop drawings and samples, the results of tests and inspections, and other data which each contractor is required to provide.
- e. Engineer shall determine the acceptability of substitute materials and equipment proposed by contractor, and receive and review maintenance and operating instruction manuals, schedules, guarantees, and certificates of inspection, which are to be assembled by contractor in accordance with the agreement documents.
- f. Engineer shall issue all instructions of Owner to contractor as well as interpretations and clarifications of the agreement documents pertaining to the performance of the work.
- g. Based upon Engineer's periodic on-site observations and as an experienced and qualified design professional, and upon his review of applications of payment and the accompanying data and schedules, Engineer shall review the amounts owing to the contractor and recommend in writing payments to contractor in such amounts. The recommendation of payment by Engineer shall constitute a recommendation by Engineer to Owner based upon Engineer's review of the progress of the work and that quality of such work is in accordance with the agreement documents as Engineer has observed.

h. Upon notification from contractor that the Project is substantially complete, Engineer shall conduct a site visit to determine if the Project is substantially complete. Engineer shall prepare a checklist of items which shall be completed prior to final acceptance.

i. Upon notification by contractor that the items designated for completion have been completed, Engineer shall conduct a final site visit of the Project area to verify final completion.

j. Engineer shall not be responsible for the work of the contractor or any of his subcontractors, except this provision shall not alter the Engineer's duties to Owner arising from the performance of Engineer's obligations.

k. Engineer shall conduct one site visit during the warranty period and shall report to Owner as to the continued acceptability of the work.

l. Engineer shall not execute change orders on behalf of Owner or otherwise alter the financial scope of the Project without the authorization of Owner.

5.02 Warranty Period Services.

Engineer shall provide assistance to the Owner with any problems with the Project, including defects or deficiencies in design, materials or workmanship during the one-year period following substantial completion of the construction of the Project. The scope of assistance from Engineer shall include, but not be limited to, the following: (i) notifying the contractor of deficiencies or failures in labor or materials and requesting corrective action; (ii) preparing correspondence and other written data as necessary to document, clarify, and resolve discrepancies; and (iii) meeting with the Owner at the Project site when requested in order to evaluate problems and assist in resolution. In addition, the Engineer shall accomplish an on-site review of the Project, accompanied by its consultants, as necessary, approximately one month before the end of the one-year warranty period, and prepare a list for the Owner and the contractor of items needing correction, repair or replacement. The Engineer will review the contractor's corrective work and after determining that the deficiencies have been corrected, shall notify the Owner of this in writing. These actions will not relieve the Engineer from performing any other obligation under the terms of this Agreement.

ARTICLE VI- BASIC SERVICES AND COMPENSATION FOR BASIC SERVICES

6.01. All of the services described in Articles I through V and in Exhibit "A" are Basic Services. Owner agrees to pay Engineer for all professional services rendered under this Agreement, subject to the terms and provisions of this Agreement. Engineer shall be paid for such Services as provided in Exhibit "A", and if applicable, any amendment for Construction and Warranty Period Services, together with reimbursable expenses as provided in this Agreement. Such amounts shall be compensation for the Basic Services required under this Agreement.

6.02. The amounts shown in Exhibit A as compensation for Basic Services are Not-to-Exceed Amounts. Engineer shall not be entitled to payment for amounts greater than those shown unless Owner has agreed to pay such amounts in an amendment to this Agreement.

6.03. Owner is exempt from the payment of certain sales and use taxes under applicable law. Engineer will obtain a Certificate of Exemption, and will not charge or pass through to Owner taxes for which Owner is exempt, and Owner shall not be responsible for the payment of any such taxes.

6.04. Engineer shall be entitled to reimbursable expenses, in addition to the compensation described in Section 6.01, for costs incurred by Engineer that are necessary, reasonable, and directly related to the provision of the Services. No mark-up may be charged on Reimbursable expenses, including reimbursable expenses that are Services for subconsultants. The allowable reimbursable expenses are expenses for travel, lodging, food, document reproduction and long distance phone calls.

6.05 The estimated cost of reimbursable expenses for the preconstruction Services is five thousand (\$5,000) dollars. Engineer shall notify Owner if it appears that this budget for reimbursable expenses will be exceeded, when approximately 75% of this amount has been expended, and the parties will endeavor to agree on any increased amount to be budgeted and expended for reimbursable expenses.

ARTICLE VII- ADDITIONAL SERVICES AND COMPENSATION FOR ADDITIONAL SERVICES

7.01 Any Services not within the scope of the Basic Services and identified in any amendment to this Agreement as Additional Services shall be performed by Engineer as Additional Services in accordance with the terms of this Agreement. All provisions of this Agreement regarding performance by Engineer shall apply to the provision of Additional Services.

7.02 Before the Engineer may perform any Additional Services or incur additional costs beyond what is specified in this Agreement as compensation for Basic Services, both parties must execute a written amendment to this Agreement that specifies the Additional Services to be performed and the cost for such Additional Services. In the event the Owner requests the Engineer to perform services that are Additional Services, or if Engineer believes that Additional Services are needed for the Project, Engineer shall notify the Owner in writing that the services are Additional Services, shall describe the services, and provide the Owner with a proposal for the cost of performing such Additional Services. **Any provision in this Agreement to the contrary notwithstanding, the Owner shall not be responsible to the Engineer for payment for any Additional Services that are not described in a written and signed amendment to this Agreement as provided herein.**

7.03 Engineer will be compensated for Additional Services, and reimbursed for reimbursable expenses, in accordance with the terms of the amendment to this Agreement as provided in Section 8.

ARTICLE VIII -PAYMENTS

8.01. On or before the 30th day of each month, the Engineer shall prepare and submit to the Owner for approval or modification, a statement showing as completely as practicable, the

Services performed by the Engineer for the prior month, and the amount owed by Owner for compensation based on the Engineer's estimate of the percentage of completion as approved by the Owner, up to and including the last day of the preceding month, and based on the percentage of the total cost of compensation allocated to the Phase of the services performed, as shown below. Engineer shall provide documentation to support the amounts shown in the invoice. Reimbursable Expenses shall be itemized separately from fees for services and identified as such. Owner shall have the right to require additional documentation determined by Owner to be necessary to support or evaluate the invoice.

8.02 Owner shall promptly notify Engineer if Owner disputes any payment requests or specific items invoiced, and may withhold payment of disputed items until such dispute is resolved. Undisputed payments shall be due within thirty (30) days after the date Owner receives the invoice, subject to the provisions of this Agreement and applicable law. Undisputed payments not paid when due shall incur interest at the rate and in accordance with the provisions of Chapter 2251 of the Texas Government Code, and such interest shall be compensation in full to Engineer for any injury incurred through such delay.

8.03 Engineer shall pay subconsultants for their Services in accordance with the terms of the subconsultant agreements promptly after receiving payment for such Services from Owner.

8.04 The Owner may withhold, amend, or nullify any request for payment by the Engineer under conditions that include those described below:

- (1) Failure of the Engineer to follow the approved schedule and meet all time requirements for its services under this Agreement.
- (2) Owner's receipt of notice that, despite payment to Engineer for services rendered by subconsultants, Engineer has not paid subconsultants promptly for services invoiced to and paid by Owner to Engineer after Engineer's receipt of payment from Owner.
- (3) Engineer's failure to perform services as required by this Agreement.
- (4) Failure of the Engineer to provide updated drawings and Contractor's Agreement documents to the Owner within thirty (30) calendar days after Contractor's Agreement documents have been provided to the Engineer by the Contractor upon substantial or final completion of the Project.
- (5) Any other material breach of this Agreement by Engineer.

ARTICLE IX - DECLARATIONS

9.01 Engineer declares that the information provided to the Owner pursuant to the Agreement will be accurate and correct, as an experienced and qualified professional engineer, reflecting the current standard, procedures, and performances of the industry for this Project. Engineer declares that the surveying, design, preparation of drawings, the designation or selection of materials and equipment, the selection and supervision of personnel and the performance of other services pursuant to this Agreement will be performed pursuant to the requirements and standards set out in this Agreement.

ARTICLE X -INDEMNIFICATION

10.1 To the maximum extent permitted by applicable law, the Engineer indemnifies, AND will defend and hold Owner, its elected officials, officers and employees, harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees (including attorney's fees and costs of defense), proceedings, actions, demands, causes of action, liability, and suits of any kind and nature, including but not limited to, personal injury (including death), property damage, or other harm for which recovery of damages is sought that may arise out of or be occasioned or caused by the negligent acts or omissions of Engineer, or any agent, officer, director, representative, employee, consultant, or subconsultant of Engineer, or any of their respective officers, agents, employees, directors, and representatives while in the exercise of performance of the Services or duties under this Agreement. The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of Owner, its officers or employees. In the event Owner and Engineer are found jointly liable by a court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available under Texas law and without waiving any defenses of the parties under Texas law. These obligations shall survive completion and/or termination of this Agreement.

Engineer or Owner shall promptly advise the other party, in writing, of any claim or demand against the Owner or Engineer known to Owner or Engineer respectively, related to or arising out of Engineer's or Owner's activities under this Agreement.

These provisions are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual, or otherwise, to any other person or entity.

ARTICLE XI - INSURANCE

11.01 Engineer shall procure and maintain at its sole cost and expense for the duration of the Agreement and any longer period provided below the insurance indicated in this Article XI:

- (1) Workers' Compensation and Employers' Liability Insurance Coverage with limits consistent with statutory benefits outlined in the Texas Workers' Compensation Act (Section 401) and (1) minimum policy limits for Employers Liability Insurance of \$10,000 bodily injury each accident, \$500,000 bodily injury by disease policy limit and \$100,00 bodily injury by disease each employee. The Engineer's policy must be issued by an insurer licensed or approved to do business in the State of Texas and include these endorsements in favor of the Owner:
 - (a) Waiver of Subrogation, form WC 420304, or equivalent.
 - (b) Thirty (30) day Notice of Cancellation, form WC 420601, or equivalent.
- (2) Commercial General Liability Insurance with a minimum combined bodily injury and property damage per occurrence limit of \$600,000 for coverages A&B. The policy must contain the following provisions:

- (a) Blanket contractual liability coverage for liability assumed under this Agreement and all contracts relative to this project.
- (3) Business Automobile Liability Insurance for all owned, non-owned and hired vehicles (i) with a minimum combined single limit of \$600,000 per accident for bodily injury and property damage, or (ii) \$250,000 bodily injury per person, \$600,000 bodily injury per occurrence and at least \$100,000 property damage liability. The policy shall contain the following endorsements in favor of the Owner.
 - (a) Waiver of Subrogation endorsement TE 2046A, or equivalent.
 - (b) 30 day Notice of cancellation endorsement TE 0202A, or equivalent.
 - (c) Additional Insured endorsement TE 9901B, or equivalent.
- (4) Engineer's Professional Liability Insurance to pay on behalf of the assured all sums which the assured becomes legally obligated to pay as damages by reason of any negligent act, error, or omission committed or alleged to have been committed with respect to plans, map, drawings, analyses, reports, surveys, change orders, designs or specifications prepared or alleged to have been prepared by the assured. The policy must provide for a thirty (30) day notice of cancellation in favor of the Owner. The minimum limit is \$1,000,000.

11.02 General Requirements

- (1) The Engineer must provide the Owner with a Certificate of Insurance before the Agreement is executed, as verification of coverage required herein. The Engineer shall not commence services until the required insurance has been obtained and until such insurance has been reviewed and approved by the Owner. Approval of insurance by the Owner does not relieve or decrease the liability of the Engineer hereunder and must not be construed to be a limitation of liability on the part of the Engineer.
- (2) Applicable to all insurance policies: If coverage is underwritten on a claims-made basis, the retroactive date must be coincident with or prior to the date of this Agreement and the certificate of insurance must state that the coverage is claims made and the retroactive date. The Engineer shall maintain continuous coverage for the duration of this Agreement and for not less than twenty-four (24) months following substantial completion of the Project. Coverage, including any renewals, must have the same retroactive date as the original policy applicable to the Project. The Engineer shall, on at least an annual basis, provide the Owner with a certificate of insurance as evidence of such insurance.
- (3) The Engineer's insurance coverage must be written by companies licensed or approved to do business in the State of Texas at the time the policies are issued and must be written by companies with A.M. Best ratings of A+VII

or better. The Owner will accept workers' compensation coverage written by the Texas Workers Compensation Insurance Fund.

- (4) The "other" insurance clause will not apply to the Owner where the Owner is an additional insured shown on any policy. It is intended that policies required in the Agreement, covering both the Owner and the Engineer, be considered primary coverage as applicable.
- (5) If insurance policies (other than Professional Liability Insurance) are not written for amounts specified above, the Engineer shall carry Umbrella or Excess Liability Insurance for any differences in amounts specified. If Excess Liability Insurance is provided, it must follow the form of the primary coverage.
- (6) The Owner shall be entitled, upon request and without expense, to receive certified copies of policies and endorsements thereto and may make any reasonable requests for deletion or revision or modification of particular policy terms, conditions, limitations, or exclusions except where policy provisions are established by law or regulations binding upon either of the parties hereto or the underwriter on any such policies.

ARTICLE XII - NON-ASSIGNMENT CLAUSE

12.01 Engineer shall not assign, sublet or transfer any rights under or interest in this Agreement without the written consent of the Owner, except to the extent that any assignment, subletting or transfer is mandated by law. Unless specifically stated to the contrary, in any written consent to an assignment, no agreement will release or discharge the assignor from any duty or responsibility under this agreement. Nothing contained in this paragraph shall prevent the Engineer from employing such independent associates and consultants as the Engineer may deem appropriate to assist in the performance of services hereunder.

12.02 Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than the Owner and Engineer, and all duties and responsibilities undertaken pursuant to this agreement will be for the sole and exclusive benefit of the Owner and Engineer and not for the benefit of any other party.

ARTICLE XIII – OTHER TERMS

13.01 Termination. This Agreement may be terminated by the Owner at any time and for any reason as long as advance written notice is provided to the Engineer at least 30 days before the intended termination date. The advance 30 day written notice shall include the effective termination date of the Agreement. In the event of termination by the Owner for its convenience, the Owner will pay Engineer for any and all work completed and reimbursable expenses incurred to the date of termination performed in accordance with the terms of this Agreement. No other amounts will be payable to the Engineer due to the termination. Payment will be due within thirty (30) days after the date of termination.

The Owner shall have the right to terminate this Agreement for cause after giving Engineer written notice of default, and ten (10) days opportunity to cure such default.

13.02 Dispute Resolution. In the event of a claim or dispute arising out of this Agreement, the party alleging the claim agrees to provide the other party with at least ten day's written notice of the dispute and opportunity to cure before proceeding with remedies. If a claim or dispute arises under or in connection with this Agreement, the parties agree to negotiate in good faith in an attempt to resolve the matter expeditiously. If they are not able to resolve the matter through negotiation, the parties agree to mediate the dispute in good faith before filing suit for damages, and the cost of such mediation shall be shared equally between Owner and Engineer.

13.03 Governing Law. This Agreement has been made under and shall be governed by the laws of the State of Texas. The parties agree that performance and all matters related thereto shall be in the City of Wimberley, Texas, and venue shall lie in courts of competent jurisdiction in Hays County, Texas.

13.04 Notices. All notices, requests or other communications required or permitted by this Agreement shall be in writing, and shall be sent by (i) facsimile or email, with the original delivered concurrently by hand or overnight courier or by mail, (ii) by overnight courier or hand delivery, or (iii) by certified mail, postage prepaid, return receipt requested, and addressed to the parties at the following addresses:

Owner:

Engineer:

City of Wimberley

Alan Plummer Associates, Inc.

Attn: Don Ferguson

Attn: Mr. Stephen J. Coonan, P.E.

City Administrator

Phone:

Phone: (512) 452-5905

Fax:

Fax: (512) 452-2325

Email:

Email: scoonan@apaienv.com

Addresses and phone numbers for notices required under this Agreement may be modified as needed by giving notice as required in this section.

13.05 Survival. The indemnity and warranty provisions of this Agreement shall survive termination or completion of this Agreement. Any provision of this Agreement which by its terms is performable or which may be performed after termination or completion of this Agreement shall survive termination or completion.

13.06 Independent Consultant/Engineer. The parties agree that Engineer shall be deemed to be an independent consultant/engineer and not an agent or employee of the Owner with respect to its acts or omissions hereunder. The parties agree that the services and activities performed under this Agreement are not and shall not be construed as a joint venture between the

parties.

13.07 Confidential Work. Any reports, information, project evaluation, project designs, data, or other documentation developed by Engineer hereunder given to or prepared by or assembled by the Engineer will not be made available to any individual or organization by the Engineer without prior written approval of the Owner.

13.08 Ownership and Use of Documents. All designs, drawings, specifications, documents, and other work products of the Engineer for the Services, whether in hard copy or in electronic form, are instruments of service for the Services, whether the Services are completed or not. All such items, including plans, drawings, photos, designs, studies, specifications, computer programs, schedules, technical reports, or other work products which are to be delivered under this Agreement, and which are to be paid for by the Owner, are subject to the rights of the Owner provided in this Agreement.

If an item produced by the Engineer is copyrightable, the Engineer may copyright it, subject to the rights of the Owner. The Engineer grants the Owner the royalty-free, non-exclusive and irrevocable license to reproduce, publish, modify and use such items and to authorize others to do so. The Engineer shall include in its subconsultant contracts appropriate provisions to achieve the purpose of this Section.

It is understood that the Engineer does not represent such items to be suitable for reuse on any other project or for any other purpose(s). If the Owner reuses such items without the Engineer's specific written verification or adaptation, such reuse will be at the risk of the Owner, without liability to the Engineer. Any such verification or adaptation by the Engineer requested by the Owner may entitle the Engineer to further compensation at rates to be agreed upon between the Owner and the Engineer.

Should the Engineer be terminated under this Agreement, the Owner may continue the Project, and Engineer shall provide Owner with copies of the Drawings, Specifications, or other documents within fourteen (14) calendar days after the termination notice. Copies will be in the format designated by the Owner. The Owner may have these documents completed, corrected, revised or added to by another design professional in accordance with rules and regulations of the Texas Board of Engineers.

13.09 No Oral Modification/Complete Agreement. This Agreement and any exhibits hereto constitute the entire agreement between the Owner and Engineer and supersede all prior written or oral understandings. This Agreement may only be amended, supplemented, modified or cancelled by a written instrument duly executed by both parties.

13.09 Waiver. No waiver by either party hereto of any term or condition of this agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.

13.10 Remedies. The rights and remedies of the Owner provided in this Agreement shall not be exclusive and are in addition to any other rights and remedies provided by law or at equity including the right of specific performance and offset. Payment made to Engineer by the Owner shall not denote acceptance of the work. In the event of a default by the Owner hereunder, the Engineer shall provide Owner with at least ten (10) days notice and opportunity to cure. The

Engineer shall have all rights and remedies provided by law. The parties agree to mediate any dispute in good faith prior to filing suit, and the costs of such mediation shall be shared equally between Owner and Engineer.

13.11 Exhibits. All exhibits attached to this Agreement are incorporated by reference and expressly made part of this Agreement as if copied verbatim.

13.12 Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or inability to enforce shall not affect any provision thereof, and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

13.13 Successors and assigns bound. The Owner and Engineer and their respective successors and permitted assigns are hereby bound to the terms and conditions of this Agreement.

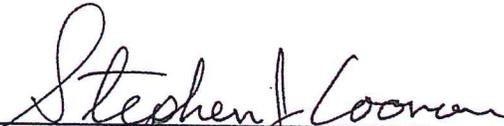
13.14 Signatures warranted. The signatories to this Agreement represent and warrant that they have the authority to execute this Agreement on behalf of the Owner and Engineer, respectively.

Executed on the dates set forth below to be effective as of the date first set forth above.

Owner

Engineer


Attn: Don Ferguson
City Administrator
City of Wimberley


Attn: Mr. Stephen J. Coonan, P.E.
Alan Plummer Associates, Inc.

Phone: (512) 847-0025
Fax: (512) 847-0422
Email: dferguson@cityofwimberley.com

Phone: (512) 452-5905
Fax: (512) 452-2325
Email: scoonan@apaienv.com

Date: 9/9/13
6:42 pm

Date: 9/9/13

EXHIBIT A

WORK ORDER/PROPOSAL SCOPE OF SERVICES AND COMPENSATION

CITY OF WIMBERLEY, TEXAS WASTEWATER SYSTEM IMPROVEMENT PROJECT

This scope of work for the City of Wimberley, TX Wastewater System Improvement Project is based upon the information submitted in the application for funding submitted to the Texas Water Development Board by the City on October 29, 2012, and amended January 24, 2013. The scope also includes additional financing and public involvement services as discussed with City staff. It is anticipated that the project will include the construction of a sewer collection system in the central Wimberley area, as identified on Figure 1, as well as expansion of the existing treatment facility and associated effluent irrigation areas. For purposes of this scope, the project will be essentially that defined as Alternative 4 in the Preliminary Engineering Report, Addendum 2, prepared by Alan Plummer and Associates and dated October 2012. If there are significant changes in the scope of the project from that contained in the above-referenced report, it is understood that this scope and fee will be adjusted accordingly through a Contract Amendment. The scope of Planning, Design, and Construction Management Phase Engineering Services for the Wimberley, Texas Wastewater System Improvement Project includes the following tasks:

Task 1 - Project Coordination

- A. Engineer and key subconsultants, as required, will attend preliminary conferences with the City, Texas Water Development Board (TWDB) personnel and other interested parties regarding the Project.
- B. Engineer will assist the City in the preparation of applications and supporting documents for government grants, loans, or advances in connection with the Project.

Task 2- Public Involvement/Citizens' Advisory Committee

- A. The Engineer and key subconsultants (Laura Rahn Public Relations and Raftelis Financial Consultants) will work directly with a Stakeholder Committee, appointed by the City, to identify community concerns regarding the project, solutions to address those concerns and incorporate those solutions into a Preliminary Engineering Feasibility Report prepared by the engineer.
- B. It is anticipated that this effort will require a total of eight (8) meetings with the Stakeholder Committee across a period of approximately nine (9) weeks and shall be completed no later than Friday, November 22, 2013. In addition, the Engineer and subconsultants will prepare the information necessary to facilitate these meetings. This process will be led and facilitated by Laura Rahn Public Relations. The scope of services for Laura Rahn Public Services is attached as Attachment I. It is anticipated that Raftelis Financial Consultants will participate in three (3) of the meetings to review financial information for the Stakeholder Committee. The Engineer's

Representatives will be present at each meeting. The Stakeholder Committee will be responsible to provide feedback representative of community concerns on the engineering and financial alternatives presented during the stakeholder meetings.

Task 3 – Conduct Engineering Alternative Evaluations to Support the Stakeholder Process

- A. Based on the results of the Stakeholder Committee process, Engineer and subconsultants will prepare a Preliminary Engineering Feasibility report, which will, as appropriate, contain schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate the requirements developed in the process, considerations involved, and those alternate solutions available to the City.
- B. Upon completion of the initial process, the Engineer and subconsultants will meet with the City Council and provide a presentation of the results of the Stakeholder Committee process.
- C. Engineer will review and update the existing Environmental Assessments and Impact Statements; review and evaluate the effects on the design requirements for the Project of any such statements and documents prepared by others; and assist in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.

Task 4 -Surveying and Land Acquisition Assistance

- A. The Engineer will determine the necessity for acquisition of rights-of-entry for properties for purposes of surveying. Based on readily available data, Engineer will furnish necessary information such as name and address of property owners, legal descriptions of parcels, and map of parcels with designation of areas to be surveyed to the City. The City will be responsible for obtaining the necessary rights-of-entry.
- B. The Engineer will determine the necessity for acquisition of any additional real property/easements/right-of-way for the City's potential Wastewater Collection System and Treatment Plant Project(s) and, if applicable, furnish information such as name and address of property owners, legal descriptions of parcels to be acquired and map of entire tracts with designation of part to be acquired to the City.
- C. Engineer will prepare property surveys, detailed descriptions of sites, maps, or drawings as required to support the acquisition of land and easement rights. The Engineer will coordinate preparation of an appraisal by a qualified appraiser to be paid for by the City, of the value of real property and/or easements needed for the wastewater facilities and determine the availability of title, easements, and rights-of-way needed to implement the project. The costs for title reports and policies are not included.
- D. Engineer will provide field surveys to collect information required for planning and design and complete related office computations and drafting.
- E. Engineer will provide field surveys and office computations for construction control staking, including the one-time staking of bench marks and horizontal control references for the Contractor's construction stake-out. If the Contractor damages or removes any bench marks or reference points, re-staking will be billed to the Contractor.

Task 5 — Design

- A. Engineer will prepare detailed construction plans, specifications and contract documents for the construction authorized by the City Council as a result of the Stakeholder Committee process. This scope is based on preparing no more than two sets of project documents - one for the wastewater collection system, and one for the treatment and irrigation facilities. Plans will be submitted to the City for review and approval by the City at the 60%, 90%, and 100% completion milestones. Plans will be prepared in accordance with typical engineering practice.
- B. At the 60%, 90%, and 100% milestones, the Engineer will prepare updated opinions of probable construction cost for the authorized construction.
- C. Engineer will furnish the City with a table of contents for the proposed Contract Specifications as part of the 60% submittal. The 90% submittal will include technical specifications and contract documents for City review and approval. Final specifications will be submitted with the 100% submittal. Contract documents will be in accordance with Texas Commission on Environmental Quality (TCEQ) and TWDB requirements.
- D. At the 100% milestone, the Engineer will furnish the City with complete sets of plans and specifications for submittal by the City to TWDB for approval.
- E. Prior to completion of Final Design, Engineer and subconsultants will attempt to contact each property owner/potential user to determine potential connection points for sewer service and to review issues associated with the connection. Only one attempt will be made to obtain this information. This information will be archived and included in the final construction plans.
- F. Prior to construction, the Engineer and subconsultants will prepare for, and present, a public workshop to discuss the proposed project. This will include an identification of the proposed construction, potential impacts during construction, and the construction schedule.

Task 6 – Bid Phase Services

- A. Engineer will furnish the City with approved contract documents including Notices to Bidders and Proposal forms.
- B. Engineer will assist the City in the advertisement of the project for Bids. The City will be responsible for all costs associated with advertising in newspapers or other publications.
- C. Engineer will attend the bid opening and tabulate the bid proposal, analyze the responsiveness of the bidder(s) and make recommendations for awarding contract(s) for construction to the lowest responsive bidder(s). This scope is based on preparing no more than two sets of bid documents - one for the wastewater collection system, and one for the treatment and disposal facilities.
- D. Engineer will prepare and coordinate approval of formal Contract Documents and coordinate issuance of Notice to Proceed from the TWDB.

Task 7 – Permitting

- A. The Engineer will furnish and submit, on behalf of the City, the engineering data necessary for applications for the following permits by local, State and Federal authorities (as distinguished from detailed applications and supporting documents for government grants-in-aid, or for planning advances):
 - TxDOT right-of-way use permit
 - TCEQ Texas Pollution Discharge Elimination Permit for the wastewater plant
- B. The Engineer will also prepare and submit, on behalf of the City, the engineering data and other information as required by the TCEQ for Texas Pollution Discharge Elimination (TPDES), including discharge permits and Storm Water Pollution Prevention Plans (SWP3) as required.
- C. The Engineer will also prepare and submit, on behalf of the City, the engineering data and other information as required by the TCEQ for a Chapter 210 Reuse Notification.
- C. Although a permit is not required for the wastewater collection system, the Engineer will submit plans, specifications, and a design report for the collection system to TCEQ for review and approval.
- D. The Engineer will coordinate with the TCEQ concerning the review of the permit application. It is anticipated that this will take no more than three (3) meetings.
- E. Participating in administrative hearing, or responding to issues resulting from legal challenges or public protests of the proposed treatment facility permit, is not included in the basic services. A Contract Amendment will be requested if these services are required, upon approval of scope by the City.

Task 8 -Geotechnical Engineering

- A. Engineer will retain a subconsultant to perform geotechnical investigations such as auger borings, core borings, soil tests, or other subsurface explorations and laboratory testing and inspecting of samples or materials relevant to design. The boring locations and number of borings required will be based on the alternative approved as a result of the Citizens' Advisory Committee process. This work is expected to include a total of fifteen borings and associated materials testing.

Task 9 – Financial Analysis

- A. Review and update/revise previous financial analysis prior to the Stakeholder Committee meetings.
- B. Revise financial analysis during the course of the Stakeholder Committee meetings should parameters change.
- C. Provide technical memorandum to be included in engineering report highlighting financial feasibility results of recommended approach.
- D. After adoption of the recommended plan by the City Council, update analysis as cost estimates change.
- E. Preparation of Impact Fee Study

Task 10 - Construction Phase Services

This scope is based on the following construction phase services. It is anticipated that Engineer will make necessary visits and review construction at intervals sufficient to ensure general compliance with contract requirements. This scope does not include Resident Project Representative services on a full-time basis. The work of a Resident Project Representative, if requested, will be authorized by the (City) Owner under a Contract Amendment.

- A. Engineer will consult with and advise the City during construction; issue instructions to the contractor requested by the City; and prepare, negotiate, process and issue routine change orders with the City's approval. Preparation of alternate designs or non-routine contract change orders that are necessary due to no fault of the Engineer will be authorized under a Contract Amendment upon approval of the City and TWDB.
- B. Engineer and subconsultants will review samples, catalog data schedules, shop drawings, laboratory, shop and mill tests of material and equipment and other data, which the contractor submits. The Engineer will review for conformance with the design concept, all shop drawings and other submittals as required by the Contract Documents to be furnished by contractors. Based on the review, Engineer will approve the submittals, as appropriate.
- C. Engineer will obtain and review monthly and final estimates for payments to contractors, and furnish any recommended payments to contractors or suppliers to the City and assemble written guarantees which may be required by the Contract Documents.
- D. Engineer will attend monthly progress meetings with the City, Contractor(s), and TWDB during construction.
- E. Engineer will conduct, in the company of the City, a final walk-through of the project for compliance with the Contract Documents and submit recommendations concerning project status of the City's final payment to the contractor. Prior to submission of recommendation for final payment on each contract, the Engineer will submit certificate of substantial completion of work done under that contract to the City, TWDB and others as required.

Task 11 – Post Construction Services

- A. Engineer will revise the Contract Drawings (unless redrawing is required) from as-built drawings submitted by the Contractor, to reflect any changes in the work from the design drawings. These Record Drawings will be based on the Contractor's submitted information. The Engineer will provide the City with one set of reproducible records drawings, one set of PDF scans, and two sets of prints. Such drawings will be based on the Resident Project Representative's construction data and the construction records provided by the contractor during the construction.
- B. Engineer will coordinate approval and issuance of the Certificate of Completion from TWDB and others as required.
- C. Engineer will conduct, within one month of its expiration, in the company of the City, a warranty inspection of the project for compliance with the Contract Documents and submit recommendations concerning project warranty issues to the City, TWDB and others as required.

- D. Eleven months after the date of Substantial Completion for each Contract, the Engineer will advise the City in writing whether the Work meets the project performance standards, as defined in the Contract Documents approved by the City and TWDB.
- E. The Engineer will assist in training operating personnel and coordinate the preparation of curricula and training materials for operating personnel.

Task 11 - O&M Manual

- A. Engineer will prepare an operation and maintenance manual that meets applicable TWDB guidelines for submission to the City before construction of the project is 90% complete.
- B. The Engineer will review the first year's operation of the Project and revise the operations and maintenance manual for the Project as necessary to accommodate actual operational requirements and expenses.

COMPENSATION

Portions of the above Tasks are not included in the initial funding request to TWDB, and will be funded as part of the project construction loan. The breakdown of fee by tasks is as follows:

Task 1 -Project Coordination	\$20,000
Task 2 -Public Involvement/Citizens' Advisory Committee (Laura Rahn Public Relations \$37,500 included in \$63,500) (Raftelis Financial Consultants \$16,000, included in \$63,500) (Alan Plummer Associates \$10,000, included in \$63,500)	\$63,500
Task 3 – Engineering Alternative Evaluation Environmental Assessment Engineering Assessment	\$15,000 \$15,000
Task 4 –Surveying and Land Acquisition Assistance (NTE)	\$55,000
Task 5 – Design	\$215,582
Task 6 – Bid Phase Services	\$10,000
Task 7 – Permitting	\$35,000
Task 8 – Geotechnical Engineering	\$37,500
Task 10 - Financial Analysis/Impact Fee Study	\$22,500
Reimbursable Allowance	\$5,000
	Professional Services Total:
	\$494,082
Task 11 – Construction Phase Services <i>Note: Construction phase services are not included in the initial SRF Loan, and may be authorized by a Contract Amendment based on mutually-agreed scope of services.</i>	
Task 10 - Post-Construction Services <i>Note: Post-construction services are not included in the initial SRF Loan, and may be authorized by a Contract Amendment based on mutually-agreed scope of services.</i>	
Task 11 – O&M Manual <i>Note: Preparation of the O&M manuals are not included in the initial SRF Loan, and may be authorized by a Contract Amendment based on mutually-agreed scope of services.</i>	

Scope of Work – Facilitation for Stakeholder Process Wimberley WW Project

Sept. 9, 2013

The Facilitation Process is designed to enable participants to examine their positions with a fresh eye so they can reach agreement through consensus on a set of recommendations related to a wastewater treatment system.

Our facilitation approach will be a Guided Discussion to build consensus around recommendations for a successful treatment system. The Stakeholder Group will comprise no more than 7 members.

LRPR will facilitate a series of 8 meetings over 9 weeks. Each meeting will last approximately 2 hours.

Tasks that are carried out for each meeting:

- Plan meetings - schedule meetings, invite participants
- Prepare meeting materials - meeting agenda, handouts, flip charts, facilitation materials, PowerPoint and visual displays
- Attend meetings - SCS facilitates meeting; ACS take notes
- Meeting Follow Up - transcribe meeting notes, distribute to group members
- Project Management - coordinate with team

Tasks that are carried out one time:

- Compile final recommendations and relevant information for delivery to City Staff/Council

LRPR will aim to cover the following topics in each meeting, though some timing adjustments may be needed as the Stakeholder Process unfolds.

Meeting 1

LRPR will explain the purpose of the Stakeholder Process in relation to the proposed project, as outlined in the charge from City Council.

1. Describe the final deliverable
2. Lead a discussion of ground rules for the Stakeholder process, which include:
 - a. Communications
 - 1) Treat each other with respect
 - 2) Listen to all points of view
 - 3) Canvass Stakeholders about confidentiality of the process
 - a) Communications between members outside meetings
 - b) Communication with media
 - b. Consensus – defined by Stakeholder Group
 - c. Roles of participants
 - 1) Are Group Members speaking for themselves or an organization?

- 2) Can alternates attend?
- 3) Are absences tracked?
- 4) Are observers allowed to attend?
3. Explain how meeting agendas, resource materials and meeting notes will be used to share information
4. Alan Plummer Associates briefly introduces the wastewater project
 - a. History
 - b. Current system
 - c. Issues to be addressed by new system

Meeting 2

LRPR will lead a discussion to identify the issues at stake. The discussion will explore relevant feelings, concerns, emotions and perceptions about issues related to a new wastewater treatment system.

Potential issues may include environmental, economic and social impacts of a new system.

Concerns may center on how wastewater is treated, stored and/or discharged; and on the costs of a new system.

Meeting 3

LRPR will lead discussion to identify underlying values and interests beneath the concerns.

- Goals of individual Group Members are explored
- Consequences and impacts of various goals are discussed
- Identify ideal options
- Identify possible alternatives to address goals

LRPR will lead discussion to identify criteria for prioritizing alternatives

- Assess how the criteria meet the goals
- Assess the relative importance of each criterion
- Prioritize criteria; determine whether criteria are weighted

Meeting 4

Alan Plummer Associates presents options for a wastewater project.

1. Collection system
 - a. Conventional
 - b. Low pressure
 - c. Vacuum
2. Treatment/Disposal
 - a. Aqua Texas
 - b. Existing facility – to be expanded and retrofitted

- i. Discharge vs no discharge
- ii. On-site irrigation
- c. Other options

LRPR leads a discussion on how the options meet the criteria discussed in previous meeting.

Meeting 5

Raftelis presents options for the financial aspects of a wastewater system.

- Taxes vs impact fees vs operational costs)
 - Who pays?
 - How much?

LRPR leads a discussion on how the options meet the criteria discussed in previous meetings.

Meeting 6

LRPR will lead a discussion to identify areas where interests overlap.

Overlapping interests are discovered through prioritizing options, based on previously identified criteria.

Meeting 7

LRPR will lead a discussion to seek preliminary consensus on recommendations for 3 key aspects of a system.

1. Collection system
2. Treatment/Disposal
3. Financials (taxes vs impact fees vs operational costs)

Meeting 8

LRPR will lead a discussion to seek consensus on recommendations for 3 key aspects of a wastewater system.

1. Collection system
2. Treatment/Disposal
3. Financials (taxes vs impact fees vs operational costs)

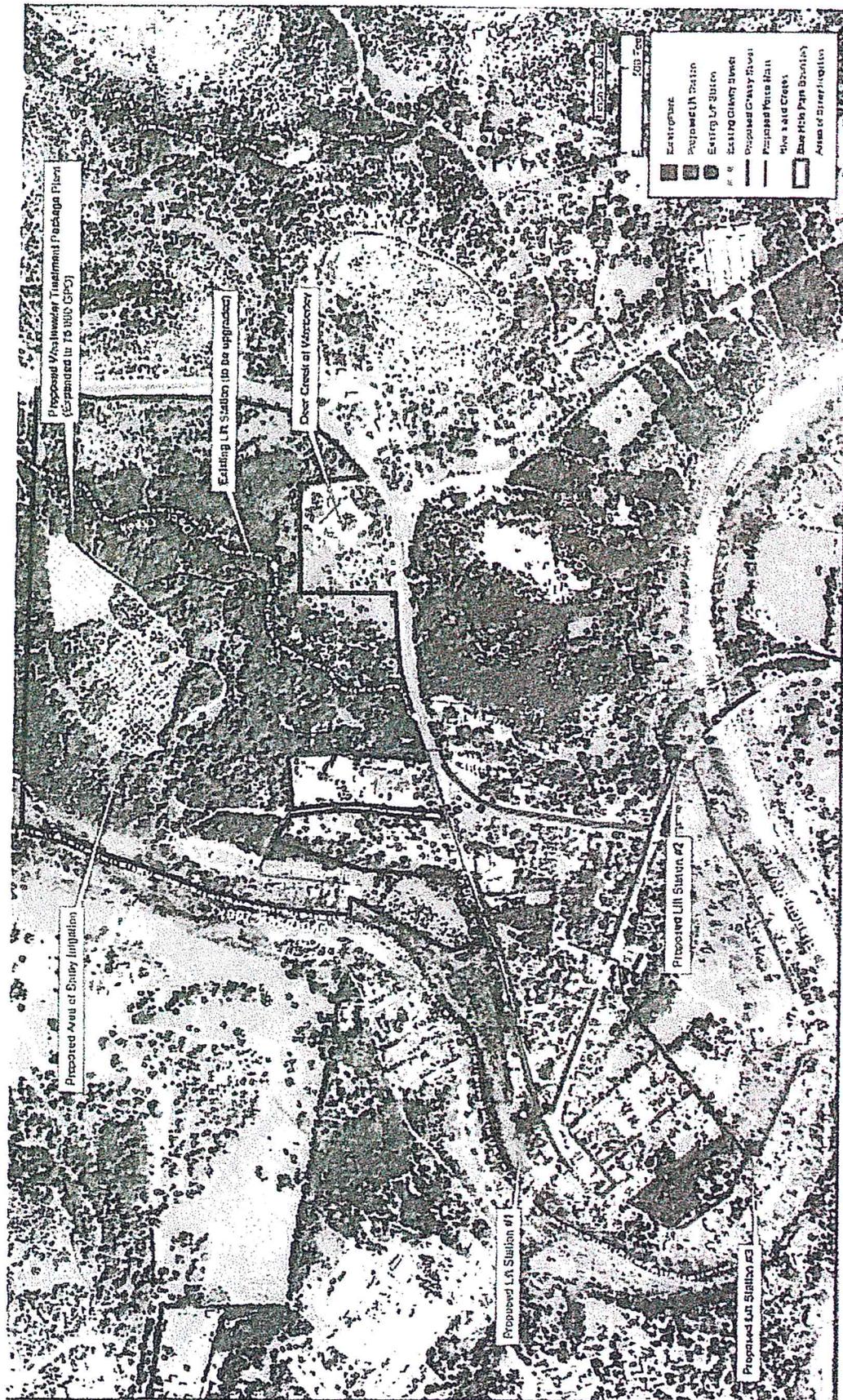


FIGURE 1

EXHIBIT B

Alan Plummer Associates, Inc. Personnel

Stephen J. Coonan, P.E.
Erin Wiesehan, P.E.
Cynthia Syvarth
Josh Frisinger, P.E.
Jeff Caffey, P.E.
Rex Hunt, P.E.
Janet Sims
Jason Voight
Rose Murphy

Project Consultants

Laura Raun Public Relations
Raftelis Financial Services
Macia & Associates, Inc.
HVJ Engineering, Inc.

FINANCIAL ADVISORY SERVICES AGREEMENT

This Financial Advisory Services Agreement (the "Agreement") is made and entered into by and between the City of Wimberley, Texas ("Issuer") and Specialized Public Finance Inc. ("SPFI") effective as of the date executed by the Issuer as set forth on the signature page hereof.

WITNESSETH:

WHEREAS, the Issuer will have under consideration from time to time the authorization and issuance of indebtedness in amounts and forms which cannot presently be determined and, in connection with the authorization, sale, issuance and delivery of such indebtedness, Issuer desires to retain an independent financial advisor; and

WHEREAS, the Issuer desires to obtain the professional services of SPFI to advise the Issuer regarding the issuance and sale of certain evidences of indebtedness or debt obligations that may be authorized and issued or otherwise created or assumed by the Issuer (hereafter referred to collectively as "Debt") from time to time during the period in which this Agreement shall be effective; and

WHEREAS, SPFI is willing to provide its professional services and its facilities as financial advisor in connection with all programs of financing as may be considered and authorized by Issuer during the period in which this Agreement shall be effective.

NOW, THEREFORE, the Issuer and SPFI, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, do hereby agree as follows:

SECTION I DESCRIPTION OF SERVICES

Upon the request of the Issuer, SPFI agrees to perform the financial advisory services stated in the following provisions of this Section I; and for having rendered such services, the Issuer agrees to pay to SPFI the compensation as provided in Section VI hereof.

1. Financial Planning. Provide financial planning services related to Debt plans and programs.
2. Debt Elements. Provide recommendations regarding Debt under consideration, including such elements as timing, structure, security provisions, and such other provisions as may be appropriate.
3. Method of Sale. Make a recommendation as to an appropriate method of sale, including but not limited to competitive sale, negotiated sale or private/limited offering.
4. Price Fairness. Advise the Issuer as to the fairness of the price offered by the underwriters.

5. Offering Documents. Participate in and direct, as appropriate, the preparation of the offering documents and/or assist bond counsel with same.
6. Auditors. Coordinate verification by an independent auditor of any calculations incident to the Debt, as required.
7. Printing. Coordinate all work incident to printing of the offering documents and other documents required by Issuer.
8. Closing. Provide the Issuer a post sale/closing booklet or update for the Debt and other outstanding debt, as needed.

SECTION II OTHER AVAILABLE SERVICES

In addition to the services set forth and described in Section I herein above, SPFI agrees to make available to the Issuer the following services, when so requested by the Issuer and subject to the agreement by Issuer and SPFI regarding the compensation, if any, to be paid for such services, it being understood and agreed that the services set forth in this Section II may require further agreement as to the compensation to be received by SPFI for such services:

1. Call Defeasance and Refunding. Evaluate and advise on exercising any call defeasance and/or refunding of any outstanding Debt.
2. Capital Program Modeling. Evaluate and advise on the development of any capital improvements programs.

SECTION III CONTINUING DISCLOSURE

It is understood and agreed that the Issuer, in connection with the sale and delivery of Debt, will be required to comply with certain continuing disclosure undertakings, including preparation and submission of annual reports (the “annual reports”) and reporting of certain specified material events (the “material events”) pursuant written undertakings of the Issuer and in accordance with the provisions of Securities and Exchange Commission Rule 15c2-12, as amended (the “Rule”). SPFI shall provide continuing disclosure services on the terms and conditions, for the time period and for the compensation set forth herein.

1. This Agreement shall apply to all Debt delivered subsequent to the effective date of the continuing disclosure undertakings of Issuer and as specified in the Rule, to the extent that any particular issue of Debt does not qualify for exceptions to the continuing disclosure requirements of the Rule.
2. SPFI agrees to perform annual reporting and material event notification duties required by the undertakings of Issuer and the Rule.
3. The fees of SPFI for providing the foregoing continuing disclosure services shall be negotiated annually (not to exceed \$1,000 per similarly-secured type of Debt). The fees of SPFI for providing material event notification services shall be negotiated separately at the time such notifications may be required.

SECTION IV TERM OF AGREEMENT

This Agreement shall become effective as of the date executed by the Issuer as set forth on the signature page hereof and, unless terminated by either party pursuant to Section V of this Agreement, shall remain in effect thereafter for a period of three (3) years from such date. Unless SPFI or Issuer shall notify the other party in writing at least thirty (30) days in advance of the applicable anniversary date that this Agreement will not be renewed, this Agreement will automatically renew on the third anniversary of the date hereof for an additional one (1) year period and thereafter will automatically renew on each anniversary date for successive one (1) year periods under the same terms as the initial 3 year period.

SECTION V TERMINATION

This Agreement may be terminated with or without cause by the Issuer or SPFI upon the giving of at least thirty (30) days' prior written notice to the other party of its intention to terminate. In the event of such termination, it is understood and agreed that only the amounts due SPFI for services provided and expenses incurred to the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement.

SECTION VI COMPENSATION AND EXPENSE REIMBURSEMENT

The fees due to SPFI for the services set forth and described in Section I of this Agreement with respect to each issuance of Debt during the term of this Agreement shall be calculated in accordance with the schedule set forth on Appendix A attached hereto. Unless specifically provided otherwise on Appendix A or in a separate written agreement between Issuer and SPFI, such fees, together with any other fees as may have been mutually agreed upon and all expenses for which SPFI is entitled to reimbursement, shall become due and payable concurrently with the delivery of the Debt to the purchaser.

SECTION VII
MISCELLANEOUS

1. Choice of Law. This Agreement shall be construed and given effect in accordance with the laws of the State of Texas. Proper venue for any legal action arising out of this Agreement shall be Hays County, Texas.

2. Binding Effect; Assignment. This Agreement shall be binding upon and inure to the benefit of the Issuer and SPFI, their respective heirs, executors, personal representatives, successors and assigns; provided however, neither party hereto may assign or transfer any of its rights or obligations hereunder without the prior written consent of the other party.

3. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral or written representations or modifications concerning this Agreement shall be of no force or effect except for a subsequent modification in writing signed by all parties hereto.

Specialized Public Finance Inc.

By: 
Managing Director

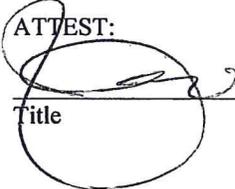
By: 
Managing Director

City of Wimberley, Texas

By: 

Title: City Admin

Date: 9/27/12

ATTEST:

Title

APPENDIX A

Fee Schedule:

The first issue for the City will be performed for a financial advisory fee not to exceed \$15,000; thereafter the following will be in effect:

\$9,000 for the first	\$1,000,000 of bonds issued
Plus \$4.00 per \$1,000 for the next	\$4,000,000 of bonds issued
Plus \$2.00 per \$1,000 for the next	\$5,000,000 of bonds issued
Plus \$1.00 per \$1,000 for the next	\$40,000,000 of bonds issued
Plus \$0.75 per \$1,000 thereafter	

The above charges shall be multiplied by 1.25 times for the completion of an application to a federal or state government agency or for the issuance of revenue bonds or refunding bonds, reflecting the additional services required.

The charges for ancillary services, including computer structuring and official statement printing, shall be levied only for those services which are reasonably necessary in completing the transaction and which are reasonable in amount, unless such charges were incurred at the specified direction of the Issuer.

The payment of charges for financial advisory services in Section I of the foregoing Agreement shall be contingent upon the delivery of bonds and shall be due at the time that bonds are delivered. The payment of charges for services described in Section II of the foregoing Agreement shall be due and payable in accordance with the mutual agreement therefor between SPFI and Issuer.

The Issuer shall be responsible for the following expenses, if and when applicable:

- Bond counsel
- Bond ratings
- Computer structuring (pursuant to SPFI internal fee schedule)
- Continuing Disclosure, as per Section III
- Credit enhancement
- Verification agent
- Official statement preparation
- Official statement printing and distribution
- Paying agent/registrar/trustee
- Travel related expenses (mileage, airfare, hotel, etc.) as requested
- Underwriter and underwriters' counsel
- Delivery, copy, conference call charges and other miscellaneous charges

The payment of reimbursable expenses that SPFI has assumed on behalf of the Issuer shall NOT be contingent upon the delivery of bonds and shall be due at the time that services are rendered and payable upon receipt of an invoice therefor submitted by SPFI.

Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expressway Building One, Suite 300 Austin, Texas 78746 (512) 472-8021 Fax (512) 320-5638 www.bickerstaff.com

October 12, 2012

City of Wimberley, Texas
P.O. Box 2027
Wimberley, Texas 78676

Attn: Mr. Don Ferguson
City Administrator

RE: Bond Counsel Agreement

Dear Mr. Ferguson:

This letter is submitted to state our fees and describe the legal services of the undersigned law firm in performing the duties of bond counsel for the City with reference to the issuance of the City's proposed bonds (the "Bonds") in connection with the Texas Water Development Board Clean Water State Revolving Fund program.

Generally, we will perform all usual and necessary legal services as bond counsel in connection with the authorization, issuance, and delivery of the Bonds. Specifically, we will prepare and direct the legal proceedings, and perform the other necessary legal services with reference to the authorization, issuance, and delivery of the Bonds, including the following:

1. Prepare all resolutions, ordinances, notices and other instruments pursuant to which the Bonds will be authorized, issued, delivered and secured, including election proceedings, if necessary, in cooperation and upon consultation with the City Council, its consultants, and other legal and financial advisors and consultants of the City.
2. If a refunding issue, prepare documents establishing the Escrow Agreement with the Escrow Agent.
3. Attend meetings of the City Council with reference to the authorization and issuance of the Bonds to the extent required or requested.
4. Cooperate with the City Council and all other interested parties in the sale of the Bonds to the purchasers.
5. Submit bond transcript to the Attorney General for approval.

6. Supervise the execution of the Bonds and the delivery thereof to the purchasers.
7. Prepare documents for closing, provide instructions and advice for closing, and attend closing.
8. When so delivered, give our approving opinion covering the validity of the Bonds, the status of the refunded obligations, and the exemption of interest thereon from federal income taxes, it being understood that the approving opinion will be fully acceptable nationally in regular commercial investment banking bond marketing channels.
9. Prepare and file Internal Revenue Service Form 8038-G.
10. Assist the City in connection with legal services involving the loan from the Texas Water Development Board, such services being distinct from those normally provided by bond counsel, including the negotiation and drafting of user contracts and loan documents, including appropriate opinions regarding the project and duties of the City.

The fee covering the legal services of this firm as bond counsel for the issuance of the Bonds is as follows:

\$10,000 for the first \$1,000,000 of the Bonds

\$1.00 per \$1,000 of Bonds after the first \$1,000,000

Also, we would expect to be reimbursed for our actual out-of-pocket expenses reasonably and necessarily incurred in connection with the authorization, issuance, and delivery of such Bonds, *i.e.*, travel, overnight delivery service, photocopies, outgoing facsimile transmissions, courier, and the Attorney General's filing fee. A list of client costs advanced is enclosed.

The foregoing legal services as bond counsel do not include any direct responsibility for the "disclosure obligations" owed to the investing public under the federal securities laws and the various state securities laws, and this is to state that our engagement is not that broad. We will however, provide assistance the City in identifying what the City's responsibility is in meeting its continuing disclosure responsibilities.

Your financial advisor will be responsible for the preparation of an Official Statement or any other disclosure document with respect to the Bonds. While we are not responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document, our responsibility will include the preparation or review of any description therein of: (i) federal law pertinent to the validity of the Bonds and the tax treatment of interest paid thereon, (ii) the terms of the Bonds, and (iii) our opinion.

Our fees and expenses will be payable at the time of the delivery of and payment for the Bonds, but our fees are wholly contingent upon actual delivery of such Bonds.

The fees discussed herein do not apply in litigation work in reference to the Bonds. All fees in respect to litigation shall be agreed upon between the City and the undersigned.

If the arrangement proposed herein is satisfactory, please indicate acceptance hereof by signing the acceptance clause below and return one copy of this letter to the undersigned.

Respectfully submitted,

BICKERSTAFF HEATH DELGADO ACOSTA LLP



Thomas M. Pollan

TMP:ea

ACCEPTED this the 18th day of October, 2012:

CITY OF WIMBERLEY, TEXAS

By: 

Printed Name: Don Ferguson

Title: City Administrator

Client Costs Advanced
Bickerstaff Heath Delgado Acosta LLP

The firm incurs expenses on behalf of clients only when required by the legal needs of the clients. Some cases or matters require extensive use of copy facilities, and other cases may not be so paper intensive. Standard services such as secretarial and word processing time, file setup, and file storage are not charged; however, other expenses such as copies, delivery fees, and fax charges are billed to the client needing those services. An explanation of the billing structure is as follows:

Delivery Services: Outside delivery services are used for pick-up and delivery of documents to the client as well as to courts, agencies, and opposing parties. Outside delivery fees are charged to the client at the rate charged to the firm. Overnight delivery services are also charged at the rate charged to the firm. Firm Office Services Department personnel may provide delivery service in urgent situations and charges for such in-house service will not exceed the charge that would be made by an outside service in a similar situation.

Postage: Our postal equipment calculates exact U.S. postage for all sizes and weights of posted material. The rate charged for postage is the same as the amount affixed to the material that is mailed. We will not charge clients for postage on routine correspondence; however, the cost of large-volume mail, certified mail, or other additional mail services will be charged to the client.

Copies: Our standard rate for black and white copies made by firm personnel is \$0.15 per copy. Color copies are charged at a standard rate of \$0.55 per copy. These charges cover paper, equipment costs, and other supplies. If savings can be realized within the required time frame by sending copy jobs to subcontractors, the firm uses only qualified legal services copiers and the cost charged to the client is the same as the amount billed to the firm.

Computerized Research: If a case requires the use of computerized legal research, trained and skilled legal researchers are used to minimize on-line data charges. The per-minute fees for on-line connect time are charged to the client at the rate charged to the firm, plus applicable taxes and surcharges imposed by governmental entities.

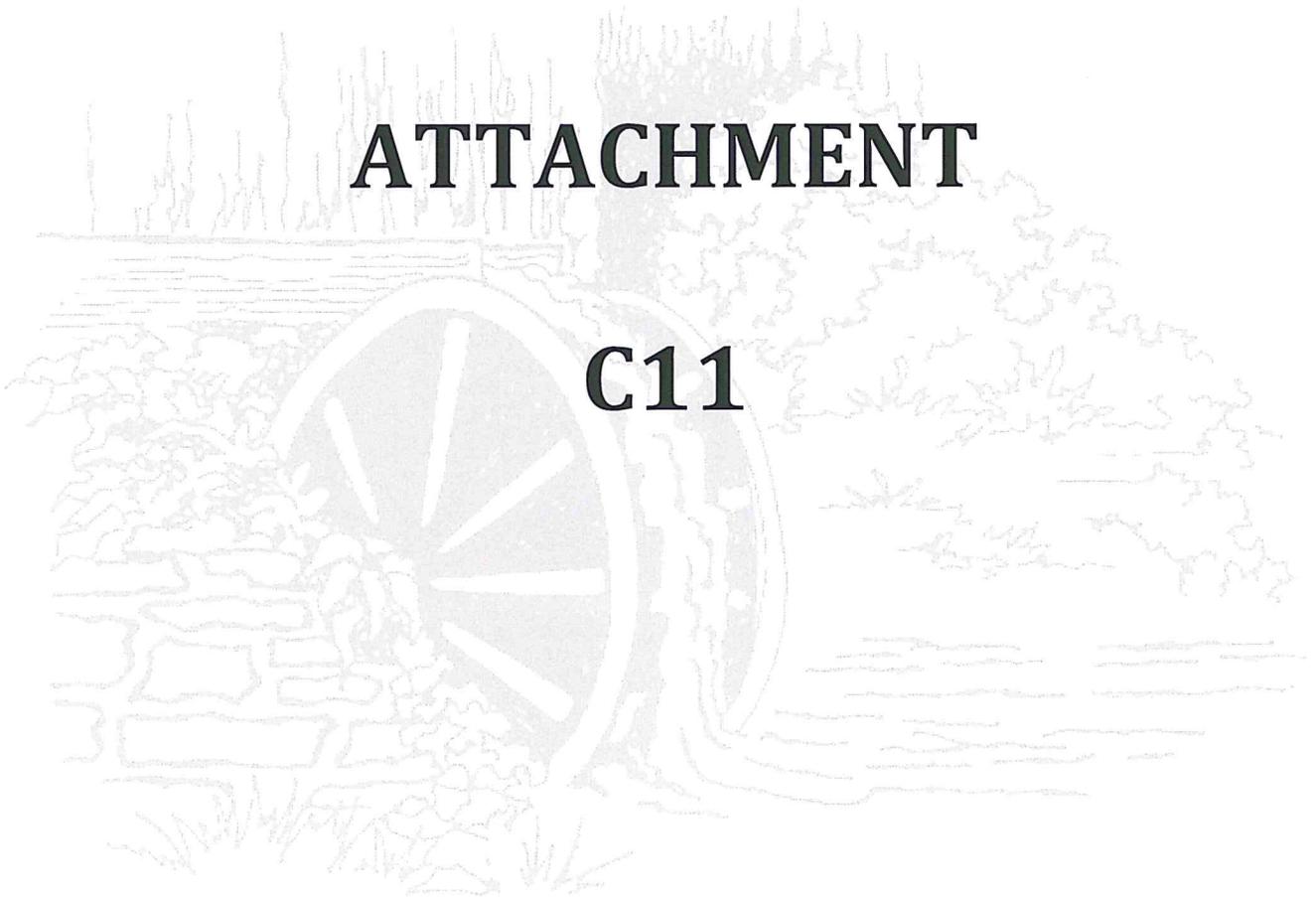
Fax: Fax copies will be charged at the rate of \$.25 per page.

Travel: Attorney and paralegal time spent traveling on behalf of a client is billed to the client. Hotel, meal, local transportation, and similar expenses are charged based on receipts and travel expense forms submitted by the attorney. Documentation is available to the client if requested.

Other Expenses: Expenses incurred to outside providers in connection with the client's legal services should be paid by the client directly to the outside provider unless specifically arranged in advance. If the firm agrees to pay outside providers, the cost charged to the client is the same as the amount billed to the firm. Examples of such charges include: court reporter fees, filing fees, newspaper charges for publication notices, expert witness fees, consultants and other similar expenses. Such expenses will be incurred only in conjunction with client-approved activities.

ATTACHMENT

C11



IT IS FURTHER ORDERED that the Village of Wimberley shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity No. 20936 and that such service shall be continuous and adequate.

Issued date: **JAN 06 2005**

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



For the Commission



**Texas Commission
on
Environmental Quality**

By These Presents Be It Known To All That

Village of Wimberley

having duly applied for certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 20936

to provide continuous and adequate sewer utility service to that service area or those service areas in Hays County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 34457-S are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Village of Wimberley to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this JAN 06 2005


For the Commission



CANCELLATION OF
CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide Sewer Service Under V.T.C.A., Water Code
and Texas Commission on Environmental Quality Substantive Rules

Certificate No. 20702

Certificate No. 20702 was canceled by Order of the Commission in Docket No. 34457-S. Blue Hole Management, Ltd. dba Blue Hole Wastewater System's facilities and lines were transferred to Village of Wimberley, CCN No. 20936 in Hays County.

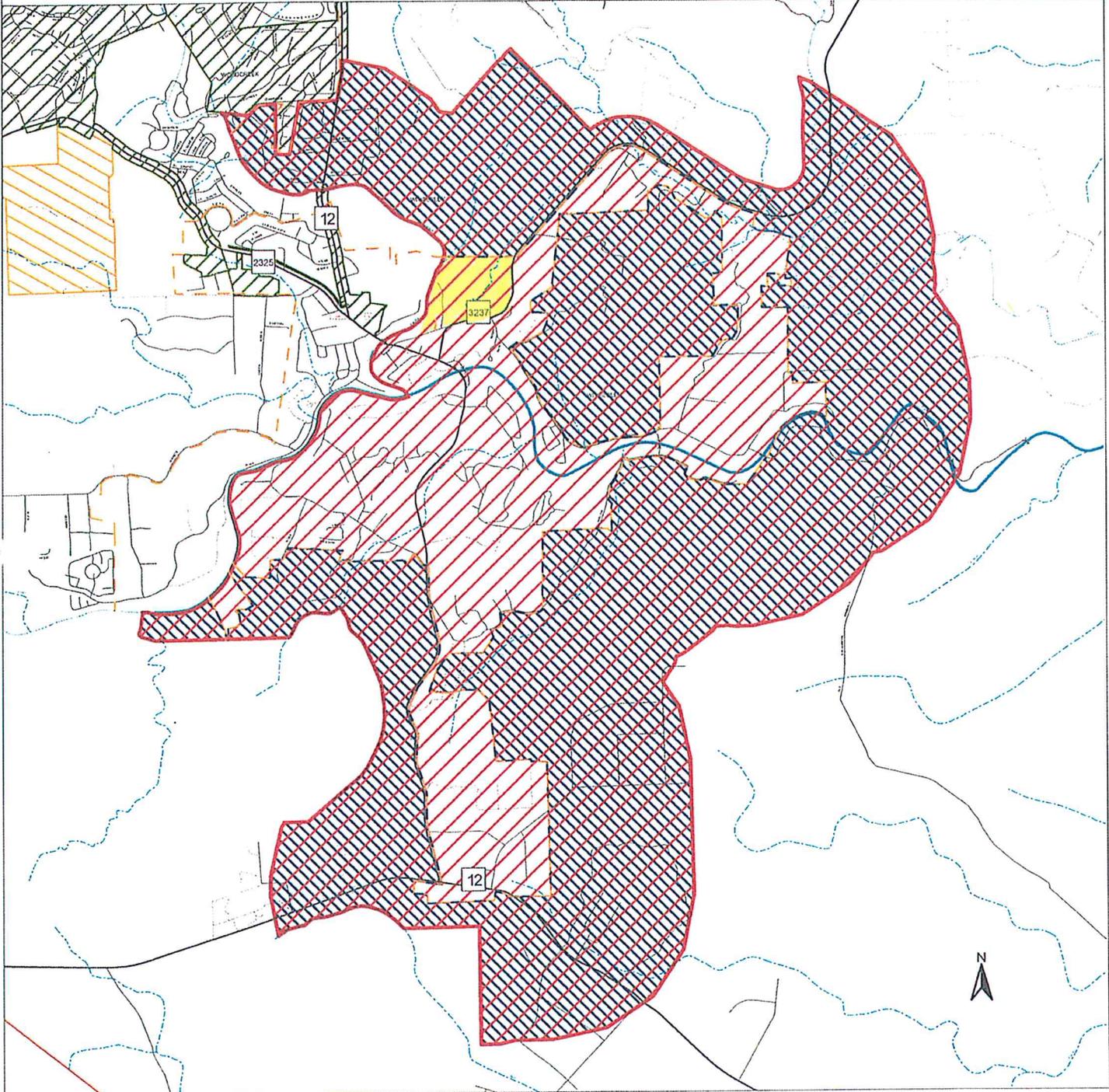
Please reference Certificate No. 20936 for the location of map and other information related to the service area transferred.

Certificate of Convenience and Necessity No. 20702 is hereby CANCELED by order of the Texas Commission on Environmental Quality.

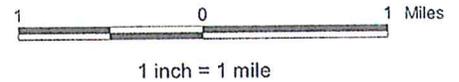
Issued Date: **JAN 06 2005**


For the Commission

Village of Wimberley
 Sewer Service Area
 CCN No. 20936
 Application No. 34457-S
 (Transferred and Cancelled Blue Hole Wastewater System, CCN No. 20702)
 Hays County



- Sewer CCN Service Areas**
-  20936 - VILLAGE OF WIMBERLEY
 -  20453 - AQUASOURCE UTILITY INC
 -  20867 - AQUASOURCE DEVELOPMENT CO INC
 -  20892 - GUADALUPE BLANCO RIVER AUTHORITY
 -  20453 - AQUASOURCE UTILITY INC
- Facilities + 200 Feet Sewer CCN Service Area

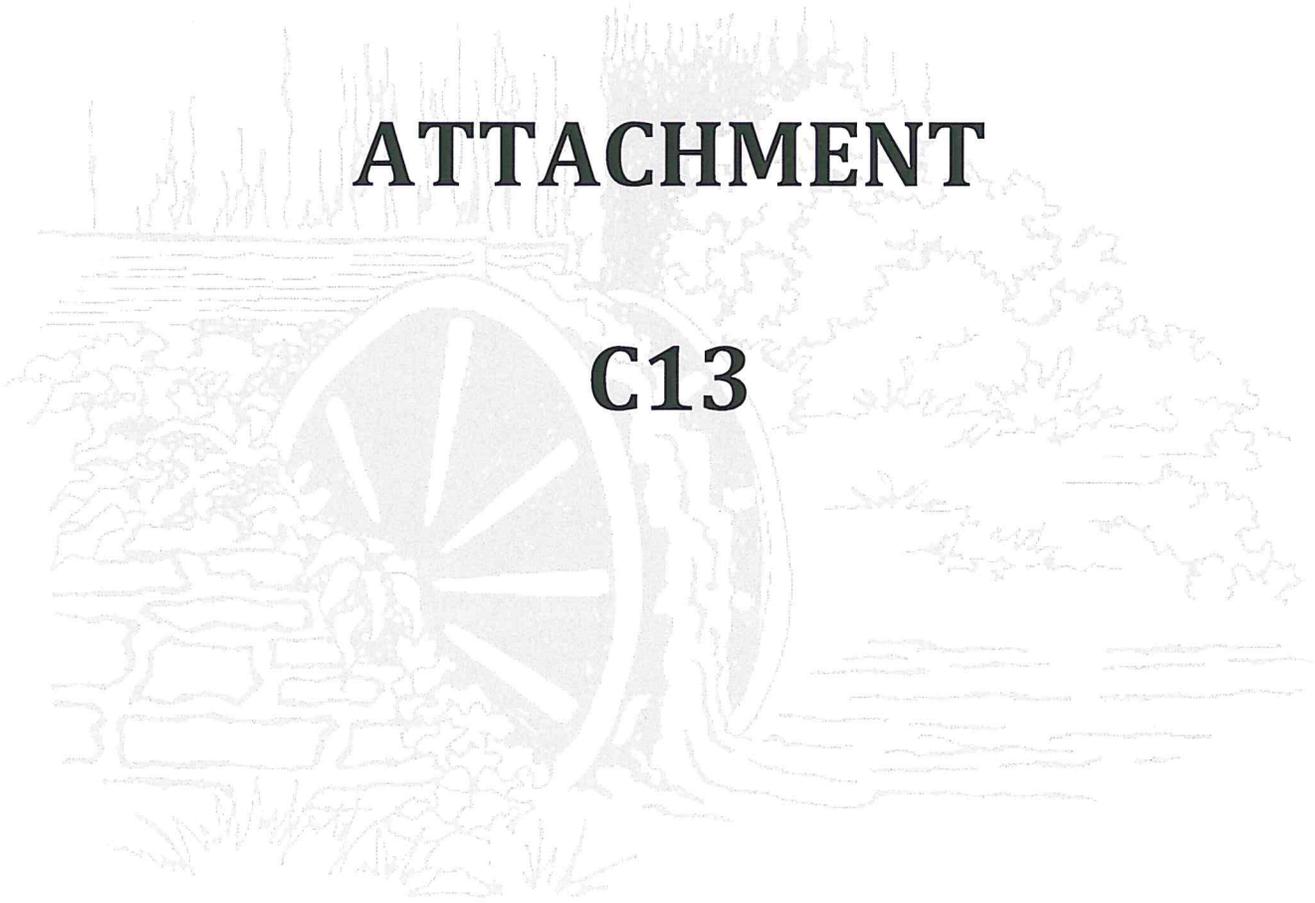


Map by S. Jaster 7/15/2004
 Data path: s:\udl\ccn\ccn_working\ccn.shp and ccnfac.shp
 Project path: k:\gis\projects\34457-s.apr



ATTACHMENT

C13



CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.


Head of Agency or Organization

9.18.14
Date

Don Ferguson, City Administrator
Type Name & Title

Name and Address of Agency/Organization:

City of Wimberley
P.O. Box 221 / 221 Stillwater
Wimberley, Texas 78676

ATTACHMENT

C16



ORDINANCE NO. 2010-014

AN ORDINANCE AMENDING CHAPTER 50 (SEWERS AND WATER), SECTION 50.63 (CONNECTION TO THE SEWER SYSTEM REQUIRED), OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS, IN ORDER TO ESTABLISH THE REQUIREMENTS FOR MANDATORY CONNECTION TO A PUBLIC WASTEWATER SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, SEVERABILITY AND REPEALER.

WHEREAS, the City Council of the City of Wimberley seeks to promote the health, safety and general welfare of the citizens of the City, and the best interests of the City; and

WHEREAS, pursuant to Texas Local Government Code ordinance 51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code ordinance 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, the City Council seeks to ensure that water and sewer utility service is adequate and efficient for the citizens of the City; and

WHEREAS, currently the majority of the City operates on-site sanitary sewer systems; and

WHEREAS, the Council is in the process of securing funding and devising plans for a public wastewater sewer system; and

WHEREAS, the Council finds that it is in the best interest of the public health, safety and welfare of the citizens to require connections to the City sewer system once operational as provided by this ordinance; and

WHEREAS, pursuant to chapter 552 of the Texas Local Government Code and other laws, the City is authorized to operate its water and sewer utility systems inside or outside its municipal boundaries, to regulate the systems in a manner that protects the interests of the municipality, and to extend the lines of its utility systems inside and outside the municipal boundaries.

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

I. FINDINGS OF FACT

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

II. AMENDMENT

1. THAT chapter 50 (Sewers and Water, section 50.63 (Connection to the Sewer System Required) of the Wimberley Code of Ordinances shall be amended in its entirety to read as follows:

“§ 50.63 CONNECTION TO THE SEWER SYSTEM REQUIRED.

(A) This section applies to all properties within the city limits and extraterritorial jurisdiction of the City.

(B) *Connection is required.* All property owners are required to connect their buildings or structures located on the property to the City’s Sewer System in accordance with the following provisions:

(1) *Existing On-Site Sanitary Sewer Systems.* Within forty-five (45) days of notice from the City of the availability of the City’s Sewer System to the public, all property owners that own buildings or properties connected to an on-site sanitary sewer system shall connect to the City’s Sewer System and shall immediately cease using the on-site sanitary sewer system upon such connection. Such connections shall be made subject to the applicable charges provided by current City requirements.

If the building or property is not connected to the City’s Sewer System within the time prescribed or operation of the on-site sanitary sewer system is not discontinued, it shall be a violation of this chapter and subject the property owner to the penalties under section 50.99 of this Code. In addition to the penalties under section 50.99, the city administrator may provide written notice to the person owning or having possession or control of the property required to be connected to the City’s Sewer System. Such notice shall also state that, upon failure of the property owner or occupant to connect to the City’s Sewer System within thirty (30) days from the date of the notice, the City will connect the property to the City’s Sewer System, and will charge the cost and expense incurred by the City to connect the property to the City’s Sewer System to the owner of such property, and that the City may place a lien on such property for those costs and expenses, may institute suit against the owner to collect the costs incurred by the City, or may undertake other measures within the City’s authority to recover the costs. The notice provided for in this section shall be in writing and either served personally or sent by letter addressed to the owner of such property at the address of the property, or at the address as identified by the appraisal district.

(2) *New Connections.* The owner of every new building intended for human habitation or occupancy applying for a certificate of occupancy after the date an operational City Sewer System is operational and available, on property within one-hundred fifty (150) feet of the City’s sewer system or facilities, shall be connected to the sewer system by the owner or agent of the premises in accordance with the City’s sewer service and extension ordinances. A separate connection for each house or building on the property requiring service shall be required unless the City Administrator approves the connection of more than one (1) building located on the single property to a single connection. All new subdivisions platted after the date of an operational City Sewer System within one-hundred fifty (150) feet of a public wastewater system

must be connected to the City's Sewer System. In the extraterritorial jurisdiction, the City Administrator may waive this requirement. If a building or property is to be served by the City's Sewer System, wastewater lines to serve each building or property must be installed before the certificate of occupancy may be issued and the building and property occupied."

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

III. SEVERABILITY

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

IV. EFFECTIVE DATE

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

V. PROPER NOTICE AND MEETING

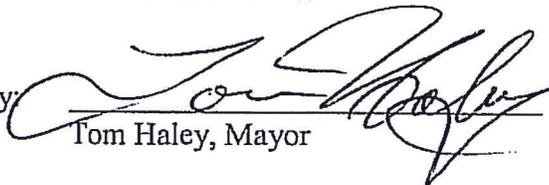
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard 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 ON FIRST READING this 15th day of April, 2010, by a 3 (Ayes) 1 (Nays) 1 (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED ON SECOND READING this 6th day of May, 2010, by a 5 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

By:

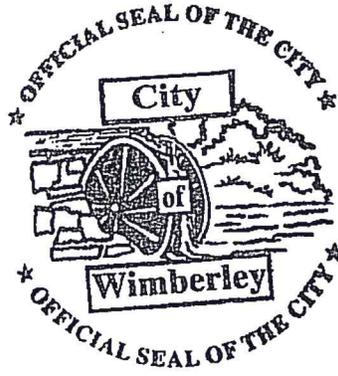

Tom Haley, Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby
Carolyn J. Crosby, City Attorney



ATTACHMENT

D1



City of Wimberley

Project # 73653

Part D1

Engineering Feasibility Study

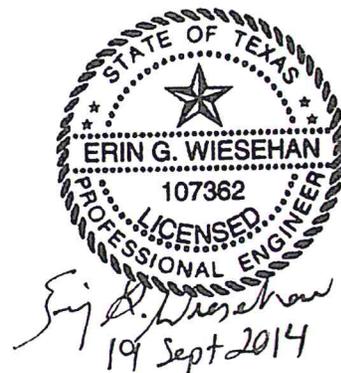
CITY OF WIMBERLEY

ADDENDUM TO THE

WASTEWATER COLLECTION AND

TREATMENT SYSTEM FEASIBILITY STUDY

SUBMITTED BY:
ALAN PLUMMER ASSOCIATES, INC.
TBPE FIRM REGISTRATION NO. F-13



1.0 INTRODUCTION AND BACKGROUND

Multiple alternatives for central wastewater collection and treatment for the City of Wimberley are detailed in the *Wastewater Collection and Treatment System Feasibility Study*, prepared by Alan Plummer Associates, Inc. (APAI) in December, 2013. Since the publication of this study and review by City of Wimberley Council members, the preferred alternative for implementing this project was modified slightly from the recommended alternative originally presented in the 2013 report. The description of and justification for the recommended option adopted by council members are provided herein (see Section 2.0). Also included is more detailed discussion regarding extending a reclaimed water line to residents and businesses in Wimberley as part of the overall wastewater collection and treatment system project.

Additionally, review of the *Wastewater Collection and Treatment System Feasibility Study* (2013) by the Texas Water Development Board (TWDB) as part of the project's funding process identified several components of the feasibility study that are commonly addressed in projects of this nature but were not explicitly described in the original report. Section 3.0 includes the additional information requested of the TWDB.

2.0 MODIFICATIONS TO THE RECOMMENDED ALTERNATIVE

The alternative recommended in the *Wastewater Collection and Treatment System Feasibility Study* included the construction of a conventional wastewater collection system and the expansion of the existing wastewater package plant on Blue Hole Regional Park to a permitted capacity of 75,000 gallons per day (GPD).

In consideration of the final recommendations presented by the Central Wimberley Stakeholder Committee, the Wimberley City Council voted to adopt a modified recommendation of the alternative presented in the *Wastewater Collection and Treatment System Feasibility Study* which incorporated relocating and expanding the existing package plant to the northeast corner of Blue Hole Regional Park. The premise for this recommendation was the identification of this site as the preferred location of the plant in the Blue Hole Regional Park Master Plan. The alternate location is expected to have less impact on the recreational use of the park.

Although the relocation and expansion of the plant does involve additional costs and does not offer advantages when evaluated from an engineering perspective, this alternative is recommended as the preferred alternative due to the aesthetic benefits it offers. The total cost of implementing this alternative and a figure representing the proposed system is provided on the following pages. The footprint represented in the figure is inclusive of the space required for locating the effluent storage tank in immediate proximity to the treatment plant.

In addition to the costs associated with relocating the plant, the overall project cost in the following table reflects construction of a reclaimed water pump station and distribution system to provide reclaimed water to residents and businesses in central Wimberley. Implementing this portion of the project in conjunction with the construction of the collection system is likely to offer some cost savings. Recognizing the potential value of reclaimed water to areas beyond Blue Hole Park in reducing potable water demand, the City of Wimberley has elected to make this investment concurrently with its investment in wastewater collection and treatment. The preliminary routing of a new reclaimed water line is shown in Figure 1.

Table 1: Opinion of Probable Cost

Improvement	Estimated Cost
Expand and Relocate Treatment Plant	\$750,000
Construct Effluent Outfall to Deer Creek	\$20,000
Construct Conventional Collection System	\$2,259,000
Construct 500,000 GPD Reclaimed Water Storage Tank	\$300,000
Install Spray Irrigation System on BHRP	\$43,600
Construct Reclaimed Water Pump Station	\$60,000
Construct Reclaimed Waterlines	\$755,000
Subtotal, Construction Cost	\$4,187,600
Planning and Design (Engineering, Surveying, Geotech, Environmental)	\$459,100
Land Acquisition	\$44,000
Permitting, Financial, Legal, Administrative	\$181,600
Project Contingencies	\$935,000
Loan Origination Fee	\$111,700
Debt Reserve	\$275,000
Total Project, Planning through Construction	\$6,194,000

The value for Planning and Design (PAD) represents that which has been authorized by the Texas Water Development Board (TWDB) as part of the PAD loan. The Land Acquisition Cost is an estimate of the costs of securing easements in the design phase of the project and is not funded under the TWDB loan. The value for Permitting, Financial, Legal and Administrative is inclusive of funds already allocated under the PAD loan as well as those anticipated for construction. Project Contingencies and Loan Origination also reflect both the Planning and Design and Construction phases of the project. The value included for Debt Reserve represents five (5) percent of the total project cost minus the total value of the PAD loan.

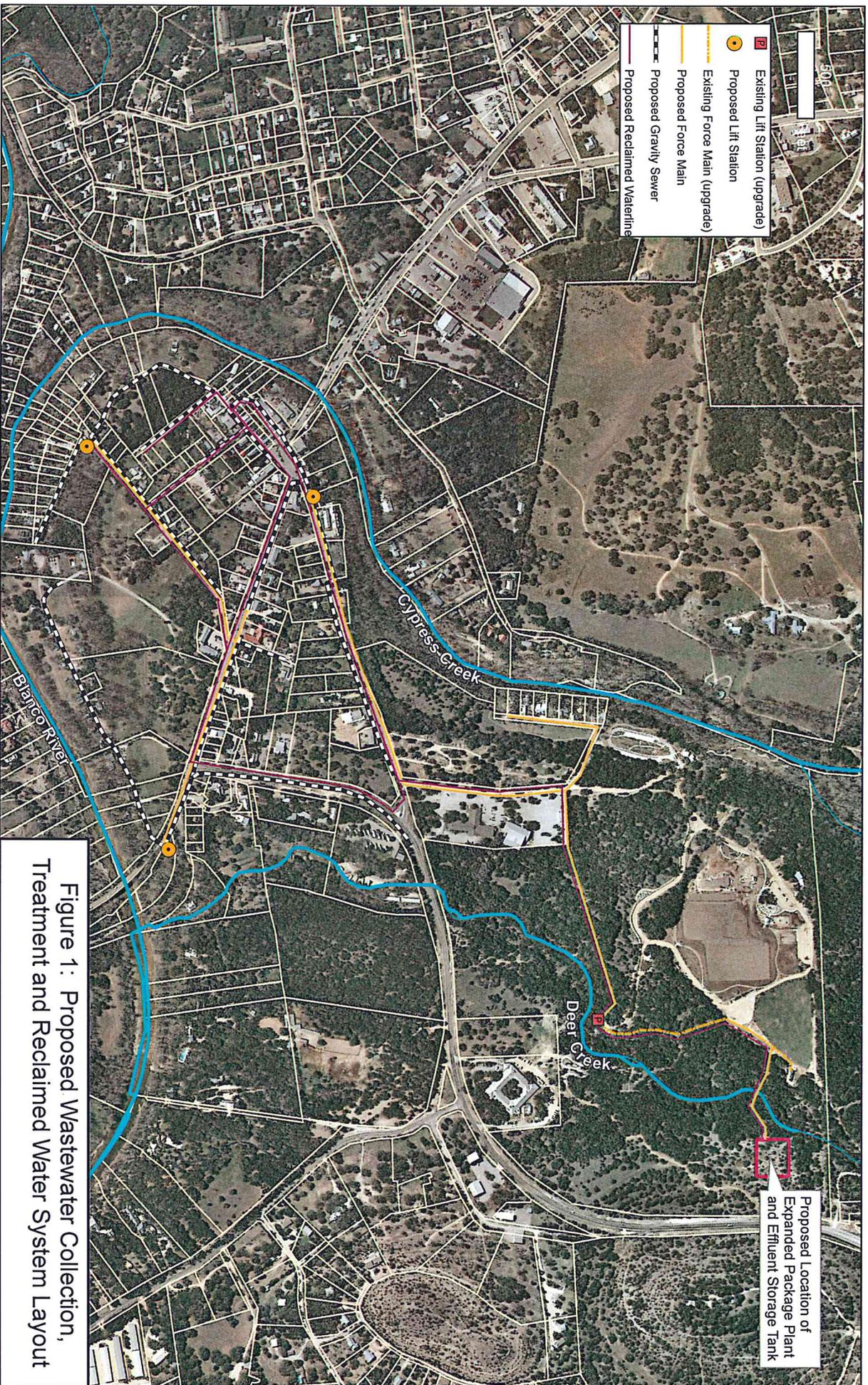


Figure 1: Proposed Wastewater Collection, Treatment and Reclaimed Water System Layout

3.0 RESPONSE TO COMMENTS FROM TEXAS WATER DEVELOPMENT BOARD

The *Wastewater Collection and Treatment System Feasibility Study* (2013) and the draft addendum to the study identifying the revised recommendation of relocating the expanded package plant to the northeast corner of Blue Hole Regional Park was reviewed by the TWDB in July of 2014. The schedule for the review was contingent on the submittal of the Environmental Information Document (EID), also prepared by Alan Plummer Associates, Inc. (APAI). The TWDB included in their review several comments which are addressed in the subsequent sections.

3.1. Infiltration and Inflow in the Design of Wastewater Collection and Treatment Systems

The TWDB noted that the original feasibility study did not discuss the role of infiltration and inflow as a design consideration in selecting and sizing the type of collection system.

Infiltration and inflow refer to water other than wastewater that can be introduced to a collection system. Infiltration can occur when groundwater seeps into cracks in manholes and lift station wet wells and through pipe joints or cracks. Infiltration is related to the height of the groundwater table and can occur days to weeks after a rainfall event as pressure from the presence of groundwater fluctuates.

Inflow is a term used to describe water other than wastewater that enters a collection system directly through some surface entry point such as an improperly sealed manhole cover, sewer lateral cleanout, or through connections with storm water infrastructure. The State of Texas mandates separate storm water and wastewater collection systems. However, there are opportunities for improper connections between the two to be made, such as through connections between gutter downspouts and sewer service laterals. Inflow can also occur when water other than wastewater is intentionally ‘dumped’ into manholes or cleanouts.

The effect of infiltration and inflow (I&I) on conveyance capacity can vary significantly from system to system and should always be considered when selecting the type and size of components of a wastewater collection system.

The potential impact of I&I on a collection system in Wimberley was considered in the preliminary engineering phase of the project both in the recommendation of the type of collection system and the size of the components of the collection system.

Conventional collection systems are generally more susceptible to the effects of I&I due to the presence of gravity sewers than are pressurized systems. In contrast to pressurized conveyance lines, gravity sewers can be subject to groundwater infiltration through joint imperfections. The frequency of manholes in conventional systems can also increase the potential for infiltration (through structural deficiencies) and inflow (improperly sealed covers).

The potential for infiltration in a gravity sewer system is influenced by the height of the water table. Soil data maps from the United States Department of Agriculture Natural Resources Conservation Service suggest the depth to groundwater in the proposed service area is deeper than 6.5 feet (the reporting limit of the Web Soil Survey data). Soil boring logs completed on Blue Hole Regional Park in 2010 as part of the park improvements project did not encounter groundwater in borings that terminated between 6 and 15 feet, but did note that the groundwater table fluctuates seasonally. The depth of gravity lines in a conventional collection system in Wimberley are expected to range from 5 to 15 feet. Since there may be locations where installation of gravity lines could be at or below the water table, the materials and methods used in construction will be explicitly identified in the bid documents to minimize the potential for I&I. In new construction with detailed design requirements and thorough inspection, the potential for I&I is expected to be minimal. It will, however, be imperative as the project moves forward to educate wastewater customers of the importance of maintaining separation between storm water and wastewater to ensure proper operation of the system and minimize inflow.

The size of wastewater collection system pipes used in preliminary engineering was governed by the minimum pipe diameter, slope and velocity requirements published in TCEQ regulations. As a result, the gravity collection system will have more capacity than is needed to serve the anticipated customers. Therefore, consideration of I/I did not have an impact on the sizing of pipes.

3.2 Sludge Management Plan

The TWDB noted that the method for managing sludge generated at the expanded wastewater treatment plant was not discussed in the original report.

The current sludge management plan at the existing wastewater package plant involves a contractual agreement between the City of Wimberley and Leinneweber Plumbing Co., Inc. for hauling sludge on an as-needed basis to either Micro Dirt, Inc. or GBRA-Lockhart FM 20 Wastewater Treatment Facility for processing. It is anticipated that this arrangement will continue to serve as the sludge management plan for the City of Wimberley's Water Reclamation Facility.

3.3 Schedule and Cost Estimate

The TWDB requested that an updated project schedule and project budget in the TWDB-1201 format be included. These documents are included in the following pages.

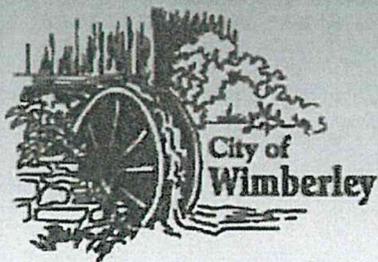
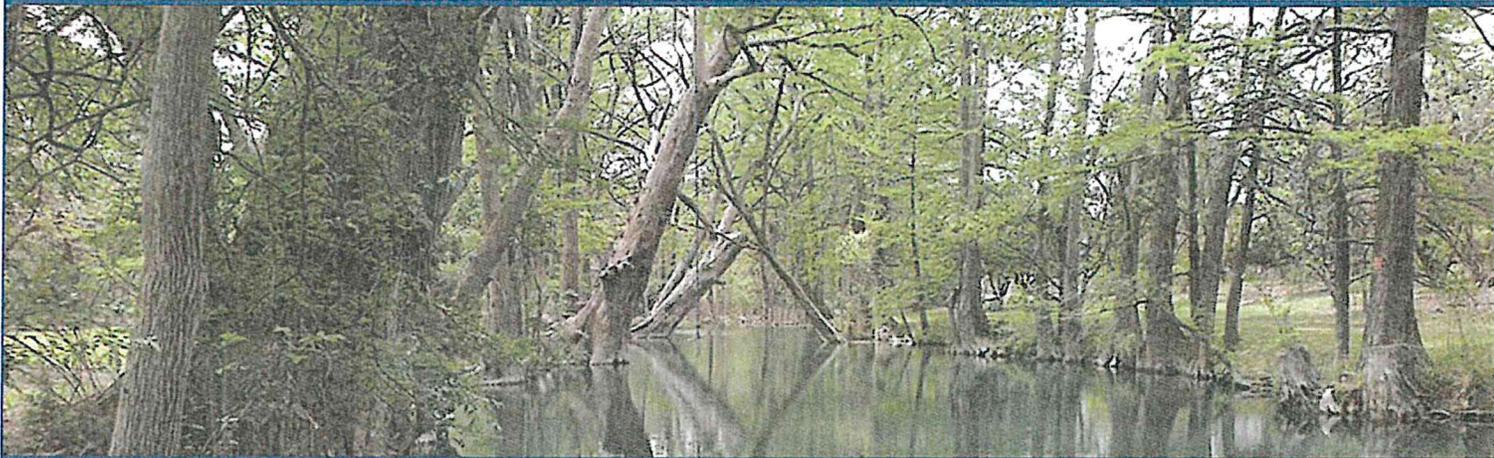
Table 2: Estimated Project Schedule

Phase	Milestone	Start Date	End Date
<i>Planning</i>	Draft EID Submitted, Agency Coordination, Public Comment Period	4/2/2014	5/28/2014
	TWDB Review/Approval of Final EID and Issuance of Environmental Determination	6/18/2014	10/2/2014
	TPDES Permit submitted to TCEQ	5/13/2014	
	210 Authorization submitted to TCEQ	10/20/2014	
	TPDES Permit Issuance by TCEQ (anticipated)	2/28/2015	
	210 Authorization Issuance by TCEQ (anticipated)	3/20/2015	
<i>Design</i>	Surveying	1/6/2014	9/30/2014
	TWDB Release of Design Funds	10/3/2014	
	Geotechnical Survey	10/6/2014	12/5/2014
	Easement Acquisition	10/6/2014	5/1/2015
<i>Advertisement</i>	Detailed Engineering (Plans and Specifications) & TWDB/TCEQ Review	10/6/2014	5/1/2015
	Full Project (collection system, treatment plant, reuse component)	6/8/2015	7/17/2015
<i>Construction</i>	Full Project (collection system, treatment plant, reuse component)	8/1/2015	7/31/2016

City of Wimberley

Wastewater Collection and Treatment System Feasibility Study

December 2013



Erin G. Wiesehan
9/2/2014

SUBMITTED BY:



TBPE Firm Registration No. F-13

CITY OF WIMBERLEY
WASTEWATER COLLECTION AND
TREATMENT SYSTEM FEASIBILITY REPORT

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1.0 INTRODUCTION

Wimberley is a small Texas Hill Country community that was recently incorporated as a city. This community of approximately 2,600 residents is located in Hays County, one of the fastest growing counties in the United States, and features an economy that is largely tourist based. The popularity of the town has placed significant demands and stresses on the Blanco River and Cypress Creek that make Wimberley one of the most beautiful, unique and environmentally sensitive areas in the Hill Country.

For years, Wimberley has relied on individual septic systems to meet its wastewater treatment needs. Elevated *E. coli* and fecal coliform bacteria levels have been detected in the city's local waterways, particularly in Cypress Creek, which winds through the city's central business district. The source of pollutants is believed to be in part failing septic systems on properties that line the creek.

No evidence exists of permits having been issued for a large percentage of the septic systems in central Wimberley. Improperly covered septic fields exist on several properties and approximately eighteen (18) businesses in the area are having their septic systems "pumped and hauled" on a regular basis due to the inadequacy of their systems. Of those systems found to be properly permitted, several are serving land uses that are significantly different from the land use for which they were originally permitted. In recent history, at least one business has been closed down due to septic concerns.

Less than five percent of the septic systems currently installed in central Wimberley comply with the requirements outlined in the City of Wimberley's On Site Sewage Facilities Regulations, adopted in 2009. Most of the systems in the subject area are non-compliant due to the small lot size on which they are located, and many do not meet the required buffer distance from surface waters (Cypress Creek and Blanco River). Bringing the non-compliant systems into compliance with today's standards, if possible, would require significant modifications such as septic system relocation and/or land acquisition. This would be cost prohibitive for many area residents and businesses.

The lot size requirements for septic system installation in Wimberley are considerable, due largely to the fact that the soils in the area are not conducive for such a method of wastewater

disposal. A majority of the area is rock or clay and listed as ‘very limited’ for use with septic systems per the United States Department of Agriculture Natural Resources Conservation Service.

In a letter to the Texas Water Development Board dated June 30, 2012, City of Wimberley Sanitarian Mr. Kyle Dehart, RS, stated that the City of Wimberley (City) is facing an existing nuisance and public health hazard in the central Wimberley area as a result of inadequate and failing septic systems.

Though failing septic systems in central Wimberley are believed to be contributing to unacceptable bacteria levels in the creek, there may be other potential sources of bacteria along the creek as well. Excreted matter from bats, ducks and deer may also be impacting bacteria concentrations in the creek, as could septic systems located upstream of the subject area.

Constructing a centralized wastewater collection and treatment system to serve the central Wimberley area would be a major step forward in protecting Cypress Creek and the Blanco River. While this solution may not eliminate all bacteria in the creek, it should substantially improve water quality and address potential regulatory and economic issues associated with the presence of substandard septic systems.

The City of Wimberley has successfully secured Planning and Design Funding from the Texas Water Development Board’s Clean Water State Revolving Fund for the design of a central wastewater collection and treatment system. Alan Plummer Associates, Inc. (APAI) has been retained by the City to evaluate the feasibility of several wastewater collection and treatment system options and provide detailed design documents for the selected alternative.

As part of the feasibility study, APAI participated in the Central Wimberley Stakeholder Committee process. This process took place over the course of nine (9) weeks during which seven (7) members of the community representing various interests in the project met to discuss the wastewater situation. The stakeholder process was facilitated by Laura Raun Public Relations. While reference is made to stakeholder concerns throughout this report, a more detailed description of the process is provided in Appendix 1.

2.0 SERVICE AREA AND FLOW PROJECTIONS

In order to accurately estimate the advantages and disadvantages of each of the alternatives evaluated, a service area boundary was determined from which flow projections were estimated. The service area and flow projections presented in this chapter are common to the options explored. Two (2) of the options included expansion of the service area and therefore an increase in flow projections and two (2) included a reduction in service area. The methodology behind determining adjusted service areas and flows are presented in detail in the Alternatives Evaluation section and builds upon that which is presented here.

2.1 Service Area

The area expected to be served by a central wastewater collection system is generally bounded by the Blanco River to the south, Cypress Creek to the west, Deer Creek to the east and Blue Hole Regional Park to the north. The area described by these bounds is within the City of Wimberley's Certificate of Convenience and Necessity (CCN), includes the downtown area in which failing septic systems are believed to be located, and lies within natural geographic boundaries (i.e. rivers and creeks). The extent of the service area is illustrated in Figure 1.

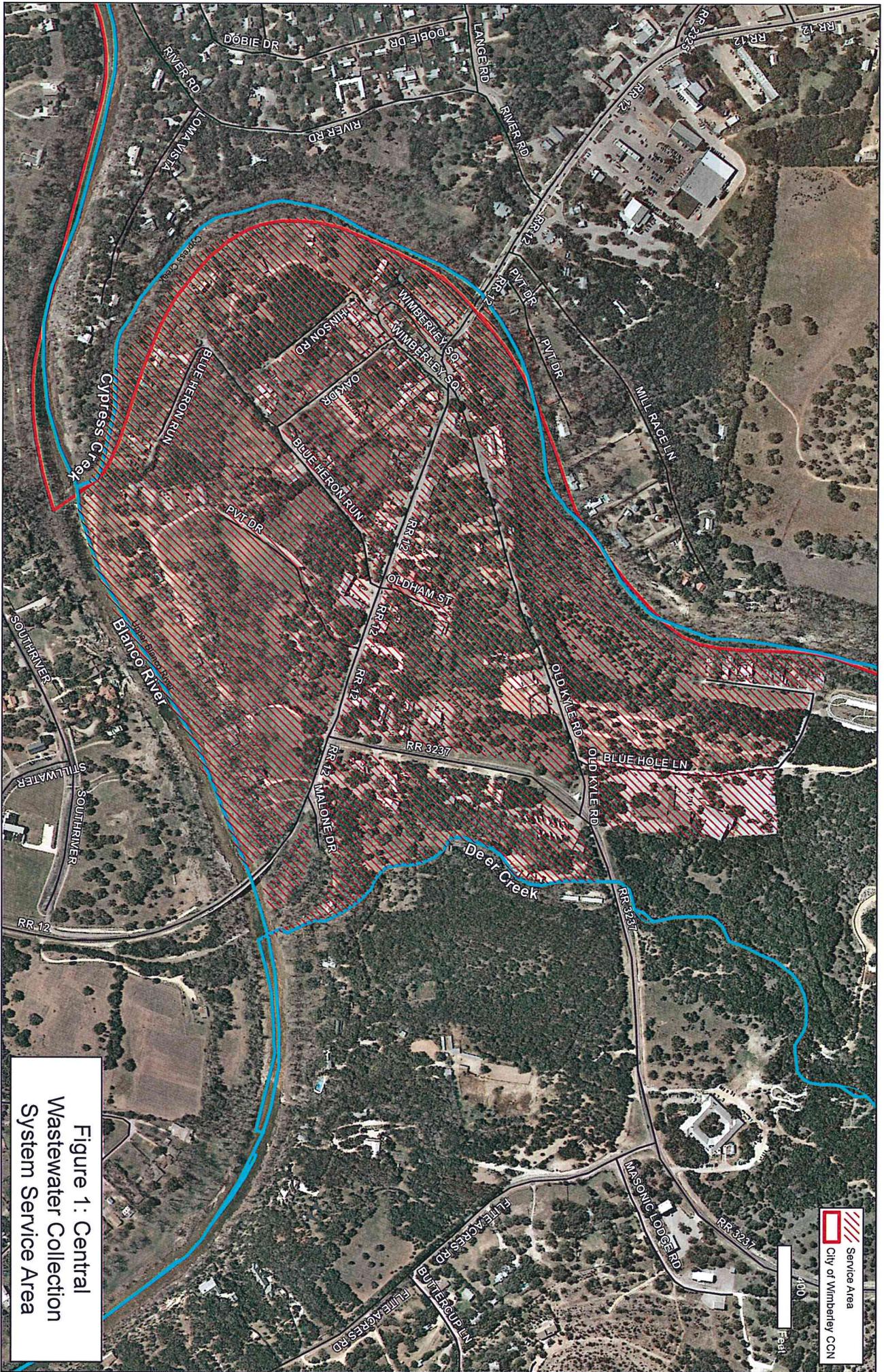


Figure 1: Central Wastewater Collection System Service Area

2.2 Flow Projections

Average daily wastewater flows for the service area shown in the figure were developed in close coordination with the City based on discussions with residents and business owners, as well as an evaluation of Hays County Appraisal District tax and land use maps. A certain number of Living Unit Equivalents (LUE) was assigned to each parcel based on the type of expected use (i.e. residential, retail, restaurant, etc.) Each existing LUE is equivalent to 300 GPD per Texas Commission on Environmental Quality (TCEQ) guidelines. One or more LUEs, as applicable, was assigned to currently undeveloped parcels in anticipation of future use. Existing residential connections were assumed to contribute 300 gpd in wastewater. Future residential connections, likely built with high efficiency water fixtures, would contribute 210 gpd per current American Water Works Association (AWWA) standards. The proposed collection system is expected to serve 169 connections at build-out. Table 1 presents the estimated wastewater flows based on type of customer served.

Table 1: Service Area Flow Projections

	Number of Connections (Initial)	Estimated Wastewater Flow (GPD)	Number of Connections (Build-Out)	Estimated Wastewater Flow (Build-Out - GPD)
Residential	60	18,000	95	25,350
Restaurant	5	7,500	5	7,500
Retail/Mixed Use	50	19,500	60	22,500
Hotel/RV Park	3	4,800	3	4,800
Church/Theatre	3	4,200	3	4,200
Public Restrooms	2	1,500	2	1,500
Nursing Home	1	9,000	1	9,000
Total:	124	64,500	169	74,850

3.0 COLLECTION SYSTEM

The proposed collection system described in this section was developed to provide wastewater collection for the service area described in Section 2.0 Service Area and Flow Projections. Expanding the system to areas beyond this or reducing the extent of the system is detailed in the 5.0 Alternatives Evaluation section. For the purposes of cost comparison, each of the collection systems described includes only that of collection, and does not include the infrastructure necessary to convey wastewater to the location of final treatment. These costs vary depending on the option selected and are therefore also covered in the Alternatives Evaluation section.

3.1 Collection System Options

The collection system would be constructed primarily to serve the downtown area and residents/businesses along FM 3237 and Old Kyle Road between Ranch Road 12 and the FM 3237/Old Kyle Road intersection. The area south of Wimberley Square, along Cypress Creek, would also be served, as would residences along Blue Hole Lane.

3.1.1 Conventional System

A conventional collection system, consisting of gravity sewers, force mains and lift stations, is the most widely used method of wastewater collection. In moderately sloped areas, and especially in locations where the treatment plant is downstream of the service area, conventional systems are generally the most cost effective and least maintenance intensive alternative. However, due to the topography of Wimberley, a conventional collection system would require three lift stations as well as deep trench excavation in certain areas of the system in order to maintain the required pipe grade. Both of these conditions can increase construction costs considerably. Additionally, operating three lift stations would add to the annual operational and maintenance costs of the system. For these reasons, two other options were considered for the collection system, including a low-pressure sewer system and a vacuum sewer system.

3.1.2 Low-Pressure System

Low-pressure sewer systems consist of individual grinder pump stations on private properties that pump wastewater from small holding tanks via force mains to either intermediate lift stations

or to a treatment plant. Since the system is under pressure, the installation depth of sewer lines is greatly reduced, typically only four (4) feet deep in most places. This can result in significant construction cost savings.

However, the costs associated with installing individual grinder pumps are more substantial than that of conventional sewer laterals. In addition, operational and maintenance requirements of low pressure systems are considerable in that each residential grinder pump station consists of one grinder pump and each non-residential grinder pump station requires two pumps per Texas Commission on Environmental Quality (TCEQ) regulations. For any given system, there can be several hundred pumps in operation, all of which require energy, parts repair and eventually full replacement. Grinder pumps generally have a lower life expectancy than other sewage pumps due to their solids handling requirements and typically need to be replaced after 10 years.

Another concern that often comes into play when grinder pumps are considered is the designation of the party responsible for maintenance. Since the pumps are located on private property, some municipalities opt to make property owners responsible for maintaining their systems. Alternatively, some municipalities have developed agreements to perform the maintenance but then hold the property owners financially responsible for this service, while others maintain the system as part of the overall utility. Regardless of the entity performing and/or paying for maintenance, grinder pumps do require a certain degree of owner involvement beyond that which is needed for property owners connected to a conventional system via a sewer lateral. For example, a property owner who will be away from their home for more than a few days is encouraged to 'flush' their system by running fresh water or draining a full bathtub. The purpose of this is to increase the volume of water in the storage tank to the point the pumps turn on and pump it out. Failing to do this could result in stagnant wastewater if the level is below that which triggers pump operation and the wastewater is not pumped out of the tank for several days, which could result in nuisance odors. These kinds of considerations, in addition to construction and O&M costs, were compared between the other two systems in order to make an accurate assessment of the type of system most appropriate for the Wimberley area.

3.1.3 Vacuum System

Vacuum sewer systems consist of a central vacuum station which maintains negative pressure throughout the collection system. Individual services are connected to a vacuum valve pit which includes a pneumatically operated valve and small storage tank. When wastewater in the tank reaches a certain level, the valve opens and the system is exposed to atmospheric pressure. The air that enters the system is pulled, along with wastewater, to the central vacuum station where it is stored and then pumped to intermediate lift stations or the treatment plant. The vacuum system option offers a similar benefit to that of the low-pressure sewer in that the depth and size of sewer lines is substantially reduced when compared with conventional collection systems in areas with topography similar to that of Wimberley. The vacuum valve pit does not require energy as is the case with the grinder pumps, but as with any moving part it does require periodic maintenance and replacement.

3.2 Collection System Comparison

In comparing the three collection system alternatives, consideration was given to construction costs, expected operation and maintenance costs, as well as non-cost factors such as operator familiarity, aesthetic impact and reliability.

3.2.1 Cost Comparison

The costs of the conventional system were developed by APAI based on current unit bid prices listed by San Antonio Water Systems for sewer lines, manholes and service laterals. Unit prices for these components did take into account the expected depth of excavation. Cost estimates for lift stations were developed in coordination with package lift station vendors, with appropriate costs designated for excavation, installation, fence construction, odor control, etc. As discussed previously, the costs represented in Table 2 include only wastewater collection and not conveyance to the ultimate point of treatment. Operational and maintenance costs were estimated based on expected power usage, labor requirements and pump repair/replacement at the three lift stations. The extent of the proposed conventional collection system is shown in Figure 2.

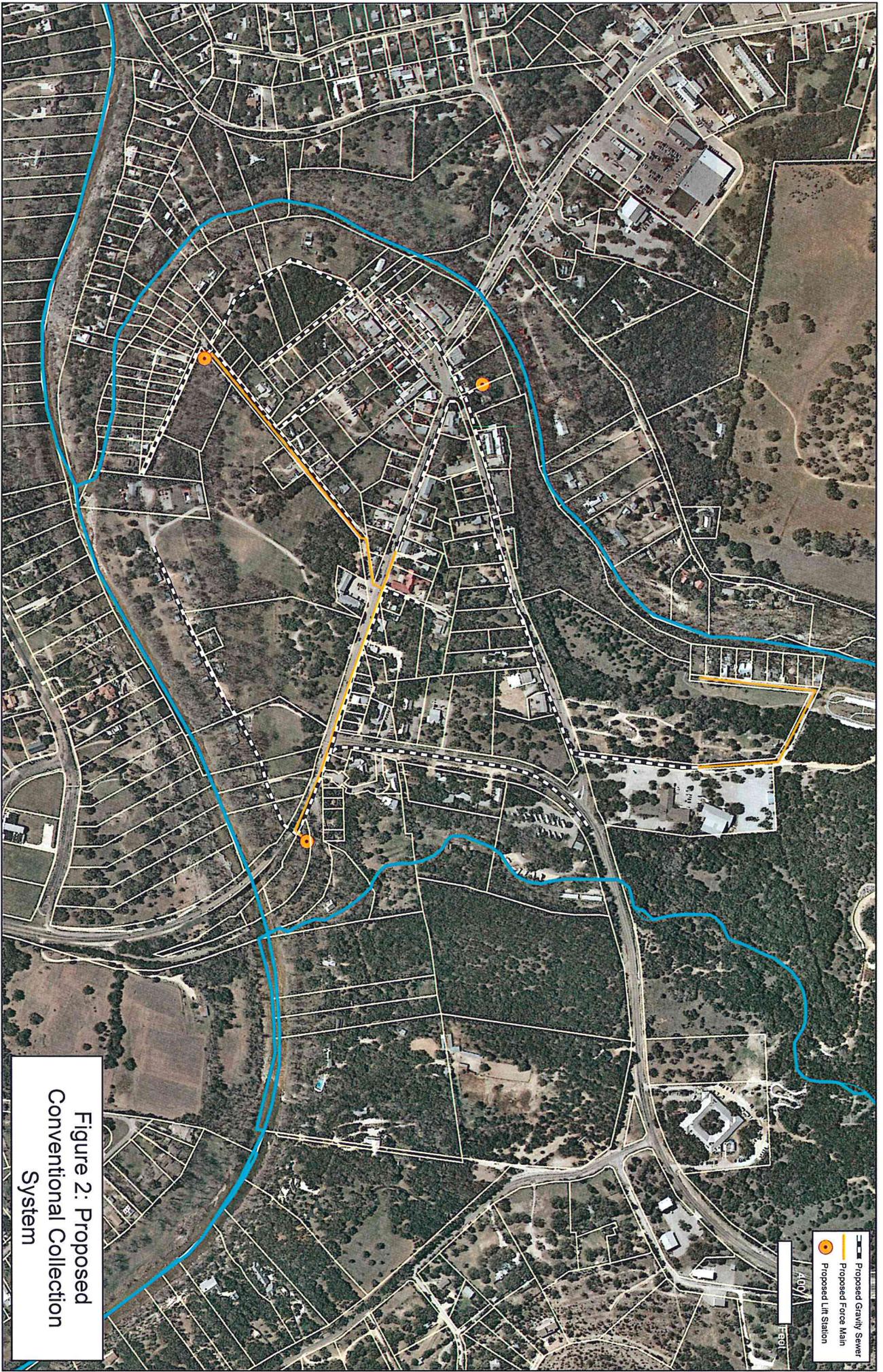


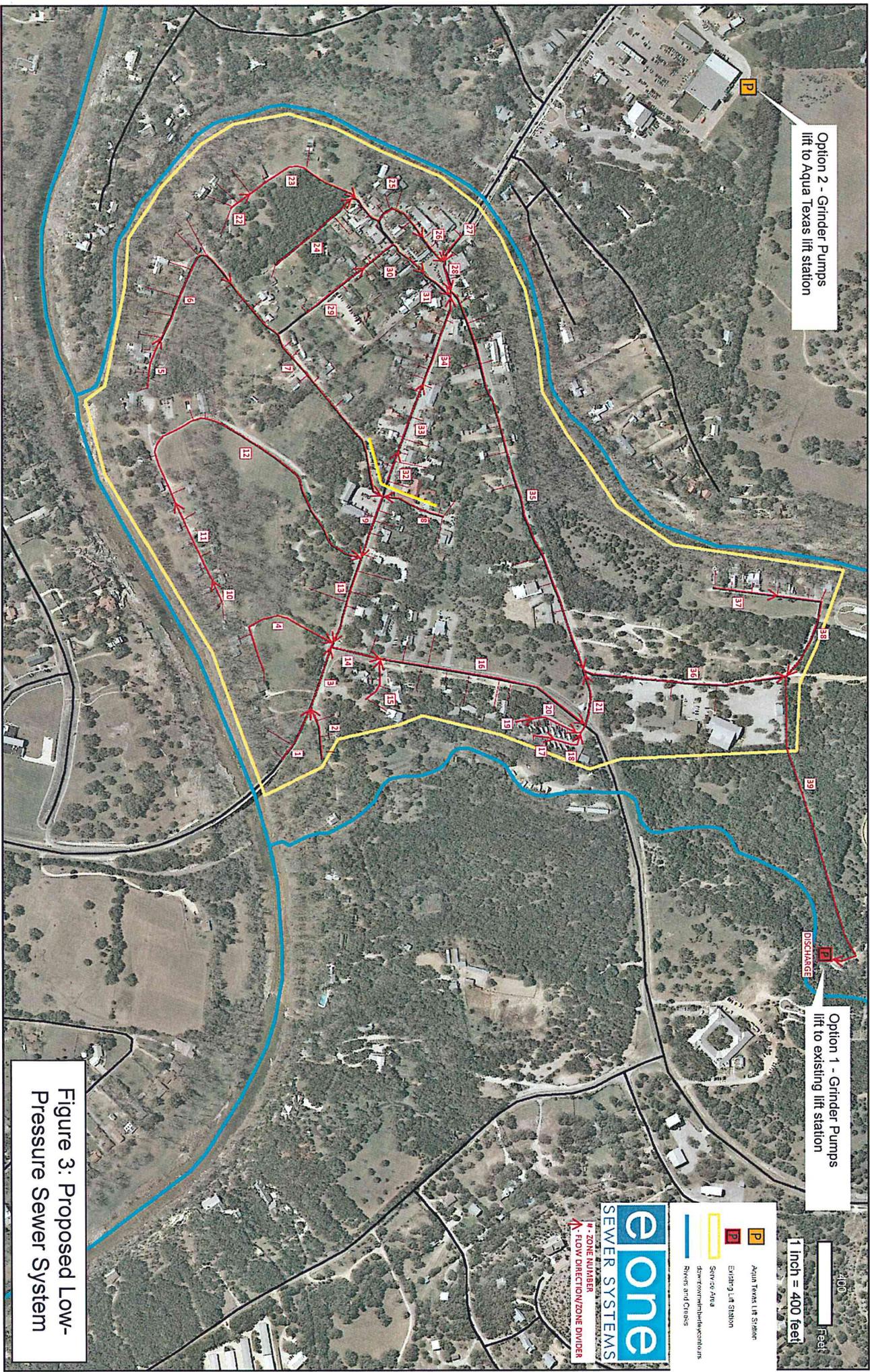
Figure 2: Proposed
Conventional Collection
System

Proposed Gravity Sewer
Proposed Force Main
Proposed Lift Station

400'

Costs associated with a low-pressure sewer system were developed in coordination with E/One Sewer Systems, a grinder pump vendor represented by Environmental Improvements, Inc. The equipment and installation costs of single and duplex grinder pump stations, as well as the length of pressure sewer was provided by E/One. The installed cost of the pressure sewer was estimated by APAI. The linear footage costs of each 2 inch, 3 inch and 4 inch pressure sewer were estimated based on the unit price used for force main in the conventional collection system option.

Operational and maintenance costs were estimated based on expected power usage, labor requirements and pump repair/replacement at each individual grinder pump station. These costs were developed using references provided by E/One (i.e. annual maintenance calls and pump replacement for systems currently in operation). The extent of the proposed low-pressure system is shown in Figure 3. It is worthwhile to note that the figure includes representation of conveyance to the lift station that currently serves Deer Creek by pipe segment 39 but that this was not included in developing the force main costs of the collection system.



Option 2 - Grinder Pumps lift to Aqua Texas lift station

Option 1 - Grinder Pumps lift to existing lift station

Figure 3: Proposed Low-Pressure Sewer System

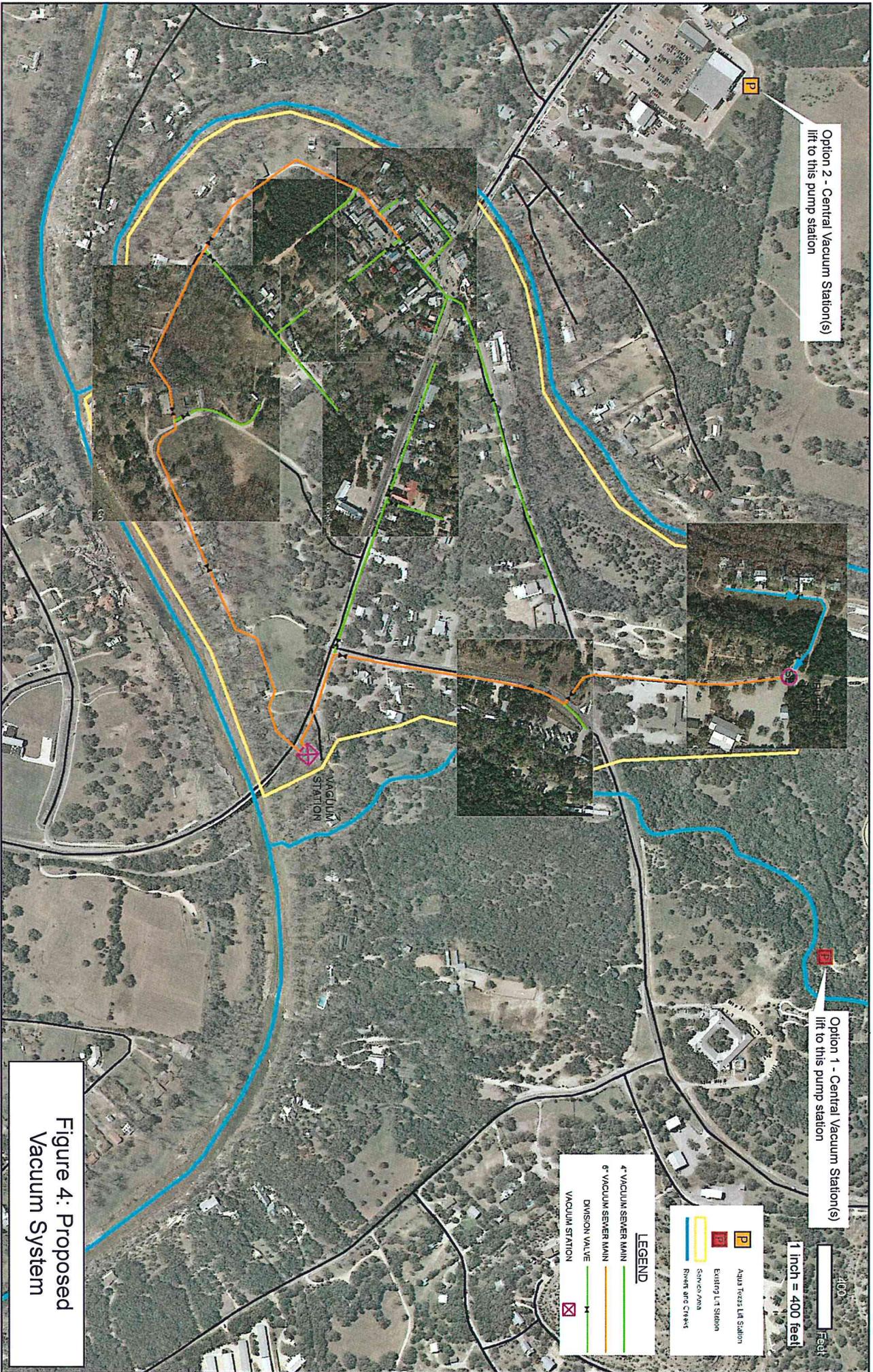
eone
SEWER SYSTEMS

- P Aqua Texas Lift Station
- P Existing Lift Station
- Service Area
- down from water/sewer/courts
- Rivers and Creeks

- ZONE NUMBER
 ^ - FLOW DIRECTION/ZONE DIVIDER

2000 Feet
 1 Inch = 400 feet

Vacuum sewer system costs were provided by AIRVAC, the dominant supplier of vacuum sewer systems. These included both construction and operational / maintenance costs. The unit costs provided by AIRVAC to install vacuum sewer lines were adjusted by APAI to match the values used for installation of force mains in the other two options. The costs provided by AIRVAC were not realistic given the rocky conditions in Wimberley and the anticipated congestion that will be encountered during construction. In fact, it is possible that the cost of installing the vacuum lines could exceed the cost of the force main for several reasons: 1) the procedure for installing vacuum pipe is more complex than force main due to the required saw-tooth pattern that must be followed to maintain the vacuum, which would translate to higher labor costs, 2) the vacuum pipe must be both water tight and air tight, requiring more care during installation, and 3) the saw-tooth pattern requires a significant number of fittings when compared with installing force mains which would increase the cost of materials as well. Nevertheless, vacuum piping was assigned the same unit price as conventional force mains in developing cost estimates since projects of comparable size and scope were not available with which to compare these prices. Also added to the overall project cost was the addition of individual grinder pumps to serve Blue Hole Lane. The documents provided by AIRVAC identified the need for serving these customers via grinder pumps which would pump to a buffer tank. The cost of the buffer tank was included in AIRVAC's estimate but the grinder pumps were not. Operational and maintenance costs were provided by AIRVAC as well, though a minor adjustment was made for energy costs to maintain consistency with the per-kilowatt hour charge used in developing O&M estimates for the other alternatives. The extent of the proposed vacuum system is shown in Figure 4.



Option 2 - Central Vacuum Station(s)
lift to this pump station

Option 1 - Central Vacuum Station(s)
lift to this pump station

LEGEND

- P Aqua Texas Lift Station
- P Existing Lift Station
- P Service Area
- P Rivers and Creeks
- 4" VACUUM SEWER MAIN
- 6" VACUUM SEWER MAIN
- DIVISION VALVE
- VACUUM STATION

1 inch = 400 feet

0 100 200 Feet

Figure 4: Proposed Vacuum System

The following table illustrates the estimated construction and O&M costs associated with installing a conventional, low-pressure or vacuum sewer system to serve Wimberley:

Table 2: Estimated Construction and Annual Costs

	Conventional System	Low Pressure System	Vacuum System
Construction Cost (millions)	\$1.93	\$2.06	\$1.81
Annual Debt Service on Loan	\$140,345	\$149,798	\$131,619
Annual Energy Cost	\$10,500	\$8,500	\$11,750
Annual Operations and Maintenance Costs	\$12,300	\$25,500	\$20,300
Total Annual Costs	\$163,145	\$183,798	\$163,669

Note that construction costs do not include contingency, design, permitting, etc. Debt service based on annual interest of 4%, 20 year loan.

As illustrated above, the costs of constructing a vacuum sewer system are expected to be approximately 6% less than a conventional system and 12% less than a low pressure system. The bulk of the costs of the vacuum system are associated with the central vacuum station. The bulk of the costs with the low pressure system are due to the large number of grinder pump station installations. For the conventional system, as described earlier, the cost per foot for installing deep gravity sewer lines is considerable, as is the need for three lift stations.

The operational and maintenance costs of low-pressure and vacuum systems is appreciably higher than conventional systems due to the greater number of mechanical and electrical components, even when compared to a system with three lift stations. Due to the low horsepower of the grinder pumps used in a low-pressure system, the energy costs are less than those of operating either a vacuum station or several lift stations. However, the total operation and maintenance cost, inclusive of energy, labor, and parts repair/replacement is roughly 40% higher for the low-pressure and vacuum sewer options as compared with the conventional system. Since the low-pressure system is estimated to be the most costly both in terms of construction costs and O&M, installing this type of collection system is not seen as offering any significant benefit to Wimberley and was removed from further consideration.

3.2.2 Non-Cost Factors Comparison

Any practice of evaluating options for serving the wastewater needs of a community should take into account the costs of such an endeavor as well as non-cost factors that can affect the success of the project. The non-cost factors considered for a collection system to serve Wimberley included evaluation of system complexity, operator familiarity, and the potential for and ramifications of system failures. Other criteria considered included the potential aesthetic impact of the system as well as the level of effort required to acquire land or negotiate user agreements for installing or operating the system.

As described previously, the vacuum sewer system consists of pneumatically controlled valves at service connections (typically installed on the property line to serve two connections with one valve) and a central vacuum station. The number of mechanical parts is therefore significantly higher than a conventional system with lift stations. The system operates on negative pressure, relying on proper operation of the central vacuum pumps as well as service valves. Should either of these malfunction, the loss of vacuum in the system could result in wastewater overflows. It is worthwhile to note that while not dependent on electrical supply, the pneumatically controlled valves can be subject to mechanical failures. If obstructed, the valves could fail to open, resulting in wastewater backup onto private property. They could also fail to close, which would expose the system to atmospheric pressure resulting in a loss of vacuum and potential wastewater overflows. The susceptibility of the vacuum pumps to failures is similar to that of conventional lift stations or individual grinder pumps in that a loss of power supply and/or mechanical malfunctions of the pumps could result in system failures and wastewater overflows.

Aside from the added complexity of the system operators that would serve the Wimberley area would not be as is familiar with a vacuum system as they would be with a conventional system. There are several vacuum sewer installations in Texas; however, according to information provided by AIRVAC, they are predominantly in coastal areas and east Texas. Lack of system familiarity has the potential of creating problems in operating the wastewater collection system, at least in the first several years following construction. Operators are instrumental in ensuring preventative maintenance is performed and taking note of unusual pump characteristics (vibrations, cavitation, etc.) or instrumentation abnormalities before they result in failures. If

operators are not familiar with the system of which they are charged with maintaining, their ability to anticipate problems may not be as well developed and could result in more frequent issues within the system.

A useful tool for comparing alternatives for non-cost factors is a matrix by which each is rated for a certain criteria. In developing this matrix for a proposed collection system in Wimberley, each non-cost factor was grouped into appropriate criteria as defined by Wimberley City Council in the charge to the stakeholder committee to “identify and recommend a high quality, efficient, affordable and reliable wastewater system to serve central Wimberley that values local environmental and community interests.” The non-cost factors were grouped into the criteria of high quality, efficient, and reliable since affordability could be addressed by a direct comparison of estimated implementation costs as shown in Table 3. The following table illustrates the results of analyzing the alternatives using this approach.

Table 3: Non-Cost Factors Collection System Evaluation Matrix

	Conventional Collection	Pressure System	Vacuum System
High Quality			
Ability to address bacteria in creek	5	5	5
Potential for odor	4	3	3
Potential for noise	4	4	3
Aesthetic impact	5	4	4
	4.5	4.0	3.8
Reliable			
Operator familiarity with technology	5	4	3
Reliance on mechanical/electrical	4	3	2
Maintenance requirements	5	3	2
Potential for blockage	4	3	3
	4.5	3.3	2.5
Efficient			
Time to implement	4	4	4
Compatability with soil/topography	3	5	4
Need for additional land/user agreements	4	3	3
	3.7	4.0	3.7
TOTAL NON-MONETARY	12.7	11.3	9.9

As shown in the table, odor is anticipated to be more of a problem with the low pressure system and vacuum system than it would be with a conventional system. This is due to the fact that low pressure systems have several hundred possible points of odor release as compared to conventional systems and vacuum stations pull air through the collection system, increasing the volume of release of odorous gases. Central vacuum stations are generally louder than conventional lift stations or grinder pumps. Aesthetically, both low pressure systems and vacuum sewers are more noticeable in that visible system equipment is located on each property (or property line).

In consideration non-cost factors, and due to the fact that the annual costs associated with a vacuum system and conventional system are expected to be very similar, a conventional collection system would best serve the wastewater collection needs of Wimberley.

4.0 EFFLUENT DISPOSAL AND WASTEWATER TREATMENT

The level of treatment required of any wastewater plant is governed in large part by the method of effluent disposal. For this reason, the two topics are discussed together in the following sections.

The alternatives for a collection and treatment system discussed in Section 5.0 Alternatives Evaluation were developed based on the methods of effluent disposal described below. An alternative in which wastewater would be pumped to Aqua Texas (a neighboring wastewater utility) for treatment was also evaluated. Since the treatment and effluent disposal methods utilized by Aqua Texas are already defined in their TCEQ-issued permit, discussion of this alternative is included in the alternatives evaluation section and not in the following paragraphs.

4.1 Effluent Disposal

The methods of effluent disposal considered for implementation into a Wimberley wastewater collection and treatment system included: 1) disposal of effluent by spray or subsurface drip irrigation and 2) disposal of effluent by beneficial reuse within Blue Hole Park and discharging to Deer Creek.

4.1.1 Land Application of Treated Effluent

The TCEQ authorizes land application of treated effluent through issuance of Texas Land Application Permits (TLAP). These permits specify the treatment levels necessary to protect human health and the environment when effluent is either sprayed on land or applied to land via subsurface drip irrigation.

The level of treatment required is dependent upon whether the public could come into contact with the treated effluent and are defined in Title 30 of the Texas Administrative Code (TAC), Chapter 309. Typical permit limits for plants that land apply to areas with which the public could come into contact such as golf courses with unrestricted public access are 20 mg/L carbonaceous biochemical oxygen demand (CBOD) and 20 mg/L total suspended solids (TSS). The effluent must also be disinfected prior to land application. There are no requirements for nutrient load limitations (i.e. phosphorous and nitrogen) in land application permits.

The total volume and rate at which effluent can be applied determines the total land area that must be designated for disposal. The land area and rates of application are also specified in the TLAP permit.

For spray irrigation applications, the total land area required for irrigation is calculated by performing a water balance based on annual precipitation, evaporation rates, and transpiration rates of the vegetation to which effluent is applied.

For subsurface irrigation applications in most of Texas (except eastern counties), land requirements are determined based on the geology of the region. Wimberley is located in an area that is limited to 0.1 gallons per day per square foot (gpd/ft²). This rate is the maximum application rate and is only applicable when the subsurface irrigation system is constructed in accordance with the TCEQ rules of 30 TAC 222. These rules specify the required soil depth and distance between the drip lines and any restrictive soil horizons such as bedrock.

In addition to specifying the application rates, TLAP permits also include requirements for storage capacity for times when irrigation cannot take place, such as periods of rain. For spray systems, the volume of storage is also based on the outcome of the water balance. The required volume can range considerably, but is generally between 60 and 90 days. Since land can be irrigated using subsurface drip systems even during rain, the storage requirement for these systems is significantly less than that of spray systems. The TCEQ requires three (3) days of storage for subsurface applications, to account for time during which maintenance of the irrigation pumps is taking place.

The following table illustrates the expected land area and storage requirements that would be prescribed in a TLAP permit for a Wimberley wastewater treatment plant rated at 75,000 gpd. The spray irrigation rates and storage requirements were based on the permit limits outlined in Aqua Texas' permit, since the water balance calculated for both systems would be very similar due to their close proximity.

Table 4: Land Application Acreage Requirements

Method of Effluent Disposal	Application Rate¹	Acreage Needed for Irrigation	Storage Volume²
Spray Irrigation	0.06 gpd/ft ²	28.70	1.75 acre pond
Subsurface Drip Irrigation	0.1 gpd/ft ²	17.22	150,000 gallon tank

¹ Rate based on Aqua Texas' permit authorizing 2.96 acre-ft per year per acre, 76 days storage capacity

² 76 days storage capacity (based on Aqua Texas' permit) with a 10 ft deep pond

As shown in Table 4, the land area required for disposing of effluent using irrigation is extensive. The rates used to calculate the acreage needed are conservative. This is because it is the responsibility of TCEQ to ensure adequate land and storage exists to prevent unauthorized discharge of effluent off site due to over-irrigation. A certain degree of safety is built into rates to protect against surface water runoff.

4.1.2 Discharge to Receiving Stream + Beneficial Reuse

In contrast to securing a land application permit, municipalities can pursue a Texas Pollutant Discharge Elimination System (TPDES) permit. This permit authorizes the discharge of treated effluent to a receiving water body. Permit limits are developed by the TCEQ based on the requirement to protect the designated use (i.e. recreation, drinking water supply) of the receiving water body. In most cases, effluent limits associated with TPDES permits are more stringent than those prescribed in TLAPs. Discharge (TPDES) permits include a requirement for minimum dissolved oxygen (DO concentration) and may include limits to ammonia (NH₃-N) which can be toxic to aquatic life, total phosphorous and total nitrogen.

The prevalence of discharge permits with phosphorous limitations is increasing in the state for wastewater plants discharging to fresh water bodies. Total nitrogen limits are much less common and generally associated with discharges to salt water. The difference between the two practices is due to TCEQ's assessment of the effect each has on water quality.

In fresh water bodies in Texas, phosphorous has been determined through numerous studies to be the limiting nutrient. Minimizing its concentration in receiving streams is important in preventing excessive aquatic vegetation growth. Vegetation growth is dependent on both phosphorous and nitrogen and the ratio in which they exist. In fresh water, phosphorous is the

limiting nutrient in that even with abundant nitrogen available, the lack of phosphorus would limit the rate at which aquatic vegetation grows. A certain amount of phosphorous is essential to plant life and necessary for ecosystem function; too much, however, can lead to excessive vegetative growth including algal blooms, which can deplete dissolved oxygen levels and harm aquatic life.

The key advantage and reason roughly 90% of the wastewater treatment plants in Texas discharge their effluent to surface waters is the lower capital costs associated with minimal land acquisition and/or site development requirements. In contrast to land application permits, TPDES permits do not require storage capacity. Since the authorized method of disposal is to a water body and not land, they do not require land designated for irrigation using effluent. These two provisions typically translate to notable cost savings.

Although discharge permits are common throughout the state, there exists a certain perception that wastewater effluent discharge is not an environmentally friendly method of wastewater disposal. This point can be argued in that the quality of effluent discharged to receiving water bodies is often times better than the baseline conditions of the stream or creek and is usually better than effluent which is land applied under a TLAP. Even so, the concern for discharging to Deer Creek, which flows to the Blanco River, was an issue that prompted evaluation of ways in which the City of Wimberley could minimize the frequency of discharge and possibly find a beneficial use for the treated effluent.

Beneficial reuse is a term used to describe the practice of meeting water demands that would typically use potable water, with treated wastewater effluent. Applications of beneficial reuse are usually irrigation, but can extend to fire suppression, toilet flushing, construction water for dust control, and other such uses. In the context of a proposed wastewater treatment plant in Wimberley, beneficially reusing wastewater effluent would offer several advantages. Reuse would offer the benefit of minimizing the frequency of discharge. Discharging to Deer Creek would still be necessary during periods of rain when spray irrigation cannot take place, but using effluent to irrigate park areas when possible reduces the volume of wastewater discharged to the creek. Additionally, irrigation using wastewater effluent would reduce the demand on the Trinity aquifer, which is a source of potable water supply.

To better demonstrate the potential benefit of wastewater reuse, APAI carried out an exercise to determine the expected number of days that discharging to Deer Creek might be necessary. The methodology involved analyzing precipitation and Blanco River flow data for the last six (6) years, identifying areas within the park to irrigate, and including a certain amount of storage capacity to further minimize discharge frequency. The parameters of the exercise included prohibiting irrigation if the 1-day rainfall exceeded 0.1 inches or 3-day rainfall exceeded 2 inches. The storage capacity was assumed to be 500,000 gallons. The total area of open spaces within the park identified for irrigation was 13 acres. This figure was calculated based on park plans and new aerial imagery and is higher than previous estimates when such information was not available. This acreage is already cleared, open area within the park in close proximity to the soccer fields and great lawn. There is ample space in other areas of the park on which effluent could be sprayed. Some utilities dispose of effluent by spraying cedar trees. Irrigation equipment could be installed near the perimeter of the expanded plant at minimal cost to utilize this method if additional acreage is required or the rate of application must be reduced.

The 13 acres described above could accept the permitted wastewater flow of 75,000 gpd if applied at a rate of 1.5 inches per week. Using these constraints, the results of the analysis of precipitation and river flow suggested that the number of days where discharging to Deer Creek would have occurred over the past six (6) years would be twelve (12) days, or an average of two (2) days per year. During times of discharge, the Blanco River flow would be high and the percentage of river flow attributable to wastewater effluent would be less than one-tenth of one percent.

It is important to note the differences in irrigation rates between irrigation within areas of Blue Hole Park if a TPDES permit is secured as compared with spray or drip irrigation rates associated with a TLAP. As discussed earlier, a TPDES permit does not require the applicant to prove land availability for effluent disposal since this is not the permitted disposal method. A land application permit (TLAP) includes these rates because the applicant is asking for authorization to dispose of effluent by irrigation only. The application rates authorized are very conservative since this is the only method the applicant has available for disposing of effluent.

Securing a TPDES relieves the requirement to designate specific areas for land application and storage but does not preclude the applicant from using effluent for irrigation purposes or other reuse applications providing the applicant also obtains Authorization for Reclaimed Water Use in accordance with 30 TAC Chapter 210 (210 authorization). This authorization includes limits for effluent quality, but does not require a specific method or rate of irrigation. Reclaimed water, under authorization by this rule, can be supplied to users on an as-needed basis. The applicant is, however, prohibited from over-irrigating which could result in an off-site discharge.

The permit limits that would be prescribed by the 210 authorization for irrigating the park spaces are listed below (maximum 30 day average):

$$\text{CBOD} = 5 \text{ mg/L}$$

$$\text{Turbidity} = 3 \text{ NTU}$$

$$\text{Bacteria (Fecal Coliform or } E. \text{ Coli)} = 20 \text{ CFU / 100 mL}$$

The permit limits for reclaimed water are generally stricter than those associated with a discharge. However, limits for discharge permits can compare with limits for reclaimed use if the receiving water body is of exceptional quality. The Blanco River is one such water body and, as such, preliminary modeling was performed to estimate the limits that may be imposed on a treatment plant discharging to its tributary, Deer Creek. Due largely to the distance between the discharge location on Deer Creek and the confluence with the Blanco River, as well as the low effluent quantities expected, permit limits are not anticipated to be exceptionally rigorous. Modeling suggests that effluent quality of 20 mg/L CBOD, 12 mg/L NH₃-N and 6 mg/L DO would be enough to ensure effluent discharge to the Blanco River does not adversely affect water quality.

However, due to the reuse requirement and the City's concern for the environment, any plant would be designed to achieve an effluent quality of 5 mg/L CBOD, 2 mg/L NH₃-N, 6 mg/L DO and 1 mg/L total phosphorous. These limits are consistent with typical permits for wastewater plants discharging to waters designated as exceptional aquatic life use.

4.2 Treatment

The treatment processes included in plant design are dependent upon the method of effluent disposal. If the method selected is beneficial reuse in conjunction with authorized discharge under a TPDES permit, effluent limits are more stringent. In this case, tertiary treatment of effluent would be necessary which would require the addition of filters. Although phosphorous removal using chemical addition may not be required by a TPDES permit, this process would be included in plant design due to the City's preference to treat to a high level. If a land application permit is secured, filters and phosphorous removal would not be incorporated into plant design. In both cases, the fundamental treatment units to achieve secondary effluent quality standards would include screening, sedimentation, aeration and disinfection. At the low flow rates expected, a steel tank package plant would be an appropriate and less costly type of plant than the permanent concrete style.

A stainless steel package plant currently serves the needs of the Deer Creek of Wimberley Nursing Home and Rehabilitation Center. The plant is rated at 25,000 gpd but only permitted for up to 15,000 gpd. Expanding the plant capacity to the anticipated 75,000 gpd would require the addition of one or more parallel package plants rated at 50,000 gpd (total capacity) and the modifications described previously if the effluent is to be treated to reclaimed water standards. The plant is currently permitted to discharge to subsurface pipes in an area to which the public does not have access and is therefore treating to levels less than that which would be required for reclaimed water.

5.0 ALTERNATIVES EVALUATION

In an effort to provide stakeholders, council members and Wimberley residents with a thorough evaluation of possible alternatives for treating wastewater, a total of eleven (11) options were considered. The first nine (9) discussed below include an analysis of the benefits, disadvantages and costs associated with a single phase of construction during which the entire collection and treatment system is constructed as one project. The latter two (2) took into account the effects of a phased approach to Options 1 and 7.

5.1 Alternatives Description

Option 1

In this option, the package plant on Blue Hole Park would be expanded to a permitted capacity of 75,000 gpd and designed to meet reclaimed water standards. The City of Wimberley would secure a TPDES permit for discharging wastewater to Deer Creek as well as a 210 authorization to irrigate areas in the park with treated effluent. In addition to the collection system illustrated in Figure 2, a force main would be installed in the right of way of Old Kyle Road between Lift Station 1 and the existing lift station which serves Deer Creek Nursing Home. The lift station would be upgraded to handle additional flow, and the 3-inch force main which currently conveys wastewater from the Deer Creek lift station to the existing package plant would be replaced with a 6-inch force main. The layout of the proposed system is illustrated in Figure 5.

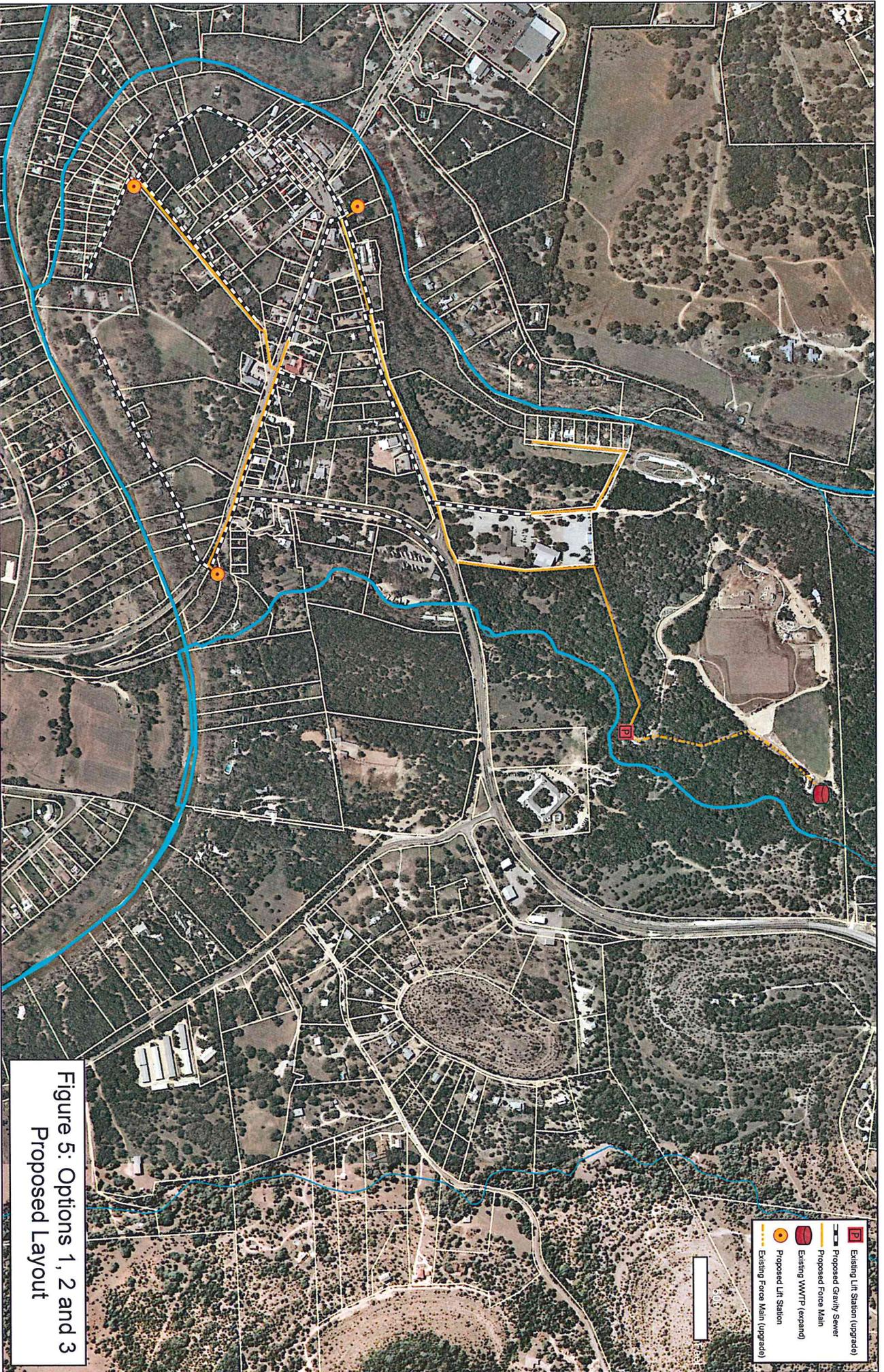


Figure 5: Options 1, 2 and 3
Proposed Layout

Option 2

Under Option 2, the collection system layout would be as described in Option 1 and the existing plant would be expanded to 75,000 gpd though filtration and chemical feed for phosphorous removal would not be incorporated into plant modifications. A Texas Land Application Permit would be secured to dispose of effluent via spray irrigation. A TPDES permit would not be in place so discharging to Deer Creek would not be permitted. Construction costs for this option would require preparing 28 acres of park land for spray irrigation as outlined in the permit, and constructing a 1.75 acre clay-lined pond. The pond would need to be located in a relatively flat area, which may require considerable site work.

Option 3

Option 3 would involve the same collection system layout and treatment plant as described for Option 2. A TLAP would also be secured, though the method of disposal of effluent would be designated as subsurface drip irrigation. This method of disposal would require less acreage and storage, but would require approximately 16,000 cubic yards of imported soil in order to comply with the design requirements of subsurface systems. Soil importation and the site work involved in installing the irrigation system are expected to be similar to the costs of effluent disposal outlined in Option 2.

Option 4

In option 4, consideration was given to constructing a new package plant outside of the Blue Hole Park boundary which would treat to reclaimed water standards. Effluent would be beneficially reused to the greatest extent possible by irrigating within the park, but could also be discharged.

Since there would be numerous potential locations on which to site a plant, several criteria were used to narrow the potential sites and thus limit the number of alternatives for which costs were developed to a more manageable number. For comparison purposes, the criteria used to identify the potential new plant site included 1) proximity to Deer Creek since this option involves a discharge, 2) that the parcel was undeveloped 3) the parcel was within the general area served by the collection system and 4) a majority of the parcel was located outside the 100-year floodplain.

Base on these criteria, a parcel adjacent to the park fronting Old Kyle Road was selected for further evaluation as illustrated in Figure 6.

Constructing a new plant rather than expanding the existing plant would increase construction costs; however, the cost of conveying wastewater from Lift Station 1 to the new plant location would be considerably less. The most expensive aspect of implementing this alternative (after collection system construction) is expected to be land acquisition. The costs of purchasing this parcel are estimated to be nearly \$750,000. This figure is based on applying a factor of 4 to the assessed value listed by Hays County Appraisal District for the property. The multiplier was a suggestion of stakeholders who are also involved in Wimberley's real estate market and thus more knowledgeable of fair market values than is APAI.

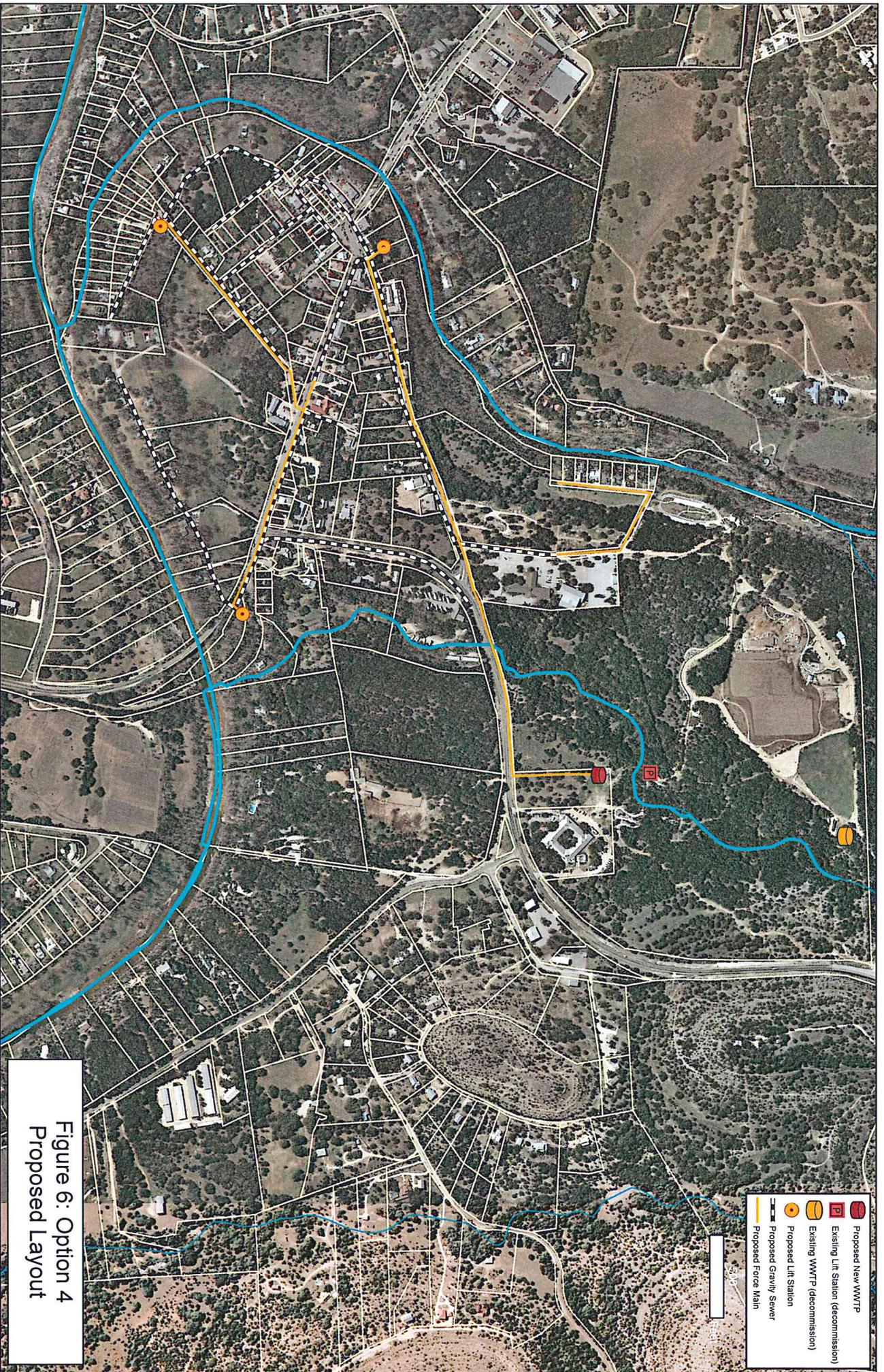


Figure 6: Option 4
Proposed Layout

Options 5 and 6

In Options 5 and 6, consideration was given to locating the plant outside the park but disposing of effluent via spray (Option 5) or subsurface (Option 6) irrigation. The reason for exploring this option was due to the fact that several acres of high quality soil exists along Winter's Mill parkway which would be ideal for installing an irrigation system to dispose of effluent. The makeup of the soil is such that importing 16,000 cubic yards, as required in Option 3, would not be necessary. Although this reduces the costs, there are several aspects to these options that would result in a cost increase when compared with those previously discussed.

The proposed plant location would be located along Winter's Mill parkway in order to capitalize on the availability of good soils. The general location and layout is shown in Figure 7. Constructing the added transmission capacity, increasing the size of pumps at the upgraded Deer Creek lift station, and acquiring a relatively expensive parcel of land (acquisition costs calculated as described for Option 4) resulted in these options being the most costly of those evaluated.

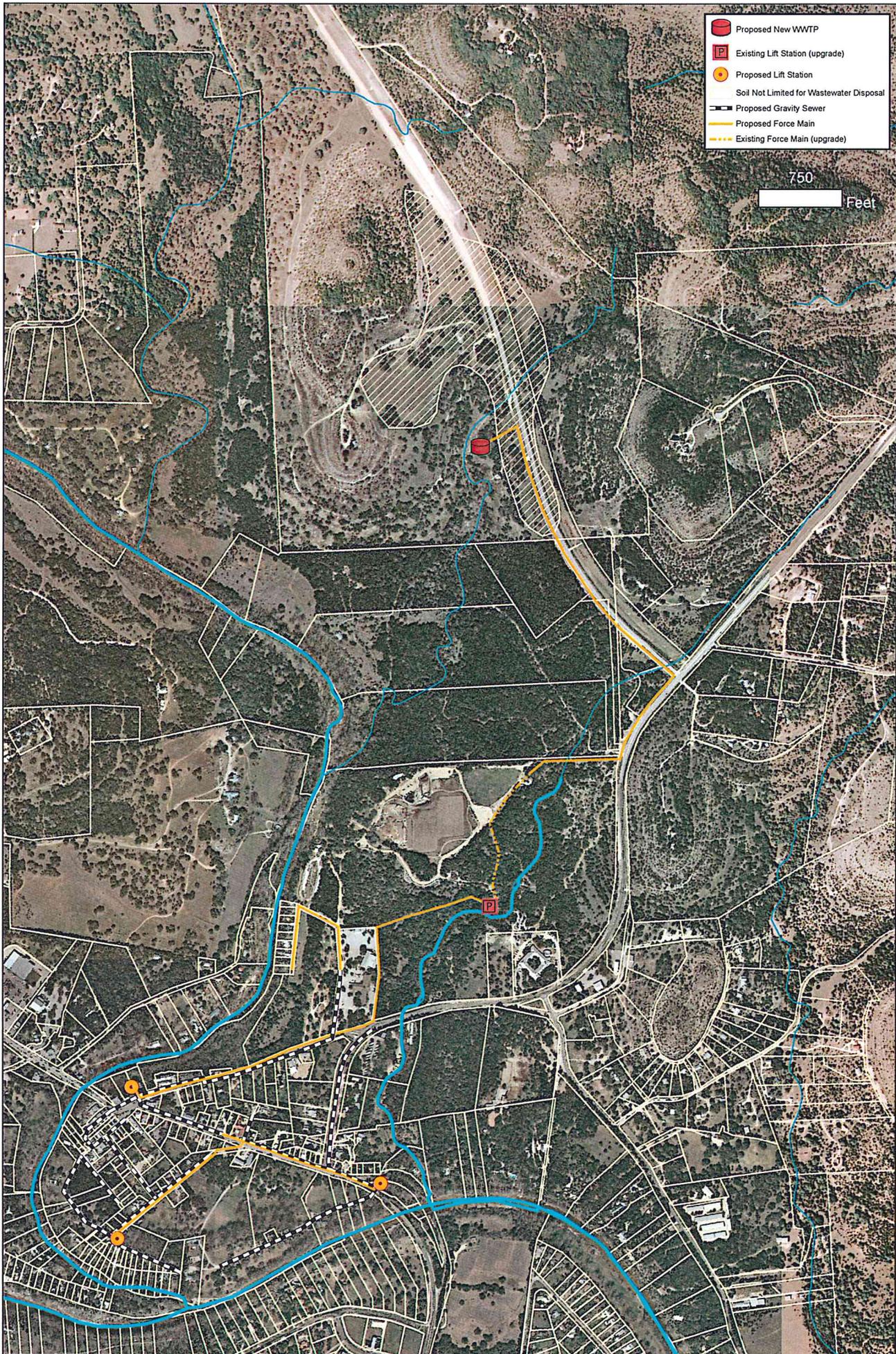


Figure 7: Options 5 and 6 Proposed Layout

Option 7

Rather than expanding a treatment plant or constructing a new one, Wimberley could choose to partner with Aqua Texas (Aqua) and pump wastewater across Cypress Creek to their system for treatment. Aqua Texas is a private water and wastewater provider that serves much of the area in Wimberley that is west and north of Cypress Creek. Their treatment plant and effluent holding pond is located on FM 2325 west of Jacob's Well Road. The current method of disposal used by Aqua is spray irrigation of the Woodcreek golf course. Through discussions with Aqua representatives prior to and during the stakeholder process, Aqua indicated that they had capacity in their system to accommodate 75,000 gpd in additional wastewater flow.

In this option, wastewater would be collected as described for previous options but would be pumped from Lift Station 1 under Cypress Creek to an existing Aqua lift station behind the Brookshire Brothers retailer. There would be no modifications to the wastewater treatment plant located on Blue Hole Park which would continue to treat waste generated from the Deer Creek nursing home. The proposed layout is illustrated in Figure 8.

The costs of implementing this option would include construction of the collection system, boring or tunneling under Cypress Creek, and Contribution In Aid of Construction (CIAC) which Aqua would charge each customer. In previous correspondence, Aqua representatives had indicated that the cost to cross Cypress Creek with a wastewater line would be \$425,000. In discussions with Aqua during the stakeholder process, representatives committed to limiting this cost to be no more than what it would cost to pump wastewater from Lift Station 1 to the plant in Blue Hole Park. As illustrated in the cost estimates presented later, this value was reduced to \$250,000. Other assumptions regarding CIAC fees and user rates are noted in further detail in the cost estimates.

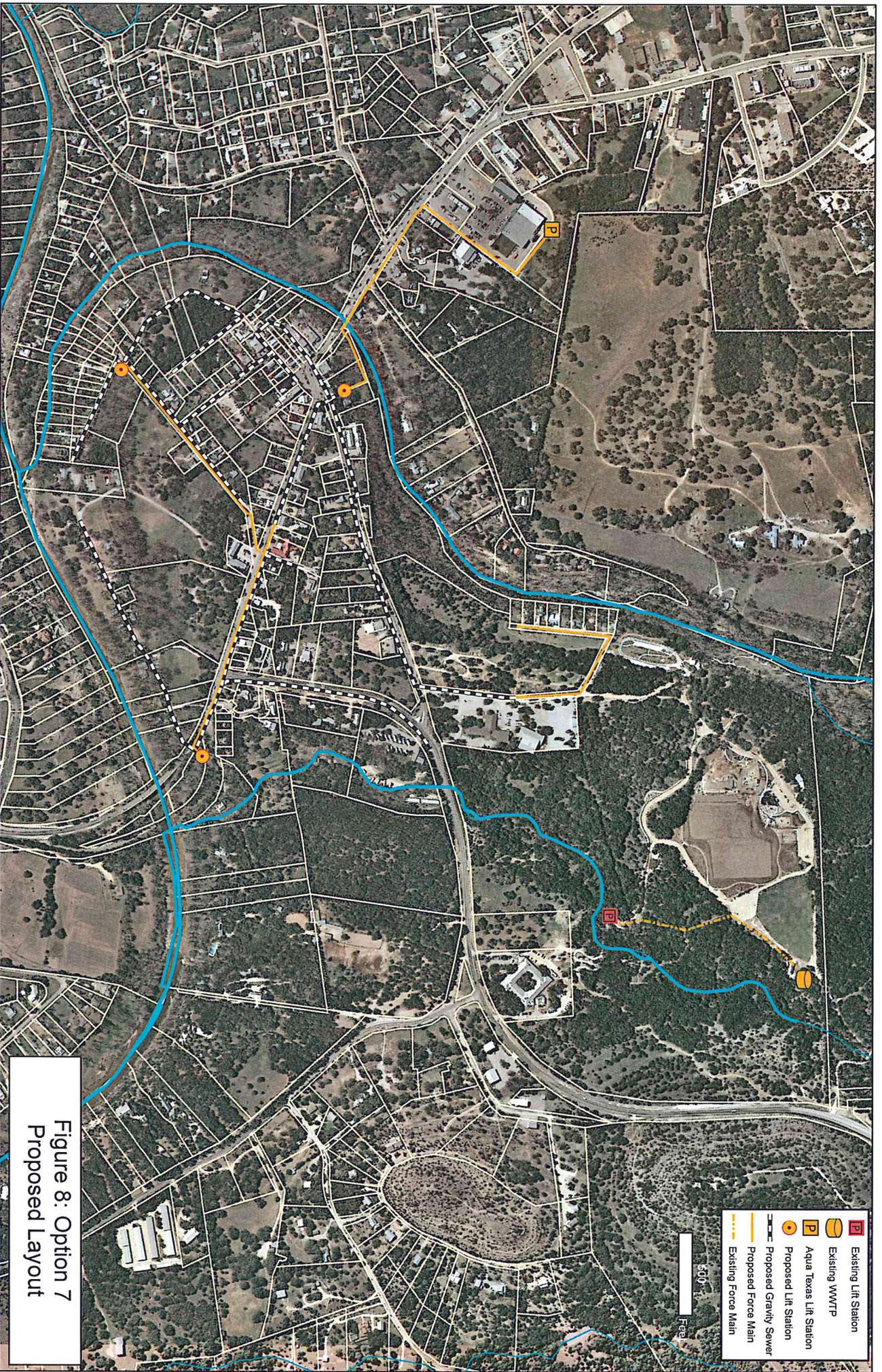


Figure 8: Option 7
Proposed Layout

	Existing Lift Station
	Existing WWTP
	Aqua Texas Lift Station
	Proposed Gravity Sewer
	Proposed Force Main
	Existing Force Main

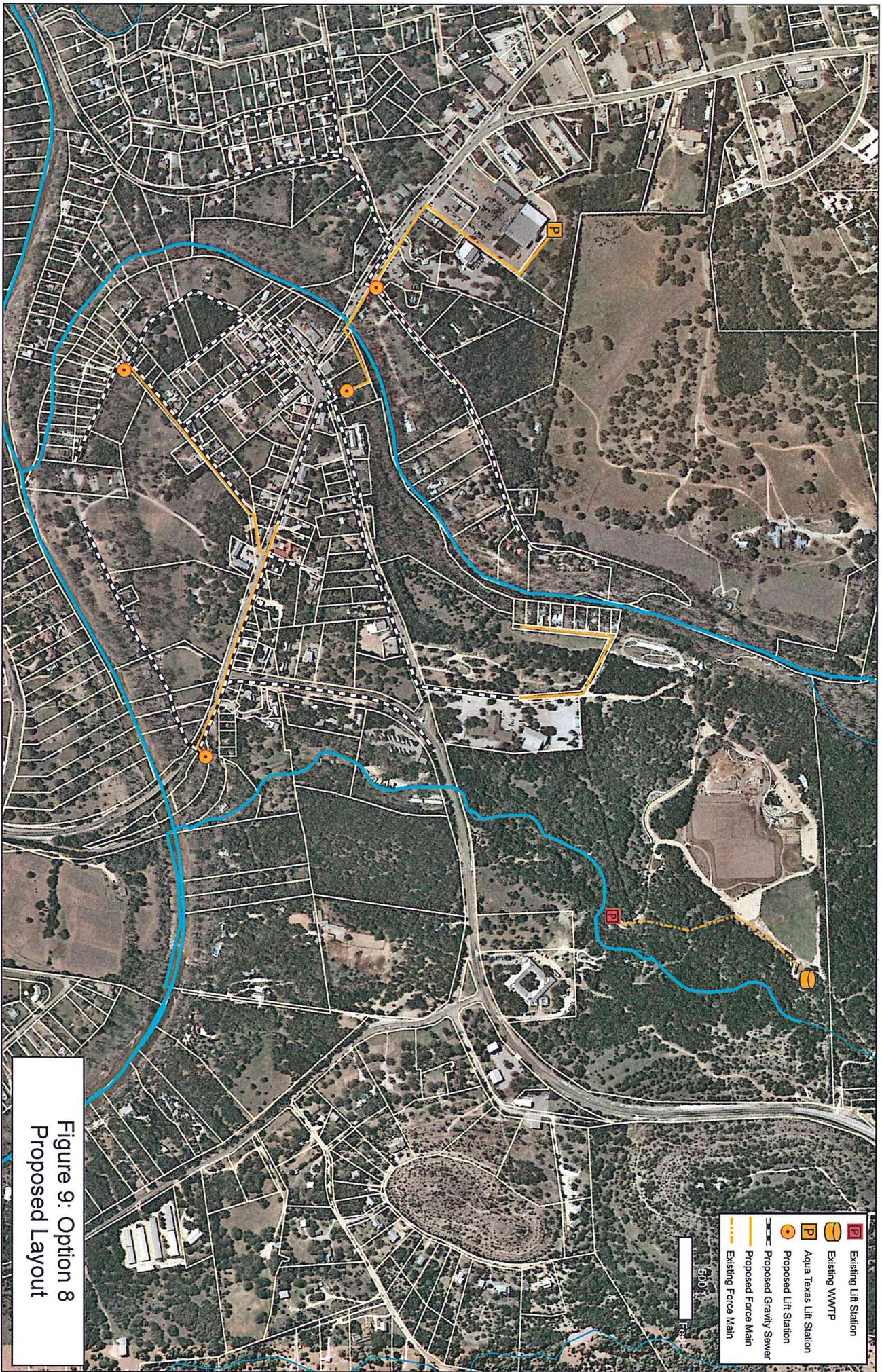
500 Feet

Option 8

As described in the introduction of this report, a wastewater collection and treatment system in Wimberley is expected to improve the water quality of Cypress Creek by removing from operation those septic systems that are failing or are likely to fail in the near future. The extent of Wimberley's CCN is such that the area identified as being served by a collection system had, up until recently, been bounded by the creek. Limiting the service area in this way could impact the effectiveness of a collection system in addressing water quality by leaving septic systems in operation that also front the creek but are not included in the area receiving service. For this reason, the option of expanding the service area to include the west and north side of Cypress Creek was evaluated.

Under option 8, properties on the west and north side of the creek would be served by Aqua Texas, as would those identified in the central service area shown in Figure 2. The existing package treatment plant would continue to treat wastewater from the Deer Creek Nursing Home. The proposed layout is illustrated in Figure 9.

In designating the extent of the service area, properties within the Cypress Creek watershed in close proximity to the creek were included since these are expected to have the greatest impact on water quality. The number of parcels served and estimated wastewater flow attributed to them is 64 and 24,000 gpd, respectively.



- Existing Lift Station
- Existing WWTP
- Aqua Texas Lift Station
- Proposed Lift Station
- Proposed Gravity Sewer
- Proposed Force Main
- Existing Force Main

500 Feet

Figure 9: Option 8
Proposed Layout

Option 9

Option 9 is a variation of Option 8 in that only the properties in the expanded service area would be served by Aqua Texas. The rest of the service area, including Deer Creek Nursing Home, would be served by an expanded plant on Blue Hole Park. The expanded plant would be designed to treat to reclaimed water standards. An illustration of this option is provided in Figure 10.

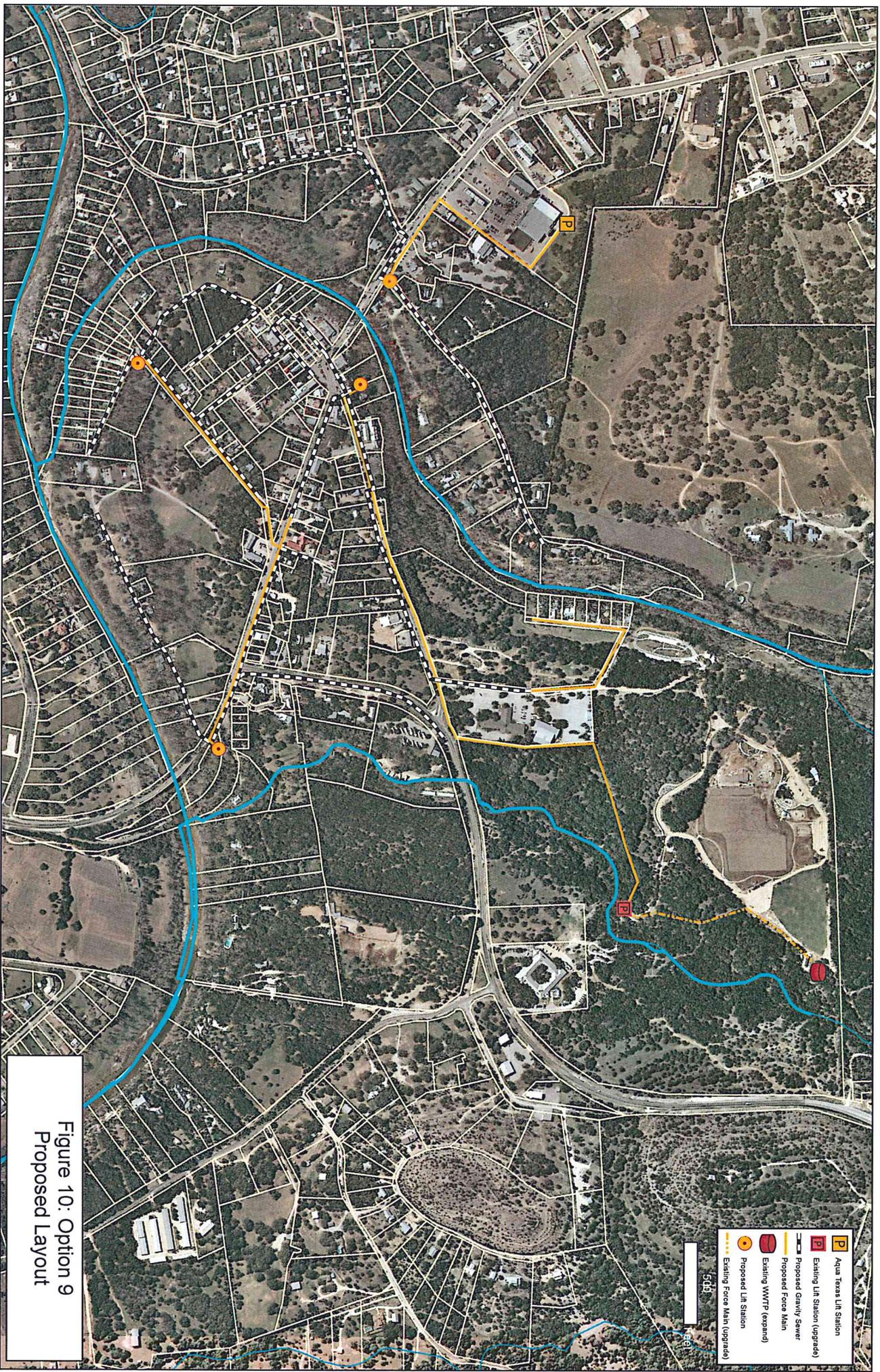


Figure 10: Option 9
Proposed Layout

Options 10 and 11

The discussion of a phased approach to the collection and treatment system was discussed during the stakeholder process as it related to costs. To answer this question, the cost impacts of constructing the first phase of the collection system were evaluated for the alternatives described by option 1 (city-owned plant on Blue Hole park) and option 7 (pump to Aqua). The extent of the collection system was limited to that which could be served by gravity sewers to the lift station near Cypress Creek Park (Lift Station 1).

Under option 10, flow would be pumped from this lift station to the plant at Blue Hole Park (see Figure 11). The plant would be expanded to 50,000 gpd rather than 75,000 gpd with the addition of one parallel treatment plant. Storage capacity would still be 500,000 gallons to minimize to the greatest extent possible the frequency of discharge when irrigation within the park cannot occur.

Under option 11, flow would be pumped from Lift Station 1 to the lift station operated by Aqua Texas, located behind Brookshire Brothers (see Figure 12).

The details pertaining to costs associated with this option are explained in Section 5.2 Alternatives Comparison.

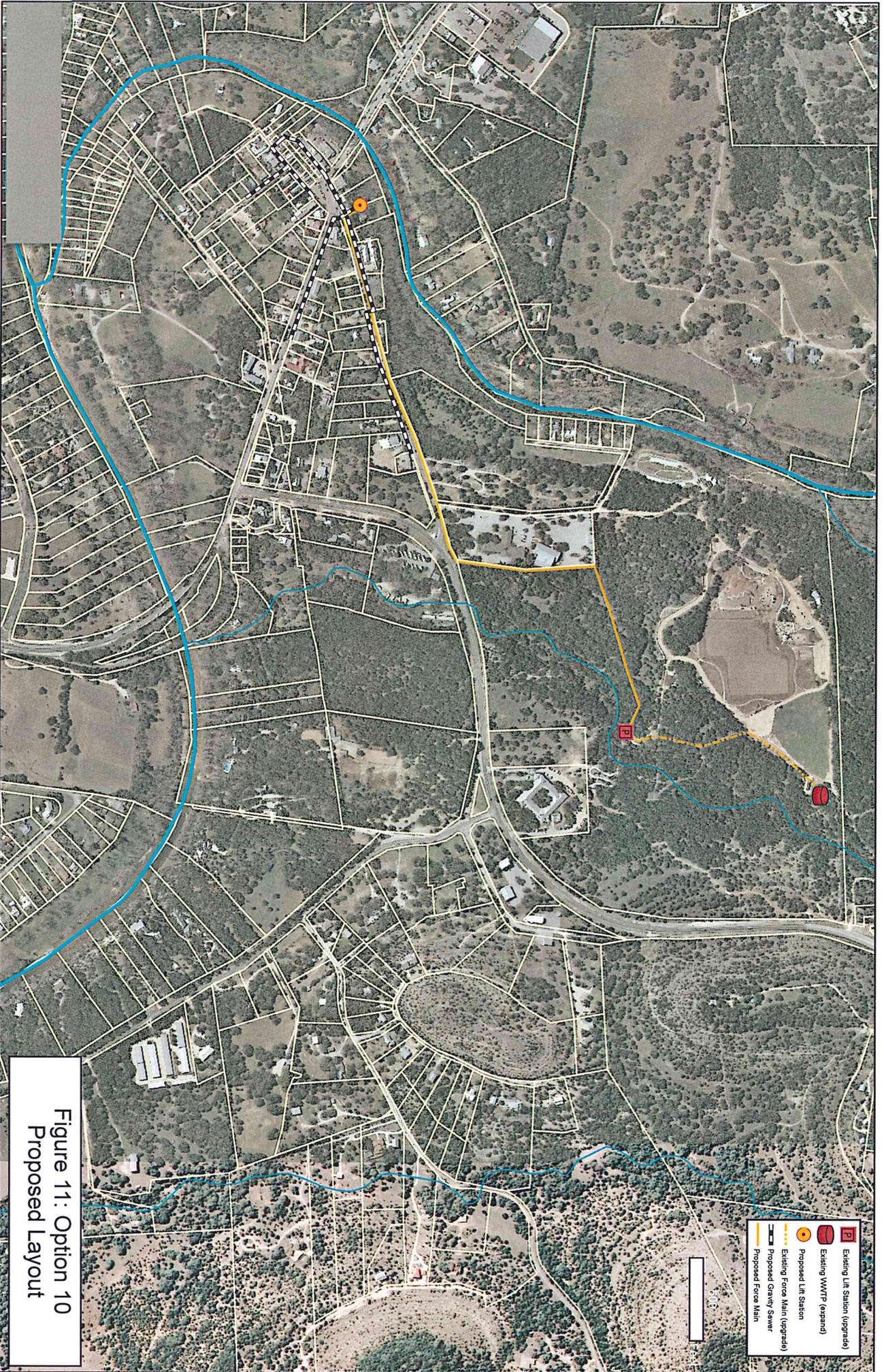


Figure 11: Option 10
Proposed Layout

- P Existing Lift Station (Upgrade)
- P Existing WWTTP (Upgrade)
- Lift Station Proposed Lift Station
- Existing Force Main (Upgrade)
- Proposed Gravity Sewer
- Proposed Force Main

0 100 200 Feet

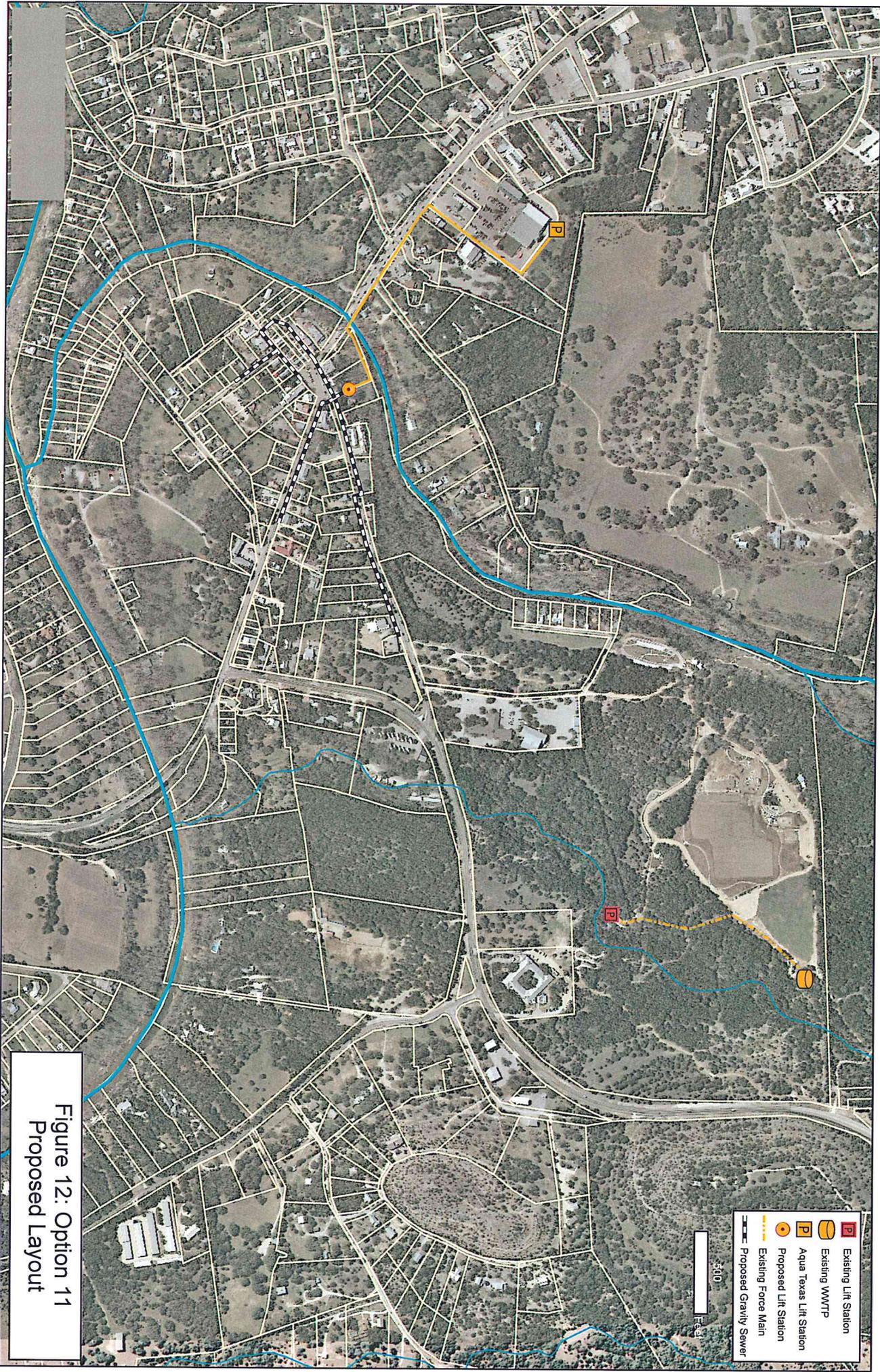


Figure 12: Option 11
Proposed Layout

Decentralized Wastewater Collection Option

Although not detailed during the stakeholder process or in previous feasibility studies, the option to construct several small, decentralized collection and treatment systems throughout Wimberley is evaluated herein to provide documentation as to why this method of wastewater disposal was not considered further.

Decentralized systems or 'cluster' systems are wastewater collection / treatment systems designed to treat the wastewater generated by a limited number of properties. The extent of the decentralized system is smaller, requiring less pumping capacity and smaller sewer lines. The method of effluent disposal of these systems varies but the use of drip irrigation is common.

In determining the applicability of decentralized systems in serving the wastewater needs of Wimberley, the following assumptions were made:

- 1) The method of disposal of treated wastewater would be drip irrigation at a rate of 0.1 gpd/ft² which is the same rate required for disposal under a TLAP for subsurface systems.
- 2) There would be approximately 8 decentralized systems serving the area based on topography constraints.
- 3) The area required for the septic system disposal area and associated buffer zone at each system would be approximately 2.5 acres.
- 4) The average cost per acre is \$250,000, based on applying a factor of four (4) to average appraised values.
- 5) The existing package treatment plant that serves the Deer Creek Nursing Home would continue to operate as-is.

Based on the assumptions listed above, a total of approximately 20 acres of land would be required on which to install decentralized systems. The cost of land acquisition alone is expected to be approximately \$5 million. Due to the expense of land acquisition, and because there are few locations in central Wimberley that are undeveloped and therefore suitable locations for decentralized systems, this option was not explored further.

5.2 Alternatives Comparison

The cost to implement any of the projects described in the preceding sections is expected to be significant. Retro-fitting a community for wastewater service, particularly a community with topographical constraints similar to Wimberley, is always challenging and costly. Selecting an alternative that meets the needs and priorities of the community but is also feasible from a funding standpoint is essential in ensuring the project moves forward. As such, detailed cost estimates were prepared for each of the alternatives. From these cost estimates, funding alternatives were explored by Raftelis Financial Consultants (Raftelis). These included various combinations of tax rates, assessments, user and capital recover fees. This information was shared with stakeholders with the intent of illustrating the potential avenues with which the City could finance project construction. A detailed description of the results of this analysis was prepared by Raftelis and is included in Appendix 2.

At the request of the stakeholders, and to verify the assumptions made for options involving Aqua Texas, the draft cost comparison table for the first nine (9) alternatives was provided to Aqua for comment. Aqua expressed concern for the wastewater flows estimated for residential properties and suggested using 210 gpd per residential connection rather than 300 gpd as used originally. Another change involved reducing the user fees for Aqua from \$13.96 per thousand gallons to \$12.50 per thousand gallons. The original figure is Aqua's current retail rate which they agreed to reduce for new Wimberley customers. Aqua representatives also committed to maintaining this rate through 2018 and to cap the CIAC fees to a maximum of \$600,000.

Based on the adjustments listed above, three cost tables were prepared for review by stakeholders. The first included the original flow projections (300 gpd for residential connections) while the others included reduced flow projections (210 gpd for residential connections). Due to the fact that Aqua user fees are guaranteed only through 2018, an estimate was made with regards to how much this rate would increase annually beyond that date. In one cost table, the rate at which the user fees would increase was assumed to be 2%, which is the same rate at which annual O&M costs were estimated to increase. In the final cost table, this rate was assumed to increase 4% annually until such time as it matched the retail rate. After that point, the rate would increase 2% annually. Other assumptions are provided in the table footnotes.

In addition to evaluating the costs of each alternative, non-cost factors were identified and scored using the same approach as described for the collection system. The non-cost factors evaluation matrix is shown in Table 9 following the tables of cost estimates.

Table 5: Original Flow Estimates, Annual Increase in O&M and Aqua Fees of 2% (Aqua Fees firm for 4 years)

	1	2	3	4	5	6	7	8	9
Option Description	Expand Exist. Plant to 75,000 GPD, TPDES Permit + Spray Irrigation	Expand Exist. Plant to 75,000 GPD, Spray Irrigation	Expand Exist. Plant to 75,000 GPD, Subsurface Irrigation	Construct New Plant + TPDES Permit + Spray Irrigation	Construct New Plant + Spray Irrigation	Construct New Plant + Subsurface Irrigation	Serve Exist Wimberley CCN - Pump to Aqua - Maintain Exist, Package Plant	Serve Expanded CCN - Pump to Aqua - Maintain Exist, Package Plant	Serve Expanded CCN - Pump to Aqua and Expanded Plant
Collection System	\$2,259,000	\$2,259,000	\$2,259,000	\$2,169,000	\$2,607,000	\$2,607,000	\$2,009,000	\$2,671,000	\$2,986,200
Aqua Transmission Cost	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	\$0
Treatment Plant Cost	\$650,000	\$594,000	\$594,000	\$964,000	\$908,000	\$908,000	\$0	\$0	\$650,000
Irrigation Cost	\$38,000	\$546,000	\$1,514,000	\$45,000	\$432,000	\$861,000	\$0	\$0	\$38,000
Storage Cost	\$300,000	\$1,000,000	\$135,000	\$0	\$1,000,000	\$135,000	\$0	\$0	\$300,000
Discharge Cost	\$20,000	\$0	\$0	\$20,000	\$0	\$0	\$0	\$0	\$20,000
Land Acquisition Cost	\$44,000	\$44,000	\$44,000	\$794,000	\$941,600	\$588,000	\$44,000	\$44,000	\$44,000
Subtotal Construction Cost	\$3,311,000	\$4,445,000	\$4,546,000	\$3,982,000	\$5,888,600	\$5,099,000	\$2,303,000	\$2,965,000	\$4,038,200
Contingency (20%)	\$662,200	\$889,000	\$909,200	\$796,400	\$1,177,720	\$1,019,800	\$460,600	\$593,000	\$807,640
Planning and Design (15%)	\$496,650	\$666,750	\$681,900	\$597,300	\$883,290	\$764,850	\$345,450	\$444,750	\$605,730
Legal, Financial, Permitting	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000	\$25,000	\$25,000	\$175,000
Debt Reserve	\$232,243	\$303,788	\$310,605	\$277,535	\$406,231	\$382,933	\$156,703	\$201,388	\$281,329
TWDB Loan Origination Fee	\$90,226	\$116,021	\$120,670	\$107,822	\$157,821	\$137,114	\$60,879	\$78,239	\$109,296
Aqua CIAC Costs ^a	\$0	\$0	\$0	\$0	\$0	\$0	\$600,000	\$600,000	\$293,943
Total Construction Cost	\$4,967,319	\$6,497,559	\$6,643,375	\$5,936,057	\$8,688,661	\$7,548,697	\$3,951,631	\$4,907,377	\$6,311,137
Annual O&M of New System ^b	\$176,815	\$177,728	\$175,154	\$163,137	\$184,567	\$181,993	\$24,200	\$24,200	\$176,815
Annual Aqua Charges ^c	\$0	\$0	\$0	\$0	\$0	\$0	\$263,219	\$263,219	\$109,500
Total Annual Charges	\$176,815	\$177,728	\$175,154	\$163,137	\$184,567	\$181,993	\$277,419	\$277,419	\$286,315
NPV of Annualized Costs	\$2,979,065	\$2,491,866	\$2,455,767	\$2,287,992	\$2,587,753	\$2,551,654	\$3,711,729	\$5,170,075	\$3,937,412
Total Net Present Value	\$7,416,384	\$8,989,425	\$9,099,142	\$8,223,349	\$11,276,414	\$10,100,351	\$7,663,360	\$10,077,452	\$10,249,549
GPD Served by City	64,500	64,500	64,500	64,500	64,500	64,500	9,000	9,000	64,500
GPD Served by Aqua Texas	-	-	-	-	-	-	55,500	79,500	24,000
NPV Cost Per 1,000 gal	\$115,448	\$139,371	\$141,072	\$127,894	\$174,828	\$156,595	\$118,812	\$113,870	\$115,803

^aBased on \$2,572 per 210 gpd for CIAC fees - applied to all connections, capped at \$600,000

^bNote that annual O&M is expected to increase 2% annually

^cBased on \$12.50 per 1,000 gal; Aqua charges are expected to remain constant for first 4 years, after which point they are expected to increase 2% annually

NPV based on a discount rate of 5.5% and a 20 year period.

Table 6: Reduced Flow Estimates, Annual Increase in O&M and Aqua Fees of 2% (Aqua Fees firm for 4 years)

Option Description	1	2	3	4	5	6	7	8	9
Expand Exist. Plant to 75,000 GPD, TPDES Permit + Spray Irrigation	\$2,259,000	\$2,259,000	\$2,259,000	\$2,169,000	\$2,607,000	\$2,607,000	\$2,009,000	\$2,671,000	\$2,986,200
Expand Exist. Plant to 75,000 GPD, Spray Irrigation	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	\$0
Expand Exist. Plant to 75,000 GPD, TPDES Permit + Spray Irrigation	\$650,000	\$594,000	\$594,000	\$964,000	\$908,000	\$908,000	\$0	\$0	\$650,000
Expand Exist. Plant to 75,000 GPD, Subsurface Irrigation	\$38,000	\$548,000	\$1,514,000	\$45,000	\$432,000	\$861,000	\$0	\$0	\$38,000
Storage Cost	\$300,000	\$1,000,000	\$135,000	\$0	\$1,000,000	\$135,000	\$0	\$0	\$300,000
Dicharge Cost	\$20,000	\$0	\$0	\$20,000	\$0	\$0	\$0	\$0	\$20,000
Land Acquisition Cost	\$44,000	\$44,000	\$44,000	\$784,000	\$941,600	\$588,000	\$44,000	\$44,000	\$44,000
Subtotal Construction Cost	\$3,311,000	\$4,445,000	\$4,546,000	\$3,982,000	\$5,888,600	\$5,099,000	\$2,303,000	\$2,965,000	\$4,036,200
Contingency (20%)	\$662,200	\$889,000	\$909,200	\$796,400	\$1,177,720	\$1,019,800	\$460,600	\$593,000	\$807,640
Planning and Design (15%)	\$496,650	\$666,750	\$681,900	\$597,300	\$883,990	\$764,850	\$345,450	\$444,750	\$605,730
Legal, Financial, Permitting	\$175,000	\$75,000	\$75,000	\$175,000	\$175,000	\$175,000	\$25,000	\$25,000	\$175,000
Debt Reserve	\$232,243	\$303,788	\$310,605	\$277,535	\$406,231	\$352,933	\$156,703	\$201,388	\$281,329
TWDB Loan Origination Fee	\$90,226	\$118,021	\$120,670	\$107,822	\$157,821	\$137,114	\$60,879	\$78,239	\$109,296
Aqua CIAC Costs*	\$0	\$0	\$0	\$0	\$0	\$0	\$589,355	\$600,000	\$239,931
Total Construction Cost	\$4,967,319	\$6,497,559	\$6,643,375	\$5,836,057	\$8,688,661	\$7,548,697	\$3,940,987	\$4,907,377	\$6,257,123
Annual O&M of New System ^b	\$172,075	\$174,513	\$171,938	\$159,318	\$180,892	\$178,317	\$23,120	\$23,120	\$172,075
Annual Aqua Charges ^c	\$0	\$0	\$0	\$0	\$0	\$0	\$219,548	\$208,927	\$89,379
Total Annual Charges	\$172,075	\$174,513	\$171,938	\$159,318	\$180,892	\$178,317	\$242,668	\$232,047	\$261,455
NPV of Annualized Costs	\$2,412,606	\$2,446,789	\$2,410,689	\$2,233,748	\$2,536,218	\$2,500,119	\$3,248,145	\$4,438,520	\$3,607,981
Total Net Present Value	\$7,379,925	\$8,944,348	\$9,054,065	\$8,169,805	\$11,224,879	\$10,048,816	\$7,189,132	\$9,345,896	\$9,860,107
GPD Served by City	57,120	57,120	57,120	57,120	57,120	57,120	9,000	9,000	57,120
GPD Served by Aqua Texas	-	-	-	-	-	-	48,120	48,120	19,590
NPV Cost Per 1,000 gal	\$129,200	\$156,589	\$156,510	\$143,029	\$196,514	\$175,925	\$121,834	\$128,537	\$128,537

*Based on \$2,572 per 210 gpd for CIAC fees - applied to all connections, capped at \$600,000
^bNote that annual O&M is expected to increase 2% annually
^cBased on \$12.50 per 1,000 gal; Aqua charges are expected to remain constant for first 4 years, after which point they are expected to increase 2% annually
 Residential contribution assumed to be 210 gpd.
 NPV based on a discount rate of 5.5% and a 20-year period.

Reduced Flow Estimates, Annual Increase in O&M of 2%, Annual Increase in Aqua Fees of 4% until Matches Retail Rate (Aqua Fees firm for 4 years)									
Option Description	1	2	3	4	5	6	7	8	9
Expand Exist. Plant to 75,000 GPD, TPDES Permit + Spray Irrigation	\$2,259,000	\$2,259,000	\$2,259,000	\$2,169,000	\$2,607,000	\$2,607,000	\$2,009,000	\$2,671,000	\$2,985,200
Expand Exist. Plant to 75,000 GPD, Spray Irrigation	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	\$0
Expand Exist. Plant to 75,000 GPD, Subsurface Irrigation	\$594,000	\$594,000	\$594,000	\$964,000	\$908,000	\$908,000	\$0	\$0	\$650,000
Aqua Transmission Cost	\$38,000	\$38,000	\$38,000	\$45,000	\$432,000	\$861,000	\$0	\$0	\$38,000
Treatment Plant Cost	\$300,000	\$1,000,000	\$1,514,000	\$45,000	\$1,000,000	\$135,000	\$0	\$0	\$300,000
Storage Cost	\$20,000	\$0	\$0	\$20,000	\$0	\$0	\$0	\$0	\$20,000
Discharge Cost	\$44,000	\$44,000	\$44,000	\$784,000	\$941,600	\$588,000	\$44,000	\$44,000	\$44,000
Land Acquisition Cost	\$3,311,000	\$4,445,000	\$4,546,000	\$3,982,000	\$5,888,600	\$5,099,000	\$2,303,000	\$2,965,000	\$4,036,200
Subtotal Construction Cost	\$662,200	\$889,000	\$909,200	\$796,400	\$1,177,720	\$1,019,800	\$460,600	\$593,000	\$807,640
Contingency (20%)	\$496,650	\$662,750	\$681,900	\$597,300	\$883,190	\$764,850	\$345,450	\$444,750	\$605,730
Planning and Design (15%)	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000	\$175,000	\$25,000	\$25,000	\$175,000
Legal, Financial, Permitting	\$232,243	\$303,788	\$310,605	\$277,535	\$406,231	\$352,933	\$156,703	\$201,388	\$281,329
Debt Reserve	\$90,226	\$118,021	\$120,670	\$107,822	\$157,821	\$137,114	\$60,879	\$78,239	\$109,296
TWDB Loan Origination Fee	\$0	\$0	\$0	\$0	\$0	\$0	\$589,355	\$600,000	\$239,931
Aqua CIAC Costs*	\$4,967,319	\$6,497,559	\$6,643,375	\$5,936,057	\$8,668,661	\$7,548,697	\$3,940,987	\$4,907,377	\$6,257,125
Total Construction Cost	\$172,075	\$174,513	\$171,938	\$159,318	\$180,992	\$178,317	\$23,120	\$23,120	\$172,075
Annual O&M of New System ^b	\$0	\$0	\$0	\$0	\$0	\$0	\$219,548	\$308,927	\$89,379
Annual Aqua Charges ^c	\$172,075	\$174,513	\$171,938	\$159,318	\$180,992	\$178,317	\$242,668	\$332,047	\$261,455
Total Annual Charges	\$2,412,606	\$2,446,789	\$2,410,689	\$2,233,748	\$2,536,218	\$2,500,119	\$3,529,143	\$4,833,915	\$3,717,378
NPV of Annualized Costs	\$7,379,925	\$8,944,348	\$9,054,065	\$8,169,805	\$11,224,879	\$10,048,816	\$7,470,130	\$9,741,291	\$9,974,503
Total Net Present Value	\$7,120	\$7,120	\$7,120	\$7,120	\$7,120	\$7,120	\$9,000	\$9,000	\$7,120
GPD Served by City	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
GPD Served by Aqua Texas	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200
NPV Cost Per 1,000 gal	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200	\$129,200

^aBased on \$2,572 per 210 gpd for CIAC fees - applied to all connections, capped at \$600,000
^bNote that annual O&M is expected to increase 2% annually
^cBased on \$12.50 per 1,000 gal; Aqua charges are expected to remain constant for first 4 years, after which point they are expected to increase 4% annually until rate equals existing retail rate, then increase with existing retail rate by 2% annually
Residential contribution assumed to be 210 gpd.
NPV based on a discount rate of 5.5% and a 20 year period.

Table 8: Cost Estimates - Phasing

Phasing Option 1: Original Flow Estimates		
	City Phase 1	Aqua Phase 1
Collection System	\$893,000	\$643,000
Aqua Transmission Cost	\$0	\$250,000
Treatment Plant Cost	\$383,000	\$0
Irrigation Cost	\$24,000	\$0
Storage Cost	\$300,000	\$0
Discharge Cost	\$20,000	\$0
Land Acquisition Cost	\$0	\$0
Subtotal Construction Cost	\$1,620,000	\$893,000
Contingency (20%)	\$324,000	\$178,600
Planning and Design (15%)	\$243,000	\$133,950
Legal, Financial, Permitting	\$175,000	\$25,000
Debt Reserve	\$37,100	\$16,878
TWDB Loan Origination Fee	\$14,413	\$6,557
Aqua CIAC Costs ^a	\$0	\$257,200
Total Construction Cost	\$2,413,513	\$1,511,184
Annual O&M of New System ^b	\$117,304	\$4,730
Annual Aqua Charges ^c	\$0	\$95,813
Total Annual Charges	\$117,304	\$100,542
NPV of Annualized Costs	\$1,644,680	\$1,342,364
Total Net Present Value	\$4,058,193	\$2,853,549
LUEs Served	100	70
GPD Served ^d	30,000	21,000
GPD Served by City	30,000	0
GPD Served by Aqua Texas	0	21,000
NPV Cost Per LUE	\$40,582	\$40,765
NPV Cost Per 1,000 gal	\$135,273	\$135,883

^aBased on \$2,572 per 210 gpd for CIAC fees
^bNote that annual O&M is expected to increase 2% annually
^cBased on \$12.50 per 1,000 gal;
 Aqua charges firm for 4 years, increase 2% annually after that
^dLUE = 300 gpd (residential and non-residential)
 NPV based on a discount rate of 5.5% and a 20 year period.

Phasing Option 2: Reduced Flow Estimates		
	City Phase 1	Aqua Phase 1
Collection System	\$893,000	\$643,000
Aqua Transmission Cost	\$0	\$250,000
Treatment Plant Cost	\$383,000	\$0
Irrigation Cost	\$24,000	\$0
Storage Cost	\$300,000	\$0
Discharge Cost	\$20,000	\$0
Land Acquisition Cost	\$0	\$0
Subtotal Construction Cost	\$1,620,000	\$893,000
Contingency (20%)	\$324,000	\$178,600
Planning and Design (15%)	\$243,000	\$133,950
Legal, Financial, Permitting	\$175,000	\$25,000
Debt Reserve	\$37,100	\$16,878
TWDB Loan Origination Fee	\$14,413	\$6,557
Aqua CIAC Costs ^a	\$0	\$250,586
Total Construction Cost	\$2,413,513	\$1,504,571
Annual O&M of New System ^b	\$117,304	\$4,730
Annual Aqua Charges ^c	\$0	\$93,349
Total Annual Charges	\$117,304	\$98,078
NPV of Annualized Costs	\$1,644,680	\$1,372,541
Total Net Present Value	\$4,058,193	\$2,877,112
LUEs Served	100	70
GPD Served ^d	29,460	20,460
GPD Served by City	29,460	0
GPD Served by Aqua Texas	0	20,460
NPV Cost Per LUE	\$40,582	\$41,102
NPV Cost Per 1,000 gal	\$137,753	\$140,621

^aBased on \$2,572 per 210 gpd for CIAC fees
^bNote that annual O&M is expected to increase 2% annually
^cBased on \$12.50 per 1,000 gal;
 Aqua charges firm for 4 years, increase 2% annually after that
^dLUE = 300 gpd non-residential and 210 gpd residential
 NPV based on a discount rate of 5.5% and a 20 year period.

Phasing - Option 3: Reduced Flow Estimates / User Fee Rate Increase Adjustment		
	City Phase 1	Aqua Phase 1
Collection System	\$893,000	\$643,000
Aqua Transmission Cost	\$0	\$250,000
Treatment Plant Cost	\$383,000	\$0
Irrigation Cost	\$24,000	\$0
Storage Cost	\$300,000	\$0
Discharge Cost	\$20,000	\$0
Land Acquisition Cost	\$0	\$0
Subtotal Construction Cost	\$1,620,000	\$893,000
Contingency (20%)	\$324,000	\$178,600
Planning and Design (15%)	\$243,000	\$133,950
Legal, Financial, Permitting	\$175,000	\$25,000
Debt Reserve	\$37,100	\$16,878
TWDB Loan Origination Fee	\$14,413	\$6,557
Aqua CIAC Costs ^a	\$0	\$250,586
Total Construction Cost	\$2,413,513	\$1,504,571
Annual O&M of New System ^b	\$117,304	\$4,730
Annual Aqua Charges ^c	\$0	\$93,349
Total Annual Charges	\$117,304	\$98,078
NPV of Annualized Costs	\$1,644,680	\$1,429,028
Total Net Present Value	\$4,058,193	\$2,933,599
LUEs Served	100	70
GPD Served ^d	29,460	20,460
GPD Served by City	29,460	0
GPD Served by Aqua Texas	0	20,460
NPV Cost Per LUE	\$40,582	\$41,909
NPV Cost Per 1,000 gal	\$137,753	\$143,382

^aBased on \$2,572 per 210 gpd for CIAC fees
^bNote that annual O&M is expected to increase 2% annually
^cBased on \$12.50 per 1,000 gal;
 Aqua charges firm for 4 years, increase 4% to retail rate, then 2% annually
^dLUE = 300 gpd non-residential and 210 gpd residential
 NPV based on a discount rate of 5.5% and a 20 year period.

Table 9: Non-Cost Factors Treatment System Evaluation Matrix

	0	1	2	3	4	5	6	7	8	9
	"Do Nothing"	Expand Exist.Plant to 75,000 GPD. TPDES Permit + Spray Irrigation	Expand Exist. Plant to 75,000 GPD. Spray Irrigation	Expand Exist. Plant to 75,000 GPD. Subsurface Irrigation	Construct New Plant + TPDES Permit + Spray Irrigation	Construct New Plant + Spray Irrigation	Construct New Plant + Subsurface Irrigation	Serve Exist Wimberley CCN - Pump to Aqua - Maintain Exist. Package Plant	Serve Expanded CCN - Pump to Aqua - Maintain Exist. Package Plant	Serve Expanded CCN - Pump to Aqua and Expanded Plant
High Quality										
Ability to address current/future water quality concerns in creek		4	4	4	4	4	4	4	4	5
Treatment level		5	4	4	5	4	4	4	4	4.5
Discharge control		3	4	5	3	4	5	4	4	3.5
Potential for odor (regular system operation)		4	3	4	4	3	4	3	3	3.5
Potential for noise		4	4	4	4	4	4	4	4	4
Aesthetic impact		4	2	3	4	3	3	4	4	4
	2.7	4.0	3.5	4.0	4.0	3.7	4.0	3.8	4.0	4.1
Reliable										
Proven treatment process		4	4	4	4	4	4	4	4	4
Reliance on other entities to perform		1	4	4	4	4	4	3	3	3.5
Maintenance requirements		3	4	3	4	4	4	4	4	4
	2.7	4.0	3.7	4.0	4.0	3.7	4.0	3.7	3.7	3.8
Efficient										
Time to implement		3	4	4	2	2	2	5	5	3
Maintenance of park irrigation		1	5	5	5	4	4	3	3	5
Need for additional land/user agreements		5	4	4	4	3	2	4	4	4
	3.7	4.0	4.3	4.3	3.3	2.7	2.7	4.0	4.0	4.0
TOTAL NON-MONETARY	9.0	12.0	11.5	12.3	11.3	10.0	10.7	11.5	11.7	11.9

Based on the cost comparisons and evaluation of non-cost factors, several alternatives were removed from further consideration during the stakeholder process.

Options 5 and 6 which involved locating the plant along Winter's Mill parkway and disposing of effluent by spray or subsurface irrigation were the two most costly options. Although these options were attractive to some stakeholders due to the fact they did not involve a discharge, the stakeholders generally agreed that such a project would be cost-prohibitive for the City.

Although Option 4 was cost-competitive among the nine alternatives, the proposed location of the plant caused concern with stakeholders. The feasibility of securing this parcel was questioned by several, particularly those familiar with the real estate market in Wimberley.

The remaining alternatives were discussed at length with some stakeholders expressing preference for a plant located on Blue Hole Park and some with the opposite view. Whether a plant on Blue Hole Park is a benefit or detriment is a matter of opinion and not a question answered by engineering analysis. However, the use of treated effluent from the plant for irrigation of park land was identified in the Blue Hole Park Master Plan and would relieve demand on groundwater. Conversely, the concern of odors from the plant is also legitimate. This issue can be addressed in design by incorporating odor control treatment at the plant. Cost estimates prepared for this alternative included odor control.

In addition to the concern over the plant location, the stakeholders acknowledged the cost implications of going with a no-discharge facility as illustrated in the estimates for options 2 and 3. They also acknowledge the benefit in serving both sides of Cypress Creek as described by options 8 and 9. As such, the potential alternatives that were ultimately debated further included options 1, 7, 8 and 9.

An analysis of the phased approach to options 1 and 7 showed an increase in cost per thousand gallons of approximately 10 percent. The phased approach was also discussed in further detail in the stakeholder's conversation.

6.0 RECOMMENDATIONS

The current method of wastewater disposal in Wimberley is not sustainable both from an economic and environmental standpoint. Continued use of septic systems in areas which are not conducive to their use could impact the quality of ground and surface waters and further impact the operation of businesses that are vital to the economy of Wimberley.

It is therefore recommended that the City of Wimberley move forward with detailed design for a conventional wastewater collection system to serve the central area and plan to treat wastewater at an expanded facility at Blue Hole Regional Park. The plant should be designed to meet reclaimed water standards so that effluent can be used to irrigate areas within the park. A TPDES permit and 210 authorization will also be required under this recommended option. The collection system should be limited to Wimberley's CCN initially, but potentially expanded to serve areas on the other side of Cypress Creek upon completion of the first phase of the project.

As shown in the table of cost estimates, the cost of treating wastewater at an expanded plant or pumping wastewater to Aqua Texas for treatment is very similar. However, the non-cost evaluation revealed several factors which illustrate the benefits to the City in maintaining control of the treatment process.

Representatives from Aqua Texas have indicated that their treatment level will not be increased as a result of an agreement with Wimberley to handle additional waste. In this scenario, the quality of effluent is not something over which the City would have any influence. Conversely, expanding the existing package plant and upgrading the process units to achieve the effluent limits required under a reuse permit provides a higher degree of treatment. Effluent applied to land under this scenario would be of higher quality than that which is currently applied to the Woodcreek golf course by Aqua. The option of higher quality effluent is considered to be in line with Wimberley's concern for the environment.

In addition to maintaining control of the treatment quality to a greater degree by operating a plant on Blue Hole Park, the City of Wimberley would also have more control of system operation and maintenance. In the event the City is not satisfied with the performance of the entity contracted to operate the system, it would have the option of terminating the contract. In contrast, the City

would have no recourse over the maintenance and operating practices of Aqua Texas' system. Since system maintenance is funded by users, there is benefit to City control of this aspect of wastewater collection and treatment.

Finally, the user rates under the Aqua option included in the cost tables are estimated beyond 2018. As discussed, Aqua has committed to fixing these rates through that year, but was not able to provide estimates for the rate of increase past 2018. Having said that, it is also important to point out that the rate of increase in operations and maintenance costs is also a prediction. However, as described previously, the City would have more control over these costs by managing a contract with an operator directly than they would in an agreement with Aqua.

APPENDIX 1

Wimberley Wastewater Project: Preliminary Engineering Report

Stakeholder Process

INTRODUCTION

The Wimberley City Council appointed a Central Wimberley Stakeholder Committee on Sept. 13, 2013, to provide community input on a possible wastewater treatment system to the city and the engineering firm preparing a preliminary engineering report on the project.

A committee of seven stakeholders was appointed to identify concerns, address those concerns and make recommendations about a wastewater treatment system. The committee was given nine weeks to carry out its charge through a facilitated process organized by the consultant team of Alan Plummer Associates Inc., Laura Raun Public Relations and Raftelis Financial Consultants.

STAKEHOLDER COMMITTEE

Stakeholder Committee members were appointed to represent individual and group interests, as listed below, in alphabetical order:

- Grady Burnette
- John David Carson, Wimberley Central Improvement Area
- Chris Nichols
- Gail Pigg, _____
- Mike Stevens
- Randy Uselton, Wimberley Merchants Association
- Sheila Wollam, downstream property owners

CHARGE FROM CITY COUNCIL

The City Council gave the following charge to the Stakeholder Committee on Sept. 13.

The mission of the Central Wimberley Wastewater Stakeholder Committee is to identify and recommend a high quality, efficient, affordable and reliable wastewater system to serve central Wimberley that values local environmental and community interests. Stakeholder committee members shall work directly with the City's wastewater project engineer to:

- *Identify community concerns regarding the wastewater project*
- *Examine alternative approaches to wastewater collection and treatment and effluent disposal to address those concerns*
- *Analyze project costs and alternatives for project funding*

Concerns and solutions identified in the stakeholder process shall be incorporated into the Preliminary Feasibility Report on the wastewater project and the Report's final recommendation.

It is important that stakeholders examine their positions with a “fresh eye” and the positions of others with an “open–mind” with a goal of discovering common values among differing views. The Committee shall complete its work no later than Friday, November 22, 2013.

STAKEHOLDER PROCESS

The facilitation process was designed by Laura Raun Public Relations and the APAI team to enable stakeholders to examine their positions with a fresh eye so they could reach agreement through consensus on a set of recommendations related to a wastewater treatment system.

Laura Raun served as facilitator to guide discussion among the stakeholders toward a goal of consensus on recommendations for a successful treatment system. Discussions were informed by briefings and presentations from APAI, Raftelis and Aqua Texas throughout the eight meetings.

The facilitation process allowed for continuous discussion to identify underlying values and interests beneath the concerns expressed by Stakeholders.

- Goals of individual Members were explored
- Consequences and impacts of various goals were discussed
- Options and alternatives were identified

Various ranking methods were used to enable Stakeholders to:

- Prioritize options
- Assess how various options met the concerns expressed by Stakeholders
- Assess how options met the criteria provided by City Council

Ground rules were established and agreed upon by stakeholders to address procedures, communications and the definition of consensus.

Meeting agendas outlined the objectives of each meetings and enabled Stakeholders to see the progression of the facilitation process.

Meeting notes highlighted main ideas, stakeholder comments, critical facts, options and recommendations. **Action items** enabled Stakeholders to get answers and followup information to requests made during prior meetings.

Informational handouts were provided at all meetings and included aerial maps outlining wastewater treatment options; matrix analyses of system options, concerns and costs; reference materials on wastewater collection, treatment, disposal and finances.

A **situational analysis** was agreed upon by stakeholders to outline the reasoning and purpose behind recommendations for a wastewater system.

Stakeholder concerns were identified, condensed and then prioritized through a “dot voting” method. Stakeholders supported a concern by placing a dot beside it, creating a ranking system to help reach consensus.

SCHEDULE OF STAKEHOLDER MEETINGS

A series of 8 meetings was held over 9 weeks, with each meeting lasting 2-3 hours.

Sept. 24

- Purpose of Stakeholder Process was explained
 - Presented the charge from City Council
 - Described the final deliverable
 - Led a discussion of ground rules for the Stakeholder process, which were accepted by the Committee
 - Communications
 - Consensus definition
 - Roles of participants
 - Explained facilitation process, provided overview of meetings
- Situational analysis and overview of wastewater project were presented

Oct. 1

- Revised Situational Analysis was discussed and accepted
- Community concerns were identified through discussion of relevant feelings, emotions and perceptions about issues related to a new wastewater treatment system.

Oct. 8

- Condensed list of community concerns was prioritized through “Dot” voting
- Briefing about collection system options was presented

Oct. 15

- Collection system options were analyzed by Stakeholder concerns in a matrix and discussed
- Wastewater treatment and disposal briefing was given

Oct. 22

- Collection system cost estimates were presented and discussed
- Collection system options were analyzed by mission statement criteria in a table
- Aqua Texas President & CEO Robert Laughman
- Wastewater system financials briefing was provided

Nov. 5

- Collection system recommendation was agreed
- Treatment/disposal system options were analyzed against Stakeholder concerns through a matrix and discussed
- Wastewater system cost estimates were presented and discuss
- Invitation to propose “Other recommendations” that don’t fall into existing categories

Nov. 12

- Briefing on wastewater system funding options was made and discussed

Nov. 19

- Stakeholder recommendations for a wastewater treatment system options were discussed

Nov. 20

- Stakeholder recommendations for a wastewater treatment system options were discussed and agreed

RECOMMENDATIONS FROM STAKEHOLDERS

COLLECTION SYSTEM:

The Wimberley Wastewater System Stakeholder Committee recommends that the City of Wimberley construct a conventional collection system because it is the most efficient, most reliable, highest quality and most affordable option.

TREATMENT AND DISPOSAL SYSTEM:

The Central Wimberley Wastewater Stakeholder Committee makes the following recommendations based upon objectives designed to take into consideration the following:

- Potential financial burden on the owners within Central Wimberley
 - The area recognized as Central Wimberley is generally described as follows: Beginning at the confluence of the Blanco River and Cypress Creek, then bounded to the south by the Blanco River to Ranch Road 12; then following Deer Creek as it runs parallel to the extension of Ranch Road 3237 to a point where Deer Creek intersects with RR 3237 (the Old Kyle Highway) as it turns west; then continuing on the north boundary of RR 3237 taking in Deer Creek Nursing Home and all of the Blue Hole Regional Park; from there following the most northerly boundary of the Blue Hole Regional Park to Cypress Creek; then following Cypress Creek in a southerly direction as it meanders through the Blue Hole Regional Park, and the Wimberley downtown square continuing on until it connects to the Blanco River, the Point of Beginning. The area comprises approximately 275 acres of land, of which 125 acres is made up of Blue Hole Regional Park, leaving a balance of approximately 150 acres comprising the business and residential portion of this area.
- The fact that there already exists a permitted wastewater treatment facility available for use (Aqua Texas), with available property for effluent disposal
- The desire to have a treatment plant in Blue Hole for watering purposes, as specified in the Blue Hole Master Plan
- Separation of the need for collection system from the location of treatment plant
- The need to show unity from the Stakeholder Committee

- A fall back alternative in the event that Objective II is not achievable
- The quality of treated effluent should be at the highest level so that it is beneficial to the community from an environmental standpoint
- The treatment plant would be under the control and authority of the City
- The City as a whole should have an interest in protecting our waterways
- The City can incorporate its wastewater system effectively into a master plan and provide for alternatives to handling future growth
- Establish a means for reuse of effluent along Winter's Mill Parkway

Objective I: Collection System

- A wastewater collection system should be constructed within Central Wimberley
- The cost of the collection system should be capped at an amount that ensures the cost does not exceed the cost estimates (including the projected contingency amount) of Alan Plummer Associates, Inc. by 10%
- Construction of the collection system would not begin until Objective II has been accomplished or is underway
- The capital cost of the collection system would be financed by a loan with the Texas Water Development Board and paid through assessments, impact fees or rates charged to the owners of property within Central Wimberley
- The design of the collection system should be a gravity flow system and capable of sending effluent either to Aqua Texas or a city plant

Objective II – Treatment Plant

- The city should proceed with the design and construction of a 5-5-2-1 treatment plant with an approved discharge permit (not to exceed 75,000 gallons per day), including odor control, a reuse system, and 500,000 gallons of storage within Blue Hole to minimize the chances of discharge
- Support for the Blue Hole Treatment Plant should come from the community, therefore the cost of the treatment plant and the associated infrastructure, and discharge permit should be paid by ad valorem taxes only if funding cannot be obtained by the city through sales tax revenue, donations, and/or grants
- The Blue Hole Treatment Plant should be permitted at 75,000 gallons per day with ultimate capacity not to exceed 100,000 gallons per day because of the sensitivity of park area where the plant is located
- All fees for securing any permits, including the discharge permit, and any legal and other fees associated with obtaining the permits should be paid for by city funds, not the owners within Central Wimberley

Oversight

- Collection: An oversight committee comprised of owners of property within Central Wimberley would be appointed by the City Council to work directly with the city administration in resolving issues related to the construction, including the design phase, bidding phase, construction phase of the collection system, vetting the costs and

coordinating with the administration in terms of the connection fees, impact fees, and rates

- Treatment: An oversight committee comprised of members within the City of Wimberley should be appointed by the City Council to oversee and work with the administration in the design, planning and funding for the Blue Hole Treatment Plant as well as coordinate with the collection system oversight committee representing the owners within Central Wimberley in establishing connection fees, impact fees, and rates

Alternative Position in the Event Objective II is Not Accomplished

- In the event the construction costs for city treatment and reuse systems exceed the engineer's estimate (including contingency, relocation of plant within Blue Hole, and Winter's Mill reuse line) by more than 10%, if the City's expanded 5-5-2-1 plant permit is denied, or the City fails to commit the funds necessary to construct the treatment plant, the City shall negotiate with Aqua Texas to send the planned capacity to Aqua for wholesale treatment
- The oversight committee of property owners within Central Wimberley would assist the city administration in negotiating the best available contract with Aqua Texas and determine the feasibility of a complete or phased in approach

System Recommendation

- Option 1 from APAI (expand city's Blue Hole wastewater treatment plant capacity to 75,000 gallons per day; acquire Texas Pollutant Discharge Elimination System Permit, and allow for disposal of effluent through spray irrigation) with two modifications:
 - Extend a reuse line to Winter's Mill Parkway unless an agreement with appropriate agencies cannot be reached prior to construction
 - Relocate the Blue Hole Plant to the location outlined in the Blue Hole Master Plan
- Amend City of Wimberley Code of Ordinances to:
 - Limit any future expansion of Blue Hole plant to a maximum of 100,000 gallons per day
 - Require any expansion of Blue Hole plant to be accompanied by a pro rata increase in reuse capacity (drip or spray)
 - Require a two month notice period prior to any future change in capacity of Blue Hole plant
 - Notify citizens on the city website of any discharge event
 - Prohibit the sale of detergents exceeding 0.5% phosphorous to reduce nutrient load in waste stream
- Allow owners with a recently permitted system to defer hook up for up to seven (7) years for an engineered system and five (5) years for a conventional system from date of installation. Would avoid rates and impact fees prior to that time, but still pay assessment and/or tax.

- As a second phase to this project, the City should initiate a process to expand Aqua Texas' service area to currently un-served areas on the north side of Cypress Creek. This process shall not begin in any capacity until Option I of the project is finalized, confirmed, and under construction.

Funding Recommendation

- **Rates:** (A) Allocate partial capital costs to rates to incentivize water saving / help reduce impact fees; (B) Provide a lifeline rate to homesteads with financial need
- **Impact Fees:** Keep (relatively) low and/or offer payment plan for up to 5 years
- **Property Tax:** The cost of the treatment plant and the associated infrastructure, and discharge permit should be paid by ad valorem taxes only if funding cannot be obtained by the City through sales tax revenue, donations, and/or grants
- **Assessment within Central Wimberley Service Area:** As necessary to supplement rates and impact fees
- **Decommissioning and Service Line Expenses:** Roll decommissioning of septic tanks and installation of services lines into TWDB loan (note: recommend a max. amount of public funds per LUE). Seek grants, if available.

Ancillary Recommendations

- Initiate a water quality outreach program to: (A) inform citizens of Wimberley's existing water quality ordinances and associated buffer zones, open space, and natural area protections such as the unanimously adopted Water Quality Protection Ordinance (2011-005); (B) engage citizen input on needed revisions or updates to said ordinances and policies; and (C) educate the public as to best practices (from development to household habits) for protection of the water quality of the Wimberley Valley
- The City should identify and certify the number of on-site sewage facilities operated along both sides of Cypress Creek and the Blanco River within Wimberley. An effort should be made to partner with Woodcreek to identify all on-site sewage facilities located along all waterways to identify potential problem areas. Thereafter, the City should implement and conduct periodic inspections and recertification of such systems every 3 to 5 years. Additionally by identifying inadequate systems, the City would be able to begin to locate areas of multiple failed systems. Funding source will need to be identified.
- Enhance water quality testing program for pollutant loading (e.g., e. coli, nitrates, phosphorus) such that progress may be monitored, and additional areas of critical need may be identified. Prior to plant start-up, establish a base line of quality conditions including downstream segments potentially impacted by effluent discharge. Funding source will need to be identified.
- Inform the Downtown Master Planning process with the maximum capacity limitations of the City plant sited on Blue Hole as it relates to growth within the Central Wimberley service area and develop procedures to limit speculation on LUEs

- Educate citizens, particularly those within the service area, of the maximum capacity limitations of the Blue Hole Plant and that the cost of securing capacity for wastewater treatment today is not guaranteed to be the same as it may be in the future.
- Encourage the City Council and Planning and Zoning to maintain existing policies that preserve the village character of Central Wimberley such as: shallow setbacks, concealed surface parking, prohibited drive-thrus, etc. while promoting increased pedestrian connectivity
- Pursue additional grant funding opportunities for an expanded reuse program, including possible pipes into Central Wimberley area, etc.
- Animal waste deposited in or near waterways can contribute significant pollutant loading to streams and creeks. The city should examine the impact that bats under the bridge, deer, turkey, ducks, and livestock are having on the levels of e-coli in Cypress Creek.
- The City should provide accessible recycling centers or drop off locations for the disposal of hazardous household items, including paint and other hazardous materials.

Rationale for System and Funding Recommendation

- Acknowledges the need to address both sides of the creek without delaying solution for the area of most critical need
- City-controlled system (and pipes in Phase 2) gives citizens direct recourse for service, rate, or operational issues
- Phase 2 would develop a partnership with Aqua Texas to bring north side of Wimberley onto sanitary sewer
- Ensures the highest quality effluent is produced in some quantity
- Enables Wimberley to take a leadership role in reuse
- Positions Wimberley to pursue additional reuse applications in the future (e.g., Winters Mill)
- Protects limited water supplies by reducing aquifer draw of Blue Hole
- Consistent with Comprehensive Plan and the Blue Hole Master Plan
- Allows for limited future system growth, without changing the objective of maximum reuse, minimum discharge, and high quality effluent
- Achievable within existing funding mechanisms; efficient use of funds per LUE | 1000 gallons
- Reduce the upfront burden on users hooking onto the system
- Engages community in the beginnings of a comprehensive solution to protect water quality
- Encourages good planning practices for the City

- Establishes proactive measures to educate the public and help monitor the progress of the City's efforts
- This proposal meets the parameters of the mission statement: "*high quality, efficient, affordable, and reliable wastewater system to serve central Wimberley that values local environmental and community interests.*"

CONCLUSION

The Stakeholder Committee identified and recommended a high quality, efficient, affordable and reliable wastewater system to serve central Wimberley while valuing local environmental and community interests. During the facilitation process leading up to the recommendations, stakeholders accomplished the following:

- Identified community concerns regarding the wastewater project
- Examined alternative approaches to wastewater collection and treatment and effluent disposal to address those concerns
- Analyzed project costs and alternatives for project funding

APPENDIX 2



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December 4, 2013

Steve Coonan
Alan Plummer Associates, Inc.
1320 S. University Dr.
Suite 300
Fort Worth, TX 76107

Dear Mr. Coonan:

Raftelis Financial Consultants, Inc. ("RFC") is pleased to submit this letter report presenting the results of our Financial Feasibility Study for the wastewater system for the City of Wimberley, Texas (City). The purpose of this letter report is to document our approach, information presented and our analysis for presenting funding options to the Citizen Stakeholder Committee.

The letter report is organized into the following four sections describing the approach.

1. Overview;
2. Conceptual Financial Feasibility of a Wastewater System;
3. Analysis; and
4. Recommendation of the Citizen Stakeholder Committee.

In addition, relevant presentations and schedules from the model are attached to this letter report to provide additional support and documentation of our analysis.

Section 1. Overview

Raftelis Financial Consultants, Inc. (RFC) was engaged by Alan Plummer Associates, Inc. (APAI) to conduct a financial feasibility analysis for the design, construction, and operation of a wastewater system for the City of Wimberley, Texas (City). This engagement was carried out during a nine week period during which a Citizen Stakeholder Committee (CSC), appointed by City Council, reviewed, deliberated, and recommended an approach to address wastewater issues within proposed wastewater service area in central Wimberley. Specifically, RFC, as a subcontractor to APAI, presented various funding options to the CSC, helped educate the committee on the implications and consequences of the options, and conducted sample analyses to provide resulting rates and fees based on engineering scenarios.

Objective

It is very important to note that the objective during this phase of RFC's engagement was not to determine the rates and fees that will eventually need to be implemented; but was to facilitate the development of a recommendation by the CSC for the appropriate approach to be used to set the rates and fees that will be implemented. Costs for the various wastewater system collection, treatment, and operation approaches were provided by APAI and were used as the foundation of the financial feasibility analyses, but those costs were estimates at the time the analysis was conducted. New rates and fees will be set at the appropriate time, when more accurate cost projections are available. The rates and fees discussed in this Section are only example rates and fees based on preliminary estimates, and were developed to provide a reasonable basis for comparing and evaluating the advantages and disadvantages of the different funding alternatives. The cost basis and method of revenue recovery from certain rates and fees were the essential items deliberated and ultimately recommended by the Citizen Stakeholder Committee.

Section 2. Conceptual Financial Feasibility of a Wastewater System

On October 22, 2013, RFC conducted a conceptual workshop with the Citizen Stakeholder Committee to educate the committee on the financial concerns of owning a wastewater utility. RFC's presentation is included as Appendix A. The costs and revenue requirements associated with designing, constructing, and operating an expanded system, as well as the various revenue recovery methods or funding options, were discussed during the workshop and are presented below.

Revenue Requirements

The revenue requirements for the project include costs associated with the design, construction and operation of the collection system and treatment facility. Additionally, the project costs include miscellaneous costs, such as sludge disposal and contingencies. Regarding the design and construction costs, the City is planning to use financing through the Texas Water Development Board (TWDB), and therefore, the majority of the costs for the design and construction phase of the project will be in the form of annual debt service payments to the TWDB. The TWDB assists many utilities, large and small, with the financing of water and wastewater infrastructure. Operations costs will be developed based on the estimated power, chemicals, and labor for operating the collection system and treatment facility. APAI has developed preliminary estimates for several alternatives considered by the Citizen Stakeholder Committee.

Revenue Recovery Options

In general, there are four revenue recovery options that were presented for consideration by the CSC. The funding options are introduced and described below. Additionally, as part of this stakeholder process, RFC provided Concern Matrices that highlighted the advantages and disadvantages of each option. The Funding Concern Matrix is attached as Appendix B.

Ad Valorem Tax – An ad valorem tax is a tax based on the value of real estate or personal property. This tax is typically assessed as a rate per \$100 of property value and would be assessed to all property within the City's corporate boundaries. As a result, properties located both inside and outside of the proposed wastewater service area would be assessed a property tax

to fund the wastewater system. Those properties outside of the service area, but within City limits, would pay the tax but not receive any direct benefit. The rationale for assessing an ad valorem tax would be that properties outside of the service area would be receiving indirect benefit. This benefit is based on the assumption that the Central Wimberley commercial district will not be able to sustain current business or growth without the implementation of a wastewater collection system. The indirect benefit would be the result of a successful Central Wimberley commercial district that generates significant sales tax revenue, which is, in turn, used to fund the majority of City services.

PID Assessment – Under this option, the wastewater system service area would be established as a public improvement district (PID) and a separate PID assessment would be charged to all property within the PID. The assessment would be modeled after an ad valorem tax, which is based on the value of real estate or personal property, and the PID assessment would only be levied against the property within the PID. All properties paying the PID assessment would have the ability to connect to the wastewater system and therefore, would benefit directly as a result of paying the assessment.

Capital Recovery Fees – In general, a capital recovery fee is a one-time capital charge assessed against new development as a way to offset or recover a proportional share of the costs of capital facilities constructed or to be constructed for its use. In this case, the capital recovery fee would be assessed to recover a portion of the collection system costs, and would be charged to customers connecting to the system based on their proportional use of the proposed system, typically determined by level of projected flow. Capital recovery fees are also referred to as an Impact Fee (when implemented by a City) or a Contribution In Aid of Construction (CIAC) when assessed by Aqua Texas. This is assessed as an upfront, one-time fee, although the City may decide to allow customers to pay over a period of several years to lessen the financial burden. If an approach that includes sending wastewater to Aqua Texas for treatment is selected, it is likely Aqua Texas will expect their CIAC fees to be paid in one lump sum when assessed.

User Rates – User rates will be assessed to customers on a monthly or quarterly basis based on their proportional use of the system and proportional treatment costs. The user rates will likely be charged as a rate per thousand gallons based on water flow, a rate per living unit equivalent (LUE), or a combination of the two. User rates will be designed to recover costs associated with the operation of the collection and treatment system, and may also include a portion of capital costs associated with the design and construction of the system.

Section 3. Analysis

APAI proposed several wastewater treatment alternatives for the CSC to consider. As part of this process, APAI developed preliminary cost estimates for each of the alternatives. Alternatives 1 and 7 were selected by APAI to use as the basis for RFC's modeling and analysis. Alternative 1 corresponds to a City owned system with an expanded plant to accommodate 75,000 gallons of wastewater per day. Alternative 7 corresponds to an agreement with Aqua Texas to treat the wastewater flow of Central Wimberley (the service area). These two alternatives are described in greater detail in Section X. This section describes the modeling methodology and results.

Assumptions

Several assumptions were used in the modeling of the alternatives and development of example rates and fees. The following list highlights the major assumptions used in the analysis.

- Financing – Based on conversations with TWDB staff, debt service costs are based on loans issued with a term of 20 years at 3.0% interest rate, and include issuance costs equal to 1.85% of total capital costs.
- Inflation Factors – Operations and maintenance costs were escalated at 2.0% per year based on an inflation factor supplied by APAI.
- City Contribution – The City has pledged \$100,000 per year of General Fund excess revenue for the wastewater project. For this analysis, the pledge was used to offset associated capital costs.
- Customer Units – APAI supplied the applicable living unit equivalents (LUEs) for each alternative.
- Property Value – For the ad valorem tax calculation, the total taxable property value within City limits was referenced as the value used in the most recent planning and design (PAD) loan by the City through the TWDB. The property value of the service area for PID assessment calculation was referenced in the 2012 WRM Financial Feasibility Final Report.
- All other miscellaneous variables were supplied by APAI.

Example Scenarios

Using the assumptions above and the detail provided by APAI for each alternative, RFC modeled Alternatives 1 and 7 and developed estimated rates and fees for consideration by the CSC. It is important to note again that the goal was not to determine what the rates and fees should be, but instead, the committee was asked to consider the advantages and disadvantages of raising or lowering certain rates and fees, and the impact or consequences on the other fees. Therefore, to facilitate this discussion, RFC presented several funding scenarios for each alternative. These funding scenarios incorporated various modifications of the User Fees or Capital Recovery Fees, which impacted the Ad Valorem Tax rates and Local (PID) Assessment rates.

Exhibit 1 is an excerpt from Appendix C that shows the analysis and what was presented to the Citizen Stakeholder Committee at the meeting on November 12, 2013. In addition to rates and fees, the analysis shows the expected impact on one representative or sample residential customer, and one commercial customer to better understand what the rates and fees would mean to a property owner. For this example, the User Fee was developed solely based on the City's expected O&M costs and number of LUEs in Scenario 1, and is held constant from Scenario 1 to Scenario 2. However, the one-time, upfront Capital Recovery Fee assessed to every LUE is doubled from Scenario 1 to Scenario 2. By recovering a greater level of revenue from the Capital Recovery Fee, the Ad Valorem Tax or Local Assessment Rates do not need to recover the same level of revenue, and that impact, or reduction, can be seen under Scenario 2. It is important to point out that the analysis presented to the CSC showed the full level of ad valorem tax rate and full level of the local assessment rate as if each were treated as the sole funding source. Ultimately, the Citizen Stakeholder Committee is recommending a combination of the two funding sources, but for this exercise, RFC presented the rate at which the ad valorem tax

should be set or the rate at which the local assessment should be set. The remaining funding scenarios for alternatives 1 and 7 presented to the CSC are included in Appendix C.

Exhibit 1. Example funding scenarios for Alternative 1.

Example Funding Scenarios* Alternative 1	User Fees Per 1,000 gal	"AND"	Capital Recovery Fee Fee per LUE	"AND"	Ad Valorem Tax Rate per \$100	"OR"	Local Assessment Rate per \$100
Scenario 1							
Fees and Charges	\$8.09		\$2,550.00		\$0.0400		\$0.6069
Customer Impacts							
Residential LUE's Property Value	1 \$200,000		\$72.77 9,000 gal/mo. \$2,550.00		\$79.93		\$1,213.75
Commercial LUE's Property Value	3 \$350,000		\$218.31 27,000 gal/mo. \$7,650.01		\$139.88		\$2,124.07
Costs Included	Only O&M		Partial Capital		Remaining Capital		Remaining Capital
Scenario 2							
Fees and Charges	\$8.09		\$5,100.01		\$0.0355		\$0.5394
Customer Impacts							
Residential LUE's Property Value	1 \$200,000		\$72.77 9,000 gal/mo. \$5,100.01		\$71.05		\$1,078.89
Commercial LUE's Property Value	3 \$350,000		\$218.31 27,000 gal/mo. \$15,300.02		\$124.33		\$1,888.06
Costs Included	Only O&M		Additional Capital		Remaining Capital		Remaining Capital

Revised Scenarios

The same exercise as above was repeated after the alternatives were slightly revised following the November 12th CSC meeting. RFC used the same modeling approach, and modified only the assumptions and preliminary cost estimates developed by APAI. The resulting funding scenarios are included in Appendix D and were provided to the CSC on November 19th, 2013. Appendix D includes an additional schedule that presents another alternative that incorporates a phase-in approach to Alternative 7. In the schedule, the revised Alternative 7 is compared to Alternative 7 Phase-In. This also was provided to the CSC during the November 19th meeting for their consideration.

Section 4. Recommendation of Citizen Stakeholder Committee

After review of the funding scenario exercises and deliberation of the inherent advantages and disadvantages, the Citizen Stakeholder Committee reached consensus on the following recommendations regarding the implementation of the various funding options and overall revenue recovery approach, which were included as part of the Recommendations to Wimberley City Council drafted on November 20th, 2013.

Capital Cost Recovery

- The capital cost of the collection system would be financed by a loan with the Texas Water Development Board and paid through assessments, impact fees or rates charged to the owners of property within Central Wimberley [Service Area].

- Support for the Blue Hole Treatment Plant should come from the community, therefore the cost of the treatment plant and the associated infrastructure, and discharge permit should be paid by ad valorem taxes only if funding cannot be obtained by the city through sales tax revenue, donations, and/or grants

Funding Recommendation

- Rates: (A) Allocate partial capital costs to rates to incentivize water saving / help reduce impact fees; (B) Provide a lifeline rate to homesteads with financial need
- Impact Fees: Keep (relatively) low and/or offer payment plan for up to 5 years
- Property Tax: The cost of the treatment plant and the associated infrastructure, and discharge permit should be paid by ad valorem taxes only if funding cannot be obtained by the City through sales tax revenue, donations, and/or grants
- Assessment within Central Wimberley Service Area: As necessary to supplement rates and impact fees
- Decommissioning and Service Line Expenses: Roll decommissioning of septic tanks and installation of services lines into TWDB loan (note: recommend a max. amount of public funds per LUE). Seek grants, if available.

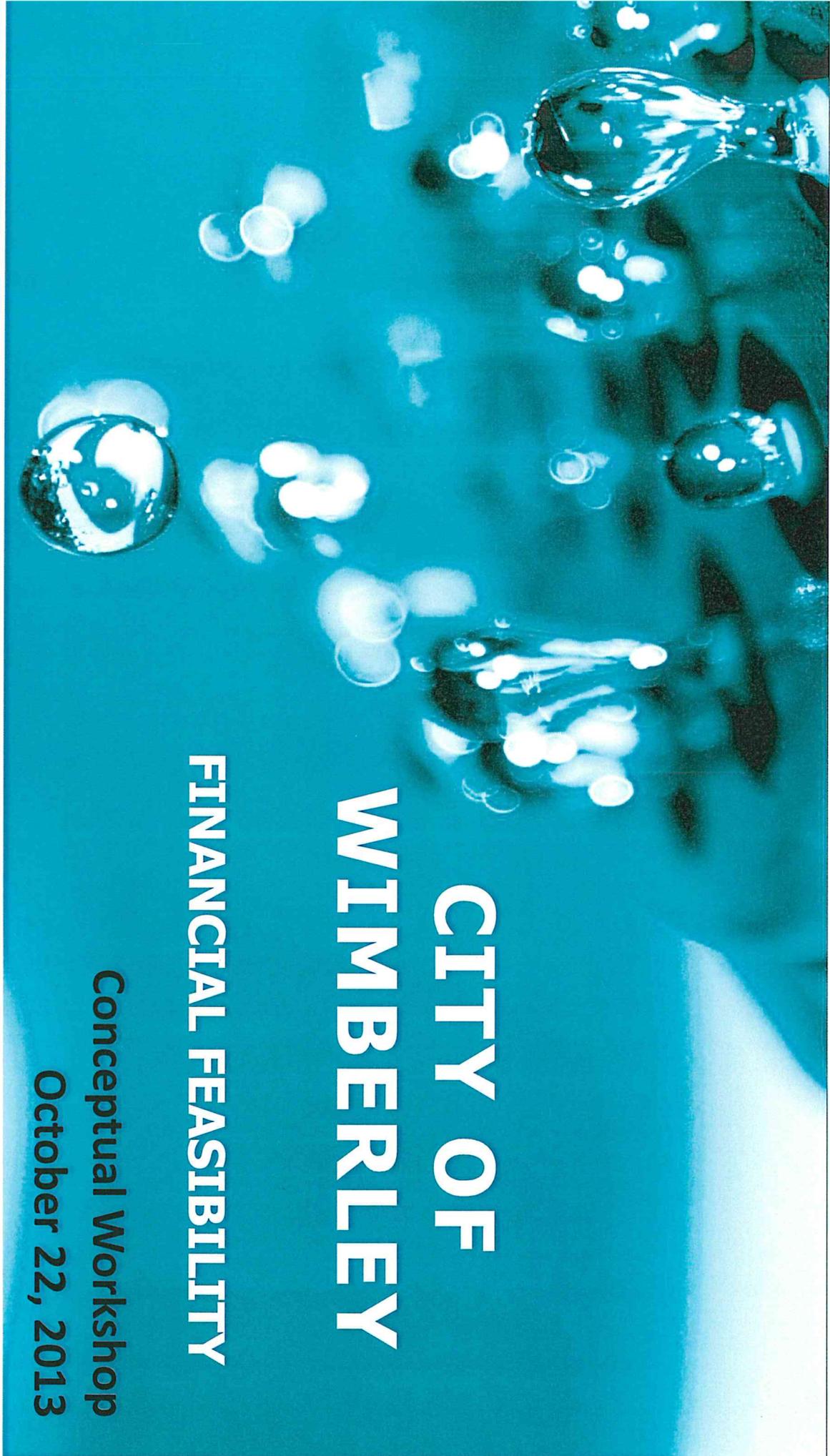
We appreciate the opportunity to provide service for Alan Plummer Associates and to the City of Wimberley. If you have any questions, comments, or concerns, please do not hesitate to contact me at (512) 687-3409.

Best Regards,

Rocky Craley
RAFTELIS FINANCIAL CONSULTANTS, INC.

Attachment A:

Financial Feasibility
Conceptual Workshop
Presented on October 22, 2013



CITY OF WIMBERLEY

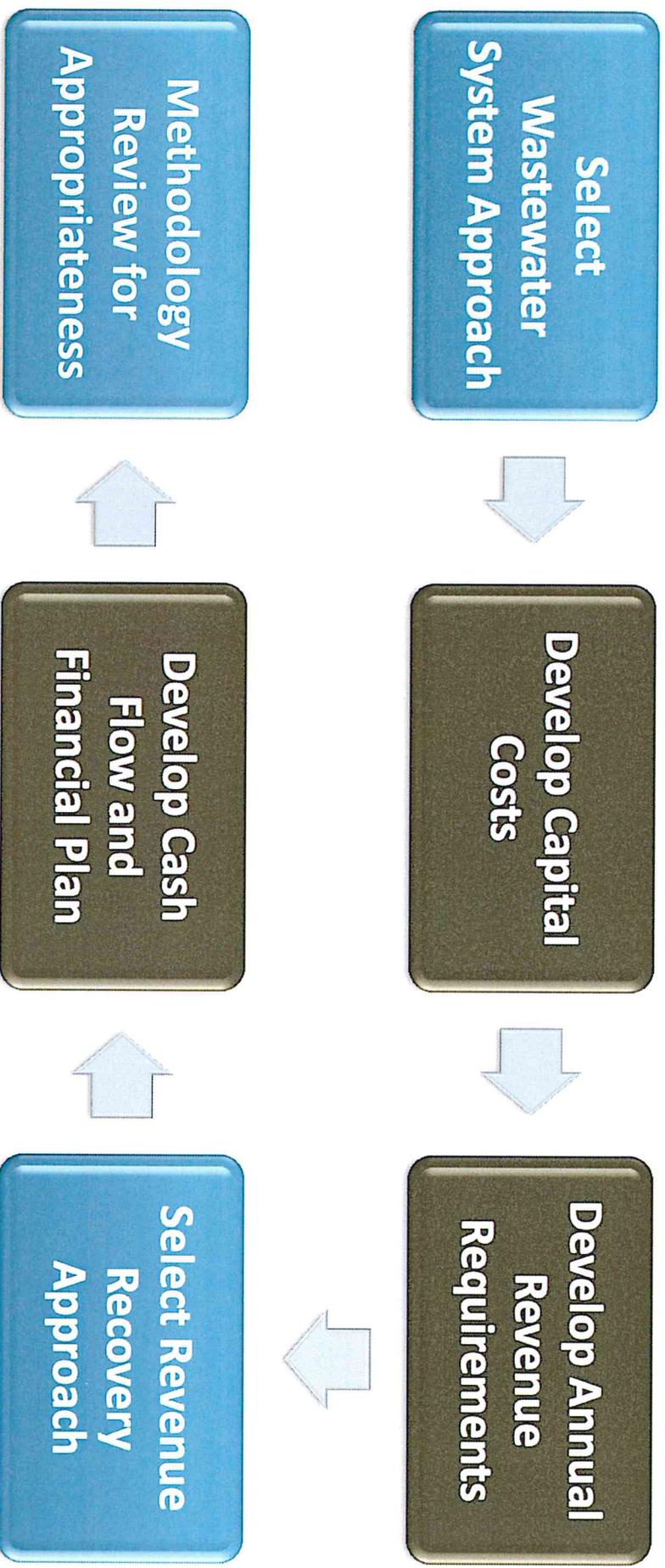
FINANCIAL FEASIBILITY

Conceptual Workshop
October 22, 2013

WORKSHOP OBJECTIVES

1. Understanding all revenue requirements involved
2. Education of revenue recovery methods
3. Acknowledging other key considerations
4. Discussion of preferred revenue recovery alternative(s)

OVERVIEW



CAPITAL COSTS

Selection of System

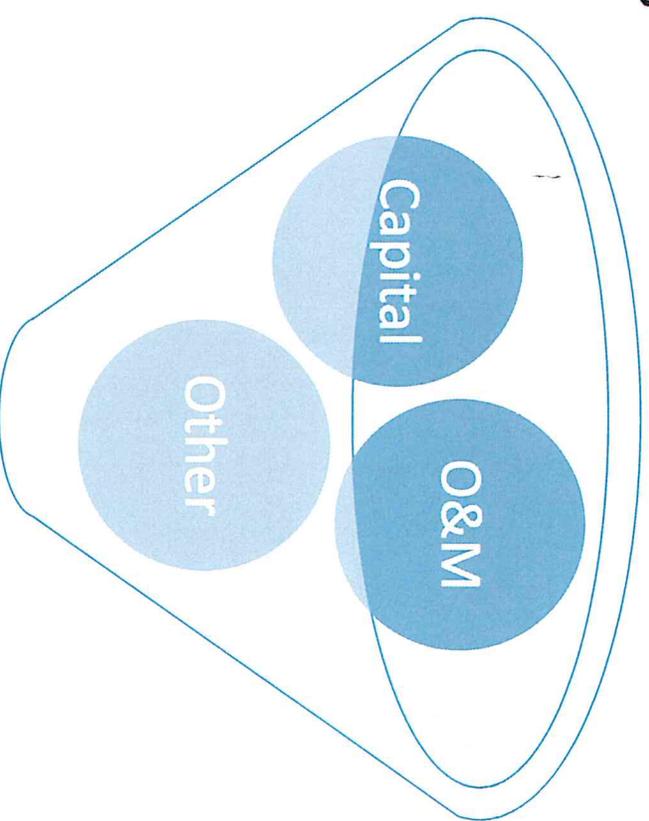
- APAI will develop the capital costs as applicable
 - Design
 - Treatment Facility
 - Collection System
 - Disposal
 - Contingencies
 - Other Project Costs

Financing through TWDB

- Repayment Structure
- Term
- Interest Rate
- Origination Costs
- Potential requirements depending on type
 - Coverage
 - Reserve Fund

ANNUAL REVENUE REQUIREMENTS

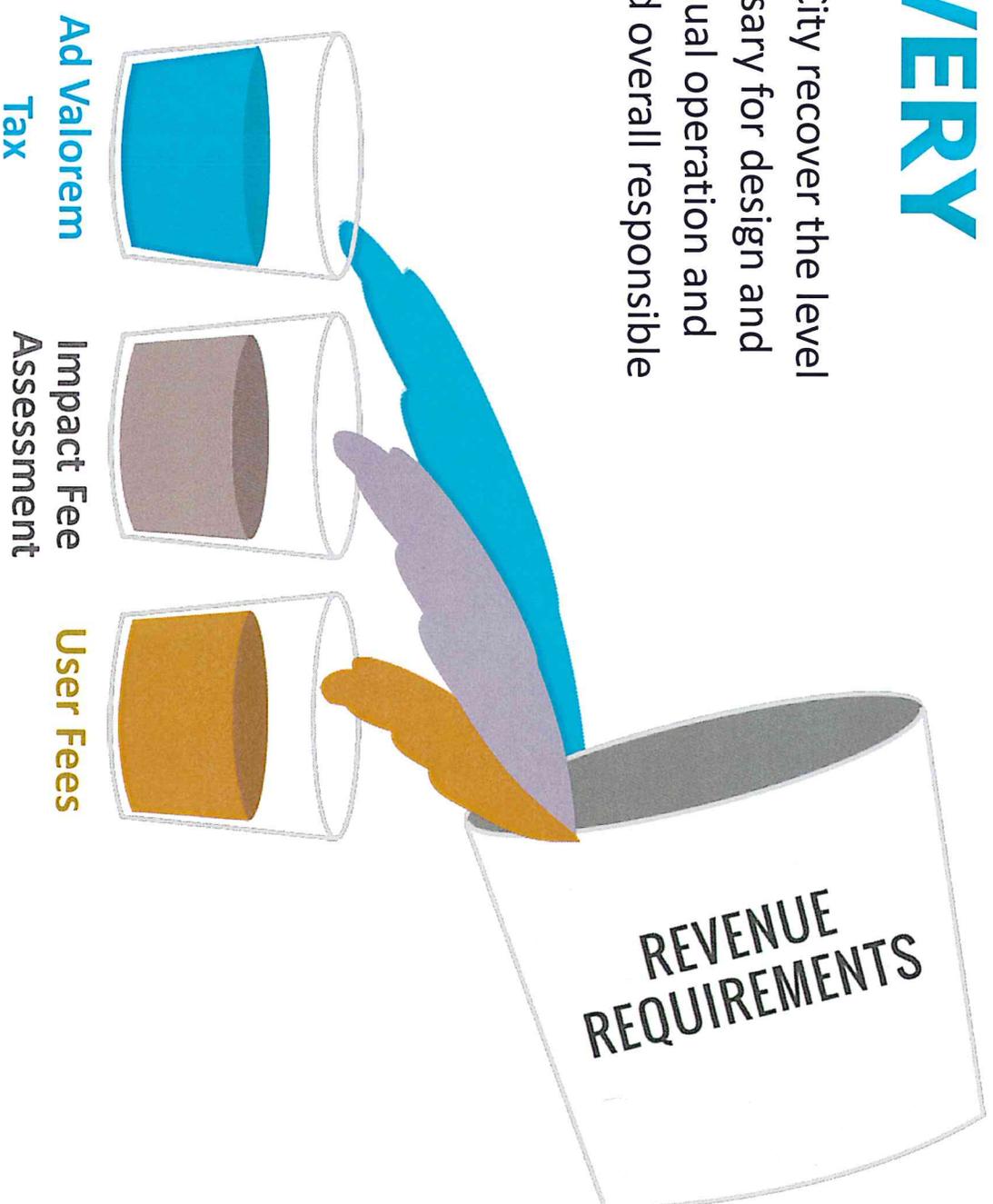
- Debt service payments for capital costs
- Operation and maintenance costs
 - Including inflation
- Other
 - Annual rate funded capital
 - Good stewardship
 - Addresses coverage requirement
 - Reserves
 - General operating reserve
 - Emergency fund
- Debt service reserve



**Total Annual
Revenue Requirements**

REVENUE RECOVERY

How should the City recover the level of revenue necessary for design and construction, annual operation and maintenance, and overall responsible fiscal planning?



AD VALOREM TAXES

- A tax based on the value of real estate or personal property
- Applied to:
 - Only those in the service area
 - Expanded beyond proposed service area
- The City has the system in place to assess an ad valorem tax
 - (rate currently \$0.00)

IMPACT FEES

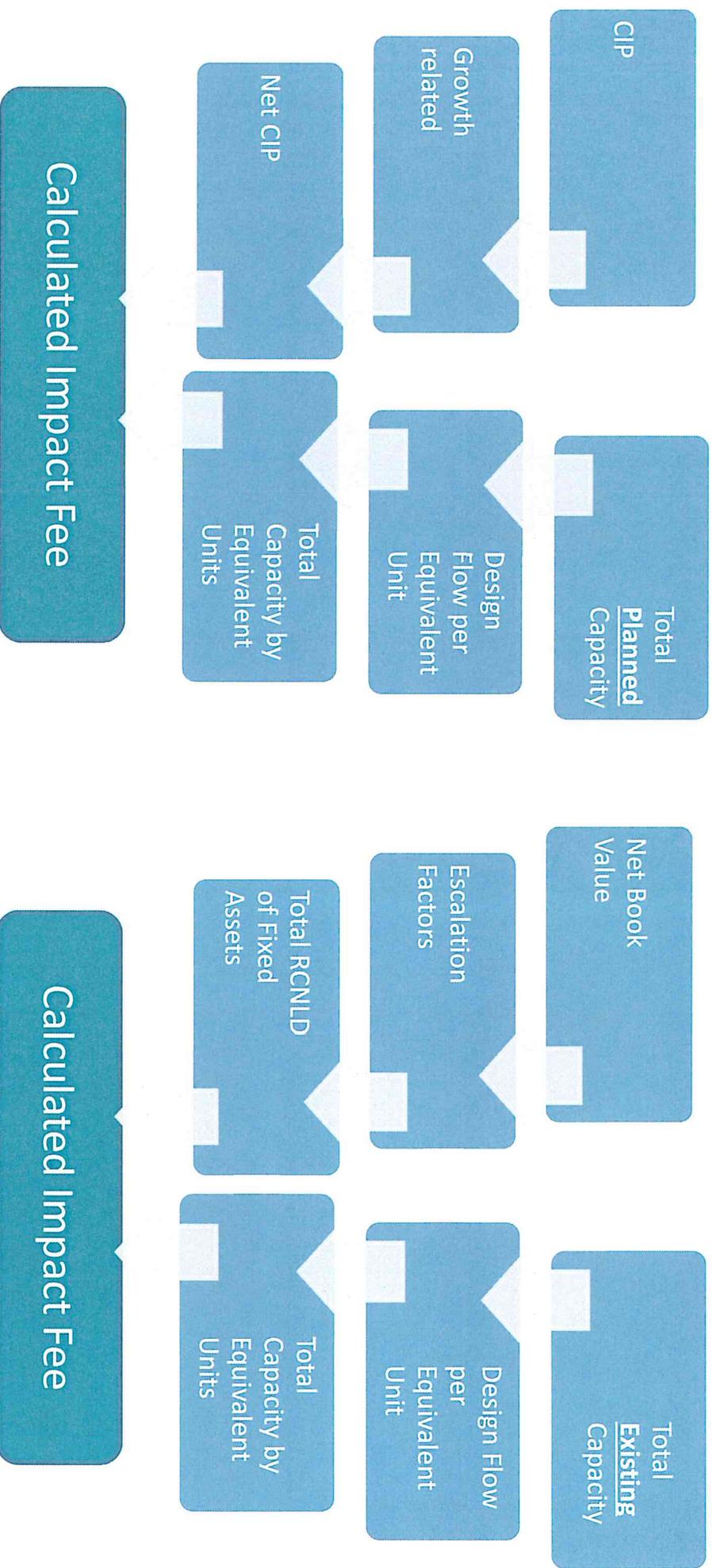
One-time capital charges assessed against new development as a way to provide or cover a proportional share of the costs of capital facilities constructed or to be constructed for its use.

- The **marginal-incremental** cost approach focuses on the cost of adding additional facilities to serve new customers. It is most appropriate in situations where existing utility facilities do not have available capacity to provide service to new customers.
- The **system buy-in** approach is based on the concept that existing users, through user fees and other miscellaneous charges, develop a valuable public capital facility. This method is appropriate for utility systems with capacity already in place, and it provides an estimate of the cost of providing a unit of capacity based on the net equity of the existing assets.

IMPACT FEES

Marginal-incremental Approach

System Buy-in Approach



USER FEES

Fixed Charges

- Per Account
- Per LUE
- Potential Costs to Include:
 - Customer Service
 - Billing and Collection
 - Billing information
 - Debt Service

Volumetric Charges

- Per Unit of Flow
- Per LUE
- Potential Costs to Include:
 - Operation and Maintenance
 - Annual R&R
 - Debt Service
 - Reserve

ASSUMPTIONS

- Previous Study (WRM 2012)
 - Assumed certain service area
 - Assessed Property Value
 - LUES
 - Future growth
 - Estimated Flows
 - Using water consumption data extrapolated to LUES

OTHER CONSIDERATIONS

- Critical Issues
 - Billing possibilities and capabilities
 - Understanding impact on City's customer base
 - Recourse for non-payment
 - Conservatism
 - Data Availability
 - Classification of Customer by Type
 - Level of Demand
 - Flow
 - LUE

Attachment B:
Funding Concern Matrix

**CITY OF WIMBERLEY
CENTRAL WIMBERLEY WASTEWATER SYSTEM
FUNDING CONCERN EVALUATION**

Concern	Ad Valorem	Local Assessment	Capital Recovery	User Fee
Equity	⊙	●	●	●
Spread Cost over Time to minimize upfront financial burden	●	●	○	●
Ease of Implementation	⊙	⊙	⊙	●
Revenue Stability/Reliability	●	●	⊙	⊙
Community Acceptance	○	⊙	⊙	●
Simple to Understand and Update	●	●	⊙	●
Affordability	●	●	⊙	●
Avoid higher taxes	○	⊙	●	●
Economic Development	●	●	⊙	●
Equitable Contributions from New Customers	≠	●	●	●
Impact on property values	⊙	⊙	≠	≠
Less reliance on future growth to pay for system	≠	●	●	●
Would the creation of a PID impact funding	≠	●	≠	≠
Existing septic users <i>allowed</i> to opt out of new system	○	○	●	●
Existing septic users <i>not allowed</i> to opt out of new system	●	●	●	●
Consider phasing systems	○	○	●	●
Impact of effluent disposal	≠	≠	≠	●

- ≠ Concern is not applicable
- Concern is not addressed
- ⊙ Concern is partially addressed
- Concern is addressed or can be incorporated into the design

Attachment C:

Example Funding Scenarios for Alternatives 1 and 7
Presented on November 12, 2013

Example Funding Scenarios*

Alternative 1

	User Fees Per 1,000 gal	"AND"	Capital Recovery Fee Fee per LUE	"AND"	Ad Valorem Tax Rate per \$100	"OR"	Local Assessment Rate per \$100
Scenario 1							
Fees and Charges	\$8.09		\$2,550.00		\$0.0400		\$0.6069
Customer Impacts							
Residential LUE's	\$72.77		\$2,550.00		\$79.93		\$1,213.75
Property Value	1 \$200,000						
Commercial LUE's	\$218.31		\$7,650.01		\$139.88		\$2,124.07
Property Value	3 \$350,000						
Costs Included	Only O&M		Partial Capital		Remaining Capital		Remaining Capital
Scenario 2							
Fees and Charges	\$8.09		\$5,100.01		\$0.0355		\$0.5394
Customer Impacts							
Residential LUE's	\$72.77		\$5,100.01		\$71.05		\$1,078.89
Property Value	1 \$200,000						
Commercial LUE's	\$218.31		\$15,300.02		\$124.33		\$1,888.06
Property Value	3 \$350,000						
Costs Included	Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 3							
Fees and Charges	\$8.09		\$7,650.01		\$0.0311		\$0.4720
Customer Impacts							
Residential LUE's	\$72.77		\$7,650.01		\$62.17		\$944.03
Property Value	1 \$200,000						
Commercial LUE's	\$218.31		\$22,950.04		\$108.79		\$1,652.05
Property Value	3 \$350,000						
Costs Included	Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 4							
Fees and Charges	\$8.09		\$10,200.02		\$0.0266		\$0.4046
Customer Impacts							
Residential LUE's	\$72.77		\$10,200.02		\$53.29		\$809.17
Property Value	1 \$200,000						
Commercial LUE's	\$218.31		\$30,600.05		\$93.25		\$1,416.04
Property Value	3 \$350,000						
Costs Included	Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 5							
Fees and Charges	\$11.08		\$5,100.11		\$0.0249		\$0.3776
Customer Impacts							
Residential LUE's	\$99.70		\$5,100.11		\$49.73		\$755.24
Property Value	1 \$200,000						
Commercial LUE's	\$299.11		\$15,300.34		\$87.04		\$1,321.67
Property Value	3 \$350,000						
Costs Included	O&M + Partial Capital		Partial Capital		Remaining Capital		Remaining Capital
Scenario 6							
Fees and Charges	\$13.95		\$5,100.30		\$0.0147		\$0.2225
Customer Impacts							
Residential LUE's	\$125.51		\$5,100.30		\$29.31		\$445.07
Property Value	1 \$200,000						
Commercial LUE's	\$376.54		\$15,300.91		\$51.29		\$778.87
Property Value	3 \$350,000						
Costs Included	O&M + Additional Capital		Partial Capital		Remaining Capital		Remaining Capital

*All rates and fees are based on preliminary numbers and will change based on final design and construction estimates. The purpose of the rates and fees in this matrix is to provide a demonstration only of how different funding alternatives can be utilized.

Example Funding Scenarios*

Alternative 7

	User Fees Per 1,000 gal	"AND"	Capital Recovery Fee Fee per LUE	"AND"	Ad Valorem Tax Rate per \$100	"OR"	Local Assessment Rate per \$100
Scenario 1							
Fees and Charges	\$13.96		\$2,572.00		\$0.0322		\$0.5208
Customer Impacts							
Residential LUE's	\$125.64		\$2,572.00		\$64.33		\$1,041.51
Property Value	1 \$200,000						
Commercial LUE's	\$376.92		\$7,716.00		\$112.58		\$1,822.65
Property Value	3 \$350,000						
Costs Included	Only Aqua Charges		Only Aqua CIAC		All City O&M + Capital		All City O&M + Capital
Scenario 2							
Fees and Charges	\$15.25		\$2,572.00		\$0.0254		\$0.4118
Customer Impacts							
Residential LUE's	\$137.21		\$2,572.00		\$50.87		\$823.50
Property Value	1 \$200,000						
Commercial LUE's	\$411.64		\$7,716.00		\$89.01		\$1,441.13
Property Value	3 \$350,000						
Costs Included	Aqua + O&M Charges		Only Aqua CIAC		All City Capital		All City Capital
Scenario 3							
Fees and Charges	\$15.25		\$5,054.85		\$0.0211		\$0.3418
Customer Impacts							
Residential LUE's	\$137.21		\$5,054.85		\$42.22		\$683.51
Property Value	1 \$200,000						
Commercial LUE's	\$411.64		\$15,164.55		\$73.88		\$1,196.14
Property Value	3 \$350,000						
Costs Included	Aqua + O&M Charges		Aqua CIAC + Partial Capital		Remaining Capital		Remaining Capital
Scenario 4							
Fees and Charges	\$15.25		\$7,537.70		\$0.0168		\$0.2718
Customer Impacts							
Residential LUE's	\$137.21		\$7,537.70		\$33.57		\$543.51
Property Value	1 \$200,000						
Commercial LUE's	\$411.64		\$22,613.09		\$58.75		\$951.15
Property Value	3 \$350,000						
Costs Included	Aqua + O&M Charges		Aqua CIAC + Additional Capital		Remaining Capital		Remaining Capital
Scenario 5							
Fees and Charges	\$15.25		\$10,020.55		\$0.0125		\$0.2018
Customer Impacts							
Residential LUE's	\$137.21		\$10,020.55		\$24.92		\$403.52
Property Value	1 \$200,000						
Commercial LUE's	\$411.64		\$30,061.64		\$43.62		\$706.15
Property Value	3 \$350,000						
Costs Included	Aqua + O&M Charges		Aqua CIAC + Additional Capital		Remaining Capital		Remaining Capital

*All rates and fees are based on preliminary numbers and will change based on final design and construction estimates. The purpose of the rates and fees in this matrix is to provide a demonstration only of how different funding alternatives can be utilized.

Attachment D:

REVISED Example Funding Scenarios for Alternatives 1 and 7
Presented on November 19, 2013

Alternative 1 Example Funding Scenarios*		User Fees Per 1,000 gal	"AND"	Capital Recovery Fee One-time Fee per LUE	"AND"	Ad Valorem Tax Annual Rate per \$100	"OR"	Local Assessment Annual Rate per \$100
Scenario 1								
Fees and Charges		\$8.71		\$2,499.93		\$0.0406		\$0.6170
Customer Impacts								
Residential		\$78.39		\$2,499.93		\$81.26		\$1,233.98
LUE's	1							
Property Value	\$200,000							
Commercial		\$235.16		\$7,499.78		\$142.21		\$2,159.47
LUE's	3							
Property Value	\$350,000							
Costs Included		Only O&M		Partial Capital		Remaining Capital		Remaining Capital
Scenario 2								
Fees and Charges		\$8.71		\$4,999.85		\$0.0369		\$0.5597
Customer Impacts								
Residential		\$78.39		\$4,999.85		\$73.71		\$1,119.35
LUE's	1							
Property Value	\$200,000							
Commercial		\$235.16		\$14,999.56		\$129.00		\$1,958.86
LUE's	3							
Property Value	\$350,000							
Costs Included		Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 3								
Fees and Charges		\$8.71		\$7,499.78		\$0.0331		\$0.5024
Customer Impacts								
Residential		\$78.39		\$7,499.78		\$66.16		\$1,004.72
LUE's	1							
Property Value	\$200,000							
Commercial		\$235.16		\$22,499.33		\$115.79		\$1,758.26
LUE's	3							
Property Value	\$350,000							
Costs Included		Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 4								
Fees and Charges		\$8.71		\$9,999.70		\$0.0293		\$0.4450
Customer Impacts								
Residential		\$78.39		\$9,999.70		\$58.61		\$890.09
LUE's	1							
Property Value	\$200,000							
Commercial		\$235.16		\$29,999.11		\$102.58		\$1,557.65
LUE's	3							
Property Value	\$350,000							
Costs Included		Only O&M		Additional Capital		Remaining Capital		Remaining Capital
Scenario 5								
Fees and Charges		\$10.96		\$4,999.91		\$0.0298		\$0.4518
Customer Impacts								
Residential		\$98.66		\$4,999.91		\$59.50		\$903.58
LUE's	1							
Property Value	\$200,000							
Commercial		\$295.98		\$14,999.74		\$104.13		\$1,581.27
LUE's	3							
Property Value	\$350,000							
Costs Included		O&M + Partial Capital		Partial Capital		Remaining Capital		Remaining Capital
Scenario 6								
Fees and Charges		\$13.92		\$5,000.04		\$0.0204		\$0.3102
Customer Impacts								
Residential		\$125.27		\$5,000.04		\$40.85		\$620.39
LUE's	1							
Property Value	\$200,000							
Commercial		\$375.81		\$15,000.13		\$71.49		\$1,085.68
LUE's	3							
Property Value	\$350,000							
Costs Included		O&M + Additional Capital		Partial Capital		Remaining Capital		Remaining Capital

*All rates and fees are based on preliminary numbers and will change based on final design and construction estimates. The purpose of the rates and fees in this matrix is to provide a demonstration only of how different funding alternatives can be utilized.

**Alternative 7
Example Funding Scenarios***

	User Fees Per 1,000 gal	"AND"	Capital Recovery Fee One-time Fee per LUE	"AND"	Ad Valorem Tax Annual Rate per \$100	"OR"	Local Assessment Annual Rate per \$100
Scenario 1							
Fees and Charges	\$12.50		\$2,572.00		\$0.0277		\$0.4479
Customer Impacts							
Residential LUE's	\$112.50		\$2,572.00		\$55.33		\$895.86
Property Value	1 \$200,000						
Commercial LUE's	\$337.50		\$7,716.00		\$96.84		\$1,567.76
Property Value	3 \$350,000						
Costs Included	Only Aqua Charges		Only Aqua CIAC		All City O&M + Capital		All City O&M + Capital
Scenario 2							
Fees and Charges	\$13.86		\$2,572.00		\$0.0219		\$0.3538
Customer Impacts							
Residential LUE's	\$124.71		\$2,572.00		\$43.70		\$707.53
Property Value	1 \$200,000						
Commercial LUE's	\$374.12		\$7,716.00		\$76.48		\$1,238.17
Property Value	3 \$350,000						
Costs Included	Aqua + O&M		Only Aqua CIAC		All City Capital		All City Capital
Scenario 3							
Fees and Charges	\$13.86		\$5,032.34		\$0.0181		\$0.2936
Customer Impacts							
Residential LUE's	\$124.71		\$5,032.34		\$36.27		\$587.25
Property Value	1 \$200,000						
Commercial LUE's	\$374.12		\$15,097.03		\$63.48		\$1,027.68
Property Value	3 \$350,000						
Costs Included	Aqua + O&M		Aqua CIAC + Partial Capital		Remaining Capital		Remaining Capital
Scenario 4							
Fees and Charges	\$14.99		\$2,572.00		\$0.0194		\$0.3149
Customer Impacts							
Residential LUE's	\$134.89		\$2,572.00		\$38.90		\$629.71
Property Value	1 \$200,000						
Commercial LUE's	\$404.66		\$7,716.00		\$68.07		\$1,101.99
Property Value	3 \$350,000						
Costs Included	Aqua + O&M + Some Capital		Only Aqua CIAC		Remaining Capital		Remaining Capital
Scenario 5							
Fees and Charges	\$14.99		\$5,032.38		\$0.0157		\$0.2547
Customer Impacts							
Residential LUE's	\$134.89		\$5,032.38		\$31.47		\$509.43
Property Value	1 \$200,000						
Commercial LUE's	\$404.66		\$15,097.15		\$55.07		\$891.50
Property Value	3 \$350,000						
Costs Included	Aqua + O&M + Some Capital		Aqua CIAC + Additional Capital		Remaining Capital		Remaining Capital

*All rates and fees are based on preliminary numbers and will change based on final design and construction estimates. The purpose of the rates and fees in this matrix is to provide a demonstration only of how different funding alternatives can be utilized.

**Alternative 7
Example Funding Scenarios***

		User Fees Per 1,000 gal	"AND"	Capital Recovery Fee One-time Fee per LUE	"AND"	Ad Valorem Tax Annual Rate per \$100	"OR"	Local Assessment Annual Rate per \$100
Alternative 7								
Fees and Charges		\$13.86		\$2,572.00		\$0.0219		\$0.3538
Customer Impacts								
Residential		\$124.71		\$2,572.00		\$43.70		\$707.53
LUE's	1							
Property Value	\$200,000							
Commercial		\$374.12		\$7,716.00		\$76.48		\$1,238.17
LUE's	3							
Property Value	\$350,000							
Costs Included		Aqua + O&M		Only Aqua CIAC		All City Capital		All City Capital
Alternative 7 - Phase								
Fees and Charges		\$13.15		\$2,572.00		\$0.0084		\$0.1365
Customer Impacts								
Residential		\$118.37		\$2,572.00		\$16.86		\$272.95
LUE's	1							
Property Value	\$200,000							
Commercial		\$355.12		\$7,716.00		\$29.50		\$477.66
LUE's	3							
Property Value	\$350,000							
Costs Included		Aqua + O&M		Only Aqua CIAC		All City Capital		All City Capital

*All rates and fees are based on preliminary numbers and will change based on final design and construction estimates. The purpose of the rates and fees in this matrix is to provide a demonstration only of how different funding alternatives can be utilized.

ATTACHMENT

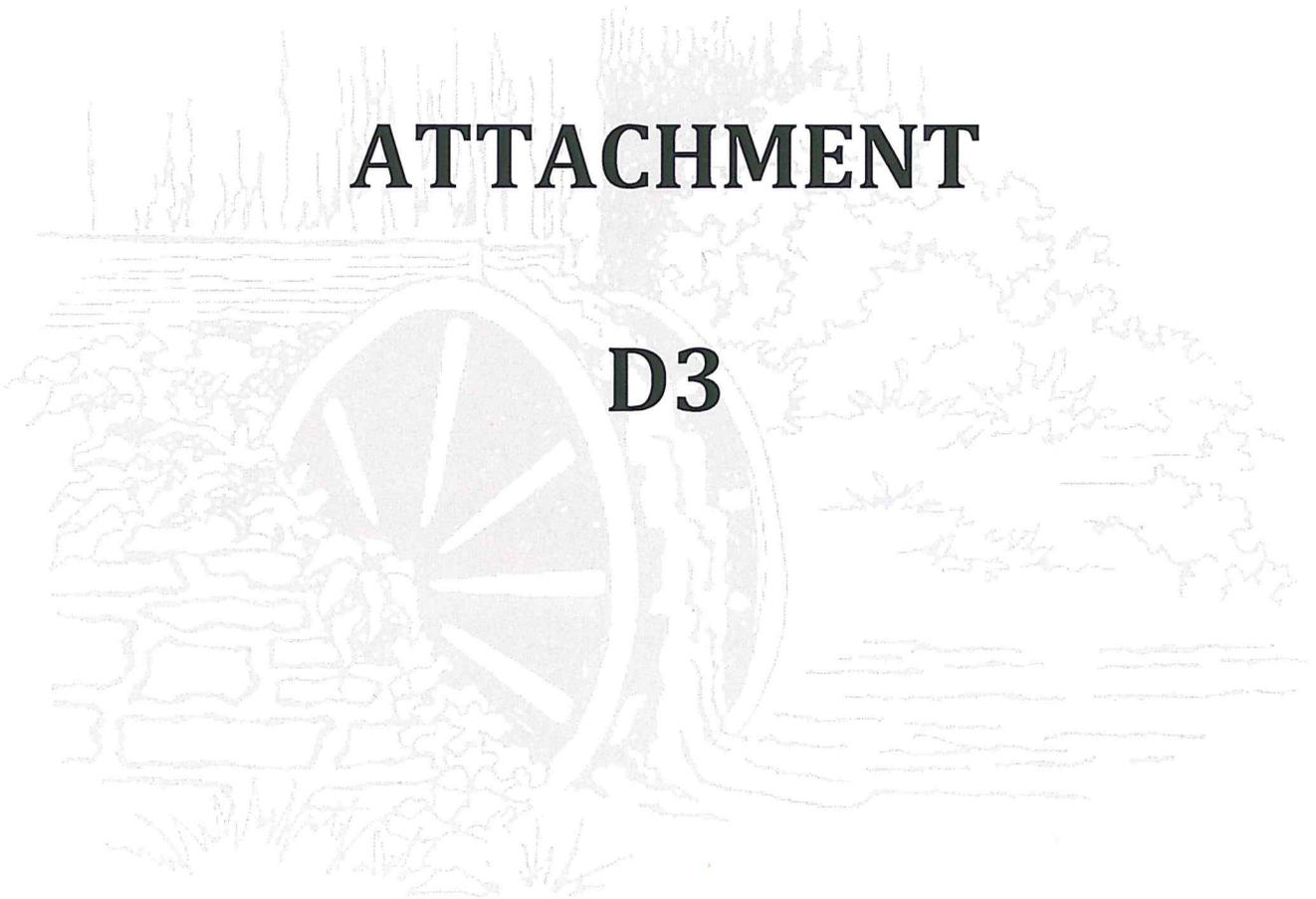
D2



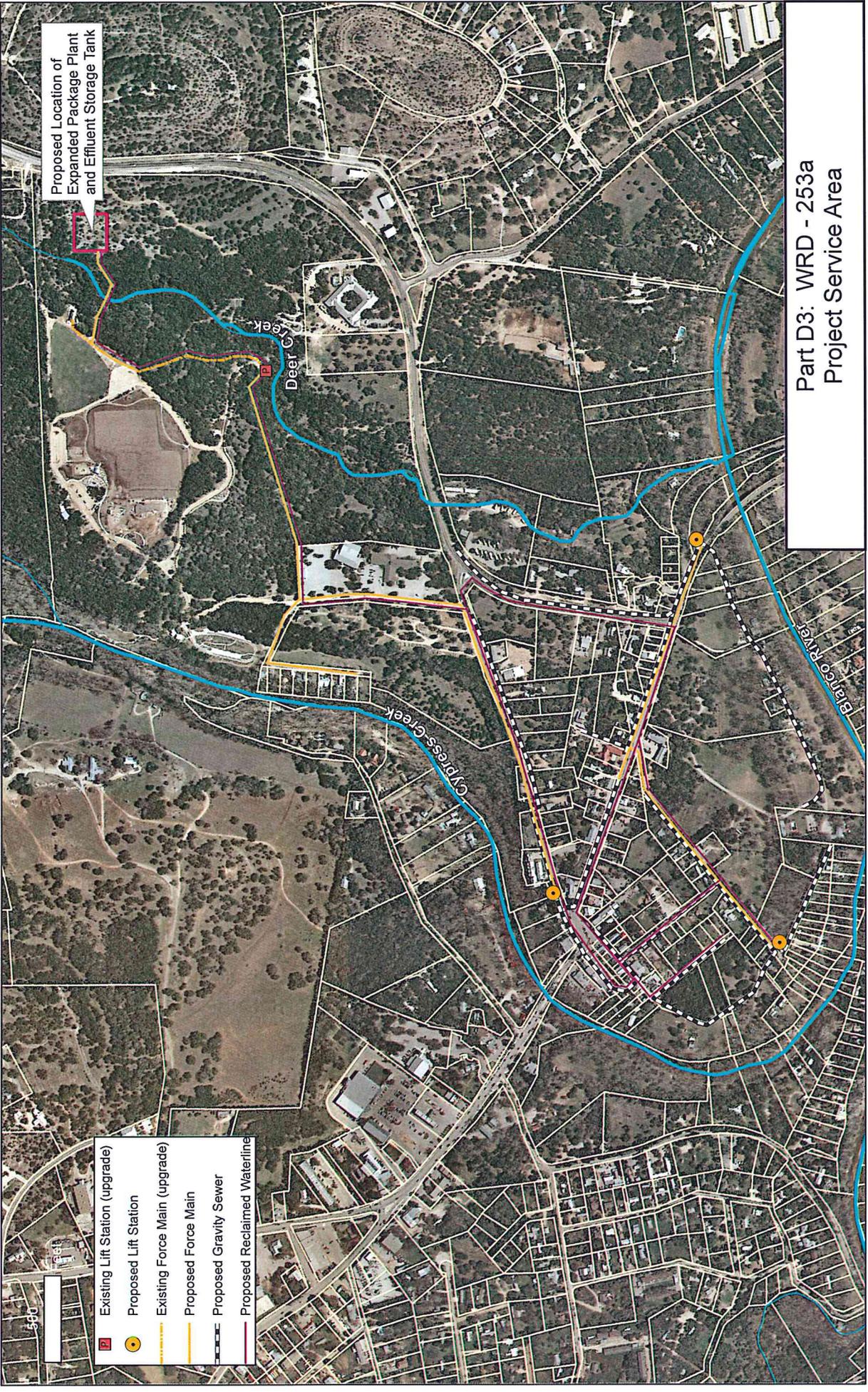
City of Wimberley - Project # 73653 - Part D2						
Uses	TWDB Funds Series 1	TWDB Funds Series 2	TWDB Funds Series 3	Total TWDB Cost	Other Funds	Total Cost
Construction						
Construction	\$0	\$4,187,582	\$0	\$4,187,582	\$0	\$4,187,582
Subtotal Construction	\$0	\$4,187,582	\$0	\$4,187,582	\$0	\$4,187,582
Basic Engineering Fees						
Planning +	\$126,000	\$0	\$0	\$126,000	\$0	\$126,000
Design	\$225,582	\$0	\$0	\$225,582	\$0	\$225,582
Construction Engineering	\$0	\$0	\$0	\$0	\$0	\$0
Basic Engineering Other **	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Basic Engineering Fees	\$351,582	\$0	\$0	\$351,582	\$0	\$351,582
Special Services						
Application	\$0	\$0	\$0	\$0	\$0	\$0
Environmental	\$15,000	\$0	\$0	\$15,000	\$0	\$15,000
Water Conservation Plan	\$0	\$0	\$0	\$0	\$0	\$0
I/I Studies/Sewer Evaluation	\$0	\$0	\$0	\$0	\$0	\$0
Surveying	\$55,000	\$0	\$0	\$55,000	\$0	\$55,000
Geotechnical	\$37,500	\$0	\$0	\$37,500	\$0	\$37,500
Testing	\$0	\$0	\$0	\$0	\$0	\$0
Permits	\$35,000	\$0	\$0	\$35,000	\$0	\$35,000
Inspection	\$0	\$0	\$0	\$0	\$0	\$0
O&M Manual	\$0	\$0	\$0	\$0	\$0	\$0
Project Management (by engineer)	\$0	\$0	\$0	\$0	\$0	\$0
Pilot Testing	\$0	\$0	\$0	\$0	\$0	\$0
Water Distribution Modeling	\$0	\$0	\$0	\$0	\$0	\$0
Special Services Other **	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Special Services	\$142,500	\$0	\$0	\$142,500	\$0	\$142,500
Other						
Administration	\$6,611	\$0	\$0	\$6,611	\$0	\$6,611
Land/Easements Acquisition	\$0	\$0	\$0	\$0	\$44,000	\$44,000
Water Rights Purchase (If Applicable)	\$0	\$0	\$0	\$0	\$0	\$0
Capacity Buy-In (If Applicable)	\$0	\$0	\$0	\$0	\$0	\$0
Project Legal Expenses	\$0	\$0	\$0	\$0	\$0	\$0
Other **	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal Other Services	\$6,611	\$0	\$0	\$6,611	\$44,000	\$50,611
Fiscal Services						
Financial Advisor	\$0	\$0	\$0	\$0	\$0	\$0
Bond Counsel	\$0	\$0	\$0	\$0	\$0	\$0
Issuance Cost	\$0	\$0	\$0	\$0	\$0	\$0
Bond Insurance/Surety	\$0	\$0	\$0	\$0	\$0	\$0
Fiscal/Legal	\$40,000	\$100,000	\$0	\$140,000	\$0	\$140,000
Capitalized Interest	\$0	\$0	\$0	\$0	\$0	\$0
Bond Reserve Fund	\$0	\$0	\$0	\$0	\$0	\$0
Loan Origination Fee	\$11,807	\$99,902	\$0	\$111,709	\$0	\$111,709
Debt Reserve	\$0	\$275,000	\$0	\$275,000	\$0	\$275,000
Subtotal Fiscal Services	\$51,807	\$474,902	\$0	\$526,709	\$0	\$526,709
Contingency						
Contingency	\$97,500	\$837,516	\$0	\$935,016	\$0	\$935,016
Subtotal Contingency	\$97,500	\$837,516	\$0	\$935,016	\$0	\$935,016
TOTAL COSTS	\$650,000	\$5,500,000	\$0	\$6,150,000	\$44,000	\$6,194,000

ATTACHMENT

D3



Texas Water Development Board Wastewater Project Information							
A. Project Name Wimberley Wastewater Collection, T		B. Project No. 73653		C. County Hays		D. Regional Planning Group (A-P): L	
E. Program(s) CWSRF - Equivalency		F. Loan Amount \$5,500,000	F. Grant Amount N/A	F. Loan Term 30 Years			
H. Wastewater Project Description: (Multiphase project, new or expansion; plant, collection system, pump station, etc.) Expand treatment plant, construct collection and reclaimed water distribution system. Attach map of service area affected by Project or other documentation.							
I. Wastewater Receiving Stream N/A		J. TCEQ Permit No. WQ0013321001		K. Segment No. N/A		L. Long. & Lat. of Discharge Location N/A	
M. Projected Wastewater Flows							
1. Design Flow MGD 0.100 (Final)		2. 2-Hour Peak MGD 0.4 (Final Ph)					
N. Proposed Permit Parameters							
1. CBOD5 mg/l n/a		4. NH3-N mg/l 2					
2. BOD5 mg/l 5		5. DO mg/l 6					
3. TSS mg/l 5		6. Other Total Phosphorous 1 mg/L					
O. Is project located in a Groundwater District (If yes, identify District by name)? Yes <input checked="" type="radio"/> Hays Trinity Groundwater Conservation District No <input type="radio"/>							
P. Projected Population from application for at least a 20 year period. Attach justification and list service area populations if different from Planning Area.	Year	Reference Year	2010	2020	2030	2040	
	Population Projection	90	90	135	135	135	
Project Design Year	2035		Design Population		135		
Q. Current Water Supply Information							
Surface Water Supply Source / Provider Names N/A		Certificate No. N/A		Source County N/A		Annual Volume and Unit N/A	
Groundwater Source Aquifer Trinity (Wimberley Water Supply C		Well Field location La Toya Trail, Wimberley,		Source County Hays		Annual Volume and Unit 206.7 MG	
R. Proposed Water Supply Associated Directly with the Proposed Project							
Surface Water Supply Source / Provider Names N/A		Certificate No. N/A		Source County N/A		Annual Volume and Unit N/A	
Groundwater Source Aquifer N/A		Well Field location: N/A		Source County N/A		Annual Volume and Unit N/A	
S. Consulting Engineer Name Stephen J. Coonan, P.E.			Telephone No. 512-452-5905		E-mail address scoonan@apaienv.com		
T. Applicant Contact Name, Title Don Ferguson, City Administrator			Telephone No. 512-847-0025		E-mail address dferguson@cityofwimberley.com		



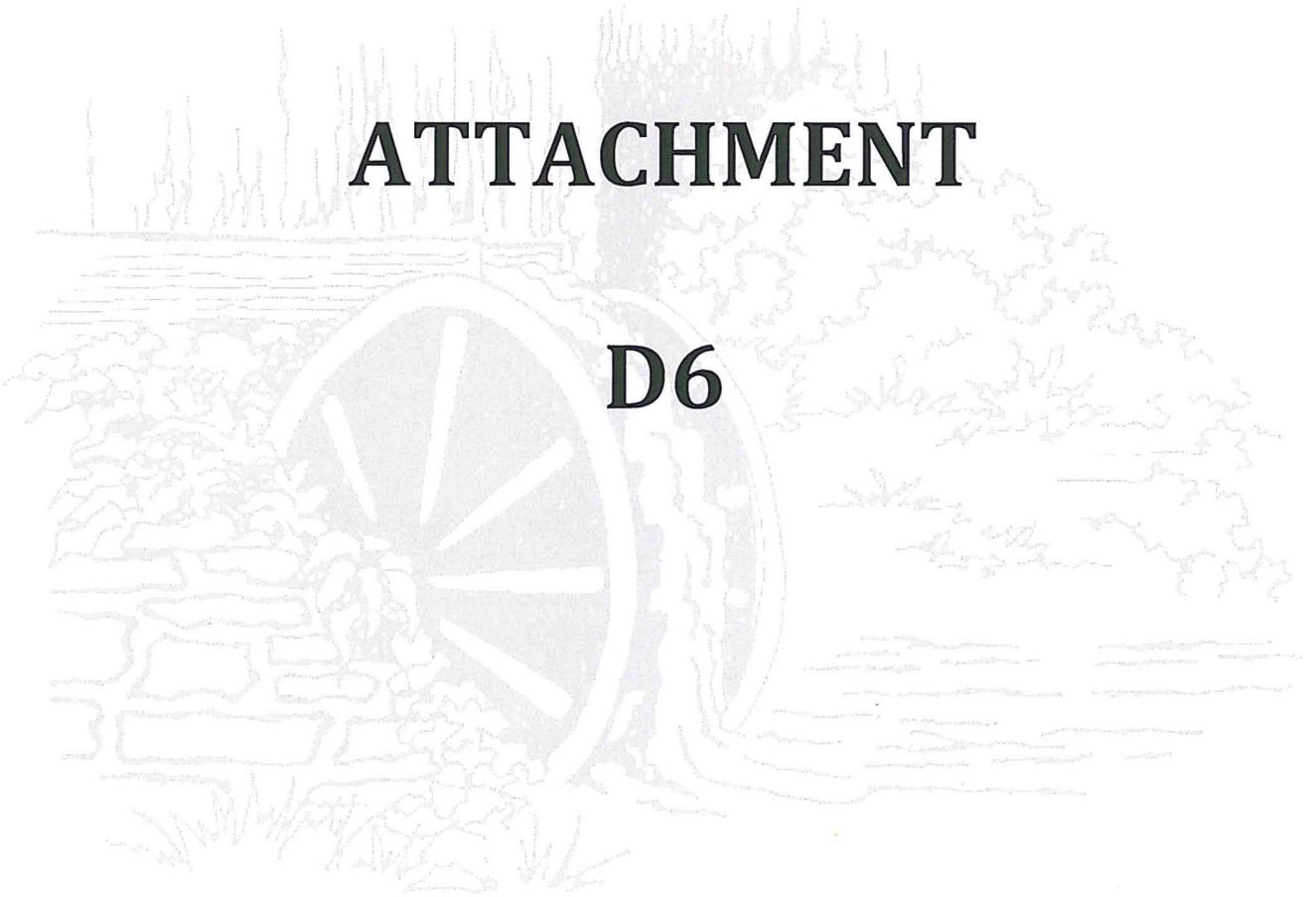
Proposed Location of Expanded Package Plant and Effluent Storage Tank

-  Existing Lift Station (upgrade)
-  Proposed Lift Station
-  Existing Force Main (upgrade)
-  Proposed Force Main
-  Proposed Gravity Sewer
-  Proposed Reclaimed Waterline

Part D3: WRD - 253a
Project Service Area

ATTACHMENT

D6



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0013321001

APPLICATION. City of Wimberley, P.O. Box 2027, Wimberley, Texas 78676, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend wastewater disposal Permit No. WQ0013321001 to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ00133321001 (EPA I.D. No. TX0135445) to authorize: the discharge into waters of the state; the addition of two phases; an increase in the discharge of treated wastewater to a volume not to exceed a daily average flow of 100,000 gallons per day; the relocation of the wastewater treatment facility to another area within the property boundaries of the current site area of the city; and to authorize provisions for disposal of the treated wastewater via subsurface soils absorption of 2.16 acres. The domestic wastewater treatment facility and disposal site are located approximately one mile northeast of the intersection of Ranch-to-Market Road 12 and Ranch-to-Market Road 3237 in Hays County, Texas 78676. The proposed discharge route is from the plant site to Deer Creek; thence to the Blanco River. TCEQ received this application on May 13, 2014. The permit application is available for viewing and copying at Wimberley City Hall, Office of the City Secretary, 221 Stillwater, Wimberley, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.003888&lng=-98.083333&zoom=13&type=r>

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application**

is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

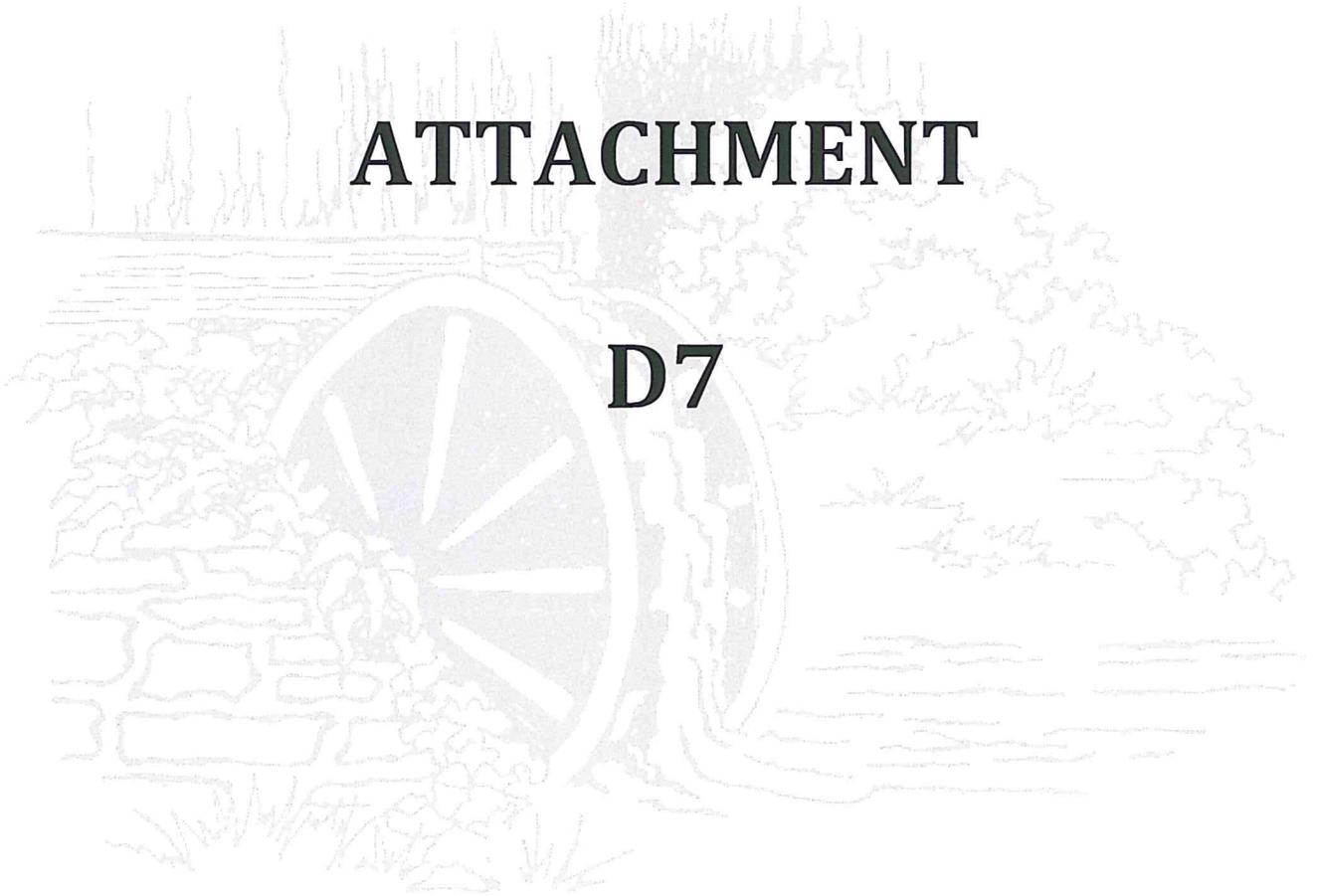
AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html. If you need more information about this permit application or the permitting process, please call TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from the City of Wimberley at the address stated above or by calling Mr. Don Ferguson, City Administrator, at 512-847-0025.

Issuance Date: July 7, 2014

ATTACHMENT

D7



Instructions for EPA FORM 4700-4 (Rev. 0 /20)

General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972.

40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Items

"Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.

"Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.

* Questions VII – XI are for informational use only and will not affect an applicant's grant status. However, applicants should answer all questions on this form. (40 C.F.R. Parts 5 and 7).

** Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.

Approval indicates, in the reviewer's opinion, questions I – VI of Form 4700-4 comply with the preaward administrative requirements for EPA assistance.

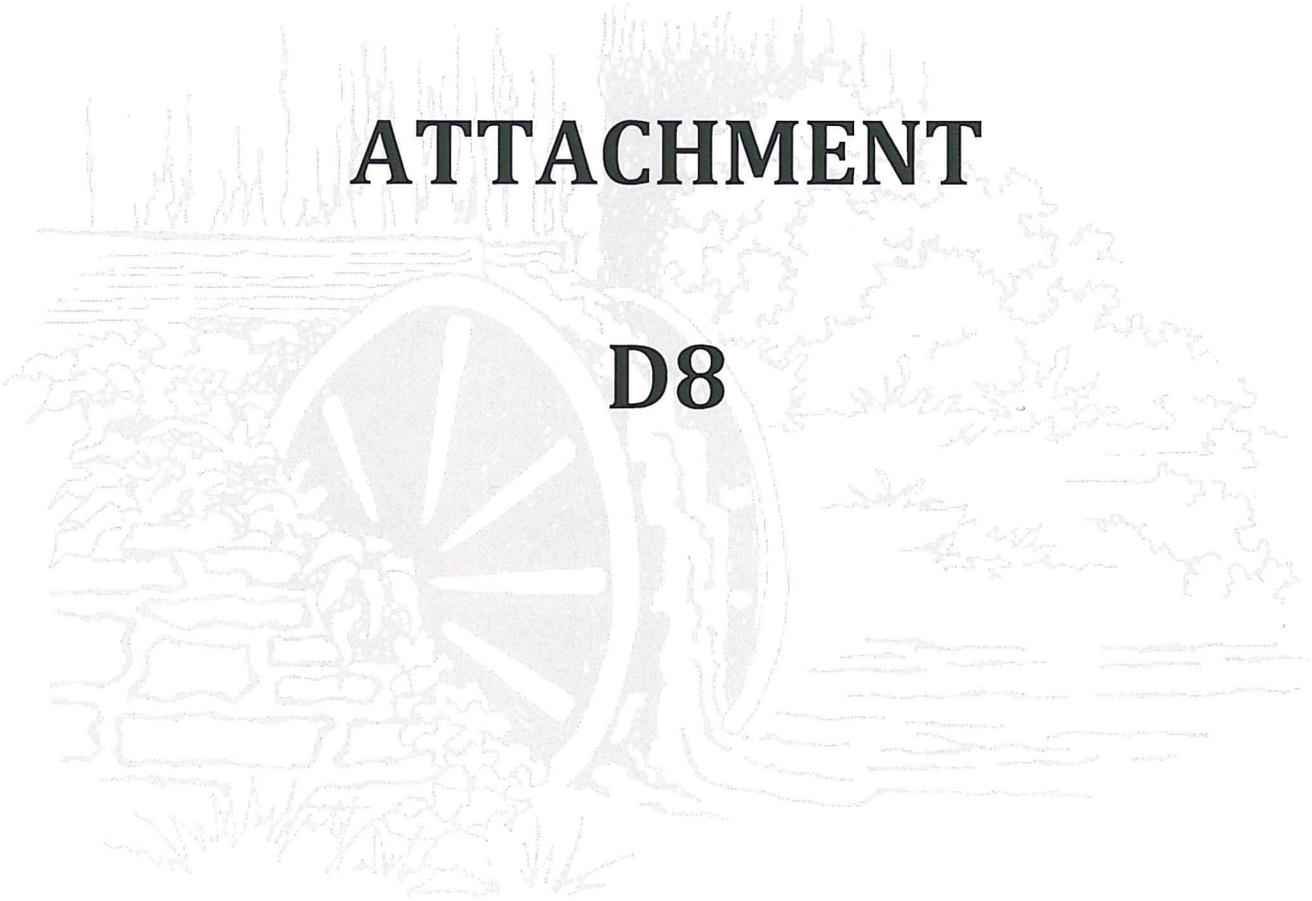
"Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to U.S. EPA, Attn: Collection Strategies Division (MC 2822T), Office of Information Collection, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes and regulations.

ATTACHMENT

D8



TWDB Project Number _____

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

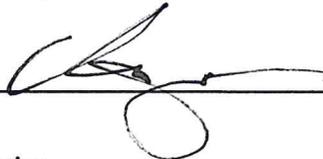
The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Typed Name & Title of Authorized Representative

Don Ferguson, City Administrator



9/18/14

Signature of Authorized Representative

Date

ATTACHMENT

D9



ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

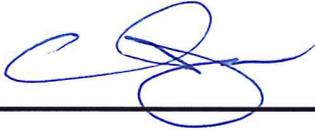
- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application. 2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives. 3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project. 4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications. 5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and | <ol style="list-style-type: none"> 8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F). 9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures. 10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of |
|---|--|

<p>specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.</p> <p>6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.</p> <p>7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.</p>	<p>1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.</p>
<p>11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.</p> <p>12. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.</p> <p>13. Will comply, as applicable, with the provision of the Davis-Bacon Act (40 U.S.C. 3141-3144), the Copeland Act (18 U.S.C. 874; 40 U.S.C. 3145), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701, et seq.; 29 CFR Part 5) regarding labor standards of federally assisted construction sub-agreements.</p> <p>14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the</p>	<p>National Environmental Policy Act of 1969 (P.L. 91- 190 and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p> <p>16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>17. Will assist the awarding agency in assuring</p>

compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

- 18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
- 19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL



TITLE
City Administrator

APPLICANT ORGANIZATION

City of Wimberley

DATE SUBMITTED

9/18/14

Previous Edition Usable

Authorized for Local Reproduction

Standard Form 424D (Rev 4-2012)
Prescribed by OMB Circular A-102

ATTACHMENT

D11



Designated Management Agency (DMA)

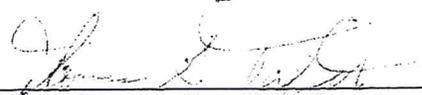
RESOLUTION

WHEREAS, the City of Wimberley, Texas has the authority to design, construct, operate, and maintain wastewater collection and treatment facilities; to raise revenues and assess appropriate charges to assure that each participating party pays its appropriate share of sewerage system costs; to accept or refuse to accept any wastes from any participating party; to accept and utilize grants or other funds from any source for wastewater management purposes; and to carry out appropriate portions of an area wide water quality management plan;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Wimberley, Texas

That the City of Wimberley seeks designation as a management agency for wastewater collection and treatment within its city limits, in accordance with the requirements of Section 208 of the Federal Water Pollution Control Act, as amended.

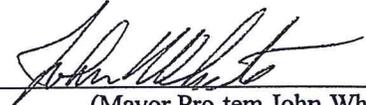
October 23, 2012
Date



(Councilmember Tom Talcott)



(Councilmember Steve Thurber)



(Mayor Pro-tem John White)



(Councilmember Mac McCullough)

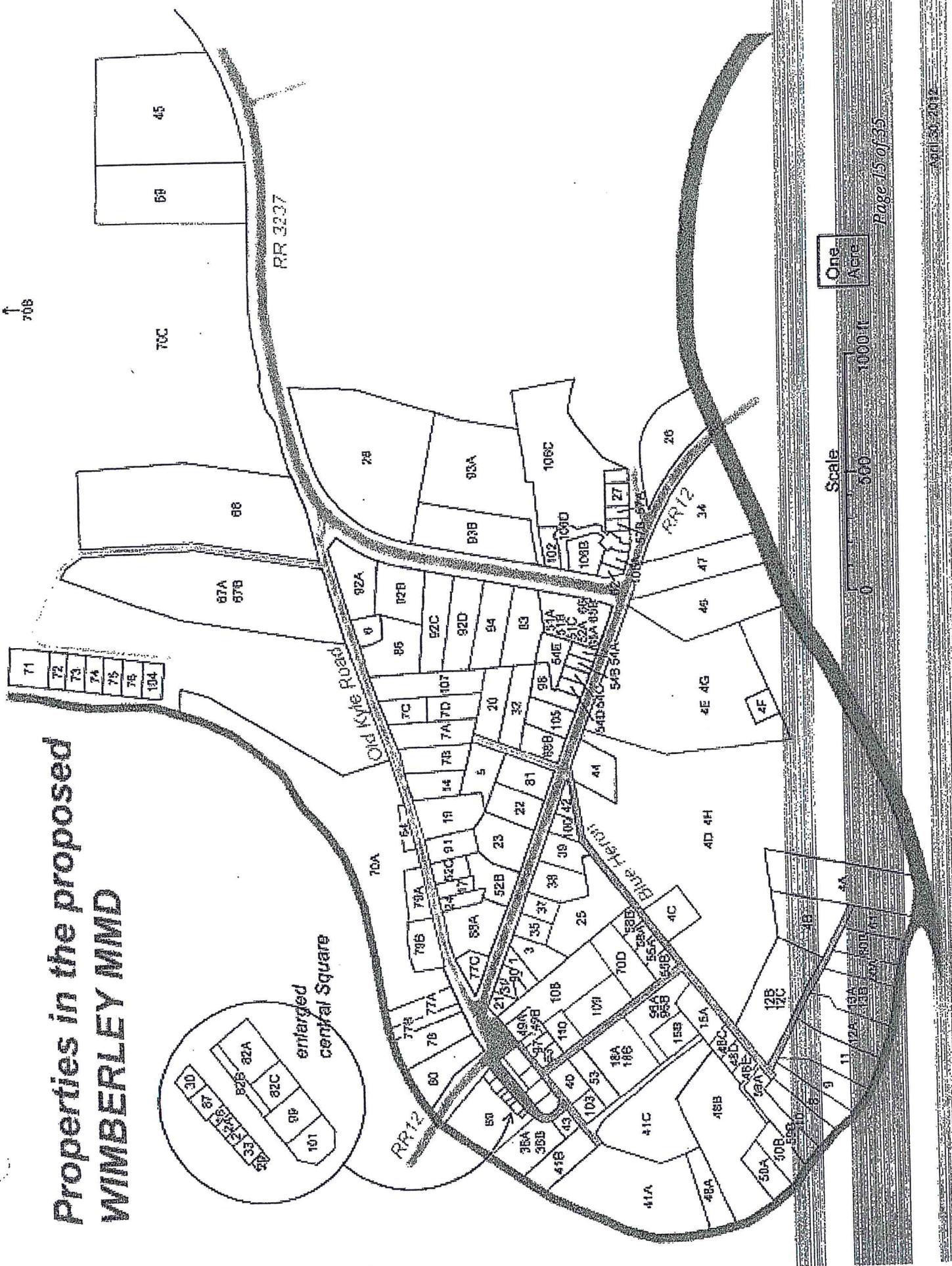
ATTEST:



(City Secretary Cara McPartland)

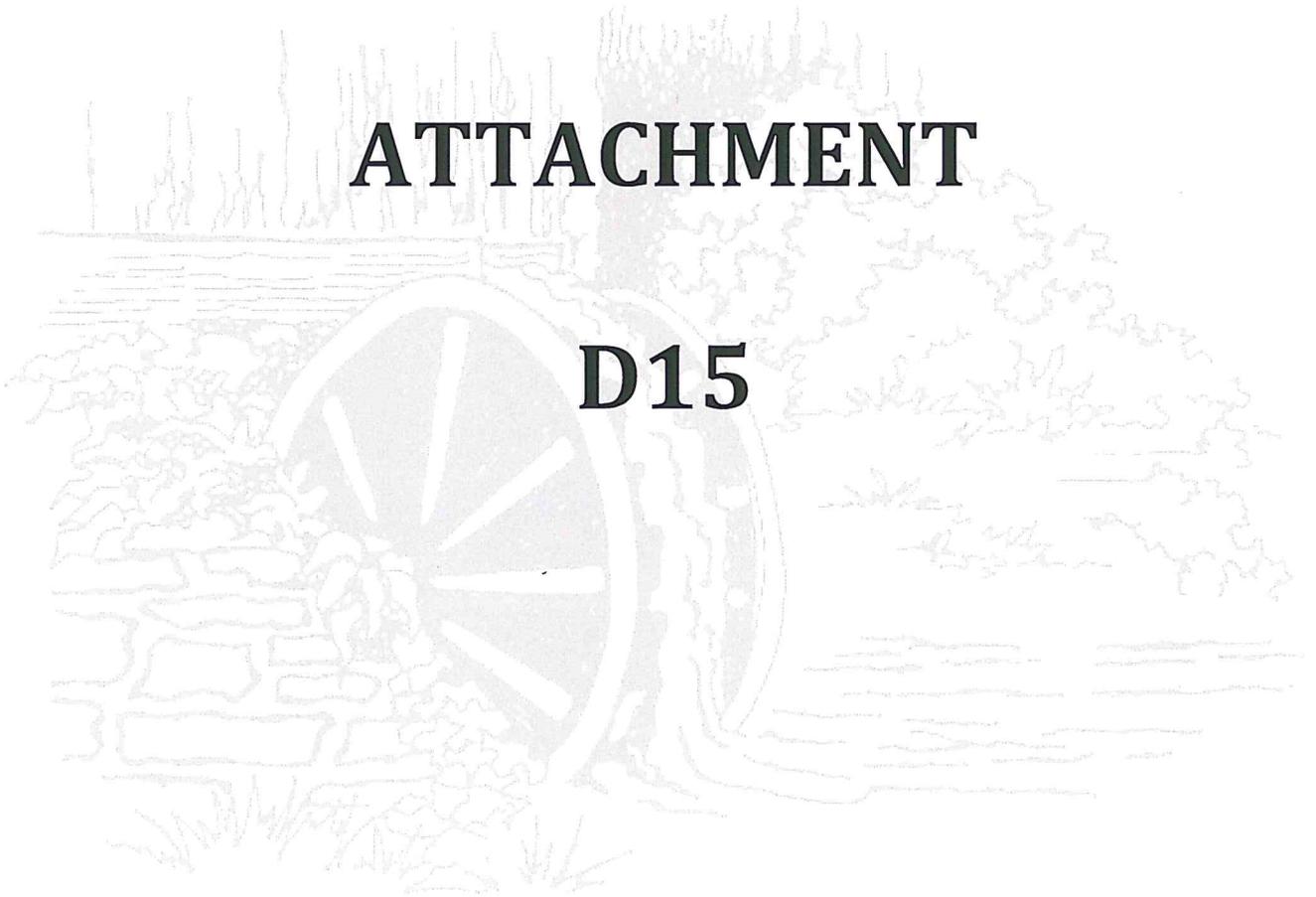
(Attach an 8 1/2" x 11" map of the planning area or city limits for which designation is requested.)

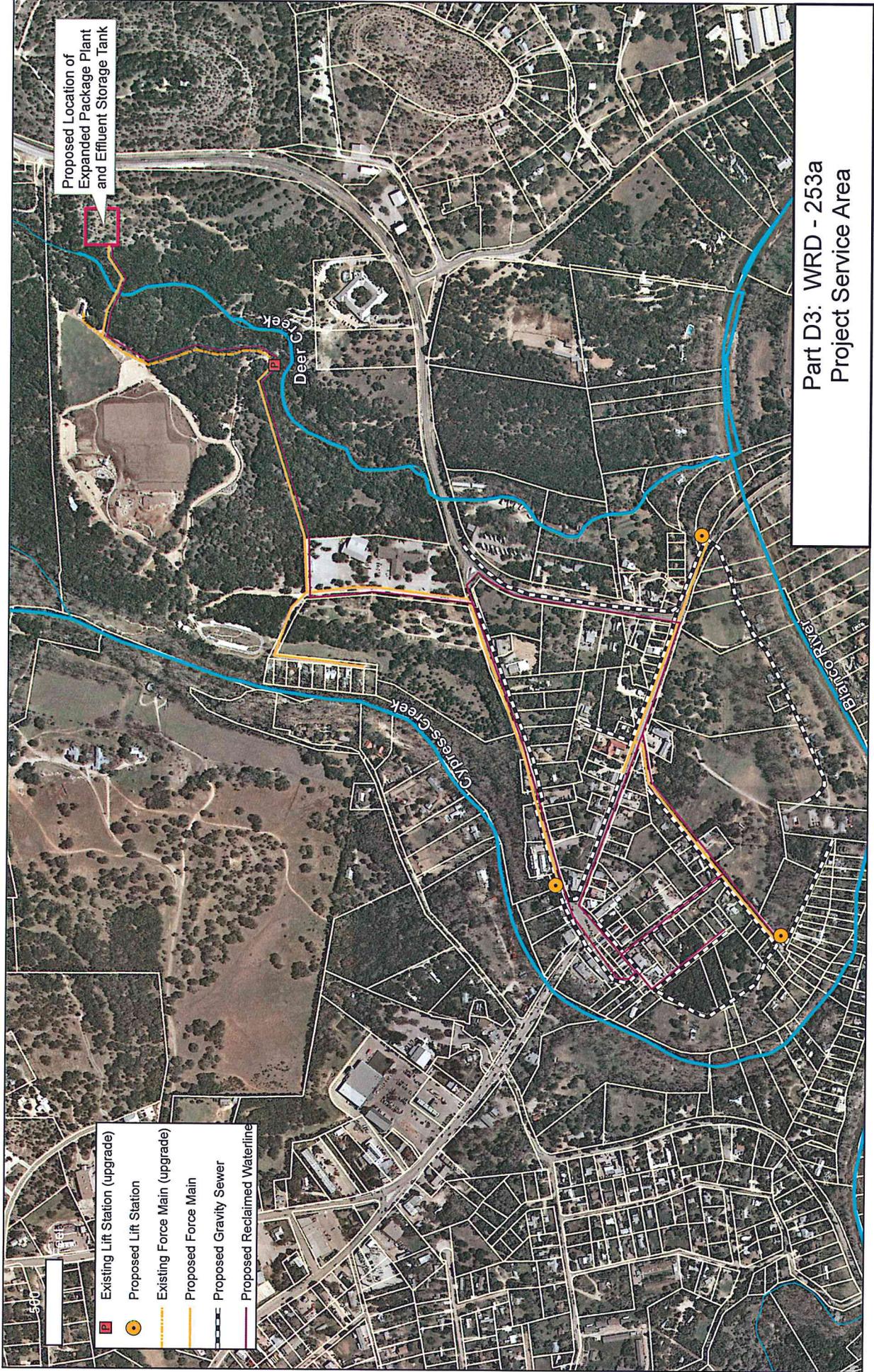
Properties in the proposed WIMBERLEY MMD



ATTACHMENT

D15

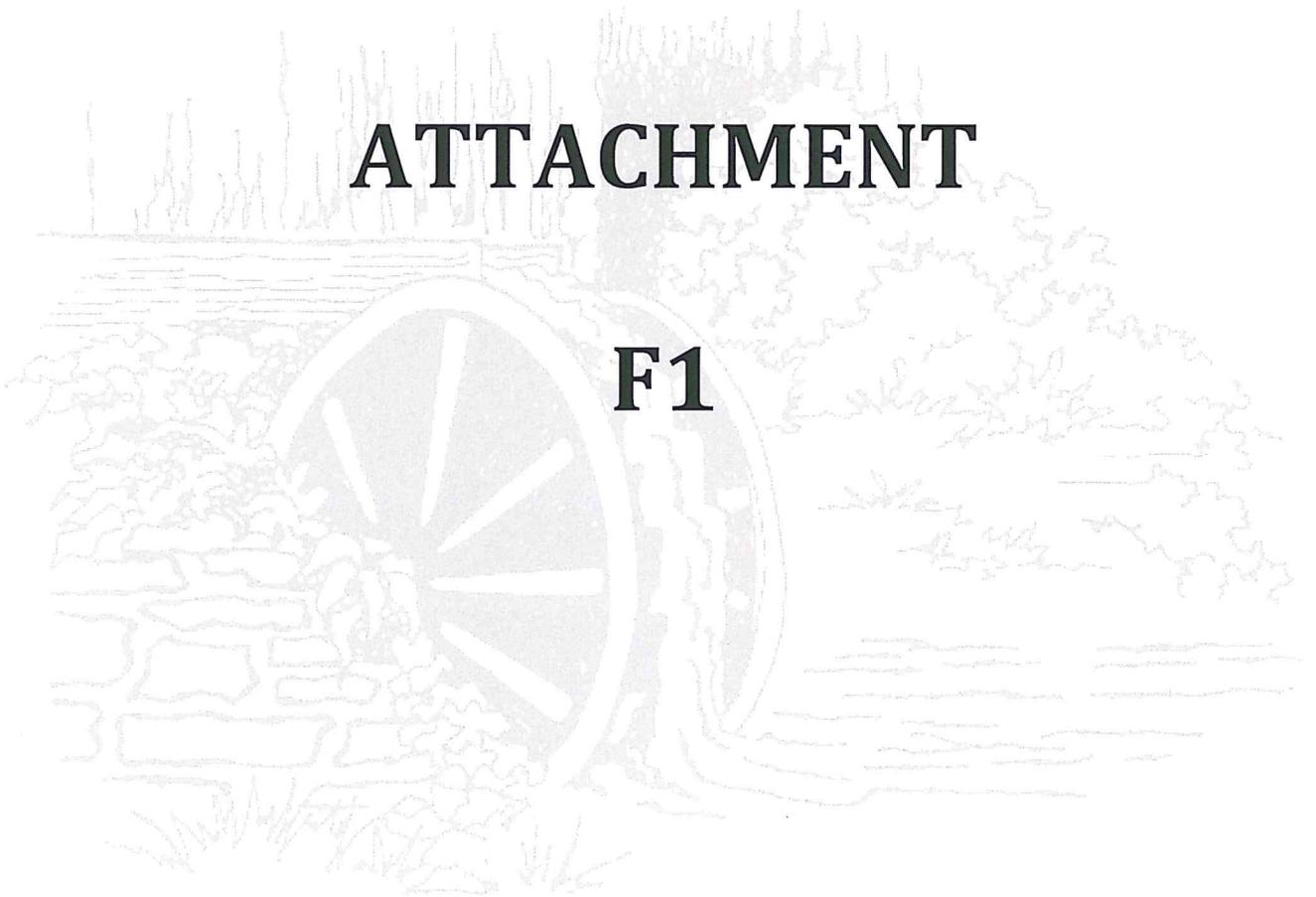


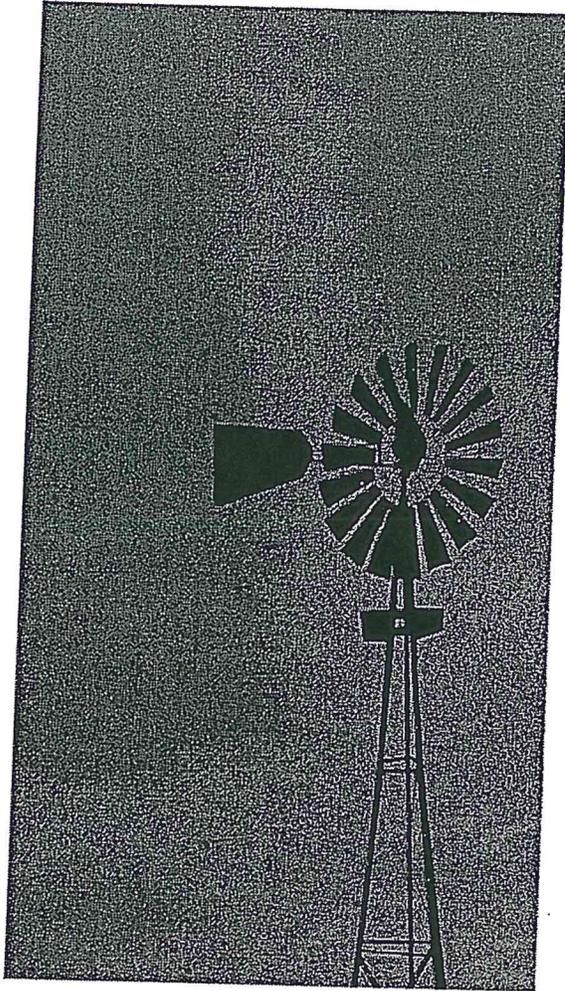


Part D3: WRD - 253a
Project Service Area

ATTACHMENT

F1





WIMBERLEY
WATER
SUPPLY
CORPORATION

DROUGHT CONTINGENCY
&
EMERGENCY WATER
DEMAND MANAGEMENT PLAN

January 2012

wimberleywatersupplycorp.com

1. INTRODUCTION

Implementation of voluntary water conservation measures and conscientious water use practices are encouraged at all times; however, additional water use restrictions are required during drought and other uncontrollable events that disrupt the availability of water supplies. Unwarranted water usage during these periods can stress water levels in our aquifers, creeks and streams.

The purpose of the Wimberley Water Supply Corporation Drought Contingency Plan is to conserve and protect our available water supply and to minimize adverse impacts caused by drought and other uncontrollable water supply emergencies. This objective will be achieved through the implementation of voluntary and mandatory demand management measures. The ultimate goal of these measures contained in this plan is to reduce non-essential water use and increase water conservation awareness. This plan has been prepared to define conditions that will initiate and terminate the demand management measures.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscaped areas, including parks, athletic fields, and golf courses, except otherwise provided under this 2012 Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, aircraft or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill or add to any indoor or outdoor swimming pools or Jacuzzi-type pools
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

This plan will be implemented according to the four drought response stages as determined by the Board. Section 4 describes the conditions that will trigger these stages.

2. COORDINATION WITH REGIONAL WATER PLANNING GROUP

Being located within the Colorado River Basin a copy of this plan has been provided to the Hays Trinity Groundwater Conservation District and the Texas Commission on Environmental Quality.

3. PERMANANT WATER USE GUIDELINES (YEAR ROUND)

The following allowances and restrictions are in effect at all times, unless superseded by more stringent restrictions upon implementation of a drought response stage.

- Waste of water is prohibited at all times.
- Irrigation with hose-end sprinklers and automatic sprinkler irrigation systems is prohibited during the day between the hours of 10:00AM and 8:00PM.

- Irrigation with hand-held bucket, hand-held hose, soaker hose and drip irrigation systems is allowed on any day and at any time.
- Irrigation of golf courses, athletic fields and commercial nurseries with sprinklers is prohibited during the day between the hours of 10:00AM and 8:00PM
- Vehicle washing.
 - Charity car washes are prohibited unless held at a commercial car wash.
 - Non-commercial vehicle washing is allowed on any day and at any time, but must be done using a hand-held bucket or a hand-held hose equipped with a positive shutoff device.
 - Commercial vehicle washing is allowed on any day and at any time.
- Swimming pools are allowed to operate and be filled as normal. It is recommended that pools be covered while not in use to minimize evaporative losses.
- Operation of non-recirculating aesthetic water features is prohibited at all times.
- Washing impervious surfaces is allowed but should be limited unless required for health and safety.
- Foundation watering is allowed on any day and at any time between the hours of 8:00PM and 10:00AM.
- Other non-essential water uses are allowed but reasonable measures shall be taken to limit usage.

4. TRIGGER CONDITIONS

The Drought Emergency Management Committee is responsible for monitoring water supply and demand conditions on a monthly basis (or more frequently if conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified triggers are reached. The Committee will monitor monthly operations reports, water supply or storage tank levels and/or rainfall as needed to determine when trigger conditions are reached. The triggering conditions described below take into consideration: the vulnerability of the water source under drought of record conditions; the production, treatment and distribution capacities of the system; and customer usage based upon historical patterns.

A. Stage I Conditions

Stage I best management practices may be implemented when one or more of the following conditions exist:

1. When water consumption has reached 80% of daily maximum supply for 3 consecutive days or the daily use has risen 20% above the use for the same period during previous year.
2. When the water level in monitored well (well #1 MT. Baldy) falls 30' from the previous year normal level for that well for the time period in consideration.
3. There is an extended period (at least 8 weeks) of low rain fall from the previous year amount for the time period in consideration.

B. Stage II Conditions

Stage II best management practices may be implemented when one or more of the following conditions exist:

1. 10% reduction in daily pumpage was not achieved in stage I for previous 60 days.
2. Water consumption has reached 90% of the amount available for 3 consecutive days.

3. Static level in monitored well (well #1 MT. Baldy) falls 40' from the historical normal level for that well for the time period in consideration.

C. Stage III Conditions

Stage III best management practices may be implemented when one or more of the following conditions exist:

1. Additional 10% reduction in daily pumpage not achieved
2. Water consumption has reached 95% of the amount available for three consecutive days.
3. Static level in monitored well (well #1 MT. Baldy) falls 50' from the historical normal level for that well for the time period in consideration.

D. Stage IV Conditions

1. Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 24 hours or longer
2. Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24-hour period.
3. Natural or man-made contamination of the supply source(s).
4. Reduction of wholesale water supply due to drought conditions.
5. Other unforeseen events which could cause imminent health or safety risks to the public.

5 STAGES OF BEST MANAGEMENT PRACTICES

The following best management practices and use restrictions are to be implemented by the triggers in Section 4. The Board shall institute monitoring and enforce penalties for violations of the use restrictions for each of the Stages listed below. The water allocation measures are summarized below.

A. Stage I Restrictions

Target: Achieve a 10% reduction in total water use and daily water demand (based on previous 60 days daily pumpage).

Wimberley WSC Best management Practices

The Corporation will notify customers of water use restrictions in effect.

Customer Water Use Restrictions for Demand Reduction

- (1) Alternate day, time of day or duration restrictions for irrigation with hose-end sprinklers or automatic irrigation systems of gardens and landscaped areas. (Example: Customers with street addresses ending in an even number may water outside areas on Sundays and Thursdays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may water outside areas on Saturdays and Wednesdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM.) However, irrigation of landscaped areas is permitted any day between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or drip irrigation system.
- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated water days between the hours of 6:00AM and 9:00AM and between 8:00PM and 11:00PM. Such washing when allowed shall be done with a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety

and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

- (3) Use of water for pressure washing is permitted on designated day and time (Customers with street addresses ending in an even number may pressure wash areas on Sundays and Thursdays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may pressure outside areas on Saturdays and Wednesdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM even or odd address)
- (4) Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00 PM. 25% of Swimming Pool water surface must be covered when pool is not in use to minimize evaporation.
- (5) Wimberley Water Supply Corporation restricts the use of water from hydrants to firefighting, related activities or other activities necessary to maintain public health, safety and welfare.
- (6) Use of water for car washes for fund raising purposes is prohibited.

B. Stage II Restrictions

Target: Achieve an additional 10% (20% total) reduction in total water use and daily water demand (based on previous 60 days daily pumpage).

Wimberley WSC Best management Practices

The Corporation will eliminate flushing operations except to meet public health requirements. The corporation will notify customers of water use restrictions in effect.

Customer Water Use Restrictions for Demand Reduction

- (1) Alternate day, time of day or duration restrictions for irrigation with hose-end sprinklers or automatic irrigation systems of gardens and landscaped areas. (Example: Customers with street addresses ending in an even number may water outside areas on Sundays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may water outside areas on Saturdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM.) However, irrigation of landscaped areas is permitted on designated days by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or drip irrigation system. (Example: Customers with street addresses ending in an even number may water outside areas on Sundays and Thursdays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may water outside areas on Saturdays and Wednesdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM.)
- (2) Customers are not allowed to use water for pre-defined non-essential purposes as listed on page 1
- (3) Use of water for pressure washing is prohibited.
- (4) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited.
- (5) Use of water to add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is permitted on your designated days and times. 50% of Swimming Pool water surface must be covered when pool is not in use to minimize evaporation.
- (6) Wimberley Water Supply Corporation restricts the use of water from hydrants to firefighting, related activities or other activities necessary to maintain public health, safety and welfare.

C. Stage III Restrictions

Target: Achieve an additional 10% (30% total) reduction in total water use and daily water demand (based on previous 60 days daily pumpage).

Wimberley WSC Best management Practices

The Corporation will eliminate flushing operations except to meet public health requirements. The corporation will notify customers of water use restrictions in effect.

Customer Water Use Restrictions for Demand Reduction

- (1) Irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with street addresses ending in an even number (0, 2, 4, 6 or 8) and Saturdays and Wednesdays for customers with street addresses ending in an odd number (1, 3, 5, 7, 9) between the hours of 6:00AM and 9:00AM and between 8:00PM and 11:00PM and shall be by means of hand-held hoses with positive shut off nozzle, hand-held buckets, or drip irrigation. **THE USE OF HOSE-END SPRINKLERS OR PERMANENTLY INSTALLED AUTOMATIC SPRINKLER SYSTEMS ARE PROHIBITED AT ALL TIMES.**
- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited.
- (3) Use of water to add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is permitted on your designated days and times. 75% of Swimming Pool water surface must be covered when pool is not in use to minimize evaporation.
- (4) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited.
- (5) Wimberley Water Supply Corporation restricts the use of water from hydrants to firefighting, related activities or other activities necessary to maintain public health, safety and welfare.
- (6) All restaurants are prohibited from service water to patrons except upon request of the patron.

D. Stage IV Restrictions

Customer Water Use Restrictions for Demand Reduction **ALL OUTSIDE WATER IS PROHIBITED.**

Wimberley Water Supply Corporation may adopt and enforce any or all additional measures as needed to protect water supplies and human health safety.

6. INITIATION AND TERMINATION PROCEDURES

Once a trigger conditions occurs, the Corporation, or its designated responsible representative, shall, based on recommendations from the Chairperson of the Drought/Emergency Management Committee, decide if the appropriate stage of best management practices and customer water use restrictions shall be initiated. The initiation may be delayed if there is a reasonable possibility the water system performance will not be compromised by condition.

Written notice of the proposed stage of water demand reduction measure and customer water use restrictions shall be mailed or delivered to each affected customer upon the initiation of each stage. In

addition, upon adoption of any stage, a notice will be placed in a local newspaper or announced on a local radio or television station. The customer notice shall contain the following information:

- a. The state (level) of water demand reduction measure to be employed
- b. The date water demand reduction measure shall begin
- c. Penalty for violations of the water demand reduction measure program
- d. Affected area or areas.

A sample Customer Notice of water demand reduction measure and customer water use restrictions is included in Miscellaneous Transaction Forms of the tariff.

If the water demand reduction measures extends beyond 30 days then the Chairperson of the Drought Emergency Management Committee or manager shall present the reasons for the measures at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the period or reduced demand measures.

When the trigger condition no longer exists then the responsible official may terminate the water demand reduction measures provided that such an action is based on sound judgment. Written notice of the end of demand reduction measures shall be given to customers. A water demand reduction measures period may not exceed 60 days without extension by action of the Board.

7. PENALTIES FOR VIOLATIONS

Under threat of penalty for violation the following water use restrictions shall apply to all persons.

- a. **First Violation-** The customer /member will be notified by a verbal and or written notice of their specific violation and their need to comply with the Drought Contingency Plan regulations (certified letter, return requested). The notice will show the amount of penalty to be assessed for continued violations.
- b. **Second Violation –** Wimberley Water Supply Corporation will assess a penalty of \$50.00
- c. **Subsequent Violations-** Wimberley Water Supply Corporation will assess an additional penalty (not to exceed six time the minimum monthly bill) for each violation occurring after the Second Violation. Wimberley Water Supply Corporation may also install a flow restricting device in the customer/member's meter service to limit the amount of water that will pass through the meter in a 24-hour period. *The costs of this procedure will be for the actual work and equipment and shall be paid by the customer/member.*
- d. **Termination-** Wimberley Water Supply Corporation may terminate water service for up to 7 consecutive days for continuing violation(s) after penalties are assessed. Service will remain off until any delinquent penalty or other assessment is fully paid including a charge for reconnection.

Any person, including a person classified as a water customer of the Wimberley Water Supply Corporation, in apparent control of the property where a violations occurs or originates shall be presumed to be the violator, and proof that the violations occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violations, but any such person shall have the right to show that he/she did not commit the violations. Parents shall be presumed to be responsible for violations of their minor children and proof that a violations, committed by a child, occurred on the property within the parents control shall constitute a rebuttable presumption that the parent committed the violations, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used violation of this Plan and that the parent could not have reasonable knowledge of the violations.

THESE PROVISIONS APPLY TO ALL CUSTOMERS OF THE CORPORATION.

NOTE: PENALTY – The TCEQ rules provide that a WSC is allowed to charge a reasonable penalty to customers that fail to comply with the Rationing Procedures in accordance with 30TAC 291.41(j) if:

- (1) The penalty is clearly stated in the tariff
- (2) The penalty is reasonable and does not exceed six (6) times the minimum monthly bill stated in the water supply corporation's tariff
- (3) The water supply corporation has deposited the penalty in a separate account dedicated to enhancing water supply for the benefit of all the water supply corporation's customers

8. EXEMPTIONS OR WAIVERS

The Drought/Emergency Management Committee or Designee may, in writing, grant a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance could cause an emergency condition adversely affecting the health or sanitation of the public or the person requesting such variance and if one or more of the following conditions are met:

- a. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other conditions for which the Plan is in effect.
- b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Drought/Emergency Management Committee or Designee after the Plan or a particular drought response stage has been invoked or after a condition justifying the variance first occurs. All petitions for variances shall be reviewed by the Committee and shall include the following:

- Name and address of the petitioner(s)
- Purpose of water use and location of service
- Specific provision(s) of the Plan from which the petitioner is requesting relief
- Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date
- Other pertinent information as requested by the Committee or Designee

Variances granted by the Committee or Designee shall be subject to the following conditions unless specifically waived or modified by the Committee or Board of Directors:

- Variances granted shall include a timetable for compliance
- Variances granted shall expire when the applicable Best Management Practice Stage is no longer in effect, unless the petitioner has failed to meet specified requirements. No variance allowed for a condition requiring water demand reduction measures will continue beyond the termination of the applicable Best Management Practice Stage.. Any variance for a subsequent water reduction measure must be petitioned again. The fact that a variance has been granted in response to a petition will have no relevance to the Committee's decision on any subsequent petition.

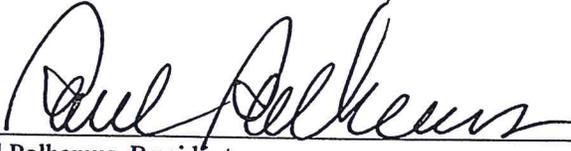
No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

9. IMPLEMENTATION

P.O. Box 10
Wimberley, Texas 78676
(512) 847-2323

The Board establishes a Drought/Emergency Management Committee by Resolution, the chairperson of which will be the responsible representative to make Drought and Emergency Water Management actions. This Committee will review the procedures in this Plan at least annually. Modifications may be required to accommodate system growth, changes in water use demand, available water supply and/or other circumstances.

This Plan was adopted by the Board at a properly noticed meeting held on December 15, 2011 and to become effective January 1, 2012.



Paul Polhemus, President



Chris Nichols, Secretary-Treasurer

ORDINANCE NO. 2009- 003

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING TITLE V (PUBLIC WORKS) BY CREATING CHAPTER 51 (WATER CONSERVATION) OF THE CODE OF ORDINANCES IN ORDER TO ESTABLISH REGULATIONS TO CONSERVE WATER; PROVIDING FOR A PENALTY FOR VIOLATIONS OF THE ORDINANCE; FINDINGS OF FACT; REPEALER, SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Wimberley ("City") is located in a region of the State of Texas where precipitation is frequently limited, and measures must be taken to conserve water; and

WHEREAS, the City Council has deemed it necessary to reduce the potential effect of a water shortage on those who live, work and visit Wimberley, Texas; and

WHEREAS, the City Council believes it is necessary to minimize the potential for water shortage through the practice of water conservation and the enactment of these regulations; and

WHEREAS, the City Council of the City of Wimberley finds there is a need to adopt provisions that will significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for the domestic sanitation and fire protection of the community to the greatest extent possible; 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 and 52; and

WHEREAS, the City Council finds that the provisions of this Ordinance are the minimum requirements necessary to promote the public health, safety, morals and general welfare, and are not in conflict with any state provisions.

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

SECTION 1. FINDINGS OF FACT

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

SECTION 2. AMENDMENT

That Title V (Public Works) of the Code of Ordinances of Wimberley, is hereby amended to create Chapter 51 "Water Conservation", to read as follows:

"Chapter 51 Water Conservation.

§ 51.01. Purpose.

§ 51.02. Jurisdiction.

§ 51.03. Definitions.

§ 51.04. Activities to be Regulated.

- § 51.05. Landscape watering.
- § 51.06. Swimming pools.
- § 51.07. Vehicle Wash Fundraisers.
- § 51.08. Washing of Impervious Surface Areas.
- § 51.09. Irrigation System Operations.
- § 51.10. Minimum irrigation area and flow direction.
- § 51.11. Irrigation System Rain Sensors.
- § 51.12. Zonal Irrigation System.
- § 51.13. Irrigation Tailwater.
- § 51.14. Water Leaks.
- § 51.15. Golf Courses.
- § 51.16. Annual irrigation system analysis for athletic fields, and large properties.
- § 51.17. Commercial Dining Facilities.
- § 51.18. Ice Machines.
- § 51.19. Vehicle Wash Facilities.
- § 51.20. Condensate Collection.
- § 51.21. Xeriscape Option.
- § 51.22. Model Home Xeriscape.
- § 51.23. Rainwater Harvesting Option.
- § 51.24. Water Purveyors.
- § 51.25. Implementation of additional water use reduction measures, ("aquifer risk").
- § 51.26. Nuisance Declared.
- § 51.27. Presumption and Exception.
- § 51.28. Variance.
- § 51.29. Access to Premises.
- § 51.30. Authorization to Enforce.

§ 51.31. Administrative Action To Abate Violations.

§ 51.32. Abatement of Nuisance or Violation.

§ 51.33. Enforcement.

§ 51.34. Defenses.

§ 51.01. Purpose.

As the City is located in a region of the State of Texas where precipitation is frequently limited, the purpose of the regulations herein are to provide the minimum restrictions on the use and conservation of water within the City limits. The provisions are designed to significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for the domestic sanitation and fire protection of the community to the greatest extent possible; and further promote the public health, safety, morals and general welfare of the citizens of Wimberley.

§ 51.02. Jurisdiction.

The provisions of this chapter shall apply within the City limits.

§ 51.03. Definitions.

Words and phrases used in this Chapter shall have the meanings set forth in this section. Words and phrases which are not defined in this Chapter but are defined in other provisions in the Code of Ordinances of Wimberley shall be given the meanings set forth in the Code. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this Chapter.

Air conditioning system(s). A mechanical system generally consisting of a compressor, thermostat and duct work permanently installed in a building for the purpose of controlling humidity and temperature. For the purposes of this chapter, an air conditioning system does not include window units.

Agricultural irrigation. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

Athletic field. A sports playing field, the essential feature of which is turf grass, used primarily for organized sports for schools, professional sports, or organized league play.

Automatic irrigation controller. A device that automatically activates and deactivates an irrigation system at times selected by the operator.

Beneficial use. The amount of water that is economically necessary for a purpose not otherwise prohibited by the city, state or federal law or regulation, when reasonable intelligence and reasonable diligence is used in applying water for that purpose.

Bucket. Bucket or other container holding five gallons or less, used singly by one person.

City Administrator. The employee serving in the capacity of the City Administrator of this city, or his or her designee authorized to implement and enforce this chapter.

Commercial dining facility. A business that serves prepared food and beverages to be consumed on the premises.

Computer controlled irrigation system (CCIS). A system comprised of a computer controller (digital operating system), software, interface modules, satellite field controllers, soil sensors, weather station, or similar devices which is capable of achieving maximum efficiency and conservation in the application of water for irrigation. A CCIS, at a minimum, should be designed to (i) prevent over watering, flooding, pooling, evaporation and run-off; and, (ii) prohibit sprinkler heads from applying water at an intake rate exceeding the capability of the soil.

Cooling Tower. An open water recirculation device that uses fans or natural draft to draw or force air to contact and cool water through the evaporative process.

Day. A twenty-four (24) hour period beginning at midnight.

Drought Management Plan. A plan for management of available water resources as prescribed by the Hays Trinity Groundwater Conservation District, Wimberley Water Supply Corporation and/or other authorized water purveyors operating within the Wimberley city limits, and as may be amended from time to time.

Essential use. A use of water which is:

(1) Essential to the protection of public health, safety, or welfare, including but not limited to use for drinking, food preparation, personal hygiene, public sanitation, control or prevention of disease and firefighting; or

(2) Essential to an industrial use or agricultural or military activity which directly supports gainful employment, unless the use is specifically defined in this chapter as a discretionary use; or

(3) Essential to irrigation use; or

(4) Watering of livestock.

Evapotranspiration rate (ET Rate). The rate which the combination of evaporation from soil surface and transpiration from vegetation will occur for specific climatic conditions.

Existing landscaping plant. A landscaping plant existing after such period of time as to accomplish an establishment and maintenance of growth.

Golf Course. An irrigated and landscaped playing area made up of greens, tees, fairways and roughs and related areas used for the playing of golf.

Gray Water. Water after use in bath and utility sinks, tubs, showers and washing machines.

Hand-held hose. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

Hose-end sprinkler. A sprinkler that applies water to landscape plants that is piped through a flexible, movable hose.

Household use. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

Impervious surface area. Any structure or any street, driveway, sidewalk, patio or other surface area covered with asphalt, concrete, brick, paving, tile or other material preventing water to penetrate the ground.

Industrial use. The use of water for or in connection with commercial or industrial activities, including manufacturing, bottling, brewing, food processing, scientific research and technology, recycling, production of concrete, asphalt, and cement, commercial uses of water for tourism, entertainment, and hotel or motel lodging, generation of power other than hydroelectric, and other business activities.

Irrigation system. Also referred to as an in-ground or permanent irrigation system, being a system with fixed pipes and emitters or heads that apply water to landscape plants or turf grass.

Irrigation system analysis. A zone-by-zone analysis of an irrigation system that, at a minimum, includes a review of the following elements:

- (1) design appropriateness for current landscape requirements;
- (2) irrigation spray heads and valves;
- (3) precipitation rates expressed in inches per hour; and
- (4) annual maintenance plan that includes irrigation system maintenance, landscape maintenance, and a basic summer and winter irrigation scheduling plan.

Landscape renovation. The removal and replacement of existing landscape plants with new landscape plants.

Landscape watering. The application of water to grow or maintain landscaping plants, such as flowers, ground covers, turf or grasses (other than golf courses or athletic fields), shrubs, and trees, but for purposes of this chapter does not include:

- (1) Essential use without waste of water by a commercial nursery to the extent the water is used for production rather than decorative landscaping;
- (2) Application of water without waste to a noncommercial family garden or orchard the produce of which is for household consumption only; and
- (3) Except when certain stages of a Drought Management Plan are in effect, application of water at any time on any day by means of a bucket, hand-held hose, soaker hose (but not one that sprays water in the air), or properly installed drip irrigation system.

Landscaping plant. Any member of the kingdom plantae, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors.

Large property. A land tract owned by a general customer that equals or exceeds five acres in size and has an irrigation system.

Livestock. Cattle, sheep, goats, hogs, poultry, horses, and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

Livestock use. The use of water for drinking by or washing of livestock.

Make-up Meter. A meter that measures the amount of water entering a cooling tower system.

Other outdoor use. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, or the washing of streets, driveways, sidewalks, patios and other similar areas.

Park. A tract of land maintained by a city, private organization, or individual, as a place of beauty or of public recreation.

Person. Any individual, corporation (including a government corporation), organization, state or federal governmental subdivision or agency, political subdivision of a state, interstate agency or body, business, trust, partnership, limited partnership, association, firm, company, joint stock company, joint venture, commission or any other legal entity.

Pervious surface. Any ground surface which can absorb water or other liquids.

Precipitation rate. The speed at which a sprinkler or irrigation system applies water. Precipitation rates are measured in inches per hour or inches per minute.

Property address. The street address of a property, unless multiple street addresses are served by a single meter, in which case the billing address will be used.

Public facilities. Municipally-owned or operated facilities.

Rain sensor. A device designed to stop the flow of water to an automatic irrigation system when rainfall has been detected.

Recycled or Reuse Water. Domestic or municipal wastewater which has been treated to a quality suitable for a beneficial use in accordance with applicable law.

Requestor. A person who requests a variance under this chapter.

Residential Customer. A single or multi-family dwelling unit containing two (2) or fewer family units.

Soil holding capacity. The amount of moisture in the soil that can occur without becoming saturated.

Sprinkler. An emitter that applies water to the landscape plants in a stream that travels through the air. Sprinkler irrigation can be applied by an irrigation system or hose-end sprayer or a soaker hose that sprays water in the air.

Swimming pool. Any structure, basin, chamber, or tank, including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

TCEQ. Texas Commission on Environmental Quality, and its successor agency.

TDS. Total dissolved solids.

Turf. A surface layer of earth containing mowed grass with roots.

Turf grass. Perennial ground cover plants and grasses that are adapted to regular mowing and traffic through management.

Vacuum system. A system, often consisting of a pump, chamber, and tubes, that is used to create a vacuum for any of a variety of purposes, including but not limited to medical, dental and industrial applications.

Vegetable garden. Any "non-commercial" vegetable garden planted primarily for household use; "noncommercial" includes incidental direct selling of produce from such a vegetable garden to the public.

Vehicle wash facility. A permanently-located business that washes vehicles with water or water-based product, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and fleet maintenance wash facilities.

Vehicle wash fundraiser. Any special-purpose vehicle wash event for which a fee is charged or donation accepted.

Water. Includes, but is not limited to potable or recycled water supplied by the Wimberley Water Supply Corporation or other water purveyor, or potable water withdrawn from any groundwater well, surface water from any river, creek, natural watercourse, pond, lake or reservoir.

Water Waste. Use of water without obtaining maximum beneficial use thereof. Waste shall also include, but not be limited to, causing, suffering, or permitting a flow of water used for landscape watering to run into any river, creek or other natural water course or drain, superficial or underground channel, bayou, or onto any sanitary or storm sewer, any street, road or highway or other impervious surface area, or upon the lands of another person or upon public lands. Waste shall also include, but not be limited to, any discharge of water used for commercial, industrial, municipal or domestic purposes to any storm, sanitary sewer, or septic system without the user first having obtained maximum beneficial use thereof. Waste shall also include, but not be limited to, failure to repair any controllable leak on property.

Water flow restrictor. An orifice or other device through which water passes at a restricted rate.

Water purveyor use. Water used for withdrawal, treatment, remediation, transmission and distribution by a potable water purveyor.

Xeriscape. A landscape consisting of a maximum of 50% turf grass, with the remaining percentage of landscape incorporating low water use plants and/or pervious hardscape. The approved low water use plant list, as may be amended from time to time, shall be available from the City of Wimberley and located at the City or City web site.

Zonal irrigation system. An irrigation system that segregates by station areas of shrubs, ground cover, bedding plants, and turf to accommodate a diversity of watering requirements.

§ 51.04. Activities to be Regulated.

The following activities shall be regulated in the manner set out herein. A person affected by such regulations may request a variance in the manner set out in Section 51.28. A violation of this Chapter shall be subject to the enforcement provisions set out in Section 51.33. It shall be and is hereby declared unlawful for any person to violate, refuse or fail to implement the requirements of this Chapter.

§ 51.05. Landscape watering.

It is the policy of the City to promote the efficient use of water without waste at all times on a year round basis. It is unlawful for any person to perform or permit landscape watering on any property within the city between the hours of 10 o'clock a.m. and 6 o'clock p.m. on any day during Daylight Savings Time, and between the hours of 11 o'clock a.m. and 7 p.m. the remainder of the year, except as expressly provided herein. Landscape watering is also restricted further during the times the Drought Management Plan of the Hays Trinity Ground Water Conservation District, Wimberley Water Supply Corporation and/or any other authorized public water purveyor within the city limits is in effect, and the stricter provisions shall prevail and control. Irrigating any turf grass, tree, plant, or other vegetation, or otherwise utilizing the water supply system to permit or cause water to pond, or to flow, spray or otherwise move or be discharged from the premises of any person responsible for any property within the corporate limits of the city to or upon any street, alley, gutter or ditch, or other public right-of-way, or into a storm water drainage system or facility shall be prohibited.

§ 51.06. Swimming pools.

Draining water from a swimming pool onto an impervious surface shall be prohibited.

§ 51.07. Vehicle Wash Fundraisers.

Vehicle wash fundraisers shall be allowed except when prohibited by the provisions of a Drought Management Plan. Such fundraisers shall be operated in such a manner so as to limit water waste.

§ 51.08. Washing of Impervious Surface Areas.

Washing driveways, sidewalks, parking areas, or other impervious surface areas on a commercial property with an open hose, or a spray nozzle attached to an open hose, or under regular or system pressure, except when required to eliminate conditions that threaten public health, safety or welfare, shall be prohibited. This restriction does not apply to residential customers except when such activity is prohibited by the provisions of a Drought Management Plan.

§ 51.09. Irrigation System Operations.

It shall be unlawful to operate a permanently installed irrigation system with a broken head or emitter, or with a head that is spraying more than 10 percent of the spray onto the street, parking lot, or sidewalk. This prohibition does not apply unless the head or emitter was designed to deliver more than one gallon of water per hour during normal use.

§ 51.10. Minimum irrigation area and flow direction.

- (A) Effective April 1, 2009, newly installed irrigation systems using pop-up spray or rotor technology shall not be used in landscaped areas which have both:
 - (1) dimensions less than five feet in length and/or width; and
 - (2) impervious pedestrian or vehicular traffic surfaces along two (2) or more perimeters.

- (B) Where pop-up spray and rotor heads are allowed in newly installed irrigation systems, they:
 - (1) must direct flow away from any adjacent impervious surface; and
 - (2) shall not be placed within four (4) inches from an impervious surface.

§ 51.11. Irrigation System Rain Sensors.

Effective April 1, 2009, rain sensors shall be installed and maintained on all irrigation systems equipped with automatic irrigation controllers on irrigation systems installed after April 1, 2009.

§ 51.12. Zonal Irrigation System.

In-ground irrigation systems installed on and after April 1, 2009, shall be zonal irrigation systems.

§ 51.13. Irrigation Tailwater.

The escape of irrigation tailwater, as that term is commonly used in the agricultural community, shall be prohibited. In addition, water loss through percolation in transmission canals shall be prohibited.

§ 51.14. Water Leaks.

Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, or a leaking faucet shall be unlawful.

§ 51.15. Golf Courses.

No golf courses located within the city limits shall be allowed to irrigate the greens, tees, roughs or fairways with potable water. Use of potable water for landscape irrigation in and around the club house will be permitted but must conform to all other requirements for landscape irrigation.

§ 51.16. Annual irrigation system analysis for athletic fields, and large properties.

- (A) An annual irrigation system analysis demonstrating no water waste shall be required for all athletic fields and large properties shall be submitted in writing to the City of Wimberley on or before May 1st of each year, beginning on May 1, 2009; and
- (B) Municipal tenants and lessees of sports and athletic playing fields, and any other municipally owned properties, shall be responsible for compliance with this section. The City shall look directly to such tenants and lessees for compliance unless the municipality concedes by contractual agreement with the tenant/ lessee to assume the tenant / lessee's responsibility for compliance.

§ 51.17. Commercial Dining Facilities.

Effective April 1, 2009, commercial dining facilities shall:

- (a) Utilize positive shut-offs for hand-held dish-rinsing wands.
- (b) Utilize water flow restrictors for all garbage disposals.
- (c) Not operate a misting system in unoccupied areas.

§ 51.18. Ice Machines.

Effective April 1, 2009, newly installed ice machines shall not be single pass water-cooled.

§ 51.19. Vehicle Wash Facilities.

- (A) Vehicle wash facilities, commencing operation on or after April 1, 2009, using conveyORIZED, touchless, and / or rollover in-bay technology shall reuse a minimum of fifty percent (50%) of water from previous vehicle rinses in subsequent washes.
- (B) Vehicle wash facilities, commencing operation on or after April 1, 2009, using reverse osmosis to produce water rinse with a lower mineral content, shall incorporate the unused concentrate in subsequent vehicle washes.
- (C) Regardless of date of operation commencement, from and after April 1, 2009, self-service spray wands used shall emit no more than three gallons of water per minute.

§ 51.20. Condensate Collection.

- (A) Newly constructed commercial buildings installing air conditioning systems on and after April 1, 2009, shall have a single and independent condensate wastewater line to collect condensate wastewater to provide for future utilization as (i) process water and cooling tower make-up and/or (ii) landscape irrigation water.
- (B) Condensate wastewater shall not be allowed to drain into a storm sewer, roof drain overflow piping system public way or impervious surface.

§ 51.21. Xeriscape Option.

Effective April 1, 2009, homebuilders and/or developers subdividing lots and/or constructing new single family residential homes shall offer a xeriscape option in any series of landscaping options offered to prospective home buyers.

§ 51.22. Model Home Xeriscape.

Effective April 1, 2009, homebuilders and/or developers who construct one or more model homes for a designated subdivision shall have at least one (1) model home per subdivision landscaped according to a xeriscape design.

§ 51.23. Rainwater Harvesting Option.

Effective April 1, 2009, homebuilders and/or developers subdividing lots and/or constructing new single family residential homes shall offer a rainwater harvesting option in any series of design options offered to prospective home buyers.

§ 51.24. Water Purveyors.

Water purveyors operating within the city limits shall be required to implement programs, such as leak detection surveys and repair programs and stabilizing and equalizing system pressure to limit water waste.

§ 51.25. Implementation of additional water use reduction measures, (“aquifer risk”).

- (A) Implementation of additional water use reduction measures may occur based on consideration of aquifer water quality or on other aquifer, seasonal or weather conditions.
- (B) Whenever the aquifer quality measures thirty percent (30%) TDS above the historical average and above the maximum TDS value for any public supply water well, the City Council, may declare additional measures to protect the aquifer as necessary.
- (C) Regardless of consideration of aquifer quality, in consultation with the Hays Trinity Groundwater Conservation District, Wimberley Water Supply Corporation and/or other authorized water purveyor determine that other aquifer, seasonal, or weather conditions warrant, the City Council may also impose additional restrictions for all water uses.

§ 51.26. Nuisance Declared.

The violation of any part of this chapter is deemed a nuisance which may be abated and enjoined by the city. Any person creating a public nuisance shall be subject to the provisions of the Code of Ordinances of the City of Wimberley and other applicable law governing such nuisances, including reimbursing the City for any costs incurred in removing, abating or remedying such nuisance. The owner of any property where such nuisance has occurred shall be liable to the City for the cost of such abatement, removal or remediation, and shall pay such cost on demand, and the City acting for itself shall have the right to file a lien on the property to secure payment of the cost of such abatement, removal or remediation of the nuisance.

§ 51.27. Presumption and Exception.

For purposes of this chapter, it shall be presumed that the person owning the property on which the violation occurred or in whose name a water meter connection is registered with the water purveyor servicing the property, is the responsible party who has made, caused, allowed or permitted a violation of the provisions of this chapter. Proof that the particular premises had a water meter connection registered in the name of the defendant cited in a criminal or civil complaint filed pursuant to this chapter shall constitute a *prima facie* presumption that the defendant is a person who made, caused, allowed or permitted a violation pursuant to the provisions of this chapter.

§ 51.28. Variance.

- (A) Owners of newly seeded or sodded turf grass and landscaping and new residential and commercial developments may receive a landscape watering permit upon application and approval by the City Administrator allowing for daily watering of the same until the turf grass and landscaping are established, which shall not exceed thirty days.
- (B) A person who is affected by these provisions may seek a variance in the manner set out herein. A person shall request a variance within thirty (30) days of the date a provision becomes apparently applicable to that person's activities and/or properties. For example, a person will have standing to seek a variance within thirty

(30) days following receipt of a formal (citation) or informal notice of violation; prior to a notice of violation; or at the discretion of the City Administrator or his designee when, in the City Administrator's judgment, to deny standing to pursue a variance would clearly deny the applicant an opportunity to have justice and equity done for the applicant's case.

- (C) Time, date, place. A person seeking a variance under these provisions shall make such request in writing to the City Administrator. Such request shall be reviewed by the City Administrator. If the application, on its face, warrants a variance, the City Administrator may grant the request without hearing. Otherwise, the City Administrator shall review such request within thirty (30) days of receipt and shall inform the requestor in writing of the time, date and place for variance hearing if necessary.
- (D) Representation and notice of City's response; First Hearing. The requestor may be represented by a duly authorized representative and may introduce such evidence as the requestor believes to be relevant. The City Administrator shall hear the request. The requestor shall receive written notification by the City Administrator within thirty (30) days of the date of the hearing whether such variance is granted or denied.
- (E) Appeal. In the event the variance is granted, the decision of the City Administrator shall be final. Should the variance be denied, however, the requestor shall have ten (10) days from receipt of the denial of the variance to seek an appeal in writing. Within thirty (30) days of the written request for an appeal from the denial of a variance, the City Council shall hear the appeal. The requestor shall be informed in writing of the time, date and place where such appeal shall be heard. The requestor and/or his authorized representatives may present evidence to the City Council about why such appeal should be granted. The City Council shall make a determination and inform the requestor within ten (10) days of the date of the hearing of the appeal whether the appeal has been granted or denied. The determination of the City Council shall be final and shall be in writing.
- (F) Variance Qualifications. Variances to the regulated activities in this chapter may be issued by the City Administrator provided that the general intent of the provisions of this chapter have been met, and strict compliance with this chapter is proven to be impracticable to accomplish and to cause unnecessary hardship. The criteria to determine hardship shall include, but not be limited to, a showing of level of capital outlay and technical complexity in relation to conservation benefit to be derived, and time and effort required to accomplish compliance with this chapter.
- (G) Variance Criteria. The City Administrator shall also develop specific criteria to be used for the granting of variances from the provisions of this chapter which are appropriate to the provision for which a variance is being sought. Such criteria shall be applied equally to each request for variance under a particular provision. A requestor shall be furnished with the criteria to be utilized by the City Administrator prior to his/her variance application and/or appeal being heard.

§ 51.29. Access to Premises.

The City and its employees shall make every effort to contact the property owner or authorized occupant prior to entering the premises. Authorized persons or agents employed by the City, at all reasonable hours, have access to properties to ascertain if water is being wasted and whether provisions of this chapter have been and are being complied with in all aspects, however, this section does not authorize entry into a residence without consent of the owner or occupant.

§ 51.30. Authorization to Enforce.

The City Administrator is authorized and directed to commence any action, in law or in equity, including the filing of criminal charges deemed necessary for the purpose of enforcing this chapter. The City Administrator may seek civil penalties or impose surcharges as may be allowed by statute and this ordinance and any other legal or equitable relief available under common law or this ordinance, under Chapter 54 of the Texas Local Government Code as it may be amended to address the subject matter of this chapter, or any other applicable city, state or federal code, ordinance, statute, rule or regulation.

§ 51.31 Administrative Action To Abate Violations.

- (A) The City Administrator may proceed administratively to remove an alleged violation of this Chapter by giving notice to the owner of the property where the alleged violation occurred, in accordance with the following procedures:
- (1) The notice shall inform the property owner of the alleged violation and state that the owner has seven (7) days from receipt of the notice to comply with this Chapter, and if such action is not taken, the City Administrator may, but is not obligated to:
 - (a) authorize that the necessary work be done or improvements made;
 - (b) pay for the expenses incurred in having the work done or improvements made; and
 - (c) charge the expenses to the property owner.
 - (2) Notice must be given personally to the property owner in writing or by certified mail return receipt requested addressed to the owner at the owner's address as recorded in the records of the Hays County Central Appraisal District.
 - (3) If notice by personal service cannot be obtained, the City Administrator may give notice by:
 - (a) publication of the notice, at least once, in a newspaper of general circulation, as defined by Subchapter C, Chapter 2051, Texas Government Code;
 - (b) posting the notice on or near the front door of each building on the property to which the violation relates; or
 - (c) posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

- (4) If notice by letter is mailed to the owner and the U.S. Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected and the notice is considered as delivered.
- (B) If the City incurs expenses for the work done or improvements made, the Council may assess the expenses and create a lien, including possible foreclosure, against the property as follows and in the manner provided by law:
- (1) The City Administrator shall send a statement of expenses to the owner, requesting that payment be made to the City Secretary within twenty (20) days after receipt of the statement. The expenses to be charged to the owner of the property shall include:
 - (a) the amount paid by the City for the work done or improvements made;
 - (b) the costs of inspection;
 - (c) the costs of providing notice;
 - (d) the costs of identifying and notifying the owner of the property; and
 - (e) any incidental expenses.
 - (2) If the violator does not pay the expenses within twenty (20) days of receipt of the statement, the City Secretary shall file a statement of expenses with the Hays County Clerk, including the owner's name, if known, and the legal description of the property. A lien attaches upon the filing of the expense statement with the Hays County Clerk.
 - (3) The lien is security for the expenses incurred by the City and interest accruing at the rate of ten (10) percent per year on the amount due from the date of payment by the City.
 - (4) The lien is inferior only to tax liens and liens for street improvements.
 - (5) The Council may bring a suit for foreclosure in the name of the City to recover the expenses and interest due.
 - (6) The Council may foreclose the lien in a proceeding brought under the Tax Code, Chapter 33, Subchapter E.
 - (7) The statement of expenses or a certified copy of the statement is prima facie proof of the expenses incurred by the City in doing the work or making the improvements.
- (C) The City, in the notice of violation, may inform the owner by regular mail and a posting on the property that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the City without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice occurs within the one-year period, and the City has not been informed in writing by the owner of an ownership change, then the City without notice may take any action permitted by this Section.

§ 51.32 Abatement of Nuisance or Violation.

- (A) The City Administrator may, without notice, abate the waste of water or other violation of this chapter on any lot parcel, or tract of land, or part thereof, within the City in accordance with the procedures in this Section.
- (B) If the City pays the cost of abating the nuisance or violation, the Council shall assess the expenses and, if necessary, create a lien against the lot or parcel of land, including foreclosure on the property, in the same manner and subject to the same conditions as that described in Section 51.31 of this Chapter.
- (C) Not later than the tenth (10th) day after the date the Council or its designee has abated the nuisance or violation, the City Secretary shall give written notice to the owner of the lot or parcel of land in the manner required by Section 51.31 this Chapter. The notice shall contain:
 - (1) an identification, which is not required to be a legal description, of the property;
 - (2) a description of the violations that occurred on the property;
 - (3) a statement that the City has abated the nuisance or violation; and
 - (4) an explanation of the property owner's right to request an administrative hearing regarding the abatement.
- (D) If, not later than the thirtieth (30th) day after the date of the abatement of the nuisance or violation, the property owner files with the City Administrator a written request for an administrative hearing, the Council shall hold and conduct the hearing.
 - (1) The hearing shall be held no later than the twentieth (20th) day after the filing of the written request for a hearing.
 - (2) At the administrative hearing:
 - (a) parties are not required to follow formal rules of evidence;
 - (b) the owner may testify or present any witnesses or written information relating to the abatement of the nuisance or violation; and
 - (c) the City may call the City Administrator or other individuals deemed appropriate to testify.

§ 51.33. Enforcement.

- (A) Violations. It shall be a violation of this chapter for any person in the corporate limits of the city that receives water service from a water purveyor authorized to supply water within the city limits, to intentionally, knowingly, recklessly or criminally negligently to allow or cause water waste, to allow landscape watering outside the prescribed hours for sprinkling, or to allow or cause any violation of any provision of this chapter.

(B) Penalties; surcharges.

(1) *Criminal.* Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon citation and conviction, shall be punished by a fine not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for the first offense; a fine not less than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00) for the second offense; a fine of not less than four hundred dollars (\$400.00) and not more than five hundred dollars (\$500.00) for the third and additional offenses. If the court determines the offense relates to public health or sanitation, the maximum fine is \$2,000.00, regardless of the number of offenses. Each violation of a particular section of this chapter shall constitute a separate offense, and each day an offense continues shall be considered a new violation for purposes of enforcing this chapter. All fines collected under this section shall be remitted to the City of Wimberley and used by the City for the furtherance of water conservation programs and to help defray the cost of enforcement of this chapter.

(2) *Civil.* Civil penalties, imposed by courts of competent jurisdiction in civil actions for violations of this chapter, may also be assessed as may be allowed by applicable state law in any amount to be authorized by the State of Texas. Under Chapter 54 of the Texas Local Government Code, the City Council may direct the City Attorney to pursue civil enforcement for injunctive relief and the imposition of up to \$1,000.00 per day civil penalties appropriately imposed by the Court. This statutory remedy is in addition to the City's common law right to bring civil actions for injunctive relief to stop harmful acts, independent of authority found in the Texas Local Government Code.

§ 51.34. Defenses.

- (A) It shall be a defense to prosecution or imposition of fines that landscape watering was performed on any plant or seed planted in or transplanted to an area within such period of time as to accomplish a reasonable establishment and maintenance of growth, generally three weeks.
- (B) It shall be a defense to prosecution or imposition of fines that landscape watering was performed by a commercial enterprise in the business of growing or maintaining plants for sale, such as plant nurseries; provided, however, that such landscape watering shall be performed solely for the establishment, growth, and maintenance of such plants and not wasted.
- (C) It shall be a defense to prosecution or imposition of fines that landscape watering was performed by a residential or commercial water customer utilizing water from an on-site rain water harvesting system.
- (D) Use of gray water, treated wastewater or reuse water is a defense to prosecution.

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

SECTION 3. EFFECTIVE DATE

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

SECTION 4. NO VESTED INTEREST

No person shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulation enacted hereby may be amended or repealed by the City Council in the manner provided by law.

SECTION 5. SEVERABILITY

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

SECTION 6. 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

FIRST READING PASSED AND APPROVED this 15th day of January, 2009, by a 5 to 0 vote of the City Council of Wimberley, Texas.

SECOND READING PASSED AND APPROVED this 5th day of February, 2009, by a 5 to 0 vote of the City Council of Wimberley, Texas.

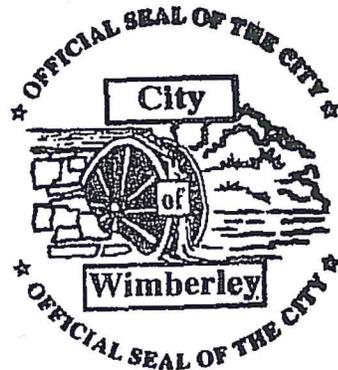
WIMBERLEY, TEXAS

By: Tom Haley
Tom Haley
Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:
Carolyn J. Crosby
Carolyn J. Crosby, Assistant City Attorney



ORDINANCE NO. 2011-030

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE V (PUBLIC WORKS), CHAPTER 51 (WATER CONSERVATION), OF THE CODE OF ORDINANCES IN ORDER TO PROHIBIT WATERING OF LAWNS OR LANDSCAPING OF ANY TYPE, PROVIDING FOR CERTAIN EXCEPTIONS TO SUCH PROHIBITION; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Texas is experiencing extreme and historic drought conditions; and,

WHEREAS, the Texas Drought Preparedness Council prepared a report in July 2011, finding the month was the third-driest July in Texas history; and,

WHEREAS, further, the water levels of areas rivers and creeks, including the Blanco River, continue to recede; and,

WHEREAS, the U.S. Drought Monitor finds that the majority of the State of Texas, including Hays County, is experiencing exceptional drought conditions; and,

WHEREAS, it is critical for the continued public health, safety and welfare of the community that all citizens in the City of Wimberley conserve water and reduce consumption for non-essential life functions; and,

WHEREAS, due to the severe drought conditions, the City Council has deemed it necessary to further reduce the potential effect of a water shortage on those who live, work and visit Wimberley, Texas; and,

WHEREAS, individual area water purveyors have instituted various stages of water conservation requirements on their specific customers; and,

WHEREAS, City Council of the City of Wimberley finds there is a need to adopt provisions that will apply to all users within the City limits regardless of their source of water supply to address the severe drought impact facing all citizens of the City; and,

WHEREAS, the City Council has adopted provisions that provide for the conservation of water; however, due to the severity of the drought and no foreseeable relief in sight, the Council finds the amendments to the regulations are the minimal needed to protect the public and are the least intrusive given the extreme environmental circumstances; and,

WHEREAS, the City is authorized to regulate the public health, safety and welfare of its citizens, and 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 and 52.

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

Section 1. Findings. 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. Amendment.

A. THAT the City of Wimberley Code of Ordinances, Title V (Public Works), section 51.25 (Implementation of additional water use reduction measures, (“aquifer risk”)) is hereby amended to read as follows:

“§ 51.25 Implementation of additional water use reduction measures

- (A) Implementation of additional water use reduction measures may be imposed based on consideration of aquifer water quality or on other aquifer, seasonal or weather conditions.
- (B) Whenever the aquifer quality measures thirty percent (30%) TDS above the historical average and above the maximum TDS value for any public supply water well, the City Council, may declare additional measures to protect the aquifer as necessary.
- (C) Regardless of consideration of aquifer quality, if the City Council determines environmental or other conditions merit additional restrictions for all water uses, the Council may impose the following water use regulations:
 - (1) Irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with street addresses ending in an even number (0, 2, 4, 6, or 8) and Saturdays and Wednesdays for customers with street addresses ending in odd numbers (1, 3, 5, 7, 9) between the hours of 6:00 AM and 9:00 AM and between 8:00 PM and 11:00 PM and shall be by means of **hand-held hoses with a positive shut off nozzle, hand-held buckets, or drip or soaker hose irrigation. THE USE OF HOSE-END SPRINKLERS OR PERMANENTLY INSTALLED AUTOMATIC SPRINKLER SYSTEMS ARE PROHIBITED AT ALL TIMES.** This section shall not apply to aerobic septic sprinklers that are in proper working order.

- (2) With the exception of commercial car washes, use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited.
- (3) Use of water to fill, refill, or add to any indoor and outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited.
- (4) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare.
- (5) All restaurants are prohibited from providing water to patrons except upon request of the patron.
- (6) The following uses of water are defined as **NON-ESSENTIAL AND PROHIBITED**:
- a. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas with the exception of wash downs required for the purpose of public safety
 - b. Use of water to wash down buildings or structures for purposes other than immediate fire protection
 - c. Use of water for dust control
 - d. Flushing gutters or permitting water to run or accumulate in any gutter or street
 - e. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s)
- (D) In the event of a conflict between Chapter 51 (Water Conservation) and the foregoing restrictions, the stricter provision shall apply. All other regulations in Chapter 51 that are not affected by the water restrictions listed above shall remain in full force and effect. Failure to abide by the restrictions listed above and regulations in Chapter 51 shall subject the violator to the penalty provisions in section 51.33 of the Wimberley Code of Ordinances.
- (E) Additional restrictions. The City Council may impose additional restrictions other than those listed in this section based upon the specific circumstances at the time of implementation.
- (F) Duration. The additional restrictions imposed by this Ordinance shall be in effect for an initial period of ninety (90) days from the date of approval of this Ordinance. Prior to the expiration of the ninety (90) days, the City Council shall

determine if conditions necessitate the modification and/or continuation of these additional restrictions. A simple majority vote of City Council amending this Ordinance shall be required to modify or continue these requirements. City staff shall have all authority to enforce and regulate such restrictions.

B. THAT the City of Wimberley Code of Ordinances, Title V (Public Works), section 51.21 (Xeriscape Option) is hereby amended to read as follows:

“§ 51.21 Xeriscape Requirement

From the date of approval of this ordinance, all landscaping installed in conjunction with new residential and commercial construction shall utilize drought tolerant plants chosen from a City approved list of drought tolerant plants.

C. THAT the City of Wimberley Code of Ordinances, Title V (Public Works), section 51.22 (Model Home Xeriscape) is hereby deleted in its entirety.

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 Meeting Act, Capt. 551, Loc. Gov't. Code.

PASSED AND APPROVED this 20th day of October, 2011, by a vote of 3 (Ayes) to 2 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS

Bob Floche

Bob Floche, Mayor

ATTEST:

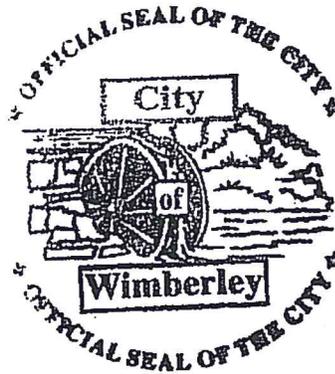
Cara McPartland

Cara McPartland, City Secretary

APPROVED AS TO FORM:

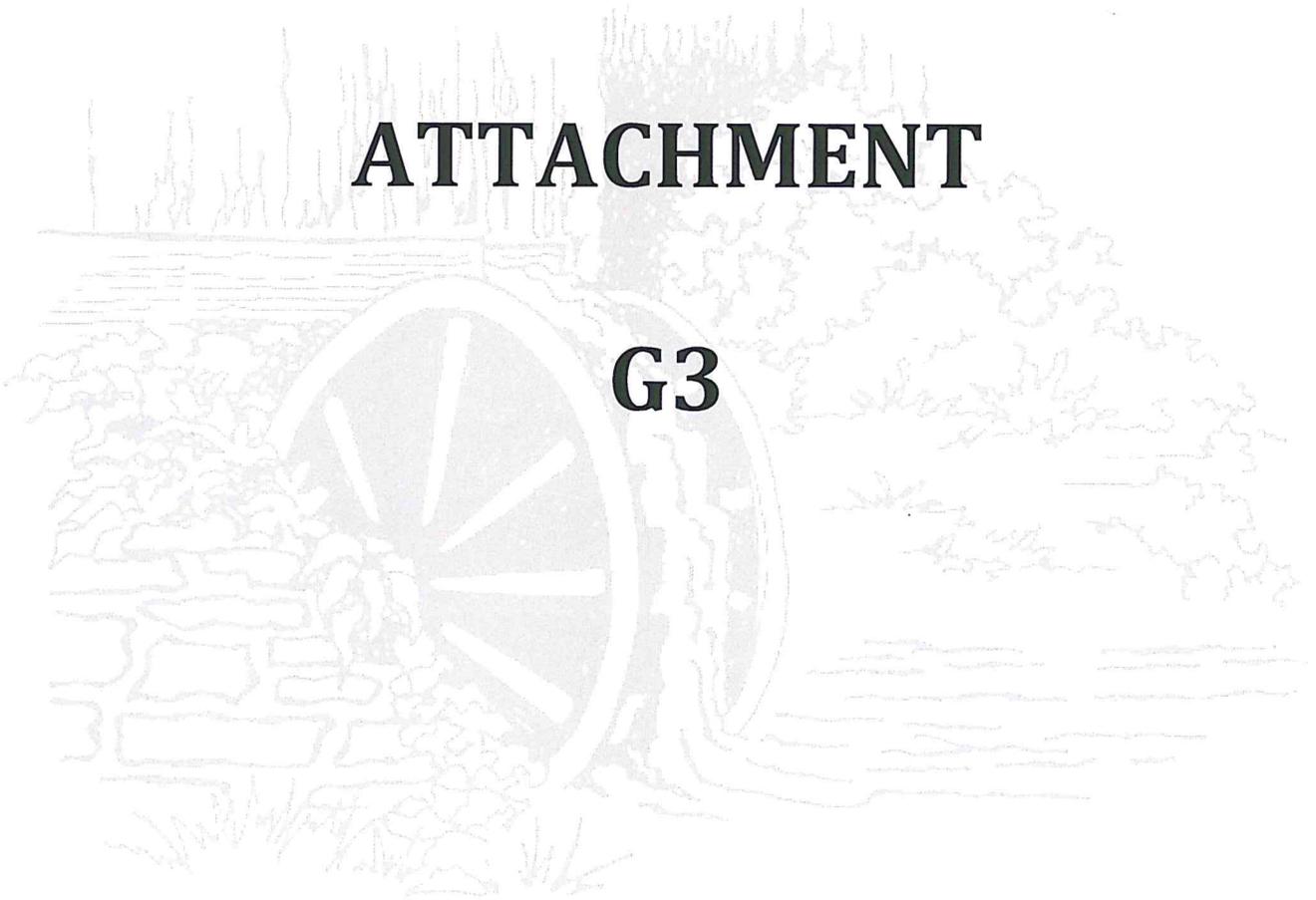
C. Crosby

C. Crosby, City Attorney



ATTACHMENT

G3



Green Project Reserve

Green Project Information Worksheets

**Clean Water State Revolving Plan
Intended Use Plan**

The Federal Appropriation Law for the current fiscal year Clean Water and Drinking Water State Revolving Fund programs contains the Green Project Reserve (GPR) requirement. The following Green Project Information Worksheets have been developed to assist TWDB Staff in verifying eligibility of potential GPR projects.

NOTE: These worksheets should only be completed after the Intended Use Plan has been developed and the entity has been notified by the Texas Water Development Board that funding is available for the project and that the entity has been invited to submit an application for financial assistance.

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**TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS**

OVERVIEW

Background

The Federal Appropriation Law for the current fiscal year Clean Water and Drinking Water State Revolving Fund programs contains additional requirements. The Green Project Reserve (GPR) is included as part of these additional requirements. The GPR requires that not less than 20% of the funds made available from the capitalization grant shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. In a memo dated April 21, 2010, EPA outlined procedures for implementing these additional requirements. Attachment 2 of this memo provided guidance for determining GPR project eligibility and is available from the Texas Water Development Board as guidance form TWDB-0161.

TWDB GPR Procedures

The selection process for GPR projects involves an initial step in which potential GPR projects are listed in ranked order in the Intended Use Plan (IUP). Project GPR status in the IUP is based on preliminary "Green" information provided by the potential applicant on the Project Information Form (PIF) during the IUP solicitation phase. This is followed by a verification process in which the potential applicant is required to provide adequate documentation to verify the project or project components as either categorically or business case eligible for the GPR. The applicant will be required to provide complete information for approval prior to presentation to the Board for a funding commitment. In accordance with EPA instructions, all approved business cases will be made available to the public and posted on the TWDB website after a funding commitment is made.

To accomplish the above, TWDB staff is providing the attached GPR guidance and Green Project Information Worksheets to communities being considered for funding through the GPR. Information provided on these worksheets will be used by TWDB staff to verify GPR eligibility. TWDB staff may issue comments or request additional information depending on the type of "green" improvements proposed and the adequacy of information provided by the potential applicant on these worksheets. These worksheets will not be considered complete until all TWDB staff comments are addressed and any requested information is provided.

Program requirements for business case eligible GPR projects will be considered met only after the business case submittal is approved. The business case submittal will consist of the completed Green Project Information Worksheets with the applicant's business case and supporting documents attached. Program requirements for categorically eligible GPR projects will be considered met upon submittal of the completed Green Project Information Worksheets.

**TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS**

Information on Completing Worksheets

Complete the following worksheets for projects being considered for the Green Project Reserve (GPR). Part II should be completed for projects or project components considered categorically eligible. Part III should be completed for projects or project components considered business case eligible.

The intent of these worksheets is not to require exhaustive responses or redundant information. Information provided on these forms may be concise but must be of sufficient detail such that the GPR eligibility is clearly demonstrated. Information requested on these forms already provided to the TWDB during the Intended Use Plan (IUP) project solicitation period in the form of a detailed business case may be included by reference.

Refer to EPA GPR guidance (TWDB-0161) available at the link below when completing these worksheets. Additional TWDB guidance is provided on the following pages and throughout the worksheets.

<http://www.twdb.state.tx.us/assistance/financial/resources/documents/TWDB-0161.pdf>

Many of the worksheets following require a detailed description of the proposed improvements. This description should accomplish various goals. The overall rationale and justification of the project or proposed improvements being considered for the GPR should be clearly demonstrated and the proposed improvements should be sufficiently described such that it is clear that the proposed GPR improvements will achieve the anticipated benefits and savings. Furthermore, certain types of GPR projects may require a more detailed analysis than others to adequately justify GPR eligibility. Although the space provided for responses is limited, additional pages should be attached as necessary.

For questions or additional information on completing worksheets, please contact:

John J. Muras, P.E.
1700 North Congress Avenue
P.O. Box 13231
Austin, Texas 78711-3231
john.muras@twdb.state.tx.us
Ph: (512) 463-1706
Fax: (512) 475-2086

**TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS**

Additional Guidance for Common GPR Projects

The purpose of this Texas Water Development Board GPR guidance is to provide additional information and clarification for certain types of GPR projects described in EPA's GPR guidance document titled *Attachment 2 , 2010 Clean Water and Drinking Water State Revolving Fund 20% Green Project Reserve: Guidance for Determining Project Eligibility* (TWDB-0161), see link below. Information provided herein should be considered supplemental and is intended to support TWDB-0161 guidance by emphasizing and further describing specific requirements for certain types of GPR projects. For project types not specifically described herein, EPA GPR guidance (TWDB-0161) should be used to evaluate GPR eligibility.

<http://www.twdb.state.tx.us/assistance/financial/resources/documents/TWDB-0161.pdf>

Green Infrastructure

Green infrastructure includes a wide array of practices at multiple scales that manage wet weather and that maintains and restores natural hydrology by infiltrating, evapotranspiring and harvesting and using stormwater. On a regional scale, green infrastructure is the preservation and restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with the policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On the local scale, green infrastructure consists of site- and neighborhood-specific practices, such as bioretention, trees, green roofs, permeable pavements and cisterns.

Green infrastructure guidance can be found in Part A, Section 1 of the EPA GPR guidance (TWDB-0161).

Water Efficiency

EPA's WaterSense program defines water efficiency as the use of improved technologies and practices to deliver equal or better services with less water. Water efficiency encompasses conservation and reuse efforts, as well as water loss reduction and prevention, to protect water resources. A few common types of water efficiency improvements eligible for the Clean Water SRF GPR are further described below.

Reuse / Reclaimed Water

Reuse or reclaimed water projects that replace potable sources with non-potable may be categorically eligible for the GPR under the water efficiency category. Part A, Section 2.2-6 of the EPA GPR guidance addresses recycling and water reuse projects. The extra treatment cost, pumping and distribution pipes associated with the water reuse count towards the eligible costs. Golf course irrigation with reuse water is an eligible activity.

Energy Efficiency

Energy efficiency is the use of improved technologies and practices to reduce the energy consumption of water quality projects, use energy in a more efficient way, and/or produce/utilize renewable energy. Part A, Section 3.0 of the EPA GPR guidance (TWDB-0161) addresses energy efficiency GPR requirements for the Clean Water SRF program. Energy efficiency benefits and savings must be clearly identifiable and a substantial part of the rationale or justification for the project and not simply incidental. A few common types of energy efficiency projects eligible for the GPR are further describe below.

Renewable Energy

Renewable energy projects, such as wind, solar, geothermal and micro-hydroelectric and biogas combined heat and power systems (CHP) that provide power to a POTW are considered categorically eligible for the GPR. These projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 3.2-1.

System or Unit Process Improvements

According to Part A, Section 3.2-2 of the EPA GPR guidance, projects may be categorically eligible for the GPR if the project achieves a 20% reduction in energy consumption. The following criteria apply:

- 1) Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. In the Clean Water SRF program, a system or unit process approach is used to evaluate energy reduction as opposed to an individual component approach.
- 2) The energy used by the existing system should be based on name plate data when the system was first installed, recognizing that the old system may be currently operating at a lower overall efficiency than at the time of installation.
- 3) A project that achieves less than a 20% reduction in energy efficiency may still be eligible for the GPR but must be justified using a business case.
- 4) Any energy efficiency projects requiring a business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.
- 5) New publicly owned treatment works or capacity expansion projects are expected to be designed to maximize energy efficiency and are expected to select high efficiency premium motors where cost effective, therefore, these types of projects are not eligible for the GPR.

Lift Station Elimination

Lift station elimination projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Lift station elimination projects may be eligible for the GPR based on the following:

- 1) According to Section 3.2-2, the project may be categorical if it achieves a 20% reduction in energy consumption. Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. Therefore, for a lift station elimination project to be considered as categorically eligible, it would have to account for at least 20% of all energy consumed by lift stations in the system.
- 2) Section 3.5-3 lists pump station elimination projects as an example of a project requiring a business case to justify GPR eligibility. To be eligible under this option the business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.

Inflow/infiltration

Inflow/infiltration (I/I) projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Sections 3.5-4 and 3.5-5 specifically lists I/I projects as examples of projects that require a business case to justify GPR eligibility. The following applies:

- 1) According to Section 3.5-4, I/I correction projects that save energy from pumping and reduced treatment costs and are demonstrated to be cost effective are eligible for the GPR. These projects cannot add new structural capacity.
- 2) According to Section 3.5-5, I/I correction projects where excessive groundwater infiltration is contaminating the influent requiring otherwise unnecessary treatment processes (i.e. arsenic laden groundwater) and are demonstrated to be cost effective are eligible for the GPR.

Environmentally Innovative

Environmentally innovative projects include those that demonstrate new and/or innovative approaches to delivering services or managing water resources in a more sustainable way. These types of projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 4.0.

Construction of US Green Building Council LEED certified buildings is considered categorically eligible for the GPR. All building costs are eligible and any level of certification is acceptable.

Decentralized wastewater treatment solutions to existing deficient or failing onsite wastewater system may be eligible for the GPR. Refer to EPA guidance (TWDB-0161) Part A, Section 4.2-6 for requirements.

TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS

PART I – GREEN PROJECT INFORMATION SUMMARY

Check all that apply and complete applicable worksheets:

Categorically Eligible

- Green Infrastructure \$ N/A
- Water Efficiency \$ 1,650,000
- Energy Efficiency \$ N/A
- Environmentally Innovative \$ N/A

Business Case Eligible

- Green Infrastructure \$ N/A
- Water Efficiency \$ N/A
- Energy Efficiency \$ N/A
- Environmentally Innovative \$ N/A

Total Requested Green Amount \$ 1,650,000

Total Requested Funding Amount \$ 5,500,000

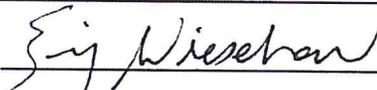
Type of Funding Requested:

- PAD (Planning, Acquisition, Design)
- C (Construction)

Completed by:

Name: Erin Wiesehan, P.E.

Title: Project Engineer

Signature: 

Date: September 18, 2014

**TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS**

PART II - CATEGORICALLY ELIGIBLE

Complete this worksheet for projects being considered for the Green Project Reserve (GPR) as categorically eligible. Categorically eligible projects or project components are described in the following sections of the EPA GPR guidance (TWDB-0161):

Green Infrastructure	Part A, Section 1.2
Water Efficiency	Part A, Section 2.2
Energy Efficiency	Part A, Section 3.2
Environmentally Innovative	Part A, Section 4.2

Information provided on this worksheet should be of sufficient detail and should clearly demonstrate that the proposed improvements are consistent with EPA and TWDB GPR guidance for categorically eligible projects. Refer to **Information on Completing Worksheets** for additional information.

Section 1 – General Project Information

Applicant: City of Wimberley PIF #: 9754, 9755, 9756

Project Name: Wimberley Wastewater Collection, Treatment and Reuse

Contact Name: Don Ferguson, City Administrator

Contact Phone and e-mail: dferguson@cityofwimberley.com (512-847-0025)

Total Project Cost: \$5,500,000 (Construction) Green Amount: \$1,650,000 (Construction)
(Categorically Eligible)

Brief Overall Project Description:

Residents and businesses in the central Wimberley area currently rely on private septic systems for disposal of wastewater. Many of these septic systems are failing and pose an immediate threat to groundwater quality and the quality of water in Cypress Creek and the Blanco River. Additionally, the potential for business growth is limited by these failing systems. In order to address these environmental and economic issues, the City of Wimberley is pursuing construction funding for a wastewater collection system, treatment plant, and wastewater reuse infrastructure (pumps, piping, irrigation system). The treatment plant will be designed to treat effluent to Type 1 Reclaimed Water limits. A majority of effluent will be used to irrigate soccer fields and other open parkland within Blue Hole Regional Park. Effluent will also be pumped to other areas in Wimberley for use in landscape irrigation and/or in retrofitted establishments for non-potable uses.

Section 3 – Water Efficiency

Certain water efficiency improvements may be considered categorically eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of categorically eligible GPR Projects. One such common type of water efficiency project is effluent reuse to replace potable water use. For this type of project, complete section 3.1 below. For any other water efficiency projects being considered for categorical eligibility, complete Section 3.2.

Section 3.1 – Wastewater Effluent Reuse

Briefly describe existing wastewater treatment and disposal system:

Residents and businesses in the central Wimberley area rely on private septic systems. The existing wastewater treatment plant treats waste from the Deer Creek of Wimberley Nursing Home and Rehabilitation Center and public restrooms on Blue Hole Regional Park. The plant discharges to a subsurface drain field. Permit limits for the plant are 35 mg/L single grab BOD. The plant treats approximately 10,000 GPD and is permitted to treat up to 15,000 GPD during the initial phase and 50,000 GPD in the final phase.

Provide a detailed description of proposed effluent reuse facilities including all additional treatment and distribution improvements. Individually list, describe and provide costs for components such as treatment units, pumping facilities and distribution lines. Description should identify reuse users and quantify potable water saved (attach additional pages if necessary):

The existing wastewater package plant will be modified and expanded to include processes to achieve high-quality Type I effluent that meets the requirements of Reclaimed Water as designated under 30 TAC 210. The expected cost for the treatment plant expansion is approximately \$750,000, of which \$124,000 is attributed to processes associated with meeting reclaimed water criteria (filtration, disinfection, and the yard piping, site work and electrical / instrumentation associated with these processes).

Effluent will be stored in a 500,000 gallon ground storage tank, where it will be pumped to various areas within Blue Hole Regional Park for irrigation. Additionally, a reclaimed water pump station will be constructed to convey treated effluent from the plant to residences and businesses along Old Kyle Road, FM 3237, RR 12 and Wimberley Square. The construction costs associated with the reclaimed water system are listed below:

Reclaimed Water Storage Tank	\$300,000
Spray Irrigation System	\$ 43,600
Pump Station	\$ 60,000
Reclaimed Waterline	\$ 755,000

The total construction costs associated with effluent reuse are \$1,650,000 (including contingencies and financing fees). This figure represents 30% of the total project cost of \$5,500,000.

Green amount associated with effluent reuse (categorically eligible): \$1,650,000

The major reclaimed water users and their anticipated water use is summarized below:

Blue Hole Regional Park	40,000 - 75,000 GPD
Wimberley Businesses & Residents	Up to 35,000 GPD

The reclaimed users listed above are currently using potable water for their irrigation needs. Constructing the reclaimed system will alleviate the demand on this valuable resource.

Section 3.2 – Other Water Efficiency Improvements

Complete this section for water efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed water efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with water efficiency: N/A
(Attach detailed cost estimate if necessary)

Section 4.2 – Energy Reduction of 20%

Provide a detailed description of the proposed project that result in a 20% reduction in energy consumption. Describe operation of the existing system and provide sufficient information establishing the base energy demand. Describe the proposed improvements providing sufficient detail to demonstrate that the proposed efficiencies will be achievable. Quantify all energy and financial savings. Attach supporting calculations.

Energy efficiency improvements to be considered for categorical eligibility should provide reference to completed planning material such as energy assessments, energy audits, optimization studies and design level project information.

Reference Completed Planning/Design Material:

- N/A _____
- _____
- _____
- _____

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with 20% energy reduction: N/A

Section 4.3 – Other Energy Efficiency Improvements

Complete this section for energy efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed energy efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with energy efficiency improvements: N/A
(Attach detailed cost estimate if necessary)

Section 5 – Environmentally Innovative

Certain environmentally innovative improvements may be considered categorically eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of categorically eligible GPR Projects.

Provide reference to applicable EPA GPR guidance (TWDB-0161) sections that demonstrates GPR eligibility and provide a detailed description of the proposed environmentally innovative project or project components.

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with environmentally innovative: N/A
(Attach detailed cost estimate if necessary)

Section 2 – Green Infrastructure

Certain green infrastructure improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed green infrastructure improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with green infrastructure (business case eligible): N/A
(Attach a detailed cost estimate if necessary)

Section 3 – Water Efficiency

Certain water efficiency improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed water efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with water efficiency (business case eligible): N/A
(Attach a detailed cost estimate if necessary)

Section 4 – Energy Efficiency

Certain energy efficiency improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. A few common types of energy efficiency projects that may be considered business case eligible, such as projects for energy efficiency (less than 20% energy efficiency improvement) and projects that eliminate pump stations (lift stations) are listed below. Complete Sections 4.1 and 4.2 if applicable. For any other energy efficiency improvement being considered for business case eligibility, complete Section 4.3.

Section 4.1 – Energy Efficiency Improvements (< 20% improvement)

Provide a detailed description of the proposed project that result in a substantial reduction in energy consumption. Describe operation of the existing system and provide sufficient information establishing the base energy demand. Describe the proposed improvements providing sufficient detail to demonstrate that the proposed efficiencies will be achievable. Quantify all energy and financial savings. Attach supporting calculations.

Energy efficiency improvements to be considered for business case eligibility should provide reference to completed planning material such as energy assessments, energy audits, optimization studies and design level project information.

Reference Completed Planning/Design Material:

<input type="checkbox"/>	N/A	_____
<input type="checkbox"/>		_____
<input type="checkbox"/>		_____

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with energy efficiency: _____ N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with lift station elimination: N/A

Section 4.3 – Other Energy Efficiency Improvements

Complete this section for energy efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed energy efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with energy efficiency (business case eligible): N/A

(Attach a detailed cost estimate if necessary)

Section 5 – Environmentally Innovative

Certain environmentally innovative improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed environmentally innovative improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with environmentally innovative (business case eligible): N/A

(Attach a detailed cost estimate if necessary)

ATTACHMENT

H1



TWDB-0215
APPLICANT/ENTITY
TEXAS WATER DEVELOPMENT BOARD
AFFIRMATIVE STEPS CERTIFICATION and GOALS

I. PROJECT INFORMATION

A. TWDB Project No.	B. Applicant/Entity Name	C. Total TWDB Funding Request	D. Program Type (insert "X" for all that apply)	
73653	City of Wimberley	5,500,000	<input type="checkbox"/>	Drinking Water SRF (DWSRF)
			<input checked="" type="checkbox"/>	Clean Water SRF (CWSRF)

II. GOOD FAITH EFFORT (Applicable to all PRIME contracts awarded by the applicant/entity)

I understand that it is my responsibility to comply with all state and federal regulations and guidance in the utilization of Minority and Women-Owned Businesses in procurement. I certify that I will make a "good faith effort" to afford opportunities for Minority Business Enterprise (MBE), and Women-Owned Business Enterprise (WBE) by:

- | | |
|---|--|
| 1 | Including qualified MBEs and WBEs on procurement solicitation lists |
| 2 | Soliciting potential MBE's and WBE's |
| 3 | Reducing contract size/quantities when economically feasible to permit maximum participation by MBE's and WBE's |
| 4 | Establishing delivery schedules to encourage participation by MBE's and WBE's |
| 5 | Using the services and assistance of the Small Business Administration, Minority Business Development Agency, U.S. Department of Commerce, and Texas Marketplace |
| 6 | Requiring all PRIME contractors to follow steps 1-5 of the "good faith effort" in employing MBE and WBE Subcontractors |

Signature - Applicant/Entity Representative	Title	Certification Date
	City Administrator	2/18/14

III. PROJECT PARTICIPATION ESTIMATES

Total Procurement Cost Category	Total	Potential MBE Participation		Potential WBE Participation	
		Goal	Extension	Goal	Extension
Construction	\$5,400,000	12.94%	\$698,760	8.72%	\$470,880
Equipment	\$	7.12%	\$0	5.39%	\$0
Supplies	\$	9.68%	\$0	9.34%	\$0
Services	\$100,000	10.84%	\$10,840	5.72%	\$5,720
Total Procurement (must equal loan/grant amount)	\$ 5,500,000		\$ 709,600		\$ 476,600

The fair share goals listed above are required by 40 CFR Part 33 Subpart D and are directly negotiated with EPA Region 6. Entities receiving federal financial assistance are subject to the TWDB's goals and may not be substituted with other agency or program goals.

IV. TWDB APPROVAL SIGNATURE

Form Meets DBE Requirements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
DBE Coordinator	Approval Date	