

City of Wimberley

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

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
12111 RANCH ROAD 12, WIMBERLEY, TEXAS
JULY 16, 2009, 6:30 P.M.

AGENDA

CALL TO ORDER: JULY 16, 2009 @ 6:30 P.M.

CALL OF ROLL: CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

CITIZENS COMMUNICATIONS:

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

1. EXECUTIVE SESSION:

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

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

2. CONSENT AGENDA

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

- (A) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JUNE 24, 2009.

- (B) APPROVAL OF MINUTE OF THE SPECIAL CITY COUNCIL MEETING OF JULY 1, 2009.
- (C) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JULY 2, 2009.
- (D) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 2, 2009.
- (E) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JULY 8, 2009.
- (F) APPROVAL OF THE APPOINTMENT OF JULIE HARRIS TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(PLACE TWO COUNCIL MEMBER BOB FLOCKE'S NOMINEE)*
- (G) APPROVAL OF THE APPOINTMENT OF JENELLE FLOCKE TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION, *(MAYOR TOM HALEY'S NOMINEE)*
- (H) APPROVAL OF APPOINTMENT OF TERRIE BURSIEL TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(PLACE FIVE COUNCIL MEMBER JOHN WHITE'S NOMINEE)*
- (I) APPROVAL OF APPOINTMENT OF GARY WEEKS TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(CONSENSUS NOMINEE)*
- (J) APPROVAL OF APPOINTMENT OF BOB CURRIE TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(PLACE ONE COUNCIL MEMBER CHARLES ROCCAFORTE)*
- (K) APPROVAL OF THE MAY 2009 FINANCIAL STATEMENTS FOR THE CITY OF WIMBERLEY. *(CITY ADMINISTRATOR)*
- (L) APPROVAL OF THE JUNE 2009 FINANCIAL STATEMENTS FOR THE CITY OF WIMBERLEY. *(CITYADMINISTRATOR)*

3. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON PROPOSED AMENDMENTS TO THE *WIMBERLEY TRANSPORTATION MASTER PLAN*
- STATUS REPORT ON THE *WIMBERLEY SQUARE SIDEWALK DEVELOPMENT GRANT APPLICATION*
- STATUS REPORT ON THE *BLANCO RIVER AND CYPRESS CREEK WATER QUALITY TESTING PROGRAM*
- STATUS REPORT ON THE OPERATION AND DEVELOPMENT OF THE *BLUE HOLE REGIONAL PARK*
- STATUS REPORT ON EFFORTS UNDERWAY TO SECURE STATE AND FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON ACTIVITIES OF THE WIMBERLEY MUNICIPAL COURT
- STATUS REPORT ON ACTIVITIES OF THE CITY MARSHAL

4. **PRESENTATIONS**

PRESENTATION BY CITY STAFF ON THE CITY OF WIMBERLEY MAYOR'S FITNESS COUNCIL *(CITY ADMINISTRATOR)*

5. **PUBLIC HEARING AND POSSIBLE ACTION**

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY WIMBERLEY RR 12 LLC TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY 5.4 ACRE TRACT LOCATED AT 10460 RANCH ROAD 12, WIMBERLEY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(WIMBERLEY RR 12 LLC, APPLICANT)*
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155(ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A 0.365 ACRE TRACT LOCATED AT 13590 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING INITIAL ZONING FOR SUCH TRACT AS COMMERCIAL-MODERATE IMPACT (C-2); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. *(WIMBERLEY RR 12 LLC, APPLICANT)*
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES, CERTAIN SUBSECTIONS OF SECTION 155.023 (DISTRICTS ESTABLISHED; DESIGNATION AND REVIEW) IN ORDER TO ADD THE "SCENIC CORRIDOR (SC)" AS A BASE ZONING DISTRICT, CREATE PLANNING AREA VII, AND REVISE THE PLANNING AREAS ACCORDINGLY; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(CITY ADMINISTRATOR)*
- (D) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES SECTION 155.093 "ENTRANCE CORRIDOR OVERLAY DISTRICT" (EC) IN ORDER TO REVISE THE SETBACK REQUIREMENTS AND ADD REQUIREMENTS RELATED TO CONSTRUCTION TYPE AND MATERIALS, LANDSCAPING AND SIGNAGE; AND PROVIDING FOR THE FOLLOWING: PENALTY; FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(CITY ADMINISTRATOR)*

- (E) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES TO ALLOW BARS AND TAVERNS IN COMMERCIAL-HIGH IMPACT (C-3) ZONING DISTRICTS WITH A CONDITIONAL USE PERMIT; LIQUOR STORES IN COMMERCIAL-MODERATE IMPACT (C-2) AND COMMERCIAL-HIGH IMPACT (C-3) ZONING DISTRICTS WITH A CONDITIONAL USE PERMIT, AND PROHIBITING THE USE WITHIN THE VILLAGE CENTER OVERLAY DISTRICT; ALLOWING THE ON-PREMISE CONSUMPTION OF ALCOHOL IN RESTAURANTS IN COMMERCIAL-LOW IMPACT (C-1), COMMERCIAL-MODERATE IMPACT (C-2) AND COMMERCIAL-HIGH IMPACT (C-3) ZONING DISTRICTS WITH A CONDITIONAL USE PERMIT; CREATING AND REVISING RELATED DEFINITIONS AND DELETING REFERENCES TO PRIVATE CLUBS; AND PROVIDING FOR THE FOLLOWING: PENALTY; FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING. *(CITY ADMINISTRATOR)*

6. **RESOLUTIONS**

CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS ENCOURAGING WATER PURVEYORS IN THE WIMBERLEY VALLEY TO IMPLEMENT THE MOST RESTRICTIVE STAGE IN THEIR RESPECTIVE DROUGHT MANAGEMENT PLANS IN RESPONSE TO THE CURRENT DROUGHT CONDITION. *(PLACE FOUR COUNCIL MEMBER STEVE THURBER)*

7. **DISCUSSION AND POSSIBLE ACTION**

- (A) DISCUSS AND CONSIDER ACTION AMENDING THE FISCAL YEAR 2009 CITY OF WIMBERLEY GENERAL FUND AND BLUE HOLE BUDGETS FOR THE PURPOSE OF ACCOUNTING FOR ACTUAL AND ANTICIPATED EXPENDITURES, AND DECLARING THE ADJUSTMENTS AS A NECESSITY. *(CITY ADMINISTRATOR)*
- (B) DISCUSS AND CONSIDER ISSUES RELATING TO THE DEVELOPMENT OF THE FISCAL YEAR 2010 OPERATING BUDGET FOR THE CITY OF WIMBERLEY. *(CITY ADMINISTRATOR)*
- (C) DISCUSS AND CONSIDER ACTION REGARDING A REQUEST FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO SPRAY HERBICIDES TO CONTROL THE VEGETATION GROWTH IN TXDOT RIGHT OF WAYS LOCATED IN WIMBERLEY, TEXAS. *(CITY ADMINISTRATOR)*
- (D) DISCUSS AND CONSIDER POSSIBLE ACTION RELATING TO THE DEVELOPMENT OF A NEW CITY HALL FACILITY FOR THE CITY OF WIMBERLEY, TEXAS. *(MAYOR TOM HALEY)*

8. **CITY COUNCIL REPORTS**

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

ADJOURNMENT

THE CITY COUNCIL MAY RETIRE INTO EXECUTIVE SESSION AT ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSING ANY MATTERS LISTED ON THE AGENDA AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE INCLUDING, BUT NOT LIMITED TO, HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087 OF THE TEXAS GOVERNMENT CODE; ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

CERTIFICATION

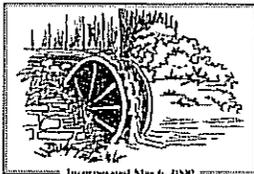
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on July 13, 2009 at 5:00 p.m.



CARA MC PARTLAND, CITY SECRETARY

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

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

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

Funds Required:

Funds Available:

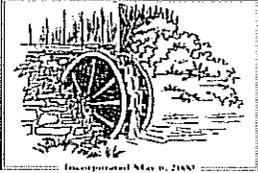
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JUNE 24,
2009 MINUTES OF SPECIAL CITY COUNCIL MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the minutes for the June 24, 2009 special City Council Meeting for review and consideration.

City of Wimberley
 City Hall, 12111 Ranch Road 12, Ste. 114
 Wimberley, Texas 78676
Minutes of Special Meeting of City Council
 June 24, 2009 at 6:00 p.m.

City Council meeting called to order at 6:15 p.m. by Mayor Tom Haley.

Councilmembers Present: Mayor Haley and Councilmembers Bob Flocke, Bill Appleman, Steve Thurber, and John White. Councilmember Charles Roccaforte had an excused absence.

Staff Present: City Administrator Don Ferguson

Workshop Session:

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

Mayor Haley suggested updating last year's list of priorities and City Administrator Ferguson reviewed last year's prioritization process/timeline, progress on certain priority items, and results in each category.

Discussion of specific issues detailing each item resulted in the following categorized list of priorities:

Critical Priority

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

Critical Moderate Priority

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

Moderate Priority

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

Low Priority

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

On-Going Priority

1. Review the need for City of Wimberley standing committees
2. Develop and implement City Volunteer Recognition Program
3. Establish better relations with other governmental bodies
4. Establish better Council communication with City boards and commissions
5. Reduce traffic congestion on relating to school and Market Days
6. Improve traffic flow and safety in entry corridors to the City
7. Provide quality services for senior citizens

Prioritization of items including exploration of becoming a home rule city, City-owned City Hall facilities, citizen survey, Blue Hole development, and street improvements were also discussed. It was understood that further additions/deletions to the above list may be considered for possible action at Council's regular meeting on July 2, 2009.

Hearing no further comments, Mayor Haley called the meeting adjourned at 7:43 p.m.

Adjournment: Council meeting adjourned at 7:43 p.m.

Recorded by:

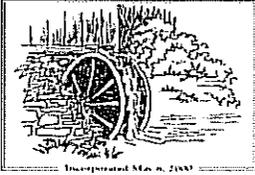
Cara McPartland

These minutes approved on the ____ of July, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JULY 1,
2009 MINUTES OF SPECIAL CITY COUNCIL MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the minutes for the July 1, 2009 special City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Special Meeting of City Council
July 1, 2009 at 9:00 a.m.

City Council meeting called to order at 9:07 a.m. by Mayor Tom Haley.

Councilmembers Present: Mayor Haley and Councilmembers Bob Flocke, Bill Appleman, Steve Thurber, and John White. Councilmember Charles Roccaforte had an excused absence.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland. Also present were Wimberley Community Center representatives Kay Henderson, Jimmie Robinson, Jim Thompson, and Dr. Curt Busk.

Workshop Session:

Discuss issues relating to the City of Wimberley assuming operation of the Wimberley Community Center.

Major points of discussion included:

- City's desire to not "micromanage" day-to-day operations
- Details of current operating agreement
- Vision/purpose statements
- Recognition of the importance of volunteerism, particularly in keeping deficits down
- Minimizing or possibly eliminating operating deficits
- Realistic expectations/goals of revenue generated
- Need to keep bureaucracy to a minimum
- Sliding scale user fees
- Exceptional job done by present staff/volunteers and need to maintain continuing positive relationships
- Ongoing fund raising suggestions such as an annual community bazaar and pursuit of grant funding
- Diversifying use of Community Center by attracting larger numbers/types of events/users and expanding public relations efforts such as increased print and website advertisements
- Possibility of shared expenses during transitional period
- Organizational relationships among paid personnel/volunteers, City administration, City Council, Parks and Recreation Board, and possible additional advisory board
- Current use/revenue patterns and potential conflict with private entities offering similar services
- Kitchen/break-out room(s) use and possible division of space in Johnson Hall for certain events

- Long-term staffing needs
- Need to review Community Center policies, procedures, fee structure, current bookings, and overall financial picture

General agreement was reached to meet as necessary during the transition period in order to get community input and to continue serving the public as efficiently as possible. Brief discussion addressed the possible use of a portion of Community Center property as a future City Hall site.

Mayor Haley called the meeting adjourned at 10:02 a.m.

Adjournment: Council meeting adjourned at 10:02 a.m.

Recorded by:

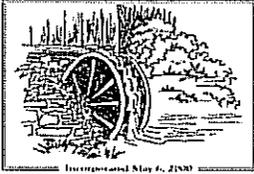
Cara McPartland

These minutes approved on the ____ of July, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JULY 2,
2009 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the July 2, 2009 Special City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Special Meeting of City Council
July 2, 2009 at 5:30 p.m.

City Council meeting called to order at 5:30 p.m. by Mayor Tom Haley.

Councilmembers Present: Mayor Haley and Councilmembers Bob Flocke, Bill Appleman, Steve Thurber, and John White. Councilmember Roccaforte had an excused absence.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and Assistant City Attorney Cindy Crosby. Legal Counsel Joanna Salinas was also present.

Executive Session

Consultation with attorney regarding pending litigation in Cause No. 08-1984, Cyndi Brown, Individually vs. City of Wimberley, Tom Haley, Individually and Don Ferguson, Individually in the 428th District Court of Hays County, Texas

Mayor Haley called the meeting to order and adjourned into Executive Session for consultation with legal counsel pursuant to Texas Government Code §551.071 at 5:30 p.m.

Mayor Haley reconvened into Open Session at 6:24 p.m. No action was taken during Executive Session.

Adjournment: Council meeting adjourned at 6:24 a.m.

Recorded by:

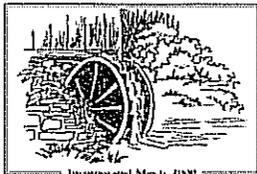
Cara McPartland

These minutes approved on the ____ of July, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JULY 2, 2009 MINUTES OF REGULAR CITY COUNCIL MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the July 2, 2009 Regular City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
July 2, 2009 at 6:30 p.m.

City Council meeting called to order at 6:30 p.m. by Mayor Tom Haley.

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

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

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and Assistant City Attorney Cindy Crosby.

Proclamation

Presentation of a proclamation recognizing Purple Heart and Bronze Star recipient Army Sergeant Charles McMillan of Wimberley.

Mayor Haley presented the proclamation to Sergeant McMillan honoring his service and designating July 3, 2009 as *Sergeant Charles McMillan Day*. Sergeant McMillan thanked the City for its recognition of his service.

Citizen Communications

No citizen communications were heard.

1. Consent Agenda

Approval of minutes of the regular City Council meeting of June 18, 2009.

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

2. City Administrator Report

- Status report on City sales tax revenue

Although sales tax revenues are slightly ahead of last year, City Administrator Ferguson reported flat sales tax revenues, presented historical revenue trends, and advised that sales tax collections will be closely monitored.

- Status report on the development of new Hays County subdivision regulations

City Administrator Ferguson reported on an upcoming Hays County Commissioners Court meeting on this issue to be held on July 21, 2009 at 6:00 p.m. at Wimberley City Hall Council Chambers, which will be posted for City Council should a quorum decide to attend.

- Status report on the selection of a City audit firm

City Administrator Ferguson reported that a Request for Proposal has been issued for a City audit firm, with responses due by June 30, 2009. Council consideration is expected in early August.

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

City Administrator Ferguson reported a significant overall increase in revenues over last year and a decrease in the number of season passes purchased this season. He noted a decrease in attendance for this week, possibly due to extreme heat and publicity about the drought. Weekly testing has yielded acceptable levels, but Mr. Ferguson reminded that Blue Hole is a natural body of water.

City Administrator Ferguson reported that the first installment of grant-funded benches and picnic tables arrived this week. Other development under way includes the construction of a youth rope swing deck, as well as hike and bike trail landscaping. Brief discussion addressed a possible walk of the hike and bike trail by Council members. Blue Hole Regional Park Development Task Force will hold its first meeting this month with the project consultant. A memorial donation policy for park benches will be considered by the Parks Advisory Board for future Council consideration.

- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project

City Administrator Ferguson reported that the Texas Water Development Board (TWDB) is still considering the City's application and expects to have a substantive discussion next week to discuss funding through TWDB. Rural development funding applications are being reviewed by staff for future Council consideration. He reminded Council of its joint meeting with Water Wastewater Advisory Board scheduled for July 8, 2009 at 5:30 p.m.

- Status report on Fourth of July activities

City Administrator Ferguson reported on parade specifics such as route, street closures, and Fourth of July Jubilee access/parking at Blue Hole Regional Park. He thanked the Chamber of Commerce for its work on Fourth of July events. Mr. Ferguson reported on the fireworks display scheduled for approximately 9:00 p.m. on July 3rd and thanked Mayor Haley and family for donating music for the event. With the VFW Rodeo in progress as well, Mr. Ferguson reported that traffic should be heavy for the holiday weekend. Councilmember Flocke reminded that a flag ceremony will be held on

Saturday, July 4th at 10:00 a.m. at Veterans Memorial Plaza at EmilyAnn Theatre, with a flyover by vintage aircraft.

- Status report on activities of the Wimberley Municipal Court
- Status report on activities of the City Marshal

City Administrator Ferguson advised that there is nothing new to report at this time on activities of the Municipal Court or City Marshal.

3. Presentations

- A. Presentation of Pedernales Electric Cooperative (PEC) quarterly activities report (*Cele deLeon*)

Mr. deLeon thanked proclamation recipient Sergeant McMillan for his service, reported on PEC's annual meeting, congratulated new PEC board members, and reported on upcoming open houses in the Wimberley area. He reported that fifty (50) area students received \$1,000 PEC scholarships, noted holiday office closures, and outlined operating hours. Mr. deLeon closed by presenting Mayor Haley with PEC's franchise payment in the amount of \$18,239.62. Mayor Haley looked forward to positive changes at PEC and thanked Mr. deLeon. Brief discussion addressed open house meeting topics such as rate structure and line extensions discussion.

- B. Presentation on the impact of the current drought on the Trinity Aquifer in Hays County (*Hays Trinity Groundwater Conservation District*)

Hays Trinity Groundwater Conservation District (HTGCD) Wimberley representative Jack Hollon presented information on drought statistics, historical drought patterns, area aquifer/river levels/flows, and well levels, including Jacob's Well flow information. He stressed the importance of water conservation and education, particularly with no rain forecast for the immediate future. Mr. Hollon reported on recent changes in HTGCD Board membership and budget limitations.

Discussion addressed drought management/planning, regulatory relationships with water suppliers, main role/authority of HTGCD, voluntary cutback measures, rate hikes, City water conservation regulations, applicability of certain regulations on public providers and private wells, and enforcement. Mr. Hollon stressed the importance of groundwater districts in order to study the aquifer, capacity, and impact of growth. He felt that rainwater collection should be encouraged. Mr. Hollon closed by stating that a permit hearing will be held at Wimberley City Hall Council Chambers on July 9, 2009 at 9:00 a.m. Mayor Haley thanked Mr. Hollon, who replied that he is honored to serve as Wimberley's representative.

4. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of the first reading of an ordinance of the City of Wimberley, Texas amending Chapter 155 (Zoning) of the Code of Ordinances, certain

subsections of Section 155.23 (Districts Established; Designation and Review) in order to add the "Scenic Corridor (SC)" as a base zoning district, create Planning Area VII, and revise the planning areas accordingly; and providing for the following: findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

Planning and Zoning Commissioner Jean Ross reviewed the process to date and highlighted major areas of discussion culminating in tonight's recommendation, including rationale for required setbacks. Discussion addressed specifics on allowable percentages/locations for parking, buffering, limitations due to topography, variance procedures, and reasoning for arriving at fifty (50) as a minimum setback amount. City Administrator Ferguson provided an overview of ordinance language and detailed SC permitted/conditional uses, setbacks, landscaping, parking, signs, and fencing. Mr. Ferguson noted the following change to §155.023(I)(2) on page 5 of the proposed ordinance:

"In order to promote reasonable transitions between districts within the city and ensure the compatibility of neighboring uses, zoning district boundaries may not be approved if the difference between the intensity of the requested district and an adjoining district is greater than 2, except if *as* recommended by the Planning and Zoning Commission, and as may be approved by the City Council."

City Administrator Ferguson displayed in map form the relatively small number of SC properties affected by the proposed setback and discussion addressed SC boundaries and public input.

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing.

Councilmember Appleman requested amending the proposed ordinance to state that in instances where the property owner designates a minimum front setback of one hundred (100) feet or more, then parking, (including ADA) shall be allowed up to seventy-five percent (75%) in the front, with all remaining parking at the side or rear of the property.

Councilmember Flocke spoke in support of the proposed ordinance which he felt corrects overly restrictive regulations on properties appropriate for the type of attractive commercial activity envisioned by the Economic Development Commission. Councilmember Flocke moved to approve the first reading of the ordinance with the inclusion of Councilmember Appleman's previously requested amendment. Councilmember Appleman seconded.

Hearing no more comments, Mayor Haley called for a vote as follows: Councilmember Roccaforte, aye; Councilmember Flocke, aye; Councilmember Appleman, aye; Councilmember Thurber, nay; Councilmember White, aye. Motion carried on a vote of 4-1.

Councilmember Thurber stated his vote against was due to the fifty (50) foot setback provision and commended the Comprehensive Plan Review Commission and Planning and Zoning Commission for their diligent work.

- B. Hold a public hearing and consider approval of the first reading of an ordinance of the City of Wimberley, Texas amending Chapter 155 (Zoning) of the Code of Ordinances Section 155.093 Entrance Corridor Overlay District (EC) in order to revise the setback requirements and add requirements related to construction type and materials, landscaping and signage; and providing for the following: penalty; findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

City Administrator Ferguson displayed maps showing EC boundaries, provided details on required setbacks, parking, signage, and fencing. He noted that existing structures would be considered pre-existing, non-conforming (grandfathered).

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing. Councilmember Appleman requested the same amendment as stated in the previous agenda item.

Councilmember Appleman moved to approve the first reading of the ordinance with inclusion of the same amendment as previously stated in Agenda Item 4A. Councilmember Roccaforte seconded.

Mayor Haley called for a vote as follows: Councilmember Flocke, aye; Councilmember Appleman, aye; Councilmember Thurber, nay (voting against approval due to the setback issue); Councilmember White, aye; Councilmember Roccaforte, aye. Motion carried on a vote of 4-1.

- C. Hold a public hearing and consider approval of the first reading of an ordinance amending Chapter 155 (Zoning) of the Code of Ordinances to allow bars and taverns in Commercial High Impact (C-3) zoning districts with a conditional use permit; liquor stores in Commercial Moderate Impact (C-2) and Commercial High Impact (C-3) zoning districts with a conditional use permit, and prohibiting the use within the Village Center Overlay District; allowing the on-premise consumption of alcohol in restaurants in Commercial Low Impact (C-1), Commercial Moderate Impact (C-2) and Commercial High Impact (C-3) zoning districts with a conditional use permit; creating and revising related definitions and deleting references to private clubs; and providing for the following: penalty; findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

Commissioner Ross provided reasoning for the Commission's unanimous recommendation to require conditional use permits, which would necessitate public notification and hearings.

Discussion addressed specific businesses in the Village Center Overlay District, rationale for restrictions on liquor stores in the tourist-oriented Square, and clarification of certain terms/definitions.

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing. Councilmember Roccaforte stated that reference(s) to "Village" should be changed to "City," with acknowledgement by City Administrator Ferguson. Councilmember Appleman moved

to approve the first reading of the ordinance with the following amendment: prohibit liquor stores within the City Center Overlay District with the exception of those stores that limit their sales to wine only for on- and off-premise consumption. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- D. Hold a public hearing and consider adoption of a resolution authorizing the submission of an application for grant assistance under the 2009 Texas Department of Agriculture Downtown Revitalization Program to fund sidewalk design and construction and other associated improvements on the Wimberley Square and approval of an associated Citizen Complaint Procedure (*City Administrator*).

City Administrator Ferguson recommended approval of the resolution and associated Citizen Complaint Procedure in order to apply for \$150,000 in grant funds to assist in completing improvements detailed in the recently adopted *Wimberley Square Mobility Plan*. He noted that the City will be obligated to provide \$45,000 in matching funds should the grant be awarded.

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing. Discussion addressed grant specifics including impact of expenditures to date on the City's match funding, requirement for complaint procedure, and status of Hays County road bond funding earmarked for certain projects.

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

5. Discussion and Possible Action

- A. Discuss and consider approval of the transfer of \$50,000 from the City of Wimberley restricted General Fund balance to meet a prior commitment to provide matching funds for a Texas Parks and Wildlife grant received for the acquisition and development of the Blue Hole Regional Park and amending the Fiscal Year 2009 Budget to reflect the transfer (*City Administrator*).

City Administrator Ferguson explained the need to complete spending under State grant requirements to help pay for the initial phase of the hike and bike trail and other improvements.

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

- B. Discuss and consider approval of a Letter of Engagement with the law firm of Bickerstaff Heath Delgado Acosta, LLP to provide legal services to the City of Wimberley (*City Administrator*).

City Administrator Ferguson explained the need for this item due to the resignation of current City Attorney Patty Akers and detailed certain terms, conditions, and fees in the agreement.

Serving as Interim City Attorney, current Assistant City Attorney Cindy Crosby respectfully asked that Council approve her designation as City Attorney, noted certain revisions to the agreement, and directed Council's attention to informational brochures on the legal team at Bickerstaff Heath Delgado Acosta, LLP.

Councilmember Flocke moved to approve the Letter of Engagement designating current Assistant City Attorney Cindy Crosby as the new City Attorney. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider possible action regarding the proposed City Council priorities developed in the June 24, 2009 City Council workshop (*Mayor Tom Haley*).

City Administrator Ferguson thanked Council for its input and noted the need to add the Blue Hole improvement project to the priorities list.

Councilmember Thurber moved to approve the item with the stated addition. Councilmember White seconded. Based on citizen safety concerns, Councilmember Thurber recommended the addition of sidewalks in proximity to schools as a priority. General agreement was reached to add Blue Hole improvements to the Critical priority list and Councilmember Thurber's recommended addition as a Critical Moderate priority (No. 4). Discussion addressed school safety and recognized that funds may or may not be available to completely accomplish Council's prioritized goals. Motion (including recommended additions) carried on a vote of 5-0.

- D. Discuss and consider action relating to the process used to appoint members to City boards and commissions and the terms for those appointees (*Place Four Councilmember Steve Thurber & Place Three Councilmember Bill Appleman*).

Councilmember Appleman recommended creating uniform two-year terms and allowing six (6) months for newly elected Council members to make better informed appointment decisions. Councilmember Thurber felt that all Council members should be involved in the process of consensus appointments. Discussion addressed the inclusion of formal acceptance of board/commission members' resignations on Council's agendas, creation/expiration dates of various boards/commissions, vacancies, and consensus appointment procedures.

Councilmember Appleman moved to approve two-year terms for all boards and commissions and to have the expiration of those terms coincide with the election of their City Councilperson designate six (6) months after their election and have the consensus designee be in line with the Mayor's election.

Councilmember Thurber offered the following friendly amendment: "In November of the year of your election" rather than "six (6) months after their election." Councilmember Appleman accepted the friendly amendment. Councilmember Thurber seconded. Motion carried on a vote of 5-0. Councilmember Flocke stated the need to enlist volunteers to serve on boards/commissions.

E. Discuss possible options relating to the development of a new City Hall facility for the City of Wimberley, Texas (*Mayor Tom Haley*).

Mayor Haley adjourned to Executive Session at 8:38 p.m. for discussion of real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code.

Mayor Haley reconvened into Open Session at 9:02 p.m. No action was taken during Executive Session.

6. City Council Reports

- Announcements
- Future Agenda Items

Councilmember Thurber requested a possible workshop on Community Center operations with Parks and Recreation Board.

Hearing no further announcements or future agenda item requests, Mayor Haley called the meeting adjourned at 9:03 p.m.

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

Recorded by:

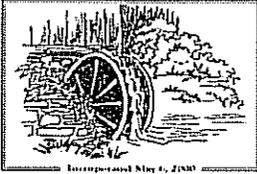
Cara McPartland

These minutes approved on the _____ of July, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JULY 8,
2009 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the July 8, 2009 Special City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Joint Workshop Meeting of City Council and Water Wastewater Advisory Board
July 8, 2009 at 5:30 p.m.

City Council meeting called to order at 5:57 p.m. by Mayor Tom Haley.

Councilmembers Present: Mayor Haley and Councilmembers Charles Roccaforte, Bob Flocke, Bill Appelman, and Steve Thurber. Councilmember John White had an excused absence.

Water Wastewater Advisory Board Members Present: Dave Estey, Clint Frankmann, Charles Jennett, Joe Malone, and Mac McCullough.

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

Workshop Session:

- A. Discuss the role and responsibilities of the City of Wimberley Water Wastewater Advisory Board
- B. Discuss water and wastewater priorities for the City of Wimberley.

Mayor Haley and Council thanked Water Wastewater Advisory Board (WWAB) members for their service and expert advice.

Mayor Haley stated the following priorities:

- Securing wastewater for downtown, the bypass area, and South River
- Cooperation among WWAB and local water providers to coordinate efforts to obtain surface water in order to reduce and potentially replace groundwater pumpage
- Eventual regional water supply
- Conservation

Discussion among Council addressed:

- In addition to pursuit of grant funding, consideration of all funding sources, including ad valorem taxation
- Conservation and incentives for rainwater collection
- Legalization of rainwater collection for commercial use as part of a municipal water supply and need for legislative support of same
- Need for innovative thinking and problem-solving
- Possible distribution of wastewater costs among users and impact fees
- Benefit to community in preserving Cypress Creek and downtown sales tax revenue
- Need for regular WWAB meetings and procedures for meeting as needed

In response to WWAB member Mr. McCullough, City Administrator Ferguson detailed the City's interlocal agreement with Guadalupe Blanco River Authority (GBRA) to develop a community centralized wastewater system and the process underway to secure stimulus funding. Funding options for both short- and long-term projects were discussed, including development and impact fees.

WWAB, Council, and staff discussion included:

- Problems encountered in utilizing Canyon Lake as a water source
- Current treatment plant for single user and possible expansion of that plant to serve downtown
- Continuing a working relationship with GBRA and the need to move expeditiously
- Geographical difficulty of providing wastewater to the downtown area
- State water resource laws
- Need for lift station
- Keeping all options open, in addition to the present GBRA relationship
- Cypress Creek water quality and test results
- Status of the City's grant application and designation as a "green" project
- Possible alternate funds available through Texas Water Development Board (TWDB) and U.S. Department of Agriculture (USDA) rural development funding
- Impact of development, groundwater control, and current drought
- Economic development districts/wastewater development districts as possible funding options
- Need for review of documentation such as the draft Preliminary Engineering Report and current water/sewer line maps
- Timeframe for WWAB recommendations
- Need for ongoing communication with supportive legislators
- Aqua-Texas as a wastewater provider for downtown with the City's ability to control rates

Mayor Haley stated that the City has had contact with Buda, San Marcos, and Kyle regarding purchase of water from their public water supplier(s). Also discussed was the possibility of leasing from other entities with access to surface water such as Canyon Lake.

Mayor Haley requested that staff prepare an informational booklet for WWAB members and City Administrator Ferguson anticipated scheduling WWAB's first meeting in early August.

Hearing no further comments, Mayor Haley called the meeting adjourned at 6:59 p.m.

Adjournment: Council meeting adjourned at 6:59 p.m.

Recorded by:

Cara McPartland

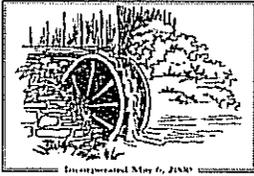
These minutes approved on the ____ of July, 2009.

APPROVED:

Tom Haley, Mayor

DRAFT

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPOINTMENT OF
JULIE HARRIS TO THE WIMBERLEY EDC

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

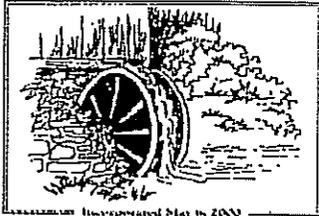
Resolution

Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Two Council Member Bob Flocke to allow City Council to consider the appointment of Julie Harris to the City of Wimberley Economic Development Commission.



Village of Wimberley

13210 Ranch Road 12 (P.O. Box 2027), Wimberley, Texas 78676
Phone: (512) 847-0025 Fax: 512-847-0422 - E-mail: village@wimberley-tx.com Web: vil.Wimberley.tx.us

Application for Appointment to Commission/Board/Committee

Name of Commission/Board/Committee: Economic Development Commission

Name: Julie Harris Home 512. Phone: 653.3623 E-Mail: JHarris919@comcast.net

Physical Address: 4613 Deer Ridge Rd

Mailing Address (if other than physical address): PO Box 2237

Employer: Remax/Wimberley Business 512. Phone: 653.3623 Fax: 866.796.354

Position/Occupation Realtor

I reside: () Inside Wimberley's City Limits - (K) In Wimberley's ETJ - () Outside ETJ

I am a registered voter in (K) Village of Wimberley; () Hays County; () Not registered.

Do you or your employer have any business or other dealings with the Village of Wimberley, which might present a conflict of interest? () Yes; (K) No. If "Yes", explain:

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings? (K) Yes; () No.

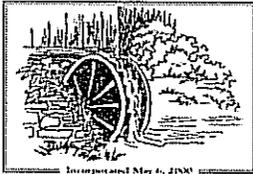
Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on. As a realtor living and working in Wimberley I come into contact with a diverse group of residents and out-of-town clients. I try to stay in tune with our community. I have also lived and worked in other communities in which the economy of the area has been based on one industry, resort focus, and I'm aware of the issues that creates. I'd like to contribute to the discussion of and implementation of effective planning.

Would you consider serving on a different Commission/Board/Committee () Yes () No

Date: July 10, 2009

Signature Julie Harris

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPOINTMENT OF
JENELLE FLOCKE TO THE WIMBERLEY EDC

Funds Required:
Funds Available:

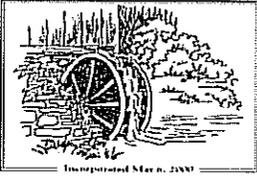
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Mayor Tom Haley to allow City Council to consider the appointment of Jenelle Flocke to the City of Wimberley Economic Development Commission.

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPOINTMENT OF TERRIE BURSIEL TO THE WIMBERLEY EDC

Funds Required:

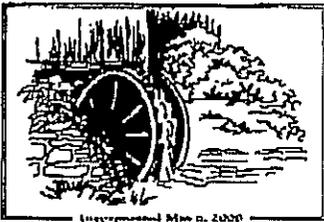
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Five Councilmember John White to consider the appointment of Terrie Bursiel to the City of Wimberley Economic Development Commission.



Village of Wimberley

13210 Ranch Road 12 (P.O. Box 2027), Wimberley, Texas 78676
Phone: (512) 847-0025 Fax: 512-847-0422 - E-mail: village@wimberley-tx.com Web: vil.Wimberley.tx.us

Application for Appointment to Commission/Board/Committee

Name of Commission/Board/Committee:

Economic Development

Name: TERRIE BURSIEL Home Phone: 847-3909 E-Mail: info@texashillcountryreservations.com

Physical Address:

101 W. Skyline Acres

Mailing Address (if other than physical address):

P.O. Box 798 78676

Employer: Wimberley Lodging Business Phone: 847-3909 Fax: 847-6939

Position/Occupation Owner

I reside: () Inside Wimberley's City Limits - () In Wimberley's ETJ - () Outside ETJ

I am a registered voter in () Village of Wimberley; () Hays County; () Not registered.

Do you or your employer have any business or other dealings with the Village of Wimberley, which might present a conflict of interest? () Yes; () No. If "Yes", explain:

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings? () Yes; () No.

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

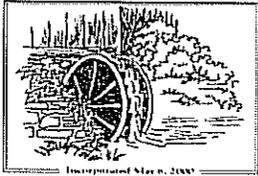
I have been on this committee in the past + City Council + I care about the economic development of Wimberley

Would you consider serving on a different Commission/Board/Committee () Yes () No

Date: 7-7-09

Signature TERRIE BURSIEL

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPOINTMENT OF GARY WEEKS TO THE WIMBERLEY EDC

Funds Required:
Funds Available:

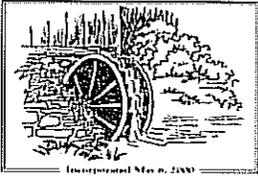
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to consider the appointment of Gary Weeks to the City of Wimberley Economic Development Commission as consensus nominee.

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPOINTMENT OF BOB CURRIE TO THE WIMBERLEY EDC

Funds Required:
Funds Available:

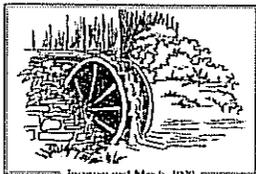
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place One Council Member Charles Roccaforte to consider the appointment of Bob Currie to the City of Wimberley Economic Development Commission.

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF MAY 2009
FINANCIAL STATEMENTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the May 2009 Financial Statements for review and consideration.

Council Package
Financial Statements Village of Wimberley
For the Period Ended 5/31/2009

- Balance Sheet - General Fund
- Revenue/Expenditure - General Fund
- Budget Vs Actual - General Fund
- Balance Sheet - Blue Hole
- Revenue/Expenditure - Blue Hole
- Budget Vs Actual - Blue Hole
- Balance Sheet - Municipal Court
- Revenue/Expenditure - Municipal Court

6-30-09 Faxed to: 512-847-0422 30 pgs

City of Wimberley
General Fund
Balance Sheet - Modified Accrual Basis
May 31, 2009

Assets

Current Assets

101.10 Petty Cash-General	\$	150.00
103.10 Cash - Blanco National Bank - General		314,114.48
105.10 Cash - Blanco National Bank - CD		223,389.76
110.10 Texpool - General		363,168.11
116.10 Due From Municipal Court		743.20
120.10 Accounts Receivable		6,887.18
121.10 Sales Tax Receivable		<u>40,090.32</u>

Total Current Assets \$ 948,543.05

Total Assets \$ 948,543.05

Liabilities and Fund Balance

Current Liabilities

301.10 Withholding Tax Payable	\$	1,502.00
302.10 FICA Tax Payable		3,004.59
311.10 TMRS Payable		<u>981.88</u>

Total Current Liabilities \$ 5,488.47

Total Liabilities 5,488.47

Fund Balance

467.10 Fund Balance - Undesignated	437,582.18
469.10 Designated Fund Balance - Public Works	300,000.00
470.10 Designated Fund Balance - New City Hall	50,000.00
471.10 Designated Fund Balance - W/W on Square	30,000.00
472.10 Designated Fund Balance - Future Grant Match	50,000.00
498.10 Net Excess (Deficit)	<u>75,472.40</u>

Total Fund Balance 943,054.58

Total Liabilities and Fund Balance \$ 948,543.05

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
501.10 Sales & Use Tax	\$ 40,090.32	70.06	\$ 391,793.24	70.84
502.10 Mixed Beverage Tax	0.00	0.00	2,586.87	0.47
503.10 Interest Income - General	1,047.68	1.83	9,805.14	1.77
504.10 Miscellaneous Income	0.00	0.00	12,850.97	2.32
505.10 Building Permits	1,304.36	2.28	8,944.37	1.62
506.10 Building Inspections	1,390.44	2.43	12,885.44	2.33
509.10 Plan Reviews	585.00	1.02	11,980.78	2.17
511.10 Sign Permits	300.00	0.52	1,760.00	0.32
512.10 Subdivision	874.00	1.53	5,195.00	0.94
513.10 Zoning	1,528.00	2.67	3,723.00	0.67
516.10 Municipal Court Costs/Fines	743.30	1.30	3,469.00	0.63
521.10 Time Warner Cable	0.00	0.00	16,367.80	2.96
522.10 Pedemales Electric Cooperative, Inc.	0.00	0.00	45,749.21	8.27
523.10 Texas Disposal Systems	8,883.28	15.53	18,021.51	3.26
524.10 Verizon	0.00	0.00	6,767.50	1.22
525.10 Franchise Fees - Misc	472.50	0.83	1,161.10	0.21
Total Revenues	57,218.88	100.00	553,060.93	100.00
Expenditures				
Admin - Personnel				
601.10 City Administrator	7,307.70	12.77	60,929.81	11.02
602.10 City Secretary	2,846.16	4.97	23,161.37	4.19
603.10 Receptionist/Clerk	1,944.00	3.40	14,094.00	2.55
606.10 Payroll Taxes	925.48	1.62	7,957.40	1.44
607.10 TMRS - Admin	361.72	0.63	2,886.10	0.52
608.10 Health Care	712.00	1.24	5,746.00	1.04
Total Admin - Personnel	14,097.06	24.64	114,774.48	20.75
Admin - Operating				
609.10 Dues - TML & City Mgr Assoc	1,387.00	2.42	2,658.30	0.48
610.10 Public Notices	565.18	0.99	2,594.45	0.47
611.10 Printing	35.00	0.06	767.00	0.14
612.10 Telephone	472.14	0.83	3,560.47	0.64
613.10 Copies	80.66	0.14	2,123.28	0.38
614.10 Rent	4,337.00	7.58	34,543.00	6.25
615.10 Cleaning	500.00	0.87	3,000.00	0.54
616.10 Office Supplies	339.43	0.59	2,243.15	0.41

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
617.10 Utilities	\$ 412.20	0.72	\$ 3,872.85	0.70
618.10 Equipment Leases	281.03	0.49	3,447.29	0.62
619.10 Water Cooler	98.98	0.17	322.73	0.06
620.10 Postage	0.00	0.00	245.11	0.04
621.10 Insurance	0.00	0.00	12,604.07	2.28
622.10 Records Management	273.56	0.48	1,297.02	0.23
623.10 Office Technology	49.00	0.09	343.00	0.06
626.10 Security Expense	126.85	0.22	422.83	0.08
628.10 Technology Consultant	0.00	0.00	55.00	0.01
631.10 Capital Outlay - Technology	1,169.61	2.04	1,169.61	0.21
632.10 Capital Outlay - Other	0.00	0.00	52,493.50	9.49
635.10 Mileage	331.10	0.58	331.10	0.06
636.10 Training - Travel	491.08	0.86	1,083.16	0.20
637.10 Contract Labor	0.00	0.00	3,706.10	0.67
	<u>10,949.80</u>	<u>19.14</u>	<u>132,883.02</u>	<u>24.03</u>
Total Admin - Operating				
Legal				
641.10 Legal	4,298.10	7.51	31,969.74	5.78
	<u>4,298.10</u>	<u>7.51</u>	<u>31,969.74</u>	<u>5.78</u>
Total Legal				
Council - Boards Expenditures				
651.10 Association Dues	0.00	0.00	293.00	0.05
652.10 Training	0.00	0.00	1,235.00	0.22
655.10 Financial Management Services	1,000.00	1.75	8,000.00	1.45
656.10 Audit	0.00	0.00	13,000.00	2.35
658.10 Planning	0.00	0.00	5,000.00	0.90
661.10 Public Relations / Receptions	130.00	0.23	431.51	0.08
664.10 Fitness Council Expenses	0.00	0.00	6,112.98	1.11
	<u>1,130.00</u>	<u>1.97</u>	<u>34,072.49</u>	<u>6.16</u>
Total Council - Boards Expenditures				
Building Department Expenditures				
676.10 Contract Inspector	1,785.00	3.12	16,952.50	3.07
677.10 Site Plan Reviews	917.20	1.60	10,813.31	1.96
	<u>2,702.20</u>	<u>4.72</u>	<u>27,765.81</u>	<u>5.02</u>
Total Building Department Expenditures				

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Public Works - Personnel				
702.10 Salaries-Code Enforcement & Permitting	\$ 2,163.20	3.78	\$ 17,617.60	3.19
704.10 Salaries-GIS/Permitting Clerk	2,456.75	4.29	20,127.85	3.64
706.10 Payroll Taxes	353.43	0.62	3,291.66	0.60
707.10 TMRS - Public Works	137.45	0.24	1,112.41	0.20
708.10 Health Benefits	400.00	0.70	3,000.00	0.54
Total Public Works - Personnel	5,510.83	9.63	45,149.52	8.16
Public Works - Operating				
714.10 Certificates	0.00	0.00	50.00	0.01
715.10 Supplies - Public Works	102.35	0.18	148.56	0.03
720.10 Fuel	104.75	0.18	495.14	0.09
722.10 Vehicle Maint. & Insurance	0.00	0.00	131.63	0.02
Total Public Works - Operating	207.10	0.36	825.33	0.15
Roads				
727.10 Road Maintenance	3,819.10	6.67	19,469.58	3.52
729.10 Road Engineering	0.00	0.00	9,173.00	1.66
731.10 Mowing / Tree Trimming	150.00	0.26	2,825.00	0.51
732.10 Signs/Barricades	1,955.00	3.42	3,780.30	0.68
733.10 Parking Lot Lease	100.00	0.17	800.00	0.14
736.10 Contract Labor	0.00	0.00	4,032.93	0.73
Total Roads	6,024.10	10.53	40,080.81	7.25
Water/Wastewater				
756.10 Public Restroom Wastewater	279.84	0.49	2,604.34	0.47
Total Water/Wastewater	279.84	0.49	2,604.34	0.47
Public Safety - Personnel				
801.10 Salaries - City Marshall	2,920.00	5.10	23,781.05	4.30
806.10 Payroll Taxes	223.38	0.39	1,894.44	0.34
807.10 TMRS City Contribution-PS	87.31	0.15	700.45	0.13
808.10 Health Care - Public Safety	200.00	0.35	1,625.00	0.29

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Total Public Safety - Personnel	\$ 3,430.69	6.00	\$ 28,000.94	5.06
Public Safety - Operating				
820.10 Municipal Court Judge	0.00	0.00	4,127.26	0.75
821.10 City Prosecutor	678.68	1.19	2,853.68	0.52
824.10 Animal Control	0.00	0.00	6,000.00	1.08
825.10 Fuel-Public Safety	210.63	0.37	1,123.81	0.20
826.10 Supplies - Public Safety	171.41	0.30	775.88	0.14
827.10 Vehicle Maintenance and Repair	11.00	0.02	60.22	0.01
830.10 Capital Outlay - Vehicle	0.00	0.00	608.95	0.11
832.10 Capital Outlay - Technology	2,750.00	4.81	2,750.00	0.50
Total Public Safety - Operating	<u>3,821.72</u>	<u>6.68</u>	<u>18,299.80</u>	<u>3.31</u>
Parks - Operating				
859.10 Nature Trail Operations	<u>382.77</u>	<u>0.67</u>	<u>1,162.25</u>	<u>0.21</u>
Total Parks - Operating	<u>382.77</u>	<u>0.67</u>	<u>1,162.25</u>	<u>0.21</u>
Total Expenditures	<u>52,834.21</u>	<u>92.34</u>	<u>477,588.53</u>	<u>86.35</u>
NET EXCESS (DEFICIT)	\$ <u><u>4,384.67</u></u>	<u>7.66</u>	\$ <u><u>75,472.40</u></u>	<u>13.65</u>

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Eight Months Ended May 31, 2009

		CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES								
501.1	Sales & Use Tax	\$ 40,090.32	391,793.24	70.84%	\$ 476,400.00	\$ (84,606.76)	-17.76%	-33.33%
502.1	Mixed Beverage Tax	-	2,586.87	0.47%	7,500.00	(4,913.13)	-65.51%	-33.33%
503.1	Interest Income	1,047.68	9,847.45	1.78%	18,000.00	(8,152.55)	-45.29%	-33.33%
504.1	Misc. Income	-	11,935.51	2.16%	5,000.00	6,935.51	0.00%	-33.33%
505.1	Building Permits	1,304.36	9,242.64	1.67%	22,000.00	(12,757.36)	-57.99%	-33.33%
506.1	Building Inspections	1,390.44	12,009.49	2.17%	29,000.00	(16,990.51)	-58.59%	-33.33%
509.1	Plan Reviews	585.00	11,980.78	2.17%	18,000.00	(6,019.22)	-33.44%	-33.33%
510.1	Beer & Wine Permits	-	-	0.00%	-	-	0.00%	-33.33%
511.1	Sign Permits	300.00	1,760.00	0.32%	7,000.00	(5,240.00)	-74.86%	-33.33%
512.1	Subdivision	874.00	5,195.00	0.94%	15,000.00	(9,805.00)	-65.37%	-33.33%
513.1	Zoning	1,528.00	3,723.00	0.67%	15,000.00	(11,277.00)	-75.18%	-33.33%
514.1	Copies/Maps/Misc.	-	-	0.00%	500.00	(500.00)	-100.00%	-33.33%
516.1	Municipal Court/Costs Fines	743.30	3,469.00	0.63%	43,600.00	(40,131.00)	-92.04%	-33.33%
525.1	Franchise Fees	9,355.78	88,067.12	15.92%	180,000.00	(91,932.88)	-51.07%	-33.33%
526.1	Health Fees	-	-	0.00%	15,000.00	(15,000.00)	-100.00%	-33.33%
TOTAL REVENUES		57,218.88	553,060.93	99.74%	652,000.00	(300,389.90)	-35.26%	-33.33%
EXPENDITURES								
ADMINISTRATION EXPENDITURES								
<u>Personnel</u>								
601.1	City Administrator	7,307.70	60,929.61	12.76%	95,000.00	(34,070.39)	-35.86%	-33.33%
602.1	City Secretary	2,846.16	23,161.37	4.65%	37,000.00	(13,838.63)	-37.40%	-33.33%
603.1	Receptionist/Clerk	1,944.00	14,094.00	2.95%	29,204.00	(15,110.00)	-51.74%	-33.33%
604.1	Fire Marshal (Contract Labor)	-	-	0.00%	4,000.00	(4,000.00)	-100.00%	-33.33%
605.1	Intern	-	-	0.00%	-	-	0.00%	-33.33%
606.1	Payroll Taxes	925.48	7,957.40	1.67%	13,341.00	(5,383.60)	-40.35%	-33.33%
607.1	TMRS	361.72	2,886.10	0.60%	8,593.00	(5,706.90)	-66.41%	-33.33%
608.1	Health Benefits	712.00	5,746.00	1.20%	13,500.00	(7,754.00)	-57.44%	-33.33%
<u>Total Personnel</u>		<u>14,097.06</u>	<u>114,774.48</u>	<u>24.03%</u>	<u>200,638.00</u>	<u>(85,863.52)</u>	<u>-42.80%</u>	<u>-33.33%</u>
<u>Operating</u>								
609.1	Dues (TML & City Mgr Assoc.)	1,387.00	2,658.30	0.56%	4,000.00	(1,341.70)	-33.54%	-33.33%
610.1	Public Notices	565.18	2,694.45	0.54%	4,500.00	(1,905.55)	-42.35%	-33.33%
611.1	Printing	35.00	767.00	0.16%	500.00	267.00	53.40%	-33.33%
612.1	Telephone	472.14	3,560.47	0.75%	5,700.00	(2,139.53)	-37.54%	-33.33%
613.1	Copies	80.66	2,123.28	0.44%	750.00	1,373.28	183.10%	-33.33%
614.1	Rent	4,337.00	34,543.00	7.23%	55,000.00	(20,457.00)	-37.19%	-33.33%
615.1	Cleaning	500.00	3,000.00	0.63%	5,200.00	(2,200.00)	-42.31%	-33.33%
616.1	Office Supplies	339.43	2,243.15	0.47%	5,000.00	(2,756.85)	-55.14%	-33.33%
617.1	Utilities	412.20	3,872.85	0.81%	5,500.00	(1,627.15)	-29.58%	-33.33%
618.1	Equipment Leases	281.03	3,447.29	0.72%	4,200.00	(752.71)	-17.92%	-33.33%
619.1	Water Cooler	98.98	322.73	0.07%	540.00	(217.27)	-40.24%	-33.33%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Eight Months Ended May 31, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
620.1 Postage	-	245.11	0.05%	5,000.00	(4,754.89)	-95.10%	-33.33%
621.1 Insurance	-	12,604.07	2.64%	15,000.00	(2,395.93)	-15.97%	-33.33%
622.1 Records Management	273.56	1,297.02	0.27%	7,500.00	(6,202.98)	-82.71%	-33.33%
623.1 Office Technology	49.00	343.00	0.07%	650.00	(307.00)	-47.23%	-33.33%
626.1 Security Expense	126.85	422.83	0.09%	800.00	(377.17)	-47.15%	-33.33%
628.1 Technology Consultant	-	55.00	0.01%	535.00	(480.00)	-89.72%	-33.33%
629.1 Pay Comparability Adjustment	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-33.33%
630.1 Capital Outlay - Furnishings	-	-	0.00%	400.00	(400.00)	-100.00%	-33.33%
631.1 Capital Outlay - Technology	1,169.61	1,169.61	0.24%	6,300.00	(5,130.39)	-81.43%	-33.33%
632.1 Capital Outlay - Other	-	52,493.50	10.99%	-	52,493.50	0.00%	-33.33%
635.1 Mileage	331.10	331.10	0.07%	750.00	(418.90)	-55.85%	-33.33%
636.1 Training-Travel	491.06	1,083.16	0.23%	2,000.00	(916.84)	-45.84%	-33.33%
637.1 Contract Labor	-	3,706.10	0.78%	-	3,706.10	0.00%	-33.33%
638.1 Repairs & Maintenance	-	-	0.00%	-	-	0.00%	-33.33%
639.1 Signs/Zoning	-	-	0.00%	-	-	0.00%	-33.33%
<i>Total Operating</i>	<u>10,949.80</u>	<u>132,883.02</u>	<u>27.82%</u>	<u>130,825.00</u>	<u>2,058.02</u>	<u>1.57%</u>	<u>-33.33%</u>
TOTAL ADMINISTRATION EXPENDITURES	<u>26,046.86</u>	<u>247,657.50</u>	<u>51.86%</u>	<u>331,463.00</u>	<u>(83,805.50)</u>	<u>-25.28%</u>	<u>-33.33%</u>
LEGAL DEPARTMENT EXPENDITURES							
641.1 Legal	4,298.10	31,969.74	6.69%	55,000.00	(23,030.26)	-41.87%	-33.33%
649.1 Operating Transfer-Out	-	-	0.00%	-	-	0.00%	-33.33%
TOTAL LEGAL	<u>4,298.10</u>	<u>31,969.74</u>	<u>6.69%</u>	<u>55,000.00</u>	<u>(23,030.26)</u>	<u>-41.87%</u>	<u>-33.33%</u>
COUNCIL - BOARD EXPENDITURES							
651.1 Association Dues	-	293.00	0.06%	1,000.00	(707.00)	-70.70%	-33.33%
652.1 Training	-	1,235.00	0.26%	1,500.00	(265.00)	-17.67%	-33.33%
653.1 Town Hall Meetings	-	-	0.00%	-	-	0.00%	-33.33%
654.1 Election	-	-	0.00%	2,500.00	(2,500.00)	-100.00%	-33.33%
655.1 Financial Management Services	1,000.00	8,000.00	1.68%	12,000.00	(4,000.00)	-33.33%	-33.33%
656.1 Audit	-	13,000.00	2.72%	10,000.00	3,000.00	30.00%	-33.33%
657.1 Public Satisfaction Survey	-	-	0.00%	-	-	0.00%	-33.33%
658.1 Planning	-	5,000.00	1.05%	-	5,000.00	0.00%	-33.33%
659.1 Recording Secretary	-	-	0.00%	-	-	0.00%	-33.33%
660.1 Economic Development	-	-	0.00%	-	-	0.00%	-33.33%
661.1 Public Relations/Receptions	130.00	431.51	0.09%	3,000.00	(2,568.49)	-85.62%	-33.33%
662.1 Public Information	-	-	0.00%	2,500.00	(2,500.00)	0.00%	-33.33%
663.1 Visitor Center Support	-	-	0.00%	-	-	0.00%	-33.33%
664.1 Fitness Council Expenditures	-	6,112.98	1.28%	-	6,112.98	0.00%	-33.33%
TOTAL COUNCIL - BOARD EXPENDITURES	<u>1,130.00</u>	<u>34,072.49</u>	<u>7.13%</u>	<u>32,500.00</u>	<u>1,572.49</u>	<u>4.84%</u>	<u>-33.33%</u>
BUILDING DEPARTMENT EXPENDITURES							

BUILDING DEPARTMENT EXPENDITURES

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Eight Months Ended May 31, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
676.1 Contract Inspector	1,785.00	16,952.50	3.55%	22,000.00	(5,047.50)	-22.94%	-33.33%
677.1 Site Plan Reviews	917.20	10,813.31	2.26%	18,000.00	(7,186.69)	-39.93%	-33.33%
678.1 Building Code Books	-	-	0.00%	-	-	0.00%	-33.33%
TOTAL BUILDING DEPARTMENT EXPENDITURES	2,702.20	27,765.81	5.81%	40,000.00	(12,234.19)	-30.59%	-33.33%
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES							
<i>Public Works</i>							
<i>Personnel</i>							
701.1 Salaries-Planning Director	-	-	0.00%	-	-	0.00%	-33.33%
702.1 Salaries-Code Enforcement & Perm	2,163.20	17,617.60	3.69%	28,121.00	(10,503.40)	-37.35%	-33.33%
703.1 Salaries-Ass't. to Planning Director	-	-	0.00%	-	-	0.00%	-33.33%
704.1 Salaries-GIS/Permitting Clerk	2,456.75	20,127.85	4.21%	32,240.00	(12,112.15)	0.00%	-33.33%
706.1 Payroll Taxes	353.43	3,291.66	0.69%	4,922.00	(1,630.34)	0.00%	-33.33%
707.1 TMRS - Public Works	137.45	1,112.41	0.23%	-	1,112.41	0.00%	-33.33%
708.1 Health Benefits	400.00	3,000.00	0.63%	9,000.00	(6,000.00)	-66.67%	-33.33%
Total Personnel	5,510.83	45,149.52	9.45%	74,283.00	(29,133.48)	-39.22%	-33.33%
<i>Operating</i>							
712.1 Mileage	-	-	0.00%	250.00	(250.00)	-100.00%	-33.33%
713.1 Training	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-33.33%
714.1 Certificates	-	50.00	0.07%	-	50.00	0.00%	-33.33%
715.1 Supplies - Public Works	102.35	148.56	0.20%	-	148.56	0.00%	-33.33%
720.1 Fuel	104.75	495.14	0.10%	2,000.00	(1,504.86)	0.00%	-33.33%
721.1 Tools	-	-	0.00%	750.00	(750.00)	-100.00%	-33.33%
722.1 Vehicle Maintenance & Insurance	-	131.63	0.03%	1,000.00	(868.37)	0.00%	-33.33%
Total Operating	207.10	825.33	0.17%	5,000.00	(4,174.67)	0.00%	-33.33%
Total Public Works	5,717.93	45,974.85	9.63%	79,283.00	(33,308.15)	-39.22%	-33.33%
<i>Roads</i>							
727.1 Road Maintenance	3,819.10	19,469.58	4.08%	75,000.00	(55,530.42)	-74.04%	-33.33%
Transfer to Road Maintenance Res	-	-	0.00%	20,000.00	(20,000.00)	-100.00%	-33.33%
728.1 Capital Outlay Roads	-	-	0.00%	40,000.00	(40,000.00)	-100.00%	-33.33%
729.1 Road Engineering	-	9,173.00	1.92%	7,000.00	2,173.00	31.04%	-33.33%
730.1 Road Insurance	-	-	0.00%	-	-	0.00%	-33.33%
731.1 Mowing/Tree Trimming	150.00	2,825.00	0.59%	12,500.00	(9,675.00)	-77.40%	-33.33%
732.1 Signs/Barricades	1,955.00	3,780.30	0.79%	5,000.00	(1,219.70)	-24.39%	-33.33%
733.1 Parking Lot Lease	100.00	800.00	0.17%	1,200.00	(400.00)	-33.33%	-33.33%
734.1 Master Planning Traffic Studies	-	-	0.00%	-	-	0.00%	-33.33%
735.1 Survey Services	-	-	0.00%	-	-	0.00%	-33.33%
736.1 Contract Labor	-	4,032.93	0.84%	5,000.00	(967.07)	-19.34%	-33.33%
737.1 Ranch Road 12 Mitigation	-	-	0.00%	-	-	0.00%	-33.33%
Total Roads	6,024.10	40,080.81	8.39%	165,700.00	(125,619.19)	-75.81%	-33.33%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Eight Months Ended May 31, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
<i>Water/Wastewater</i>							
752.1	Water Quality Testing	-	0.00%	5,000.00	(5,000.00)	-100.00%	-33.33%
753.1	Wastewater System Start-up	-	0.00%	-	-	0.00%	-33.33%
754.1	Map Services	-	0.00%	-	-	0.00%	-33.33%
755.1	Water/Wastewater Purchases	-	0.00%	-	-	0.00%	-33.33%
756.1	Public Restroom Wastewater	279.84	0.55%	7,500.00	(4,895.66)	-65.28%	-33.33%
	<i>Total Water/Wastewater</i>	<u>279.84</u>	<u>0.55%</u>	<u>12,500.00</u>	<u>(9,895.66)</u>	<u>-79.17%</u>	<u>-33.33%</u>
	TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES	<u>12,021.87</u>	<u>18.56%</u>	<u>257,483.00</u>	<u>(168,823.00)</u>	<u>-65.57%</u>	<u>-33.33%</u>
PUBLIC SAFETY/COURTS EXPENDITURES							
<i>Personnel</i>							
801.1	Salaries - City Marshall	2,920.00	4.98%	37,960.00	(14,178.95)	-37.35%	-33.33%
806.1	Payroll Taxes	223.38	0.40%	3,094.00	(1,199.56)	0.00%	-33.33%
807.1	TMRS City Contribution	87.31	0.15%	-	700.45	0.00%	-33.33%
808.1	Health Benefits	200.00	0.34%	4,500.00	(2,875.00)	-63.89%	-33.33%
	<i>Total Personnel</i>	<u>3,430.69</u>	<u>5.86%</u>	<u>45,554.00</u>	<u>(17,553.06)</u>	<u>-38.53%</u>	<u>-33.33%</u>
<i>Operating</i>							
820.1	Municipal Court Judge	-	0.86%	10,000.00	(5,872.74)	-58.73%	-33.33%
821.1	City Prosecutor	678.68	0.60%	10,000.00	(7,146.32)	-71.46%	-33.33%
822.1	Emergency Plan	-	0.00%	1,000.00	(1,000.00)	-100.00%	-33.33%
823.1	Training	-	0.00%	4,500.00	(4,500.00)	-100.00%	-33.33%
824.1	Animal Control	-	1.26%	6,000.00	-	0.00%	-33.33%
825.1	Fuel	210.63	0.24%	6,000.00	(4,876.19)	-81.27%	-33.33%
826.1	Supplies	171.41	0.16%	-	775.88	0.00%	-33.33%
827.1	Vehicle Maintenance & Repair	11.00	0.01%	-	60.22	0.00%	-33.33%
830.1	Capital Outlay - Vehicles	-	0.13%	-	608.95	0.00%	-33.33%
831.1	Capital Outlay - Equipment	-	0.00%	12,500.00	(12,500.00)	-100.00%	-33.33%
832.1	Capital Outlay - Technology	2,750.00	0.58%	12,500.00	(9,750.00)	-78.00%	-33.33%
837.1	Sanitarian (Contract Labor)	-	0.00%	12,500.00	(12,500.00)	-100.00%	-33.33%
	<i>Total Operating</i>	<u>3,821.72</u>	<u>3.83%</u>	<u>75,000.00</u>	<u>(56,700.20)</u>	<u>-75.60%</u>	<u>-33.33%</u>
	TOTAL PUBLIC SAFETY/COURTS EXPENDITURES	<u>7,252.41</u>	<u>9.69%</u>	<u>120,554.00</u>	<u>(74,253.26)</u>	<u>-61.59%</u>	<u>-33.33%</u>
PARKS & RECREATION EXPENDITURES							
<i>Personnel</i>							
851.1	Assistant to City Admin	-	0.00%	-	-	0.00%	-33.33%
852.1	Health Benefits	-	0.00%	-	-	0.00%	-33.33%
853.1	Payroll Taxes	-	0.00%	-	-	0.00%	-33.33%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Eight Months Ended May 31, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
<i>Total Personnel</i>	-	-	0.00%	-	-	0.00%	-33.33%
<i>Operating</i>							
854.1 Mileage	-	-	0.00%	-	-	0.00%	-33.33%
855.1 Public Information	-	-	0.00%	-	-	0.00%	-33.33%
856.1 Parks Research & Development	-	-	0.00%	-	-	0.00%	-33.33%
857.1 Trails Master Plan	-	-	0.00%	-	-	0.00%	-33.33%
859.1 Nature Trail Operations	382.77	1,162.25	0.24%	15,000.00	(13,837.75)	-92.25%	-33.33%
<i>Total Operating</i>	382.77	1,162.25	0.24%	15,000.00	(13,837.75)	-92.25%	-33.33%
TOTAL PARKS & RECREATION EXPENDITURES	382.77	1,162.25	0.24%	15,000.00	(13,837.75)	-92.25%	-33.33%
TOTAL EXPENDITURES	52,834.21	477,588.53	1.00	852,000.00	(374,411.47)	-43.95%	-33.33%
Net Excess (Deficit)	\$ 4,384.67	\$ 75,472.40	-0.26%	\$ -	\$ 74,021.57	-8.69%	-33.33%

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City of Wimberley
Blue Hole Parkland
Balance Sheet - Modified Accrual Basis
May 31, 2009

Assets

Current Assets

101.40 Petty Cash-Blue Hole	\$	200.00
106.40 Cash - Blanco National Bank - BH Development		500,000.00
108.40 Cash - Blanco National Bank - Blue Hole		65,574.18
110.40 Texpool - Blue Hole		<u>163,581.23</u>

Total Current Assets \$ 729,355.41

Total Assets \$ 729,355.41

Liabilities and Fund Balance

Current Liabilities

340.40 Blue Hole Rental Deposits Payable	\$	<u>500.00</u>
--	----	---------------

Total Current Liabilities \$ 500.00

Total Liabilities 500.00

Fund Balance

467.40 Fund Balance - Blue Hole	83,227.58
473.40 Designated Fund Balance Blue Hole - Soccer Fields	146,701.58
498.40 Net Excess (Deficit)	<u>498,926.25</u>

Total Fund Balance 728,855.41

Total Liabilities and Fund Balance \$ 729,355.41

City of Wimberley
Blue Hole Parkland
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.40 Interest Income - Blue Hole Parkland	\$ 60.08	2.16	\$ 1,142.19	0.23
520.40 Grant Funds - Blue Hole	0.00	0.00	500,000.00	99.25
541.40 Gate Fees	2,472.85	88.86	2,472.85	0.49
542.40 Rental Fees	250.00	8.98	150.00	0.03
	<u>2,782.93</u>	<u>100.00</u>	<u>503,765.04</u>	<u>100.00</u>
Total Revenues				
Expenditures				
Parks - Operating				
861.40 Contract Labor/Wages	0.00	0.00	77.50	0.02
862.40 Utilities	94.02	3.38	653.31	0.13
863.40 Mowing	250.00	8.98	600.00	0.12
864.40 Operating Supplies	0.00	0.00	364.98	0.07
865.40 Contract Services	0.00	0.00	2,000.00	0.40
866.40 Rental	0.00	0.00	353.00	0.07
868.40 Public Restroom Facilities	0.00	0.00	790.00	0.16
	<u>344.02</u>	<u>12.36</u>	<u>4,838.79</u>	<u>0.96</u>
Total Parks - Operating				
Total Expenditures				
	<u>344.02</u>	<u>12.36</u>	<u>4,838.79</u>	<u>0.96</u>
NET EXCESS (DEFICIT)	<u>\$ 2,438.91</u>	<u>87.64</u>	<u>\$ 498,926.25</u>	<u>99.04</u>

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - BLUE HOLE SPECIAL REVENUE FUND
 For The Eight Months Ended May 31, 2009

		CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES								
508.4	Interest Income	\$ 60.08	\$ 1,142.19	0.23%	\$ 8,000.00	\$ (6,857.81)	-85.72%	-33.33%
518.4	Designated Funds		-	0.00%	7,000.00	(7,000.00)	-100.00%	-33.33%
520.4	Grant Funds	-	500,000.00	0.00%	-	500,000.00	0.00%	-33.33%
541.4	Gate Fees	2,472.85	2,472.85	0.00%	25,000.00	(22,527.15)	-90.11%	-33.33%
542.4	Rental Fees	250.00	150.00	0.00%	2,000.00	(1,850.00)	-92.50%	-33.33%
	TOTAL REVENUES	2,782.93	503,765.04	0.23%	42,000.00	461,765.04	1099.44%	-33.33%
EXPENDITURES								
861.4	Contract Labor/Wages	-	-	0.00%	12,500.00	(12,500.00)	-100.00%	-33.33%
862.4	Utilities	94.02	653.31	0.00%	1,000.00	(346.69)	-34.67%	-33.33%
863.4	Mowing	250.00	600.00	12.40%	750.00	(150.00)	-20.00%	-33.33%
864.4	Operating Supplies	-	364.98	0.00%	1,500.00	(1,135.02)	-75.67%	-33.33%
865.4	Contract Services	-	2,000.00	0.00%	5,000.00	(3,000.00)	-60.00%	-33.33%
866.4	Rental	-	353.00	0.00%	1,500.00	(1,147.00)	-76.47%	-33.33%
867.4	Materials	-	-	0.00%	750.00	(750.00)	-100.00%	-33.33%
868.4	Public Restroom Facilities	-	790.00	16.33%	1,000.00	(210.00)	-21.00%	-33.33%
869.4	Capital Outlay - Facilities	-	-	0.00%	18,000.00	(18,000.00)	-100.00%	-33.33%
	TOTAL BLUE HOLE PARKLAND EXPENDITURES	344.02	4,838.79	28.73%	42,000.00	(37,238.71)	-88.66%	-33.33%
	Net Excess (Deficit)	\$ 2,438.91	\$ 498,926.25	-28.50%	\$ -	\$ (498,926.25)	1188.10%	-33.33%

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City of Wimberley
Municipal Court
Balance Sheet - Modified Accrual Basis
May 31, 2009

Assets

Current Assets

109.50 Cash - Blanco National Bank -Municipal Court \$ 3,975.20

Total Current Assets \$ 3,975.20

Total Assets \$ 3,975.20

Liabilities and Fund Balance

Current Liabilities

304.50 Due to General - Municipal Court \$ 743.20

350.50 Municipal Court Cost Payable 2,335.00

Total Current Liabilities \$ 3,078.20

Total Liabilities 3,078.20

Fund Balance

498.50 Net Excess (Deficit) 897.00

Total Fund Balance 897.00

Total Liabilities and Fund Balance \$ 3,975.20

City of Wimberley
Municipal Court
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Eight Months Ended
May 31, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
550.50 Court Technology Fees	\$ 52.00	30.77	\$ 308.00	34.34
551.50 Building Security Fees	42.00	24.85	234.00	26.09
552.50 Child Safety Fees	75.00	44.38	350.00	39.02
553.50 Judicial Efficiency Fees	0.00	0.00	5.00	0.56
	<u>169.00</u>	<u>100.00</u>	<u>897.00</u>	<u>100.00</u>
Total Revenues	<u>169.00</u>	<u>100.00</u>	<u>897.00</u>	<u>100.00</u>
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET EXCESS (DEFICIT)	<u>\$ 169.00</u>	<u>100.00</u>	<u>\$ 897.00</u>	<u>100.00</u>

City of Wimberley
JOURNAL REPORT

May 31, 2009

CD - Cash disbursements

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/1/09	304.50	Due to General - Municipal Court	979.80	1252	due to general
5/6/09	863.40	Mowing	250.00	2253	affordable lawn service
5/6/09	862.40	Utilities	40.00	2254	pec
5/6/09	862.40	Utilities	54.02	2255	wimberley water supply
5/22/09	101.40	Petty Cash-Blue Hole	200.00	2256	cash - blue hole start up
5/1/09	733.10	Parking Lot Lease	100.00	6201	calkins interest ltd
5/1/09	614.10	Rent	525.00	6202	todd routh
5/1/09	708.10	Health Benefits	200.00	6203	abigail gillfillan
5/1/09	608.10	Health Care	200.00	6204	cara mcpartland
5/1/09	608.10	Health Care	312.00	6205	don ferguson
5/1/09	808.10	Health Care - Public Saftey	200.00	6206	garth w robinson
5/1/09	608.10	Health Care	200.00	6207	monica alcalá
5/1/09	708.10	Health Benefits	200.00	6208	william bowers
5/1/09	614.10	Rent	3,812.00	6209	todd routh
5/6/09	613.10	Copies	66.50	6212	a studio z art & design
5/6/09	616.10	Office Supplies	5.39	6213	ace hardware
5/6/09	715.10	Supplies - Public Works	6.37	6213	ace hardware
			11.76	6213	Reference Total
5/6/09	859.10	Nature Trail Operations	275.00	6214	affordable lawn service
5/6/09	623.10	Office Technology	49.00	6215	anvil communications
5/6/09	676.10	Contract Inspector	1,065.00	6216	ats engineers
5/6/09	715.10	Supplies - Public Works	95.98	6217	batteries plus
5/6/09	641.10	Legal	4,298.10	6218	bickerstaff, heath, pollan & caroom
5/6/09	821.10	City Prosecutor	678.68	6218	bickerstaff, heath, pollan & caroom
			4,976.78	6218	Reference Total
5/6/09	827.10	Vehicle Maintenance and Repair	11.00	6219	bill robinson
5/6/09	635.10	Mileage	331.10	6220	cara mcpartland
5/6/09	636.10	Training - Travel	276.06	6220	cara mcpartland
			607.16	6220	Reference Total
5/6/09	631.10	Capital Outlay - Technology	1,169.61	6221	dell marketing lp
5/6/09	611.10	Printing	35.00	6222	englehart printing
5/6/09	727.10	Road Maintenance	450.00	6223	garrett allen
5/6/09	619.10	Water Cooler	45.49	6224	hill country springs
5/6/09	610.10	Public Notices	565.18	6225	holly media group
5/6/09	826.10	Supplies - Public Safety	171.41	6226	lcra
5/6/09	756.10	Public Restroom Wastewater	190.00	6227	leinneweber plumbing
5/6/09	832.10	Capital Outlay - Technology	2,750.00	6228	It systems

**City of Wimberley
JOURNAL REPORT**

May 31, 2009

CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/6/09	731.10	Mowing / Tree Trimming	150.00	6229	master care tree & landscaping
5/6/09	677.10	Site Plan Reviews	917.20	6230	neptune-wilkinson
5/6/09	617.10	Utilities	412.20	6231	pec
5/6/09	859.10	Nature Trail Operations	78.12	6231	pec
			490.32	6231	Reference Total
5/6/09	615.10	Cleaning	500.00	6232	pow-wow cleaning
5/6/09	720.10	Fuel	47.68	6233	texas fleet fuel
5/6/09	825.10	Fuel-Public Safety	153.00	6233	texas fleet fuel
			200.68	6233	Reference Total
5/6/09	636.10	Training - Travel	215.00	6234	tx municipal clerks cert program
5/6/09	727.10	Road Maintenance	3,144.10	6235	tx road repair & patches
5/6/09	732.10	Signs/Barricades	1,880.00	6236	hartmann enterprises inc
5/6/09	612.10	Telephone	312.05	6237	verizon
5/6/09	859.10	Nature Trail Operations	29.65	6238	wimberley water supply
5/8/09	661.10	Public Relations / Receptions	130.00	6239	envision central texas
5/11/09	301.10	Withholding Tax Payable	1,500.00	6240	blanco nati bank
5/11/09	302.10	FICA Tax Payable	3,001.06	6240	blanco nati bank
			4,501.06	6240	Reference Total
5/11/09	607.10	TMRS - Admin	361.72	6241	tmrs
5/11/09	707.10	TMRS - Public Works	137.45	6241	tmrs
5/11/09	807.10	TMRS City Contribution-PS	87.31	6241	tmrs
5/11/09	311.10	TMRS Payable	980.72	6241	tmrs
			1,567.20	6241	Reference Total
5/19/09	626.10	Security Expense	126.85	6244	adt
5/19/09	612.10	Telephone	160.09	6245	at&t
5/19/09	676.10	Contract Inspector	720.00	6246	ats
5/19/09	727.10	Road Maintenance	225.00	6247	garrett allen
5/19/09	619.10	Water Cooler	53.49	6248	hill country springs
5/19/09	756.10	Public Restroom Wastewater	75.00	6249	leinneweber plumbing
5/19/09	655.10	Financial Management Services	1,000.00	6250	lori graham cpa
5/19/09	616.10	Office Supplies	188.04	6251	sam's club
5/19/09	756.10	Public Restroom Wastewater	14.84	6251	sam's club
			182.88	6251	Reference Total
5/19/09	720.10	Fuel	57.07	6252	texas fleet fuel
5/19/09	825.10	Fuel-Public Safety	57.63	6252	texas fleet fuel
			114.70	6252	Reference Total

**City of Wimberley
JOURNAL REPORT**

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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/19/09	613.10	Copies	14.16	6253	the copy center
5/19/09	732.10	Signs/Barricades	75.00	6254	hartmann enterprises inc
5/19/09	609.10	Dues - TML & City Mgr Assoc	1,387.00	6255	tml
5/19/09	616.10	Office Supplies	166.00	6256	written in stone
5/19/09	618.10	Equipment Leases	281.03	6257	kyocera mita american
5/19/09	103.10	Cash - Blanco National Bank - General	-36,902.33	disb	disb
5/22/09	108.40	Cash - Blanco National Bank - Blue Hole	-544.02	disb	disb
5/1/09	109.50	Cash - Blanco National Bank - Municipal Court	-979.80	disb	disb
			-38,426.15	disb	Reference Total
		Total for 72 Items	0.00		

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JOURNAL REPORT**

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/31/09	103.10	Cash - Blanco National Bank - General	82,005.45	1	deposits
5/31/09	116.10	Due From Municipal Court	-979.80	1	due from municipal court
5/31/09	505.10	Building Permits	-1,304.36	1	bldg permits
5/31/09	506.10	Building Inspections	-1,390.44	1	inspections
5/31/09	121.10	Sales Tax Receivable	-64,992.26	1	sales tax receivable
5/31/09	509.10	Plan Reviews	-585.00	1	plan reviews
5/31/09	511.10	Sign Permits	-300.00	1	sign permits
5/31/09	513.10	Zoning	-1,528.00	1	zoning
5/31/09	523.10	Texas Disposal Systems	-8,883.28	1	franchise tds
5/31/09	525.10	Franchise Fees - Misc	-472.50	1	franchise fees misc
5/31/09	512.10	Subdivision	-874.00	1	subdivision fees
5/31/09	120.10	Accounts Receivable	-695.81	1	a/r
			0.00	1	Reference Total
5/31/09	121.10	Sales Tax Receivable	40,090.32	2	sales tax receivable
5/31/09	501.10	Sales & Use Tax	-40,090.32	2	sale & use tax
			0.00	2	Reference Total
5/31/09	706.10	Payroll Taxes	353.43	3	p/r taxes pw
5/31/09	806.10	Payroll Taxes	223.38	3	p/r taxes - ps
5/31/09	606.10	Payroll Taxes	-576.81	3	p/r taxes admin
			0.00	3	Reference Total
5/31/09	622.10	Records Management	273.56	4	quickbooks subscription & fees
5/31/09	103.10	Cash - Blanco National Bank - General	-273.56	4	quickbooks subscription & fees
			0.00	4	Reference Total
5/31/09	109.50	Cash - Blanco National Bank - Municipal Court	1,942.00	5	deposits
5/31/09	550.50	Court Technology Fees	-52.00	5	court tech fees
5/31/09	551.50	Building Security Fees	-42.00	5	bldg sec fees
5/31/09	552.50	Child Safety Fees	-75.00	5	child safety fees
5/31/09	304.50	Due to General - Municipal Court	-743.30	5	payable to general
5/31/09	350.50	Municipal Court Cost Payable	-1,029.70	5	municipal court cost payable
			0.00	5	Reference Total
5/31/09	105.10	Cash - Blanco National Bank - CD	914.28	6	deposits
5/31/09	503.10	Interest Income - General	-914.28	6	interest

**City of Wimberley
JOURNAL REPORT**

May 31, 2009

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
			0.00	6	Reference Total
5/31/09	110.40	Texpool - Blue Hole	60.08	7	texpool - bh
5/31/09	503.40	Interest Income - Blue Hole Parkland	-60.08	7	interest
			0.00	7	Reference Total
5/31/09	110.10	Texpool - General	133.40	8	texpool - general
5/31/09	503.10	Interest Income - General	-133.40	8	interest
			0.00	8	Reference Total
5/31/09	108.40	Cash - Blanco National Bank - Blue Hole	3,222.85	9	deposits
5/31/09	541.40	Gate Fees	-2,472.85	9	gate fees
5/31/09	340.40	Blue Hole Rental Deposits Payable	-500.00	9	rent deposits payable
5/31/09	542.40	Rental Fees	-250.00	9	rental fees
			0.00	9	Reference Total
5/31/09	118.10	Due From Municipal Court	743.30	10	due from general
5/31/09	516.10	Municipal Court Costs/Fines	-743.30	10	municipal court fines
			0.00	10	Reference Total
		Total for 37 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

May 31, 2009

PYA - Generated payroll accrual

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/31/09	606.10	Payroll Taxes	1,217.54	CKS	Employer's FICA
5/31/09	302.10	FICA Tax Payable	-1,217.54	CKS	Employer's FICA
5/31/09	606.10	Payroll Taxes	284.75	CKS	Employer's Medicare
5/31/09	302.10	FICA Tax Payable	-284.75	CKS	Employer's Medicare
			0.00	CKS	Reference Total
		Total for 4 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

May 31, 2009

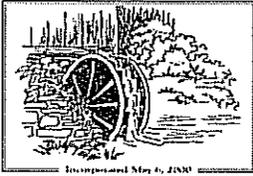
PYR - Generated payroll transaction

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
5/31/09	601.10	City Administrator	7,307.70	CKS	SALARY
5/31/09	301.10	Withholding Tax Payable	-1,502.00	CKS	Federal Withholding
5/31/09	302.10	FICA Tax Payable	-1,502.28	CKS	Fica + Medicare Withholding
5/31/09	311.10	TMRS Payable	-981.88	CKS	TMRS Contribution
5/31/09	103.10	Cash - Blanco National Bank - General	-15,651.65	CKS	Net Payroll Checks
5/31/09	602.10	City Secretary	2,846.16	CKS	SALARY
5/31/09	704.10	Salaries-GIS/Permitting Clerk	2,456.75	CKS	SALARY
5/31/09	801.10	Salaries - City Marshall	2,920.00	CKS	SALARY
5/31/09	603.10	Receptionist/Clerk	1,944.00	CKS	SALARY
5/31/09	702.10	Salaries-Code Enforcement & Permitting	2,163.20	CKS	SALARY
			0.00	CKS	Reference Total
		Total for 10 Items	0.00		

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: APPROVAL OF JUNE 2009
FINANCIAL STATEMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the June 2009 Financial Statements for review and consideration.

Council Package
Financial Statements Village of Wimberley
For the Period Ended 6/30/2009

- Balance Sheet - General Fund
- Revenue/Expenditure - General Fund
- Budget Vs Actual - General Fund
- Balance Sheet - Blue Hole
- Revenue/Expenditure - Blue Hole
- Budget Vs Actual - Blue Hole
- Balance Sheet - Municipal Court
- Revenue/Expenditure - Municipal Court

7-13-09 Faxed to: 512-847-0422 23pgs

City of Wimberley
General Fund
Balance Sheet - Modified Accrual Basis
June 30, 2009

Assets

Current Assets

101.10 Petty Cash-General	\$	150.00	
103.10 Cash - Blanco National Bank - General		316,977.82	
105.10 Cash - Blanco National Bank - CD		223,607.95	
110.10 Texpool - General		363,285.69	
116.10 Due From Municipal Court		716.60	
120.10 Accounts Receivable		6,757.97	
121.10 Sales Tax Receivable		<u>38,944.57</u>	
Total Current Assets			\$ <u>950,440.60</u>
Total Assets			\$ <u><u>950,440.60</u></u>

Liabilities and Fund Balance

Current Liabilities

301.10 Withholding Tax Payable	\$	1,504.00	
302.10 FICA Tax Payable		3,305.03	
311.10 TMRS Payable		<u>983.04</u>	
Total Current Liabilities			\$ <u>5,792.07</u>
Total Liabilities			<u>5,792.07</u>

Fund Balance

467.10 Fund Balance - Undesignated	437,582.18	
469.10 Designated Fund Balance - Public Works	300,000.00	
470.10 Designated Fund Balance - New City Hall	50,000.00	
471.10 Designated Fund Balance - WW on Square	30,000.00	
472.10 Designated Fund Balance - Future Grant Match	50,000.00	
498.10 Net Excess (Deficit)	<u>77,066.35</u>	
Total Fund Balance		<u>944,648.53</u>
Total Liabilities and Fund Balance		\$ <u><u>950,440.60</u></u>

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
501.10 Sales & Use Tax	\$ 38,944.57	68.14	\$ 430,737.81	70.59
502.10 Mixed Beverage Tax	0.00	0.00	2,586.87	0.42
503.10 Interest Income - General	335.77	0.59	10,140.91	1.66
504.10 Miscellaneous Income	3,211.69	5.62	16,062.66	2.63
505.10 Building Permits	1,002.95	1.75	9,947.32	1.63
506.10 Building Inspections	1,605.00	2.81	14,490.44	2.37
509.10 Plan Reviews	650.00	1.14	12,630.78	2.07
511.10 Sign Permits	120.00	0.21	1,880.00	0.31
512.10 Subdivision	1,931.20	3.38	7,128.20	1.17
513.10 Zoning	376.00	0.66	4,099.00	0.67
516.10 Municipal Court Costs/Fines	716.60	1.25	4,185.60	0.69
521.10 Time Warner Cable	1,799.98	3.15	18,167.78	2.98
522.10 Pedernales Electric Cooperative, Inc.	0.00	0.00	45,749.21	7.50
523.10 Texas Disposal Systems	0.00	0.00	18,021.51	2.95
524.10 Verizon	6,362.77	11.13	13,130.27	2.15
525.10 Franchise Fees - Misc	101.08	0.18	1,262.18	0.21
Total Revenues	57,157.61	100.00	610,218.54	100.00
Expenditures				
Admin - Personnel				
601.10 City Administrator	7,307.70	12.79	88,237.31	11.18
602.10 City Secretary	2,846.16	4.98	26,007.53	4.26
603.10 Receptionist/Clerk	1,944.00	3.40	16,038.00	2.63
606.10 Payroll Taxes	1,222.36	2.14	9,179.76	1.50
607.10 TMRS - Admin	361.72	0.63	3,247.82	0.53
608.10 Health Care	712.00	1.25	6,458.00	1.06
Total Admin - Personnel	14,393.94	25.18	129,168.42	21.17
Admin - Operating				
609.10 Dues - TML & City Mgr Assoc	0.00	0.00	2,658.30	0.44
610.10 Public Notices	416.04	0.73	3,010.49	0.49
611.10 Printing	0.00	0.00	767.00	0.13
612.10 Telephone	517.69	0.91	4,078.16	0.67
613.10 Copies	3.54	0.01	2,126.82	0.35
614.10 Rent	4,337.00	7.59	38,880.00	6.37
615.10 Cleaning	400.00	0.70	3,400.00	0.56
616.10 Office Supplies	200.61	0.35	2,443.76	0.40

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
617.10 Utilities	\$ 426.29	0.75	\$ 4,299.14	0.70
618.10 Equipment Leases	281.03	0.49	3,728.32	0.61
619.10 Water Cooler	0.00	0.00	322.73	0.05
620.10 Postage	50.54	0.09	295.65	0.05
621.10 Insurance	0.00	0.00	12,804.07	2.07
622.10 Records Management	1,139.84	1.99	2,436.86	0.40
623.10 Office Technology	49.00	0.09	392.00	0.06
626.10 Security Expense	0.00	0.00	422.83	0.07
628.10 Technology Consultant	115.00	0.20	170.00	0.03
631.10 Capital Outlay - Technology	0.00	0.00	1,169.61	0.19
632.10 Capital Outlay - Other	0.00	0.00	52,493.50	8.60
635.10 Mileage	0.00	0.00	331.10	0.05
636.10 Training - Travel	0.00	0.00	1,083.16	0.18
637.10 Contract Labor	0.00	0.00	3,706.10	0.61
	<u>7,936.58</u>	<u>13.89</u>	<u>140,819.60</u>	<u>23.08</u>
Total Admin - Operating				
Legal				
641.10 Legal	<u>3,523.10</u>	<u>6.16</u>	<u>35,492.84</u>	<u>5.82</u>
Total Legal	<u>3,523.10</u>	<u>6.16</u>	<u>35,492.84</u>	<u>5.82</u>
Council - Boards Expenditures				
651.10 Association Dues	0.00	0.00	293.00	0.05
652.10 Training	0.00	0.00	1,235.00	0.20
654.10 Election	3,116.30	5.45	3,116.30	0.51
655.10 Financial Management Services	0.00	0.00	8,000.00	1.31
656.10 Audit	0.00	0.00	13,000.00	2.13
658.10 Planning	0.00	0.00	5,000.00	0.82
661.10 Public Relations / Receptions	2,500.00	4.37	2,931.51	0.48
664.10 Fitness Council Expenses	0.00	0.00	6,112.98	1.00
	<u>5,616.30</u>	<u>9.83</u>	<u>39,688.79</u>	<u>6.50</u>
Total Council - Boards Expenditures				
Building Department Expenditures				
676.10 Contract Inspector	2,235.00	3.91	19,187.50	3.14
677.10 Site Plan Reviews	1,551.00	2.71	12,364.31	2.03
	<u>3,786.00</u>	<u>6.62</u>	<u>31,551.81</u>	<u>5.17</u>
Total Building Department Expenditures				

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Public Works - Personnel				
702.10 Salaries-Code Enforcement & Permitting	\$ 2,163.20	3.78	\$ 19,780.80	3.24
704.10 Salaries-GIS/Permitting Clerk	2,480.00	4.34	22,607.85	3.70
706.10 Payroll Taxes	355.20	0.62	3,646.86	0.60
707.10 TMRS - Public Works	138.14	0.24	1,250.55	0.20
708.10 Health Benefits	400.00	0.70	3,400.00	0.56
Total Public Works - Personnel	5,536.54	9.69	50,686.06	8.31
Public Works - Operating				
714.10 Certificates	0.00	0.00	50.00	0.01
715.10 Supplies - Public Works	0.00	0.00	148.56	0.02
720.10 Fuel	67.68	0.12	562.82	0.09
722.10 Vehicle Maint. & Insurance	39.39	0.07	171.02	0.03
Total Public Works - Operating	107.07	0.19	932.40	0.15
Roads				
727.10 Road Maintenance	8,010.82	14.02	27,480.40	4.50
729.10 Road Engineering	0.00	0.00	9,173.00	1.50
731.10 Mowing / Tree Trimming	425.00	0.74	3,250.00	0.53
732.10 Signs/Barricades	97.36	0.17	3,877.66	0.64
733.10 Parking Lot Lease	100.00	0.17	900.00	0.15
736.10 Contract Labor	0.00	0.00	4,032.93	0.66
Total Roads	8,633.18	15.10	48,713.99	7.98
Water/Wastewater				
756.10 Public Restroom Wastewater	325.00	0.57	2,929.34	0.48
Total Water/Wastewater	325.00	0.57	2,929.34	0.48
Public Safety - Personnel				
801.10 Salaries - City Marshall	2,920.00	5.11	26,701.05	4.38
806.10 Payroll Taxes	223.38	0.39	2,117.82	0.35
807.10 TMRS City Contribution-PS	87.31	0.15	787.76	0.13
808.10 Health Care - Public Safety	200.00	0.35	1,825.00	0.30

Restricted for Management's Use Only

City of Wimberley
General Fund
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Total Public Safety - Personnel	\$ 3,430.69	6.00	\$ 31,431.63	5.15
Public Safety - Operating				
820.10 Municipal Court Judge	(850.00)	(1.49)	3,277.26	0.54
821.10 City Prosecutor	841.27	1.47	3,684.95	0.61
823.10 Training	1,900.00	3.32	1,900.00	0.31
824.10 Animal Control	0.00	0.00	6,000.00	0.98
825.10 Fuel-Public Safety	245.78	0.43	1,369.59	0.22
826.10 Supplies - Public Safety	0.00	0.00	775.88	0.13
827.10 Vehicle Maintenance and Repair	14.50	0.03	74.72	0.01
830.10 Capital Outlay - Vehicle	0.00	0.00	608.95	0.10
832.10 Capital Outlay - Technology	0.00	0.00	2,750.00	0.45
Total Public Safety - Operating	2,151.55	3.76	20,451.35	3.35
Parks - Operating				
859.10 Nature Trail Operations	123.71	0.22	1,285.96	0.21
Total Parks - Operating	123.71	0.22	1,285.96	0.21
Total Expenditures	55,583.66	97.21	533,152.19	87.37
NET EXCESS (DEFICIT)	\$ 1,593.95	2.79	\$ 77,066.35	12.63

CITY OF WIMBERLEY
BUDGET VS ACTUAL - GENERAL FUND
For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %	
REVENUES								
501.1	Sales & Use Tax	\$ 38,944.57	430,737.81	70.59%	\$ 476,400.00	\$ (45,662.19)	-9.58%	-25.00%
502.1	Mixed Beverage Tax	-	2,586.87	0.42%	7,500.00	(4,913.13)	-65.51%	-25.00%
503.1	Interest Income	335.77	10,183.22	1.67%	18,000.00	(7,816.78)	-43.43%	-25.00%
504.1	Misc. Income	3,211.69	15,147.20	2.48%	5,000.00	10,147.20	0.00%	-25.00%
505.1	Building Permits	1,002.95	10,245.59	1.68%	22,000.00	(11,754.41)	-53.43%	-25.00%
506.1	Building Inspections	1,605.00	13,614.49	2.23%	29,000.00	(15,385.51)	-53.05%	-25.00%
509.1	Plan Reviews	650.00	12,630.78	2.07%	18,000.00	(5,369.22)	-29.83%	-25.00%
510.1	Beer & Wine Permits	-	-	0.00%	-	-	0.00%	-25.00%
511.1	Sign Permits	120.00	1,880.00	0.31%	7,000.00	(5,120.00)	-73.14%	-25.00%
512.1	Subdivision	1,931.20	7,126.20	1.17%	15,000.00	(7,873.80)	-52.49%	-25.00%
513.1	Zoning	376.00	4,099.00	0.67%	15,000.00	(10,901.00)	-72.67%	-25.00%
514.1	Copies/Maps/Misc.	-	-	0.00%	500.00	(500.00)	-100.00%	-25.00%
516.1	Municipal Court/Costs Fines	716.60	4,185.60	0.69%	43,600.00	(39,414.40)	-90.40%	-25.00%
525.1	Franchise Fees	8,263.83	96,330.95	15.79%	180,000.00	(83,669.05)	-46.48%	-25.00%
526.1	Health Fees	-	-	0.00%	15,000.00	(15,000.00)	-100.00%	-25.00%
	TOTAL REVENUES	57,157.61	610,218.54	99.76%	852,000.00	(243,232.29)	-28.55%	-25.00%
EXPENDITURES								
ADMINISTRATION EXPENDITURES								
<i>Personnel</i>								
601.1	City Administrator	7,307.70	68,237.31	12.80%	95,000.00	(26,762.69)	-28.17%	-25.00%
602.1	City Secretary	2,846.16	26,007.53	4.88%	37,000.00	(10,992.47)	-29.71%	-25.00%
603.1	Receptionist/Clerk	1,944.00	16,038.00	3.01%	29,204.00	(13,166.00)	-45.08%	-25.00%
604.1	Fire Marshal (Contract Labor)	-	-	0.00%	4,000.00	(4,000.00)	-100.00%	-25.00%
605.1	Intern	-	-	0.00%	-	-	0.00%	-25.00%
606.1	Payroll Taxes	1,222.36	9,179.76	1.72%	13,341.00	(4,161.24)	-31.19%	-25.00%
607.1	TMRS	361.72	3,247.82	0.61%	8,593.00	(5,345.18)	-62.20%	-25.00%
608.1	Health Benefits	712.00	6,458.00	1.21%	13,500.00	(7,042.00)	-52.16%	-25.00%
	<i>Total Personnel</i>	14,393.94	129,168.42	24.23%	200,638.00	(71,469.58)	-35.62%	-25.00%
<i>Operating</i>								
609.1	Dues (TML & City Mgr Assoc.)	-	2,658.30	0.50%	4,000.00	(1,341.70)	-33.54%	-25.00%
610.1	Public Notices	416.04	3,010.49	0.56%	4,500.00	(1,489.51)	-33.10%	-25.00%
611.1	Printing	-	767.00	0.14%	500.00	267.00	53.40%	-25.00%
612.1	Telephone	517.69	4,078.16	0.76%	5,700.00	(1,621.84)	-28.45%	-25.00%
613.1	Copies	3.54	2,126.82	0.40%	750.00	1,376.82	183.58%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
614.1 Rent	4,337.00	38,880.00	7.29%	55,000.00	(16,120.00)	-29.31%	-25.00%
615.1 Cleaning	400.00	3,400.00	0.64%	5,200.00	(1,800.00)	-34.62%	-25.00%
616.1 Office Supplies	200.61	2,443.76	0.46%	5,000.00	(2,556.24)	-51.12%	-25.00%
617.1 Utilities	426.29	4,299.14	0.81%	5,500.00	(1,200.86)	-21.83%	-25.00%
618.1 Equipment Leases	281.03	3,728.32	0.70%	4,200.00	(471.68)	-11.23%	-25.00%
619.1 Water Cooler	-	322.73	0.06%	540.00	(217.27)	-40.24%	-25.00%
620.1 Postage	50.54	295.65	0.06%	5,000.00	(4,704.35)	-94.09%	-25.00%
621.1 Insurance	-	12,604.07	2.36%	15,000.00	(2,395.93)	-15.97%	-25.00%
622.1 Records Management	1,139.84	2,436.86	0.46%	7,500.00	(5,063.14)	-67.51%	-25.00%
623.1 Office Technology	49.00	392.00	0.07%	650.00	(258.00)	-39.69%	-25.00%
626.1 Security Expense	-	422.83	0.08%	800.00	(377.17)	-47.15%	-25.00%
628.1 Technology Consultant	115.00	170.00	0.03%	635.00	(366.00)	-58.22%	-25.00%
629.1 Pay Comparability Adjustment	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-25.00%
630.1 Capital Outlay - Furnishings	-	-	0.00%	400.00	(400.00)	-100.00%	-25.00%
631.1 Capital Outlay - Technology	-	1,169.61	0.22%	6,300.00	(5,130.39)	-81.43%	-25.00%
632.1 Capital Outlay - Other	-	52,493.50	9.85%	-	52,493.50	0.00%	-25.00%
635.1 Mileage	-	331.10	0.06%	750.00	(418.90)	-55.85%	-25.00%
636.1 Training-Travel	-	1,083.16	0.20%	2,000.00	(916.84)	-45.84%	-25.00%
637.1 Contract Labor	-	3,706.10	0.70%	-	3,706.10	0.00%	-25.00%
638.1 Repairs & Maintenance	-	-	0.00%	-	-	0.00%	-25.00%
639.1 Signs/Zoning	-	-	0.00%	-	-	0.00%	-25.00%
Total Operating	7,936.58	140,819.60	26.41%	130,825.00	9,994.60	7.64%	-25.00%
TOTAL ADMINISTRATION EXPENDITURES	22,330.52	269,988.02	50.64%	331,463.00	(61,474.98)	-18.55%	-25.00%
LEGAL DEPARTMENT EXPENDITURES							
641.1 Legal	3,523.10	35,492.84	6.66%	55,000.00	(19,507.16)	-35.47%	-25.00%
649.1 Operating Transfer-Out	-	-	0.00%	-	-	0.00%	-25.00%
TOTAL LEGAL	3,523.10	35,492.84	6.66%	55,000.00	(19,507.16)	-35.47%	-25.00%
COUNCIL - BOARD EXPENDITURES							
651.1 Association Dues	-	293.00	0.05%	1,000.00	(707.00)	-70.70%	-25.00%
652.1 Training	-	1,236.00	0.23%	1,500.00	(265.00)	-17.67%	-25.00%
653.1 Town Hall Meetings	-	-	0.00%	-	-	0.00%	-25.00%
654.1 Election	3,116.30	3,116.30	0.58%	2,500.00	616.30	24.65%	-25.00%
655.1 Financial Management Services	-	8,000.00	1.50%	12,000.00	(4,000.00)	-33.33%	-25.00%
656.1 Audit	-	13,000.00	2.44%	10,000.00	3,000.00	30.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
657.1	Public Satisfaction Survey	-	0.00%	-	-	0.00%	-25.00%
658.1	Planning	-	0.94%	-	5,000.00	0.00%	-25.00%
659.1	Recording Secretary	-	0.00%	-	-	0.00%	-25.00%
660.1	Economic Development	-	0.00%	-	-	0.00%	-25.00%
661.1	Public Relations/Receptions	2,500.00	0.55%	3,000.00	(68.49)	-2.28%	-25.00%
662.1	Public Information	-	0.00%	2,500.00	(2,500.00)	0.00%	-25.00%
663.1	Visitor Center Support	-	0.00%	-	-	0.00%	-25.00%
664.1	Fitness Council Expenditures	-	1.15%	-	6,112.98	0.00%	-25.00%
	TOTAL COUNCIL -BOARD EXPENDITURES	5,616.30	7.44%	32,500.00	7,188.79	22.12%	-25.00%
BUILDING DEPARTMENT EXPENDITURES							
676.1	Contract Inspector	2,235.00	3.60%	22,000.00	(2,812.50)	-12.78%	-25.00%
677.1	Site Plan Reviews	1,551.00	2.32%	18,000.00	(5,635.69)	-31.31%	-25.00%
678.1	Building Code Books	-	0.00%	-	-	0.00%	-25.00%
	TOTAL BUILDING DEPARTMENT EXPENDITURES	3,786.00	5.92%	40,000.00	(8,448.19)	-21.12%	-25.00%
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES							
	<i>Public Works</i>						
<i>Personnel</i>							
701.1	Salaries-Planning Director	-	0.00%	-	-	0.00%	-25.00%
702.1	Salaries-Code Enforcement & Perm	2,163.20	3.71%	28,121.00	(8,340.20)	-29.66%	-25.00%
703.1	Salaries-Asst. to Planning Director	-	0.00%	-	-	0.00%	-25.00%
704.1	Salaries-GIS/Permitting Clerk	2,480.00	4.24%	32,240.00	(9,632.15)	0.00%	-25.00%
706.1	Payroll Taxes	355.20	0.68%	4,922.00	(1,275.14)	0.00%	-25.00%
707.1	TMRS - Public Works	138.14	0.23%	-	1,250.55	0.00%	-25.00%
708.1	Health Benefits	400.00	0.64%	9,000.00	(5,600.00)	-62.22%	-25.00%
	Total Personnel	5,536.54	9.51%	74,283.00	(23,596.94)	-31.77%	-25.00%
<i>Operating</i>							
712.1	Mileage	-	0.00%	250.00	(250.00)	-100.00%	-25.00%
713.1	Training	-	0.00%	1,000.00	(1,000.00)	-100.00%	-25.00%
714.1	Certificates	-	0.06%	-	50.00	0.00%	-25.00%
715.1	Supplies - Public Works	-	0.19%	-	148.56	0.00%	-25.00%
720.1	Fuel	67.68	0.11%	2,000.00	(1,437.18)	0.00%	-25.00%
721.1	Tools	-	0.00%	750.00	(750.00)	-100.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
BUDGET VS ACTUAL - GENERAL FUND
For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
722.1 Vehicle Maintenance & Insurance	39.39	171.02	0.03%	1,000.00	(828.98)	0.00%	-25.00%
<i>Total Operating</i>	107.07	932.40	0.17%	5,000.00	(4,067.60)	0.00%	-25.00%
<i>Total Public Works</i>	5,643.61	51,618.46	9.68%	79,283.00	(27,664.54)	-31.77%	-25.00%
<i>Roads</i>							
727.1 Road Maintenance	8,010.82	27,480.40	5.15%	75,000.00	(47,519.60)	-63.36%	-25.00%
Transfer to Road Maintenance Rese	-	-	0.00%	20,000.00	(20,000.00)	-100.00%	-25.00%
728.1 Capital Outlay Roads	-	-	0.00%	40,000.00	(40,000.00)	-100.00%	-25.00%
729.1 Road Engineering	-	9,173.00	1.72%	7,000.00	2,173.00	31.04%	-25.00%
730.1 Road Insurance	-	-	0.00%	-	-	0.00%	-25.00%
731.1 Mowing/Tree Trimming	425.00	3,250.00	0.61%	12,500.00	(9,250.00)	-74.00%	-25.00%
732.1 Signs/Barricades	97.36	3,877.66	0.73%	5,000.00	(1,122.34)	-22.45%	-25.00%
733.1 Parking Lot Lease	100.00	900.00	0.17%	1,200.00	(300.00)	-25.00%	-25.00%
734.1 Master Planning Traffic Studies	-	-	0.00%	-	-	0.00%	-25.00%
735.1 Survey Services	-	-	0.00%	-	-	0.00%	-25.00%
736.1 Contract Labor	-	4,032.93	0.76%	5,000.00	(967.07)	-19.34%	-25.00%
737.1 Ranch Road 12 Mitigation	-	-	0.00%	-	-	0.00%	-25.00%
<i>Total Roads</i>	8,633.18	48,713.99	9.14%	165,700.00	(116,986.01)	-70.60%	-25.00%
<i>Water/Wastewater</i>							
752.1 Water Quality Testing	-	-	0.00%	5,000.00	(5,000.00)	-100.00%	-25.00%
753.1 Wastewater System Start-up	-	-	0.00%	-	-	0.00%	-25.00%
754.1 Map Services	-	-	0.00%	-	-	0.00%	-25.00%
755.1 Water/Wastewater Purchases	-	-	0.00%	-	-	0.00%	-25.00%
756.1 Public Restroom Wastewater	325.00	2,929.34	0.55%	7,500.00	(4,570.66)	-60.94%	-25.00%
<i>Total Water/Wastewater</i>	325.00	2,929.34	0.55%	12,500.00	(9,570.66)	-76.57%	-25.00%
TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES	14,601.79	103,261.79	19.37%	257,483.00	(154,221.21)	-59.90%	-25.00%
PUBLIC SAFETY/COURTS EXPENDITURES							
<i>Personnel</i>							
801.1 Salaries - City Marshall	2,920.00	26,701.05	5.01%	37,960.00	(11,258.95)	-29.66%	-25.00%
806.1 Payroll Taxes	223.38	2,117.82	0.40%	3,094.00	(976.18)	0.00%	-25.00%
807.1 TMRS City Contribution	87.31	787.76	0.15%	-	787.76	0.00%	-25.00%
808.1 Health Benefits	200.00	1,825.00	0.34%	4,500.00	(2,675.00)	-59.44%	-25.00%
<i>Total Personnel</i>	3,430.69	31,431.63	5.90%	45,554.00	(14,122.37)	-31.00%	-25.00%

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %	
<u>Operating</u>								
820.1	Municipal Court Judge	(850.00)	3,277.26	0.61%	10,000.00	(6,722.74)	-67.23%	-25.00%
821.1	City Prosecutor	841.27	3,694.95	0.69%	10,000.00	(6,305.05)	-63.05%	-25.00%
822.1	Emergency Plan	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-25.00%
823.1	Training	1,900.00	1,900.00	0.36%	4,500.00	(2,600.00)	-57.78%	-25.00%
824.1	Animal Control	-	6,000.00	1.13%	6,000.00	-	0.00%	-25.00%
825.1	Fuel	245.78	1,369.59	0.26%	6,000.00	(4,630.41)	-77.17%	-25.00%
826.1	Supplies	-	775.88	0.15%	-	775.88	0.00%	-25.00%
827.1	Vehicle Maintenance & Repair	14.50	74.72	0.01%	-	74.72	0.00%	-25.00%
830.1	Capital Outlay - Vehicles	-	608.95	0.11%	-	608.95	0.00%	-25.00%
831.1	Capital Outlay - Equipment	-	-	0.00%	12,500.00	(12,500.00)	-100.00%	-25.00%
832.1	Capital Outlay - Technology	-	2,750.00	0.52%	12,500.00	(9,750.00)	-78.00%	-25.00%
837.1	Sanitarian (Contract Labor)	-	-	0.00%	12,500.00	(12,500.00)	-100.00%	-25.00%
	<u>Total Operating</u>	2,151.55	20,451.35	3.84%	75,000.00	(54,548.65)	-72.73%	-25.00%
	TOTAL PUBLIC SAFETY/COURTS EXPENDITURES	5,582.24	51,882.98	9.73%	120,554.00	(68,671.02)	-56.96%	-25.00%
PARKS & RECREATION EXPENDITURES								
<u>Personnel</u>								
851.1	Assistant to City Admin	-	-	0.00%	-	-	0.00%	-25.00%
852.1	Health Benefits	-	-	0.00%	-	-	0.00%	-25.00%
853.1	Payroll Taxes	-	-	0.00%	-	-	0.00%	-25.00%
	<u>Total Personnel</u>	-	-	0.00%	-	-	0.00%	-25.00%
<u>Operating</u>								
854.1	Mileage	-	-	0.00%	-	-	0.00%	-25.00%
855.1	Public Information	-	-	0.00%	-	-	0.00%	-25.00%
856.1	Parks Research & Development	-	-	0.00%	-	-	0.00%	-25.00%
857.1	Trails Master Plan	-	-	0.00%	-	-	0.00%	-25.00%
859.1	Nature Trail Operations	123.71	1,285.96	0.24%	15,000.00	(13,714.04)	-91.43%	-25.00%
	<u>Total Operating</u>	123.71	1,285.96	0.24%	15,000.00	(13,714.04)	-91.43%	-25.00%
	TOTAL PARKS & RECREATION EXPENDITURES	123.71	1,285.96	0.24%	15,000.00	(13,714.04)	-91.43%	-25.00%
	TOTAL EXPENDITURES	55,563.66	533,152.19	1.00	852,000.00	(318,847.81)	-37.42%	-25.00%
	Net Excess (Deficit)	\$ 1,593.95	\$ 77,066.35	-0.24%	\$ -	\$ 75,615.52	-8.88%	-25.00%

Restricted for Management's Use Only

City of Wimberley
Blue Hole Parkland
Balance Sheet - Modified Accrual Basis
June 30, 2009

Assets

Current Assets

101.40 Petty Cash-Blue Hole	\$	200.00
106.40 Cash - Blanco National Bank - BH Development		500,000.00
108.40 Cash - Blanco National Bank - Blue Hole		80,820.62
110.40 Texpool - Blue Hole		<u>163,634.20</u>

Total Current Assets \$ 744,654.82

Total Assets \$ 744,654.82

Liabilities and Fund Balance

Current Liabilities

301.40 Withholding Tax Payable	\$	96.00
302.40 FICA Tax Payable		296.85
340.40 Blue Hole Rental Deposits Payable		<u>675.00</u>

Total Current Liabilities \$ 1,067.85

Total Liabilities 1,067.85

Fund Balance

467.40 Fund Balance - Blue Hole	83,227.58
473.40 Designated Fund Balance Blue Hole - Soccer Fields	146,701.58
496.40 Suspense	275.00
498.40 Net Excess (Deficit)	<u>513,382.81</u>

Total Fund Balance 743,586.97

Total Liabilities and Fund Balance \$ 744,654.82

City of Wimberley
Blue Hole Parkland
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.40 Interest Income - Blue Hole Parkland	\$ 52.97	0.24	\$ 1,195.16	0.23
520.40 Grant Funds - Blue Hole	0.00	0.00	500,000.00	95.16
541.40 Gate Fees	21,615.46	99.76	24,088.31	4.58
542.40 Rental Fees	0.00	0.00	150.00	0.03
Total Revenues	21,668.43	100.00	525,433.47	100.00
Expenditures				
Parks - Operating				
858.40 Blue Hole Master Plan	130.50	0.60	130.50	0.02
861.40 Contract Labor/Wages	3,880.64	17.91	3,958.14	0.75
862.40 Utilities	54.02	0.25	707.33	0.13
863.40 Mowing	250.00	1.15	850.00	0.16
864.40 Operating Supplies	1,101.71	5.08	1,466.69	0.28
865.40 Contract Services	1,470.00	6.78	3,470.00	0.66
866.40 Rental	0.00	0.00	353.00	0.07
868.40 Public Restroom Facilities	325.00	1.50	1,115.00	0.21
Total Parks - Operating	7,211.87	33.28	12,050.66	2.29
Total Expenditures	7,211.87	33.28	12,050.66	2.29
NET EXCESS (DEFICIT)	\$ 14,456.56	66.72	\$ 513,382.81	97.71

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - BLUE HOLE SPECIAL REVENUE FUND
 For The Nine Months Ended June 30, 2009

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
508.4 Interest Income	\$ 52.97	\$ 1,195.16	0.23%	\$ 8,000.00	\$ (6,804.84)	-85.06%	-25.00%
518.4 Designated Funds		-	0.00%	7,000.00	(7,000.00)	-100.00%	-25.00%
520.4 Grant Funds	-	500,000.00	0.00%	-	500,000.00	0.00%	-25.00%
541.4 Gate Fees	21,615.46	24,088.31	0.00%	25,000.00	(911.69)	-3.65%	-25.00%
542.4 Rental Fees	-	150.00	0.00%	2,000.00	(1,850.00)	-92.50%	-25.00%
TOTAL REVENUES	21,668.43	525,433.47	0.23%	42,000.00	483,433.47	1151.03%	-25.00%
EXPENDITURES							
858.4 Blue Hole Master Plan	130.50	130.50	1.08%	-	130.50	0.00%	-25.00%
861.4 Contract Labor/Wages	3,880.64	3,880.64	32.20%	12,500.00	(8,619.36)	-68.95%	-25.00%
862.4 Utilities	54.02	707.33	0.00%	1,000.00	(292.67)	-29.27%	-25.00%
863.4 Mowing	250.00	850.00	7.05%	750.00	100.00	13.33%	-25.00%
864.4 Operating Supplies	1,101.74	1,466.72	0.00%	1,500.00	(33.28)	-2.22%	-25.00%
865.4 Contract Services	1,470.00	3,470.00	0.00%	5,000.00	(1,530.00)	-30.60%	-25.00%
866.4 Rental	-	353.00	0.00%	1,500.00	(1,147.00)	-76.47%	-25.00%
867.4 Materials	-	-	0.00%	750.00	(750.00)	-100.00%	-25.00%
868.4 Public Restroom Facilities	325.00	1,115.00	9.25%	1,000.00	115.00	11.50%	-25.00%
869.4 Capital Outlay - Facilities	-	-	0.00%	18,000.00	(18,000.00)	-100.00%	-25.00%
TOTAL BLUE HOLE PARKLAND EXPENDITURES	7,211.90	12,050.69	48.51%	42,000.00	(30,157.31)	-71.80%	-25.00%
Net Excess (Deficit)	\$ 14,456.53	\$ 513,382.78	-48.28%	\$ -	\$ (513,382.78)	1222.84%	-25.00%

Restricted for Management's Use Only

City of Wimberley
Municipal Court
Statement of Revenue and Expenditures - Modified Accrual Basis
For the One Month and Nine Months Ended
June 30, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
550.50 Court Technology Fees	\$ 44.00	57.14	\$ 352.00	36.14
551.50 Building Security Fees	33.00	42.86	267.00	27.41
552.50 Child Safety Fees	0.00	0.00	350.00	35.93
553.50 Judicial Efficiency Fees	0.00	0.00	5.00	0.51
	<u>77.00</u>	<u>100.00</u>	<u>974.00</u>	<u>100.00</u>
Total Revenues				
	<u>77.00</u>	<u>100.00</u>	<u>974.00</u>	<u>100.00</u>
Total Expenditures				
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET EXCESS (DEFICIT)	\$ <u>77.00</u>	<u>100.00</u>	\$ <u>974.00</u>	<u>100.00</u>

**City of Wimberley
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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/19/09	304.50	Due to General - Municipal Court	743.20	1253	city of wimberley - general fund
6/11/09	340.40	Blue Hole Rental Deposits Payable	100.00	2257	linker, tracy
6/11/09	864.40	Operating Supplies	347.34	2258	ace hardware
6/11/09	863.40	Mowing	250.00	2259	affordable lawn service
6/11/09	858.40	Blue Hole Master Plan	130.50	2260	bickerstaff, heath, pollan & caroom
6/11/09	868.40	Public Restroom Facilities	325.00	2261	leinneweber plumbing co
6/11/09	865.40	Contract Services	1,470.00	2262	myers concrete construction
6/11/09	864.40	Operating Supplies	341.41	2263	professional graffiti llc
6/11/09	862.40	Utilities	54.02	2264	wimberly water supply corp
6/11/09	864.40	Operating Supplies	412.96	2265	wristband resources
6/1/09	708.10	Health Benefits	200.00	6258	abigail gillfillan
6/1/09	733.10	Parking Lot Lease	100.00	6259	calkins interest ltd
6/1/09	608.10	Health Care	200.00	6260	cara mcpartland
6/1/09	608.10	Health Care	312.00	6261	don ferguson
6/1/09	808.10	Health Care - Public Saftey	200.00	6262	garth robinson
6/1/09	608.10	Health Care	200.00	6263	monica alcalá
6/1/09	614.10	Rent	3,812.00	6264	todd routh
6/1/09	614.10	Rent	525.00	6265	todd routh
6/1/09	708.10	Health Benefits	200.00	6266	william bowers
6/2/09	607.10	TMRS - Admin	361.72	6267	tmrs
6/2/09	707.10	TMRS - Public Works	138.14	6267	tmrs
6/2/09	807.10	TMRS City Contribution-PS	87.31	6267	tmrs
6/2/09	311.10	TMRS Payable	981.88	6267	tmrs
			1,569.05	6267	Reference Total
6/2/09	301.10	Withholding Tax Payable	1,502.00	6268	blanco natl bank
6/2/09	302.10	FICA Tax Payable	3,004.56	6268	blanco natl bank
			4,506.56	6268	Reference Total
6/3/09	661.10	Public Relations / Receptions	1,300.00	6269	gryphon enterprises
6/11/09	727.10	Road Maintenance	26.92	6272	ace hardware
6/11/09	731.10	Mowing / Tree Trimming	425.00	6273	affordable lawn service
6/11/09	859.10	Nature Trail Operations	50.00	6273	affordable lawn service
			475.00	6273	Reference Total
6/11/09	623.10	Office Technology	49.00	6274	anvil communications inc
6/11/09	628.10	Technology Consultant	55.00	6274	anvil communications inc
			104.00	6274	Reference Total
6/11/09	676.10	Contract Inspector	2,235.00	6275	ats

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CD - Cash disbursements

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/11/09	641.10	Legal	3,523.10	6276	bickerstaff, heath, pollan & caroom
6/11/09	821.10	City Prosecutor	841.27	6276	bickerstaff, heath, pollan & caroom
			4,364.37	6276	Reference Total
6/11/09	722.10	Vehicle Maint. & Insurance	39.39	6277	bob lawson's lube & auto
6/11/09	827.10	Vehicle Maintenance and Repair	14.50	6277	bob lawson's lube & auto
			53.89	6277	Reference Total
6/11/09	620.10	Postage	50.54	6278	federal express
6/11/09	727.10	Road Maintenance	525.00	6279	garrett allen
6/11/09	654.10	Election	3,116.30	6280	hays county elections admin
6/11/09	610.10	Public Notices	416.04	6281	holly media group
6/11/09	756.10	Public Restroom Wastewater	325.00	6282	leinneweber plumbing co
6/11/09	820.10	Municipal Court Judge	1,050.00	6283	mounger & campbell llp
6/11/09	622.10	Records Management	1,125.00	6284	municipal code corp
6/11/09	677.10	Site Plan Reviews	1,551.00	6285	neptune-wilkinson assoc
6/11/09	617.10	Utilities	426.29	6286	pec
6/11/09	859.10	Nature-Trail Operations	42.07	6286	pec
			468.36	6286	Reference Total
6/11/09	615.10	Cleaning	400.00	6287	pow-wow cleaning
6/11/09	732.10	Signs/Barricades	97.36	6288	professional graffiti llc
6/11/09	720.10	Fuel	67.68	6289	texas fleet fuel
6/11/09	825.10	Fuel-Public Safety	245.78	6289	texas fleet fuel
			313.46	6289	Reference Total
6/11/09	727.10	Road Maintenance	7,458.90	6290	texas road repair & patches
6/11/09	613.10	Copies	3.54	6291	the copy center
6/11/09	628.10	Technology Consultant	60.00	6292	the ozen of geek
6/11/09	612.10	Telephone	327.23	6293	verizon
6/11/09	859.10	Nature Trail Operations	31.64	6294	wimberley water supply
6/15/09	661.10	Public Relations / Receptions	1,200.00	6295	gryphon enterprises
6/22/09	612.10	Telephone	190.46	6298	at&t
6/22/09	618.10	Equipment Leases	281.03	6299	kyocera mita american
6/22/09	616.10	Office Supplies	200.61	6300	sam's club
6/22/09	103.10	Cash - Blanco National Bank - General	-39,575.26	disb	disb
6/19/09	109.50	Cash - Blanco National Bank - Municipal Court	-743.20	disb	disb
6/19/09	108.40	Cash - Blanco National Bank - Blue Hole	-3,431.23	disb	disb

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CD - Cash disbursements

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			-43,749.69	disb	Reference Total
		Total for 62 Items	0.00		

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/09	116.10	Due From Municipal Court	716.60	1	dua from mc
6/30/09	516.10	Municipal Court Costs/Fines	-716.60	1	court costs & fines
			0.00	1	Reference Total
6/30/09	110.40	Texpool - Blue Hole	52.97	2	texpool
6/30/09	503.40	Interest Income - Blue Hole Parkland	-52.97	2	interest income
			0.00	2	Reference Total
6/30/09	110.10	Texpool - General	117.58	3	texpool
6/30/09	503.10	Interest Income - General	-117.58	3	interest income
			0.00	3	Reference Total
6/30/09	105.10	Cash - Blanco National Bank - CD	218.19	4	cash - cd
6/30/09	503.10	Interest Income - General	-218.19	4	interest income
			0.00	4	Reference Total
6/30/09	108.40	Cash - Blanco National Bank - Blue Hole	275.00	5	bh bank error
6/30/09	496.40	Suspense	-275.00	5	bank error
			0.00	5	Reference Total
6/30/09	823.10	Training	1,900.00	6	training.
6/30/09	820.10	Municipal Court Judge	-1,900.00	6	mc judge
			0.00	6	Reference Total
6/30/09	121.10	Sales Tax Receivable	38,944.57	7	sales tax receivable
6/30/09	501.10	Sales & Use Tax	-38,944.57	7	sales tax revenue
			0.00	7	Reference Total
6/30/09	706.10	Payroll Taxes	355.20	8	p/r taxes pw
6/30/09	806.10	Payroll Taxes	223.38	8	p/r taxes ps
6/30/09	606.10	Payroll Taxes	-578.58	8	p/r taxes admin
			0.00	8	Reference Total
6/30/09	622.10	Records Management	14.84	9	q/b s/c
6/30/09	103.10	Cash - Blanco National Bank - General	-14.84	9	cash
			0.00	9	Reference Total

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/09	108.40	Cash - Blanco National Bank - Blue Hole	21,890.46	10	deposits bh
6/30/09	541.40	Gate Fees	-21,615.46	10	gate fees
6/30/09	340.40	Blue Hole Rental Deposits Payable	-275.00	10	rental deposits
			0.00	10	Reference Total
6/30/09	109.50	Cash - Blanco National Bank - Municipal Court	1,396.00	11	deposits mc
6/30/09	550.50	Court Technology Fees	-44.00	11	ct fees
6/30/09	551.50	Building Security Fees	-33.00	11	bldg fees
6/30/09	304.50	Due to General - Municipal Court	-716.60	11	payable to general
6/30/09	350.50	Municipal Court Cost Payable	-802.40	11	payable to state
			0.00	11	Reference Total
6/30/09	103.10	Cash - Blanco National Bank - General	58,123.40	12	deposits
6/30/09	524.10	Verizon	-6,362.77	12	verizon
6/30/09	504.10	Miscellaneous Income	-3,211.69	12	misc income
6/30/09	120.10	Accounts Receivable	-129.21	12	a/r
6/30/09	116.10	Due From Municipal Court	-743.20	12	due from mc
6/30/09	525.10	Franchise Fees - Misc	-101.08	12	misc franchise fees
6/30/09	121.10	Sales Tax Receivable	-40,090.32	12	sales tax revenue
6/30/09	505.10	Building Permits	-1,002.95	12	bldg permits
6/30/09	506.10	Building Inspections	-1,605.00	12	inspections
6/30/09	509.10	Plan Reviews	-650.00	12	plan reviews
6/30/09	511.10	Sign Permits	-120.00	12	sign permits
6/30/09	512.10	Subdivision	-1,931.20	12	subdivision fees
6/30/09	513.10	Zoning	-376.00	12	zoning
6/30/09	521.10	Time Warner Cable	-1,799.98	12	twc
			0.00	12	Reference Total
		Total for 41 Items	0.00		

City of Wimberley
JOURNAL REPORT

June 30, 2009

PYA - Generated payroll accrual

Client No: 347

Page 6

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/09	606.10	Payroll Taxes	1,459.59	CKS	Employer's FICA
6/30/09	302.10	FICA Tax Payable	-1,459.59	CKS	Employer's FICA
6/30/09	606.10	Payroll Taxes	341.35	CKS	Employer's Medicare
6/30/09	302.10	FICA Tax Payable	-341.35	CKS	Employer's Medicare
			0.00	CKS	Reference Total
		Total for 4 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

June 30, 2009

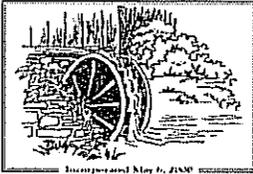
PYR - Generated payroll transaction

Client No: 347

Page 7

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
6/30/09	601.10	City Administrator	7,307.70	CKS	SALARY
6/30/09	301.10	Withholding Tax Payable	-1,504.00	CKS	Federal Withholding
6/30/09	302.10	FICA Tax Payable	-1,504.06	CKS	Fica + Medicare Withholding
6/30/09	311.10	TMRS Payable	-983.04	CKS	TMRS Contribution
6/30/09	103.10	Cash - Blanco National Bank - General	-15,669.96	CKS	Net Payroll Checks
6/30/09	602.10	City Secretary	2,846.16	CKS	SALARY
6/30/09	861.40	Contract Labor/Wages	3,880.64	CKS	SALARY
6/30/09	301.40	Withholding Tax Payable	-96.00	CKS	Federal Withholding
6/30/09	302.40	FICA Tax Payable	-296.85	CKS	Fica + Medicare Withholding
6/30/09	108.40	Cash - Blanco National Bank - Blue Hole	-3,487.79	CKS	Net Payroll Checks
6/30/09	704.10	Salaries-GIS/Permitting Clerk	2,480.00	CKS	SALARY
6/30/09	801.10	Salaries - City Marshall	2,920.00	CKS	SALARY
6/30/09	603.10	Receptionist/Clerk	1,944.00	CKS	SALARY
6/30/09	702.10	Salaries-Code Enforcement & Permitting	2,163.20	CKS	SALARY
			0.00	CKS	Reference Total
		Total for 14 Items	0.00		

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:
Funds Available:

Council Action Requested:

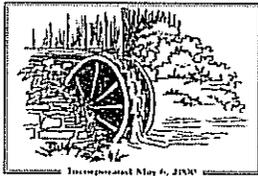
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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

- Status report on proposed amendments to the *Wimberley Transportation Master Plan*
- Status report on the *Wimberley Square Sidewalk Development Grant Application*
- Status report on the *Blanco River and Cypress Creek Water Quality Testing Program*
- Status report on the operation and development of the *Blue Hole Regional Park*
- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project
- Status report on activities of the Wimberley Municipal Court
- Status report on activities of the City Marshal

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: PRESENTATION ON
WIMBERLEY MAYOR'S FITNESS COUNCIL

Funds Required:
Funds Available:

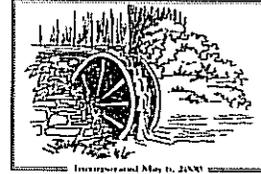
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to brief City Council on the activities of the City Wimberley Mayor's Fitness Council.

Report for Conditional Use Permit CUP-09-005



Summary:

A Request for a Conditional Use Permit (CUP) to allow for the operation of a Bed and Breakfast at 10460 RR 12

Applicant Information:

Applicant: Wimberley RR 12 LLC
c/o Phil Collins
26480 Peden
Magnolia TX 77355

Property Owner: Wimberley RR 12 LLC

Subject Property:

Legal Description: Hilltop Place Phase 1 Lot 40 5.4 Ac.
Location: 10460 RR 12
Existing Use of Property: Vacant
Existing Zoning: RA Rural Acreage
Proposed Use of Property: Bed and Breakfast
Proposed Zoning: N/A
Planning Area: A
Overlay District: Entrance Corridor

Surroundings:

Frontage On: RR 12

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	RA	Residential
S of Property	RA	Residential
E of Property	RA	Residential
W of Property	Unzoned	Residential

Legal Notice

200' Letters: 6/19/09
Published: 6/24/09
Sign Placement: 6/22/09
Responses: Property ID # 4 : Inquiry

Comments:

The applicant has requested a Conditional Use Permit (CUP) to allow for the operation of a bed and breakfast at 10460 RR 12. The subject property is in Planning Area A, the Entrance Corridor Overlay District, and is currently zoned Rural Acreage (RA). Bed and breakfast operations are permitted as a Conditional Use in the RA zoning district. The proposed structure will have to comply with all the requirements of the Entrance Corridor Overlay District and base zoning setbacks when the building permit application is submitted.

Currently, there are two (2) bed and breakfast operations in close proximity to the subject property on RR 12. Staff considers the proposed use compatible with existing land uses in the area.

There are no existing structures on the property. The proposed maximum occupancy of the bed and breakfast is 12, with 6 plus off-street parking places. The Applicant has agreed to comply with the city's List of Conditions pertaining to Bed and Breakfast operations.

The owner, Phil Collins, has two other Bed and Breakfasts in the City of Wimberley and all of his bed and breakfast operations are managed by a local management company.

On July 9, 2009, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend approval.

§ 155.105 CONDITIONAL USE PERMITS.

(A) *Conditional uses.*

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

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

(3) A zoning application for a CUP shall be accompanied by a metes and bounds description and a survey or scale drawing showing the property for which the CUP is being requested, and by a development plan (see § 155.077) drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of 200 feet. The city shall make available application forms specifying drawing requirements. The Director or his or her designee, the Planning and Zoning Commission, or the City Council may require additional information or drawings (such as building floor plans), operating data, and expert evaluation or testimony concerning the location, function, and characteristics of any building or use proposed. The development plan shall be reviewed and approved along with the CUP zoning application, and in accordance with § 155.077 of this code.

(B) *Conditional use permit regulations.*

(1) In recommending that a conditional use permit for the premises under consideration be granted, the city shall determine that the uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys, and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening, and open space, heights of structures, and compatibility of buildings. In approving a requested CUP, the Planning and Zoning Commission and the City Council may consider any or all of the following:

- (a) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not more adversely affect an adjoining site than would a permitted use;
- (b) The architecture, facade, and signage designs of the use are traditional hill country

designs and are harmonious with those of adjacent uses. In the case of chain establishments, they shall not include or simulate the signature designs of those establishments beyond the absolute minimum necessary to identify the establishment;

(c) The use requested by the applicant is set forth as a conditional use in the base district;

(d) The nature of the use is reasonable;

(e) The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;

(f) The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and

(g) Any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

(2) In granting a conditional use permit, the Planning and Zoning Commission and the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official, or his or her designee, for use of the building on that property pursuant to the conditional use permit and the conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the certificate of occupancy, and shall be incorporated into the amending ordinance establishing the CUP.

(3) No conditional use permit shall be granted unless the applicant, owner, and grantee of the conditional use permit shall be willing to accept and agree to be bound by and comply with the written requirements or conditions of the conditional use permit, as incorporated into the amending ordinance establishing the CUP, and as reviewed by the Planning and Zoning Commission and approved by the City Council.

(4) A building permit or certificate of occupancy shall be applied for and secured within 1 year from the time of granting the conditional use permit; provided, however, that the City Council may authorize 1 extension of 1 additional year. After the 1-year period (and the 1-year extension, if it has been granted by the City Council) has elapsed, the Planning and Zoning Commission and the City Council may review the development plan for continued validity and compliance. If the development plan is determined to be invalid or no longer viable, then the applicant and property owner(s) must submit a new or revised development plan for approval prior to any construction or to application for a building permit for the area designated for the conditional use permit. The new development plan must be resubmitted for review and approval in accordance with § 155.077 of this code. If building construction or use of a CUP has not commenced within a reasonable amount of time after 1 year, then the City Council, at its option, may initiate proceedings to rescind the CUP for lack of use. No development right, if any, shall vest in a CUP that has expired or is no longer valid.

(5) No building, premises, or land used under a conditional use permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended conditional use permit is granted for that enlargement, modification, structural alteration, or change. Minor changes or alterations may be approved by the Director or his or her designee.

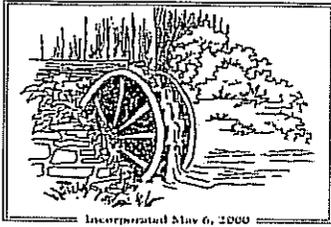
(6) The Board of Adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any conditional use permit.

(7) In residential districts, the Planning and Zoning Commission and the City Council shall have the right to waive the requirements of this section in whole or in part if they find that the proposed use conforms to the criteria of § 155.109(A)(2) and that conforming to the requirements of this section places an undue burden upon the applicant.

(8) When the City Council authorizes granting of a conditional use permit, the Zoning District Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and the amendment is to indicate the appropriate zoning district for the approved use and prefixed by a CUP designation.

(C) *Bed and breakfast lodging.* The review for CUP approval of a bed and breakfast lodging facility shall consider the impact of tenant activity on the surrounding residential properties, the neighborhood and environment, and other factors as the Commission deems appropriate. It shall include but not be limited to consideration of the following:

- (1) Permitted uses in the applicable zoning district;
- (2) The proposed occupancy and the size of the property, and whether a smaller occupancy level is appropriate;
- (3) Setbacks and proximity to other dwellings;
- (4) Rental regulations (such as no large parties, no extra guests) imposed by the owner and the degree of owner involvement in property management (such as owner in residence or not in residence);
- (5) Occupant access to waterways and other environmentally sensitive areas;
- (6) Vehicle access and on-site parking and the number of parking spaces available;
- (7) Compliance with all state, county, and city ordinances, laws, rules, and regulations, including the Building Code and Fire Code; and
- (8) Adequacy of wastewater treatment systems.



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-07 - 005

FOR OFFICIAL USE ONLY

Application Date: 6/18/09 Tentative P&Z Hearing: 7/9/09 Tentative Council Hearing: 7/16/09

FEES: \$400.00 DATE PAID: 6/18 CHECK NO. 1078 REC'D BY AG

PROJECT SITE ADDRESS: 10460 R.R. 12 Wimberley, TX. 78676

OWNER/APPLICANT: WIMBERLEY RR 12 LLC
PHIL COLLINS PHONE (73) 208-7145

FAX () _____ EMAIL: phil@collinstx.net

Mailing Address: 26480 PEDEN CITY: Magnolia STATE: TX ZIP: 77355

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

ZONING: RA CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

Bed & Breakfast Lodging

Planning Area A Zoning RA Total Acreage or Sq. Ft. 5.40 acres

Subdivision: Hilltop PLACE Lot #40 Block PHASE I

Appraisal District Tax ID#: R 32003

Deed Records Hays County: Volume _____ Page _____

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

Type: ENTRANCE CORRIDOR

Is property located in flood plain? () Yes No

Utilities:

Electric Provider: Pedernales Electric Co-op

Water Provider or Private Well: _____

Wastewater Service Provider or Hays County Septic Permit No: _____

MY REQUEST IS BASED ON THE FOLLOWING:

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

ADDITIONAL REQUIREMENTS/DOCUMENTATION

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

Date 6-18-09



APPLICANT SIGNATURE

WHEN APPLICABLE:

Date _____

AGENT SIGNATURE

LIST OF CONDITIONS THAT MAY BE INCLUDED IN BED AND BREAKFAST CUPS

The Zoning ordinance provides in Section 155.105 B (2) that "in granting a Conditional Use Permit, the Planning and Zoning Commission and the City Council may impose conditions which shall be complied with by the owner or grantee...." The following is a list of usual conditions that may be included in Bed and Breakfast CUPS. Not all of these conditions should be in every CUP nor should the list be deemed exclusive. The Zoning Ordinance sets forth in Sections 155.105(B) and (C) the matters which may be taken into consideration by the Planning and Zoning Commission and the City Council in granting a Bed and Breakfast CUP. The following list addresses many of those matters. References after each condition below are to these sections of the Ordinance

CONSTRUCTION: The architecture and facade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. [155.105 (B) 1]

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will at all times be harmonious and compatible with surrounding uses. [155.105 (B) 1]

OFF-STREET PARKING: All parking will be off-street. 64 off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 12 guests. Parking will be in these spaces only. [155.105 (B) 1]

SIGNAGE: All signage will be of traditional "Hill Country" design. [155.105 (B) 1]

NOISE AND LIGHTING: All noise audible from, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted. [155.105 (B) 1]

NUMBER OF BEDROOMS: 6 [155.105(C)2] **MAXIMUM OCCUPANCY:** 12 guests. [155.105(C)2]

OCCUPANT REGULATIONS AND GUIDELINES: The bed and breakfast lodging facility shall be operated in accordance with the guest guidelines furnished by owner and attached to the Conditional Use Permit. These guidelines shall be furnished to all guests. These guidelines may not be modified to be made less restrictive with out the consent of the City Administrator. [155.105(C)4]

WASTEWATER SYSTEM: The wastewater treatment system will at all times be adequate for the maximum occupancy. (Applicant should provide as part of his application a certificate from the appropriate authority evidencing the adequacy of the waste water treatment system for the proposed use.) [155.105(C)8]

WATERFRONT USAGE (Applicable if guests have water access). Guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water. [155.105(C)5]

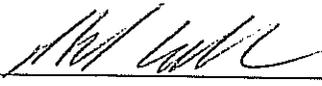
PROPERTY MANGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. [155.105(C)4]

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. [155.105(C)7]

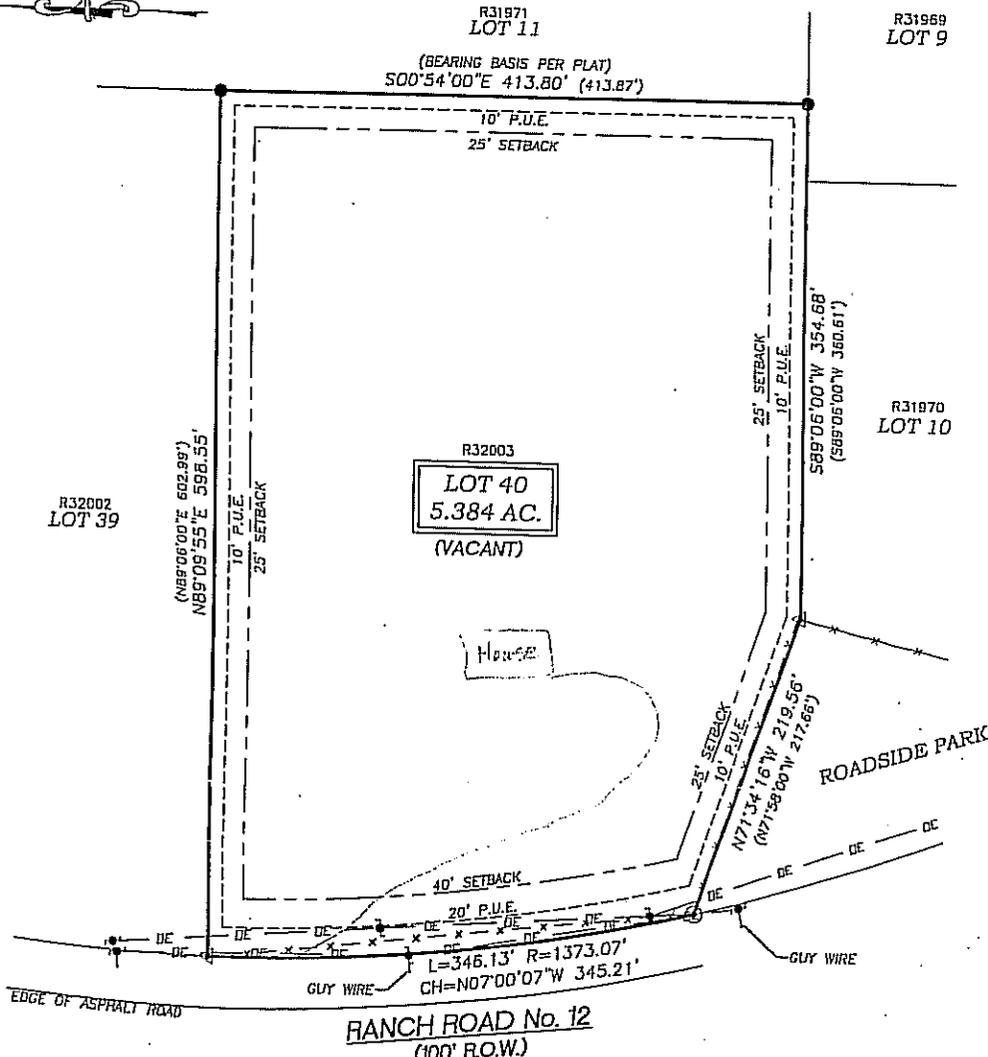
REVOCATION: The CUP may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

Dated: _____

Accepted and agreed to:

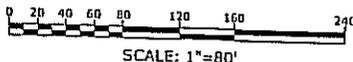


**LOT 40, REPLAT OF HILLTOP PLACE, PHASE 1,
A SUBDIVISION IN HAYS COUNTY, TEXAS
VOLUME 2, PAGE 7, HAYS COUNTY PLAT RECORDS**



LEGEND

- — 1/2" IRON ROD FOUND—UNLESS NOTED
 - ⊙ — 1/2" IRON ROD FOUND—DRIFTWOOD SURVEYING
 - ⊕ — COTTON SPINDLE FOUND
 - — SERVICE OR UTILITY POLES
 - OE — OVERHEAD UTILITIES
 - - - - - EASEMENT
 - x - x - x - FENCE
 - - - - - SETBACK
- VOL.** HAY COUNTY
PG. PLAT RECORDS
- Rxxxxx HAYS COUNTY PROPERTY IDENTIFICATION NUMBER

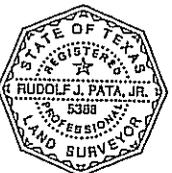


NOTES

- THIS SURVEY REFERENCES TITLE COMMITMENT No. DB15312—WM, DATED 9/22/2008, PROVIDED BY INDEPENDENCE TITLE COMPANY.
- A 60' UTILITY EASEMENT ALONG RANCH ROAD 12 EXISTS FOR FEDERMALES ELECTRIC COOPERATIVE PER VOL. 214, PG. 320, H.C.D.R.
- RESTRICTIVE COVENANTS APPLY PER VOL. 2, PG. 7, H.C.P.R.; VOL. 304, PG. 470 & VOL. 307, PG. 262, H.C.D.R.; VOL. 406, PG. 886 & VOL. 415, PG. 602, R.P.R.H.C.T.; VOL. 2001, PG. B27, O.P.R.H.C.T.
- LOT 40 IS NOT IN THE 100 YEAR FLOODPLAIN ACCORDING TO F.I.R.M. PANEL #48209C 0355 F, DATED 9/2/2005. FLOOD AREAS/ELEVATIONS CAN ONLY BE VERIFIED BY ELEVATION CERTIFICATE.
- AT THE TIME OF THIS SURVEY NO BUILDINGS OR OTHER IMPROVEMENTS WERE LOCATED ON LOT 40, OTHER THAN SHOWN HEREIN.
- THIS TRACT LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY AND IS SUBJECT TO ITS ORDINANCES.

SURVEYOR'S CERTIFICATION

This survey is certified to Independence Title Company, and buyer: Phillip Collins. I hereby certify to the aforesaid parties, as of the date set forth below that a careful survey was made on the ground, under my supervision, of the tract of land described hereon, and that said survey substantially complies with the current Texas Society of Professional Surveyors Standards & Specifications for a Category Ia, Condition II Land Survey, and that said property has abutting access to and from a public roadway.



2/23/05
DATE RUDOLF J. PATA, JR. TX. RPLS #5338

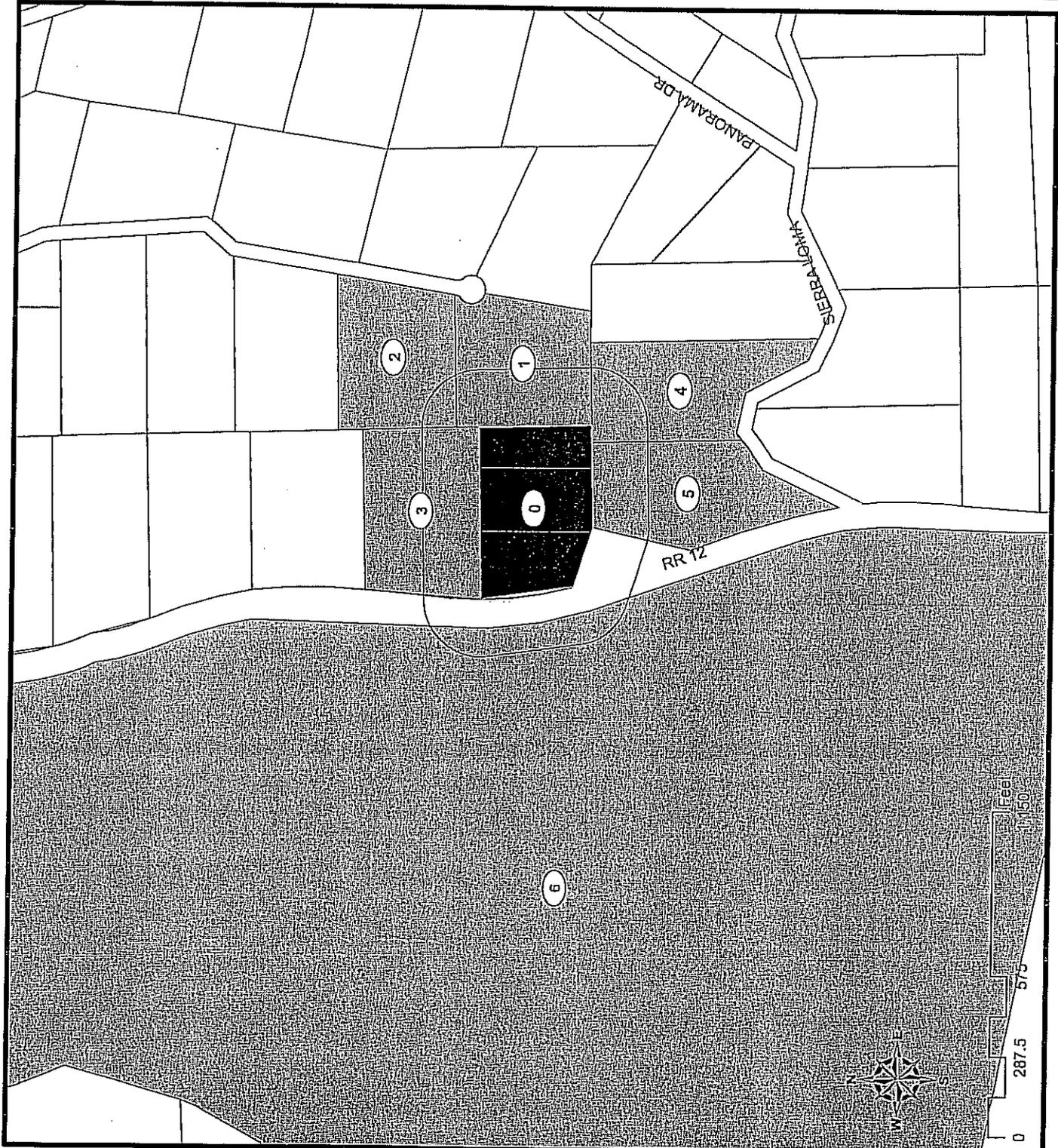
Driftwood Surveying Professional Land Surveyors - Surveying the Hill Country		DATE: 02/23/05 FIELD CREW: JH DRAWN: DGB CHECKER: RJP PROJ. NO.: HC21018 DWG. NAME/TITLE:
P.O. Box 378 Wimberley, TX 76878 PH (512) 847-7222 FAX (512) 847-7372		REVIEWER: _____ DATE: _____ UPDATE: 10/03/08
LOT 40, REPLAT OF HILLTOP PLACE, PHASE 1, A SUBDIVISION IN HAYS COUNTY, TEXAS		
CLIENT: COLLINS		Page 1 of 1

Notified Properties for CUP-09-005

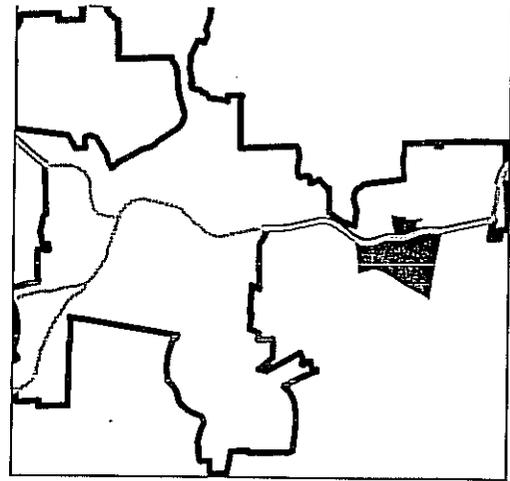


P.O. Box 2027 • Wimberley, Texas 78671

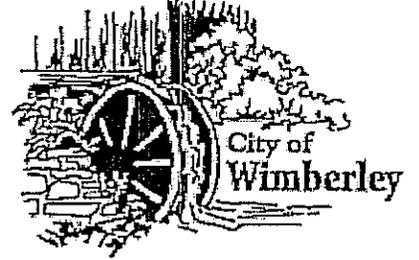
-  200 FT Buffer
-  0, SUBJECT PROPERTY
-  1, FOREMAN ARJEN D & MARGA
-  2, FRASER A DUNCAN & ELLEN
-  3, MOSS, RANDALL E
-  4, PEDEN, MARGERIE
-  5, TIME WARNER ENTERTAINME
-  6, JONAS, RUSSELL C



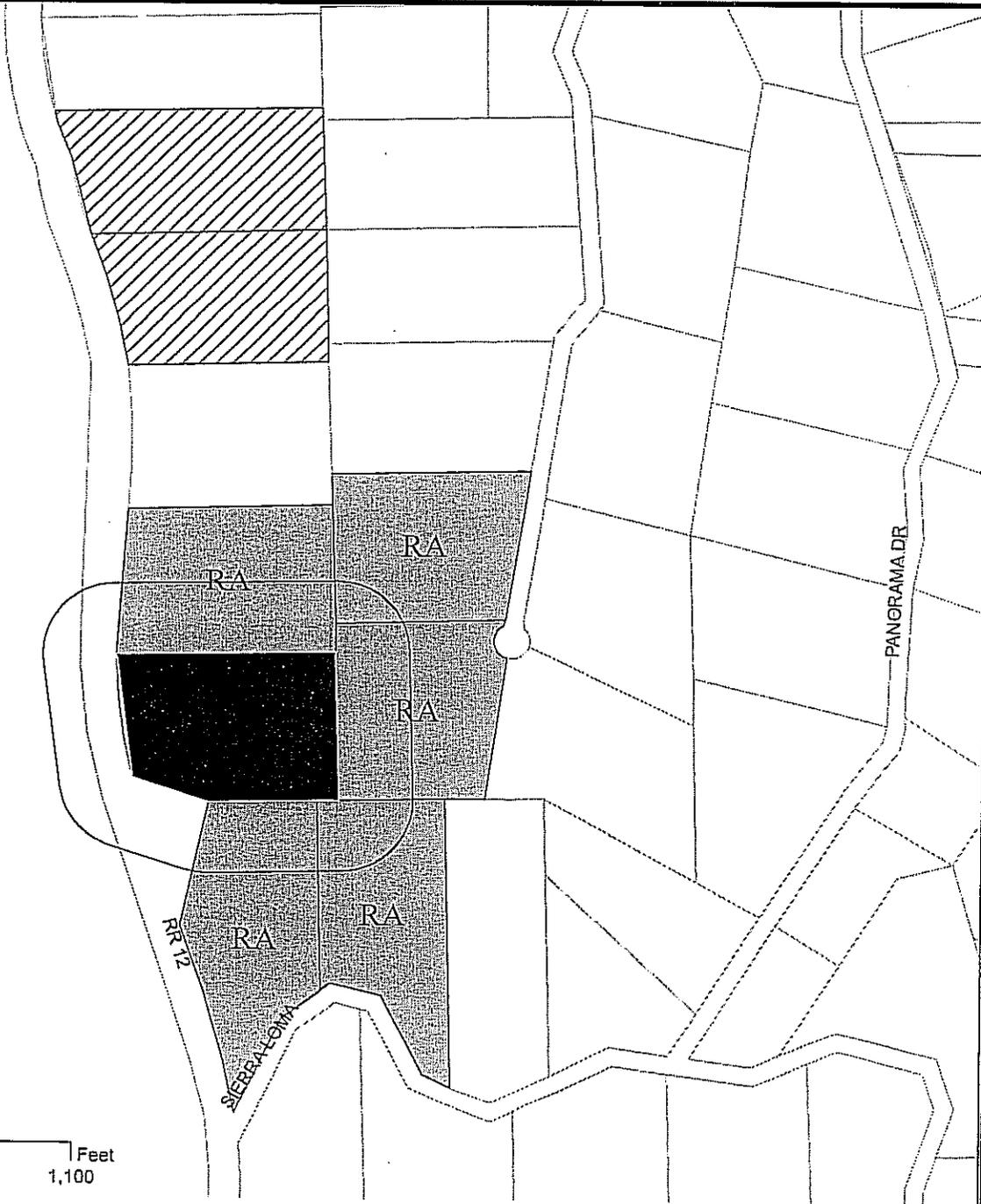
Location Map



Adjacent Zoning for CUP-09-005

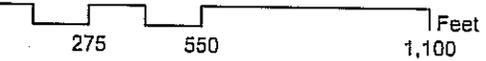
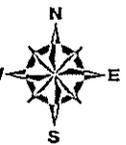
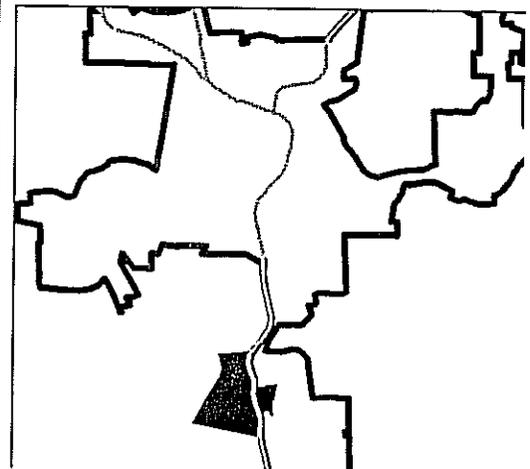


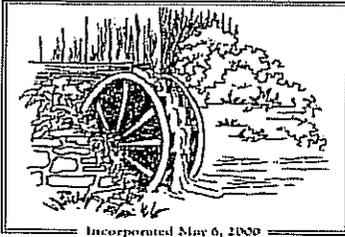
P.O. Box 2027 • Wimberley, Texas 78676



- 200 FT Buffer
- Subject Property
- RA (Rural Acreage)
- Grandfathered Bed n Breakfast or Lodgi

Location Map





City of Wimberley

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

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

Email: village@anvilcom.com Web: www.vil.Wimberley.tx.us

Tom Haley, Mayor - Bob Flocke, Mayor Pro-tem

Council Members - Charles Roccaforte, Bill Appleman, Steve Thurber, John White
Don Ferguson, City Administrator

June 19, 2009

NOTICE OF PUBLIC HEARING

Re: **File No. CUP-09-005**

10460 RR 12, Wimberley, Texas

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

Dear Property Owner:

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

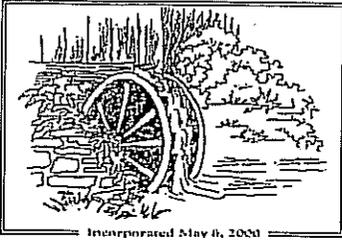
The Wimberley RR 12 LLC has requested a Conditional Use Permit in order to operate a Bed and Breakfast on the subject property. The current zoning for this property is Rural Acreage (RA).

The City of Wimberley Planning & Zoning Commission will consider this request during a public hearing on **Thursday, July 9, 2009, at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, July 16, 2009, at 6:30 p.m.**

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

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

CITY OF WIMBERLEY



City of Wimberley

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

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

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

NOTICE BY SIGN POSTING

Zoning No: CUP-09-005

Owner Phil Collins
Wimberley RR-12 LLC

Date 6/22/09

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 10460 RR-12

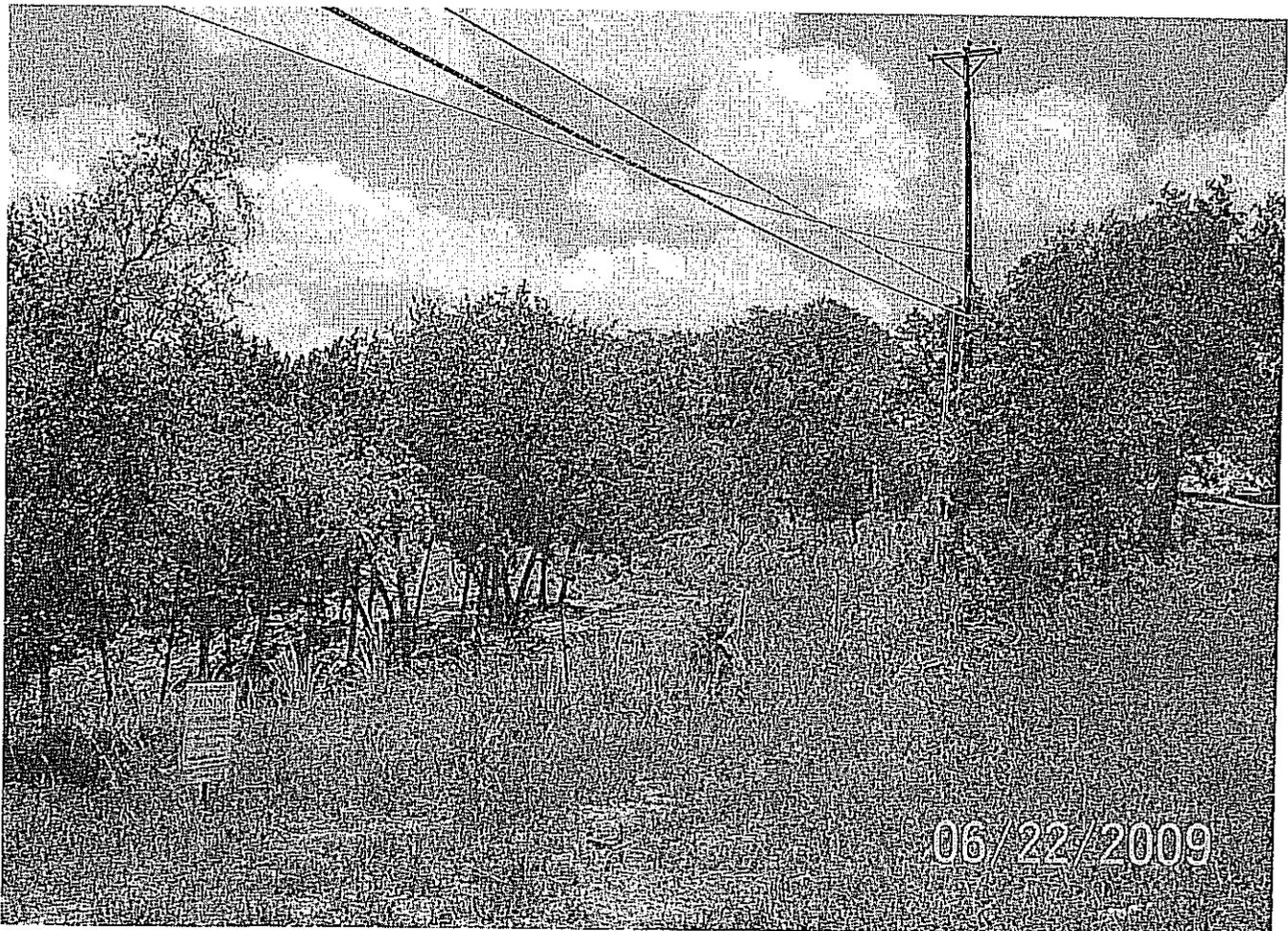
which is located on RR-12

Bill Bowers
Asst. Public Works

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

6/22/, 2009

Bill Bowers
Signature



THE CLASSIFIED

Wednesday, June 24, 2009

Email your ads to: classifieds@wimberleyv



PUBLIC NOTICE

By order of the Hays County Board of Commissioners, notice is hereby given that on Tuesday, June 30, 2009, at 9:00 a.m. in the Hays County Courthouse, 1117 San Antonio Street, the Hays County Board of Commissioners Court will hold a public hearing to consider establishing regulations (speed limit) on Old Bastrop Highway from El Camino Way to El Camino Way 1016 in the Hays County.

PUBLIC NOTICE

THE UMC REK Conservation District is accepting bids for the removal and replacement of approximately 3500' (660') of fence around one of its flood control structures (even miles north of Lockhart Bldg) are due July 21st, 2009 at O-Box 328, Lockhart, TX 78644. For more information, please call 512-398-2888 Monday-Friday 8am-5pm 4983/27/53

PUBLIC NOTICE

The City of Kyle filed applications with the a r t c o n p r i n g / E d w a r d s q u i e r C o n s e r v a t i o n District (the

BSEACD) on December 23, 2008, for a major amendment to a Production Permit and a Transport Permit. The Production Permit amendment, if granted, would authorize an increase in the permitted pumpage volume from 165,000,000 gallons up to 350,000,000 gallons per year from the Barton Springs segment of the Edwards Aquifer. The requested increase of up to 185,000,000 gallons per year would be designated as Class B Conditional pumpage and be subject to drought restrictions applicable to conditional permits and would not be effective until the current drought restrictions have been lifted by the BSEACD. The Transport Permit, if granted, would authorize the export of up to 350,000,000 gallons per year outside of the BSEACD boundaries and the City will operate the water as a public supply well providing potable water to the City's public water supply system. The requested authorization, if granted, would allow the City to produce and export the water from the City's existing Well No. 4, located near the intersection of RM-2770 and CR-171 in the 700 block of W Kohlers Crossing in Kyle, Texas. Persons interested in submitting comments, protests, or requests for a public hearing to the BSEACD on this application may do so until

July 9, 2009. For further information, please contact the BSEACD, 1124 Regal Row, Austin, Texas 78748; (512) 252-8441. You may also contact the City of Kyle with any questions at 103 S. Front St., Kyle, Texas 78640, or by phone at (512) 262-3921 or (4858/11/50).

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 9, 2009, at 6:30 p.m. to consider the following CUP 09-005 an application for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at 10460 RR12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 16, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas. (04953/1a/50)

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 9, 2009, at 6:30 p.m. to consider the following ZA-09-017 an application for initial base zoning of Commercial Moderate Impact (C2) at 3590 RR12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 16, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas. (04954/1a/50)

NOTICE OF PUBLIC AUCTION

Pursuant to the Vernon Civil Statute 4477.9a, the following vehicles will be sent to public auction. The auction will be held at Wimberley Paint & Body, 100 Texan Blvd Wimberley, TX 78678 Thursday, JUNE 25, 2009. Yr. 1994 Make: Nissan Model: Sentra

License Plate X52CUE VIN: 1N4EB31P1RC842098

Yr. 1995 Make: CHEVY Model: LUMINA License Plate: MW616 VIN: 2G1WL52M9S93380

Yr. 2002 Make: FORD Model: TAURUS License Plate: JVR201 VIN: 1FAGP53U52A162453

Yr. 1999 Make: FORD Model: EXPLORER License Plate: 2JFFB4 VIN: 1FMDU32X7PUC42168

Yr. 1990 Make: TOYOTA Model: CELICA License Plate: 166YGM VIN: JT25TB7N0L0016284

Yr. 1996 Make: SUZUKI Model: PROPERM License Plate: Y14GKV VIN: JACD58V5S7924373 (04952/1a/50)

PUBLIC NOTICE

By order of the Hays County Board of Commissioners, notice is hereby given that on Tuesday, July 14, 2009, at 9 a.m. in the Hays County Courthouse, 1117 San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider Replat of Lots 12 & 13

Bear Creek Estates, in Precinct 4 into Lots 12A, 13A & 13B (04950/1a/50)

PUBLIC NOTICE

Effective with August 2009 bills, Pedernales Electric is revising its rates to more clearly reflect the Cooperative's service availability charge and power supply costs. All rate classes and kWhs to be affected included in this rate revision is a change to the Line Extension Policy (EOL) also will redesign its electric bill to reflect these changes. These revisions and changes are expected to reduce Pedernales Electric's overall charges by approximately \$25 million for more information, please attend one of our open houses where PEC representatives will be on hand to answer questions. For additional information or for open house details, call 800-563-4732, visit any of our district offices, or go to www.ped.com (04950/1a/50)



BUY/SELL/TRADE or CONSIGN
One item or an entire estate, Campbell's Collectibles 847-6006 (0356/2cc/53+)

ORDINANCE NO. 2009-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY WIMBERLEY RR 12 LLC TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY 5.4 ACRE TRACT LOCATED AT 10460 RANCH ROAD 12, WIMBERLEY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Wimberley RR 12, LLC (“Applicant”) requesting authorization to operate a bed and breakfast lodging facility on real property described as Lot 40, Hilltop Place Phase I Subdivision, consisting of approximately 5.4, zoned Residential Acreage (RA); and

WHEREAS, a bed and breakfast lodging facility is an authorized use in areas zoned Residential Acreage (RA) upon the granting of a Conditional Use Permit; and

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

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

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

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

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Wimberley RR 12, LLC (“Applicant”) for use as a bed and breakfast lodging facility on real property described as Lot 40, Hilltop Place Phase I Subdivision, consisting of approximately 5.4 acres, zoned Residential Acreage (RA), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of the subject property as a bed and breakfast lodging facility in accordance with the site plan attached hereto as Exhibit “A”, and subject to the conditions described in Exhibit “B”, attached and incorporated by reference, as well as all applicable regulations in effect at the time of the submission of the building permit application. No other use of the property is authorized by this Conditional Use Permit.
3. No commercial signage shall be permitted on the subject property. No more than one (1) sign shall be permitted to provide the property street address and not identify the business. Any signage material, color and dimension shall be compatible with the “Hill Country” theme.
4. Maximum occupancy shall be twelve (12) persons and six (6) parking spaces shall be provided.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. REPEALER

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

ARTICLE V. SEVERABILITY

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

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED by the Wimberley City Council on the ___ day of _____, 2009 by a vote of ___ (Ayes) and ___ (Nays).

WIMBERLEY, TEXAS

By: _____
Tom Haley, Mayor

ATTEST:

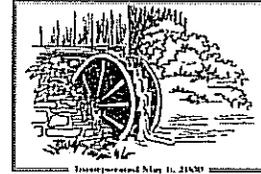
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

Report for Zoning Change ZA-09-017



Summary: A request for initial zoning of Commercial – Moderate Impact (C2) for a currently unzoned tract of land located at 13590 RR 12.

Applicant Information:

Applicant: Wimberley RR 12 LLC
c/o Phil Collins
26480 Peden
Magnolia TX 77355

Property Owner: Wimberley RR 12 LLC

Subject Property:

Legal Description: A0461 Amasa Turner Survey .365 Ac
Location: 13590 RR 12
Existing Use of Property: Vacant; previously used as Pottery Shop
Existing Zoning: Unzoned
Proposed Use of Property: Retail / Professional Office
Proposed Zoning: C2 Commercial – Moderate Impact
Planning Area: D
Overlay District: None

Surroundings:

Frontage On: RR 12

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	Unzoned	Multi Family
S of Property	Unzoned	Lodging
E of Property	C1	Vacant
W of Property	C3	Retail

Legal Notice

200' Letters: 6/19/09
Published: 6/24/09
Sign Placement: 6/22/09
Responses: None

Comments:

The applicant has requested a base zoning of Commercial – Moderate Impact (C2) for a currently unzoned tract of land located at 13590 RR 12. The subject property is located in Planning Area D, where C2 zoning is permitted.

The subject property has been vacant for the last 6 months and was previously used as a Pottery Shop. The current owner, Phil Collins, is planning to lease the property for retail or professional office purposes.

The applicant has agreed to create parking in the rear of the property off of Oldham Street. All parking and signage will comply with applicable City of Wimberley code requirements.

On July 9, 2009, the Planning and Zoning Commission held a public hearing on the zoning request. Afterwards, the Commission voted unanimously to recommend approval.

§ 155.048 COMMERCIAL - MODERATE IMPACT; C-2.

(A) *General purpose and description.* The C-2, commercial 2 district is established to provide areas for shopping and service facilities for the retail sales of goods and services. These shopping areas must satisfy established landscape and buffering requirements.

(B) *Permitted uses.*

(1) Administrative and professional office:

(a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;

(b) Photography studios, doctors, dentists;

(c) Non-profit organizations (with certain restrictions);

(d) Civic uses (such as City Halls);

(e) Research services: limited; and

(f) Office.

(2) Religious assembly;

(3) Medical services: limited;

(4) Personal services: general;

(5) Accessory uses to the main use;

(6) Retail sales and services: general;

(7) Retail sales and services: flea market/market day;

(8) Eating establishments: sit-down;

(9) Plant nurseries;

(10) Emergency shelter and feeding site (humans);

(11) Communications services: limited (such as studios);

(12) Commercial/residential;

- (13) Banks and savings and loan associations;
- (14) Funeral and interment services: cremating;
- (15) Funeral and interment services: interring;
- (16) Funeral and interment services: undertaking;
- (17) Animal interment services;
- (18) Private primary educational services;
- (19) Private secondary educational services; and
- (20) Single-family residence.

(C) *Conditional uses.*

(1) A drive-through or drive-in facility otherwise allowed in any permitted use in this district shall be allowed only with a conditional use permit;

(2) Personal services: limited;

(3) Gasoline sales: limited;

(4) Automotive washing;

(5) Personal storage;

(6) Bed and breakfast lodging;

(7) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations; and

(8) Eating establishments: fast food with drive-through order windows.

(D) *Development regulations.*

(1) Minimum lot size: 5,000 square feet.

(2) Maximum building height (as defined in § 155.005):

(a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(3) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 15 feet;

(b) Secondary street: 15 feet; and

(c) Interior side or rear yard: 10 feet, 20 feet when adjacent to a residential district and the building is more than 1 story.

(4) Maximum impervious coverage: 70%. Impervious cover shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(5) Maximum building coverage: 60%. Building coverage shall be calculated as a percentage of the net site area.

(6) Maximum building footprint: 15,000 square feet.

(7) Maximum floor area: 20,000 square feet.

(E) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements.

(F) *Special requirements.*

(1) For site plan requirements, see § 155.077.

(2) Open storage is prohibited; however, periodic display of seasonal items (such as Christmas trees, pumpkins, and the like) is allowed during the appropriate time periods.

(3) These districts shall be limited to properties fronting on major transportation arterials, provided the location is not incompatible with an existing residential neighborhood or property.

(G) *Other regulations.* As established in §§ 155.075 *et seq.*, development standards. (Ord. 2001-010, § 27, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003; Am. Ord. 2004-017, passed 8-5-2004) Penalty, see § 155.999

FOR OFFICIAL USE ONLY

APPLICATION DATE: 6/18/09 FILE NO. ZA-09-017
 TENTATIVE P&Z* HEARING: 7/9/09 TENTATIVE CC** DATE: 7/16/09
 CITY INITIATED: YES - NO PLANNING AREA: D ZONING REQUESTED: C2
 ZONING FEES: \$ 348 DATE PAID: 6/15 RECEIVED BY: EG

* P&Z - Planning & Zoning Commission ** CC - Village of Wimberley City Council

APPLICATION FOR ZONING

NON-RESIDENTIAL, MULTI-FAMILY DEVELOPMENTS, MOBILE HOME DEVELOPMENTS, CONDITIONAL USE PERMIT APPLICATIONS & WIMBERLEY PLANNED DEVELOPMENT DISTRICTS (WPDD'S)

OWNER, AGENT AND PROJECT DATA

STREET ADDRESS OF PROPERTY TO BE ZONED: 13590 R.R. 12 Wimberley, Texas
 HAYS COUNTY CENTRAL APPRAISAL DISTRICT PROPERTY ID#: R 18413 **

* New street addresses can be obtained by calling (512) 393-2160

** You may obtain this from your property tax statement.

PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY:

CORNER OF R.R. 12 and OLDHAM ST.

NOTE: Please clearly mark your property so it is easily identifiable.

1. OWNER'S NAME: Wimberley RR 12 LLC HOME PHONE: () _____
 BUSINESS PHONE: () _____
 FAX: () _____
 E-MAIL: _____

OWNER'S CURRENT MAILING ADDRESS 26480 Peden CITY Magnolia STATE TX ZIP 77355

2. AGENT'S NAME: Phil Collins AGENT'S PHONE: (713) 208-7145
 FAX: () _____
 AGENT'S FIRM NAME: _____ E-MAIL: phil@collinstx.net

AGENT'S FIRM MAILING ADDRESS: 26480 Peden CITY Magnolia STATE TX ZIP 77355

PROPERTY INFORMATION

3. TOTAL AREA TO BE ZONED: ACRES 365 (OR) SQ.FT. _____ TOTAL NO. of TRACTS: 1

4. PLANNING AREA(S): D 5. REQUESTED ZONING CLASSIFICATION: C-2

PROPOSED USE(S): _____

6. EXISTING ZONING CLASSIFICATION(S) AND USES (if applicable): _____

7. LEGAL DESCRIPTION

Street Address: 13590 R.R. 12 Subdivision: A0461 Amasa Turner Survey

Block(s) _____ Lot(s) _____

Plat Book: _____ Page Number: _____

8. DEED RECORDS: (REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER):

VOLUME: _____ PAGE: _____ OF COUNTY PLAT RECORDS

9. OTHER PROVISIONS

A. IS PROPERTY IN AN OVERLAY DISTRICT? YES _____ NO X UNKNOWN _____

TYPE OF OVERLAY ZONE(S) (if applicable) _____

B. FLOOD PLAIN (What, if any, flood zone does your property occupy?): _____

C. ELECTRIC UTILITY PROVIDER: Pedernales Electric

WATER UTILITY PROVIDER: Wimberley WATER

WASTEWATER UTILITY PROVIDER: N/A

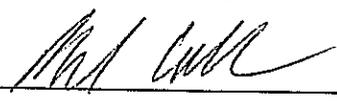
HAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): _____

Related Cases, If Applicable

Zoning	File No. _____
Building Permit	File No. _____
Subdivision	File No. _____
Sign Permit	File No. _____
Engineered construction	File No. _____

SITE INSPECTION AUTHORIZATION

Applicant/owner, or Applicant's authorized agent, hereby authorizes the Village of Wimberley representatives to visit and inspect the property for which this application is being submitted.

Date: 6-18-09 APPLICANT SIGNATURE 

WHEN APPLICABLE:

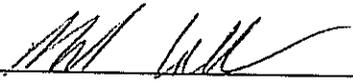
Date: _____ AGENT SIGNATURE _____

**ACKNOWLEDGMENT OF EXISTING
Subdivision Plat Notes, Deed Restrictions Restrictive Covenants
and/or Zoning Conditional Use Permits**

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 13590 R.R. 12, and more particularly known as Lot _____, Block _____ of the _____ Subdivision.

If a conflict should result with the request I am submitting to the Village of Wimberley due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permit information, which may apply to this property.

Date: 6-18-09 APPLICANT SIGNATURE 

WHEN APPLICABLE:

Date: _____ AGENT SIGNATURE _____

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE ZONING APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

- Complete "Application For Zoning"
- Provide plat map of property to be zoned which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- Provide plat map of the specific property to be zoned.
- Provide names and addresses of property owners within 200 feet of any portion of Applicant's property.
- Provide a legal description of the property to be zoned.
- Sign/date Submittal Verification form.
- Sign/date Site Inspection Authorization form.
- Sign/date Acknowledgement Form.
- Pay Zoning Fee (this fee is based on the cost of services incurred by the Village of Wimberley in reviewing, processing and recording the zoning request).
- Applicant agrees to attend a pre-zoning conference prior to acceptance of Application.
- Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed zoning.
- Applicant agrees to attend City Council hearing scheduled for Applicant's proposed zoning or waives his/her rights of appearance (see below).
- Provide detailed Site Plan for WPDD (11x17)

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

- (✓) My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application.
- (✓) I hereby waive my right to appear before the Village of Wimberley City Council at the public hearing to be held concerning the zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 6-18-09

APPLICANT SIGNATURE 

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

0.365 ACRE OF LAND

OUT OF THE AMASA TURNER SURVEY No. 1, ABSTRACT No. 461, HAYS COUNTY, TEXAS

BEING A TRACT OR PARCEL CONTAINING 0.365 ACRE OF LAND OUT OF THE AMASA TURNER SURVEY No. 1, ABSTRACT No. 461, HAYS COUNTY, TEXAS; BEING THAT SAME CALLED 0.365 ACRE TRACT (HAYS COUNTY PROPERTY IDENTIFICATION NUMBER (HCPID No.) R18413) DESCRIBED BY DEED RECORDED IN VOLUME 1155, PAGE 717, OFFICIAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); BEING PART OF LOT 1, CHARLES & OLLIE OLDHAM SUBDIVISION, RECORDED IN VOLUME 142, PAGE 426, DEED RECORDS OF HAYS COUNTY, TEXAS (D.R.H.C.T.) AND PART OF LOT 33, HARRISON RESORT SUBDIVISION, RECORDED IN VOLUME 87, PAGE 347, D.R.H.C.T.; SAID 0.365 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE REFERENCED TO SAID LOT 1, OLDHAM SUBDIVISION):

BEGINNING

at a 1-inch iron pipe found at the intersection of the north right-of-way line of said Ranch Road No. 12 (RR 12)(60 feet wide) with the east right-of-way line of Oldham Street (40 feet wide) and in the south line of said Lot 1, Oldham Subdivision; said iron pipe marking the southwest corner of the herein described tract;

THENCE

North 19°51'00" East (reference bearing per Oldham Subdivision), with said east line of Oldham Street and the west line of Lot 1, a distance of 142.21 feet to a 1/2-inch iron rod with cap stamped "DRIFTWOOD SURVEYING" set marking the southwest corner of Lot 2 of said Oldham Subdivision and the northwest corner of Lot 1 and the herein described tract;

THENCE

South 80°42'06" East (called South 80°59' East), with the common line of Lots 1 and 2, a distance of 106.47 feet to a 1/2-inch iron rod found marking the northeast corner of the herein described tract;

THENCE

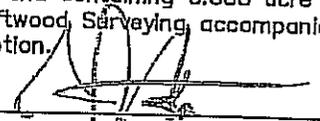
South 19°54'20" West, crossing Lot 1, at approximately 140.5 feet passing the south line of Lot 1 and the north line of said Lot 33, Harrison Resort, continuing for a total distance of 161.83 feet to a 1/2-inch iron rod with cap stamped "DRIFTWOOD SURVEYING" set in the south line of said Lot 33 and the north line of said RR 12; said iron rod also marking the southeast corner of the herein described tract;

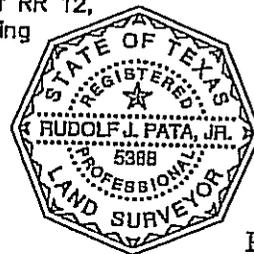
THENCE

North 70°05'09" West (called North 70°09' West), with the north line of RR 12, at approximately 39.6 feet passing the west corner of Lot 33, continuing along the south line of Lot 1 for a total distance of 104.51 feet to the POINT OF BEGINNING and containing 0.365 acre of land.

A survey map prepared by Driftwood Surveying accompanies this metes and bounds description.

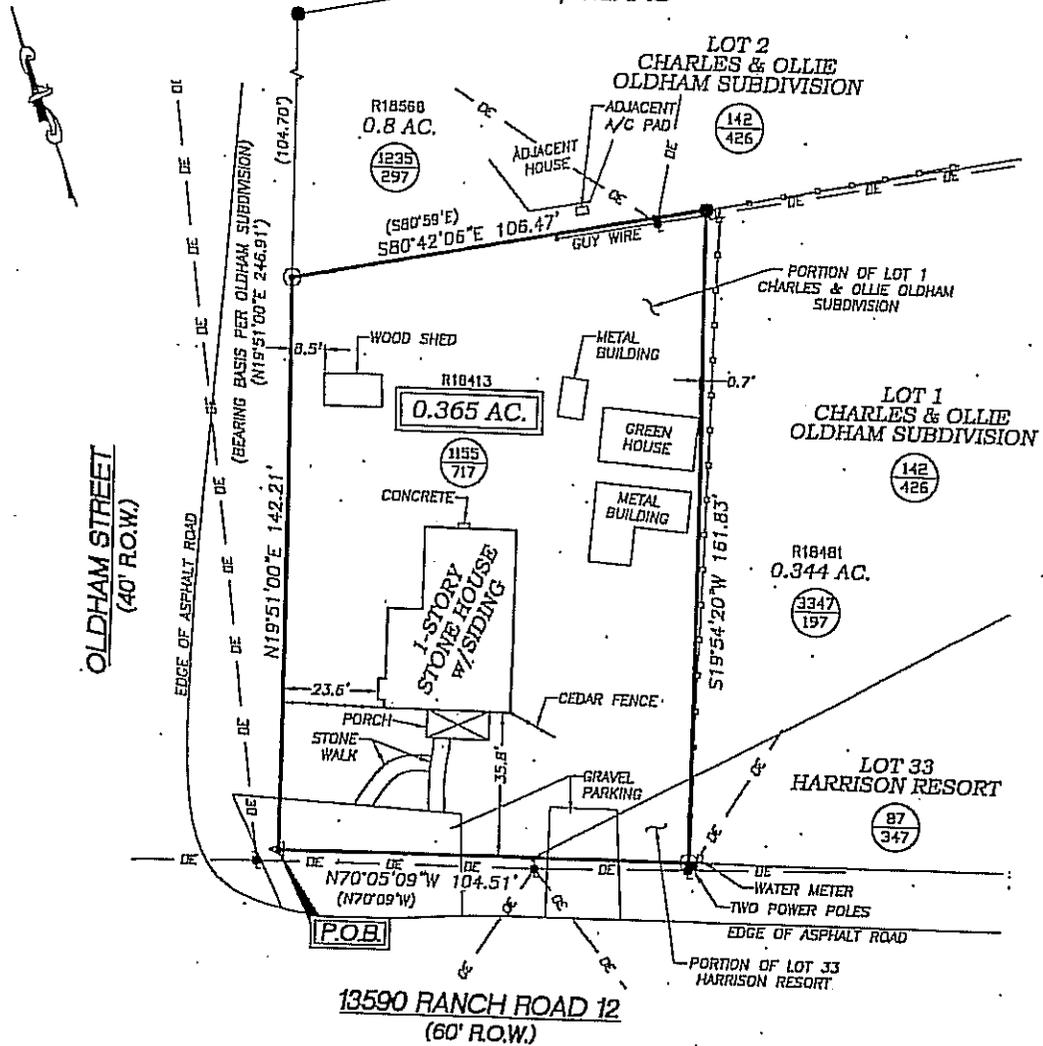
9/30/08
DATE


RUDOLF J. PATA, JR. RPLS #5388



Driftwood Surveying Professional Land Surveyors P.O. Box 379 Wimberley, TX 78676 TEL (512) 847-7222 FAX (512) 847-7372 www.driftwoodsurveying.com	METES AND BOUNDS		
	0.365 ACRE OF LAND OUT OF THE AMASA TURNER SURVEY No. 1, ABSTRACT No. 461, HAYS COUNTY, TEXAS		
ADDRESS			
13590 RANCH ROAD 12, WIMBERLEY, TEXAS			
PREPARED FOR:	TITLE CO. FILE NO.	DATE	
COLLINS	0815276-WIM	09-30-08	
	COMMITMENT NO.	PROJECT NO.	
	0815276-WIM	HC19808	

0.365 ACRE OF LAND
 OUT OF THE AMASA TURNER SURVEY No. 1, ABSTRACT No. 461,
 BEING A PORTION OF LOT 1, CHARLES & OLLIE OLDHAM SUBDIVISION
 AND A PORTION OF LOT 33, HARRISON RESORT SUBDIVISION,
 HAYS COUNTY, TEXAS



NOTES

THIS SURVEY REFERENCES TITLE COMMITMENT No. 0815276-WM, DATED 9/24/2008, PROVIDED BY INDEPENDENCE TITLE COMPANY.

THIS TRACT LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY AND IS SUBJECT TO ITS ORDINANCES.

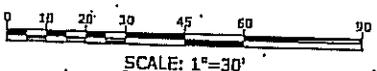
A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS SURVEY (SEE PAGE 2).

A POWERLINE EASEMENT EXISTS FOR TEXAS POWER AND LIGHT CO. AS RECORDED IN VOL. 117, PG. 517, H.C.D.R.

SUBJECT TRACT DOES NOT APPEAR TO BE IN THE 100 YEAR FLOODPLAIN ACCORDING TO F.I.R.M. PANEL #48209C 0355 F, DATED 9/2/2008. FLOOD AREAS/ELEVATIONS CAN ONLY BE VERIFIED BY ELEVATION CERTIFICATE.

LEGEND

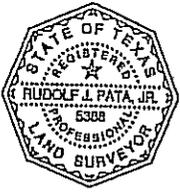
- — 1/2" IRON ROD FOUND
- ◄ — 1" IRON PIPE FOUND
- ⊙ — 1/2" IRON ROD SET - 'DRIFTWOOD SURVEYING'
- SERVICE OR UTILITY POLES
- DE — OVERHEAD UTILITIES
- - - - - EASEMENT
- WOOD FENCE
- SETBACK
- ⓧ VOL. PG. HAYS COUNTY DEED RECORDS
- XXXXXX HAYS COUNTY PROPERTY IDENTIFICATION NUMBER



SURVEYOR'S CERTIFICATION

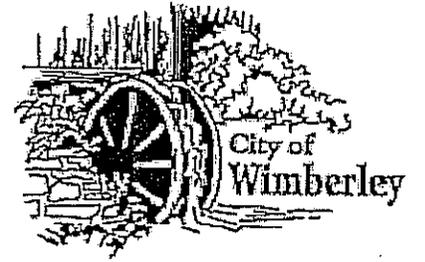
This survey is certified to Independence Title Company, and buyer Phillip Collins. I hereby certify to the aforesaid parties, as of the date set forth below that a careful survey was made on the ground, under my supervision, of the tract of land described hereon, and that said survey substantially complies with the current Texas Society of Professional Surveyors Standards & Specifications for a Category 1a, Condition II Land Survey, and that said property has abutting access to and from a public roadway.

9/30/08
 DATE
 RUDDOLF J. PATA, JR.
 TX. RPLS #5388



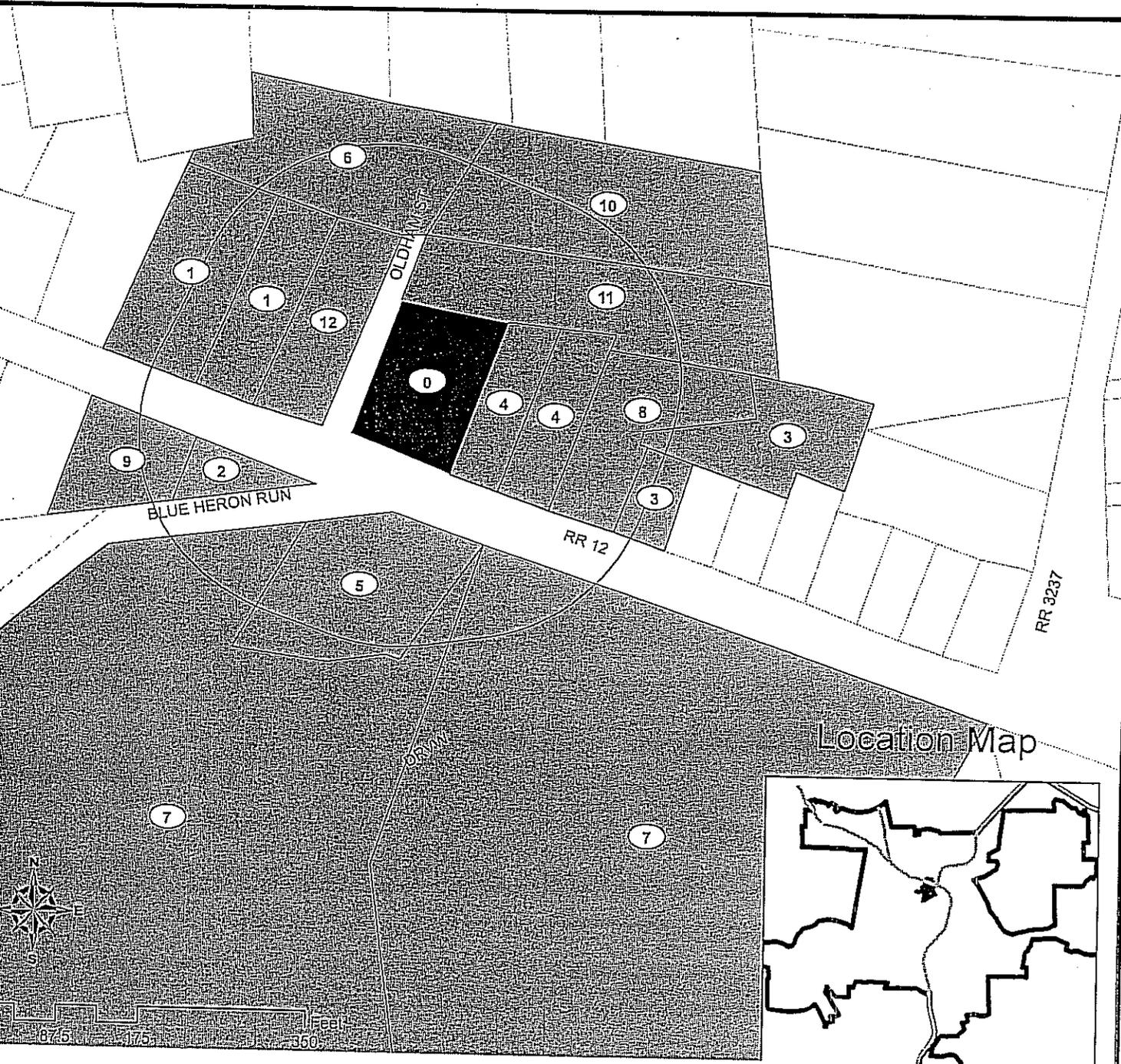
Driftwood Surveying Professional Land Surveyors - Serving the Hill Country		DATE: 9/30/08 FIELD CREW: RC/EG DRAWN: DJP CHECKED: RJP PROJ. NO.: HC18808 DWG. NAME/TITLE:
P.O. Box 379 Wimberley, TX 78678 PH. (512) 847-7222 FAX (512) 847-7372		REVISIONS: DATE:
0.365 ACRE OF LAND OUT OF THE AMASA TURNER SURVEY No. 1, A-461, HAYS COUNTY, TEXAS		
CLIENT: COLLINS		Page 1 of 2

Notified Properties for ZA-09-017

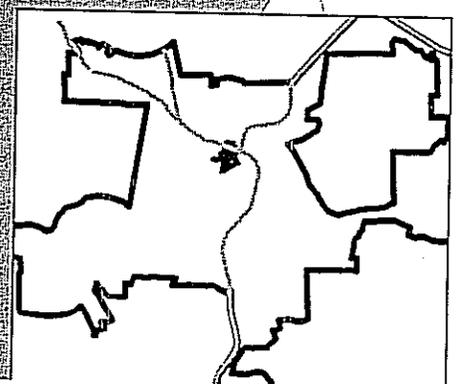


P.O. Box 2027 • Wimberley, Texas 78676

-  200 FT Buffer
-  Roads
-  SUBJECT PROPERTY
-  1, AUSTIN, FRANK
-  2, MCCOLLOUGH, GERALD R
-  3, MITCHELL, GARY R
-  4, MONTAGUE, JERRY RAY
-  5, MYERS LAND & INVESTMENTS
-  6, OLDMIXON MICHAEL L & ANDREA
-  7, RIO BONITO LLC
-  8, STARK JOHN D
-  9, SAMFORD GROUP HILL COUNTRY
-  10, WATTS, FRANK A, Jr.
-  11, WILDER CHARLES M JR, JUDITH
-  12, WIMBERLEY CLEAR WATER
-  parcel



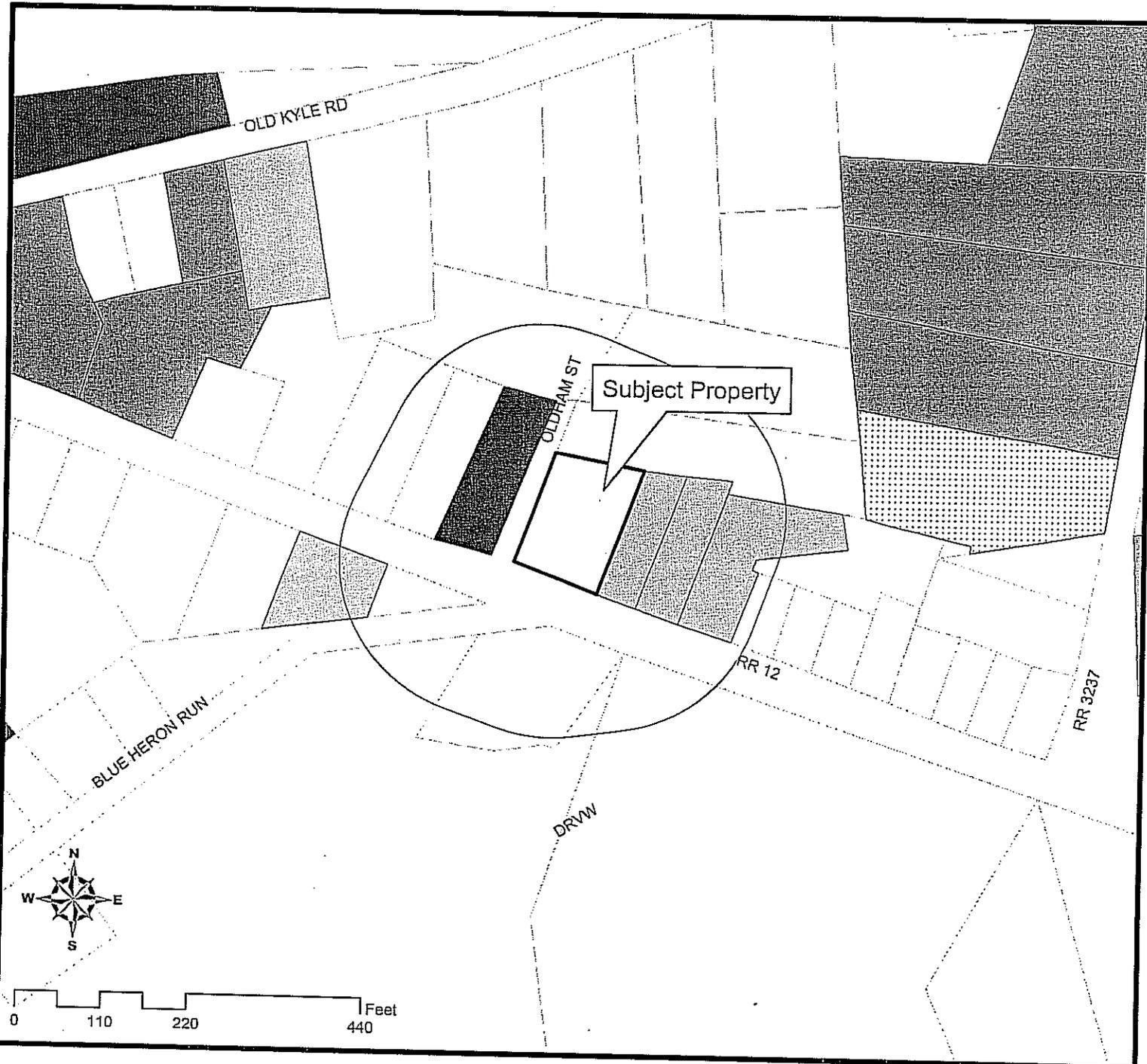
Location Map



Zoning Map for ZA-09-017

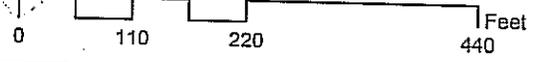
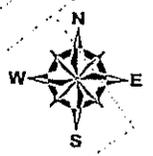
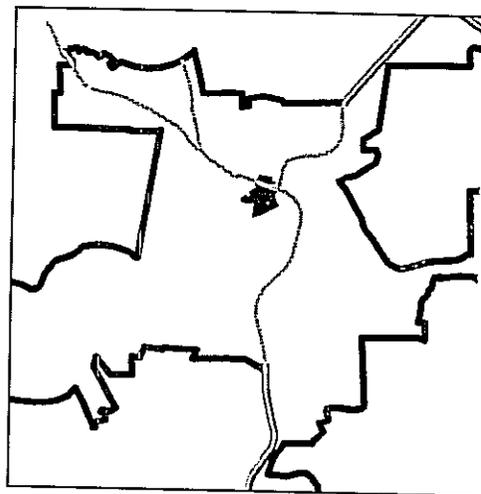


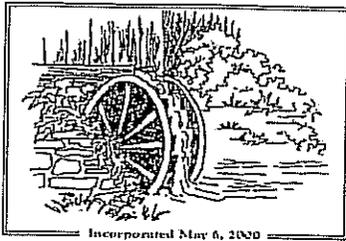
P.O. Box 2027 • Wimberley, Texas 7867



-  200 FT Buffer
-  O1 (Office - Low Impact)
-  C1 (Commercial - Low Impact)
-  C2 (Commercial - Moderate Impact)
-  C3 (Commercial - High Impact)

Location Map





City of Wimberley

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

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

Email: village@anvilcom.com Web: www.vil.Wimberley.tx.us

Tom Haley, Mayor - Bob Flocke, Mayor Pro-tem

Council Members - Charles Roccaforte, John White, Steve Thurber, Bill Appleman
Don Ferguson, City Administrator

June 18, 2009

NOTICE OF PUBLIC HEARING

Re: **File No. ZA-09-017**
13590 RR 12

An application for initial base zoning of Commercial – Moderate Impact (C2) on the subject property.

Dear Property Owner:

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

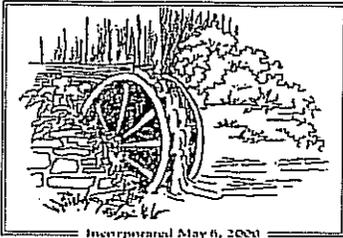
The Wimberley RR 12 LLC has applied for Commercial -Moderate Impact (C2) zoning for a currently unzoned tract of land located at 13590 RR 12.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, July 9, 2009 at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, July 16, 2009, at 6:30 p.m.** in the Wimberley City Hall.

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

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

CITY OF WIMBERLEY



City of Wimberley

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

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

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

NOTICE BY SIGN POSTING

Zoning No: ZA-09-017

Owner Phill Collins
Wimberley RR-12 LLC

Date 6/22/09

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 13590 - RR-12

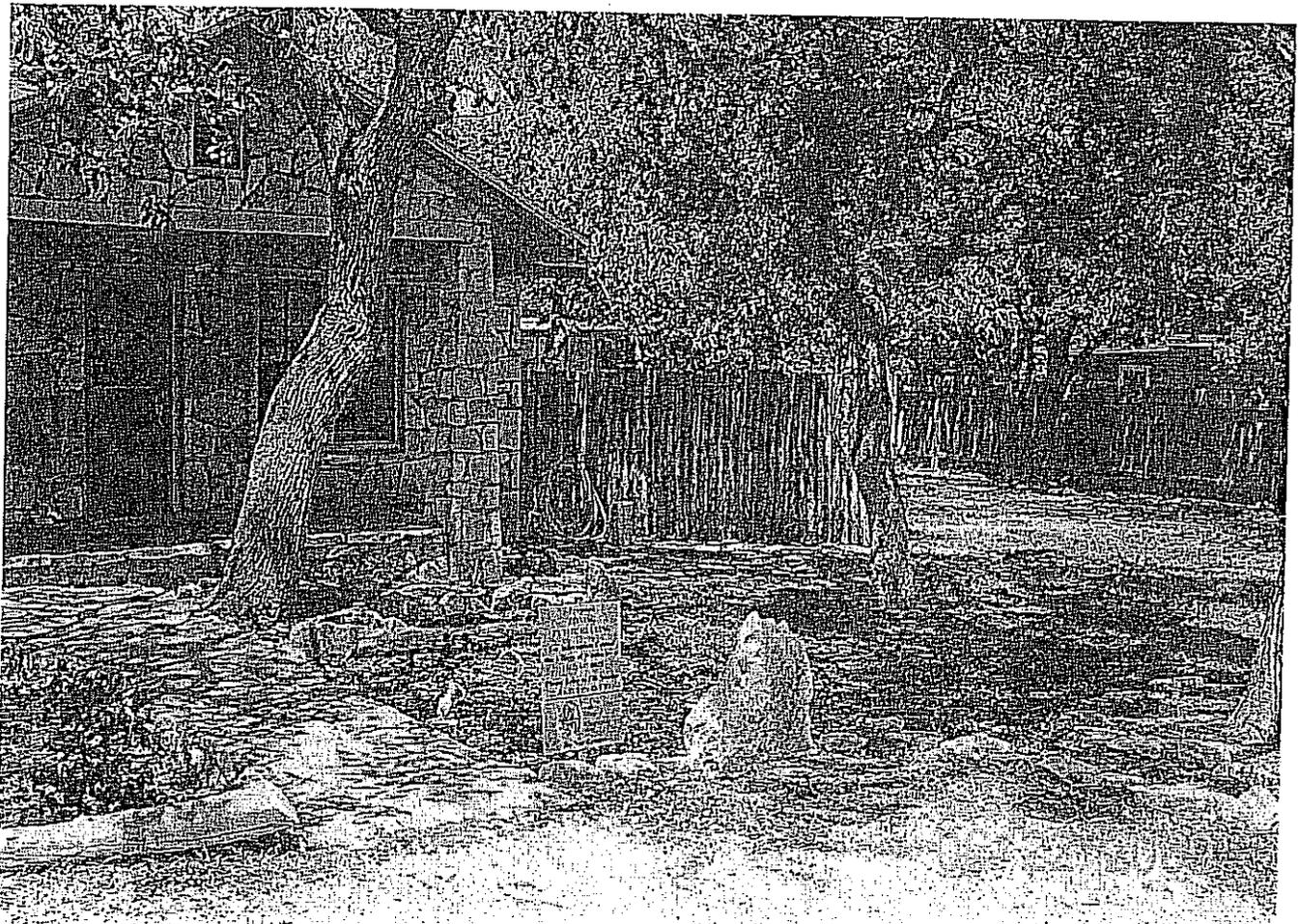
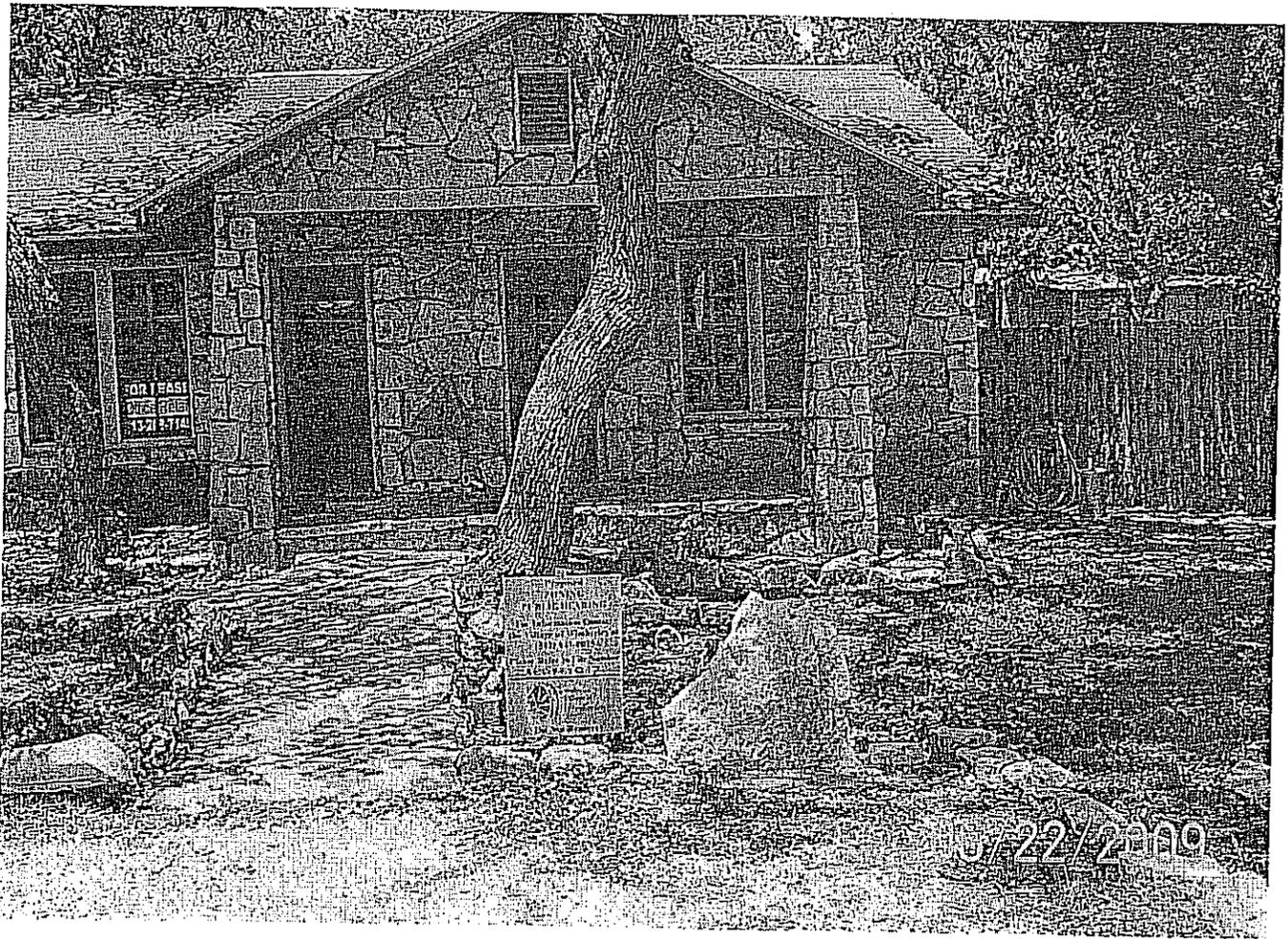
which is located on RR-12

Bill Bowers
Asst. Public Works

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

6/22/, 2009


Signature



THE CLASSIFIED

Wednesday, June 24, 2009

Email your ads to: classifieds@wimberley.com



PUBLIC NOTICE

By order of the Hays County Board of Commissioners Court, notice is hereby given that on Tuesday, June 30, 2009, at 9 a.m. in the Hays County Courthouse, 111 San Antonio Street, the Hays County Board of Commissioners Court will hold a public hearing to consider:

Establish traffic regulations (speed limit) on Old Bastrop Highway from El Camino Way to 16 to the Hays County line.
(04954/1/50)

PUBLIC NOTICE

PILUM MCKREIK Conservation District is accepting bids for the removal and replacement of approximately 7,500 feet of fence around one of its food control structures seven miles north of Lockhart. Bids are due by July 21st, 2009 at P.O. Box 228, Lockhart, TX 78644. For more information, please call: 512-398-2688 Monday - Friday, 8 a.m. - 5 p.m. (04953/2/53)

PUBLIC NOTICE

The City of Kyle filed applications with the Bear Creek Springs/Edwards Aquifer Conservation District (the

"BSEACD") on December 23, 2008, for a major amendment to a Production Permit and a Transport Permit. The Permit amendment, if granted, would authorize an increase in the permitted pumpage volume from 165,000,000 gallons up to 350,000,000 gallons per year from the Barton Springs segment of the Edwards Aquifer. The requested increase of up to 185,000,000 gallons per year would be designated as Class II-B Conditional pumpage and would be subject to drought restrictions applicable to conditional permits and would not be effective until the current drought restrictions have been lifted by the BSEACD. The Transport Permit, if granted, would authorize the export of up to 165,000,000 gallons per year outside of the BSEACD boundaries. The City will operate the well as a public supply well providing potable water to the City's public water supply system. The requested authorizations, if granted, would allow the City to produce and export the water from the City's existing Well No. 4, located near the intersection of RM 2770 and CR 174 in the 700 block of Kohlars Crossing in Kyle, Texas. Persons interested in submitting comments, protests or requests for a public hearing on this application may do so until

July 9, 2009. For further information, please contact the BSEACD, 124 Regal Row, Austin, Texas 78748; (512) 252-8441. You may also contact the City of Kyle with any questions at 103 S. Front St., Kyle, Texas 78640 or by phone at (512) 282-2921. (04954/1/50)

NOTICE OF PUBLIC HEARING

(Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 9, 2009, at 6:30 p.m. to consider the following CUP 09-005, an application for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at 10460 RR12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 16, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road, 23 Wimberley, Texas (04954/1a/50)

NOTICE OF PUBLIC AUCTION

Pursuant to the Vernon Civil Statute 4477.9a, the following vehicles will be sent to public auction. The auction will be held at Wimberley Paint & Body 100 Texas Blvd Wimberley, TX 78678 Thursday, JUNE 25, 2009
Yr: 1994
Make: Nissan
Model: Sentra

NOTICE OF PUBLIC HEARING

(Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 9, 2009, at 6:30 p.m. to consider the following ZA 09-017, an application for initial base zoning of Commercial

Modern Impact (C2) at 3590 RR12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 16, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road, 23 Wimberley, Texas (04954/1a/50)

NOTICE OF PUBLIC HEARING

(Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, July 16, 2009, at 6:30 p.m. to consider the following ZR 09-017, an application for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at 10460 RR12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, July 16, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road, 23 Wimberley, Texas (04954/1a/50)

License Plate: X52CUE
VIN: 1N4EB31P1R842098

Yr: 1995
Make: CHEV
Model: LUMINA
License Plate: MVW616
VIN: 2G1WL52M9S933380

Yr: 2002
Make: FORD
Model: FOCUS
License Plate: JVR201
VIN: 1FAGP53U52A162453

Yr: 1995
Make: FORD
Model: EXPLORER
License Plate: 2JFFB4
VIN: 1FMDU32X7PU042168

Yr: 1990
Make: TOYOTA
Model: CELICA
License Plate: 166YGM
VIN: J1T2S187N0L0018284

Yr: 1995
Make: SUZUKI
Model: PROOPER
License Plate: Y1KGV
VIN: JACD156V5S7924373

(04952/1a/50)

PUBLIC NOTICE

By order of the Hays County Board of Commissioners Court, notice is hereby given that on Tuesday, July 14, 2009, at 9 a.m. in the Hays County Courthouse, 111 San Antonio Street, the Hays County Board of Commissioners Court will hold a public hearing to consider:

Buy/Sell/Trade or CONSIGN

One item or an entire estate: Campbell's Collectibles
847-6006
(03586/2a/53)

BEAR CREEK ESTATES, in Precinct 4 into Lots 12A-13A & 13B (04950/3a/51)

PUBLIC NOTICE

Effective with August 2009 bills, Pedernales Electric is revising its rates to more clearly reflect the Cooperatives' service availability charge. The charge will be a supply cost with rate classes and customers will be affected. Included in this rate revision is a change to the Line Extension Policy. PEC also will redesign its electric bill to reflect these changes. These revisions and changes are expected to reduce Pedernales Electric's overall charges by approximately \$25 million. For more information, please attend one of our open houses, where PEC representatives will be on hand to answer questions. For additional information or to open house details, call 1-888-551-1732, visit any of our district offices, or go to www.pec.coop (04943/1/50)



BUY/SELL/TRADE or CONSIGN
One item or an entire estate: Campbell's Collectibles
847-6006
(03586/2a/53)

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ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A 0.365 ACRE TRACT LOCATED AT 13590 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING INITIAL ZONING FOR SUCH TRACT AS COMMERCIAL-MODERATE IMPACT (C-2); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, the regulations established by Section 155 (Zoning), as amended, (the "Code") are specifically designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public facilities; and

WHEREAS, in the course of adopting the regulations established by the Code, the Planning and Zoning Commission and City Council gave careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the community's history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and

WHEREAS, the regulations established by the Code have been adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

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

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

WHEREAS, the City Council and Planning and Zoning Commission have carefully reviewed the requirements of the City's Code of Ordinances and have concluded that the requested zoning designation is consistent with established City policy and in the public interest; and

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

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

ARTICLE I. AMENDMENT

Section 155 (Zoning) of the Code of Wimberley is hereby amended by adding the following language to Appendix F to read as follows, which shall be incorporated into and made part of Section 155 (Zoning), and given full weight and effect:

Appendix F: Zoning District Designations

The City Council of the City of Wimberley has divided the City into the zoning districts as follows. The applicable use, height, area and development regulations adopted by the City shall apply to each district. The following geographic boundaries of the zoning districts for the properties listed below are hereby established as follows:

The 0.365 acre tract described as part of the A0461 Amasa Turner Survey, and more particularly described by metes and bounds in the attached Exhibit "A" incorporated by reference, in Wimberley, Hays County, Texas, commonly known as 13590 Ranch Road 12, is hereby designated with the initial zoning of Commercial-Moderate Impact (C-2) designation.

Except as expressly amended herein, Appendix F shall remain in full force and effect.

ARTICLE II. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the zoning district boundary established by this Ordinance.

ARTICLE 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.

ARTICLE 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 this _____ day of _____, 2009, by _____ (Ayes) to _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

BY: _____
Tom Haley, Mayor

ATTEST:

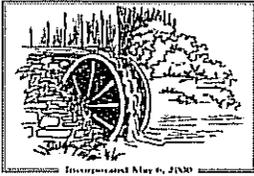
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

DRAFT

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE CREATING A NEW PLANNING AREA AND ESTABLISHING A SCENIC CORRIDOR ZONING DISTRICT

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The purpose of this agenda item is to allow the City Council to hold a public hearing and consider approving the second and final reading of an ordinance making several changes to the City Zoning Code, as recommended in the recent update of the City of Wimberley Comprehensive Plan. The proposed amendments include the following:

- Designating the various *Planning Areas* by roman numeral rather than letter
- Creating a new *Planning Area VII*
- Creating a new *Scenic Corridor (SC)* zoning district which allows residential, office and limited commercial activities
- Establishing a fifty (50) foot front setback requirement for properties within the *Scenic Corridor (SC)* district with the exception of properties that are two acres or less in size. The setback for those properties shall be thirty (30) feet.
- Permitting monument signs on *Scenic Corridor (SC)* properties provided their total area does not exceed sixty-four (64) square feet and the height does not exceed ten (10) feet. No pole signs would be permitted.
- Permitting masonry walls no greater than three (3) feet in height and fences no greater than four (4) feet in height within the front setback of *Scenic Corridor (SC)* properties. Such walls and fencing must comply with City sign regulations.

The limited commercial *Scenic Corridor(SC)* zoning district is intended to comply with the provision in the City's Comprehensive Plan which encourages the enactment of ordinances that will encourage placement of minimal commercial and community service businesses along the four major highways through the City.

On July 2, 2009, the City Council held a public hearing on the proposed ordinance and approved its first reading with an amendment to the requirement that no more than 50% of the required parking spaces for a SC zoned property be located at the front of the property. The Council amended the ordinance to allow up to 75% of the required parking spaces at the front of the property, if a minimum front setback of 100 feet is provided.

ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES, CERTAIN SUBSECTIONS OF SECTION 155.023 (DISTRICTS ESTABLISHED; DESIGNATION AND REVIEW) IN ORDER TO ADD THE “SCENIC CORRIDOR (SC)” AS A BASE ZONING DISTRICT, CREATE PLANNING AREA VII, AND REVISE THE PLANNING AREAS ACCORDINGLY; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

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

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

WHEREAS, further the P&Z and Council have considered, among other things, the character of each zoning district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and,

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

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

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

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

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

I. FINDINGS OF FACT

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

II. AMENDMENTS

A. THAT the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), that portions of the following subsections (A), (H) and (I) of Section 155.023 (Districts Established; Designation and Review) are hereby amended in their entirety to read as follows:

“§ 155.023 DISTRICTS ESTABLISHED; DESIGNATION AND REVIEW

(A) *Districts authorized.* The districts authorized herein shall be known as (abbreviated designation, zoning district name):

(a) Base districts:

1. RA, residential acreage;
2. R-1, rural residential 1;
3. R-2, single-family residential 2;
4. R-3, single-family residential 3;
5. R-4, single-family residential 4;
6. R-5, 2-family residential 5;
7. NS, neighborhood services;
8. MH, mobile home;
9. MF-1, multi-family residential 1;
10. MF-2, multi-family residential 2;
11. O-1, office - low impact;
12. O-2, office - high impact;
13. L-1, lodging;
14. L-2, lodging;
15. SC, scenic corridor;

Council 2nd Reading

16. C-1, commercial - low impact;
17. C-2, commercial - moderate impact;
18. C-3, commercial - high impact;
19. I-1, industrial - low impact;
20. I-2, industrial - high impact;
21. HC, highway commercial;
22. IP, industrial park;
23. AS/S, animal sales/services;
24. PPU, public protection/utility;
25. PR-1, participant recreation - low impact;
26. PR-2, participant recreation - high impact;
27. PF, public facilities; and
28. WPDD, planned development district.

(H) *Land use policies and planning area uses.*

(1) *Land use policies.* The goal of these land use policies is to protect and improve the city as it exists today and to prevent degradation of the traditional character of the city. As a major policy, the Planning and Zoning Commission and the City Council will not support any suburbanization of land uses, strip commercial development, dominant single-use districts, or developments that are out of character or scale with the historic development pattern of the city.

(f) *Commercial districts (SC, C-1, C-2 and C-3).* When proposed as adjacent to residential areas, commercial districts are to be evaluated on the basis of their overall compatibility with adjacent residential district.

1. Commercial uses may be permitted along both major and minor arterials, subject to the following siting criteria:

- a. Maximum frontage along a major arterial is 225 feet;
- b. Maximum frontage along a minor arterial is 150 feet; and
- c. In the calculation of these maximum frontages, the criteria apply to single sites, or a combination of adjacent sites.

Council 2nd Reading

2. Commercial concentrations at all corners of any intersection (through single or multiple sites) are limited to a maximum of 2 acres.

3. C-3 and C-2 uses are to be located toward the city center.

4. HC uses shall be limited to planning area VI.

(H)(1)(g)(2) *Planning area uses.* The Comprehensive Plan of the city notes that it is the responsibility of the City Council, with the assistance of the Planning and Zoning Commission, to develop a system for the general application of zoning districts to the Comprehensive Plan Map planning areas. The boundaries of each planning area are shown in the Comprehensive Plan adopted by Council, and on file with the City. The following is a listing of the planning areas with the zoning districts that are appropriate for the areas. The full district names are as found in division (A)(1) of this section.

<i>Area</i>	Zoning Districts Allowed
I	RA, R-1, R-2, R-3, PPU, PF, WPDD, NS
II	RA, R-1, R-2, R-3, R-4, R-5, MF-1, PPU, PF, WPDD, NS
III	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MH, O-1, C-1, L-1, PR-1, PPU, PF, WPDD
IV	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MF-2, MH, O-1, O-2, C-1, C-2, L-1, PR-1, PR-2, PPU, PF, WPDD
V	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MF-2, O-1, O-2, C-1, C-2, C-3, L-1, L-2, AS/S, PR-1, PR-2, PPU, PF, WPDD
VI	O-1, O-2, C-1, C-2, C-3, L-1, L-2, I-1, I-2, HC, IP, PPU, PF, WPDD
VII	RA, R-1, R-2, NS, O-1, L-1, PPU, PR-1, PF, SC, WPDD

(I) *Specific review criteria.*

(1) *Land use intensity gradations.* Land use intensity gradation is an expression of external effects on the environment. In reviewing zoning requests, the Planning and Zoning Commission and the City Council shall consider the intensity of the proposed zoning district in relation to the intensities of adjoining or nearby districts. The land use intensity gradation rankings (from lowest to highest) adopted by the city are as follows:

- (a) RA, R-1, R-2, R-3, R-4, NS;
- (b) R-5, MH, MF-1, MF-2, PPU, NS;
- (c) C-1, SC, O-1, L-1, PR-1;
- (d) C-2, O-2, L-2;
- (e) C-3, PR-2, PF;

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(f) I-1, AS/S; and

(g) HC, I-2, IP.

(2) In order to promote reasonable transitions between districts within the city and ensure the compatibility of neighboring uses, zoning district boundaries may not be approved if the difference between the intensity of the requested district and an adjoining district is greater than 2, except as recommended by the Planning and Zoning Commission, and as may be approved by the City Council. For example, a permitted use in intensity grade d may be adjacent to a permitted use in intensity grade b.

(3) Note that WPDDs, overlays and CUPs are not subject to the land use intensity gradation rankings. Their external effects on the environment are evaluated on a case-by-case basis. These districts may include specific provisions for mitigation and screening.”

B. THAT the City of Wimberley Code of Ordinances, Chapter 155 (Zoning) is hereby amended to create the following section 155.094 Scenic Corridor; SC, in its entirety to read as follows:

“§ 155.094 SCENIC CORRIDOR; SC.

(A) *General purpose and description.* The SC, Scenic Corridor is intended to preserve and enhance the visual quality of the principal gateways to the city and to reduce congestion, facilitate traffic flow, and provide for the safety of motorists, cyclists, pedestrians, businesses, residents, and landowners. This district is designed to permit placement of single family residential and minimal commercial and community service businesses along the three major highways through the city. The characteristics of each development site should be designed in such a manner as to create an attractive and safe environment along Ranch Road 12 creating aesthetically pleasing and safe entrances to the city. Because these areas are major thoroughfare entry points into the city, emphasis has been placed upon building arrangements, setbacks, sight lines, parking, and landscape treatment, which are elements that tend to influence both visual appeal and safe and orderly flow of traffic along the major entry corridors to the city.

(B) *Permitted uses.*

(1) Single-Family residence

(2) Administrative and professional office:

(a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;

(b) Photography studios, doctors, dentists;

(c) Non-profit organizations (with certain restrictions);

(d) Civic uses (such as City Halls);

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- (e) Research services: limited; and
 - (f) Office.
- (3) Religious assembly;
 - (4) Retail sales and services: limited;
 - (5) Business support services;
 - (6) Funeral and internment services: internment;
 - (7) Repair services: consumer;
 - (8) Eating establishments: sit-down, not including the sale of beer, wine, or alcohol for on-premise consumption;
 - (9) Communications services: limited (such as studios);
 - (10) Commercial/residential;
 - (11) Animal sales and services: grooming;
 - (12) Convalescent services
 - (13) Arts and crafts sales and instruction;
 - (14) Commercial/single-family residential;
 - (15) Adult day care facility;
 - (16) Private primary educational services;
 - (17) Private secondary educational services;
 - (18) Medical services: limited;
 - (19) Personal services: limited;
 - (20) Bank and savings and loan;
 - (21) Accessory uses to the main use; and
- (C) *Conditional uses.*

(1) A drive-through or drive-in facility otherwise allowed as a permitted use in this district shall be allowed only with a conditional use permit;

Council 2nd Reading

(2) Bank and savings and loan (drive-through);

(3) Bed and breakfast lodging;

(4) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations;

(5) Eating establishments: sit-down, including the sale of beer, wine, and alcohol for on-premise consumption; and,

(6) Package stores.”

(D) **SETBACKS.** Except for entry driveways, septic tank system complying with state law, landscaping (including irrigation), fences utilities, and drainage, no construction, including buildings, parking areas, and driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks.

(1) *Minimum setbacks.* The front yard setback measured from the front property line of any property zoned SC shall be fifty feet (50'). The front yard setback for any tract of land which is two acres or less in size shall be thirty feet (30').

(2) Secondary street: 15 feet; and

(3) Interior side or rear yard: 10 feet, 20 feet when adjacent to a residential district and the building is more than 1 story.

(E) **Maximum impervious coverage:** 70%. Impervious cover shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(F) **Maximum building coverage:** 60%. Building coverage shall be calculated as a percentage of the net site area.

(G) **Maximum building footprint:** 11,500 square feet.

(H) **Maximum floor area:** 15,000 square feet.

(I) *Landscaping.* The front setback area in this district shall be used for buffering type landscaping. Buffering is defined as the use of a mix of landscaping, consisting primarily of shrubs and trees, but including berms to reduce the impact of noise and unsightly visual intrusions. The specified landscaped area shall adjoin the road.

Any landscaping and vegetative materials in this setback shall emulate the natural form of the rural landscape. Formal planting patterns with uniform intervals are not allowed. Plant materials shall be grouped informally, emulating native patterns. Planting shall provide the appearance of depth to the site, not just a single-dimensional screen. Landscaping and parking lot screening shall be in accordance with the City's landscape requirements. All developments shall be

Council 2nd Reading

encouraged to use xeriscape techniques with an emphasis on drought resistant plants and water conserving irrigation methods.

(J) *Parking.* Special provisions for parking are included for the district. Required setbacks shall not be used for parking. All parking shall be located behind buffered landscaping. Parking structures or multi-car garages of more than two spaces shall be prohibited.

Except as otherwise provided herein, no more than 50% of the required parking spaces, including ADA required spaces shall be permitted at the front of the property, all remaining parking shall be located in the side or rear yard. If a minimum front setback of 100 feet is provided, then no more than 75% of the required parking spaces, including ADA required spaces shall be permitted at the front of the property, all remaining parking shall be located in the side or rear yard.

(K) *Future rights-of-way.* Where a future right-of-way line has been established for widening or opening a street or thoroughfare upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

(L) *Signs.* Monument signs are permitted provided their total area does not to exceed sixty-four (64) square feet and the height does not exceed ten (10) feet. No pole signs shall be permitted.

(M) *Fencing.* Masonry walls no greater than three feet in height and fences no greater than four feet in height are permitted within the front setback and shall comply with the City regulations regarding same. Walls and fencing on the side and rear property lines shall comply with the City's regulations regarding same.

(N) *Special requirements.*

(1) For site plan requirements, see § 155.077.

(2) Open storage is prohibited; however, periodic display of seasonal items (such as Christmas trees, pumpkins, and the like) is allowed during the appropriate time periods.

(3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(4) Other regulations. As established in §§ 155.075 et seq., development standards.”

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

III. REPEALER

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

IV. 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.

V. EFFECTIVE DATE

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

VI. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this _____ day of _____, 2009, by a ____ (Ayes) _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

By: _____
Tom Haley, Mayor

ATTEST:

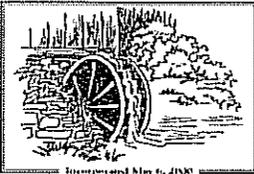
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: PUBLIC HEARING AND CONSIDER APPROVAL OF SECOND AND FINAL READING OF AN ORDINANCE MODIFYING THE CITY'S ENTRANCE CORRIDOR OVERLAY DISTRICT REQUIREMENTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The purpose of this agenda item is to allow the City Council to hold a public hearing and consider approving the second and final reading of an ordinance making several changes to the City's *Entrance Corridor Overlay District* requirements, as recommended in the recent update of the *City of Wimberley Comprehensive Plan*. The proposed amendments include the following:

- Establishing a fifty (50) foot front setback requirement for properties within the *Entrance Corridor Overlay District* with the exception of properties two acres or less. For those properties, the front setback would be 1.5 times the required front setback for the underlying base zoning district for the subject property and that setback shall be no more than 50 feet.
- Permitting monument signs on *Entrance Corridor* properties provided their total area does not exceed sixty-four (64) square feet and the height does not exceed ten (10) feet. No pole signs would be permitted.
- Permitting masonry walls no greater than three (3) feet in height and fences no greater than four (4) feet in height within the front setback of *Entrance Corridor* properties. Such walls and fencing must comply with City sign regulations.

The above mentioned amendments are designed to preserve, protect and enhance the scenic vistas along the four major highways through the City.

On July 2, 2009, the City Council held a public hearing on the proposed ordinance and approved its first reading with an amendment to the requirement that no more than 50% of the required parking spaces for properties in the *Entrance Corridor* be located at the front of the property. The Council amended the ordinance to allow up to 75% of the required parking spaces at the front of the property, if a minimum front setback of 100 feet is provided.

ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES SECTION 155.093 ENTRANCE CORRIDOR OVERLAY DISTRICT (EC) IN ORDER TO REVISE THE SETBACK REQUIREMENTS AND ADD REQUIREMENTS RELATED TO CONSTRUCTION TYPE AND MATERIALS, LANDSCAPING AND SIGNAGE; AND PROVIDING FOR THE FOLLOWING: PENALTY; FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

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

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

WHEREAS, further the P&Z and Council have considered, among other things, the character of each zoning district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and,

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

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

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

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

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

I. FINDINGS OF FACT

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

II. AMENDMENTS

THAT the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Section 155.093 (Entrance Corridor Overlay District; EC) is hereby amended in its entirety to read as follows:

“§ 155.093 ENTRANCE CORRIDOR OVERLAY DISTRICT; EC.

(A) *General purpose and description.* The EC, entrance corridor overlay district is intended to preserve and enhance the natural beauty and visual quality of the principal gateways to the city and to reduce congestion, facilitate traffic flow, and provide for the safety of motorists, cyclists, pedestrians, businesses, residents, and landowners. Emphasis has been placed upon building arrangements, design standards, setbacks, sight lines, parking, and landscape treatment, which are elements that tend to influence both visual appeal and safe and orderly flow of traffic along the major entry corridors to the city.

(B) *Limits of overlay.* Application of this overlay shall apply to all properties abutting and having frontage on the following roads (see Figure 7 in Appendix A of this chapter):

(1) RR 12 beginning at the Blanco River Bridge and ending where RR 12 crosses the south city limit;

(2) RR 12 beginning at South Joe Wimberley Blvd. and ending where RR 12 crosses the north city limit;

(3) Highway 32 beginning at its junction with RR 12 and proceeding west to end where Highway 32 crosses the city limit;

(4) FM 2325 beginning at Green Acres Road and ending where FM 2325 crosses the west city limit; and

(5) FM 3237 beginning at the junction of Old Kyle Road and New Kyle Road and ending where FM 3237 crosses the east city limit.

(C) *Permitted uses.* Permitted uses in the entrance corridor overlay are governed by the allowable underlying zoning districts found in each individual entrance corridor. (See the General Application of Zoning Districts to the Planning Areas of the city.) These permitted uses must conform to the special development standards set forth for this overlay district.

Council 2nd Reading

(D) *Site development standards.* The site development standards of the EC district are the same as those of the underlying zoning district except for the additional requirements and conditions that follow. If there is a conflict between the following standards and the requirements of the underlying zoning district, the more stringent requirement shall apply.

(1) *Minimum setbacks.* The front yard setback measured from the front property line of the property for all land fronting on an entrance corridor road as defined in division (B) above, shall be fifty feet (50') (see Figure 8 in Appendix A of this chapter). The front yard setback for any tract of land which has been platted as of the date of this Ordinance and is two acres or less in size shall be 1.5 times the front setback of the underlying district. The setback for the side and rear yard shall be the setback established in the underlying zoning district regulations.

Except for entry driveways, septic tank system complying with state law, utilities, drainage, and landscaping, no construction, including buildings, sidewalks and driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks.

(2) *Maximum impervious cover.* The same as the underlying district.

(3) *Landscaping.* The front setback area in this overlay district shall be used for buffering type landscaping. Buffering is defined as the use of a mix of landscaping, consisting primarily of shrubs and trees, but including berms to reduce the impact of noise and unsightly visual intrusions. Masonry walls and fences no greater than three feet in height are allowed within the front setback and shall be located in accordance with the City's regulations regarding same. Walls and fencing on the side and rear property lines shall comply with the City's regulations regarding same. The specified landscaped area shall adjoin the entrance corridor road.

Any landscaping and vegetative materials in this setback shall emulate the natural form of the rural landscape. Formal planting patterns with uniform intervals are not allowed. Plant materials shall be grouped informally, emulating native patterns. Planting shall provide the appearance of depth to the site, not just a single-dimensional screen. Landscaping and parking lot screening shall be in accordance with the City's landscape requirements. All developments shall be encouraged to use xeriscape techniques with an emphasis on drought resistant plants and water conserving irrigation methods.

(4) *Parking.* Special provisions for parking are included for the EC overlay district. Required setbacks shall not be used for parking. All parking shall be located behind buffered landscaping. Parking structures or multi-car garages of more than two spaces shall be prohibited.

Except as otherwise provided herein, no more than 50% of the required parking spaces, including ADA required spaces shall be permitted at the front of the property, all remaining parking shall be located in the side or rear yard. If a minimum front setback of 100 feet is provided, then no more than 75% of the required parking spaces, including ADA required spaces shall be permitted at the front of the property, all remaining parking shall be located in the side or rear yard.

Council 2nd Reading

(5) *Future rights-of-way.* Where a future right-of-way line has been established for widening or opening a street or thoroughfare upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.

(6) *Signs.* Monument signs are permitted provided their total area does not to exceed sixty-four (64) square feet and the height does not exceed ten (10) feet. No pole signs shall be permitted.”

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

III. REPEALER

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

IV. 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.

V. EFFECTIVE DATE

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

VI. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this _____ day of _____, 2009, by a _____
(Ayes) _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

By: _____
Tom Haley, Mayor

ATTEST:

Council 2nd Reading

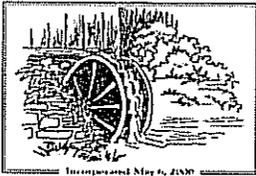
Cara McParland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, Assistant City Attorney

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND READING OF AN ORDINANCE MAKING PROPOSED AMENDMENTS TO THE CITY ZONING ORDINANCE RELATING TO THE SALE OF BEER, WINE AND ALCOHOL

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The purpose of this agenda item is to allow the City Council to hold a public hearing and consider approval of the second and final reading of an ordinance making several changes to the City Zoning Code relating to the sale of alcohol in Wimberley. Specifically, the proposed amendments would add the following:

- Allow the sale of beer, wine and alcohol for on-premise consumption in restaurants located in *Commercial-High Impact (C-3)*, *Commercial-Moderate Impact (C-2)*, *Commercial-Low Impact (C-1)* as a conditional use
- Allow the sale of beer and wine for off-premise consumption in *Commercial-Low Impact (C-1)*, *Commercial-Moderate Impact (C-2)* as a conditional use
- Allow bars, taverns and liquor stores in *Commercial-High Impact (C-3)* as a conditional use
- Allow the sale of beer and wine for off-premise consumption in *Commercial-High Impact (C-3)* as a permitted use
- Prohibit liquor stores within the *Village Center Overlay District*

In addition to the above-mentioned modifications, there are several changes and additions proposed in definitions relating to alcohol sales.

On July 2, 2009, the City Council held a public hearing on the proposed ordinance and approved its first reading with amendment to allow establishments that solely serve and sell wine for on and off-premise consumption in the *Village Center Overlay District* as a conditional use.

ORDINANCE NO. 2008-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 155 (ZONING) OF THE CODE OF ORDINANCES AS FOLLOWS:

1. **SECTION 155.005 (DEFINITIONS) TO AMEND, ADD AND DELETE DEFINITIONS RELATED TO ALCOHOL USES;**
2. **PORTIONS OF SECTION 155.047 (COMMERCIAL - LOW IMPACT (C-1), SECTION 155.048 COMMERCIAL – MODERATE IMPACT (C-2)), AND SECTION 155.049 (COMMERCIAL – HIGH IMPACT (C-3)) TO ALLOW EATING ESTABLISHMENTS: SIT-DOWN, TO SELL BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION AS A CONDITIONAL USE;**
3. **PORTIONS OF SECTION 155.047 (COMMERCIAL - LOW IMPACT (C-1)), AND SECTION 155.048 (COMMERCIAL – MODERATE IMPACT (C-2)) TO ALLOW PACKAGE STORES OF BEER AND WINE AS A CONDITIONAL USE;**
4. **PORTIONS OF SECTION 155.049 (COMMERCIAL – HIGH IMPACT (C-3)) TO ALLOW LIQUOR STORES AS A CONDITIONAL USE;**
5. **PORTIONS OF SECTION 155.049 (COMMERCIAL – HIGH IMPACT (C-3)) TO ALLOW PACKAGE STORES OF BEER AND WINE AS A PERMITTED USE; AND,**
6. **SECTION 155.091(E) CITY CENTER OVERLAY DISTRICT (VC) ADD LIQUOR STORE AND PACKAGE STORES OF BEER AND WINE AS PROHIBITED USES;**

AND PROVIDING FOR THE FOLLOWING: PENALTY; FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

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

WHEREAS, on May 9, 2009, a majority of the voters of Hays County voted to allow the public to purchase alcohol in stores and to purchase and consume alcoholic drinks at restaurants and bars in Justice of the Peace, Precinct Three of Hays County; and,

WHEREAS, amendments to the City’s zoning code is necessary to allow certain sales and on-premise consumption of beer, wine and liquor in order to permit such uses in the City’s various zoning districts; and,

Council 2nd Reading

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

WHEREAS, further the P&Z and Council have considered, among other things, the character of each zoning district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and,

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

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

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

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

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

I. FINDINGS OF FACT

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

II. AMENDMENTS

A. THAT the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Section 155.005 (Definitions) shall be amended as follows:

1. The following definitions shall be amended to read as follows:

"BARS AND TAVERNS. Establishments or places of business where customers are seated and served which are primarily engaged in the sale, mixing, or dispensing of beer, wine and alcoholic beverages for consumption on the premises, and which fifty

percent (50%) or more of gross revenue is derived from the on-premises sale of alcoholic beverages. Typical uses include a tavern, bar or cocktail lounge with minimal or no kitchen facilities and little or no food items served.

EATING ESTABLISHMENTS: SIT-DOWN. Establishments or places of business where customers are seated and served, and that are primarily engaged in the sale of prepared foods and beverages, and may include alcoholic beverages, for on-premises consumption upon approval of a conditional use permit. They are located at high capacity or high volume sites that are easily accessed by vehicles and pedestrians. Typical uses include restaurants, short-order eating places, cafeterias, and coffee shops.

FOOD AND BEVERAGE RETAIL SALES. Establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption, including beer and wine beverages. Typical uses include grocery stores and delicatessens, but does not include sale of alcoholic beverages.

RETAIL SALES AND SERVICES: GENERAL. Establishments engaged in the sale or rental of goods and services, both retail and wholesale, of commonly used goods, merchandise, and services, not including the sale of beer, wine, or alcoholic beverages for on or off-premise consumption.

RETAIL SALES AND SERVICES: LIMITED. Establishments engaged in the sale or rental of commonly used retail goods and services, and serving primarily neighborhood or localized population centers, not including the sale of beer, wine, or alcoholic beverages for on or off-premise consumption.

SPECTATOR SPORTS AND ENTERTAINMENT: LOW IMPACT. Establishments or places engaged in the provision of cultural, entertainment, athletic, and other events to spectators as well as parking space for social or fraternal gatherings. These uses are conducted in open facilities or within an enclosed building with a capacity of 100 or fewer people and include retail sales, storage facilities, and other activities incidental to the operation. Typical uses include theaters or amusement places, not including the sale of beer, wine, or alcoholic beverages for on or off-premise consumption.”

2. The following definition shall be deleted in its entirety:

ALCOHOLIC BEVERAGE SALES

3. The following definitions shall be added alphabetically to read as follows:

“ALCOHOLIC BEVERAGE means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.

Council 2nd Reading

PACKAGE STORE means a store that sells bottled or canned beer and wine beverages for consumption off the premises.

LIQUOR STORE means a store that sells bottled or canned alcoholic beverages for consumption off the premises.”

- B. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsection 155.047(B)(7) (Commercial – Low Impact (C-1)), Permitted Uses, is hereby amended to read as follows:

“(B)(7) Eating establishments: sit-down, not including the sale of beer, wine, or alcohol for on-premise consumption;”

- C. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsection 155.047(C) (Commercial – Low Impact (C-1)), Conditional Uses, is hereby amended to add subsection (6) to read as follows:

“(6) Eating establishments: sit-down, including the sale of beer, wine, and alcohol for on-premise consumption.”

- D. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsection 155.048(B) (Commercial – Moderate Impact (C-2)), Permitted Uses, is hereby amended to read as follows:

“(8) Eating establishments: sit-down, not including the sale of beer, wine, or alcohol for on-premise consumption;”

- E. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsection 155.048(C) (Commercial – Moderate Impact (C-2)), Conditional Uses, is hereby amended to add subsection (9) to read as follows:

“(9) Eating establishments: sit-down, including the sale of beer, wine, or alcohol for on-premise consumption.”

- F. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsections 155.049(B)(3) and (5) (Commercial – High Impact (C-3)), Permitted Uses, are hereby amended to read as follows:

“(3) Food and beverage retail sales (such as grocery), not including the sale of beer, wine, or alcohol for on or off premise consumption;

(5) Eating establishments: sit-down, not including the sale of beer, wine, or alcohol for on-premise consumption;”

Council 2nd Reading

- G. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Subsection 155.049(C)(2) (Commercial – High Impact (C-3)), Conditional Uses, is hereby amended to read as follows, and subsection (17) is added to read as follows:

“(2) Liquor and package stores;

(17) Eating establishments: sit-down, including the sale of beer, wine, and alcohol for on-premise consumption;”

- H. **THAT** the City of Wimberley Code of Ordinances, Chapter 155 (Zoning), Section 155.091(E) (City Center Overlay (VC)) is hereby amended to add subsection (11) to read as follows:

“(11) Liquor Stores, excluding establishments that solely serve and sell wine for on and off-premise consumption.”.

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

III. REPEALER

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

IV. 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.

V. EFFECTIVE DATE

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

VI. PROPER NOTICE AND MEETING

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

Council 2nd Reading

PASSED AND APPROVED this ____th day of _____, 2009, by a _____
(Ayes) _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley,
Texas.

CITY OF WIMBERLEY

By: _____
Tom Haley, Mayor

ATTEST:

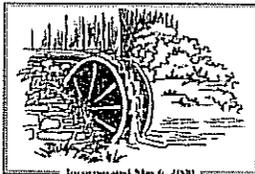
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CONSIDER APPROVAL OF A RESOLUTION ENCOURAGING WATER PURVEYORS TO IMPLEMENT THE MOST RESTRICTIVE STAGE IN THEIR RESPECTIVE DROUGHT MANAGEMENT PLANS

Funds Required:

Funds Available:

Council Action Requested:

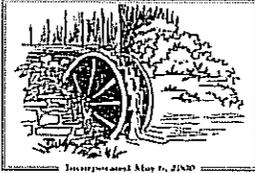
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The item was placed on the agenda by Place Four City Council Member Steve Thurber to allow City Council to discuss and consider a proposed resolution encouraging water purveyors in the Wimberley Valley to implement the most restrictive stage in their respective drought management plans in response to the current drought.

A copy of the resolution will be presented to City Council under separate cover.

City Council Agenda Form



Date Submitted: July 13, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CONSIDER AMENDING THE
FY 2009 GENERAL FUND AND BLUE HOLE BUDGETS

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

Project/Proposal Summary:

As the City nears the end of its Fiscal Year, there is a need for the Wimberley City Council to amend the FY 2009 General Fund and Blue Hole Budgets to account for anticipated differences in actual expenditures and revenues compared to budgeted expenses. Attached is a copy of the current budget with the proposed amendments detailed in the spreadsheet column entitled *Increase/ (Decrease)*.

The General Fund budget amendments are necessary to account, in large part, for spending increases related to the acquisition of real property, the reclassification of certain personnel expenditures, the use of a temporary receptionist early in the year, sidewalk engineering and the City wide zoning project. The amended budget also includes downward adjustments to several revenue categories related in part to the recent economic downturn.

As for the Blue Hole Budget, amendments are necessary to reflect the additional staffing, mowing and utilities costs associated with the increased use of the park this summer along with capital improvement costs related to the implementation of the *Blue Hole Regional Park Master Plan*. On the revenue side, the amended budget reflects the first installment of grant funding received from Hays County for implementation of the Park Master Plan and a projected increase in gate revenue.

CITY OF WIMBERLEY
GENERAL FUND
PROPOSED BUDGET AMENDMENTS
FY -08-09

	CURRENT PERIOD	YTD ACTUAL	ANNUAL BUDGET	OVER (UNDER)	PROPOSED BUDGET	INCREASE (DECREASE)
REVENUES						
501.1 Sales & Use Tax	\$ 40,090.32	391,793.24	\$ 476,400.00	(84,606.76)	\$ 486,500.00	\$ 10,100.00
502.1 Mixed Beverage Tax	-	2,586.87	7,500.00	(4,913.13)	5,000.00	(2,500.00)
503.1 Interest Income	1,047.68	9,847.45	18,000.00	(8,152.55)	13,000.00	(5,000.00)
504.1 Misc. Income	-	11,935.51	5,000.00	6,935.51	20,000.00	15,000.00
505.1 Building Permits	1,304.36	9,242.64	22,000.00	(12,757.36)	13,000.00	(9,000.00)
506.1 Building Inspections	1,390.44	12,009.49	29,000.00	(16,990.51)	19,000.00	(10,000.00)
509.1 Plan Reviews	585.00	11,980.78	18,000.00	(6,019.22)	18,000.00	-
510.1 Beer & Wine Permits	-	-	-	-	-	-
511.1 Sign Permits	300.00	1,760.00	7,000.00	(5,240.00)	3,500.00	(3,500.00)
512.1 Subdivision	874.00	5,195.00	15,000.00	(9,805.00)	10,000.00	(5,000.00)
513.1 Zoning	1,528.00	3,723.00	15,000.00	(11,277.00)	7,500.00	(7,500.00)
514.1 Copies/Maps/Misc.	-	-	500.00	(500.00)	500.00	-
516.1 Municipal Court/Costs Fines	743.30	3,469.00	43,600.00	(40,131.00)	10,000.00	(33,600.00)
525.1 Franchise Fees	9,355.78	88,067.12	180,000.00	(91,932.88)	210,000.00	30,000.00
526.1 Health Fees	-	-	15,000.00	(15,000.00)	-	(15,000.00)
TOTAL REVENUES	57,218.88	553,060.93	852,000.00	(298,939.07)	816,000.00	(36,000.00)
EXPENDITURES						
ADMINISTRATION EXPENDITURES						
<i>Personnel</i>						
601.1 City Administrator	7,307.70	60,929.61	95,000.00	(34,070.39)	95,000.00	-
602.1 City Secretary	2,846.16	23,161.37	37,000.00	(13,838.63)	37,000.00	-
603.1 Receptionist/Clerk	1,944.00	14,094.00	29,204.00	(15,110.00)	29,204.00	-
604.1 Fire Marshal (Contract Labor)	-	-	4,000.00	(4,000.00)	-	(4,000.00)
605.1 Intern	-	-	-	-	-	-
606.1 Payroll Taxes	925.48	7,957.40	13,341.00	(5,383.60)	12,770.00	(571.00)
607.1 TMRS	361.72	2,886.10	8,593.00	(5,706.90)	4,900.00	(3,693.00)
608.1 Health Benefits	712.00	5,746.00	13,500.00	(7,754.00)	7,794.00	(5,706.00)
<i>Total Personnel</i>	14,097.06	114,774.48	200,638.00	(85,863.52)	186,668.00	(13,970.00)
<i>Operating</i>						
609.1 Dues (TML & City Mgr Assoc.)	1,387.00	2,658.30	4,000.00	(1,341.70)	4,000.00	-
610.1 Public Notices	565.18	2,594.45	4,500.00	(1,905.55)	4,500.00	-
611.1 Printing	35.00	767.00	500.00	267.00	1,100.00	600.00
612.1 Telephone	472.14	3,560.47	5,700.00	(2,139.53)	5,700.00	-
613.1 Copies	80.66	2,123.28	750.00	1,373.28	2,500.00	1,750.00
614.1 Rent	4,337.00	34,543.00	55,000.00	(20,457.00)	52,000.00	(3,000.00)
615.1 Cleaning	500.00	3,000.00	5,200.00	(2,200.00)	5,200.00	-
616.1 Office Supplies	339.43	2,243.15	5,000.00	(2,756.85)	4,000.00	(1,000.00)
617.1 Utilities	412.20	3,872.85	5,500.00	(1,627.15)	6,000.00	500.00

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CITY OF WIMBERLEY
GENERAL FUND
PROPOSED BUDGET AMENDMENTS
FY -08-09

	CURRENT	YTD	ANNUAL	OVER	PROPOSED	INCREASE
618.1 Equipment Leases	281.03	3,447.29	4,200.00	(752.71)	4,800.00	600.00
619.1 Water Cooler	98.98	322.73	540.00	(217.27)	640.00	100.00
620.1 Postage	-	245.11	5,000.00	(4,754.89)	2,500.00	(2,500.00)
621.1 Insurance	-	12,604.07	15,000.00	(2,395.93)	15,000.00	-
622.1 Records Management	273.56	1,297.02	7,500.00	(6,202.98)	5,000.00	(2,500.00)
623.1 Office Technology	49.00	343.00	650.00	(307.00)	650.00	-
626.1 Security Expense	126.85	422.83	800.00	(377.17)	800.00	-
628.1 Technology Consultant	-	55.00	535.00	(480.00)	535.00	-
629.1 Pay Comparability Adjustment	-	-	1,000.00	(1,000.00)	1,000.00	-
630.1 Capital Outlay - Furnishings	-	-	400.00	(400.00)	400.00	-
631.1 Capital Outlay - Technology	1,169.61	1,169.61	6,300.00	(5,130.39)	2,000.00	(4,300.00)
632.1 Capital Outlay - Other	-	52,493.50	-	52,493.50	52,500.00	52,500.00
635.1 Mileage	331.10	331.10	750.00	(418.90)	750.00	-
636.1 Training-Travel	491.06	1,083.16	2,000.00	(916.84)	2,000.00	-
637.1 Contract Labor	-	3,706.10	-	3,706.10	3,710.00	3,710.00
638.1 Repairs & Maintenance	-	-	-	-	-	-
639.1 Signs/Zoning	-	-	-	-	-	-
<u>Total Operating</u>	<u>10,949.80</u>	<u>132,883.02</u>	<u>130,825.00</u>	<u>2,058.02</u>	<u>177,285.00</u>	<u>46,460.00</u>
TOTAL ADMINISTRATION EXPENDITURES	<u>25,046.86</u>	<u>247,657.50</u>	<u>331,463.00</u>	<u>(83,805.50)</u>	<u>363,953.00</u>	<u>32,490.00</u>
LEGAL DEPARTMENT EXPENDITURES						
641.1 Legal	4,298.10	31,969.74	55,000.00	(23,030.26)	50,000.00	(5,000.00)
649.1 Operating Transfer-Out	-	-	-	-	-	-
TOTAL LEGAL	<u>4,298.10</u>	<u>31,969.74</u>	<u>55,000.00</u>	<u>(23,030.26)</u>	<u>50,000.00</u>	<u>(5,000.00)</u>
COUNCIL - BOARD EXPENDITURES						
651.1 Association Dues	-	293.00	1,000.00	(707.00)	1,000.00	-
652.1 Training	-	1,235.00	1,500.00	(265.00)	1,500.00	-
653.1 Town Hall Meetings	-	-	-	-	-	-
654.1 Election	-	-	2,500.00	(2,500.00)	2,500.00	-
655.1 Financial Management Services	1,000.00	8,000.00	12,000.00	(4,000.00)	12,000.00	-
656.1 Audit	-	13,000.00	10,000.00	3,000.00	13,000.00	3,000.00
657.1 Public Satisfaction Survey	-	-	-	-	-	-
658.1 Planning	-	5,000.00	-	5,000.00	5,000.00	5,000.00
659.1 Recording Secretary	-	-	-	-	-	-
660.1 Economic Development	-	-	-	-	-	-
661.1 Public Relations/Receptions	130.00	431.51	3,000.00	(2,568.49)	4,000.00	1,000.00
662.1 Public Information	-	-	2,500.00	(2,500.00)	-	(2,500.00)
663.1 Visitor Center Support	-	-	-	-	-	-
664.1 Fitness Council Expenditures	-	6,112.98	-	6,112.98	6,500.00	6,500.00
TOTAL COUNCIL - BOARD EXPENDITURES	<u>1,130.00</u>	<u>34,072.49</u>	<u>32,500.00</u>	<u>1,572.49</u>	<u>45,500.00</u>	<u>13,000.00</u>

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CITY OF WIMBERLEY
GENERAL FUND
PROPOSED BUDGET AMENDMENTS
FY -08-09

	CURRENT	YTD	ANNUAL	OVER	PROPOSED	INCREASE
BUILDING DEPARTMENT EXPENDITURES						
676.1 Contract Inspector	1,785.00	16,952.50	22,000.00	(5,047.50)	22,000.00	-
677.1 Site Plan Reviews	917.20	10,813.31	18,000.00	(7,186.69)	18,000.00	-
678.1 Building Code Books	-	-	-	-	-	-
TOTAL BUILDING DEPARTMENT EXPENDITURES	2,702.20	27,765.81	40,000.00	(12,234.19)	40,000.00	-
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES						
<i>Public Works</i>						
<i>Personnel</i>						
701.1 Salaries-Planning Director	-	-	-	-	-	-
702.1 Salaries-Code Enforcement & Permittir	2,163.20	17,617.60	28,121.00	(10,503.40)	28,121.00	-
703.1 Salaries-Asst. to Planning Director	-	-	-	-	-	-
704.1 Salaries-GIS/Permitting Clerk	2,456.75	20,127.85	32,240.00	(12,112.15)	32,240.00	-
706.1 Payroll Taxes	353.43	3,291.66	4,922.00	(1,630.34)	4,650.00	(272.00)
707.1 TMRS - Public Works	137.45	1,112.41	-	1,112.41	1,850.00	1,850.00
708.1 Health Benefits	400.00	3,000.00	9,000.00	(6,000.00)	4,800.00	(4,200.00)
Total Personnel	5,510.83	45,149.52	74,283.00	(29,133.48)	71,661.00	(2,622.00)
<i>Operating</i>						
712.1 Mileage	-	-	250.00	(250.00)	-	(250.00)
713.1 Training	-	-	1,000.00	(1,000.00)	-	(1,000.00)
714.1 Certificates	-	50.00	-	50.00	-	-
715.1 Supplies - Public Works	102.35	148.56	-	148.56	-	-
720.1 Fuel	104.75	495.14	2,000.00	(1,504.86)	1,000.00	(1,000.00)
721.1 Tools	-	-	750.00	(750.00)	750.00	-
722.1 Vehicle Maintenance & Insurance	-	131.63	1,000.00	(868.37)	500.00	(500.00)
Total Operating	207.10	825.33	5,000.00	(4,174.67)	2,250.00	(2,750.00)
Total Public Works	5,717.93	45,974.85	79,283.00	(33,308.15)	73,911.00	(5,372.00)
<i>Roads</i>						
727.1 Road Maintenance	3,819.10	19,469.58	75,000.00	(55,530.42)	75,000.00	-
Transfer to Road Maintenance Reserve	-	-	20,000.00	(20,000.00)	20,000.00	-
728.1 Capital Outlay Roads	-	-	40,000.00	(40,000.00)	21,000.00	(19,000.00)
729.1 Road Engineering	-	9,173.00	7,000.00	2,173.00	9,200.00	2,200.00
730.1 Road Insurance	-	-	-	-	-	-
731.1 Mowing/Tree Trimming	150.00	2,825.00	12,500.00	(9,675.00)	8,500.00	(4,000.00)
732.1 Signs/Barricades	1,955.00	3,780.30	5,000.00	(1,219.70)	6,028.00	1,028.00
733.1 Parking Lot Lease	100.00	800.00	1,200.00	(400.00)	1,200.00	-
734.1 Master Planning Traffic Studies	-	-	-	-	-	-
735.1 Survey Services	-	-	-	-	-	-
736.1 Contract Labor	-	4,032.93	5,000.00	(967.07)	5,000.00	-

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CITY OF WIMBERLEY
GENERAL FUND
PROPOSED BUDGET AMENDMENTS
FY -08-09

	CURRENT	YTD	ANNUAL	OVER	PROPOSED	INCREASE
737.1 Ranch Road 12 Mitigation	-	-	-	-	-	-
<i>Total Roads</i>	<u>6,024.10</u>	<u>40,080.81</u>	<u>165,700.00</u>	<u>(125,619.19)</u>	<u>145,928.00</u>	<u>(19,772.00)</u>
<i>Water/Wastewater</i>						
752.1 Water Quality Testing	-	-	5,000.00	(5,000.00)	1,500.00	(3,500.00)
753.1 Wastewater System Start-up	-	-	-	-	-	-
754.1 Map Services	-	-	-	-	-	-
755.1 Water/Wastewater Purchases	-	-	-	-	-	-
756.1 Public Restroom Wastewater	279.84	2,604.34	7,500.00	(4,895.66)	4,500.00	(3,000.00)
<i>Total Water/Wastewater</i>	<u>279.84</u>	<u>2,604.34</u>	<u>12,500.00</u>	<u>(9,895.66)</u>	<u>6,000.00</u>	<u>(6,500.00)</u>
TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES	<u>12,021.87</u>	<u>88,660.00</u>	<u>257,483.00</u>	<u>(166,823.00)</u>	<u>225,839.00</u>	<u>(31,644.00)</u>
PUBLIC SAFETY/COURTS EXPENDITURES						
<i>Personnel</i>						
801.1 Salaries - City Marshall	2,920.00	23,781.05	37,960.00	(14,178.95)	37,960.00	-
806.1 Payroll Taxes	223.38	1,894.44	3,094.00	(1,199.56)	2,910.00	(184.00)
807.1 TMRS City Contribution	87.31	700.45	-	700.45	1,138.00	1,138.00
808.1 Health Benefits	200.00	1,625.00	4,500.00	(2,875.00)	2,500.00	(2,000.00)
<i>Total Personnel</i>	<u>3,430.69</u>	<u>28,000.94</u>	<u>45,554.00</u>	<u>(17,553.06)</u>	<u>44,508.00</u>	<u>(1,046.00)</u>
<i>Operating</i>						
820.1 Municipal Court Judge	-	4,127.26	10,000.00	(5,872.74)	6,500.00	(3,500.00)
821.1 City Prosecutor	678.68	2,853.68	10,000.00	(7,146.32)	6,000.00	(4,000.00)
822.1 Emergency Plan	-	-	1,000.00	(1,000.00)	1,000.00	-
823.1 Training	-	-	4,500.00	(4,500.00)	2,000.00	(2,500.00)
824.1 Animal Control	-	6,000.00	6,000.00	-	6,000.00	-
825.1 Fuel	210.63	1,123.81	6,000.00	(4,876.19)	3,000.00	(3,000.00)
826.1 Supplies	171.41	775.88	-	775.88	1,000.00	1,000.00
827.1 Vehicle Maintenance & Repair	11.00	60.22	-	60.22	200.00	200.00
830.1 Capital Outlay - Vehicles	-	608.95	-	608.95	8,000.00	8,000.00
831.1 Capital Outlay - Equipment	-	-	12,500.00	(12,500.00)	-	(12,500.00)
832.1 Capital Outlay - Technology	2,750.00	2,750.00	12,500.00	(9,750.00)	6,500.00	(6,000.00)
837.1 Sanitarian (Contract Labor)	-	-	12,500.00	(12,500.00)	-	(12,500.00)
<i>Total Operating</i>	<u>3,821.72</u>	<u>18,299.80</u>	<u>75,000.00</u>	<u>(56,700.20)</u>	<u>40,200.00</u>	<u>(34,800.00)</u>
TOTAL PUBLIC SAFETY/COURTS EXPENDITURES	<u>7,252.41</u>	<u>46,300.74</u>	<u>120,554.00</u>	<u>(74,253.26)</u>	<u>84,708.00</u>	<u>(35,846.00)</u>

PARKS & RECREATION EXPENDITURES

Restricted for Management's Use Only

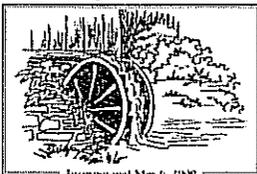
CITY OF WIMBERLEY
GENERAL FUND
PROPOSED BUDGET AMENDMENTS
FY -08-09

	CURRENT	YTD	ANNUAL	OVER	PROPOSED	INCREASE
<i>Personnel</i>						
851.1	Assistant to City Admin	-	-	-	-	-
852.1	Health Benefits	-	-	-	-	-
853.1	Payroll Taxes	-	-	-	-	-
	<i>Total Personnel</i>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<i>Operating</i>						
854.1	Mileage	-	-	-	-	-
855.1	Public Information	-	-	-	-	-
856.1	Parks Research & Development	-	-	-	1,000.00	1,000.00
857.1	Trails Master Plan	-	-	-	-	-
859.1	Nature Trail Operations	382.77	1,162.25	15,000.00	5,000.00	(10,000.00)
	<i>Total Operating</i>	<u>382.77</u>	<u>1,162.25</u>	<u>15,000.00</u>	<u>6,000.00</u>	<u>(9,000.00)</u>
	TOTAL PARKS & RECREATION EXPENDITURES	<u>382.77</u>	<u>1,162.25</u>	<u>15,000.00</u>	<u>6,000.00</u>	<u>(9,000.00)</u>
	TOTAL EXPENDITURES	<u>52,834.21</u>	<u>477,588.53</u>	<u>852,000.00</u>	<u>816,000.00</u>	<u>(36,000.00)</u>
	Net Excess (Deficit)	<u>\$ 4,384.67</u>	<u>\$ 75,472.40</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

CITY OF WIMBERLEY
 PROPOSED BUDGET AMENDMENTS
 BLUE HOLE
 FY 08-09

	CURRENT PERIOD	YTD ACTUAL	ANNUAL BUDGET	OVER (UNDER)	PROPOSED BUDGET	INCREASE (DECREASE)
REVENUES						
508.4 Interest Income	\$ 60.08	\$ 1,142.19	\$ 8,000.00	\$ (6,857.81)	\$ 1,750.00	\$ (6,250.00)
518.4 Designated Funds		-	7,000.00	(7,000.00)	7,000.00	-
520.4 Grant Funds	-	500,000.00	-	500,000.00	500,000.00	500,000.00
541.4 Gate Fees	2,472.85	2,472.85	25,000.00	(22,527.15)	35,000.00	10,000.00
542.4 Rental Fees	250.00	150.00	2,000.00	(1,850.00)	2,000.00	-
TOTAL REVENUES	2,782.93	503,765.04	42,000.00	461,765.04	545,750.00	503,750.00
EXPENDITURES						
861.4 Contract Labor/Wages	-	-	12,500.00	(12,500.00)	20,000.00	7,500.00
862.4 Utilities	94.02	653.31	1,000.00	(346.69)	1,500.00	500.00
863.4 Mowing	250.00	600.00	750.00	(150.00)	1,500.00	750.00
864.4 Operating Supplies	-	364.98	1,500.00	(1,135.02)	1,500.00	-
865.4 Contract Services	-	2,000.00	5,000.00	(3,000.00)	5,000.00	-
866.4 Rental	-	353.00	1,500.00	(1,147.00)	1,500.00	-
867.4 Materials	-	-	750.00	(750.00)	750.00	-
868.4 Public Restroom Facilities	-	790.00	1,000.00	(210.00)	2,000.00	1,000.00
869.4 Capital Outlay - Facilities	-	-	18,000.00	(18,000.00)	150,000.00	132,000.00
TOTAL BLUE HOLE PARKLAND EXPENDITURES	344.02	4,838.79	42,000.00	(37,238.71)	183,750.00	141,750.00
Net Excess (Deficit)	\$ 2,438.91	\$ 498,926.25	\$ -	\$ (498,926.25)	\$ 362,000.00	\$ 645,500.00

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CONSIDER ISSUES
RELATING TO DEVELOPMENT OF FY 2010 BUDGET

Funds Required:
Funds Available:

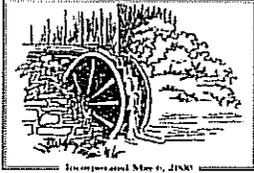
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for discussion of issues to be considered in the upcoming development and adoption of the City of Wimberley FY 2010 Budget beginning October 1, 2009.

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CONSIDER ACTION ON
TXDOT REQUEST TO SPRAY HERBICIDE ALONG
STATE ROADWAYS IN WIMBERLEY

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

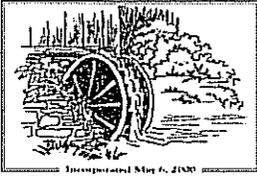
Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider action on a proposal from the Texas Department of Transportation (TxDOT) to utilize herbicide to control vegetation on TxDOT right-of-way located in Wimberley.

Several years ago, TxDOT stopped spraying herbicide in the city after numerous complaints were received from local residents. That forced the State agency to rely on mowing crews to control vegetation along FM 2325, FM 3237, FM 32 and Ranch Road 12.

TxDOT budget cuts are now threatening to significantly reduce the frequency of mowing in Wimberley. As such, the State agency is seeking permission from the City to reinstate an herbicide spraying program to control vegetation on along those State roadways located in Wimberley.

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CONSIDER POSSIBLE
OPTIONS FOR THE DEVELOPMENT OF A NEW
CITY HALL

Funds Required:
Funds Available:

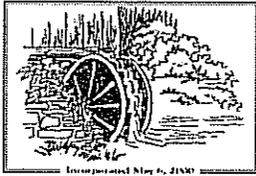
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda by Mayor Tom Haley to allow City Council to discuss and consider action regarding the various options that may exist for the development of a new City Hall for the City of Wimberley.

City Council Agenda Form



Date Submitted: July 12, 2009

Agenda Date Requested: July 16, 2009

Project/Proposal Title: CITY COUNCIL REPORTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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