

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
DECEMBER 3, 2009, 6:30 P.M.

AGENDA

CALL TO ORDER: DECEMBER 3, 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. CONSENT AGENDA

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

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 19, 2009
- (B) APPROVAL OF THE OCTOBER 2009 CITY OF WIMBERLEY FINANCIAL STATEMENTS.
- (C) APPROVAL OF THE REVISED SEPTEMBER 2009 CITY OF WIMBERLEY FINANCIAL STATEMENTS.

2. PRESENTATION

PRESENTATION OF A PROGRESS REPORT BY *DESIGN WORKSHOP* ON THE PRELIMINARY DESIGN PHASE OF THE BLUE HOLE REGIONAL PARK DEVELOPMENT PROJECT. (*STEVEN SPEARS, RLA, DESIGN WORKSHOP*)

3. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE EFFORTS TO SECURE STATE AND/OR FEDERAL FUNDING FOR THE DEVELOPMENT OF A CENTRALIZED WASTEWATER SYSTEM FOR DOWNTOWN WIMBERLEY
- STATUS REPORT ON THE 2009 WIMBERLEY CHRISTMAS CELEBRATION
- STATUS REPORT ON SELECTION OF A FIRM TO PREPARE A BOUNDARY SURVEY FOR THE CITY OF WIMBERLEY
- STATUS REPORT ON DEVELOPMENT ACTIVITY IN THE CITY OF WIMBERLEY
- STATUS REPORT ON THE EFFORT TO DESIGNATE A WIMBERLEY TRUCK ROUTE

4. **PUBLIC HEARING AND POSSIBLE ACTION**

HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE XV (LAND USAGE) OF THE CODE OF ORDINANCES TO: (1) AMEND SUBSECTION 155.005 TO DELETE DEFINITIONS OF "AVERAGE SLOPE"; (2) AMEND SUBSECTION 155.078(H) (STEEP SLOPE); (3) AMEND PORTIONS OF SECTION 155.077 (DEVELOPMENT PLAN REVIEW); (4) AMEND CHAPTER 151 (BUILDING REGULATIONS; CONSTRUCTION) TO CREATE A NEW SUBSECTION 151.20 ENTITLED "STEEP SLOPE"; (5) AMEND SUBSECTION 155.078 (IMPERVIOUS COVER); AND AMEND A PORTION OF SECTIONS 155.035-.043, 155.045-.061, AND 155.091 (ZONING DISTRICTS), IN ORDER TO CLARIFY THE STEEP SLOPE AND IMPERVIOUS COVER REGULATIONS FOR THE CITY OF WIMBERLEY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. *(MAYOR PRO-TEM CHARLES ROCCAFORTE)*

5. **ORDINANCES**

- (A) CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE IX (GENERAL REGULATIONS) OF THE CODE OF ORDINANCES TO ADD CHAPTER 95 (ON-SITE SEWAGE FACILITIES REGULATIONS) WHICH PROVIDES FOR INSTALLATION, MAINTENANCE AND PERMITTING REQUIREMENTS FOR ON-SITE SEWAGE FACILITIES IN THE CITY OF WIMBERLEY; AND PROVIDING FOR PENALTIES, FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. *(CITY ADMINISTRATOR)*
- (B) CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE IX (GENERAL REGULATIONS) OF THE CODE OF ORDINANCES TO ADD CHAPTER 94 (FOOD ESTABLISHMENT REGULATIONS) WHICH PROVIDES OPERATING REGULATIONS AND PERMITTING REQUIREMENTS FOR FOOD ESTABLISHMENTS IN THE CITY OF WIMBERLEY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. *(CITY ADMINISTRATOR)*

- (C) CONSIDER APPROVAL OF THE FIRST READING OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE III (ADMINISTRATION), SECTION 35.01 (FEE SCHEDULE) OF THE CODE OF ORDINANCES TO ADD SUBSECTIONS G. AND H., TO PROVIDE FOR FEES RELATED TO FOOD ESTABLISHMENT INSPECTIONS AND ON-SITE SEWAGE FACILITIES, RESPECTIVELY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. (CITY ADMINISTRATOR)

6. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION ON ISSUES RELATING TO THE WASTEWATER RATES CURRENTLY LEVIED ON USERS OF THE CITY OF WIMBERLEY WASTEWATER TREATMENT PLANT. (CITY ATTORNEY)
- (B) DISCUSS AND CONSIDER ACTION ON ISSUES RELATING TO THE POSSIBLE ACQUISITION OF LOT 80 (0.814 ACRES) IN SOUTH RIVER UNIT ONE, WIMBERLEY, TEXAS. (MAYOR TOM HALEY)

7. 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

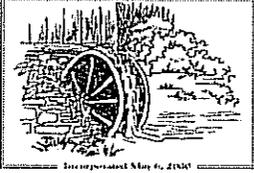
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on November 30, 2009 at 5:00 p.m.



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: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: APPROVAL OF
NOVEMBER 19, 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 November 19, 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
November 19, 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 City Attorney Cindy Crosby.

Proclamations

Proclamation recognizing the Wimberley Lions Club

Mayor Haley read the proclamation issued to Lions Club representatives Lane Hartsock and Frank Williams who thanked the many volunteers who have contributed their organization's success.

Citizens Communications

River Meadows Property Owners Association (RMPOA) President Dr. Curt Busk reported on voting results of recent RMPOA meetings and formation of a subdivision subcommittee to study "flood road" solutions, which the RMPOA deems a subdivision (not City) issue. He stated that RMPOA vehemently opposes the City taking over Leach Lane in any way for either a "flood road" or especially for a "connector road." Dr. Busk advised that he will keep Council updated on these matters.

1. Consent Agenda

- A. Approval of the minutes of the special City Council meeting of November 13, 2009.
- B. Approval of the minutes of the regular City Council meeting of November 5, 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 the efforts to secure state and/or federal funding for the development of a centralized wastewater system for downtown Wimberley

City Administrator Ferguson reported on the ninety (90) day loan submission period, finalization of the Preliminary Engineering Report (PER), Guadalupe Blanco River Authority (GBRA) costs analysis, and scheduling of upcoming meetings in order to meet Texas Water Development Board (TWDB) submission deadlines. Discussion addressed involvement of Wimberley Water Wastewater Advisory Board and Wimberley Economic Development Commission in this process.

- Status report on the preparation of a development plan for property donated to the City of Wimberley by the Pedernales Electric Cooperative

City Administrator Ferguson anticipated a task force recommendation by the end of 2009. Due to lack of funds, the task force recognizes the need for community involvement and has developed several models for this project.

- Status report on the development of Blue Hole Regional Park

City Administrator Ferguson reported that Council will be briefed in December on the consultant's work to date. He noted the role, composition, and upcoming meeting schedule of the Blue Hole Regional Task Force and preliminary design deadlines.

- Status report on the upcoming Christmas parade and holiday festivities

City Administrator Ferguson reported on scheduled events, lighting specifics, and the installation of a twenty-one (21) foot Christmas tree at the "Y" intersection property at Ranch Road 12 and FM 2325. He noted the Christmas parade date/time, route, and street closures. He stated that the City's role is to provide traffic control for the parade and commended Brenda Samford for her organizational efforts.

3. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Ordinance No. ZA-06-013, which designated the geographic boundaries for a Wimberley Planned Development District (WPDD) zoning district classification for real property located at 14100 Ranch Road 12, Wimberley, Hays County, Texas, in order to allow the sale of alcoholic beverages for on-premise consumption for a designated portion of Parcel One and subject to certain conditions; and providing for the following: findings of fact; severability; effective date and proper notice and meeting. (*Brookshire Brothers, Ltd, Applicant*)

City Administrator Ferguson reviewed the Wimberley Planned Development District's (WPDD's) history, including prior amendments, specific parcels of the subject property, and details of the application that have been modified per subsequent agreement via discussions between City staff and the applicant. Agreement was reached that on-premise consumption of beer/wine will be limited to inside the store located in Parcel One, except for special events subject to Council approval. It was also agreed that beer will only be sold by the bottle and wine by the glass for on-premise consumption. It was noted that no opposition to the application has been received.

Planning and Zoning Commissioner Jean Ross reported that the Commission voted unanimously to recommend approval and noted discussion of certain concerns, including parking lot safety, and configuration/access of the deli area, which has an emergency exit door that will trigger an alarm if opened.

Discussion addressed the frequency of special events, the additional requirement of Council approval for special events, reasoning for restricting beer sales to glass bottles and wine by the glass only, and the impact of alcohol consumption on parking lot safety.

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

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

- B. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by Linda Allen Catering to permit an eating establishment: sit-down, including the sale of beer, wine and alcohol for on-premise consumption on an approximately 1.711 acre tract located at 500 FM 2325, Wimberley, Texas, zoned Commercial – Low Impact (C-1), and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions. (*Linda Allen Catering, Applicant*)

City Administrator Ferguson reviewed the conditional use permit (CUP) application including the subject property's location, current/proposed zoning/uses, existing natural buffering, and proximity to Katherine Anne Porter School (KAPS). He advised that staff has received no opposition to this application and recommends approval. It was noted that one property owner's notification was returned to the City and the owner's representative, Michael Dickey, was personally contacted by phone. Mr. Dickey did not express any objections to the proposed CUP.

Mayor Haley opened the public hearing.

In response to Councilmember Thurber's inquiry, applicant Linda Allen replied that there are currently no plans to expand the music venue outdoors toward the back of the property.

Mayor Haley closed the public hearing. Discussion addressed concerns over potential future owners maintaining existing buffering to protect neighbors from noise and fairness questions related to recent restrictions placed on an adjacent property.

Councilmember Flocke moved to approve the item as presented. Councilmember Roccaforte seconded. Discussion addressed additional buffering restrictions recently placed on the adjacent property (*Kate's Place*), options available to remove those restrictions, and lack of restrictions placed on the subject property. Councilmember Thurber requested a friendly amendment to the motion to add a fifteen (15) foot vegetation buffer along the rear property line. Councilmember Flocke declined the friendly amendment.

Mayor Haley called for a vote as follows: Councilmember Roccaforte, aye; Councilmember Flocke, aye; Councilmember Appleman, nay; Councilmember Thurber, nay; Councilmember White, aye. Motion carried on a vote of 3-2.

- C. Hold a public hearing and consider approval of a waiver of the 300-foot distance requirement relating to the sale of beer, wine and alcohol at 500 FM 2325, Wimberley, Hays County, Texas. (*Linda Allen Catering, Applicant*)

City Administrator Ferguson advised of the need for this waiver due to proximity to Katherine Anne Porter School (KAPS), which is located directly across the street from the subject property. It was noted that no opposition to the waiver was received from KAPS.

No public comments were heard.

Councilmember Appleman moved to approve the item as presented. City Administrator Ferguson stated that Council may waive the distance requirement if the Council finds enforcement of the distance provision in a particular case:

- is not in the best interest of the public
- constitutes waste or the inefficient use of land or other resources
- creates an undue hardship on an applicant
- does not serve its intended purpose
- is not effective or necessary
- for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determined in the best interest of the community.

Councilmember Appleman restated his motion to include the previously stated findings. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- D. 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 unzoned real property located north of Old Kyle Road, and along Ranch Road 12 from FM 2325 to the

northern city limits, Wimberley, Hays County, Texas, further described and shown on the exhibit attached to this ordinance; and designating initial zoning for each tract as either Residential Acreage (RA), Rural Residential 1 (R-1), Commercial – Low Impact (C-1), Commercial – Moderate Impact (C-2), Lodging 1 (L-1), Participant Recreation 1 (PR-1) or Public Facilities (PF) as shown on the attached zoning map; and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

City Administrator Ferguson reviewed the City initiated zoning process to date and detailed relevant maps showing un-zoned properties, City-proposed zoning designations, and alternate zoning requests from five (5) notified property owners, which are reflected in Map #3. Discussion established that staff does not oppose any alternate zoning requests and cited certain case(s) that are to be handled separately.

Discussion addressed the location of several currently zoned C-3 properties, boundary lines of certain properties, the need for clarification of property lines/descriptions, and reasoning for City-recommended zoning. Based on communications with joint property owners, staff recommended RA zoning for Property #32, which is to be zoned separately, and not as part of City initiated Zoning Case #ZA-07-007. In response to Councilmember Appleman, City Administrator Ferguson cited reasons for City-recommended L-1 zoning for Property #8 and specific allowed/grandfathered uses.

Planning and Zoning Commissioner Ross stated that the Commission recommended approval on a vote of 6-1, with Commissioner Wightman's vote against based on concerns over availability of color maps to the public, which she felt warranted postponing action.

Mayor Haley opened the public hearing.

Ryan Willett pointed out the location of his property (#11 on map) and requested less restrictive zoning than RA zoning recommended by the City. Due to surrounding existing/proposed zoning and possible widening of Ranch Road 12, Mr. Willett stated his preference for C-1 zoning. City Administrator Ferguson suggested that Mr. Willett's property be zoned as a separate case. Discussion established that Property #26 does not belong to Mr. Willett.

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

Councilmember Thurber moved to approve the item as presented in accordance with Map #3, except for Property #11 and Property #32. After brief discussion of Property #32, Councilmember Thurber amended his motion to *not* exclude Property #32 from this zoning action, but to change its zoning designation to RA. Councilmember Flocke seconded the amended motion.

In response to Councilmember Appleman's inquiry, City Administrator Ferguson clarified that current uses of the Harris property (#8 on map) are pre-existing, non-conforming and are allowed to continue provided that the existing use does not expand or change.

Hearing no further discussion, Mayor Haley called for a vote. Motion carried on a vote of 5-0.

- E. 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 unzoned real property located west of Ranch Road 12 and FM 2325, between Cypress Creek and Rhodes Lane, Wimberley, Hays County, Texas, further described and shown on the exhibit attached to this ordinance; and designating initial zoning for each tract as either Rural Residential 1 (R-1), Single-Family Residential 3 (R-3), Multi-Family 1 (MF-1), Commercial-Low Impact (C-1), Commercial-Moderate Impact (C-2), Neighborhood Services (NS) or Public Facilities (PF) as shown on the attached zoning map; and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

City Administrator Ferguson reviewed the subject area, pre-existing/non-conforming uses, and City-recommended zoning versus alternate zoning requests. He stated that nine (9) affected property owners requested alternate zoning, with those requests indicated in Map #3. Discussion addressed specific properties, current pre-existing uses, and proposed zoning, with reasoning given for applicable alternate zoning requests. It was noted that Planning and Zoning recommended approval on a vote of 6-1, with Commissioner Wightman voting against due to previously stated concerns.

No public comments were heard. Discussion addressed Properties #22, #14, and #37, including existing uses and proposed zoning. Hearing no further discussion, Mayor Haley entertained a motion.

Councilmember Flocke moved to approve the item as presented in accordance with Map #3. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- F. Hold a public hearing and consider approval of the first reading of an ordinance of the City of Wimberley, Texas, amending Title XV (Land Usage) of the Code of Ordinances to: (1) Amend Subsection 155.005 to delete definitions of "Average Slope"; (2) Amend Subsection 155.078(H) (Steep Slope); (3) Amend portions of Section 155.077 (Development Plan Review); (4) Amend Chapter 151 (Building Regulations; Construction) to create a new Subsection 151.20 entitled "Steep Slope"; (5) Amend Subsection 155.078 (Impervious Cover); and amend a portion of Sections 155.035-.043, 155.045-.061, and 155.091 (Zoning Districts), in order to clarify the steep slope and impervious cover regulations for the City of Wimberley; and providing findings of fact, a repealing clause, to provide a savings and severability clause and providing for an effective date. (*Mayor Pro-tem Charles Roccaforte*)

City Administrator Ferguson highlighted the draft ordinance, which would allow property owners more opportunity to make use of their property provided that certain extra steps are taken. The proposed changes would allow development on lots with a slope greater than fifteen percent (15%) provided the City is presented with a comprehensive development plan including, but not limited to,

detailed topographic information, a sealed geotechnical report, and engineering and construction drawings. Development plans would require approval from various emergency service providers. Mr. Ferguson stated that the proposed ordinance removes the use of slope to calculate impervious cover and noted that under the draft ordinance the net site area of a planned development would be used to calculate impervious cover percentage. He stressed that no changes are being proposed to the City's ridge development prohibition, cut and fill requirements, or the City's landscape requirements for slope development.

Planning and Zoning Commissioner Ross stated that the Commission voted to recommend approval on a vote of 5-2, with two commissioners voting against because they felt more time was necessary for adequate understanding of the proposed ordinance by both the Commission and the public. Commissioner Ross explained that the Commission's decision was in part based on the fact that two more public hearings must be held by City Council in order to pass and approve the proposed ordinance.

Mayor Haley opened the public hearing.

Dr. Curt Busk stated that there was not enough time to review this ordinance due to its complicated nature and felt that his comments tonight should have been made at last week's Planning and Zoning Commission's public hearing. He suggested modifications to language on pages 5 and 9 of the draft ordinance concerning private driveways. Although the draft ordinance states that development plans require approval from various emergency service providers (in particular the fire department), Dr. Busk provided a hypothetical scenario that he felt exemplifies the need for fire department "sign-off authority" in order to stop development that could negatively impact public safety. The example given allowed for some assumption of risk on the property owner's part related to law enforcement/ambulance services, but illustrated how a fire has greater harmful effect on surrounding properties.

Hearing no further comments, Mayor Haley closed the public hearing. Councilmember Thurber commented on what he considered an obvious and uncharacteristic lack of vetting of the draft ordinance at the Planning and Zoning Commission public hearing/meeting, which he felt required more time to adequately review. Despite his procedural objections, he thanked Mayor Pro-tem Roccaforte, staff, and legal counsel for a job well done on the draft ordinance. Referring to Dr. Busk's hypothetical scenario, Councilmember Thurber stated his view that all emergency service providers should be able to access/exit the property, not just the fire department.

Though non-approval of a development plan essentially denies its approval, City Administrator Ferguson stated that wording can be added to specifically mention "denial," if Council so desires. He suggested that such clarified language include all emergency service providers (ambulance, law enforcement, and fire department).

Mayor Haley suggested approving the first reading and incorporating the recommended language into the draft ordinance for consideration at Council's second reading on December 3, 2009.

Councilmember Flocke moved to approve the item with the previously suggested additional wording that states all emergency service providers may deny approval of development plans. Councilmember Appleman seconded.

Councilmember Appleman noted former Planning and Zoning Commissioner Glenn Fryer's observation that should emergency service providers get stuck at a location due to slope issues, they would be unable to provide services in other areas as needed.

Motion carried on a vote of 5-0.

4. Discussion and Possible Action

- A. Discuss and consider the appointment of members to a City Council sub-committee to assist with the review of responses to the City of Wimberley's Request for Qualifications for professional land surveying services. (*Place Two Councilmember Bob Flocke*)

After additional consideration, Councilmember Flocke did not express any need for action on this item. City Administrator Ferguson detailed the Request for Qualifications (RFQ) process and discussion addressed potential composition of the sub-committee should one be appointed, number of recommendations to Council, and possible need for special meetings. No action was taken on this item.

- B. Discuss and consider approval of a Professional Services Agreement with *Environmental Concepts, LLC* to serve as the environmental health/OSSF inspector for the City of Wimberley. (*City Administrator*)

City Administrator Ferguson provided details of the agreement, recommended certain changes relating to reporting responsibilities (all references to reporting directed to City Administrator, rather than City Secretary), and highlighted policies such as fee structure and office hours. He advised that an ordinance establishing fees will be brought to Council at its next meeting. Discussion established that fees will be "pass-through" in nature and that certain fees will be built into inspection costs.

Councilmember Thurber moved to approve the item with the inclusion of the previously stated recommendation relating to reporting responsibilities. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- C. Discuss and consider approval of a request from the Wimberley Community Civic Club to place directional signs in the City right-of-way for the Wimberley Home Tour on November 20th and 21st, 2009. (*City Administrator*)

City Administrator Ferguson advised that signs will be placed on November 20, 2009 and removed by the end of November 21, 2009. Councilmember Appleman moved to approve the item as presented. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider approval of proposed changes to the Wimberley Economic Development Commission by-laws. (*Wimberley Economic Development Commission*)

City Administrator Ferguson explained the reasons for changing the commencement of the Commission's business year to the month of October and amending Section Q to reflect that amendments to the by-laws and procedures may be placed on the agenda as a main motion and passed by a majority of the Commission (as opposed to a majority of those members present).

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

- E. Discuss and consider action relating to the possible acquisition of Lot 80 (0.814 acres) in South River Unit One, Wimberley, Texas. (*Mayor Tom Haley*)

Mayor Haley adjourned Open Session and convened Executive Session at 8:17 p.m. for discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code.

Mayor Haley reconvened Open Session at 8:29 p.m. No action was taken during Executive Session.

Councilmember Thurber moved to authorize staff to enter negotiations as discussed in Executive Session on the acquisition of Lot 80 in South River Unit One. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

5. City Council Reports

- Announcements
- Future Agenda Items

Hearing no announcements or future agenda item requests, Mayor Haley called the meeting adjourned at 8:30 p.m.

Adjournment: Council meeting adjourned at 8:30 p.m.

Recorded by:

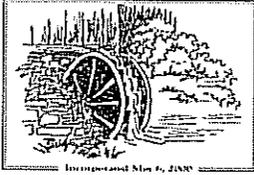
Cara McPartland

These minutes approved on the ____ of December, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: APPROVAL OF OCTOBER
2009 FINANCIAL STATEMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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

Council Package
Financial Statements Village of Wimberley
For the Period Ended 10/31/2009

- 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
- Budget Vs Actual - Municipal Court

11.30.09 Faxed to: 512-847-0422 29 pgs

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

Assets

Current Assets

| | | |
|--|----|------------------|
| 101.10 Petty Cash-General | \$ | 150.00 |
| 102.10 Cash - Ozona National Bank - General | | 396,950.90 |
| 103.10 Cash - Blanco National Bank - General | | 78.82 |
| 105.10 Cash - Ozona National Bank - CD | | 225,000.00 |
| 116.10 Due From Municipal Court | | 218.31 |
| 119.10 Texpool - General | | 363,643.36 |
| 120.10 Accounts Receivable | | 23,855.23 |
| 121.10 Sales Tax Receivable | | <u>65,453.05</u> |

Total Current Assets \$ 1,075,349.67

Total Assets \$ 1,075,349.67

Liabilities and Fund Balance

Current Liabilities

| | | |
|---|----|---------------|
| 301.10 Withholding Tax Payable | \$ | 1,676.00 |
| 302.10 FICA Tax Payable | | 3,165.13 |
| 311.10 TMRS Payable | | 975.10 |
| 330.10 Community Center Security Deposits Payable | | <u>500.00</u> |

Total Current Liabilities \$ 6,316.23

Total Liabilities 6,316.23

Fund Balance

| | |
|---|------------------|
| 467.10 Fund Balance - Undesignated | 588,832.55 |
| 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>50,200.89</u> |

Total Fund Balance 1,069,033.44

Total Liabilities and Fund Balance \$ 1,075,349.67

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

| | Current Period | | Year To Date | |
|--------------------------------------|------------------|---------------|------------------|---------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 501.10 Sales & Use Tax | \$ 65,453.05 | 82.84 | \$ 65,453.05 | 82.84 |
| 503.10 Interest Income - General | 269.66 | 0.34 | 269.66 | 0.34 |
| 504.10 Miscellaneous Income | 447.58 | 0.57 | 447.58 | 0.57 |
| 505.10 Building Permits | 2,273.33 | 2.88 | 2,273.33 | 2.88 |
| 506.10 Building Inspections | 1,715.00 | 2.17 | 1,715.00 | 2.17 |
| 509.10 Plan Reviews | 2,567.00 | 3.25 | 2,567.00 | 3.25 |
| 511.10 Sign Permits | 190.00 | 0.24 | 190.00 | 0.24 |
| 513.10 Zoning | 2,423.60 | 3.07 | 2,423.60 | 3.07 |
| 516.10 Municipal Court Costs/Fines | 222.31 | 0.28 | 222.31 | 0.28 |
| 532.10 Community Center Rental Fees | 3,450.00 | 4.37 | 3,450.00 | 4.37 |
| | <u>79,011.53</u> | <u>100.00</u> | <u>79,011.53</u> | <u>100.00</u> |
| Total Revenues | | | | |
| Expenditures | | | | |
| Admin - Personnel | | | | |
| 601.10 City Administrator | 3,653.85 | 4.62 | 3,653.85 | 4.62 |
| 602.10 City Secretary | 1,423.08 | 1.80 | 1,423.08 | 1.80 |
| 603.10 Receptionist/Clerk | 1,166.40 | 1.48 | 1,166.40 | 1.48 |
| 606.10 Payroll Taxes | 185.10 | 0.23 | 185.10 | 0.23 |
| 607.10 TMRS - Admin | 361.73 | 0.46 | 361.73 | 0.46 |
| 608.10 Health Care | 712.00 | 0.90 | 712.00 | 0.90 |
| | <u>7,502.16</u> | <u>9.50</u> | <u>7,502.16</u> | <u>9.50</u> |
| Total Admin - Personnel | | | | |
| Admin - Operating | | | | |
| 609.10 Dues - TML & City Mgr Assoc | 170.94 | 0.22 | 170.94 | 0.22 |
| 611.10 Printing | 24.00 | 0.03 | 24.00 | 0.03 |
| 612.10 Telephone | 216.32 | 0.27 | 216.32 | 0.27 |
| 614.10 Rent | 4,337.00 | 5.49 | 4,337.00 | 5.49 |
| 618.10 Equipment Leases | 389.40 | 0.49 | 389.40 | 0.49 |
| 619.10 Water Cooler | 37.49 | 0.05 | 37.49 | 0.05 |
| 622.10 Records Management | 270.63 | 0.34 | 270.63 | 0.34 |
| 623.10 Office Technology | 49.00 | 0.06 | 49.00 | 0.06 |
| 639.10 Signs/Zoning | 1,098.00 | 1.39 | 1,098.00 | 1.39 |
| | <u>6,592.78</u> | <u>8.34</u> | <u>6,592.78</u> | <u>8.34</u> |
| Total Admin - Operating | | | | |
| Council - Boards Expenditures | | | | |
| 651.10 Association Dues | 100.00 | 0.13 | 100.00 | 0.13 |

Restricted for Management's Use Only

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

| | Current Period | | Year To Date | |
|---|-----------------|---------------|-----------------|---------------|
| | Amount | Percent | Amount | Percent |
| 652.10 Training | \$ 100.00 | 0.13 | \$ 100.00 | 0.13 |
| 655.10 Financial Management Services | 1,000.00 | 1.27 | 1,000.00 | 1.27 |
| Total Council - Boards Expenditures | 1,200.00 | 1.52 | 1,200.00 | 1.52 |
| Public Works - Personnel | | | | |
| 702.10 Salaries-Code Enforcement & Permitting | 1,297.92 | 1.64 | 1,297.92 | 1.64 |
| 704.10 Salaries-GIS/Permitting Clerk | 1,488.00 | 1.88 | 1,488.00 | 1.88 |
| 706.10 Payroll Taxes | 72.83 | 0.09 | 72.83 | 0.09 |
| 707.10 TMRS - Public Works | 137.21 | 0.17 | 137.21 | 0.17 |
| 708.10 Health Benefits | 400.00 | 0.51 | 400.00 | 0.51 |
| Total Public Works - Personnel | 3,395.96 | 4.30 | 3,395.96 | 4.30 |
| Public Works - Operating | | | | |
| 720.10 Fuel | 48.87 | 0.06 | 48.87 | 0.06 |
| Total Public Works - Operating | 48.87 | 0.06 | 48.87 | 0.06 |
| Roads | | | | |
| 727.10 Road Maintenance | 300.00 | 0.38 | 300.00 | 0.38 |
| 731.10 Mowing / Tree Trimming | 325.00 | 0.41 | 325.00 | 0.41 |
| 733.10 Parking Lot Lease | 100.00 | 0.13 | 100.00 | 0.13 |
| Total Roads | 725.00 | 0.92 | 725.00 | 0.92 |
| Water/Wastewater | | | | |
| 756.10 Public Restroom Wastewater | 275.00 | 0.35 | 275.00 | 0.35 |
| Total Water/Wastewater | 275.00 | 0.35 | 275.00 | 0.35 |
| Public Safety - Personnel | | | | |
| 801.10 Salaries - City Marshall | (259.70) | (0.33) | (259.70) | (0.33) |
| 806.10 Payroll Taxes | (86.88) | (0.11) | (86.88) | (0.11) |
| 807.10 TMRS City Contribution-PS | 87.31 | 0.11 | 87.31 | 0.11 |
| Total Public Safety - Personnel | (259.27) | (0.33) | (259.27) | (0.33) |

Restricted for Management's Use Only

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

| | Current Period | | Year To Date | |
|---|---------------------|--------------|---------------------|--------------|
| | Amount | Percent | Amount | Percent |
| Public Safety - Operating | | | | |
| 824.10 Animal Control | \$ 6,000.00 | 7.59 | \$ 6,000.00 | 7.59 |
| 825.10 Fuel-Public Safety | 41.57 | 0.05 | 41.57 | 0.05 |
| Total Public Safety - Operating | 6,041.57 | 7.65 | 6,041.57 | 7.65 |
| Community Center - Personnel | | | | |
| 901.10 Salaries - Director | 1,090.00 | 1.38 | 1,090.00 | 1.38 |
| 902.10 Salaries - Maintenance | 1,584.00 | 2.00 | 1,584.00 | 2.00 |
| 906.10 Payroll Taxes - Comm Ctr | 204.57 | 0.26 | 204.57 | 0.26 |
| 908.10 Health Benefits - Comm Ctr | 200.00 | 0.25 | 200.00 | 0.25 |
| Total Community Center - Personnel | 3,078.57 | 3.90 | 3,078.57 | 3.90 |
| Community Center - Operating | | | | |
| 915.10 Cleaning - Comm Ctr | 210.00 | 0.27 | 210.00 | 0.27 |
| Total Community Center - Operating | 210.00 | 0.27 | 210.00 | 0.27 |
| Total Expenditures | 28,810.64 | 38.46 | 28,810.64 | 38.46 |
| NET EXCESS (DEFICIT) | \$ 50,200.89 | 63.54 | \$ 50,200.89 | 63.54 |

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|-------------------------------------|------------------|------------------|----------------|-------------------|---------------------|----------------|----------------|
| REVENUES | | | | | | | |
| 501.1 Sales & Use Tax | \$ 65,453.05 | 65,453.05 | 92.84% | \$ 522,300.00 | (456,846.95) | -87.47% | -91.67% |
| 502.1 Mixed Beverage Tax | - | - | 0.00% | 10,000.00 | (10,000.00) | -100.00% | -91.67% |
| 503.1 Interest Income | 269.66 | 269.66 | 0.34% | 12,000.00 | (11,730.34) | -97.75% | -91.67% |
| 504.1 Misc. Income | 447.58 | 447.58 | 0.57% | 12,500.00 | (12,052.42) | 0.00% | -91.67% |
| 505.1 Building Permits | 2,273.33 | 2,273.33 | 2.88% | 15,000.00 | (12,726.67) | -84.84% | -91.67% |
| 506.1 Building Inspections | 1,715.00 | 1,715.00 | 2.17% | 17,500.00 | (15,785.00) | -90.20% | -91.67% |
| 507.1 Fire Inspections | - | - | 0.00% | 5,000.00 | (5,000.00) | -100.00% | -91.67% |
| 509.1 Plan Reviews | 2,567.00 | 2,567.00 | 3.25% | 15,000.00 | (12,433.00) | -82.89% | -91.67% |
| 510.1 Beer & Wine Permits | - | - | 0.00% | 3,000.00 | (3,000.00) | 0.00% | -91.67% |
| 511.1 Sign Permits | 190.00 | 190.00 | 0.24% | 3,500.00 | (3,310.00) | -94.57% | -91.67% |
| 512.1 Subdivision | - | - | 0.00% | 10,000.00 | (10,000.00) | -100.00% | -91.67% |
| 513.1 Zoning | 2,423.60 | 2,423.60 | 3.07% | 7,500.00 | (5,076.40) | -67.69% | -91.67% |
| 514.1 Copies/Maps/Misc. | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| 516.1 Municipal Court/Costs Fines | 222.31 | 222.31 | 0.28% | 5,000.00 | (4,777.69) | -95.55% | -91.67% |
| 525.1 Franchise Fees | - | - | 0.00% | 230,000.00 | (230,000.00) | -100.00% | -91.67% |
| 526.1 Health Fees | - | - | 0.00% | 17,500.00 | (17,500.00) | -100.00% | -91.67% |
| 532.1 Community Center Rental Fees | 3,450.00 | 3,450.00 | 4.37% | 45,000.00 | (41,550.00) | -92.33% | -91.67% |
| 533.1 Parking Lot Lease | - | - | 0.00% | 1,200.00 | (1,200.00) | 0.00% | -91.67% |
| TOTAL REVENUES | 79,011.53 | 79,011.53 | 100.00% | 932,500.00 | (853,488.47) | -91.53% | -91.67% |
| EXPENDITURES | | | | | | | |
| ADMINISTRATION EXPENDITURES | | | | | | | |
| <i>Personnel</i> | | | | | | | |
| 601.1 City Administrator | 3,653.85 | 3,653.85 | 14.32% | 95,000.00 | (91,346.15) | -96.15% | -91.67% |
| 602.1 City Secretary | 1,423.08 | 1,423.08 | 5.58% | 37,000.00 | (35,576.92) | -96.15% | -91.67% |
| 603.1 Receptionist/Clerk | 1,166.40 | 1,166.40 | 4.57% | 29,204.00 | (28,037.60) | -96.01% | -91.67% |
| 604.1 Fire Marshal (Contract Labor) | - | - | 0.00% | 5,000.00 | (5,000.00) | 0.00% | -91.67% |
| 606.1 Payroll Taxes | 185.10 | 185.10 | 0.73% | 12,770.00 | (12,584.90) | -98.55% | -91.67% |
| 607.1 TMRS | 361.73 | 361.73 | 1.42% | 5,336.00 | (4,974.27) | -93.22% | -91.67% |
| 608.1 Health Benefits | 712.00 | 712.00 | 2.79% | 8,544.00 | (7,832.00) | -91.67% | -91.67% |
| <i>Total Personnel</i> | 7,502.16 | 7,502.16 | 29.39% | 192,854.00 | (185,351.84) | -96.11% | -91.67% |
| <i>Operating</i> | | | | | | | |
| 609.1 Dues (TML & City Mgr Assoc.) | 170.94 | 170.94 | 0.67% | 3,000.00 | (2,829.06) | -94.30% | -91.67% |
| 610.1 Public Notices | - | - | 0.00% | 4,500.00 | (4,500.00) | -100.00% | -91.67% |
| 611.1 Printing | 24.00 | 24.00 | 0.09% | 500.00 | (476.00) | -95.20% | -91.67% |
| 612.1 Telephone | 216.32 | 216.32 | 0.85% | 5,187.00 | (4,970.68) | -95.83% | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|----------------|------------|--------|---------------|--------------|----------|---------|
| 613.1 | | | | 750.00 | (750.00) | -100.00% | -91.67% |
| 614.1 | 4,337.00 | 4,337.00 | 16.99% | 55,000.00 | (50,663.00) | -92.11% | -91.67% |
| 615.1 | - | - | 0.00% | 5,200.00 | (5,200.00) | -100.00% | -91.67% |
| 616.1 | - | - | 0.00% | 4,000.00 | (4,000.00) | -100.00% | -91.67% |
| 617.1 | - | - | 0.00% | 6,000.00 | (6,000.00) | -100.00% | -91.67% |
| 618.1 | 389.40 | 389.40 | 1.53% | 4,600.00 | (4,210.60) | -91.53% | -91.67% |
| 619.1 | 37.49 | 37.49 | 0.15% | 650.00 | (612.51) | -94.23% | -91.67% |
| 620.1 | - | - | 0.00% | 2,500.00 | (2,500.00) | -100.00% | -91.67% |
| 621.1 | - | - | 0.00% | 13,750.00 | (13,750.00) | -100.00% | -91.67% |
| 622.1 | 270.63 | 270.63 | 1.06% | 2,500.00 | (2,229.37) | -89.17% | -91.67% |
| 623.1 | 49.00 | 49.00 | 0.19% | 4,200.00 | (4,151.00) | -98.83% | -91.67% |
| 626.1 | - | - | 0.00% | 800.00 | (800.00) | -100.00% | -91.67% |
| 628.1 | - | - | 0.00% | 3,350.00 | (3,350.00) | -100.00% | -91.67% |
| 629.1 | - | - | 0.00% | 1,000.00 | (1,000.00) | -100.00% | -91.67% |
| 630.1 | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| 631.1 | - | - | 0.00% | 2,000.00 | (2,000.00) | -100.00% | -91.67% |
| 632.1 | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 635.1 | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| 636.1 | - | - | 0.00% | 1,500.00 | (1,500.00) | -100.00% | -91.67% |
| 637.1 | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 638.1 | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 639.1 | 1,098.00 | 1,098.00 | 4.30% | - | 1,098.00 | 0.00% | -91.67% |
| | 6,592.78 | 6,592.78 | 25.83% | 121,987.00 | (115,394.22) | -94.60% | -91.67% |
| | 14,094.94 | 14,094.94 | 55.23% | 314,841.00 | (300,746.06) | -95.52% | -91.67% |
| TOTAL ADMINISTRATION EXPENDITURES | | | | | | | |
| 641.1 | - | - | 0.00% | 55,000.00 | (55,000.00) | -100.00% | -91.67% |
| 649.1 | - | - | 0.00% | - | - | 0.00% | -91.67% |
| | - | - | 0.00% | 55,000.00 | (55,000.00) | -100.00% | -91.67% |
| TOTAL LEGAL | | | | | | | |
| COUNCIL - BOARD EXPENDITURES | | | | | | | |
| 651.1 | 100.00 | 100.00 | 0.39% | - | 100.00 | 0.00% | -91.67% |
| 652.1 | 100.00 | 100.00 | 0.39% | 1,000.00 | (900.00) | -90.00% | -91.67% |
| 653.1 | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 654.1 | - | - | 0.00% | 3,200.00 | (3,200.00) | -100.00% | -91.67% |
| 655.1 | 1,000.00 | 1,000.00 | 3.92% | 12,000.00 | (11,000.00) | -91.67% | -91.67% |
| 656.1 | - | - | 0.00% | 13,500.00 | (13,500.00) | -100.00% | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|---|-----------------|-----------------|---------------|------------------|--------------------|-----------------|----------------|
| 657.1 Public Satisfaction Survey | - | - | 0.00% | 2,500.00 | (2,500.00) | 0.00% | -91.67% |
| 658.1 Planning | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 659.1 Recording Secretary | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 660.1 Economic Development | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 661.1 Public Relations/Receptions | - | - | 0.00% | 4,500.00 | (4,500.00) | -100.00% | -91.67% |
| 662.1 Public Information | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 663.1 Visitor Center Support | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 664.1 Fitness Council Expenditures | - | - | 0.00% | 5,000.00 | (5,000.00) | -100.00% | -91.67% |
| TOTAL COUNCIL -BOARD EXPENDITURES | 1,200.00 | 1,200.00 | 4.70% | 41,700.00 | (40,500.00) | -97.12% | -91.67% |
| BUILDING DEPARTMENT EXPENDITURES | | | | | | | |
| 676.1 Contract Inspector | - | - | 0.00% | 17,500.00 | (17,500.00) | -100.00% | -91.67% |
| 677.1 Site Plan Reviews | - | - | 0.00% | 15,000.00 | (15,000.00) | -100.00% | -91.67% |
| 678.1 Building Code Books | - | - | 0.00% | - | - | 0.00% | -91.67% |
| TOTAL BUILDING DEPARTMENT EXPENDITURES | - | - | 0.00% | 32,500.00 | (32,500.00) | -100.00% | -91.67% |
| PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES | | | | | | | |
| <i>Public Works</i> | | | | | | | |
| 701.1 Salaries-Planning Director | 1,297.92 | 1,297.92 | 5.09% | - | 1,297.92 | 0.00% | -91.67% |
| 702.1 Salaries-Code Enforcement & Permitti | - | - | 0.00% | 28,121.00 | (28,121.00) | -100.00% | -91.67% |
| 703.1 Salaries-Asst. to Planning Director | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 704.1 Salaries-GIS/Permitting Clerk | 1,488.00 | 1,488.00 | 5.83% | 32,240.00 | (30,752.00) | -95.38% | -91.67% |
| 706.1 Payroll Taxes | 72.83 | 72.83 | 0.29% | 4,708.00 | (4,635.17) | -98.45% | -91.67% |
| 707.1 TMRS - Public Works | 137.21 | 137.21 | 0.54% | 1,998.00 | (1,860.79) | -93.13% | -91.67% |
| 708.1 Health Benefits | 400.00 | 400.00 | 1.57% | 4,800.00 | (4,400.00) | -91.67% | -91.67% |
| Total Personnel | 3,395.96 | 3,395.96 | 13.31% | 71,867.00 | (68,471.04) | -95.27% | -91.67% |
| <i>Operating</i> | | | | | | | |
| 712.1 Mileage | - | - | 0.00% | 250.00 | (250.00) | 0.00% | -91.67% |
| 713.1 Training | - | - | 0.00% | 500.00 | (500.00) | 0.00% | -91.67% |
| 714.1 Certificates | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 715.1 Supplies - Public Works | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| 720.1 Fuel | 48.87 | 48.87 | 0.19% | 2,000.00 | (1,951.13) | -97.56% | -91.67% |
| 721.1 Tools | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|----------------|------------|--------|---------------|--------------|----------|---------|
| 722.1 | | | | | | | |
| Vehicle Maintenance & Insurance | - | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| Total Operating | 48.87 | 48.87 | 0.19% | 4,250.00 | (4,201.13) | -98.85% | -91.67% |
| Total Public Works | 3,444.83 | 3,444.83 | 13.50% | 76,117.00 | (72,672.17) | -95.47% | -91.67% |
| <u>Roads</u> | | | | | | | |
| 727.1 | 300.00 | 300.00 | 1.18% | 85,000.00 | (84,700.00) | -99.65% | -91.67% |
| Road Maintenance | - | - | 0.00% | 20,000.00 | (20,000.00) | -100.00% | -91.67% |
| Transfer to Road Maintenance Reserv: | - | - | 0.00% | 6,000.00 | (6,000.00) | -100.00% | -91.67% |
| 729.1 | | | | | | | |
| Road Engineering | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 730.1 | | | | | | | |
| Road Insurance | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 731.1 | 325.00 | 325.00 | 1.27% | 10,500.00 | (10,175.00) | -96.90% | -91.67% |
| Mowing/Tree Trimming | - | - | 0.00% | 3,500.00 | (3,500.00) | -100.00% | -91.67% |
| 732.1 | | | | | | | |
| Signs/Baricades | 100.00 | 100.00 | 0.39% | 1,200.00 | (1,100.00) | -91.67% | -91.67% |
| 733.1 | | | | | | | |
| Parking Lot Lease | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 734.1 | | | | | | | |
| Master Planning Traffic Studies | - | - | 0.00% | 50,000.00 | (50,000.00) | -100.00% | -91.67% |
| 735.1 | | | | | | | |
| Survey Services | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 736.1 | | | | | | | |
| Contract Labor | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 737.1 | | | | | | | |
| Ranch Road 12 Mitigation | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 740.1 | | | | | | | |
| Capital Outlay Roads | - | - | 0.00% | 250,000.00 | (250,000.00) | -100.00% | -91.67% |
| 741.1 | | | | | | | |
| Capital Outlay Sidewalks | - | - | 0.00% | 25,000.00 | - | 0.00% | -91.67% |
| Total Roads | 725.00 | 725.00 | 2.84% | 451,200.00 | (450,475.00) | -99.84% | -91.67% |
| <u>Water/Wastewater</u> | | | | | | | |
| 752.1 | | | | | | | |
| Water Quality Testing | - | - | 0.00% | 1,500.00 | (1,500.00) | -100.00% | -91.67% |
| 753.1 | | | | | | | |
| Wastewater System Start-up | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 754.1 | | | | | | | |
| Map Services | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 755.1 | | | | | | | |
| Water/Wastewater Purchases | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 756.1 | 275.00 | 275.00 | 1.08% | 6,000.00 | (5,725.00) | -95.42% | -91.67% |
| Public Restroom Wastewater | | | | | | | |
| Total Water/Wastewater | 275.00 | 275.00 | 1.08% | 7,500.00 | (7,225.00) | -96.33% | -91.67% |
| TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES | 4,444.83 | 4,444.83 | 17.42% | 534,817.00 | (530,372.17) | -99.17% | -91.67% |
| <u>PUBLIC SAFETY/COURTS EXPENDITURES</u> | | | | | | | |
| <u>Personnel</u> | | | | | | | |
| 801.1 | (259.70) | (259.70) | -1.02% | - | (259.70) | 0.00% | -91.67% |
| Salaries - City Marshal | (86.88) | (86.88) | -0.34% | - | (86.88) | 0.00% | -91.67% |
| 806.1 | 87.31 | 87.31 | 0.34% | - | 87.31 | 0.00% | -91.67% |
| Payroll Taxes | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 807.1 | | | | | | | |
| TMRS City Contribution | - | - | 0.00% | - | - | 0.00% | -91.67% |
| 808.1 | | | | | | | |
| Health Benefits | - | - | 0.00% | - | - | 0.00% | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|----------------|------------|--------|---------------|--------------|----------|---------|
| | (259.27) | (259.27) | -1.02% | - | (259.27) | 0.00% | -91.67% |
| <u>Total Personnel</u> | | | | | | | |
| <u>Operating</u> | | | | | | | |
| 820.1 Municipal Court Judge | | - | 0.00% | 1,200.00 | (1,200.00) | -100.00% | -91.67% |
| 821.1 City Prosecutor | | - | 0.00% | 2,610.00 | (2,610.00) | -100.00% | -91.67% |
| 822.1 Emergency Plan | | - | 0.00% | - | - | 0.00% | -91.67% |
| 823.1 Training | | - | 0.00% | 2,500.00 | (2,500.00) | -100.00% | -91.67% |
| 824.1 Animal Control | 6,000.00 | 6,000.00 | 23.51% | 6,000.00 | - | 0.00% | -91.67% |
| 825.1 Fuel | 41.57 | 41.57 | 0.16% | - | 41.57 | 0.00% | -91.67% |
| 826.1 Supplies | | - | 0.00% | - | - | 0.00% | -91.67% |
| 827.1 Vehicle Maintenance & Repair | | - | 0.00% | - | - | 0.00% | -91.67% |
| 830.1 Capital Outlay - Vehicles | | - | 0.00% | - | - | 0.00% | -91.67% |
| 831.1 Capital Outlay - Equipment | | - | 0.00% | 12,552.00 | (12,552.00) | -100.00% | -91.67% |
| 832.1 Capital Outlay - Technology | | - | 0.00% | - | - | 0.00% | -91.67% |
| 837.1 Sanitarian (Contract Labor) | | - | 0.00% | 15,000.00 | (15,000.00) | -100.00% | -91.67% |
| <u>Total Operating</u> | 6,041.57 | 6,041.57 | 23.67% | 39,862.00 | (33,820.43) | -84.84% | -91.67% |
| TOTAL PUBLIC SAFETY/COURTS EXPENDITURES | 5,782.30 | 5,782.30 | 22.66% | 39,862.00 | (34,079.70) | -85.49% | -91.67% |
| <u>PARKS & RECREATION EXPENDITURES</u> | | | | | | | |
| <u>Personnel</u> | | | | | | | |
| 851.1 Assistant to City Admin | | - | 0.00% | - | - | 0.00% | -91.67% |
| 852.1 Health Benefits | | - | 0.00% | - | - | 0.00% | -91.67% |
| 853.1 Payroll Taxes | | - | 0.00% | - | - | 0.00% | -91.67% |
| <u>Total Personnel</u> | | - | 0.00% | - | - | 0.00% | -91.67% |
| <u>Operating</u> | | | | | | | |
| 854.1 Mileage | | - | 0.00% | - | - | 0.00% | -91.67% |
| 855.1 Public Information | | - | 0.00% | - | - | 0.00% | -91.67% |
| 856.1 Parks Research & Development | | - | 0.00% | 500.00 | (500.00) | -100.00% | -91.67% |
| 857.1 Trails Master Plan | | - | 0.00% | - | - | 0.00% | -91.67% |
| 859.1 Nature Trail Operations | | - | 0.00% | 5,000.00 | (5,000.00) | -100.00% | -91.67% |
| <u>Total Operating</u> | | - | 0.00% | 5,500.00 | (5,500.00) | -100.00% | -91.67% |
| TOTAL PARKS & RECREATION EXPENDITURES | - | - | 0.00% | 5,500.00 | (5,500.00) | -100.00% | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|-----------------|-----------------|---------------|------------------|--------------------|----------------|----------------|
| COMMUNITY CENTER EXPENDITURES | | | | | | | |
| <i>Personnel</i> | | | | | | | |
| 901.1 Salaries - Director | 1,090.00 | 1,090.00 | 4.27% | 18,231.00 | (17,141.00) | -94.02% | -91.67% |
| 902.1 Salaries - Maintenance | 1,584.00 | 1,584.00 | 6.21% | 35,182.00 | (33,598.00) | -95.50% | -91.67% |
| 906.1 Payroll Taxes | 204.57 | 204.57 | 0.80% | 4,177.00 | (3,972.43) | -95.10% | -91.67% |
| 907.1 TMRS | - | - | 0.00% | 1,165.00 | (1,165.00) | -100.00% | -91.67% |
| 908.1 Health Benefits | 200.00 | 200.00 | 0.78% | 2,400.00 | (2,200.00) | -91.67% | -91.67% |
| 909.1 Contract Labor | - | - | 0.00% | 750.00 | (750.00) | -100.00% | -91.67% |
| <u>Total Personnel</u> | <u>3,078.57</u> | <u>3,078.57</u> | <u>12.05%</u> | <u>61,905.00</u> | <u>(58,826.43)</u> | <u>-95.03%</u> | <u>-91.67%</u> |
| <i>Operating</i> | | | | | | | |
| 910.1 Advertising | - | - | 0.00% | 5,000.00 | (5,000.00) | -100.00% | -91.67% |
| 915.1 Cleaning | 210.00 | 210.00 | 0.82% | - | 210.00 | 0.00% | -91.67% |
| 916.1 Office Supplies | - | - | 0.00% | 2,500.00 | (2,500.00) | -100.00% | -91.67% |
| 917.1 Utilities | - | - | 0.00% | 26,068.00 | (26,068.00) | -100.00% | -91.67% |
| 926.1 Security Expense | - | - | 0.00% | 1,100.00 | (1,100.00) | -100.00% | -91.67% |
| 927.1 Maintenance & Repair | - | - | 0.00% | 2,000.00 | (2,000.00) | -100.00% | -91.67% |
| 928.1 Supplies | - | - | 0.00% | 3,500.00 | (3,500.00) | -100.00% | -91.67% |
| <u>Total Operating</u> | <u>210.00</u> | <u>210.00</u> | <u>0.82%</u> | <u>40,168.00</u> | <u>(39,958.00)</u> | <u>-99.48%</u> | <u>-91.67%</u> |
| TOTAL COMMUNITY CENTER EXPENDITURES | | | | | | | |
| | 3,288.57 | 3,288.57 | 12.89% | 102,073.00 | (98,784.43) | -96.78% | -91.67% |
| TOTAL EXPENDITURES | | | | | | | |
| | 28,810.64 | 25,522.07 | 1.00 | 1,126,293.00 | (998,697.93) | -88.67% | -91.67% |
| TRANSFER IN (FUND BALANCE) | | | | | | | |
| | | | | 193,793.00 | | | |
| Net Excess (Deficit) | | | | | | | |
| | \$ 50,200.89 | \$ 50,200.89 | 0.00% | \$ - | \$ 50,200.89 | 0.00% | -91.67% |

Restricted for Management's Use Only

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

Assets

Current Assets

| | |
|--|-------------------|
| 110.40 Cash - Ozona National Bank - BH Operating | \$ 95,154.25 |
| 111.40 Cash - Ozona National Bank - BH Development | 428,842.95 |
| 119.40 Texpool - Blue Hole | <u>163,795.35</u> |

Total Current Assets \$ 687,792.55

Total Assets \$ 687,792.55

Liabilities and Fund Balance

Current Liabilities

| | |
|--|------------------|
| 340.40 Blue Hole Rental Deposits Payable | \$ <u>675.00</u> |
|--|------------------|

Total Current Liabilities \$ 675.00

Total Liabilities 675.00

Fund Balance

| | |
|--|--------------|
| 467.40 Fund Balance - Blue Hole | 540,338.75 |
| 473.40 Designated Fund Balance Blue Hole - Soccer Fields | 146,701.58 |
| 498.40 Net Excess (Deficit) | <u>77.22</u> |

Total Fund Balance 687,117.55

Total Liabilities and Fund Balance \$ 687,792.55

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

| | Current Period | | Year To Date | |
|---|------------------------|----------------------|------------------------|----------------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 503.40 Interest Income - Blue Hole Parkland | \$ 325.68 | 86.34 | \$ 325.68 | 86.34 |
| 504.40 Misc Income - Blue Hole | <u>51.54</u> | <u>13.66</u> | <u>51.54</u> | <u>13.66</u> |
| Total Revenues | <u><u>377.22</u></u> | <u><u>100.00</u></u> | <u><u>377.22</u></u> | <u><u>100.00</u></u> |
| Expenditures | | | | |
| Parks - Operating | | | | |
| 861.40 Contract Labor/Wages | <u>300.00</u> | <u>79.53</u> | <u>300.00</u> | <u>79.53</u> |
| Total Parks - Operating | <u><u>300.00</u></u> | <u><u>79.53</u></u> | <u><u>300.00</u></u> | <u><u>79.53</u></u> |
| Total Expenditures | <u><u>300.00</u></u> | <u><u>79.53</u></u> | <u><u>300.00</u></u> | <u><u>79.53</u></u> |
| NET EXCESS (DEFICIT) | <u><u>\$ 77.22</u></u> | <u><u>20.47</u></u> | <u><u>\$ 77.22</u></u> | <u><u>20.47</u></u> |

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - BLUE HOLE SPECIAL REVENUE FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|-----------------|-----------------|----------------|-----------------------|-----------------------|----------------|--------------|
| REVENUES | | | | | | | |
| 504.4 Misc Income | \$ 51.54 | \$ 51.54 | 13.66% | \$0.00 | 51.54 | 0.00% | 0.00% |
| 508.4 Interest Income' | 325.68 | 325.68 | 86.34% | \$5,000.00 | - | 0.00% | 0.00% |
| 518.4 Designated Funds | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 520.4 Grant Funds | - | - | 0.00% | 1,131,125.00 | (1,131,125.00) | -100.00% | 0.00% |
| 541.4 Gate Fees | - | - | 0.00% | 60,000.00 | (60,000.00) | -100.00% | 0.00% |
| 542.4 Rental Fees | - | - | 0.00% | 2,000.00 | (2,000.00) | -100.00% | 0.00% |
| TOTAL REVENUES | 377.22 | 377.22 | 100.00% | \$1,198,125.00 | (1,197,747.78) | -99.97% | 0.00% |
| EXPENDITURES | | | | | | | |
| 858.4 Blue Hole Master Plan | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 861.4 Contract Labor/Wages | 300.00 | 300.00 | 100.00% | 23,455.00 | (23,155.00) | -98.72% | 0.00% |
| 862.4 Utilities | - | - | 0.00% | 1,500.00 | (1,500.00) | -100.00% | 0.00% |
| 863.4 Mowing | - | - | 0.00% | 2,500.00 | (2,500.00) | -100.00% | 0.00% |
| 864.4 Operating Supplies | - | - | 0.00% | 2,045.00 | (2,045.00) | -100.00% | 0.00% |
| 865.4 Contract Services | - | - | 0.00% | 348,125.00 | (348,125.00) | -100.00% | 0.00% |
| 866.4 Rental | - | - | 0.00% | 1,500.00 | (1,500.00) | -100.00% | 0.00% |
| 867.4 Materials | - | - | 0.00% | 2,000.00 | (2,000.00) | -100.00% | 0.00% |
| 868.4 Public Restroom Facilities | - | - | 0.00% | 2,500.00 | (2,500.00) | -100.00% | 0.00% |
| 869.4 Capital Outlay - Equipment | - | - | 0.00% | 14,500.00 | (14,500.00) | -100.00% | 0.00% |
| 870.4 Capital Outlay - Development | - | - | 0.00% | 800,000.00 | (800,000.00) | -100.00% | 0.00% |
| TOTAL BLUE HOLE PARKLAND EXPENDITURES | 300.00 | 300.00 | 100.00% | 1,198,125.00 | (1,197,825.00) | -99.97% | 0.00% |
| Net Excess (Deficit) | \$ 77.22 | \$ 77.22 | 0.00% | - | 77.22 | 0.01% | 0.00% |

Restricted for Management's Use Only

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

Assets

| | | |
|---|----|------------------------|
| Current Assets | | |
| 109.50 Cash - Blanco National Bank -Municipal Court | \$ | 47.00 |
| 112.50 Cash - Ozona National Bank - Municipal Court | | <u>1,424.99</u> |
| Total Current Assets | \$ | <u>1,471.99</u> |
| Total Assets | \$ | <u><u>1,471.99</u></u> |

Liabilities and Fund Balance

| | | |
|---|----|------------------------|
| Current Liabilities | | |
| 304.50 Due to General - Municipal Court | \$ | 218.31 |
| 350.50 Municipal Court Cost Payable | | <u>29.30</u> |
| Total Current Liabilities | \$ | <u>247.61</u> |
| Total Liabilities | | <u>247.61</u> |
| Fund Balance | | |
| 467.50 Fund Balance - Municipal Court | | 1,221.52 |
| 498.50 Net Excess (Deficit) | | <u>2.86</u> |
| Total Fund Balance | | <u>1,224.38</u> |
| Total Liabilities and Fund Balance | \$ | <u><u>1,471.99</u></u> |

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

| | Current Period | | Year To Date | |
|---------------------------------------|----------------|---------------|----------------|---------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 503.50 Interest Income - Municipal Ct | \$ 0.37 | 12.94 | \$ 0.37 | 12.94 |
| 550.50 Court Technology Fees | 1.31 | 45.80 | 1.31 | 45.80 |
| 551.50 Building Security Fees | 0.98 | 34.27 | 0.98 | 34.27 |
| 553.50 Judicial Efficiency Fees | <u>0.20</u> | <u>6.99</u> | <u>0.20</u> | <u>6.99</u> |
| Total Revenues | <u>2.86</u> | <u>100.00</u> | <u>2.86</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>\$ 2.86</u> | <u>100.00</u> | <u>\$ 2.86</u> | <u>100.00</u> |

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - MUNICIPAL COURT SPECIAL REVENUE FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|----------------------------------|----------------|-------------|----------------|-----------------|-----------------|----------------|----------------|
| REVENUES | | | | | | | |
| 503.5 Interest Income | \$ 0.37 | \$ 0.37 | 12.94% | \$ - | \$ 0.37 | 0.00% | -91.67% |
| 550.5 Court Technology Fees | 1.31 | 1.31 | 45.80% | 425.00 | (423.69) | -98.69% | -91.67% |
| 551.5 Building Security Fees | 0.98 | 0.98 | 34.27% | 325.00 | (324.02) | -99.70% | -91.67% |
| 552.5 Child Safety Fees | 0 | 0 | 0 | 325.00 | | | |
| 553.5 Judicial Efficiency Fees | 0.20 | 0.20 | 6.99% | 20.00 | (19.80) | -99.00% | -91.67% |
| TOTAL REVENUES | 2.86 | 2.86 | 100.00% | 1,095.00 | (767.14) | -70.06% | -91.67% |
| EXPENDITURES | | | | | | | |
| <u>Court Technology</u> | | | | | | | |
| Office Supplies | | | | | | | -91.67% |
| Office Technology | | | | | | | -91.67% |
| Capital Outlay - Technology | | | | | | | -91.67% |
| Total Court Technology | | | | | | | -91.67% |
| <u>Building Security</u> | | | | | | | |
| Office Supplies | | | | | | | -91.67% |
| Security Expense | | | | | | | -91.67% |
| Capital Outlay - Furnishings | | | | | | | -91.67% |
| Total Building Security | | | | | | | -91.67% |
| <u>Child Safety</u> | | | | | | | |
| Printing | | | | | | | -91.67% |
| Contract Labor | | | | | | | -91.67% |
| Signage | | | | | | | -91.67% |
| Total Child Safety | | | | | | | -91.67% |
| <u>Judicial Efficiency</u> | | | | | | | |
| Office Supplies | | | | | | | -91.67% |
| Printing | | | | | | | -91.67% |
| Signage | | | 0.00% | | | 0.00% | -91.67% |
| Total Judicial Efficiency | | | | | | | -91.67% |

Restricted for Management's Use Only

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - MUNICIPAL COURT SPECIAL REVENUE FUND
 For The One Month Ended October 31, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|------------------------------------|----------------|------------|---------|---------------|--------------|---------|---------|
| TOTAL MUNICIPAL COURT EXPENDITURES | \$ 2.86 | 2.86 | 100.00% | \$ 1,095.00 | \$ 1,092.14 | -70.06% | -91.67% |
| Net Excess (Deficit) | | | | | | | |

City of Wimberley
JOURNAL REPORT

October 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> |
|-------------|-------------|---|---------------|------------|------------------------------|
| 10/23/09 | 111.40 | Cash - Ozona National Bank - BH Development | 228,982.70 | 1012 | ozona bh development acct |
| 10/1/09 | 304.50 | Due to General - Municipal Court | 543.20 | 1258 | city of wimberley general |
| 10/23/09 | 112.50 | Cash - Ozona National Bank - Municipal Court | 3,275.23 | 1260 | ozona - municipal court acct |
| 10/23/09 | 350.50 | Municipal Court Cost Payable | 1,850.61 | 2000 | state comptroller |
| 10/19/09 | 861.40 | Contract Labor/Wages | 300.00 | 2000 | wimberley crossroads |
| | | | 2,150.61 | 2000 | Reference Total |
| 10/23/09 | 110.40 | Cash - Ozona National Bank - BH Operating | 45,336.44 | 2353 | ozona bh operating |
| 10/1/09 | 302.40 | FICA Tax Payable | 29.02 | 3000 | ozona national bank |
| 10/12/09 | 303.40 | Accounts Payable - Blue Hole | 45.00 | 3001 | pec |
| 10/12/09 | 303.40 | Accounts Payable - Blue Hole | 55.10 | 3002 | wimberley water supply |
| 10/30/09 | 309.40 | TWC Payable | 65.87 | 3003 | twc |
| 10/1/09 | 708.10 | Health Benefits | 200.00 | 6466 | abigail gillfillan |
| 10/1/09 | 733.10 | Parking Lot Lease | 100.00 | 6467 | calkins interest ltd |
| 10/1/09 | 608.10 | Health Care | 200.00 | 6468 | cara mcpartland |
| 10/1/09 | 608.10 | Health Care | 312.00 | 6469 | don ferguson |
| 10/1/09 | 608.10 | Health Care | 200.00 | 6471 | monica alcalá |
| 10/1/09 | 614.10 | Rent | 525.00 | 6472 | todd routh |
| 10/1/09 | 708.10 | Health Benefits | 200.00 | 6473 | william bowers |
| 10/1/09 | 614.10 | Rent | 3,812.00 | 6474 | todd routh |
| 10/16/09 | 105.10 | Cash - Ozona National Bank - CD | 225,000.00 | 6478 | ozona - cert of deposit |
| 10/23/09 | 102.10 | Cash - Ozona National Bank - General | 279,858.56 | 6479 | ozona - general |
| 10/1/09 | 301.10 | Withholding Tax Payable | 1,494.00 | 7000 | ozona national bank |
| 10/1/09 | 302.10 | FICA Tax Payable | 2,999.84 | 7000 | ozona national bank |
| | | | 4,493.84 | 7000 | Reference Total |
| 10/1/09 | 607.10 | TMRS - Admin | 361.73 | 7001 | tmrs |
| 10/1/09 | 707.10 | TMRS - Public Works | 137.21 | 7001 | tmrs |
| 10/1/09 | 807.10 | TMRS City Contribution-PS | 87.31 | 7001 | tmrs |
| 10/1/09 | 311.10 | TMRS Payable | 980.33 | 7001 | tmrs |
| | | | 1,566.58 | 7001 | Reference Total |
| 10/12/09 | 303.10 | Accounts Payable | 621.04 | 7008 | pedemales electric |
| 10/12/09 | 303.10 | Accounts Payable | 33.35 | 7009 | wimberley water supply |

City of Wimberley
JOURNAL REPORT

October 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> |
|-------------|-------------|-------------------------------|---------------|------------|--------------------------------------|
| 10/19/09 | 303.10 | Accounts Payable | 75.47 | 7010 | ace hardware |
| 10/19/09 | 731.10 | Mowing / Tree Trimming | 325.00 | 7011 | affordable lawn service |
| 10/19/09 | 303.10 | Accounts Payable | 75.00 | 7011 | affordable lawn service |
| | | | 400.00 | 7011 | Reference Total |
| 10/19/09 | 609.10 | Dues - TML & City Mgr Assoc | 85.94 | 7012 | american assoc of notaries |
| 10/19/09 | 622.10 | Records Management | 262.50 | 7013 | american legal publishing corp |
| 10/19/09 | 609.10 | Dues - TML & City Mgr Assoc | 85.00 | 7014 | american planning assoc |
| 10/19/09 | 623.10 | Office Technology | 49.00 | 7015 | anvil communications |
| 10/19/09 | 612.10 | Telephone | 216.32 | 7016 | at&t |
| 10/19/09 | 303.10 | Accounts Payable | 1,905.00 | 7017 | ats |
| 10/19/09 | 303.10 | Accounts Payable | 2,248.56 | 7018 | bickerstaff heath pollan & caroom |
| 10/19/09 | 727.10 | Road Maintenance | 300.00 | 7019 | garrett allen |
| 10/19/09 | 303.10 | Accounts Payable | 450.00 | 7019 | garrett allen |
| | | | 750.00 | 7019 | Reference Total |
| 10/19/09 | 824.10 | Animal Control | 6,000.00 | 7020 | hays county office of county auditor |
| 10/19/09 | 619.10 | Water Cooler | 37.49 | 7021 | hill country springs |
| 10/19/09 | 303.10 | Accounts Payable | 797.47 | 7022 | holly media group |
| 10/19/09 | 651.10 | Association Dues | 100.00 | 7023 | international code council inc |
| 10/19/09 | 303.10 | Accounts Payable | 281.03 | 7024 | kyocera mita |
| 10/19/09 | 303.10 | Accounts Payable | 180.00 | 7025 | lee trees inc |
| 10/19/09 | 756.10 | Public Restroom Wastewater | 275.00 | 7026 | leinneweber plumbing co |
| 10/19/09 | 655.10 | Financial Management Services | 1,000.00 | 7027 | lori i graham cpa pc |
| 10/19/09 | 303.10 | Accounts Payable | 500.00 | 7028 | postage by phone |
| 10/19/09 | 303.10 | Accounts Payable | 500.00 | 7029 | pow-wow services |
| 10/19/09 | 618.10 | Equipment Leases | 389.40 | 7030 | ricoh americas corp |
| 10/19/09 | 611.10 | Printing | 24.00 | 7031 | roccaforte's hill country plans |
| 10/19/09 | 303.10 | Accounts Payable | 234.00 | 7032 | safelane traffic supply |
| 10/19/09 | 303.10 | Accounts Payable | 104.47 | 7033 | sam's club |
| 10/19/09 | 303.10 | Accounts Payable | 105.57 | 7034 | texas fleet fuel |
| 10/19/09 | 720.10 | Fuel | 48.87 | 7034 | texas fleet fuel |
| 10/19/09 | 825.10 | Fuel-Public Safety | 41.57 | 7034 | texas fleet fuel |
| | | | 196.01 | 7034 | Reference Total |
| 10/19/09 | 303.10 | Accounts Payable | 7,564.70 | 7035 | texas road repair & patches |
| 10/19/09 | 303.10 | Accounts Payable | 346.74 | 7036 | the media cottage inc |
| 10/23/09 | 915.10 | Cleaning - Comm Ctr | 210.00 | 7045 | ruth frel |
| 10/23/09 | 652.10 | Training | 100.00 | 7046 | texas state univ |

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CD - Cash disbursements

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|-------------|-------------|--|---------------|------------|---------------------------------|
| 10/28/09 | 639.10 | Signs/Zoning | 1,098.00 | 7048 | wimberley institute of cultures |
| 10/1/09 | 908.10 | Health Benefits - Comm Ctr | 200.00 | 7066 | michael meeks |
| 10/1/09 | 102.10 | Cash - Ozona National Bank - General | -32,930.91 | disb | disb |
| 10/23/09 | 112.50 | Cash - Ozona National Bank - Municipal Court | -1,850.61 | disb | disb |
| 10/31/09 | 103.10 | Cash - Blanco National Bank - General | -510,407.56 | disb | disb |
| 10/31/09 | 110.40 | Cash - Ozona National Bank - BH Operating | -194.99 | disb | disb |
| 10/19/09 | 111.40 | Cash - Ozona National Bank - BH Development | -300.00 | disb | disb |
| 10/23/09 | 109.50 | Cash - Blanco National Bank - Municipal Court | -3,818.43 | disb | disb |
| 10/23/09 | 106.40 | Cash - Blanco National Bank - BH Development | -228,982.70 | disb | disb |
| 10/23/09 | 108.40 | Cash - Blanco National Bank - BH Operating | -45,336.44 | disb | disb |
| | | | -823,821.64 | disb | Reference Total |
| | | Total for 71 Items | 0.00 | | |

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|-------------|-------------|--------------------------------------|---------------|------------|--------------------|
| 10/1/09 | 870.40 | Capital Outlay - Development Project | -171,017.30 | | FY End Adjustment |
| 10/1/09 | 868.40 | Public Restroom Facilities | -2,369.78 | | FY End Adjustment |
| 10/1/09 | 866.40 | Rental | -493.00 | | FY End Adjustment |
| 10/1/09 | 865.40 | Contract Services | -8,029.42 | | FY End Adjustment |
| 10/1/09 | 864.40 | Operating Supplies | -2,492.24 | | FY End Adjustment |
| 10/1/09 | 863.40 | Mowing | -975.00 | | FY End Adjustment |
| 10/1/09 | 862.40 | Utilities | -1,098.77 | | FY End Adjustment |
| 10/1/09 | 861.40 | Contract Labor/Wages | -18,521.88 | | FY End Adjustment |
| 10/1/09 | 859.10 | Nature Trail Operations | -11,322.33 | | FY End Adjustment |
| 10/1/09 | 858.40 | Blue Hole Master Plan | -130.50 | | FY End Adjustment |
| 10/1/09 | 856.10 | Parks Research & Development | -740.00 | | FY End Adjustment |
| 10/1/09 | 832.10 | Capital Outlay - Technology | -6,000.00 | | FY End Adjustment |
| 10/1/09 | 830.10 | Capital Outlay - Vehicle | -7,304.77 | | FY End Adjustment |
| 10/1/09 | 827.10 | Vehicle Maintenance and Repair | -116.94 | | FY End Adjustment |
| 10/1/09 | 826.10 | Supplies - Public Safety | -1,201.68 | | FY End Adjustment |
| 10/1/09 | 825.10 | Fuel-Public Safety | -2,226.75 | | FY End Adjustment |
| 10/1/09 | 824.10 | Animal Control | -6,000.00 | | FY End Adjustment |
| 10/1/09 | 823.10 | Training | -1,900.00 | | FY End Adjustment |
| 10/1/09 | 821.10 | City Prosecutor | -4,712.82 | | FY End Adjustment |
| 10/1/09 | 820.10 | Municipal Court Judge | -3,677.26 | | FY End Adjustment |
| 10/1/09 | 808.10 | Health Care - Public Safety | -2,425.00 | | FY End Adjustment |
| 10/1/09 | 807.10 | TMRS City Contribution-PS | -1,093.35 | | FY End Adjustment |
| 10/1/09 | 806.10 | Payroll Taxes | -3,078.35 | | FY End Adjustment |
| 10/1/09 | 801.10 | Salaries - City Marshall | -38,381.05 | | FY End Adjustment |
| 10/1/09 | 756.10 | Public Restroom Wastewater | -3,916.38 | | FY End Adjustment |
| 10/1/09 | 752.10 | Water Quality Testing | -18.00 | | FY End Adjustment |
| 10/1/09 | 736.10 | Contract Labor | -4,032.93 | | FY End Adjustment |
| 10/1/09 | 733.10 | Parking Lot Lease | -1,200.00 | | FY End Adjustment |
| 10/1/09 | 732.10 | Signs/Barricades | -6,572.95 | | FY End Adjustment |
| 10/1/09 | 731.10 | Mowing / Tree Trimming | -5,775.00 | | FY End Adjustment |
| 10/1/09 | 729.10 | Road Engineering | -9,173.00 | | FY End Adjustment |
| 10/1/09 | 728.10 | Capital Outlay Roads | -12,005.55 | | FY End Adjustment |
| 10/1/09 | 727.10 | Road Maintenance | -44,093.19 | | FY End Adjustment |
| 10/1/09 | 722.10 | Vehicle Maint. & Insurance | -171.02 | | FY End Adjustment |
| 10/1/09 | 720.10 | Fuel | -1,072.35 | | FY End Adjustment |
| 10/1/09 | 715.10 | Supplies - Public Works | -148.56 | | FY End Adjustment |
| 10/1/09 | 714.10 | Certificates | -50.00 | | FY End Adjustment |
| 10/1/09 | 708.10 | Health Benefits | -4,800.00 | | FY End Adjustment |
| 10/1/09 | 707.10 | TMRS - Public Works | -1,736.53 | | FY End Adjustment |

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|-------------|-------------|---|---------------|------------|--------------------|
| 10/1/09 | 706.10 | Payroll Taxes | -5,166.66 | | FY End Adjustment |
| 10/1/09 | 704.10 | Salaries-GIS/Permitting Clerk | -32,163.60 | | FY End Adjustment |
| 10/1/09 | 702.10 | Salaries-Code Enforcement & Permitting | -28,257.84 | | FY End Adjustment |
| 10/1/09 | 677.10 | Site Plan Reviews | -14,236.43 | | FY End Adjustment |
| 10/1/09 | 676.10 | Contract Inspector | -30,887.50 | | FY End Adjustment |
| 10/1/09 | 664.10 | Fitness Council Expenses | -6,362.98 | | FY End Adjustment |
| 10/1/09 | 661.10 | Public Relations / Receptions | -3,931.51 | | FY End Adjustment |
| 10/1/09 | 658.10 | Planning | -5,000.00 | | FY End Adjustment |
| 10/1/09 | 656.10 | Audit | -13,000.00 | | FY End Adjustment |
| 10/1/09 | 655.10 | Financial Management Services | -12,000.00 | | FY End Adjustment |
| 10/1/09 | 654.10 | Election | -3,116.30 | | FY End Adjustment |
| 10/1/09 | 652.10 | Training | -1,525.00 | | FY End Adjustment |
| 10/1/09 | 651.10 | Association Dues | -558.00 | | FY End Adjustment |
| 10/1/09 | 641.10 | Legal | -48,167.15 | | FY End Adjustment |
| 10/1/09 | 638.10 | Repairs & Maintenance | -295.00 | | FY End Adjustment |
| 10/1/09 | 637.10 | Contract Labor | -3,846.10 | | FY End Adjustment |
| 10/1/09 | 636.10 | Training - Travel | -1,515.68 | | FY End Adjustment |
| 10/1/09 | 635.10 | Mileage | -774.30 | | FY End Adjustment |
| 10/1/09 | 632.10 | Capital Outlay - Other | -52,493.50 | | FY End Adjustment |
| 10/1/09 | 631.10 | Capital Outlay - Technology | -769.61 | | FY End Adjustment |
| 10/1/09 | 629.10 | Pay Comparability Adjustment | -1,000.00 | | FY End Adjustment |
| 10/1/09 | 628.10 | Technology Consultant | -170.00 | | FY End Adjustment |
| 10/1/09 | 626.10 | Security Expense | -549.68 | | FY End Adjustment |
| 10/1/09 | 623.10 | Office Technology | -939.00 | | FY End Adjustment |
| 10/1/09 | 622.10 | Records Management | -3,240.38 | | FY End Adjustment |
| 10/1/09 | 621.10 | Insurance | -13,604.07 | | FY End Adjustment |
| 10/1/09 | 620.10 | Postage | -855.65 | | FY End Adjustment |
| 10/1/09 | 619.10 | Water Cooler | -460.69 | | FY End Adjustment |
| 10/1/09 | 618.10 | Equipment Leases | -5,176.44 | | FY End Adjustment |
| 10/1/09 | 617.10 | Utilities | -6,826.19 | | FY End Adjustment |
| 10/1/09 | 616.10 | Office Supplies | -3,712.51 | | FY End Adjustment |
| 10/1/09 | 615.10 | Cleaning | -5,200.00 | | FY End Adjustment |
| 10/1/09 | 614.10 | Rent | -51,891.00 | | FY End Adjustment |
| 10/1/09 | 613.10 | Copies | -2,180.82 | | FY End Adjustment |
| 10/1/09 | 612.10 | Telephone | -5,910.10 | | FY End Adjustment |
| 10/1/09 | 611.10 | Printing | -882.00 | | FY End Adjustment |
| 10/1/09 | 610.10 | Public Notices | -5,143.81 | | FY End Adjustment |
| 10/1/09 | 609.10 | Dues - TML & City Mgr Assoc | -2,658.30 | | FY End Adjustment |

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|-------------|-------------|---|---------------|------------|--------------------|
| 10/1/09 | 608.10 | Health Care | -8,394.00 | | FY End Adjustment |
| 10/1/09 | 607.10 | TMRS - Admin | -4,513.85 | | FY End Adjustment |
| 10/1/09 | 606.10 | Payroll Taxes | -12,896.68 | | FY End Adjustment |
| 10/1/09 | 603.10 | Receptionist/Clerk | -22,647.60 | | FY End Adjustment |
| 10/1/09 | 602.10 | City Secretary | -37,392.17 | | FY End Adjustment |
| 10/1/09 | 601.10 | City Administrator | -98,440.11 | | FY End Adjustment |
| 10/1/09 | 553.50 | Judicial Efficiency Fees | 22.30 | | FY End Adjustment |
| 10/1/09 | 552.50 | Child Safety Fees | 375.00 | | FY End Adjustment |
| 10/1/09 | 551.50 | Building Security Fees | 354.95 | | FY End Adjustment |
| 10/1/09 | 550.50 | Court Technology Fees | 469.27 | | FY End Adjustment |
| 10/1/09 | 542.40 | Rental Fees | 150.00 | | FY End Adjustment |
| 10/1/09 | 541.40 | Gate Fees | 60,754.06 | | FY End Adjustment |
| 10/1/09 | 525.10 | Franchise Fees - Misc | 8,629.14 | | FY End Adjustment |
| 10/1/09 | 524.10 | Verizon | 25,424.64 | | FY End Adjustment |
| 10/1/09 | 523.10 | Texas Disposal Systems | 36,630.86 | | FY End Adjustment |
| 10/1/09 | 522.10 | Pedemales Electric Cooperative, Inc. | 99,273.10 | | FY End Adjustment |
| 10/1/09 | 521.10 | Time Warner Cable | 37,184.11 | | FY End Adjustment |
| 10/1/09 | 520.40 | Grant Funds - Blue Hole | 600,000.00 | | FY End Adjustment |
| 10/1/09 | 516.10 | Municipal Court Costs/Fines | 7,142.43 | | FY End Adjustment |
| 10/1/09 | 513.10 | Zoning | 4,151.00 | | FY End Adjustment |
| 10/1/09 | 512.10 | Subdivision | 7,126.20 | | FY End Adjustment |
| 10/1/09 | 511.10 | Sign Permits | 2,225.00 | | FY End Adjustment |
| 10/1/09 | 509.10 | Plan Reviews | 14,190.78 | | FY End Adjustment |
| 10/1/09 | 506.10 | Building Inspections | 18,695.44 | | FY End Adjustment |
| 10/1/09 | 505.10 | Building Permits | 14,990.11 | | FY End Adjustment |
| 10/1/09 | 504.10 | Miscellaneous Income | 29,423.07 | | FY End Adjustment |
| 10/1/09 | 503.40 | Interest Income - Blue Hole Parkland | 1,335.00 | | FY End Adjustment |
| 10/1/09 | 503.10 | Interest Income - General | 11,035.80 | | FY End Adjustment |
| 10/1/09 | 502.10 | Mixed Beverage Tax | 6,039.01 | | FY End Adjustment |
| 10/1/09 | 501.10 | Sales & Use Tax | 572,787.65 | | FY End Adjustment |
| 10/1/09 | 467.10 | Fund Balance - Undesignated | -151,250.37 | | FY End Adjustment |
| 10/1/09 | 467.40 | Fund Balance - Blue Hole | -457,111.17 | | FY End Adjustment |
| 10/1/09 | 467.50 | Fund Balance - Municipal Court | -1,221.52 | | FY End Adjustment |
| | | | 0.00 | | Reference Total |
| | | Total for 110 Items | 0.00 | | |

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|-------------|-------------|--|---------------|------------|------------------------|
| 10/31/09 | 906.10 | Payroll Taxes - Comm Ctr | 204.57 | | p/r taxes reclassified |
| 10/31/09 | 606.10 | Payroll Taxes | -204.57 | | p/r taxes reclassified |
| | | | 0.00 | | Reference Total |
| 10/31/09 | 108.40 | Cash - Blanco National Bank - BH Operating | 51.54 | 1 | cash bh parkland |
| 10/31/09 | 504.40 | Misc Income - Blue Hole | -51.54 | 1 | deposit slip refund |
| | | | 0.00 | 1 | Reference Total |
| 10/31/09 | 109.50 | Cash - Blanco National Bank - Municipal Court | 250.68 | 2 | cash - mc |
| 10/31/09 | 550.50 | Court Technology Fees | -1.31 | 2 | court tech fees |
| 10/31/09 | 551.50 | Building Security Fees | -0.98 | 2 | bldg sec fees |
| 10/31/09 | 553.50 | Judicial Efficiency Fees | -0.20 | 2 | judicial eff fees |
| 10/31/09 | 304.50 | Due to General - Municipal Court | -222.31 | 2 | due to general |
| 10/31/09 | 350.50 | Municipal Court Cost Payable | -25.88 | 2 | payable to state |
| | | | 0.00 | 2 | Reference Total |
| 10/31/09 | 119.10 | Texpool - General | 64.68 | 3 | texpool - general |
| 10/31/09 | 503.10 | Interest Income - General | -64.68 | 3 | interest |
| | | | 0.00 | 3 | Reference Total |
| 10/31/09 | 119.40 | Texpool - Blue Hole | 29.15 | 4 | texpool - blue hole |
| 10/31/09 | 503.40 | Interest Income - Blue Hole Parkland | -29.15 | 4 | interest |
| | | | 0.00 | 4 | Reference Total |
| 10/31/09 | 111.40 | Cash - Ozona National Bank - BH Development | 284.07 | 5 | ozona bh dev |
| 10/31/09 | 503.40 | Interest Income - Blue Hole Parkland | -284.07 | 5 | interest |
| | | | 0.00 | 5 | Reference Total |
| 10/31/09 | 110.40 | Cash - Ozona National Bank - BH Operating | 12.46 | 6 | ozona bh operating |
| 10/31/09 | 503.40 | Interest Income - Blue Hole Parkland | -12.46 | 6 | interest |
| | | | 0.00 | 6 | Reference Total |
| 10/31/09 | 622.10 | Records Management | 7.68 | 7 | qb s/c |
| 10/31/09 | 103.10 | Cash - Blanco National Bank - General | -7.68 | 7 | cash - general |

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|-------------|-------------|--|---------------|------------|------------------------------|
| | | | 0.00 | 7 | Reference Total |
| 10/31/09 | 103.10 | Cash - Blanco National Bank - General | 259,790.11 | 8 | deposits - general |
| 10/31/09 | 504.10 | Miscellaneous Income | -147.58 | 8 | check order refund |
| 10/31/09 | 121.10 | Sales Tax Receivable | -33,485.88 | 8 | sales tax receivable |
| 10/31/09 | 105.10 | Cash - Ozona National Bank - CD | -224,375.02 | 8 | cd closed - blanco |
| 10/31/09 | 122.10 | Mixed Beverage Tax Receivable | -1,781.63 | 8 | mixed bev receivable |
| | | | 0.00 | 8 | Reference Total |
| 10/31/09 | 112.50 | Cash - Ozona National Bank - Municipal Court | 0.37 | 9 | cash mc ozona |
| 10/31/09 | 503.50 | Interest Income - Municipal Ct | -0.37 | 9 | interest |
| | | | 0.00 | 9 | Reference Total |
| 10/31/09 | 105.10 | Cash - Ozona National Bank - CD | 165.85 | 10 | cash cd - blanco |
| 10/31/09 | 503.10 | Interest Income - General | -165.85 | 10 | interest |
| | | | 0.00 | 10 | Reference Total |
| 10/31/09 | 320.10 | Accrued Salaries Payable | 9,148.56 | 11 | accrued salaries |
| 10/31/09 | 601.10 | City Administrator | -3,653.85 | 11 | salary - don |
| 10/31/09 | 602.10 | City Secretary | -1,423.08 | 11 | salary - cara |
| 10/31/09 | 702.10 | Salaries-Code Enforcement & Permitting | -865.28 | 11 | salary - bill |
| 10/31/09 | 603.10 | Receptionist/Clerk | -777.60 | 11 | salary - monica |
| 10/31/09 | 704.10 | Salaries-GIS/Permitting Clerk | -968.75 | 11 | salary - abigail |
| 10/31/09 | 801.10 | Salaries - City Marshall | -1,460.00 | 11 | salary - garth |
| | | | 0.00 | 11 | Reference Total |
| 10/31/09 | 320.10 | Accrued Salaries Payable | 1,199.68 | 12 | accrued salaries payable |
| 10/31/09 | 606.10 | Payroll Taxes | -740.38 | 12 | p/r taxes admin |
| 10/31/09 | 706.10 | Payroll Taxes | -280.60 | 12 | p./r taxes pw |
| 10/31/09 | 806.10 | Payroll Taxes | -178.70 | 12 | p/r taxes ps |
| | | | 0.00 | 12 | Reference Total |
| 10/31/09 | 706.10 | Payroll Taxes | 353.43 | 13 | p/r taxes - pw reclassified |
| 10/31/09 | 806.10 | Payroll Taxes | 91.82 | 13 | p/r taxes ps reclassified |
| 10/31/09 | 606.10 | Payroll Taxes | -445.25 | 13 | p/r taxes admin reclassified |
| | | | 0.00 | 13 | Reference Total |

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|-------------|-------------|---|---------------|------------|----------------------|
| 10/31/09 | 121.10 | Sales Tax Receivable | 65,453.05 | 14 | sales tax receivable |
| 10/31/09 | 501.10 | Sales & Use Tax | -65,453.05 | 14 | sales tax revenue |
| | | | 0.00 | 14 | Reference Total |
| 10/31/09 | 102.10 | Cash - Ozona National Bank - General | 62,562.20 | 15 | deposits - ozona |
| 10/31/09 | 120.10 | Accounts Receivable | -47,234.95 | 15 | a/r franchise fees |
| 10/31/09 | 504.10 | Miscellaneous Income | -300.00 | 15 | misc income |
| 10/31/09 | 505.10 | Building Permits | -2,273.33 | 15 | bldg permits |
| 10/31/09 | 506.10 | Building Inspections | -1,715.00 | 15 | inspections |
| 10/31/09 | 509.10 | Plan Reviews | -2,567.00 | 15 | plan reviews |
| 10/31/09 | 511.10 | Sign Permits | -190.00 | 15 | sign permits |
| 10/31/09 | 513.10 | Zoning | -2,423.60 | 15 | zoning |
| 10/31/09 | 532.10 | Community Center Rental Fees | -3,450.00 | 15 | comm ctr fees |
| 10/31/09 | 116.10 | Due From Municipal Court | -543.20 | 15 | due from mc |
| 10/31/09 | 330.10 | Community Center Security Deposits Payable | -500.00 | 15 | comm ctr deposits |
| 10/31/09 | 120.10 | Accounts Receivable | -1,365.12 | 15 | a/r |
| | | | 0.00 | 15 | Reference Total |
| 10/31/09 | 116.10 | Due From Municipal Court | 222.31 | 16 | due from mc |
| 10/31/09 | 516.10 | Municipal Court Costs/Fines | -222.31 | 16 | mc costs/fines |
| | | | 0.00 | 16 | Reference Total |
| 10/31/09 | 102.10 | Cash - Ozona National Bank - General | 38.68 | 17 | ozona general |
| 10/31/09 | 503.10 | Interest Income - General | -39.13 | 17 | interest |
| 10/31/09 | 622.10 | Records Management | 0.45 | 17 | quickbooks s/c |
| | | | 0.00 | 17 | Reference Total |
| | | Total for 62 Items | 0.00 | | |

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PYA - Generated payroll accrual

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|-------------|-------------|-------------------|---------------|------------|---------------------|
| 10/31/09 | 606.10 | Payroll Taxes | 1,276.71 | CKS | Employer's FICA |
| 10/31/09 | 302.10 | FICA Tax Payable | -1,276.71 | CKS | Employer's FICA |
| 10/31/09 | 606.10 | Payroll Taxes | 298.59 | CKS | Employer's Medicare |
| 10/31/09 | 302.10 | FICA Tax Payable | -298.59 | CKS | Employer's Medicare |
| | | | 0.00 | CKS | Reference Total |
| | | Total for 4 Items | 0.00 | | |

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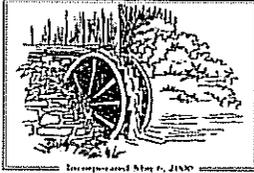
PYR - Generated payroll transaction

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| <u>Date</u> | <u>Acct</u> | <u>Acct Desc</u> | <u>Amount</u> | <u>Ref</u> | <u>Description</u> |
|-------------|-------------|---|---------------|------------|-----------------------------|
| 10/31/09 | 601.10 | City Administrator | 7,307.70 | CKS | SALARY |
| 10/31/09 | 301.10 | Withholding Tax Payable | -1,676.00 | CKS | Federal Withholding |
| 10/31/09 | 302.10 | FICA Tax Payable | -1,575.31 | CKS | Fica + Medicare Withholding |
| 10/31/09 | 311.10 | TMRS Payable | -975.10 | CKS | TMRS Contribution |
| 10/31/09 | 102.10 | Cash - Ozona National Bank - General | -12,446.99 | CKS | Net Payroll Checks |
| 10/31/09 | 602.10 | City Secretary | 2,846.16 | CKS | SALARY |
| 10/31/09 | 103.10 | Cash - Blanco National Bank - General | -3,918.71 | CKS | Net Payroll Checks |
| 10/31/09 | 704.10 | Salaries-GIS/Permitting Clerk | 2,456.75 | CKS | SALARY |
| 10/31/09 | 801.10 | Salaries - City Marshall | 1,200.30 | CKS | SALARY |
| 10/31/09 | 603.10 | Receptionist/Clerk | 1,944.00 | CKS | SALARY |
| 10/31/09 | 901.10 | Salaries - Director | 1,090.00 | CKS | SALARY |
| 10/31/09 | 902.10 | Salaries - Maintenance | 1,584.00 | CKS | SALARY |
| 10/31/09 | 702.10 | Salaries-Code Enforcement & Permitting | 2,163.20 | CKS | SALARY |
| | | | 0.00 | CKS | Reference Total |
| | | Total for 13 Items | 0.00 | | |

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: APPROVAL OF REVISED
SEPTEMBER 2009 FINANCIAL STATEMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are the revised September 2009 Financial Statements for review and consideration. The statements have been revised to reflect some franchise payments for the subject period.

Council Package
Financial Statements Village of Wimberley
For the Period Ended 9/30/2009

- ✓ 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
- ✓ Budget Vs Actual - Municipal Court

11-2-09 Faxed to: 512-847-0422 23 pgs

Revised 11-30-09 28 pgs

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

Assets

Current Assets

| | | |
|--|----|-----------------|
| 101.10 Petty Cash-General | \$ | 150.00 |
| 102.10 Cash - Ozona National Bank - General | | 99,869.36 |
| 103.10 Cash - Blanco National Bank - General | | 254,622.66 |
| 105.10 Cash - Ozona National Bank - CD | | 224,209.17 |
| 116.10 Due From Municipal Court | | 539.20 |
| 119.10 Texpool - General | | 363,578.68 |
| 120.10 Accounts Receivable | | 72,455.30 |
| 121.10 Sales Tax Receivable | | 33,485.88 |
| 122.10 Mixed Beverage Tax Receivable | | 1,781.63 |
| | | <u>1,781.63</u> |

Total Current Assets \$ 1,050,691.88

Total Assets \$ 1,050,691.88

Liabilities and Fund Balance

Current Liabilities

| | | |
|---------------------------------|----|------------------|
| 301.10 Withholding Tax Payable | \$ | 1,494.00 |
| 302.10 FICA Tax Payable | | 3,014.36 |
| 303.10 Accounts Payable | | 16,022.40 |
| 311.10 TMRS Payable | | 980.33 |
| 320.10 Accrued Salaries Payable | | 10,348.24 |
| | | <u>10,348.24</u> |

Total Current Liabilities \$ 31,859.33

Total Liabilities 31,859.33

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) | 151,250.37 |
| | <u>151,250.37</u> |

Total Fund Balance 1,018,832.55

Total Liabilities and Fund Balance \$ 1,050,691.88

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

| | Current Period | | Year To Date | |
|--|-------------------|---------------|-------------------|---------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 501.10 Sales & Use Tax | \$ 33,485.88 | 30.81 | \$ 572,787.65 | 64.00 |
| 502.10 Mixed Beverage Tax | 1,781.63 | 1.64 | 6,039.01 | 0.67 |
| 503.10 Interest Income - General | 256.21 | 0.24 | 11,035.80 | 1.23 |
| 504.10 Miscellaneous Income | 800.00 | 0.74 | 29,423.07 | 3.29 |
| 505.10 Building Permits | 3,071.26 | 2.83 | 14,990.11 | 1.67 |
| 506.10 Building Inspections | 2,130.00 | 1.96 | 18,695.44 | 2.09 |
| 509.10 Plan Reviews | 975.00 | 0.90 | 14,190.78 | 1.59 |
| 511.10 Sign Permits | 50.00 | 0.05 | 2,225.00 | 0.25 |
| 512.10 Subdivision | 0.00 | 0.00 | 7,126.20 | 0.80 |
| 513.10 Zoning | 0.00 | 0.00 | 4,151.00 | 0.46 |
| 516.10 Municipal Court Costs/Fines | 560.80 | 0.52 | 7,142.43 | 0.80 |
| 521.10 Time Warner Cable | 9,623.77 | 8.85 | 37,184.11 | 4.15 |
| 522.10 Padernales Electric Cooperative, Inc. | 35,284.27 | 32.46 | 99,273.10 | 11.09 |
| 523.10 Texas Disposal Systems | 9,358.43 | 8.61 | 36,630.86 | 4.09 |
| 524.10 Verizon | 6,099.51 | 5.61 | 25,424.64 | 2.84 |
| 525.10 Franchise Fees - Misc | 5,224.89 | 4.81 | 8,629.14 | 0.96 |
| Total Revenues | 108,701.65 | 100.00 | 894,948.34 | 100.00 |
| Expenditures | | | | |
| Admin - Personnel | | | | |
| 601.10 City Administrator | 10,961.55 | 10.08 | 98,440.11 | 11.00 |
| 602.10 City Secretary | 4,269.24 | 3.93 | 37,392.17 | 4.18 |
| 603.10 Receptionist/Clerk | 2,721.60 | 2.50 | 22,647.60 | 2.53 |
| 606.10 Payroll Taxes | 1,680.39 | 1.55 | 12,896.68 | 1.44 |
| 607.10 TMRS - Admin | 361.73 | 0.33 | 4,513.85 | 0.50 |
| 608.10 Health Care | 712.00 | 0.66 | 8,394.00 | 0.94 |
| Total Admin - Personnel | 20,706.51 | 19.05 | 184,284.41 | 20.59 |
| Admin - Operating | | | | |
| 609.10 Dues - TML & City Mgr Assoc | 0.00 | 0.00 | 2,658.30 | 0.30 |
| 610.10 Public Notices | 1,523.42 | 1.40 | 5,143.81 | 0.57 |
| 611.10 Printing | 0.00 | 0.00 | 882.00 | 0.10 |
| 612.10 Telephone | 815.06 | 0.75 | 5,910.10 | 0.66 |
| 613.10 Copies | 0.00 | 0.00 | 2,180.82 | 0.24 |
| 614.10 Rent | 4,337.00 | 3.99 | 51,891.00 | 5.80 |
| 615.10 Cleaning | 900.00 | 0.83 | 5,200.00 | 0.58 |
| 616.10 Office Supplies | 859.98 | 0.79 | 3,712.51 | 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 Year Ended
September 30, 2009

| | Current Period | | Year To Date | |
|--------------------------------------|------------------|--------------|-------------------|--------------|
| | Amount | Percent | Amount | Percent |
| 617.10 Utilities | \$ 1,212.44 | 1.12 | \$ 6,826.19 | 0.76 |
| 618.10 Equipment Leases | 724.06 | 0.67 | 5,176.44 | 0.58 |
| 619.10 Water Cooler | 35.49 | 0.03 | 460.69 | 0.05 |
| 620.10 Postage | 500.00 | 0.46 | 855.65 | 0.10 |
| 621.10 Insurance | 0.00 | 0.00 | 13,604.07 | 1.52 |
| 622.10 Records Management | 366.42 | 0.34 | 3,240.38 | 0.36 |
| 623.10 Office Technology | 49.00 | 0.05 | 939.00 | 0.10 |
| 626.10 Security Expense | 0.00 | 0.00 | 549.68 | 0.06 |
| 628.10 Technology Consultant | 0.00 | 0.00 | 170.00 | 0.02 |
| 629.10 Pay Comparability Adjustment | 1,000.00 | 0.92 | 1,000.00 | 0.11 |
| 631.10 Capital Outlay - Technology | 0.00 | 0.00 | 769.61 | 0.09 |
| 632.10 Capital Outlay - Other | 0.00 | 0.00 | 52,493.50 | 5.87 |
| 635.10 Mileage | 275.00 | 0.25 | 774.30 | 0.09 |
| 636.10 Training - Travel | 195.50 | 0.18 | 1,515.68 | 0.17 |
| 637.10 Contract Labor | 0.00 | 0.00 | 3,846.10 | 0.43 |
| 638.10 Repairs & Maintenance | 0.00 | 0.00 | 295.00 | 0.03 |
| | <u>12,793.37</u> | <u>11.77</u> | <u>170,094.83</u> | <u>19.01</u> |
| Total Admin - Operating | | | | |
| Legal | | | | |
| 641.10 Legal | 5,108.68 | 4.70 | 48,167.15 | 5.38 |
| | <u>5,108.68</u> | <u>4.70</u> | <u>48,167.15</u> | <u>5.38</u> |
| Total Legal | | | | |
| Council - Boards Expenditures | | | | |
| 651.10 Association Dues | 40.00 | 0.04 | 558.00 | 0.06 |
| 652.10 Training | 0.00 | 0.00 | 1,525.00 | 0.17 |
| 654.10 Election | 0.00 | 0.00 | 3,116.30 | 0.35 |
| 655.10 Financial Management Services | 1,000.00 | 0.92 | 12,000.00 | 1.34 |
| 656.10 Audit | 0.00 | 0.00 | 13,000.00 | 1.45 |
| 658.10 Planning | 0.00 | 0.00 | 5,000.00 | 0.56 |
| 661.10 Public Relations / Receptions | 0.00 | 0.00 | 3,931.51 | 0.44 |
| 664.10 Fitness Council Expenses | 0.00 | 0.00 | 6,362.98 | 0.71 |
| | <u>1,040.00</u> | <u>0.96</u> | <u>45,493.79</u> | <u>5.08</u> |
| Total Council - Boards Expenditures | | | | |
| Building Department Expenditures | | | | |
| 676.10 Contract Inspector | 6,195.00 | 5.70 | 30,887.50 | 3.45 |
| 677.10 Site Plan Reviews | 435.00 | 0.40 | 14,236.43 | 1.59 |
| | <u>6,630.00</u> | <u>6.10</u> | <u>45,123.93</u> | <u>5.04</u> |

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

| | Current Period | | Year To Date | |
|---|--------------------|--------------|---------------------|-------------|
| | Amount | Percent | Amount | Percent |
| Total Building Department Expenditures | \$ <u>6,630.00</u> | <u>6.10</u> | \$ <u>45,123.93</u> | <u>5.04</u> |
| Public Works - Personnel | | | | |
| 702.10 Salaries-Code Enforcement & Permitting | 3,028.48 | 2.79 | 28,257.84 | 3.16 |
| 704.10 Salaries-GIS/Permitting Clerk | 3,394.50 | 3.12 | 32,163.60 | 3.59 |
| 706.10 Payroll Taxes | 631.65 | 0.58 | 5,166.66 | 0.58 |
| 707.10 TMRS - Public Works | 138.37 | 0.13 | 1,736.53 | 0.19 |
| 708.10 Health Benefits | <u>400.00</u> | <u>0.37</u> | <u>4,800.00</u> | <u>0.54</u> |
| Total Public Works - Personnel | <u>7,593.00</u> | <u>6.99</u> | <u>72,124.63</u> | <u>8.06</u> |
| 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 | 211.03 | 0.19 | 1,072.35 | 0.12 |
| 722.10 Vehicle Maint. & Insurance | <u>0.00</u> | <u>0.00</u> | <u>171.02</u> | <u>0.02</u> |
| Total Public Works - Operating | <u>211.03</u> | <u>0.19</u> | <u>1,441.93</u> | <u>0.16</u> |
| Roads | | | | |
| 727.10 Road Maintenance | 10,480.64 | 9.64 | 44,093.19 | 4.93 |
| 728.10 Capital Outlay Roads | 12,005.55 | 11.04 | 12,005.55 | 1.34 |
| 729.10 Road Engineering | 0.00 | 0.00 | 9,173.00 | 1.02 |
| 731.10 Mowing / Tree Trimming | 1,550.00 | 1.43 | 5,775.00 | 0.65 |
| 732.10 Signs/Barricades | 655.39 | 0.60 | 6,572.95 | 0.73 |
| 733.10 Parking Lot Lease | 100.00 | 0.09 | 1,200.00 | 0.13 |
| 736.10 Contract Labor | <u>0.00</u> | <u>0.00</u> | <u>4,032.93</u> | <u>0.45</u> |
| Total Roads | <u>24,791.58</u> | <u>22.81</u> | <u>82,852.62</u> | <u>9.26</u> |
| Water/Wastewater | | | | |
| 752.10 Water Quality Testing | 0.00 | 0.00 | 18.00 | 0.00 |
| 756.10 Public Restroom Wastewater | <u>366.52</u> | <u>0.34</u> | <u>3,916.38</u> | <u>0.44</u> |
| Total Water/Wastewater | <u>366.52</u> | <u>0.34</u> | <u>3,934.38</u> | <u>0.44</u> |
| Public Safety - Personnel | | | | |

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

| | Current Period | | Year To Date | |
|---------------------------------------|-------------------------|------------------|--------------------------|------------------|
| | Amount | Percent | Amount | Percent |
| 801.10 Salaries - City Marshall | \$ 4,380.00 | 4.03 | \$ 38,381.05 | 4.29 |
| 806.10 Payroll Taxes | 402.08 | 0.37 | 3,078.35 | 0.34 |
| 807.10 TMRS City Contribution-PS | 87.31 | 0.08 | 1,093.35 | 0.12 |
| 808.10 Health Care - Public Safety | <u>200.00</u> | <u>0.18</u> | <u>2,425.00</u> | <u>0.27</u> |
| Total Public Safety - Personnel | <u>5,069.39</u> | <u>4.66</u> | <u>44,977.75</u> | <u>5.03</u> |
| Public Safety - Operating | | | | |
| 820.10 Municipal Court Judge | 200.00 | 0.18 | 3,677.26 | 0.41 |
| 821.10 City Prosecutor | 392.68 | 0.36 | 4,712.82 | 0.53 |
| 823.10 Training | 0.00 | 0.00 | 1,900.00 | 0.21 |
| 824.10 Animal Control | 0.00 | 0.00 | 6,000.00 | 0.67 |
| 825.10 Fuel-Public Safety | 360.78 | 0.33 | 2,226.75 | 0.25 |
| 826.10 Supplies - Public Safety | 0.00 | 0.00 | 1,201.88 | 0.13 |
| 827.10 Vehicle Maintenance and Repair | 0.00 | 0.00 | 116.94 | 0.01 |
| 830.10 Capital Outlay - Vehicle | 0.00 | 0.00 | 7,304.77 | 0.82 |
| 832.10 Capital Outlay - Technology | <u>0.00</u> | <u>0.00</u> | <u>6,000.00</u> | <u>0.67</u> |
| Total Public Safety - Operating | <u>953.46</u> | <u>0.88</u> | <u>33,140.22</u> | <u>3.70</u> |
| Parks - Operating | | | | |
| 856.10 Parks Research & Development | 0.00 | 0.00 | 740.00 | 0.08 |
| 859.10 Nature Trail Operations | <u>9,243.36</u> | <u>8.50</u> | <u>11,322.33</u> | <u>1.27</u> |
| Total Parks - Operating | <u>9,243.36</u> | <u>8.50</u> | <u>12,062.33</u> | <u>1.35</u> |
| Total Expenditures | <u>94,506.90</u> | <u>86.94</u> | <u>743,697.97</u> | <u>83.10</u> |
| NET EXCESS (DEFICIT) | <u>\$ 14,194.75</u> | <u>13.06</u> | <u>\$ 151,250.37</u> | <u>16.90</u> |

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|-------------------------------------|-------------------|-------------------|---------------|-------------------|-------------------|---------------|--------------|
| REVENUES | | | | | | | |
| 501.1 Sales & Use Tax | \$ 33,485.88 | 572,787.65 | 64.00% | \$ 539,302.00 | 33,485.65 | 6.21% | 0.00% |
| 502.1 Mixed Beverage Tax | 1,781.63 | 6,039.01 | 0.67% | 5,500.00 | 539.01 | 9.80% | 0.00% |
| 503.1 Interest Income | 256.21 | 11,078.11 | 1.24% | 11,500.00 | (421.89) | -3.67% | 0.00% |
| 504.1 Misc. Income | 800.00 | 28,507.61 | 3.19% | 27,708.00 | 799.61 | 0.00% | 0.00% |
| 505.1 Building Permits | 3,071.26 | 15,288.38 | 1.71% | 13,000.00 | 2,288.38 | 17.60% | 0.00% |
| 506.1 Building Inspections | 2,130.00 | 17,819.49 | 1.99% | 19,000.00 | (1,180.51) | -6.21% | 0.00% |
| 509.1 Plan Reviews | 975.00 | 14,190.78 | 1.59% | 14,000.00 | 190.78 | 1.36% | 0.00% |
| 510.1 Beer & Wine Permits | - | 175.00 | 0.02% | 175.00 | - | 0.00% | 0.00% |
| 511.1 Sign Permits | 50.00 | 2,050.00 | 0.23% | 2,500.00 | (450.00) | -18.00% | 0.00% |
| 512.1 Subdivision | - | 7,126.20 | 0.80% | 7,500.00 | (373.80) | -4.98% | 0.00% |
| 513.1 Zoning | - | 4,151.00 | 0.46% | 4,500.00 | (349.00) | -7.76% | 0.00% |
| 514.1 Copies/Maps/Misc. | - | - | 0.00% | 500.00 | (500.00) | -100.00% | 0.00% |
| 516.1 Municipal Court/Costs Fines | 560.80 | 7,142.43 | 0.80% | 8,000.00 | (857.57) | -10.72% | 0.00% |
| 525.1 Franchise Fees | 65,590.87 | 207,141.85 | 23.15% | 205,000.00 | 2,141.85 | 1.04% | 0.00% |
| 526.1 Health Fees | - | - | 0.00% | - | - | 0.00% | 0.00% |
| TOTAL REVENUES | 108,701.65 | 894,948.34 | 99.84% | 858,185.00 | 36,763.34 | 4.28% | 0.00% |
| EXPENDITURES | | | | | | | |
| ADMINISTRATION EXPENDITURES | | | | | | | |
| <i>Personnel</i> | | | | | | | |
| 601.1 City Administrator | 10,961.55 | 98,440.11 | 13.24% | 95,000.00 | 3,440.11 | 3.62% | 0.00% |
| 602.1 City Secretary | 4,269.24 | 37,392.17 | 5.03% | 37,000.00 | 392.17 | 1.06% | 0.00% |
| 603.1 Receptionist/Clerk | 2,721.60 | 22,647.60 | 3.05% | 29,204.00 | (6,556.40) | -22.45% | 0.00% |
| 604.1 Fire Marshal (Contract Labor) | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 605.1 Intern | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 606.1 Payroll Taxes | 1,680.39 | 12,896.68 | 1.73% | 13,420.00 | (523.32) | -3.90% | 0.00% |
| 607.1 TMRS | 361.73 | 4,513.85 | 0.61% | 4,900.00 | (386.15) | -7.88% | 0.00% |
| 608.1 Health Benefits | 712.00 | 8,394.00 | 1.13% | 8,394.00 | - | 0.00% | 0.00% |
| Total Personnel | 20,706.51 | 184,284.41 | 24.78% | 187,918.00 | (3,633.59) | -1.93% | 0.00% |
| <i>Operating</i> | | | | | | | |
| 609.1 Dues (TML & City Mgr Assoc.) | - | 2,658.30 | 0.36% | 4,000.00 | (1,341.70) | -33.54% | 0.00% |
| 610.1 Public Notices | 1,523.42 | 5,143.81 | 0.69% | 4,500.00 | 643.81 | 14.31% | 0.00% |
| 611.1 Printing | - | 882.00 | 0.12% | 1,100.00 | (218.00) | -19.82% | 0.00% |
| 612.1 Telephone | 815.06 | 5,910.10 | 0.79% | 6,250.00 | (339.90) | -5.44% | 0.00% |
| 613.1 Copies | - | 2,180.82 | 0.29% | 2,500.00 | (318.18) | -12.77% | 0.00% |
| 614.1 Rent | 4,337.00 | 51,891.00 | 6.98% | 52,000.00 | (109.00) | -0.21% | 0.00% |

Restricted for Management's Use Only

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|-------|----------------|------------|--------|---------------|--------------|----------|-------|
| 615.1 | 900.00 | 5,200.00 | 0.70% | 5,200.00 | - | 0.00% | 0.00% |
| 616.1 | 859.98 | 3,712.51 | 0.50% | 4,000.00 | (287.49) | -7.19% | 0.00% |
| 617.1 | 1,212.44 | 6,826.19 | 0.92% | 7,000.00 | (173.81) | -2.48% | 0.00% |
| 618.1 | 724.06 | 5,176.44 | 0.70% | 5,100.00 | 76.44 | 1.50% | 0.00% |
| 619.1 | 35.49 | 460.69 | 0.06% | 640.00 | (179.31) | -28.02% | 0.00% |
| 620.1 | 500.00 | 855.65 | 0.12% | 2,500.00 | (1,644.35) | -65.77% | 0.00% |
| 621.1 | - | 13,604.07 | 1.83% | 15,000.00 | (1,395.93) | -9.31% | 0.00% |
| 622.1 | 366.42 | 3,240.38 | 0.44% | 5,000.00 | (1,759.62) | -35.19% | 0.00% |
| 623.1 | 49.00 | 939.00 | 0.13% | 650.00 | 289.00 | 44.46% | 0.00% |
| 626.1 | - | 549.68 | 0.07% | 800.00 | (250.32) | -31.29% | 0.00% |
| 628.1 | - | 170.00 | 0.02% | 535.00 | (365.00) | -68.22% | 0.00% |
| 629.1 | 1,000.00 | 1,000.00 | 0.13% | 1,000.00 | - | 0.00% | 0.00% |
| 630.1 | - | - | 0.00% | 400.00 | (400.00) | -100.00% | 0.00% |
| 631.1 | - | 769.61 | 0.10% | 2,000.00 | (1,230.39) | -61.52% | 0.00% |
| 632.1 | - | 52,493.50 | 7.06% | 52,500.00 | (6.50) | -0.01% | 0.00% |
| 635.1 | 275.00 | 774.30 | 0.10% | 750.00 | 24.30 | 3.24% | 0.00% |
| 636.1 | 195.50 | 1,515.68 | 0.20% | 2,000.00 | (484.32) | -24.22% | 0.00% |
| 637.1 | - | 3,846.10 | 0.52% | 3,900.00 | (53.90) | -1.38% | 0.00% |
| 638.1 | - | 295.00 | 0.04% | - | 295.00 | 0.00% | 0.00% |
| 639.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | 12,793.37 | 170,094.83 | 22.87% | 179,325.00 | (9,230.17) | -5.15% | 0.00% |
| | 33,499.88 | 354,379.24 | 47.65% | 367,243.00 | (12,863.76) | -3.50% | 0.00% |
| | 5,108.68 | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | 5,108.68 | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |
| | 40.00 | 558.00 | 0.08% | 1,000.00 | (442.00) | -44.20% | 0.00% |
| | - | 1,525.00 | 0.21% | 2,500.00 | (975.00) | -39.00% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | - | 3,116.30 | 0.42% | 3,200.00 | (83.70) | -2.62% | 0.00% |
| | 1,000.00 | 12,000.00 | 1.61% | 12,000.00 | - | 0.00% | 0.00% |
| | - | 13,000.00 | 1.75% | 13,000.00 | - | 0.00% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | - | 5,000.00 | 0.67% | 5,000.00 | - | 0.00% | 0.00% |
| | 12,793.37 | 170,094.83 | 22.87% | 179,325.00 | (9,230.17) | -5.15% | 0.00% |
| | 33,499.88 | 354,379.24 | 47.65% | 367,243.00 | (12,863.76) | -3.50% | 0.00% |
| | 5,108.68 | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | 5,108.68 | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |
| | 40.00 | 558.00 | 0.08% | 1,000.00 | (442.00) | -44.20% | 0.00% |
| | - | 1,525.00 | 0.21% | 2,500.00 | (975.00) | -39.00% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | - | 3,116.30 | 0.42% | 3,200.00 | (83.70) | -2.62% | 0.00% |
| | 1,000.00 | 12,000.00 | 1.61% | 12,000.00 | - | 0.00% | 0.00% |
| | - | 13,000.00 | 1.75% | 13,000.00 | - | 0.00% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | - | 5,000.00 | 0.67% | 5,000.00 | - | 0.00% | 0.00% |

LEGAL DEPARTMENT EXPENDITURES

| | | | | | | | |
|-------|------------------------|-----------|-------|-----------|------------|--------|-------|
| 641.1 | Legal | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |
| 649.1 | Operating Transfer-Out | - | 0.00% | - | - | 0.00% | 0.00% |
| | TOTAL LEGAL | 48,167.15 | 6.48% | 53,000.00 | (4,832.85) | -9.12% | 0.00% |

COUNCIL - BOARD EXPENDITURES

| | | | | | | | |
|-------|-------------------------------|-----------|-------|-----------|----------|---------|-------|
| 651.1 | Association Dues | 558.00 | 0.08% | 1,000.00 | (442.00) | -44.20% | 0.00% |
| 652.1 | Training | 1,525.00 | 0.21% | 2,500.00 | (975.00) | -39.00% | 0.00% |
| 653.1 | Town Hall Meetings | - | 0.00% | - | - | 0.00% | 0.00% |
| 654.1 | Election | 3,116.30 | 0.42% | 3,200.00 | (83.70) | -2.62% | 0.00% |
| 655.1 | Financial Management Services | 12,000.00 | 1.61% | 12,000.00 | - | 0.00% | 0.00% |
| 656.1 | Audit | 13,000.00 | 1.75% | 13,000.00 | - | 0.00% | 0.00% |
| 657.1 | Public Satisfaction Survey | - | 0.00% | - | - | 0.00% | 0.00% |
| 658.1 | Planning | 5,000.00 | 0.67% | 5,000.00 | - | 0.00% | 0.00% |

Restricted for Management's Use Only

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|---|-----------------|------------------|--------------|------------------|-------------------|----------------|--------------|
| 659.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 660.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 661.1 | - | 3,931.51 | 0.53% | 4,000.00 | (68.49) | -1.71% | 0.00% |
| 662.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 663.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 664.1 | - | 6,362.98 | 0.86% | 6,500.00 | (137.02) | -2.11% | 0.00% |
| TOTAL COUNCIL - BOARD EXPENDITURES | 1,040.00 | 45,493.79 | 6.12% | 47,200.00 | (1,706.21) | -3.61% | 0.00% |
| BUILDING DEPARTMENT EXPENDITURES | | | | | | | |
| 676.1 | 6,195.00 | 30,887.50 | 4.15% | 30,000.00 | 887.50 | 2.96% | 0.00% |
| 677.1 | 435.00 | 14,236.43 | 1.91% | 18,000.00 | (3,763.57) | -20.91% | 0.00% |
| 678.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| TOTAL BUILDING DEPARTMENT EXPENDITURES | 6,630.00 | 45,123.93 | 6.07% | 48,000.00 | (2,876.07) | -5.99% | 0.00% |
| PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES | | | | | | | |
| <i>Personnel</i> | | | | | | | |
| 701.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 702.1 | 3,028.48 | 28,257.84 | 3.80% | 28,121.00 | 136.84 | 0.49% | 0.00% |
| 703.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 704.1 | 3,394.50 | 32,163.60 | 4.32% | 32,240.00 | (76.40) | -0.24% | 0.00% |
| 706.1 | 631.65 | 5,166.66 | 0.69% | 4,890.00 | 276.66 | 5.66% | 0.00% |
| 707.1 | 138.37 | 1,736.53 | 0.23% | 1,850.00 | (113.47) | -6.13% | 0.00% |
| 708.1 | 400.00 | 4,800.00 | 0.65% | 4,800.00 | - | 0.00% | 0.00% |
| Total Personnel | 7,593.00 | 72,124.63 | 9.70% | 71,901.00 | 223.63 | 0.31% | 0.00% |
| <i>Operating</i> | | | | | | | |
| 712.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 713.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 714.1 | - | 50.00 | 0.03% | 50.00 | - | 0.00% | 0.00% |
| 715.1 | - | 148.56 | 0.10% | 250.00 | (101.44) | -40.58% | 0.00% |
| 720.1 | 211.03 | 1,072.35 | 0.14% | 1,000.00 | 72.35 | 7.24% | 0.00% |
| 721.1 | - | - | 0.00% | 750.00 | (750.00) | -100.00% | 0.00% |
| 722.1 | - | 171.02 | 0.02% | 500.00 | (328.98) | -65.80% | 0.00% |
| Total Operating | 211.03 | 1,441.93 | 0.19% | 2,550.00 | (1,108.07) | -43.45% | 0.00% |

Restricted for Management's Use Only

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|---|----------------|------------|--------|---------------|--------------|----------|-------|
| Total Public Works | 7,804.03 | 73,566.56 | 9.89% | 74,451.00 | (884.44) | -1.19% | 0.00% |
| <u>Roads</u> | | | | | | | |
| 727.1 Road Maintenance | 10,480.64 | 44,093.19 | 5.93% | 75,000.00 | (30,906.81) | -41.21% | 0.00% |
| 728.1 Transfer to Road Maintenance Rest | - | - | 0.00% | 44,355.00 | (44,355.00) | -100.00% | 0.00% |
| 729.1 Capital Outlay Roads | 12,005.55 | 12,005.55 | 1.61% | 21,000.00 | (8,994.45) | -42.83% | 0.00% |
| 730.1 Road Engineering | - | 9,173.00 | 1.23% | 10,000.00 | (827.00) | -8.27% | 0.00% |
| 730.1 Road Insurance | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 731.1 Mowing/Tree Trimming | 1,550.00 | 5,775.00 | 0.78% | 8,500.00 | (2,725.00) | -32.06% | 0.00% |
| 732.1 Signs/Barricades | 655.39 | 6,572.95 | 0.88% | 6,028.00 | 544.95 | 9.04% | 0.00% |
| 733.1 Parking Lot Lease | 100.00 | 1,200.00 | 0.19% | 1,200.00 | - | 0.00% | 0.00% |
| 734.1 Master Planning Traffic Studies | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 735.1 Survey Services | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 736.1 Contract Labor | - | 4,032.93 | 0.54% | 5,000.00 | (967.07) | -19.34% | 0.00% |
| 737.1 Ranch Road 12 Mitigation | - | - | 0.00% | - | - | 0.00% | 0.00% |
| Total Roads | 24,791.58 | 82,852.62 | 11.14% | 171,083.00 | (88,230.38) | -51.57% | 0.00% |
| <u>Water/Wastewater</u> | | | | | | | |
| 752.1 Water Quality Testing | - | 18.00 | 0.00% | 1,500.00 | (1,482.00) | -98.80% | 0.00% |
| 753.1 Wastewater System Start-up | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 754.1 Map Services | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 755.1 Water/Wastewater Purchases | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 756.1 Public Restroom Wastewater | 366.52 | 3,916.38 | 0.53% | 4,500.00 | (583.62) | -12.97% | 0.00% |
| Total Water/Wastewater | 366.52 | 3,934.38 | 0.53% | 6,000.00 | (2,065.62) | -34.43% | 0.00% |
| TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES | 32,962.13 | 160,353.56 | 21.56% | 251,534.00 | (91,180.44) | -36.25% | 0.00% |
| PUBLIC SAFETY/COURTS EXPENDITURES | | | | | | | |
| <u>Personnel</u> | | | | | | | |
| 801.1 Salaries - City Marshall | 4,380.00 | 38,381.05 | 5.16% | 37,960.00 | 421.05 | 1.11% | 0.00% |
| 806.1 Payroll Taxes | 402.08 | 3,078.35 | 0.41% | 2,910.00 | 168.35 | 5.79% | 0.00% |
| 807.1 TMRS City Contribution | 87.31 | 1,093.35 | 0.15% | 1,138.00 | (44.65) | -3.92% | 0.00% |
| 808.1 Health Benefits | 200.00 | 2,425.00 | 0.33% | 2,500.00 | (75.00) | -3.00% | 0.00% |
| Total Personnel | 5,069.39 | 44,977.75 | 6.05% | 44,508.00 | 469.75 | 1.06% | 0.00% |
| <u>Operating</u> | | | | | | | |
| 820.1 Municipal Court Judge | 200.00 | 3,677.26 | 0.49% | 6,500.00 | (2,822.74) | -43.43% | 0.00% |
| 821.1 City Prosecutor | 392.68 | 4,712.82 | 0.63% | 6,000.00 | (1,287.18) | -21.45% | 0.00% |

Restricted for Management's Use Only

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|---------------------|-------------------|---------------|-------------------|---------------------|----------------|--------------|
| 822.1 | - | - | 0.00% | 1,000.00 | (1,000.00) | -100.00% | 0.00% |
| 823.1 | - | 1,900.00 | 0.26% | 2,000.00 | (100.00) | -5.00% | 0.00% |
| 824.1 | - | 6,000.00 | 0.81% | 6,000.00 | - | 0.00% | 0.00% |
| 825.1 | 360.78 | 2,226.75 | 0.30% | 3,000.00 | (773.25) | -25.78% | 0.00% |
| 826.1 | - | 1,201.68 | 0.16% | 1,500.00 | (298.32) | -19.89% | 0.00% |
| 827.1 | - | 116.94 | 0.02% | 200.00 | (83.06) | -41.53% | 0.00% |
| 830.1 | - | 7,304.77 | 0.98% | 8,000.00 | (695.23) | -8.69% | 0.00% |
| 831.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 832.1 | - | 6,000.00 | 0.81% | 6,500.00 | (500.00) | -7.69% | 0.00% |
| 837.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | <u>953.46</u> | <u>33,140.22</u> | <u>4.46%</u> | <u>40,700.00</u> | <u>(7,559.78)</u> | <u>-18.57%</u> | <u>0.00%</u> |
| TOTAL PUBLIC SAFETY/COURTS EXPENDITURES | | | | | | | |
| | <u>6,022.85</u> | <u>78,117.97</u> | <u>10.50%</u> | <u>85,208.00</u> | <u>(7,090.03)</u> | <u>-8.32%</u> | <u>0.00%</u> |
| PARKS & RECREATION EXPENDITURES | | | | | | | |
| <i>Personnel</i> | | | | | | | |
| 851.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 852.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 853.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | <u>-</u> | <u>-</u> | <u>0.00%</u> | <u>-</u> | <u>-</u> | <u>0.00%</u> | <u>0.00%</u> |
| <i>Operating</i> | | | | | | | |
| 854.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 855.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 856.1 | - | 740.00 | 0.10% | 1,000.00 | (260.00) | -26.00% | 0.00% |
| 857.1 | - | - | 0.00% | - | - | 0.00% | 0.00% |
| 859.1 | 9,243.36 | 11,322.33 | 1.52% | 5,000.00 | 6,322.33 | 126.45% | 0.00% |
| | <u>9,243.36</u> | <u>12,062.33</u> | <u>1.62%</u> | <u>6,000.00</u> | <u>6,062.33</u> | <u>101.04%</u> | <u>0.00%</u> |
| TOTAL PARKS & RECREATION EXPENDITURES | | | | | | | |
| | <u>9,243.36</u> | <u>12,062.33</u> | <u>1.62%</u> | <u>6,000.00</u> | <u>6,062.33</u> | <u>101.04%</u> | <u>0.00%</u> |
| TOTAL EXPENDITURES | | | | | | | |
| | <u>94,506.90</u> | <u>743,697.97</u> | <u>1.00</u> | <u>858,185.00</u> | <u>(114,487.03)</u> | <u>-13.34%</u> | <u>0.00%</u> |
| Net Excess (Deficit) | | | | | | | |
| | <u>\$ 14,194.75</u> | <u>151,250.37</u> | <u>-0.16%</u> | <u>\$ -</u> | <u>151,250.37</u> | <u>0.00%</u> | <u>0.00%</u> |

Restricted for Management's Use Only

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

Assets

Current Assets

| | |
|---|-------------------|
| 106.40 Cash - Blanco National Bank - BH Development | \$ 228,982.70 |
| 108.40 Cash - Blanco National Bank - BH Operating | 45,284.90 |
| 110.40 Cash - Ozona National Bank - BH Operating | 50,000.34 |
| 111.40 Cash - Ozona National Bank - BH Development | 199,876.18 |
| 119.40 Texpool - Blue Hole | <u>163,766.20</u> |

Total Current Assets \$ 687,910.32

Total Assets \$ 687,910.32

Liabilities and Fund Balance

Current Liabilities

| | |
|--|---------------|
| 302.40 FICA Tax Payable | \$ 29.02 |
| 303.40 Accounts Payable - Blue Hole | 100.10 |
| 309.40 TWC Payable | 65.87 |
| 340.40 Blue Hole Rental Deposits Payable | <u>675.00</u> |

Total Current Liabilities \$ 869.99

Total Liabilities 869.99

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>457,111.17</u> |

Total Fund Balance 687,040.33

Total Liabilities and Fund Balance \$ 687,910.32

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

| | Current Period | | Year To Date | |
|---|-----------------------|--------------------|----------------------|---------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 503.40 Interest Income - Blue Hole Parkland | \$ 45.81 | 100.00 | \$ 1,335.00 | 0.20 |
| 520.40 Grant Funds - Blue Hole | 0.00 | 0.00 | 600,000.00 | 90.60 |
| 541.40 Gate Fees | 0.00 | 0.00 | 60,754.06 | 9.17 |
| 542.40 Rental Fees | 0.00 | 0.00 | 150.00 | 0.02 |
| Total Revenues | 45.81 | 100.00 | 662,239.06 | 100.00 |
| Expenditures | | | | |
| Parks - Operating | | | | |
| 858.40 Blue Hole Master Plan | 0.00 | 0.00 | 130.50 | 0.02 |
| 861.40 Contract Labor/Wages | 577.37 | 1260.36 | 18,521.88 | 2.80 |
| 862.40 Utilities | 200.92 | 438.59 | 1,098.77 | 0.17 |
| 863.40 Mowing | 0.00 | 0.00 | 975.00 | 0.15 |
| 864.40 Operating Supplies | 138.66 | 302.69 | 2,492.24 | 0.38 |
| 865.40 Contract Services | 170.42 | 372.01 | 8,029.42 | 1.21 |
| 866.40 Rental | 140.00 | 305.61 | 493.00 | 0.07 |
| 868.40 Public Restroom Facilities | 320.00 | 698.54 | 2,369.78 | 0.36 |
| 870.40 Capital Outlay - Development Project | 49,418.41 | 107876.90 | 171,017.30 | 25.82 |
| Total Parks - Operating | 50,965.78 | 111254.70 | 205,127.89 | 30.97 |
| Total Expenditures | 50,965.78 | 111254.70 | 205,127.89 | 30.97 |
| NET EXCESS (DEFICIT) | \$ (50,919.97) | (111154.70) | \$ 457,111.17 | 69.03 |

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

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|--|-----------------------|----------------------|----------------|-------------------|--------------------|----------------|--------------|
| REVENUES | | | | | | | |
| 508.4 Interest Income | \$ 45.81 | 1,335.00 | 0.20% | \$1,750.00 | (415.00) | -23.71% | 0.00% |
| 518.4 Designated Funds | - | - | 0.00% | 7,000.00 | (7,000.00) | -100.00% | 0.00% |
| 520.4 Grant Funds | - | 600,000.00 | 90.60% | 600,000.00 | - | 0.00% | 0.00% |
| 541.4 Gate Fees | - | 60,754.06 | 9.17% | 60,800.00 | (45.94) | -0.08% | 0.00% |
| 542.4 Rental Fees | - | 150.00 | 0.02% | 750.00 | (600.00) | -80.00% | 0.00% |
| TOTAL REVENUES | 45.81 | 662,239.06 | 100.00% | 670,300.00 | (8,060.94) | -1.20% | 0.00% |
| EXPENDITURES | | | | | | | |
| 858.4 Blue Hole Master Plan | - | 130.50 | 0.06% | 135.00 | (4.50) | 0.00% | 0.00% |
| 861.4 Contract Labor/Wages | 577.37 | 18,521.88 | 9.03% | 17,500.00 | 1,021.88 | 5.84% | 0.00% |
| 862.4 Utilities | 200.92 | 1,098.77 | 0.54% | 1,500.00 | (401.23) | -26.75% | 0.00% |
| 863.4 Mowing | - | 975.00 | 0.48% | 1,500.00 | (525.00) | -35.00% | 0.00% |
| 864.4 Operating Supplies | 138.66 | 2,492.24 | 1.21% | 2,500.00 | (7.76) | -0.31% | 0.00% |
| 865.4 Contract Services | 170.42 | 8,029.42 | 3.91% | 75,000.00 | (66,970.58) | -89.29% | 0.00% |
| 866.4 Rental | 140.00 | 493.00 | 0.24% | 1,500.00 | (1,007.00) | -67.13% | 0.00% |
| 867.4 Materials | - | - | 0.00% | 750.00 | (750.00) | -100.00% | 0.00% |
| 868.4 Public Restroom Facilities | 320.00 | 2,369.78 | 1.16% | 2,200.00 | 169.78 | 7.72% | 0.00% |
| 869.4 Capital Outlay - Facilities | - | - | 0.00% | 2,200.00 | (2,200.00) | -100.00% | 0.00% |
| 870.4 Capital Outlay - Development | 49,418.41 | 171,017.30 | 83.37% | 150,000.00 | 21,017.30 | 14.01% | 0.00% |
| TOTAL BLUE HOLE PARKLAND EXPENDITURES | 50,965.78 | 205,127.89 | 99.94% | 254,785.00 | (49,657.11) | -19.49% | 0.00% |
| Net Excess (Deficit) | \$ (50,919.97) | \$ 457,111.17 | 0.06% | 415,515.00 | 41,596.17 | 18.29% | 0.00% |

City of Wimberley
Municipal Court
Balance Sheet - Modified Accrual Basis
September 30, 2009

Assets

Current Assets

109.50 Cash - Blanco National Bank -Municipal Court \$ 3,614.75

Total Current Assets \$ 3,614.75

Total Assets \$ 3,614.75

Liabilities and Fund Balance

Current Liabilities

304.50 Due to General - Municipal Court \$ 539.20

350.50 Municipal Court Cost Payable 1,854.03

Total Current Liabilities \$ 2,393.23

Total Liabilities 2,393.23

Fund Balance

498.50 Net Excess (Deficit) 1,221.52

Total Fund Balance 1,221.52

Total Liabilities and Fund Balance \$ 3,614.75

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

| | Current Period | | Year To Date | |
|---------------------------------|---------------------|-------------------|------------------------|-------------------|
| | Amount | Percent | Amount | Percent |
| Revenues | | | | |
| 550.50 Court Technology Fees | \$ 24.43 | 34.88 | \$ 469.27 | 38.42 |
| 551.50 Building Security Fees | 18.32 | 26.15 | 354.95 | 29.06 |
| 552.50 Child Safety Fees | 25.00 | 35.69 | 375.00 | 30.70 |
| 553.50 Judicial Efficiency Fees | <u>2.30</u> | <u>3.28</u> | <u>22.30</u> | <u>1.83</u> |
| Total Revenues | <u>70.05</u> | <u>100.00</u> | <u>1,221.52</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>\$ 70.05</u> | <u>100.00</u> | <u>\$ 1,221.52</u> | <u>100.00</u> |

CITY OF WIMBERLEY
 BUDGET VS ACTUAL - MUNICIPAL COURT SPECIAL REVENUE FUND
 For The Twelve Months Ended September 30, 2009

| | CURRENT PERIOD | YTD ACTUAL | % | ANNUAL BUDGET | OVER (UNDER) | % | MTD % |
|---|-----------------|--------------------|----------------|--------------------|--------------------|--------------|--------------|
| REVENUES | | | | | | | |
| 550.5 Court Technology Fees | \$ 24.43 | \$ 469.27 | 38.42% | 425.00 | \$ 44.27 | 0.00% | 0.00% |
| 551.5 Building Security Fees | 18.32 | 354.95 | 29.06% | 325.00 | 29.95 | 0.00% | 0.00% |
| 552.5 Child Safety Fees | 25.00 | 375.00 | 30.70% | 350.00 | 25.00 | 0.00% | 0.00% |
| 553.5 Judicial Efficiency Fees | 2.30 | 22.30 | 1.83% | 20.00 | 2.30 | 0.00% | 0.00% |
| TOTAL REVENUES | 70.05 | 1,221.52 | 100.00% | 1,120.00 | 101.52 | 0.00% | 0.00% |
| EXPENDITURES | | | | | | | |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| | - | - | 0.00% | - | - | 0.00% | 0.00% |
| TOTAL MUNICIPAL COURT EXPENDITURES | - | - | 0.00% | - | - | 0.00% | 0.00% |
| Net Excess (Deficit) | \$ 70.05 | \$ 1,221.52 | 100.00% | \$ 1,120.00 | \$ (101.52) | 0.00% | 0.00% |

City of Wimberley
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September 30, 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> |
|-------------|-------------|---|---------------|------------|--------------------------|
| 9/21/09 | 870.40 | Capital Outlay - Development Project | 43,847.73 | 1009 | design workshop |
| 9/22/09 | 870.40 | Capital Outlay - Development Project | 5,570.68 | 1010 | design workshop |
| 9/30/09 | 111.40 | Cash - Ozona National Bank - BH Development | 200,000.00 | 1011 | transfer to open account |
| 9/1/09 | 304.50 | Due to General - Municipal Court | 1,129.07 | 1257 | due to general |
| 9/3/09 | 301.40 | Withholding Tax Payable | 40.00 | 2343 | blanco national bank |
| 9/3/09 | 302.40 | FICA Tax Payable | 614.48 | 2343 | blanco national bank |
| | | | 654.48 | 2343 | Reference Total |
| 9/3/09 | 864.40 | Operating Supplies | 7.34 | 2344 | ace hardware |
| 9/3/09 | 865.40 | Contract Services | 120.06 | 2345 | land design partners |
| 9/3/09 | 862.40 | Utilities | 45.72 | 2346 | pedemales electric |
| 9/3/09 | 862.40 | Utilities | 55.10 | 2347 | wimberley water supply |
| 9/21/09 | 866.40 | Rental | 140.00 | 2349 | wimberley rentals |
| 9/22/09 | 865.40 | Contract Services | 50.36 | 2350 | land design partners |
| 9/22/09 | 868.40 | Public Restroom Facilities | 320.00 | 2351 | leinneweber plumbing |
| 9/30/09 | 110.40 | Cash - Ozona National Bank - BH Operating | 50,000.00 | 2352 | transfer to new account |
| 9/1/09 | 708.10 | Health Benefits | 200.00 | 6412 | abigail gillfillan |
| 9/1/09 | 733.10 | Parking Lot Lease | 100.00 | 6413 | calkins interest |
| 9/1/09 | 608.10 | Health Care | 200.00 | 6414 | cara mcpartland |
| 9/1/09 | 608.10 | Health Care | 312.00 | 6415 | don ferguson |
| 9/1/09 | 808.10 | Health Care - Public Saftey | 200.00 | 6416 | garth robinson |
| 9/1/09 | 608.10 | Health Care | 200.00 | 6417 | monica alcalá |
| 9/1/09 | 614.10 | Rent | 525.00 | 6418 | todd routh |
| 9/1/09 | 708.10 | Health Benefits | 200.00 | 6419 | william bowers |
| 9/1/09 | 614.10 | Rent | 3,812.00 | 6420 | todd routh |
| 9/3/09 | 607.10 | TMRS - Admin | 361.73 | 6421 | tmrs |
| 9/3/09 | 707.10 | TMRS - Public Works | 138.37 | 6421 | tmrs |
| 9/3/09 | 807.10 | TMRS City Contribution-PS | 87.31 | 6421 | tmrs |
| 9/3/09 | 311.10 | TMRS Payable | 982.27 | 6421 | tmrs |
| | | | 1,569.68 | 6421 | Reference Total |
| 9/3/09 | 301.10 | Withholding Tax Payable | 1,502.00 | 6422 | blanco national bank |
| 9/3/09 | 302.10 | FICA Tax Payable | 3,005.80 | 6422 | blanco national bank |
| | | | 4,507.80 | 6422 | Reference Total |
| 9/3/09 | 727.10 | Road Maintenance | 15.47 | 6423 | ace hardware |
| 9/3/09 | 820.10 | Municipal Court Judge | 100.00 | 6424 | andrew cable |

**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> |
|-------------|-------------|---------------------------|---------------|------------|--------------------------|
| 9/3/09 | 623.10 | Office Technology | 49.00 | 6425 | anvil |
| 9/3/09 | 676.10 | Contract Inspector | 1,230.00 | 6426 | ats engineers |
| 9/3/09 | 635.10 | Mileage | 275.00 | 6427 | cara mcpartland |
| 9/3/09 | 636.10 | Training - Travel | 195.50 | 6427 | cara mcpartland |
| | | | 470.50 | 6427 | Reference Total |
| 9/3/09 | 727.10 | Road Maintenance | 600.00 | 6428 | garrett allen |
| 9/3/09 | 610.10 | Public Notices | 725.95 | 6429 | holly media |
| 9/3/09 | 859.10 | Nature Trail Operations | 215.00 | 6430 | jma wastewater |
| 9/3/09 | 677.10 | Site Plan Reviews | 435.00 | 6431 | neptune-wilkinson |
| 9/3/09 | 617.10 | Utilities | 678.74 | 6432 | pedernales electric |
| 9/3/09 | 859.10 | Nature Trail Operations | 86.95 | 6432 | pedernales electric |
| | | | 765.69 | 6432 | Reference Total |
| 9/3/09 | 615.10 | Cleaning | 400.00 | 6433 | pow-wow |
| 9/3/09 | 732.10 | Signs/Barricades | 215.25 | 6434 | safelane traffic |
| 9/3/09 | 720.10 | Fuel | 84.87 | 6435 | texas fleet fuel |
| 9/3/09 | 825.10 | Fuel-Public Safety | 261.56 | 6435 | texas fleet fuel |
| | | | 346.43 | 6435 | Reference Total |
| 9/3/09 | 859.10 | Nature Trail Operations | 7,860.11 | 6436 | texas road repair |
| 9/3/09 | 612.10 | Telephone | 323.42 | 6437 | verizon |
| 9/3/09 | 859.10 | Nature Trail Operations | 30.61 | 6438 | wimberley water supply |
| 9/21/09 | 316.10 | Due to Blue Hole Parkland | 100,000.00 | 6441 | due to blue hole |
| 9/22/09 | 731.10 | Mowing / Tree Trimming | 25.00 | 6442 | affordable lawn service |
| 9/22/09 | 820.10 | Municipal Court Judge | 100.00 | 6443 | andrew cable |
| 9/22/09 | 612.10 | Telephone | 181.90 | 6444 | at&t |
| 9/22/09 | 676.10 | Contract Inspector | 3,060.00 | 6445 | ats engineers |
| 9/22/09 | 641.10 | Legal | 3,078.38 | 6446 | bickerstaff heath pollan |
| 9/22/09 | 821.10 | City Prosecutor | 174.42 | 6446 | bickerstaff heath pollan |
| | | | 3,252.80 | 6446 | Reference Total |
| 9/22/09 | 616.10 | Office Supplies | 86.00 | 6447 | englehart printing |
| 9/22/09 | 727.10 | Road Maintenance | 225.00 | 6448 | garrett allen |
| 9/22/09 | 728.10 | Capital Outlay Roads | 12,005.55 | 6449 | hays county |
| 9/22/09 | 619.10 | Water Cooler | 35.49 | 6450 | hill country springs |
| 9/22/09 | 618.10 | Equipment Leases | 281.03 | 6451 | kyocera mita |
| 9/22/09 | 731.10 | Mowing / Tree Trimming | 1,450.00 | 6453 | lee trees |
| 9/22/09 | 859.10 | Nature Trail Operations | 750.00 | 6453 | lee trees |
| | | | 2,200.00 | 6453 | Reference Total |

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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> |
|-------------|-------------|---|---------------|------------|-----------------------|
| 9/22/09 | 655.10 | Financial Management Services | 1,000.00 | 6455 | lori graham |
| 9/22/09 | 727.10 | Road Maintenance | 1,550.00 | 6456 | pendelton excavation |
| 9/22/09 | 618.10 | Equipment Leases | 162.00 | 6457 | pitney bowes |
| 9/22/09 | 616.10 | Office Supplies | 431.37 | 6458 | sam's club |
| 9/22/09 | 756.10 | Public Restroom Wastewater | 40.76 | 6458 | sam's club |
| | | | 472.13 | 6458 | Reference Total |
| 9/22/09 | 661.10 | Association Dues | 40.00 | 6459 | texas court clerks |
| 9/22/09 | 720.10 | Fuel | 68.49 | 6460 | texas fleet |
| 9/22/09 | 825.10 | Fuel-Public Safety | 51.32 | 6460 | texas fleet |
| | | | 119.81 | 6460 | Reference Total |
| 9/22/09 | 612.10 | Telephone | 309.74 | 6461 | verizon |
| 9/22/09 | 756.10 | Public Restroom Wastewater | 285.00 | 6462 | leinneweber plumbing |
| 9/22/09 | 732.10 | Signs/Barricades | 206.14 | 6463 | professional graffiti |
| 9/30/09 | 629.10 | Pay Comparability Adjustment | 1,000.00 | 6475 | icma retirement fund |
| 9/30/09 | 102.10 | Cash - Ozona National Bank - General | 100,000.00 | 6477 | transfer to new acct |
| 9/30/09 | 109.50 | Cash - Blanco National Bank - Municipal Court | -1,129.07 | disb | disb |
| 9/30/09 | 108.40 | Cash - Blanco National Bank - BH Operating | -51,393.06 | disb | disb |
| 9/30/09 | 103.10 | Cash - Blanco National Bank - General | -252,206.50 | disb | disb |
| 9/30/09 | 106.40 | Cash - Blanco National Bank - BH Development | -200,000.00 | disb | disb |
| 9/22/09 | 106.40 | Cash - Blanco National Bank - BH Development | -49,418.41 | disb | disb |
| | | | -554,147.04 | disb | Reference Total |
| | | Total for 80 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> |
|-------------|-------------|--|---------------|------------|---------------------------|
| 9/30/09 | 103.10 | Cash - Blanco National Bank - General | 44,021.38 | 1 | deposits |
| 9/30/09 | 121.10 | Sales Tax Receivable | -35,929.36 | 1 | sales tax receivable |
| 9/30/09 | 504.10 | Miscellaneous Income | -800.00 | 1 | misc income |
| 9/30/09 | 505.10 | Building Permits | -3,071.26 | 1 | bldg permits |
| 9/30/09 | 506.10 | Building Inspections | -2,130.00 | 1 | inspections |
| 9/30/09 | 509.10 | Plan Reviews | -975.00 | 1 | plan reviews |
| 9/30/09 | 511.10 | Sign Permits | -50.00 | 1 | sign permits |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -17.66 | 1 | misc franchise |
| 9/30/09 | 120.10 | Accounts Receivable | 80.97 | 1 | a/r |
| 9/30/09 | 116.10 | Due From Municipal Court | -1,129.07 | 1 | due from municipal court |
| | | | 0.00 | 1 | Reference Total |
| 9/30/09 | 121.10 | Sales Tax Receivable | 33,485.88 | 2 | s/t recievable |
| 9/30/09 | 501.10 | Sales & Use Tax | -33,485.88 | 2 | sales & use tax |
| | | | 0.00 | 2 | Reference Total |
| 9/30/09 | 122.10 | Mixed Beverage Tax Receivable | 1,781.63 | 3 | mixed beverage receivable |
| 9/30/09 | 502.10 | Mixed Beverage Tax | -1,781.63 | 3 | mixed beverage tax |
| | | | 0.00 | 3 | Reference Total |
| 9/30/09 | 616.10 | Office Supplies | 147.58 | 4 | check order |
| 9/30/09 | 103.10 | Cash - Blanco National Bank - General | -147.58 | 4 | cash |
| | | | 0.00 | 4 | Reference Total |
| 9/30/09 | 120.10 | Accounts Receivable | 47,234.95 | 5 | franchise tax receivable |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -4,652.33 | 5 | wimberley water |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -7.16 | 5 | misc |
| 9/30/09 | 521.10 | Time Warner Cable | -7,291.19 | 5 | twc |
| 9/30/09 | 522.10 | Pedernales Electric Cooperative, Inc. | -35,284.27 | 5 | pec |
| | | | 0.00 | 5 | Reference Total |
| 9/30/09 | 601.10 | City Administrator | 3,653.85 | 6 | accrued salaries |
| 9/30/09 | 602.10 | City Secretary | 1,423.08 | 6 | accrued salaries |
| 9/30/09 | 702.10 | Salaries-Code Enforcement & Permitting | 865.28 | 6 | accrued salaries |
| 9/30/09 | 603.10 | Receptionist/Clerk | 777.60 | 6 | accrued salaries |
| 9/30/09 | 704.10 | Salaries-GIS/Permitting Clerk | 968.75 | 6 | accrued salaries |
| 9/30/09 | 801.10 | Salaries - City Marshall | 1,460.00 | 6 | accrued salaries |

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| <u>Date</u> | <u>Acct</u> | <u>Acct Desc</u> | <u>Amount</u> | <u>Ref</u> | <u>Description</u> |
|-------------|-------------|--------------------------------------|---------------|------------|---------------------|
| 9/30/09 | 320.10 | Accrued Salaries Payable | -9,148.56 | 6 | accrued salaries |
| | | | 0.00 | 6 | Reference Total |
| 9/30/09 | 727.10 | Road Maintenance | 75.47 | 7 | a/p |
| 9/30/09 | 731.10 | Mowing / Tree Trimming | 75.00 | 7 | a/p |
| 9/30/09 | 676.10 | Contract Inspector | 1,640.00 | 7 | a/p |
| 9/30/09 | 641.10 | Legal | 2,030.30 | 7 | a/p |
| 9/30/09 | 821.10 | City Prosecutor | 218.26 | 7 | a/p |
| 9/30/09 | 727.10 | Road Maintenance | 450.00 | 7 | a/p |
| 9/30/09 | 610.10 | Public Notices | 797.57 | 7 | a/p |
| 9/30/09 | 618.10 | Equipment Leases | 281.03 | 7 | a/p |
| 9/30/09 | 859.10 | Nature Trail Operations | 180.00 | 7 | a/p |
| 9/30/09 | 617.10 | Utilities | 533.70 | 7 | a/p |
| 9/30/09 | 859.10 | Nature Trail Operations | 87.34 | 7 | a/p |
| 9/30/09 | 620.10 | Postage | 500.00 | 7 | a/p |
| 9/30/09 | 615.10 | Cleaning | 500.00 | 7 | a/p |
| 9/30/09 | 732.10 | Signs/Barricades | 234.00 | 7 | a/p |
| 9/30/09 | 616.10 | Office Supplies | 63.71 | 7 | a/p |
| 9/30/09 | 756.10 | Public Restroom Wastewater | 40.76 | 7 | a/p |
| 9/30/09 | 720.10 | Fuel | 57.67 | 7 | a/p |
| 9/30/09 | 825.10 | Fuel-Public Safety | 47.90 | 7 | a/p |
| 9/30/09 | 727.10 | Road Maintenance | 7,564.70 | 7 | a/p |
| 9/30/09 | 622.10 | Records Management | 346.74 | 7 | a/p |
| 9/30/09 | 859.10 | Nature Trail Operations | 33.35 | 7 | a/p |
| 9/30/09 | 862.40 | Utilities | 100.10 | 7 | a/p |
| 9/30/09 | 303.10 | Accounts Payable | -15,757.50 | 7 | a/p |
| 9/30/09 | 303.40 | Accounts Payable - Blue Hole | -100.10 | 7 | a/p |
| | | | 0.00 | 7 | Reference Total |
| 9/30/09 | 102.10 | Cash - Ozona National Bank - General | -130.64 | 8 | ozona national bank |
| 9/30/09 | 503.10 | Interest income - General | -0.68 | 8 | interest |
| 9/30/09 | 616.10 | Office Supplies | 131.32 | 8 | check order |
| | | | 0.00 | 8 | Reference Total |
| 9/30/09 | 119.40 | Texpool - Blue Hole | 37.97 | 9 | texpool blue hole |
| 9/30/09 | 503.40 | Interest Income - Blue Hole Parkland | -37.97 | 9 | interest |
| | | | 0.00 | 9 | Reference Total |
| 9/30/09 | 119.10 | Texpool - General | 84.28 | 10 | texpool general |

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| <u>Date</u> | <u>Acct</u> | <u>Acct Desc</u> | <u>Amount</u> | <u>Ref</u> | <u>Description</u> |
|-------------|-------------|--|---------------|------------|-----------------------------|
| 9/30/09 | 503.10 | Interest Income - General | -84.28 | 10 | interest |
| | | | 0.00 | 10 | Reference Total |
| 9/30/09 | 606.10 | Payroll Taxes | 740.38 | 11 | accrued salaries |
| 9/30/09 | 706.10 | Payroll Taxes | 280.60 | 11 | accrued salaries |
| 9/30/09 | 806.10 | Payroll Taxes | 178.70 | 11 | accrued salaries |
| 9/30/09 | 320.10 | Accured Salaries Payable | -1,199.68 | 11 | accrued salaries |
| | | | 0.00 | 11 | Reference Total |
| 9/30/09 | 706.10 | Payroll Taxes | 351.05 | 12 | p/r taxes - pw reclassified |
| 9/30/09 | 806.10 | Payroll Taxes | 223.38 | 12 | p/r taxes ps reclassified |
| 9/30/09 | 606.10 | Payroll Taxes | -574.43 | 12 | p/r taxes reclassified |
| | | | 0.00 | 12 | Reference Total |
| 9/30/09 | 105.10 | Cash - Ozona National Bank - CD | 171.25 | 13 | cd |
| 9/30/09 | 503.10 | Interest Income - General | -171.25 | 13 | interest earned |
| | | | 0.00 | 13 | Reference Total |
| 9/30/09 | 861.40 | Contract Labor/Wages | 14.51 | 14 | wages |
| 9/30/09 | 302.40 | FICA Tax Payable | -14.51 | 14 | fica payable |
| | | | 0.00 | 14 | Reference Total |
| 9/30/09 | 116.10 | Due From Municipal Court | 560.80 | 15 | due from mc |
| 9/30/09 | 516.10 | Municipal Court Costs/Fines | -560.80 | 15 | mc fines collected |
| | | | 0.00 | 15 | Reference Total |
| 9/30/09 | 109.50 | Cash - Blanco National Bank - Municipal Court | 1,100.00 | 16 | cash municipal court |
| 9/30/09 | 550.50 | Court Technology Fees | -24.43 | 16 | ct fees |
| 9/30/09 | 551.50 | Building Security Fees | -18.32 | 16 | bldg sec fee |
| 9/30/09 | 552.50 | Child Safety Fees | -25.00 | 16 | chlld safety fees |
| 9/30/09 | 553.50 | Judicial Efficiency Fees | -2.30 | 16 | jud eff. fees |
| 9/30/09 | 350.50 | Municipal Court Cost Payable | -469.15 | 16 | due to state |
| 9/30/09 | 304.50 | Due to General - Municipal Court | -560.80 | 16 | due to general mc |
| | | | 0.00 | 16 | Reference Total |
| 9/30/09 | 622.10 | Records Management | 19.68 | 17 | q/b s/c |
| 9/30/09 | 103.10 | Cash - Blanco National Bank - General | -19.68 | 17 | q/b s/c |

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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 | 17 | Reference Total |
| 9/30/09 | 864.40 | Operating Supplies | 131.32 | 18 | check order |
| 9/30/09 | 503.40 | Interest Income - Blue Hole Parkland | -7.50 | 18 | interest earned |
| 9/30/09 | 111.40 | Cash - Ozona National Bank - BH Development | -123.82 | 18 | cash - bh developement |
| | | | 0.00 | 18 | Reference Total |
| 9/30/09 | 503.40 | Interest Income - Blue Hole Parkland | -0.34 | 20 | interest earned |
| 9/30/09 | 110.40 | Cash - Ozona National Bank - BH Operating | 0.34 | 20 | cash |
| | | | 0.00 | 20 | Reference Total |
| 9/30/09 | 106.40 | Cash - Blanco National Bank - BH Development | 100,000.00 | 21 | deposits |
| 9/30/09 | 115.40 | Due From General - BH | -100,000.00 | 21 | due from general |
| | | | 0.00 | 21 | Reference Total |
| 9/30/09 | 108.40 | Cash - Blanco National Bank - BH Operating | 200.00 | 22 | bh operating |
| 9/30/09 | 101.40 | Petty Cash-Blue Hole | -200.00 | 22 | petty cash |
| | | | 0.00 | 22 | Reference Total |
| 9/30/09 | 861.40 | Contract Labor/Wages | 307.24 | 23 | payroll fica bh |
| 9/30/09 | 302.40 | FICA Tax Payable | -307.24 | 23 | payroll fica bh |
| | | | 0.00 | 23 | Reference Total |
| 9/30/09 | 676.10 | Contract Inspector | 265.00 | 24 | ats |
| 9/30/09 | 610.10 | Public Notices | -0.10 | 24 | holly media- a/p correction |
| 9/30/09 | 303.10 | Accounts Payable | -264.90 | 24 | a/p correction |
| | | | 0.00 | 24 | Reference Total |
| 9/30/09 | 861.40 | Contract Labor/Wages | 65.87 | 25 | twc - 3rd quarter |
| 9/30/09 | 309.40 | TWC Payable | -65.87 | 25 | twc - 3rd quarter |
| | | | 0.00 | 25 | Reference Total |
| 9/30/09 | 120.10 | Accounts Receivable | 18,338.26 | 26 | franchise fees receivable |
| 9/30/09 | 523.10 | Texas Disposal Systems | -9,358.43 | 26 | tds fees |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -10.74 | 26 | rosebud cotton |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -454.66 | 26 | granite communications |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -7.16 | 26 | AT&T |

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|-------------|-------------|-----------------------|---------------|------------|--------------------|
| 9/30/09 | 524.10 | Verizon | -6,099.51 | 26 | verizon |
| 9/30/09 | 521.10 | Time Warner Cable | -2,332.58 | 26 | time warner cable |
| 9/30/09 | 525.10 | Franchise Fees - Misc | -75.18 | 26 | mcleod usa |
| | | | 0.00 | 26 | Reference Total |
| | | Total for 105 Items | 0.00 | | |

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PYA - Generated payroll accrual

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|-------------|-------------|-------------------|---------------|------------|---------------------|
| 9/30/09 | 606.10 | Payroll Taxes | 1,227.39 | CKS | Employer's FICA |
| 9/30/09 | 302.10 | FICA Tax Payable | -1,227.39 | CKS | Employer's FICA |
| 9/30/09 | 606.10 | Payroll Taxes | 287.05 | CKS | Employer's Medicare |
| 9/30/09 | 302.10 | FICA Tax Payable | -287.05 | CKS | Employer's Medicare |
| | | | 0.00 | CKS | Reference Total |
| | | Total for 4 Items | 0.00 | | |

**City of Wimberley
JOURNAL REPORT**

September 30, 2009

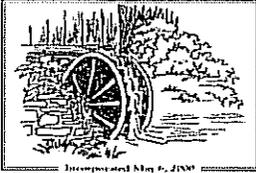
PYR - Generated payroll transaction

Client No: 347

Page 10

| <u>Date</u> | <u>Acct</u> | <u>Acct Desc</u> | <u>Amount</u> | <u>Ref</u> | <u>Description</u> |
|-------------|-------------|---|---------------|------------|-----------------------------|
| 9/30/09 | 601.10 | City Administrator | 7,307.70 | CKS | SALARY |
| 9/30/09 | 301.10 | Withholding Tax Payable | -1,494.00 | CKS | Federal Withholding |
| 9/30/09 | 302.10 | FICA Tax Payable | -1,499.92 | CKS | Fica + Medicare Withholding |
| 9/30/09 | 311.10 | TMRS Payable | -980.33 | CKS | TMRS Contribution |
| 9/30/09 | 103.10 | Cash - Blanco National Bank - General | -15,632.56 | CKS | Net Payroll Checks |
| 9/30/09 | 602.10 | City Secretary | 2,846.16 | CKS | SALARY |
| 9/30/09 | 704.10 | Salaries-GIS/Permitting Clerk | 2,425.75 | CKS | SALARY |
| 9/30/09 | 801.10 | Salaries - City Marshall | 2,920.00 | CKS | SALARY |
| 9/30/09 | 603.10 | Receptionist/Clerk | 1,944.00 | CKS | SALARY |
| 9/30/09 | 861.40 | Contract Labor/Wages | 189.75 | CKS | SALARY |
| 9/30/09 | 302.40 | FICA Tax Payable | -14.51 | CKS | Fica + Medicare Withholding |
| 9/30/09 | 108.40 | Cash - Blanco National Bank - BH Operating | -175.24 | CKS | Net Payroll Checks |
| 9/30/09 | 702.10 | Salaries-Code Enforcement & Permitting | 2,163.20 | CKS | SALARY |
| | | | 0.00 | CKS | Reference Total |
| | | Total for 13 Items | 0.00 | | |

City Council Agenda Form



Date Submitted: November 30, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: PRESENTATION BY *DESIGN WORKSHOP* ON THE STATUS OF THE PRELIMINARY DESIGN PHASE OF THE BLUE HOLE REGIONAL PARK DEVELOPMENT PROJECT

Funds Required:

Funds Available:

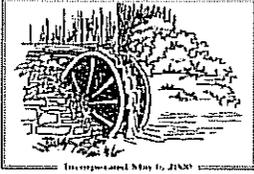
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow the Steven Spears with *Design Workshop* to brief City Council on the status of the preliminary design phase of the Blue Hole Regional Park Development Project.

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:
Funds Available:

Council Action Requested:

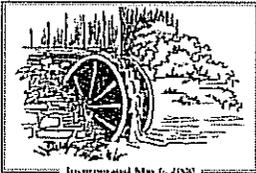
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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

- Status report on the efforts to secure State and/or Federal funding for the development of a centralized wastewater system for downtown Wimberley
- Status report on the 2009 Wimberley Christmas Celebration
- Status report on the selection of a firm to prepare a boundary survey for the City of Wimberley
- Status report on development activity in the City of Wimberley
- Status report on the effort to designate a Wimberley truck route

City Council Agenda Form



Date Submitted: November 30, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CONSIDER PROPOSED
ORDINANCE MAKING CHANGES TO THE CITY'S
SLOPE REQUIREMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda by Mayor Pro-tem Charles Roccaforte to allow the City Council to discuss and consider the second and final reading of a proposed ordinance modifying the City's slope development requirements. The changes have been proposed to allow property owners more opportunity to make use of their property.

Currently, the City's Zoning Ordinance restricts development on property with a slope greater than 15 percent. The proposed changes would allow development on such lots provided the City is presented with a comprehensive development plan including, but not limited to, detailed topographic information, a sealed geotechnical report, engineering and construction drawings. These development plans would require approval from the various emergency service providers, in particular the fire department.

In addition, the proposed ordinance removes the use of slope to calculate impervious cover for properties in the City. As such, the net site area of a planned development would be used to calculate the impervious cover percentage.

It is important to note that no changes are being proposed in the City's ridge development prohibition, cut and fill requirements, or the City's landscape requirements for slope development.

On November 19, 2009, the City Council approved the first reading of the above mentioned ordinance with a text amendment to clarify the role and review process for emergency service providers. Attached is a copy of the amended ordinance for review and consideration on second reading.

Handed out to Council at Dec. 3rd meeting

applicable emergency service entities shall result in automatic denial of the application by the City; and

Formatted: Justified

Failure to obtain written approval specifying that services can be provided by all applicable emergency service entities (to the subject property) shall result in automatic denial of the application by the City.

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here
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p. 9

7. Any other additional information and materials (plans, maps, exhibits, legal description of property, information about proposed uses, and the like) as deemed necessary by the Director or his or her designee.

(4) As supplemental requirements, the city may require other information for a specific development plan. Approval of a development plan may establish conditions for construction based upon this information that may include, but is not limited to:

- (a) Geologic information;
- (b) Water yields;
- (c) Flood data;
- (d) Environmental information;
- (e) Traffic impact analysis;
- (f) Existing and proposed road capacities;
- (g) Market and economic data;
- (h) Hours of operation;
- (i) Elevations and perspective drawings; and
- (j) Outdoor lighting plan.

(5) Provision of the above items shall conform to the principles and standards of this chapter. To ensure the submission of adequate information, the Director, or his or her designee, is hereby empowered to maintain and distribute a separate list of specific requirements for development plan review applications. Upon periodic review, the Director, or his or her

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE XV (LAND USAGE) OF THE CODE OF ORDINANCES TO: (1) AMEND SUBSECTION 155.005 TO DELETE DEFINITIONS OF "AVERAGE SLOPE"; (2) AMEND SUBSECTION 155.078(H) (STEEP SLOPE); (3) AMEND PORTIONS OF SECTION 155.077 (DEVELOPMENT PLAN REVIEW); (4) AMEND CHAPTER 151 (BUILDING REGULATIONS; CONSTRUCTION) TO CREATE A NEW SUBSECTION 151.20 ENTITLED "STEEP SLOPE"; (5) AMEND SUBSECTION 155.078 (IMPERVIOUS COVER); AND AMEND A PORTION OF SECTIONS 155.035-.043, 155.045-.061, AND 155.091 (ZONING DISTRICTS), IN ORDER TO CLARIFY THE STEEP SLOPE AND IMPERVIOUS COVER REGULATIONS FOR THE CITY OF WIMBERLEY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Council finds that the construction of structures on steep slopes, if not done properly, may contribute to the loss of life and property, create health and safety hazards, disruption of commerce and governmental services, all of which adversely affect the public health, safety and general welfare; and,

WHEREAS, the regulations proposed herein are not designed to deny the right of property owners to develop their property, but to allow environmentally sensitive construction that not only prevents potential damage, but also enhances the natural terrain and preserves the beauty of the Wimberley valley; and,

WHEREAS, the City has the authority to regulate the uses and construction methods within the City's corporate pursuant to Texas Local Government Code Chapters 51, 52 and 212; 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, 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, 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, agendas for each meeting were posted at City Hall more than seventy-two (72) hours prior to the respective hearing.

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

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

Section 2. Amendment.

A. THAT the City of Wimberley Code of Ordinances, Title XV (Land Usage), is hereby amended to delete the following definitions from section 155.005 (Definitions):

“Average Slope: 2 Point Horizontal Method”

“Average Slope: 2 Point Surface Method”

B. THAT the City of Wimberley Code of Ordinances, Title XV (Land Usage), subsections 155.077(C)(6)(a) and 155.077(D) (Development Plan Review) are hereby amended to read as follows:

“§ 155.077(C)(6)

(a) Level 1 Development Plan Review (see division (D)(2)) applies to single-family residential zoning for lots where the average slope of the net site area or the average slope of the building footprint is less than 15%.

§ 155.077(D)

(D) *Development plan submission requirements.* Submission requirements for development plan review depend on the development plan review level required by division (C)(6). All required items and information must be received by the city, in order for a development plan review submission to be considered complete; incomplete submissions will not be reviewed until all deficient items and information have been received. The Director or his or her designee shall determine the number of copies required of documents submitted for development plan review.

(1) Development plan submissions of either level shall include all of the following:

(a) Application form (to be provided by the city) signed by the owner or his or her designated representative. If the applicant is not the owner of the subject property, then he or she

shall submit verification in the form of a notarized statement that he or she is acting as an authorized agent for the property owner;

(b) Filing fee (see Chapter 35 Fee Schedule); and

(c) Verification that all taxes and assessments on the subject property have been paid.

(2) Level 1 development plan review submissions shall include at least the following.

(a) Four copies of a map measured 11 inches by 17 inches (tabloid size) drawn to scale with the scale and north direction shown, including an electronic version in a format acceptable to the City, which shall show information including but not limited to the following:

1. Legal configuration, area, and dimensions of the property;
2. Locations and identity of contiguous streets or roads;
3. Locations of existing buildings and other structures;
4. Locations and descriptions of existing and proposed utility services and easements, including size of water and sewer mains and laterals;
5. Maximum areas and extents for proposed or future buildings and structures;
6. Maximum areas and extents of roads, driveways, parking areas, and intersections with city streets or roads;
7. Areas reserved as open space, parks, playgrounds, or school sites;
8. Areas and extents of setbacks including special setbacks required to reduce impacts on adjacent property;
9. Areas of screening features required to reduce impacts on adjacent property;
10. Areas and extents of storm water detention and filtration facilities;
11. Areas and extents of on-site wastewater treatment facilities;
12. Areas encompassing natural watercourses, caves, sinkholes, aquifer recharge features, creeks, and bodies of water;
13. Areas within a studied floodplain or floodway; and
14. Areas and extents of significant vegetation and other natural features.

(b) The areas (divisions (D)(2)(a)5. - (D)(2)(a)11. above) for the proposed development features may be approximate, to provide development flexibility, but with sufficient accuracy to clearly and unambiguously define the scope and density of the development, and may be subject to change at the time of physical development to comply with development regulations of this chapter. Areas for features required by this chapter and by regulations of the state and county shall take precedence over other areas on the property.

(c) The plan shall include, on the face of the map or on attachments, sufficient notes and narrative to fully explain the purpose, intent, and impact of all development features, both existing and proposed or future, and any other documents relative to the proposed development. These notes and narrative shall include but may not be limited to the following:

1. All information required by a concurrent zoning application;
2. The existing development on all abutting sites and the zoning classification thereof;
3. Impervious cover percentage;
4. Disturbed surface percentage including caliche or unimproved roads;
5. Building coverage percentage;
6. Building site and lot slope percentage;
7. Parking space calculations based on parking ratios for various uses in the development;
8. Signage plan; and
9. Storm water management plan.

(3) Level 2 development plan review submissions shall include, but may not be limited to, the following.

(a) Four copies of a map measured 24 inches by 36 inches drawn to scale with the scale and north direction shown, including an electronic version in a format acceptable to the City, which shall show all the information required by division (D)(2)(a) above, plus information including but not limited to the following:

1. Footprints of all proposed or future buildings and structures showing possible locations within the areas defined in division (D)(2)(a)5. above;
2. Dimensions and locations of roads, driveways, parking areas, and intersections showing possible locations within the areas defined in division (D)(2)(a)6. above;

3. Dimensions and possible locations of storm water detention and filtration facilities within the areas defined in division (D)(2)(a)10. above;

4. Dimensions and possible locations of on-site wastewater treatment facilities within the areas defined in division (D)(2)(a)11. above;

5. Dimensions and locations of specimen trees of 4-inch caliper or greater within the areas defined in division (D)(2)(a)12. above;

6. Areas and extents of steep slopes (greater than 15%). A separate or included topographic map with interval no greater than 3 feet shall be required;

7. A sealed geotechnical survey signed and sealed by an engineer licensed in the state of Texas; and

8. An analysis of planned changes in the natural features delineated in the areas defined in division (D)(2)(a)13. above.

(b) The plan shall include all information listed in divisions (D)(2)(c) and (D)(2)(d), and the additional documents and plans as follows:

1. Complete sets of engineering and construction drawings for all site work and for all required public improvements (such as water, wastewater, grading and storm drainage, streets, alleys, fire lanes and hydrants, and the like);

2. Final plat or replat submission, as per Chapter 154, if the property has not yet been platted, or if additional easements or rights-of-way will need to be established for the proposed development;

3. Landscaping and irrigation plans;

4. Building facade (elevation) plans;

5. For areas and extents of steep slopes (greater than 15%), the structural engineering plans of the foundation for all proposed structures on the site sealed by a structural engineer licensed in the state of Texas;

6. For areas and extents of steep slopes (greater than 15%), written proof of submission of all plans to the head or designee of each emergency services entities to include but not limited to fire, sheriff and emergency medical services. Prior to approval of any plans the applicant shall submit a written evidence of approval of each emergency service entity which services the area verifying they have reviewed the plans, the date of the plans reviewed and whether or not a steep slope in excess of 15% shall be a threat or hindrance to the provision of emergency services to the property; and whether or not it diminishes the public health safety and welfare of the occupants and surrounding properties. Failure to obtain the written approval of all

applicable emergency service entities shall result in automatic denial of the application by the City.; and

7. Any other additional information and materials (plans, maps, exhibits, legal description of property, information about proposed uses, and the like) as deemed necessary by the Director or his or her designee.

(4) As supplemental requirements, the city may require other information for a specific development plan. Approval of a development plan may establish conditions for construction based upon this information that may include, but is not limited to:

- (a) Geologic information;
- (b) Water yields;
- (c) Flood data;
- (d) Environmental information;
- (e) Traffic impact analysis;
- (f) Existing and proposed road capacities;
- (g) Market and economic data;
- (h) Hours of operation;
- (i) Elevations and perspective drawings; and
- (j) Outdoor lighting plan.



(5) Provision of the above items shall conform to the principles and standards of this chapter. To ensure the submission of adequate information, the Director, or his or her designee, is hereby empowered to maintain and distribute a separate list of specific requirements for development plan review applications. Upon periodic review, the Director, or his or her designee, shall have the authority to update the requirements for development plan review applications.”

C. THAT the City of Wimberley Code of Ordinances, Title XV (Land Usage), subsection 155.078(H) (Steep Slope) is hereby amended to read as follows:

“(H) *Steep slope regulations.* All construction subject to the steep slope regulations shall comply with the requirements herein, in section 155.077 (Development Plan Review), section 151.20 (Steep Slope) and all other applicable Code provisions.”

D. THAT the City of Wimberley Code of Ordinances, Title XV (Land Usage), is hereby amended and amend chapter 151 (Building Regulations; Construction) to create a new subsection 151.20 entitled "Steep Slope" to read as follows:

"§ 151.20 Steep Slope

(H) *Steep slope regulations.*

(1) *Objective.* The objective of this division is to allow the development of property and construction of structures which can be harmoniously, appropriately, and safely located on steep slopes, and thereby serve the following additional objectives:

- (a) Prevent soil erosion;
- (b) Protect surface waters from sedimentation, turbidity, runoff of storm water, and effluent from sewage disposal systems;
- (c) Preserve tree cover and other vegetative cover;
- (d) Protect wildlife habitat;
- (e) Preserve scenic views;
- (f) Protect natural areas; and
- (g) Maintain ecological balance.

(2) *Average slope, topographic map method.* See definitions in § 155.005.

(3) *Lot size multiplier.* The minimum and maximum lot size for a zoning district shall be increased according to the average slope of the lot according to the following table.

| <i>Table B</i> | |
|----------------|---------------------|
| Average Slope | Lot Size Multiplier |
| 0 to 15% | 1.0 x |
| 16 to 20% | 1.4 |
| 21 to 25% | 3.3 |
| 26 to 30% | 10.0 |
| 31 to 35% | 20.0 |

(4) *Building site slope.* The building site slope is the difference between the highest point and lowest point in the area planned to be disturbed or actually disturbed divided by the horizontal distance between those points.

(a) $S = 100 \times (E1 - E2)/D$

Where S is the average building site slope in percent;

E1 is the elevation of the highest point in the disturbed area;

E2 is the elevation of the lowest point in the disturbed area; and

D is the horizontal distance between point E1 and point E2.

(b) Development on a lot not platted under Chapter 154 of this code shall use the building site slope instead of average slope and be exempt from the density reduction requirements of division (H)(3) above if all of the following conditions apply:

1. The building site slope is no greater than 25%;
2. The lot is zoned single-family;
3. Secondary and accessory buildings or other constructions on the lot are at sites with a slope no greater than that of the primary building; and
4. Building site locations are approved by the Building Official.

(5) *Cut limits.*

(a) For an open cut made on any slope, the cut depth shall be no greater than 5 feet.

(b) For a filled cut made on any slope, where the cut is filled and the original surface grade restored around a building, the depth of the cut shall be no greater than 10 feet.

(c) The depth of a cut shall be measured as the greatest vertical distance from any point within the excavation to the rim of the cut.

(d) Open cuts shall be fully revetted using stone, brick, or timber, or a combination thereof. Revetments shall be stabilized to prevent collapse of the cut wall. The developer or owner shall be required to repair any cut wall collapse whenever it may occur.

(e) Multiple open cuts may be made if they are separated by a horizontal distance by not less than 2 times the height of the greater of adjacent cuts.

(6) *Fill limits.* Fills on any slope shall have a depth no greater than 10 feet including the exposed portion of the fill and a buried portion (under a building or a paved area). Fills on any



slope shall have a length no greater than 60 feet including the exposed portion of the fill and a buried portion (under a building or a paved area).

(a) The exposed portion of a fill shall have a finished slope not exceeding 33% and shall be fully re-vegetated or surfaced with rocks and vegetation arranged to have a natural appearance.

(b) The depth of a fill shall be measured as the greatest vertical distance from any point at the low end of the fill to any point at the high end of the fill.

(c) The length of a fill shall be measured as the horizontal distance from the lowest point of the fill to the highest point of the fill.

(7) *Ridge development.* A building placed within 100 feet horizontally or 50 feet vertically of a ridge shall be screened by natural and installed vegetation as follows.

(a) The view of the facade and roof of the building shall be screened by natural or installed vegetation by at least 75% of its vertical extent for at least 67% of all horizontal angles of view from below or from other hills.

(b) A landscape plan shall be approved by the city that includes all of the following:

1. The type, size, and location of the natural and installed plant material;
2. Evidence of compliance with division (H)(7)(b)1. of this section;
3. The provisions to ensure the viability of the plant material; and
4. A requirement for perpetual maintenance of the plant material in the landscape plan to become a recorded covenant on the land.

(c) For the purpose of this section the average slope, in percent, may be calculated according to the average slope method as defined in § 155.005.

(8) *Private roads and driveways.* Private roads and driveways on land where the average slope or building site slope exceeds 15% shall be constructed to have a slope not to exceed 15%, where possible, and shall follow the contours of the land. For private roads and driveways (greater than 15%), written proof of submission of all plans to the head or designee of each emergency services entities to include but not limited to fire, sheriff and emergency medical services is required. Prior to approval of any plans the applicant shall submit a written evidence of approval of each emergency service entity which services the area verifying they have reviewed the plans, the date of the plans reviewed and whether or not a steep slope in excess of 15% shall be a threat or hindrance to the provision of emergency services to the property; and whether or not it diminishes the public health, safety and welfare of the occupants and surrounding properties. Failure to obtain the written approval of all applicable emergency service entities shall result in automatic denial of the application by the City. Bar ditches,

culverts, watercourses, detention and retention ponds, and runoff dispersion structures shall be installed as required as determined by the city.

(9) *Definitions.* For the purpose of this division (H), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING HEIGHT. To be established pursuant to the definition of height in § 155.005.

BUILDING SITE. The entire area planned to be disturbed or actually disturbed from its pre-construction or natural condition whether or not part of the area is eventually restored to the pre-construction condition and grade. The area includes porches and decks connected to a building and any area under a roof.

RIDGE. Exists on rising land at the point at least 100 feet above the base of the rise, where the slope changes from 25% or more to 15% or less, and above which there is no further rise of land with slope in excess of 25%. The base of the rise is the point, as the land rises, where the slope becomes 25% or more.

RIDGE LINE. The line along the crest of a hill where the condition of a ridge exists.”

E. THAT the City of Wimberley Code of Ordinances, Title XV (Land Usage), subsection 155.078(M) (Impervious Cover) is hereby amended to read as follows:

“(M) *Impervious cover.* Impervious cover shall be calculated as a percentage of the net site area.”

F. THAT the following subsections of the City of Wimberley Code of Ordinances, Title XV (Land Usage), are hereby amended to read as follows:

“§ 155.035 RESIDENTIAL ACREAGE; RA.

(D) *Development regulations.*

(5) Maximum impervious cover: 20%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.036 RURAL RESIDENTIAL 1; R-1.

(D) *Development regulations.*

(5) Maximum impervious cover: 20%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.037 SINGLE-FAMILY RESIDENTIAL 2; R-2.

(D) *Development regulations.*

(5) Maximum impervious cover: 35%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.038 SINGLE-FAMILY RESIDENTIAL 3; R-3.

(D) *Development regulations.*

(5) Maximum impervious cover: 45%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.039 SINGLE-FAMILY RESIDENTIAL 4; R-4.

(D) *Development regulations.*

(6) Maximum impervious cover: 60%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.040 TWO-FAMILY RESIDENTIAL (DUPLEX); R-5.

(D) *Development regulations.*

(6) Maximum impervious cover: 60%. Impervious cover shall be calculated as a percentage of the net site area.

**§ 155.041 MULTI-FAMILY RESIDENTIAL 1
(TRIPLEX/QUADRIPLEX/APARTMENTS); MF-1.**

(D) *Development regulations.*

(11) Maximum impervious coverage: 50%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.042 MULTI-FAMILY RESIDENTIAL 2 (APARTMENTS); MF-2.

(D) *Development regulations.*

(12) Maximum impervious coverage: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.043 MOBILE HOME; MH.

(E) *Development regulations.*

(8) Maximum impervious cover: 50%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.045 OFFICE - LOW IMPACT; O-1.

(D) *Development regulations.*

(4) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.046 OFFICE - HIGH IMPACT; O-2.

(D) *Development regulations.*

(4) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.047 COMMERCIAL - LOW IMPACT; C-1.

(D) *Development regulations.*

(4) Maximum impervious cover: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.048 COMMERCIAL - MODERATE IMPACT; C-2.

(D) *Development regulations.*

(4) Maximum impervious coverage: 70%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.049 COMMERCIAL - HIGH IMPACT; C-3.

(D) *Development regulations.*

(4) Maximum impervious coverage: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.050 HIGHWAY COMMERCIAL; HC.

(D) *Development regulations.*

(4) Maximum impervious cover: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.051 INDUSTRIAL - LOW IMPACT; I-1.

(D) *Development regulations.*

(4) Maximum impervious coverage: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.052 INDUSTRIAL - HIGH IMPACT; I-2.

(D) *Development regulations.*

(4) Maximum impervious coverage: 50%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.053 ANIMAL SALES/SERVICES; AS/S.

(D) *Development regulations.*

(4) Maximum impervious coverage: 50%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.054 LODGING; L-1.

(E) *Development regulations.*

(7) Maximum impervious coverage: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.055 LODGING; L-2.

(E) *Development regulations.*

(8) Maximum impervious coverage: 60%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.056 INDUSTRIAL PARK; IP.

(D) *Development regulations.*

(7) Maximum impervious cover: 65%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.057 PUBLIC PROTECTION/UTILITY; PPU.

(D) *Development regulations.*

(3) Maximum impervious cover: 90%. Impervious cover shall be calculated as a percentage of the net site area.

§ 155.058 PARTICIPANT RECREATION - LOW IMPACT; PR-1.

(D) *Development regulations.*

(5) Maximum impervious cover: 65%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.059 PARTICIPANT RECREATION - HIGH IMPACT; PR-2.

(D) *Development regulations.*

(5) Maximum impervious cover: 70%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.060 PUBLIC FACILITIES; PF.

(D) *Development regulations.*

(2) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.061 NEIGHBORHOOD SERVICES DISTRICT; NS.

(D) *Development regulations.*

(4) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area.

§ 155.091 CITY CENTER OVERLAY DISTRICT; VC.

(G) *Site development standards.*

(4) Maximum impervious cover: NA (Square), 90% - other. Impervious cover shall be calculated as a percentage of the net site area.”

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

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

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect

the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

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

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

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

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

CITY OF WIMBERLEY, TEXAS

Tom Haley, Mayor

ATTEST:

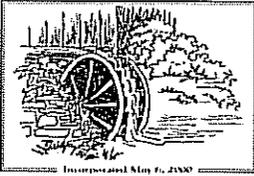
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

Deleted: .

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CONSIDER FIRST READING
OF OSSF RULES ORDINANCE

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

As the City of Wimberley prepares to assume from Hays County the responsibility for the permitting and inspection of on-site-septic facilities (OSSF) in Wimberley, there is a need for the City to adopt rules for such facilities that are consistent with the requirements of the Texas Commission on Environmental Quality (TCEQ).

To make the regulatory transition as smooth as possible, City staff has drafted a proposed ordinance for consideration that incorporates the OSSF rules that are currently being enforced by Hays County in Wimberley with the exception of certain definitions and rules no longer allowed by TCEQ. Specifically, the state no longer recognizes separate regulations for cluster, type one and conventional septic systems.

The Wimberley Water Wastewater Advisory Board is in agreement with the approach of initially adopting the current Hays County OSSF rules.

It should be noted that this draft ordinance is currently being reviewed by TCEQ, as required. A required public hearing on the ordinance will be held in conjunction with the second and final reading of the ordinance on December 17, 2009.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE IX (GENERAL REGULATIONS) OF THE CODE OF ORDINANCES TO ADD CHAPTER 95 (ON-SITE SEWAGE FACILITIES REGULATIONS) WHICH PROVIDES FOR INSTALLATION, MAINTENANCE AND PERMITTING REQUIREMENTS FOR ON-SITE SEWAGE FACILITIES IN THE CITY OF WIMBERLEY; AND PROVIDING FOR PENALTIES, FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) has established Rules for on-site sewage facilities to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and

WHEREAS, the Legislature has enacted legislation, codified as Texas Health and Safety Code (THSC), Chapter 366, which authorizes a local government to regulate the use of on-site sewage facilities in its jurisdiction in order to abate or prevent pollution or injury to public health arising out of the use of on-site sewage facilities; and

WHEREAS, due notice was given of a public meeting to determine whether the City Council of the City of Wimberley, Texas should enact an ordinance controlling or prohibiting the installation or use of on-site sewage facilities in the City of Wimberley, Texas; and

WHEREAS, the City Council of the City of Wimberley, Texas finds that the use of on-site sewage facilities in the City of Wimberley, Texas is causing or may cause pollution, and is injuring or may injure the public health; and

WHEREAS, the City Council of the City of Wimberley, Texas has considered the matter and deems it appropriate to enact an Ordinance adopting Rules regulating on-site sewage facilities to abate or prevent pollution, or injury to public health in the City of Wimberley, Texas.

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

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment. THAT the City of Wimberley Code of Ordinances, Title IX (General Regulations), is hereby amended to add Chapter

95 (On-Site Sewage Facilities Regulations) to read as follows:

“Chapter 95. On-Site Sewage Facilities Regulations

Section 95.01 ENACTMENT PROVISIONS

(A) Popular Name

This Chapter shall be commonly cited as the “On-Site Sewage Facilities Regulations” or “OSSF Regulations.”

(B) Purpose

The use of on-site sewage facilities in the City of Wimberley, Texas is causing or may cause pollution or is injuring or may injure the public health; therefore this Chapter provides standards for on-site sewage facilities in order to protect the public health, safety and welfare.

(C) Scope

This Chapter applies to all property within the incorporated municipal boundaries (i.e., “city limits”).

Section 95.02 DEFINITIONS

(A) General

Words and phrases used in this Chapter and associated Tables shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the Code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

(a) Specific

On-site sewage disposal system--One or more systems that:

(A) do not treat or dispose of more than 5,000 gallons of sewage each day; and

(B) are used only for disposal of sewage produced on a site where any part of the system is located.

Septic tank—A watertight covered receptacle constructed to receive, store, and treat sewage by: separating solids from the liquid; digesting organic matter under anaerobic conditions; storing the digested solids through a period of detention; and allowing the clarified liquid to be disposed of by a method approved under this chapter.

Contributing Zone of the Barton Springs Segment of the Edwards Aquifer- Any land within the watersheds of Barton, Onion, Slaughter, Williamson, Bear, and Little Bear Creeks. In the event an applicant cannot determine with specificity the location of the boundary of the Contributing Zone of the Barton Springs Segment of the Edwards Aquifer, the Applicant may submit appropriate maps and other evidence as may be requested by the City for assistance in such determination from the City.

City- The City of Wimberley.

Edwards Aquifer Recharge Zone --That area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as a geographic area delineated on official maps located in the TCEQ's central office and in the appropriate regional office, or as amended by Chapter 213 of this title (relating to Edwards Aquifer).

Edwards Aquifer Rules- The Regulations promulgated by the TCEQ relating to the Edwards Aquifer, currently set forth in Title 30 Texas Administrative Code Chapter 213, as amended from time to time.

Private Well- Any water well other than a Public Water Well.

Public Sewer System- Any public or private sewage system for the collection of sewage that flows into a treatment and disposal system that is regulated pursuant to the rules of the TCEQ and Chapter 26 of the Texas Water Code.

Public Water Well- A water well providing piped water for human consumption with a potential to serve at least 15 service connections on a year-round basis or serving at least 25 individuals on a year-round basis. This definition includes all wells defined as a "Community Water System"

or a "Public Water System" under Chapter 290 of the Texas Administrative Code.

Rainfall Collection System- An individual potable water supply system approved by the City and having rainwater as its source and having a capacity sufficient to provide all of the domestic water requirements other than irrigation for development on the Lot. The City may approve rainfall collection systems using a well for emergency back-up domestic water requirements on a case by case basis.

Single Family Dwelling--A structure that is either built on or brought to a site, for use as a residence for one family. A single family dwelling includes all detached buildings located on the residential property and routinely used only by members of the household of the single family dwelling.

Site Elevation Materials- The site evaluation materials described in Section 285.30 of the Rules.

Site Specific Materials- The facility planning materials described in Sections 285.4 of the Rules, and, if applicable, Sections 285.5, 285.6, 285.7, and 285.40 of the Rules.

Surface Water- Water from streams, rivers or lakes or other bodies of water above the surface of the ground and obtained without pumping or extracting underground water. Water that is obtained from groundwater or other underground sources through wells, pumps or other means designed to accelerate natural flows from such underground source and which is then stored in a surface reservoir shall not be considered surface water. In the event any water supply system relies primarily on surface water, with reliance upon groundwater only for back-up supplies or a small percentage of the total water supplied, the City Council may, on a case by case basis, approve an application to consider such water supply system as qualifying as a Surface Water system under these rules.

TCEQ- Shall mean and refer to the Texas Commission on Environmental Quality, or its successor agency.

THSC- Shall mean the Texas Health and Safety Code.

Section 95.03 CHAPTER 366

The City of Wimberley, Texas clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce Chapter 366 of the

THSC and Chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in this Chapter.

Section 95.04 ON-SITE SEWAGE FACILITY RULES

Any permit issued for an on-site sewage facility within the jurisdictional area of the City of Wimberley, Texas must comply with the Rules adopted in this Chapter.

Section 95.05 ON-SITE SEWAGE FACILITY RULES ADOPTED

The Rules, Title 30 Texas Administrative Code (TAC) Chapter 30, Subchapters A and G, and Chapter 285, promulgated by the TCEQ for on-site sewage facilities are hereby adopted, and all officials and employees of the City of Wimberley, Texas having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

Section 95.06 INCORPORATION BY REFERENCE

The Rules, 30 TAC Chapter 30, Subchapters A and G, and Chapter 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of this Chapter.

Section 95.07 LOCAL RULES

The City of Wimberley, Texas wishing to adopt more stringent Rules for its OSSF Ordinance understands that the more stringent Local Rule shall take precedence over the corresponding TCEQ requirement. Listed below are the more stringent Local Rules adopted by the City of Wimberley, Texas:

11.1 FACILITY PLANNING

(a) Land Planning and Site Evaluation. All of the terms and provisions of 30 TAC Section 285.4 are incorporated within the Rules of the City of Wimberley except as expressly amended below.

(1) Residential Lot Sizing

(A) *Platted or un-platted Lots served by Surface Water or Rainwater Collection Systems.* Lots used for single family residences platted or created after the effective date of these Rules and served by a Surface Water or Rainwater Collection System shall have surface areas of at least the acreage designated in Table 10.1(A).

(B) *Platted or un-platted Lots served by Public Water Wells.* Lots used for Single Family Residences platted or created after the Effective Date of these Rules and served by a Public Water Well shall have surface areas of at least the acreage designated in Table 10.1(B).

(C) *Platted or un-platted Lots served by Private Wells or other water systems.* Lots used for Single Family Residences platted or created after the Effective Date of these Rules and served by a Private Well or any other system other than those described in 10.1(A) or 10.1(B) above shall have surface areas of at least the acreage designated in Table 10.1(C).

(2) Certain Multi-Unit Residential Developments Served by a Central Sewage Collection System for On-Site Disposal.

Non-Single Family residential developments with four or fewer living units, such as duplexes, may utilize lots smaller than stated in paragraphs 1(A), 1(B) and 1(C) of this Section provided:

(A) Site Specific Materials, addressing either a central system or individual systems, and Site Evaluation Materials are submitted to the City and approved by City Council.

(B) There are no more than two living units per each minimum lot acreage that would be applicable under Tables 10.1(A), 10.1(B) or 10.1(C); provided that in no event shall lot acreage be lower than permitted under Chapter 366 of the Texas Health and Safety Code or other applicable State law.

(3) Apartments, Condominiums, Institutional Uses or Non-Residential (Business, Commercial or Industrial).

Platted or un-platted Lots used for apartment or condominium complexes with more than four (4) units, institutional uses or non-residential uses, including office, commercial or industrial uses producing domestic wastewater shall:

(A) Be sized and designed pursuant to a sewage disposal plan submitted to the City Administrator and approved by the City Council, which shall be based upon approved Site Specific Materials and Site Evaluation Materials; and

(B) Have a surface acreage of at least one (1) acre for each living unit equivalent (LUE) per day. A Living Unit Equivalent is defined as three hundred and fifty (350) gallons of sewage per day.

11.2 MINIMUM REQUIRED SEPARATION DISTANCES FOR ON-SITE SEWAGE FACILITIES

(a) The minimum separation distances set forth in Table X of the state Rules for soil absorption systems, unlined ET Beds and soil irrigation spray areas for Lots created or platted after the Effective Date of these Rules are supplemented as follows:

1. Blanco River (measured from bank at average pool height) 150'
2. Cypress Creek and other current creek banks, or to that area defined 100' on the most current FIRM as special flood hazard areas inundated by 100-year flood, which ever is greater (measured from the bank at average pool height)
3. Property Lines 20'
4. Vegetable gardens or orchards 20'

11.3 WATER WELL SANITARY EASEMENT

Individual Lots in which a Private Well is to be located shall provide, within the boundary of each Lot, an area with a one hundred (100) foot radius around the well in which no on-site sewage facility may be located. This area shall be designed as a private water well sanitary control easement. Public Water Wells shall comply with the sanitary control easements required under 30 TAC Chapter 290, as amended.

11.4 VARIANCES

Requests for variances from these Rules shall be considered in accordance with the criteria specified in Section 285.3(C) of the Rules and the following additional criteria:

(a) Only lots platted in accordance with the City of Wimberley Subdivision Ordinance or legally in existence prior to the Effective Date of these Rules will be eligible for a variance.

(b) Site Specific Materials and Site Elevation Materials may be substituted with the preliminary plat application for each Lot for which a variance is sought, with a detailed soil profile analysis of the proposed absorption field site demonstrating soil characteristics that meet or exceed the criteria for suitable soils set forth in Table V of the state Rules.

The City Council shall have discretion to approve or deny an application for variance and may approve an application for a variance only upon a finding that (a) development pursuant to the proposed variance will provide equivalent protection of the public health and environment as development in strict accordance with these Rules, including Paragraph 10, and (b) that there are special circumstances or conditions affecting the land involved such that strict application of the provisions of these Rules would deprive the applicant the reasonable use of his land and that failure to approve the variance would result in undue hardship on the applicant. Pecuniary hardship, standing alone, shall not be deemed to constitute undue hardship.

11.5 PUMP TANK SIZING (*Amendment to Section 285.34 (b) 2*)

Pump tanks shall be sized for one day of flow above the alarm-on level.

11.6 CRITERIA FOR SEWAGE DISPOSAL SYSTEM EXCAVATIONS (*Amendment to Section 285.33(a) (1) (A)*)

The bottom of the excavation shall not be less than 18 inches in width and level to within one inch over each 25 feet of excavation but in no event shall there be more than two inches of fall over the entire length of the excavation.

11.7 POROUS MEDIA (*Amendment to Section 285.33(a) (1) (B)*)

Chipped tires or iron slag are not a permitted medium.

11.8 SURFACE IRRIGATION SYSTEMS (*Amendment to Section 285.7*)

The following requirements are imposed in addition to those set forth in Section 285.7 for On-Site Sewage Facility utilizing surface irrigation:

(a) Licenses to operate an On-Site Sewage Facility utilizing surface irrigation shall be valid for two years.

(b) Surface irrigation shall be limited to sprinkler application only.

(c) All On-Site Sewage Facilities utilizing surface irrigation shall be designed to facilitate periodic sampling.

(d) Effluent discharge lines shall be equipped with a 100 mesh

or smaller filter

11.9 REQUIRED MAINTENANCE OF ON-SITE SEWAGE SYSTEM USING AEROBIC TREATMENT

All contracted maintenance of an on-site sewage disposal system using aerobic treatment shall be conducted by a registered/licensed maintenance provider. A copy of the maintenance/inspection report from the registered/licensed maintenance provider shall be provided to the City by said provider no later than 30 days after the completion of the report.

A homeowner conducting his/her own maintenance prior to the Effective Date of this Order shall be allowed to continue to self maintain his/her on-site sewage disposal system until such time as the system is altered or repaired or is causing a nuisance. The homeowner shall then be subject to the maintenance requirements set forth in this order.

11.10 MISCELLANEOUS

(a) A permit will be required for all On-Site Sewage Facilities, regardless of the size of the lot or acreage onto which it is installed.

(b) Construction of an On-Site Sewage Facility must be commenced within 12 months and completed within 16 months of the date of the application for a permit.

(c) French drains used to support or protect On-Site Sewage Facilities shall be upgradient of the On-Site Sewage Facility and shall be designed by a registered engineer to prevent stormwater drainage from entering into the On-Site Sewage Facility. An applicant desiring to install a french drain must demonstrate that its use will afford a greater level of public health protection by diverting stormwater away from the On-Site Sewage Facility.

(d) Property owners requesting certification of existing systems will be required to submit a pumping report to the City in a form acceptable to the City containing at least the following information: (i) verification that the septic tank has been pumped within the previous three years; and (ii) the tank capacity and depth of sludge, provided that pumping reports performed prior to the Effective Date of these Rules will not be required to identify tank capacity and depth of sludge. Upon review of the pumping report, the City, upon approval of the City Council, may require the septic system be upgraded to satisfy the current technical requirements (other than minimum lot acreage) prior to certification.

Section 95.07 DUTIES AND POWERS

The OSSF Designated Representative (DR) (30 TAC § 285.2(17)) of the City of Wimberley, Texas, must be certified by the TCEQ before assuming the duties and responsibilities, and shall be responsible for implementing and enforcing the rules and regulations contained within this Chapter.

Section 95.08 COLLECTION OF FEES

All fees collected for permits and/or inspections shall be made payable to the City of Wimberley, Texas, and in an amount established by City Council. A fee of \$10 will also be collected for each on-site sewage facility permit to be paid to the On-Site Wastewater Treatment Research Council as required by the THSC, Chapter 367.

Section 95.09 APPEALS

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision in writing to the City Council of the City of Wimberley, Texas.

Section 95.10 ENFORCEMENT PLAN

The City of Wimberley, Texas clearly understands that, at a minimum, it must follow the requirements in 30 TAC § 285.71 Authorized Agent Enforcement of OSSFs.

This Chapter adopts and incorporates all applicable provisions related to on-site sewage facilities, which includes, but is not limited to, those found in Chapters 341 and 366 of the THSC, Chapters 7, 26, and 37 of the TWC and Title 30 TAC Chapter 30, Subchapters A and G, and Chapter 285. A violation of this Chapter shall subject violators to the penalties and actions set forth in state law referenced above.

Section 95.11 RELINQUISHMENT OF ORDINANCE

If the City Council of the City of Wimberley, Texas decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the City Council, as the authorized agent, and the TCEQ shall follow the procedures outlined in 30 TAC § 285.10 (d) (1) through (4).

After relinquishing its OSSF authority, the authorized agent understands that it may be subject to charge-back fees in accordance with 30 TAC § 285.10 (d) (5) and §285.14 after the date that delegation has been relinquished."

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

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

SECTION 4. Severability. It is hereby declared to be the intention of the City Council of the City of Wimberley, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should 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, since the same would have been enacted by the City Council without incorporation in this Ordinance of such unconstitutional phrases, clauses, sentences, paragraphs, or sections.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide, and upon the approval of the TCEQ, whichever shall occur later.

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

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

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

CITY OF WIMBERLEY, TEXAS

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

SEAL

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

DRAFT

TABLE 10.1 (A)

LOTS SERVED BY SURFACE WATER OR RAINWATER COLLECTION SYSTEMS

| <u>Wastewater Application</u> | <u>Location of Lot</u> | <u>Minimum Lot Size</u> |
|--------------------------------|--|-------------------------|
| Public Sewer | a. Within Edwards Aquifer Recharge Zone | None |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | None |
| | c. All other areas | None |
| On-Site Sewage Disposal System | a. Within Edwards Aquifer Recharge Zone | 2 acres |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | 1.5 acres |
| | c. All other areas | 1 acre |

TABLE 10.1 (B)

LOTS SERVED BY PUBLIC WELLS

| <u>Wastewater Application</u> | <u>Location of Lot</u> | <u>Minimum Lot Size</u> |
|--------------------------------|--|-------------------------|
| Public Sewer | a. Within Edwards Aquifer Recharge Zone | 0.75 acres |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | 0.5 acres |
| | c. All other areas | None |
| On-Site Sewage Disposal System | a. Within Edwards Aquifer Recharge Zone | 4.5 acres |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | 2.5 acres |
| | c. All other areas | 1.5 acres |

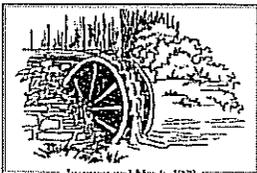
DRAFT

TABLE 10.1 (C)

LOTS SERVED BY PRIVATE WELLS OR ANY WATER SYSTEM OTHER THAN A PUBLIC WELL, SURFACE WATER DISTRIBUTION OR RAINWATER COLLECTION

| <u>Wastewater Application</u> | <u>Location of Lot</u> | <u>Minimum Lot Size</u> |
|--------------------------------|--|-------------------------|
| Public Sewer | a. Within Edwards Aquifer Recharge Zone | 0.75 acres |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | 0.5 acres |
| | c. All other areas | 0.25 acres |
| On-Site Sewage Disposal System | a. Within Edwards Aquifer Recharge Zone | 5 acres |
| | b. Within Contributing Zone of Barton Springs Segment of Edwards Aquifer | 3 acres |
| | c. All other areas | 2 acres |

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CONSIDER FIRST READING
OF FOOD ESTABLISHMENT RULES ORDINANCE

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

As the City of Wimberley prepares to assume from Hays County the responsibility for the permitting and inspection of food establishment facilities in Wimberley, there is a need for the City to adopt rules for such facilities that are consistent with the Texas Food Establishment Regulations of the Texas Board of Health.

In addition to adopting the State requirements, the attached ordinance establishes plan review requirements for proposed food establishments along with permitting requirements for new and existing food establishments such as restaurants, day care centers, bed and breakfast operations and mobile food vendors. The ordinance does not require permits for non-profit food establishments such as school cafeterias and for special event food vendors, however, such operations must still comply with the State food service rules and are subject to inspection by the City.

The ordinance also requires all individuals who are employed by a permitted food establishment to have a valid food handler card.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE IX (GENERAL REGULATIONS) OF THE CODE OF ORDINANCES TO ADD CHAPTER 94 (FOOD ESTABLISHMENT REGULATIONS) WHICH PROVIDES OPERATING REGULATIONS AND PERMITTING REQUIREMENTS FOR FOOD ESTABLISHMENTS IN THE CITY OF WIMBERLEY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Council finds that the provision of standards for food establishments operating within the City of Wimberley is needed in order to protect the public health, safety and welfare; and,

WHEREAS, the regulations proposed herein are not designed to deny the right of food establishment operators to operate their establishments, but rather to ensure compliance with the provisions of the Texas Food Establishment Regulations of the Texas Board of Health; and,

WHEREAS, the regulations established have been adopted with reasonable consideration, among other things, its peculiar suitability for the particular uses; 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, parties in interest and citizens have had an opportunity to be heard at public meetings conducted by the City Council, agendas for each meeting were posted at City Hall more than seventy-two (72) hours prior to the respective meeting.

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

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

Section 2. Amendment.

THAT the City of Wimberley Code of Ordinances, Title IX (General Regulations), is hereby amended to add Chapter 94 (Food Establishment Regulations) to read as follows:

Chapter 94. Food Establishment Regulations

Section 94.01 Enactment Provisions

(A) Popular Name

This Ordinance shall be commonly cited as the "Food Establishment Regulations."

(B) Purpose

This Chapter provides standards for food establishments in order to protect the public health, safety and welfare.

(C) Scope

This Chapter applies to all property within the incorporated municipal boundaries (i.e., "city limits").

Section 94.02 DEFINITIONS

(A) General

Words and phrases used in this Chapter shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the Code. Words and phrases not defined in the Code of Ordinance shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

(a) Specific

Authorized Agent or Employee: an employee of the City, a representative of the City designated by the City Council. This position may be that of a food establishment inspector.

City: the City of Wimberley, Texas. Any reference herein to the City shall mean the City Council of the City or a person designated by the City Council to perform the duties or exercise the authority provided for in this Chapter.

City Health Inspector: That individual or organization appointed by the City Council to provide Health Inspection Services on behalf of the City.

Food Establishment: a restaurant, cafe, cafeteria or similar establishment, the primary purpose of which is to sell food, beverages or meals to the public, operating either seasonally or year round. For purposes of this Chapter, the term also includes kitchens at child or adult care facilities operating pursuant to a license issued by the State of Texas. This term includes a Mobile Unit. The term excludes a bed and breakfast establishment with seven or fewer rooms for rent that serves only breakfast to its overnight guests.

Mobile Unit: A Food Establishment operated within or in conjunction with an automobile that is not sited in one location for more than twenty-four (24) hours.

Nonprofit: A not-for profit corporation organized pursuant to the laws of the State of Texas, and operating under current Articles of Incorporation on file with the Texas Secretary of State's Office, and in good standing.

Person: A human being, corporation, nonprofit corporation, unincorporated association, government agency, or other entity that is vending food and/or beverages to the public. The term does not include the owner of a vehicle or trailer loaned and/or leased to a nonprofit corporation, school or government agency for purposes of fundraising or charitable activities.

Special Event: a non-profit event for which plans have been reviewed and approved by the City Council of the City of Wimberley.

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State Rules: the Texas Food Establishment Regulations found at Title 25 Texas Administrative Code, Chapter 229, Sections 229.161 through 229.175.

Temporary Food Establishment: a restaurant, cafe, cafeteria or similar establishment, kiosk or stand, the primary purpose of which is to sell food and meals to the public, and that operates in the City three (3) consecutive days or less.

Section 94.03 REGULATIONS

(A) Adoption of Regulations

The City adopts by reference the provisions of the Texas Food Establishment Regulations of the Texas Board of Health which are found in Title 25 Texas Administrative Code, Chapter 229, Sections 229.161 through 229.175 regarding the regulation of food establishments in this jurisdiction, as such rules currently exist, and as they are amended from time to time.

(B) Permits & Exemptions

- (a) **Permits Required:** No person may operate a food establishment without a permit issued by the City. Permits are not transferable from one person to another or from one location to another location, except as otherwise permitted by this Chapter. A valid permit must be posted in or on every food establishment regulated by this Chapter. This section does not apply to food establishments that operate under a valid permit issued by Hays County.
- (b) **Nonprofits:** A food establishment operated solely by a nonprofit corporation, school or government agency is exempt from the permitting requirements of this Chapter, but is not exempt from compliance with state rules. The City may require any information necessary to determine whether an organization is a nonprofit for purposes of this exemption. The City Health Inspector is authorized to inspect nonprofit food establishments for compliance with City and state rules. Such inspections are for informational and educational purposes only, and shall not result in code enforcement actions, except if the Inspector is required to report any violation to the respective authority or agency.
- (c) **City Approved Special Event(s):** Vendors operating a temporary food establishment at event(s) approved by the City are exempt from the permitting requirements of this Chapter, but are not exempt from compliance with state rules. All food vendors at such events must receive and

abide by packets provided by the City containing health information and safe food preparation techniques. The City Health Inspector is authorized to inspect food establishments at such events for compliance with City and state rules. Such inspections are informational and for educational purposes only, and shall not result in code enforcement actions, except if the Inspector is required to report any violation to the respective authority or agency. This exemption does not apply to corporations (for-profit or nonprofit) operating traveling carnivals.

(C) Application for Permit, Fees & Inspections

- (a) Any person whose previously issued permit has expired, or who seeks to operate a food establishment or temporary food establishment must make a written application for a permit on forms provided by the City. The application must contain the name and address of each applicant, the location and type of the proposed food establishment and the applicable fee. An incomplete application will not be accepted. Failure to provide all required information, or falsifying information required may result in denial or revocation of the permit. Renewals of permits are required on an annual basis and the same information is required for a renewal permit as for an initial permit.
- (b) Except for a food establishment that was in existence and was in operation prior to the effective date of this Chapter, prior to the approval of an initial permit for a food establishment, an Authorized Agent or Employee shall inspect the food establishment to determine compliance with state laws and rules. A food establishment that does not comply with state laws and rules will be denied a permit or the renewal of a permit.
- (c) The fee for a permit, renewals and inspections shall be set by the City Council, in accordance with the City's Fee Schedule Ordinance.
- (d) By acceptance of a permit, the permittee agrees to permit unannounced annual or periodic inspections for compliance with the State Rules by an Authorized Agent or Employee.

Section 94.04 Certified Food Manager & Certified Food Handler

- (a) Each commercial, permanently located food establishment in the City shall employ at least one Certified Food Manager certified pursuant to an accredited program under the State Rules.
- (b) A bed and breakfast establishment, not exempt from this Chapter, that serves food to its guests must employ at least one Certified Food Manager certified pursuant to an accredited program under the State Rules.
- (c) All individuals who work in or are employed by a Food Establishment shall take a Food Handlers Class and pass a written examination. All employees are required to carry their Food Handlers Certification Card and present it to the Health Inspector upon request.

Section 94.05 Review of Plans

- (a) Whenever a food establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling or conversion shall be submitted to the City for review before work is begun. Extensive remodeling means that twenty percent (20%) or greater of the area of the food establishment is to be remodeled. The plans and specifications shall indicate the proposed layout, equipment arrangement, mechanical plans and construction of materials of work areas, and the type and model of proposed fixed equipment and facilities. The plans and specifications will be approved by the City if they meet the requirements of the State Rules or other applicable ordinance of the City. The approved plans and specifications must be followed in construction, remodeling or conversion.
- (b) Failure to follow the approved plans and specifications will result in a permit denial, suspension, or revocation.

Section 94.06 Suspension of Permit

- (a) The City may, without warning, notice, or hearing suspend any permit to operate a food establishment if the operation of the food establishment constitutes an imminent hazard to public health or if an Authorized Agent or Employee informs

the City that the food establishment is non-compliant with the State Rules and that its permit should be suspended. Suspension is effective upon service of the notice required by this section. When a permit is suspended, food operations shall immediately cease. Whenever a permit is suspended, the holder of the permit shall be afforded an opportunity for a hearing within twenty (20) days of receipt of a written request for a hearing.

- (b) Whenever a permit is suspended, the holder of the permit or the person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the City by the holder of the permit within ten (10) days. If no written request for hearing is filed within ten (10) days, the suspension is sustained. The City may end the suspension at any time if reasons for the suspension no longer exist.
- (c) The hearing, which shall be administrative in nature, shall be conducted before the Municipal Court Judge. The City may be represented at the hearing by the City Health Inspector, City Attorney, or Municipal Court Prosecutor. The hearing shall not be bound by Texas Rules of Evidence or Texas Code of Criminal Procedure.

Section 94.07 Revocation of Permit

- (a) The City may, after providing opportunity for a hearing, revoke a permit for serious or repeated violations of any of the requirements of these rules or for interference with the Authorized Agent or Employee conducting inspection of the food establishment or otherwise performing his or her duties. Prior to revocation, the City shall notify the holder of the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation and that the permit shall be revoked at the end of the ten (10) days following service of such notice unless a written request for a hearing is filed with the regulatory authority by the holder of the permit within such ten day period.
- (b) If no request for hearing is filed within the ten (10) day period, the revocation of the permit becomes final.

Section 94.08 Administrative Process

- (a) A notice as required in these rules is properly served when it is delivered to the holder of the permit or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the City.
- (b) The hearings provided for in these rules shall be conducted by the City at a time and place designated by it. Based upon the evidence presented at such hearing, the City shall make final findings, and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the City.

Section 94.09 Inspector

The City Council is hereby authorized to obtain the services of a trained food establishment inspector. Said inspector shall have those duties and authority established by this Chapter, and those other duties as may be assigned by the City Administrator.

- (a) The City Health Inspector shall have the authority to perform inspections in accordance with state law. Any inspection with a result of thirty (30) or more demerits will require a re-inspection.

Section 94.10 Inspections

- (a) The City Health Inspector shall have the authority to perform inspections in accordance with state law. Any inspection with a result of thirty (30) or more demerits will require a re-inspection.
- (b) As an express condition of receiving a permit from the City, the Applicant consents to entrance to the property and premises by an Authorized Agent or Employee and inspections by the City.

Section 94.11 Violation Notices

- (a) The City Health Inspector has the authority to issue Violation Notices.
- (b) Violation Notices issued under this Chapter may be prosecuted in Municipal Court.

Section 94.12 ENFORCEMENT

(A) Civil & Criminal Penalties

The City shall have the power to administer and enforce the provisions of this Chapter as may be required by governing law. Any person violating any provision of this Chapter is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Chapter is hereby declared to be a nuisance.

(B) Criminal Prosecution

Any person violating any provision of this Chapter shall, upon conviction, be fined a sum not exceeding two thousand dollars (\$2,000.00). Each day that a provision of this Chapter is violated shall constitute a separate offense. An offense under this Chapter is a misdemeanor. The culpable mental state for a criminal offense under this section is criminal negligence.

(C) Civil Remedies

Nothing in this Chapter shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Chapter and to seek remedies as allowed by law, including, but not limited to the following:

- (a) injunctive relief to prevent specific conduct that violates the Chapter or to require specific conduct that is necessary for compliance with the Chapter; and
- (b) a civil penalty up to one thousand dollars (\$1,000.00) a day when it is shown that the defendant was actually notified of the provisions of the Chapter and after receiving notice committed acts in violation of the Chapter or failed to take action necessary for compliance with the Chapter; and other available relief.

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

but only to the extent of any such conflict.

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

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

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

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

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

CITY OF WIMBERLEY, TEXAS

Tom Haley, Mayor

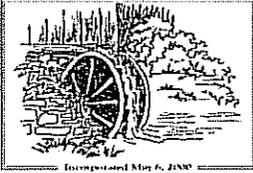
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J.Crosby, City Attorney

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CONSIDER FIRST READING
OF AN ORDINANCE ESTABLISHING FEES FOR OSSF
AND FOOD ESTABLISHMENT PERMITTING AND
INSPECTION

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

As the City of Wimberley prepares to assume from Hays County the responsibility for the permitting and inspection of food establishment and on-site-septic facilities (OSSF) in Wimberley, there is a need for the City to establish fees for the permitting and inspection of such facilities.

Attached is a proposed ordinance which amends the *City of Wimberley Fees Ordinance* to include fees for permits, compliance inspections, and plan reviews. It should be noted that the proposed fees are intended to cover the costs incurred by the City for providing OSSF and food establishment permitting and inspection services. City staff recommends approval of the proposed ordinance with the understanding that these fees will be reviewed on a regular basis.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE III (ADMINISTRATION), SECTION 35.01 (FEE SCHEDULE) OF THE CODE OF ORDINANCES TO ADD SUBSECTIONS G. AND H., TO PROVIDE FOR FEES RELATED TO FOOD ESTABLISHMENT INSPECTIONS AND ON-SITE SEWAGE FACILITIES, RESPECTIVELY; AND PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, TO PROVIDE A SAVINGS AND SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Council has adopted regulations related to food establishments and on-site sewage facilities; and,

WHEREAS, the fees proposed herein are in amounts to cover the City's actual cost to regulate and inspect such establishments and facilities; and

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

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

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

Section 2. Amendment.

THAT the City of Wimberley Code of Ordinances, Title III (Administration), Section 35.01 (Fee Schedule), is hereby amended to add Subsections G. and H., entitled "Food Establishment Fees" and "On-Site Sewage Facilities Fees", respectively, to read as described in the attached Exhibit "A", incorporated by reference for all purposes.

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

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

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

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

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

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

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

CITY OF WIMBERLEY, TEXAS

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

EXHIBIT "A"

§ 35.01 (G) FOOD ESTABLISHMENT FEES

1. Annual Food Establishment Permit Fees (Included 2 Inspections)

| Number of Employees | Fee |
|---------------------|-------|
| 1-15 | \$150 |
| 16-30 | \$250 |
| 31+ | \$350 |

2. Food Establishment Compliance Inspection Fee \$75
(Inspection triggered by complaint)

3. Food Establishment Compliance Re-inspection Fee \$100
(Fee increases by \$25 per re-inspection and is cumulative)

4. Child/Adult Care, Church and School Establishment
Inspection Fees

| Licensed # of Children | Fee Without Food Preparation | Fee With Food Preparation |
|---------------------------|---------------------------------|------------------------------|
| 13-40 | \$75 | \$150 |
| 41-100 | \$150 | \$250 |
| 101+ | \$250 | \$350 |

5. Child/Adult Care Sanitation Inspection Fee \$75
(Includes facilities with fewer than 13 children/adults
custodial care homes/facilities and foster/adoptive homes)

6. Mobile Food Unit Fees

| | |
|----------------------|------|
| 1 st Unit | \$75 |
| Each Additional Unit | \$50 |

7. Season Permit Fee (Valid for 6 months) \$75

8. Change of Name/Ownership Fee \$75

9. Establishment Plan Review Fees

| | |
|--|-------|
| Actual Plan Review and Two (2) Pre-Opening Inspections | \$350 |
| Each additional pre-opening inspection | \$125 |

- | | | |
|-----|---|--------------------------|
| 10. | Temporary Food Establishment Permit | \$25 per unit per day |
| 11. | Establishment Permit and Inspection Late Fee (Fee for all establishment permit and inspection fees paid 30 days or more past the due date; \$20 late fee to be assessed every 30 days past the due date) | \$20 |

§ 35.01 (H) ON-SITE SEWAGE FACILITIES FEES

Permit Application Fee (Includes Three Inspections)

- | | | |
|----|--|-----------------|
| 1. | Single Family Standard System Permit Fee | \$400 |
| 2. | Single Family Engineered System Permit Fee | \$450 |
| 3. | Commercial Engineering System Permit Fee | \$750 |
| 4. | TCEQ On-Site Wastewater Treatment Research Council Fee | \$10 per permit |

Re-inspection Fee \$125 per inspection

On-Site Sewage Facility Certification Fee \$125

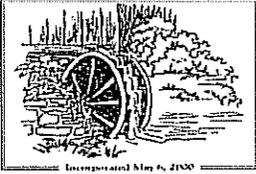
Waiver/Variance Request Fee \$500

Amendment/Engineer Adjustment to On-Site Sewage Facility Permit

- | | | |
|----|----------------------------------|-------|
| 1. | Single Family Residential Permit | \$200 |
| 2. | Commercial Permit | \$400 |

Pre-Application Conference Fee \$50 per hour with a one hour minimum

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: DISCUSS AND CONSIDER POSSIBLE ACTION ON ISSUES RELATING TO THE WASTEWATER RATES LEVIED ON USERS OF THE CITY'S WASTE WATER TREATMENT PLANT

Funds Required:

Funds Available:

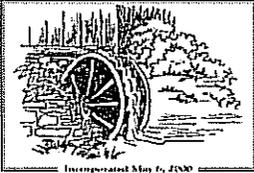
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider action on issues relating to the wastewater rates currently levied on users of the City of Wimberley Wastewater Treatment Plant located on the grounds of the *Blue Hole Regional Park*.

City Council Agenda Form



Date Submitted: November 30, 2009

Agenda Date Requested: December 3, 2009

Project/Proposal Title: CONSIDER ACTION ON
ISSUES RELATING TO THE POSSIBLE
ACQUISITION OF LOT 80 IN SOUTH RIVER
UNIT ONE, WIMBERLEY, TEXAS

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

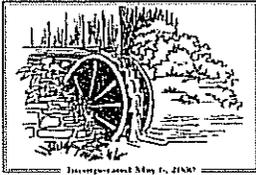
Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider action on issues relating to the possible acquisition of Lot 80 in South River Unit One, Wimberley, Texas. The subject property is 0.814 acres in size.

City Council Agenda Form



Date Submitted: November 27, 2009

Agenda Date Requested: December 3, 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.