

City of Wimberley

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

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS
MAY 20, 2010 6:30 P.M.

AGENDA

CALL TO ORDER: MAY 20, 2010 @ 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. OATH OF OFFICE

ADMINISTER THE OATH OF OFFICE TO THE MAYOR AND TWO (2) COUNCILMEMBERS-ELECT OF THE CITY OF WIMBERLEY CITY COUNCIL.

2. DISCUSSION AND ACTION ON ELECTION RELATED MATTERS

- (A) CONSIDER APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS RECOGNIZING THE PUBLIC SERVICE RENDERED BY TOM HALEY AS MAYOR OF THE CITY OF WIMBERLEY, TEXAS. (MAYOR BOB FLOCKE)
- (B) CONSIDER APPROVAL OF AN APPOINTMENT OF MAYOR PRO TEMPORE FOR A TERM OF ONE (1) YEAR. (MAYOR BOB FLOCKE)

3. **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 MAY 6, 2010
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MAY 13, 2010
- (C) APPROVAL OF THE APRIL 2010 CITY OF WIMBERLEY FINANCIAL STATEMENTS
- (D) APPROVAL OF THE RE-APPOINTMENT OF PHIL DANE TO THE WIMBERLEY PLANNING AND ZONING COMMISSION. *(PLACE FOUR COUNCIL MEMBER STEVE THURBER'S NOMINEE)*

4. **PRESENTATION**

PRESENTATION BY REPRESENTATIVE(S) OF THE RIVER MEADOWS PROPERTY OWNERS ASSOCIATION REGARDING EMERGENCY ACCESS ISSUES IN THEIR NEIGHBORHOOD

5. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE EFFORTS UNDERWAY TO SECURE FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON SALES TAX COLLECTIONS FOR THE CITY OF WIMBERLEY
- STATUS REPORT ON THE OPERATION OF THE WIMBERLEY COMMUNITY CENTER
- STATUS REPORT ON THE PLANS FOR A PUBLIC OPEN HOUSE AT THE NEW CITY HALL
- STATUS REPORT ON THE PLANS FOR A RECEPTION TO RECOGNIZE THE MEMBERS OF THE CITY'S VARIOUS BOARDS AND COMMISSIONS ALONG WITH OTHER CITY VOLUNTEERS

6. **PUBLIC HEARING AND POSSIBLE ACTION**

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DAVID ESTEY TO ALLOW FOR A SECONDARY SINGLE FAMILY RESIDENTIAL BUILDING ON A 5.26 ACRE TRACT OF LAND LOCATED AT 171 PANORAMA DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING. *(DAVID ESTEY, APPLICANT; THIS ITEM WAS CONTINUED FROM THE MAY 6, 2010 CITY COUNCIL MEETING TO ALLOW THE PLANNING AND ZONING COMMISSION TO HEAR THE REQUEST AND MAKE A RECOMMENDATION)*

- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY ROBERT PITZER TO ALLOW FOR THE SALE OF BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION ON A .1295 ACRE TRACT OF LAND LOCATED AT 13909 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED COMMERCIAL-MODERATE IMPACT (C-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING. (*ROBERT PITZER, APPLICANT*)
- (C) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY THE WIMBERLEY LIONS CLUB TO ALLOW FOR THE SALE OF BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION ON A 3.25 ACRE TRACT OF LAND LOCATED AT 601 FM 2325, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED COMMERCIAL-LOW IMPACT (C-1), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING. (*WIMBERLEY LIONS CLUB, APPLICANT*)
- (D) 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 601 FM 2325, WIMBERLEY, HAYS COUNTY, TEXAS. (*WIMBERLEY LIONS CLUB, APPLICANT*)
- (E) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF THE SUBDIVISION OF A 4.779 ACRE TRACT OF LAND LOCATED AT 241 BOX CANYON ROAD, WIMBERLEY, HAYS COUNTY, TEXAS INTO TWO (2) LOTS TO BE KNOWN AS *IRONHORSE RIDGE LOTS 1 AND 2*, ALONG WITH A REQUESTED VARIANCE FROM SECTION 154.063 (C) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS RELATING TO SAME. (*KELLY KILBER, PRO-TECH ENGINEERING GROUP, AGENT FOR VICKI WEST & ELLIS RICHARD BERRYMAN, APPLICANTS*)
- (F) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF A VARIANCE FROM SECTION 95.07 (1.2) OF THE CITY OF WIMBERLEY ON-SITE SEWAGE FACILITIES ORDER RELATING TO THE MINIMUM REQUIRED SEPARATION DISTANCES FOR A PROPOSED ON-SITE SEWAGE FACILITY ON 308 LOMA VISTA DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS. (*CITY SANITARIAN*)

7. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING THE *CITY STREET CONDITION ASSESSMENT REPORT* PREPARED FOR USE IN THE DEVELOPMENT OF A CITY STREET CAPITAL IMPROVEMENT PLAN. (*CITY ADMINISTRATOR*)
- (B) DISCUSS AND CONSIDER POSSIBLE ACTION ON A REQUEST TO INSTALL DIRECTIONAL SIGNS IN THE CITY RIGHT-OF-WAY FOR THE 2010 WIMBERLEY 4-H CLUB MEMORIAL DAY WEEKEND RODEO. (*CITY ADMINISTRATOR*)

- (C) DISCUSS AND CONSIDER APPROVAL OF A ROUTE FOR THE UPCOMING FOURTH OF JULY PARADE TO BE HELD ON MONDAY, JULY 5, 2010. (CITY ADMINISTRATOR)
- (D) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSAL TO CHANGE THE START TIME FOR REGULAR MEETINGS OF THE WIMBERLEY CITY COUNCIL. (MAYOR PRO-TEM CHARLES ROCCAFORTE)

8. CITY COUNCIL REPORTS

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

ADJOURNMENT

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

CERTIFICATION

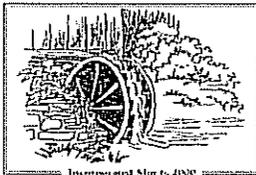
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on May 17, 2010 at 5:00 p.m.



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: May 16, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: OATHS OF OFFICE

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

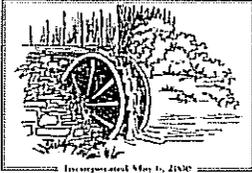
Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for newly-elected Mayor Bob Flocke and newly-elected Council Members Steve Thurber and Mac McCullough to be sworn into office.

City Council Agenda Form



Date Submitted: May 16, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: RESOLUTION
HONORING TOM HALEY

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached is a resolution recognizing Tom Haley for his four (4) years of service as Mayor of the City of Wimberley.

RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS RECOGNIZING THE PUBLIC SERVICE RENDERED BY TIOM HALEY AS MAYOR OF THE CITY OF WIMBERLEY, TEXAS.

WHEREAS, in May 2006, TOM HALEY having been elected by the citizens of Wimberley, assumed the office of Mayor of the City of Wimberley; and

WHEREAS, the said TOM HALEY served as Mayor of the City of Wimberley from May 2006 to May 2010; and

WHEREAS, his career as a Mayor and his wholehearted participation in many related functions have earned him the respect of the City of Wimberley; and

WHEREAS, he has served faithfully as Mayor of the City and has played a vital role in the important work of the City Council; and

WHEREAS, his years of service have been marked by exemplary dedication to the best interests of the community and his performance of the duties and responsibilities of Mayor have been characterized by excellent and constructive contributions to municipal government in our City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, ACTING FOR AND ON BEHALF OF THE CITIZENS OF WIMBERLEY:

THAT we hereby express our sincere appreciation and thanks to TOM HALEY for his distinguished service to the community, and highly commend him for the manner in which he has carried out his duties and responsibilities; and

BE IT FURTHER RESOLVED, that the City Council extends him best wishes as he leaves the Council.

ADOPTED UNANIMOUSLY this 20th day of May, 2010.

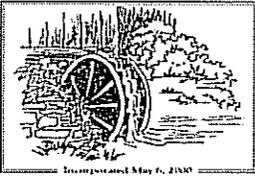
CITY OF WIMBERLEY, TEXAS

BY: _____
BOB FLOCKE, Mayor

ATTEST:

CARA MC PARTLAND,
City Secretary

City Council Agenda Form



Date Submitted: May 16, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: APPOINTMENT OF A
MAYOR PRO TEMPORE

Funds Required:
Funds Available:

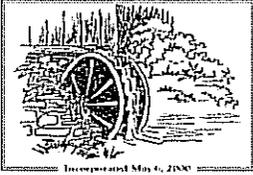
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

At the first meeting following the regular election, or as soon thereafter as practical, the City Council must appoint one member of City Council to serve as Mayor Pro Tempore for a term of one year.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: APPROVAL OF MAY 6,
2010 MINUTES OF REGULAR CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the May 6, 2010 Regular City Council Meeting for review and consideration.

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
May 6, 2010 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 and City Attorney Cindy Crosby.

Citizens Communications

Spokesperson Rodger Parker cited historical statistics related to past annual Wimberley Community Thanksgiving Dinners, including volunteers/contributors, and funding. He noted prior successful event sites and invited the City to partner with his organization to help sponsor this event by providing space at the Wimberley Community Center for the dinner free of charge.

1. Consent Agenda

- A. Approval of the minutes of the regular City Council meeting of April 15, 2010
- B. Approval of the minutes of the special City Council meeting of April 16, 2010

Councilmember Flocke moved to approve Consent Agenda items as presented. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

2. City Administrator Report

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

City Administrator Ferguson reported that action on the City's Tier III, Phase I loan application has been postponed until the Texas Water Development Board's (TWDB's) June 17, 2010 meeting agenda. He noted that an agenda will be posted for possible attendance by a quorum of City Council and Water Wastewater Advisory Board members.

- Status report on the development of a *City Street Assessment Report* for use in the preparation of a capital improvement plan for City streets

City Administrator Ferguson reported that the report is being finalized and anticipated presentation to Council at its May 20, 2010 meeting. He reported on bid preparations for approved street projects and the timeframe for processes related to street improvement projects and expected construction completion on September 23, 2010, within the current fiscal year.

- Status report on the preparations for the upcoming May 8, 2010 City of Wimberley General Election

City Administrator Ferguson reported on the schedule/location for voting and noted that election information is available at City Hall, which will be open from 7 a.m. to 7 p.m. on Saturday, May 8, 2010. He stated the timeframe for announcement of unofficial results, canvassing, and assumption of duties by the incoming Council.

- Status report on the designation of a historic structure in Wimberley by the Texas Historical Commission

City Administrator Ferguson reported that the property located at 306 Wimberley Square has been nominated for historic place designation and advised that the Texas Historic Commission plans to review the nomination on May 15, 2010.

- Status report on the plans for a public open house at the new City Hall

City Administrator Ferguson reported on budgeted/actual move-in costs and invited Council's input for the open house event tentatively scheduled for late May.

- Status report on the plans for a reception to recognize the members of the City's various boards and commissions along with other City volunteers

City Administrator Ferguson provided details on the reception, which is scheduled for Wednesday, May 26, 2010 at 5:30 p.m. at the Wimberley Community Center.

- Status report on the Wimberley Independent School District (WISD) capital improvement projects

City Administrator Ferguson reported on the Council's role in helping WISD's bond projects come to fruition, including waiver of various associated fees totaling approximately \$34,000. He conveyed WISD Superintendent Dwain York's appreciation for such waivers.

In response to Councilmember Appleman, City Administrator Ferguson replied that costs for the street improvement projects are being finalized and stated certain project deadlines.

3. Public Hearing and Possible Action

Hold a public hearing and consider approval of an ordinance of the City of Wimberley, Texas approving an application for a conditional use permit submitted by David Estey to allow for a secondary single family residential building on a 5.26 acre tract of land located at 171 Panorama Drive, Wimberley, Hays County, Texas, zoned Residential Acreage (RA), and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; and proper notice and meeting. (*David Estey, Applicant*)

This item was heard after Agenda Item 5A.

Per staff's recommendation, Councilmember Flocke moved to continue this item until Council's meeting on May 20, 2010, to allow for Planning and Zoning Commission's consideration of this case on May 13, 2010. Councilmember Thurber seconded. Motion carried on a vote of 5-0.

4. Ordinances

- A. Consider approval of the second and final reading of an ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, severability and repealer. (*City Administrator*)

City Administrator Ferguson clarified a recent *Wimberley View* article and replied to Councilmember White's question about mandatory connection relating to certain types of properties.

Councilmember Thurber moved to approve the item as presented. Councilmember Appleman seconded.

Mayor Haley called for a vote as follows: Councilmember Roccaforte, aye; Councilmember Flocke, aye; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, aye. Motion carried on a vote of 5-0.

- B. Consider approval of an ordinance of the City of Wimberley, Texas, amending Title XV (Land Usage) of the Code of Ordinances Chapter 151 (Building Regulations; Construction) by adding Section 151.20 (Commercial Screening Buffer) in order to establish regulations regarding screening buffers between commercial and residential uses; and providing findings of fact, a repealing clause, to provide a savings and severability clause and providing for an effective date. (*Planning and Zoning Commission; City Council action on this item was continued on April 15, 2010*)

City Administrator Ferguson reviewed past discussions and clarified revisions to date of the draft ordinance per Council's direction, including the draft copy distributed at tonight's meeting (*attached to these minutes*).

Discussion of the proposed ordinance addressed:

- Effect on specific properties, particularly property recently rezoned at the request of applicant Michael Jones
- Buffering requirements triggered by any building permit application submissions after May 10, 2020
- Applicability to existing and new development
- Existing buffering and various scenarios dealing with removal of buffers by either the commercial or residential property owner
- Submission of a building permit application as the "trigger" for buffering requirements
- Grandfathering of existing commercial/business activities
- Concerns regarding property rights
- Need for standard buffering requirement criteria versus case-by-case consideration and associated challenges, including the significant number of properties recently zoned as part of the City-initiated zoning project
- Waiver provisions and variance procedures
- Examples of regulations imposed over time on existing properties and impact on existing and new development
- Past zoning cases and imposition of buffering requirements for specific properties

Mayor Haley entertained a motion. Councilmember Thurber moved to approve the item as presented in the revised draft ordinance distributed to Council at tonight's meeting. Motion died for lack of a second. No further action was taken on this item.

5. Discussion and Possible Action

- A. Discuss and consider possible action regarding a request for speed humps on Las Flores Drive. (*Mayor Tom Haley*)

This item was heard after Agenda Item 5B.

City Administrator Ferguson recalled past discussions/actions relating to Las Flores Drive traffic and stated recent concerns expressed in writing by residents over upcoming street improvements that they fear may compound existing speeding problems.

Spokesperson David DiTraglia of 16 Las Flores Drive expressed frustrations felt by neighborhood residents over efforts to deal with speeding and cut-through traffic. He directed Council's attention to a request signed by neighborhood residents for a public hearing relating to possible installation of speed humps and a highlighted map detailing problem routes through the neighborhood (*attached to these minutes*). Other problems cited included inadequate traffic enforcement, litter, noise,

accidents due to excessive speed, and general disregard for Las Flores residents' lifestyle. Mr. DiTraglia cited specific incidents of speeding vehicles that compromised his personal safety and noted that most problem encounters are with neighborhood non-residents. In light of the resurfacing underway on Las Flores Drive, Mr. DiTraglia urged Council to listen to concerns and consider speed humps as a way to ensure compliance with the posted twenty-five (25) mile per hour speed limit.

Vance Hobbs of 13 Las Flores Drive stated that residents are discouraged and noted personal observations of speeding cut-through traffic. He collected signatures on the public hearing request from neighborhood residents and cited lack of enforcement of the posted twenty-five (25) mile per hour speed limit. Mr. Hobbs stated that almost all speeding is committed by non-residents and noted conversations with various officials about possible closing of Las Flores Drive to through traffic. Because Las Flores Drive is being resurfaced, Mr. Hobbs felt that the time is right for installing speed humps, which would could provide protection for residents and school children, and also eliminate the need for constant policing. Mr. Hobbs closed by providing examples of speed humps in areas with/without curbs, thanked Council, and hoped for assistance with residents' concerns.

Jean Veriato of 8 Las Flores Drive cited a threatening incident with a motorist during an early morning walk and felt that lives are being jeopardized due to lack of control over speeding vehicles. She feared that residents backing out of their driveways are at risk of being hit by speeders. Ms. Veriato felt that the City could be subject to legal action should an accident occur due to uncontrolled speeding. She asked Council to consider speed humps as a deterrent that would not require extra traffic enforcement measures.

Connie Crocker of 320 La Buena Vista felt that the removal of a prior stop sign at De Luna Lane has caused an increase in speeding. She favored installation of speed humps and additional stop signs to control speeders, urged action before pedestrians are injured, and cautioned Council of possible liability to the City.

Mitchell Long of 4 Las Flores Drive agreed with the previous speakers and felt that the curve near the warehouses is particularly dangerous, given existing skid marks left by speeding vehicles. He noted the former City Marshal's presence as a deterrent and cited problems with litter thrown from vehicles.

Discussion among Council, City Administrator Ferguson, and City Attorney Crosby included:

- Personal observations of speeding through the Las Flores neighborhood and concerns about installing speed humps on streets without curbing
- Suggested use of bollards as an alternative to curbing to stop vehicles from driving into residents' yards to avoid speed humps
- City's immunity from liability for possible damage to vehicles from speed humps/bollards
- Potential problems with different types of engineered traffic control devices
- Need for traffic enforcement

- Closing of cut-through streets as a possible solution
- Estimated cost of various types of speed humps
- Location of additional stop signs
- Use of a “Jersey Wall” (concrete barrier) as a means to eliminate cut-through traffic
- Effectiveness/benefits/risks of traffic control devices
- Enforcement as a solution for speeding cut-through traffic, including the possibility of closing Las Flores Drive to through traffic
- Location of existing/proposed stop signs
- Impact of restricted access on neighborhood residents, businesses, public safety, and emergency services
- Use of barricades and ability to move/remove, if needed
- Eliminating the need to realign the Las Flores/Texas Boulevard intersection by closing Las Flores to through traffic
- Preference for blocking Las Flores Drive in order to eliminate cut-through traffic over installation of speed humps
- Procedures for street closing, including necessary engineering review

Mayor Haley entertained a motion to request an engineering review. Councilmember Appleman moved to request that the City Engineer review and provide option(s) to Council on blocking Las Flores Drive to cut-through traffic. Councilmember Thurber seconded. Councilmember Roccaforte requested an amendment to the motion adding language specifying that any installed barricades be removable in the event objections/problems are encountered later. Councilmember Appleman accepted Councilmember Roccaforte’s friendly amendment to the motion. Councilmember Thurber seconded the amended motion.

Mayor Haley called for a vote on the friendly amendment to the motion. Motion carried on a vote of 5-0.

Mayor Haley called for a vote on the original motion. Motion carried on a vote of 5-0.

B: Discuss and consider possible action on a proposal for the City of Wimberley to participate in the 22nd Annual Wimberley Community Thanksgiving Dinner. (*City Administrator*)

This item was heard after Agenda Item 2.

City Administrator Ferguson advised that the scope of the City’s participation in this event is limited to providing space at the Wimberley Community Center.

Councilmember White moved to waive all fees for use of the Wimberley Community Center for this event. Councilmember Roccaforte seconded.

Councilmember Thurber inquired about the event’s date (Thanksgiving Day). Councilmember Appleman expressed concerns about Community Center deficits, acknowledged that the

Community Thanksgiving Dinner is a worthy cause, and hoped that future operations could break even or even be profitable over time.

City Administrator Ferguson noted that any motion to approve should include a statement that waiver of rental fees serves a public purpose, with Council in agreement that the motion to waive fees serves a public purpose. Discussion established that Council would be waiving approximately \$800 to \$1,000 in rental fee revenue, not including utilities.

Motion carried on a vote of 5-0.

- C. Discuss and consider possible approval of a request from Cadence Sports, Inc. and the Friends of Blue Hole to utilize the Blue Hole Regional Park for the inaugural *Shammies 'n Koozies Ride 'n Float* on Saturday, June 12, 2010 and to waive the reservation fees for the use of the park. *(City Administrator)*

City Administrator Ferguson provided details on the first annual event's organizers/partners and noted that use of Blue Hole Regional Park for this event will not affect the park's normal operations. He recommended approval of this request.

Discussion addressed law enforcement for traffic control and allocation of fundraising proceeds.

Councilmember Flocke moved to approve the item as presented. Councilmember Thurber seconded. Motion carried on a vote of 4-1. Councilmember Roccaforte voted against.

- D. Discuss and consider possible action regarding a proposal to improve the appearance of the concrete retaining wall in the 14000 block of Ranch Road 12, Wimberley, Texas. *(Place Four Councilmember Steve Thurber)*

Councilmember Thurber stated that *Keep Wimberley Beautiful* has plans for landscaping that will trail down over the wall, therefore, he wished to withdraw this item for consideration. No action was taken on this item.

6. City Council Reports

- Announcements
- Future Agenda Items

In response to Councilmember Appleman, City Administrator Ferguson stated that a ribbon-cutting ceremony is planned for the Ranch Road 12 landscaping project at the recently completed wall at River Road and Ranch Road 12.

Hearing no further announcements or future agenda item requests, Mayor Haley called the meeting adjourned at 8:15 p.m.

Adjournment: Council meeting adjourned at 8:15 p.m.

Recorded by:

Cara McPartland

These minutes approved on the ____ of May, 2010.

APPROVED:

Bob Flocke, Mayor

DRAFT

§ 155.055 LODGING 3; L-3 RETREAT.

(A) *General purpose and description.* The L-3 Resort district is intended to accommodate the needs and desires of visitors, tourists and transient guests. It applies to specific areas where public roads and public utilities are available or where suitable alternate private facilities are assured. It is the intent of the district to provide for tourist resort development, excluding hotels and motels, in the form of cottages, cabins, and lodges available for short term rental and accessory uses to serve visitors to such facilities.

(B) *Permitted uses.*

- (1) Lodges; maximum of 30 guest bedrooms per lodge;
- (2) Detached cabins or cottages
- (3) Accessory uses to the main use including but not limited to retail sales and service, restaurant and recreation facilities ; and
- (4) Religious assembly.

(C) *Conditional uses.*

Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations.

(D) *Required facilities.*

All lodges, cabins and cottages units shall have electricity and sanitary facilities to include bathing facilities with running hot water and restroom facilities adequate to accommodate the guests residing in the lodge, cabin and cottage.

(E) *Development regulations.*

- (1) Minimum lot size: 10 acres.
- (2) Maximum guest beds per lodge: 30
- (3) Maximum guest beds per cottage and cabin: 4
- (3) Maximum guest bedrooms (all forms): 100.
- (4) Maximum building height (as defined in § 155.005):
 - (a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;
 - (b) Accessory buildings: not more than 18 feet and not more than 1 story; and
- (5) Minimum floor area per cottage or cabin: (400 square feet)
- (6) Maximum building footprint per lodge:
- (7) Minimum floor area per a lodge: (2500 square feet)
- (8) For minimum required setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks.

- (a) Dominant street: 50 feet;

- (b) Secondary street: 30 feet;
 - (c) Interior side yard: 20 feet, 30 feet when adjacent to a residential district, 50 feet if the building is more than 1 story; and
 - (d) Rear yard: 50 feet, 75 feet when adjacent to a residential district, 100 feet if the building is more than 1 story.
- (9) Maximum floor area of the lodging/service building: 20,000 square feet.
- (10) Maximum impervious coverage: 25%. Impervious coverage shall be calculated as a percentage of the net site area. The maximum impervious cover limits may be increased up to five (5) percentage points if roof runoff from structures on site is isolated, treated and used for irrigation.
- (11) Maximum building coverage: 20%. Building coverage shall be calculated as a percentage of the net site area.
- (12) Maximum building footprint: 15,000 square feet.

(F) *Special requirements.*

- (1) Open storage is prohibited.
- (2) For site plan and development standards requirements, see § 155.077 and §155.075.
- (3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(G) *Other regulations.*

- (1) All site utility installations on the property shall be underground.
- (2) No dumpsters or other trash collection containers shall be visible from any adjacent property or roadway and shall be screened in accordance with provisions in the City code.
- (3) The desired architectural design shall be early Texas-Germanic style architecture with a mixture of white Austin cur stone and cedar or comparable trim. The desired effect will be to give a Fredericksburg Early Texas-Germanic style appearance.
- (4) A landscape buffer is required along all lodging property lines abutting property zoned or used for residential purposes so as to visually screen the lodging uses. Except as provided herein, an eight (8) foot wide evergreen buffer shall be installed consisting of native, adaptive and drought tolerant bushes, shrubs and plant materials normally expected to reach eight (8) feet in height in three (3) years time. The buffer shall be installed prior to the issuance of any certificates of occupancy or as required in accordance with this section.

If the lodging property owner provides proof that natural vegetation exists on the lodging or abutting property, then this buffer requirement may be waived as determined by the City Administrator; however, if the existing vegetation is removed at a later date for whatever reason, then the

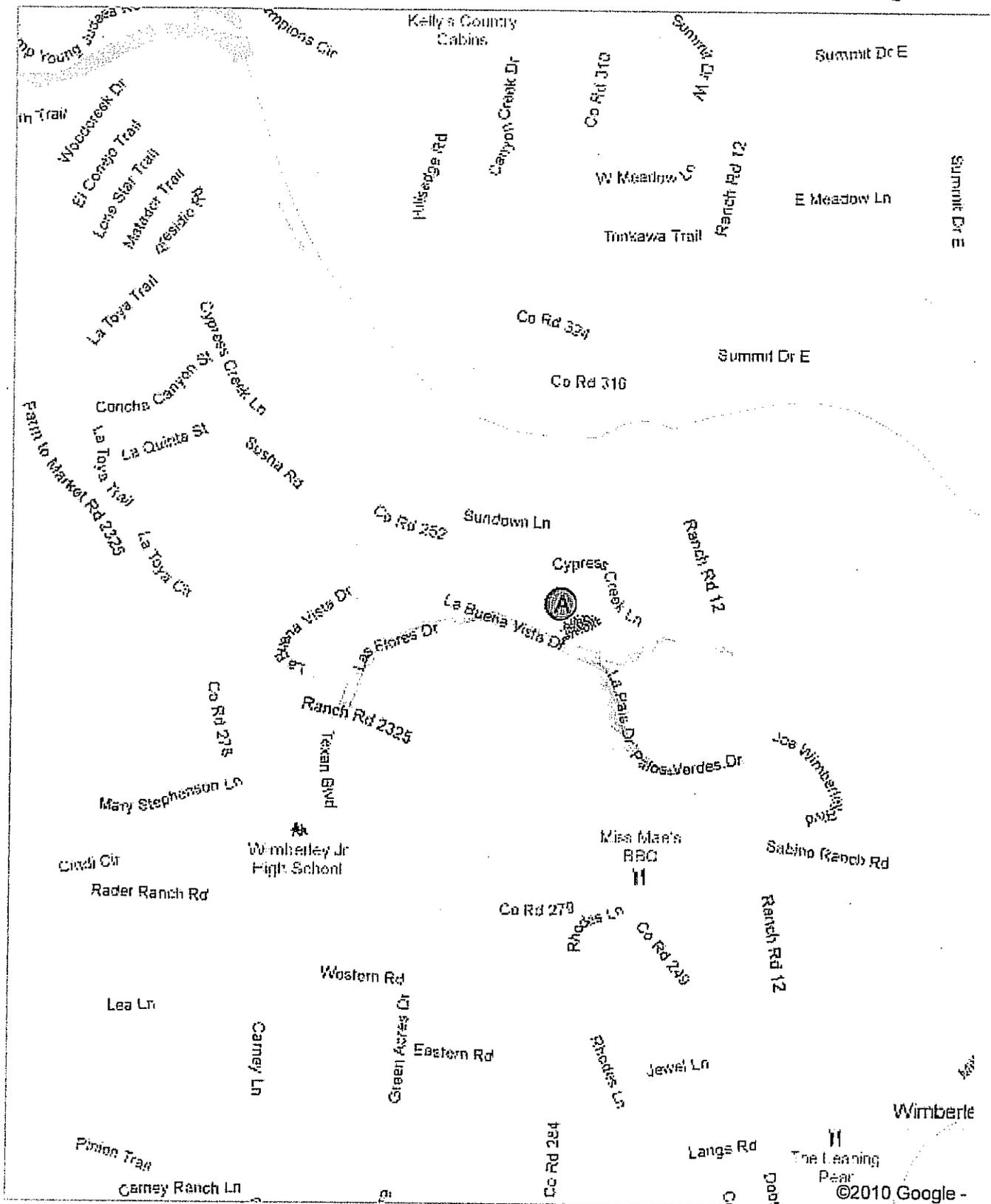
lodging property owner shall be responsible for installation of an evergreen buffer as described herein within thirty (30) days of the removal of the existing vegetation.

Invasive and exotic plants shall not be used. The landscape buffer shall be irrigated and maintained by the commercial property owner at all times and vegetation replaced or installed, as needed, to ensure continuous year-round screening. The width of the buffer shall be included as part of the required setbacks.

(5) No lodge, cottage or cabin shall be located within one hundred (100) feet of Cypress Creek and one-hundred fifty (150) feet of the Blanco River.

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

DRAFT



Distributed to City Council at
 May 6, 2010 meeting

4/15/10

HELP SAVE OUR NEIGHBORHOOD-REQUEST SPEED HUMPS

The undersigned residents are opposed to the resurfacing Las Flores and La Buena Vista without speed humps to slow the traffic down to the legal limit of 25 MPH for the following reasons:

- a. Cars and trucks travel these streets way above the speed limit. In fact, many drivers ignore the stop sign since they know there is minimal to no enforcement. We need to have a physical limit like speed humps to stop speeders-constant enforcement of the speed. There is a long history of speeding accidents on these streets.
- b. We have many school children and adults that walk the streets, some with their dogs, in our residential neighborhood. We have a fellow in a wheelchair that has been nearly hit more than 10 times because of drivers speeding on the cut-through from RR12 to RR 2325. Most of these drivers are not from our neighborhood and show little regard for the our residents (speeding, loud noise, and litter).
- c. The new surface will encourage more use by trucks (even though legally they are not allowed) and cars on RR12 to RR2325 cut-through using Las Flores Drive instead of turning on Emergency Lane or going past Ace Hardware and turning on RR2325. If the road is straightened out by Las Flores and RR2325 then speeding will be easier.
- d. Since this street is being resurfaced, **now** is the time to install the speed humps. Speed humps work in many nearby communities like Austin (some on main heavily traveled streets like Duval and 12th Street to name a couple) and Westlake to slow traffic to 25 MPH without having to have constant police surveillance. It has worked fine in those Texas communities and many others around the US. Ask those municipalities. We are sure the cities are not installing the speed humps to waste time, money, and cause more problems but to protect their citizens.

WE REQUEST A PUBLIC HEARING TO ALLOW THE CITY TO TELL US THEIR OPPOSITION TO PHYSICALLY CONTROLLING DRIVING SPEED BY INSTALLING SPEED HUMPS TO PROTECT OUR RESIDENTIAL NEIGHBORHOOD AND GRADE SCHOOL ZONE.

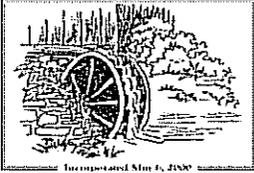
Name

- 1 *Janet Hobbs 13 LAS FLORES DR.*
- 2 *DAVID DiTRAGLIA 15 LAS FLORES DR.*
- 3 *MARGARET B. Maddox 7 Las Flores Dr. Wimberley*
- 4 *SCOTT REYNOLDS 299 LAS FLORES DR. WIMBERLEY.*
- 5 *ANNE MCFADDEN - 14 LAS FLORES DR. Wimberley*
- 6 *Jean Ueriate 8 Las Flores Wimberley*
- 7 *DM O'Quinn 9 LAS FLORES dr. Wimberley*
- 8 *Jane McGinn 9 Las Flores Dr. Wimberley*

- 9 T. Sedam - 10 Las Flores Dr, Wimberley TX 78676
- 10 THOMAS WELLS 16 LAS FLORES DR., WIMBERLEY, TX. 78676
- 11 Mitchell Long 4 Las Flores Dr., Wimberley, TX 78676
- 12 FRED & DARLENE SHUTTLESWORTH 321 LA BUENA VISTA WIMBERLEY TX 78676
- 13 CRAIG & CANDI FOWLE 311 LA BUENA VISTA WIMBERLEY TX 78676
- 14 DALE & CONNIE CROCKER 320 LA BUENA VISTA WIMBERLEY TX. 78676
- 15 Mary Ann + Martin DeLem 330 LA BUENA VISTA DR. WIMBERLEY, TX
- 16 Jon Hobbs 13 Las Flores
- 17 Mark Lenoach

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City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: APPROVAL OF MAY 13, 2010 MINUTES OF SPECIAL CITY COUNCIL MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the May 13, 2010 Special City Council Meeting for review and consideration.

City of Wimberley
City Hall, 221 Stillwater
Wimberley, Texas 78676
Minutes of Special Meeting of City Council
May 13, 2010 at 5:00 p.m.

City Council meeting called to order at 5:00 p.m. by Mayor Tom Haley.

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

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

Discussion and Action on Election Related Matters

A. Canvass returns of General Election of May 8, 2010.

Mayor Haley presented official results from Hays County Elections Office canvass reports and City Administrator Ferguson read the results aloud.

Councilmember Thurber moved to declare the canvass of returns of the General Election of May 8, 2010. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

B. Discuss and consider approval of an ordinance of the City Council of the City of Wimberley, Texas, declaring the canvass and result of an election held on May 8, 2010, to elect a Mayor and City Councilmembers for Places 2 and 4; containing a savings clause; and declaring an effective date.

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

C. Complete and issue Certificates of Election to the Mayor and two (2) Councilmembers-elect.

Mayor Haley signed and presented Certificates of Election to Mayor-elect Bob Flocke, Councilmember-elect Mac McCullough, and Councilmember-elect Steve Thurber.

Adjournment: Council meeting adjourned at 5:06 p.m.

Recorded by:

Cara McPartland

These minutes approved on the ____ of May, 2010.

APPROVED:

Bob Flocke, Mayor

DRAFT

City of Wimberley May 8 2010 — Total Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

05/12/2010 09:59 AM
 Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Total Number of Voters : 3,880 of 51,630 = 7.52%
 Number of District Voters: 743 of 2,153 = 34.51%

Mayor City of Wimberley

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Bob Flocke	Carroll Czichos	Totals
WI	0	0	0	55	0.00%	0	0	0
WI - HT3	4	2	6	10	60.00%	3	2	5
WI - HT5	569	168	737	2,088	35.30%	387	345	732
Totals:	573	170	743	2,153		390	347	737

City of Wimberley May 8 2010 — Total Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 3,880 of 51,630 = 7.52%
 Number of District Voters: 743 of 2,153 = 34.51%

Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Council Member, Place 2 City of Wimberley

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Gary "Catfish" Pigg	Mac McCullough	Totals
WI	0	0	0	55	0.00%	0	0	0
WI - HT3	4	2	6	10	60.00%	2	3	5
WI - HT5	569	168	737	2,088	35.30%	359	360	719
Totals:	573	170	743	2,153		361	363	724

City of Wimberley May 8 2010 — Total Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 3,880 of 51,630 = 7.52%
 Number of District Voters: 743 of 2,153 = 34.51%

Council Member, Place 4 City of Wimberley

Precinct	Early Voting Ballots Cast	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Steve Thurber	Beth H. Mitchell	Totals
WI	0	0	0	55	0.00%	0	0	0
WI - HT3	4	2	6	10	60.00%	2	3	5
WI - HT5	569	168	737	2,088	35.30%	374	346	720
Totals	573	170	743	2,153		376	349	725

City of Wimberley May 8 2010 — Early Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 2,179 of 51,630 = 4.22%
 Number of District Voters: 573 of 2,153 = 26.61%

Mayor City of Wimberley

Precinct	Early Voting Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Bob Flocke	Carroll Czichos	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	4	4	10	40.00%	2	1	3
WI - HT5	569	569	2,086	27.25%	306	258	564
Totals	573	573	2,153		308	259	567

City of Wimberley May 8 2010 — Early Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 2,179 of 51,630 = 4.22%
 Number of District Voters: 573 of 2,153 = 26.61%

Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Council Member, Place 2 City of Wimberley

Precinct	Early Voting Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Gary "Cattish" Pigg	Mac McCullough	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	4	4	10	40.00%	1	2	3
WI - HT5	569	569	2,086	27.25%	266	291	557
Totals	573	573	2,153		267	293	560

City of Wimberley May 8 2010 — Early Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 2,179 of 51,630 = 4.22%
 Number of District Voters: 573 of 2,153 = 26.61%

Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Council Member, Place 4 City of Wimberley

Precinct	Early Voting Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Steve Thurber	Beth H. Mitchell	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	4	4	10	40.00%	1	2	3
WI - HT5	569	569	2,088	27.25%	301	257	558
Totals:	573	573	2,153		302	259	561

City of Wimberley May 8 2010 — Election Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Total Number of Voters : 1,701 of 51,630 = 3.29%
 Number of District Voters: 170 of 2,153 = 7.90%

Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Mayor City of Wimberley

Precinct	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Bob Flocke	Carroll Czichos	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	2	2	10	20.00%	1	1	2
WI - HT5	166	166	2,088	8.05%	81	87	168
Totals:	170	170	2,153		82	88	170

City of Wimberley May 8 2010 — Election Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

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Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Total Number of Voters : 1,701 of 51,630 = 3.29%
 Number of District Voters: 170 of 2,153 = 7.90%

Page 2 of 3

Council Member, Place 2 City of Wimberley

Precinct	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Gary "Cattish" Pigg	Mac McCullough	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	2	2	10	20.00%	1	1	2
WI - HT5	168	168	2,088	8.05%	93	69	162
Totals:	170	170	2,153		94	70	164

City of Wimberley May 8 2010 — Election Voters — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

05/12/2010 09:59 AM
 Precincts Reporting 25 of 25 = 100.00%
 District Precincts Reporting 3 of 3 = 100.00%

Page 3 of 3

Total Number of Voters : 1,701 of 51,630 = 3.29%
 Number of District Voters: 170 of 2,153 = 7.90%

Council Member, Place 4 City of Wimberley

Precinct	Election Day Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Steve Thurber	Beth H. Mitchell	Totals
WI	0	0	55	0.00%	0	0	0
WI - HT3	2	2	10	20.00%	1	1	2
WI - HT5	168	168	2,088	8.06%	73	89	162
Totals:	170	170	2,153		74	90	164

Cumulative Report — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

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05/12/2010 09:32 AM

Total Number of Voters : 3,880 of 51,630 = 7.52%

Party	Candidate	Absentee	Early	Election	Total

Council Member, District #1, At Large City of Kyle, Vote For 1

Diane Herval
 Jason T. Welch

Cast Votes:	0	0.00%	185	67.77%	152	60.80%	337	64.44%
Over Votes:	0	0.00%	88	32.23%	98	39.20%	186	35.56%
Under Votes:	0	0.00%	273	95.79%	250	94.34%	523	95.09%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	12	4.21%	15	5.66%	27	4.91%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
4	4	100.00%	550	12,868	4.27%

Council Member, District #3, At Large City of Kyle, Vote For 1

Brad Pickett

Cast Votes:	0	0.00%	208	100.00%	188	100.00%	396	100.00%
Over Votes:	0	0.00%	208	72.98%	188	70.94%	396	72.00%
Under Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	77	27.02%	77	29.06%	154	28.00%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
4	4	100.00%	550	12,868	4.27%

Mayor City of Wimberley, Vote For 1

Bob Flocke
 Carroll Czichos

Cast Votes:	3	50.00%	305	54.37%	82	48.24%	390	52.92%
Over Votes:	3	50.00%	255	45.63%	88	51.76%	347	47.08%
Under Votes:	6	100.00%	561	98.94%	170	100.00%	737	98.19%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	6	1.06%	0	0.00%	6	0.81%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	743	2,153	34.51%

**Cumulative Report — Official
HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010**

Total Number of Voters : 3,880 of 51,630 = 7.52%

Party	Candidate	Absentee	Early	Election	Total
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Precincts Reporting 25 of 25 = 100.00%

Council Member, Place 2 City of Wimberley, Vote For 1

Gary "Catfish" Pigg
Mac McCullough

Cast Votes:	2	33.33%	265	47.83%	94	57.32%	361	49.86%
Over Votes:	4	66.67%	289	52.17%	70	42.68%	363	50.14%
Under Votes:	6	100.00%	564	97.71%	164	96.47%	724	97.44%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	13	2.29%	5	3.53%	19	2.56%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	743	2,153	34.51%

Council Member, Place 4 City of Wimberley, Vote For 1

Steve Thurber
Beth H. Mitchell

Cast Votes:	4	66.67%	298	53.69%	74	45.12%	376	51.86%
Over Votes:	2	33.33%	257	46.31%	90	54.88%	349	48.14%
Under Votes:	6	100.00%	555	97.89%	164	96.47%	725	97.58%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	12	2.12%	6	3.53%	18	2.42%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	743	2,153	34.51%

Mayor City of Hays, Vote For 1

Michael Warnken

Cast Votes:	1	100.00%	14	100.00%	5	100.00%	20	100.00%
Over Votes:	1	100.00%	14	77.78%	5	71.43%	20	76.92%
Under Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	0	0.00%	4	22.22%	2	28.57%	6	23.08%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	26	169	15.38%

**Cumulative Report — Official
HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010**

Total Number of Voters : 3,880 of 51,630 = 7.52%

Party	Candidate	Absentee	Early	Election	Total

Precincts Reporting 25 of 25 = 100.00%

Council Member, Place 2 City of Hays, Vote For 1

Sandra Ramage

Cast Votes:	0	0.00%	12	100.00%	7	100.00%	19	100.00%
Over Votes:	0	0.00%	12	66.67%	7	100.00%	19	73.08%
Under Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	1	100.00%	6	33.33%	0	0.00%	7	26.92%

Precincts		Voters			
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	26	169	15.38%

Council Member, Place 3 City of Hays, Vote For 1

No Candidate Filed (W)
MISSY WARKEN (W)
GAYLE HUDGENS (W)

Cast Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Over Votes:	1	100.00%	7	70.00%	3	75.00%	11	73.33%
Under Votes:	0	0.00%	3	30.00%	1	25.00%	4	26.67%
	1	100.00%	10	55.56%	4	57.14%	15	57.69%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	0	0.00%	8	44.44%	3	42.86%	11	42.31%

Precincts		Voters			
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	26	169	15.38%

School Board Member DSISD, Vote For 2

Liz Ing
Tandi Mitchell
James Akers
Kevin Yates
Brian Espinosa
Cristina Chavez
Shelly Reeves
Curtis Wilson
Karen Langsley

Cast Votes:	0	0.00%	231	15.66%	153	15.66%	384	15.64%
Over Votes:	0	0.00%	209	14.17%	138	14.12%	347	14.13%
Under Votes:	0	0.00%	38	2.58%	16	1.64%	54	2.20%
	0	0.00%	130	8.81%	83	8.50%	213	8.68%
Over Votes:	0	0.00%	23	1.56%	18	1.84%	41	1.67%
Under Votes:	2	66.67%	400	27.12%	279	28.56%	681	27.74%
	1	33.33%	185	12.54%	119	12.18%	305	12.42%
Over Votes:	0	0.00%	208	14.17%	114	11.67%	323	13.16%
Under Votes:	3	75.00%	1,475	83.15%	977	86.46%	2,455	84.42%
Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:	1	25.00%	299	16.85%	153	13.54%	453	15.56%

Precincts		Voters			
Counted	Total	Percent	Ballots	Registered	Percent
3	3	100.00%	1,454	15,262	9.53%

**Cumulative Report — Official
HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010**

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05/12/2010 09:32 AM

Total Number of Voters : 3,880 of 51,630 = 7.52%

Party	Candidate	Absentee	Early	Election	Total
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Precincts Reporting 25 of 25 = 100.00%

School Board Member, District 5 HCISD, Vote For 1

Mary Kaneizky
Joe Munoz

Precincts	Total		Percent		Ballots		Voters		
	Counted	Total	Counted	Total	Counted	Total	Registered	Percent	
1	100.00%	157	65.97%	200	70.42%	358	68.45%		
0	0.00%	81	34.03%	84	29.58%	165	31.55%		
1	100.00%	238	97.14%	284	98.27%	523	97.76%		
0	0.00%	0	0.00%	0	0.00%	0	0.00%		
0	0.00%	7	2.86%	5	1.73%	12	2.24%		
Cast Votes:									
Over Votes:									
Under Votes:									
Precincts									
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
Total		6		100.00%		536		8,964	
Counted		6		100.00%		536		8,964	
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Cumulative Report — Official
 HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

05/12/2010 09:32 AM

Page 5 of 6

Total Number of Voters : 3,880 of 51,630 = 7.52%

Party	Candidate	Absentee	Early	Election	Total
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Precincts Reporting 25 of 25 = 100.00%

Board of Directors, District 1 Hays Trinity Groundwater, Vote For 1

Jimmy Skipton
 x Krislin S. Carlton

Party	Candidate	Absentee	Early	Election	Total	Cast Votes:		Over Votes:		Under Votes:	
						Count	Percent	Count	Percent	Count	Percent
		0	0.00%	238	72.34%	126	56.67%	364	70.27%	154	29.73%
		0	0.00%	91	27.66%	63	33.33%	154	29.73%	518	91.84%
		0	0.00%	328	91.39%	189	92.65%	0	0.00%	0	0.00%
		0	0.00%	31	8.61%	15	7.35%	46	8.16%		

Precincts		Voters	
Counted	Total	Ballots	Registered
2	2	564	4,443
		100.00%	12.69%

Board of Directors, District 3 Hays Trinity Groundwater, Vote For 1

Mark Key
 Andrew Backus

Party	Candidate	Absentee	Early	Election	Total	Cast Votes:		Over Votes:		Under Votes:	
						Count	Percent	Count	Percent	Count	Percent
		0	0.00%	159	57.19%	118	43.07%	277	50.18%	275	49.82%
		0	0.00%	119	42.81%	156	56.93%	275	49.82%	552	93.72%
		0	0.00%	278	90.26%	274	97.51%	0	0.00%	0	0.00%
		0	0.00%	30	9.74%	7	2.48%	37	6.28%		

Precincts		Voters	
Counted	Total	Ballots	Registered
5	5	589	5,187
		100.00%	11.36%

Board of Directors, District 5 Hays Trinity Groundwater, Vote For 1

Craig N. Reitz
 Joan S. Jernigan

Party	Candidate	Absentee	Early	Election	Total	Cast Votes:		Over Votes:		Under Votes:	
						Count	Percent	Count	Percent	Count	Percent
		3	60.00%	221	42.53%	50	33.56%	274	40.90%	396	59.10%
		2	40.00%	295	57.17%	99	56.44%	396	59.10%	670	80.53%
		5	83.33%	516	81.65%	149	76.80%	0	0.00%	0	0.00%
		0	0.00%	116	18.35%	45	23.20%	162	19.47%		

Precincts		Voters	
Counted	Total	Ballots	Registered
2	2	832	3,811
		100.00%	21.83%

Cumulative Report — Official HAYS COUNTY, TEXAS — GENERAL ELECTION — May 08, 2010

Page 6 of 6

05/12/2010 09:32 AM

Total Number of Voters : 3,880 of 51,630 = 7.52%

Precincts Reporting 25 of 25 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
	Gary Franklin	0	0	0	0
	Charlie Nettles	0	1	0	1
		0	1	0	1

Board of Directors, Precinct 2 Barton Springs/Edwards Aquifer, Vote For 1

Precincts	Total	Percent	Voters		
			Ballots	Registered	Percent
Counted	1	100.00%	1	1,135	0.09%
Cast Votes:					
Over Votes:					
Under Votes:					

Precincts	Total	Percent	Voters		
			Ballots	Registered	Percent
Counted	1	100.00%	1	1,135	0.09%

Board of Directors Greenhawe WCID, Vote For 2

	Michael Gideon	0	0	0	2	5.26%
	Dan Raley	0	2	14	17	44.74%
	David Saxon	0	12	65	19	50.00%
Cast Votes:						
Over Votes:						
Under Votes:						

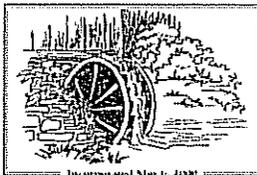
Precincts	Total	Percent	Voters		
			Ballots	Registered	Percent
Counted	3	100.00%	33	153	21.57%

Board of Directors HCWCID, Vote For 2

	George W. Baker	0	17	28	13	24.53%
	Kim Burke	0	13	22	13	24.53%
	Roger Durden	0	29	49	27	50.94%
Cast Votes:						
Over Votes:						
Under Votes:						

Precincts	Total	Percent	Voters		
			Ballots	Registered	Percent
Counted	1	100.00%	71	1,113	6.38%

City Council Agenda Form



Date Submitted: May 14, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: APPROVAL OF APRIL 2010
FINANCIAL STATEMENTS

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to consider approval of the April 2010 Financial Statements.

Council Package
Financial Statements City of Wimberley
For the Period Ended 4/30/2010

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

51410 Faxed to: 512-847-0422 30 pgs

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

Assets

Current Assets

101.10 Petty Cash-General	\$	150.00
102.10 Cash - Ozona National Bank - General		269,651.63
103.10 Cash - Blanco National Bank - General		171.32
105.10 Cash - Ozona National Bank - CD		225,555.37
116.10 Due From Municipal Court		90.00
119.10 Texpool - General		176,217.53
120.10 Accounts Receivable		6,866.17
121.10 Sales Tax Receivable		64,364.98
124.10 Allowance for Uncollectible Accounts		<u>(5,076.37)</u>

Total Current Assets \$ 737,990.63

Total Assets \$ 737,990.63

Liabilities and Fund Balance

Current Liabilities

302.10 FICA Tax Payable	\$	14.54
311.10 TMRS Payable		837.62
330.10 Community Center Security Deposits Payable		<u>3,325.00</u>

Total Current Liabilities \$ 4,177.16

Total Liabilities 4,177.16

Fund Balance

467.10 Fund Balance - Undesignated	578,306.93
469.10 Designated Fund Balance - Public Works	300,000.00
470.10 Designated Fund Balance - New City Hall	50,000.00
471.10 Designated Fund Balance - W/W on Square	30,000.00
472.10 Designated Fund Balance - Future Grant Match	50,000.00
498.10 Net Excess (Deficit)	<u>(274,493.46)</u>

Total Fund Balance 733,813.47

Total Liabilities and Fund Balance \$ 737,990.63

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
501.10 Sales & Use Tax	\$ 64,364.98	54.04	\$ 335,021.70	62.03
502.10 Mixed Beverage Tax	1,823.85	1.53	3,390.79	0.63
503.10 Interest Income - General	189.84	0.16	1,622.81	0.30
504.10 Miscellaneous Income	3,299.52	2.77	29,337.93	5.43
505.10 Building Permits	1,984.89	1.67	8,620.74	1.60
506.10 Building Inspections	1,790.00	1.50	17,835.00	3.30
509.10 Plan Reviews	130.00	0.11	4,452.00	0.82
510.10 Beer & Wine Permits	800.00	0.67	1,375.00	0.25
511.10 Sign Permits	150.00	0.13	916.00	0.17
512.10 Subdivision	150.00	0.13	2,170.00	0.40
513.10 Zoning	0.00	0.00	4,686.60	0.87
516.10 Municipal Court Costs/Fines	0.00	0.00	660.47	0.12
521.10 Time Warner Cable	7,608.71	6.39	17,367.77	3.22
522.10 Pedernales Electric Cooperative, Inc.	29,185.41	24.51	48,170.13	8.92
523.10 Texas Disposal Systems	0.00	0.00	9,595.19	1.78
524.10 Verizon	0.00	0.00	5,900.97	1.09
525.10 Franchise Fees - Misc	4,006.96	3.36	10,347.28	1.92
527.10 Food Permits	360.00	0.30	11,090.00	2.05
528.10 Septic Lease	450.00	0.38	2,860.00	0.53
532.10 Community Center Rental Fees	2,804.00	2.35	24,707.00	4.57
	<u>119,098.16</u>	<u>100.00</u>	<u>540,127.38</u>	<u>100.00</u>
Total Revenues				
Expenditures				
Admin - Personnel				
601.10 City Administrator	7,307.70	6.14	51,153.90	9.47
602.10 City Secretary	2,846.16	2.39	19,923.12	3.69
603.10 Receptionist/Clerk	1,944.00	1.63	13,802.40	2.56
606.10 Payroll Taxes	1,893.40	1.59	7,168.70	1.33
607.10 TMRS - Admin	365.35	0.31	2,362.07	0.44
608.10 Health Care	712.00	0.60	4,984.00	0.92
	<u>15,068.61</u>	<u>12.65</u>	<u>99,394.19</u>	<u>18.40</u>
Total Admin - Personnel				
Admin - Operating				
609.10 Dues - TML & City Mgr Assoc	0.00	0.00	1,057.24	0.20
610.10 Public Notices	669.25	0.56	3,376.86	0.63
611.10 Printing	0.00	0.00	548.67	0.10
612.10 Telephone	528.37	0.44	3,272.93	0.61

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
613.10 Copies	\$ 0.00	0.00	\$ 162.17	0.03
614.10 Rent	4,337.00	3.64	30,359.00	5.62
615.10 Cleaning	500.00	0.42	2,600.00	0.48
616.10 Office Supplies	216.15	0.18	1,280.55	0.24
617.10 Utilities	606.75	0.51	4,077.04	0.75
618.10 Equipment Leases	443.03	0.37	2,451.38	0.45
619.10 Water Cooler	38.49	0.03	258.93	0.05
620.10 Postage	0.00	0.00	702.70	0.13
621.10 Insurance	0.00	0.00	13,580.48	2.51
622.10 Records Management	50.36	0.04	496.27	0.09
623.10 Office Technology	161.50	0.14	1,171.49	0.22
626.10 Security Expense	0.00	0.00	3,108.70	0.58
628.10 Technology Consultant	0.00	0.00	65.00	0.01
631.10 Capital Outlay - Technology	1,200.00	1.01	1,200.00	0.22
632.10 Capital Outlay - Other	375,573.00	315.35	380,573.00	70.46
635.10 Mileage	0.00	0.00	292.60	0.05
636.10 Training - Travel	0.00	0.00	454.48	0.08
637.10 Contract Labor	0.00	0.00	250.00	0.05
638.10 Repairs & Maintenance	0.00	0.00	608.15	0.11
639.10 Signs/Zoning	0.00	0.00	1,098.00	0.20
640.10 Refunds	0.00	0.00	2,140.00	0.40
Total Admin - Operating	384,323.90	322.70	455,185.64	84.27
Legal				
641.10 Legal	2,237.12	1.88	18,613.68	3.45
Total Legal	2,237.12	1.88	18,613.68	3.45
Council - Boards Expenditures				
651.10 Association Dues	63.00	0.05	443.00	0.08
652.10 Training	0.00	0.00	100.00	0.02
655.10 Financial Management Services	1,000.00	0.84	6,000.00	1.11
656.10 Audit	0.00	0.00	13,000.00	2.41
658.10 Planning	0.00	0.00	1,470.00	0.27
661.10 Public Relations / Receptions	0.00	0.00	794.39	0.15
664.10 Fitness Council Expenses	0.00	0.00	57.10	0.01
Total Council - Boards Expenditures	1,063.00	0.89	21,864.49	4.05

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Building Department Expenditures				
676.10 Contract Inspector	\$ 1,235.00	1.04	\$ 8,405.00	1.56
677.10 Site Plan Reviews	25.00	0.02	8,330.88	1.54
Total Building Department Expenditures	1,260.00	1.06	16,735.88	3.10
Public Works - Personnel				
702.10 Salaries-Code Enforcement & Permitting	2,163.20	1.82	15,358.72	2.84
704.10 Salaries-GIS/Permitting Clerk	2,491.63	2.09	18,227.54	3.37
706.10 Payroll Taxes	356.08	0.30	2,429.04	0.45
707.10 TMRS - Public Works	140.23	0.12	924.27	0.17
708.10 Health Benefits	400.00	0.34	2,800.00	0.52
Total Public Works - Personnel	5,551.14	4.66	39,739.57	7.36
Public Works - Operating				
715.10 Supplies - Public Works	0.00	0.00	57.57	0.01
720.10 Fuel	66.82	0.06	665.49	0.12
721.10 Tools	0.00	0.00	27.99	0.01
722.10 Vehicle Maint. & Insurance	14.50	0.01	135.50	0.03
Total Public Works - Operating	81.32	0.07	886.55	0.16
Roads				
727.10 Road Maintenance	314.39	0.26	57,015.34	10.56
729.10 Road Engineering	205.76	0.17	4,885.96	0.90
731.10 Mowing / Tree Trimming	0.00	0.00	2,733.10	0.51
732.10 Signs/Barricades	54.00	0.05	2,367.55	0.44
733.10 Parking Lot Lease	100.00	0.08	700.00	0.13
736.10 Contract Labor	0.00	0.00	2,200.00	0.41
Total Roads	674.15	0.57	69,901.95	12.94
Water/Wastewater				
756.10 Public Restroom Wastewater	465.00	0.39	2,382.54	0.44
Total Water/Wastewater	465.00	0.39	2,382.54	0.44

Restricted for Management's Use Only

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Public Safety - Personnel				
801.10 Salaries - City Marshall	\$ 0.00	0.00	\$ (259.70)	(0.05)
806.10 Payroll Taxes	0.00	0.00	(86.88)	(0.02)
807.10 TMRS City Contribution-PS	0.00	0.00	35.89	0.01
Total Public Safety - Personnel	0.00	0.00	(310.69)	(0.06)
Public Safety - Operating				
821.10 City Prosecutor	29.00	0.02	639.34	0.12
824.10 Animal Control	0.00	0.00	6,000.00	1.11
825.10 Fuel-Public Safety	0.00	0.00	41.57	0.01
826.10 Supplies - Public Safety	0.00	0.00	131.88	0.02
827.10 Vehicle Maintenance and Repair	0.00	0.00	28.00	0.01
830.10 Capital Outlay - Vehicle	0.00	0.00	19,031.13	3.52
837.10 Sanitarian - Contract Labor	1,421.00	1.19	6,953.75	1.29
Total Public Safety - Operating	1,450.00	1.22	32,825.67	6.08
Parks - Operating				
859.10 Nature Trail Operations	168.96	0.14	1,288.12	0.24
Total Parks - Operating	168.96	0.14	1,288.12	0.24
Community Center - Personnel				
901.10 Salaries - Director	1,540.00	1.29	11,194.40	2.07
902.10 Salaries - Maintenance	1,975.00	1.66	12,817.20	2.37
906.10 Payroll Taxes - Comm Ctr	268.90	0.23	1,898.46	0.35
907.10 TMRS - City Contribution Comm Ctr	0.00	0.00	261.58	0.05
908.10 Health Benefits - Comm Ctr	0.00	0.00	600.00	0.11
909.10 Contract Labor - Comm Ctr	40.00	0.03	2,395.35	0.44
Total Community Center - Personnel	3,823.90	3.21	29,166.99	5.40
Community Center - Operating				
910.10 Advertising	215.00	0.18	839.00	0.16
912.10 Telephone - Comm Ctr	123.36	0.10	195.40	0.04
915.10 Cleaning - Comm Ctr	500.00	0.42	2,835.00	0.52

Restricted for Management's Use Only

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
916.10 Office Supplies - Comm Ctr	\$ 148.99	0.13	\$ 434.76	0.08
917.10 Utilities - Comm Ctr	3,430.68	2.88	18,691.25	3.46
920.10 Postage - Comm Ctr	0.00	0.00	8.80	0.00
926.10 Security Expense - Comm Ctr	186.90	0.16	654.15	0.12
927.10 Maintenance & Repair - Comm Ctr	5.00	0.00	926.16	0.17
928.10 Supplies - Comm Ctr	444.61	0.37	1,656.74	0.31
961.10 Public Relations/Receptions - Comm Ct	0.00	0.00	705.00	0.13
	<hr/>	<hr/>	<hr/>	<hr/>
Total Community Center - Operating	5,054.54	4.24	26,946.26	4.99
	<hr/>	<hr/>	<hr/>	<hr/>
Total Expenditures	421,221.64	353.68	814,620.84	150.82
	<hr/>	<hr/>	<hr/>	<hr/>
NET EXCESS (DEFICIT)	\$ (302,123.48)	(253.68)	\$ (274,493.46)	(50.82)
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CITY OF WIMBERLEY
 BUDGET VS ACTUAL - GENERAL FUND
 For The Seven Months Ended April 30, 2010

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
501.1 Sales & Use Tax	\$ 64,364.98	335,021.70	62.03%	\$ 522,300.00	(187,278.30)	-35.86%	-41.67%
502.1 Mixed Beverage Tax	1,823.85	3,390.79	0.63%	10,000.00	(6,609.21)	-66.09%	-41.67%
503.1 Interest Income	189.84	1,622.81	0.30%	12,000.00	(10,377.19)	-86.48%	-41.67%
504.1 Misc. Income	3,299.52	29,337.93	5.43%	12,500.00	16,837.93	0.00%	-41.67%
505.1 Building Permits	1,984.89	8,620.74	1.60%	15,000.00	(6,379.26)	-42.53%	-41.67%
506.1 Building Inspections	1,790.00	17,835.00	3.30%	17,500.00	335.00	1.91%	-41.67%
507.1 Fire Inspections	-	-	0.00%	5,000.00	(5,000.00)	-100.00%	-41.67%
509.1 Plan Reviews	130.00	4,452.00	0.82%	15,000.00	(10,548.00)	-70.32%	-41.67%
510.1 Beer & Wine Permits	800.00	1,375.00	0.25%	3,000.00	(1,625.00)	0.00%	-41.67%
511.1 Sign Permits	150.00	916.00	0.17%	3,500.00	(2,584.00)	-73.83%	-41.67%
512.1 Subdivision	150.00	2,170.00	0.40%	10,000.00	(7,830.00)	-78.30%	-41.67%
513.1 Zoning	-	4,686.60	0.87%	7,500.00	(2,813.40)	-37.51%	-41.67%
514.1 Copies/Maps/Misc.	-	-	0.00%	500.00	(500.00)	-100.00%	-41.67%
516.1 Municipal Court/Costs Fines	-	660.47	0.12%	5,000.00	(4,339.53)	-86.79%	-41.67%
525.1 Franchise Fees	40,801.08	91,381.34	16.92%	230,000.00	(138,618.66)	-60.27%	-41.67%
526.1 Health Fees	-	-	0.00%	17,500.00	(17,500.00)	-100.00%	-41.67%
527.1 Food Permits	360.00	11,090.00	2.05%	-	11,090.00	0.00%	-41.67%
528.1 Septic Lease/Permits	450.00	2,860.00	0.53%	-	2,860.00	0.00%	-41.67%
532.1 Community Center Rental Fees	2,804.00	24,707.00	4.57%	45,000.00	(20,293.00)	-45.10%	-41.67%
533.1 Parking Lot Lease	-	-	0.00%	1,200.00	(1,200.00)	0.00%	-41.67%
TOTAL REVENUES	119,098.16	540,127.38	100.00%	932,500.00	(392,372.62)	-42.08%	-41.67%
EXPENDITURES							
ADMINISTRATION EXPENDITURES							
<i>Personnel</i>							
601.1 City Administrator	7,307.70	51,153.90	6.28%	95,000.00	(43,846.10)	-46.15%	-41.67%
602.1 City Secretary	2,846.16	19,923.12	2.45%	37,000.00	(17,076.88)	-46.15%	-41.67%
603.1 Receptionist/Clerk	1,944.00	13,802.40	1.69%	29,204.00	(15,401.60)	-52.74%	-41.67%
604.1 Fire Marshal (Contract Labor)	-	-	0.00%	5,000.00	(5,000.00)	0.00%	-41.67%
606.1 Payroll Taxes	1,893.40	7,168.70	0.88%	12,770.00	(5,601.30)	-43.86%	-41.67%
607.1 TMRs	365.35	2,362.07	0.29%	5,336.00	(2,973.93)	-55.73%	-41.67%
608.1 Health Benefits	712.00	4,984.00	0.61%	8,544.00	(3,560.00)	-41.67%	-41.67%
Total Personnel	15,068.61	99,394.19	12.20%	192,854.00	(93,459.81)	-48.46%	-41.67%
Operating							
609.1 Dues (TML & City Mgr Assoc.)	-	1,057.24	0.13%	3,000.00	(1,942.76)	-64.76%	-41.67%
610.1 Public Notices	669.25	3,376.86	0.41%	4,500.00	(1,123.14)	-24.96%	-41.67%
611.1 Printing	-	548.67	0.07%	500.00	48.67	9.73%	-41.67%
612.1 Telephone	528.37	3,272.93	0.40%	5,187.00	(1,914.07)	-36.90%	-41.67%

Restricted for Management's Use Only

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
613.1	-	162.17	0.02%	750.00	(587.83)	-78.38%	-41.67%
614.1	4,337.00	30,359.00	3.73%	55,000.00	(24,641.00)	-44.80%	-41.67%
615.1	500.00	2,600.00	0.32%	5,200.00	(2,600.00)	-50.00%	-41.67%
616.1	216.15	1,280.55	0.16%	4,000.00	(2,719.45)	-67.99%	-41.67%
617.1	606.75	4,077.04	0.50%	6,000.00	(1,922.96)	-32.05%	-41.67%
618.1	443.03	2,451.38	0.30%	4,600.00	(2,148.62)	-46.71%	-41.67%
619.1	38.49	258.93	0.03%	650.00	(391.07)	-60.16%	-41.67%
620.1	-	702.70	0.09%	2,500.00	(1,797.30)	-71.89%	-41.67%
621.1	-	13,580.48	1.67%	13,750.00	(169.52)	-1.23%	-41.67%
622.1	50.36	496.27	0.06%	2,500.00	(2,003.73)	-80.15%	-41.67%
623.1	181.50	1,171.49	0.14%	4,200.00	(3,028.51)	-72.11%	-41.67%
626.1	-	3,108.70	0.38%	800.00	2,308.70	288.59%	-41.67%
628.1	-	65.00	0.01%	3,350.00	(3,285.00)	-98.06%	-41.67%
629.1	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-41.67%
630.1	-	-	0.00%	500.00	(500.00)	-100.00%	-41.67%
631.1	1,200.00	1,200.00	0.15%	2,000.00	(800.00)	-40.00%	-41.67%
632.1	375,573.00	380,573.00	46.72%	-	380,573.00	0.00%	-41.67%
635.1	-	292.60	0.04%	500.00	(207.40)	-41.48%	-41.67%
636.1	-	454.48	0.06%	1,500.00	(1,045.52)	-69.70%	-41.67%
637.1	-	250.00	0.03%	-	250.00	0.00%	-41.67%
638.1	-	608.15	0.07%	-	608.15	0.00%	-41.67%
639.1	-	1,098.00	0.13%	-	1,098.00	0.00%	-41.67%
640.1	-	2,140.00	0.28%	-	2,140.00	0.00%	-41.67%
	384,323.90	455,185.64	55.80%	121,987.00	333,198.64	273.14%	-41.67%
	399,392.51	554,579.83	68.08%	314,841.00	239,738.83	76.15%	-41.67%
	2,237.12	18,613.68	2.28%	55,000.00	(36,386.32)	-66.16%	-41.67%
	2,237.12	18,613.68	2.28%	55,000.00	(36,386.32)	-66.16%	-41.67%
LEGAL DEPARTMENT EXPENDITURES							
641.1							
649.1							
	63.00	443.00	0.05%	-	443.00	0.00%	-41.67%
	-	100.00	0.01%	1,000.00	(900.00)	-90.00%	-41.67%
	-	-	0.00%	-	-	0.00%	-41.67%
	-	-	0.00%	3,200.00	(3,200.00)	-100.00%	-41.67%
	1,000.00	6,000.00	0.74%	12,000.00	(6,000.00)	-50.00%	-41.67%
	-	13,000.00	1.60%	13,500.00	(500.00)	-3.70%	-41.67%
	-	-	0.00%	2,500.00	(2,500.00)	-100.00%	-41.67%
	-	1,470.00	0.18%	-	1,470.00	0.00%	-41.67%
	-	-	0.00%	-	-	0.00%	-41.67%
COUNCIL - BOARD EXPENDITURES							
651.1							
652.1							
653.1							
654.1							
655.1							
656.1							
657.1							
658.1							
659.1							

Restricted for Management's Use Only

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
660.1 Economic Development	-	-	0.00%	-	-	0.00%	-41.67%
661.1 Public Relations/Receptions	-	794.39	0.10%	4,500.00	(3,705.61)	-82.35%	-41.67%
662.1 Public Information	-	-	0.00%	-	-	0.00%	-41.67%
663.1 Visitor Center Support	-	-	0.00%	-	-	0.00%	-41.67%
664.1 Fitness Council Expenditures	-	57.10	0.01%	5,000.00	(4,942.90)	-98.86%	-41.67%
TOTAL COUNCIL -BOARD EXPENDITURES	1,063.00	21,864.49	2.68%	41,700.00	(19,835.51)	-47.57%	-41.67%
BUILDING DEPARTMENT EXPENDITURES	1,235.00	8,405.00	1.03%	17,500.00	(9,095.00)	-51.97%	-41.67%
676.1 Contract Inspector	25.00	8,330.88	1.02%	15,000.00	(6,669.12)	-44.46%	-41.67%
677.1 Site Plan Reviews	-	-	0.00%	-	-	0.00%	-41.67%
678.1 Building Code Books	-	-	0.00%	-	-	0.00%	-41.67%
TOTAL BUILDING DEPARTMENT EXPENDITURES	1,260.00	16,735.88	2.05%	32,500.00	(15,764.12)	-48.50%	-41.67%
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES	2,163.20	15,358.72	1.89%	28,121.00	(12,762.28)	-45.42%	-41.67%
<i>Personnel</i>							
701.1 Salaries-Planning Director	-	-	0.00%	-	-	0.00%	-41.67%
702.1 Salaries-Code Enforcement & Permittir	-	-	0.00%	-	-	0.00%	-41.67%
703.1 Salaries-Ass. to Planning Director	-	-	0.00%	-	-	0.00%	-41.67%
704.1 Salaries-GIS/Permitting Clerk	2,491.63	18,227.54	2.24%	32,240.00	(14,012.46)	-43.46%	-41.67%
706.1 Payroll Taxes	356.08	2,429.04	0.30%	4,708.00	(2,278.96)	-48.41%	-41.67%
707.1 TMRS - Public Works	140.23	924.27	0.11%	1,998.00	(1,073.73)	-53.74%	-41.67%
708.1 Health Benefits	400.00	2,800.00	0.34%	4,800.00	(2,000.00)	-41.67%	-41.67%
Total Personnel	5,551.14	39,739.57	4.88%	71,867.00	(32,127.43)	-44.70%	-41.67%
<i>Operating</i>							
712.1 Mileage	-	-	0.00%	250.00	(250.00)	0.00%	-41.67%
713.1 Training	-	-	0.00%	500.00	(500.00)	0.00%	-41.67%
714.1 Certificates	-	-	0.00%	-	-	0.00%	-41.67%
715.1 Supplies - Public Works	66.82	57.57	-0.02%	500.00	(442.43)	-88.48%	-41.67%
720.1 Fuel	14.50	665.49	0.08%	2,000.00	(1,334.51)	-66.73%	-41.67%
721.1 Tools	81.32	27.99	0.00%	500.00	(472.01)	-94.40%	-41.67%
722.1 Vehicle Maintenance & Insurance	14.50	135.50	0.02%	500.00	(364.50)	-72.90%	-41.67%
Total Operating	81.32	856.55	0.11%	4,250.00	(3,393.45)	-79.14%	-41.67%
Total Public Works	5,632.46	40,626.12	4.99%	76,117.00	(35,490.88)	-46.63%	-41.67%
<i>Roads</i>							

Restricted for Management's Use Only

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
727.1	314.39	57,015.34	7.00%	85,000.00	(27,984.66)	-32.92%	-41.67%
729.1	-	-	0.00%	20,000.00	(20,000.00)	-100.00%	-41.67%
730.1	205.76	4,885.96	0.60%	6,000.00	(1,114.04)	-18.57%	-41.67%
731.1	-	-	0.00%	-	-	0.00%	-41.67%
732.1	54.00	2,733.10	0.34%	10,500.00	(7,766.90)	-73.97%	-41.67%
733.1	100.00	2,367.55	0.29%	3,500.00	(1,132.45)	-32.36%	-41.67%
734.1	-	700.00	0.09%	1,200.00	(500.00)	-41.67%	-41.67%
735.1	-	-	0.00%	-	-	0.00%	-41.67%
736.1	-	2,200.00	0.00%	50,000.00	(50,000.00)	0.00%	-41.67%
737.1	-	-	0.27%	-	2,200.00	0.00%	-41.67%
740.1	-	-	0.00%	-	-	0.00%	-41.67%
741.1	-	-	0.00%	250,000.00	(250,000.00)	-100.00%	-41.67%
	674.15	69,901.95	8.58%	451,200.00	(381,298.05)	-84.51%	-41.67%
Total Roads							
752.1	-	-	0.00%	1,500.00	(1,500.00)	-100.00%	-41.67%
753.1	-	-	0.00%	-	-	0.00%	-41.67%
754.1	-	-	0.00%	-	-	0.00%	-41.67%
755.1	-	-	0.00%	-	-	0.00%	-41.67%
756.1	485.00	2,382.54	0.29%	6,000.00	(3,617.46)	-60.29%	-41.67%
	485.00	2,382.54	0.29%	7,500.00	(5,117.46)	-68.23%	-41.67%
	6,771.61	112,910.61	13.86%	534,817.00	(421,906.39)	-78.89%	-41.67%
TOTAL PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES							
PUBLIC SAFETY/COURTS EXPENDITURES							
<i>Personnel</i>							
801.1	-	(259.70)	-0.03%	-	(259.70)	0.00%	-41.67%
806.1	-	(66.88)	-0.01%	-	(66.88)	0.00%	-41.67%
807.1	-	35.89	0.00%	-	35.89	0.00%	-41.67%
808.1	-	-	0.00%	-	-	0.00%	-41.67%
	-	(310.69)	-0.04%	-	(310.69)	0.00%	-41.67%
<i>Total Personnel</i>							
Operating							
820.1	29.00	639.34	0.00%	1,200.00	(1,200.00)	-100.00%	-41.67%
821.1	-	-	0.08%	2,610.00	(1,970.66)	-75.50%	-41.67%
822.1	-	-	0.00%	-	-	0.00%	-41.67%
823.1	-	-	0.00%	2,500.00	(2,500.00)	-100.00%	-41.67%
824.1	-	6,000.00	0.74%	6,000.00	-	0.00%	-41.67%
825.1	-	41.57	0.01%	-	41.57	0.00%	-41.67%

Restricted for Management's Use Only

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
826.1	-	131.88	0.02%	-	131.88	0.00%	-41.67%
827.1	-	28.00	0.00%	-	28.00	0.00%	-41.67%
830.1	-	19,031.13	2.34%	12,552.00	6,479.13	51.62%	-41.67%
831.1	-	-	0.00%	-	-	0.00%	-41.67%
832.1	-	-	0.00%	-	-	0.00%	-41.67%
837.1	1,421.00	6,953.75	0.85%	15,000.00	(8,046.25)	0.00%	-41.67%
	1,450.00	32,825.67	4.03%	39,862.00	(7,036.33)	-17.65%	-41.67%

TOTAL PUBLIC SAFETY/COURTS EXPENDITURES

PARKS & RECREATION EXPENDITURES

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
851.1	-	-	0.00%	-	-	0.00%	-41.67%
852.1	-	-	0.00%	-	-	0.00%	-41.67%
853.1	-	-	0.00%	-	-	0.00%	-41.67%
<u>Total Personnel</u>	-	-	0.00%	-	-	0.00%	-41.67%
<u>Operating</u>	-	-	0.00%	-	-	0.00%	-41.67%
854.1	-	-	0.00%	-	-	0.00%	-41.67%
855.1	-	-	0.00%	-	-	0.00%	-41.67%
856.1	-	-	0.00%	500.00	(500.00)	-100.00%	-41.67%
857.1	-	-	0.00%	-	-	0.00%	-41.67%
858.1	188.96	1,288.12	0.16%	5,000.00	(3,711.88)	-74.24%	-41.67%
<u>Total Operating</u>	188.96	1,288.12	0.16%	5,500.00	(4,211.88)	-76.58%	-41.67%

TOTAL PARKS & RECREATION EXPENDITURES

COMMUNITY CENTER EXPENDITURES

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
901.1	1,540.00	11,194.40	1.37%	18,231.00	(7,036.60)	-38.60%	-41.67%
902.1	1,975.00	12,817.20	1.57%	35,182.00	(22,364.80)	-63.57%	-41.67%
906.1	288.90	1,898.46	0.23%	4,177.00	(2,278.54)	-54.55%	-41.67%
907.1	-	261.58	0.03%	1,165.00	(903.42)	-77.55%	-41.67%
908.1	-	600.00	0.07%	2,400.00	(1,800.00)	-75.00%	-41.67%
909.1	40.00	2,395.35	0.29%	750.00	1,645.35	219.38%	-41.67%
<u>Total Personnel</u>	3,823.90	29,166.99	3.58%	61,905.00	(32,738.01)	-52.88%	-41.67%

Operating

910.1	215.00	839.00	0.10%	5,000.00	(4,161.00)	-83.22%	-41.67%
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Restricted for Management's Use Only

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
912.1 Telephone	123.36	195.40	0.02%	-	195.40	0.00%	-41.67%
915.1 Cleaning	500.00	2,835.00	0.35%	-	2,835.00	0.00%	-41.67%
916.1 Office Supplies	148.99	434.76	0.05%	2,500.00	(2,065.24)	-82.61%	-41.67%
917.1 Utilities	3,430.68	18,691.25	2.29%	26,068.00	(7,376.75)	-28.30%	-41.67%
920.1 Postage	-	-	0.00%	-	-	0.00%	-41.67%
926.1 Security Expense	186.90	654.15	0.08%	1,100.00	(445.85)	-40.53%	-41.67%
927.1 Maintenance & Repair	5.00	926.16	0.11%	2,000.00	(1,073.84)	-53.69%	-41.67%
928.1 Supplies	444.61	1,656.74	0.20%	3,500.00	(1,843.26)	-52.66%	-41.67%
961.1 Public Relations/Receptions	-	705.00	0.09%	-	705.00	0.00%	-41.67%
<i>Total Operating</i>	<u>5,054.54</u>	<u>26,946.26</u>	<u>3.31%</u>	<u>40,168.00</u>	<u>(13,221.74)</u>	<u>-32.92%</u>	<u>-41.67%</u>
TOTAL COMMUNITY CENTER EXPENDITURES	8,878.44	56,113.25	6.89%	102,073.00	(45,959.75)	-45.03%	-41.67%
TOTAL EXPENDITURES	421,221.64	814,620.84	0.93	1,126,293.00	(265,712.41)	-23.59%	-41.67%
TRANSFER IN (FUND BALANCE)		193,793.00					
Net Excess (Deficit)	\$ (302,123.48)	\$ (274,493.46)	6.89%	\$ -	(274,493.46)	0.00%	-41.67%

Restricted for Management's Use Only

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

Assets

Current Assets		
110.40 Cash - Ozona National Bank - BH Operating	\$	93,454.83
119.40 Texpool - Blue Hole		<u>163,938.95</u>
Total Current Assets	\$	<u>257,393.78</u>
Total Assets	\$	<u>257,393.78</u>

Liabilities and Fund Balance

Current Liabilities		
340.40 Blue Hole Rental Deposits Payable	\$	<u>400.00</u>
Total Current Liabilities	\$	<u>400.00</u>
Total Liabilities		<u>400.00</u>
Fund Balance		
467.40 Fund Balance - Blue Hole Parkland		111,579.97
473.40 Designated Fund Balance Blue Hole - Soccer Fields		148,701.58
498.40 Net Excess (Deficit)		<u>(1,287.77)</u>
Total Fund Balance		<u>256,993.78</u>
Total Liabilities and Fund Balance	\$	<u>257,393.78</u>

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.40 Interest Income - Blue Hole Parkland	\$ 41.60	100.00	\$ 289.17	46.69
504.40 Misc Income - Blue Hole	0.00	0.00	55.16	8.91
542.40 Rental Fees	0.00	0.00	275.00	44.40
Total Revenues	41.60	100.00	619.33	100.00
Expenditures				
Parks - Operating				
862.40 Utilities	55.10	132.45	520.70	84.07
864.40 Operating Supplies	0.00	0.00	397.20	64.13
866.40 Rental	0.00	0.00	139.20	22.48
868.40 Public Restroom Facilities	0.00	0.00	850.00	137.25
Total Parks - Operating	55.10	132.45	1,907.10	307.93
Total Expenditures	55.10	132.45	1,907.10	307.93
NET EXCESS (DEFICIT)	\$ (13.50)	(32.45)	\$ (1,287.77)	(207.93)

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.4 Interest Income	\$ 41.60	\$ 289.17	46.69%	\$ 500.00	(210.83)	-42.17%	-41.67%
504.4 Misc Income	-	55.16	24.10%	-	55.16	0.00%	-41.67%
518.4 Designated Funds	-	-	0.00%	-	-	0.00%	-41.67%
520.4 Grant Funds	-	-	0.00%	-	-	0.00%	-41.67%
541.4 Gate Fees	-	-	0.00%	60,000.00	(60,000.00)	-100.00%	-41.67%
542.4 Rental Fees	-	275.00	44.40%	2,000.00	(1,725.00)	-86.25%	-41.67%
TOTAL REVENUES	41.60	619.33	115.19%	\$62,500.00	(61,880.67)	-99.01%	-41.67%
EXPENDITURES							
858.4 Blue Hole Master Plan	-	-	0.00%	-	(23,455.00)	-100.00%	-41.67%
861.4 Contract Labor/Wages	-	-	0.00%	23,455.00	(979.30)	-65.29%	-41.67%
862.4 Utilities	55.10	520.70	27.30%	1,500.00	(2,500.00)	-100.00%	-41.67%
863.4 Mowing	-	-	0.00%	2,500.00	(1,647.80)	-80.58%	-41.67%
864.4 Operating Supplies	-	397.20	20.83%	2,045.00	(27,000.00)	-100.00%	-41.67%
865.4 Contract Services	-	-	0.00%	27,000.00	(1,360.80)	-90.72%	-41.67%
866.4 Rental	-	139.20	7.30%	1,500.00	(2,000.00)	-100.00%	-41.67%
867.4 Materials	-	-	0.00%	2,000.00	(1,650.00)	-82.50%	-41.67%
868.4 Public Restroom Facilities	-	850.00	44.57%	2,500.00	(1,650.00)	-66.00%	-41.67%
TOTAL BLUE HOLE PARKLAND EXPENDITURES	55.10	1,907.10	100.00%	62,500.00	(60,592.90)	-96.95%	-41.67%
Net Excess (Deficit)	\$ (13.50)	\$ (1,287.77)	15.19%	-	(1,287.77)	-2.06%	-41.67%

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

Assets

Current Assets

112.50 Cash - Ozona National Bank - Municipal Court \$ 1,255.67

Total Current Assets \$ 1,255.67

Total Assets \$ 1,255.67

Liabilities and Fund Balance

Current Liabilities

304.50 Due to General - Municipal Court \$ (4.00)

350.50 Municipal Court Cost Payable 3.43

Total Current Liabilities \$ (0.57)

Total Liabilities (0.57)

Fund Balance

467.50 Fund Balance - Municipal Court 1,221.52

498.50 Net Excess (Deficit) 34.72

Total Fund Balance 1,256.24

Total Liabilities and Fund Balance \$ 1,255.67

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

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

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.5 Interest Income	\$ -	2.24	6.45%	\$ -	2.24	0.00%	-41.67%
550.5 Court Technology Fees	-	2.73	7.86%	425.00	(422.27)	-99.36%	-41.67%
551.5 Building Security Fees	-	2.05	5.90%	325.00	(322.95)	-99.37%	-41.67%
552.5 Child Safety Fees	-	25.00	72.00%	325.00	(300.00)	-92.31%	-41.67%
553.5 Judicial Efficiency Fees	-	2.70	7.78%	20.00	(17.30)	-86.50%	-41.67%
TOTAL REVENUES	-	34.72	100.00%	1,095.00	(1,060.28)	-95.83%	-41.67%
EXPENDITURES							
<u>Court Technology</u>							
Office Supplies	-	-					-41.67%
Office Technology	-	-					-41.67%
Capital Outlay - Technology	-	-					-41.67%
Total Court Technology	-	-					-41.67%
<u>Building Security</u>							
Office Supplies	-	-					-41.67%
Security Expense	-	-					-41.67%
Capital Outlay - Furnishings	-	-					-41.67%
Total Building Security	-	-					-41.67%
<u>Child Safety</u>							
Printing	-	-					-41.67%
Contract Labor	-	-					-41.67%
Signage	-	-					-41.67%
Total Child Safety	-	-					-41.67%
<u>Judicial Efficiency</u>							
Office Supplies	-	-					-41.67%
Printing	-	-					-41.67%
Signage	-	-	0.00%	-	-	0.00%	-41.67%
Total Judicial Efficiency	-	-					-41.67%
TOTAL MUNICIPAL COURT EXPENDITURES	-	-	0.00%	-	-	0.00%	-41.67%
Net Excess (Deficit)	\$ -	\$ 34.72	100.00%	\$ 1,095.00	\$ 1,060.28	-95.83%	-41.67%

Restricted for Management's Use Only

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

Assets

Current Assets

111.60 Cash - Ozona National Bank - BH Development \$ 222,060.87

Total Current Assets \$ 222,060.87

Total Assets \$ 222,060.87

Liabilities and Fund Balance

Total Liabilities \$ 0.00

Fund Balance

467.60 Fund Balance - Capital Project Fund \$ 445,258.78
498.60 Net Excess (Deficit) (223,197.91)

Total Fund Balance 222,060.87

Total Liabilities and Fund Balance \$ 222,060.87

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.60 Interest Income	\$ 91.22	100.00	\$ 1,539.21	100.00
Total Revenues	<u>91.22</u>	<u>100.00</u>	<u>1,539.21</u>	<u>100.00</u>
Expenditures				
Parks - Operating				
870.60 Capital Outlay - Development Project	0.00	0.00	224,737.12	14600.81
Total Parks - Operating	<u>0.00</u>	<u>0.00</u>	<u>224,737.12</u>	<u>14600.81</u>
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>224,737.12</u>	<u>14600.81</u>
NET EXCESS (DEFICIT)	<u>\$ 91.22</u>	<u>100.00</u>	<u>\$ (223,197.91)</u>	<u>(14500.81)</u>

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
REVENUES							
503.6 Interest Income	\$ 91.22	\$ 1,539.21	100.00%	\$ 4,500.00	\$ (2,960.79)	-65.80%	-41.67%
503.6 Misc Income	-	-	0.00%	-	-	0.00%	-41.67%
518.6 Designated Funds	-	-	0.00%	-	-	0.00%	-41.67%
520.6 Grant Funds	-	-	0.00%	1,131,125.00	(1,131,125.00)	-100.00%	-41.67%
TOTAL REVENUES	91.22	1,539.21	100.00%	1,135,625.00	(1,134,085.79)	-99.86%	-41.67%
EXPENDITURES							
861.6 Contract Labor/Wages	-	-	0.00%	-	-	0.00%	-41.67%
865.6 Contract Services	-	-	0.00%	321,125.00	(321,125.00)	-100.00%	-41.67%
869.6 Capital Outlay - Equipment	-	-	0.00%	14,500.00	-	0.00%	-41.67%
870.6 Capital Outlay - Development	29,449.55	224,737.12	100.00%	800,000.00	(575,262.88)	-71.91%	-41.67%
TOTAL BLUE HOLE PARKLAND EXPENDITURES	29,449.55	224,737.12	100.00%	1,135,625.00	(910,887.88)	-80.21%	-41.67%
Net Excess (Deficit)	\$ (29,358.33)	\$ (223,197.91)	0.00%	-	\$ (223,197.91)	-19.65%	-41.67%

**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>
4/12/10	862.40	Utilities	55.10	3019	wimberley water
4/1/10	733.10	Parking Lot Lease	100.00	7412	calkins interest
4/1/10	608.10	Health Care	200.00	7413	cara mcpartland
4/1/10	608.10	Health Care	312.00	7414	don ferguson
4/1/10	608.10	Health Care	200.00	7415	monica alcalá
4/1/10	708.10	Health Benefits	200.00	7416	sandra irvin
4/1/10	614.10	Rent	3,812.00	7417	todd routh
4/1/10	614.10	Rent	525.00	7418	todd routh
4/1/10	708.10	Health Benefits	200.00	7419	william bowers
4/1/10	927.10	Maintenance & Repair - Comm Ctr	5.00	7423	aaa fire & safety equipm
4/1/10	623.10	Office Technology	49.00	7424	anvil communications
4/1/10	917.10	Utilities - Comm Ctr	500.66	7425	aqua texas, inc.
4/1/10	926.10	Security Expense - Comm Ctr	93.45	7426	asg security
4/1/10	676.10	Contract Inspector	490.00	7427	ats
4/1/10	727.10	Road Maintenance	150.00	7428	garrett allen
4/1/10	910.10	Advertising	165.00	7429	hill country sun
4/1/10	651.10	Association Dues	63.00	7430	holly media group
4/1/10	632.10	Capital Outlay - Other	125.00	7431	nathan estrada
4/1/10	618.10	Equipment Leases	162.00	7432	pitney bowes
4/1/10	732.10	Signs/Barricades	54.00	7433	safelane traffic supply
4/1/10	720.10	Fuel	66.82	7434	texas fleet fuel
4/1/10	612.10	Telephone	351.67	7435	verizon
4/1/10	910.10	Advertising	50.00	7436	wimberley chamber of commerce
4/1/10	917.10	Utilities - Comm Ctr	2,016.00	7437	wimberley hydro gas co
4/5/10	607.10	TMRS - Admin	365.35	7438	tmrs
4/5/10	707.10	TMRS - Public Works	140.23	7438	tmrs
4/5/10	311.10	TMRS Payable	837.04	7438	tmrs
			1,342.62	7438	Reference Total
4/5/10	301.10	Withholding Tax Payable	124.00	7439	ozona natl bank
4/5/10	302.10	FICA Tax Payable	111.70	7439	ozona natl bank
			235.70	7439	Reference Total
4/5/10	606.10	Payroll Taxes	967.90	7440	twc
4/1/10	915.10	Cleaning - Comm Ctr	250.00	7441	ruth frei
4/12/10	301.10	Withholding Tax Payable	927.00	7447	ozona natl bank
4/12/10	302.10	FICA Tax Payable	1,559.78	7447	ozona natl bank
			2,486.78	7447	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>
4/1/10	330.10	Community Center Security Deposits Payable	500.00	7448	calvin or margerite cahill
4/1/10	330.10	Community Center Security Deposits Payable	300.00	7449	sydna barroso
4/12/10	859.10	Nature Trail Operations	50.00	7450	affordable lawn care
4/12/10	623.10	Office Technology	112.50	7451	anvil communications
4/12/10	676.10	Contract Inspector	745.00	7452	ats
4/12/10	641.10	Legal	2,237.12	7453	bickerstaff heath pollan & caroom
4/12/10	821.10	City Prosecutor	29.00	7453	bickerstaff heath pollan & caroom
			2,266.12	7453	Reference Total
4/12/10	722.10	Vehicle Maint. & Insurance	14.50	7454	bob lawson's lube & auto
4/12/10	837.10	Sanitarian - Contract Labor	1,421.00	7455	environmental concepts llc
4/12/10	727.10	Road Maintenance	150.00	7456	garrett allen
4/12/10	619.10	Water Cooler	38.49	7457	hill country springs
4/12/10	610.10	Public Notices	669.25	7458	holly media group
4/12/10	909.10	Contract Labor - Comm Ctr	40.00	7459	kathryn joffrion
4/12/10	928.10	Supplies - Comm Ctr	37.18	7460	kay henderson
4/12/10	756.10	Public Restroom Wastewater	465.00	7461	leineweber plumbing co
4/12/10	655.10	Financial Management Services	1,000.00	7462	lori graham
4/12/10	631.10	Capital Outlay - Technology	1,200.00	7463	it systems
4/12/10	729.10	Road Engineering	205.76	7464	neptune wilkinson
4/12/10	677.10	Site Plan Reviews	25.00	7464	neptune wilkinson
			230.76	7464	Reference Total
4/12/10	617.10	Utilities	606.75	7465	pec
4/12/10	859.10	Nature Trail Operations	83.37	7465	pec
4/12/10	917.10	Utilities - Comm Ctr	694.62	7465	pec
			1,384.74	7465	Reference Total
4/12/10	615.10	Cleaning	500.00	7466	pow-wow services
4/12/10	917.10	Utilities - Comm Ctr	89.84	7467	texas disposal systems
4/12/10	622.10	Records Management	35.00	7468	texas municipal clerks cert prog
4/12/10	859.10	Nature Trail Operations	35.59	7469	wimberley water supply
4/12/10	917.10	Utilities - Comm Ctr	129.56	7469	wimberley water supply
			165.15	7469	Reference Total
4/12/10	616.10	Office Supplies	25.99	7470	ace hardware
4/12/10	727.10	Road Maintenance	14.39	7470	ace hardware
4/12/10	928.10	Supplies - Comm Ctr	65.14	7470	ace hardware
			105.52	7470	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>
4/20/10	915.10	Cleaning - Comm Ctr	250.00	7475	ruth frei
4/26/10	301.10	Withholding Tax Payable	896.00	7476	ozona natl bank
4/26/10	302.10	FICA Tax Payable	1,541.18	7476	ozona natl bank
			2,437.18	7476	Reference Total
4/26/10	926.10	Security Expense - Comm Ctr	93.45	7477	asg security
4/26/10	612.10	Telephone	176.70	7478	at&t
4/26/10	928.10	Supplies - Comm Ctr	22.00	7479	coffee wholesale usa
4/26/10	618.10	Equipment Leases	281.03	7480	kyocera mita america
4/26/10	928.10	Supplies - Comm Ctr	89.90	7481	lone star restaurant supply
4/26/10	616.10	Office Supplies	155.03	7482	sam's club
4/26/10	916.10	Office Supplies - Comm Ctr	148.99	7482	sam's club
4/26/10	928.10	Supplies - Comm Ctr	230.39	7482	sam's club
			534.41	7482	Reference Total
4/26/10	912.10	Telephone - Comm Ctr	123.36	7483	verizon
4/12/10	110.40	Cash - Ozona National Bank - BH Operating	-55.10	disb	disb
4/26/10	102.10	Cash - Ozona National Bank - General	-30,701.68	disb	disb
			-30,756.78	disb	Reference Total
		Total for 77 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>
4/30/10	330.10	Community Center Security Deposits Payable	1,100.00	1	refundable deposits-cc
4/30/10	102.10	Cash - Ozona National Bank - General	-1,100.00	1	cash
			0.00	1	Reference Total
4/30/10	105.10	Cash - Ozona National Bank - CD	92.66	2	ozona
4/30/10	503.10	Interest Income - General	-92.66	2	interest
			0.00	2	Reference Total
4/30/10	111.60	Cash - Ozona National Bank - BH Development	91.22	3	ozona
4/30/10	503.60	Interest Income	-91.22	3	interest
			0.00	3	Reference Total
4/30/10	103.10	Cash - Bianco National Bank - General	92.50	4	bianco
4/30/10	616.10	Office Supplies	-92.50	4	void ck#5040 (8/31/07)
			0.00	4	Reference Total
4/30/10	110.40	Cash - Ozona National Bank - BH Operating	19.20	5	ozona bh
4/30/10	503.40	Interest Income - Blue Hole Parkland	-19.20	5	ozona bh
			0.00	5	Reference Total
4/30/10	632.10	Capital Outlay - Other	375,448.00	6	misc debit
4/30/10	622.10	Records Management	15.36	6	qb s/c
4/30/10	616.10	Office Supplies	127.63	6	ck order
4/30/10	503.10	Interest Income - General	-68.05	6	interest
4/30/10	502.10	Mixed Beverage Tax	-1,823.85	6	mixed beverage
4/30/10	102.10	Cash - Ozona National Bank - General	-373,699.09	6	cash
			0.00	6	Reference Total
4/30/10	102.10	Cash - Ozona National Bank - General	280,310.95	7	deposits
4/30/10	121.10	Sales Tax Receivable	-30,756.46	7	sales tax receivable
4/30/10	497.10	Transfers	-187,724.00	7	transfer from texpool
4/30/10	504.10	Miscellaneous Income	-3,299.52	7	misc income
4/30/10	505.10	Building Permits	-1,984.89	7	bldg permits
4/30/10	506.10	Building Inspections	-1,790.00	7	inspections

**City of Wimberley
JOURNAL REPORT**

April 30, 2010

JE -

Client No: 347

Page 5

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/10	509.10	Plan Reviews	-130.00	7	plan reviews
4/30/10	510.10	Beer & Wine Permits	-800.00	7	beer & wine permits
4/30/10	511.10	Sign Permits	-150.00	7	sign permits
4/30/10	512.10	Subdivision	-150.00	7	subdivision fees
4/30/10	521.10	Time Warner Cable	-7,608.71	7	time warner cable
4/30/10	522.10	Pedernales Electric Cooperative, Inc.	-29,185.41	7	pec
4/30/10	525.10	Franchise Fees - Misc	-4,006.96	7	misc franchise fees
4/30/10	120.10	Accounts Receivable	-8,811.00	7	a/r
4/30/10	527.10	Food Permits	-360.00	7	food permits
4/30/10	528.10	Septic Lease	-450.00	7	septic lease
4/30/10	532.10	Community Center Rental Fees	-2,804.00	7	rental fees
4/30/10	330.10	Community Center Security Deposits Payable	-300.00	7	refundable deposits
			0.00	7	Reference Total
4/30/10	121.10	Sales Tax Receivable	64,364.98	8	sales tax receivable
4/30/10	501.10	Sales & Use Tax	-64,364.98	8	sales tax revenue
			0.00	8	Reference Total
4/30/10	119.10	Texpool - General	29.13	9	texpool
4/30/10	503.10	Interest Income - General	-29.13	9	interest
			0.00	9	Reference Total
4/30/10	497.10	Transfers	187,724.00	10	transfer
4/30/10	119.10	Texpool - General	-187,724.00	10	texpool
			0.00	10	Reference Total
4/30/10	119.40	Texpool - Blue Hole	22.40	11	texpool - bh
4/30/10	503.40	Interest Income - Blue Hole Parkland	-22.40	11	interest
			0.00	11	Reference Total
4/30/10	706.10	Payroll Taxes	356.08	12	payroll taxes - ow
4/30/10	606.10	Payroll Taxes	-356.08	12	p/r taxes
			0.00	12	Reference Total
4/30/10	906.10	Payroll Taxes - Comm Ctr	268.90	13	p.r taxes - comm ctr
4/30/10	606.10	Payroll Taxes	-268.90	13	p/r taxes admin
			0.00	13	Reference Total

**City of Wimberley
JOURNAL REPORT**

April 30, 2010

JE -

Client No: 347

Page 6

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
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		Total for 46 Items	0.00		
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City of Wimberley
JOURNAL REPORT

April 30, 2010

PYA - Generated payroll accrual

Client No: 347

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<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/10	606.10	Payroll Taxes	1,256.60	CKS	Employer's FICA
4/30/10	302.10	FICA Tax Payable	-1,256.60	CKS	Employer's FICA
4/30/10	606.10	Payroll Taxes	293.88	CKS	Employer's Medicare
4/30/10	302.10	FICA Tax Payable	-293.88	CKS	Employer's Medicare
			0.00	CKS	Reference Total
		Total for 4 Items	0.00		

City of Wimberley
JOURNAL REPORT

April 30, 2010

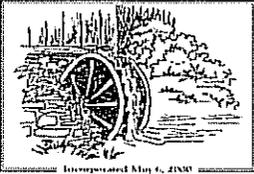
PYR - Generated payroll transaction

Client No: 347

Page 8

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/10	601.10	City Administrator	7,307.70	CKS	SALARY
4/30/10	301.10	Withholding Tax Payable	-1,823.00	CKS	Federal Withholding
4/30/10	302.10	FICA Tax Payable	-1,550.48	CKS	Fica + Medicare Withholding
4/30/10	311.10	TMRS Payable	-837.62	CKS	TMRS Contribution
4/30/10	102.10	Cash - Ozona National Bank - General	-16,056.59	CKS	Net Payroll Checks
4/30/10	602.10	City Secretary	2,846.16	CKS	SALARY
4/30/10	603.10	Receptionist/Clerk	1,944.00	CKS	SALARY
4/30/10	901.10	Salaries - Director	1,540.00	CKS	SALARY
4/30/10	704.10	Salaries-GIS/Permitting Clerk	2,456.75	CKS	SALARY
4/30/10	704.10	Salaries-GIS/Permitting Clerk	34.88	CKS	Overtime
4/30/10	902.10	Salaries - Maintenance	1,975.00	CKS	SALARY
4/30/10	702.10	Salaries-Code Enforcement & Permitting	2,163.20	CKS	SALARY
			0.00	CKS	Reference Total
		Total for 12 Items	0.00		

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: RE-APPOINTMENT OF PHIL DANE TO THE PLANNING AND ZONING COMMISSION

Funds Required:

Funds Available:

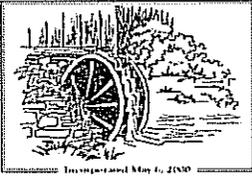
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Four Council Member Steve Thurber to allow City Council to consider the re-appointment of Phil Dane to the City of Wimberley Planning and Zoning Commission.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: PRESENTATION FROM RIVER MEADOWS PROPERTY OWNERS ASSOCIATION ON EMERGENCY ACCESS

Funds Required:
Funds Available:

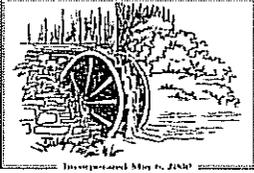
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow representative(s) of the River Meadows Property Owners Association to make a presentation to City Council regarding emergency access issues in their neighborhood.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

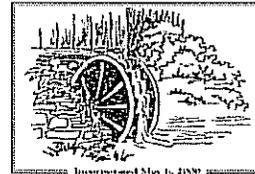
Discussion

Project/Proposal Summary:

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

- Status report on the efforts underway to secure federal funding for the downtown wastewater project
- Status report on sales tax collections for the City of Wimberley
- Status report on the operation of the Wimberley Community Center
- Status report on the plans for a public open house at the new City Hall
- Status report on the plans for a reception to recognize the members of the City's various boards and commissions along with other City volunteers

Report for CUP-10-004



Summary: A request for a Conditional Use Permit (CUP) to allow a secondary single family residential building at 171 Panorama Drive.

Applicant Information:

Applicant: David Estey
171 Panorama Drive
Wimberley, TX 78676

Property Owner: David Estey

Subject Property:

Legal Description: Hilltop Place Section 1, Lot 23
Location: 171 Panorama Drive
Existing Use of Property: Residential
Existing Zoning: Residential Acreage (RA)
Proposed Use of Property: Residential
Proposed Zoning: Secondary Residential
Planning Area: Planning Area I
Overlay District: None

Surroundings:

Frontage On: Panorama Drive

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	RA	Residential
S of Property	RA, R1	Residential, Vacant
E of Property	RA	Vacant
W of Property	RA	Vacant

Legal Notice

200' Letters Published: 3/26/2010
Sign Placement: 3/31/2010
Responses: 3/26/2010
None

Comments:

The applicant, David Estey, is seeking a Conditional Use Permit (CUP) to allow for the construction of a secondary residence on a 5.26 acre tract of land located at 171 Panorama Drive. The subject property is zoned Residential Acreage (RA) which allows secondary residential structures with a floor area of at least six hundred (600) square feet as a conditional use.

Currently, there is one (1) single family residence located on the subject property. The applicant is proposing to construct a one-story secondary residence with a floor area of approximately eight hundred (800) square feet adjacent to the existing home on the

residentially zoned tract. The architectural style of the secondary residence will be consistent with that of the surrounding neighborhood.

On May 13, 2010, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend approval of the CUP.

DISTRICT REGULATIONS; USE REQUIREMENTS AND RESTRICTIONS

§ 155.035 RESIDENTIAL ACREAGE; RA.

(A) *General purpose and description.* The RA, residential acreage district is designed to permit the use of land for the propagation and cultivation of crops and similar uses of vacant land. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is given the RA classification until it is assigned another more permanent zoning district.

(B) *Permitted uses.*

(1) One residence, including:

(a) One single-family detached dwelling; or

(b) Mobile or manufactured home installed on a permanent foundation.

(2) Farms, barns, nurseries, greenhouses, or gardens on parcels 5 acres or larger, limited to the propagation and cultivation of plants, provided no retail business is conducted on the premises except as provided under home occupation, as defined in § 155.005, and except as may be permitted with a conditional use permit (CUP);

(3) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:

(a) The term accessory use shall include customary home occupations as herein defined. See § 155.076 for additional accessory use requirements;

(b) A detached private garage used in conjunction with the main building;

(c) Detached garages with living quarters (such as garage/accessory dwelling), detached employee (such as caretaker's) quarters (with a garage), or other accessory buildings such as barns, sheds, and other structures are permitted. Detached employee quarters without a garage may be permitted only by CUP, and are required to be on a lot 5 acres or larger. Only 1 accessory dwelling unit (such as garage/accessory dwelling, employee quarters, and the like) shall be allowed on any lot within the RA district, and it shall be clearly incidental to the primary use (such as single-family detached residential). These accessory living structures shall not, in any case, be sold separately from the main dwelling.

(4) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.

(5) Swimming pool (private);

- (6) Commercial row and field crops;
- (7) Commercial livestock; and
- (8) Religious assembly.

(C) *Conditional uses.*

- (1) One secondary single-family residential building built on site;
- (2) Bed and breakfast lodging which may be in the primary or secondary residential building or in cottages or cabins;
- (3) Home day care;
- (4) Home commercial crafts or hobbies;
- (5) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations;
- (6) Two-family residential (duplex); and
- (7) Utilities.

(D) *Development regulations.*

- (1) Minimum lot size: 5 acres or more.
- (2) Maximum building height (as defined in § 155.005):
 - (a) Primary residential building: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;
 - (b) Secondary residential building: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;
 - (c) Accessory buildings: not more than 18 feet and not more than 1 story;
 - (d) Decks: not more than 12 feet including a railing only or 18 feet including a roof; and
 - (e) Barns, silos, water towers: 45 feet if more than 90 feet from residential buildings or property line, otherwise 28 feet.
- (3) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment

shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

- (a) Dominant street: 50 feet;
- (b) Secondary street: 25 feet; and
- (c) Interior side and rear: 15% of lot width, but need not be greater than 25 feet.

(4) Minimum floor area:

- (a) Primary residential building: 1,000 square feet;
- (b) Secondary residential building: 600 square feet; and
- (c) Bed and breakfast units: 200 square feet.

(5) Maximum impervious cover: 20%. Impervious cover shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(6) The parking and trash collection ordinances will apply.

(E) *Special requirements.*

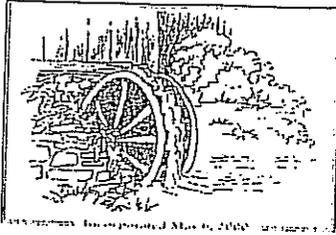
(1) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.

(2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on 2 or more acres.

(3) Open storage is prohibited, except for materials for the resident's personal use or consumption such as firewood, garden materials, and the like.

(4) Single-family homes with side entry garages where lot frontage is only to 1 street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.

(F) *Other regulations.* As established in §§ 155.075 *et seq.*, development standards. (Ord. 2001-010, § 14, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003) Penalty, see § 155.999



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-10 - 004

FOR OFFICIAL USE ONLY

Application Date: 3/24/2010 Tentative P&Z Hearing: April 22 Tentative Council Hearing: MAY 6, 2010

FEES: \$400.00 DATE PAID: 3/24/2010 CHECK NO. 7194 REC'D BY _____

PROJECT SITE ADDRESS: 171 PANORAMA DR Wimberley, TX. 78676

OWNER/APPLICANT DAVID & VILVA ESTEY PHONE () 512-557-1366

FAX () _____ EMAIL: dwestey@aol.com

Mailing Address: PO Box 1711 CITY: Wimberley STATE: TX ZIP: 78676

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

ZONING: 5A CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)
Second Residential Residence

Planning Area: I Zoning: RA Total (Acreage) or Sq. Ft. 5.26

Subdivision: Hilltop Place Sect Lot 23 Block -

Appraisal District Tax ID#: R 31985

Deed Records Hays County: Volume _____ Page _____

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

Type: _____

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

Utilities:

Electric Provider: Pepperdales

Water Provider or Private Well: Private Well

Wastewater Service Provider or Hays County Septic Permit No: New Septic Permit Pending with Village

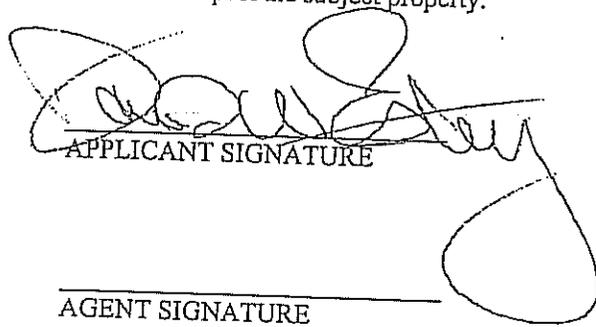
MY REQUEST IS BASED ON THE FOLLOWING:

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

ADDITIONAL REQUIREMENTS/DOCUMENTATION

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

Date 3/24/2010


 APPLICANT SIGNATURE

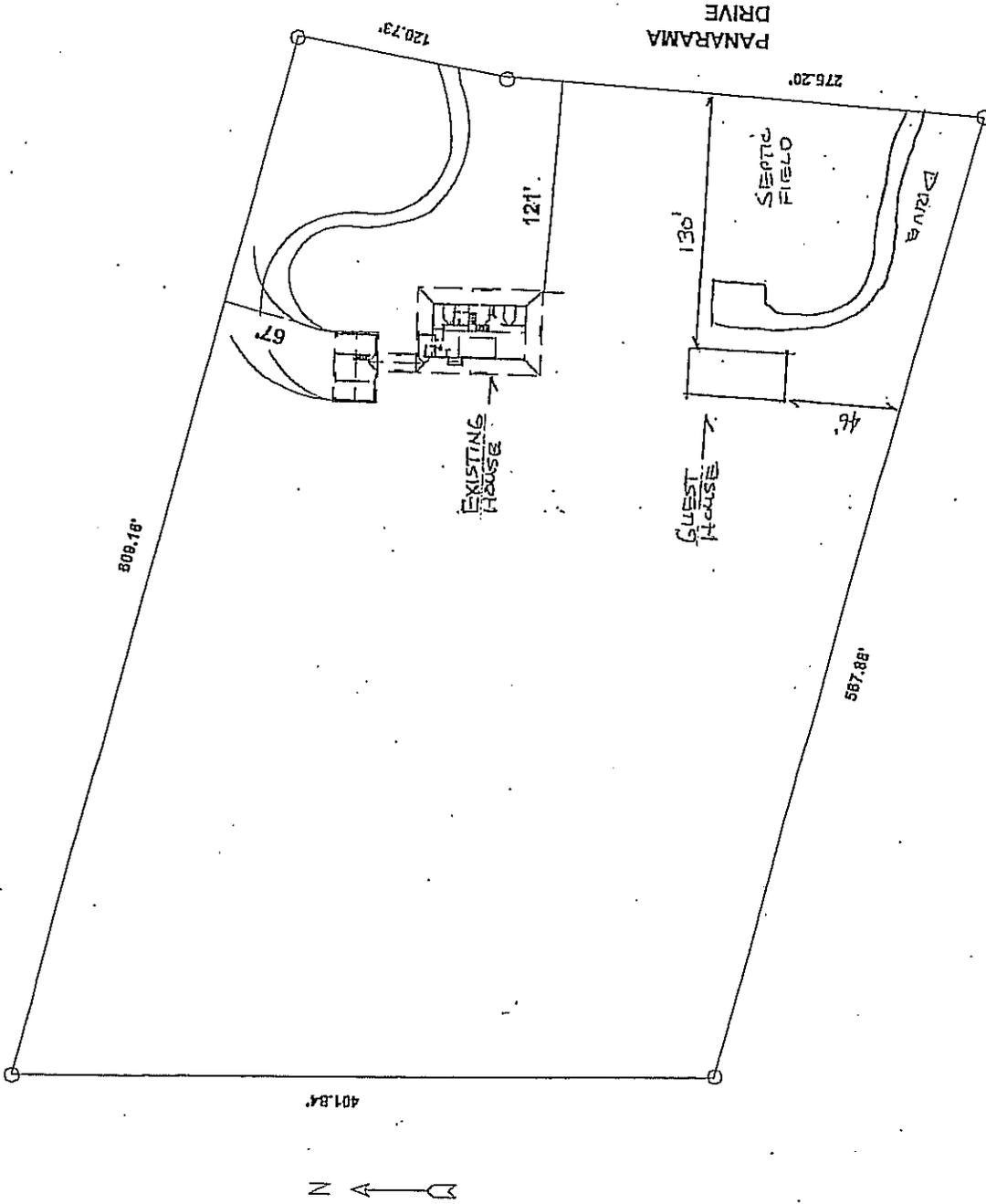
 AGENT SIGNATURE

WHEN APPLICABLE:

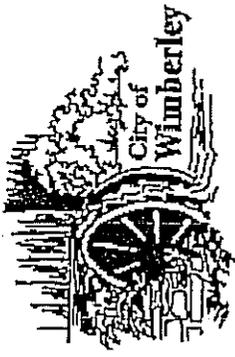
Date _____

SITE PLAN

SCALE: 1" = 75'

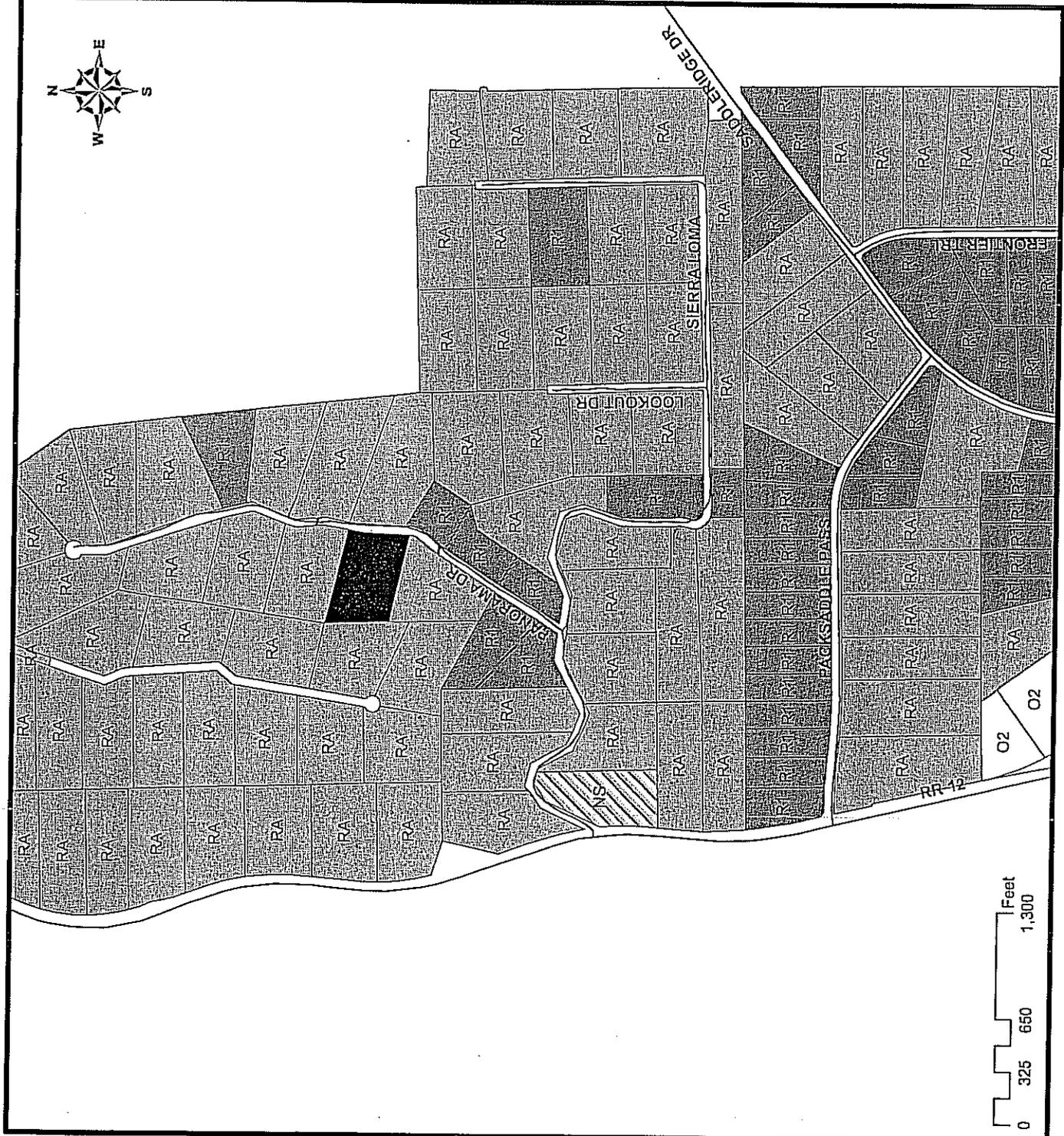


Zoning Map for CUP-10-004

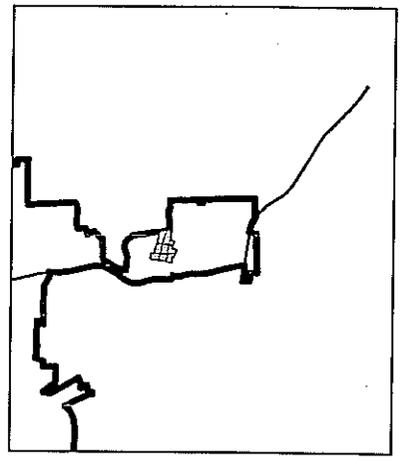


P.O. Box 2027 • Wimberley, Texas 78676

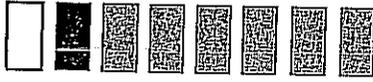
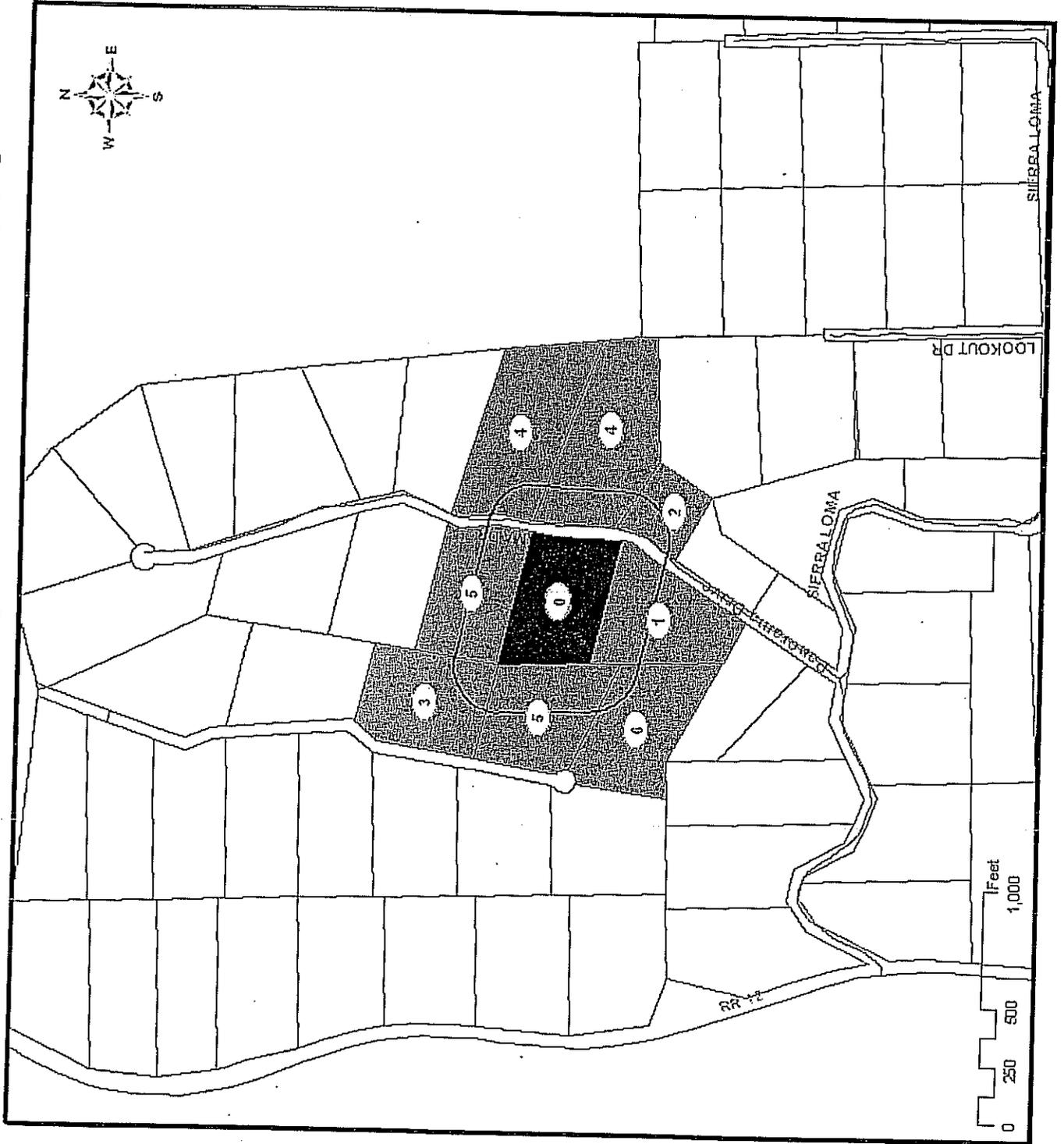
- Subject Property
- RA (Residential Acreage)
- R1 (Rural Residential 1)
- NS (Neighborhood Services)



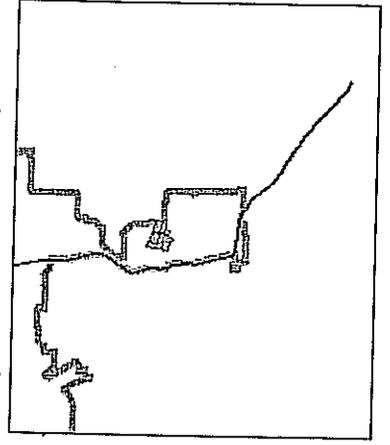
Location Map

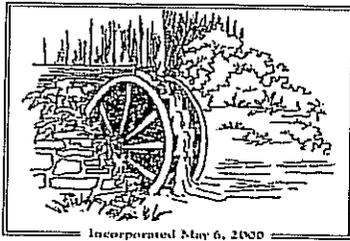


Notification Map for CUP-10-004



Location Map





City of Wimberley

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

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

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

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

Council Members – Charles Roccaforte, Jeri Xiques, Terrie Bursiel, Dick Larson
Don Ferguson, City Administrator

March 26, 2010

NOTICE OF PUBLIC HEARING

Re: File No. CUP-10-004

171 Panorama Drive

A request for a Conditional Use Permit (CUP) to allow a Secondary Residential Unit on the subject property

Dear Property Owner:

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

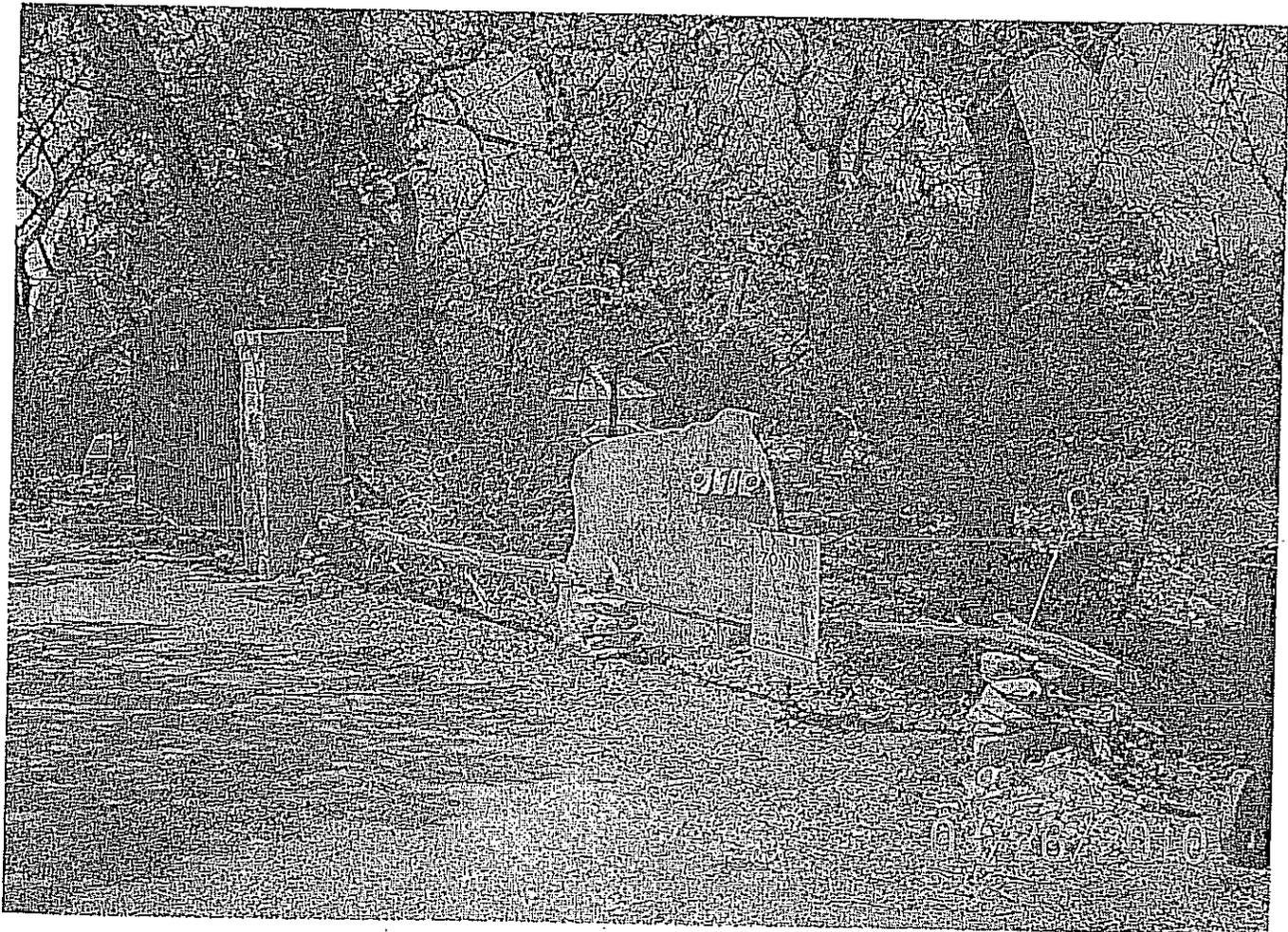
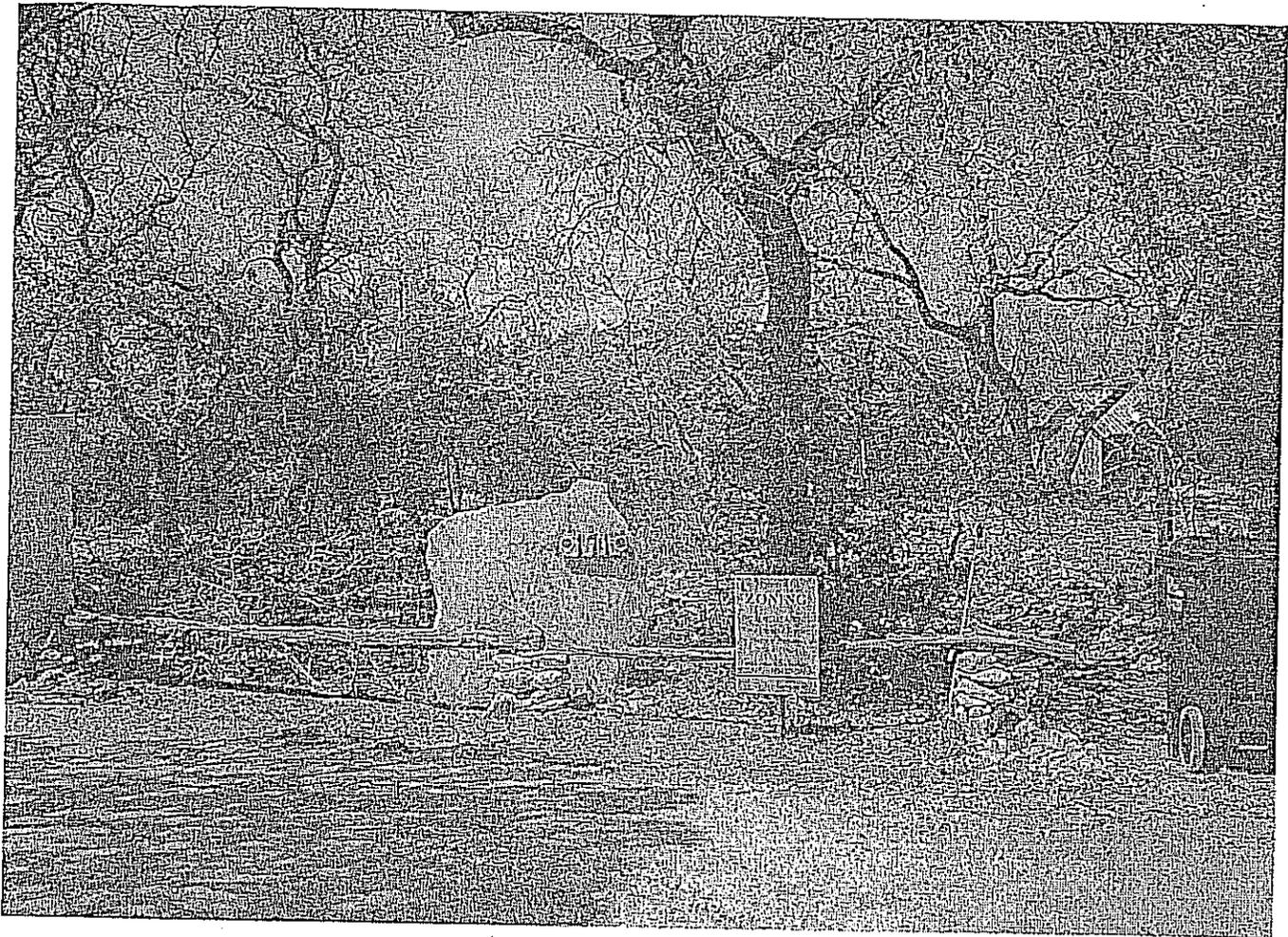
David Estey has requested a Conditional Use Permit (CUP) to allow a Secondary Residential Unit for a property located at 171 Panorama Drive.

The City of Wimberley Planning & Zoning Commission will consider these requests at a public hearing on **Thursday, April 22, 2010 at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon recommendations from the Commission, City Council will hold a Public Hearing to consider the same requests on **Thursday, May 6, 2010 at 6:30 p.m.**

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

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

CITY OF WIMBERLEY



ORDINANCE NO. 2010-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY DAVID ESTEY TO PERMIT THE CONSTRUCTION AND USE OF A SECONDARY SINGLE-FAMILY RESIDENTIAL STRUCTURE ON A 5.26 ACRE TRACT LOCATED AT 171 PANORAMA DRIVE, WIMBERLEY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by David Estey ("Applicant") requesting authorization to construct and use of a secondary single-family residential structure on real property consisting of approximately 5.26 acres, zoned Residential Acreage (RA); and

WHEREAS, a residential structure currently exists on the property and a secondary residential structure is an authorized use in areas zoned Residential Acreage (RA) upon the granting of a Conditional Use Permit; and

WHEREAS, approval of the Conditional Use Permit has been recommended by the Planning and Zoning Commission; and

WHEREAS, Applicant has submitted a Conditional Use Permit Application and site plan, attached hereto as Exhibit "A" and incorporated herein, and other necessary information, and has complied with the requirements of the City of Wimberley Zoning Ordinance; and

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

WHEREAS, the City Council finds that the use of the subject property adding the construction of a secondary single-family residential structure is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by David Estey ("Applicant") requesting authorization to construct and use of a secondary residential structure on real property consisting of approximately 5.26 acres, located at

171 Panorama Drive, Lot 23, Hilltop Place Section Subdivision, Wimberley, Hays County, Texas, a primary residential structure currently exists on the tract which is zoned Residential Acreage (RA), subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the City of Wimberley ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use and construction of a secondary single-family residential structure in accordance with the site plan attached hereto as Exhibit "A", attached and incorporated by reference, and in any event shall not exceed 800 square feet as well as all applicable regulations in effect at the time of the submission of the building permit application. Other than the current existing uses on the property, no other use of the property is authorized by this Conditional Use Permit.
3. All construction material and architectural style shall imitate the current existing building and compliment the surrounding neighborhood.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. REPEALER

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

ARTICLE V. SEVERABILITY

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

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. PROPER NOTICE AND MEETING

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

Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

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

CITY OF WIMBERLEY

By: _____
Bob Flocke, Mayor

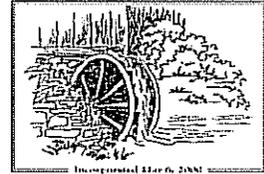
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

Report for CUP-10-006



Summary:

A request for a Conditional Use Permit for the sale of beer, wine or alcohol at 13909 Ranch Road 12

Applicant Information:

Applicant: Robert Pitzer
13909 Ranch Road 12
Wimberley Texas 78676

Property Owner: Robert Pitzer

Subject Property:

Legal Description: A0461 Amasa Turner Survey
Location: 13909 Ranch Road 12
Existing Use of Property: Commercial –Art Gallery
Existing Zoning: C-2 (Commercial-Moderate Impact)
Proposed Use of Property: Sale of alcohol
Proposed Zoning: Conditional Use Permit for the sale of alcohol for on-premise consumption

Planning Area V
Overlay District Village Center Overlay, VC

Surroundings:

Frontage On: Ranch Road 12

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	C2, C3	Commercial
S of Property	C1,C2,C3	Commercial
E of Property	C1,C2	Commercial
W of Property	C1,C3	Commercial

Legal Notice

200' Letters Sent 4/23/2010
Published 4/28/2010
Sign Placement 4/23/2010

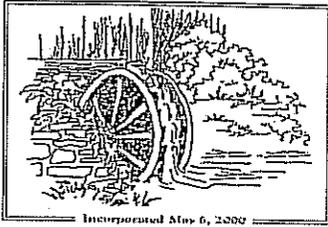
Responses None

Comments:

The applicant -- Robert Pitzer -- has requested a Conditional Use Permit (CUP) to allow for the sale of beer, wine, or alcohol for on-premise consumption at 13909 Ranch Road 12. The .1295 acre tract of property is zoned C-2 and is located in the *Village Center Overlay District*.

Currently, the applicant owns and operates *Pitzer's Fine Art Studio* at the subject location. The CUP is being sought to allow the applicant to sell beer, wine and alcohol to studio customers for on-premise consumption.

On May 13, 2010, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend approval of the CUP.



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-10 - 006

FOR OFFICIAL USE ONLY

Application Date: 4/20/2010 Tentative P&Z Hearing: 5/13/2010 Tentative Council Hearing: 5/20/2010

FEES: \$400.00 DATE PAID: 4/20/2010 CHECK NO. 1063 REC'D BY _____

PROJECT SITE ADDRESS: 13909 Rmct Road 12 Wimberley, TX. 78676

OWNER/APPLICANT ROBERT PITZEN PHONE (512) 722-6032

FAX() _____ EMAIL: ROB@PITZENSAET.COM

Mailing Address: PO BOX 2850 CITY: WIMBERLEY STATE: TX ZIP: 78676

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

ZONING: C2 CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

Planning Area 5 Zoning C2 Total Acreage or Sq. Ft. .1295

Subdivision: N/A Lot _____ Block _____

Appraisal District Tax ID#: R18508

Deed Records Hays County: Volume _____ Page _____

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

Type: VILLAGE CENTER

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

Utilities:

Electric Provider: PG&E

Water Provider or Private Well: WIMBERLEY WATER

Wastewater Service Provider or Hays County Septic Permit No: _____

MY REQUEST IS BASED ON THE FOLLOWING:

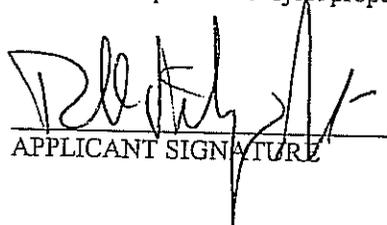
- The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- The use requested by the applicant is set forth as a conditional use in the base district;
- The nature of the use is reasonable;
- The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

ADDITIONAL REQUIREMENTS/DOCUMENTATION

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

Date

4/20/10



APPLICANT SIGNATURE

WHEN APPLICABLE:

Date

AGENT SIGNATURE

§ 155.048 COMMERCIAL - MODERATE IMPACT; C-2.

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

(B) *Permitted uses.*

- (1) Administrative and professional office:
 - (a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;
 - (b) Photography studios, doctors, dentists;
 - (c) Non-profit organizations (with certain restrictions);
 - (d) Civic uses (such as City Halls);
 - (e) Research services: limited; and
 - (f) Office.
- (2) Religious assembly;
- (3) Medical services: limited;
- (4) Personal services: general;
- (5) Accessory uses to the main use;
- (6) Retail sales and services: general;
- (7) Retail sales and services: flea market/market day;
- (8) Eating establishments: sit-down;
- (9) Plant nurseries;
- (10) Emergency shelter and feeding site (humans);
- (11) Communications services: limited (such as studios);
- (12) Commercial/residential;

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

(C) *Conditional uses.*

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

- (2) Personal services: limited;
- (3) Gasoline sales: limited;
- (4) Automotive washing;
- (5) Personal storage;
- (6) Bed and breakfast lodging;

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

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

(D) *Development regulations.*

- (1) Minimum lot size: 5,000 square feet.
- (2) Maximum building height (as defined in § 155.005):

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

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

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

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

(a) Dominant street: 15 feet;

(b) Secondary street: 15 feet; and

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

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

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

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

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

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

(F) *Special requirements.*

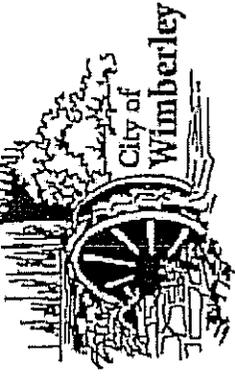
(1) For site plan requirements, see § 155.077.

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

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

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

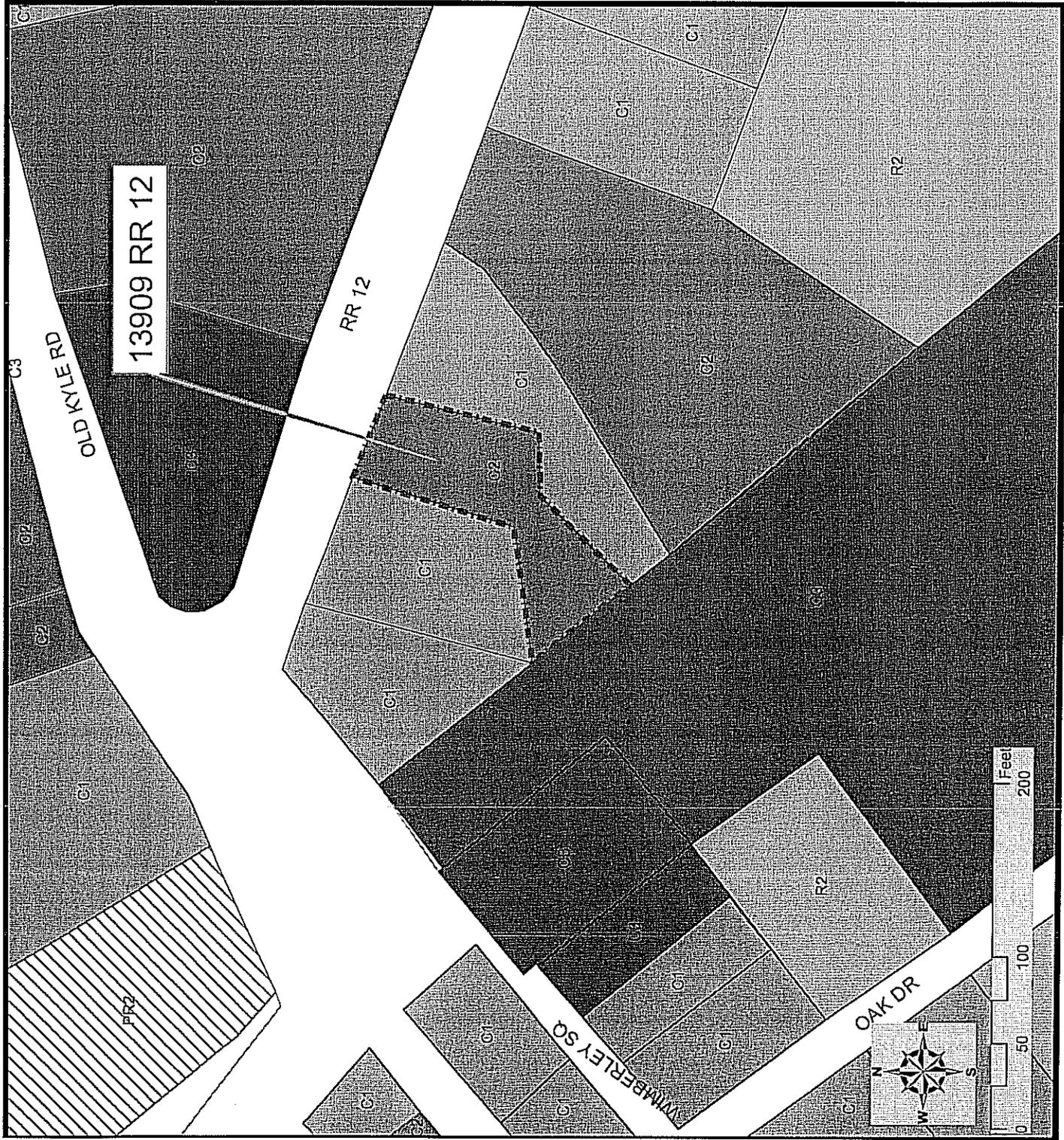
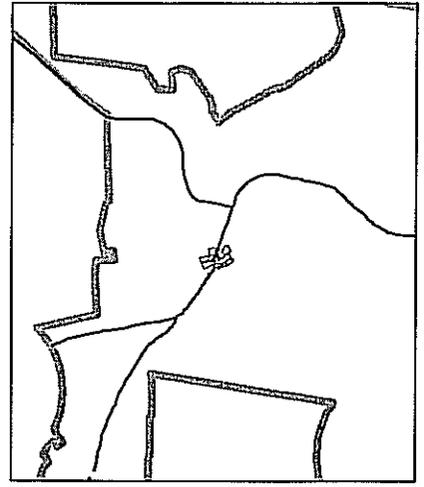
Zoning Map for Case CUP-10-006



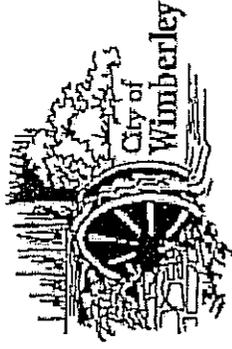
P.O. Box 2027 • Wimberley, Texas 78676

- Subject Property
- Single Family Residential 2 (R2)
- Commercial - Low Impact (C1)
- Commercial - Moderate Impact (C2)
- Commercial - High Impact (C3)
- Participant Recreation 2 (PR2)

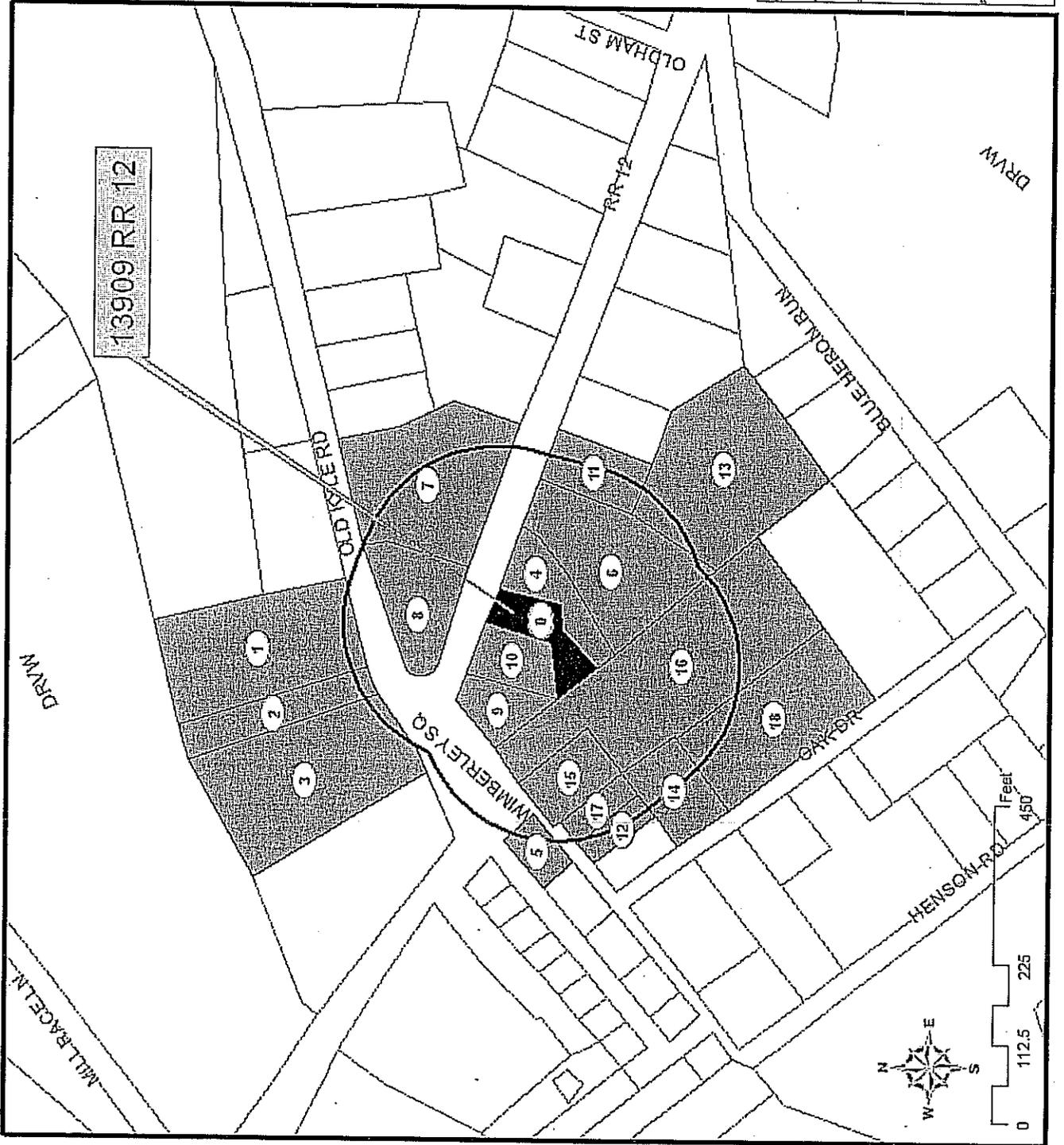
Location Map



Notification Map for Case CUP-10-006

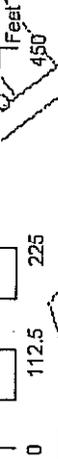
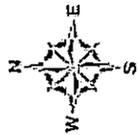
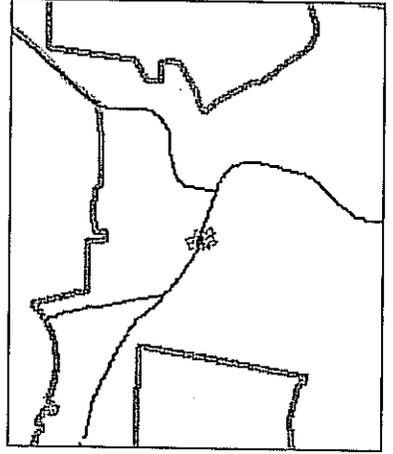


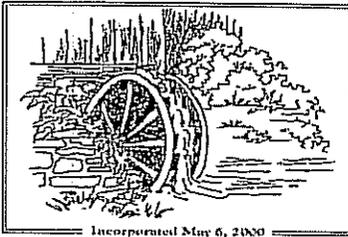
P.O. Box 1027 - Wimberley, Texas 78676



- 200' Notification Buffer
- 0, WIMBERLEY PATIO BUILDING LLC
- 1, CRANE, LES
- 2, CRANE, LES
- 3, TATE, JOYCE WEBB
- 4, SULLIVAN, GAY B
- 5, MCCULLOUGH HERSHEL & ROBINETTE
- 6, WCF PROPERTIES LLC
- 7, WIMBERLEY RR 12 LLC
- 8, DOUBLE LC PARTNERS ONE LTD
- 9, BARLOW STEPHEN & SARAH
- 10, LYLES AMY & CHRIS
- 11, ODOM CHARLES N TRUSTEE
- 12, FLOCKE ROBERT
- 13, CRAPPS HELEN LOUISE ESTATE OF
- 14, MCQUIGG, MARY KAY
- 15, CLAM PROCESSING SOLUTIONS INC
- 16, CALKINS, INTERESTS LTD
- 17, CLAM PROCESSING SOLUTIONS INC
- 18,
- 19,

Location Map





City of Wimberley

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

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

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

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

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

April 23, 2010

NOTICE OF PUBLIC HEARING

Re: File No. CUP-10-006

13909 Ranch Road 12

A request for a Conditional Use Permit (CUP) to allow the sale of beer, wine or alcohol for on-premise consumption.

Dear Property Owner:

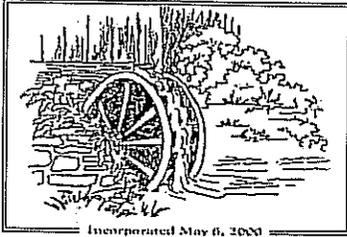
You are receiving this letter because you own property within 200 feet of the above referenced location.

The applicant, Robert Pitzer, has requested a Conditional Use Permit (CUP) to allow for the sale of beer, wine or alcohol for on-premise consumption at 13909 Ranch Road 12. The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, May 13, 2010, at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, May 20, 2010, at 6:30 p.m.**

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

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

CITY OF WIMBERLEY



City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422
E-mail: Wimberley@anvilcom.com - Web: www.vil.wimberley.tx.us

NOTICE BY SIGN POSTING

Zoning No: CUP-10-006

Owner _____

Date 4/23/10

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

(X) Project Site Address 17909 RR-12

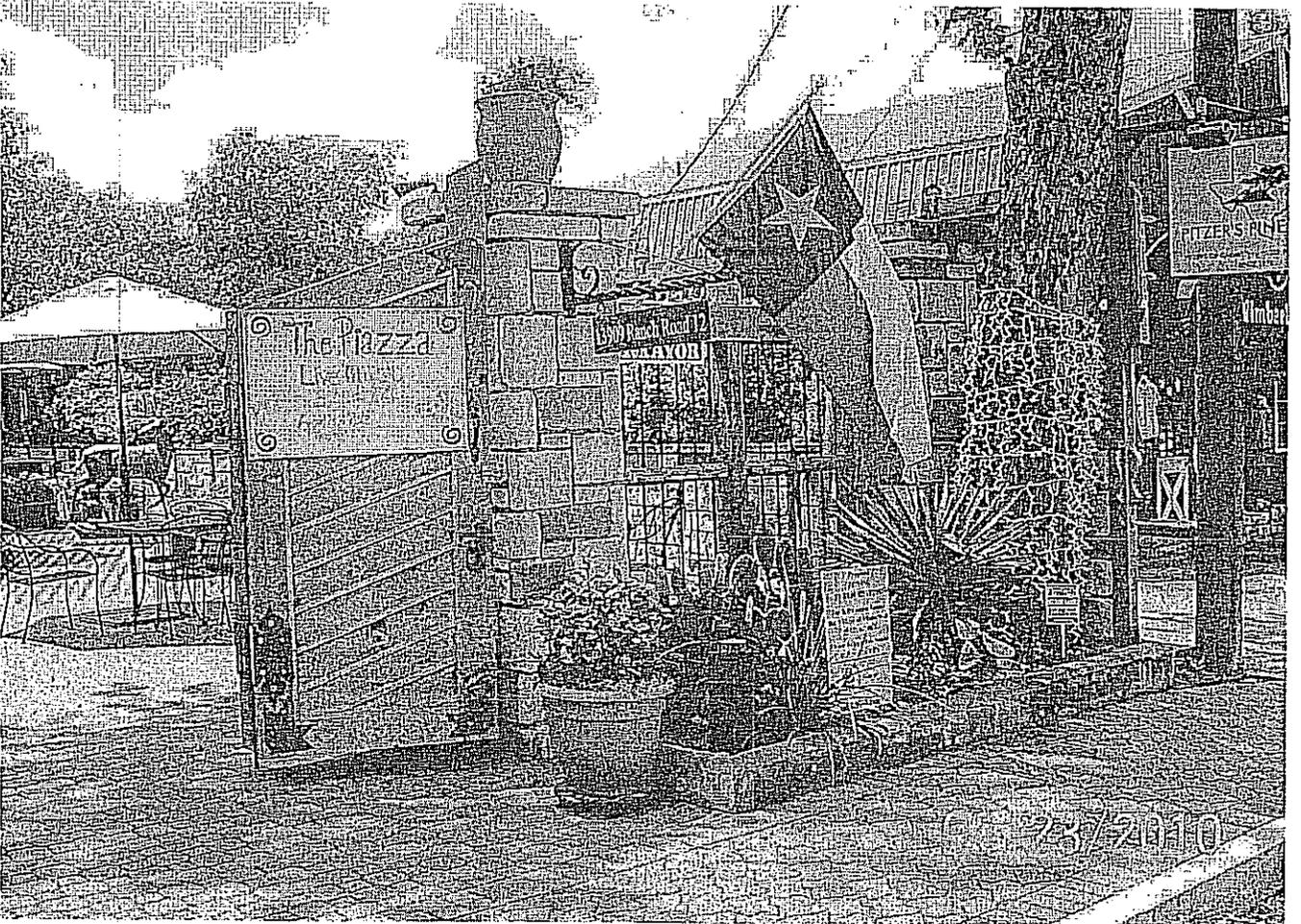
which is located RR-12

Bill Bowers
Asst. Public Works

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

4/23/10, 2010


Signature



Continuing News 858-4163 • Wimberley View &

CLASSIFIED

Email your ads to: classad@wimberley-tx.com

LEGALS & PUBLIC NOTICES

PUBLIC NOTICE NOTICE OF PUBLIC HEARING

(Conditional Use Permit)
 Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, May 13, 2010, at 6:30 p.m. to consider the following: CUP-10-006 (an application for a Conditional Use Permit (CUP) to allow the sale of alcohol for on premise consumption at 18909 Ranch Road 12). Upon recommendation of the Planning & Zoning Commission the City Council will also hold a public hearing on Thursday, May 20, 2010, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas (01972/1a/34).

PUBLIC NOTICE NOTICE OF PUBLIC HEARING

Hill Country Cottages, Inc.

Apartments for those 62 years of age or older, handicap/disabled, regardless of age. 1 and 2 bedrooms units. Monthly Rent is based on income. Call Apartment Manager at (512) 858-5131 for more information. TDD - 800-765-2988. Financed through USDA Rural Development. This institution is an equal opportunity provider and employer.

member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearing. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas (01970/1a/34).

PUBLIC NOTICE
 THE STATE OF TEXAS
 THE COUNTY OF HAYS TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF MAMIE

scribed by law at the address below. Dated this 20th day of April, 2010. Karlen Gay Morris, Independent Executor of the Estate of Robert DeQuincy Morris, Deceased, c/o MARILYN G. MILLER, Attorney at Law, PO Box 917, Dripping Springs, Texas 78620. (01969/1a/35)

PUBLIC NOTICE
FAIR HOUSING, ITS THE LAW.
 This year marks the forty second (42nd) Anniversary of the National Fair Housing Law. To promote fair housing practices, the city of Unland encourages potential homeowners and renters to be aware of their rights.

deemed qualified contractor should have experience of at least three years in the specific service contract area and have existing contract projects similar in price and scope to those required by WVLD. Priority will be given to the first three qualified submissions for each service contract listed above. Final selection will be based on the best combination of price and qualification with preference given to contractors domiciled within the WVLD. During the review phase WVLD will not accept any inquiries regarding the service contracts. Selected contractors will be so advised no later than June 11, 2010. All contractors not deemed qualified to the WVLD contract will receive notification in a timely manner thereafter. Wimberley Village Library District is an equal employment/equal opportunity public service employer. (01950/2a/36)

PUBLIC NOTICE
 By order of the Hays County Commissioners Court, notice is hereby given that on Tuesday, April 27, 2010 at 9 a.m. in the Hays County Courthouse, 111 San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider Resubdivision of Tract 42, Ledgerrock

★ AUTOS

1991 HOV ACCO...
 Runs good
 New tires
 926-08
 (01949/1)

2007 CAD...
 OTS 26LV
 exterior
 interior
 package
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 512-847
 512-922
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 (01961)

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ORDINANCE NO. 2010-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY ROBERT PITZER TO ALLOW THE SALE OF BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION ON AN APPROXIMATE 0.1295 ACRE TRACT LOCATED AT 13909 RANCH ROAD 12, WIMBERLEY, TEXAS, ZONED COMMERCIAL-MODERATE IMPACT (C-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Robert Pitzer (“Applicant”) requesting authorization to allow the Sale of Beer, Wine and Alcohol for On-Premise Consumption on real property described as approximately 0.1295 acres described as part of the ABS 461 Amasa Turner Survey, zoned Commercial-Moderate Impact (C-2); and

WHEREAS, the Sale of Beer, Wine and Alcohol for On-Premise Consumption is an authorized use in areas zoned Commercial-Moderate Impact (C-2) upon the granting of a Conditional Use Permit; and

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

WHEREAS, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the Wimberley Zoning Ordinance; and

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

WHEREAS, the City Council finds that the additional use of the subject property for the sale of alcoholic beverages for on-premise consumption, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Robert Pitzer (“Applicant”) to allow the Sale of Beer, Wine and Alcohol for On-Premise Consumption on real property located at 13909 Ranch Road 12, described as a 0.1295 acre tract part of the ABS 461 Amasa Turner Page Survey, as more particularly described on the metes and bounds shown on Exhibit “A”, attached and incorporated by reference, zoned Commercial-Moderate Impact (C-1), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of the Sale of Beer, Wine and Alcohol for On-Premise Consumption on the property, as well as all applicable regulations in effect at the time of the submission of the building permit application. This Conditional Use Permit does not authorize any other use of the property, except as permitted under the Zoning Code.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. REPEALER

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

ARTICLE V. SEVERABILITY

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

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. PROPER NOTICE AND MEETING

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

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

WIMBERLEY, TEXAS

By: _____
Bob Flocke, Mayor

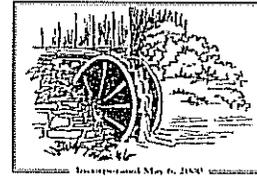
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

Report for CUP-10-005



Summary:

A Conditional Use Permit for the sale of beer, wine and alcohol for on-premise consumption at 601 FM 2325.

Applicant Information:

Applicant: Wimberley Lions Club
601 FM 2325
Wimberley, Texas 78676

Property Owner: Wimberley Lions Club

Subject Property:

Legal Description: A0365 Benjamin Page Survey, 3.25 Acres
Location: 601 FM 2325
Existing Use of Property: Market Days
Existing Zoning: C-1 Commercial - Low Impact
Proposed Use of Property: Alcohol sales
Proposed Zoning: Conditional Use Permit for the sale of beer for on-premise consumption

Planning Area: III
Overlay District: Waterway & Entrance Corridor

Surroundings:

Frontage On: FM 2325

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	R1, R2, C1, L1	Commercial, Lodging, Vacant
S of Property	PF	Public/Institutional
E of Property	C1	Public/Institutional
W of Property	C1, PF	Public/Institutional, Commercial

Legal Notice

200' Letters: 4/23/2010
Published: 4/28/2010
Sign Placement: 4/23/2010
Responses: none

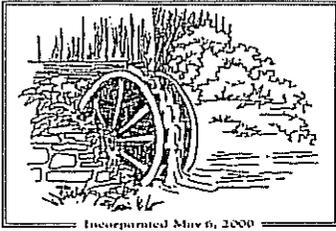
Comments:

The Wimberley Lions Club -- the applicant -- has requested a Conditional Use Permit (CUP) to allow for the sale of beer for on-premise consumption on a 3.25 acre tract of land located at 601 FM 2325. The subject property is located in Planning Area III, and is zoned Commercial-Low Impact (C-1). Alcohol sales for on-premise consumption are allowed in a C-1 zoning district with a CUP.

The applicant is proposing to sell beer for on-premise consumption at Lions Market Days – an outdoor market that occurs on the first Saturday of each month from March thru December. The beer will be sold and consumed in a designated area on the event grounds.

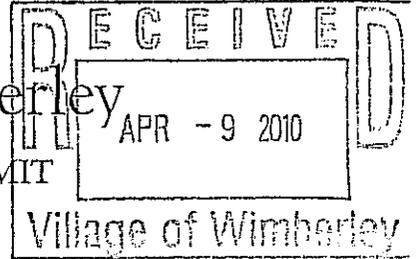
The subject property is located within three hundred (300) feet of the Bowen and Katherine Anne Porter school properties. As such, the applicant will also need to secure a variance from the three hundred (300) foot buffer requirement prohibiting the sale of beer, wine and alcohol within three hundred (300) feet of churches, schools, day care centers and hospitals.

On May 13, 2010, the Planning and Zoning Commission held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend approval of the CUP with the conditions that alcohol sales for on-premise consumption be allowed only on Market Days and that alcohol sales and consumption be limited to the concession area known as "Hamburger Hill".



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION



No. CUP-10 - 005

FOR OFFICIAL USE ONLY

Application Date: 4/9/2010 Tentative P&Z Hearing: 5/13/10 Tentative Council Hearing: 5/26/10

FEES: \$400.00 DATE PAID: 4/9/2010 CHECK NO. 16228 REC'D BY _____

PROJECT SITE ADDRESS: 601 S.H. 2325 Wimberley, TX. 78676

OWNER/APPLICANT Wimberley Lions Club PHONE (512) 847-1308

FAX (512) 847-3590 EMAIL: shopmarketdays.com

Mailing Address: P.O. Box 575 CITY: Wimberley STATE: TX ZIP: 78676

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

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

Sale of beer at Lion's MARKET DAY, HAMBURGER Hill Commission

Planning Area 3 Zoning C-1 Total Acreage or Sq. Ft. 3.25 acs.

Subdivision: Benjamin Page Survey Lot _____ Block _____

Appraisal District Tax ID#: R 17155

Deed Records Hays County: Volume 1294 Page 876

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

Type: Waterway and Entrance Corridor

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

Utilities:

Electric Provider: PEC

Water Provider or Private Well: Wimberley Water Co.

Wastewater Service Provider or Hays County Septic Permit No: _____

MY REQUEST IS BASED ON THE FOLLOWING:

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

ADDITIONAL REQUIREMENTS/DOCUMENTATION

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

Date April 9, 2010

Wimberley Lions Club
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date April 9, 2010

David Campbell, Attorney
AGENT SIGNATURE

APPLICATION FOR VARIANCE

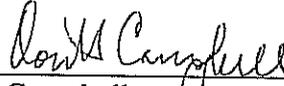
This Application for Variance is submitted to the City of Wimberley by Wimberley Lions International, Inc. d/b/a Wimberley Lions Club and its Market Days activities for the following reasons:

1. Wimberley Lions Club operates Market Days on the first Saturday of each month from March through December on property in Wimberley commonly known as Lions Field;
2. Market Days is operated for the purpose of generating profits used by Wimberley Lions to make donations to many worthy causes including: Lions Camp for disabled children in Kerrville, Texas, Lions Eyebank of Texas, Lions Mobile Health Unit, optometrist exams and corrective eye-wear for needy children, Habitat for Humanity, scholarships for Wimberley's children to college and trade-school; student-exchange programs, senior-citizens programs, construction of the Wimberley Community Center, Wimberley parks, special programs in Wimberley schools, recognition of outstanding teachers and students, Wimberley Emergency Services, Wimberley Volunteer Fire Department, Emily Ann Theatre, Wimberley Players Theater, Wimberley Food Bank, Wimberley Choral Group, Wimberley Symphony Orchestra, Hays County Women's Center, Wimberley Visitor's Center, CASA, PAWS, etc. Wimberley Lions Club has donated more than 3 million dollars generated from Market Days operations to these causes.
3. As part of its Market Days operation, Wimberley Lions Club wants to acquire a *Conditional Use Permit* from the City of Wimberley and a *License* from Texas Alcoholic Beverage Commission that would allow it to sell beer and wine for consumption on premises during Market Days.
4. Lions Field is located within 1000 feet of property owned or occupied by Wimberley Presbyterian Church, Trinity Chapel, Trinity Chapel, Inc., and Chapel in the Hills.
5. The issuance of a *Conditional Use Permit* to Wimberley Lions Club will necessitate the granting of a variance from certain ordinances or rules regarding distance requirements between the Wimberley churches listed above and Lions Field.
6. Wimberley Lions Club requests that the City of Wimberley grant it a variance from the distance requirements in question.

WHEREFORE, PREMISES CONSIDERED, Wimberley Lions Club requests that this *Application for Variance* be granted and for such other relief to which it shall show itself entitled for the granting of a *Conditional Use Permit*.

Respectfully submitted,

MOUNGER AND CAMPBELL, L.L.P.



Don H. Campbell

State Bar License #: 03698520

173 F.M. 3237

Building B

Wimberley, Texas 78676

(512) 847-1308

(512) 847-3590 – Fax

ATTORNEYS FOR APPLICANT

§ 155.047 COMMERCIAL - LOW IMPACT; C-1.

(A) *General purpose and description.* The C-1, commercial 1 district is established as a limited retail category intended for the purpose of supplying day-to-day needs and personal services. Establishments may include small, free-standing retail structures, and personal service establishments.

(B) *Permitted uses.*

(1) Administrative and professional office:

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

(b) Photography studios, doctors, dentists;

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

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

(e) Research services: limited; and

(f) Office.

(2) Religious assembly;

(3) Retail sales and services: limited;

(4) Business support services;

(5) Child care center;

(6) Repair services: consumer;

(7) Eating establishments: sit-down;

(8) Animal sales and services: grooming;

(9) Convalescent services;

(10) Arts and crafts sales and instruction;

(11) Commercial/single-family residential;

(12) Adult day care facility;

(13) Private primary educational services;

- (14) Private secondary educational services;
- (15) Medical services: limited;
- (16) Personal services: limited;
- (17) Bank and savings and loan;
- (18) Accessory uses to the main use; and
- (19) Single-family residence.

(C) *Conditional uses.*

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

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

(3) Bed and breakfast lodging;

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

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

(D) *Development regulations.*

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

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

(a) Primary buildings: not more than 2 stories and not more than 28 feet or 35 feet with gable roof;

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

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

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

(a) Dominant street: 10 feet;

(b) Secondary street: 10 feet; and

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

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

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

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

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

(E) *Special requirements.*

(1) Open storage is prohibited.

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

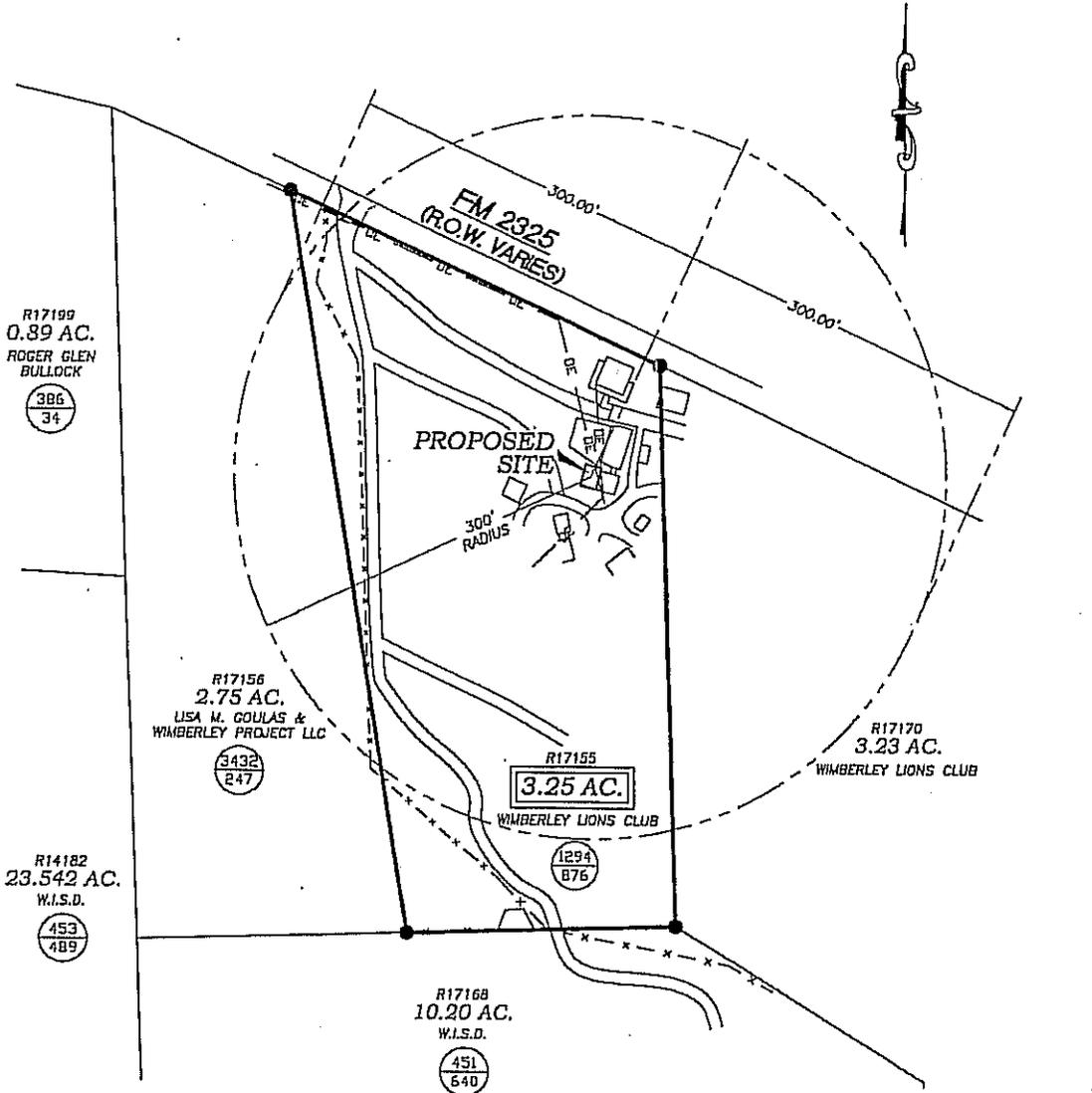
(3) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(F) *Other regulations.* As established in §§ 155.075 *et seq.*, development standards.

(G) *Parking regulations.* As required by § 155.075, off-street parking and loading requirements: (Ord. 2001-010, § 26, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003; Am. Ord. 2004-017, passed 8-5-2004) Penalty, see § 155.999

EXHIBIT MAP

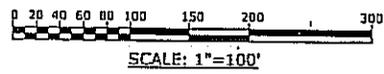
SHOWING THE LOCATION OF THE 'HAMBURGER HUT' AND PROPOSED SITE OF BUSINESS, SITUATED IN A 3.25 ACRE TRACT OF LAND OUT OF THE BENJAMIN PAGE SURVEY No. 64, A-365, CITY OF WIMBERLEY, HAYS COUNTY, TEXAS.



LEGEND

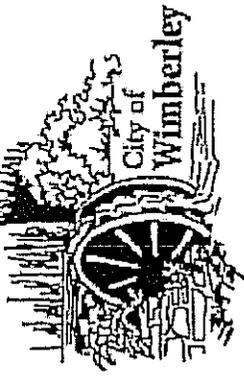
- -- 1/2" IRON ROD FOUND--UNLESS NOTED
- ⊙ -- 1/2" IRON ROD SET--DRIFTWOOD SURVEYING
- ⦿ -- SERVICE OR UTILITY POLES
- OVERHEAD UTILITIES
- - - - - FENCE

- VOL.
PG. HAYS COUNTY PLAT RECORDS
- VOL.
PE. HAYS COUNTY OFFICIAL PUBLIC RECORDS
- Rxxxxx HAYS COUNTY PROPERTY IDENTIFICATION NUMBER



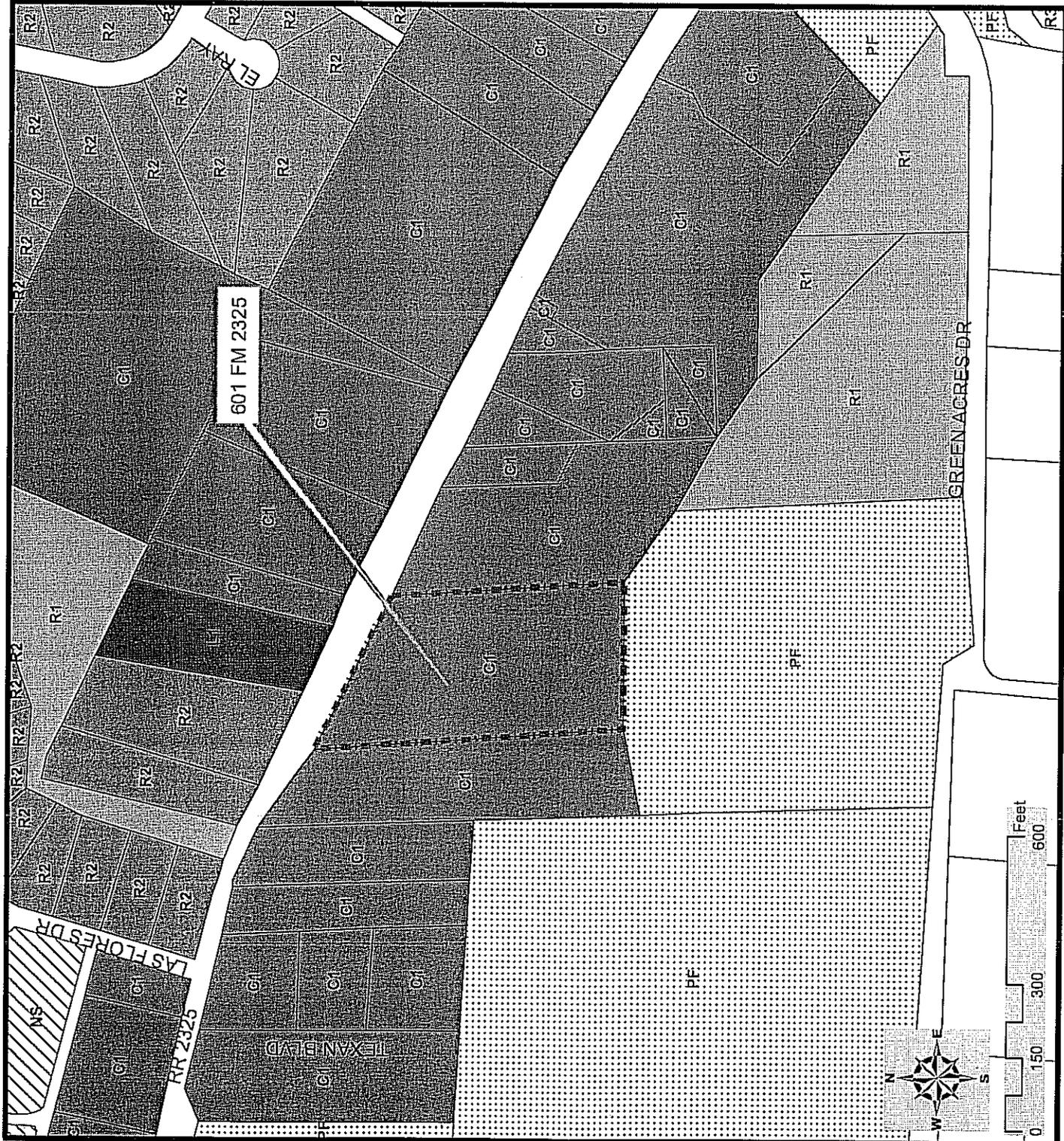
Driftwood Surveying Professional Land Surveyors - Surveying the Hill Country		DATE: 03/04/2010
		FIELD CREW: DG/GP
P.O. Box 378 Wimberley, TX 78676 Ph: (512) 847-7233 FAX (512) 847-7372		GRAMM: CAP
		CHECKED: RJP
EXHIBIT MAP 'HAMBURGER HUT' AND PROPOSED BUSINESS SITE		PROJ NO: HCO2310
		DRG. NAME: EXHIBIT
CLIENT: WIMBERLEY LIONS		REVISION: DATE:
		Page 1 of 1

Zoning Map for Case CUP-10-005

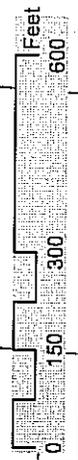
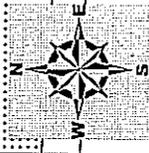
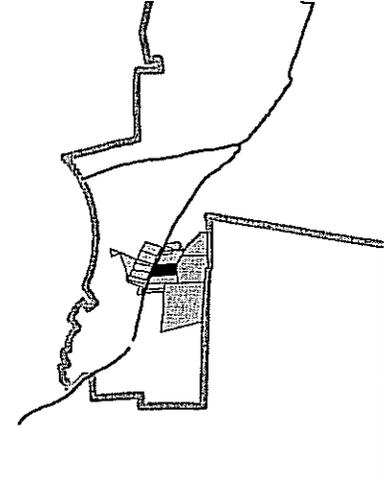


P.O. Box 2027 • Wimberley, Texas 78676

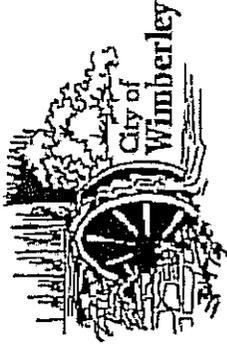
- Subject Property
- Rural Residential (R1)
- Single Family Residential (R2)
- Commercial - Low Impact (C1)
- Lodging 1 (L1)
- Public Facilities (PF)
- Neighborhood Services (NS)



Location Map



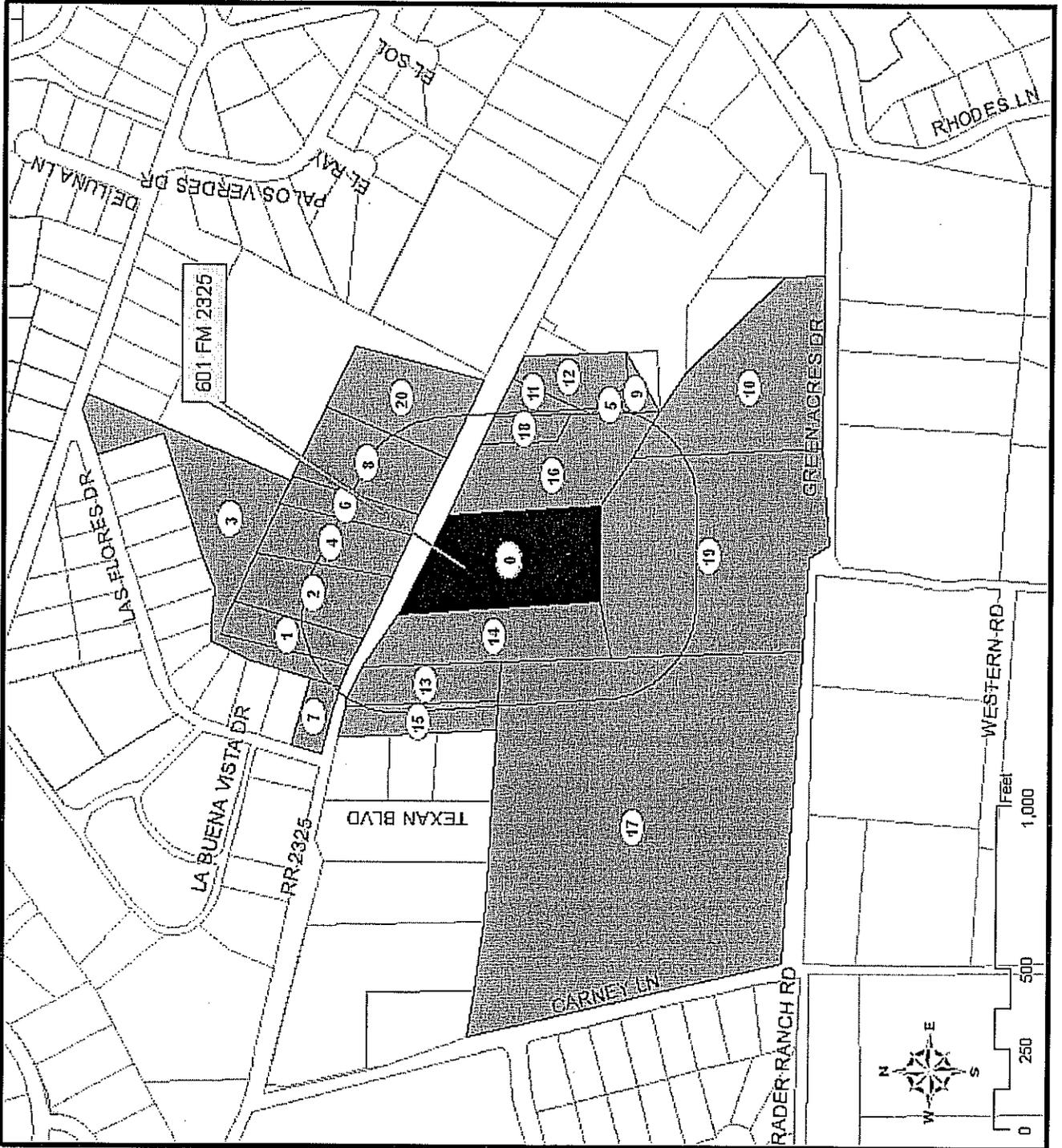
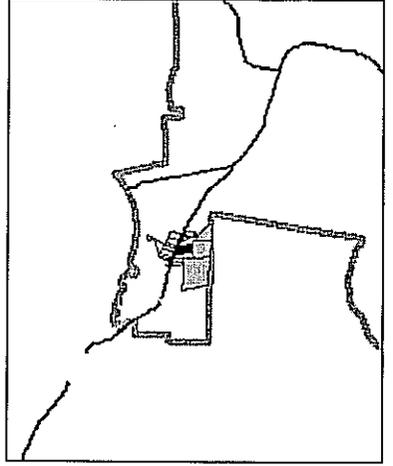
Notification Map for Case CUP-10-005

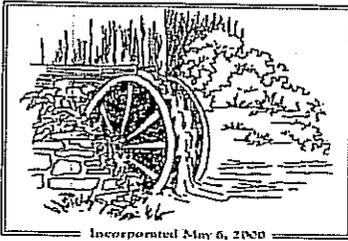


P.O. Box 1027 • Wimberley, Texas 78676

- 300' Non-Utility Easement
- 20. WIMBERLEY LIVING CLUB
- 19. WIMBERLEY ISD
- 18. DEVIS BRADSHAW & JULIE
- 17. WIMBERLEY ISD - TRUST PROPERTY
- 16. WIMBERLEY LIVING CLUB
- 15. SHRES, B PAULEY C
- 14. GOULDS LISA MARIE
- 13. BULLOCK, ROGER GLENN
- 12. CAUCEDATO J & HELEN
- 11. SAUCEDA TOBY & HELEN
- 10. CLAY TO H. JOHN
- 9. WIMBERLEY LIVING CLUB
- 8. OLLE PAT EG CONIGER RALPH G
- 7. MIRELO RAYMOND V & MARIJ
- 6. THURBER STEPHEN P & SUSAN G
- 5. WIMBERLEY LIVING CLUB
- 4. SHEFFIELD, JAMES L
- 3. RONS FAMILY PARTNERS LTD
- 2. WOLF JOHN C & FRANCIS A
- 1. WOLF, JOHNNY C
- 0. WIMBERLEY LIVING CLUB

Location Map





City of Wimberley

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

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

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

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

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

April 23, 2010

NOTICE OF PUBLIC HEARING

Re: File No. CUP-10-005
601 FM 2325

A request for a Conditional Use Permit (CUP) to allow the sale of beer, wine or alcohol for on-premise consumption.

File No. AV-10-004
601 FM 2325

A request for a waiver to allow the sale of alcohol for on-premise consumption within 300 feet of a church, school, day care center or hospital.

Dear Property Owner:

You are receiving this letter because you own property within 300 feet of the above referenced location.

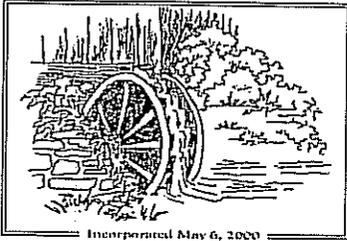
The applicant, Wimberley Lions Club, has requested a Conditional Use Permit (CUP) to allow for the sale of beer, wine or alcohol for on-premise consumption at 601 FM 2325. The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, May 13, 2010, at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, May 20, 2010, at 6:30 p.m.**

Associated with the above mentioned application, the applicant is seeking a waiver from the City requirement prohibiting the sale of alcohol within 300 feet of a church, school, day care center or hospital. The Wimberley City Council will consider this waiver request at a public hearing on **Thursday, May 20, 2010, at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12.

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

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

CITY OF WIMBERLEY



City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422
E-mail: Wimberley@anvilcom.com - Web: www.vil.wimberley.tx.us

NOTICE BY SIGN POSTING

CUP-10-005
AV-10-004

Zoning No: _____

Owner Lions Club

Date 4/23/10

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

(A) Project Site Address 601^{PM} 2325

which is located PM 2325

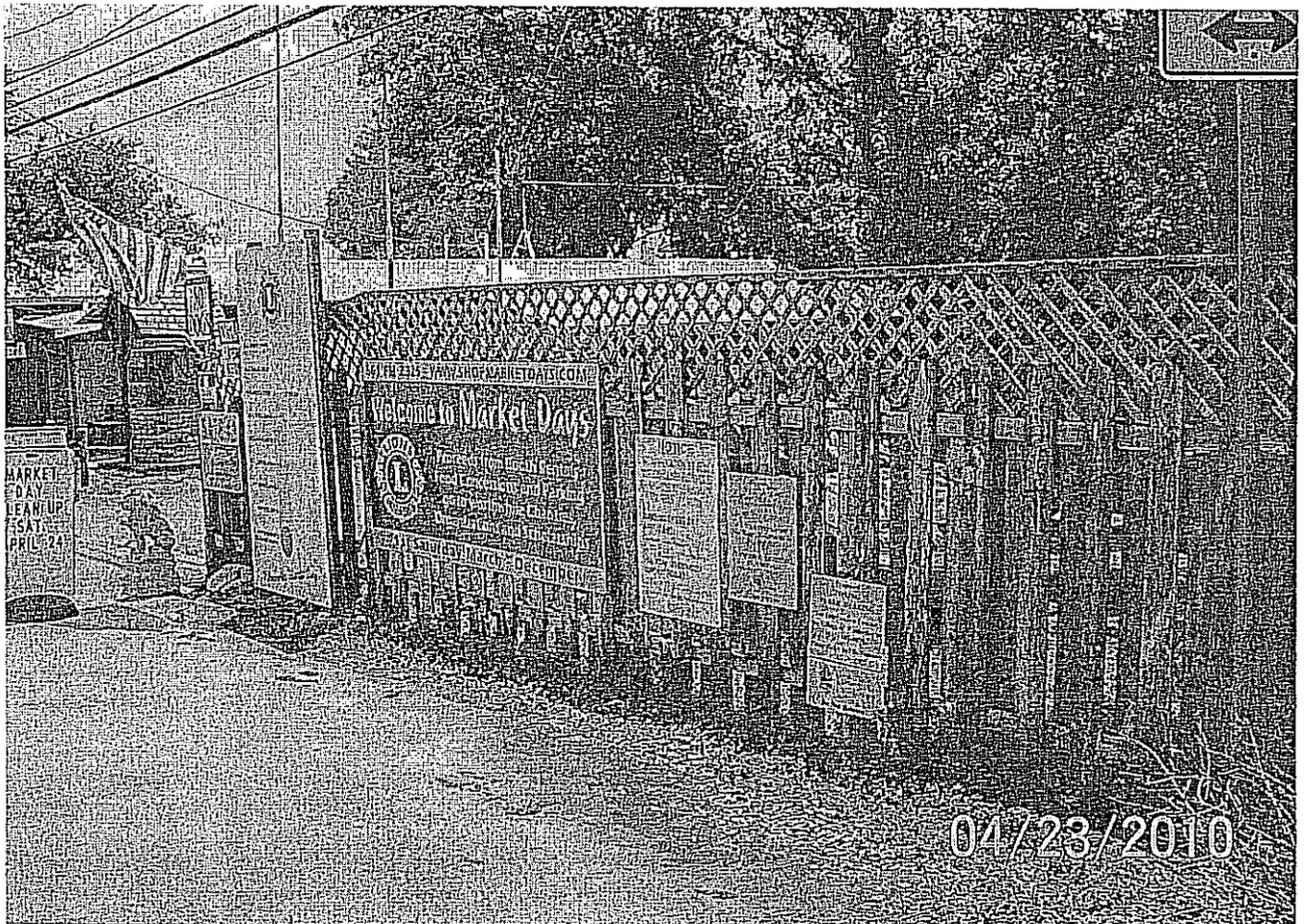
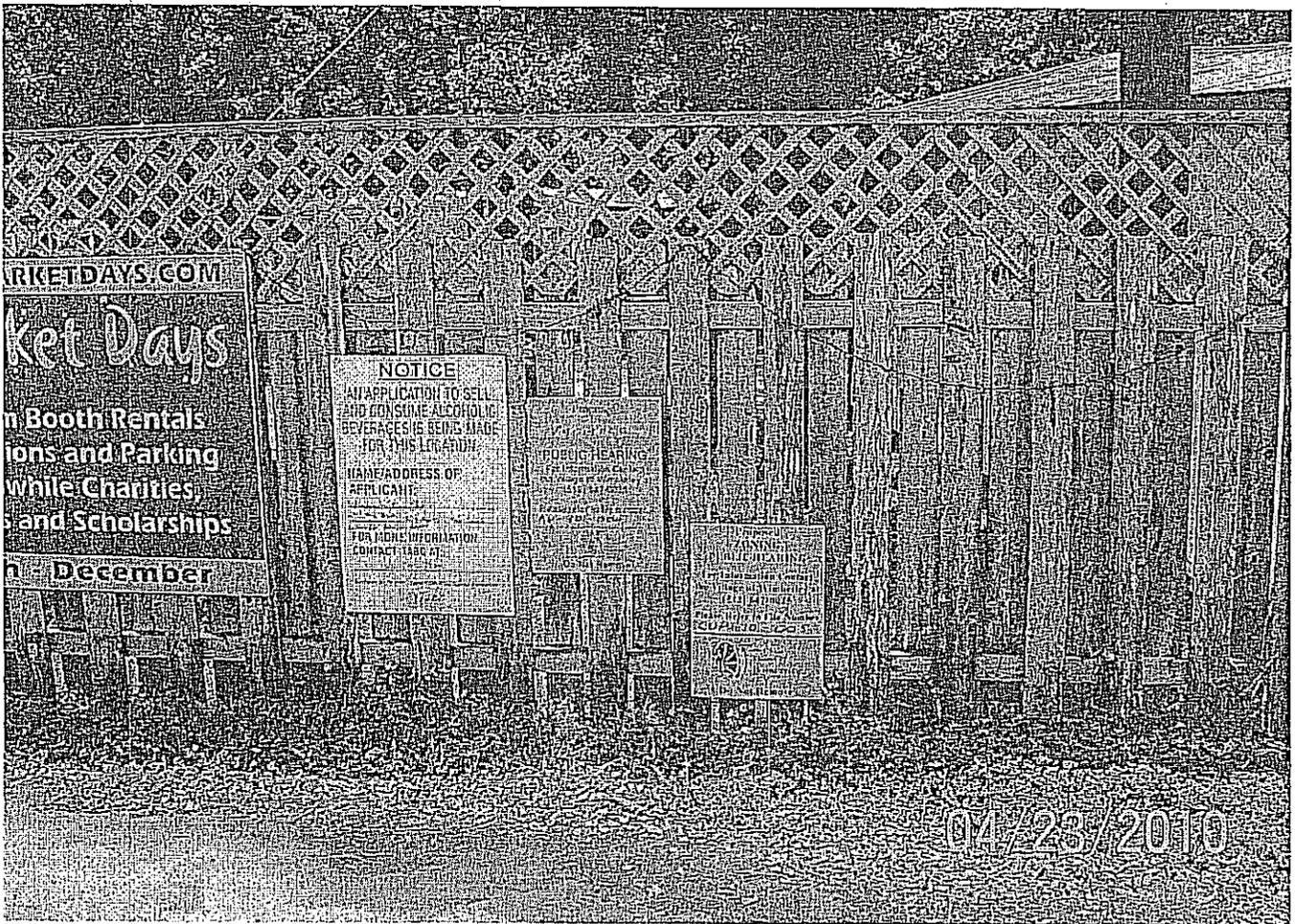
Bill Bowers
Asst. Public Works

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

4/23/10, 2010



Signature



Hall, 12111 Ranch Road 12, Wimberley, Texas (01972/1a/84)

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

(Conditional Use Permit)
Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, May 13, 2010, at 6:30 p.m. to consider the following: CUP-10-005 - an application for a Conditional Use Permit (CUP) to allow the sale of alcohol for on premise consumption at 601 FM 2325. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, May 20, 2010, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas (01972/1a/84).

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

(Request for Alcohol Variance)
Notice is hereby given that the Wimberley City Council will hold a public hearing on Thursday, May 20, 2010, at 6:30 p.m. to consider the following: AV-10-004 - a request for a waiver to sell alcohol for on premise consumption less than 300' from a school, church, day care or hospital, at 601 FM 2325. Comments on this request from any

THE STATE OF TEXAS THE COUNTY OF HAYS TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF MAMIE KATHERYN T. MORRIS DECEASED CAUSE NO. 11557-P The undersigned Independent Executrix of the Estate of Mamie Kathryn T. Morris Deceased of Hays County Texas having been granted Letters Testamentary by the County Court of Hays County Texas in Probate Cause 11577-P on the 19th day of April 2010 hereby notifies all persons indebted to said Estate to make payment and those having legal claims against said Estate to present them within the time prescribed by law at the address below Dated this 20th day of April 2010 Karen Gay Morris Independent Executrix of the Estate of Mamie Kathryn T. Morris Deceased to MARILYN GAY MILLER Attorney at Law PO Box 917 Dripping Springs Texas 78620 (01965/1a/85)

PUBLIC NOTICE

THE STATE OF TEXAS THE COUNTY OF HAYS TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF ROBERT DEQUINCY MORRIS DECEASED CAUSE NO. 11558-P The undersigned Independent Executrix of the Estate of Robert DeQuincy Morris Deceased of Hays County Texas having been granted Letters Testamentary by the County Court of Hays County Texas in Probate Cause 11578-P on the 13th day of April 2010 hereby notifies all persons indebted to said Estate to make payment and those having legal claims against said Estate to present them within the time pre-

National Fair Housing law to promote fair housing practices the city of Uland encourages potential homeowners and renters to be aware of their rights Title VIII of the Civil Rights Act of 1968 as amended prohibits discrimination against any person on the basis of race color religion sex age handicap familial status or national origin in the sale or rental of units in the housing market For more information on fair housing or to report possible fair housing discrimination call the U.S. Department of Housing and Urban Development's toll free hotline at 1-800-669-9777 (01965/1a/84)

**PUBLIC NOTICE
to Contractors**

Wimberley Village Library District Wimberley Village Library District (WVLD) is soliciting bids from businesses interested in annual contracts for each of the following services: (1) pest management (2) facilities maintenance (3) landscaping and (4) custodial services Job specification packets for each of the services will be available at the Wimberley Village Library 400 FM 2325 Wimberley TX during regular library hours beginning May 7 2010 This solicitation comprises a request for qualifications (RFQ) and a request for proposals (RFP) interested parties should submit statements of qualifications and bids together addressed to Wimberley Village Library District Attn: Library Director Carolyn Manning PO Box 1240 Wimberley TX 78676-1240 The deadline for receipt of qualifications & statements is 2:00 p.m. on

Courthouse 1111 San Antonio Street the Hays County Commissioners Court will hold a public hearing to consider

Resubdivision of Tract 42 Ledgerock Subdivision (01913/8a/34)

**PUBLIC NOTICE
Notice of Public Auction**

Pursuant to the Vernon Civil Statute 4477.9a the following vehicles will be sent to public auction The auction will be held at Wimberley Paint and Body 100 Texas Blvd Wimberley Texas 78676 Thursday May 6 2010 YR: 1985 Make: NISSAN Model: SENTRA License Plate: S61KPT VIN: JN1PB1155FUG652695 YR: 1996 Make: CHRYSLER Model: CIRUS License Plate: 373BRX VIN: 1GBEJ56H2TN186675 YR: 1999 Make: CADILLAC Model: DEVILLE License Plate: XNZ9DV VIN: 1G6KD54Y8XU786650 YR: 1998 Make: DODGE Model: RAM License plate: AA903663 VIN: 3B7HC19YWG171219 YR: 1994 Make: SATURN Model: SC2 License Plate: 170JNN VIN: 1G8ZG157XRZ167208 (01954/2a/36)



BUY, SELL, TRADE
One item or estates Campbell's Collectibles 738-6658 (01844/acc/37)

carv
Callie
Sante
512-
(0983)
CHI
OP
for 12
6
7 am
\$50
20 Yrs
Gonta
in Dripp
512-
(019)
COM
FOR
CORN
P
LOCATI
PARKING
HI SPEED
RR 12
1 LOG
LARGE
SIGNAGE
2-110
OFFICE
O-C-C-U
THE GYP
RM/OFFIC
RM/ADVA
3-
EXT
\$250/MO
CADDY
Wimber
512-5
0185
411 RIV
2700's
Zoned Co
residential
1 to 2 1/2
\$1450/5
(0071)
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OF
Under
great s
500-
RR 12 si
\$575/
deposit
847
(052)
ONE MC
at The
Wimberly
retail car
spaces
from \$11

ORDINANCE NO. 2010-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY WIMBERLEY LIONS CLUB TO ALLOW THE SALE OF BEER, WINE AND ALCOHOL FOR ON-PREMISE CONSUMPTION ON A PORTION OF A 3.25 ACRE TRACT LOCATED AT 601 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.

WHEREAS, an application for a Conditional Use Permit has been filed by Wimberley Lions Club (“Applicant”) requesting authorization to allow the Sale of Beer, Wine and Alcohol for On-Premise Consumption on a portion of real property described as approximately 3.25 acres described as part of the A0365 Benjamin Page Survey, zoned Commercial-Low Impact (C-1); and

WHEREAS, the Sale of Beer, Wine and Alcohol for on-Premise Consumption is an authorized use in areas zoned Commercial-Low Impact (C-1) upon the granting of a Conditional Use Permit; and

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

WHEREAS, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the Wimberley Zoning Ordinance; and

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

WHEREAS, the City Council finds that the additional use of the subject property for the sale of alcoholic beverages for on-premise consumption, subject to the conditions described herein, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Wimberley Lions Club ("Applicant") to allow the Sale of Beer, Wine and Alcohol for On-Premise Consumption on a portion of real property located at 601 FM 2325, described as a 3.25 acre tract part of the A0365 Benjamin Page Survey, as more particularly described on the metes and bounds shown on Exhibit "A", attached and incorporated by reference, zoned Commercial-Low Impact (C-1), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of the Sale of Beer, Wine and Alcohol for On-Premise Consumption on the portion of the property described as "Hamburger Hill" and as further shown on Exhibit "B", attached and incorporated by reference, as well as all applicable regulations in effect at the time of the submission of the building permit application. This Conditional Use Permit does not authorize any other use of the property, except as permitted under the Zoning Code.
3. The sale of the Sale of Beer, Wine and Alcohol for On-Premise Consumption shall only be permitted on Market Days which occurs on the first Saturday of each month in the months of March through December. Any change to the dates of Market Days will require an amendment to this ordinance.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. REPEALER

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

ARTICLE V. SEVERABILITY

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

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. PROPER NOTICE AND MEETING

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

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

WIMBERLEY, TEXAS

By: _____
Bob Flocke, Mayor

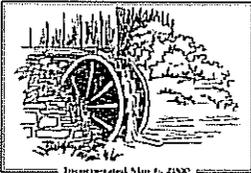
ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER ACTION ON A DISTANCE RESTRICTION WAIVER REQUEST TO ALLOW FOR THE SALE OF BEER, WINE AND ALCOHOL AT 601 FM 2325

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

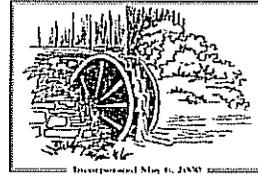
Currently, the sale of beer, wine and alcohol is prohibited within 300 feet of schools, churches, hospitals and day care facilities within the City of Wimberley. The same City ordinance that restricts the sale of beer and wine to certain locations allows business establishments located within so-called "alcohol free zones" to request a waiver from the distance requirement.

Last month, the City of Wimberley received such a waiver request from the *Wimberley Lions Club* who is proposing to sell beer for on-premise consumption at its monthly *Lions Market Days*. The subject property is located within three hundred (300) feet of the Bowen and Katherine Anne Porter school properties. In accordance with City ordinance, notice of the requested waiver was mailed to all property owners within 300 feet of the subject property. At the time of production of this agenda packet, no public comments either for or against the requested waiver have been received by the City.

The City's ordinance allows City Council to waive the distance requirements if the Council determines 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, determines in the best interest of the community.

Report for Subdivision Request C212-10-001



Summary:

The applicant has submitted a request for a subdivision with a variance from Section 154.063 (C) pertaining to lot shape

Applicant Information:

Applicant:

Pro-Tech Engineering Group, Kelly Kilber, P.E. (Agent for Owners)
100 E. San Antonio Street
San Marcos, TX 78666

Property Owner:

Vicki West & Ellis Richard Berryman

Subject Property:

Legal Description:

A0277 John W Kelly Survey

Location:

241 Box Canyon Road

Existing Use of Property:

Residential

Existing Zoning:

Rural Residential 1 (R-1)

Proposed Use of Property:

Residential; Public Use

Proposed Zoning:

NA

Planning Area

I

Overlay District

Surroundings:

Frontage On:

Box Canyon Road

**Area Zoning and Land Use
Pattern:**

	Current Zoning	Existing Land Use
N of Property	RA	Residential
S of Property	R2 & RA	Residential
E of Property	Un-zoned	Residential
W of Property	R-1	Residential

Legal Notice

200' Letters

N/A

Published

N/A

Sign Placement

N/A

Responses

N/A

Comments:

The applicant has submitted a request to replat a 4.779 acre tract into two (2) smaller tracts described as *Ironhorse Ridge Subdivision Lots 1 and 2*. Specifically, the proposed subdivision will consist of a 2.772 acre lot and one 2.007 acre lot, both fronting Box Canyon Road and within the city limits of the City of Wimberley. The property is currently zoned Rural Residential (R-1).

The applicant is requesting a variance from Section 154.063(C) requiring that lots be rectangular in size and conform to the average depth to average width ratio. The lot shape ratio in the proposed subdivision is 2.75 to 1 which is greater than the maximum ratio of 2.5 to 1 allowed by City Code. Currently, the 4.779 acre tract of land is jointly owned by Vicki West and Ellis Richard Berryman. The owners are subdividing the tract to separate their interests. The legal agreement calls for a 2.007 acre tract, with improvements, to go to Ms. West with the remainder going to Mr.

Berryman. The unique nature of the legal agreement between the two (2) parties makes it difficult to subdivide the property as required and still meet the City's lot shape requirements.

On May 13, 2010, the Planning and Zoning voted unanimously to recommend approval of the subdivision with the requested variance.

§ 154.063 LOTS.

(A) *Designation.* All land area within the boundaries of the subdivision or resubdivision, except that area specifically dedicated as public right-of-way for any purpose, shall be designated as a lot. Each lot shown on a plat shall be clearly designated by a number located within the boundaries of the lot. The boundaries of each lot shall be shown by bearing and distance in relation to the monuments found or established on the ground in conformance with this chapter.

(B) *Use.* The proposed use for each lot shall be indicated on the plat as 1 of the following:

- (1) RA; Residential acreage;
- (2) R-1; Rural residential 1 (minimum 2 acre lots);
- (3) R-2; Single-family residential 2 (minimum 20,000 square foot lots);
- (4) R-3; Single-family residential 3 (minimum 10,000 square foot lots);
- (5) R-4; Single-family residential 4 (minimum 6,000 square foot lots);
- (6) R-5; Two-family residential (duplex homes);
- (7) MF-1; Multi-family residential 1 (triplex/quadriplex/apartments);
- (8) MF-2; Multi-family residential 2 (apartments);
- (9) MH; Mobile home;
- (10) Special requirements for mobile home parks
- (11) O-1; Office - low impact;
- (12) O-2; Office - high impact;
- (13) C-1; Commercial - low impact;
- (14) C-2; Commercial - moderate impact;
- (15) C-3; Commercial - high impact;
- (16) HC; Highway commercial;
- (17) I-1; Industrial - low impact;
- (18) I-2; Industrial - high impact;
- (19) AS/S; Animal sales/services;
- (20) L-1; Lodging (1-15 units);
- (21) L-2; Lodging (1-30 units);
- (22) IP; Industrial park;
- (23) PPU; Public protection/utility;
- (24) PR-1; Participant recreation - low impact;
- (25) PR-2; Participant recreation - high impact;
- (26) PF; Public facilities;
- (27) NS; Neighborhood services district;
- (28) WPDD; Planned development district;

(C) *Lot shape.* All lots shall be rectangular except when the street alignment is curved in order to conform with other provisions of this chapter or configuration of the parent tract does not permit. No lot shall have a corner intersection of less than 45 degrees. The ratio of average depth to average width shall not exceed 2.5 to 1 (2.5:1) nor be less than 1.5 to 1 (1.5:1) unless the lot is at least 1.5 times the required lot size, both the depth and width of the lot exceed the minimums required in these regulations, and the Director finds that the proposed lot dimensions are consistent with surrounding development and the Comprehensive Plan.

(D) *Lot orientation.*

(1) *Standard frontage.* All lots shall face and have contiguous frontage on a usable, dedicated public road right-of-way, except lots within a WPDD which may have similar frontage on a private street under common ownership. The extent of this frontage (front line) shall conform to the minimum lot width requirements set forth herein.

(2) *Lot facing.* Facing lots shall be compatible. Lots arranged so that the rear line of a lot or lots is also the side line of an adjacent lot shall be avoided. When this occurs, 10 feet shall be added to the minimum lot width and the side building line adjacent to the rear yard of another lot.

(3) *Lot lines.* The lot line common to the street right-of-way line shall be the front line. Side lot lines shall project away from the front line at approximately a right angle to street lines and radial to curved street lines. The rear line shall be opposite and approximately parallel to the front line. The length and bearing of all lot lines shall be indicated on the plat.

(4) *Double frontage.*

(a) Residential lots shall not have frontage on 2 non-intersecting local or collector streets.

(b) Residential lots adjacent to an arterial street shall also have frontage on a local street. Vehicular access to these lots shall be from the local street only. Non-residential lots with double frontage shall have offset access points to inhibit cut-through traffic.

(E) *Lot area.* The base minimum lot area for all lots served by a publicly approved sewer system shall conform to Chapter 155 of this code and following requirements in the table below in this section; provided however, the base minimum lot area for all lots utilizing on-site sewage facilities (OSSFs) shall be 1 acre.

(F) *Standards.* Lot width and depth, coverage by structures, and coverage by impervious surfaces shall conform to the requirements as established for the designated land use as set forth in the table below in this section. In addition, all lots shall provide a 10-foot public utility easement adjacent to all public rights-of-way. Public utility easements on side and rear lot lines shall be required as needed to accommodate utilities and drainage.

(G) *Corner lots.* Lots having frontage on 2 or more intersecting streets shall be classified as corner lots.

(1) Corner lots adjacent to streets of equal classification shall have only 1 access driveway on either of the intersecting streets, except as otherwise approved by the Commission.

(2) Corner lots adjacent to streets of unequal classification shall access the lower classification street only, and only 1 drive approach shall be allowed, except as otherwise approved by the Commission.

(3) The building setback line for all corner lots shall conform to the minimum requirements for the land use designated but shall never be less than 25 feet from an existing or proposed street right-of-way, except that on back-to-back corner lots the setback on the common side yard can be reduced to 15 feet when the owners of both properties agree and provided that a garage facing the side street must be set back not less than 20 feet.

(4) Corner residential lots shall be 10 feet wider than the average interior lot on the same block.

(H) *Building lines.* Each property line of each lot shall have a building setback line which runs parallel to the property line. The front and rear building setback lines shall run between the side lot lines. The side building setback lines shall extend from the front building setback line to the rear building setback line. The minimum distance from the lot line to its corresponding building setback line for each designated land use shall conform to the table above in this section.

(1) All building setback lines shall be indicated on the subdivision plat. The area between the property line and the building line shall be the required yard area. No structure or impervious construction shall be allowed in the front yard area except for the following:

- (a) Fences and screens in accordance with § 154.067 of this code;
- (b) Driveways and sidewalks as allowed herein;
- (c) Utility distribution lines and appurtenances within dedicated easements and rights-of-way; and
- (d) Drainage structures.

(2) No structures or impervious construction shall be allowed in required side or rear building setback areas except for the following accessory structures on single- or 2-family residential lots:

- (a) Swimming pools, including surrounding decks, located at least 5 feet from the property line, and screened by a 6-foot tall privacy fence;
- (b) Playscapes not taller than 9 feet above mean grade, located at least 5 feet from the property line, and screened by a 6-foot tall privacy fence;
- (c) Stand-alone satellite dishes or telecommunications devices not taller than 6 feet above mean grade, located at least 5 feet from the property line and screened by a 6-foot tall privacy fence;
- (d) Driveways to side entry garages; and
- (e) Open patios located at least 3 feet from the property line.

1. For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

PATIO. A level surfaced area without walls and a roof.

2. A patio attached to the principal structure cannot be elevated above the first floor level of the principal structure; a free-standing patio cannot be elevated more than 12 inches above grade level.

(3) The building setback line for all corner lots shall conform to the minimum requirements for the land use designated but shall never be less than 25 feet from an existing or proposed street right-of-way.

(4) Corner residential lots shall be 10 feet wider than the average interior lot on the same block.

(I) *Mobile home space.* All of the design requirements for lots listed in divisions (A) - (I) of this section apply to a mobile home park lease space that serves as a lot area for an individual mobile home unit within a park development.

(J) *Access requirements.*

(1) A minimum of 1 all-weather access area (either individually, or common to more than 1 lot) or driveway shall be provided for each buildable lot connecting the buildable area of the lot to an existing or proposed dedicated public street. An exception may be made for lots within a WPDD which may have similar access to a private street.

(2) All driveway approaches shall be constructed to conform with the city standards and

specifications.

(3) Single-, 2-, and 3-family residential drive approaches shall have a 5-foot minimum radius on each side, a minimum width of 10 feet, a maximum width of 24 feet, and shall be constructed as required by the city standards and specifications.

(4) Driveways shall be spaced as required by §§ 154.060(C) and 154.060(D).

(5) No undivided driveway shall exceed 30 feet in width at the property line nor have a street return radius less than 15 feet except as provided for in division (J)(3) above. No divided driveway shall exceed 45 feet in width at the property line nor have a street return radius less than 15 feet except as provided for in division (J)(3).

(6) All driveways shall approach the street at right angles to the pavement centerline.

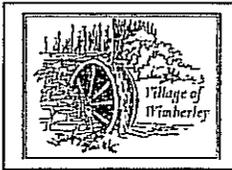
(K) *Lot numbering.*

(1) All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.

(2) Any lot(s) being resubdivided shall be consecutively numbered beginning with the last available number in the existing block or subdivision.

(L) *Lot drainage.* Lot drainage shall be in conformance with the requirements of § 154.057.

(Ord. 2001-014, § 34020, passed 9-20-2001) Penalty, see § 154.999



Village of Wimberley

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

(512) 847-0025 - Fax: (512) 847-0422 - E-Mail: wimberley@anvilcom.com

Subdivision Application

SUBMISSION DATE: 3/23/2010 Official Use Only CASE NO. C272-10-001
 SUBDIVISION: Ironhorse Ridge Hays County Tax I.D. No. R15805
 LOCATION/DIRECTIONS: 241 Box Canyon Fees Paid: \$250
 APPLICATION TYPE: _____ PROJECT TYPE: _____
1= Concept Plan; 2= Preliminary; 3=Public Review Final; 4=Record Final 1=Conventional; 2=WPDD; 3=Small Lot; 4=Townhouse; 5=Rural
 5=Detailed Development Plans
 PROCESS TYPE: _____ 1=Conventional; 2=Amend; APPLICATION REC'D _____ By _____
3=Short Form; 4=Dedication; 5=Conveyance, 6=Replat/Vacate (Does not constitute acceptance)

1. OWNER(S): ELLIS RICHARD BERRYMAN

MAILING ADDRESS: P.O. BOX 8571 CITY/STATE/ZIP: BACLIFF, TX 77518

PHONE () 206-778-1354 FAX () N/A E-MAIL N/A

2. PRIMARY CONTACT (Agent) KELLY KILBER, P.E. FIRM: PRO-TECH ENGINEERING, GROUP, INC.

MAILING ADDRESS: 100 E. SAN ANTONIO ST. CITY: SAN MARCOS STATE: TX ZIP: 78666
STE. 100

PHONE () 512-353-3335 FAX () 512-396-0224 E-MAIL kelly@pro-techengr.com

3. ENGINEERING FIRM PRO-TECH ENGINEERING GROUP, CONTACT: _____
INC.

MAILING ADDRESS: SEE ABOVE CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

4. SURVEYING FIRM: PRO-TECH ENGINEERING GROUP, CONTACT: _____
INC.

MAILING ADDRESS: SEE ABOVE CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

5. PLAT ATTRIBUTES

NAME: IRONHORSE RIDGE LOCATION: 341 BOX CANYON ROAD

SUBDIVISION CLASSIFICATION: R JURISDICTION: C
C=Commercial; R=Residential (Based on Land Use & Density) C= City Limits; E=1 mile ETJ;

COMPREHENSIVE PLAN AREA: _____ CURRENT ZONING: R1

CITY GRID MAP NUMBERS: _____ TAX APPRAISAL NUMBERS: R15805

WATERSHED(S): BLANCO RIVER IN RECHARGE ZONE (Y) (N)

ELECTRICITY: PEC WATER SOURCE: PRIVATE WELL

WASTEWATER/SEWAGE DISPOSAL: PRIVATE OSSF

TELEPHONE SERVICE: VERIZON SCHOOL DISTRICT WISD

6. RELATED CASES ZA-07-019 PROPOSED ZONING: _____
 APPLICATION NO. _____ ZONING ORDINANCE NO. _____
 SITE PLAN CASE NO. N/A

7. PROPOSED LAND USE (By Summary)

Single Family	SF
Multi-Family	MF
Duplex	DUP
Public/Quasi-Public	P
Wimberley Planned Development District	WPDD
Right-of-Way	ROW
Commercial/Office	C-O
Commercial/Retail	C-R
Flood Plain	FP
Industrial	IND
Greenbelt/Trails	GRBLT

LAND USE (See Table)	NUMBER OF LOTS	NUMBER OF UNITS	ACREAGE
SF	2	2	4.971
TOTALS	2	2	4.971
	LOTS	UNITS	ACRES

Note: The signature below of an applicant or designated agent authorizes Village of Wimberley Staff to visit and inspect the property for which this application is being submitted. Applicant further understand and agrees that no application shall be considered "filed" and no deadlines shall run against the Village of Wimberley until the Planning & Zoning Commission staff has expressly determined that the application is administratively complete.

Date: 3/22/10

Applicant's Signature: Ellis Richard Benjamin

Date: _____

Agent's Signature: _____

ENGINEER'S/SURVEYOR'S CERTIFICATION

This is to certify that I am authorized to practice the profession of Engineering/Surveying in the State of Texas; that I prepared/reviewed the plan/plat submitted herewith; that all information shown thereon is accurate and correct to the best of my knowledge as related to the engineering/surveying portions thereof; and that said plan/plat complies with Title 25 of the Land Development Code, as amended, and all other applicable codes and ordinances.

 Engineer/Surveyor's Signature

SUBMITTAL CHECKLIST

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

- Complete "Subdivision Application"
- Provide area map of property to be subdivided which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- Provide plat of the specific property to be subdivided (3 copies for review/10 for approval)
- Provide names and addresses of property owners within 200 feet of any portion of Applicant's property if replat.
- Provide a legal description of the property.
- Sign/date Submittal Verification and/or Waiver of Appearance form.
- Place stake on site with property address so property is easily identifiable.
- N/A Approved construction plans (if required)
- N/A Deed restrictions or covenants
- Current Tax Certificate showing that all taxes are paid
- Pay subdivision fee.
- Utility Service Acknowledgement
- Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed subdivision.
- Applicant agrees to attend City Council hearing scheduled for Applicant's proposed subdivision or waives his/her rights of appearance.

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

(X) My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application.

() I hereby waive my right to appear before the Village of Wimberley City Council at the public hearing to be held concerning the subdivision of my above-referenced property. I understand that my failure to appear allows the Council to consider my subdivision request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 3/22/10

APPLICANT SIGNATURE Ellis Richard Bergman

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

FEE SCHEDULE

*Residential:	Fee	Additional	Comments
Concept Plan	None		Optional
Preliminary Plat	\$350	+\$25 per lot	
Public Review Final Plat	\$500	+\$10 per lot	
Record Final Plat	\$200	+\$10 per lot	
Amend Plat	\$150		Including Plat Vacation
Short Form Plat	\$250		
*Non-Residential:			
Concept Plan	None		Optional
Preliminary Plat	\$400	+\$40 per acre	
Public Review Final Plat	\$500	+\$20 per acre	
Record Final Plat	\$200	+\$10 per acre	3 sets required
Amend Plat	\$200		Including Plat Vacation
Short Form Plat	\$400		
*Property Owner Notification included in base fee.			
Mylar recording at county	\$56	\$50/page	Tax Receipt \$10/lot
Village ordinance 2007-003 allows additional costs to be passed on to owner/applicant			

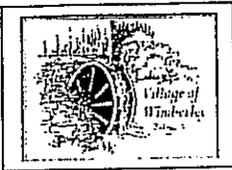
ADMINISTRATIVE COMPLETENESS

No development right (if any) shall vest nor deadline run against the Village until a preliminary plan is expressly determined by the Planning Staff to be administratively complete. An application for a preliminary plan shall not be considered "filed" until the application is determined by the Planning Staff to be administratively complete.

Owner Acknowledgement:

Date: 3/22/10

Ellis Richard Bergman
Signature



Village of Wimberley

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

(512) 847-0025 - Fax: (512) 847-0422 - E-Mail: wimberley@sanvicom.com

Subdivision Application

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1=Conventional; 2=Amend; 3=Short Form; 4=Dedication; 5=Conveyance; 6=Replnt/Vacate (Does not constitute acceptance)

1. OWNER(S): VICKI WEST

MAILING ADDRESS: P.O. BOX 353 CITY/STATE/ZIP: WIMBERLEY, TX 78676

PHONE () 830-708-8571 FAX () N/A E-MAIL N/A

2. PRIMARY CONTACT (Agent) KELLY KILBER, PE FIRM: PRO-TECH ENGINEERING GROUP, INC.
100 E. SAN ANTONIO ST.

MAILING ADDRESS: STE. 100 CITY: SAN MARCOS STATE: TX ZIP: 78666

PHONE () 512-353-3335 FAX () 512-396-0224 E-MAIL kelly@pro-techengr.com

3. ENGINEERING FIRM PRO-TECH ENGINEERING GROUP CONTACT: _____

MAILING ADDRESS: SEE ABOVE CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

4. SURVEYING FIRM: PRO-TECH ENGINEERING GROUP CONTACT: _____

MAILING ADDRESS: SEE ABOVE CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

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COMPREHENSIVE PLAN AREA: _____ CURRENT ZONING: R1

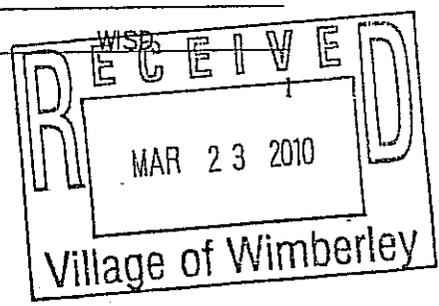
CITY GRID MAP NUMBERS: B4 TAX APPRAISAL NUMBERS: R15805

WATERSHED(S): _____ IN RECHARGE ZONE (Y) (N)

ELECTRICITY: PEC WATER SOURCE: PRIVATE WELL

WASTEWATER/SEWAGE DISPOSAL: _____ PRIVATE OSSF

TELEPHONE SERVICE: VERIZON SCHOOL DISTRICT _____



APPLICATION NO. _____ ZONING ORDINANCE NO. _____

SITE PLAN CASE NO. N/A

7. PROPOSED LAND USE (By Summary)

Single Family	SF
Multi-Family	MF
Duplex	DUP
Public/Quasi-Public	P
Wimberley Planned Development District	WPDD
Right-of-Way	ROW
Commercial/Office	C-O
Commercial/Retail	C-R
Flood Plain	FP
Industrial	IND
Greenbelt/Trails	GRBLT

LAND USE (See Table)	NUMBER OF LOTS	NUMBER OF UNITS	ACREAGE
SF	2	2	4.971
TOTALS	2 LOTS	2 UNITS	4.971 ACRES

Note: The signature below of an applicant or designated agent authorizes Village of Wimberley Staff to visit and inspect the property for which this application is being submitted. Applicant further understand and agrees that no application shall be considered "filed" and no deadlines shall run against the Village of Wimberley until the Planning & Zoning Commission staff has expressly determined that the application is administratively complete.

Date: 3/22/10

Applicant's Signature: Ulcke West

Date: _____

Agent's Signature: _____

ENGINEER'S/SURVEYOR'S CERTIFICATION

This is to certify that I am authorized to practice the profession of Engineering/Surveying in the State of Texas; that I prepared/reviewed the plan/plat submitted herewith; that all information shown thereon is accurate and correct to the best of my knowledge as related to the engineering/surveying portions thereof; and that said plan/plat complies with Title 25 of the Land Development Code, as amended, and all other applicable codes and ordinances.

Engineer/Surveyor's Signature

SUBMITTAL CHECKLIST

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

- Complete "Subdivision Application"
- Provide area map of property to be subdivided which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- Provide plat of the specific property to be subdivided (3 copies for review/10 for approval)
- Provide names and addresses of property owners within 200 feet of any portion of Applicant's property if replat.
- Provide a legal description of the property.
- Sign/date Submittal Verification and/or Waiver of Appearance form.
- Place stake on site with property address so property is easily identifiable.
- N/A Approved construction plans (if required)
- N/A Deed restrictions or covenants
- Current Tax Certificate showing that all taxes are paid
- Pay subdivision fee.
- Utility Service Acknowledgement
- Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed subdivision.
- Applicant agrees to attend City Council hearing scheduled for Applicant's proposed subdivision or waives his/her rights of appearance.

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application.

I hereby waive my right to appear before the Village of Wimberley City Council at the public hearing to be held concerning the subdivision of my above-referenced property. I understand that my failure to appear allows the Council to consider my subdivision request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 3/22/10

APPLICANT SIGNATURE Oleh West

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

FEE SCHEDULE

*Residential:	Fee	Additional	Comments
Concept Plan	None		Optional
Preliminary Plat	\$350	+\$25 per lot	
Public Review Final Plat	\$500	+\$10 per lot	
Record Final Plat	\$200	+\$10 per lot	
Amend Plat	\$150		Including Plat Vacation
Short Form Plat	\$250		
*Non-Residential:			
Concept Plan	None		Optional
Preliminary Plat	\$400	+\$40 per acre	
Public Review Final Plat	\$500	+\$20 per acre	
Record Final Plat	\$200	+\$10 per acre	3 sets required
Amend Plat	\$200		Including Plat Vacation
Short Form Plat	\$400		
*Property Owner Notification included in base fee.			
Mylar recording at county	\$56	\$50/page	Tax Receipt \$10/lot
Village ordinance 2007-003 allows additional costs to be passed on to owner/applicant			

ADMINISTRATIVE COMPLETENESS

No development right (if any) shall vest nor deadline run against the Village until a preliminary plan is expressly determined by the Planning Staff to be administratively complete. An application for a preliminary plan shall not be considered "filed" until the application is determined by the Planning Staff to be administratively complete.

Owner Acknowledgement:

Date: 3/22/10

Orin West
Signature

UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgement.

CODES EXPLANATION

- A. Adequate service is currently available to the subject property.
- B. Adequate service is currently available, but arrangements have been made to provide it.
- C. Adequate service is not currently available, and arrangements have not been made to provide it.
- D. Need equipment(s) within subject property.

Electric Service Provider: PEC — KYLE
 Service Code(s):
 Comments/Conditions:
 Electric Company Official Signature:
 Date: Title:

Telephone Service Provider: VERIZON
 Service Code(s): A
 Comments/Conditions:
 Telephone Company Official Signature: *[Signature]*
 Date: 03/22/10 Title: Engineering Supervisor

Gas Service Provider: N/A
 Service Code(s):
 Comments/Conditions:
 Gas Company Official Signature:
 Date: Title:

W.C.I.S.D.
 Acknowledgement of Plat
 Comments/Conditions/Special School Concerns:
 W.C.I.S.D. Official Signature:
 Date: Title:

Water Service Provider: N/A
 Service Code(s):
 Comments/Conditions:
 Water Company Official Signature:
 Date: Title:

Sewer Service Provider: N/A
 Service Code(s):
 Comments/Conditions:
 Sewer Company Official Signature:
 Date: Title:

UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgment.

CODES EXPLANATION

- A. Adequate service is currently available to the subject property.
- B. Adequate service is currently available, but arrangements have been made to provide it.
- C. Adequate service is not currently available, and arrangements have not been made to provide it.
- D. Need easement(s) within subject property.

Electric Service Provider: PEC - KYLE
Service Code(s): A
Comments/Conditions: A ALL IN ORDER ON PLAT
Electric Company Official Signature: [Signature]
Date: 3/23/10 Title: Right of Way Agent

Telephone Service Provider: VERIZON
Service Code(s): _____
Comments/Conditions: _____
Telephone Company Official Signature: _____
Date: _____ Title: _____

Gas Service Provider: N/A
Service Code(s): _____
Comments/Conditions: _____
Gas Company Official Signature: _____
Date: _____ Title: _____

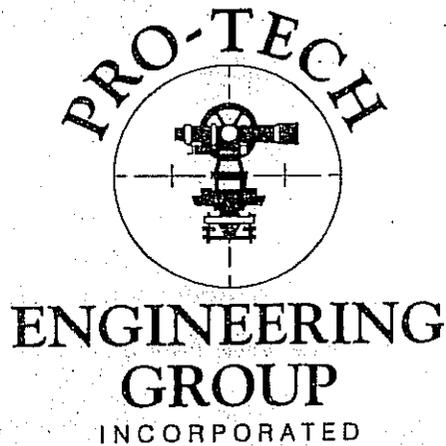
W.C.I.S.D.
Acknowledgement of Plat
Comments/Conditions/Special School Concerns: _____
W.C.I.S.D. Official Signature: _____
Date: _____ Title: _____

Water Service Provider: N/A
Service Code(s): _____
Comments/Conditions: _____
Water Company Official Signature: _____
Date: _____ Title: _____

Sewer Service Provider: N/A
Service Code(s): _____
Comments/Conditions: _____
Sewer Company Official Signature: _____
Date: _____ Title: _____

100 E. San Antonio St. Suite 100
San Marcos, TX 78666-5568

512 / 353-3335
FAX 512 / 396-0224



March 22, 2010

City of Wimberley
14500 Ranch Road 12
Wimberley, Texas 78676

Attn: Don Ferguson
City administrator

Re: Ironhorse Ridge
Subdivision Short Form Plat Submittal

Dear Don:

Enclosed herewith please find the following submittal for the above referenced project:

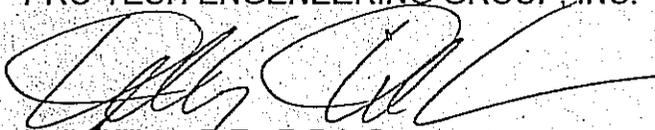
1. Subdivision Application with the following attachments:
 - a. Three (3) copies of the Subdivision Plat.
 - b. Map and list of adjoining properties within 200 feet.
 - c. Copy of Deed with property description.
 - d. Copy of Tax Certificate and Receipt.
 - e. Check for Platting Fees.
 - f. Copy of existing improvements sketch.

This property is co-owned by Vicki West and Ellis Richard Berryman, therefore two Subdivision Applications are being submitted. The owners respectfully requests that this plat be processed under the Administrative Short Form procedure.

Don Ferguson
March 22, 2010
Page 2

Please review this information at your earliest convenience. The owner would like to process these requests as soon as possible. If you have any questions please call.

Respectfully,
PRO-TECH ENGINEERING GROUP, INC.

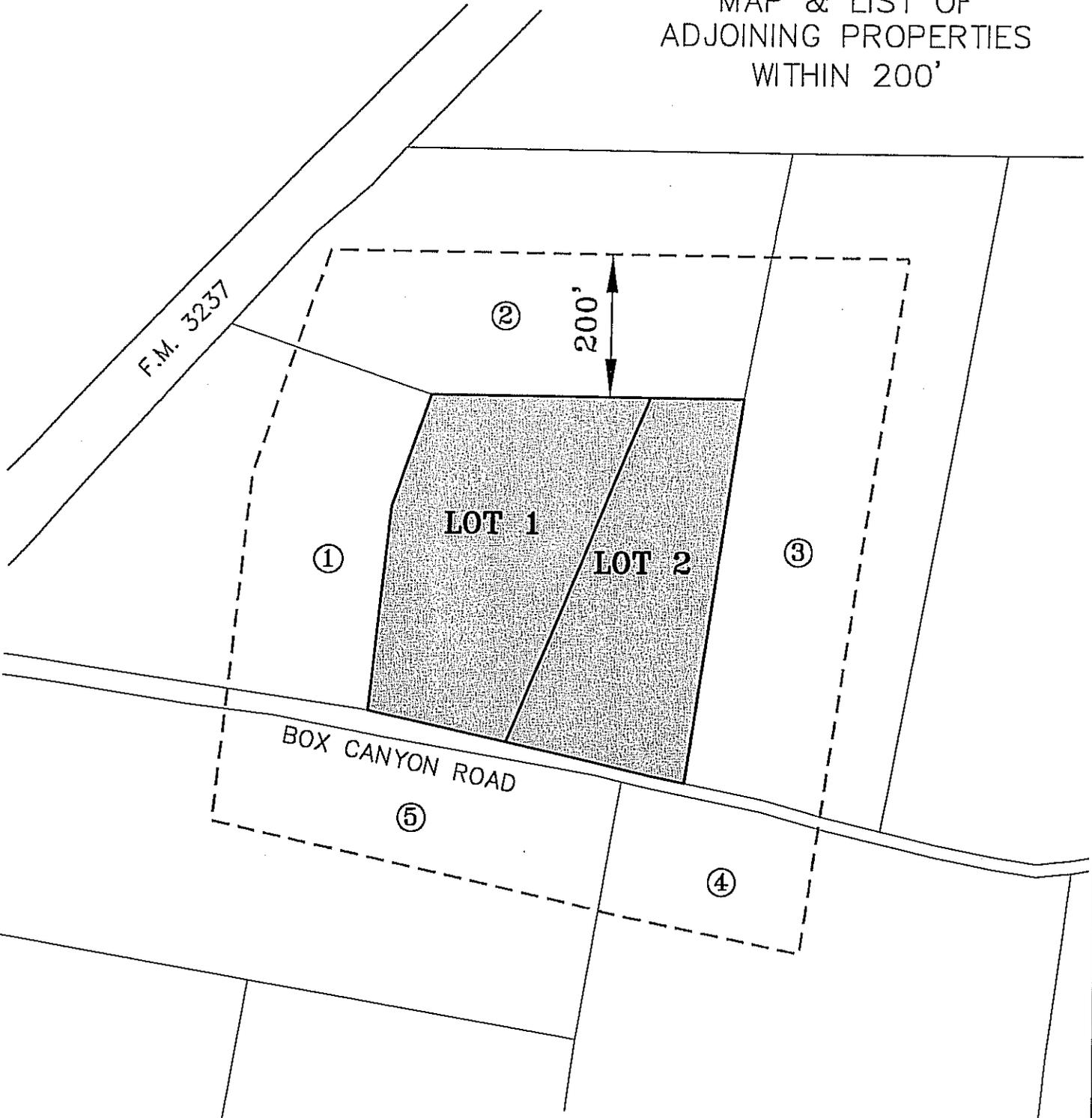


Kelly Kilber, P.E., R.P.L.S.
President

xc: Vicki West
Ellis Richard Berryman

EO# 14694
Submittal Ltr. 032209.doc

MAP & LIST OF
ADJOINING PROPERTIES
WITHIN 200'



- | | |
|--|---|
| <p>1. ANDREA KAY & JAMES WARD
201 BOX CANYON ROAD
WIMBERLEY, TX 78676</p> <p>2. JAMES C. RANDALL
1530 F.M. 3237
WIMBERLEY, TX 78676</p> <p>3. MILAM A. & BOBBIE M. JONES
P.O. BOX 1172
WIMBERLEY, TX 78676</p> | <p>4. JAMES B. & ROBERTA S. BEAL
P.O. BOX 2112
WIMBERLEY, TX 78676</p> <p>5. JERRY LANGSTON
P.O. BOX 52
WIMBERLEY, TX 78676</p> |
|--|---|

SCALE: 1"=200'

Note:
Adjacent property ownership information was obtained through
the use of the Hays County Appraisal District web site.


PRO TECH
ENGINEERING
GROUP
 INCORPORATED
 100 E. San Antonio St., Suite 100
 San Marcos, TX. 78666
 (512) 353-3335

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Warranty Deed with Vendor's Lien

Date: April 5, 2004

Grantor: Cyle E. Hogue and Sally G. Hogue, husband and wife, owning, occupying, and claiming other property as homestead

Grantor's Mailing Address:

Cyle E. Hogue and Sally G. Hogue
8305 Arboles Circle
Austin, Texas 78737
Travis County

Grantees: Vicki West and Richard Berryman

Grantee's Mailing Address:

Vicki West
Post Office Box 353
Wimberley, Texas 78676
Hays County

Richard Berryman
Post Office Box 8571
Bacliff, Texas 77518
Galveston County

Consideration:

A note of even date executed by Grantee and payable to the order of Grantor in the principal amount of NINETY-SIX THOUSAND FOUR HUNDRED FIFTEEN AND NO/100 DOLLARS (\$96,415.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Don H. Campbell, trustee.

Property (including any improvements):

4.971 acres of land, more or less, out of the John W. Keely Survey No. 6 in Hays County, Texas, and being part of a tract of land called 14.971 acres described in Volume 1046, Pages 487-489 of the Official Public Records of Hays County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

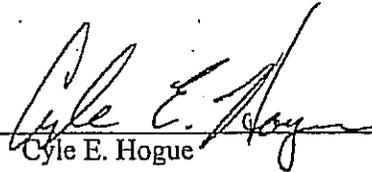
None

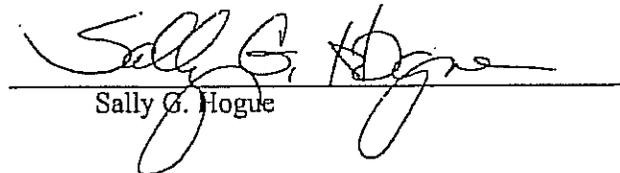
Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for limited warranties of title set forth in this deed.

When the context requires, singular nouns and pronouns include the plural.

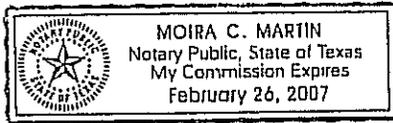

Cyle E. Hogue


Sally G. Hogue

STATE OF TEXAS)

COUNTY OF HAYS)

This instrument was acknowledged before me on April 5, 2004, by Cyle E. Hogue and Sally G. Hogue, husband and wife.



Moira C. Martin

Notary Public, State of Texas

AFTER RECORDING RETURN TO:
MOUNGER AND CAMPBELL, L.L.P.
173 F.M. 3237, Building B
Wimberley, Texas 78676

Filed for Record in:
Hays County
On: Apr 12, 2004 at 02:26P
Document Number: 04009847
Amount: 18.00
Receipt Number - 98787
By:
Lynn Curry, Deputy
Lee Carlisle, County Clerk
Hays County

FIELD NOTES
FOR
A 4.971 ACRE TRACT

Being a 4.971 acre tract of land situated in the John W. Keely Survey No. 6, Hays County, Texas, and being part of a tract of land called 14.971 acres described in Volume 1046, Pages 487-489 of the Official Public Records of Hays County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 80° 19' 53" W between iron pins found along the Southerly line of the above referenced 14.971 acre tract, said 4.971 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

BEGINNING: At a 1/2" iron pin found in the Northerly line of County Road 287, for the Southwest corner of a tract called 5.679 acres described in Volume 313, Page 407 of the Deed Records of Hays County, Texas, for the Southeast corner of the above referenced 14.971 acre tract, for the Southeast corner and Point of Beginning of this tract;

THENCE: Along the Northerly line of County Road 287, the Southerly line of the above referenced 14.971 acre tract, N 80° 19' 53" W 435.66 feet to a 1/2" iron pin found in same, for the Southwest corner of this tract;

THENCE: Severing the above referenced 14.971 acre tract, N 06° 15' 54" E 288.06 feet to a 1/2" iron pin found and N 19° 04' 39" E 165.32 feet to a 1/2" iron pin found for the Northwest corner of this tract;

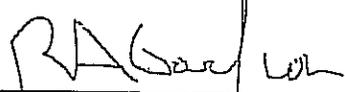
THENCE: S 89° 22' 22" E 441.79 feet to a 1/2" iron pin found in the Easterly line of the above referenced 14.971 acre tract, said point lying in the Westerly line of said 5.679 acre tract, for the Northeast corner of this tract;

THENCE: Along the West line of said 5.679 acre tract, the East line of the above referenced 14.971 acre tract, S 10° 49' 59" W 520.18 feet to the Point of Beginning and containing 4.971 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, October 23, 2000.

Job #00-536




Richard A. Goodwin, RPLS #4069

TAX CERTIFICATE

Luanne Caraway, Tax Assessor-Collector, Hays County

102 N. LBJ Dr.

San Marcos, TX 78666

Ph: 512-393-5545 Fax: 512-393-5517

This certificate includes tax years up to 2009

Entities to which this certificate applies:

RSP - Special Road Dist
 FWI - Wimberley Fire Hays Co ESD #4

SWI - Wimberley ISD
 GHA - Hays County
 EWI - Wimberley ESD #7

Property Information

Owner Information

Property ID : 10-0277-0023-00000-8
 Quick-Ref ID : R15805

Owner ID : O0103462

Value Information

341 BOX CANYON RD WIMBERLEY TX 78676	Land HS	:	\$44,745.00
	Land NHS	:	\$0.00
	Imp HS	:	\$29,155.00
	Imp NHS	:	\$0.00
A0277 JOHN W KEELEY SURVEY, ACRES 4.971, 50.000000% UDI	Ag Mkt	:	\$0.00
	Ag Use	:	\$0.00
	Tim Mkt	:	\$0.00
	Tim Use	:	\$0.00
	HS Cap Adj	:	\$0.00
	Assessed	:	\$73,900.00

WEST VICKI
 P O BOX 353
 WIMBERLEY, TX 78676-0353
 Ownership: 50.00%

This Document is to certify that after a careful check of the Tax Records of this Office, the following Current or Delinquent Taxes, Penalties, and interest are due on the Property for the Taxing Entities described above:

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
SWI	2009	818.51	0.00	0.00	0.00	0.00
RSP	2009	35.72	0.00	0.00	0.00	0.00
GHA	2009	298.53	0.00	0.00	0.00	0.00
FWI	2009	25.87	0.00	0.00	0.00	0.00
EWI	2009	42.42	0.00	0.00	0.00	0.00

Total for current bills if paid by 3/31/2010 : \$0.00
 Total due on all bills 3/31/2010 : \$0.00
 2009 taxes paid for entity SWI \$818.51
 2009 taxes paid for entity RSP \$35.72
 2009 taxes paid for entity GHA \$298.53
 2009 taxes paid for entity FWI \$25.87
 2009 taxes paid for entity EWI \$42.42
 2009 Total Taxes Paid : \$1,221.05
 Date of Last Payment : 01/06/10

If applicable, the above-described property is receiving special valuation based on its use. Additional rollback taxes that may become due based on the provisions of the special valuation are not indicated in this document.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43, Paragraph (i) of the Texas Property Tax Code.

Gloria Mendez
 Deputy
 Signature of Authorized Officer of the Tax Office

Date of Issue : 03/18/2010
 Requestor : WEST VICKI
 Receipt : SM-2010-441523
 Fee Paid : \$10.00
 Payer : WEST VICKI

REPRINTED TAX RECEIPT

Luanne Caraway Tax Assessor-Collector, Hays County
102 N. LBJ Dr.
San Marcos, TX 78666
Ph: 512-393-5545 Fax: 512-393-5517



Receipt Number: SM-2010-419784

Payor: S G CURTIS ()
10 OLD SHAWNEE TRAIL
WIMBERLEY, TX 78676

Owner: WEST VICKI (O0103462)
P O BOX 353
WIMBERLEY, TX 78676-0353

Quick Ref ID: R15805
Owner: WEST VICKI (O0103462) - 50%
Owner Address: P O BOX 353
WIMBERLEY, TX 78676-0353

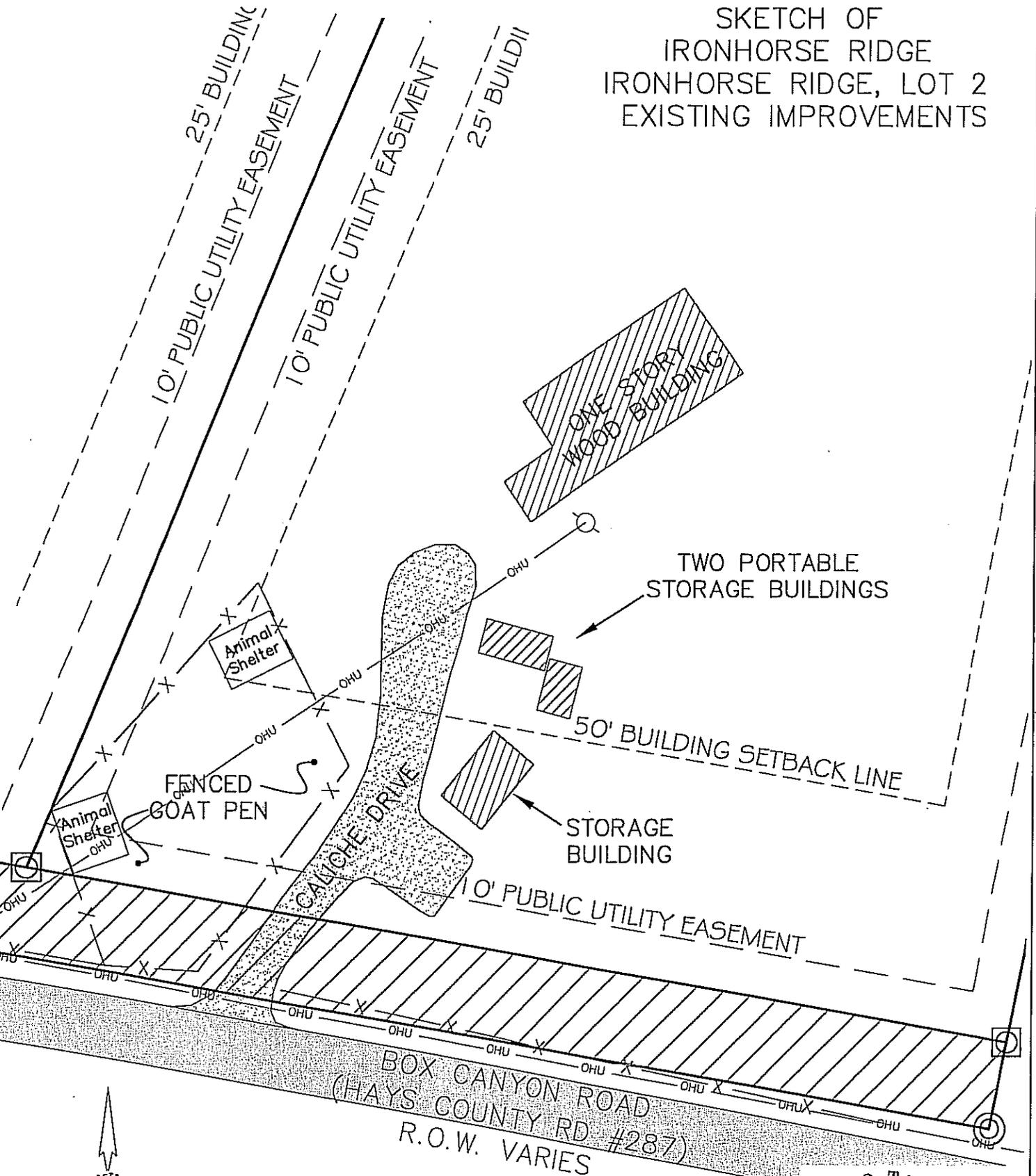
Property: 10-0277-0023-00000-8
Legal Description: A0277 JOHN W KEELEY SURVEY,
ACRES 4.971, 50.000000% UDI
Situs Address: 341 BOX CANYON RD WIMBERLEY TX
78676

Tax Year/Taxing Unit	Taxable Value	Tax Rate	Levy	Tax Paid	Amount Paid
2009					
Wimberley ISD	66,400	1.232700	818.51	1,821.93	1,821.93
Special Road Dist	69,900	0.051100	35.72	75.53	75.53
Hays County	71,400	0.418100	298.53	617.95	617.95
Wimberley Fire Hays	73,900	0.035000	25.87	51.73	51.73
Wimberley ESD #7	73,900	0.057400	42.42	84.84	84.84

Total Payment Amount	2,651.98
Check Payment (Ref # 712) Tendered	2,651.98
Total Tendered	2,651.98

Date Paid: 01/06/2010
Effective Date: 12/31/2009
Station: Luanne
Cashier: LuanneC

SKETCH OF
 IRONHORSE RIDGE
 IRONHORSE RIDGE, LOT 2
 EXISTING IMPROVEMENTS

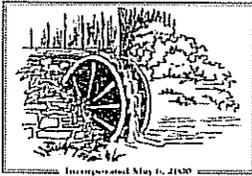


SCALE: 1" = 30'

PRO TECH

ENGINEERING GROUP
 INCORPORATED
 100 E. San Antonio St., Suite 100
 San Marcos, TX, 78666
 (512) 353-3335

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER ACTION ON AN OSSF ORDER VARIANCE FOR A PROPERTY LOCATED AT 308 LOMA VISTA DRIVE.

Council Action Requested:

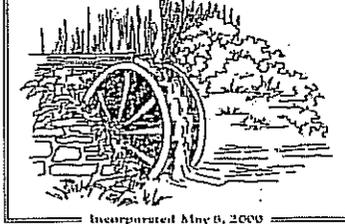
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Last month, the City of Wimberley received a permit application for a new on-site sewage facility for a home located at 308 Loma Vista Drive. The drain field of the proposed soil absorption system is located within one-hundred fifty (150) feet of the Blanco River due to the shape and size of the subject property.

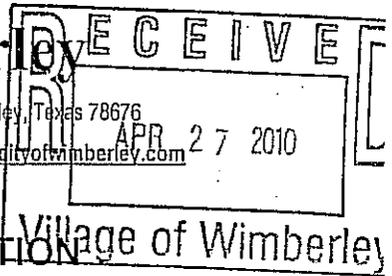
The City of Wimberley On-Site Sewage Facilities (OSSF) Order requires septic systems to be at least one-hundred fifty (150) feet from the bank of the Blanco River. That same order allows for a variance to be granted by the City, if it is determined that there are special circumstances or conditions affecting the land involved such that strict application of the provisions would deprive an individual from the reasonable use of his land and create an undue hardship on the individual.

The proposed sewage facility is an engineered OSSF designed with special features, such as cutoffs, to minimize any adverse impact on the adjacent waterway. After reviewing the system design, it is the position of City staff that the system design will provide adequate protection of the public health and environment. As such, City staff recommends approval of the variance.



City of Wimberley

12111 Ranch Road 12 Suite 114, PO Box 2027, Wimberley, Texas 78676
Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com



ON-SITE SEPTIC FACILITY PERMIT APPLICATION

Property Owner's Name: WALDRON JIM F
(Last) (First) (M.I.)

Mailing Address: 66 CRESTWOOD SUGARLAND TX 77478
(Street/P.O. Box) (City, State) (Zip)

Home Phone: 281-242-3086 Business Phone: _____

Site Address: 308 LOMA VISTA WIMBERLEY TX
(Number) (Street/County Road) (City)

Legal Description:

Lot # 4 1/2 8 Block _____ Subdivision The Pointe Section _____ Recorded Date 1965

Land Area/Acreage: less than 1 acre Staudt p 9-10
(Acreage) (Survey) (Vol/Pg/Date)

Builder's / Agent's Name: TBD
(Last) (First) (M.I.)

Installer's Name: TBD
(Last) (First) (M.I.)

Source of Water: Private _____ Public X Name: WIMBERLEY WATER

Is facility in 100 yr flood plain? Yes X No _____

City of Wimberley zoning designation of subject property: R02

proposed → TYPE OF FACILITY

Single Family Residential (SFR): House _____ or Mobile Home _____

Size of Living Area 1352 sq.fr. # of Beds 2 # of Baths 2

Commercial/Non-SFR:

Type: _____

Days occupied per week _____ Estimated daily water usage _____

Size of Building _____ sq. ft. # of Employees _____

Floodplain Development:

_____ New Construction _____ Improvement to structure less than 50% _____ Excavation

_____ Fill _____ Other: _____

REQUIRED ATTACHEMENTS

1. Supply with this application, one (1) copy of construction floor plans.
2. Attach a copy of the OSSF design plan, manufacturer specification sheets, along with tank and drain field cross-sections
3. Attach a copy of a survey of the building site or a plat of the site which accurately reflects property line descriptions and show thereon the location of all the proposed structures and other improvements, including well and septic system, streams, roads, easements, etc.
4. A copy of maintenance contract and a copy of recorded affidavit must accompany design with utilize surface or drip irrigation, or nonstandard or proprietary treatment.

I, THE PROPERTY OWNER, CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

I ALYSON WALDRON hereby file this application for an on-site sewage facility permit, and if the permit herein applied for is granted, acknowledge myself to be bound to the City of Wimberley, Texas, to see that all provisions of the permit are faithfully performed.

Alyson Waldron (Signature) 4/27/2010 (Date)

*This document represents an application for on-site sewage facilities only and does not authorize the start of any facility or construction.

NOTE: THE PERMIT TO CONSTRUCT AN ON-SITE SEWAGE FACILITY EXPIRES ONE YEAR FROM APPLICATION DATE.

TITLE 30

ENVIRONMENTAL QUALITY

PART 1

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 285

ON-SITE SEWAGE FACILITIES

SUBCHAPTER D

PLANNING, CONSTRUCTION, AND INSTALLATION
STANDARDS FOR OSSFS

RULE §285.31

Selection Criteria for Treatment and Disposal Systems

(a) General Requirement. The type and size of an OSSF shall be determined on the basis of the soil and site information developed according to §285.30 of this title (relating to Site Evaluation).

(b) Suitability. A standard subsurface absorption system may be used if all the soil and site criteria are determined to be suitable under §285.91(5) of this title (relating to Tables). If one or more of the soil and site criteria categories are determined to be unsuitable, a standard subsurface absorption system cannot be used except as noted in §285.91(5) of this title. If it is determined that a standard subsurface absorption system cannot be used, either a proprietary or a non-standard system may be used, provided all soil and site criteria for that system can be met as required in §285.91(13) of this title.

(c) Surface drainage criteria.

(1) Topography. Uniform slopes under 30% are suitable for standard subsurface absorption systems. If the slope is less than 2%, steps shall be taken to ensure there is adequate surface drainage over any subsurface disposal field. The excavation for a standard subsurface absorption system shall be parallel to the contour of the ground.

(2) Flood hazard. Any potential OSSF site within a 100-year floodplain is subject to special planning requirements. The OSSF shall be located so that a flood will not damage the OSSF during a flood event, resulting in contamination of the environment. Planning materials shall indicate how tank flotation is eliminated. Additionally, if the site is within the regulated floodway, a professional engineer shall demonstrate that:

(A) the system shall not increase the height of the flood;

(B) all components, with the exception of risers, chlorinators, cleanouts, sprinklers, and inspection ports, shall be completely buried without adding fill; and

(C) non-buried components (e.g. alarms, junction boxes, and compressors) shall be elevated above the 100-year flood elevation.

(d) Separation requirements. OSSFs shall be separated from features, in the area where the OSSF is to be installed, that could be contaminated by the OSSF or could prevent the proper operation of the system. The separation requirements are in §285.91(10) of this title.

Source Note: The provisions of this §285.31 adopted to be effective June 13, 2001, 26 TexReg 4115

Site Evaluator Information:

Name: DAVID PRICE PE Phone: 698-7076 Fax: 371-3528
 Company: AUSTER Development
 Address: PO Box 26523 City: AUSTIN State: TX Zip Code: 78755

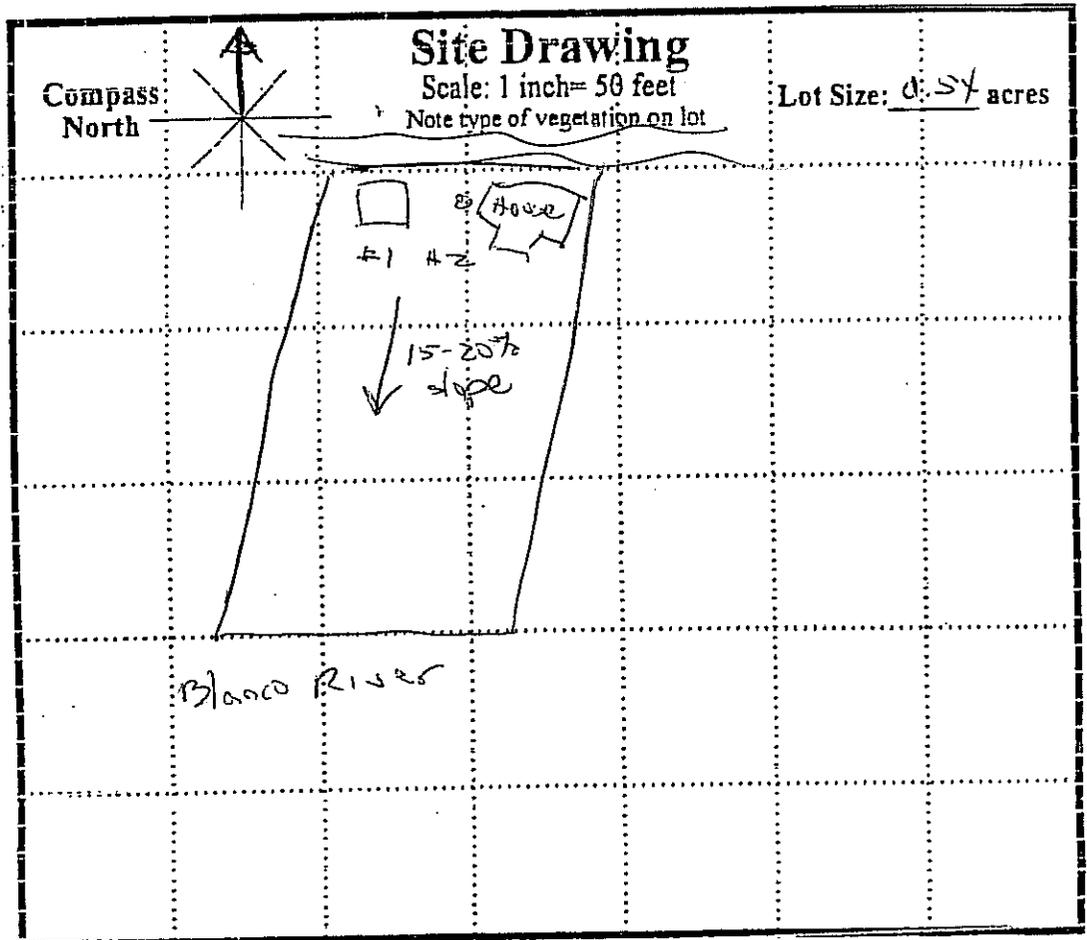
Applicant and Property Information:

Name: WALDRON Phone: _____ Fax: _____
 Address: 300 Loma Vista City: Wimberley State: _____ Zip Code: _____
 Lot 8 Block _____ Subdivision: The Point County: HAYS Unincorporated Area? Y or N
 Street/Road Address: same City _____ Zip Code _____
 Additional Information _____

Schematic of Lot or Tract

Show:

- Compass North, adjacent streets, property lines, property dimensions, location of buildings, easements, swimming pools, water lines, and other surface improvements where known (drainage, patios, sidewalks).
- Location of existing or proposed water wells within 150 feet of property.
- Indicate slope or show contour lines from the structure to the farthest location of the proposed soil absorption or irrigation area.
- Location of soil borings or dug pits (show location with respect to a known reference point).
- Location of natural, constructed, or proposed drainage ways, (streams, ponds, lakes, rivers, high tide of salt water bodies) water impoundment areas, cut or fill bank, sharp slopes and breaks.



Features of Site Area

Presence of 100 year flood zone	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Presence of adjacent ponds, streams, water impoundments	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Existing or proposed water well in nearby area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Organized sewage service available to lot or tract	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

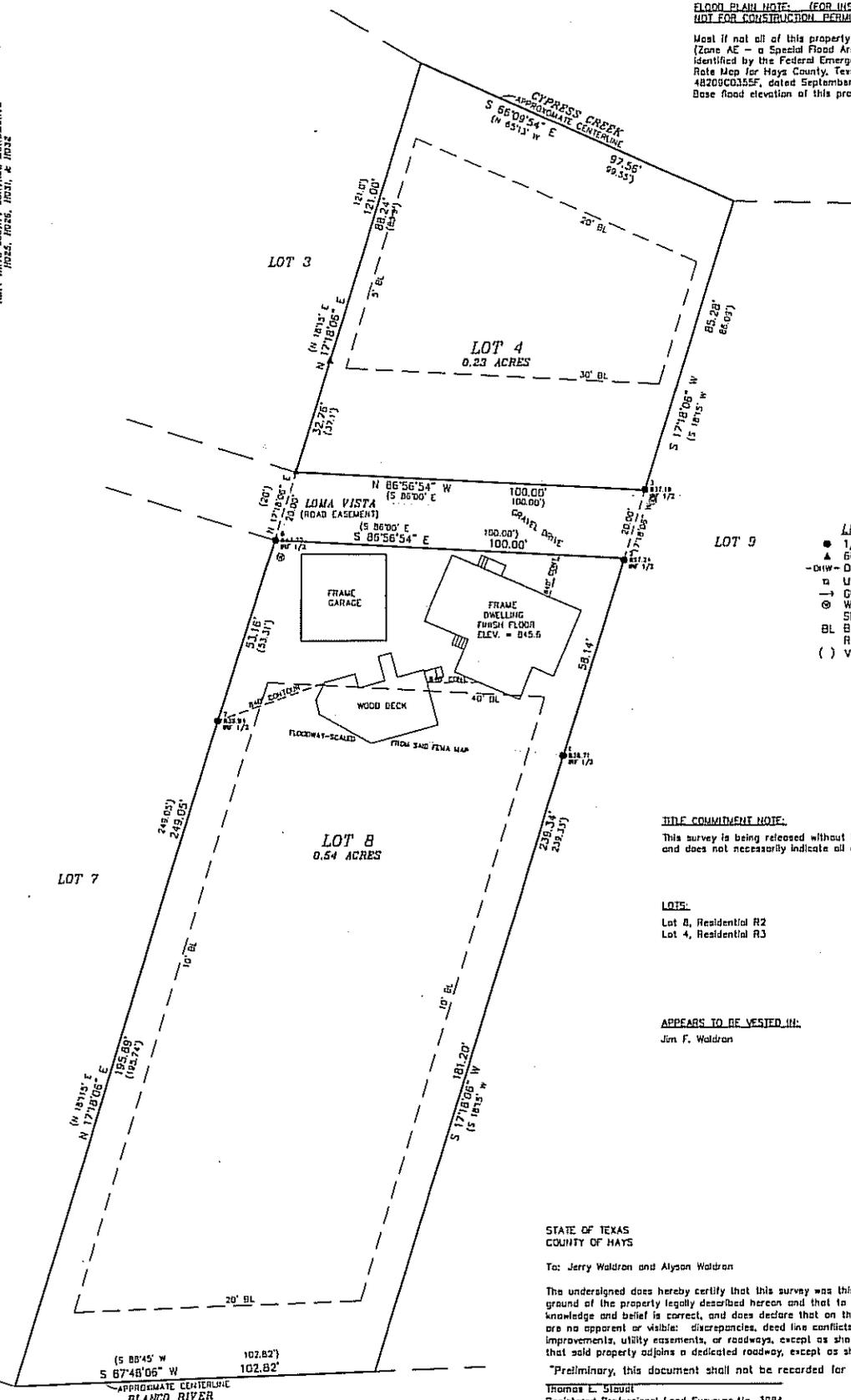
Signature: [Signature] RE

Site Evaluator License No: 66362

NORTH
REF. HAYS COUNTY CONTROL MONUMENTS
1925, 1926, 1931, & 1932

FLOOD PLAN NOTE: (FOR INSURANCE PURPOSES ONLY - NOT FOR CONSTRUCTION PERMITTING OR OTHER USES.)

Most if not all of this property is located in a Special Flood Hazard Area (Zone AE - a Special Flood Area inundated by a 100-Year Flood) as identified by the Federal Emergency Management Agency Flood Insurance Rate Map for Hays County, Texas, and Incorporated Areas, Map Number 48209C0355F, dated September 2, 2005. Base flood elevation of this property is 840' per said FEMA Map.



- LEGEND**
- 1/2" IRON ROD FOUND
 - ▲ 600 NAIL FOUND
 - D-W- OVERHEAD UTILITY WIRE
 - UTILITY POLE
 - GUY WIRE
 - ⊙ WATER METER
 - ⊙ SEPTIC
 - BL BUILDING SETBACK LINE
 - RECORD INFORMATION
 - () VOL 1, PGS. 9-10, PRHCT

TITLE COMMITMENT NOTE:

This survey is being released without benefit of a Title Commitment, and does not necessarily indicate all encumbrances on this property.

LOTS:

Lot 8, Residential R2
Lot 4, Residential R3

APPEARS TO BE VESTED IN:

Jun. F. Waldron

ADDRESS:

308 Loma Vista
Wimberley, Tx

STATE OF TEXAS
COUNTY OF HAYS

To: Jerry Waldron and Alyson Waldron

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and that to the best of my knowledge and belief is correct, and does declare that on the ground there are no apparent or visible discrepancies, deed line conflicts, overlapping of improvements, utility easements, or roadways, except as shown hereon, and that said property adjoins a dedicated roadway, except as shown hereon.

"Preliminary, this document shall not be recorded for any purpose."

Thomas E. Staudt
Registered Professional Land Surveyor No. 3984

Date

	STAUDT SURVEYING, INC. Thomas E. Staudt RPLS # 3984 P.O. Box 1273 Dripping Springs, Texas 78620 (512)858-2238		PLAT SHOWING SURVEY OF LOT 4 & LOT 8 THE POINT VOLUME 1, PAGES 9-10, PLAT RECORDS HAYS COUNTY, TEXAS	
	20 10 0 20 40 GRAPHIC SCALE IN FEET	Rev: Dr. D. TES	Date: JANUARY 29, 2010	Job #: 10007

P.O. Box 26523

Austin, TX 78755

(512)-698-7676

April 16, 2010

Mr. Kyle, DeHart, R.S.
Village of Wimberley
12111 Ranch Road 12
Wimberley, TX 78676

Re: OSSF for 308 Loma Vista
Jerry and Alyson Waldron

Dear Kyle:

Attached, please find the OSSF design for the property at 308 Loma Vista, visited onsite by Mr. Ferguson and you last month.

As discussed onsite, I have determined that a new OSSF system can be placed within the upper limits of Lot 8, just below the existing deck structure. While this location is within the generalized floodway of the Blanco River, as noted on FEMA Panel 48209C0355F, dated 2 September, 2005, an onsite analysis of the topography and location of the proposed field supports placement of a disposal field.

I therefore am proposing an NSF Class I aerobic treatment system on this lot (to replace existing 45 year old ground disposal system), with clearwell disposal via drip irrigation tubing laid on the slope. As an additional safety measure, I have designed in a requirement that the discharge of the treated effluent also be chlorinated. As you are aware, the discharge from Class I units is clean enough to surface spray irrigate on lots, if setbacks are met per 30 TAC Chapter 285 §285.91(10).

What is critical to note with my proposal is that I will not be changing the cross-sectional area of the primary floodway in this area, and therefore am not affecting the hydraulic flow characteristics of the channel, as noted in 30 TAC §285.31 The installation of drip tubing in the slope will be done in the existing soil, as soil test indicate sufficient soil in this area. Additionally, the presence of mature trees on the slope, immediately upstream of this area, at the same elevation, indicate this area has not received detrimental scouring and/or inundation due to flood events. I therefore am confident that the system will perform without issue.

Additionally, all system electrical components are located above the floodway elevation of 840 msl. Additionally, the tank unit top is located above this elevation, and when fully ballasted with water and sewage in the treatment unit, will not have float-out issues, and is buried in the existing slope without adding fill. All of these satisfy 30 TAC §285.31(c)(2)

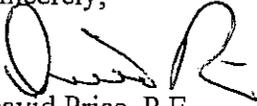
I therefore request approval of this permit, and any required variances for placement of this system.

Mr. Kyle DeHart
Page 2

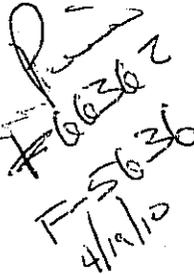
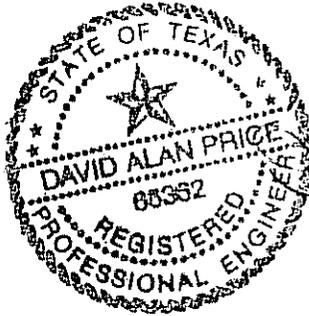
Should you have any questions, please do not hesitate to contact me via e-mail at AusTexLtd@aol.com, or via phone at 512.698.7676.

Thank you in advance for your prompt attention to this matter.

Sincerely,

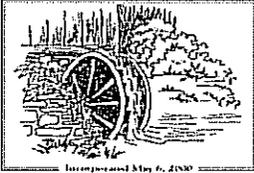


David Price, P.E.
Manager
AusTex Development
www.TexasOnsite.com



Handwritten signature and notes: "F-66362" and "F-5636 4/19/10".

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER ACTION ON
A CITY STREET CONDITION ASSESSMENT
REPORT

Funds Required:
Funds Available:

Council Action Requested:

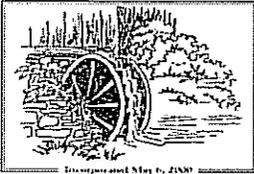
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider action on a *City Street Condition Assessment Report* recently prepared by City staff for use in the development of a Capital Improvement Plan for the City's streets.

City staff will present copies of the report to Council at the meeting and brief council members on the assessment.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER ACTION ON
A REQUEST FROM WIMBERLEY 4-H CLUB TO
PLACE DIRECTIONAL SIGNAGE IN THE CITY
R-O-W

Funds Required:

Funds Available:

Council Action Requested:

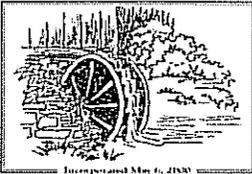
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider action on a request from the Wimberley 4-H Club. The local organization would like to place signage in the City right-of-way to help direct visitors to the Wimberley VFW Rodeo Arena for the club's annual Memorial Day Weekend Rodeo. The directional signage would be in place for approximately a week leading up to the event.

City staff recommends approval of the request.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER APPROVAL OF
THE 2010 FOURTH OF JULY PARADE ROUTE

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

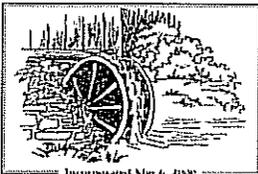
This item was placed on the agenda to allow City Council to discuss and consider approval of the route for the *2010 Wimberley Fourth of July Parade*.

The parade sponsor, the Wimberley Chamber of Commerce, is proposing to utilize the parade route used for the first time last year. The proposed route calls for the parade to start on FM 2325 near Lions Field and proceed south to Ranch Road 12. From that point, the route continues on Ranch Road 12 through the Square and turns onto Old Kyle Road. The parade will end at the former First Baptist Church parking lot where the parade began in years past.

As the Fourth of July this year falls on a Sunday, the Chamber is proposing to hold the parade on Monday, July 5th.

City staff has reviewed the proposed route and recommends approval.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CONSIDER APPROVAL OF A PROPOSAL TO CHANGE THE START TIME FOR THE REGULAR MEETINGS OF THE CITY COUNCIL

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

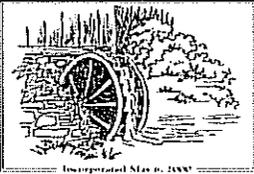
Discussion

Project/Proposal Summary:

This item was placed on the agenda by Mayor Pro-Tem Charles Roccaforte to allow City Council to discuss and consider a proposal to change the start time for the Regular Meetings of the City Council. Currently, Regular Meetings of the City Council begin at 6:30 p.m. Mayor Pro-tem Roccaforte would like City Council to consider an earlier start time for such Council meetings.

No additional background information was provided for this agenda item.

City Council Agenda Form



Date Submitted: May 17, 2010

Agenda Date Requested: May 20, 2010

Project/Proposal Title: CITY COUNCIL REPORTS

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

Project/Proposal Summary:

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