

City of Wimberley

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

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
12111 RANCH ROAD 12, WIMBERLEY, TEXAS
JUNE 4, 2009, 6:30 P.M.

AGENDA

CALL TO ORDER: JUNE 4, 2009 @ 6:30 P.M.

CALL OF ROLL: CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

CITIZENS COMMUNICATIONS:

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

1. CONSENT AGENDA

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

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 21, 2009.
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MAY 15, 2009.
- (C) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MAY 26, 2009.
- (D) APPROVAL OF THE APRIL 2009 FINANCIAL STATEMENTS FOR THE CITY OF WIMBERLEY
- (E) APPROVAL OF THE REAPPOINTMENT OF DAVID GLENN TO THE CITY OF WIMBERLEY PLANNING AND ZONING COMMISSION. (PLACE THREE COUNCIL MEMBER BILL APPLEMAN'S NOMINEE)

2. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON DEVELOPMENT OF BLUE HOLE REGIONAL PARK
- STATUS REPORT ON 2009 BLUE HOLE REGIONAL PARK SUMMER OPERATIONS
- STATUS REPORT ON 2009 BUILDING PERMIT ACTIVITY IN WIMBERLEY
- STATUS REPORT ON PLANNING AND ZONING COMMISSION REVIEW OF ZONING CODE RELATING TO ALCOHOL SALES
- STATUS REPORT ON EFFORTS UNDERWAY TO SECURE STATE AND FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON FOURTH OF JULY FIREWORKS PROJECT
- STATUS REPORT ON ACTIVITIES OF THE WIMBERLEY MUNICIPAL COURT
- STATUS REPORT ON ACTIVITIES OF THE CITY MARSHAL

3. **PUBLIC HEARING AND POSSIBLE ACTION**

HOLD A PUBLIC HEARING AND CONSIDER APPROVAL AN ORDINANCE OF THE CITY OF WIMBERLEY AMENDING ORDINANCE NO. 2008-002 WHICH DESIGNATED A PARTICULAR TRACT AS A WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) AND IMPOSED CERTAIN CONDITIONS; AND AMEND SECTION 155 (ZONING) OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A PARTICULAR TRACT LOCATED AT 14711 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, CHANGING THE ZONING DESIGNATION OF A PORTION OF THE REAL PROPERTY FROM SINGLE FAMILY RESIDENTIAL 2 (R2) TO WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) WITH A BASE ZONING DISTRICT OF PUBLIC FACILITIES (PF); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. *(BISHOP GREGORY AYMOND, APPLICANT)*

4. **DISCUSSION AND POSSIBLE ACTION**

- (A) DISCUSS AND CONSIDER POSSIBLE APPROVAL OF AN AGREEMENT WITH BLANCO NATIONAL BANK TO SERVE AS A BANK DEPOSITORY FOR THE CITY OF WIMBERLEY. *(CITY ADMINISTRATOR)*
- (B) DISCUSS AND CONSIDER POSSIBLE APPROVAL OF THE APPOINTMENT OF AN INTERIM MUNICIPAL COURT JUDGE FOR THE CITY OF WIMBERLEY. *(CITY ADMINISTRATOR)*
- (C) DISCUSS AND CONSIDER POSSIBLE ACTION ON ISSUES RELATING TO THE FUTURE OPERATION OF THE WIMBERLEY COMMUNITY CENTER BY THE CITY OF WIMBERLEY. *(CITY ADMINISTRATOR)*
- (D) DISCUSS AND CONSIDER POSSIBLE ACTION ON PROPOSED AMENDMENTS TO *THE CITY OF WIMBERLEY GOVERNANCE POLICY AND RULES OF PROCEDURE*. *(PLACE THREE COUNCIL MEMBER BILL APPLEMAN)*
- (E) DISCUSS AND CONSIDER POSSIBLE ACTION ON A PROPOSAL TO PROVIDE COMPLIMENTARY SEASON PASSES TO PART-TIME EMPLOYEES OF THE BLUE HOLE REGIONAL PARK AS AN EMPLOYEE BENEFIT. *(CITY ADMINISTRATOR)*

- (F) DISCUSS AND CONSIDER POSSIBLE ACTION RELATING TO THE PROPOSED DEVELOPMENT OF A JOINT GOVERNMENTAL SERVICES FACILITY IN WIMBERLEY, TEXAS. (CITY ADMINISTRATOR)

5. 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

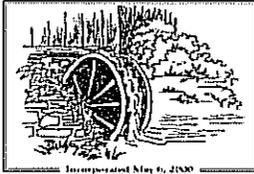
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on June 1, 2009 at 5:00 p.m.



CARA MC PARTLAND, CITY SECRETARY

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

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: APPROVAL OF MAY 21, 2009 MINUTES OF REGULAR CITY COUNCIL MEETING

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the May 21, 2009 Regular City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
May 21, 2009 at 6:30 p.m.

City Council meeting called to order at 6:50 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, Jeri Xiques, Steve Thurber, and Dick Larson.

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

Citizen Communications

No citizen communications were heard.

1. Oath of Office

Administer the Oath of Office to the three (3) Councilmembers-elect of the City of Wimberley City Council.

Hays County Precinct Three Justice of the Peace Andrew W. Cable administered the Oath of Office to Councilmembers-elect Charles Roccaforte, Bill Appleman, and John White.

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 Jeri Xiques as Councilmember of the City of Wimberley, Texas (*Mayor Tom Haley*).

B. Consider approval of a resolution of the City Council of the City of Wimberley, Texas recognizing the public service rendered by Dick Larson as Councilmember of the City of Wimberley, Texas (*Mayor Tom Haley*).

Mayor Haley read the resolutions and presented them to the recipients along with plaques recognizing their service. Councilmember Roccaforte moved to approve Agenda Items 2A and 2B. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- C. Consider approval of an appointment of Mayor Pro-tempore for a term of one (1) year (*Mayor Tom Haley*).

Councilmember Thurber moved to appoint Councilmember Flocke as Mayor Pro-tempore. Councilmember Flocke moved to appoint Councilmember Roccaforte. Councilmember White seconded. Motion carried on a vote of 5-0.

3. Consent Agenda

- A. Approval of minutes of the regular City Council meeting of May 7, 2009.
- B. Approval of minutes of the special City Council meeting of May 7, 2009.
- C. Approval of minutes of the special City Council meeting of May 15, 2009.
- D. Approval of the appointment of Mac McCullough to the City of Wimberley Water Wastewater Advisory Board (*Mayor Tom Haley's nominee*).
- E. Approval of the appointment of Dave Estey to the City of Wimberley Water Wastewater Advisory Board (*Place One Councilmember Charles Roccaforte's nominee*).

Councilmember Thurber moved to approve all Consent Agenda items as presented. Councilmember Flocke seconded. Motion carried on a vote of 3-0 for Consent Agenda Items 3A, 3B, and 3C (Councilmember Appleman and Councilmember White abstained). Consent Agenda Items 3D and 3E were approved by a vote of 5-0.

4. City Administrator Report

- Status report on May 2009 General Election for the City of Wimberley

City Administrator Ferguson thanked election workers and anticipated returning to the hours of 7 a.m. to 7 p.m. for the two twelve-hour early voting days in future elections.

- Status report on Blue Hole Regional Park summer operations

City Administrator Ferguson reported on operating days/times, staffing, road improvements, and the purchase of a golf cart to facilitate movement of visitors and staff. He noted that Park rules will no longer allow jumping from trees into Blue Hole due to public safety concerns. Discussion clarified operating hours, signage, admission fees, and strict enforcement of Park rules requiring that children under the age of thirteen (13) must be accompanied by an adult. Councilmember Appleman expressed concern over the negative impact that reservations of the Park may have on season pass holders, particularly on weekends. City Administrator Ferguson replied that weekday reservations are strongly encouraged and that higher fees are imposed for weekend reservations.

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

City Administrator Ferguson reported on encouraging signs from the Texas Water Development Board (TWDB) on the proposed project's potential "green" classification. He provided specifics on a new wastewater treatment plant with increased capacity to replace the non-compliant plant servicing Deer Creek Nursing Center. The new plant will go on line on June 1, 2009.

- Status report on the development of a *Non-Point Source Pollution* ordinance

City Administrator Ferguson reported that a meeting will be held next week to continue work on this proposed ordinance, with focus on potential regulatory impact on single family home owners/builders.

- Status report on Fourth of July fireworks sponsorship demonstration

City Administrator Ferguson reported on a public fireworks demonstration to be held for prospective sponsors on Wednesday, May 27, 2009 from 8:45 p.m. to 9:15 p.m. near the South River soccer field on Ranch Road 12. Discussion addressed contributions to date, length of the demonstration, and lack of conflict between the VFW July 4th fireworks events and the City's display scheduled for July 3, 2009.

- Status report on activities of the Wimberley Municipal Court

City Administrator Ferguson reported that a letter of resignation has been received from Municipal Court Judge Don H. Campbell. He noted that Council's next agenda will contain items requesting acceptance of the resignation and possible Council consideration of an interim appointment. Mr. Ferguson advised of a current Request for Proposal (RFP) for a replacement judge and thanked Judge Campbell for his service.

- Status report on activities of the City Marshal

City Administrator Ferguson reported on increased traffic enforcement efforts in construction zones and activation of new traffic lights.

5. Presentations

- A. Presentation of results of Wimberley Square Septic System Survey by City of Wimberley and Hays County Environmental Health Division (*City Administrator*).

City Administrator Ferguson's presentation covered regulatory history, critical issues, and Wimberley Square Septic System assessment goals/approach, and findings. Findings included:

- number of operational systems

- properties with Hays County-issued septic permits
- problems with specific drain fields/piping
- water seepage from two systems
- significant grease build-up on one drain field
- septic system(s) not found for at least one business
- use of portable toilets at one business location
- one approved cluster system servicing six small businesses along Cypress Creek
- regular pumping of systems by some Square businesses

City Administrator Ferguson completed his presentation by noting that follow-up inspections will be conducted, as well as development and implementation of a pro-active compliance inspection program. He stated that monitoring of Cypress Creek water quality will continue along with efforts to fund the design and development of a centralized wastewater system to service Square properties.

Discussion addressed Cypress Creek water quality and testing results, with no general overall decline reported for Cypress Creek.

B. Presentation on City of Wimberley Governance Policy and Rules of Procedure (*City Administrator*).

City Administrator Ferguson highlighted major categories of the Governance Policy and Rules of Procedure as a guiding document for Council and the public. Councilmember Appleman recommended language revisions to Sections 4.4 and 5.6 to be considered for future action at Council's next regular meeting.

In response to Councilmember Appleman, discussion among Council, City Administrator Ferguson, and Assistant City Attorney Crosby provided clarification on the impact of public service on individual rights for elected officers, which under State law requires the abstention of officers from debating/voting on any matter due to conflict of interest issues. Discussion between Councilmembers Appleman and Thurber clarified specific rules of order related to Section 5.12 (Motions) on "calling the question."

6. Public Hearing and Possible Action

Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Section 155 (Zoning), Appendix F, of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for a 0.90 acre tract located at 419 FM 2325, Wimberley, Hays County, Texas, designating initial zoning for such tract as Commercial Low Impact (C-1); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting (*Steven Dunks, Applicant*).

City Administrator Ferguson reviewed the application, including subject property location, current/proposed zoning and uses, parking accommodations, proposed structures, and lack of

negative input from notified property owners. He stated that staff concurs with Planning and Zoning Commission's unanimous recommendation for approval.

Mayor Haley opened the public hearing. Applicant Steven Dunks thanked Council and felt that the proposed business and associated structures will be an attractive asset to the community. Council was provided photographs showing the cleaned-up property and proposed structures and City Administrator Ferguson commended the applicant on the thoroughness of his application.

Mayor Haley closed the public hearing. Councilmember Thurber moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

7. Ordinances

- A. Consider approval of an ordinance of the City of Wimberley, Texas, amending Title XV (Land Usage) of the Code of Ordinances Chapter 152 (Signs) in order to establish regulations regarding temporary real estate signs; and providing findings of fact, a repealing clause, to provide a savings and severability clause and providing for an effective date (*City Administrator*).

City Administrator Ferguson reviewed prior Council actions on sign variances, which currently contain no stated exceptions for temporary real estate signage. Councilmember Thurber recommended deleting references to "rent/lease" signs due to the potentially permanent nature of such signage.

Discussion addressed ordinance language allowing temporary signage of up to thirty-two (32) square feet along major entrance corridors. Councilmember Thurber moved to approve the ordinance with the recommended deletion of references to "rental/lease" signs. Councilmember Roccaforte seconded. Assistant City Attorney Grosby clarified that deletion of references to "rent/lease" applies to both §152.05 (*Definitions*) and §152.09(D) (*Temporary Real Estate Signs*). Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- B. Consider final approval of an ordinance of the City of Wimberley, Texas, repealing Ordinance No. 2009-013 regarding Aqua Texas, Inc.; and providing for findings of fact, repeal, savings clause, effective date, and proper notice and meeting (*City Administrator*).

City Administrator Ferguson reviewed past Council action approving an ordinance granting a ten (10) year non-exclusive franchise to Aqua Texas, Inc. and noted the necessity to repeal said ordinance based on a request by Aqua Texas that the franchise be written as a formal agreement authorized by City Council resolution rather than in the form of an ordinance. He noted that the requested format change does not alter the original intent and enforceability of the proposed franchise agreement. In order to consider the resolution (see Agenda Item No. 8), Council must repeal the previously approved ordinance.

Discussion established that staff and legal counsel are comfortable with the enforceability of the requested format change. Councilmember White moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

8. Resolution

Consider approval of a resolution of the City Council of the City of Wimberley, Texas authorizing the Mayor to sign a Franchise Agreement with Aqua Texas, Inc. (*City Administrator*).

Councilmember Thurber moved to approve the resolution as presented. Councilmember White seconded. Motion carried on a vote of 5-0. City Administrator Ferguson advised that franchise agreements with both Aqua Texas and Wimberley Water Supply Corporation will go into effect on June 1, 2009.

9. Discussion and Possible Action

- A. Discuss and consider possible action providing direction to the Planning and Zoning Commission on the regulation of alcohol sales in the City of Wimberley (*Mayor Pro-tem Bob Flocke*).

City Administrator Ferguson requested Council's input and direction to Planning and Zoning as it prepares to discuss the issue of recently approved alcohol sales in various City establishments and outlined current regulations.

Discussion reached general consensus on a recommendation to the Planning and Zoning Commission that would allow alcohol sales in restaurants zoned Commercial Low Impact (C-1), but would require Commercial High Impact (C-3) zoning for liquor stores and bars.

- B. Discuss and consider possible approval of a contract with *Design Workshop* to provide design services for the development of the Blue Hole Regional Park (*City Administrator*).

City Administrator Ferguson detailed various features/options of the proposed contract, including timeframe/costs for two segments to be completed in eight phases, which allow for flexibility to manage costs and design. Mr. Ferguson highlighted optional consulting costs for creation of a business/maintenance plan and project website as useful tools for cost-tracking and fundraising.

Discussion addressed the importance of erosion and bank stabilization measures along Cypress Creek, contract format/attachments, legal review, indemnification, adherence to Blue Hole Master Plan, pricing benchmarks, and use of project management software. Councilmember Appleman expressed his preference for a time and materials contract as more easily manageable by the City. City Administrator Ferguson stressed that cost control/management is critical for this design services contract and reviewed funding sources. Councilmember Thurber thanked staff for its work

on contract negotiation and felt that fundraising efforts will be enhanced by an effective website and *Design Workshop's* reputation for designing "legacy" projects.

Councilmember Thurber moved to approve the item as presented. Councilmember Flocke seconded. Mayor Haley called for a vote as follows: Councilmember Roccaforte, aye; Councilmember Flocke, aye; Councilmember Appleman, nay; Councilmember Thurber, aye; Councilmember White, aye. Motion carried on a vote of 4-1.

- C. Discuss and consider possible action setting the date for a City Council workshop with the City of Wimberley Water Wastewater Advisory Board (*Place Four Councilmember Steve Thurber*).

Discussion addressed the need for the workshop and the number of remaining appointments to Water Wastewater Advisory Board, with general agreement reached to set the workshop date for Tuesday, June 16, 2009 at 6:00 pm.

Councilmember Thurber moved to hold the workshop with Water Wastewater Advisory Board on the previously stated day and time. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action setting a date for a workshop to establish City Council goals and objectives (*City Administrator*).

City Administrator Ferguson outlined the process for arriving at Council goals and objectives and discussion generally agreed on setting the workshop for Wednesday, June 24, 2009 at 6:00 p.m.

Councilmember Thurber moved to set the workshop for the previously stated day and time. Councilmember White seconded. Motion carried on a vote of 5-0.

- E. Discuss and consider possible action on a request from the Wimberley Village Library for complimentary admission passes to the Blue Hole Regional Park (*City Administrator*).

Councilmember Thurber recused himself from the meeting at this time due to a possible conflict of interest. In response to Councilmember Flocke, City Administrator Ferguson explained that Council action is necessary in order to give away City services.

Discussion established the monetary value of the passes to be given for reading achievement. Councilmember Flocke moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 4-0 (Councilmember Thurber recused).

10. City Council Reports

- Announcements
- Future Agenda Items

Councilmember Thurber rejoined the meeting at this time. Councilmember Thurber commended former Mayor Pro-tem Flocke for his efforts in submitting the City's application for the *Envision Central Texas Community Stewardship Award*, which earned the City of Wimberley a place as a top four finalist.

As future agenda items, Councilmember Roccaforte requested reconsideration of steep slope requirements and review of all City ordinances three years after approval.

City Administrator Ferguson reminded Council of Planning and Zoning Commission's special meeting scheduled for Tuesday, May 26, 2009 at 6:00 p.m. to receive public input on proposed entrance corridor setbacks, which will be posted should a quorum of Council desire to attend.

Councilmember Appleman requested a report on the status of future Community Center operations. City Administrator Ferguson replied that Council will receive a status update at its next meeting, including a report on the City's Request for Proposal (RFP).

In response to Mayor Haley, City Administrator Ferguson advised that an updated list of needed appointments will be sent out to Council.

In order to better understand Planning and Zoning's perspective, Councilmember Thurber requested that presentation of zoning cases be made to Council by a designated member of the Planning and Zoning Commission.

Hearing no more announcements or future agenda item requests, Mayor Haley called the meeting adjourned.

Adjournment: Council meeting adjourned at 8:50 p.m.

Recorded by:

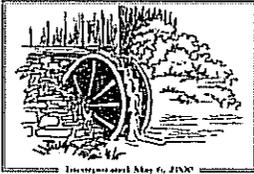
Cara McPartland

These minutes approved on the _____ of June, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: APPROVAL OF MAY 15,
2009 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the May 15, 2009 Special City Council Meeting for review and consideration.

MINUTES
SPECIAL CITY COUNCIL MEETING
MAY 15, 2009 – 11:15 A.M.

The City Council of the City of Wimberley, Texas met for the purpose of participation in Hays County Leadership Charette, located at Wimberley Community Center, 14068 Ranch Road 12, Wimberley, Hays County, Texas on Friday, May 15, 2009 at 11:15 a.m.

Those present were: Mayor Tom Haley, Presiding; Council Members Bob Flocke and Steve Thurber.

Members of the City of Wimberley City Council attended the special meeting for the purpose of participating in Hays County Leadership Charette activities. No action was taken during the meeting that began at 11:15 a.m. and ended at 3:00 p.m.

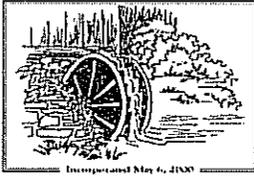
DATE APPROVED: June ____, 2009

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: APPROVAL OF MAY 26,
2009 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are minutes for the May 26, 2009 Special City Council Meeting for review and consideration.

MINUTES
SPECIAL CITY COUNCIL MEETING
MAY 26, 2009 – 6:00 P.M.

The City Council of the City of Wimberley, Texas met for the purpose of observing a Planning and Zoning Commission meeting, located at Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Hays County, Texas on Tuesday, May 15, 2009 at 6:00 p.m.

Those present were: Mayor Tom Haley, Presiding; Council Members Bill Appleman and John White.

Members of the City of Wimberley City Council attended the special meeting for the purpose of a special meeting of the Planning and Zoning Commission. No action was taken during the meeting that began at 6:00 p.m. and ended at 7:29 p.m.

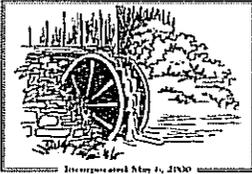
DATE APPROVED: June ____, 2009

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

City Council Agenda Form



Date Submitted: May 4, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: APPROVAL OF APRIL 2009
FINANCIAL STATEMENTS

Funds Required:
Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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

Council Package
Financial Statements Village of Wimberley
For the Period Ended 4/30/2009

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

6-1-09 Faxed to: 512-847-0422 30 pgs

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

Assets

Current Assets

101.10 Petty Cash-General	\$	150.00
103.10 Cash - Blanco National Bank - General		284,936.57
105.10 Cash - Blanco National Bank - CD		222,475.48
110.10 Texpool - General		363,034.71
116.10 Due From Municipal Court		979.70
120.10 Accounts Receivable		7,582.99
121.10 Sales Tax Receivable		64,992.26
		<u>64,992.26</u>

Total Current Assets \$ 944,151.71

Total Assets \$ 944,151.71

Liabilities and Fund Balance

Current Liabilities

301.10 Withholding Tax Payable	\$	1,500.00
302.10 FICA Tax Payable		3,001.08
311.10 TMRS Payable		980.72
		<u>980.72</u>

Total Current Liabilities \$ 5,481.80

Total Liabilities 5,481.80

Fund Balance

467.10 Fund Balance - Undesignated	437,582.18
469.10 Designated Fund Balance - Public Works	300,000.00
470.10 Designated Fund Balance - New City Hall	50,000.00
471.10 Designated Fund Balance - WW on Square	30,000.00
472.10 Designated Fund Balance - Future Grant Match	50,000.00
498.10 Net Excess (Deficit)	71,087.73
	<u>71,087.73</u>

Total Fund Balance 938,669.91

Total Liabilities and Fund Balance \$ 944,151.71

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
501.10 Sales & Use Tax	\$ 64,992.26	60.52	\$ 351,702.92	70.93
502.10 Mixed Beverage Tax	1,001.81	0.93	2,586.87	0.52
503.10 Interest Income - General	1,082.78	1.01	8,757.46	1.77
504.10 Miscellaneous Income	5,630.20	5.24	12,850.97	2.59
505.10 Building Permits	454.25	0.42	7,640.01	1.54
506.10 Building Inspections	845.00	0.79	11,495.00	2.32
509.10 Plan Reviews	325.00	0.30	11,395.78	2.30
511.10 Sign Permits	175.00	0.16	1,460.00	0.29
512.10 Subdivision	0.00	0.00	4,321.00	0.87
513.10 Zoning	336.00	0.31	2,195.00	0.44
516.10 Municipal Court Costs/Fines	984.20	0.92	2,725.70	0.55
521.10 Time Warner Cable	7,280.79	6.78	16,367.80	3.30
522.10 Pedernales Electric Cooperative, Inc.	24,177.65	22.52	45,749.21	9.23
523.10 Texas Disposal Systems	0.00	0.00	9,138.23	1.84
524.10 Verizon	0.00	0.00	6,767.50	1.36
525.10 Franchise Fees - Misc	99.54	0.09	688.60	0.14
	<u>107,384.28</u>	<u>100.00</u>	<u>495,842.05</u>	<u>100.00</u>
Total Revenues				
Expenditures				
Admin - Personnel				
601.10 City Administrator	5,018.98	4.67	53,621.91	10.81
602.10 City Secretary	1,930.56	1.80	20,315.21	4.10
603.10 Receptionist/Clerk	1,944.00	1.81	12,150.00	2.45
606.10 Payroll Taxes	1,175.75	1.09	7,031.82	1.42
607.10 TMRS - Admin	268.47	0.25	2,524.38	0.51
608.10 Health Care	512.00	0.48	5,034.00	1.02
	<u>10,849.76</u>	<u>10.10</u>	<u>100,677.42</u>	<u>20.30</u>
Total Admin - Personnel				
Admin - Operating				
809.10 Dues - TML & City Mgr Assoc	0.00	0.00	1,271.30	0.26
810.10 Public Notices	0.00	0.00	2,029.27	0.41
811.10 Printing	0.00	0.00	732.00	0.15
812.10 Telephone	160.09	0.15	3,088.33	0.62
813.10 Copies	0.00	0.00	2,042.62	0.41
814.10 Rent	4,337.00	4.04	30,206.00	6.09
815.10 Cleaning	0.00	0.00	2,500.00	0.50
816.10 Office Supplies	104.48	0.10	1,903.72	0.38

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, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
617.10 Utilities	\$ 0.00	0.00	\$ 3,460.65	0.70
618.10 Equipment Leases	394.41	0.37	3,166.26	0.64
619.10 Water Cooler	0.00	0.00	223.75	0.05
620.10 Postage	0.00	0.00	245.11	0.05
621.10 Insurance	0.00	0.00	12,604.07	2.54
622.10 Records Management	650.84	0.61	1,023.46	0.21
623.10 Office Technology	(636.00)	(0.59)	294.00	0.06
626.10 Security Expense	0.00	0.00	295.98	0.06
628.10 Technology Consultant	0.00	0.00	55.00	0.01
632.10 Capital Outlay - Other	0.00	0.00	52,493.50	10.59
636.10 Training - Travel	0.00	0.00	592.10	0.12
637.10 Contract Labor	0.00	0.00	3,706.10	0.75
638.10 Repairs & Maintenance	(100.00)	(0.09)	0.00	0.00
Total Admin - Operating	4,910.82	4.57	121,933.22	24.59
Legal				
641.10 Legal	4,908.09	4.57	27,671.64	5.58
Total Legal	4,908.09	4.57	27,671.64	5.58
Council - Boards Expenditures				
651.10 Association Dues	0.00	0.00	293.00	0.06
652.10 Training	575.00	0.54	1,235.00	0.25
655.10 Financial Management Services	1,000.00	0.93	7,000.00	1.41
656.10 Audit	0.00	0.00	13,000.00	2.62
658.10 Planning	0.00	0.00	5,000.00	1.01
661.10 Public Relations / Receptions	0.00	0.00	301.51	0.06
664.10 Fitness Council Expenses	1,561.50	1.45	6,112.98	1.23
Total Council - Boards Expenditures	3,136.50	2.92	32,942.49	6.64
Building Department Expenditures				
676.10 Contract Inspector	2,110.00	1.96	15,167.50	3.06
677.10 Site Plan Reviews	(585.00)	(0.54)	9,896.11	2.00
Total Building Department Expenditures	1,525.00	1.42	25,063.61	5.05
Public Works - Personnel				

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, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
702.10 Salaries-Code Enforcement & Permitting	\$ 1,435.20	1.34	\$ 15,454.40	3.12
704.10 Salaries-GIS/Permitting Clerk	1,599.10	1.49	17,671.10	3.56
706.10 Payroll Taxes	351.66	0.33	2,938.23	0.59
707.10 TMRS - Public Works	93.37	0.09	974.96	0.20
708.10 Health Benefits	400.00	0.37	2,600.00	0.52
Total Public Works - Personnel	3,879.33	3.61	39,638.69	7.99
Public Works - Operating				
714.10 Certificates	0.00	0.00	50.00	0.01
715.10 Supplies - Public Works	17.06	0.02	46.21	0.01
720.10 Fuel	47.61	0.04	390.39	0.08
722.10 Vehicle Maint. & Insurance	0.00	0.00	131.63	0.03
Total Public Works - Operating	64.67	0.06	618.23	0.12
Roads				
727.10 Road Maintenance	3,716.10	3.46	15,650.48	3.16
729.10 Road Engineering	0.00	0.00	9,173.00	1.85
731.10 Mowing / Tree Trimming	0.00	0.00	2,675.00	0.54
732.10 Signs/Barricades	362.40	0.34	1,825.30	0.37
733.10 Parking Lot Lease	100.00	0.09	700.00	0.14
736.10 Contract Labor	0.00	0.00	4,032.93	0.81
Total Roads	4,178.50	3.89	34,056.71	6.87
Water/Wastewater				
756.10 Public Restroom Wastewater	311.72	0.29	2,324.50	0.47
Total Water/Wastewater	311.72	0.29	2,324.50	0.47
Public Safety - Personnel				
801.10 Salaries - City Marshall	1,937.20	1.80	20,861.05	4.21
806.10 Payroll Taxes	223.38	0.21	1,671.06	0.34
807.10 TMRS City Contribution-PS	58.71	0.05	613.14	0.12
808.10 Health Care - Public Safety	400.00	0.37	1,425.00	0.29
Total Public Safety - Personnel	2,619.29	2.44	24,570.25	4.96

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, 2009

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Public Safety - Operating				
820.10 Municipal Court Judge	\$ 2,685.60	2.50	\$ 4,127.26	0.83
821.10 City Prosecutor	246.50	0.23	2,175.00	0.44
824.10 Animal Control	0.00	0.00	6,000.00	1.21
825.10 Fuel-Public Safety	301.82	0.28	913.18	0.18
826.10 Supplies - Public Safety	87.94	0.08	604.47	0.12
827.10 Vehicle Maintenance and Repair	0.00	0.00	49.22	0.01
830.10 Capital Outlay - Vehicle	0.00	0.00	608.95	0.12
832.10 Capital Outlay - Technology	(241.02)	(0.22)	0.00	0.00
Total Public Safety - Operating	3,080.84	2.87	14,478.08	2.92
Parks - Operating				
859.10 Nature Trail Operations	46.65	0.04	779.48	0.16
Total Parks - Operating	46.65	0.04	779.48	0.16
Total Expenditures	39,511.17	36.79	424,754.32	85.66
NET EXCESS (DEFICIT)	\$ 67,873.11	63.21	\$ 71,087.73	14.34

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

	CURRENT PERIOD	YTD ACTUAL	%	ANNUAL BUDGET	OVER (UNDER)	%	MTD %
BUILDING DEPARTMENT EXPENDITURES							
676.1 Contract Inspector	2,110.00	15,167.50	3.57%	22,000.00	(6,832.50)	-31.06%	-41.67%
677.1 Site Plan Reviews	(585.00)	9,896.11	2.33%	18,000.00	(8,103.89)	-45.02%	-41.67%
678.1 Building Code Books	-	-	0.00%	-	-	0.00%	-41.67%
TOTAL BUILDING DEPARTMENT EXPENDITURES	1,525.00	25,063.61	5.90%	40,000.00	(14,936.39)	-37.34%	-41.67%
PUBLIC WORKS/CODE ENFORCEMENT EXPENDITURES							
<i>Public Works</i>							
<i>Personnel</i>							
701.1 Salaries-Planning Director	-	-	0.00%	-	-	0.00%	-41.67%
702.1 Salaries-Code Enforcement & Perm	1,435.20	15,454.40	3.64%	28,121.00	(12,666.60)	-45.04%	-41.67%
703.1 Salaries-Asst. to Planning Director	-	-	0.00%	-	-	0.00%	-41.67%
704.1 Salaries-GIS/Permitting Clerk	1,599.10	17,671.10	4.16%	32,240.00	(14,568.90)	0.00%	-41.67%
706.1 Payroll Taxes	351.66	2,938.23	0.69%	4,922.00	(1,983.77)	0.00%	-41.67%
707.1 TMRS - Public Works	93.37	974.96	0.23%	-	974.96	0.00%	-41.67%
708.1 Health Benefits	400.00	2,600.00	0.61%	9,000.00	(6,400.00)	-71.11%	-41.67%
Total Personnel	3,879.33	39,638.69	9.33%	74,283.00	(34,644.31)	-46.64%	-41.67%
<i>Operating</i>							
712.1 Mileage	-	-	0.00%	250.00	(250.00)	-100.00%	-41.67%
713.1 Training	-	-	0.00%	1,000.00	(1,000.00)	-100.00%	-41.67%
714.1 Certificates	-	50.00	0.07%	-	50.00	0.00%	-41.67%
715.1 Supplies - Public Works	17.06	46.21	0.07%	-	46.21	0.00%	-41.67%
720.1 Fuel	47.61	390.39	0.09%	2,000.00	(1,609.61)	0.00%	-41.67%
721.1 Tools	-	-	0.00%	750.00	(750.00)	-100.00%	-41.67%
722.1 Vehicle Maintenance & Insurance	-	131.63	0.03%	1,000.00	(868.37)	0.00%	-41.67%
Total Operating	64.67	618.23	0.15%	5,000.00	(4,381.77)	0.00%	-41.67%
Total Public Works	3,944.00	40,256.92	9.48%	79,283.00	(39,026.08)	-46.64%	-41.67%
<i>Roads</i>							
727.1 Road Maintenance	3,716.10	15,650.48	3.88%	75,000.00	(59,349.52)	-79.13%	-41.67%
Transfer to Road Maintenance Rese	-	-	0.00%	20,000.00	(20,000.00)	-100.00%	-41.67%
728.1 Capital Outlay Roads	-	-	0.00%	40,000.00	(40,000.00)	-100.00%	-41.67%
729.1 Road Engineering	-	9,173.00	2.16%	7,000.00	2,173.00	31.04%	-41.67%
730.1 Road Insurance	-	-	0.00%	-	-	0.00%	-41.67%
731.1 Mowing/Tree Trimming	-	2,675.00	0.63%	12,500.00	(9,825.00)	-78.60%	-41.67%
732.1 Signs/Barricades	362.40	1,825.30	0.43%	5,000.00	(3,174.70)	-63.49%	-41.67%
733.1 Parking Lot Lease	100.00	700.00	0.16%	1,200.00	(500.00)	-41.67%	-41.67%
734.1 Master Planning Traffic Studies	-	-	0.00%	-	-	0.00%	-41.67%
735.1 Survey Services	-	-	0.00%	-	-	0.00%	-41.67%

Restricted for Management's Use Only

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

Assets

Current Assets

106.40 Cash - Blanco National Bank - BH Development	\$ 500,000.00
108.40 Cash - Blanco National Bank - Blue Hole	62,895.35
110.40 Texpool - Blue Hole	<u>163,521.15</u>

Total Current Assets \$ 726,416.50

Total Assets \$ 726,416.50

Liabilities and Fund Balance

Total Liabilities \$ 0.00

Fund Balance

467.40 Fund Balance - Blue Hole	\$ 83,227.58
473.40 Designated Fund Balance Blue Hole - Soccer Fields	146,701.58
498.40 Net Excess (Deficit)	<u>496,487.34</u>

Total Fund Balance 726,416.50

Total Liabilities and Fund Balance \$ 726,416.50

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
503.40 Interest Income - Blue Hole Parkland	\$ 63.96	100.00	\$ 1,082.11	0.22
520.40 Grant Funds - Blue Hole	0.00	0.00	500,000.00	99.80
542.40 Rental Fees	0.00	0.00	(100.00)	(0.02)
Total Revenues	63.96	100.00	500,982.11	100.00
Expenditures				
Parks - Operating				
861.40 Contract Labor/Wages	0.00	0.00	77.50	0.02
862.40 Utilities	54.02	84.46	559.29	0.11
863.40 Mowing	0.00	0.00	350.00	0.07
864.40 Operating Supplies	0.00	0.00	364.98	0.07
865.40 Contract Services	0.00	0.00	2,000.00	0.40
866.40 Rental	0.00	0.00	353.00	0.07
868.40 Public Restroom Facilities	0.00	0.00	790.00	0.16
Total Parks - Operating	54.02	84.46	4,494.77	0.90
Total Expenditures	54.02	84.46	4,494.77	0.90
NET EXCESS (DEFICIT)	\$ 9.94	15.54	\$ 496,487.34	99.10

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

Assets

Current Assets

109.50 Cash - Blanco National Bank -Municipal Court \$ 3,013.00

Total Current Assets \$ 3,013.00

Total Assets \$ 3,013.00

Liabilities and Fund Balance

Current Liabilities

304.50 Due to General - Municipal Court \$ 979.70

350.50 Municipal Court Cost Payable 1,305.30

Total Current Liabilities \$ 2,285.00

Total Liabilities 2,285.00

Fund Balance

498.50 Net Excess (Deficit) 728.00

Total Fund Balance 728.00

Total Liabilities and Fund Balance \$ 3,013.00

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

	Current Period		Year To Date	
	Amount	Percent	Amount	Percent
Revenues				
550.50 Court Technology Fees	\$ 88.00	43.14	\$ 256.00	35.16
551.50 Building Security Fees	66.00	32.35	192.00	26.37
552.50 Child Safety Fees	50.00	24.51	275.00	37.77
553.50 Judicial Efficiency Fees	0.00	0.00	5.00	0.69
	<u>204.00</u>	<u>100.00</u>	<u>728.00</u>	<u>100.00</u>
Total Revenues				
	<u>204.00</u>	<u>100.00</u>	<u>728.00</u>	<u>100.00</u>
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET EXCESS (DEFICIT)	<u>\$ 204.00</u>	<u>100.00</u>	<u>\$ 728.00</u>	<u>100.00</u>

**City of Wimberley
JOURNAL REPORT**

April 30, 2009

CD - Cash disbursements

Client No: 347

Page 1

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/1/09	304.50	Due to General - Municipal Court	519.40	1250	city of wimberley - general
4/8/09	350.50	Municipal Court Cost Payable	2,284.00	1251	state comptroller
4/14/09	862.40	Utilities	54.02	2252	wimberley water supply
4/1/09	708.10	Health Benefits	200.00	6147	abigail gillfillan
4/1/09	733.10	Parking Lot Lease	100.00	6148	calkins interest
4/1/09	608.10	Health Care	200.00	6149	cara mcpartland
4/1/09	608.10	Health Care	312.00	6150	don ferguson
4/1/09	808.10	Health Care - Public Saffey	200.00	6151	garth w robinson
4/1/09	608.10	Health Care	200.00	6152	monica alcalá
4/1/09	614.10	Rent	525.00	6153	todd routh
4/1/09	614.10	Rent	3,812.00	6154	todd routh
4/1/09	708.10	Health Benefits	200.00	6155	william bowers
4/7/09	301.10	Withholding Tax Payable	1,662.00	6173	blanco natl bank
4/7/09	302.10	FICA Tax Payable	3,008.16	6173	blanco natl bank
			4,670.16	6173	Reference Total
4/7/09	606.10	Payroll Taxes	250.28	6174	twc
4/7/09	607.10	TMRS - Admin	361.72	6175	tex municipal retirement sys
4/7/09	707.10	TMRS - Public Works	138.84	6175	tex municipal retirement sys
4/7/09	807.10	TMRS City Contribution-PS	87.31	6175	tex municipal retirement sys
4/7/09	311.10	TMRS Payable	983.04	6175	tex municipal retirement sys
			1,570.91	6175	Reference Total
4/14/09	715.10	Supplies - Public Works	17.06	6178	ace hardware
4/14/09	859.10	Nature Trail Operations	14.39	6178	ace hardware
			31.45	6178	Reference Total
4/14/09	612.10	Telephone	160.09	6179	at&t
4/14/09	676.10	Contract Inspector	1,525.00	6180	ats
4/14/09	641.10	Legal	4,908.09	6181	bickerstaff, heath, pollan & caroom
4/14/09	821.10	City Prosecutor	246.50	6181	bickerstaff, heath, pollan & caroom
			5,154.59	6181	Reference Total
4/14/09	826.10	Supplies - Public Safety	87.94	6182	data devices international
4/14/09	727.10	Road Maintenance	150.00	6183	garrett allen
4/14/09	756.10	Public Restroom Wastewater	275.00	6184	leinneweber plumbing co
4/14/09	655.10	Financial Management Services	1,000.00	6185	lori graham cpa
4/14/09	820.10	Municipal Court Judge	2,685.60	6186	mounger & campbell
4/14/09	664.10	Fitness Council Expenses	61.50	6187	print-it

City of Wimberley
JOURNAL REPORT

April 30, 2009

CD - Cash disbursements

Client No: 347

Page 2

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/14/09	732.10	Signs/Barricades	102.40	6188	safelane traffice supply
4/14/09	616.10	Office Supplies	104.48	6189	sam's club
4/14/09	756.10	Public Restroom Wastewater	36.72	6189	sam's club
			141.20	6189	Reference Total
4/14/09	825.10	Fuel-Public Safety	60.80	6190	texas fleet fuel
4/14/09	720.10	Fuel	47.61	6190	texas fleet fuel
			108.41	6190	Reference Total
4/14/09	727.10	Road Maintenance	3,466.10	6191	tx road repair & patches
4/14/09	732.10	Signs/Barricades	260.00	6192	hartmann enterprises, inc
4/14/09	652.10	Training	575.00	6193	university of texas at austin
4/14/09	859.10	Nature Trail Operations	32.26	6194	wimberley water supply
4/15/09	618.10	Equipment Leases	113.38	6195	lcra
4/20/09	618.10	Equipment Leases	281.03	6196	kyocera mita american
4/27/09	664.10	Fitness Council Expenses	1,500.00	6200	print this
4/27/09	103.10	Cash - Blanco National Bank - General	-29,951.30	disb	disb
4/14/09	108.40	Cash - Blanco National Bank - Blue Hole	-54.02	disb	disb
4/8/09	109.50	Cash - Blanco National Bank - Municipal Court	-2,803.40	disb	disb
			-32,808.72	disb	Reference Total
		Total for 46 Items	0.00		

City of Wimberley
JOURNAL REPORT

April 30, 2009

JE -

Client No: 347

Page 3

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/09	504.10	Miscellaneous Income	50.25	1	misc income
4/30/09	114.10	Due From Blue Hole	-50.25	1	due from blue hole
4/30/09	103.10	Cash - Blanco National Bank - General	-14.84	1	cash
			-14.84	1	Reference Total
4/30/09	116.10	Due From Municipal Court	4.50	2	due from municipal court
4/30/09	516.10	Municipal Court Costs/Fines	-4.50	2	court costs/fines
			0.00	2	Reference Total
4/30/09	350.50	Municipal Court Cost Payable	4.50	3	municipal ct cost payable
4/30/09	304.50	Due to General - Municipal Court	-4.50	3	due to general - mc
			0.00	3	Reference Total
4/30/09	320.10	Accrued Salaries Payable	5,749.52	4	salaries payable
4/30/09	702.10	Salaries-Code Enforcement & Permitting	-728.00	4	bill bowers
4/30/09	704.10	Salaries-GIS/Permitting Clerk	-834.40	4	abigail gillfillian
4/30/09	602.10	City Secretary	-915.60	4	cara mcpartland
4/30/09	601.10	City Administrator	-2,288.72	4	don ferguson
4/30/09	801.10	Salaries - City Marshall	-982.80	4	garth robinson
			0.00	4	Reference Total
4/30/09	311.10	TMRS Payable	167.32	5	tmrs payable
4/30/09	707.10	TMRS - Public Works	-45.47	5	public works
4/30/09	807.10	TMRS City Contribution-PS	-28.60	5	public safety
4/30/09	607.10	TMRS - Admin	-93.25	5	admin
			0.00	5	Reference Total
4/30/09	103.10	Cash - Blanco National Bank - General	73,845.30	6	deposits
4/30/09	502.10	Mixed Beverage Tax	-1,001.61	6	mixed beverage tax
4/30/09	121.10	Sales Tax Receivable	-31,410.21	6	sales tax receivable
4/30/09	504.10	Miscellaneous Income	-4,776.48	6	misc income
4/30/09	505.10	Building Permits	-454.25	6	building permits
4/30/09	506.10	Building Inspections	-845.00	6	inspections
4/30/09	509.10	Plan Reviews	-325.00	6	plan reviews
4/30/09	511.10	Sign Permits	-175.00	6	sign permits
4/30/09	513.10	Zoning	-336.00	6	zoning
4/30/09	521.10	Time Warner Cable	-7,280.79	6	twc

City of Wimberley
JOURNAL REPORT

April 30, 2009

JE -

Client No: 347

Page 4

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/09	522.10	Pedernales Electric Cooperative, Inc.	-24,177.65	6	pec
4/30/09	525.10	Franchise Fees - Misc	-99.54	6	misc franchise
4/30/09	116.10	Due From Municipal Court	-519.40	6	due from mc
4/30/09	120.10	Accounts Receivable	-1,540.40	6	a/r
4/30/09	504.10	Miscellaneous Income	-903.97	6	misc income
			0.00	6	Reference Total
4/30/09	121.10	Sales Tax Receivable	64,992.26	7	sales tax receivable
4/30/09	501.10	Sales & Use Tax	-64,992.26	7	sales use tax
			0.00	7	Reference Total
4/30/09	116.10	Due From Municipal Court	979.70	8	due from mc
4/30/09	516.10	Municipal Court Costs/Fines	-979.70	8	mc court fines
			0.00	8	Reference Total
4/30/09	109.50	Cash - Blanco National Bank - Municipal Court	2,489.00	9	deposits
4/30/09	550.50	Court Technology Fees	-88.00	9	court tech fees
4/30/09	551.50	Building Security Fees	-66.00	9	bldg sec fees
4/30/09	552.50	Child Safety Fees	-50.00	9	child safety fees
4/30/09	350.50	Municipal Court Cost Payable	-1,305.30	9	mc cost payable
4/30/09	304.50	Due to General - Municipal Court	-979.70	9	due to general
			0.00	9	Reference Total
4/30/09	105.10	Cash - Blanco National Bank - CD	940.76	10	cd-savings
4/30/09	503.10	Interest Income - General	-940.76	10	interest income
			0.00	10	Reference Total
4/30/09	622.10	Records Management	14.84	11	s/c qb
4/30/09	706.10	Payroll Taxes	351.66	12	P/R - PW
4/30/09	806.10	Payroll Taxes	223.38	12	P/R - PS
4/30/09	606.10	Payroll Taxes	-575.04	12	p/r admin
			0.00	12	Reference Total
4/30/09	808.10	Health Care - Public Safety	200.00	13	health care - garth
4/30/09	608.10	Health Care	-200.00	13	health care - garth
			0.00	13	Reference Total

**City of Wimberley
JOURNAL REPORT**

April 30, 2009

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>
4/30/09	622.10	Records Management	636.00	14	records mgmt - to reclassify
4/30/09	623.10	Office Technology	-636.00	14	records mgmt - to reclassify
			0.00	14	Reference Total
4/30/09	727.10	Road Maintenance	100.00	15	road maint - to reclassify
4/30/09	638.10	Repairs & Maintenance	-100.00	15	road maint - to reclassify
			0.00	15	Reference Total
4/30/09	676.10	Contract Inspector	585.00	16	ats- to reclassify
4/30/09	677.10	Site Plan Reviews	-585.00	16	ats- to reclassify
			0.00	16	Reference Total
4/30/09	825.10	Fuel-Public Safety	241.02	17	fuel - to reclassify
4/30/09	832.10	Capital Outlay - Technology	-241.02	17	fuel - to reclassify
			0.00	17	Reference Total
4/30/09	110.40	Texpool - Blue Hole	63.96	18	texpool - blue hole
4/30/09	110.10	Texpool - General	142.02	18	texpool - general
4/30/09	503.10	Interest Income - General	-142.02	18	interest income
4/30/09	503.40	Interest Income - Blue Hole Parkland	-63.96	18	interest income
			0.00	18	Reference Total
		Total for 62 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

April 30, 2009

PYA - Generated payroll accrual

Client No: 347

Page 6

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/09	606.10	Payroll Taxes	1,216.10	CKS	Employer's FICA
4/30/09	302.10	FICA Tax Payable	-1,216.10	CKS	Employer's FICA
4/30/09	606.10	Payroll Taxes	284.41	CKS	Employer's Medicare
4/30/09	302.10	FICA Tax Payable	-284.41	CKS	Employer's Medicare
			0.00	CKS	Reference Total
		Total for 4 Items	0.00		

**City of Wimberley
JOURNAL REPORT**

April 30, 2009

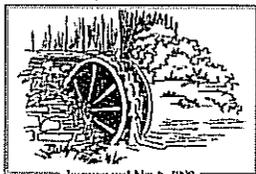
PYR - Generated payroll transaction

Client No: 347

Page 7

<u>Date</u>	<u>Acct</u>	<u>Acct Desc</u>	<u>Amount</u>	<u>Ref</u>	<u>Description</u>
4/30/09	601.10	City Administrator	7,307.70	CKS	SALARY
4/30/09	301.10	Withholding Tax Payable	-1,500.00	CKS	Federal Withholding
4/30/09	302.10	FICA Tax Payable	-1,500.53	CKS	Fica + Medicare Withholding
4/30/09	311.10	TMRS Payable	-980.72	CKS	TMRS Contribution
4/30/09	103.10	Cash - Blanco National Bank - General	-15,633.31	CKS	Net Payroll Checks
4/30/09	602.10	City Secretary	2,846.16	CKS	SALARY
4/30/09	704.10	Salaries-GIS/Permitting Clerk	2,433.50	CKS	SALARY
4/30/09	801.10	Salaries - City Marshall	2,920.00	CKS	SALARY
4/30/09	603.10	Receptionist/Clerk	1,944.00	CKS	SALARY
4/30/09	702.10	Salaries-Code Enforcement & Permitting	2,163.20	CKS	SALARY
			0.00	CKS	Reference Total
		Total for 10 Items	0.00		

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: REAPPOINTMENT OF
DAVID GLENN TO THE PLANNING AND ZONING
COMMISSION

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

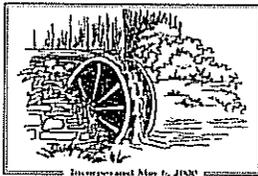
Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Three Council Member Bill Appleman to allow City Council to consider the reappointment of David Glenn to the City of Wimberley Planning and Zoning Commission.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

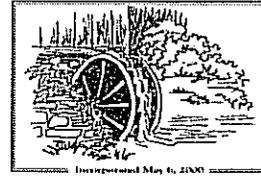
Discussion

Project/Proposal Summary:

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

- Status report on development of Blue Hole Regional Park
- Status report on 2009 Blue Hole Regional Park Summer Operations
- Status report on 2009 building permit activity in Wimberley
- Status report on Planning and Zoning Commission review of Zoning Code relating to alcohol sales
- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project
- Status report on Fourth of July Fireworks Project
- Status report on activities of the Wimberley Municipal Court
- Status report on activities of the City Marshal

Report for Zoning Change ZA-09-014



Summary:

An application for an amendment to the existing Wimberley Planned Development District (WPDD) with base zoning of Public Facilities (PF) at 14711 RR 12.

Applicant Information:

Applicant: Bishop Gregory Aymond
P.O. Box 13327
Austin, TX 78711

Property Owner: Bishop Gregory Aymond

Subject Property:

Legal Description: St. Mary's Catholic Church Subdivision, and Woodcreek Sec. 3 Lots 1

Location: 14711 RR 12

Existing Use of Property: Church with associated accessory buildings and uses

Existing Zoning: Wimberley Planned Development District (WPDD) with a base zoning district of Public Facilities (PF)

Proposed Use of Property: Church with associated accessory buildings and uses

Proposed Zoning: Amended Wimberley Planned Development District (WPDD) with Public Facilities (PF) base zoning

Planning Area B and C

Overlay District Entrance Corridor

Surroundings:

Frontage On: Ranch Road 12, Cypress Creek Lane, Blue Bird Lane, La Pais Drive, Palos Verdes Drive

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	WPDD with C1	Vacant
S of Property	R2	Residential
E of Property	Unzoned	Commercial
W of Property	R2	Residential

Legal Notice

200' Letters 5/8/09

Published 5/13/09

Sign Placement 5/8/09

Responses Staff has received one response from a property owner at 10 Palos Verdes Dr. While the subject property owner objects to the overall proposed development, the property owner indicated satisfaction with the planned reduction in building footprint.

Comments:

The applicant is seeking an amendment to an existing Wimberley Planned Development District (WPDD) for property located at 14711 RR 12. The original WPDD was approved by City Council

in 2008 and has a base zoning district of Public Facilities (PF). The subject property is located in the Entrance Corridor Overlay District.

The applicant is seeking to amend the WPDD to incorporate two additional lots, located on Palos Verdes Drive, into the boundary of the planned development and change the zoning on those lots from Single Family Residential 2 (R2) to PF. There are no current plans to develop these lots.

In addition to the incorporation of the lots and their zoning, the applicant is seeking to amend the WPDD to accomplish the following:

- Reduce the existing building footprint for the Parish Activity Center by fourteen percent (14%) percent*
- Reduce the existing building footprint for the Pavilion by six percent (6%) percent*
- Reduce the total number of parking spaces for the overall development by seven (7) spaces
- Modify the phasing of the planned development to allow for completion of the Sanctuary in Phase 2 and the C.C.D. Building in Phase 3 instead of completing the Sanctuary in Phase 3 and the C.C.D. Building in Phase 2.
- Modify the phasing of the required parking to match the above referenced change in phasing of the development of the C.C.D. Building and Sanctuary.

*The proposed reductions exceed the five percent threshold for allowable modifications in the original WPDD thus requiring the proposed amendment.

It should be noted that with the proposed seven (7) space reduction in parking capacity, the total number of on-site parking spaces will still exceed the minimum on-site parking requirements for the planned development.

On May 28, 2009, the Planning and Zoning Commission held a public hearing on the proposed WPDD amendment. Afterwards, the Commission voted unanimously to recommend approval of the proposed amendment with a provision prohibiting access to any on-site parking from Palos Verdes Drive.

§ 155.060 PUBLIC FACILITIES; PF.

(A) *General purpose and description.* The PF, public facilities district is intended to provide for the placing of high to moderate impact uses of governmental services and public services facilities in proximity to various forms of neighborhood land uses, to provide needed public services to the community on a local basis, and to provide for the placing of governmental facilities in areas where they are needed to complement the needs of surrounding land uses.

(B) *Permitted uses.*

- (1) Schools - high school, middle school, vocational school, and elementary school;
- (2) Guidance services;
- (3) Administrative services (example - WISD Administration Building);
- (4) Library services;
- (5) Postal facilities;
- (6) City Hall;
- (7) Public recreational facilities;
- (8) National Guard offices; and
- (9) Religious assembly.

(C) *Conditional uses.*

- (1) Institutional: jails, halfway houses, mental health and drug rehabilitation facilities, and involuntary confinement;
- (2) Probation offices and other criminal justice system facilities;
- (3) Detention facilities;
- (4) Vehicle storage for public service institutions;
- (5) Institutional (hospitals and colleges);
- (6) Military installations; and

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

(D) *Development regulations.*

(1) 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.

(2) Maximum impervious cover: 60%. 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.

(3) Maximum building coverage: 50%. Building coverage shall be calculated as a percentage of the net site area.

(4) Maximum building footprint: 7,500 square feet.

(5) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display or 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: same as most restrictive district adjacent to PF;

(b) Secondary street: same as most restrictive district adjacent to PF; and

(c) Interior side and rear yard: same as most restrictive district adjacent to PF.

(E) *Other regulations.*

(1) As established in the development standards, §§ 155.075 et seq.

(2) Outdoor storage of materials or equipment is prohibited.

(F) *Special requirements.* For site plan requirements, see § 155.077.

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

(Ord. 2001-010, § 39, passed 4-1-2001) Penalty, see § 155.999

FOR OFFICIAL USE ONLY

APPLICATION DATE: 5/4/09 FILE NO. ZA-09-014
 TENTATIVE P&Z HEARING: 5/28 TENTATIVE CC** DATE: 6/4
 CITY INITIATED: YES- NO PLANNING AREA: B.C ZONING REQUESTED: (PE) WPDD Amendment
 ZONING FEES: \$ 1,208 DATE PAID: 5/4 RECEIVED BY: AG / MDA

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

APPLICATION FOR ZONING

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

OWNER, AGENT AND PROJECT DATA

STREET ADDRESS OF PROPERTY TO		HAYS COUNTY CENTRAL APPRAISAL DISTRICT	
BE ZONED: <u>14711 Ranch Road 12 Wimberley, Texas</u>		PROPERTY ID#: <u>R</u> **	
* New street addresses can be obtained by calling (512) 393-2160		St. Mary's Catholic Church Subdivision	
** You may obtain this from your property tax statement.			
PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY:			
From the North Exit IH 35 at 3237 headed into Wimberley. When 3237 intersects with RR12 take right. Go 1.5 miles northwest to 14711 RR12. From the south exit IH 35 at RR12 coming out of San Marcos, remain on RR12. The church is located about 1.5 to 2 miles northwest of the center of the village.			
NOTE: Please clearly mark your property so it is easily identifiable.			
1. OWNER'S NAME: <u>Bishop Gregory M. Aymond</u>		HOME PHONE: () <u>N/A</u>	
		BUSINESS PHONE: <u>(512) 476-4888</u>	
		FAX: () <u>N/A</u>	
		E-MAIL: <u>N/A</u>	
OWNER'S CURRENT MAILING			
ADDRESS <u>P. O. Box 13327</u>		CITY <u>Austin</u> STATE <u>TX</u> ZIP <u>78711</u>	
2. AGENT'S NAME: <u>Maricela Rodriguez Barr</u>		AGENT'S PHONE: <u>512-474-4222</u>	
		FAX: <u>512-474-4203</u>	
AGENT'S FIRM NAME: <u>The Barr Company, AIA</u>		E-MAIL: <u>mbarr@thebarrcompany.com</u>	
		<u>rick@thebarrcompany.com</u>	
AGENT'S FIRM MAILING			
ADDRESS: <u>612A West 22nd St.</u>		CITY <u>Austin</u> STATE <u>TX</u> ZIP <u>78705</u>	

PROPERTY INFORMATION

3. TOTAL AREA TO BE ZONED: ACRES 15.13 (OR) SQ.FT. 659,006 TOTAL NO. of TRACTS: 11

4. PLANNING AREA(S): B & C 5. REQUESTED ZONING CLASSIFICATION: EWPD

PROPOSED USE(S): Place of Worship (religious facility)

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

7. LEGAL DESCRIPTION

Street Address: 14711 Ranch Road 12 Subdivision: St. Mary's Catholic Church

Block(s) _____ Lot(s) _____

Plat Book: _____ Page Number: _____

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

VOLUME: _____ PAGE: _____ OF COUNTY PLAT RECORDS

9. OTHER PROVISIONS

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

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

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

C. ELECTRIC UTILITY PROVIDER: P.E.C.

WATER UTILITY PROVIDER: Wimberley Water

WASTEWATER UTILITY PROVIDER: Aqua Texas (presently on multiple septic systems)

HAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): _____

Related Cases, If Applicable

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

SITE INSPECTION AUTHORIZATION

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

Date: 4.13.09 APPLICANT SIGNATURE Rev. Pedro Garcia

WHEN APPLICABLE:

Date: 4/13/09 AGENT SIGNATURE [Signature]

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

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional-use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 14711 Ranch Road 12, and more particularly known as Lot _____, Block _____ of the St. Mary Catholic Church Subdivision.

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

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

Date: 4.13.09 APPLICANT SIGNATURE Rev. Pedro Garcia

WHEN APPLICABLE:

Date: 4/13/09 AGENT SIGNATURE [Signature]

SUBMITTAL CHECKLIST

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

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

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

- (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 zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 4-13-09 APPLICANT SIGNATURE Rev. Pedro Garcia

WHEN APPLICABLE:

Date: 4/13/09 AGENT SIGNATURE [Signature]

Narrative Summary to Proposed Amendment to the Wimberley Planned Development District Ordinance No. 2008-002.

This summary enumerates the changes to the original approved Ordinance passed January 17, 2008 that the Applicant would like the Planning and Zoning Commission and the City Council to consider. Attached is an updated Architectural Master Plan and Phasing Plan to help communicate these changes. Changes to Exhibit "B" from the approved Ordinance are as follows: Item numbers used are from the approved Ordinance. Only the changes are conveyed on this summary.

2. Phase 2 shall consist of the building of the new Sanctuary along with the itemized parking and sidewalk improvements that support the Sanctuary as detailed on the Master Plan including the development of the pedestrian courtyard between the entrances of the P.A.C. Building and the new Sanctuary. Phase 3 shall consist of the new C.C.D. Building along with the the parking and sidewalk improvements detailed on the Master Plan.

3. At full build out there will be a total of 374 parking spaces which includes the required handicapped parking spaces. In Phase 1, the existing parking of 59 spaces along RR 12 will be retained, 26 spaces reconfigured from an existing asphalt parking lot in the rear of the existing Church, and 183 new spaces will be added for a total of 268 spaces. In Phase 2, the existing 59 spaces and the 26 reconfigured spaces will be eliminated, and a total of 124 new spaces added for a total of 307 spaces. In Phase 3, 67 new spaces will be added. In Phase 1, the required parking is based on the capacity of the Parish Hall in the P.A.C. since that is the largest area (6,380 sq. ft.). Per Chapter 155.075 of the Wimberley Zoning Code, this would generate a requirement of 266 spaces. In Phase 2, the parking requirement would revert to the requirement of the new Sanctuary with a seating capacity of 900. This would generate a required parking of 300. 307 spaces will be provided. In Phase 3 when the C.C.D. building is built, because the C.C.D. Building is a supporting use to the Sanctuary, no new parking would be required. However, to accommodate normal growth, an additional 67 spaces will be provided for a grand total of 374 parking spaces at full build out.

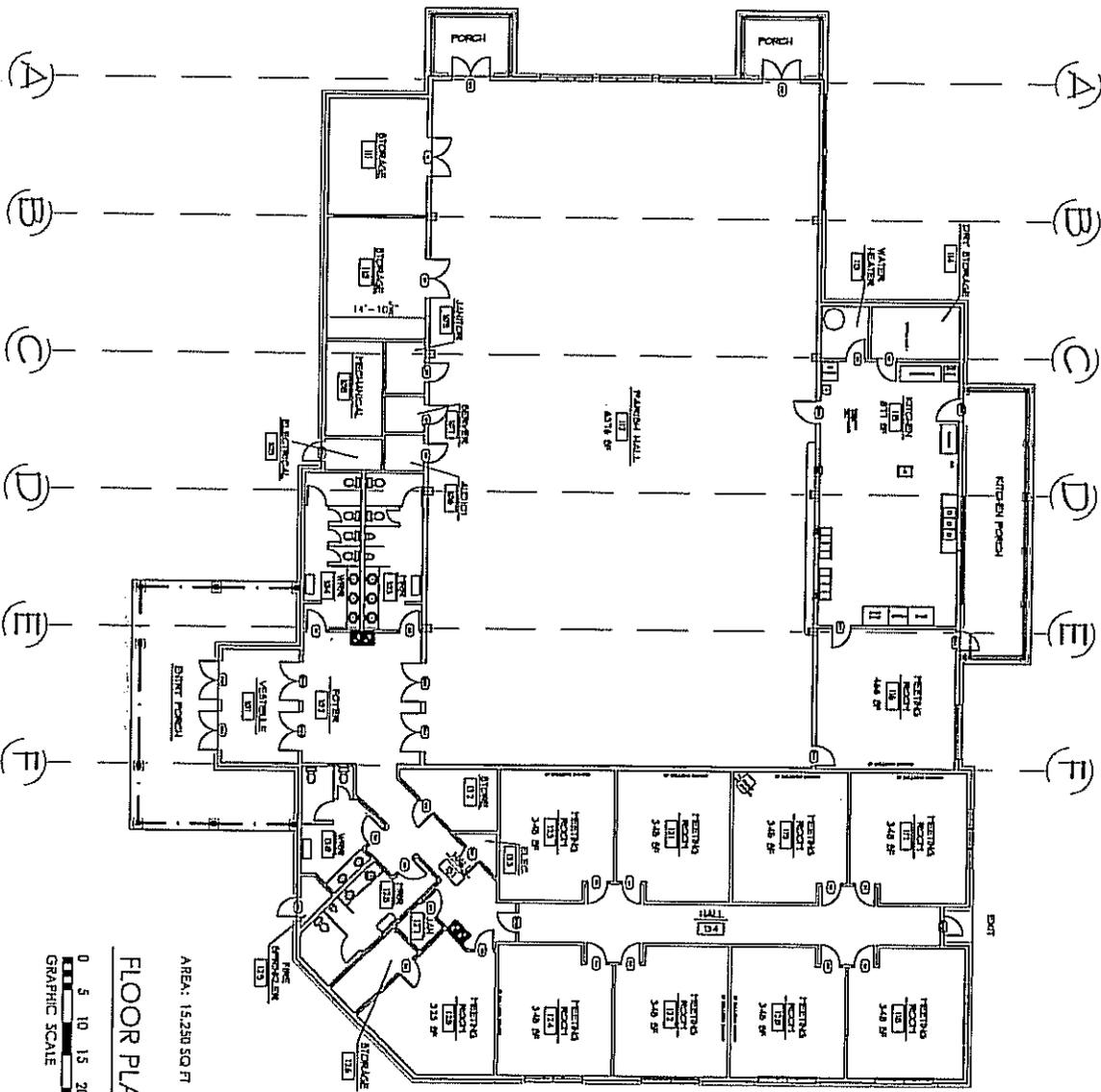
15. (b) The maximum building footprint for the Pavilion shall be 8,048 sq. ft. and 15,250 sq. ft. for the Parish Activities Center. The building footprints for the new Sanctuary and C.C.D building shall remain as originally planned.

15. (e) The roofing material of all the new structures shall be a standing seam metal, galvalume color.

16. In regards to Woodcreek Section 3, Lot 1, the original planned use is for expanded parking in Phase 2. It is the intent for Lot 1 to remain future parking. Since the approval of the original WPPD, the Church has acquired Woodcreek Section 3, Lots 2 & 3 and desires to include Lots 2 & 3 in the WPPD application. No change in usage is currently being contemplated for Lots 2 & 3.

ADDITIONAL CHANGES REQUESTED

1. The intent of the original WPPD was to prohibit vehicular access to Palos Verdes directly from the parking area. Currently, there is a driveway from Palos Verdes to the house on Hillcrest Lot 2 used as the pastor's residence. This driveway was to be abandoned during the Phase 1 Master Plan because Parking Lot G would overlay the driveway. In this Amendment, Parking Lot G would not be built until Phase 2, necessitating continuance of the driveway for the residence. At no time, however, would this driveway connect to any of the parking lots allowing access to Palos Verdes from the general parking areas.
2. Elimination of Parking Lots G and H from Phase 1 and the drive from Parking Lot E will create a dead-end for emergency vehicles. To remedy this, a 53 ft. radius turn-around is proposed at the southeast end of Parking Lot E.
3. Parking Lot O with 22 spaces will be delayed until Phase 2.
4. Parking Lot P with 13 spaces will be delayed until Phase 3 when Parking Lot D is constructed.
5. Because of elevation grade differences between the cemetery and the drive in front of the cemetery, access to the cemetery will be from the west end of Parking Lot C temporarily through Parking Lot D and the Cemetery expansion area.
6. The "Badger House" at the southeast corner of the property will not be demolished until Phase 2 when Parking Lot H is constructed. The water detention structure at the southeast corner will not conflict with the house in Phase 1.



AREA: 15,250 SQ. FT.

FLOOR PLAN



7018 DAWSON ROAD
 AUSTIN, TEXAS 78723
 (512) 474-4222
 MAY 4, 2009

ST. MARY CATHOLIC CHURCH
 PARISH ACTIVITIES CENTER AND PAVILION BUILDING

14711 RANCH ROAD 12
 WIMBERLEY, TEXAS 78676



THE BARR COMPANY, AIA

612 WEST 22ND STREET
 AUSTIN, TEXAS 78705
 (512) 474-4222 FAX (512) 474-4203

LEGEND / PHASE

PARKING SYNOPSIS

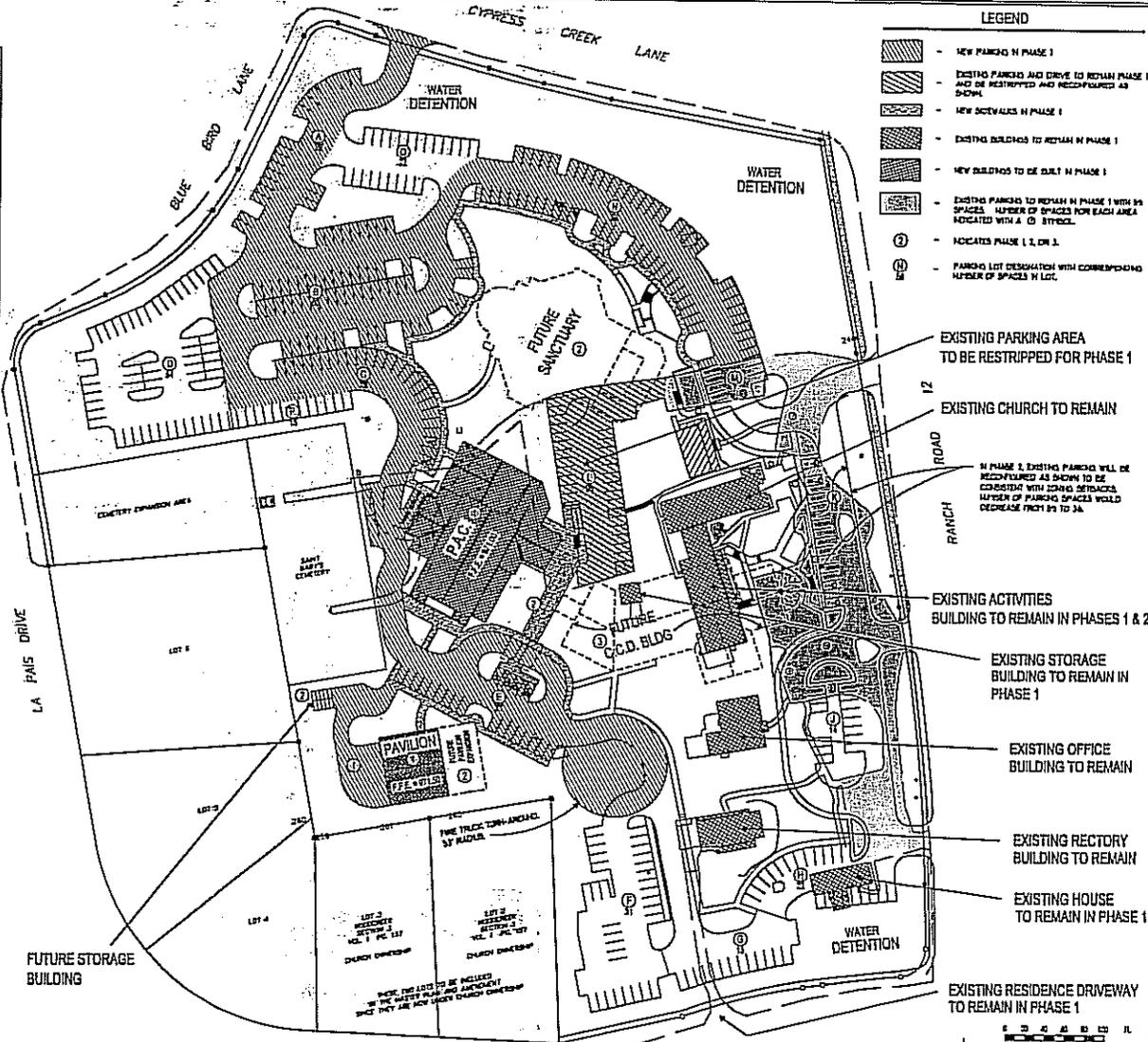
- ① - PAVILION
BLDG AREA PHASE 1 - 5,318 SQ. FT.
BLDG AREA PHASE 2 - 2,720 SQ. FT.
TOTAL BLDG AREA - 8,038 SQ. FT.
PROPOSED MAX. HT. - 24'-0"
 - ② - PARISH ACTIVITIES CENTER (P.A.C.)
TOTAL BLDG AREA - 11,250 SQ. FT.
PROPOSED MAX. HT. - 32'-0"
 - ③ - SANCTUARY
GROUND CONTACT - 16,230 SQ. FT.
PROPOSED MAX. HT. - 44'-0"
WITH BELL TOWER - 52'-0"
 - ④ - C.C.D. BUILDING
TOTAL BLDG AREA - 30,702 SQ. FT.
PROPOSED MAX. HT. - 42'-0"
- PARKING REQUIREMENTS** BASED ON CHAPTER 202.05 OF THE WILSON-JONES CODE
- PHASE 1 PARKING REQUIREMENTS BASED ON THE P.A.C. BUILDING
P.A.C. BLDG AREA OF 11,250 SQ. FT. AND FEASIBLE RETAIL BLDG. BLDG. FT. 11,000 SQ. FT. FOR RETAIL - 170 SPACES
170 SPACES / 11,000 SQ. FT. PER PARKING SPACE = 0.8 SPACES PER 1,000 SQ. FT. PROVIDED: 328 SPACES
- PHASE 2 PARKING REQUIREMENTS BASED ON THE MAIN SANCTUARY WITH TOWER BELL TOWER
16,230 SQ. FT. BLDG. AREA - 170 SPACES
170 SPACES / 16,230 SQ. FT. PER PARKING SPACE = 0.8 SPACES PER 1,000 SQ. FT. PROVIDED: 327 SPACES
- LOT (A) 20
 - LOT (B) 60
 - LOT (C) 26
 - LOT (D) 54
 - LOT (E) 21
 - LOT (F) 31
 - LOT (G) 13
 - LOT (H) 22
 - LOT (I) 14
 - LOT (J) 14
 - LOT (K) 15
 - LOT (L) 26
 - LOT (M) 7
 - LOT (N) 56
 - LOT (O) 22
 - LOT (P) 13

PARKING SUMMARY

PHASE	TOTAL PARKING
PHASE ① INCLUDES ORIGINAL 53 SPACES	266
PHASE ② ADDS 39 ADDITIONAL SPACES	307
PHASE ③ ADDS 67 ADDITIONAL SPACES	374

CONSTRUCTION PHASING SUMMARY

- PHASE 1 CONSTRUCTION**
 DEMOLISH PORTION OF EXISTING BUILDING NORTH OF EXISTING SANCTUARY
 CONSTRUCT PAVILION BUILDING
 CONSTRUCT PARISH ACTIVITIES CENTER
 CONSTRUCT PARKING IDENTIFIED AS PHASE 1 PARKING
 REPAIR AND RESTORE EXISTING PARKING LOT
 COMPLETE SEWERALONG BLK AND
- PHASE 2 CONSTRUCTION**
 ADJUST PARKING LOT L AND ASSOCIATED DRIVE
 CONSTRUCT NEW SANCTUARY
 CONSTRUCT FUTURE STORAGE BUILDING BETWEEN P.A.C. BLDG AND NEW SANCTUARY
 CONSTRUCT EXPANSION TO PAVILION BUILDING
 CONSTRUCT DROP-OFF PICK-UP AND LOADING WALK TO P.A.C. BUILDING
 DEMOLISH EXISTING HOUSE AT SOUTH EAST CORNER OF SITE
 CONSTRUCT PARKING LOTS 22, 24, 25, 26, 27 FOR NEW LOCATION OF 30 SPACES
 CONSTRUCT SEWERALONG ALONG CYPRESS CREEK AND PALMS VEHICLES STREETS
- PHASE 3 CONSTRUCTION**
 DEMOLISH EXISTING ACTIVITIES BLDG AND
 CONSTRUCT C.C.D. BUILDING
 CONSTRUCT PARKING LOTS 28, 29
 CONSTRUCT SEWERALONG BLK AND



- LEGEND**
- [Hatched Box] - NEW PARKING IN PHASE 1
 - [Hatched Box] - EXISTING PARKING AND DRIVE TO REMAIN PHASE 1 AND BE RESTRIPTED AND RECONFIGURED AS SHOWN
 - [Hatched Box] - NEW DRIVEWAYS IN PHASE 1
 - [Hatched Box] - EXISTING BUILDINGS TO REMAIN IN PHASE 1
 - [Hatched Box] - NEW BUILDINGS TO BE BUILT IN PHASE 1
 - [Hatched Box] - EXISTING PARKING TO REMAIN IN PHASE 1 WITH 90 SPACES. NUMBER OF SPACES FOR EACH AREA INDICATED WITH A (C) SYMBOL.
 - ① - INDICATES PHASE 1, 2, OR 3.
 - ② - PARKING LOT DESIGNATION WITH CORRESPONDING NUMBER OF SPACES IN LOT.

- EXISTING PARKING AREA TO BE RESTRIPTED FOR PHASE 1
 - EXISTING CHURCH TO REMAIN
 - EXISTING ACTIVITIES BUILDING TO REMAIN IN PHASES 1 & 2
 - EXISTING STORAGE BUILDING TO REMAIN IN PHASE 1
 - EXISTING OFFICE BUILDING TO REMAIN
 - EXISTING RECTORY BUILDING TO REMAIN
 - EXISTING HOUSE TO REMAIN IN PHASE 1
 - EXISTING RESIDENCE DRIVEWAY TO REMAIN IN PHASE 1
- IN PHASE 2, EXISTING PARKING WILL BE RECONFIGURED AS SHOWN TO BE CONSISTENT WITH EXISTING DRIVEWAYS. NUMBER OF PARKING SPACES WOULD DECREASE FROM 90 TO 34.

PALMS VERDES DRIVE
 PROPOSED WPDD AMENDMENT TO ORDINANCE NO. 2008-002
ARCHITECTURAL MASTER PLAN AND PHASING PLAN
 NOT TO SCALE

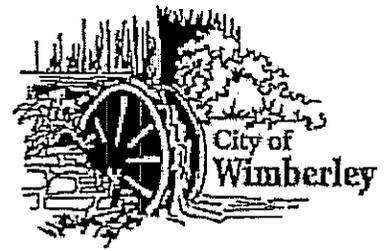
GRAPHIC SCALE
 0 20 40 60 80 100 FT
 THIS DRAWING IS NOT FOR REGULATORY APPROVAL. PERMITTED FOR CONSTRUCTION.

THE BARR COMPANY, AIA
 614 WEST 20TH STREET
 ALBUQUERQUE, NEW MEXICO
 (505) 474-1212 FAX (505) 474-0300

ST. MARY CATHOLIC CHURCH
 PARISH ACTIVITIES CENTER AND PAVILION BUILDING
 14711 RANCH ROAD 12
 WIMBERLEY, TEXAS 78676

DRAWING BY: _____
 CHECKED BY: _____
 DATE ISSUED: _____
 PROJECT NUMBER: 07-144
 REVISIONS: _____
 SHEET TITLE: _____
 SHEET NUMBER: _____

Zoning for ZA-09-014



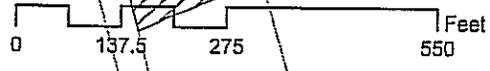
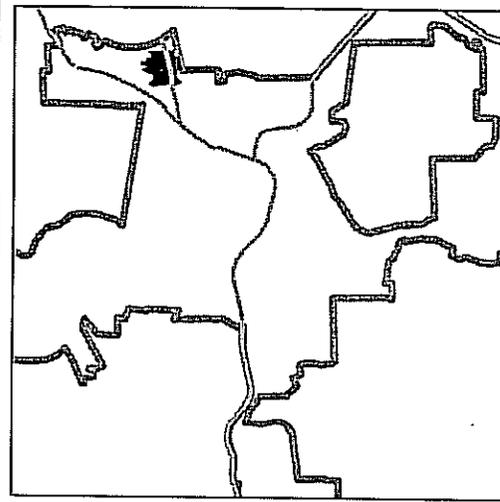
P.O. Box 2027 • Wimberley, Texas 78676



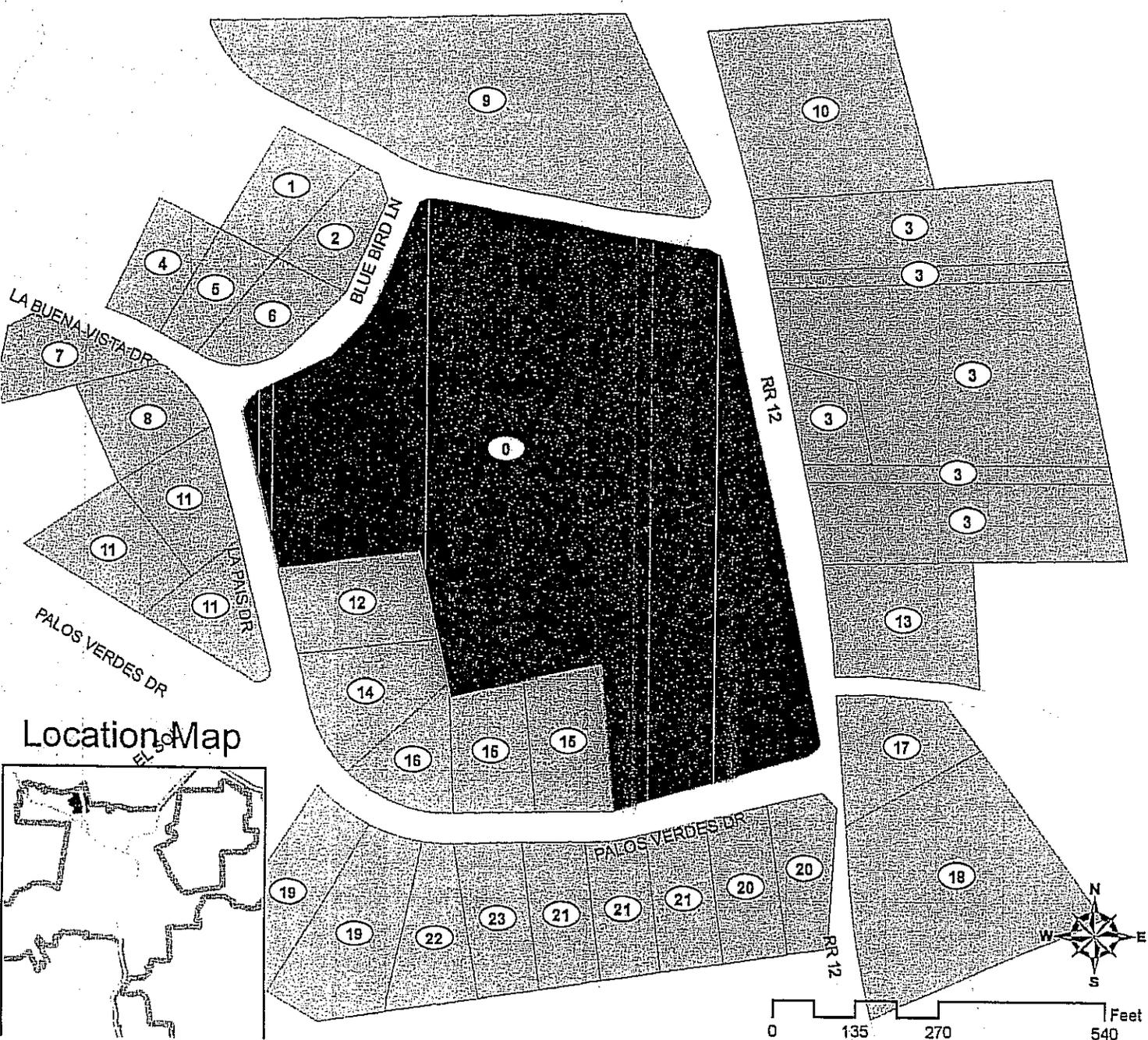
Zoning District

-  Subject Property
-  Unzoned
-  Single Family Residential 2
-  Commercial - Low Impact
-  Commercial - Moderate Impact

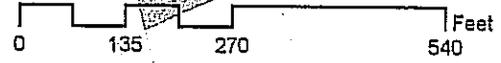
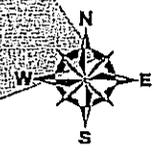
Location Map



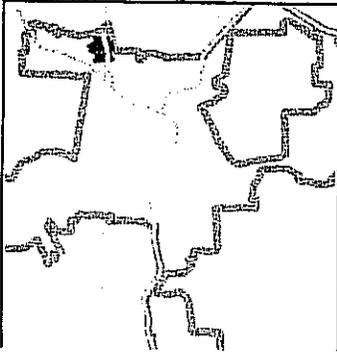
Notifications for ZA-09-014

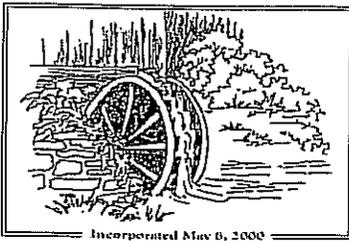


- 0, CATHOLIC DIOCESE OF AUSTIN
- 1, ESTEPP JOHN D & ROBIN A
- 2, COLLINS SHAWN R & SANDI L
- 3, BALCONES BANK SSB
- 4, SAUCEDA, TONY
- 5, BELL, JEANNE D
- 6, GRIECO, KENNETH
- 7, DUGGAR DAVID S & CATHY L
- 8, RUTH EDGAR E & BEVERLY F
- 9, MCCROCKLIN FAMILY
- 10, ALTICE THERESA
- 11, GINDORF CHRIS & JOAN
- 11, GINDORF, CHRIS W
- 12, WIMBERLEY WATER SUPPLY CORP
- 13, THOMASON FUNERAL HOME INC
- 14, FLOREANI MICHAEL & ELIZABETH
- 15, AYMOND GREGORY M BISHOP
- 16, TREBOSKE, EVERETT J
- 17, VICTORIA BANK & TRUST
- 18, SMITH FAMILY LP #1
- 19, MALLARD NEAL & DAREDA W
- 20, GRACE, MICHELLE B
- 21, HINES BARBARA M
- 22, GHEEN DWIGHT M & FRED A J
- 23, MCWILLIAMS JEFF & JUDITH



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, Steve Thurber, Dick Larson
Don Ferguson, City Administrator

May 6, 2009

NOTICE OF PUBLIC HEARING

Re: **File No. ZA-09-014**

14711 RR 12

An application for an amendment to the Wimberley Planned Development District (WPDD) with base zoning of Public Facilities (PF) at 14711 RR 12.

Dear Property Owner:

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

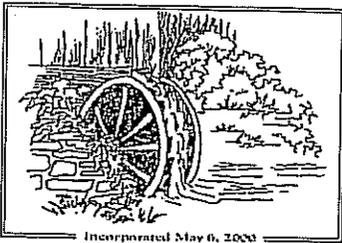
Bishop Gregory M. Aymond has applied for an amendment to the Wimberley Planned Development District (WPDD) with base zoning of Public Facilities (PF) at 14711 RR 12. This amendment includes the incorporation and zoning change of two lots, located on Palos Verdes Drive, from Single Family Residential 2 (R2) to WPDD with base zoning PF. The amendment also proposes to reduce the building footprints of two of the structures in the planned development, reduce overall parking capacity, and adjust the phasing of the project.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, May 28, 2009 at 6:30 p.m.** in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, June 4, 2009, at 6:30 p.m.** in the Wimberley City Hall.

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

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

CITY OF WIMBERLEY



City of Wimberley

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

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

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

NOTICE BY SIGN POSTING

Zoning No: ZA-09-014

Owner Bishop Gregory

Date 5-8-09

Almond
(St Mary's Catholic
church)

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 14711 RR-12

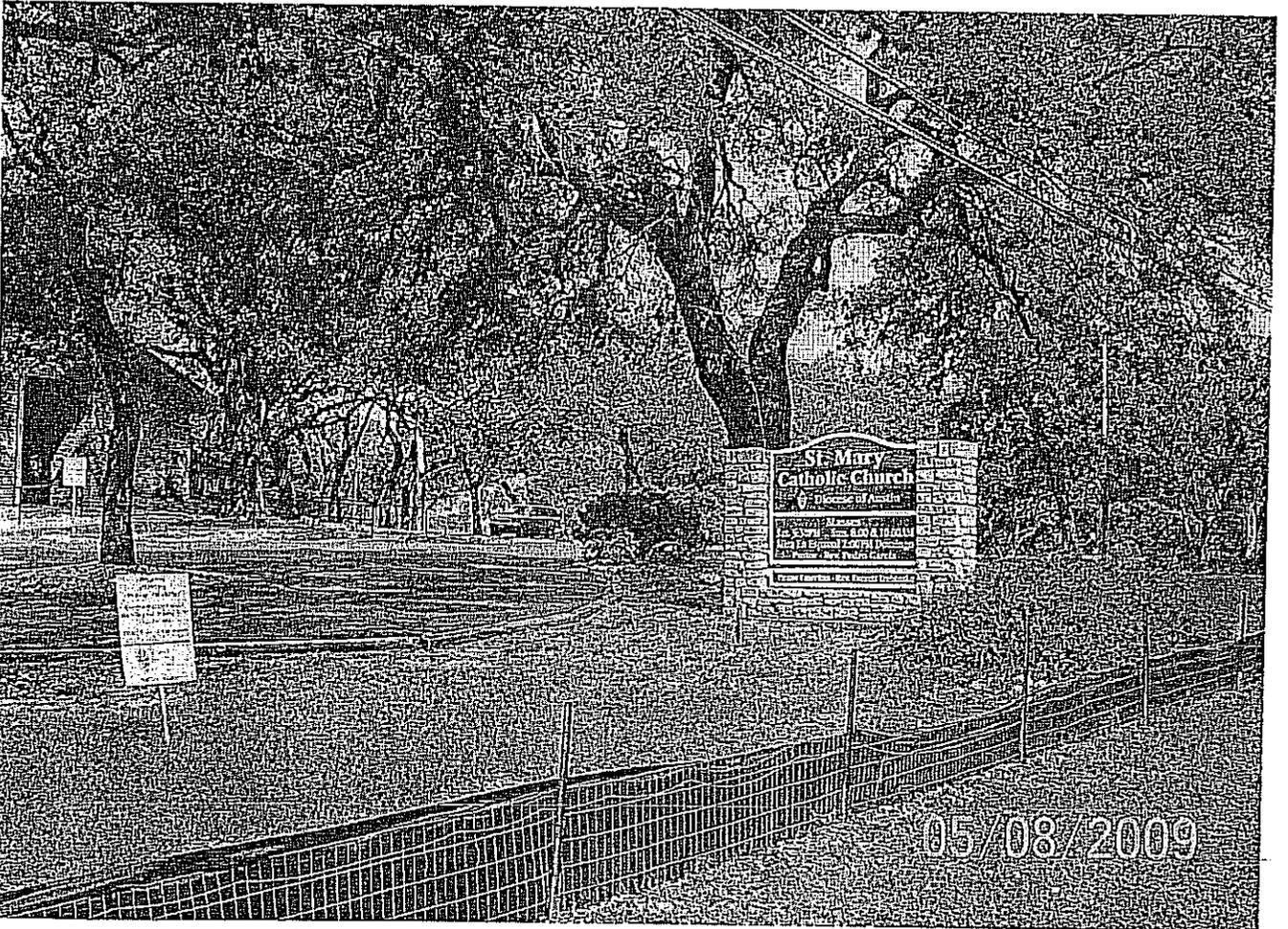
which is located RR-12

Bill Bowers
Asst. Public Works

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

5-8-, 2009


Signature



THE CLASSIFIED

Wednesday, May 13, 2009

Email your ads to: classifieds@wimberley

LEGAL & PUBLIC NOTICES

PUBLIC NOTICE DEPOSITORY BID City of Wimberley

The City of Wimberley is seeking sealed proposals from financial institutions (banks or credit unions) to serve as the depository for public funds to the City. The depository contract period will be three (3) years beginning June 8, 2009, and continuing until June 8, 2012, or until such time as a successor depository has been duly selected, and qualified according to state laws. All bids, sealed and in duplicate, must be clearly marked "SEALED BID" to City of Wimberley, Depository Bid and returned to the City Administrator's Office, 22111 Ranch Road, 12, Suite 114, P.O. Box 2027, Wimberley, Texas 78676, prior to Thursday, May 28, 2009, at 2:00 p.m. at which time they will be publicly opened and read.

City Staff will review submitted proposals and recommendations will be made to the City Council based on the bid proposals that have been determined to best meet the needs of the City and its constituents. The

City Council will consider selection or awarding of one or more depositories at the Regular City Council meeting of Thursday, June 4, 2009, at 6:30 p.m. Meetings of the City Council are held at Wimberley City Hall, 12111 Ranch Road 12, Suite 114, Wimberley, Texas and are posted pursuant to state laws. The City of Wimberley will notify the successful bidder(s) in writing of its acceptance of said proposal(s) to the City of Wimberley. reserves the right to reject any and all bids. All inquires should be directed to City Administrator, Scott Ferguson, Wimberley City Hall, 22111 Ranch Road, 12, Wimberley, Texas at 512-847-0025 or arj@wimberley.com (4790/11/09)

NOTICE OF PUBLIC HEARING

(WPDD Amendment) 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 28, 2009, at 6:30 p.m. to consider the following: ZA-09-014

an amendment to the Wimberley Planned Development District (WPDD) with base zoning of Public Facilities (PF) at 4711 RR 12. This amendment includes the incorporation and zoning change of two lots located on Palos Verdes Drive from Single-Family Residential-2 (R2) to

WPDD with base zoning PF. In addition, the proposed amendment reduces the building footprints on two structures in the planned development, reduces the parking capacity, and modifies the phasing of the planned development. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, June 4, 2009, at 6:30 p.m. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027, 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, 22111 Ranch Road, 12, Wimberley, Texas at 512-847-0025 (4790/11/09)

PUBLIC NOTICE

By order of the Hays County Commissioners, the Hays County Commissioners Court will hold a public hearing to consider Replat and Partial Vacation of Lot 2, Watkins Subdivision in Precinct 4 (04782/02/09)

NOTICE OF OPEN HOUSE

On Thursday, May 28, 2009, the Texas Department of Transportation (TxDOT) will conduct an Open House to present plans for the proposed improvements to Interstate Highway 35 (IH-35) frontage roads from Farm to Market Road (FM) 2001 to County Road (CR) 210. A distance of approximately 3.1 miles. The Open House will be held in the City of Budds City Council Chambers between the hours of 6:00 p.m. and 8:00 p.m. at 11235 Main Street, Budds, Texas. The proposed improvements would consist of the conversion of the frontage roads from two-way to one-way, directions of travel.

IH-35 FRONTAGE ROAD PROJECT

As a part of the proposed project and typical sections of IH-35 frontage roads will be displayed at the Open House, and will be available for review between the hours of 8:00 a.m. and 3:00 p.m. Monday through Friday, prior to the Open House at the TxDOT South Travis Area Office (9725 S. IH 35, Austin, Texas 78744). A formal presentation will not be made during the Open House, but those wishing to attend are encouraged to do so at their convenience anytime between the hours of 6:00 p.m. and 8:00 p.m. During the Open House, project team members will be

available to answer questions. The Open House will be conducted in English. Persons interested in attending the Open House, who require auxiliary aids or services, such as interpreters, are requested to contact Matt Shelly, Eastern Environmental Specialist, (512) 832-7700, at least two business days prior to the Open House so that appropriate arrangements may be made. TxDOT will make every reasonable effort to accommodate other communication or accessibility needs. All interested citizens are encouraged to attend the Open House and provide input on the project. Verbal and written comments may be presented at the Open House. Written comments not submitted during the Open House may also be mailed or faxed to District Environmental Coordinator, Texas Department of Transportation, P.O. Box 15426, Austin, Texas 78761-5426, fax (512) 832-7157. All

PRESTIGIOUS OFFICE SPACE AVAILABLE IN

HOMESTEAD OFFICE PARK
THIS CENTRALLY LOCATED LANDMARK LOCATION IN DRIPPING SPRINGS IS JUST WHERE YOU NEED TO BE!!
894-0039 OR 415-6521

available to answer questions.

The Open House will be conducted in English. Persons interested in attending the Open House, who require auxiliary aids or services, such as interpreters, are requested to contact Matt Shelly, Eastern Environmental Specialist, (512) 832-7700, at least two business days prior to the Open House so that appropriate arrangements may be made. TxDOT will make every reasonable effort to accommodate other communication or accessibility needs.

All interested citizens are encouraged to attend the Open House and provide input on the project. Verbal and written comments may be presented at the Open House. Written comments not submitted during the Open House may also be mailed or faxed to District Environmental Coordinator, Texas Department of Transportation, P.O. Box 15426, Austin, Texas 78761-5426, fax (512) 832-7157. All

comments received by Monday, June 8, 2009, will be included in the project's official record for the Open House (49177) (04705/2/32/09)

★ ANTIQUES

BUY-SELL-TRADE or CONSIGN
One item of an entire estate, Campbell's Collectables, 847-6006 (03566/2cc/39/11)

★ AUTOS

2005 MAZDA B4000 Pickup
24,000 miles. Like new. Factory warranty. 4x4 custom wheels, bed liner. Steer at \$13,900 (512-757-0156) (04789/16c/09)

1994 4 Door DODGE INTREPID Air Conditioning, Power Steering, Power Brakes, Door Locks, Power Windows. Would make great first

ORDINANCE NO. 2009-___

AN ORDINANCE OF THE CITY OF WIMBERLEY AMENDING ORDINANCE NO. 2008-002 WHICH DESIGNATED A PARTICULAR TRACT AS A WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) AND IMPOSED CERTAIN CONDITIONS; AND AMEND SECTION 155 (ZONING) OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A PARTICULAR TRACT LOCATED AT 14711 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, CHANGING THE ZONING DESIGNATION OF A PORTION OF THE REAL PROPERTY FROM SINGLE FAMILY RESIDENTIAL 2 (R2) TO WIMBERLEY PLANNED DEVELOPMENT DISTRICT (WPDD) WITH A BASE ZONING DISTRICT OF PUBLIC FACILITIES (PF); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; FINDINGS OF FACT; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, on January 17, 2008, the City Council approved Ordinance No. 2008-002 which designated a certain tract of real property as a Wimberley Planned Development District (WPDD) with a base zoning district of Public Facilities (PF); and,

WHEREAS, the property owner wishes to add additional land to the overall development and change the designation of such portion from Single Family Residential 2 (R2) to WPDD, as well as amend certain aspects of the approved WPDD; and,

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

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

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

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

WHEREAS, the following enactments are a valid exercise of the City's broad police powers and based upon the City's statutory regulatory authority, including but not limited to

Texas Local Government Code Chapters 51, 52, and 211; and,

WHEREAS, in accordance with section 155.062 of the Code, the Wimberley Planned Development District (WPDD) Zoning is permitted in all Planning Areas of the Comprehensive Plan, and the Public Facilities (PF) zoning district is permitted in Planning Areas B and C; and,

WHEREAS, the purpose of the WPDD is to permit flexibility and creativity within a project to maximize the unique physical features of a particular site, encourage the efficient use of land and economic arrangement of buildings, as well as encourage the conservation of energy and natural resources; and,

WHEREAS, the proposed layout of buildings provides the most efficient and practical use of the property due to the irregular shape of the subject property described herein; and,

WHEREAS, the property owner proposes to conserve and preserve existing natural resources and landscape features of the property by providing enhancements, including landscaping and utilizing rainwater harvesting techniques, as well as proposing construction materials which will be in conformance with the City's aesthetic goals and complying with the Entrance Corridor Overlay requirements; and,

WHEREAS, the City Council and Planning and Zoning Commission have carefully reviewed the requirements of the City's Comprehensive Zoning Ordinance and have concluded that Ordinance No. 2008-002, should be amended as described herein, and the real property described as Woodcreek Section 3 Subdivision, Lots 2 and 3, Hays County, Texas, according to the map or plat thereof recorded in Hays County Plat Records, a portion of the property more commonly known as 14711 Ranch Road 12, Wimberley, Hays County, Texas qualifies for the Wimberley Planned Development District (WPDD) Zoning, with a base zoning district of Public Facilities (PF) designation, and that such designation is consistent with established City policy and is in the public interest, subject to the conditions stated herein and to be constructed in accordance with the Development Plan to be submitted prior to the issuance of building permits, to be based on the Concept Plan of the subject property and Design Standards, attached hereto and incorporated herein as revised Exhibits "A" and "B", respectively, which are hereby made a part of this WPDD Ordinance; and,

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

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

ARTICLE I. 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. AMENDMENT

A. **Zoning.** Section 155 (Zoning) of the Code of Wimberley is hereby amended by adding Appendix F, which shall be incorporated into and made part of Section 155 (Zoning), and given full weight and effect, and the property described below is subject to the WPDD Conditions described herein in subsection B., and development and construction on the Property shall be in conformance with the Development Plan to be submitted prior to the issuance of building permits, to be based on the Concept Plan and Design Standards, described on Exhibits "A" and "B", respectively, and incorporated by reference for all purposes. Appendix F shall read as follows:

Appendix F: Zoning District Designations

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

The zoning of the real property described as Woodcreek Section 3 Subdivision, Lots 2 and 3, Hays County, Texas, according to the map or plat thereof recorded in Hays County Plat Records, which is a portion of the real property more commonly known as 14711 Ranch Road 12, Wimberley, Hays County, Texas, is hereby designated from Single Family Residential 2 (R2) to Wimberley Planned Development District (WPDD), with a base zoning district of Public Facilities (PF).

B. Ordinance No. 2008-002

1. Ordinance No. 2008-002 is hereby amended by replacing and substituting Exhibit "A", the Concept Plan, with the revised Exhibit "A" attached to this Ordinance, and that all real property described in Ordinance No. 2008-002 for Case No. ZA-07-020, and Ordinance No. 2009- for Case No. ZA-09-014 (the "Property") shall be subject to the Concept Plan requirements described therein.

2. Ordinance No. 2008-002 is hereby amended by replacing and substituting Exhibit "B", the Design Standards, with the revised Exhibit "B" attached to this Ordinance, and that all real property described in Ordinance No. 2008-002 for Case No. ZA-07-020, and Ordinance No. 2009- for Case No. ZA-09-014 (the "Property") shall be subject to the design standards described therein

Except as expressly as amended herein, Ordinance No. 2008-002 shall remain in full force and effect.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. SEVERABILITY

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

ARTICLE V. EFFECTIVE DATE

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

ARTICLE VI. PROPER NOTICE AND MEETING

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

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

CITY OF WIMBERLEY

BY: _____
Tom A. Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, Assistant City Attorney

EXHIBIT "A"

REVISED CONCEPT PLAN

(including lighting, phasing, drainage, signage and landscape plans)

EXHIBIT "B"

Revised Design Standards

The Property described in Ordinance No. 2008-002 for Case No. ZA-07-020, and Ordinance No. 2009- for Case No. ZA-09-014 (the "Property") shall be subject to the following Design Standards:

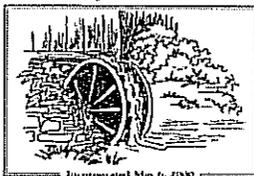
1. **Setbacks.** As the Property lies within the Entrance Corridor Overlay District, there shall be a 50' front setback on that portion of the Property fronting Ranch Road 12 and a 25' setback on all other sides of the Property. The existing and new east parking lot on the site will encroach in the 50 foot dominant street setback. The detention ponds will encroach upon the 50 dominant street and 25 foot side setbacks on the northeast and southeast corners of the site. These locations were chosen based upon the soils depth, the existing site drainage, constructability of the structures and sound engineering judgment.
2. **Phases.** The Property shall be developed in phases and by area shown on the Concept Plan according to the following schedule: Phase 1: New Pavilion and Parish Activity Center along with parking and sidewalk improvements as detailed below. Phase 2: New Sanctuary along with development of the pedestrian courtyard between the entrances of the PAC Building and the new Sanctuary, parking and sidewalk improvements as detailed below. Phase 3: New C-C-D Building along with parking and sidewalk improvements as detailed below.
3. **Parking.** At full build out, (Phase 1, 2 and 3 combined) there will be a total of 374 parking spaces, including the required handicapped parking spaces. Phase 1 new/re-stripped parking will total 268 spaces. Phase 2 new/re-stripped parking will total 307 spaces. Phase 3 new-re-stripped parking will total 124 spaces. The new structures to be built during Phase 1 and 2 are considered a supporting use to the Sanctuary, therefore requiring no additional parking. Activities in these structures shall not be conducted during concurrent times with Sanctuary activities, allowing all parking to be shared due to different operating hours of the facilities. Parking areas shall be landscaped according to City code and shall be screened from the street by berm, hedge or wall per Code.
4. **Sidewalks.** A sidewalk will be constructed along Ranch Road 12 in Phase 1. In Phase 2, additional sidewalks will be constructed along those portions of the subject property fronting Palos Verdes Drive and Cypress Creek Lane. An additional sidewalk shall be constructed along Blue Bird Lane in Phase 3.
5. **Water & Wastewater.** The Property shall be serviced by a state licensed public water utility and a state licensed central wastewater treatment utility.
6. **Drainage.** Permanent and construction phase drainage plans shall be provided and are subject to review and approval by the City of Wimberley.

7. Plans for the curb cut or interface between the proposed private drive and Cypress Creek Lane, shown on the Concept Plan, shall be provided and are subject to review and approval by the City of Wimberley.
8. As of the date of this Ordinance a private residence driveway exists from Palos Verdes Drive serving the existing rectory building. As indicated on the Concept Plan the private residence driveway shall remain in Phase I. The property owner acknowledges and understands the concern of increased traffic on a residential street, and as a condition of this WPDD, the property owner agrees to close this driveway to the public, and may only allow emergency access, upon completion of all construction of the property. A final certificate of occupancy may not be issued unless the City is satisfied that this condition is met.
9. **Signage.** All existing signage is to remain. Any new, future signage shall fully comply with the City of Wimberley Sign Ordinance in effect at the time an application is submitted.
10. An outdoor lighting plan shall be submitted to the City of Wimberley showing all existing and new lighting on the Property including depicting the illumination of any sign, all of which shall comply with the City of Wimberley Comprehensive Outdoor Lighting Ordinance. For new lighting, the plan shall include vertical and horizontal photometric data demonstrating that the shielding requirements of the Code are met.
11. The outdoor lighting in all parking areas located adjacent to those properties which border the subject property shall be turned off during those times when there are no night time activities planned and or underway on the property.
12. **Landscaping.** Areas set aside for landscaping and preservation of existing plant material on the Concept Plan shall be developed according to the Commercial landscape regulation in the City Code. Emphasis shall be placed on the use of native, drought tolerant plantings. Additional landscaping shall be provided in the setback area along Ranch Road 12 in accordance with the Entrance Corridor requirements. Also, landscape buffers shall be provided between the proposed parking area on Palos Verdes Drive (Woodcreek Section 3, Lot 1) and the adjacent property and between the Cemetery and those properties located adjacent to the Cemetery on La Pais Drive.
13. Open storage or placement of materials, commodities or equipment and machinery, including motor vehicles and trailers, shall not be located within the building setback area and shall be fully screened, by fence (as permitted by the City) and/or vegetative screening, from City streets or roads or adjacent or facing residential uses or districts, or un-zoned districts. Outdoor placement or display of commercial material and equipment for sale in the building setback space, or the outdoor display of any object, merchandise, or material that is not a usual item

for sale under the permitted use of the site or lot shall be prohibited. All new development planned shall comply with the aforementioned site standards.

14. Outside activities shall not occur in the Pavilion between 10 p.m. and 8 a.m. on any given day.
15. The following standards are the maximum permitted standards for the development and construction of buildings on the Property:
 - (a) The height of the Pavilion shall be limited to 24' 9" while the maximum allowable height of the Parish Activities Center shall be 38' and 48' for the C-C-D Building. The height of the new Sanctuary shall be limited to 44' exclusive of a bell tower that shall have a maximum height of 6'.
 - (b) The maximum building footprint for the Pavilion shall be 8,048 square feet, with the building area Phase 1 not exceeding 5,318 square feet and building area Phase 2 not exceeding 2,730 square feet; 15,250 square feet for the Parish Activities Center, 30,760 square feet for the C-C-D and 16,260 square feet for the new Sanctuary.
 - (c) The maximum build out impervious cover and building coverage shall not exceed 50 percent.
 - (d) The exterior of all newly constructed buildings shall be a combination of glass, stucco and stone material.
 - (e) The roofing material of all new structures shall be standing seam metal, galvalume color.
 - (f) A rainwater harvesting system shall be incorporated into the design of the Pavilion and Parish Activities Center to meet the landscape irrigation needs on the property;
16. A site plan shall be submitted for review and approval by the City of Wimberley prior to construction on any improvements detailed on the Concept Plan. A site plan is a detailed engineered development plan consisting of a map or maps and all necessary accompanying narrative and supporting documents to completely define the development to occur on the site.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CONSIDER APPROVAL OF A DEPOSITORY BANK AGREEMENT WITH BLANCO NATIONAL BANK

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approving a new five-year depository bank agreement with Blanco National Bank – the City's current depository bank.

Last month, the City of Wimberley sought bids from local financial institutions interested in becoming the depository bank for the City. Blanco National Bank was the only institution to bid on the depository contract. At least two other banks contacted the City regarding the bid solicitation but indicated they could not meet the City's bid requirements, in particular those relating to the required use of the Federal Reserve Bank and the pre-approval requirements for replacement securities.

City staff has reviewed the Blanco National Bank proposal and finds it complies with the City's bid specifications. Unlike the City's previous agreement, the proposed depository agreement allows the City's depository accounts to be interest bearing accounts.

**City of Wimberley
Application for
Bank Depository Agreement**

The Blanco National Bank
P. O. Box 1869-Wimberley, TX 78676
Kay Smith
512-847-1300

COPY

SPECIFICATIONS AND APPLICATION

FOR

DEPOSITORY OF THE CITY OF WIMBERLEY

SEALED APPLICATIONS WILL BE RECEIVED BY THE CITY OF WIMBERLEY, TEXAS, IN THE OFFICE OF THE CITY ADMINISTRATOR UNTIL 2 P.M. ON MAY 28, 2009 TO DETERMINE A DEPOSITORY BANK FOR THE CITY OF WIMBERLEY. EACH APPLICATION SHALL CONTAIN ONE (1) ORIGINAL AND TEN (10) COPIES. THE TERM FOR THE DEPOSITORY BEING FOR A PERIOD OF THREE (3) YEARS, BEGINNING ON OR ABOUT JUNE 8, 2009. EACH BANK TO APPLY IN ACCORDANCE WITH THE FOLLOWING:

I

During the above-specified term, the Bank will receive and accept for deposit or safekeeping or both, from the City, to the City's credit, all sums of monies, securities and instruments unless otherwise limited herein, which City may deposit. All monies, securities, and instruments deposited with the Bank shall be carried by the Bank in such account or accounts as designated by the City or re-designated by the City from time to time.

II

Bank will furnish the following services and items. Bank will enter a monthly per-unit fee for services listed below.

<u>Bank Service</u>	<u>Bank Fee Per Unit</u>
1. Account Maintenance	\$ 0
2. Demand Deposit Account Credits	0
3. Demand Deposit Account Debits	0
4. Deposited Items	0
5. Charge Backs	0
6. Purchase & Sale of Treasury Securities	0
7. Unlimited Deposit Slips	0
8. Numerically sort all magnetically inked checks	0
9. Furnish paid checks and bank statements on all accounts by the fifth working day of each month	0

10. Safety Deposit Box (5x5)	<u>0 (4 sizes to choose from)</u>
11. Cashiers Checks	<u>0</u>
12. Night Depository with Bags & Keys	<u>0</u>
13. Currency Wrappers	<u>0</u>
14. Outgoing Wire Transfers	<u>0</u>
15. Incoming Wire Transfers	<u>0</u>
16. Stop Payment	<u>0</u>
17. ACH Credit	<u>0</u>
18. ACH Debit	<u>0</u>
19. ACH Return Item	<u>0</u>
20. Account Inquiry	<u>0</u>
21. ACH Deletes/Reversals	<u>0</u>
22. Account Analysis	<u>No Bid</u>
23. Positive Pay Service	<u>No Bid</u>
24. Federal Tax Deposits	<u>0</u>
25. Other (any other item(s) for which Bank intends to charge City)	<u>0</u>
	<u> </u>
	<u> </u>
	<u> </u>

III

INTEREST RATES

All monies deposited with the Bank, other than time deposits, shall be carried by the Bank for the account of the City demand deposits and shall be subject to withdrawal in whole or in part upon demand at any time. The anticipated balance in all demand accounts will average approximately \$200,000 monthly, but may vary from as little as \$0 to over \$ 1,000,000. Please indicate an interest rate or the method to be used in determining interest to be paid (if any) on demand deposits. All interest will be compounded daily on a 365 day basis and shall be paid monthly.

1.75% Interest Bearing Checking - Compounds Monthly.

1.75% Passbook Savings - Compounds Quarterly.

2.00% Floor 6 Month CD - 2.25% Floor 1 Year CD.

.50 Basis Points above corresponding T-Bill rate for CD's longer than 1 year.

COLLATERAL REQUIREMENTS

A. Securities Pledged:

For the purpose of securing the City's funds deposited with the Bank, Bank agrees and obligates itself to pledge with, and at all times keep on pledge with the City, securities equal in value to the total of all funds of City on deposit with the Bank, less the amount of coverage provided by the Federal Deposit Insurance

Corporation (F.D.I.C.), including interest thereon, whether in demand or time deposits, and whether characterized as checking, savings, or other accounts. Securities so pledged must be of such character and nature as are required under the laws of the State of Texas for such purpose, must be satisfactory to the City, and must be approved by the City as to kind and value. Repurchase agreements are not acceptable as collateral. The securities comprising the pledge shall be valued at par or market, whichever is lower. Said securities are and shall be pledged to insure the safety of the City's public monies, to insure performance of all duties and obligations evolving by law upon the Bank as depository of City's funds, to insure payment upon presentation of all checks drawn upon any demand account of City in said Bank, or upon presentation of demand for return of any time or other deposit of the City in Bank, and to insure that said funds shall be faithfully kept by Bank and accounted for according to law.

B. Reporting Requirements:

The Bank shall provide the City a report of securities pledged at the end of each month or at any time requested by the City Administrator or designated representative. This report should reflect the following information at the end of each month:

Total pledged securities itemized by:

1. Name.
2. Type/description/cusip number
3. Par value.
4. Market value at month end.
5. Maturity date.
6. Moody's or Standard and Poor's rating.

If the market value of the pledged securities falls below the ledger balances of the City's accounts at any time, the City will require more securities to be pledged.

C. Safekeeping:

The securities pledged shall be held in safekeeping under the name of the Depository Bank and pledged to the City of Wimberley. Safekeeping must be done at the Federal Reserve Bank with a three-party agreement signed. The original copy of all security receipts shall be filed with the City Administrator of the City of Wimberley. The safekeeping agreement shall clearly state that the Federal Reserve Bank is instructed to release the collateral to the City of Wimberley if the City has determined that the Bank has failed to pay on any accounts, has been closed by a regulatory authority, or is in default of this agreement, and if the instructions for release have been formally requested by the City Council by ordinance or resolution. The safekeeping agreement shall have

signatories from the Federal Reserve Bank (as Trustee), the Depository Bank, and the City of Wimberley.

D. Value of Securities:

Whenever, in the opinion of the City, the total value of the securities so pledged becomes less than the total amount of City's funds on deposit with the Bank, Bank shall upon the order of City, pledge additional securities of the same character and nature as set out herein before and in such number and amount as directed by City, to the end that such additional securities so pledged shall at no time have aggregate value less than the total amount of City's funds with the Bank, including all interest thereon. If any demand by City for delivery and pledge of other and additional securities shall not be fully complied with by Bank within five (5) days after a written copy of such order has been served upon Bank, this entire agreement may be terminated at the option of City. Should City elect to terminate the agreement by reason thereof, all of City's funds on deposit with the Bank shall immediately become due and payable and shall forthwith be accounted for and paid over to City, including all demand and time deposits of whatever character and nature, without charge, regardless of maturity date.

In the event the total of the City's funds on deposit are not immediately paid over to City upon demand of City as herein above provided, Bank hereby agrees to and authorizes City to sell any or all of said securities pledged with or without notice of demand, presentment, sale, dishonor, notice of sale whether public or private, and any other notice of whatsoever nature. Proceeds from any such sale or sales shall become the property of the City and shall be first applied to expenses of sale, then to interest accumulated and continuing to accrue, and then to the balance of City's funds deposited, but not paid over to City as herein specified.

In the event any such sale of securities results in a deficiency after all expenses shall have been paid, Bank hereby agrees, immediately after such sale, to pay City the amount of such deficiency from any source available to Bank whatsoever. City shall not be responsible for any depreciation in the value of the securities pledged.

E. Substitutions:

Bank may from time to time substitute other securities for those under pledge, provided the securities so substituted meet the requirements of law and are approved as to kind and value by City before such substitution occurs. Interest coupons or other evidence of interest which are attached to any such pledged securities shall be retained by the holder of pledged securities, unless the City shall have earlier given written notice to the holder of the pledged securities to surrender such interest coupons or other evidences of interest to Bank. In all cases the determination of the value of securities pledged or to be pledged shall be

in the discretion of the City and decision of the City shall be final and binding upon the Bank.

Bank does further agree that in case it shall fail to faithfully perform all duties and obligations evolving by law or ordinance upon it as City depository, or if it shall fail to pay upon presentation any and all checks drawn upon said depository by City's duly authorized agent, or if Bank shall fail to faithfully keep all funds of said City and account therefore with interest, according to law and this agreement, or if said Bank shall at any time become insolvent, or if the same should, for any reason, be taken over by the State Banking Commissioner, or by any duly qualified legally appointed liquidating agent, then and in that event, upon the happening of any of the above contained contingencies, the holder of the pledged securities shall be authorized, empowered, and is hereby directed by Bank to immediately deliver to City, in writing, the said pledged securities, and the said City or its duly authorized representative is hereby authorized and empowered to immediately sell whether by public or private sale, the pledged securities, in the manner provided by law and to apply the proceeds as set forth above.

City reserves the right through its City Council to at any time demand additional security of any kind it may see fit and reasonable, to protect said funds, and to withdraw all said funds and cancel such designation as depository, unless such demands shall be immediately complied with.

IV

City reserves the right to invest any and all of its funds in direct obligations of, or obligations unconditionally guaranteed by, the United States of America as provided in the ordinances authorizing the issuance of Wimberley, Texas bonds, or other types of bonds, securities, certificates, warrants, etc, which the City is authorized by law to invest in. Bank will and shall aid City in any investment without charge.

V

Bank agrees to handle all accounts in accordance with generally accepted banking practice. Statements will be rendered on a calendar monthly basis reflecting last banking business day of monthly balances.

VI

Bank agrees to comply with all the provisions of the laws of the State of Texas relating to municipal depositories now in effect or that may hereafter be passed, consistent with banking laws of the State of Texas, and where applicable, the laws of the United States of America.

VII

It is expressly agreed that City is not obligated by reason hereof to deposit all or any particular amount of monies or all or any particular funds from bond proceeds or from any other source, with Bank.

VIII

Bank obligates itself to keep safely, account for and pay over as agreed, any and all monies of the City deposited with it, and to pay interest thereon as above stipulated, and to perform faithfully all of the duties and obligations evolving upon it by law or by this contract or agreement or both, and, to pay all checks drawn upon it by duly authorized signatories of City.

IX

In the event any term or provision of this agreement shall conflict with any requirement or provision of the Texas Local Government Code, Chapter 105, as amended, or other law, the provisions and requirements of such laws shall control. If any part of this agreement is unenforceable, the remaining parts of the agreement will remain valid.

X

This agreement is and shall be binding upon the parties, their legal representatives, successors and assigns.

XI

The laws of the State of Texas shall apply to this agreement and venue for all purposes shall be in Hays County, Texas.

XII

Sealed applications clearly marked "Depository Applications" shall be delivered to the office of the following person by 2 P.M., May 28, 2009

Don Ferguson, City Administrator
City of Wimberley
P.O. Box 2027
Wimberley, TX 78746

NO APPLICATIONS WILL BE RECEIVED AFTER 2 P.M., MAY 28, 2009

The Bank shall use this form as the OFFICIAL APPLICATION FORM to submit rates and to answer questions. Any alterations, changes, or deletions to this application shall be grounds for the City to disregard and reject the application.

If a service requirement cannot be met by an application, then the term "No Bid" should be entered on the Application Form for that specific requirement. In the case of a "NO Bid" remark, the applicant may offer an alternative equivalent service for the City's consideration.

Services for which an applicant intends to charge a fee must have the applicable fee indicated on the Application Form. Any service which does not have a fee indicated on the Application Form will be considered to be free of charge in the Depository Agreement or Contract.

The City reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the application before and after submission, any and all of which may be used in forming a recommendation.

The City reserves the right to reject any and all applications.

The Bank states that it is a banking institution chartered under the laws of the United States and of the State of Texas.

XIII

The initial three (3) year term of this contract may be extended automatically for an additional one (1) year term with an option to extend for one (1) more one (1) year period unless one party notifies the other party, in writing, not less than 120 days prior to the expiration of the initial three (3) year term or any of the two (2) successive option terms, of its intentions to terminate this contract. Any such notice shall be served by certified mail with return receipt requested.

The City of Wimberley may require a review meeting at least once every six months to evaluate the working relationship between the City and the Depository Bank. The objective shall be to address any problems and to discuss the procedures involved in protecting the City's funds and pledged collateral.

The final appointment of a Depository Bank shall be made by the Wimberley City Council at its June 4, 2009 meeting. The Bank may be required to enter into a contract which incorporates all of the obligatory points in the Application, otherwise a resolution shall be adopted accepting the Bank's completed Application as the OFFICIAL DEPOSITORY AGREEMENT with accompanying related schedules and materials called for in this Application.

This Application has been duly advertised and is being offered for consideration to financial institutions within the City of Wimberley.

Upon being awarded the agreement or contract, the Depository Bank shall designate an individual to be the official contact person for all correspondence. The City of Wimberley official contact person will be Don Ferguson, City Administrator. If you have any questions regarding this Application, please address them to Mr. Ferguson at 512.847.0025.

The Bank shall be responsible for training and communicating the terms of this contract to bank employees.

This Application is submitted by the following person duly authorized to act on behalf of the Bank:

Kay Smith
Officer's Signature

Kay Smith, Vice President/Branch Manager
Officer's Name and Title (Please print)

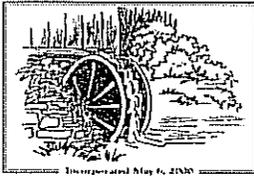
The Blanco National Bank
Name of Bank

P.O. Box 1869 Wimberley, TX 78676
Address

(512) 847-1300
Telephone Number

May 28, 2009
Date

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CONSIDER APPOINTMENT OF AN INTERIM MUNICIPAL COURT JUDGE FOR THE CITY OF WIMBERLEY

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

Discussion

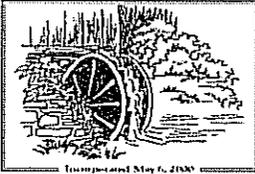
Project/Proposal Summary:

As you know, Don Campbell recently tendered his resignation as municipal court judge for the City of Wimberley. While the search takes place for a replacement judge, there is a need for City Council to appoint a temporary judge to handle court matters in the interim.

Precinct Three Hays County Justice of the Peace Andrew Cable has agreed to serve as the City's municipal court judge on a temporary basis. His rate of pay would be \$100 per hour – same as the hourly rate charged by the previous municipal court judge. As the City court is not a court-of-record, there would be no conflict for Judge Cable serving as municipal court judge.

City staff recommends the appointment of Judge Andrew Cable as the interim municipal court judge for the City of Wimberley until such time as a new municipal court judge is found.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: DISCUSS AND
CONSIDER POSSIBLE ACTION ON ISSUES
REGARDING THE FUTURE OPERATION OF
THE WIMBERLEY COMMUNITY CENTER BY
THE CITY

Funds Required:

Funds Available:

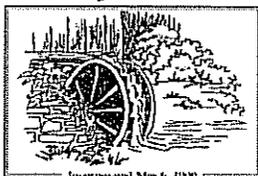
Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to continue discussions and take possible action on issues relating to the future operation of the Wimberley Community Center by the City. As part of the discussion, City staff will present information regarding the projected operating costs for the facility.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CONSIDER PROPOSED AMENDMENTS TO THE CITY GOVERNANCE POLICY AND RULES OF PROCEDURE

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

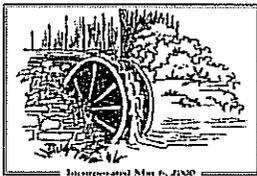
Motion

Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Three Council Member Bill Appleman to allow City Council to discuss and consider proposed amendments to the *City of Wimberley Governance Policy and Rules of Procedure*.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CONSIDER APPROVAL
OF A PROPOSED COMPLIMENTARY SEASON
PASS PROGRAM FOR BLUE HOLE
EMPLOYEES

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

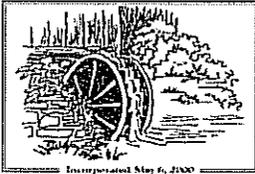
Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider a proposal to provide complimentary season passes to the part-time employees of the Blue Hole Regional Park.

Currently, Blue Hole employees must pay to swim at the park during their off hours. City staff is proposing to issue complimentary season passes to employees as an added employee benefit. As part-time City employees, Blue Hole workers draw a minimal hourly wage and no other benefits. Making season passes available to the park staff, at no cost, would be an added incentive to help secure and maintain a committed reliable park work force.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CONSIDER POSSIBLE ACTION ON PROPOSED DEVELOPMENT OF A JOINT GOVERNMENTAL SERVICES FACILITY

Funds Required:

Funds Available:

Council Action Requested:

Ordinance

Resolution

Motion

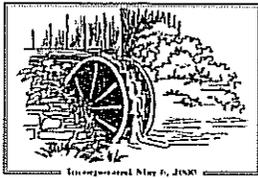
Discussion

Project/Proposal Summary:

In April of this year, the Wimberley City Council voted to give the Hays County Commissioners Court Sixty (60) days to respond to the City regarding the County's level of commitment to the proposed development of a Joint Governmental Services Facility in Wimberley. To date, no formal response has been received from the County.

This item was placed on the agenda to allow City Council to discuss and consider action, if any, relating to the proposed development of a Joint Governmental Services Facility.

City Council Agenda Form



Date Submitted: June 1, 2009

Agenda Date Requested: June 4, 2009

Project/Proposal Title: CITY COUNCIL REPORTS

Funds Required:

Funds Available:

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

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