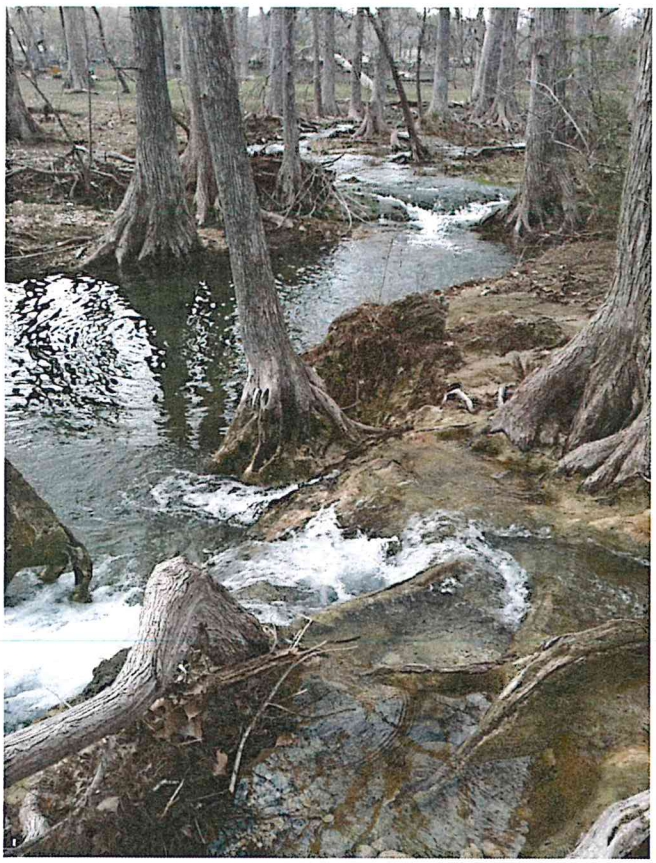
CITY OF WIMBERLEY
WASTEWATER, COLLECTION, TREATMENT AND REUSE SYSTEM
(PLANNING AND DESIGN)

State Fiscal Year 2013 Clean Water State Revolving Fund Program Application



Texas Water Development Board

City of Wimberley, Texas

October 29, 2012

City of Wimberley

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

Bob Flocke, Mayor - John White, Mayor Pro-Tem
Council Members - Tom Talcott, Mac McCullough, Matt Meeks, Steve Thurber
Don Ferguson, City Administrator

October 29, 2012

Texas Water Development Board
Stacy L. Barna
Director of Program Development
Program and Policy Development
P.O. Box 13231
Austin, Texas 78711-3231

RE: City of Wimberley State Fiscal Year 2013 Clean Water State Revolving Fund Program Application

Dear Ms. Barna:

Enclosed you will find one (1) original, one (1) paper copy and one (1) electronic copy of the State Fiscal Year 2013 Clean Water State Revolving Fund Program Application submitted by the City of Wimberley for funding the planning and design of a wastewater collection and treatment system for central Wimberley.

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

Sincerely,

Don Ferguson
City Administrator

City of Wimberley State Fiscal Year 2013
Clean Water State Revolving Fund Program Application

Table of Contents

Cover Letter i

Table of Contents ii

Grant Application iii

Attachments by Application Part

Part B *Financial Information*

B4. Three (3) Year Water Wastewater Rate History
B6. City of Wimberley Annual Financial and Compliance Report for Year Ended September 30, 2011
B8. City of Wimberley Mandatory Wastewater Connection Ordinance
B11. Direct and Overlapping Tax Rate Table
B13. Five (5) Year Tax Assessed Value Table
B15. Project Revenue and Tax Based Proforma

Part C *Legal*

C5. Draft Interlocal Agreement Between City of Wimberley and Wimberley Municipal Management District
C6. Resolution of the Wimberley City Council Requesting Financial Assistance
C7. Application Affidavit
C8. Application Resolution - Certificate of Secretary
C9. Consultant Services Contracts *(Not DBE Consultants)*
C12. City of Wimberley Certificate of Convenience and Necessity (CCN)
C14. Certification Regarding Lobbying

Part D *Engineering Information*

D1. Preliminary Engineering Feasibility Report
D3. Wastewater Project Information Form
D5. Preaward Compliance Review Form

City of Wimberley State Fiscal Year 2013
Clean Water State Revolving Fund Program Application

Table of Contents
Cont'd

D6. Certification Regarding Debarment, Suspension, and Other Responsibility Matters

D10. Assurances-Construction Programs Form of the City of Wimberley

D12. Designated Management Agency Resolution of the City of Wimberley

Part E *Environmental Documentation*

E9. Discussion of Any Known Permitting, Social or Environmental Issues

Part F *Planning and Water Conservation Plan*

F1. Water Conservation Plan

Part G *Documentation of "Green" Projects and Project Components*

G3. Green Project Reserve Report of the City of Wimberley

Part H *Disadvantaged Business Enterprise Requirements*

H1. Affirmative Steps Certification and Goals Form

State Fiscal Year 2013
Clean Water State Resolving Fund Program Application
For
City of Wimberley, Texas

submitted to

Texas Water Development Board

State Revolving Fund Program
For
City of Wimberley Wastewater Collection, Treatment and Reuse System
(Planning and Design)

October 2012

Submitted by

City of Wimberley
P.O. Box 2027/ 221 Stillwater
Wimberley, Texas 78676

Texas Water Development Board
P.O. Box 13231, Austin, Texas 78711-3231

TWDB-0148
Prepared 04-16-12

APPLICATION FOR FINANCIAL ASSISTANCE

FOR WATER AND WASTEWATER INFRASTRUCTURE CONSTRUCTION

NOTICE TO ALL APPLICANTS

In order to make the process of applying for assistance smoother for our customers, this new application is comprehensive, covering all loan and grant assistance for water and wastewater infrastructure financing through the various TWDB programs. The format of the new application is intended to expedite the review process for both the applicant and TWDB staff.

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

Texas Water Development Board
Project Development - Finance
P O Box 13231
1700 N. Congress Avenue, 6th Floor
Austin, Texas 78711-3231
(78701 for courier deliveries)

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

IMPORTANT NOTICE

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

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

TWDB Use Only

Name of Applicant: _____

Date application received: _____

Date administratively complete: _____

Contents

Part A. General Information 1
Part B. Financial Information 7
Part C. Legal 13
Part D. Engineering Information 20
Part E. Environmental Documentation 24
Part F. Planning and Water Conservation Plan 26
Part G. Documentation of "Green" Projects and Project Components 27
Part H. Disadvantaged Business Enterprise Requirements 28
Part I. Summary of attachments to application 29
Part J. Guidance and Forms 32

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

Part A. General Information

A1 Legal name of applicant, physical and mailing addresses.

City of Wimberley
P.O. Box 2027/221 Stillwater
Wimberley, Texas 78676

A2 Brief description of project. Currently, the City of Wimberley ("City") owns and operates a 15,000 gallon per day ("GPD") wastewater treatment plant located on the site of the City-owned Blue Hole Regional Park in Wimberley. This plant provides wastewater service for two (2) customers -- Deer Creek of Wimberley Nursing Home and Rehabilitation Center and the Regional Park. The treatment plant is an extended aeration activated sludge package plant which has an interim operating permit of 15,000 GPD and a final permit of 50,000 GPD. It produces effluent which is disposed of on the park site via subsurface irrigation. The City is proposing to upgrade and expand the existing treatment plant from a 15,000 GPD plant to 75,000 GPD plant to provide wastewater service to approximately 170 propeties in the adjacent central Wimberley area. This area relies on private septic systems for wastewater service -- many of which are deteriorating and pose a threat to surface and ground water quality in the subject area. In addition to the above-mentioned plant expansion, plans call for the construction of a collection system in the service area. While the City would have the ability to discharge effluent into a local stream, the City intends to minimize the need for discharges by beneficially reusing the effluent to irrigate the park site and other irrigation sites. The expanded plant would produce Type I effluent. This wastewater improvement project will require a major amendment to the City's existing wastewater discharge permit. The estimated cost of the project is $4,492,105. To fund the project, the City intends to issue System Revenue Bonds with a pledge of utility revenues from the City and ad valorem taxes from a Municipal Management District (MMD) that will encompass the proposed service area for the wastewater system. The issuance would be contingent on creation of the MMD and a successful tax election.

A3 List service area county(ies). Hays County

A4 Population of Applicant's total service area. 90

A5 Name, title, address, phone, fax numbers and email addresses of official representatives.
Don Ferguson
City Administrator
P.O. Box 2027/221 Stillwater
Wimberley, Texas 787676
512.847.0025 (Office)
512.847.0422 (Fax)
dferguson@cityofwimberley.com

A6 Names and titles of principal officers.
Bob Flocke
Mayor
City of Wimberley

A7 Name, address, phone and fax numbers, e-mail address and contact person for:
a) Project Engineer

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

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

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

c) Legal Counsel (if other than Bond Counsel)
Emily Rogers
Bickerstaff Health Delgado Acosta LLP
3711 S. Mopac Expressway
Building 1, Suite 300
Austin, Texas 78746
512.472.8021 (Office)
512.320.5628 (Fax)
erogers@bickerstaff.com

d) Financial Advisor
Garry Kimball & Jennifer Douglas
Specialized Public Finance Inc.
7000 N. Mopac Expressway
Suite 410
Austin, Texas 78731
512.275.7300 (Office)
512.275.7305 (Fax)
garry@spudfin

e) Any other consultant representing the applicant before the Board
NA

f) Applicant's **primary contact person** for day-to-day project implementation.
Don Ferguson
City Administrator
City of Wimberley

A8 Requesting funding from which programs? Check all that apply.

a) Drinking Water State Revolving Fund (DWSRF) ☐ $ _____

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

b) Clean Water State Revolving Fund (CWSRF) ☒ $ 650,000

c) Texas Water Development Fund (DFund) ☐ $ _____

d) State Participation ☐ $ _____

e) Rural Water Assistance Fund (RWAF) ☐ $ _____

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

f) Water Infrastructure Fund (WIF) ☐ $ _____

g) Economically Distressed Areas Program (EDAP) ☐ $ _____

h) If other please explain: _____ $ _____

A9 Amount of Funding:

a) Total amount of Funding Requested from TWDB $ 650,000

b) Total Project Costs (**including all sources**) $ 650,000

c) Any funds requested used for refinancing existing debt?
Yes ☐ No ☒ $ _____

If yes, provide documentation on existing debt.
Item attached Yes ☐ No ☒

d) Does your project include Green Components Yes ☒ No ☐

e) Total Amount of Green Project Component(s) $ 130,000

For further explanation see Part G – Green Projects

A10 Does the area served qualify as disadvantaged?
Yes ☐ No ☒

For further explanation see Part J – Guidance Part A for specific programs

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

A11 If additional funds are necessary to complete the project, or you have applied and/or received a commitment for any other funding agency for this project or any aspect of this project, funds over and above the amount requested in **A9** above, please provide a listing of those sources. Make sure to include: total project costs, financing sources and current status of the funding agreements.

Funding Source	Type of Funds(Loan/Grant)	Amount ($)	Date Applied for Funding	Funding Secured Date
N/A	**N/A**	**N/A**	**N/A**	**N/A**
Total Funding from All Sources		$*N/A*		

Comments: Project funding is not being sought from any sources other than the Texas Water Development Board.

All applicants applying for funding from the CWSRF and DWSRF Programs must complete this section.

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

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

A12 Applicant's Commercial and Government Entity (CAGE) code and Data Universal Number System (DUNS) Number:
CAGE 64XJ6

DUNS 004496922

A13 Does applicant agree to maintain current CCR registration at all times during which a federal subaward is active or under consideration by the Board?
Yes ☒ No ☐

A14 Federal Funds requires the following information:

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

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

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

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

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

Part B. Financial Information

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

Water

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

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

Wastewater

Customer Name	Annual Usage (gal)	Annual Billings ($)	Percent of Total Water Revenue	Bankruptcy (Y/N)
Deer Creek of Wimberley	8,064,000	$184,452.48	96%	N
Blue Hole Regional Park - City of Wimberley	154,720	$7,416	4%	N

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

Comments: The City of Wimberley acquired and assumed operation of its wastewater treatment plant in January 2012. As such, the requested comparative data for a twelve (12) month period is not yet available. The data provided above represents estimated usage and billing data based on the City's limited operating history.

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

Item attached Yes ☐ No ☒

B3 Current average Residential Usage and Rate Information

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

B4 **Attach** the water and wastewater rate structure covering each of the last three years (including commercial and industrial users)

Item attached Yes ☒ No ☐

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

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

Item attached Yes ☒ No ☐

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

Yes ☒ No ☐

B8 Disclose all issues that may affect the project or the applicant's ability to issue and/or repay debt.
The City of Wimberley does not have any outstanding debt. As such, the City does not have any existing bond issues whose underlying security or revenue pledge would limit, reduce, or attach to the expected revenue pledge from the customers of the new wastewater system. No other

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

known issues exist which would limit the City's ability to issue debt for the construction of the wastewater collection and treatment system. Funding for repayment of the debt will come from connection fees, system revenue collected by the City of Wimberley and contract revenue from a Municipal Management District which will levy and collect an Ad Valorem tax within the proposed service area. It should be noted that the City of Wimberley has adopted an ordinance mandating properties within the service area to connect to the new system (See Attached Ordinance).

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

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

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

Item attached Yes ☐ No ☒

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

Item attached Yes ☒ No ☐

B12 Provide the last five-years of data showing total taxable assessed valuation including net ad valorem taxes levied and corresponding tax rate (detailing debt service and general purposes), and tax collection rate.

Fiscal Year Ending	Net Taxable Assessed Value ($)	Tax Rate	General Fund	Interest & Sinking Fund	Tax Levy $	Percentage Current Collections	Percentage Total Collections
2013	439,002,587	N/A	N/A	N/A	N/A	N/A	N/A
2012	435,216,811						
2011	429,515,195						
2010	422,021,861						
2009	402,615,007						

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

B13 **Attach** the last five-years of Tax Assessed Values delineated by Classification (Residential, Commercial and Industrial)

Items attached Yes ☒ No ☐

B14 Provide the sales tax collection history for the past five years (regardless of pledge).

Fiscal Year Ending	Total Collections	Percentage of Ad Valorem Tax Levy	Equivalent of Ad Valorem Tax Rate	Per Capita
2012	$613,008.80	N/A		$233.44
2011	$575,746.48	N/A		$219.25
2010	$551,290.28	N/A		$209.94
2009	$575,706.76	N/A		$219.23

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

2008	$563,594.40	NA		$214.62

Comments: The sales tax collection data reported above reflects collections for the entire City of Wimberley. The requested comparative ad valorem tax data is unavailable as the City of Wimberley does not currently levy an ad valorem tax.

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

B15 Proforma:

a) If system revenues are anticipated to be used to repay the proposed debt, provide a proforma detailing:
   1. projected gross revenues
   2. operating and maintenance expenditures
   3. outstanding and proposed debt service requirements
   4. net revenues available for debt service and coverage of current and proposed debt paid from revenues.

b) If taxes are anticipated to be used to repay the proposed debt, provide a proforma indicating:
   1. the tax rate necessary to repay current and proposed debt paid from taxes
   2. list the assumed collection rate and tax base used to prepare the schedule

c) If a combination of system revenues and taxes are anticipated to be used to repay the proposed debt, provide a proforma detailing:
   1. projected gross revenues, operating and maintenance expenditures, net revenues available for debt service
   2. the tax rate necessary to pay the current and proposed debt

Item(s) attached Yes ☒ No ☐

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

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

Comments: The City of Wimberley does not currently levy an ad valorem tax.

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

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

B18 Provide any current bond ratings.

	Standard & Poor's	Moody's	Fitch
G.O.	N/A/	N/A	N/A
Revenue	N/A	N/A	N/A

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

a) Median Household income (MHI) $62,415
b) Unemployment rate 4.8%
c) Percentage of area below poverty level 8.6%
d) Median age of work force 31-54 years of age
e) Population 2,626
f) List 10 largest employers

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

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

B20 Does the applicant intend to utilize bond insurance for the loan?
Yes ☐ No ☒

B21 Does the applicant intend to use surety bonds in lieu of a cash reserve?
Yes ☐ No ☒

B22 Does the applicant intend to use any other credit enhancement?
Yes ☐ No ☒

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

Part C. Legal

C1 Citation to the specific legal authority in the Texas Constitution and statutes pursuant to which the applicant is authorized to provide the service for which the applicant is requesting financial assistance. The City is a General Law City (Section 5.001, Texas Local Government Code) which has a certificate of convenience and necessity and owns and operates a wastewater system. (Section 552.001, Texas Local Government Code). The City may issue revenue obligations under Chapter 1502, Texas Government Code to provide for sewer utility service. Connection fees and system revenues collected by the City will serve as a revenue source for the City's revenue bonds. In addition, legislation is being prepared for the 83rd Legislature which convenes in January 2013 to legislatively create a Municipal Management District ("MMD") in order to provide ad valorem tax, assessments and other revenues to be used to contract with the City to provide an additional revenue source for the City's revenue bonds to provide wastewater service to the area comprising the MMD. Alternatively, should the City not be able to obtain legislation to create the MMD, the City will apply to the Texas Commission on Environmental Quality to establish an MMD pursuant to Chapter 375, Texas Local Government Code. While a legislatively created MMD can provide greater flexibility, the City will be able to accomplish the same result if the MMD is created pursuant to Chapter 375. Whichever method is used to create the MMD, the powers will be pursuant to Article III, Section 52 and Article III, Section 52-a and Article XVI, Section 59 of the Texas Constitution.

C2 Citation to legal authority under which debt is proposed to be issued including authority to make proposed pledge of revenues. See description under C1 above

C3 Full legal name of the security for the proposed debt issue(s). Provide a full explanation of pledge being offered and existing rate covenants as well as relevant additional bonds requirements, reserve fund requirements or other requirements needed to ensure parity with other outstanding creditors.
City of Wimberley, Texas Sewer System Revenue Bonds, Series 2013 (Downtown MMD Sewer Project). No existing rate covenants exist as there are no outstanding sewer system revenue obligations. The pledge will be net revenues of the sewer system and contract ad valorem tax and other payments received from the MMD.

C4 For proposed revenue bonds, **attach** copies of the most recent resolution/ordinance(s) authorizing any outstanding parity debt. This is essential to insure outstanding bond covenants are consistent with covenants that might be required for TWDB financing.

Item(s) attached Yes ☐ No ☒

C5 If financing of the project will require a contractual loan agreement or the sale of bonds to the Board payable either wholly or in part from revenues of contracts with others, **attach** a copy of any actual or proposed contracts under which Applicant's gross income is expected to accrue. Before a loan is closed, an Applicant shall submit executed copies of such contracts to the executive administrator.

Item attached Yes ☒ No ☐

C6 **Attach** the resolution from the governing body requesting Financial Assistance. (WRD-201A - http://www.twdb.state.tx.us/pubs/wrd-201a)

Item attached Yes ☒ No ☐

C7 **Attach** the Application Affidavit (WRD-201 - http://www.twdb.state.tx.us/pubs/wrd-201)

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

Item attached Yes ☒ No ☐

C8 **Attach** the Certificate of Secretary (WRD-201B - http://www.twdb.state.tx.us/pubs/wrd-201b)

Item attached Yes ☒ No ☐

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

C9 **List and attach** copies of all draft and/or executed contracts for consultant services included in the total project costs and if applicable whether those contracts were awarded according to Disadvantaged Business Enterprises (DBE) rules.
For further explanation see Part H – Disadvantaged Business Enterprise Requirements

Consultant	Service Provided	Contract Attached (Y/N)	Awarded Using DBE rules (Y/N)	Contract Execution Date
Alan Plummer Associates Inc.	Project Engineering (PER & EIS)	Y	N	October 18, 2012
Specialized Public Finance Inc.	Financial Advisor	Y	N	September 27, 2012
Bickerstaff Heath Delgado, Acosta LLP	Bond Counsel	Y	N	October 12, 2012

C10 If the applicant is a Water Supply Corporation (WSC), **attach** copies of the following:
a) Articles of Incorporation
b) Certificate of Incorporation from the Texas Secretary of State evidencing that the current Articles of Incorporation are on file with the Secretary.
c) By-laws and any amendments
d) Certificate of Status (i.e. Certificate of Existence) from the Texas Secretary of State
e) Certificate of Account Status from the Texas Comptroller of Public Accounts (certifies that the WSC is exempt from the franchise tax and that the WSC is in good standing)

Item a) attached	Yes ☐	No ☒
Item b) attached	Yes ☐	No ☒
Item c) attached	Yes ☐	No ☒
Item d) attached	Yes ☐	No ☒
Item e) attached	Yes ☐	No ☒

C11 If this project will result in: (a) an increase by the applicant in the use of groundwater, (b) drilling a new well to secure groundwater, or (c) an increase by the applicant in use of surface water, then the applicant must demonstrate that it has acquired – by ownership or lease – the necessary property rights, groundwater permits, and/or surface water rights to operate the project before funds can be released for construction.

a) Does the applicant currently own all the property rights, groundwater permits and surface water rights needed to operate this project?
Yes ☐ No ☒

If yes, please attach the completed, appropriate form.
a. WRD 208A (http://www.twdb.state.tx.us/pubs/wrd-208a) (Surface Water)
b. WRD 208B (http://www.twdb.state.tx.us/pubs/wrd-208b) (Groundwater)

Item a. attached Yes ☐ No ☒

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

Item b. attached Yes ☐ No ☒

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

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

Type of Permit Water Right	Entity from which the permit or right must be acquired	Acquired by lease or full ownership	Expected acquisition date	Permit / Water Right ID No.
Wastewater Discharge Permit	TCEQ	Permit Amendment	January 2015	WQ0013321001
	Private	Easements	December 2013	
	Private	Lift Station Sites	December 2013	

C12 Does the applicant possess a Certificate of Convenience and Necessity (CCN)? If yes, attach a service area map showing the areas to which it is allowed to provide water or wastewater services?

Yes ☒ No ☐ NA ☐

If Yes, is item attached Yes ☒ No ☐

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

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

Yes ☐ No ☐ NA ☒

If Yes, is item attached Yes ☐ No ☒

C13 Has the applicant obtained all necessary land and easements for the project?
Yes ☐ No ☒

If yes, the applicant must complete and attach a site certificate. (ED-101 - http://www.twdb.state.tx.us/pubs/ed-101)

Item attached Yes ☐ No ☒

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

C14 If the applicant is applying for CWSRF Tier III or DWSRF, the applicant **must** complete form WRD 213 (http://www.twdb.state.tx.us/pubs/wrd-213). (Certification Regarding Lobbying)

Item attached Yes ☒ No ☐ NA ☐

C15 Does the applicant provide water supply or treatment service to another service provider, or receive such service from another service provider? If so, the applicant must provide at minimum the proposed agreement, contract, or other documentation establishing the service relationship, with the final and binding agreements provided prior to loan closing.

Yes ☐ No ☒

If yes, the applicant must **attach** the proposed or final agreements establishing that service relationship.

Item attached Yes ☐ No ☒

C16 Has the applicant been the subject of any enforcement action by the Texas Commission on Environmental Quality, the Environmental Protection Agency, or any other entity within the past three years?

Yes ☐ No ☒

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

Item attached Yes ☐ No ☒

All Economically Distressed Programs (EDAP) applicants must complete this section.
*Applications for EDAP will **not** be considered until the County has adopted and is enforcing the Model Subdivision Rules (MSRs) Tex. Water Code 16.343.* If the proposed project is within a municipality or its extraterritorial jurisdiction (ETJ), or if the applicant is a municipality, the municipality must also have adopted and be enforcing MSRs.

In accordance with TWDB Rules (31 TAC §363.) the MSRs must be completed prior to application being considered for approval.

C17 Does TWDB have a copy of the most recent subdivision plats and rules and a notarized copy of the attached affidavit from the County Judge and/or Mayor that certifies compliance with the MSRs?

Yes ☐ No ☒

If yes, when were the last plats, rules and affidavit submitted? N/A

If no, MSRs will need to be adopted and TWDB will need copies of the rules approved by the city or county.

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

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

Item attached Yes ☐ No ☒

If no, please explain: N/A

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

Part D. Engineering Information

Applications for Pre-Design Funding (PDF) require a Preliminary Engineering Feasibility (PEFR) report. During the Planning Phase, a complete Engineering Feasibility Report which complies with TWDB-0555 or TWDB-0556 will be required. EDAP applicants must follow directives from the EDAP Facility Engineering Plan/Scope of Services.

D1 A complete PEFR must include:

a) A description and purpose of the project, including existing facilities.
   - Note: CWSRF and DWSRF must address issues scored in IUP submittal

b) A map of the service area and drawings as necessary to locate and describe the project.

c) A project schedule including proposed timing of funding needs for phases of the project. Schedule should include:
   - Estimated loan closing date
   - Estimated date to complete planning (environmental & engineering)
   - Estimated number of proposed Construction Contracts.
   - Estimated Construction start date for first contract.
   - Estimated Construction end date for last contract.
   - EDAP and DWSRF applicants must complete a Projected Draw Schedule form (TWDB-1202)

d) A copy of current and future populations and projected water use or wastewater flows.
   - Include entities to be served

e) A description of alternatives the applicant has considered (or to be considered during detailed planning) and reasons for the selection of the project proposed.

f) Provide the most current itemized project cost estimate (include all costs and funding sources). Utilize the budget format provided.

Budget format (TWDB-1201 - http://www.twdb.state.tx.us/pubs/twdb-1201)
Projected Draw Schedule (TWDB-1202 – http://www.twdb.state.tx.us/pubs/twdb-1202)

A complete PEFR is **attached** Yes ☒ No ☐
H 3Must be sealed by a registered engineer.

EDAP applicants must attach an EDAP Facility Engineering Plan/Scope of Services report that complies with the requirements of WRD-023A (http://www.twdb.state.tx.us/pubs/wrd-023a).
Item attached Yes ☐ No ☐ NA ☒

D2 **If project is not for Pre-Design Funding, attach** an Engineering Feasibility Report that complies with the requirements of:

Water: TWDB-0555 (http://www.twdb.state.tx.us/pubs/twdb-0555)
Item attached Yes ☐ No ☐ NA ☒

Wastewater: TWDB-0556 (http://www.twdb.state.tx.us/pubs/twdb-0556)
Item attached Yes ☐ No ☐ NA ☒

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

All Wastewater applicants must complete D3.

D3 **Attach** a completed Wastewater Project Information Form (WRD-253a – http://www.twdb.state.tx.us/pubs/wrd-253a)

Item attached Yes ☒ No ☐

All Water applicants must complete D4.

D4 **Attach** a completed Water Project Information Form (WRD-253d – http://www.twdb.state.tx.us/pubs/wrd-253d)

Item attached Yes ☐ No ☒

D5 If applicable (CWSRF Tier III or DWSRF), **attach** the Preaward Compliance Review Report (EPA-4700-4 – http://www.twdb.state.tx.us/pubs/epa-4700-4)

Item attached Yes ☒ No ☐ NA ☐

D6 If applicable (CWSRF Tier III or DWSRF), **attach** the Certification Regarding Debarment, Suspension and Other Responsibility (SRF-404 – http://www.twdb.state.tx.us/pubs/srf-404)

Item attached Yes ☒ No ☐ NA ☐

D7 If complete, attach **ONE** copy of the Plans and Specifications for the proposed project. Complete Plans and Specifications must conform with and contain all documents required in the appropriate supplemental conditions forms, *TWDB – 0550 (http://www.twdb.state.tx.us/pubs/twdb-0550), 0551 (http://www.twdb.state.tx.us/pubs/twdb-0551), 0552 (http://www.twdb.state.tx.us/pubs/twdb-0552), 0553 (http://www.twdb.state.tx.us/pubs/twdb-0553)*. See *Summary of Attachments* for listing of forms, located at the end of this application in *Part I*.

Item attached Yes ☐ No ☐ NA ☒

D8 For wastewater projects that involve the construction of a new plant or the expansion of an existing plant and/or associated facilities, attach evidence that an application for a new permit amendment has been filed with the Texas Pollution Discharge Elimination System Permit related to the proposed project. Final permit authorization must be obtained from the Texas Commission on Environmental Quality or any successor agency before funds can be released for construction activities.

Item attached Yes ☐ No ☒

Comments: With this application, the City of Wimberley is seeking funding for project engineering and permitting. Funding for project construction will be sought in a subsequent application.

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

D9 List all permits necessary for completion of project and whether the applicant has acquired each permit required.

Permit	Issuing Entity	Permit Acquired (Y/N)
Amendment to Wastewater Discharge Permit No. WQ0013321001	TCEQ	N

D10 If applicable (CWSRF Tier III or DWSRF), **attach** the Assurances - Construction Programs (EPA-424D – http://www.twdb.state.tx.us/pubs/epa-424d)

Item attached Yes ☒ No ☐ NA ☐

D11 Davis-Bacon Act - Financial assistance from either the Clean Water or Drinking Water State Revolving fund must comply with the Davis-Bacon Act regarding prevailing wage rates. The applicant acknowledges that they are aware of and will abide by the Davis-Bacon Act requirements.

Yes ☒ No ☐

Further information on the Davis-Bacon requirement is available through the TWDB Guidance document, DB-0156 (http://www.twdb.state.tx.us/pubs/db-0156); on the TWDB web.

D12 If the application is for a wastewater project, the applicant must be a Designated Management Agency (DMA) for wastewater collection and treatment. Please complete and attach DMA resolutions. WRD-210 (http://www.twdb.state.tx.us/pubs/wrd-210) is an example of this type of resolution.

Item attached Yes ☒ No ☐ NA ☐

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

Additional requirements for EDAP applicants

D13 Preliminary EDAP Eligibility (31 TAC §363)

Required documentation:

a) Should the project exist within a municipality, documented data for the entire municipality is required.

- Documentation of inadequacy of water and/or wastewater services. (31 TAC §363)
  Item attached Yes ☐ No ☒

- Documentation regarding the financial resources of the residential users in the EDAP area. (Census data or documentation regarding median household income should be provided.) (31 TAC §363)
  Item attached Yes ☐ No ☒

- Documentation demonstrating existence of a residence in the project area prior to **June 1, 2005**. (*This could include tax records of residence, dated aerial maps, or other documentation demonstrating existence of a residence.*) (31 TAC §363)
  Item attached Yes ☐ No ☒

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

If yes, has the Department of State Health Services issued a determination stating a public health nuisance exists in the project area?
Yes ☐ No ☒

If no determination exists, provide documentation demonstrating a public health nuisance exists in the project area.
Item attached Yes ☐ No ☒

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

D15 Is this project providing new service? Yes ☐ No ☒

If yes, plats of the affected subdivisions must be attached.
Items attached Yes ☐ No ☒

D16 Provide the most current planning, acquisition and design (PAD) phases cost estimates (include all costs and funding sources). Utilize the Project Budget format provided.

Project Budget format (TWDB-1201 - http://www.twdb.state.tx.us/pubs/twdb-1201)

A complete PAD budget is **attached?** Yes ☐ No ☒

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

Part E. Environmental Documentation

When an applicant seeks approval of a project under the Pre-Design Funding Option, at a minimum, the applicant must provide a discussion of any known permitting, social, or environmental issues that may affect the evaluation of project alternatives or implementation of the proposed project. However, the environmental review of the project may be expedited based on previous determinations or work already completed by the applicant.

E1 Has a Categorical Exclusion (CE), a Finding of No Significant Impact (FONSI), or any other environmental determination been issued for this project by the TWDB or another authorized state or federal agency within the last **five** years?

Yes ☐ No ☒

E2 If yes, **attach** a complete copy of the CE or FONSI and all supporting documents (i.e. Environmental Information Document (EID) or Environmental Assessment (EA), with all agency consultation correspondence.)

Item(s) attached Yes ☐ No ☒

E3 Has TWDB already affirmed an environmental determination for this project?

Yes ☐ No ☒

If yes, **attach** a copy of the TWDB Resolution affirming this environmental determination.

Item attached Yes ☐ No ☒

E4 Has an Environmental Impact Statement (EIS) been prepared by the applicant in coordination with an authorized state or federal agency for this project?

Yes ☐ No ☒

If yes, **attach** a complete copy of the EIS.

Item attached Yes ☐ No ☒

E5 If an EIS has been prepared for this project in coordination with all pertinent state and federal agencies, has a Record of Decision (ROD) been issued within the last 5 years?

Yes ☐ No ☒

If yes, **attach** a complete copy of the ROD.

Item attached Yes ☐ No ☒

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

E6 Is the project potentially eligible for a CE because it involves only minor rehabilitation or the functional replacement of existing equipment?

Yes ☐ No ☒

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

Item attached Yes ☐ No ☒

For further explanation see Section J – Guidance

E7 If the project is not eligible for a CE, has the applicant prepared an EA or EID in accordance with 31 TAC 363 and 31 TAC 375, of the TWDB's rules and TWDB Instructions?

Yes ☐ No ☒

If yes, **attach** a complete copy of the EA or EID.

Item attached Yes ☐ No ☒

For further explanation see Section J – Guidance

E8 List additional Environmental Permits, Registrations, Licenses, Authorizations necessary for the project and the status of each. E.g.:

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

Item(s) attached Yes ☐ No ☒

E9 If the project has not met the above requirements, please attach a discussion of any known permitting, social, or environmental issues that may affect the evaluation of project alternatives or implementation of the proposed project.

Item attached Yes ☒ No ☐

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

Part F. Planning and Water Conservation Plan

In order to be eligible for funding, a proposed water project has to be consistent with the Regional and State Water Plans.

F1 If the assistance requested is $500,000 or more, a Water Conservation Plan (WCP) is required. The WCP cannot be more than **five** years old and must have been adopted by the applicant. Has the applicant adopted a Board-approved WCP?

Yes ☒ No ☐

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

Note: An approvable plan must be submitted before a commitment for funding can be received, but an approved plan must be adopted by the applicant before any funds can be released.

Attach TWO copies of a Water Conservation Plan and Drought Contingency Plan prepared in accordance with TWDB Guidance
[TWDB-1968 (http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-1968.pdf)
and Utility Profile WRD-264 (http://www.twdb.state.tx.us/pubs/wrd-264)]

Items attached Yes ☒ No ☐

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

F2 Does the applicant provide retail water services?

Yes ☐ No ☒

If yes, complete item F3 and F4.

F3 Has the applicant submitted to the TWDB the annual water use survey of groundwater and surface water for the last **three** years?

Yes ☐ No ☒

If No, please download survey forms (http://www.twdb.state.tx.us/pubs/20100610a) and attach a copy of the completed water use surveys to the application.

Item attached Yes ☐ No ☒

F4 Has the applicant submitted a water loss audit to the TWDB?

Yes ☐ No ☐ NA ☒

If No, please download TWDB Water Audit worksheet (http://www.twdb.state.tx.us/pubs/20100610b) and **attach** a copy to the application.

Item attached Yes ☐ No ☒

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

Part G. Documentation of "Green" Projects and Project Components

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

This section is required so that the TWDB can determine whether the project qualifies as "green" as pursuant to Environmental Protection Agency (EPA) Guidance. **Complete this portion of the application only if green benefits are all, or a substantial part, of the project (more than an incidental benefit).** Project means the entire project or a component of the project.

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

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

You must use the Green Project Reserve guidance to complete this section. Current guidance can be found at:

Green Project Reserve: Guidance for determining project eligibility
(TWDB-0161 – http://www.twdb.state.tx.us/pubs/twdb-0161)

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

If Yes, Please complete the remainder of Section G.

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

G3 TWDB will determine whether your project (or project component) meets federal criteria as "green". You may be required to submit a **business case** that thoroughly describes your project, in order for the TWDB to make its determination.

Green Project Reserve: Guidance for determining project eligibility
(TWDB-0161 – http://www.twdb.state.tx.us/pubs/twdb-0161)

Item attached Yes ☒ No ☐

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

Part H. Disadvantaged Business Enterprise Requirements

All Drinking Water and Clean Water Tier III applicants must complete this section.

All project costs funded by the TWDB through DWSRF or CWSRF Tier III must comply with the federal, Disadvantaged Business Enterprise (DBE) program rules. The federal DBE program requires a good faith effort to contract with DBE's. DBE good faith efforts apply to all procurements necessary for the project, including professional services and consulting contracts, cost of issuance, etc. All Project contracts for goods and services funded by federal loan dollars, must comply with DBE program requirements. Guidance and forms are found at
(TWDB-0210 - http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0210.pdf)

H 1 **Attach** the Applicant Affirmative Steps Certification and Goals
(TWDB-0215 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0215.pdf)

Item attached Yes ☒ No ☐

H 2 **Attach** the Affirmative Steps Solicitation Report if you have already hired contractors.
(TWDB-216 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0216.pdf)

Item attached Yes ☐ No ☒

H 3 **Attach** the Prime Contractor Affirmative Steps Certification and Goals.
(TWDB-217 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0217.pdf)

Item attached Yes ☐ No ☒

H 4 **Attach** the Loan/Grant Participation Summary.
(TWDB-0373 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0373.pdf)

Item attached Yes ☐ No ☒

Part I. Summary of attachments to application

Following is a list of the documents that may be necessary in order to process this application. While not all of the listed information below may be required for all projects, an applicant should review the application carefully because incomplete applications will not be processed until all of this information has been provided. Contact the TWDB's Project Leads with any questions. In addition, please make sure your entity system name appears on every attachment. **Label each attachment with the number of the pertinent application section (i.e. "Part B5").**

Part A	**General Information**
No. A9	Refinancing documentation
Part B	**Financial**
No. B2	Five year comparative system operating statement.
No. B4	Water and wastewater rate structure for last three years.
No. B6	Annual audit and management letter from C.P.A
No. B10	Outstanding debt
No. B11	Direct and Overlapping Tax Table
No. B13	Last five years of Assessed Values by Classifications
No. B15	Pro-forma
Part C	**Legal**
No. C4	Draft or actual contractual loan agreement
No. C5	Resolution/ordinance authorizing the issuance of parity debt.
No. C6	Resolution (WRD-201a – http://www.twdb.state.tx.us/pubs/wrd-201a)
No. C7	Application Affidavit (WRD-201 – http://www.twdb.state.tx.us/pubs/wrd-201)
No. C8	Certificate of Secretary (WRD-201b – http://www.twdb.state.tx.us/pubs/wrd-201b)
No. C9	Draft or executed consulting contracts (engineering, financial advisor, bond counsel)
No. C10	a. Articles of Incorporation b. Certificate of incorporation from the Texas Secretary of State c. By-laws and any amendments d. Certificate of status from the Texas Secretary of State e. Certificate of account status from Texas Comptroller
No. C11	If applicant has property rights and permits a. WRD-208A (http://www.twdb.state.tx.us/pubs/wrd-208a) (Surface Water) b. WRD-208B (http://www.twdb.state.tx.us/pubs/wrd-208b) (Groundwater)
No. C12	Certificate of Convenience & Necessity
No. C13	Site certificate, evidencing land ownership for the project. (ED-101 – http://www.twdb.state.tx.us/pubs/ed-101)
No. C14	Lobbying Activities (WRD-213 – http://www.twdb.state.tx.us/pubs/wrd-213)
No. C15	Service provider contractors
No. C16	Enforcement Actions

Part D	**Engineering**
No. D1	Preliminary Engineering Feasibility Report (PEFR) and Budget (TWDB-1201 – http://www.twdb.state.tx.us/pubs/twdb-1201) EDAP Planning Phase – Facility Engineering Plan/Scope of Services (WRD-023A – http://www.twdb.state.tx.us/pubs/wrd-023a)
No. D1c	Project Draw Schedule (TWDB-1202 – http://www.twdb.state.tx.us/pubs/twdb-1202)
No. D2	Engineering Feasibility Report Water (TWDB-0555 – http://www.twdb.state.tx.us/pubs/twdb-0555) Wastewater (TWDB-0556 – http://www.twdb.state.tx.us/pubs/twdb-0556)
No. D3	Wastewater Project Information Form (WRD-253a – http://www.twdb.state.tx.us/pubs/wrd-253a)
No. D4	Water Project Information Form (WRD-253d – http://www.twdb.state.tx.us/pubs/wrd-253d)
No. D5	Preaward Compliance Review Report (EPA-4700-4 – http://www.twdb.state.tx.us/pubs/epa-4700-4)
No. D6	Certification Regarding Debarment, Suspension and Other Responsibility Requirements (SRF-404 – http://www.twdb.state.tx.us/pubs/srf-404)
No. D7	Plans and specs ▪ EDAP/CWTAP Special Contract (TWDB-0553– http://www.twdb.state.tx.us/pubs/twdb-0553) ▪ CWSRF Tier III and DWSRF (TWDB-0550 – http://www.twdb.state.tx.us/pubs/twdb-0550) ▪ CWSRF Tier II (TWDB-0551– http://www.twdb.state.tx.us/pubs/twdb-0551) ▪ State Loan Projects (TWDB-0552 – http://www.twdb.state.tx.us/pubs/twdb-0552)
No. D8	Texas Pollution Discharge Elimination System Permit
No. D10	Assurances – Construction Programs (EPA-424D–http://www.twdb.state.tx.us/pubs/epa-424d)
No. D12	Designated Management Agency (WRD-210–http://www.twdb.state.tx.us/pubs/wrd-210)
No. D13	EDAP applicants a. Inadequacy documentation b. Financial resources documentation d. Existence of residences prior to 06/01/2005
D14	Public health nuisance
No. D15	Plats
No. D16	PAD budget
Part E	**Environmental**
No. E2	Categorical Exclusion (CE) or a Finding of No Significant Impact (FONSI)
No. E3	TWDB affirmation resolution
No. E4	Environmental Impact Statement
No. E5	Record of Decision
No. E6	Categorical Exclusion
No. E7	Guidelines for Environmental Assessment (EA) or Environmental Information Document (EID)
No. E8	Additional Environmental Permits, Registrations, Licenses and Authorizations
No. E9	Social or environmental issues
Part F	**Planning and Water Conservation Plan**
No. F1	Two copies of the Water Conservation Plan (TWDB-1968 –http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-1968.pdf and WRD-264 – (http://www.twdb.state.tx.us/pubs/wrd-264)
No. F3	Water use surveys
No. F4	Water Loss Audit

Part G	**Green Projects**
No. G3	Business Case (TWDB-0161 – http://www.twdb.state.tx.us/pubs/twdb-0161)
Part H	**Disadvantaged Business Requirements** (TWDB-0210 - http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0210.pdf)
No. H1	Affirmative Steps Certification and Goals (TWDB-0215 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0215.pdf)
No. H2	Affirmative Steps Solicitation Report (TWDB-216 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0216.pdf)
No. H3	Prime Contractor Affirmative Steps Certification and Goals (TWDB-217 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0217.pdf)
No. H4	Loan/ Grant Participation Summary (TWDB-0373 – http://www.twdb.state.tx.us/financial/instructions/doc/TWDB-0373.pdf)

Part J. Guidance and Forms

Part A. **General Information**

No. A10
CWSRF – 31 TAC 375
DWSRF – 31 TAC 371)
EDAP and WIF - 31 TAC 363
http://www.twdb.state.tx.us/publications/rules.asp

Part E. **Environmental**

No.E6
State Programs - 31 TAC 363
Drinking Water State Revolving Fund - 31 TAC 371
Clean Water State Revolving Fund / Tier II - 31 TAC 375
Clean Water State Revolving Fund /Tier III - 31 TAC 375
http://www.twdb.state.tx.us/publications/rules.asp

No. E7
Guidelines for Environmental Assessment, Clean Water Tier II
(ED-001A - http://www.twdb.state.tx.us/pubs/ed-001a)
Clean Water EID Instructions
(SRF-099 - http://www.twdb.state.tx.us/pubs/srf-099)
Guidelines for Environmental Assessment, St. Participation, DFund, RWAF and WIF,
(ED-001B - http://www.twdb.state.tx.us/pubs/ed-001b)
Guidelines for Environmental Assessment, EDAP
(ED-001C - http://www.twdb.state.tx.us/pubs/ed-001c)
Drinking Water EID Instructions
(DW-001 - http://www.twdb.state.tx.us/pubs/dw-001)

Part G **Green Projects and Project Components**

Green Project Reserve: Guidance for determining project eligibility (TWDB-0161 - http://www.twdb.state.tx.us/pubs/twdb-0161)

ATTACHMENT

B4

Water & Wastewater Rate History

Wastewater Rates

	FY 2010	*FY 2011*	*FY 2012*
Deer Creek Rehab Facility – monthly minimum	$9,370	$9,280	$9,280
Blue Hole Regional Park – monthly minimum	N/A	N/A	$618
Cost/1000 gallons	$25.60	$23.32	$23.32

Water Rates *

Minimum Monthly	*FY 2010*	*FY 2011*	*FY 2012*
Charge By Meter Size			
5/8" x ¾"	$21.50	$24.50	$24.50
¾" Multi	$32.25	$35.25	$35.25
1"	$53.75	$56.75	$56.75
1 ½"	$107.50	$110.50	$110.50
2"	$172.00	$175.00	$175.00
3" Disp.	$193.50	$196.50	$196.50
3" Cmpd.	$344.00	$347.00	$347.00
3" Turb.	$376.25	$379.25	$379.25
4" Cmpd.	$537.50	$540.50	$540.50
4" Turb.	$645.00	$648.00	$648.00
6" Cmpd.	$1,075.00	$1,078.00	$1,078.00
6" Turb.	$1,343.75	$1,346.75	$1,346.75
8" Cmpd.	$1,720.00	$1,723.00	$1,723.00
Monthly Block Usage Rates	*FY 2010*	*FY 2011*	*FY 2012*
0-6,000 gallons	$2/1000 gallons	$3/1000 gallons	$3/1000 gallons
6,001 to 16,000	$3/1000 gallons	$4/1000 gallons	$4/1000 gallons
16,001 to 26,000	$4/1000 gallons	$5/1000 gallons	$5/1000 gallons
26,001 to 36,000	$5/1000 gallons	$6/1000 gallons	$6/1000 gallons
36,001 and over	$6/1000 gallons	$7/1000 gallons	$7/1000 gallons

* Rate information provided by Wimberley Water Supply Corporation

ATTACHMENT

B6

CITY OF WIMBERLEY, TEXAS

ANNUAL FINANCIAL AND COMPLIANCE REPORT

FOR THE YEAR ENDED SEPTEMBER 30, 2011

Singleton, Clark & Company, PC
Certified Public Accountants

930 S. Bell Blvd., Suite 105
Cedar Park, Texas 78613
Phone (512) 310-5600 Fax (512) 310-5689

CITY OF WIMBERLEY, TEXAS
ANNUAL FINANCIAL AND COMPLIANCE REPORT
FOR THE YEAR ENDED SEPTEMBER 30, 2011

TABLE OF CONTENTS

Exhibit		Page
	Independent Auditors' Report	1
	Management's Discussion and Analysis	2
	Basic Financial Statements	
	Government-wide Statements:	
A-1	Statement of Net Assets	8
B-1	Statement of Activities	9
	Governmental Fund Financial Statements:	
C-1	Balance Sheet	10
C-2	Reconciliation for C-1	12
C-3	Statement of Revenues, Expenditures, and Changes in Fund Balance	13
C-4	Reconciliation for C-3	15
C-5	Budgetary Comparison Schedule – General Fund	16
	Notes to the Financial Statements	17
	Other Information Required by GAO	
	Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*	23

SINGLETON, CLARK
& COMPANY, PC
CERTIFIED PUBLIC ACCOUNTANTS

930 S. Bell Blvd., Suite 105 Cedar Park, Texas 78613
Phone (512) 310-5600 Fax (512) 310-5689

Independent Auditors' Report

Honorable Mayor and City Council
City of Wimberley, Texas

Mayor and Members of the City Council:

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Wimberley, Texas (hereafter the "City") as of and for the year ended September 30, 2011, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City's administrators. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Wimberley, Texas, as of September 30, 2011, and the respective budgetary comparison for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Management's Discussion and Analysis on pages 2-7 of this report is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

In accordance with *Government Auditing Standards,* we have also issued our report dated January 25, 2012, on our consideration of the City's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

Singleton, Clark & Company, PC

Singleton, Clark & Company, PC
Cedar Park, Texas

January 25, 2012

THIS PAGE LEFT BLANK INTENTIONALLY

CITY OF WIMBERLEY, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS

MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the City of Wimberley's annual financial report presents our discussion and analysis of the financial performance of the City during the fiscal year ended September 30, 2011. Please read it in conjunction with the financial statements, which follow this section.

FINANCIAL HIGHLIGHTS

- For the year ended September 30, 2011, the City of Wimberley's General Fund realized a fund balance increase of $140,664 to end the year at $664,890. This increase is attributable, in part, to road reconstruction and maintenance costs coming in under estimated amounts during the year and realized revenues coming in over estimated amounts for the year.
- Total governmental-type funds (the General Fund plus the Municipal Court, Capital Projects, Sidewalks Donations, and the Blue Hole Park Funds) of the City of Wimberley reported an overall fund balance decrease of $252,970, to end at $1,039,299.
- The total cost of the City of Wimberley's programs and services was $861,678. This amount is inclusive of depreciation expense recorded on the City's capital assets.

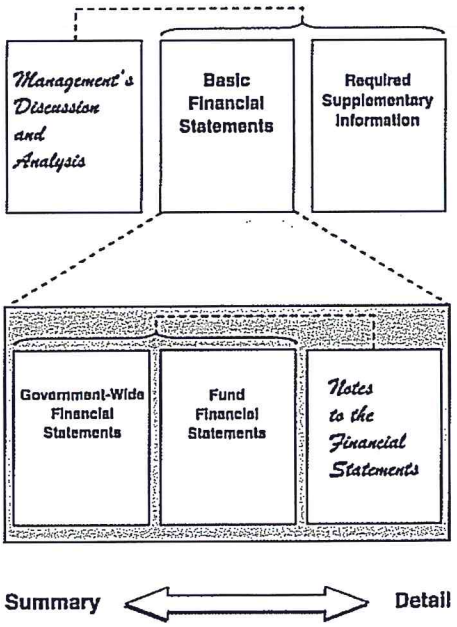
OVERVIEW OF THE FINANCIAL STATEMENTS

This annual report consists of three parts - *management's discussion and analysis* (this section), the *basic financial* statements, and *required supplementary information.* The basic financial statements include two types of statements that present different views of the City of Wimberley:

- The first two statements are government-wide financial statements that provide both long-term and short-term information about the City of Wimberley's overall financial status.
- The remaining statements are fund financial statements that focus on individual parts of the government, reporting the City of Wimberley's operations in more detail than the government-wide statements.
- The governmental funds statements tell how general government services were financed in the short-term as well as what remains for future spending.

The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of required supplementary information that further explains and supports the information in the financial statements. Figure A-1 shows how the required parts of this annual report are arranged and related to one another.

Figure A-1. Required Components of the City's Annual Financial Report



Government-wide Statements

The government-wide statements report information about the City of Wimberley as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Assets includes all of the government's assets and liabilities. All of the current year's revenues and expenses are accounted for in the Statement of Activities regardless of when cash is received or paid.

The two government-wide statements report the City of Wimberley's net assets and how they have changed. Net assets –the difference between the City's assets and liabilities– is one way to measure the City's of Wimberley's financial health or position. Over time, increases or decreases in the City's net assets are an indicator of whether its financial health is improving or deteriorating, respectively.

The government-wide financial statements of the City of Wimberley include the *governmental activities.* All of the City of Wimberley's basic services are included here, such as general government services, public safety, street repairs, and parks services. Sales taxes, franchise taxes, and user charges finance most of these activities.

FINANCIAL ANALYSIS OF THE CITY OF WIMBERLEY AS A WHOLE

Our analysis here focuses on the net assets (Table I) and changes in net assets (Table II) of the City's governmental activities.

Table I
City of Wimberley's Net Assets

	Governmental Activities		
	2011	2010	Change
Assets:			
Current and other assets	$ 1,135,943	$ 1,462,343	$ (326,400)
Capital assets	8,819,652	6,773,831	2,045,821
Total Assets	$ 9,955,596	$ 8,236,174	$ 1,719,422
Liabilities:			
Current liabilities	$ 112,592	$ 184,355	$ (71,763)
Total Liabilities	112,592	184,355	(71,763)
Net Assets:			
Invested in capital assets, net of debt	8,819,652	6,773,831	2,045,821
Restricted	253,523	596,753	(343,230)
Unrestricted	769,828	681,235	88,593
Total Net Assets	$ 9,843,004	$ 8,051,819	$ 1,791,185

FINANCIAL ANALYSIS OF THE CITY OF WIMBERLEY AS A WHOLE (continued)

Table II
City of Wimberley's Changes in Net Assets

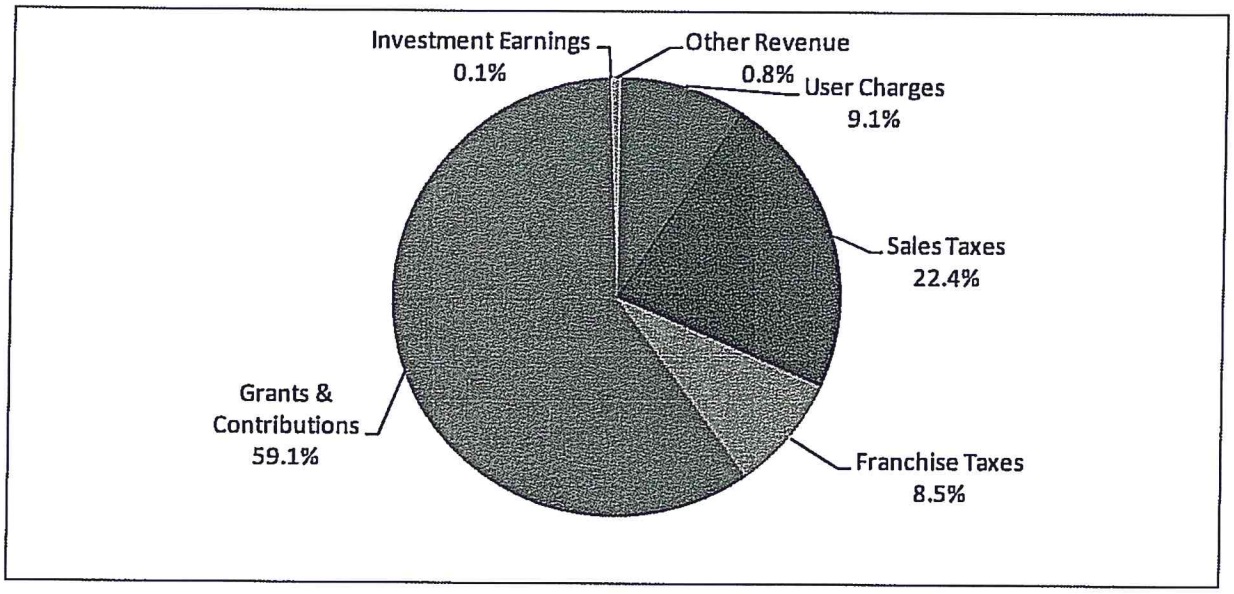
	Governmental Activities		
	2011	2010	Change
Revenues			
Program Revenues:			
Charges for services	$ 242,309	$ 213,532	$ 28,777
Operating and capital grants	1,293,177	500,000	793,177
General Revenues:			
Sales taxes	594,429	561,292	33,137
Franchise taxes	224,573	220,799	3,774
Grants & contributions/unrestricted	274,574	-	274,574
Investment earnings	3,105	4,871	(1,766)
Other	20,694	22,696	(2,002)
Total Revenues	2,652,862	1,523,190	1,129,672
Expenses			
General government	407,711	431,288	(23,577)
Public safety	33,296	22,570	10,726
Public works	152,586	245,282	(92,695)
Highways and streets	45,408	95,621	(50,213)
Parks and recreation	222,676	156,513	66,163
Total Expenses	861,678	951,273	(89,596)
Gain/loss on sale of assets	-	(7,658)	7,658
Change in net assets	1,791,184	564,259	1,226,925
Beginning net assets	8,051,819	7,487,560	564,259
Ending Net Assets	$ 9,843,004	$ 8,051,819	$ 1,791,184

FINANCIAL ANALYSIS OF THE CITY OF WIMBERLEY AS A WHOLE (continued)

Governmental Activities

As indicated by the chart below, the City of Wimberley's revenue stream for Fiscal Year 2010/2011 was composed of various sources. Major revenue sources were sales taxes (22.4%) and grants/contributions (59.1%). Other sources of revenues were franchise taxes (8.5%), user charges (9.1%), and investment earnings (0.1%) and other miscellaneous revenue (0.8%). The City did not levy or collect a property tax for Fiscal Year 2010-2011.

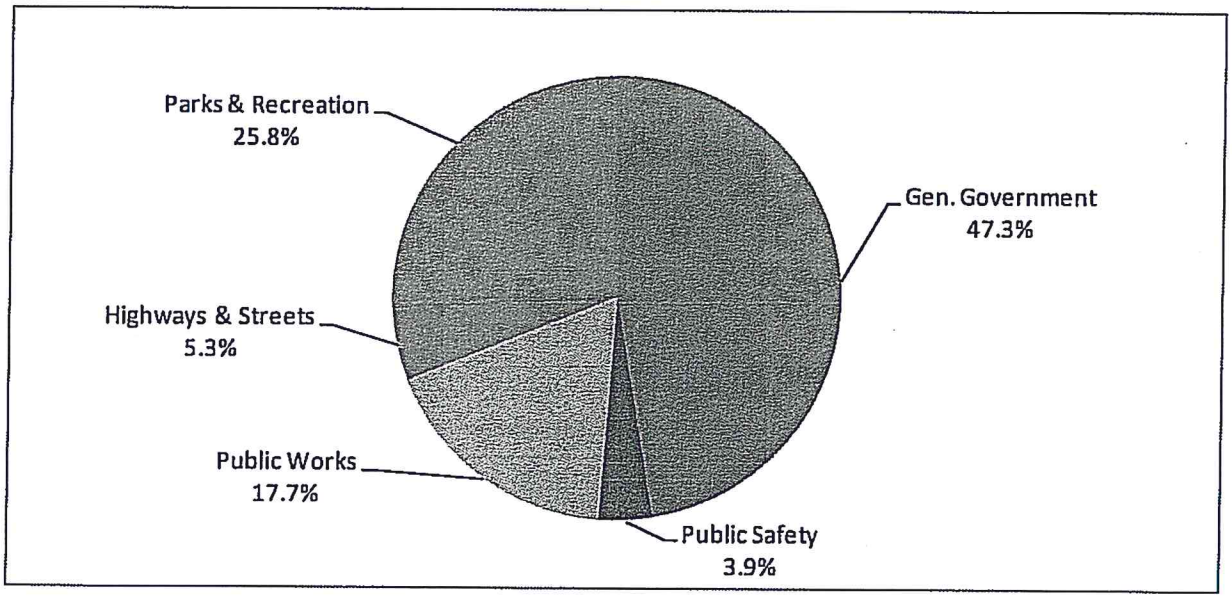
FY 2010-2011 Revenues



Departmental Expenses

The City of Wimberley's various departmental expenses totaled $861,678 for the year ended September 30, 2011. The percentage distribution by department is illustrated in the table below.

FY 2010-2011 Expenditures



Financial Analysis of Governmental Funds

Fund balance of the General Fund increased during the year by $140,664. This change reflects the effects of purchases of capital assets, revenues being realized approximately 3.0% over budgeted amounts, and expenditures arriving approximately 12.2% under budget.

In addition to the General Fund, the City maintains four special revenue funds; the Municipal Court Fund, the Capital Projects Fund, the Sidewalks Donations Fund, and the Blue Hole Park Fund. These separate funds are maintained to segregate the financial transactions of the activities accounted for in those funds.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At the end of Fiscal Year 2011, the City of Wimberley had invested approximately $8.82 million in a broad range of capital assets, including land, buildings, roads, and equipment. (See table below) This amount is net of accumulated depreciation and represents an increase of $2,045,821 over the prior year. The increase in capital asset balances over the prior year is primarily due to construction in progress for the year at the Blue Hole Park, as well as the addition of new infrastructure.

Table III
City of Wimberley's Capital Assets
Net of Depreciation

Capital Assets	2011	2010	Change
Land	$ 3,391,499	$ 3,391,499	$ -
Buildings and improvements	2,646,669	2,646,669	-
Infrastructure	543,473	386,355	157,118
Furniture, equipment, and vehicles	145,908	138,859	7,049
Construction in progress	2,650,418	662,454	1,987,964
Total at historical cost	9,377,967	7,225,836	2,152,131
Less accumulated depreciation	(558,315)	(452,005)	(106,310)
Net capital assets	$ 8,819,652	$ 6,773,831	$ 2,045,821

Long-Term Debt

The City had no outstanding long-term debt during Fiscal Year 2011.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The City's elected and appointed officials considered many factors when setting the Fiscal Year 2012 Budget and fees to be charged. One of the major factors was the unstable economy. As a result of the financial challenges facing all municipalities, the City established a Fiscal Year 2012 Budget designed to maintain financial stability, along with the City's lean community services minded organization, a competitively paid staff and investments in capital outlay. The Fiscal Year 2012 Budget is $976,200. This represents an increase of $7,878, less than 1% more than the adopted budget for the previous fiscal year.

THIS PAGE LEFT BLANK INTENTIONALLY

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES (continued)

Professional service contracts for the cost of legal services have been increased to meet projected demands associated with the City's municipal court operation. Fiscal Year 2012 projected capital outlay expenses include costs projected for a city vehicle to be used by the City Marshall.

In the absence of a property tax, the General Fund's largest single revenue source is sales taxes which represent 55 percent of the total General Fund budgeted revenues for Fiscal Year 2012. The City collects a 1% sales tax on all taxable goods in the City. Projected sales tax revenue for Fiscal Year 2012 is $535,000 – consistent with budgeted amounts from the previous fiscal year.

CONTACTING THE CITY OF WIMBERLEY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, and investors and creditors with a general overview of the City of Wimberley's finances and to demonstrate the City of Wimberley's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the City of Wimberley's Administrator, Don Ferguson at 512-847-0025. You may also visit the City of Wimberley's website at www.vil.wimberley.tx.us.

THIS PAGE LEFT BLANK INTENTIONALLY

GOVERNMENT-WIDE STATEMENTS

EXHIBIT A-1

CITY OF WIMBERLEY, TEXAS
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2011

	Primary Government Governmental Activities
ASSETS	
Cash and Cash Equivalents	$ 1,034,352
Receivables (net of allowance for uncollectibles)	101,592
Capital Assets:	
Land	3,391,499
Infrastructure, net	466,344
Buildings, net	2,297,656
Machinery and Equipment, net	13,736
Construction in Progress	2,650,418
Total Assets	$ 9,955,596
LIABILITIES	
Accounts Payable	$ 96,643
Compensated Absences Payable	15,949
Total Liabilities	112,592
NET ASSETS	
Invested in Capital Assets, Net of Related Debt	8,819,652
Restricted For:	
Restricted for Soccer Fields	109,279
Restricted for Capital Projects	144,245
Unrestricted Net Assets	769,828
Total Net Assets	$ 9,843,004

The notes to the Financial Statements are an integral part of this statement.

EXHIBIT B-1

CITY OF WIMBERLEY, TEXAS
STATEMENT OF ACTIVITIES
SEPTEMBER 30, 2011

	Expenses	Program Revenues: Charges for Services	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue & Changes in Net Assets: Primary Government Governmental Activities
Primary Government				
GOVERNMENTAL ACTIVITIES:				
General Government	$ 407,711	$ 200,026	$ -	$ (207,686)
Public Safety	33,296	-	-	(33,296)
Public Works	152,586	-	-	(152,586)
Highways and Streets	45,408	-	-	(45,408)
Culture and Recreation	222,676	42,284	1,293,177	1,112,785
TOTAL PRIMARY GOVERNMENT:	$ 861,678	$ 242,309	$ 1,293,177	673,809
General Revenues:				
Taxes:				
Sales Taxes				594,429
Franchise Taxes				224,573
Grants & Contributions Not Restricted				274,574
Miscellaneous Revenues				20,694
Investment Earnings				3,105
Total General Revenues				1,117,375
Change in Net Assets				1,791,184
Net Assets - Beginning				8,051,819
Net Assets - Ending				$ 9,843,004

The notes to the Financial Statements are an integral part of this statement.

THIS PAGE LEFT BLANK INTENTIONALLY

FUND BASIS STATEMENTS

CITY OF WIMBERLEY, TEXAS
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2011

	General Fund	Sidewalks Donations Fund	Blue Hole Park Fund	Municipal Court Fund
ASSETS				
Cash and Cash Equivalents	$ 654,500	$ 5,001	$ 126,703	$ 1,256
Receivables (Net)	101,592	-	-	-
Due from Other Funds	-	-	444	-
Total Assets	$ 756,092	$ 5,001	$ 127,147	$ 1,256
LIABILITIES & FUND BALANCES				
Liabilities:				
Accounts Payable	$ 77,298	$ -	$ 2,357	$ -
Wages and Salaries Payable	13,460	-	2,662	-
Due to Other Funds	444	-	2,500	-
Total Liabilities	91,202	-	7,519	-
Fund Balances:				
Restricted For:				
Capital Projects	-	5,001	-	-
Soccer Fields	-	-	-	-
Committed For:				
Public Works	265,956	-	-	-
Future Grant Matches	166,223	-	-	-
Wastewater Improvements	232,711	-	-	-
Parks	-	-	119,628	-
Municipal Court	-	-	-	1,256
Total Fund Balances	664,890	5,001	119,628	1,256
Total Liabilities & Fund Balances	$ 756,092	$ 5,001	$ 127,147	$ 1,256

The notes to the Financial Statements are an integral part of this statement.

Capital Projects Fund	Total Governmental Funds
$ 246,891	$ 1,034,351
-	101,592
2,500	2,944
$ 249,391	$ 1,138,887
$ 868	$ 80,523
-	16,122
-	2,944
868	99,589
139,244	144,245
109,279	109,279
-	265,956
-	166,223
-	232,711
-	119,628
-	1,255
248,523	1,039,298
$ 249,391	$ 1,138,887

THIS PAGE LEFT BLANK INTENTIONALLY

CITY OF WIMBERLEY, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE STATEMENT OF NET ASSETS
FOR THE YEAR ENDED SEPTEMBER 30, 2011

Total Fund Balances - Governmental Funds	$ 1,039,298
Capital assets used in governmental activities are not financial resources and therefore are not reported in governmental funds. At the beginning of the year, the cost of these assets was $7,225,836 and the accumulated depreciation was $452,005. In addition, long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported as liabilities in the funds. The net effect of including the beginning balances for capital assets (net of depreciation) and long-term debt in the governmental activities is to increase (decrease) net assets.	6,773,831
Current year capital outlays and long-term debt principal payments are expenditures in the fund financial statements, but they should be shown as increases in capital assets and reductions in long-term debt in the government-wide financial statements. The net effect of including the 2011 capital outlays and debt principal payments is to increase (decrease) net assets.	2,152,131
The 2011 depreciation expense increases accumulated depreciation. The net effect of the current year's depreciation is to decrease net assets.	(106,310)
Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to the accrual basis of accounting. These include recognizing deferred revenue as revenue, eliminating interfund transactions, reclassifying the proceeds of bond sales as an increase in bonds payable, and recognizing the liabilities associated with maturing long-term debt and interest. The net effect of these reclassifications and recognitions is to increase (decrease) net assets.	(15,947)
Net Assets of Governmental Activities	$ 9,843,004

The notes to the Financial Statements are an integral part of this statement.

CITY OF WIMBERLEY, TEXAS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2011

	General Fund	Sidewalks Donations Fund	Blue Hole Park Fund	Municipal Court Fund
REVENUES				
Taxes:				
General Sales & Use Taxes	$ 594,429	$ -	$ -	$ -
Franchise Tax	224,573	-	-	-
Licenses and Permits	42,284	-	-	-
Intergovernmental Revenue & Grants	-	-	-	-
Charges for Services	26,977	-	129,617	-
Fines	87	-	-	-
Investment Earnings	1,774	1	488	-
Contributions & Donations/Private Sources	20	5,000	-	-
Other Revenue	64,038	-	-	-
Total Revenues	954,182	5,001	130,105	-
EXPENDITURES				
Current:				
General Government	479,666	-	-	-
Public Safety	29,118	-	-	-
Public Works	144,284	-	-	-
Culture and Recreation	3,331	-	85,913	-
Capital Outlay	157,119	-	7,049	-
Total Expenditures	813,518	-	92,962	-
Excess (Deficiency) of Revenues Over (Under) Expenditures	140,664	5,001	37,143	-
OTHER FINANCING SOURCES (USES)				
Transfers In	-	-	-	-
Transfers Out (Use)	-	-	(234,250)	-
Total Other Financing Sources (Uses)	-	-	(234,250)	-
Net Change in Fund Balances	140,664	5,001	(197,107)	-
Fund Balance - Oct 1 (Beginning)	524,226	-	316,735	1,256
Fund Balance - Sept 30 (Ending)	$ 664,890	$ 5,001	$ 119,628	$ 1,256

The notes to the Financial Statements are an integral part of this statement.

Capital Projects Fund	Total Governmental Funds
$ -	$ 594,429
-	224,573
-	42,284
1,293,177	1,293,177
-	156,594
-	87
842	3,105
269,554	274,574
-	64,038
1,563,573	2,652,861
-	479,666
-	29,118
-	144,284
11,388	100,632
1,987,964	2,152,131
1,999,352	2,905,831
(435,779)	(252,970)
234,250	234,250
-	(234,250)
234,250	-
(201,529)	(252,970)
450,052	1,292,269
$ 248,523	$ 1,039,299

THIS PAGE LEFT BLANK INTENTIONALLY

CITY OF WIMBERLEY, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED SEPTEMBER 30, 2011

Total Net Change in Fund Balances - Governmental Funds	$ (252,970)
Current year capital outlays and long-term debt principal payments are expenditures in the fund financial statements, but they should be shown as increases in capital assets and reductions in long-term debt in the government-wide financial statements. The net effect of removing the 2011 capital outlays and debt principal payments is to increase (decrease) net assets.	2,152,131
Depreciation is not recognized as an expense in governmental funds since it does not require the use of current financial resources. The net effect of the current year's depreciation is to decrease net assets.	(106,310)
Various other reclassifications and eliminations are necessary to convert from the modified accrual basis of accounting to the accrual basis of accounting. These include recognizing deferred revenue as revenue, adjusting current year revenue to show the revenue earned from the current year's tax levy, eliminating interfund transactions, reclassifying the proceeds of bond sales, and recognizing the liabilities associated with maturing long-term debt and interest. The net effect of these reclassifications and recognitions is to increase (decrease) net assets.	(1,666)
Change in Net Assets of Governmental Activities	$ 1,791,184

The notes to the Financial Statements are an integral part of this statement.

THIS PAGE LEFT BLANK INTENTIONALLY

CITY OF WIMBERLEY, TEXAS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2011

	Budgeted Amounts		Actual Amounts (GAAP Basis)	Variance With
	Original	Final	General Fund	Final Budget
REVENUES				
Taxes:				
General Sales and Use Taxes	$ 532,300	$ 585,000	$ 594,429	$ 9,429
Franchise Tax	235,000	205,884	224,573	18,689
Licenses and Permits	21,338	42,035	42,284	249
Charges for Services	52,000	27,021	26,977	(44)
Fines	30,000	87	87	-
Investment Earnings	5,000	1,750	1,774	24
Contributions & Donations/Private Sources	-	20	20	-
Other Revenue	92,684	64,442	64,038	(404)
Total Revenues	968,322	926,239	954,182	27,943
EXPENDITURES				
Current:				
General Government	487,401	485,873	479,666	6,207
Public Safety	52,100	29,500	29,118	382
Public Works	213,501	166,466	144,284	22,182
Culture and Recreation	7,500	4,000	3,331	669
Capital Outlay	207,820	240,400	157,119	83,281
Total Expenditures	968,322	926,239	813,518	112,721
Net Change	-	-	140,664	140,664
Fund Balance - Oct 1 (Beginning)	524,226	524,226	524,226	-
Fund Balance - Sept 30 (Ending)	$ 524,226	$ 524,226	$ 664,890	$ 140,664

The notes to the Financial Statements are an integral part of this statement.

THIS PAGE LEFT BLANK INTENTIONALLY

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. REPORTING ENTITY

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

The City prepares its basic financial statements in conformity with generally accepted accounting principles promulgated by the Governmental Accounting Standards Board and other authoritative sources identified in Statement on Auditing Standards No. 69 of the American Institute of Certified Public Accountants; and it complies with the requirements of the appropriate version of Texas's uniform accounting requirements and the requirements of contracts and grants of agencies from which it receives funds.

The City is a financial reporting entity as defined by the Governmental Accounting Standards Board ("GASB") in its Statement No. 14, "The Financial Reporting Entity." In addition, component units which may be included are organizations for which the nature and the significance of their operational or financial relationship with the City are such that the exclusion would cause the City's financial statements to be misleading or incomplete.

Based upon the foregoing criteria, no component units were required to be included within the financial statements of the City.

B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The Statement of Net Assets and the Statement of Activities are government-wide financial statements. They report information on all of the City's activities with most of the interfund activities removed. Governmental activities include programs supported primarily by taxes, grants, and other intergovernmental revenues. The Statement of Activities demonstrates how other people or entities that participate in programs the City operates have shared in the payment of the direct costs. The "charges for services" column includes payments made by parties that purchase, use, or directly benefit from goods or services provided by a given function or segment of the City. The "grants and contributions" column include amounts paid by organizations outside the City to help meet the operational or capital requirements of a given function. If a revenue is not a program revenue, it is a general revenue used to support all of the City's functions. Taxes are always general revenues.

Interfund activities between governmental funds appear as due to/due from on the governmental fund Balance Sheet and as other resources and other uses on the governmental fund Statement of Revenues, Expenditures and Changes in Fund Balances. All interfund transactions between governmental funds are eliminated on the government-wide statements.

The fund financial statements provide reports on the financial condition and results of operations for governmental funds. The City considers some governmental funds major and reports their financial condition and results of operations in a separate column.

C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION

The government-wide financial statements use the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements use the current financial resources measurement focus and the modified accrual basis of accounting. With this measurement focus, only current assets, current liabilities and fund balances are included on the balance sheet. Operating statements of these funds present net increases and decreases in current assets (i.e., revenues and other financing sources and expenditures and other financing uses).

The modified accrual basis of accounting recognizes revenues in the accounting period in which they become both measurable and available, and it recognizes expenditures in the accounting period in which the fund liability is incurred, if measurable, except for the unmatured interest and principal on long-term debt, which is recognized when due. The expenditures related to claims and judgments are recognized when the obligations are expected to be liquidated with expendable available financial resources.

Miscellaneous revenues are recorded as revenue when received in cash because they are generally not measurable until actually received. Investment earnings are recorded as earned, since they are both measurable and available. Grant funds are considered to be earned to the extent of expenditures made under provisions of the grant. Accordingly, when such funds are received, they are recorded as deferred revenues until related and authorized expenditures have been made. If balances have not been expended by the end of the project period, grantors sometimes require the City to refund all or part of the unused amount.

D. FUND ACCOUNTING

Basis of Accounting

The accounts of the City are organized on the basis of funds or account groups, each of which is considered to be a separate fiscal and accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts recording cash and other financial resources together with all related liabilities and residual equities or balances and changes therein. They are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with specific regulations, restrictions, or limitations.

The City reports the following major governmental funds:

- General Fund – The General Fund is the primary operating fund of the City. It accounts for all financial resources except those required to be accounted for in another fund.
- Municipal Court Fund – This fund is used to account for the proceeds of revenue sources that are legally restricted to expenditures for the Municipal Court.
- Blue Hole Fund – This fund is used to account for the proceeds of revenue sources that are legally restricted to expenditures for the Blue Hole Park and for accounting for this park's general operations.

- Sidewalks Donations Fund – This fund is used to account for donations made to the city to contribute to the costs required to complete the sidewalk capital project in downtown along Ranch Road 2325.

- Capital Projects Fund – This fund is used to account for the activity related to the Blue Hole Park improvements.

E. OTHER ACCOUNTING POLICIES

Capital Assets

Capital assets, which include land, buildings and improvements, furniture and equipment, and infrastructure, are reported in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than $1,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Infrastructure and machinery and equipment of the City are depreciated using the straight-line method over the following estimated useful lives:

Asset	Years
Buildings	20-40
Infrastructure	40
Machinery and Equipment	5

Fund Balances

Only restrictions imposed by external sources are shown as restricted fund balance in the fund basis financial statements and as restricted net assets on the government-wide financial statements. Classification of fund balance restraints imposed by the reporting government itself, whether by administrative policy or legislative action of the reporting government, are shown in aggregate on the governmental fund financial statements as committed fund balance. Committed fund balance includes amounts that can be used only for the specific purposes determined by a formal action of the City Council, the government's highest level of decision-making authority. A formal action would also be required to modify or rescind an established commitment. Assigned fund balance amounts are intended to be used by the government for specific purposes but do not meet the criteria to be restricted or committed. Assigned fund balance represents the remaining amount that is not restricted or committed in governmental funds other than the general fund, where it is classified as unassigned. Assigned fund balance is expressed by the direction of the City Council or other individual with the authority to assign amounts to be used for specific purposes. Nonspendable fund balance represents amounts that are nonspendable such as inventories and prepaid expenditures.

II. DETAILED NOTES ON ALL FUNDS

A. DEPOSITS AND INVESTMENTS

Legal and Contractual Provisions Governing Deposits and Investments

The funds of the City must be deposited and invested under the terms of a contract, contents of which are set out in the Depository Contract Law. The depository bank places approved pledged securities for safekeeping and trust with the City's agent bank in an amount sufficient to protect City funds on a day-to-day basis during the period of the contract. The pledge of approved securities is waived only to the extent of the depository bank's dollar amount of Federal Deposit Insurance Corporation ("FDIC") insurance.

At September 30, 2011, the carrying amount of the City's deposits (cash, certificates of deposit, money market, and interest-bearing savings accounts included in temporary investments) was $748,471, and the bank balance was $752,040.

The Public Funds Investment Act (Government Code Chapter 2256) contains specific provisions in the areas of investment practices, management reports and establishment of appropriate policies. Among other things, it requires the City to adopt, implement, and publicize an investment policy. That policy must address the following areas: (1) safety of principal and liquidity, (2) portfolio diversification, (3) allowable investments, (4) acceptable risk levels, (5) expected rates of return, (6) maximum allowable stated maturity of portfolio investments, (7) maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio, (8) investment staff quality and capabilities, (9) and bid solicitation preferences for certificates of deposit. Statutes authorize the City to invest in (1) obligations of the U.S. Treasury, certain U.S. agencies, and the State of Texas; (2) certificates of deposit, (3) certain municipal securities, (4) money market savings accounts, (5) repurchase agreements, (6) bankers acceptances, (7) mutual funds (8) investment pools, (9) guaranteed investment contracts, (10) and common trust funds. The Act also requires the City to have independent auditors perform test procedures related to investment practices as provided by the Act. The City is in substantial compliance with the requirements of the Act and with local policies. The City's investments at September 30, 2011 were as follows:

Investment	Carrying Amount	Fair Value
TexPool	$ 285,881	$ 285,881
Ozona Bank CD	227,052	227,052
Total Investments	$ 512,933	$ 512,933

Policies Governing Deposits and Investments

In compliance with the Public Funds Investments Act, the City has adopted a deposit and investment policy. That policy addresses the following risks:

Custodial Credit Risk – Deposits: This is the risk that in the event of bank failure, the City's deposits may not be returned to it. The City was not exposed to custodial credit risk since its deposits, at year-end and during the year ended September 30, 2011, were covered by depository insurance or by pledged collateral held by the City's agent bank in the City's name.

Custodial Credit Risk – Investments: This is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. Investments are subject to custodial credit risk only if they are evidenced by securities that exist in physical or book entry form. Thus positions in external investment pools are not subject to custodial credit risk because they are not evidenced by securities that exist in physical or book entry form.

Other Credit Risk: There is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. To minimize credit risk, investment policies of the City's investment pools allow the portfolio's investment manager to only invest in obligations of the U.S. Government, its agencies; repurchase agreements; and no-load AAAm money market mutual funds registered with the SEC. As of September 30, 2011, TexPool's investment credit quality rating was AAAm (Standard & Poor's).

B. INTERFUND BALANCES AND TRANSFERS

Short-term advances between funds are recorded as a receivable (Due From) and payable (Due To) between the funds involved in the transaction. As of September 30, 2011 the General Fund had a recorded Due To amount of $444 to the Blue Hole Park Fund, and the Blue Hole Park fund had a recorded Due To amount of 2,500 to the Capital Projects Fund.

During the year the Blue Hole Park Fund transferred $234,250 to the Capital Projects fund.

C. CAPITAL ASSETS

Capital asset activity for City of Wimberley for the year ended September 30, 2011 was as follows:

	Balance 9/30/10	Additions	Retirements	Balance 09/30/11
Governmental Activities:				
Land	$ 3,391,499	$ -	$ -	$ 3,391,499
Buildings and Improvements	2,646,669	-	-	2,646,669
Infrastructure	386,355	157,118	-	543,473
Machinery and Equipment	138,859	7,049	-	145,908
Construction in Progress	662,454	1,987,964	-	2,650,418
Totals at Historical Cost	7,225,836	2,152,131	-	9,377,967
Less Accumulated Depreciation	(452,005)	(106,310)	-	(558,315)
Governmental Activities Capital Assets, Net	$ 6,773,831	$ 2,045,821	$ -	$ 8,819,652

THIS PAGE LEFT BLANK INTENTIONALLY

Depreciation expense was charged to general government departments as follows:

Department	Allocated Depreciation Amount
General Government	$ 67,657
Public Safety	4,107
Public Works	20,352
Culture and Recreation	14,194
Total	$ 106,310

D. RISK MANAGEMENT

A public entity risk pool is a cooperative group of governmental entities joining together to finance an exposure, liability, or risk. The City participates in the Texas Municipal League Risk Pool, a risk-sharing pool for property, liability, and worker's compensation, wherein member cities pool risks and funds and share in the costs of losses. Claims against the City are expected to be paid by that public entity risk pool. Should the risk pool become insolvent, or otherwise unable to pay claims, the City may have to pay the claims. There were no significant reductions in insurance coverage or insurance settlements exceeding insurance coverage during each of the past three years.

E. LITIGATION

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

F. SUBSEQUENT EVENTS

On September 27, 2011, the City of Wimberley signed an agreement with the Guadalupe-Blanco River Authority ("GBRA") to purchase and take ownership of the GBRA wastewater plant located within the City. The agreement specifies that a transfer date of ownership will occur on January 1, 2012. The City will provide eight annual payments of $31,250 for a total of $250,000 to GBRA as consideration for the wastewater plant. The City will make the first payment of $31,250 on the transfer date of January 1, 2012 and then each January 1st through 2019.

THIS PAGE LEFT BLANK INTENTIONALLY

OTHER INFORMATION REQUIRED BY GAO

THIS PAGE LEFT BLANK INTENTIONALLY

SINGLETON, CLARK
& COMPANY, PC
CERTIFIED PUBLIC ACCOUNTANTS
930 S. Bell Blvd., Suite 105 Cedar Park, Texas 78613
Phone (512) 310-5600 Fax (512) 310-5689

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

Honorable Mayor and City Council
City of Wimberley, Texas

Mayor and Members of the City Council:

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Wimberley, Texas (hereafter "the City") as of and for the year ended September 30, 2011 and have issued our report thereon dated January 25, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency or combination of control deficiencies that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency or combination of significant deficiencies that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we considered to be material weaknesses as defined above.

THIS PAGE LEFT BLANK INTENTIONALLY

Compliance and Other Matters

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

This report is intended for the information of the Mayor, City Council, and the City administrators, and is not intended to be used and should not be used by anyone other than these specified parties.

Singleton, Clark & Company, PC

Singleton, Clark & Company, PC
Cedar Park, Texas

January 25, 2012

ATTACHMENT

B8

ORDINANCE NO. 2010-014

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

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

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

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

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

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

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

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

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

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

I. FINDINGS OF FACT

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

II. AMENDMENT

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

"§ 50.63 CONNECTION TO THE SEWER SYSTEM REQUIRED.

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

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

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

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

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

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

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

III. SEVERABILITY

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

IV. EFFECTIVE DATE

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

V. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED ON FIRST READING this 15th day of April, 2010, by a 3 (Ayes) 1 (Nays) 1 (Abstain) vote of the City Council of the City of Wimberley, Texas.

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

CITY OF WIMBERLEY

By: _____
Tom Haley, Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

ATTACHMENT

B11

Direct & Overlapping Tax Rate Table

Taxing Jurisdiction	Total G.O. Funded Tax Debt 9/30/2012	Estimated % Applicable	City's Overlapping G.O. Tax Debt As of 9/30/2012
City of Wimberley	$ - (1)	100.00%	$ 0 (1)
Hays County	283,230,000	3.88%	10,989,324
Hays County ESD #4	-	100.00%	-
Hays County ESD #7	-	100.00%	-
Hays County ESD #3	-	3.00%	-
Wimberley ISD	35,311,304	36.77%	12,983,966
Total Direct and Overlapping G.O. Debt			$ 23,973,290

Ratio of Direct and Overlapping G.O. Debt to Taxable Assessed Valuation 5.42%

Per Capita Overlapping G.O. Debt . . . . . $ 9,129

ATTACHMENT

B13

Tax Assessed Values Comparison

	Taxable Appraised Value for Fiscal Year Ended September 30,					
	2013		2012		2011	
Category	Amount	% of Total	Amount	% of Total	Amount	% of Total
Real, Residential Single Family	$ 327,422,794	71.61%	$ 322,895,634	71.06%	$ 317,872,134	70.56%
Real, Residential Multi-Family	2,403,510	0.53%	2,149,060	0.47%	2,149,060	0.48%
Real, Vacant Lots/Tracts	33,650,410	7.36%	34,012,510	7.49%	34,205,150	7.59%
Real, Acreage (Land Only)	22,477,891	4.92%	23,748,701	5.23%	23,693,881	5.26%
Real, Farm and Ranch Improvements	11,834,030	2.59%	11,761,240	2.59%	12,547,760	2.79%
Real, Commercial and Industrial	44,789,790	9.80%	45,158,560	9.94%	44,489,590	9.88%
Real and Tangible Personal, Utilities	3,277,472	0.72%	3,291,089	0.72%	2,768,480	0.61%
Tangible Personal, Commercial and Industrial	10,918,107	2.39%	10,874,447	2.39%	12,142,843	2.70%
Tangible Personal, Mobile Homes	319,990	0.07%	321,390	0.07%	304,320	0.07%
Real Property, Inventory	122,930	0.03%	179,270	0.04%	299,600	0.07%
Special Inventory	-	0.00%	-	0.00%	-	0.00%
Total Appraised Value Before Exemptions	$ 457,216,924	100.00%	$ 454,391,901	100.00%	$ 450,472,818	100.00%
Less: Total Exemptions/Reductions	(18,214,337)		(19,175,090)		(20,957,623)	
Taxable Assessed Value	$ 439,002,587		$ 435,216,811		$ 429,515,195	

	Taxable Appraised Value for Fiscal Year Ended September 30,			
	2010		2009	
Category	Amount	% of Total	Amount	% of Total
Real, Residential Single Family	$ 312,764,984	70.51%	$ 300,077,995	70.77%
Real, Residential Multi-Family	2,255,460	0.51%	2,316,340	0.55%
Real, Vacant Lots/Tracts	34,376,090	7.75%	32,817,800	7.74%
Real, Acreage (Land Only)	23,287,891	5.25%	21,008,640	4.95%
Real, Farm and Ranch Improvements	12,152,420	2.74%	11,334,580	2.67%
Real, Commercial and Industrial	44,467,160	10.03%	42,012,140	9.91%
Real and Tangible Personal, Utilities	2,020,030	0.46%	1,905,420	0.45%
Tangible Personal, Commercial and Industrial	11,473,960	2.59%	11,655,974	2.75%
Tangible Personal, Mobile Homes	388,400	0.09%	397,350	0.09%
Real Property, Inventory	359,530	0.08%	504,050	0.12%
Special Inventory	-	0.00%	-	0.00%
Total Appraised Value Before Exemptions	$ 443,545,925	100.00%	$ 424,030,289	100.00%
Less: Total Exemptions/Reductions	(21,524,064)		(21,415,282)	
Taxable Assessed Value	$ 422,021,861		$ 402,615,007	

ATTACHMENT

B15

City of Wimberley, Texas
Revenue & Tax Based Proforma

Fiscal Year Ending 9/30	Impact Fee Revenues	Utility Base Rate Revenues	Utility Volumetric Rate Revenues	Total Combined Utility Revenues	MMD Taxable Valuation	MMD I&S Tax Rate per $100	MMD Ad Valorem Tax Revenue @ 90% Collection	City Contribution	Minus: Projected Maintenance & Operations Expenses	**Total Revenue Available for Debt Service**	Existing Debt Service	Plus: $650,000 TWDB Series 2013 PAD loan	Projected Coverage
2014	$ 40,762	$ 80,901	$ 130,080	$ 251,744	$ 28,909,435	$ 0.3153	$ 82,036	$ 100,000	$ (146,521)	**$ 287,259**	$ -	$ 69,750	411.84%
2015	37,057	80,901	130,080	248,038	28,909,435	0.3153	82,036	100,000	(146,521)	**283,553**	-	68,850	411.84%
2016	43,426	82,191	130,122	255,738	29,817,630	0.3153	84,613	100,000	(146,737)	**293,615**	-	72,950	402.49%
2017	43,426	83,480	130,163	257,069	30,725,824	0.3153	87,191	100,000	(146,953)	**297,307**	-	71,975	413.07%
2018	43,426	84,769	130,204	258,400	31,634,019	0.3153	89,768	100,000	(147,168)	**301,000**	-	71,000	423.94%
2019	46,497	86,520	130,261	263,277	32,542,213	0.3153	92,345	100,000	(147,483)	**308,140**	-	70,025	440.04%
2020	46,497	88,271	130,317	265,085	33,450,408	0.3153	94,922	100,000	(147,797)	**312,209**	-	69,050	452.15%
2021	46,497	90,022	130,373	266,892	34,358,602	0.3153	97,499	100,000	(148,112)	**316,279**	-	68,075	464.60%
2022	9,440	91,773	130,430	231,642	35,266,797	0.3153	100,077	100,000	(148,427)	**283,292**	-	72,100	392.92%
2023	9,440	93,523	130,486	233,450	36,174,991	0.3153	102,654	100,000	(148,741)	**287,362**	-	71,050	404.45%
2024	15,581	96,197	130,573	242,351	37,083,186	0.3153	105,231	100,000	(149,254)	**298,327**	-	-	n.a.
2025	15,581	98,871	130,659	245,111	37,991,381	0.3153	107,808	100,000	(149,767)	**303,152**	-	-	n.a.
2026	15,581	101,544	130,746	247,871	38,899,575	0.3153	110,385	100,000	(150,280)	**307,977**	-	-	n.a.
2027	15,581	104,218	130,833	250,632	39,807,770	0.3153	112,963	100,000	(150,793)	**312,801**	-	-	n.a.
2028	15,581	106,892	130,919	253,392	40,715,964	0.3153	115,540	100,000	(151,306)	**317,626**	-	-	n.a.
2029	15,581	109,566	131,006	256,152	41,624,159	0.3153	118,117	100,000	(151,819)	**322,450**	-	-	n.a.
2030	18,651	112,701	131,108	262,459	42,532,353	0.3153	120,694	100,000	(152,431)	**330,723**	-	-	n.a.
2031	18,651	115,836	131,209	265,696	43,440,548	0.3153	123,271	100,000	(153,043)	**335,925**	-	-	n.a.
	$ 497,254	$ 1,708,175	$ 2,349,571	$ 4,554,999	$ 643,884,290		$ 1,827,150	$ 1,800,000	$ (2,683,152)	**$ 5,498,997**	$ -	$ 704,825	

ATTACHMENT

C5

INTERLOCAL AGREEMENT CONCERNING WASTEWATER FACILITIES AND SERVICES WITHIN THE WIMBERLEY MUNICIPAL MANAGEMENT DISTRICT

This INTERLOCAL AGREEMENT ("Agreement") is made and entered into pursuant to the provisions of Chapter 791 of the Texas Government Code on this ____ day of _____, 2013, by and between the City of Wimberley, Texas ("City"), a general law municipality in the State of Texas, and the Wimberley Municipal Management District ("District"), a conservation and reclamation district created by the Texas Legislature pursuant to the provisions of Art. XVI, Section 59 of the Texas Constitution.

RECITALS

WHEREAS, the Wimberley Municipal Management District was created by the Texas Legislature for the purpose, in part, of levying and collecting ad valorem taxes, and collecting assessment fees to help fund the infrastructure construction costs associated with the installation of wastewater collection facilities and the expansion of the City's wastewater treatment plant that are necessary to provide centralized sanitary sewer service to the customers within the District; and

WHEREAS, the City is the owner and operator of a municipal wastewater treatment plant and wastewater system and holds a sewer certificate of convenience and necessary for wastewater service in the District; and

WHEREAS, the City and the District, in the interest of cooperation and maximization of available resources, desire to enter into this Agreement so that they can fund, design and construct wastewater collection and treatment facilities to provide wastewater service to customers within the District; and

WHEREAS, pursuant to Chapter 791, Texas Government Code, and the general and special laws of the State of Texas, the Parties are authorized to enter into this Agreement providing for the undertaking, administration, and implementation of this Agreement.

NOW, THEREFORE, be it resolved that for and in consideration of the mutual covenants, benefits, and agreements hereinafter set forth, the adequacy and sufficiency of which is evidenced by the Parties' respective execution of this Agreement, the Parties agree as follows:

AGREEMENT

I. DEFINITIONS

(A) "Assessments" shall mean special assessments levied and collected on property within the District pursuant to Subchapter F of Chapter 375 of the Texas Local Government Code.

(B) "Bonds" shall mean any bonds to be issued by the City and purchased by the Texas Water Development or another purchaser for the purpose of providing funds to pay the necessary costs of the Project, whether in one or more series or issues, or any bonds issued to refund the same or to refund any such refunding bonds.

(C) "City" shall mean the City of Wimberley, Texas.

(D) "Cost of the Project" shall mean, with respect to the Project, all costs and expenses incurred in connection with the acquisition, construction, improvements, enlargement and extension of the Project, including, without limiting the generality of the foregoing, the cost of the acquisition of all land, rights-of-way, property rights, easements, and interests, the cost of all machinery and equipment, financing charges, interest and administrative expenses expected to accrue during the period of construction, cost of estimates and of engineering and legal services, plans, specifications, surveys, other expenses necessary or incident to acquiring, constructing, improving enlarging, or extending the Project, and such other expense as may be necessary or incident to the acquisition, construction, improvement, enlargement, or extension of the Project and

all legal fees, printing and other cost, fees, and expenses necessary for or incident to the execution of the Loan and the issuance of Bonds.

(E) "Construction Contractors" shall mean all contractors required for the construction of the Project.

(F) "Consultants" shall mean engineers, financial consultants, and the project manager required for the design and construction of the Project.

(G) "District" shall mean the Wimberley Municipal Management District created pursuant to _____[list law]_____.

(H) "Loan" shall mean a loan awarded by the Texas Water Development Board to pay the costs of the Project and evidenced by the purchase of the City's Bonds.

(I) "Project" means the Wastewater Collection System and the Wastewater Treatment Plant.

(J) "Wastewater Collection System" means the collection lines, lift stations, and other facilities within the District that are necessary to provide wastewater service to customers within the District.

(K) "Wastewater Treatment Plant" means the City's wastewater treatment plant that will be constructed or expanded to treat the wastewater from the District.

II. RESPRESENTATIONS AND WARRANTIES

2.01. Representations and Warranties of the District. In connection with its undertakings hereunder, the District represents to the City and agrees with the City as follows:

(A) In its capacity as a conservation and reclamation district created by the Act, pursuant to Article XVI, Section 59 of the Texas Constitution, it is empowered under the applicable laws of Texas to enter into the engagements prescribed for it under this Agreement and to perform all obligations which may result therefrom, including the levying of taxes to make payments due under this Agreement, and its governing body has duly authorized the execution of this Agreement.

(B) It will timely pay to the City the full amount it is required to pay under the provisions of this Agreement.

(C) It will cooperate with the City in the performance of the duties and responsibilities assigned to the City by this Agreement.

(D) There is no provision in any by-laws, ordinance, rule or resolution, of the District which prohibits the District from entering into and executing this Agreement.

(E) The execution of this Agreement and the operation thereunder will not in any way impair the obligation or agreement by and between the District and any other person. The Project is in furtherance of governmental policy, not inconsistent with the existing contractual obligations of the District.

2.02. Representations and Warranties of the City. In connection with its undertakings hereunder, the City represents to the District and agrees with the District as follows:

(a) In its capacity as a general law municipality of the State of Texas, it is empowered under applicable laws of the State of Texas to enter into the engagements prescribed for it under this Agreement and to perform all obligations which may result therefrom, and its governing body has duly authorized execution of this Agreement.

(b) That it will finance all Costs of the Project not provided by the District.

III. FISCAL MATTERS

3.01 Payment of the Project.

(A) The City shall fund the Cost of the Project from the proceeds received through the issuance and sale of its Bonds.

(B) While any Bonds are outstanding, the District hereby pledges to pay to the City the proceeds of an annual ad valorem tax within the District, as well as any assessments adopted for the purpose of making payments to the City, to contribute to the debt service on the Bonds (the "Project Payments"). The Project Payments shall be amortized monthly and are due by the tenth (10th) day of each month.

(C) In addition to the payment under subsection (B) above, for the twenty-four (24) month period beginning the month of the District's first Project Payment, the District shall pay on a monthly basis to the City a portion of the debt service paid by the City during the period beginning from the date the City closed on the Bonds to the date of the District's first Project Payment (the "Reimbursement Payments"). The amount of Reimbursement Payments due by the tenth (10th) day of each month by the District shall be one-twenty-fourth (1/24th) of the total Reimbursement Payments due under this subsection (C).

(D) During each year that the Bonds are outstanding, the Board of Directors for the District shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the funds necessary to make the payments to the Agreement. Said rate and amount of ad valorem tax is hereby pledged to such payments, to the extent so required, and it shall be assessed, levied, and collected against

all taxable property in the District for each such year. If assessments are levied and collected within the District for the purposes of making payments to the City under this Agreement, and are set aside for the payment of the District's obligations hereunder in advance of the time when the ad valorem taxes are scheduled to be levied for any year, or if lawfully available funds are set aside for payments to the City under this Agreement, then the amount of ad valorem taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of such appropriated and budgeted funds.

3.02 Pre-Loan Project Costs. The District shall pay to the City one-half of the costs incurred by the City prior to the execution of the Loan (and not included in the Loan) related to the creation of the District, the development of the Project, and the submission of the loan application to the Texas Water Development Board. Those costs shall include, but are not limited to, the cost of the August 15, 2012 Final Report Feasibility Analysis for the City of Wimberley and the Wimberley Central Improvement Area, the costs for the City's bond counsel and financial advisor, and any pre-application engineering costs. The payment by the District shall be made to the City within thirty (30) days after the date of the City's invoice to the District regarding the Pre-Loan Project Costs.

3.03 Post-Loan Project Costs. To the extent the City incurs additional expenses that are not otherwise covered by the Loan, but that are nevertheless necessary for the successful completion of the Project, the District shall pay to the City one-half of the costs incurred by the City. The payment by the District shall be made to the City within thirty (30) days after the date of the City's invoice to the District regarding the Post-Loan Project Costs. The City shall prepare and send the invoice to the District within forty-five (45) days after the date the City completes the construction and final inspection of the Project.

3.04 Oversizing Costs. The City shall be responsible for any and all costs associated with the expansion of the Wastewater Treatment Plant beyond 75,000 gallons

per day and the expansion of the capacity the Wastewater Collection System beyond that which is required to serve the customers within the District, including but not limited to any costs related to the acquisition of any real property interests necessary for the expansion of the capacity of the Wastewater Treatment Plant or the Wastewater Collection System beyond the capacities necessary to serve the District.

3.05 Fees Charged by the City. In setting its wastewater service rates and wastewater impact fees for the customers within the District, the City shall not include the design or construction costs to oversize facilities as described in Section 3.04.

3.06 Late Payment Penalty. Should the District fail to make any payment at the time herein specified, interest on such amounts shall accrue at the rate of ten percent (10%) per annum from the date such payment becomes due until paid in full with interest as herein specified. In the event such payment is not made within sixty (60) days from the date such payment becomes due, the City may institute a proceeding for a mandatory injunction requiring payment of the amount due and interest thereon, such action to be instituted in a court of competent jurisdiction.

3.07 Separation of Funds. Payments made by the District to the City pursuant to Section 3.01 shall be placed in a separate account specifically designated for the wastewater treatment and collection system funds, and shall not be comingled with other revenues received by the City that are not related to the construction, operation and maintenance of the City's wastewater collection and treatment system. The City shall establish an enterprise fund to account for its wastewater services.

IV. DESIGN AND CONSTRUCTION MANAGEMENT

4.01 Project Management Board. The parties shall each appoint two (2) members from their respective governing bodies to serve on the Project Management

Board ("Board"). The City Administrator of the City shall also serve on the Board. The Board shall meet at least once a month and shall review the progress of the Project, the Project's design, planning and permitting documents and other related materials, and the expenditures, and make reports regarding the progress of the design and construction of the Project to the City and District as requested by those governing bodies. Upon the final inspection and declaration that construction of the Project is completed, the Board is no longer required to meet at least once a month, but may continue to meet on an ad hoc basis as the parties deem appropriate.

4.02 Review and Selection of Project Consultants and Construction Contractors.

(A) All Consultants and Construction Contractors shall be selected in accordance with the rules and regulations of the State of Texas and the Texas Water Development Board, and with the Loan agreement.

(B) The City shall be responsible for retaining and paying all Consultants, Construction Contractors, and legal consultants that are necessary for the City to satisfy its obligations under the Loan agreement, and to ensure that the Project is designed, permitted, and constructed.

(C) The Board shall review the responses to the City's request for qualification of any Consultants and responses to the City's requests for bids for Construction Contractors and prepare a recommendation for the City. The City shall consider any recommendations of the Board in selecting the Consultants and Construction Contractors. If the City does not adopt Board's recommendation, the City shall request that the Board prepare a new or modified recommendation. The City shall not award any contracts to Consultants and Construction Contractors that have not been recommended by the Board, unless such recommendation violates the laws of the State of Texas, the rules and regulations of the Texas Water Development Board and requirements in the Loan agreement. The recommendations made by the Board and the City's award of contracts

shall be in accordance with laws of the State of Texas, the rules and regulations of the Texas Water Development Board and requirements in the Loan agreement.

4.03 Management of the Design and Construction of the Project.

(A) The City Administrator of the City or his designee shall be the point of contact for all of the Consultants and Construction Contractors for the Project.

(B) A Project Manager, agreeable to both the Board and City, shall be hired to oversee, regularly inspect and report on construction of the project. The Project Manager shall report to the City Administrator of the City or his designee. The City Administrator shall provide monthly reports to the District, the City, and the Board regarding the progress of the Project, and the expenditure of funds from the Loan.

(C) The Board shall review the final design of the Project and all changes to the Project after final design, if any, and provide the City with its recommendations. The City shall consider any recommendations of the Board. If the City does not adopt Board's recommendation, the City shall request that the Board prepare a new or modified recommendation. The City shall not proceed with the acceptance of the final design or with any changes to the Project after final design that have not been recommended by the Board, unless such recommendation violates the laws of the State of Texas, the rules and regulations of the Texas Water Development Board and requirements in the Loan agreement. The recommendations made by the Board and the City's actions with respect to Project and the Board's recommendations shall be in accordance with laws of the State of Texas, the rules and regulations of the Texas Water Development Board and requirements in the Loan agreement.

(D) The City Council Members of the City and the Board of Directors of the District may inspect the progress of the design, permitting, and construction of the Project. If a Council Member or Director desires to inspect the progress of the Project, the Council Member or Director shall contact the City Administrator to arrange the date and time of the inspection. The Parties acknowledge the importance of keeping the Council Members and Directors informed regarding the progress of the Project but recognize that it is important to complete the Project within the Project budget, and thus each Party will endeavor to minimize the interruptions these inspections may cause.

4.04 Permits. The City shall be solely responsible for ensuring that all permits are obtained for the completion of the Project, including but not limited to any wastewater discharge permit amendment and stormwater permits.

V. OWNERSHIP AND OPERATION AND MAINTENANCE OF THE PROJECT

5.01 Ownership of the Wastewater Collection System. In consideration for the District's obligation hereunder, the City agrees that the District will acquire an undivided one-half interest in the Wastewater Collection System. It is further agreed that the District's obligations to make any and all payments specified in this Agreement and the ownership interest of the District in the Wastewater Collection System shall terminate when the Loan has been paid in full and is no longer outstanding. Upon termination of the District's interest in the Wastewater Collection System, the City shall assume complete ownership of the Project.

5.02 Ownership of the Wastewater Treatment Plant. The City shall own one hundred percent (100%) of the Wastewater Treatment Plant, and any permit issued related to the Wastewater Treatment Plant shall be in the name of the City, or its designee, and shall not be issued to the District.

5.03 Ownership of Real Property Interests. The City shall solely own all of the real property interests required for the Project, including but not limited to easements, licenses, and fee interests required for the Wastewater Collection System and Wastewater Treatment Plant.

5.04 Operation and Maintenance. The City shall be responsible for operating and maintaining the Project, and shall pay all costs and expenses incurred in regard to the operation and maintenance of the Project. The City hereby agrees and covenants to operate and maintain the Project in accordance with accepted good business and engineering practices and in accordance with all applicable federal and state law, including any rules and regulations issued by appropriate agencies in the administration of said laws.

VI. MISCELLANEOUS

5.01 Agreement Term. The obligation of the District to promptly make all prescribed payments shall commence with the effective date of this Agreement and continue for the period during which the Loan is outstanding and unpaid. This Agreement shall terminate upon the retirement of the Loan for the Cost of the Project.

5.02 Amendments. This Agreement may be amended or modified only by mutual written agreement duly authorized by the respective governing bodies of the Parties, and executed by the duly authorized representative for each.

5.03 Regulatory Provisions. This Agreement shall be subject to all valid rules, regulations and laws applicable thereto, as promulgated by the United States of America, the State of Texas, or any other governmental body or agency having lawful jurisdiction or any authorized representative or agency of any of them.

5.04 Title to Sewage. Title to all sewage and treated effluent shall be in the City.

5.05 Notices. Any notice, request, demand, statement or bill provided for in this Agreement shall be in writing and shall be considered to have been fully delivered when sent by registered mail, addressed as follows:

To the City:

To the District:

as the case may be, except that routine communications may be sent by ordinary mail and except that either party, by the filing of an appropriate written notice to the other, may specify some other individual to whom communications thereafter are to be addressed.

5.06 Entire Agreement. The terms and provisions of this Agreement contain the entire Agreement between the City and the District with respect to the matters addressed above.

5.07 Force Majeure.

(A) If for any reason of "force majeure" either of the parties hereto shall be rendered unable wholly or in part to carry out its obligation under this Agreement, other than the obligation of the District to make the payments required under the terms of Section 3.01 hereof, then if such party shall give notice and full particulars of such reasons in writing to the other party within a reasonable time after the occurrence of the event, or cause relied on, the obligation of the party giving such notice, so far as it is affected by such "force majeure" shall be suspended during the continuance of the inability then claimed, but for no longer period, and any such parties shall

endeavor to remove or overcome such inability with all reasonable dispatch. The term "force majeure" as employed herein shall mean acts of God, strikes, lock-outs, or other industrial disturbances, acts of a public enemy, orders or actions of any kind of the Government of the United States of America or of the State of Texas or any civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraints of government and people, civil disturbances, explosions, breakages or accident to dams, machinery, partial or entire failure and inability on the part of the City to provide sewage collection or treatment, on account of any other cause not reasonably within the control of the party claiming such inability. It is understood and agreed that the settlement of strikes and lock-outs shall be entirely within the discretion of the party having the difficulty, and that the above requirement that any force majeure shall be remedied with all reasonable dispatch, shall not require the settlement of strikes and lock-outs by acceding to the demands of the opposing parties when such settlement is unfavorable to it in the judgment of the party having the difficulty. No failure of the City to meet any obligation by reason for force majeure shall relieve the District from its obligations to make the payments required under the terms of Section 3.01 hereof.

(B) No damage shall be recoverable from City by reason of the suspension of the construction or operation of the Project due to any of the causes above mentioned. If City's ability to construct or operate the Project is affected by any of such causes, the City shall promptly notify the other party in writing giving the particulars as soon as possible after the occurrence of the cause or causes for such interruption.

(C) It is expressly recognized by the District that the City may be compelled to make necessary alterations, repairs, or extensions of new or additional facilities from time to time during the life of this Agreement and any

suspensions of the operation of the Project due to such operation shall not be cause for claim of damage on part of the District.

5.08 Severability. The parties hereto agree that if any of the provisions of this Agreement contravene or be held invalid under the laws of the State, same shall not invalidate the whole Agreement but it shall be construed as though not containing that particular provision and the rights and obligations of the parties shall be construed and in force accordingly.

5.09 Assignment. Neither the City nor the District may assign any interest it may have under this Agreement without the prior written consent of the other parties hereto, which shall not be unreasonably withheld.

5.10 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and the obligations, rights, and remedies of the parties hereunder shall be determined in accordance with such laws without reference to the laws of any other state or jurisdiction, except for applicable federal laws, rules, and regulations.

5.11 Venue. Venue for any action arising hereunder that is brought by either Party shall be in Hays County, Texas.

5.12 Third Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to confer upon any person, other than the Parties, any rights, benefits or remedies under or by reason of this Agreement.

5.13 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

_____

Mayor of the City of Wimberley

Date:_____

_____

President of the Wimberley Municipal Management District

Date:_____

ATTACHMENT

C6

Application Filing and Authorized Representative Resolution

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

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

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed $650,000 to provide for the costs of planning and design for a wastewater treatment system to serve the central area of Wimberley.

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

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

Financial Advisor:	Jennifer Ritter Douglas Specialized Public Finance 7000 North MoPac Expressway, Suite 410 Austin, Texas 78731
Engineer:	Steve Coonan, PE Alan Plummer Associates, Inc. 6300 La Calma Drive, Suite 400 Austin, Texas 78752
Bond Counsel:	Tom Pollan Bickerstaff Heath Delgado Acosta LLP 3711 South MoPac Expressway, Suite 300 Austin, Texas 78746

PASSED AND APPROVED, this the 18th day of October, 2012.

ATTEST: Cara McPartland
City Secretary

By: John D. Allen
Mayor Pro Tem

ATTACHMENT

C7

Application Affidavit (WRD-201)

THE STATE OF TEXAS §
COUNTY OF Hays §
APPLICANT City of Wimberley §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared City Administrator Don Ferguson as the Authorized Representative of the City of Wimberley, who being by me duly sworn, upon oath says that:

1. the decision by the City Council of the City of Wimberley, Texas to request financial assistance from the Texas Water Development Board ("Board") was made in a public meeting held in accordance with the Open Meetings Act (Government Code, §551.001, et seq,) and after providing all such notice as required by such Act as is applicable to the City of Wimberley, Texas ;

2. the information submitted in the application is true and correct according to my best knowledge and belief;

3. the City of Wimberley, Texas has no pending, threatened, or outstanding judgments, orders, fines, penalties, taxes, assessment or other enforcement or compliance issue of any kind or nature by the Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Comptroller, Texas Secretary of State, or any other federal, state or local government, except for the following (if no such outstanding compliance issues, write in "none"):

None.

4. the City of Wimberley, Texas warrants compliance with the representations made in the application in the event that the Board provides the financial assistance; and

5. the City of Wimberley, Texas will comply with all applicable federal laws, rules, and regulations as well as the laws of this state and the rules and regulations of the Board.

Official Representative

Title: City Administrator

SWORN TO AND SUBSCRIBED BEFORE ME, by Don Ferguson, this 26th day of October, 2012.

CARA F. MCPARTLAND
Notary Public, State of Texas
My Commission Expires
July 06, 2015

Notary Public, State of Texas

ATTACHMENT

C8

Application Resolution - Certificate of Secretary (WRD-201b)

THE STATE OF TEXAS §
COUNTY OF HAYS §
APPLICANT: CITY OF WIMBERLEY §

I, the undersigned, Secretary of the City of Wimberley Texas, DO HEREBY CERTIFY as follows:

1. That on the 18th day of October , 2012, a Regular meeting of the City Council of the City of Wimberley, Texas was held at a meeting place within the City; the duly constituted members of the City Council being as follows: Mayor Bob Flocke, Mayor Pro-tem John White, Place 1 Council Member Tom Talcott, Place 3 Council Member Matt Meeks, and Place 4 Council Member Steve Thurber and all of said persons were present at said meeting. Place 2 Council Member Mac McCullough was absent.

Among other business considered at said meeting, the attached resolution entitled:

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

was introduced and submitted to the City Council of the City of Wimberley, Texas for passage and adoption. After presentation and due consideration of the resolution, and upon a motion made by Mayor Pro-tem John White and seconded by Place 4 Council Member Steve Thurber, the resolution was duly passed and adopted by the City Council by the following vote:

3 voted "For" 0 voted "Against" 0 "Abstained" 2 "Recused"

all as shown in the official Minutes of the City Council for the meeting held on the aforesaid date.

2. That the attached resolution is a true and correct copy of the original on file in the official records of the City of Wimberley, Texas; the duly qualified and acting members of the City Council of the City of Wimberley, Texas on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of said meeting was given to each member of the City Council of the City of Wimberley, Texas; and that said meeting, and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the above entitled resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551 of the Texas Government Code.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the City of Wimberley, this the 18th of October, 2012.

OFFICIAL SEAL OF THE CITY
City of Wimberley
OFFICIAL SEAL OF THE CITY

Cara McPartland
City Secretary

ATTACHMENT

C9

FINANCIAL ADVISORY SERVICES AGREEMENT

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

WITNESSETH:

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

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

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

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

SECTION I
DESCRIPTION OF SERVICES

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

1. Financial Planning . Provide financial planning services related to Debt plans and programs.

2. Debt Elements. Provide recommendations regarding Debt under consideration, including such elements as timing, structure, security provisions, and such other provisions as may be appropriate.

3. Method of Sale. Make a recommendation as to an appropriate method of sale, including but not limited to competitive sale, negotiated sale or private/limited offering.

4. Price Fairness. Advise the Issuer as to the fairness of the price offered by the underwriters.

5. Offering Documents. Participate in and direct, as appropriate, the preparation of the offering documents and/or assist bond counsel with same.

6. Auditors. Coordinate verification by an independent auditor of any calculations incident to the Debt, as required.

7. Printing. Coordinate all work incident to printing of the offering documents and other documents required by Issuer.

8. Closing. Provide the Issuer a post sale/closing booklet or update for the Debt and other outstanding debt, as needed.

SECTION II
OTHER AVAILABLE SERVICES

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

1. Call Defeasance and Refunding. Evaluate and advise on exercising any call defeasance and/or refunding of any outstanding Debt.

2. Capital Program Modeling. Evaluate and advise on the development of any capital improvements programs.

SECTION III
CONTINUING DISCLOSURE

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

1. This Agreement shall apply to all Debt delivered subsequent to the effective date of the continuing disclosure undertakings of Issuer and as specified in the Rule, to the extent that any particular issue of Debt does not qualify for exceptions to the continuing disclosure requirements of the Rule.

2. SPFI agrees to perform annual reporting and material event notification duties required by the undertakings of Issuer and the Rule.

3. The fees of SPFI for providing the foregoing continuing disclosure services shall be negotiated annually (not to exceed $1,000 per similarly-secured type of Debt). The fees of SPFI for providing material event notification services shall be negotiated separately at the time such notifications may be required.

SECTION IV
TERM OF AGREEMENT

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

SECTION V
TERMINATION

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

SECTION VI
COMPENSATION AND EXPENSE REIMBURSEMENT

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

SECTION VII
MISCELLANEOUS

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

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

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

Specialized Public Finance Inc.

By: _____
Managing Director

By: _____
Managing Director

City of Wimberley, Texas

By: _____

Title: City Administrator

Date: 8/27/12

ATTEST:

_____
Title

APPENDIX A

Fee Schedule:

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

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

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

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

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

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

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

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

Bickerstaff Heath Delgado Acosta LLP

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

October 12, 2012

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

Attn: Mr. Don Ferguson
City Administrator

RE: Bond Counsel Agreement

Dear Mr. Ferguson:

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

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

1. Prepare all resolutions, ordinances, notices and other instruments pursuant to which the Bonds will be authorized, issued, delivered and secured, including election proceedings, if necessary, in cooperation and upon consultation with the City Council, its consultants, and other legal and financial advisors and consultants of the City.

2. If a refunding issue, prepare documents establishing the Escrow Agreement with the Escrow Agent.

3. Attend meetings of the City Council with reference to the authorization and issuance of the Bonds to the extent required or requested.

4. Cooperate with the City Council and all other interested parties in the sale of the Bonds to the purchasers.

5. Submit bond transcript to the Attorney General for approval.

6. Supervise the execution of the Bonds and the delivery thereof to the purchasers.

7. Prepare documents for closing, provide instructions and advice for closing, and attend closing.

8. When so delivered, give our approving opinion covering the validity of the Bonds, the status of the refunded obligations, and the exemption of interest thereon from federal income taxes, it being understood that the approving opinion will be fully acceptable nationally in regular commercial investment banking bond marketing channels.

9. Prepare and file Internal Revenue Service Form 8038-G.

10. Assist the City in connection with legal services involving the loan from the Texas Water Development Board, such services being distinct from those normally provided by bond counsel, including the negotiation and drafting of user contracts and loan documents, including appropriate opinions regarding the project and duties of the City.

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

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

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

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

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

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

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

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

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

Respectfully submitted,

BICKERSTAFF HEATH DELGADO ACOSTA LLP

Thomas M. Pollan

Thomas M. Pollan

TMP:ea

ACCEPTED this the 18th day of October, 2012:

CITY OF WIMBERLEY, TEXAS

By: _____
Printed Name: Don Ferguson
Title: City Administrator

Client Costs Advanced
Bickerstaff Heath Delgado Acosta LLP

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

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

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

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

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

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

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

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

ALAN PLUMMER ASSOCIATES, INC.
STANDARD AGREEMENT FOR ENVIRONMENTAL CONSULTING SERVICES

Project No. _____

This AGREEMENT is entered on the date of execution by and between ALAN PLUMMER ASSOCIATES, INC., a Texas corporation hereinafter referred to as ENGINEER and the following described entity, hereinafter referred to as "CLIENT."

CLIENT INFORMATION

Name: City of Wimberley — Contact: Mr. Don Fergusen
Company, Corporation, Individual, etc.

Billing Address: P.O. Box 2027 — Title: City Adminstrator

Wimberley, TX 78676 — Telephone: (512) 847-0025

CLIENT requests and authorizes ENGINEER to perform the following services:

SCOPE: Provide assistance with updating the Preliminary Engineering Report, Environmental Information Document, and preparation of an application for funding from the Texas Water Development Board. See Exhibit A for more detailed description.

COMPENSATION by the CLIENT to ENGINEER is to be on the basis of the following:

Cost reimbursement with a total not-to-exceed amount of $15,000.

When compensation is on a cost-reimbursable basis, a service charge of 15 percent will be added to Direct Expenses. All sales, use, value added, business transfer, gross receipts, or other similar taxes will be added to ENGINEER's compensation when invoicing CLIENT.

OTHER TERMS: ***None.***

Services covered by this AGREEMENT will be performed in accordance with the PROVISIONS attached to this form and any other attachments or schedules. This AGREEMENT supersedes all prior AGREEMENTS and understandings and may only be changed by written amendment executed by both parties.

Approval for CLIENT

By _____

Title Don Ferguson, City Administrator

Date _____

Accepted for Alan Plummer Associates, Inc.

By Stephen J Loonan

Title Principal

Date 10/12/12

PROVISIONS

1. Authorization to Proceed
Execution of this AGREEMENT by the CLIENT will be authorization for ALAN PLUMMER AND ASSOCIATES, INC. ("ENGINEER") to proceed with the work, unless otherwise provided for in this AGREEMENT.

2. Salary Costs
ENGINEER'S Salary Costs, when the basis of compensation, are the amount of wages or salaries paid ENGINEER's employees for work directly performed on CLIENT's Project plus a percentage applied to all such wages or salaries to cover all payroll-related taxes, payments, premiums, and benefits.

3. Per Diem Rates
ENGINEER's Per Diem Rates, when the basis of compensation, are those hourly or daily rates charged for work performed on CLIENT's Project by ENGINEER's employees of the indicated classifications. These rates are subject to annual calendar year adjustments and include all allowances for salary, overheads, and fee, but do not include allowances for Direct Expenses.

4. Direct Expenses
ENGINEER's Direct Expenses, when part of the basis of compensation, are those costs incurred on or directly for the CLIENT's Project, including, but not limited to, necessary transportation costs, including ENGINEER's current rates for ENGINEER's vehicles; meals and lodging; laboratory tests and analyses; computer services; word processing services, telephone, printing, binding, and reproduction charges; all costs associated with outside consultants, subconsultants, subcontractors, and other outside services and facilities; and other similar costs. Reimbursement for Direct Expenses will be on the basis of actual charges when furnished by commercial sources and on the basis of current rates when furnished by ENGINEER.

5. Cost Opinions
Any cost opinions or Project economic evaluations provided by ENGINEER will be on a basis of experience and judgment; but, since it has no control over market conditions or bidding procedures, ENGINEER cannot warrant that bids, ultimate construction cost, or Project economics will not vary from these opinions.

6. Termination
This AGREEMENT may be terminated for convenience on 30 days' written notice by either party with or without cause. On termination, ENGINEER will be paid for all work performed up to the termination date plus termination expenses, such as, but not limited to, reassignment of personnel, subcontract termination costs, and related closeout costs. If no notice of termination is given, relationships and obligations created by this AGREEMENT, except Articles 8 through 15, will be terminated upon completion of all applicable requirements of this AGREEMENT.

7. Payment to ENGINEER
Monthly invoices will be issued by ENGINEER for all work performed under this AGREEMENT. Invoices are due and payable on receipt. Interest at the rate of 1-1/2 percent per month, or that permitted by law if lesser, will be charged on all past-due amounts starting 30 days after date of invoice. Payments will first be credited to interest and then to principal.

When compensation is on a lump-sum basis, monthly progress payments will be based on an estimated completion percentage, and monthly invoices will not include a detailed listing of personnel time or expenses.

In the event of a disputed or contested billing, only that portion so contested will be withheld from payment, and the undisputed portion will be paid. The CLIENT will exercise reasonableness in contesting any bill or portion thereof. No interest will accrue on any contested portion of the billing until mutually resolved.

8. Independent Consultant
ENGINEER agrees to perform all services as an independent consultant and not as a subcontractor, agent or employee of the CLIENT.

9. ENGINEER's Personnel at the Project Site
The presence or duties of the ENGINEER's personnel at the Project site, whether as on-site representatives or otherwise, do not make the ENGINEER or its personnel in any way responsible for those duties that belong to CLIENT and/or to other contractors, subcontractors, or other entities, and do not relieve the other contractors, subcontractors, or other entities of their obligations, duties, and responsibilities, including, but not limited to, all methods, means, techniques, sequences, and procedures necessary for coordinating and completing all portions of the work of those parties in accordance with their contract requirements and any health or safety precautions required by such work. The ENGINEER and its personnel have no authority to exercise any control over any contractor, subcontractor, or other entity or their employees in connection with their work or any health or safety precautions and have no duty for inspecting, noting, observing, correcting, or reporting on health or safety deficiencies of any contractor, subcontractor, or other entity or any other persons at the Project site except ENGINEER's own personnel.

ENGINEER neither guarantees the performance of any contractors, subcontractors or other entities nor assumes responsibility for their failure to perform their work in accordance with their contractual responsibilities.

10. Subsurface Investigations
In soils, foundation, groundwater, and other subsurface investigations, the actual characteristics may vary significantly between successive test points and sample intervals and at locations other than where observations, exploration, and investigations have been made.

Because of the inherent uncertainties in subsurface evaluations, changed or unanticipated underground conditions may occur that could affect the total PROJECT cost and/or execution. Such changed conditions and cost/execution effects are not the responsibility of the ENGINEER.

11. Litigation Assistance
Unless specifically set forth in the Scope of Services, the Scope of Services does not include costs of the ENGINEER for required or requested assistance to support, prepare, document, bring, defend, or assist in litigation or administrative proceedings taken or defended by the CLIENT.

All such services required or requested of the ENGINEER by the CLIENT, except for suits or claims between the parties to this AGREEMENT, will be reimbursed as may be mutually agreed, and payment for such services shall be in accordance with Section 7, unless and until there is a finding by a court or arbitrator that ENGINEER's sole negligence caused CLIENT's damage.

12. Venue
In the event that any legal proceeding is brought to enforce this AGREEMENT or any provision hereof, the same shall be brought in Grayson County, Texas and shall be governed by the laws of the State of Texas.

13. Severability and Survival
If any of the provisions contained in this AGREEMENT are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability and indemnities shall survive termination of this AGREEMENT for any cause.

14. Interpretation
The limitations of liability and indemnities will apply whether ENGINEER's liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, except for willful misconduct or gross negligence for limitations of liability and sole negligence for indemnification, and shall apply to ENGINEER's officers, affiliated corporation, employees and subcontractors. The law of the state of Texas shall govern the validity of this AGREEMENT, its interpretation and performance, and any other claims related to it.

15. No Third Party Beneficiaries

This AGREEMENT gives no rights or benefits to anyone other than the CLIENT and ENGINEER and has no third party beneficiaries. The CLIENT will include a provision in each agreement which CLIENT enters into with any other entity or person that such entity or person shall have no third-party beneficiary rights under this Agreement.

ENGINEER's services are defined solely by this AGREEMENT, and not by any other contract or AGREEMENT that may be associated with the Project.

16. Liability

a. ENGINEER's services shall be governed by the negligence standard for professional services, measured as of the time those services are performed.

b. The CLIENT's review, approval, or acceptance of, or payment for, any of these services shall not be construed to operate as a waiver of any rights under this AGREEMENT or of any cause of action arising out of the performances of this AGREEMENT, and the ENGINEER shall be and remain liable in accordance with applicable law for all damages to the CLIENT caused by ENGINEER's omissions or negligent performance of any of the services furnished under this AGREEMENT.

c. To the maximum extent permitted by law, ENGINEER'S liability for CLIENT damages for any cause or combination of causes will, in the aggregate, not exceed the limits of ENGINEER's professional liability insurance coverage.

d. As used herein, ENGINEER includes the corporation, subcontractors, and any of its or their officers, or employees.

e. As between the CLIENT and the ENGINEER, any contract claim must be brought within 2 years from the day following the act or omission giving rise to the breach of contract claim.

17. Assignment
Neither Party will assign all or any part of this Agreement without prior written consent to the other party.

EXHIBIT A

CITY OF WIMBERLEY
WASTEWATER SYSTEM PRELIMINARY ENGINEERING, ENVIRONMENTAL INFORMATION DOCUMENT AND TWDB FUNDING

Alan Plummer Associates, Inc., (APAI) understands that the City of Wimberley has been invited by the Texas Water Development Board (TWDB) to submit an application for funding to secure financing for the design and construction of a wastewater system to serve the downtown area. The City had previously pursued this project in conjunction with the Guadalupe-Blanco River Authority (GBRA). APAI had completed a Preliminary Engineering Report (PER) under contract with GBRA. That report was finalized in January 2010 and revised in February 2012.

Additional changes have occurred since the revision of the PER. The City requested that additional alternatives be evaluated in an attempt to provide a more affordable solution to the City's wastewater management needs. These changes included evaluating slightly smaller plants and the evaluation of a potential discharge authorization. Obtaining a discharge authorization would decrease the cost of the irrigation system since it could be designed under Chapter 210 regulations as opposed to Chapter 217 regulations. While the City would have the option to discharge, it is understood that reusing the effluent is the City's intent and discharges would only occur as a last resort.

The Environmental Information Document (EID) will also need to be revised to reflect the additional alternatives evaluated and the change to include a discharge authorization.

The City of Wimberley intends to retain the services of APAI to complete an amendment to the PER, provide assistance in preparing the IUP application, and updating the EID. The following specific scope of services will be provided pending receipt of a notice-to-proceed from the City. A separate notice-to-proceed is required for each of the three activities.

SCOPE OF WORK

Task 1 – Update Preliminary Engineering Report - APAI will provide an amendment to the original PER. The amendment will identify any changes to the project requested by the City. Such changes will include the evaluation of additional alternatives including smaller plants and a discharge authorization. The amendment will include both a graphic representation of the changes as well as a written description. APAI will update the project costs to reflect the opinion of probable cost for the revised project in the current construction environment.

Task 2 – Assist in the Preparation of the Funding Application - APAI will assist the City by providing information to be incorporated into the funding application. These services will be provided at the direction of the City.

Task 3 – Update the Environmental Information Document - Upon receiving a written notice-to-proceed, APAI will update the EID to reflect the changes made to the PER and any site conditions that may have changed since the project was put on hold.

Fee Proposal

APAI proposes to complete these tasks on a cost reimbursement basis with total fees not-to-exceed fifteen thousand dollars ($15,000).

Schedule

APAI will complete Tasks 1 and 2 by November 1, 2012 based on receipt of an executed contract and a notice-to-proceed by October 16, 2012. Task 3 will be completed within four weeks from receipt of a notice-to-proceed with that portion of the work.

ATTACHMENT

C12

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

THE STATE OF TEXAS
COUNTY OF TRAVIS
I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission.
Given under my hand and the seal of office on JAN 11 2005
LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

APPLICATION NO. 34457-S

IN THE MATTER OF THE APPLICATION OF VILLAGE OF WIMBERLEY, CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20936, TO PURCHASE FACILITIES, TO TRANSFER AND CANCEL CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20702, FROM BLUE HOLE MANAGEMENT, LTD DBA BLUE HOLE WASTEWATER SYSTEM, AND TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20936 IN HAYS COUNTY, TEXAS	§ § § § § § § § § § § § § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

On JAN 06 2005, the Executive Director of the Texas Commission on Environmental Quality pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of the Village of Wimberley, Certificate of Convenience and Necessity No. 20936 to purchase facilities, to transfer and cancel Certificate of Convenience and Necessity No. 20702, from Blue Hole Management, Ltd. dba Blue Hole Wastewater System, and to amend Certificate of Convenience and Necessity No. 20936 in Hays County, Texas.

No person has requested a public hearing on the application;

Notice of the application was given to all affected and interested parties;

The criteria set forth in *Texas Water Code* Sections 13.246(c), 13.254, and 13.301 have been considered;

The certificate transfer requested in this application is necessary for the service, accommodation, convenience, and safety of the public.

Now, therefore, be it ordered by the TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the application is granted and Certificate of Convenience and Necessity No. 20702 be transferred and subsequently canceled and that Certificate of Convenience and Necessity No. 20936 be amended in accordance with the terms and conditions set forth herein and in the certificate.

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

Issued date: JAN 06 2005

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

For the Commission

Texas Commission on Environmental Quality

By These Presents Be It Known To All That

Village of Wimberley

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

Certificate of Convenience and Necessity No. 20936

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

Issued at Austin, Texas, this JAN 06 2005

For the Commission

CANCELLATION OF
CERTIFICATE OF CONVENIENCE AND NECESSITY

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

Certificate No. 20702

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

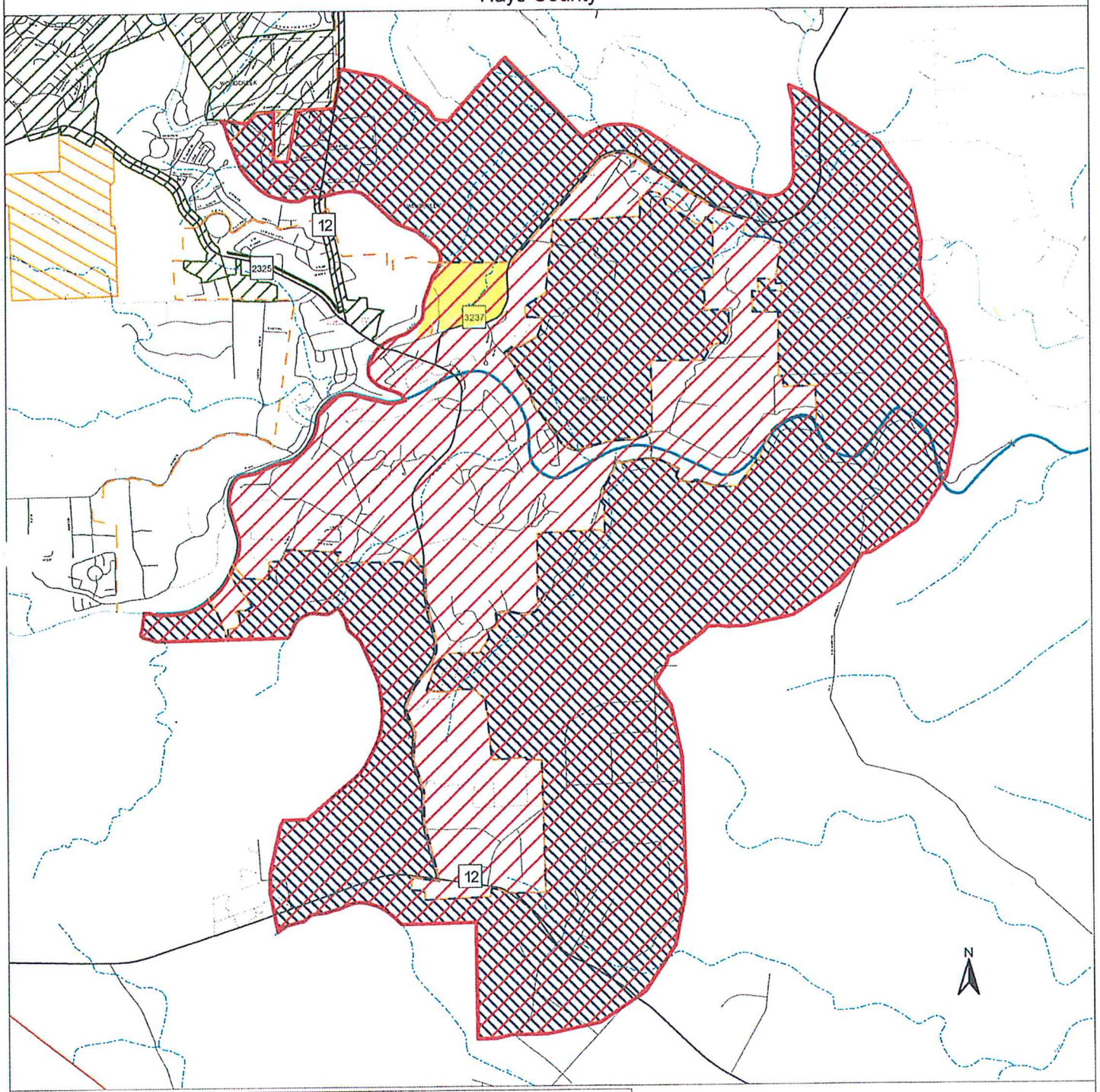
Please reference Certificate No. 20936 for the location of map and other information related to the service area transferred.

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

Issued Date: JAN 06 2005

For the Commission

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



Sewer CCN Service Areas
- 20936 - VILLAGE OF WIMBERLEY
- 20453 - AQUASOURCE UTILITY INC
- 20867 - AQUASOURCE DEVELOPMENT CO INC
- 20892 - GUADALUPE BLANCO RIVER AUTHORITY

Facilities + 200 Feet Sewer CCN Service Area
- 20453 - AQUASOURCE UTILITY INC

1 0 1 Miles

1 inch = 1 mile

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

ATTACHMENT

C14

CERTIFICATION REGARDING LOBBYING

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL "Disclosure Form to Report Lobbing," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

October 26, 2012
Date

Head of Agency or Organization

Don Ferguson, City Administrator
Type Name & Title

Name and Address of Agency/Organization:

City of Wimberley
P.O. Box 2027/221 Stillwater
Wimberley, Texas 78676

Prepared by: Michelle A. McFadden

ATTACHMENT

D1

ADDENDUM #2 TO THE

PRELIMINARY ENGINEERING REPORT

WASTEWATER COLLECTION AND TREATMENT SYSTEM OPTIONS FOR THE CITY OF WIMBERLEY

PREPARED FOR

CITY OF WIMBERLEY

OCTOBER 2012

ALAN PLUMMER ASSOCIATES, INC.

ENVIRONMENTAL ENGINEERS - DESIGNERS - SCIENTISTS

TBPE Firm Number 13

STATE OF TEXAS
ERIN G. WIESEHAN
107362
LICENSED
PROFESSIONAL ENGINEER

Erin G. Wiesehan
25 Oct 2012

1.0 INTRODUCTION

1.1 Purpose of Project

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

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

No evidence exists of permits having been issued for a large percentage of the septic systems in central Wimberley. Improperly covered septic fields exist on several properties and approximately eighteen (18) businesses in the area are having their septic systems "pumped" and "hauled" on a regular basis due to the inadequacy of their systems.

Of those systems found to be properly permitted, several are serving land uses that are significantly different from the land use for which they were originally permitted. For example, one of the larger restaurants in the area is using a septic system originally permitted for a small ice cream parlor and real estate office. Another nearby restaurant has resorted to using portable toilets. In recent history, at least one business has been closed down due to septic concerns.

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

Existing development densities in the subject area, established prior to the City's incorporation, prohibit replacement of many failing septic systems due to inadequate open space for drainage fields.

Many of the subject property owners do not have the financial means necessary to bring their septic systems into compliance with environmental regulations and some could be forced to close their downtown businesses if they are required to make their systems compliant. This would have a devastating impact on the local economy.

The solution to these significant environmental and economic concerns is the development of a centralized wastewater treatment system. Such a system would protect the waters of Cypress Creek and the Blanco River while preserving existing businesses and facilitating future economic development in Wimberley.

In early 2012, Alan Plummer Associates, Inc. (APAI) was retained by the City to develop a Preliminary Engineering Feasibility Report (PEFR) summarizing the wastewater collection and treatment options available and to assist in preparing an application for funding to the Texas Water Development Board (TWDB). This PEFR is a revision of the Addendum to the Preliminary Engineering Report (PER) dated February 2012, submitted to TWDB as part of the Clean Water State Revolving Fund Intended Use Plan (CWSRF IUP) solicitation packet. The PEFR is Addendum #2 to the Preliminary Engineering Report, originally prepared for the Guadalupe-Blanco River Authority (GBRA) in January 2010, and submitted as part of a joint TWDB funding application by GBRA and the City. That effort was unsuccessful in securing the funding needed to develop a wastewater system to serve the subject area. GBRA is no longer involved in effort to bring wastewater service to the central Wimberley area.

1.2 Background

The City recently purchased a package wastewater treatment plant from GBRA, permitted at 15,000 gallons per day. The plant is located within the boundary of Blue Hole Regional Park (Park) along Old Kyle Road and treats wastewater from two customers; Deer Creek of Wimberley Nursing Home and Rehabilitation Center and the public restrooms serving the Park. Prior to this purchase, GBRA had owned and operated the plant which was constructed to replace a deteriorating system that had been unable to consistently meet biochemical oxygen demand (BOD) limits. In 2008, APAI was retained by GBRA to investigate the options available to replace the plant and to evaluate the feasibility of constructing a collection system to serve Wimberley. The final PER, *Wastewater Collection and Treatment System Options for the City of Wimberley, January 2010*, identified several potential service areas, project phasing options, and effluent disposal alternatives for bringing wastewater service to Wimberley. Since purchasing the treatment plant from GBRA, the City has also secured the rights to the January 2010 PER. The PER submitted as part of the CWSRF IUP in February 2012 was an addendum to the January 2010 PER and served to document the decisions regarding the project that had been made by the City since finalization of the January 2010 PER. Since receiving notification that the City's wastewater projects have been included in the TWDB Intended Use Plan's list of invited projects, wastewater flow projections and alternatives for effluent disposal were examined in more detail. The final recommendations for wastewater collection, treatment and disposal are presented in this PEFR, which is Addendum #2 to the *Wastewater Collection and Treatment System Options for the City of Wimberley, January 2010* PER. The January 2010 PER is included as an appendix, as is the Addendum to the 2010 PER submitted to TWDB in March 2012 as part of the CWSRF IUP application. This PEFR addresses the items scored in the IUP as required by the application instructions (TWDB-0148 part D1) and summarized below:

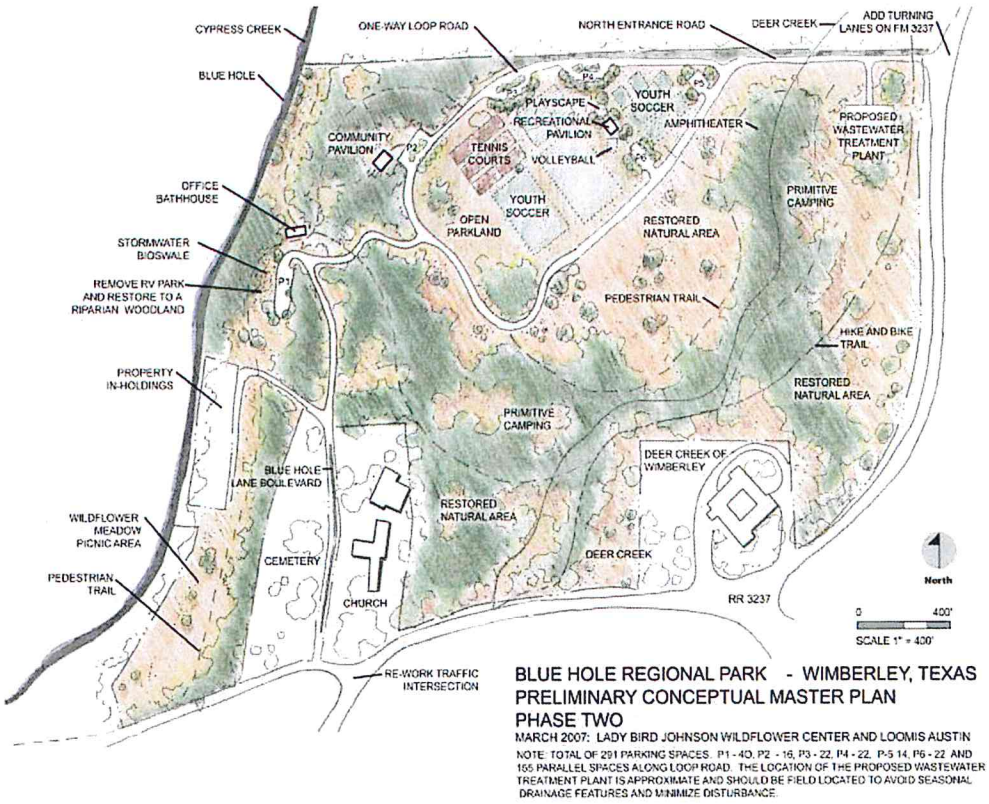
Criteria Scored	PEFR Applicable Section
Public Health Nuisance Declared	1.1 Introduction
Wastewater Service Extended to Existing Area	2.0 Collection System Layout
Alternative Technologies	3.0 Effluent Disposal
Expand Plant Capacity	2.2 Flow Projections
Develop Asset Management Plant	5.0 Recommendations

1.3 Blue Hole Regional Park

Discussion of wastewater collection and treatment in Wimberley often includes reference to Blue Hole Regional Park (Park), a 126 acre park that borders Cypress Creek and FM 3237 and includes playing fields, picnic areas, community pavilions, camping areas, a natural swimming hole, and hiking, biking and pedestrian trails. The Blue Hole property was purchased by the City in 2005 and stakeholders were successful in obtaining approval of the Blue Hole Regional Park Master Plan (Plan) from the City in 2007. The Plan calls for environmentally sensitive development of the property for public use, including those improvements listed above as well as a variety of ecological restoration projects. Development of the Park is also closely tied to a proposed wastewater collection/treatment system, as plans call for the soccer playing fields and some restored natural areas to be irrigated with effluent from a new or expanded wastewater treatment plant. The existing drain fields adjacent to the plant would be decommissioned. The wastewater collection and treatment system described in subsequent paragraphs was conceptualized with the needs of the Park in mind. Figure 1 was obtained from the Blue Hole Regional Park Master Plan and illustrates the proposed layout of the Park.

Figure 1: Blue Hole Regional Park

SITE PLAN K: Final Phase 2 Master Plan, March 2007



118

2.0 FLOW PROJECTIONS and COLLECTION SYSTEM LAYOUT

The proposed collection system would be constructed primarily to serve the downtown area and residents/businesses along FM 3237 and Old Kyle Road between Ranch Road 12 and the FM 3237/Old Kyle Road intersection. Additionally, the area south of Wimberley Square, along Cypress Creek, would be served. Figure 2 illustrates the area of Wimberley that would receive sewer service and the proposed collection system layout as described below.

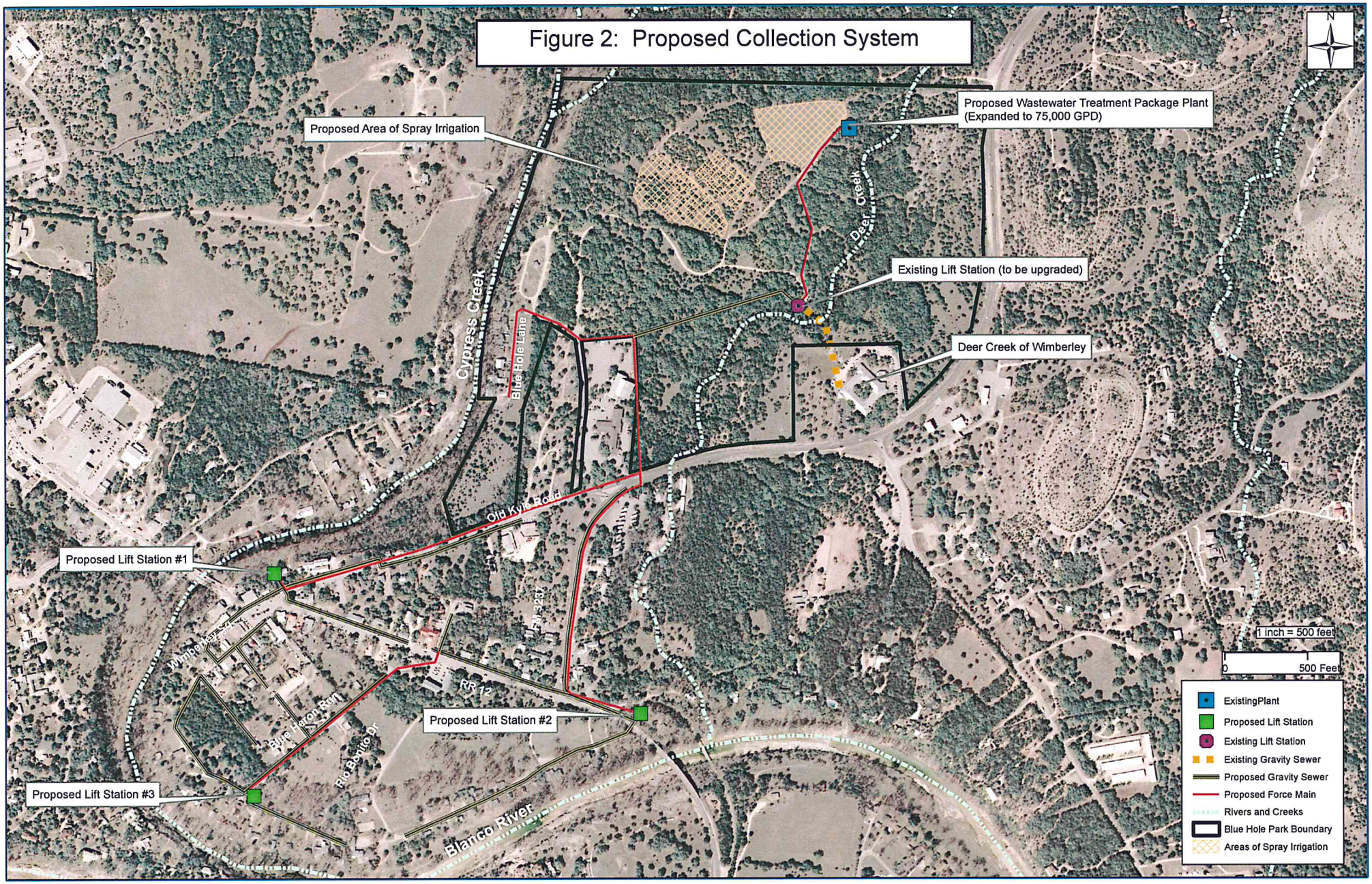
2.1 Collection System Layout

The topography of Wimberley consists of hilly terrain along FM 3237, Old Kyle Road and RR 12, with the grade generally sloping towards Cypress Creek and the Blanco River in the area bounded by these water bodies and RR 12.

A gravity sewer would be constructed in the right-of-way of FM 3237 from the intersection with Old Kyle Road to the site of a proposed lift station at RR 12 and Malone Drive. A gravity sewer would also be constructed along RR 12, though due to the elevation crest near Blue Heron Run, this road would be served by two separate sewers, each flowing to a different lift station. Old Kyle Road would be served by a gravity line, which would flow to a new lift station located near the intersection with RR 12. The proposed layout also includes sewer service to the residents of the Rio Bonito development, and the residents and businesses in Wimberley Square as illustrated in Figure 2. A lift station located at the end of Blue Heron Run, near Cypress Creek, would be necessary to pump flow from customers south of RR 12 to the gravity line in RR 12. Flow projections suggest that 6-inch sewer lines would be of sufficient size to serve the area and it is anticipated that a majority of sewer lines would be constructed in the right-of-way.

Force mains from the proposed lift stations located on either end of RR 12 between Cypress Creek and the Blanco River would serve to convey flow to a gravity sewer located on the Blue Hole Regional Park property, at the corner of the parcel owned by the First Baptist Church near the intersection of Old Kyle Road and FM 3237. A force main serving the properties along Blue Hole Lane would also convey flow to this gravity line. The properties along Blue Hole Lane would be served by individual grinder pumps rather than a conventional collection system.

Figure 2: Proposed Collection System



The gravity line would run to the existing lift station which currently serves Deer Creek of Wimberley Nursing Home and Rehabilitation Center. This lift station would be upgraded to handle additional flow, and the 3-inch force main from the lift station to the plant would be replaced with a 6-inch line. In order to ensure adequate flushing velocities in the proposed pipes, all other force mains should be 4 inches in diameter.

2.2 Flow Projections

Average daily wastewater flows are expected to total 74,500 GPD at build-out. Flows for the anticipated service area were developed in close coordination with the City based on discussions with residents and business owners, as well as an evaluation of Hays County Appraisal District tax and land use maps. A certain number of Living Unit Equivalents (LUE) was assigned to each parcel based on the type of expected use (i.e. residential, retail, restaurant, etc.) Each LUE is equivalent to 300 GPD per Texas Commission on Environmental Quality (TCEQ) guidelines. One or more LUEs, as applicable, was assigned to currently undeveloped parcels in anticipation of future use. The proposed collection system is expected to serve 169 connections at build-out. Table 1 presents the estimated wastewater flows based on type of customer served. It is recommended that the system be designed to treat 75,000 GPD, on an annual average basis.

Table 1: Service Area Flow Projections

	Number of Connections (Initial)	Estimated Wastewater Flow (GPD)	Number of Connections (Build-Out)	Estimated Wastewater Flow (Build-Out - GPD)
Residential	60	18,000	90	27,000
Restaurant	5	7,500	5	7,500
Retail//Mixed Use	50	15,000	65	19,500
Hotel//RV Park	3	4,800	3	4,800
Other (church, day care, theater)	3	4,200	3	4,200
Public Restrooms	2	1,500	2	1,500
Nursing Home	1	10,000	1	10,000
Total	**124**	**61,000**	**169**	**74,500**

3.0 EFFLUENT DISPOSAL and TREATMENT

3.1 Effluent Disposal

The City had previously expressed a strong desire to pursue a no discharge facility. Wimberley residents are appreciative of the natural waterways in the area and are committed to their protection. For this reason, the options for land application of wastewater effluent were explored in detail in the January 2010 PER, and subsurface drip dispersal was the recommended alternative due to less land area required, minimal need for effluent storage, and the benefit of being able to irrigate when an area is in use by the public. A drawback to this method of effluent disposal is the costs associated with importing quality soil to amend the areas designated for subsurface irrigation since the native soils are primarily rock.

For the purposes of this PEFR, after careful consideration and evaluation of the customer fees that would be required to finance the project using subsurface irrigation, the City asked that APAI evaluate other disposal options, to include discharging highly-treated wastewater to a receiving stream. APAI was also asked to re-evaluate flow projections in order to determine the ultimate capacity of the treatment plant, and analyze the potential cost savings of expanding the existing plant in its current location rather than constructing a new plant in the northeastern portion of the park as originally discussed. The options investigated and their estimated costs are shown in Table 1.

Table 1: Effluent Disposal Alternatives Comparison

Alternative	Description	Construction Cost[1]	Advantages	Disadvantages
1-A (New Plant plus Subsurface Irrigation)	Construct new plant (100,000 GPD), full effluent disposal via subsurface drip irrigation.	$8,110,000	Environmentally preferable, minimal storage, ability to irrigate when area is in use.	High costs associated with soil import, system installation and new construction.
1-B (New Plant plus Spray Irrigation)	Construct new plant (100,000 GPD), full effluent disposal via spray irrigation.	$7,105,000	Environmentally preferable, slightly more cost effective than subsurface option.	Requirement for effluent holding pond, higher costs than discharge option.
2-A (Expand Plant plus Subsurface Irrigation)	Expand package plant to 75,000 GPD, full effluent disposal via subsurface drip irrigation.	$6,493,000	Environmentally preferable, minimal storage, ability to irrigate when area is in use.	High costs associated with soil import and system installation.
2-B (Expand Plant plus Spray Irrigation)	Expand package plant to 75,000 GPD, full effluent disposal via spray irrigation.	$5,814,000	Environmentally preferable, slightly more cost effective than subsurface option.	Requirement for effluent holding pond, higher costs than discharge option.
3 (Expand Plant plus Constructed Wetlands)	Expand package plant to 75,000 GPD, polish effluent using constructed wetlands prior to discharge. Install spray irrigation system and reclaimed waterline for partial effluent disposal.	$4,801,000	Constructed wetlands ensure higher effluent quality discharged to Deer Creek, fits into vision of Blue Hole Regional Park.	Wetlands add cost to project ($225K). Alternative requires a TPDES permit which can take up to 18 months.
4 (Expand Plant plus Discharge)	Expand package plant to 75,000 GPD, discharge to Deer Creek. Install spray irrigation system and reclaimed water for partial effluent disposal.	$4,492,000	Least costly alternative[2]. Reuse minimizes quantities of effluent discharged to Deer Creek.	Alternative requires a TPDES permit which can take up to 18 months.
5 (Aqua Texas Option)	Install collection system, pump wastewater to Aqua Texas for treatment. Maintain existing package plant to treat flows from nursing home and park.	$2,687,000[2]	Would not require new treatment plant construction.	Requires coordination with Aqua Texas. Costs could be significantly higher (see note 2).

1 - Construction costs include contingency, engineering/surveying/geotech, legal/financial, permitting & loan origination.

2 – The cost for option 5 assumes that the use of existing Aqua Texas infrastructure to convey flow from Wimberley to the Aqua Texas Treatment Plant is permissible. However, if a new transmission line is needed to handle the additional flow, costs could increase to as much as $7.7 million. Requests to obtain information from Aqua Texas to resolve this question have been unsuccessful.

Based on the results of the evaluation of alternatives presented in Table 1, the City decided to pursue the option of irrigating the soccer fields and open parkland identified in Figure 2 with highly treated effluent using spray irrigation and also pursue a Texas Pollutant Discharge Elimination System (TPDES) permit for effluent discharge when irrigation is not possible. The irrigation requirements of the parkland areas are expected to significantly reduce the amount of effluent discharged, which is in line with Wimberley's commitment to environmental stewardship. Irrigation using high quality effluent will alleviate demands on the potable water

supply currently used to irrigate the soccer fields, another environmental benefit of the project. Securing a TPDES permit eliminates the requirement that Wimberley construct an effluent holding pond to serve as storage when irrigation cannot take place, which would have been a costly improvement, taken up valuable space within the park, and would likely be met with resistance from the general public.

In addition to irrigating areas within Blue Hole Regional Park, the treatment / collection system project will incorporate a reclaimed waterline to convey effluent from the plant to the downtown areas of Wimberley to be used to irrigate landscaping. The reclaimed water line would be extended from the plant along the right-of-way of FM 3237 / Old Kyle Road to Wimberley Square, as shown in Figure 3.

The irrigation needs of the soccer fields and open parkland within Blue Hole Regional Park are expected to range from 225,000 gallons per week to 337,500 gallons per week. The demands on the reclaimed waterline are estimated at 100,000 to 140,000 gallons per week. These estimates reflect demands during the summer months and are therefore the highest rates expected. In some instances, the amount of effluent produced will exceed the irrigation requirements of the parkland and landscaped areas along the reclaimed waterline route. Excess effluent would then be discharged to Deer Creek. Deer Creek traverses the park and is adjacent to the existing treatment plant. It is an intermittent, non-classified stream which ultimately discharges to the Blanco River, downstream of Cypress Creek, as illustrated in Figure 2. Additional irrigation areas within the park could be sought to minimize the occurrence of any discharge.

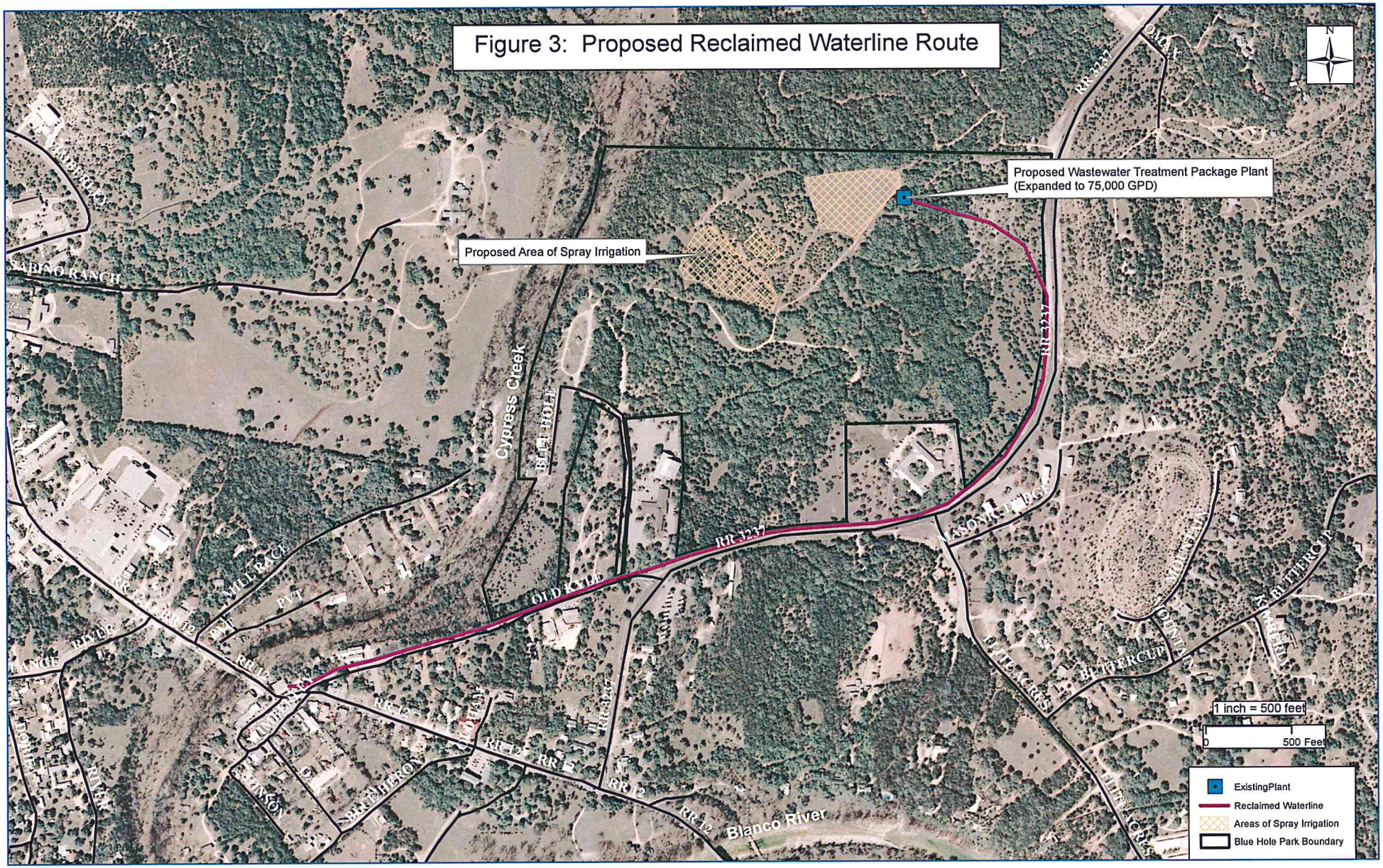


Figure 3: Proposed Reclaimed Waterline Route
Proposed Wastewater Treatment Package Plant (Expanded to 75,000 GPD)
Proposed Area of Spray Irrigation
Cypress Creek
RR 3237
OLD KYLE
MILL RACE
PVT
BRIDGE
BRIEHERON
BUTTERCUP
Blanco River
1 inch = 500 feet
0
500 Feet
ExistingPlant
Reclaimed Waterline
Areas of Spray Irrigation
Blue Hole Park Boundary
N

3.2 Treatment Options and Permitting Requirements

The wastewater collection and treatment system proposed in this PEFR will require that the City obtain both a Domestic Reclaimed Water (210) authorization for beneficial reuse of effluent via surface irrigation as well as a TPDES permit for discharging effluent to Deer Creek.

The TCEQ mandates that effluent applied to land to which the public has contact be treated to Type 1 with the following quality characteristics (maximum allowable on a 30-day average):

BOD_5 = 5 mg/L

Turbidity = 3 NTU

Fecal Coliform = 20 CFU / 100 mL

Enterococci = 4 CFU / 100 mL

The current water quality permit for the existing package wastewater treatment plant limits single-grab BOD samples to 35 mg/L, however, the plant produces much higher quality effluent, with BOD concentrations of 10 mg/L and TSS concentrations of 15 mg/L. In order to meet the stringent effluent requirements associated with reclaimed water use, the existing package plant will need to be modified and the expansion include more advanced treatment techniques to ensure high-quality effluent.

The permit limits for reclaimed water are generally stricter than those associated with a discharge, however, limits for discharge permits can compare with limits for reclaimed use if the receiving water body is of exceptional quality. The Blanco River is one such water body and, as such, preliminary modeling was performed to estimate the limits that may be imposed on a treatment plant discharging to its tributary, Deer Creek. Due largely to the significant distance between the discharge location on Deer Creek and the confluence with the Blanco River, as well as the low effluent quantities expected, permit limits are not anticipated to be exceptionally rigorous. Modeling suggests that effluent quality of 20 mg/L BOD, 12 mg/L NH_3-N (ammonia nitrogen) and 6 mg/L DO (dissolved oxygen) would be enough to ensure effluent discharge to the Blanco River does not adversely affect water quality. However, due to the reuse requirement and the City's concern for the environment, the plant will be designed to achieve an effluent quality of 5 mg/L BOD, 2 mg/L NH_3-N and 6 mg/L DO.

4.0 PROJECT SCHEDULE

4.1 Project Phasing

The January 2010 PER identified the collection and treatment system for Wimberley as being completed in two separate phases, with the downtown area and customers along Old Kyle Road and part of RR 12 served in the first phase and remaining customers the second phase. In consideration of the costs involved and number of potential customers served, it was decided that the most efficient approach to implementing the project is to construct both phases together.

4.2 Easement Acquisition

A majority of the collection system will be constructed in the right of way of the City and Texas Department of Transportation (TXDOT) roads. However, purchasing land or easements will be necessary for the proposed lift stations and possibly necessary for certain gravity lines and force mains where installation is within privately-owned roads.

4.3 Permitting

The time required for TCEQ to review and approve Wimberley's TPDES application is expected to take up to 18 months. For this reason the application process should begin as early as possible in the planning phase.

4.2 Project Schedule

Upon confirmation of project funding, the City intends to initiate planning and design immediately. The permitting and easement acquisition activities must also be started immediately to maintain the project schedule. Design is anticipated to last 9 months and will run concurrently with permitting and easement acquisition. The construction phase is expected to last a minimum of one year, with the collection system and treatment system constructed concurrently. Key project dates are summarized in the following table:

Table 2: Project Schedule

Phase	Milestone	Start Date	End Date
Funding	Application Submitted		11/1/2012
	Funding Committed		12/31/2012
	Loan Closing		6/30/2013
Planning	Environmental Information Document*	1/1/2013	3/31/2013
	Pre-Design, Treatment Plant Process Selection	6/30/2013	7/31/2013
	TCEQ Permitting	8/1/2013	1/31/2015
	Easement Acquisition	6/30/2013	12/31/2013
Design	Design Funds Available	6/30/2013	
	Surveying	7/1/2013	11/30/2013
	Geotechnical Investigation	7/1/2013	11/30/2013
	Detailed Engineering	7/1/2013	3/31/2014
Advertisement	Collection System Project	4/1/2014	5/31/2014
	Treatment / Reclaimed System Project	2/1/2015	3/31/2015
Construction	Collection System Project	6/1/2014	6/1/2015
	Treatment / Reclaimed System Project	4/1/2015	10/1/2015

*Note that the applicant is not requesting TWDB funding for preparing the EID.

5.0 COST OPINION and RECOMMENDATIOS

5.1 Opinion of Probable Cost

The costs associated with the improvements associated with a discharge in combination with water reuse (listed as Alternative 4 in Table 1) are summarized below.

Table 3: Opinion of Probable Construction Cost

Item	Cost
Collection System	$2,040,000
Drain Field Decommissioning	$40,000
Treatmenet Plant Expansion	$600,000
250,000 Ground Storage Tank	$145,000
Effluent Outfall	$18,750
Reclained Waterline / Pumps	$348,350
Spray Irrigation System	$30,500
Subtotal	*$3,222,600*
Contingencies (20%)	$644,520
Engineering/Surveying/Geotech (15%)	$483,390
Legal/Financial	$25,000
Permitting	$35,000
TWDB Loan Origination (1.85%)	$81,595
Total Construction Cost	**$4,492,105**

5.2 Recommendations

In order to serve the wastewater needs of the City, to prevent water quality degradation in Cypress Creek and the Blanco River, and to maintain a healthy tourist industry, it is recommended that the wastewater collection, treatment and reclaimed water improvements discussed herein be implemented. These improvements include the expansion and upgrade of the existing package plant, construction of a reclaimed waterline, storage tank and pump station and installation of a spray irrigation system within the designated areas of Blue Hole Regional Park. Additionally, the City of Wimberley should develop and maintain a detailed asset management plan for the collection, treatment and reuse infrastructure to be in-place upon completion of the construction phase of each project.

PROJECT BUDGET - Entity Name: City of Wimberley						
Uses	TWDB Funds Series 1	TWDB Funds Series 2	TWDB Funds Series 3	Total TWDB Cost	Other Funds	Total Cost
Construction						
Construction	$0	$0	$0	$0	$0	$0
Subtotal Construction	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
Basic Engineering Fees						
Planning +	$43,000	$0	$0	$50,000	$0	$50,000
Design	$330,000	$0	$0	$330,000	$0	$330,000
Construction Engineering	$0	$0	$0	$0	$0	$0
Basic Engineering Other **	$0	$0	$0	$0	$0	$0
Subtotal Basic Engineering Fees	**$373,000**	**$0**	**$0**	**$380,000**	**$0**	**$380,000**
Special Services						
Application	$0	$0	$0	$0	$0	$0
Environmental	$0	$0	$0	$0	$0	$0
Water Conservation Plan	$0	$0	$0	$0	$0	$0
I/I Studies/Sewer Evaluation	$0	$0	$0	$0	$0	$0
Surveying	$65,000	$0	$0	$65,000	$0	$65,000
Geotechnical	$45,000	$0	$0	$45,000	$0	$45,000
Testing	$0	$0	$0	$0	$0	$0
Permits	$35,000	$0	$0	$35,000	$0	$35,000
Inspection	$0	$0	$0	$0	$0	$0
O&M Manual	$0	$0	$0	$0	$0	$0
Project Management (by engineer)	$0	$0	$0	$0	$0	$0
Pilot Testing	$0	$0	$0	$0	$0	$0
Water Distribution Modeling	$0	$0	$0	$0	$0	$0
Special Services Other **	$0	$0	$0	$0	$0	$0
Subtotal Special Services	**$145,000**	**$0**	**$0**	**$145,000**	**$0**	**$145,000**
Other						
Administration	$0	$0	$0	$0	$0	$0
Land/Easements Acquisition	$0	$0	$0	$0	$0	$0
Water Rights Purchase (If Applicable)	$0	$0	$0	$0	$0	$0
Capacity Buy-In (If Applicable)	$0	$0	$0	$0	$0	$0
Project Legal Expenses	$25,000	$0	$0	$25,000	$0	$25,000
Other **	$0	$0	$0	$0	$0	$0
Subtotal Other Services	**$25,000**	**$0**	**$0**	**$25,000**	**$0**	**$25,000**
Fiscal Services						
Financial Advisor	$0	$0	$0	$0	$0	$0
Bond Counsel	$0	$0	$0	$0	$0	$0
Issuance Cost	$0	$0	$0	$0	$0	$0
Bond Insurance/Surety	$0	$0	$0	$0	$0	$0
Fiscal/Legal	$0	$0	$0	$0	$0	$0
Capitalized Interest	$0	$0	$0	$0	$0	$0
Bond Reserve Fund	$0	$0	$0	$0	$0	$0
Loan Origination Fee	$10,046	$0	$0	$10,046	$0	$10,046
Other **	$0	$0	$0	$0	$0	$0
Subtotal Fiscal Services	**$10,046**	**$0**	**$0**	**$10,046**	**$0**	**$10,046**
Contingency						
Contingency	$96,954	$0	$0	$0	$0	$0
Subtotal Contingency	**$96,954**	**$0**	**$0**	**$0**	**$0**	**$0**
TOTAL COSTS	**$650,000**	**$0**	**$0**	**$560,046**	**$0**	**$560,046**

Other ** description must be entered

+ For Planning applications under the EDAP Program, please break down Planning costs as follows:

Category A			0
Category B			0
Category C			0
Category D			0
Total Planning Costs	0	0	0

Appendix of Cost Estimates

**The following assumptions were made in developing cost estimates associated with all phases and options discussed in this report. The unit price estimates published by the San Antonio Water System (SAWS), construction bid tabs adjusted by the appropriate factor published in the Engineering News Record (ENR), the United States Environmental Protection Agency (EPA)guidelines for wastewater treatment plant costs and direct quotes from vendors were referenced in order to develop each estimate.*

Gravity Sewers and Manholes: The cost per linear foot of gravity sewer was estimated based on the average depth of installation. The depth of each manhole was estimated and factored into the overall unit cost as well. Service connections were assumed to include the connection from the service line to the property line only.

Lift Stations: A peaking factor of 6 was used to appropriately size each lift station. The depth to which the lift stations would be constructed was considered in developing the overall costs, as were the necessary security fencing and access roads. The cost of installing a permanent generator was also included, however, TCEQ regulations do allow for the use of portable generators to service more than one lift station, providing certain criteria are met. This could significantly reduce the cost of constructing lift stations. Electrical and instrumentation requirements in addition to the cost of installing a generator were assumed to equal roughly 20% of the total cost of the packaged lift station. The estimates provided were based on quotes from packaged lift station vendors. Lift stations that may be necessary to convey flow from private properties to the main gravity lines were not included (this is possibly needed in areas bordering Cypress Creek, just west of Wimberley Square).

Treatment Plant: The costs of the treatment plant was based construction bid tabs adjusted per ENR index, as well as vendor quotes and EPA guidelines.

Soil Importation: Soil costs were based on discussions with contractors who had provided similar services for other systems in neighboring areas and include material, transport and labor costs of importing and spreading the soil. It was assumed that quality soils exist on the already-constructed playing fields and that this area would not need to be amended.

Irrigation Systems and Ground Storage Tanks: Cost estimates were based on discussions with vendors and contractors and include all necessary pumps, valves and tubing.

Constructed Wetlands: Costs were based on a unit cost per wetted acre, based on past APAI projects.

GBRA

PRELIMINARY ENGINEERING REPORT

WASTEWATER COLLECTION AND TREATMENT SYSTEM OPTIONS FOR THE VILLAGE OF WIMBERLEY

PREPARED FOR

THE GUADALUPE-BLANCO RIVER AUTHORITY

JANUARY 2010

STATE OF TEXAS
MICHAEL H. BOLES
43329
REGISTERED PROFESSIONAL ENGINEER

1/18/10

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS - DESIGNERS - SCIENTISTS

TBPE Firm Number 13

PRELIMINARY ENGINEERING REPORT
WASTEWATER COLLECTION SYSTEM AND TREATMENT OPTIONS
PREPARED FOR THE GUADALUPE BLANCO RIVER AUTHORITY
AND THE VILLAGE OF WIMBERLEY

JANUARY 2010

TABLE OF CONTENTS

List of Tables ii
List of Figures ii
List of Abbreviations iii

1. INTRODUCTION 1
2. FLOW PROJECTIONS AND PHASING RECOMMENDATIONS 6
3. TREATMENT AND EFFLUENT DISPOSAL 9
4. COLLECTION SYSTEM 19
5. COST COMPARISON AND RECOMMENDATIONS 34

Appendix A – Opinions of Probable Cost 36

LIST OF TABLES

1	Wimberley Wastewater Treatment Plant Permit Limits	3
2	Phase 1 Flow Projections	7
3	Phase 2 Flow Projections	8
4	Acreage and Storage Requirements for Spray Irrigation	11
5	Acreage and Storage Requirements for Subsurface Irrigation	13
6	Cost Comparison of Collection and Treatment System Options	34

LIST OF FIGURES

1	Blue Hole Regional Park	2
2	Sewer CCN Boundaries	4
3	Soil Characterization Map	14
4	Surface Waters of Wimberley	16
5	Surface Waters Near Potential Development	17
6	Phase 1, Option A	21
7	Phase 1, Option B	23
8	Phase 1, Option C	25
9	Phase 2, Option A	27
10	Phase 2, Option B	29
11	Phase 3, Option C	31
12	Interim Phase – Temporary Connection to Aqua Texas, Inc.	33

Chapter 1: INTRODUCTION

1.1 Purpose of Project

The Guadalupe-Blanco River Authority (GBRA) owns and operates a new 25,000 gallons per day (GPD) extended aeration activated sludge wastewater treatment package plant which was recently constructed to replace a deteriorating IMHOFF treatment system and address a Texas Commission on Environmental Quality (TCEQ) Agreed Order for failure to meet permit limits for biochemical oxygen demand (BOD). The plant currently treats the effluent from the Deer Creek of Wimberley Nursing Home and Rehabilitation Center (Deer Creek). The center is the only discharger to the plant as the rest of Wimberley relies on private septic systems. Many of these systems in the downtown area are at capacity already and require routine pumping. The deteriorating systems are a potential threat to the ground water quality and to Cypress Creek. For this reason and due to the anticipated growth in and around the area, GBRA, in cooperation with Wimberley, is evaluating the feasibility of constructing a wastewater collection system and expanding/replacing the wastewater treatment plant.

Alan Plummer Associates, Inc. (APAI) was retained by GBRA to develop a preliminary engineering report summarizing the collection and treatment options available to Wimberley.

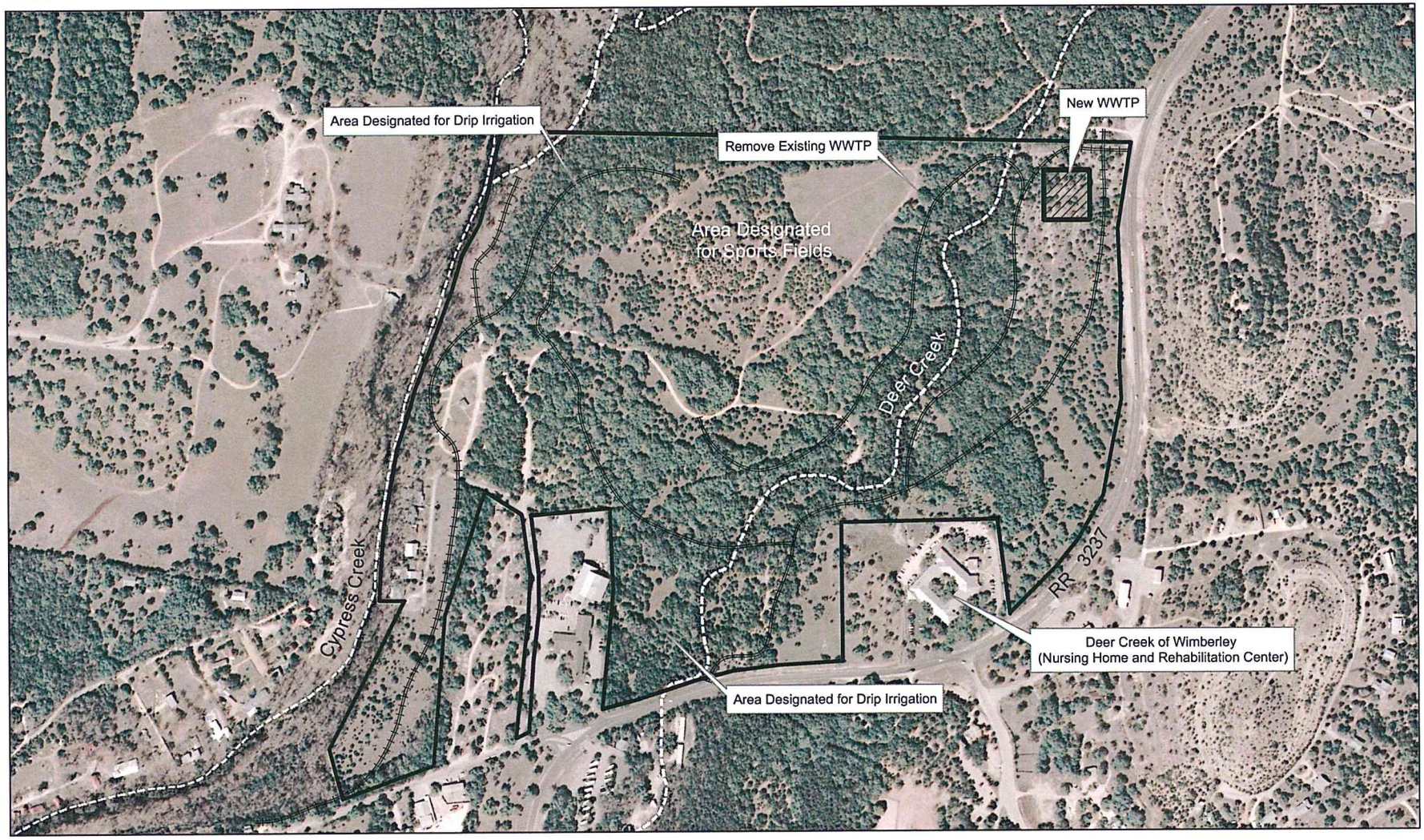
1.2 Background

A feasibility study addressing the issue of a municipal wastewater collection system was previously performed by Black and Veatch Corporation and a technical memorandum of the findings was provided to GBRA in 2004. Several changes have taken place since then including the approval of the Blue Hole Regional Park Master Plan (Master Plan) by the Village of Wimberley City Council in February 2007. The Master Plan calls for 130 acres of parkland to include sports fields, an amphitheater, camping and picnic areas, and pedestrian trails. Specified in the Master Plan is the removal of the existing wastewater treatment plant which occupies the north-central portion of the designated acreage and the construction of a new plant in the northeast corner of the park. Figure 1 illustrates the general layout of the future Blue Hole Regional Park.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

1 inch equals 400 feet

N



Pedestrian Trails
Park Boundary

Figure 1: Blue Hole Regional Park

1.2.1 Existing Treatment Plant

The existing treatment plant is located on the site of the Blue Hole recreational area. The plant is permitted for 15, 000 gallons per day (GPD), but has the capability of treating up to 25,000 GPD. The plant is an extended aeration activated sludge package plant that discharges through a system of perforated subsurface pipes into a disposal field. Permit limits for the plant are summarized in Table 1. The plant is currently operating in the interim phase and treats approximately 10,000 gallons per day (GPD). The new plant produces effluent of higher quality than is required by the permit, with 5-day BOD concentrations of 10 mg/L (30 day average).

Table 1: Wimberley WWTP Permit Limits

	Interim Phase	**Final Phase**
Flow (MGD)	0.015	0.05
BOD (5-day)	100 mg/L	35 mg/L
Effluent Discharge Area	94,500 SF (2.17 acres)	19 acres
Land Area Classification	Non-Public Access	Non-Public Access
Effluent Storage Volume	n/a	21.8 acre-feet
Chlorine Residual	n/a	1 mg/L

1.2.2 Existing Wastewater Disposal

Most residences and businesses in Wimberley on the east side of Cypress Creek rely on septic systems for their wastewater removal. Many of these systems are older, improperly sized, and are approaching the end of their useful lives. Several property owners must have their systems pumped at least monthly, and even weekly in some cases, particularly during high tourist season. For this reason, some businesses have found it necessary to restrict customers from using their restroom facilities. To temporarily alleviate this problem, public restrooms were constructed by Wimberley at the park near Cypress Creek. The wastewater is disinfected in a dosing tank and discharged to a small septic field. The dosing tank is equipped with a high level alarm in the case where influent to the tank exceeds the rate at which it can be disinfected and discharged. Wimberley public works employees must then lock the doors to the restrooms temporarily until the wastewater has been treated and the level within the dosing tank is within safe limits. In discussions with Wimberley officials, the system has worked very well over the past 18 months that it has been in operation and the high level alarm sounding is not a common occurrence. However, it is likely that the existing system will have to be upgraded at some point in order to

accommodate expected future flows and minimize instances when the public cannot access the restrooms.

In addition to the existing problems with wastewater disposal, Wimberley anticipates significant increases in tourism and population growth in the upcoming decades. Land developers have indicated to GBRA and Wimberley officials their interest in a municipal sewer system as well.

GBRA and Wimberley share a Certificate of Convenience and Necessity (CCN) for wastewater service which incorporates all of the downtown area and extends primarily eastward from Ranch Road (RR) 12 and south of the Blanco River and Cypress Creek to RR 12 and RR 32. Areas west of RR 12 are served by Aqua Texas, Inc. (Aqua). Figure 2 illustrates the sewer CCN boundaries. A small portion of the area served by Aqua lies within Wimberley Village Limits.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

1 inch equals 5,500 feet

N

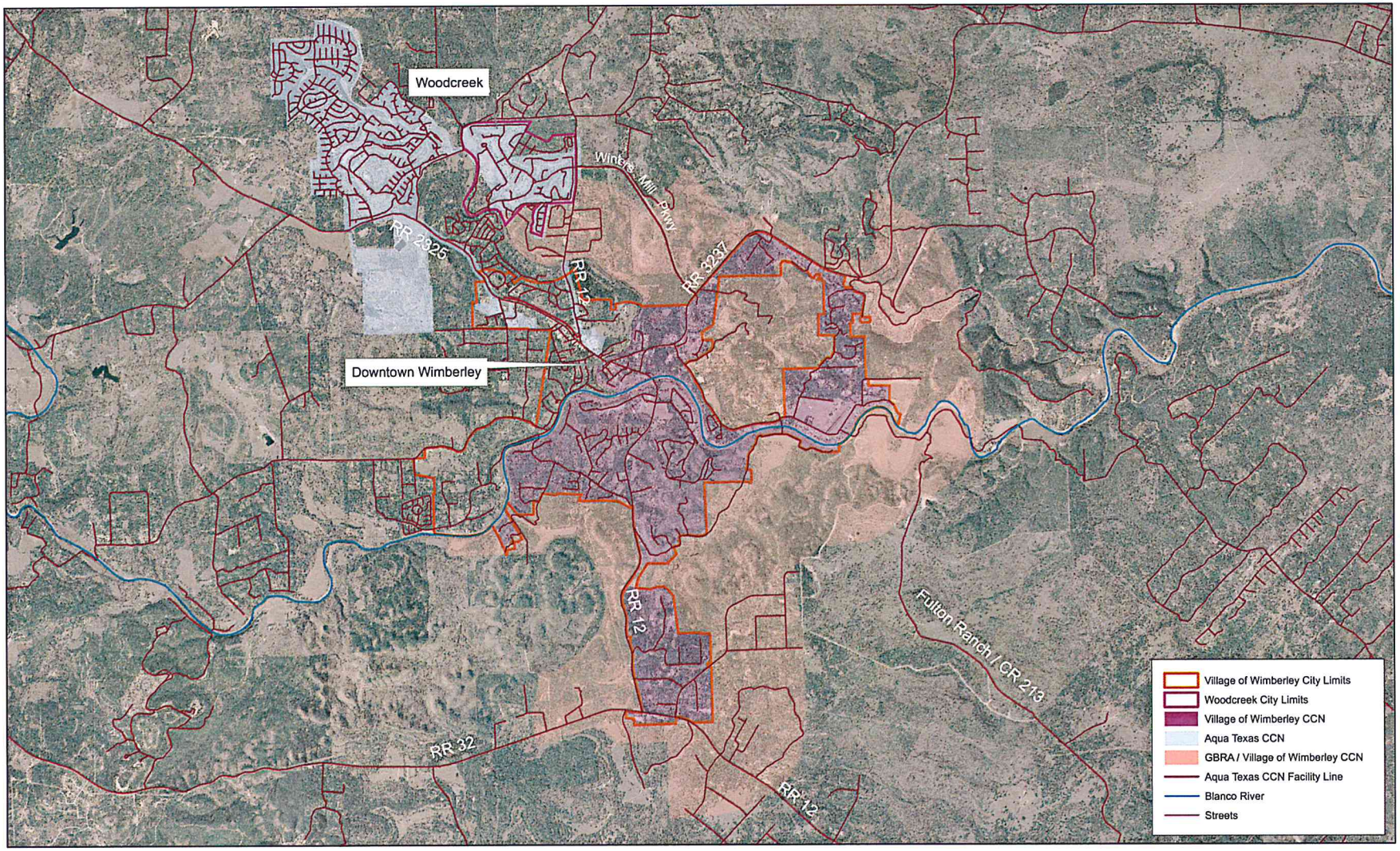


Figure 2: Sewer CCN Boundaries

1.2.3 Report Organization

This report begins with an explanation of the recommended phasing of the sewer service area based on anticipated flows. A discussion on the various treatment options and treatment plant locations, as well as an investigation into the options available for wastewater effluent disposal follows this section. The subsequent chapter explains in detail the recommended layout of the collection and treatment system for each phase, and includes figures which illustrate the locations of proposed gravity sewers, force mains, lift stations and the location of the wastewater treatment plant. Cost estimates associated with each of the phases are compared in the final chapter of this report. The report concludes with the final recommendations.

Chapter 2: FLOW PROJECTIONS and PHASING RECOMMENDATIONS

The proposed wastewater collection system to serve Wimberley is anticipated to be implemented in three phases. The first phase would address the immediate needs of the downtown area in addition to Deer Creek. The second phase would expand service to areas outside the immediate downtown area, while the ultimate phase would address the anticipated flows associated with serving residents south of the Blanco River.

Also included in this report, is a recommended temporary or interim phase, intended to provide a less expensive alternative which could be implemented more quickly than the full first phase. This option could be later incorporated into Phase 1 of the overall collection/treatment system.

Developers who own acreage along Winters Mill Parkway have expressed interest in a municipal wastewater system. The expected flows resulting from the development of this property are considered in each phase as well.

2.1 Phase 1

Phase 1 of the proposed collection system involves serving the needs of the immediate downtown area of Wimberley, areas along Old Kyle Road from the First Baptist Church to Wimberley Square and along RR 12. Businesses and residents in these areas have shown the greatest interest in connecting to a city sewer system.

Flow projections for Phase 1 were based on information provided by GBRA, aerial imagery and Hays County Appraisal District tax maps, as well as information obtained by site visits to the area to identify the types of customers that would require service. While not all of the businesses and residences identified have expressed interest in sewer service, the flow projections anticipate that should service become available, most of these residences and businesses would sign on as customers. Additionally, any parcel of land that could be identified on tax maps but appears to be undeveloped, was anticipated to contribute one Living Unit Equivalent (LUE), or 300 GPD once developed, based on lot size. Flow projections for Phase 1 are summarized in Table 2.

Table 2: Phase 1 Flow Projections

	Number of Customers of Same Type	Total Estimated Wastewater Flow (GPD)
Retail	29	10,050
Restaurant	7	9,300
Residential	15	4,500
Undeveloped Parcels	4	1,200
Office / Motel / Theater / Child Care Center / Church	5	3,000
Public Restrooms at Cypress Creek Park	1	1,500
Deer Creek Nursing Home and Rehabilitation Center	1	10,000
	Total Estimated Flow	39,550
	Total Estimated Flow, Rounded	**40,000**

Flow projections for the potential development along Winters Mill Parkway were provided by the developers and are estimated to total 500 LUEs or 150,000 GPD. The developers indicated that they anticipate these flows within the first five years of development. Therefore, Phase 1 flows would total 40,000 GPD from Wimberley and potentially 150,000 from the potential development for a total of 190,000 GPD.

2.2 Phase 2

Phase 2 of the proposed collection system involves serving the remaining areas not served by Phase 1 along RR 12, businesses and residences along FM 3237, and residences along Cypress Creek and the Blanco River south of RR 12.

Flow projections for Phase 2 were also based on information provided by GBRA, however, only two residences on Blue Heron Run and the Randall Morris subdivision at RR 12 and RR 3237 had expressed interest in signing up for sewer service. Therefore, these were the only customers for which information from GBRA was available. For the remaining properties, information obtained from the Village of Wimberley Comprehensive Plan zoning maps, aerial imagery, and Hays County Appraisal District tax maps was used to estimate the type of each potential customer and the related wastewater flows. Flow projections are summarized in Table 3 and represent the additional flows associated with expanding wastewater service from the initial areas served in Phase 1.

Table 3: Phase 2 Flow Projections

	Number of Customers of Same Type	Total Estimated Wastewater Flow (GPD)
Zoned Commercial	2	5,700
Zoned Office Space	3	1,200
Existing Residential	68	20,400
Future Residential	57	17,100
RV Park	1	3,300
Hotel	1	2,400
	Phase 2 Additional Flow	50,100
	Total Estimated Flow, Rounded	**50,000**

Phase 2 projections total 90,000 GPD from Wimberley (including Phase 1 flows), and up to 240,000 GPD when including flows associated with potential developments.

2.3 Phase 3

Phase 3 is considered the 'ultimate' phase in that flow projections assume full development of the area in the wastewater CCN boundary map shown in Figure 2, with a large portion of the service area located south of the Blanco River. Details regarding the layout of this system and the associated costs of implementation were not developed because of the uncertainty in exactly what areas would be served. It is expected, however, that an ultimate phase would require a lift station in order to pump flow across the river to the proposed Phase 2 lift station (upgraded to handle additional flows expected in Phase 3) and eventually to the treatment plant constructed during the initial phases. Alternatively, a new force main could be constructed from the new lift station directly to the treatment plant rather than to the existing lift station. Another option for serving the areas south of the Blanco River would be to construct a separate treatment plant for these customers rather than expanding the existing plant. It is recommended that a more detailed evaluation of Phase 3 be performed at the time the additional service area included in this phase is determined.

Chapter 3: TREATMENT and EFFLUENT DISPOSAL

3.1 Treatment Options

The degree to which effluent is treated prior to disposal is a decision that must take into account the disposal method, the accessibility of the irrigated land (if applicable) by the public, and the cost of the treatment system.

3.1.1 Conventional Extended Aeration Activated Sludge Plant (EAAS)

The existing treatment plant currently treats effluent to a higher quality than is mandated by TCEQ for disposal of effluent via drip or spray irrigation to public access areas except that the plant does not include provisions for disinfection. Disinfection is required for spray and subsurface irrigation of public access land. For the purposes of cost estimation in this report, it was assumed that the effluent quality would equal that of the existing plant for any expansion or new construction and that the plant type would also be a conventional EAAS plant and include chlorine feed and a chlorine contact chamber. The TCEQ mandates that effluent applied to land to which the public has access shall be disinfected; regardless of the method of application (i.e. spray or drip irrigation).

3.1.2 Membrane Biological Reactor Plant (MBR)

Membrane Biological Reactor plants can usually obtain significantly higher levels of treatment and therefore superior effluent quality than conventional plants. Costs associated with this option were not explored as part of this report due to the fact that this type of plant would most likely only be required if a discharge permit to a receiving water body were pursued.

3.1.3 Treatment Plant Location Options

As discussed in Section 1.2, the Blue Hole Regional Park Master Plan identifies acreage within the park as the future site of a new wastewater treatment plant. This location should not be considered as the only suitable site, however, and it is recommended that consideration also be given to locating the plant off of Winters Mill Parkway. This alternate location is recommended due to the fact that the proposed development could potentially contribute a large percentage of the total wastewater flows that would be treated by a new plant.

The existing plant is located in the north-central area of the park, which is identified as being converted to soccer fields in phase 2 of the Master Plan. It was assumed that if the plant was initially expanded rather than a new plant constructed, the plant would remain in its current location. Coordination between Wimberley, GBRA and the Friends of Blue Hole would be required to make the necessary adjustments in the phasing of the plant expansion and park development.

3.2 Effluent Disposal Options

It was understood by APAI through discussions with GBRA and Wimberley representatives that pursuing a Texas Pollutant Discharge Elimination System (TPDES) permit for discharge into surface water should be avoided if at all possible. The public opinion towards a discharge to streams in the immediate vicinity and to the Blanco River is not favorable and therefore the recommendation to pursue a TPDES permit was reserved, for the purposes of this report, to address flows beyond which land application of effluent is feasible.

The current water quality permit mandates that effluent from the existing treatment plant be used to irrigate non public access land. The existing land to which effluent is currently applied is designated to be public access per the Blue Hole Regional Park Master Plan. The Master Plan also designates parts of the park as drip irrigation areas for effluent disposal from the new treatment plant. For these reasons, and due to the fact that a new treatment plant will be relocated, it will be necessary for Wimberley to obtain a permit modification for any expansion of the existing plant or new plant construction.

Because pursuing a permit to discharge to a receiving water body in Phase 1 is not anticipated at this time, effluent would need to be disposed of by either spray or drip irrigation. The two options present different advantages and disadvantages and are discussed in further detail in the following sections.

3.2.1 Disposal of Effluent by Spray Irrigation

Previous research conducted by Black and Veatch and summarized in the technical memorandum dated January 18, 2005, recommended spray irrigation of effluent at various sites to include Blue Hole Regional Park and Woodcreek Golf Course. Investigation by APAI found that the Woodcreek Golf Course is located within the CCN boundary of Aqua Texas, Inc. and is

outlined in their TCEQ-issued Water Quality Permit as an area irrigated with wastewater effluent from the wastewater treatment plant owned by Aqua to serve Woodcreek. Though it is unclear whether Aqua currently uses all of the golf course area for irrigation or would be willing to allow effluent disposal by another utility, it was decided not to pursue this option since the area is already incorporated into an existing permit.

Spray irrigation requires significant acreage on which to apply effluent. It also requires adequate storage volume to account for times when irrigation cannot take place due to use by the public, or due to times of heavy rainfall when the ground is saturated and effluent cannot be applied. The total acreage and associated storage volume needed was calculated by APAI for each of the anticipated flow rates, using guidelines in Title 30 of the Texas Administrative Code (TAC), Chapter 309 Subchapter C "Land Disposal of Sewage Effluent."

Table 4: Acreage and Storage Volume Requirements for Spray Irrigation

WWTP Capacity (GPD)	Irrigation Area Required (Acres)	Storage Pond Surface Area[1] (Acres)
15,000	6.90	0.50
40,000	18.41	1.33
90,000	41.43	2.99
190,000	87.46	6.32
240,000	110.48	7.98

[1]Surface area based on a 10-foot deep storage pond

An effluent storage pond would need to be located in close proximity to the new treatment plant and must be fenced to prevent public access. The Master Plan outlines the proposed location of the plant, which would require the effluent holding pond to be relatively close to the planned hike and bike trails.

3.2.2 Disposal of Effluent by Subsurface Drip Irrigation

The method of disposing effluent using subsurface drip dispersal systems is becoming more common in Texas and is already employed in several areas in Hays County. The TCEQ provides guidelines for implementing these kinds of systems in Title 30 TAC Chapter 222.

A site visit conducted by APAI staff to the new Dripping Springs wastewater treatment plant provided an in-depth look into the installation and operation of subsurface drip dispersal systems.

Through discussions with manufacturers' representatives and system operators, it was concluded that a subsurface system could also be used to treat wastewater in Wimberley.

The drip dispersal system uses a series of looping, perforated tubes or 'drippers' typically spaced between one and two feet apart as shown in Photograph 1. This system was under construction at the time the photograph was taken, and the tubing has since been covered with soil. Also shown is a picture of the pumping system used to distribute the effluent through the subsurface pipes (Photo 2).

Photo 1: Installed Drip Dispersal System Tubing

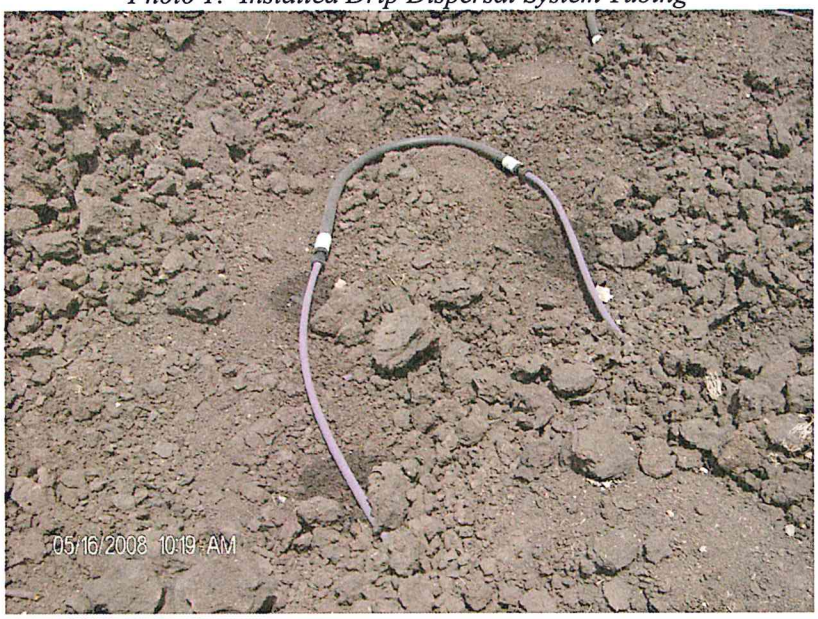


Photo 2: Pumping System for Subsurface Drip Dispersal

The acreage needed for irrigation using subsurface drip dispersal and associated storage volume required for each of the anticipated treatment plant capacities was based on guidance from TCEQ regulations and is summarized in Table 5.

Table 5: Acreage and Storage Volume Requirements for Subsurface Irrigation

WWTP Effluent Flow Rate (GPD)	Irrigation Area Required (Acres)	Storage Volume Required (Gallons)
15,000	3.44	52,500
40,000	9.18	140,000
90,000	20.66	315,000
190,000	43.62	665,000
240,000	55.10	840,000

A comparison of these requirements to those listed for spray irrigation in Table 4 shows that subsurface irrigation requires significantly less land and storage area, largely due to the fact that irrigation can take place during times when the area is being used by the public and is not impacted by runoff from rainfall. Furthermore, the storage volume could be contained in ground storage tanks rather than an effluent holding pond as would be necessary with spray irrigation. As plant capacity is increased, additional tanks could be added to obtain the appropriate amount of storage capacity. For comparison purposes, the required storage volume of the largest plant could be contained with a 24-foot high, 77-foot diameter tank for a total required land area of less than 14,000 square feet (including space between tanks), or one-third of an acre. The effluent pond required in the case of disposal by spray irrigation would require nearly eight land acres.

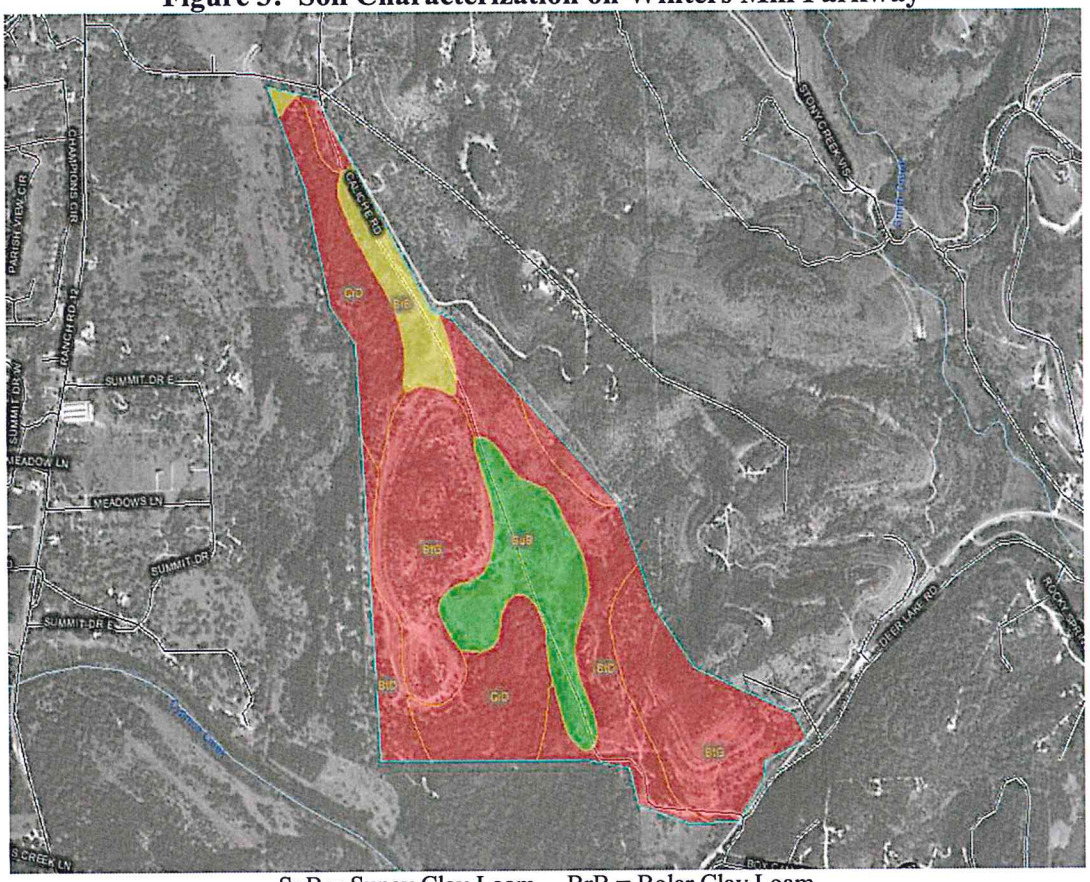
The most restricting limitation in using subsurface drip irrigation in the Wimberley area is the lack of adequate top soil. Chapter 222 of 30 TAC mandates that subsurface irrigation pipes be placed at least six inches below the soil surface with at least one foot of vertical separation between the pipes and any restrictive soils (i.e. rock) beneath them.

Much of the area in Blue Hole Regional Park is rock outcrop or clay and is classified as 'very limited' when evaluated for use in wastewater irrigation applications per the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) soil survey. These soils are classified as Class IV soils and are the restricting parameter in the maximum allowable application rate used to determine the acreage needed for irrigation.

Additionally, since rock is considered a restrictive soil, the classification is indicative of the need to import top soil in order to install a subsurface drip dispersal system.

Further investigation into the soils outside the immediate vicinity of the park revealed areas of Sunev clay loam, which is rated as 'not limited' for irrigation purposes by USDA NRCS and Bolar clay loam which is rated 'somewhat limited.' These areas encompass a total of approximately 70 acres on either side of Winters Mill Parkway. The close proximity of this location to that of Blue Hole Regional Park could considerably reduce the cost of importing soil. Alternatively, the areas where quality soil exists could be used for drip irrigation, reducing or even eliminating the need for soil importation. An illustration of the area where suitable soil is located is presented in Figure 3.

Figure 3: Soil Characterization on Winters Mill Parkway



SuB = Sunev Clay Loam BrB = Bolar Clay Loam

RED = Very Limited for Irrigating with Wastewater YEL = Somewhat Limited for Irrigating with Wastewater

GRE = Not Limited for Irrigation with Wastewater

As mentioned earlier, the Blue Hole Regional Park Master Plan calls for the removal of the existing wastewater treatment plant and the construction of a new plant to be located in the northeastern corner of the park and identifies several areas of the park as areas where drip irrigation of wastewater effluent could be used. These areas are located in the northwestern and south-central parts of the park. Other areas were identified by APAI that could also be used for subsurface irrigation to include the area designated as youth soccer fields, and several parts of the park identified as restored natural areas. The most ideal locations are those areas that are not heavily wooded, though it is possible to install subsurface drip dispersal systems among trees. To avoid disrupting the root system, this type of installation usually requires additional soil to place on top of the surface, even in areas where quality soils exist. Because soil mounding around the critical root zone can be harmful to the tree, care should be taken to minimize excessive soil buildup immediately surrounding the root flare and within the drip zone of the tree. In areas where tree preservation is critical, it is recommended that an arborist be consulted prior to installation of the dispersal system.

3.2.3 Disposal of Effluent by Discharging to Surface Water

Although pursuing a TPDES permit is not desirable at this time, it is addressed in this report to provide guidance should it become necessary in the future due to higher than anticipated flows, lack of adequate land acreage for effluent disposal, or if land application of effluent becomes cost prohibitive.

Figure 4 illustrates several creeks and streams to which effluent could be discharged. The figure shows that there are several creeks and streams that do not discharge to Cypress Creek or to the Blanco River until well beyond the recreational area in Wimberley.

Figure 5 is a closer view of part of the potential development near Winters Mill Parkway and shows several existing creeks within the parcel boundary, one of which flows into a creek that eventually discharges to the Blanco River roughly seven miles downstream of downtown Wimberley. This creek could serve as the receiving water body for wastewater treatment plant effluent and would be especially convenient if the treatment plant were located on the development rather than Blue Hole Regional Park. The piping necessary to convey the effluent to the creek could be integrated into the internal roadway system of the development.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

1 inch = 3,000 feet

N

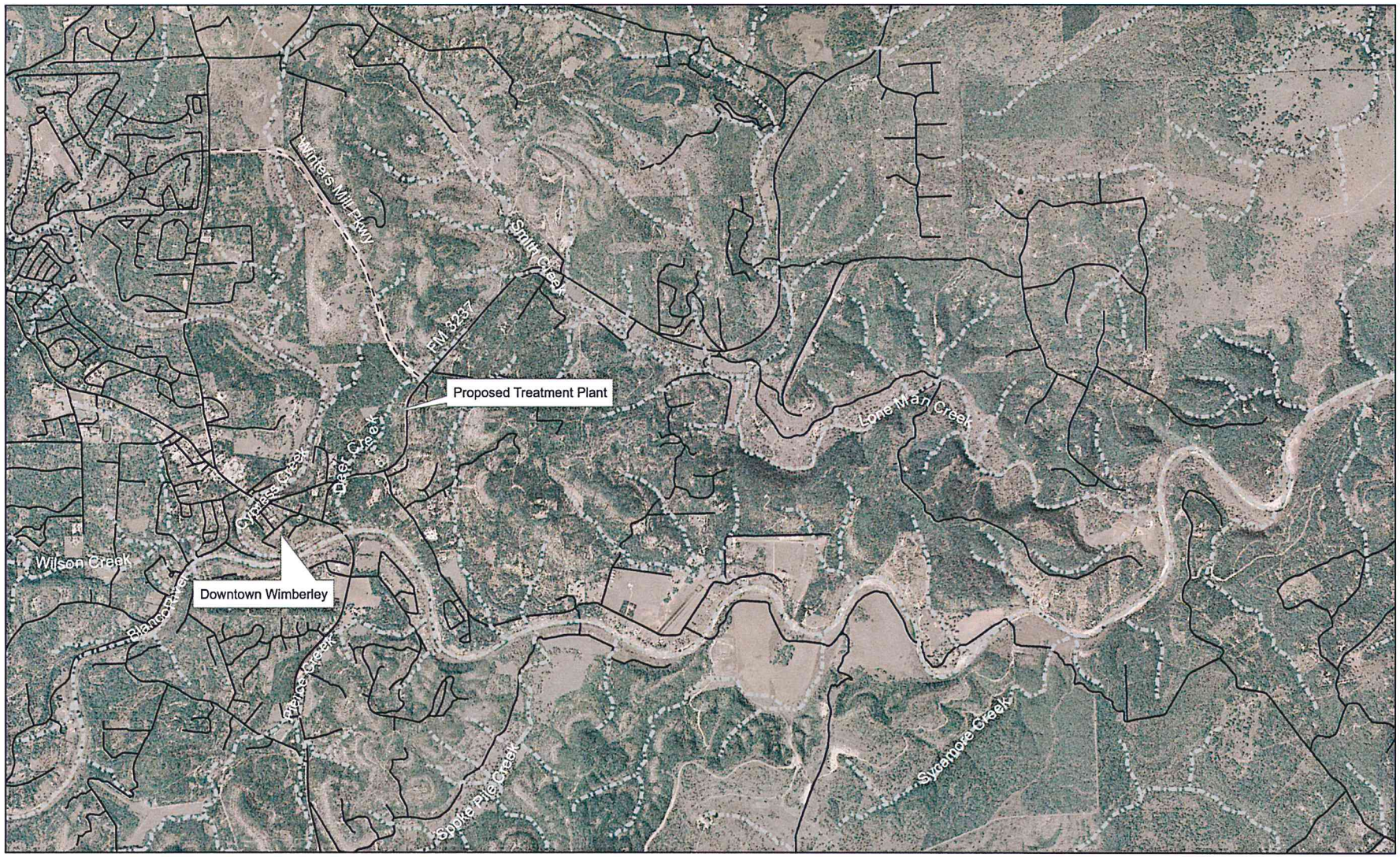


Figure 4: Surface Waters of Wimberley

Rivers, Creeks & Streams

Streets

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

N

1 inch = 2,000 feet

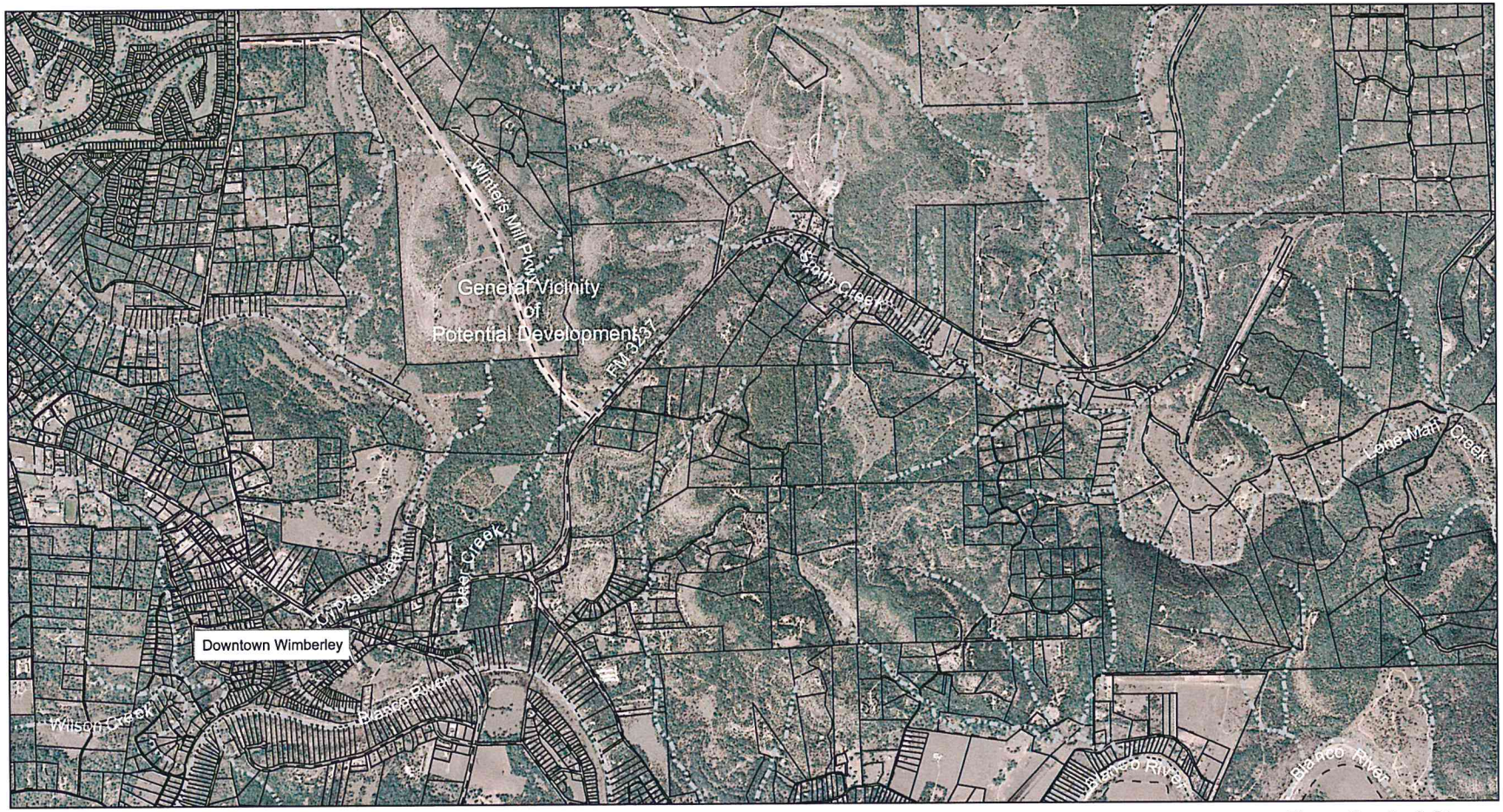


Figure 5: Surface Waters Near Potential Development

Rivers, Creeks & Streams
Property Boundaries
Streets

3.2.4 Preferred Effluent Disposal Option

Based on a thorough investigation into the options available to Wimberley for effluent disposal, and a comparison of the benefits and disadvantages of each option, it was decided to further explore disposal by subsurface drip dispersal. The following chapter details the proposed phasing of the collection system and incorporates into the phasing the land needed for drip irrigation using this method. This method of effluent disposal is incorporated into the costs developed for each phase as well.

Chapter 4: COLLECTION SYSTEM

As was discussed in Chapter 2, the wastewater collection system is expected to consist of three phases. Each phase, however, presents several options which take into account the involvement of the potential development and the location of the treatment plant. This chapter discusses the various options associated with each of the first two phases. As mentioned previously, details regarding the layout of the ultimate phase were not developed in this report.

4.1 Phase 1, Option A

This option includes constructing a new wastewater treatment plant on the three acres designated in the Blue Hole Regional Park Master Plan (refer to Figure 1), or expanding the existing plant in its current location. Option A assumes that the potential development along Winters Mill Parkway is either not progressing at the time the new plant becomes operational, or that the developers choose a different method for providing wastewater services to residents that does not include collaboration with the Village of Wimberley.

4.1.1 Collection System

Option A would consist of gravity sewers to serve the businesses in and around Wimberley Square, a gravity sewer in Ranch Road (RR) 12 from the crest of the hill westward towards Cypress Creek, and a gravity sewer in Old Kyle Road from the Wimberley Players Theater to the intersection with RR 12 and Wimberley Square. The gravity sewers would flow to a lift station located at the site of the existing public restrooms near Cypress Creek. This lift station would pump wastewater through a 6-inch force main along Old Kyle Road and behind the First Baptist Church where it would connect to a gravity sewer that runs parallel to an existing electrical easement. The gravity sewer would flow to the existing lift station that serves Deer Creek which would be upgraded to accommodate the increased flow, and then flow through a new 6-inch force main from this lift station to the site of the new treatment plant or to the current plant location. The force main to the new plant location would follow the alignment delineated as a pedestrian trail in the Master Plan to reduce the need to clear additional area in the park. The force main to the current plant location would follow the alignment of the existing 3 inch line that runs from Deer Creek to the plant. Figure 6 provides an illustration of Phase 1, Option A.

4.1.2 Treatment Plant and Effluent Disposal

Option A is anticipated to produce approximately 40,000 GPD of wastewater. A conventional activated sludge, extended aeration treatment plant with a chlorine contact chamber could adequately treat this flow for use in subsurface irrigation. This amount of effluent would require roughly 9.2 acres of land for irrigation using subsurface drip dispersal. The area immediately south of the proposed location of the new treatment plant encompasses approximately 10 acres, and appears to be an ideal location for the installation of the first phase of the subsurface drip dispersal system due to its close proximity to the plant. Aerial photography indicates the area is not heavily wooded, which would require less tree removal and enable easier installation when compared to other areas of the park.

Alternatively, the existing package treatment plant could be expanded and upgraded to include disinfection. The existing septic fields could be used to dispose of 10,000 GPD of effluent (the amount currently being discharged); however, a subsurface drip dispersal system as described in section 3.2.2 would need to be constructed to dispose of the remaining 30,000 GPD. Figure 6 illustrates the existing septic fields and identifies adjacent acreage which could be used for subsurface drip irrigation.

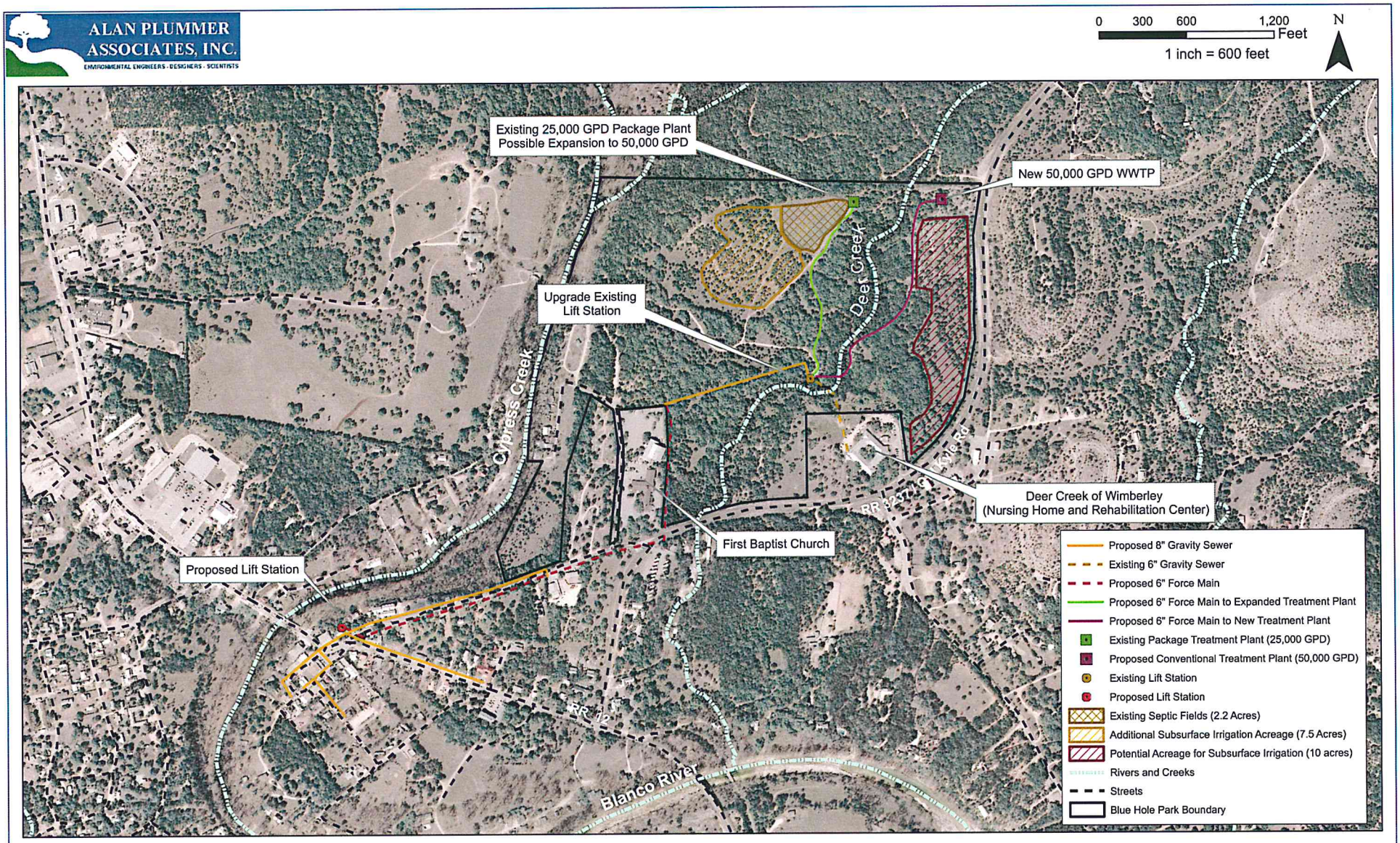


Figure 6: Phase 1 Option A

4.2 Phase 1, Option B

This option includes the same downtown service area as described in Option A, but evaluates the costs involved should the potential development along Winters Mill Parkway become part of the service area as well.

4.2.1 Collection System

For the purposes of this report, the additional improvements involved with serving the development include a lift station to which gravity sewers from the housing area would flow and the associated force main to convey this flow to the wastewater treatment plant on Blue Hole Regional Park (see Figure 7). It is assumed that the collection system within the development itself would be the responsibility of the developer.

4.2.2 Treatment Plant and Disposal of Effluent

Option B is anticipated to produce approximately 190,000 GPD of wastewater. A conventional activated sludge, extended aeration treatment plant with a chlorine contact chamber could adequately treat this flow for use in subsurface irrigation. This amount of effluent would require roughly 44 acres of land for irrigation. Although this amount of land may be available on Blue Hole Regional Park for use in drip irrigation (illustrated on Figure 7), it encompasses a large portion of the park and may be difficult to secure due to public perception. Additionally, some of the area designated in the figure may be determined to be unsuitable for subsurface irrigation upon further investigation in the design phase. For these reasons, it is recommended that the responsibility of securing land for effluent disposal rest with the developers and that Blue Hole Regional Park, if used for effluent disposal at all, is only used to dispose of the percentage of wastewater that can be attributed to areas outside the development. The drip dispersal system could be incorporated into the landscaping, street right-of-way and common areas of the development. For cost estimating purposes, it was assumed that a majority of the effluent is used to irrigate acreage on the potential development property and that since quality soils already exist, only one-half of the required soil would need to be imported. It is however also expected that the subsurface drip dispersal system will cost significantly more to install for this option rather than Option C if a large percentage of the effluent must be pumped from the treatment plant on Blue Hole Regional Park to areas along Winters Mill Parkway.

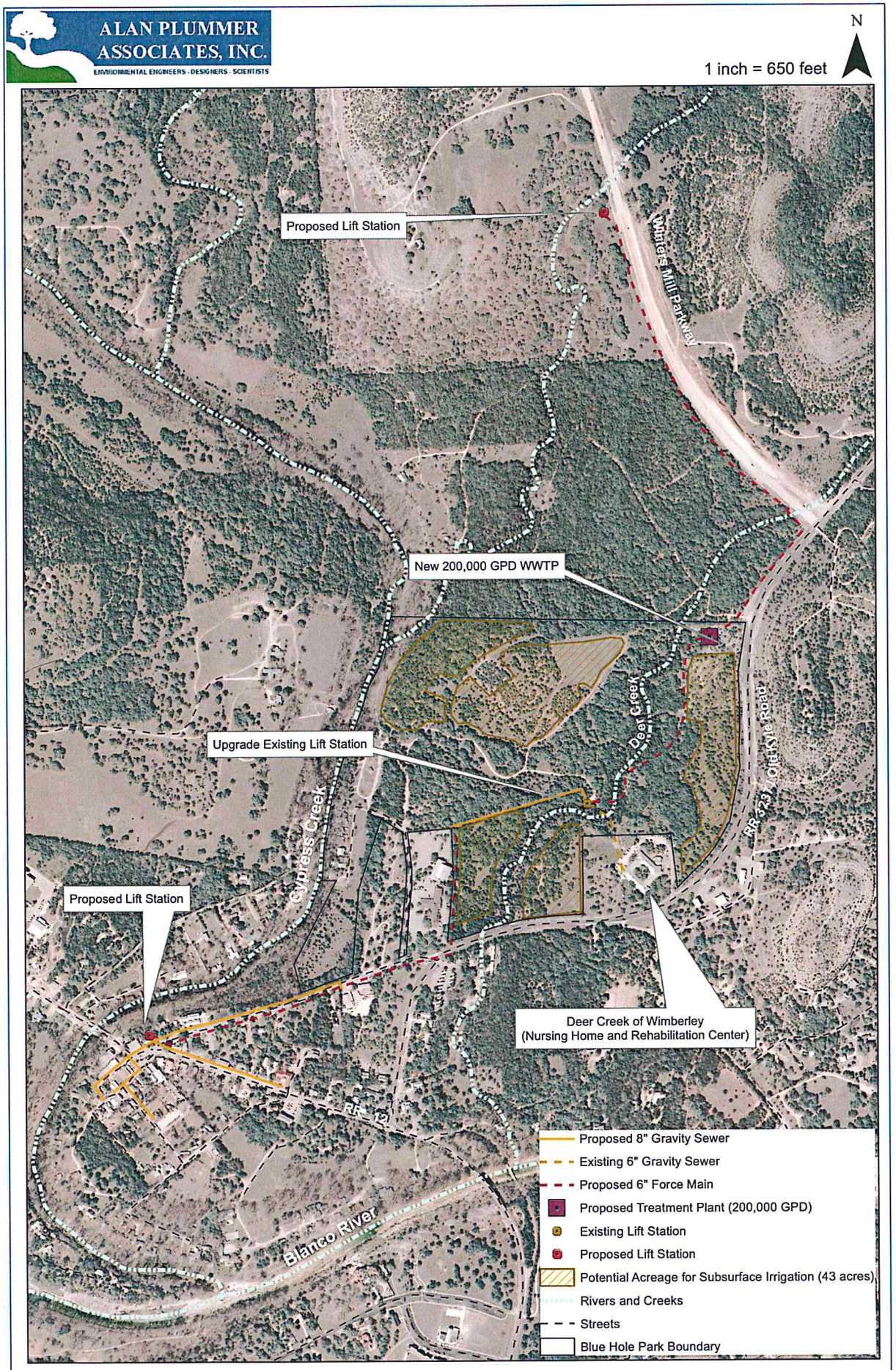


Figure 7: Phase 1 Option B

4.3 Phase 1, Option C

This option also addresses the needs of the downtown area and those of the potential development, but it evaluates the possibility of locating the new wastewater treatment plant on part of the development rather than on Blue Hole Regional Park.

4.3.1 Collection System

The new treatment plant would be located at a low point along Winters Mill Parkway and would receive flow from the development via gravity sewers within the housing area. Flow from downtown Wimberley would be pumped from an expanded lift station (located at the site of the existing lift station that serves Deer Creek), through the Blue Hole Regional Park and along FM 3237 and Winters Mill Parkway via a 6-inch force main.

For the purposes of this report, the additional improvements (beyond those involved with serving the initial area as outlined in Option A) include additional pumping capacity at the existing lift station that serves Deer Creek of Wimberley and approximately 3,750 linear feet of 6-inch PVC pipe. It is again assumed that the collection system within the development itself would be the responsibility of the developer. Figure 8 illustrates this option.

4.3.2 Treatment Plant and Effluent Disposal

This option would require the same treatment plant capacity as Option B and the same amount of acreage for effluent disposal. Because the treatment plant would be located within the potential development, it is recommended that most of the effluent be disposed of via a subsurface system also within the property, preferably near the plant to avoid additional costs in pumping treated effluent to Blue Hole Regional Park for disposal. As is illustrated in Figure 3, there is approximately 47 acres of soil characterized as 'not limited' for irrigation purposes within the immediate vicinity of the proposed treatment plant. It is recommended that at least a portion of this area be utilized for subsurface irrigation in order to minimize costs.

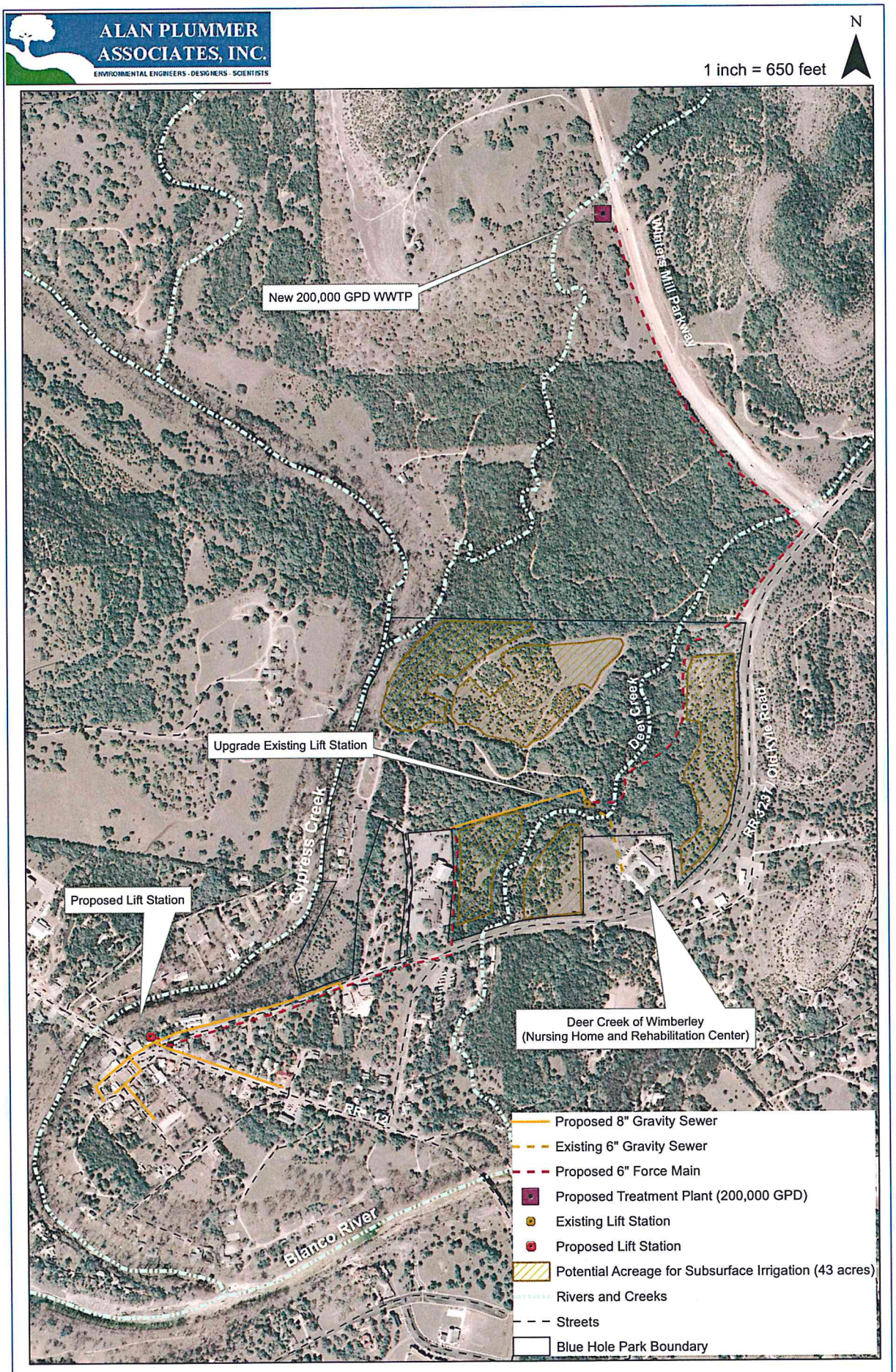


Figure 8: Phase 1 Option C

4.4 Phase 2, Option A

Phase 2 includes the additional anticipated flow from other businesses and residents surrounding downtown Wimberley along RR 12, FM 3237 and bordering Cypress Creek and the Blanco River south of RR 12. Option A of this phase also assumes that the potential development along Winters Mill Parkway is either not progressing at the time the new plant becomes operational, or that the developers choose a different method for providing wastewater services to residents that does not include collaboration with the Village of Wimberley.

4.4.1 Collection System

Option A would consist of an 8-inch gravity sewer to serve the remaining residents and businesses along RR 12 from the crest of the hill eastward towards the Blanco River, an 8-inch gravity sewer in Old Kyle Road / FM 3237 near the First Baptist Church along FM 3237 to the intersection with RR 12, gravity sewers to serve residents south of Wimberley Square and along Blue Heron Run and gravity sewers to serve residents along Cypress Creek and the Blanco River. This phase would include a new lift station at the end of Blue Heron Run which would pump flow through a 4 -inch force main to the gravity sewer in RR 12. A new lift station would also be constructed just off of RR 12 as it crosses the Blanco River which would receive flow from both gravity sewers in RR 12 and FM 3237. This lift station would pump through a 6-inch force main along FM 3237 and then parallel the existing force main that runs behind the First Baptist Church to the existing gravity sewer. The gravity sewer would flow to an expanded lift station at Deer Creek and then through the existing 6-inch force main from this lift station to the plant on Blue Hole Regional Park, which is expected to be located in the area designated in the Master Plant. Figure 9 illustrates the additional improvements necessary for Phase 2.

4.4.2 Treatment Plant Effluent Disposal

Projected flows for Phase 2 Option A total approximately 90,000 GPD. If subsurface drip dispersal were implemented to dispose of effluent from the expanded plant, a total of 20.7 acres, (an additional 11.5 acres to the area required in Phase 1 for this same option) would be required. Blue Hole Regional Park includes area set aside for sports fields (see Figure 1). This appears to be an ideal location for a drip dispersal system because it is not in a wooded area and is still relatively close to the proposed treatment plant location. It was determined that this area encompasses roughly 12 acres which would be adequate to treat the additional flow.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

1 inch = 650 feet

N

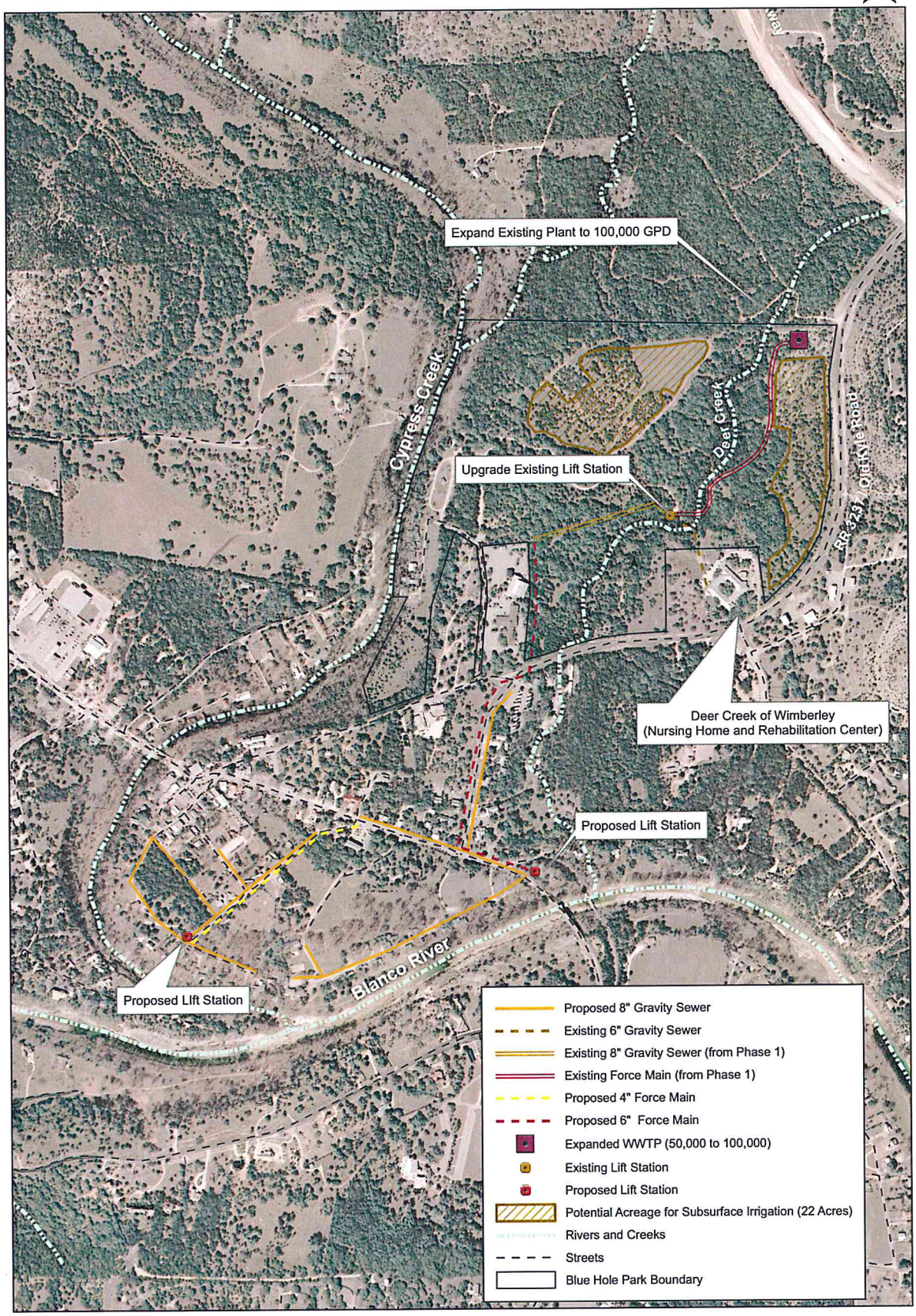


Figure 9: Phase 2 Option A

4.5 Phase 2, Option B

Option B of Phase 2 would include those improvements listed in Option A, but would also incorporate the projected flows from the potential development near Winters Mill Parkway.

4.5.1 Collection System

As is described in Phase 1, Option B, wastewater generated from the development would flow through gravity sewers on the property to a lift station along Winters Mill Parkway which would pump through a 6-inch force main to the treatment plant on Blue Hole Regional Park. It is again assumed that the gravity sewers within the property would be the responsibility of the developer. Figure 10 illustrates the proposed layout.

4.5.2 Treatment Plant and Effluent Disposal

Option B is anticipated to produce approximately 240,000 GPD of wastewater. A conventional activated sludge, extended aeration treatment plant with a chlorine contact chamber could adequately treat this flow for use in subsurface irrigation. This amount of effluent would require a total of 55 acres of land for irrigation, or 11 additional acres to what is required for Phase 1 of this option. Depending on what improvements have been implemented during Phase 1, it may be necessary to pump all of the effluent from the expanded plant to the development for disposal. Acreage used for subsurface irrigation could be selected from the areas with soils identified as 'not limited' for irrigation as shown in Figure 3 along Winter's Mill Parkway, or those areas within the Blue Hole park property bounds as identified in Figure 9, or some combination of the two.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS · DESIGNERS · SCIENTISTS

1 inch = 650 feet

N

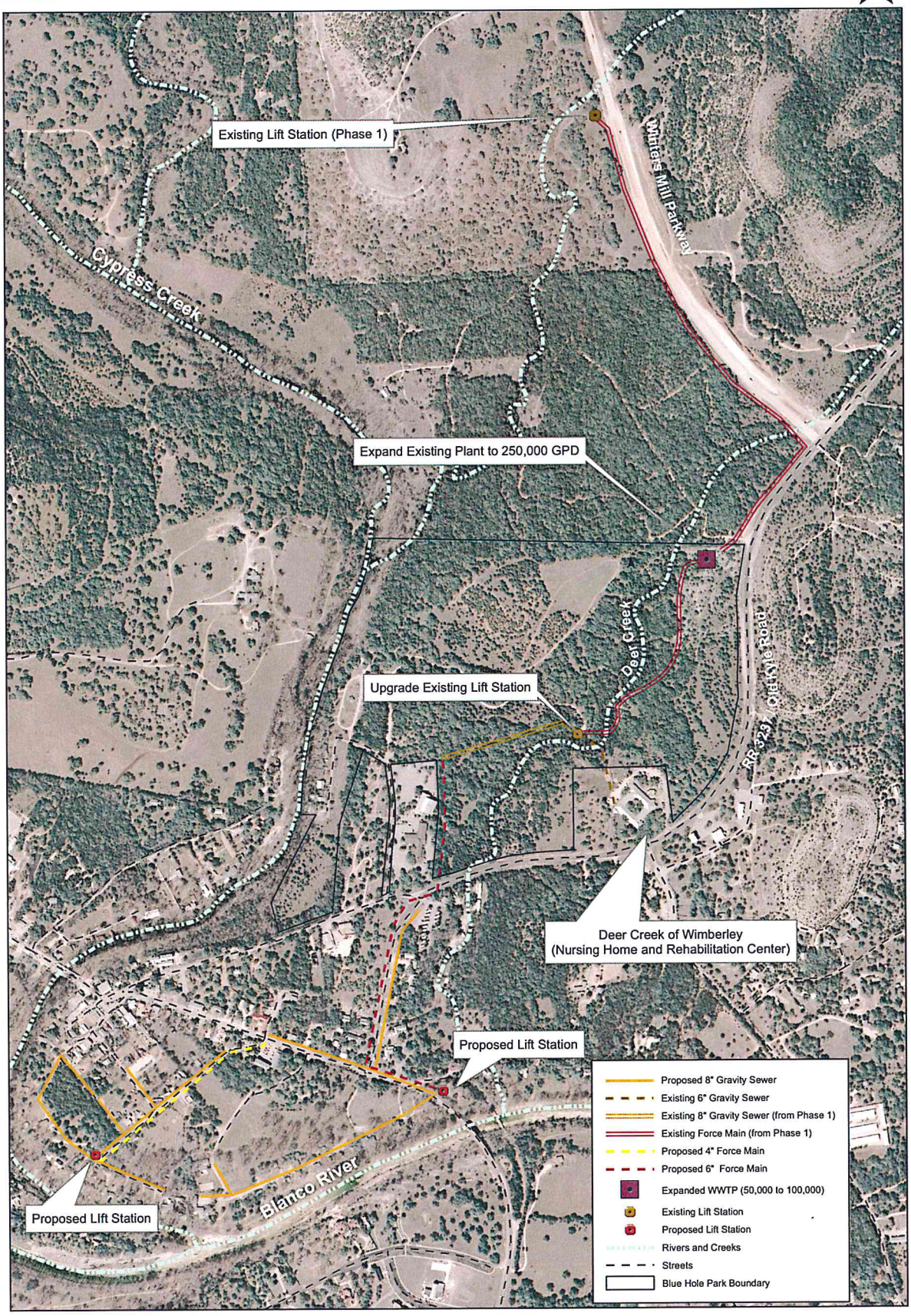


Figure 10: Phase 2 Option B

4.6 Phase 2, Option C

This option would include those improvements listed in Option B, however, the treatment plant would be located on the site of the potential development.

4.6.1 Collection System

The collection system for this option would include all the modifications listed for Option A, and would require expanding the existing pump station that currently serves Deer Creek to pump the anticipated flow to a new treatment plant located on the development. An illustration of this option is presented in Figure 11.

4.6.2 Treatment Plant and Effluent Disposal

Option C is anticipated to produce approximately 240,000 GPD of wastewater. A conventional activated sludge, extended aeration treatment plant with a chlorine contact chamber could adequately treat this flow for use in subsurface irrigation. This amount of effluent would require a total of 55 acres of land for irrigation, or 11 additional acres to what is required for Phase 1 of this option. Because the treatment plant would be located on development property, it is recommended that all of the effluent be disposed of on this property to reduce the costs involved with pumping a portion of the effluent to Blue Hole Regional Park for disposal. A majority of the acreage used for subsurface irrigation could be selected from the areas with soils identified as 'not limited' for irrigation as shown in Figure 3 along Winters Mill Parkway.

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS - DESIGNERS - SCIENTISTS

1 inch = 650 feet

N

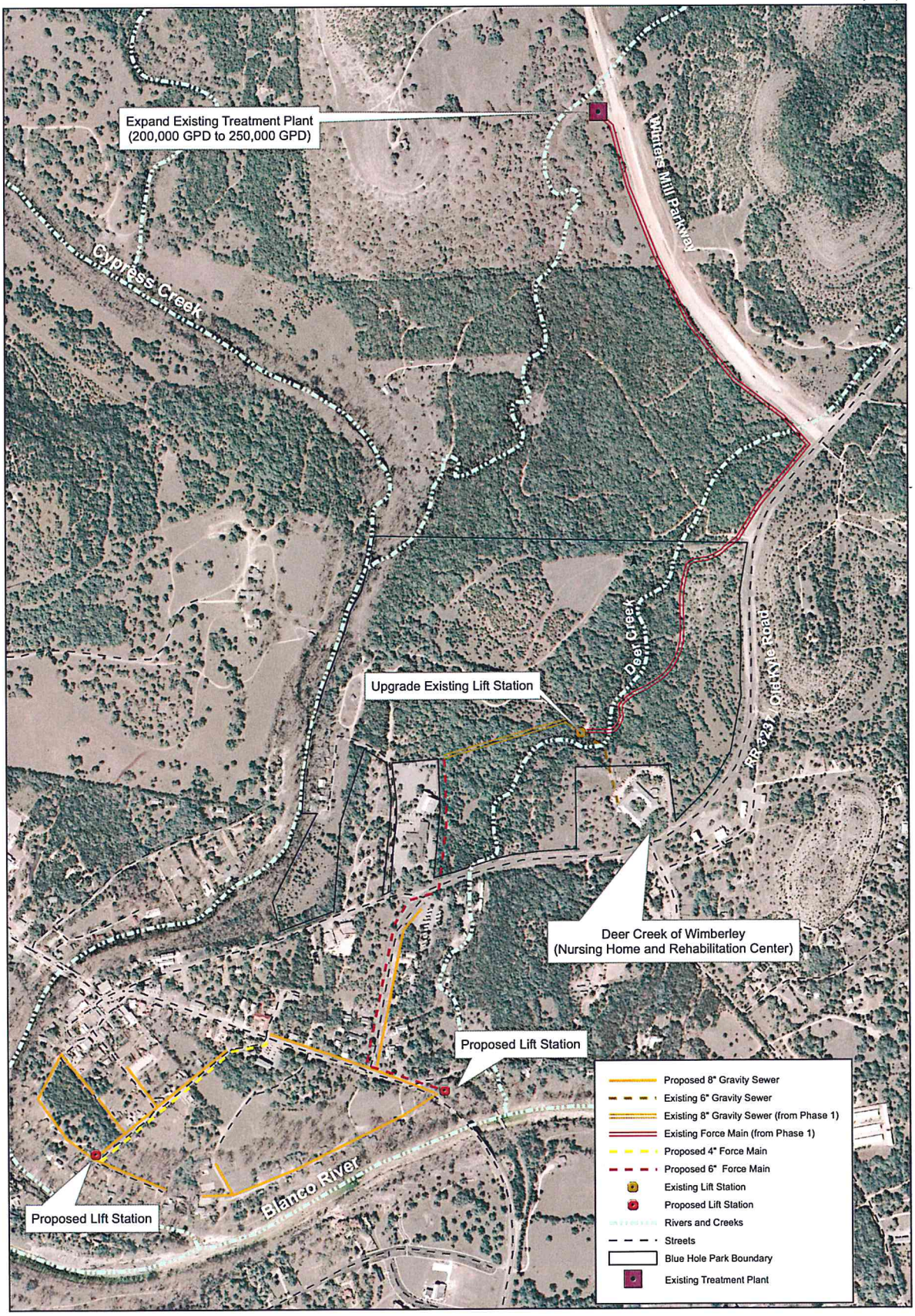


Figure 11: Phase 2 Option C

4.7 Interim Phase – Temporary Connection to Aqua Texas, Inc.

In order to potentially expedite wastewater service to the downtown area of Wimberley, an interim phase of the collection system implementation plan which involves a temporary agreement with Aqua Texas, Inc. (Aqua) to accept and treat wastewater flows from Wimberley, was investigated by APAI.

Two parcels of land, owned by a developer who has indicated willingness to provide sites for locating lift stations, straddle Cypress Creek south of Wimberley Square and were identified as ideal locations for lift stations which could be used to transport wastewater across Cypress Creek and eventually to an Aqua lift station located near Brookshire Brothers on RR 12. Figure 12 illustrates the proposed layout of the collection system, which would serve the same extent of customers as outlined in Phase 1, Option A. Rather than pumping wastewater to a treatment plant on Blue Hole Park, the proposed lift station located at the site of the public restrooms near Cypress Creek Park would pump across RR 12 to gravity sewers in Wimberley Square, which would flow to another lift station further south. From this point, wastewater would be pumped through a force main and under Cypress Creek, to a lift station that will be constructed by the owner of the planned development at that location. It is expected that the property owner will be responsible for the costs of sizing the lift station appropriately to treat waste generated by the collection system in Wimberley and pump it through a new force main (also the property owner's responsibility) to the Aqua lift station. This interim phase temporarily eliminates the costs of expanding the treatment plant at Blue Hole (or building a new plant) and the costs involved with installing a subsurface drip dispersal system for disposal of effluent.

Most of the infrastructure involved with this option would continue to be used once Phase 1, Option A is implemented. The 4-inch bores, while not necessary once the agreement with Aqua is terminated, could remain in place to serve as an emergency alternative should Wimberley need to pump temporarily to Aqua due to main breaks, treatment plant malfunctions, or other unforeseen circumstances.

The customers served by this temporary alternative would be required to pay wastewater rates established in an agreement between Aqua, the Village of Wimberley and GBRA. A disadvantage of this alternative is the fact that the funds allocated to the temporary agreement could affect the feasibility of full implementation of the other options discussed in this report.

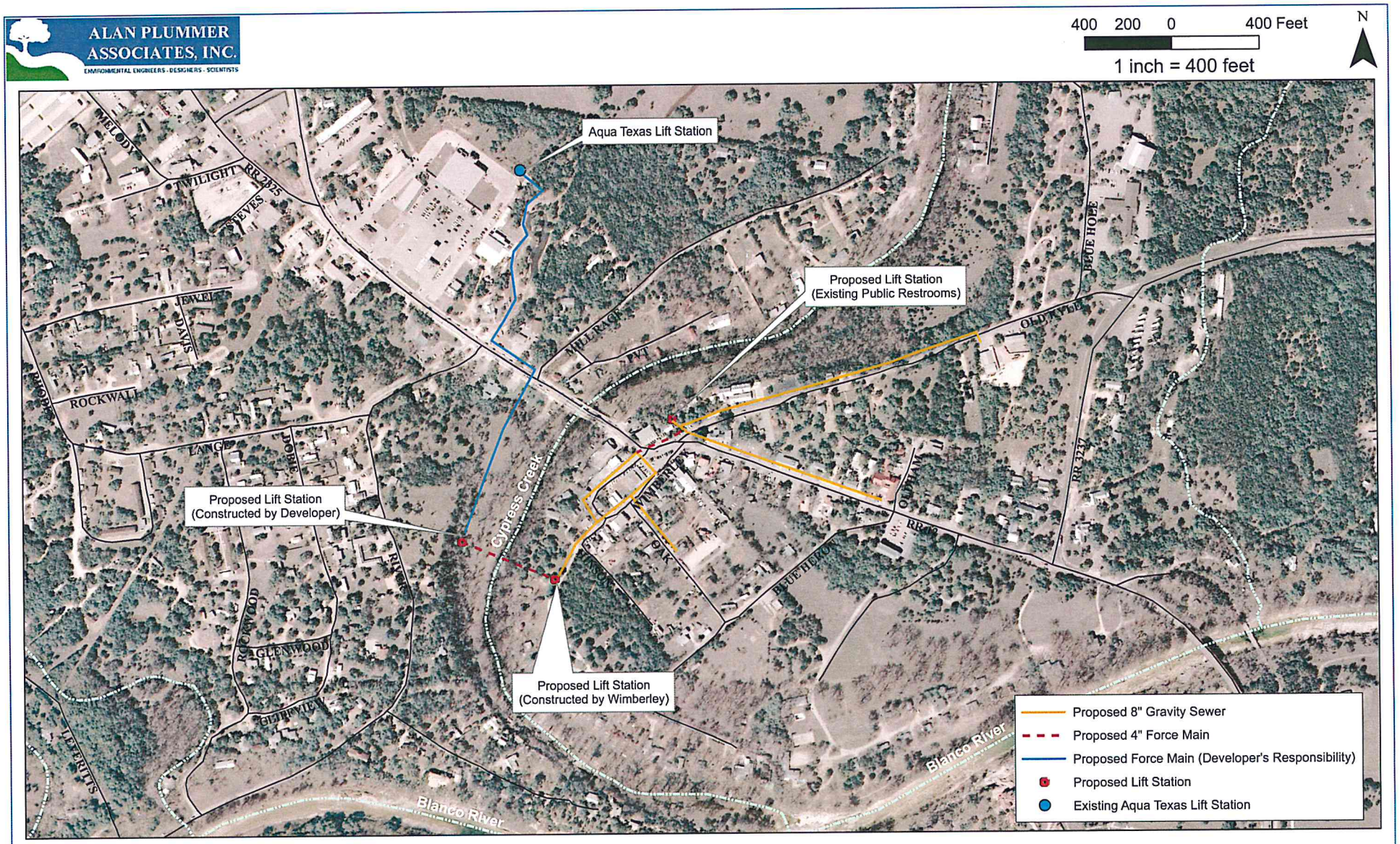


Figure 12: Interim Phase - Temporary Agreement with Aqua Texas, Inc.

Chapter 5: Cost Comparison and Recommendations

5.1 Opinion of Probable Costs

The costs involved with each of the options discussed will most likely be the most important factor in deciding the viability of implementing a wastewater collection system for Wimberley. A cost summary table is provided below. Detailed cost estimates for each option, and a description of the assumptions that were taken into account in developing the estimates, are supplied in the appendix of this report.

Table 7: Cost Comparison of Collection and Treatment Options

	Phase 1			Phase 2[3]			Interim Phase
	Option A	Option B	Option C	Option A	Option B	Option C	
Collection System	$1,290,000 (new) $1,275,000 (exp)	$1,655,000	$1,631,000	$1,707,000	$1,707,000	$1,767,000	$1,089,000
Effluent Disposal	$1,211,000 (new) $916,000 (exp)	$5,016,000	$4,416,000	$1,506,000	$1,506,000	$1,506,000	N/A
New or Expanded EAAS[1] Plant	$730,000	$2,340,000	$2,340,000	$480,000	$480,000	$480,000	N/A
Expanded & Upgraded Package Plant	$420,000	N/A	N/A	N/A	N/A	N/A	N/A
Total Cost:	$3,715,000 (new) $3,002,000 (exp)	$10,363,000	$9,646,000	$4,247,000	$4,247,000	$4,316,000	$1,089,000

[1] EAAS = Extended Aeration Activated Sludge

[2] Includes 15% in engineering, overhead and financing fees and represents a rounded number; does not include costs for solids handling as it is assumed solid wastes will be hauled off site to a treatment facility

[3] Costs for Phase 2 assume all improvements listed in Phase 1 are in place

(new) = Costs associated with construction of a new plant in the northeast corner of the Blue Hole property

(exp) = Costs associated with expanding the existing package plant in its current location

Although pursuing a TPDES discharge permit is not anticipated at this time, a preliminary estimate of the associated force main installation and pump station required to convey effluent from the treatment plant on park property to a water body that does not discharge to Cypress Creek could cost up to $450,000. Alternatively, discharging effluent to Deer Creek via gravity could eliminate this cost. Deer Creek runs through Blue Hole Regional Park but meets the Blanco River downstream of the Blue Hole Recreational Area.

5.2 Recommendations

In order to serve the wastewater needs of the Village of Wimberley, it is recommended that Phase 1, Option A as described in this report be implemented. This phase will provide wastewater service to many of the local businesses and restaurants as well as some residential areas. The proposed layout of the system also allows for future expansion of wastewater service.

While the option to construct a new 50,000 GPD plant in the northeastern part of Blue Hole Regional Park is initially more expensive than expanding the existing package plant in its current location, it is the preferred option and therefore the recommended alternative for several reasons:

1. The new plant would be located in the area designated in the Blue Hole Regional Park Master Plan and allow park development to continue as planned. The plant would be out of the way of park amenities yet easily accessible from county roads.
2. Conventional concrete wastewater plants have a significantly higher life expectancy than do package treatment plants. A preliminary analysis of the life cycle costs between a package treatment plant with a life expectancy of 25 years and a conventional concrete plant with a life expectancy of 50 years indicates that the total cost of expanding the package plant is roughly $200,000 greater than constructing the conventional plant, when analyzed over a 50 year period. Additionally, it is expected that the existing septic fields at the current plant location will eventually need to be decommissioned and replaced with a subsurface drip irrigation system which could cost Wimberley more than $250,000 in today's dollars.
3. Expanding the plant beyond its 50,000 GPD capacity is expected as the population increases and additional septic systems age and need replacement. Expanding a treatment plant at the proposed location in the northeastern corner of the Blue Hole property is anticipated to be more acceptable to the public since it will not encroach further into the area of the park featuring amenities as would adding more treatment units at the site of the existing plant.

It is recommended that GBRA pursue the alternative identified as Phase 1, Option A and construct a new, 50,000 GPD wastewater treatment plant.

Appendix of Cost Estimates

**The following assumptions were made in developing cost estimates associated with all phases and options discussed in this report. The unit price estimates published by the San Antonio Water System (SAWS), construction bid tabs adjusted by the appropriate factor published in the Engineering News Record (ENR), the United States Environmental Protection Agency (EPA)guidelines for wastewater treatment plant costs and direct quotes from vendors were referenced in order to develop each estimate.*

Gravity Sewers and Manholes: The cost per linear foot of gravity sewer was estimated based on the average depth of installation. The depth of each manhole was estimated and factored into the overall unit cost as well. Service connections were assumed to include the connection from the service line to the property line only.

Lift Stations: A peaking factor of 4 was used to appropriately size each lift station. The depth to which the lift stations would be constructed was considered in developing the overall costs, as were the necessary security fencing and access roads. The cost of installing a permanent generator was also included, however, TCEQ regulations do allow for the use of portable generators to service more than one lift station, providing certain criteria are met. This could significantly reduce the cost of constructing lift stations. Electrical and instrumentation requirements in addition to the cost of installing a generator were assumed to equal roughly 20% of the total cost of the packaged lift station. The estimates provided were based on quotes from packaged lift station vendors. Lift stations that may be necessary to convey flow from private properties to the main gravity lines were not included (this is possibly necessary to provide service to the First Baptist Church and some properties near the Blanco River at RR 12).

Treatment Plants: The costs of the treatment plants were based construction bid tabs adjusted per ENR index, as well as vendor quotes and EPA guidelines. Because of the TCEQ rule requiring that treatment plants begin planning for expansion once flows to the plant reach 75% of the permitted capacity and begin constructing the expansion once these flows reach 90% of what is permitted, and to allow for some growth in excess of estimated flows, the costs listed for each treatment plant are for flows slightly larger than what was determined based on flow projections.

Soil Importation: Soil costs were based on discussions with contractors who had provided similar services for other systems in neighboring areas and include material, transport and labor costs of importing and spreading the soil. In Options B and C, when it is assumed that effluent will be disposed of on the site of the planned development, soil costs are based on the need to import approximately half of the required soil, since quality soils already exist on part of the development.

Subsurface Drip Irrigation Systems and Ground Storage Tanks: Drip irrigation system cost estimates were based on discussions with vendors and contractors and include all necessary pumps, valves and tubing. Storage tank costs were also estimated based on vendor quotes.

Phase 1, Option A: Opinion of Probable Cost

New Plant Construction

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	4,700	LF	$75	$352,500
Gravity Sewer, Directional Bore	300	LF	$300	$90,000
Force Main, Open Cut	4,600	LF	$40	$184,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	5	EA	$1,000	$5,000
Manholes	16	EA	$5,000	$80,000
Lift Stations	1	LS	$200,000	$200,000
Street/Driveway Repair	2,500	LF	$10	$25,000
Service Connections	60	EA	$1,000	$60,000
Erosion Control	6,000	LF	$3	$18,000
			Subtotal Collection System	$1,074,500
			Contingencies (20%)	$214,900
			Total Collection System	**$1,289,400**
Subsurface Drip Dispersal System	1	LS	$480,000	$480,000
Soil Importation	14,815	CY	$30	$444,450
Ground Storage Tank (s)	1	LS	$85,000	$85,000
			Subtotal Efffluent Disposal	$1,009,450
			Contingencies (20%)	$201,890
			Total Effluent Disposal	**$1,211,340**
			Construct New Plant (50,000 GPD)	$600,000
			Decommission Existing Plant and Septic Field	$50,000
			Subtotal Treatment Plant	$650,000
			Contingencies (20%)	$130,000
			Total Treatment Plant Construction (New Construction)	**$730,000**
			Subtotal, Phase 1 Option A New Plant Construction	$3,230,740
			Engineering / Overhead / Financing (15%)	$484,611
			Total Estimated Cost, Phase 1 Option A New Plant Construction	**$3,715,351**

Phase 1, Option A: Opinion of Probable Cost

Existing Plant Expansion and Upgrade

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	4,700	LF	$75	$352,500
Gravity Sewer, Directional Bore	300	LF	$300	$90,000
Force Main, Open Cut	4,300	LF	$40	$172,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	5	EA	$1,000	$5,000
Manholes	16	EA	$5,000	$80,000
Lift Stations	1	LS	$200,000	$200,000
Street/Driveway Repair	2,500	LF	$10	$25,000
Service Connections	60	EA	$1,000	$60,000
Erosion Control	6,000	LF	$3	$18,000
			Subtotal Collection System	$1,062,500
			Contingencies (20%)	$212,500
			Total Collection System	**$1,275,000**
Subsurface Drip Dispersal System	1	LS	$360,000	$360,000
Soil Importation	11,100	CY	$30	$333,000
Ground Storage Tank (s)	1	LS	$70,000	$70,000
			Subtotal Efffluent Disposal	$763,000
			Contingencies (20%)	$152,600
			Total Effluent Disposal	**$915,600**
			Expand and Upgrade Existing Package Plant (25,000 to 50,000 GPD)	$350,000
			Contingencies (20%)	$70,000
			Total Treatment Plant Construction (New Construction)	**$420,000**
			Subtotal, Phase 1 Option A Expand and Upgrade Existing Plant	$2,610,600
			Engineering / Overhead / Financing (15%)	$391,590
			Total Estimated Cost, Phase 1 Option A New Plant Construction	**$3,002,190**

Phase 1, Option B: Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	4,700	LF	$75	$352,500
Gravity Sewer, Directional Bore	300	LF	$300	$90,000
Force Main, Open Cut	8,350	LF	$40	$334,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	8	EA	$1,000	$8,000
Manholes	16	EA	$5,000	$80,000
Lift Stations	1	LS	$340,000	$340,000
Street/Driveway Repair	2,500	LF	$10	$25,000
Service Connections	60	EA	$1,000	$60,000
Erosion Control	10,000	LF	$3	$30,000
			Subtotal Collection System	$1,379,500
			Contingencies (20%)	$275,900
			Total Collection System	**$1,655,400**
Subsurface Drip Dispersal System	1	LS	$2,900,000	$2,900,000
Soil Importation	35,000	CY	$30	$1,050,000
Ground Storage Tank(s)	1	LS	$230,000	$230,000
			Subtotal Efffluent Disposal	$4,180,000
			Contingencies (20%)	$836,000
			Total Effluent Disposal	**$5,016,000**
			Construct New Plant (200,000 GPD)	$1,900,000
			Decommission Existing Plant and Septic Field	$50,000
			Subtotal Treatment Plant	$1,950,000
			Contingencies (20%)	$390,000
			Total Treatment Plant Construction (New Construction)	**$2,340,000**
			Subtotal, Phase 1 Option B	$9,011,400
			Engineering / Overhead / Financing (15%)	$1,351,710
			Total Estimated Cost, Phase 1 Option B	**$10,363,110**

Phase 1, Option C: Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	4,700	LF	$75	$352,500
Gravity Sewer, Directional Bore	300	LF	$300	$90,000
Force Main, Open Cut	8,350	LF	$40	$334,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	8	EA	$1,000	$8,000
Manholes	16	EA	$5,000	$80,000
Lift Stations	1	LS	$320,000	$320,000
Street/Driveway Repair	2,500	LF	$10	$25,000
Service Connections	60	EA	$1,000	$60,000
Erosion Control	10,000	LF	$3	$30,000
			Subtotal Collection System	$1,359,500
			Contingencies (20%)	$271,900
			Total Collection System	**$1,631,400**
Subsurface Drip Dispersal System	1	LS	$2,400,000	$2,400,000
Soil Importation	35,000	CY	$30	$1,050,000
Ground Storage Tank(s)	1	LS	$230,000	$230,000
			Subtotal Efffluent Disposal	$3,680,000
			Contingencies (20%)	$736,000
			Total Effluent Disposal	**$4,416,000**
			Construct New Plant (200,000 GPD)	$1,900,000
			Decommission Existing Plant and Septic Field	$50,000
			Subtotal Treatment Plant	$1,950,000
			Contingencies (20%)	$390,000
			Total Treatment Plant Construction (New Construction)	**$2,340,000**
			Subtotal, Phase 1 Option C	$8,387,400
			Engineering / Overhead / Financing (15%)	$1,258,110
			Total Estimated Cost, Phase 1 Option C	**$9,645,510**

Phase 2, Option A: Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	8,000	LF	$75	$600,000
Gravity Sewer, Directional Bore	200	LF	$300	$60,000
Force Main, Open Cut	4,100	LF	$40	$164,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	4	EA	$1,000	$4,000
Manholes	18	EA	$5,000	$90,000
Lift Stations	1	LS	$315,000	$315,000
Street/Driveway Repair	4,000	LF	$10	$40,000
Service Connections	70	EA	$1,000	$70,000
Erosion Control	6,500	LF	$3	$19,500
			Subtotal Collection System	$1,422,500
			Contingencies (20%)	$284,500
			Total Collection System	**$1,707,000**
Subsurface Drip Dispersal System	1	LS	$600,000	$600,000
Soil Importation	18,500	CY	$30	$555,000
Ground Storage Tank(s)	1	LS	$100,000	$100,000
			Subtotal Efffluent Disposal	$1,255,000
			Contingencies (20%)	$251,000
			Total Effluent Disposal	**$1,506,000**
			Expand Plant (50,000 GPD to 100,000 GPD)	$400,000
			Contingencies (20%)	$80,000
			Total Treatment Plant Construction (Expansion)	**$480,000**
			Subtotal, Phase 2 Option A	$3,693,000
			Engineering / Overhead / Financing (15%)	$553,950
			Total Estimated Cost, Phase 2 Option A	**$4,246,950**

Phase 2, Option B: Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	8,000	LF	$75	$600,000
Gravity Sewer, Directional Bore	200	LF	$300	$60,000
Force Main, Open Cut	4,100	LF	$40	$164,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	4	EA	$1,000	$4,000
Manholes	18	EA	$5,000	$90,000
Lift Stations	1	LS	$315,000	$315,000
Street/Driveway Repair	4,000	LF	$10	$40,000
Service Connections	70	EA	$1,000	$70,000
Erosion Control	6,500	LF	$3	$19,500
			Subtotal Collection System	$1,422,500
			Contingencies (20%)	$284,500
			Total Collection System	**$1,707,000**
Subsurface Drip Dispersal System	1	LS	$600,000	$600,000
Soil Importation	18,500	CY	$30	$555,000
Ground Storage Tank(s)	1	LS	$100,000	$100,000
			Subtotal Efffluent Disposal	$1,255,000
			Contingencies (20%)	$251,000
			Total Effluent Disposal	**$1,506,000**
			Expand Plant (200,000 GPD to 250,000 GPD)	$400,000
			Contingencies (20%)	$80,000
			Total Treatment Plant Construction (Expansion)	**$480,000**
			Subtotal, Phase 2 Option B	$3,693,000
			Engineering / Overhead / Financing (15%)	$553,950
			Total Estimated Cost, Phase 2 Option B	**$4,246,950**

Phase 2, Option C: Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	8,000	LF	$75	$600,000
Gravity Sewer, Directional Bore	200	LF	$300	$60,000
Force Main, Open Cut	4,100	LF	$40	$164,000
Force Main, Directional Bore	300	LF	$200	$60,000
Force Main Valves	4	EA	$1,000	$4,000
Manholes	18	EA	$5,000	$90,000
Lift Stations	1	LS	$365,000	$365,000
Street/Driveway Repair	4,000	LF	$10	$40,000
Service Connections	70	EA	$1,000	$70,000
Erosion Control	6,500	LF	$3	$19,500
			Subtotal Collection System	$1,472,500
			Contingencies (20%)	$294,500
			Total Collection System	**$1,767,000**
Subsurface Drip Dispersal System	1	LS	$600,000	$600,000
Soil Importation	18,500	CY	$30	$555,000
Ground Storage Tank(s)	1	LS	$100,000	$100,000
			Subtotal Efffluent Disposal	$1,255,000
			Contingencies (20%)	$251,000
			Total Effluent Disposal	**$1,506,000**
			Expand Plant (200,000 GPD to 250,000 GPD)	$400,000
			Contingencies (20%)	$80,000
			Total Treatment Plant Construction (Expansion)	**$480,000**
			Subtotal, Phase 2 Option C	$3,753,000
			Engineering / Overhead / Financing (15%)	$562,950
			Total Estimated Cost, Phase 2 Option C	**$4,315,950**

Interim Phase – Temporary Agreement with Aqua Texas, Inc.
Opinion of Probable Cost

Description	*Quantity*	*Unit*	*Unit Cost*	*Total Cost*
Gravity Sewer, Open Cut	3,800	LF	$75	$285,000
Gravity Sewer, Directional Bore	300	LF	$300	$90,000
Force Main, Open Cut	450	LF	$35	$15,750
Force Main, Directional Bore	300	LF	$175	$52,500
Force Main Valves	2	EA	$1,000	$2,000
Manholes	14	EA	$5,000	$70,000
Lift Stations	1	LS	$185,000	$185,000
Street/Driveway Repair	2,000	LF	$10	$20,000
Service Connections	60	EA	$1,000	$60,000
Erosion Control	3,000	LF	$3	$9,000
			Subtotal Collection System	$789,250
			Contingencies (20%)	$157,850
			Total Estimated Construction Cost	$947,100
			Overhead / Engineering / Financing (15%)	$142,065
			Total Estimated Cost	$1,089,165

ADDENDUM TO THE

PRELIMINARY ENGINEERING REPORT

WASTEWATER COLLECTION AND TREATMENT SYSTEM OPTIONS FOR THE CITY OF WIMBERLEY

PREPARED FOR

CITY OF WIMBERLEY

FEBRUARY 2012

ALAN PLUMMER ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERS - DESIGNERS - SCIENTISTS

TBPE Firm Number 13

1.0 INTRODUCTION

1.1 Purpose of Project

The City of Wimberley (Wimberley) is a community of approximately 6,000 located in Hays County, Texas. Wimberley residents enjoy the aesthetic and recreational benefits of nearby Cypress Creek and Blanco River. Wimberley is also a popular tourist destination for the unique shopping and dining experiences it offers and many summer visitors find relief from the heat at Blue Hole Regional Park on the banks of Cypress Creek.

In recent years, however, residents and business owners alike have become increasingly concerned about the health of the nearby waterways and of the tourist industry itself as the private septic systems that serve Wimberley continue to deteriorate, potentially threatening the groundwater quality and thus the quality of water in Cypress Creek and the Blanco River. Some businesses in and around Wimberley Square have even been forced to prohibit restroom use by customers as their septic systems are unable to handle the additional loads seen during busy weekends. For these reasons, Wimberley is evaluating the feasibility of constructing a wastewater collection system and new wastewater treatment plant.

Alan Plummer Associates, Inc. (APAI) was retained by Wimberley to develop a Preliminary Engineering Report (PER) summarizing the collection and treatment options available and to assist in preparing an application for funding to the Texas Water Development Board (TWDB).

1.2 Background

Wimberley recently purchased a 25,000 gallon per day (GPD) package wastewater treatment plant from the Guadalupe Blanco River Authority (GBRA). The plant is located within the boundary of Blue Hole Regional Park along Old Kyle Road / FM 3237 and treats wastewater from a single customer, Deer Creek of Wimberley Nursing Home and Rehabilitation Center (Deer Creek of Wimberley). Prior to this purchase, GBRA had owned and operated the plant which was constructed to replace a deteriorating system that had been unable to consistently meet biochemical oxygen demand (BOD) limits. In 2008, APAI was retained by GBRA to investigate the options available to replace the plant and to evaluate the feasibility of constructing a collection system to serve Wimberley. The final PER, *Wastewater Collection and*

Treatment System Options for the Village of Wimberley, January 2010, identified several potential service areas, project phasing options, and effluent disposal alternatives for bringing wastewater service to Wimberley. Since purchasing the treatment plant from GBRA, Wimberley has also secured the rights to the January 2010 PER. The current report is an addendum to the January 2010 PER and serves to document the decisions regarding the project that have been made by Wimberley since finalization of the January 2010 PER. Final recommendations based on recent input from Wimberley will be presented, as will an updated cost opinion associated with implementing the recommended course of action. The January 2010 PER is included as an appendix.

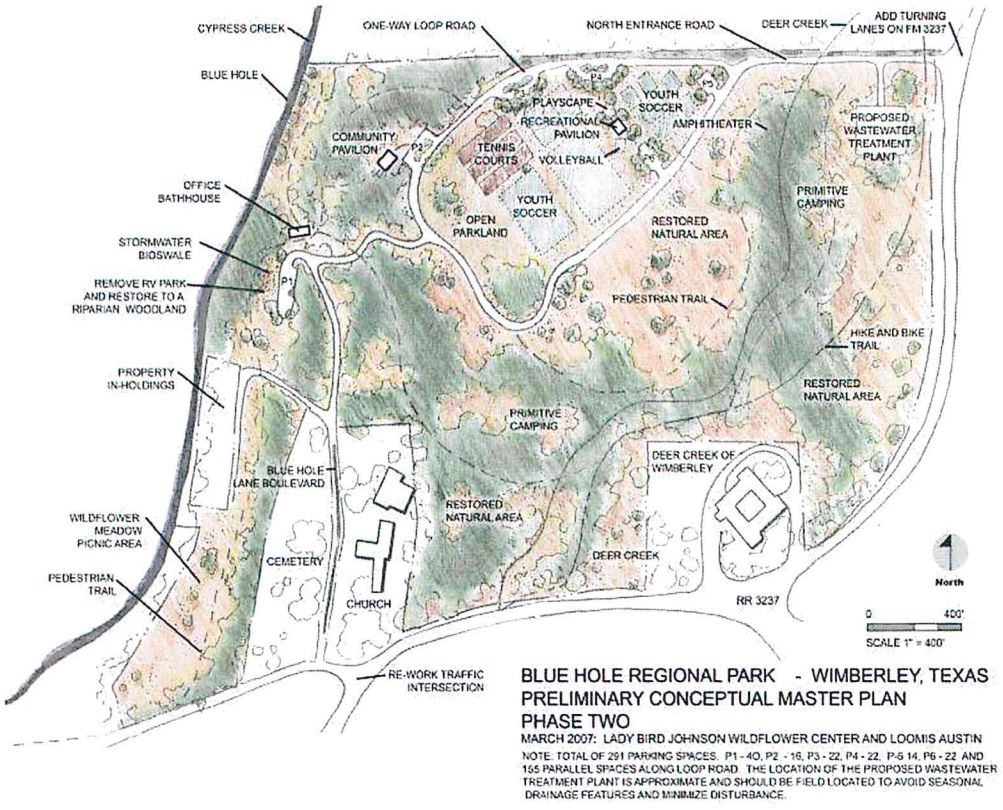
1.3 Blue Hole Regional Park

Discussion of wastewater collection and treatment in Wimberley often includes reference to Blue Hole Regional Park (Park), a 126 acre park that borders Cypress Creek and FM 3237 and includes or will include (not all improvements have been completed as of the date of this PER) playing fields, picnic areas, community pavilions, camping areas, Blue Hole swimming hole, hiking, biking and pedestrian trails. The property of Blue Hole was purchased by Wimberley in 2005 and stakeholders were successful in obtaining approval of the Blue Hole Regional Park Master Plan (Plan) from the City of Wimberley in 2007. The Master Plan calls for environmentally sensitive development of the property for public use, including those improvements listed above as well as a variety of ecological restoration projects. Development of the Park is also closely tied to a proposed wastewater collection/treatment system as plans call for the soccer playing fields and some restored natural areas to be irrigated with effluent from a new wastewater treatment plant, located in the northeast corner of the property. The ultimate vision of the Plan is to decommission the existing plant and drain fields located in the north central part of the Park in order to develop this area into recreational facilities, which would be irrigated with wastewater effluent from the new plant using a subsurface drip dispersal system. The wastewater collection and treatment system described in subsequent paragraphs was conceptualized with the needs of the Park in mind. Figure 1 was obtained from the Blue Hole Regional Park Master Plan and illustrates the proposed layout of the Park.

Draft

Figure 1: Blue Hole Regional Park

SITE PLAN K: Final Phase 2 Master Plan, March 2007



118

2.0 FLOW PROJECTIONS and COLLECTION SYSTEM LAYOUT

The proposed collection system would be constructed primarily to serve the downtown area and residents/businesses along FM 3237 and Old Kyle Road between Ranch Road 12 and the FM 3237/Old Kyle Road intersection. Additionally, the area south of Wimberley Square along Cypress Creek would be served. This area is expected to be developed further in the near future and developers have expressed an interest in sewer service. Figure 2 illustrates the area of Wimberley that would receive sewer service and the proposed collection system layout as described below.

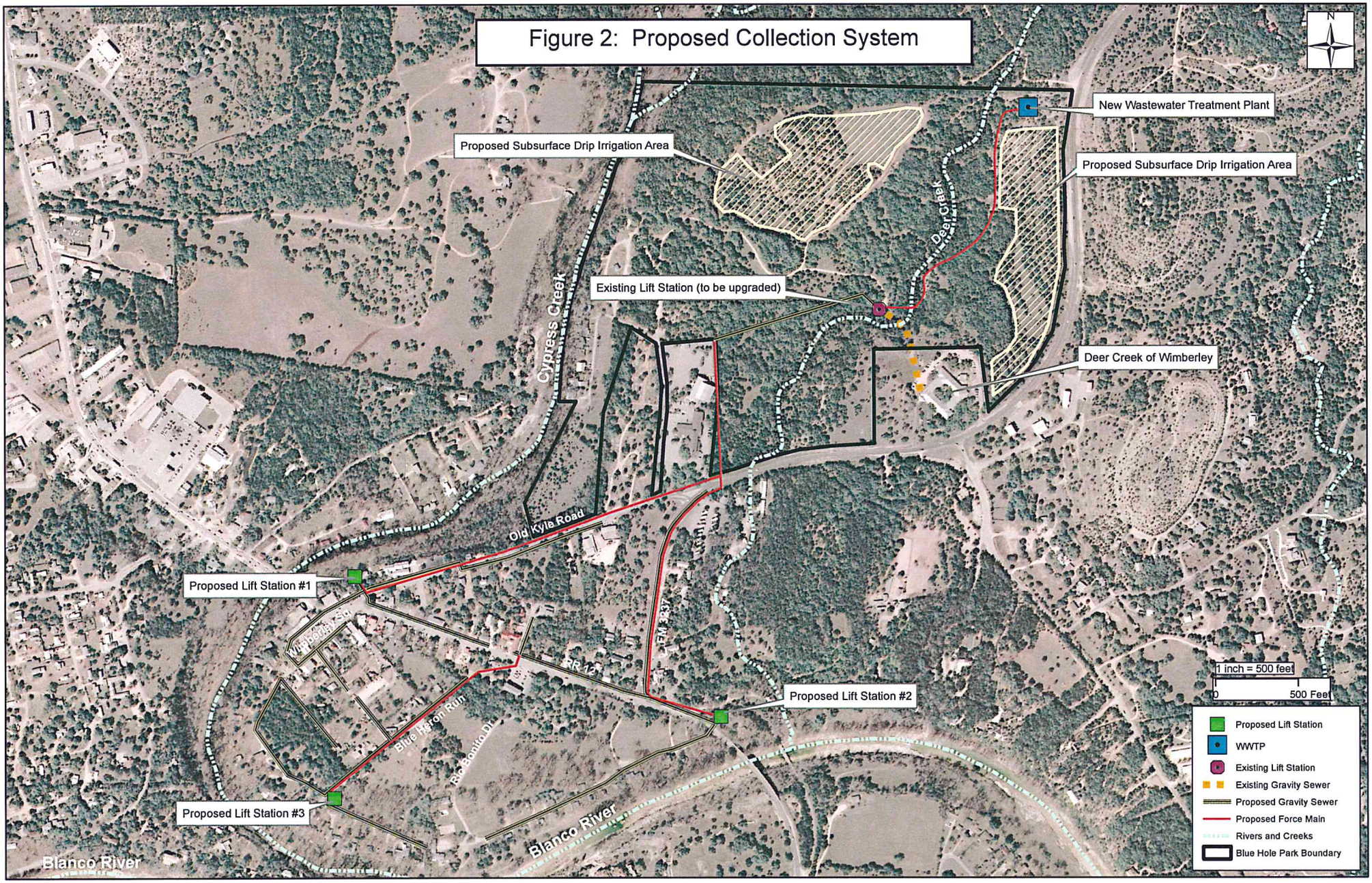
2.1 Collection System Layout

The topography of Wimberley consists of hilly terrain along FM 3237, Old Kyle Road and RR 12, with the grade generally sloping towards Cypress Creek and the Blanco River in the area bounded by these water bodies and RR 12.

A gravity sewer would be constructed in the right-of-way of FM 3237 from the intersection with Old Kyle Road to the site of a proposed lift station at RR 12 and Malone Drive. A gravity sewer would also be constructed along RR 12, though due to the elevation crest near Blue Heron Run, this road would be served by two separate sewers, each flowing to a different lift station. Old Kyle Road would be served by a gravity line, which would flow to a new lift station located near the intersection with RR 12. The proposed layout also includes sewer service to the residents of the Rio Bonito development, and the residents and businesses in Wimberley Square as illustrated in Figure 2. A lift station located at the end of Blue Heron Run, near Cypress Creek, would be necessary to pump flow from customers south of RR 12 to the gravity line in RR 12. Flow projections suggest that 6-inch sewer lines would be of sufficient size to serve the area and it is anticipated that a majority of sewer lines would be constructed in the right-of-way.

Force mains from the proposed lift stations located on either end of RR 12 between Cypress Creek and the Blanco River would serve to convey flow to a gravity sewer located on the Blue Hole Regional Park property, at the corner of the parcel owned by the First Baptist Church near the intersection of Old Kyle Road and FM 3237. The gravity line would run to the existing lift

Figure 2: Proposed Collection System



station which currently serves Deer Creek of Wimberley. This lift station would be upgraded to handle additional flow, and a new force main from the lift station to the site of the new treatment plant would be constructed. The location of the treatment plant is also illustrated in Figure 2 and was identified in plans for Blue Hole Regional Park. The proposed force main from the existing Deer Creek of Wimberley lift station to the new plant would generally follow the alignment of the planned pedestrian trail to minimize the need for vegetation clearing (see also Figure 1). In order to ensure adequate flushing velocities in the proposed pipes, all force mains should be 4 inches in diameter, with the exception of the force main to the plant which should be 6 inches.

2.2 Flow Projections

Average daily wastewater flows are expected to total approximately 95,000 GPD, including flows from Deer Creek of Wimberley, which contributes roughly 10,000 GPD. Flows for the anticipated service area were developed in close coordination with Wimberley based on discussions with residents and business owners, as well as an evaluation of Hays County Appraisal District tax and land use maps. A certain number of Living Unit Equivalents (LUE) was assigned to each parcel based on the type of expected use (i.e. residential, retail, commercial, restaurant, etc.) Each LUE is equivalent to 300 GPD per Texas Commission on Environmental Quality (TCEQ) guidelines. One or more LUEs, as applicable, was assigned to currently undeveloped parcels in anticipation of future use. Exclusive of flows from Deer Creek of Wimberley, the proposed collection system is expected to serve roughly 283 LUEs. This figure is representative of the system under build-out conditions. Table 1 presents the estimated wastewater flows based on type of customer served. It is recommended that the system be designed to treat a flow of 100,000 GPD.

Draft

Table 1: Service Area Flow Projections

	Number of Customers of Same Type	Total Estimated Wastewater Flow (GPD)
Residential	90	27,000
Restaurant	5	7,500
Retail/Office/Mixed Use	57	40,000
Hotel/Motel/RV Park	3	4,500
Other Non-Residential (church, day care, theater)	4	4,500
Public Restrooms at Cypress Creek Park	1	1,500
Deer Creek Nursing Home and Rehabilitation Center	1	10,000
	Total Estimated Flow	**95,000**

3.0 EFFLUENT DISPOSAL and TREATMENT

3.1 Effluent Disposal

Wimberley has expressed a strong desire to pursue a no discharge facility. The options for land application of wastewater effluent were explored in detail in the January 2010 PER, and subsurface drip dispersal was the recommended alternative due to the significantly less land area required, the minimal amount of effluent storage required, and the benefit of being able to irrigate when an area is in use by the public. The use of highly treated effluent for irrigation of playing fields and other natural areas was identified in the Blue Hole Regional Park Master Plan. A drawback to this method of effluent disposal is the costs associated with importing quality soil to amend the areas designated for subsurface irrigation as the native soils are primarily rock with little topsoil above these restrictive layers.

Based on TCEQ regulations, a plant treating 100,000 GPD would require approximately 23 acres in land area for disposal of effluent. The areas considered ideal for irrigation include the existing and proposed soccer fields and the area just south of the future plant site which is designated in the Plan as a restored natural area and is not heavily wooded, enabling easier installation of the drip dispersal system. These locations are shown in Figure 2.

Draft

Regulations also require that storage facilities be installed with systems utilizing subsurface irrigation to contain an effluent volume equivalent to three (3) days of flow. This provision is in place to account for circumstances when the dispersal system is offline for routine or emergency maintenance. The subsurface irrigation system for Wimberley would therefore include a 300,000 gallon storage tank.

3.2 Treatment Options and Permitting Requirements

The TCEQ mandates that effluent applied to land to which the public has contact be treated to Type 1 level and be disinfected. A conventional extended aeration activated sludge (EAAS) wastewater treatment plant with a chlorine feed and chlorine contact chamber could meet these effluent requirements of 20 mg/L BOD and TSS (30 day avg.).

The current water quality permit for the existing package wastewater treatment plant limits single-grab BOD samples to 35 mg/L, however, the plant produces much higher quality effluent, with BOD concentrations of 10 mg/L and TSS concentrations of 15 mg/L. Wimberley has expressed a desire to maintain this high level of treatment at the new plant as well.

The construction of the new plant will likely require a major amendment to the existing permit, or a new permit altogether since the treatment capacity and land use type for effluent disposal will change, and the package treatment plant will be decommissioned. The permitting process should be commenced as soon as possible upon receiving a funding commitment for the project.

3.3 Reclaimed Water Alternative

In addition to using highly-treated effluent for irrigation within Blue Hole Regional Park, Wimberley has expressed an interest in diverting some treated wastewater to be used as reclaimed water for irrigation in other areas of the city.

For the purposes of this report, it was assumed that a single reclaimed water line could be extended from the plant along the right-of-way of FM 3237 / Old Kyle Road to Wimberley Square, as shown in Figure 3. The largest user of reclaimed water is expected to be Wimberley Cemetery, however, other businesses and residents along the proposed route who maintain landscaping could benefit as well.

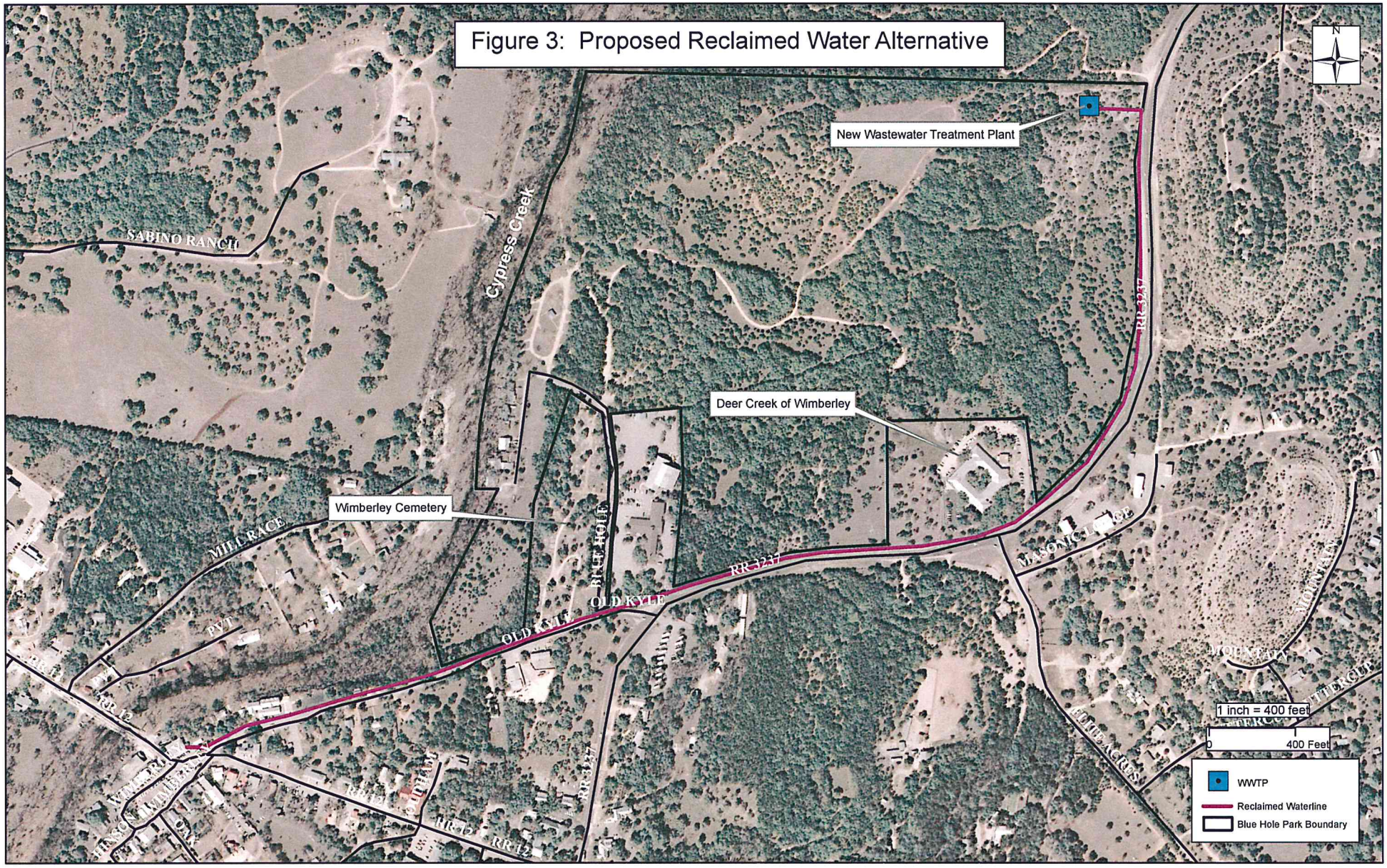


Figure 3: Proposed Reclaimed Water Alternative
New Wastewater Treatment Plant
Deer Creek of Wimberley
Wimberley Cemetery
Cypress Creek
SABINO RANCH
MILL RACE
OLD KYLE
RR 3237
RR 12
RR 32
MASONIC LOOP
MOUNTAIN
1 inch = 400 feet
0
400 Feet
WWTP
Reclaimed Waterline
Blue Hole Park Boundary

The elevation difference between the plant site and location of potential reclaimed water users suggests low capital and operational pumping costs; however, the length of pipeline necessary to convey water is significant. A preliminary opinion of probable cost for the reclaimed system described herein suggests that constructing the system would cost approximately $460,000.

While implementation of a reclaimed system would further the City of Wimberley's goals of environmental stewardship, it will not alleviate the need for a subsurface drip dispersal system for effluent disposal rated at the full plant capacity, or 100,000 gallons. This is due to the fact that reclaimed water is delivered on an as-needed basis and, during periods of wet weather, would likely not be used at all in which case treatment plant effluent would need to be disposed of entirely through the subsurface drip irrigation system.

Should the reclaimed water alternative be pursued, a Domestic Reclaimed Water (210) authorization from the TCEQ would need to be secured before construction.

4.0 PROJECT SCHEDULE

4.1 Project Phasing

The January 2010 PER identified the collection and treatment system for Wimberley as being completed in two separate phases, with the downtown area and customers along Old Kyle Road and part of RR 12 served in the first phase and remaining customers the second phase. In consideration of the costs involved and number of potential customers served, it was decided that the most efficient approach to implementing the project is to construct both phases together.

4.2 Easement Acquisition

A majority of the collection system will be constructed in the right of way of Hays County and Texas Department of Transportation (TXDOT) roads. However, purchasing easements will be necessary for one of the three proposed lift stations and possibly necessary for certain gravity lines and force mains where installation on privately-owned roads.

4.3 Permitting

The TPDES Discharge Permit for this project will need to be amended. The amendment process can take between six and twelve months. However, as this project does not involve a discharge to surface waters, it is anticipated that the process will be on the shorter end of this range; unless the permit amendment is protested.

4.2 Project Schedule

Upon confirmation of project funding, Wimberley intends to initiate design immediately. The permitting and easement acquisition activities must be started immediately to maintain the project schedule. Design is anticipated to last 9 months and will run concurrently with the permitting and easement acquisition. The construction phase is expected to last a minimum of one year, with the collection system and treatment system being constructed concurrrnetly.

5.0 COST OPINION and RECOMMENDATIOS

5.1 Opinion of Probable Cost

The costs associated with the improvements discussed in this PER are summarized below. A description of the assumptions that were taken into account in developing the estimates is supplied in the appendix of this report. The cost of implementing the reclaimed water alternative is not included below but would add approximately $460,000 to the overall cost, inclusive of contingencies and fees associated with engineering, financing and overhead.

Draft

Table 2: Opinion of Probable Construction Cost				
Description	**Quantity**	**Unit**	**Unit Cost**	**Total Cost**
Gravity Sewer, Open Cut	12,575	LF	$60	$754,500
Gravity Sewer,Jack/Bore	450	LF	$250	$112,500
Manholes	50	EA	$5,400	$270,000
Service Connections	160	EA	$1,150	$184,000
Force Main, Open Cut	8,430	LF	$40	$337,200
Force Main, Jack/Bore	200	LF	$150	$30,000
Force Main Valving	1	LS	$18,000	$18,000
Pavement Repair	4,000	SY	$20	$80,000
Erosion Control	1	LS	$35,000	$35,000
Package Lift Stations	3	EA	$75,000	$225,000
Deer Creek Lift Station Upgrade	1	LS	$60,000	$60,000
			Subtotal, Collection System	**$2,106,200**
Subsurface Drip Disposal System	1	LS	$1,500,000	$1,500,000
Soil Importation	33,800	CY	$30	$1,014,000
Ground Storage Tank	1	LS	$150,000	$150,000
			Subtotal, Effluent Disposal	**$2,664,000**
Construct New Treatment Plant (100,000 GPD)	1	LS	$1,000,000	$1,000,000
Decommission Existing Plant and Drain Fields	1	LS	$50,000	$50,000
			Subtotal, Treatment	**$1,050,000**
			Subtotal, Collection, Treatment and Effluent Disposal	$5,820,200
			Contingencies (20%)	$1,164,040
			Engineering / Overhead / Financing (15%)	$873,030
			Total Estimated Project Cost	**$7,857,270**

5.2 Recommendations

In order to serve the wastewater needs of the Village of Wimberley, to prevent water quality degradation in Cypress Creek and the Blanco River, and to maintain a healthy tourist industry, it is recommended that the wastewater collection and treatment improvements discussed herein be implemented. The reclaimed water alternative should be reserved for implementation upon completion of the collection system construction if it is anticipated that reclaimed water sales would alleviate some of the cost of construction.

Appendix of Cost Estimates

**The following assumptions were made in developing cost estimates associated with all phases and options discussed in this report. The unit price estimates published by the San Antonio Water System (SAWS), construction bid tabs adjusted by the appropriate factor published in the Engineering News Record (ENR), the United States Environmental Protection Agency (EPA)guidelines for wastewater treatment plant costs and direct quotes from vendors were referenced in order to develop each estimate.*

Gravity Sewers and Manholes: The cost per linear foot of gravity sewer was estimated based on the average depth of installation. The depth of each manhole was estimated and factored into the overall unit cost as well. Service connections were assumed to include the connection from the service line to the property line only.

Lift Stations: A peaking factor of 6 was used to appropriately size each lift station. The depth to which the lift stations would be constructed was considered in developing the overall costs, as were the necessary security fencing and access roads. The cost of installing a permanent generator was also included, however, TCEQ regulations do allow for the use of portable generators to service more than one lift station, providing certain criteria are met. This could significantly reduce the cost of constructing lift stations. Electrical and instrumentation requirements in addition to the cost of installing a generator were assumed to equal roughly 20% of the total cost of the packaged lift station. The estimates provided were based on quotes from packaged lift station vendors. Lift stations that may be necessary to convey flow from private properties to the main gravity lines were not included (this is possibly needed in areas bordering Cypress Creek, just west of Wimberley Square).

Treatment Plant: The costs of the treatment plant was based construction bid tabs adjusted per ENR index, as well as vendor quotes and EPA guidelines.

Soil Importation: Soil costs were based on discussions with contractors who had provided similar services for other systems in neighboring areas and include material, transport and labor costs of importing and spreading the soil. It was assumed that quality soils exist on the already-constructed playing fields and that this area would not need to be amended.

Subsurface Drip Irrigation Systems and Ground Storage Tanks: Drip irrigation system cost estimates were based on discussions with vendors and contractors and include all necessary pumps, valves and tubing.

Draft

ATTACHMENT

D3

WRD-253a
Revised 05/18/2010

Texas Water Development Board
Wastewater Project Information

A. Project Name	B. Project No.	C. County	D. Regional Planning Group (A-P):
Wimberley Wastewater Collection, Treatment and Reuse	PIFs 9754,9755,9756	Hays	L

E. Program(s)	F. Loan Amount	F. Grant Amount	F. Loan Term
CWSRF - Equivalency	$650,000	N/A	10 years

H. Wastewater Project Description: (Multiphase project, new or expansion; plant, collection system, pump station, etc.)

Expand treatment plant, construct collection and reclaimed water distribution system.

Attach map of service area affected by Project or other documentation.

I. Wastewater Receiving Stream	J. TCEQ Permit No.	K. Segment No.	L. Long. & Lat. of Discharge Location
N/A	WQ0013321001	N/A	N/A

M. Projected Wastewater Flows

1. Design Flow MGD 0.075	2. 2-Hour Peak MGD 0.45		

N. Proposed Permit Parameters

1. CBOD5 mg/l n/a	4. NH3-N mg/l 2
2. BOD5 mg/l 5	5. DO mg/l 6
3. TSS mg/l 5	6. Other N/A

O. Is project located in a Groundwater District (If yes, identify District by name)?
Yes (•) Hays Trinity Groundwater Conservation District No ( )

P. **Projected Population from application for at least a 20 year period. Attach justification and list service area populations if different from Planning Area.**	Year	Reference Year	2010	2020	2030	2040	
	Population Projection	90	90	135	135	135	

Project Design Year	2020	Design Population	135

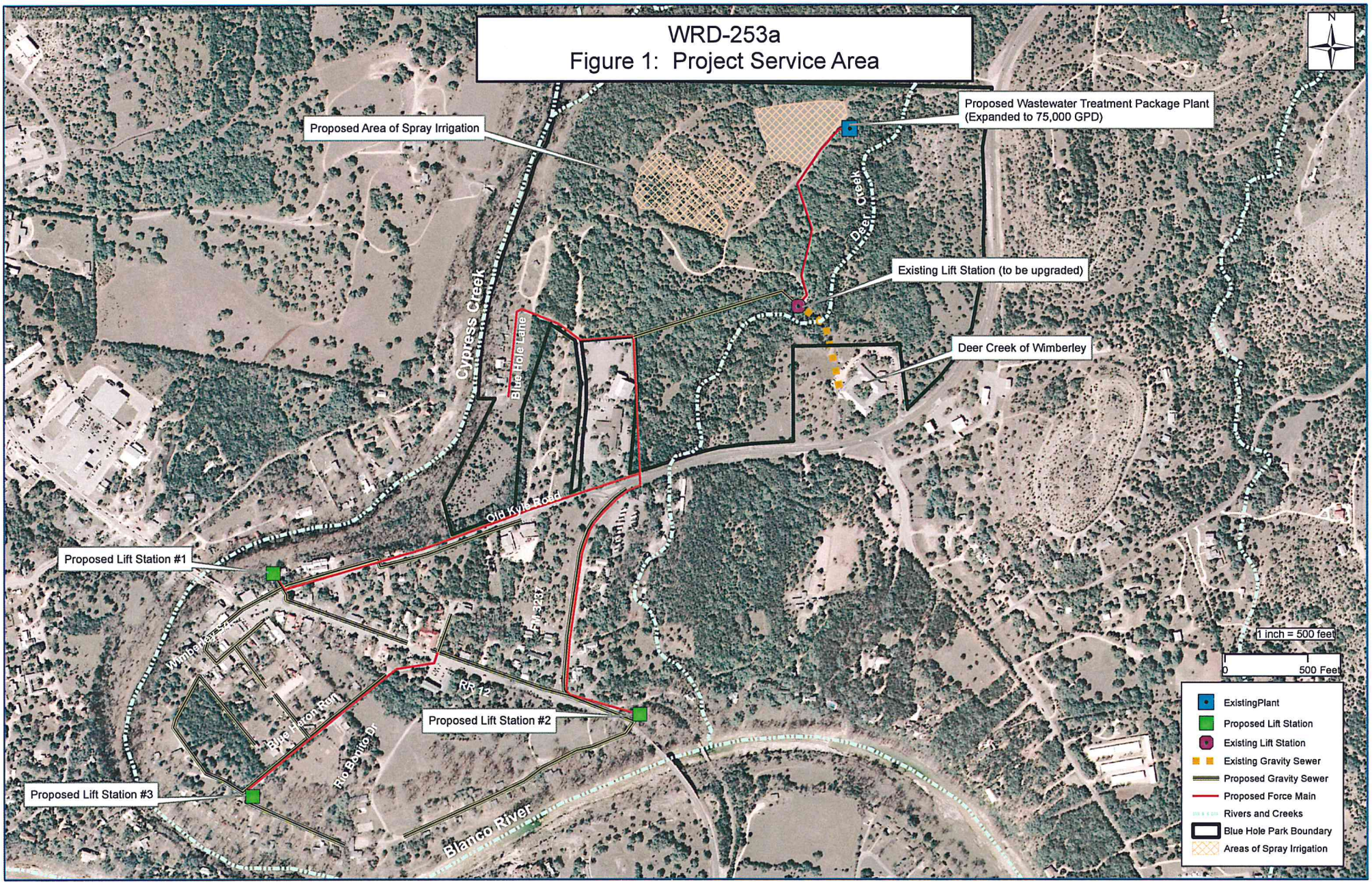
Q. Current Water Supply Information

Surface Water Supply Source / Provider Names	Certificate No.	Source County	Annual Volume and Unit
N/A	N/A	N/A	N/A
Groundwater Source Aquifer	**Well Field location**	**Source County**	**Annual Volume and Unit**
Trinity (Wimberley Water Supply Corporation)	La Toya Trail, Wimberley, TX 78676	Hays	206.7 MG

R. Proposed Water Supply Associated Directly with the Proposed Project

Surface Water Supply Source / Provider Names	Certificate No.	Source County	Annual Volume and Unit
N/A	N/A	N/A	N/A
Groundwater Source Aquifer	**Well Field location:**	**Source County**	**Annual Volume and Unit**
N/A	N/A	N/A	N/A

S. Consulting Engineer Name	Telephone No.	E-mail address
Stephen J. Coonan, P.E.	512-452-5905	scoonan@apaienv.com
T. Applicant Contact Name, Title	**Telephone No.**	**E-mail address**
Don Ferguson, City Administrator	512-847-0025	dferguson@cityofwimberley.com


WRD-253a
Figure 1: Project Service Area
N
Proposed Wastewater Treatment Package Plant
(Expanded to 75,000 GPD)
Proposed Area of Spray Irrigation
Deer Creek
Existing Lift Station (to be upgraded)
Cypress Creek
Blue Hole Lane
Deer Creek of Wimberley
Old Kyle Road
Proposed Lift Station #1
FM 2325
RR 12
Proposed Lift Station #2
Blue Heron Run
Rio Blanco Dr
Proposed Lift Station #3
Blanco River
1 inch = 500 feet
0
500 Feet
ExistingPlant
Proposed Lift Station
Existing Lift Station
Existing Gravity Sewer
Proposed Gravity Sewer
Proposed Force Main
Rivers and Creeks
Blue Hole Park Boundary
Areas of Spray Irrigation

Attachment to WRD-253a

Explanation of Population Projections

Wimberley Wastewater Collection, Treatment and Reuse

PIFs 9754, 9755, 9756

The following methodology was used to determine the service population for the above-referenced project. The service area is illustrated in Figure 1 attached to form WRD-253a.

1. A GIS shapefile from the United States Census Bureau for the year 2010 was added to a map of the proposed service area. The shapefile contained population numbers for each of the 11 census blocks that make up the Wimberley service area. The total population determined from this information was 90 persons.
2. The total number of current residential connections is approximately 60, which equates to 1.5 persons per household.
3. At build-out, which is anticipated by 2020, the total number of residential connections is expected to be 90. Applying the multiplier of 1.5 persons per household to an additional 30 residences results in an ultimate population of 135.

ATTACHMENT

D5

Preaward Compliance Review Report for
All Applicants and Recipients Requesting EPA Financial Assistance
Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code). City of Wimberley, P.O. Box 2027, 221 Stillwater, Wimberley, Texas, 78676 — DUNS No. 004496922

II. Is the applicant currently receiving EPA assistance? None

III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) None

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)

None

V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

None

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below. No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b). Yes No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies. Yes No

VII.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) Yes

a. Do the methods of notice accommodate those with impaired vision or hearing? Yes

b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? Yes

c. Does the notice identify a designated civil rights coordinator? Yes

VIII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a)) Yes

IX.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166) Yes

X.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. N/A

XI* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures. N/A

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official	B. Title of Authorized Official	C. Date
	City Administrator	10/18/12

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official	B. Title of Authorized EPA Official	C. Date
See ** note on reverse side.		

ATTACHMENT

D6

SRF-404
Revised 8/19/11

_____
SRF Number

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to $10,000 or imprisonment for up to 5 years, or both.

Don Ferguson, City Administrator
Typed Name & Title of Authorized Representative

_____
Signature of Authorized Representative Date

10/26/12

ATTACHMENT

D10

OMB Approval No. 0348-0042

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of

specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provision of the Davis-Bacon Act (40 U.S.C. 3141-3144), the Copeland Act (18 U.S.C. 874; 40 U.S.C. 3145), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701, et seq.; 29 CFR Part 5) regarding labor standards of federally assisted construction sub-agreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the

1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

National Environmental Policy Act of 1969 (P.L. 91- 190 and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring

		compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.). 18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations." 19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE Don Ferguson, City Administrator
APPLICANT ORGANIZATION City of Wimberley	DATE SUBMITTED 10/29/12

Previous Edition Usable

Authorized for Local Reproduction

Standard Form 424D (Rev 4-2012)
Prescribed by OMB Circular A-102

ATTACHMENT

D12

Designated Management Agency (DMA)

RESOLUTION

WHEREAS, the City of Wimberley, Texas has the authority to design, construct, operate, and maintain wastewater collection and treatment facilities; to raise revenues and assess appropriate charges to assure that each participating party pays its appropriate share of sewerage system costs; to accept or refuse to accept any wastes from any participating party; to accept and utilize grants or other funds from any source for wastewater management purposes; and to carry out appropriate portions of an area wide water quality management plan;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Wimberley, Texas

That the City of Wimberley seeks designation as a management agency for wastewater collection and treatment within its city limits, in accordance with the requirements of Section 208 of the Federal Water Pollution Control Act, as amended.

October 23, 2012
Date

(Mayor Pro-tem John White)

(Councilmember Tom Talcott)

(Councilmember Mac McCullough)

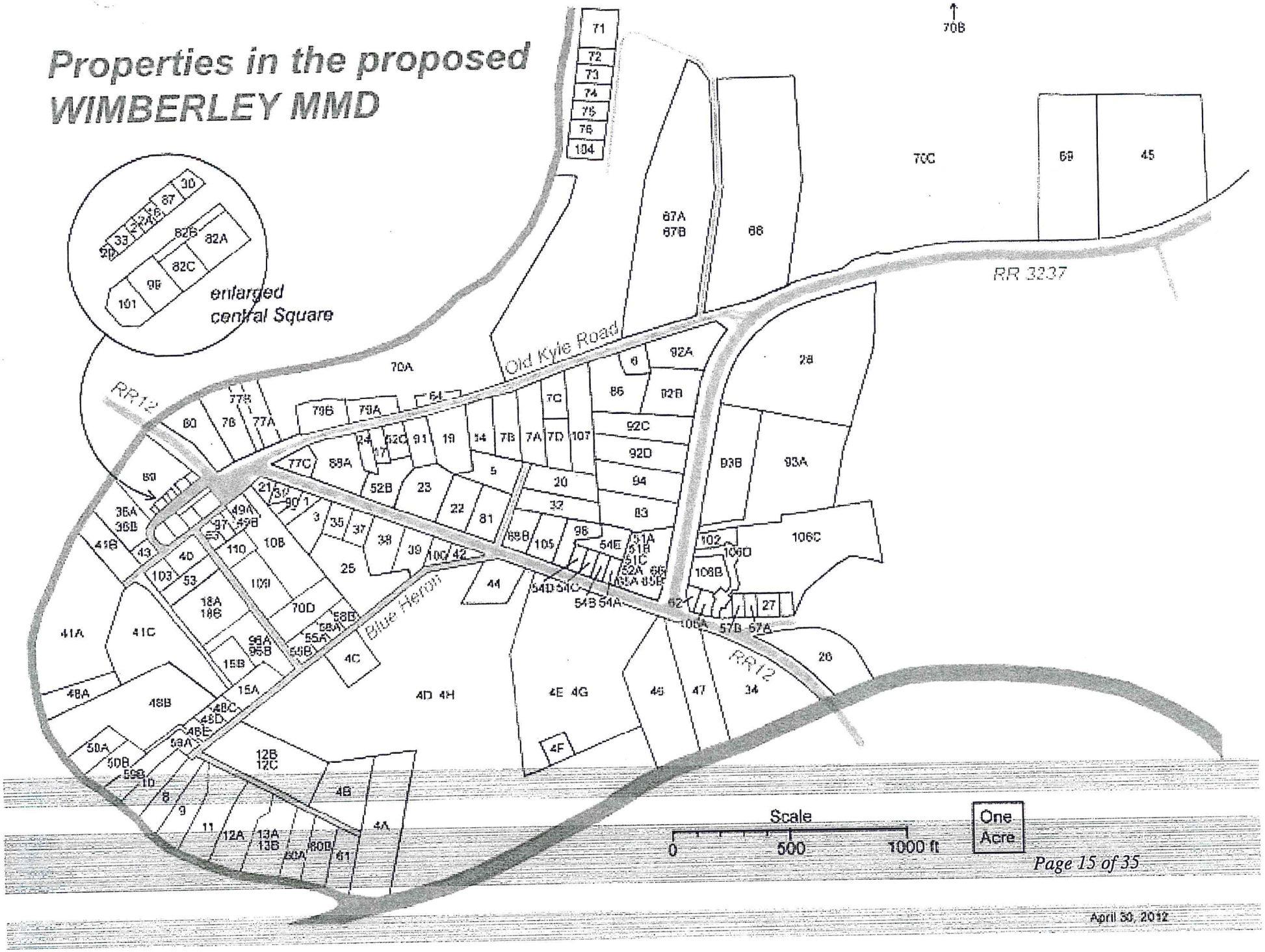
(Councilmember Steve Thurber)

ATTEST:

(City Secretary Cara McPartland)

(Attach an 8 ½" x 11" map of the planning area or city limits for which designation is requested.)

Properties in the proposed WIMBERLEY MMD



April 30, 2012

ATTACHMENT

E9

TWDB-0148 Part E9

The wastewater collection and treatment system proposed will require that Wimberley obtain both a Domestic Reclaimed Water (210) authorization for beneficial reuse of effluent via surface irrigation as well as a TPDES permit for discharging effluent to Deer Creek.

The TCEQ mandates that effluent applied to land to which the public has contact be treated to Type 1 with the following quality characteristics (maximum allowable on a 30-day average):

BOD_5 = 5 mg/L

Turbidity = 3 NTU

Fecal Coliform = 20 CFU / 100 mL

Enterococci = 4 CFU / 100 mL

The current water quality permit for the existing package wastewater treatment plant limits single-grab BOD samples to 35 mg/L, however, the plant produces much higher quality effluent, with BOD concentrations of 10 mg/L and TSS concentrations of 15 mg/L. In order to meet the stringent effluent requirements associated with reclaimed water use, the existing package plant will need to be modified and the expansion include more advanced treatment techniques to ensure high-quality effluent.

The permit limits for reclaimed water are generally stricter than those associated with a discharge, however, limits for discharge permits can compare with limits for reclaimed use if the receiving water body is of exceptional quality. The Blanco River is one such water body and as such, preliminary modeling was performed to estimate the limits that may be imposed on a treatment plant discharging to its tributary, Deer Creek. Due largely to the significant distance between the discharge location on Deer Creek and the confluence with the Blanco River, as well as the low effluent quantities expected, permit limits are not anticipated to be exceptionally rigorous. Modeling suggests that effluent quality of 20 mg/L BOD, 12 mg/L NH_3-N (ammonia nitrogen) and 6 mg/L DO (dissolved oxygen) would be enough to ensure effluent discharge to the Blanco does not adversely affect water quality. However, due to the reuse requirement and Wimberley's concern for the environment, the plant will be designed to achieve an effluent quality of 5 mg/L BOD, 2 mg/L NH_3-N and 6 mg/L DO.

ATTACHMENT

F1

WIMBERLEY WATER SUPPLY CORPORATION

DROUGHT CONTINGENCY & EMERGENCY WATER DEMAND MANAGEMENT PLAN

January 2012

wimberleywatersupplycorp.com

- Irrigation with hand-held bucket, hand-held hose, soaker hose and drip irrigation systems is allowed on any day and at any time.
- Irrigation of golf courses, athletic fields and commercial nurseries with sprinklers is prohibited during the day between the hours of 10:00AM and 8:00PM
- Vehicle washing.
    - Charity car washes are prohibited unless held at a commercial car wash.
    - Non-commercial vehicle washing is allowed on any day and at any time, but must be done using a hand-held bucket or a hand-held hose equipped with a positive shutoff device.
    - Commercial vehicle washing is allowed on any day and at any time.
- Swimming pools are allowed to operate and be filled as normal. It is recommended that pools be covered while not in use to minimize evaporative losses.
- Operation of non-recirculating aesthetic water features is prohibited at all times.
- Washing impervious surfaces is allowed but should be limited unless required for health and safety.
- Foundation watering is allowed on any day and at any time between the hours of 8:00PM and 10:00AM.
- Other non-essential water uses are allowed but reasonable measures shall be taken to limit usage.

4. TRIGGER CONDITIONS

The Drought Emergency Management Committee is responsible for monitoring water supply and demand conditions on a monthly basis (or more frequently if conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified triggers are reached. The Committee will monitor monthly operations reports, water supply or storage tank levels and/or rainfall as needed to determine when trigger conditions are reached. The triggering conditions described below take into consideration: the vulnerability of the water source under drought of record conditions; the production, treatment and distribution capacities of the system; and customer usage based upon historical patterns.

A. Stage I Conditions

Stage I best management practices may be implemented when one or more of the following conditions exist:

1. When water consumption has reached 80% of daily maximum supply for 3 consecutive days or the daily use has risen 20% above the use for the same period during previous year.
2. When the water level in monitored well (well #1 MT. Baldy) falls 30' from the previous year normal level for that well for the time period in consideration.
3. There is an extended period (at least 8 weeks) of low rain fall from the previous year amount for the time period in consideration.

B. Stage II Conditions

Stage II best management practices may be implemented when one or more of the following conditions exist:

1. 10% reduction in daily pumpage was not achieved in stage I for previous 60 days.
2. Water consumption has reached 90% of the amount available for 3 consecutive days.

and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(3) Use of water for pressure washing is permitted on designated day and time (Customers with street addresses ending in an even number may pressure wash areas on Sundays and Thursdays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may pressure outside areas on Saturdays and Wednesdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM even or odd address)

(4) Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00 PM. 25% of Swimming Pool water surface must be covered when pool is not in use to minimize evaporation.

(5) Wimberley Water Supply Corporation restricts the use of water from hydrants to firefighting, related activities or other activities necessary to maintain public health, safety and welfare.

(6) Use of water for car washes for fund raising purposes is prohibited.

B. Stage II Restrictions

Target: Achieve an additional 10% (20% total) reduction in total water use and daily water demand (based on previous 60 days daily pumpage).

Wimberley WSC Best management Practices

The Corporation will eliminate flushing operations except to meet public health requirements. The corporation will notify customers of water use restrictions in effect.

Customer Water Use Restrictions for Demand Reduction

(1) Alternate day, time of day or duration restrictions for irrigation with hose-end sprinklers or automatic irrigation systems of gardens and landscaped areas. (Example: Customers with street addresses ending in an even number may water outside areas on Sundays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may water outside areas on Saturdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM.) However, irrigation of landscaped areas is permitted on designated days by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or drip irrigation system. (Example: Customers with street addresses ending in an even number may water outside areas on Sundays and Thursdays between the hours of 6:00AM to 9:00AM and 8:00PM to 11:00PM. Customers with odd number street address may water outside areas on Saturdays and Wednesdays between the hours of 6:00AM and 9:00AM and 8:00PM and 11:00PM.)

(2) Customers are not allowed to use water for pre-defined non-essential purposes as listed on page 1

(3) Use of water for pressure washing is prohibited.

(4) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited.

(5) Use of water to add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is permitted on your designated days and times. 50% of Swimming Pool water surface must be covered when pool is not in use to minimize evaporation.

(6) Wimberley Water Supply Corporation restricts the use of water from hydrants to firefighting, related activities or other activities necessary to maintain public health, safety and welfare.

addition, upon adoption of any stage, a notice will be placed in a local newspaper or announced on a local radio or television station. The customer notice shall contain the following information:

a. The state (level) of water demand reduction measure to be employed
b. The date water demand reduction measure shall begin
c. Penalty for violations of the water demand reduction measure program
d. Affected area or areas.

A sample Customer Notice of water demand reduction measure and customer water use restrictions is included in Miscellaneous Transaction Forms of the tariff.

If the water demand reduction measures extends beyond 30 days then the Chairperson of the Drought Emergency Management Committee or manager shall present the reasons for the measures at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the period or reduced demand measures.

When the trigger condition no longer exists then the responsible official may terminate the water demand reduction measures provided that such an action is based on sound judgment. Written notice of the end of demand reduction measures shall be given to customers. A water demand reduction measures period may not exceed 60 days without extension by action of the Board.

7. PENALITIES FOR VIOLATIONS

Under threat of penalty for violation the following water use restrictions shall apply to all persons.

a. **First Violation-** The customer /member will be notified by a verbal and or written notice of their specific violation and their need to comply with the Drought Contingency Plan regulations (certified letter, return requested). The notice will show the amount of penalty to be assessed for continued violations.
b. **Second Violation** – Wimberley Water Supply Corporation will assess a penalty of $50.00
c. **Subsequent Violations-**Wimberley Water Supply Corporation will assess an additional penalty (not to exceed six time the minimum monthly bill) for each violation occurring after the Second Violation. Wimberley Water Supply Corporation may also install a flow restricting device in the customer/member's meter service to limit the amount of water that will pass through the meter in a 24-hour period. *The costs of this procedure will be for the actual work and equipment and shall be paid by the customer/member.*
d. **Termination-** Wimberley Water Supply Corporation may terminate water service for up to 7 consecutive days for continuing violation(s) after penalties are assessed. Service will remain off until any delinquent penalty or other assessment is fully paid including a charge for reconnection.

Any person, including a person classified as a water customer of the Wimberley Water Supply Corporation, in apparent control of the property where a violations occurs or originates shall be presumed to be the violator, and proof that the violations occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violations, but any such person shall have the right to show that he/she did not commit the violations. Parents shall be presumed to be responsible for violations of their minor children and proof that a violations, committed by a child, occurred on the property within the parents control shall constitute a rebuttable presumption that the parent committed the violations, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used violation of this Plan and that the parent could not have reasonable knowledge of the violations.

P.O. Box 10
Wimberley, Texas 78676
(512) 847-2323

9. IMPLEMENTATION

The Board establishes a Drought/Emergency Management Committee by Resolution, the chairperson of which will be the responsible representative to make Drought and Emergency Water Management actions. This Committee will review the procedures in this Plan at least annually. Modifications may be required to accommodate system growth, changes in water use demand, available water supply and/or other circumstances.

This Plan was adopted by the Board at a properly noticed meeting held on December 15, 2011 and to become effective January 1, 2012.

Paul Polhemus, President

Chris Nichols, Secretary-Treasurer

ORDINANCE NO. 2009-003

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING TITLE V (PUBLIC WORKS) BY CREATING CHAPTER 51 (WATER CONSERVATION) OF THE CODE OF ORDINANCES IN ORDER TO ESTABLISH REGULATIONS TO CONSERVE WATER; PROVIDING FOR A PENALTY FOR VIOLATIONS OF THE ORDINANCE; FINDINGS OF FACT; REPEALER, SEVERABILITY; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Wimberley ("City") is located in a region of the State of Texas where precipitation is frequently limited, and measures must be taken to conserve water; and

WHEREAS, the City Council has deemed it necessary to reduce the potential effect of a water shortage on those who live, work and visit Wimberley, Texas; and

WHEREAS, the City Council believes it is necessary to minimize the potential for water shortage through the practice of water conservation and the enactment of these regulations; and

WHEREAS, the City Council of the City of Wimberley finds there is a need to adopt provisions that will significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for the domestic sanitation and fire protection of the community to the greatest extent possible; and

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

WHEREAS, the City Council finds that the provisions of this Ordinance are the minimum requirements necessary to promote the public health, safety, morals and general welfare, and are not in conflict with any state provisions.

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

SECTION 1. FINDINGS OF FACT

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

SECTION 2. AMENDMENT

That Title V (Public Works) of the Code of Ordinances of Wimberley, is hereby amended to create Chapter 51 "Water Conservation", to read as follows:

"Chapter 51 Water Conservation.

§ 51.01. ***Purpose.***

§ 51.02. ***Jurisdiction.***

§ 51.03. ***Definitions.***

§ 51.04. ***Activities to be Regulated.***

§ 51.05. *Landscape watering.*

§ 51.06. *Swimming pools.*

§ 51.07. *Vehicle Wash Fundraisers.*

§ 51.08. *Washing of Impervious Surface Areas.*

§ 51.09. *Irrigation System Operations.*

§ 51.10. *Minimum irrigation area and flow direction.*

§ 51.11. *Irrigation System Rain Sensors.*

§ 51.12. *Zonal Irrigation System.*

§ 51.13. *Irrigation Tailwater.*

§ 51.14. *Water Leaks.*

§ 51.15. *Golf Courses.*

§ 51.16. *Annual irrigation system analysis for athletic fields, and large properties.*

§ 51.17. *Commercial Dining Facilities.*

§ 51.18. *Ice Machines.*

§ 51.19. *Vehicle Wash Facilities.*

§ 51.20. *Condensate Collection.*

§ 51.21. *Xeriscape Option.*

§ 51.22. *Model Home Xeriscape.*

§ 51.23. *Rainwater Harvesting Option.*

§ 51.24. *Water Purveyors.*

§ 51.25. *Implementation of additional water use reduction measures, ("aquifer risk").*

§ 51.26. *Nuisance Declared.*

§ 51.27. *Presumption and Exception.*

§ 51.28. *Variance.*

§ 51.29. *Access to Premises.*

§ 51.30. *Authorization to Enforce.*

§ 51.31. ***Administrative Action To Abate Violations.***

§ 51.32. ***Abatement of Nuisance or Violation.***

§ 51.33. ***Enforcement.***

§ 51.34. ***Defenses.***

---

§ 51.01. ***Purpose.***

As the City is located in a region of the State of Texas where precipitation is frequently limited, the purpose of the regulations herein are to provide the minimum restrictions on the use and conservation of water within the City limits. The provisions are designed to significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for the domestic sanitation and fire protection of the community to the greatest extent possible; and further promote the public health, safety, morals and general welfare of the citizens of Wimberley.

§ 51.02. ***Jurisdiction.***

The provisions of this chapter shall apply within the City limits.

§ 51.03. ***Definitions.***

Words and phrases used in this Chapter shall have the meanings set forth in this section. Words and phrases which are not defined in this Chapter but are defined in other provisions in the Code of Ordinances of Wimberley shall be given the meanings set forth in the Code. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this Chapter.

Air conditioning system(s). A mechanical system generally consisting of a compressor, thermostat and duct work permanently installed in a building for the purpose of controlling humidity and temperature. For the purposes of this chapter, an air conditioning system does not include window units.

Agricultural irrigation. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

Athletic field. A sports playing field, the essential feature of which is turf grass, used primarily for organized sports for schools, professional sports, or organized league play.

Automatic irrigation controller. A device that automatically activates and deactivates an irrigation system at times selected by the operator.

Beneficial use. The amount of water that is economically necessary for a purpose not otherwise prohibited by the city, state or federal law or regulation, when reasonable intelligence and reasonable diligence is used in applying water for that purpose.

Bucket. Bucket or other container holding five gallons or less, used singly by one person.

City Administrator. The employee serving in the capacity of the City Administrator of this city, or his or her designee authorized to implement and enforce this chapter.

Commercial dining facility. A business that serves prepared food and beverages to be consumed on the premises.

Computer controlled irrigation system (CCIS). A system comprised of a computer controller (digital operating system), software, interface modules, satellite field controllers, soil sensors, weather station, or similar devices which is capable of achieving maximum efficiency and conservation in the application of water for irrigation. A CCIS, at a minimum, should be designed to (i) prevent over watering, flooding, pooling, evaporation and run-off; and, (ii) prohibit sprinkler heads from applying water at an intake rate exceeding the capability of the soil.

Cooling Tower. An open water recirculation device that uses fans or natural draft to draw or force air to contact and cool water through the evaporative process.

Day. A twenty-four (24) hour period beginning at midnight.

Drought Management Plan. A plan for management of available water resources as prescribed by the Hays Trinity Groundwater Conservation District, Wimberley Water Supply Corporation and/or other authorized water purveyors operating within the Wimberley city limits, and as may be amended from time to time.

Essential use. A use of water which is:

(1) Essential to the protection of public health, safety, or welfare, including but not limited to use for drinking, food preparation, personal hygiene, public sanitation, control or prevention of disease and firefighting; or

(2) Essential to an industrial use or agricultural or military activity which directly supports gainful employment, unless the use is specifically defined in this chapter as a discretionary use; or

(3) Essential to irrigation use; or

(4) Watering of livestock.

Evapotranspiration rate (ET Rate). The rate which the combination of evaporation from soil surface and transpiration from vegetation will occur for specific climatic conditions.

Existing landscaping plant. A landscaping plant existing after such period of time as to accomplish an establishment and maintenance of growth.

Golf Course. An irrigated and landscaped playing area made up of greens, tees, fairways and roughs and related areas used for the playing of golf.

Gray Water. Water after use in bath and utility sinks, tubs, showers and washing machines.

Hand-held hose. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

Hose-end sprinkler. A sprinkler that applies water to landscape plants that is piped through a flexible, movable hose.

Household use. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

Impervious surface area. Any structure or any street, driveway, sidewalk, patio or other surface area covered with asphalt, concrete, brick, paving, tile or other material preventing water to penetrate the ground.

Industrial use. The use of water for or in connection with commercial or industrial activities, including manufacturing, bottling, brewing, food processing, scientific research and technology, recycling, production of concrete, asphalt, and cement, commercial uses of water for tourism, entertainment, and hotel or motel lodging, generation of power other than hydroelectric, and other business activities.

Irrigation system. Also referred to as an in-ground or permanent irrigation system, being a system with fixed pipes and emitters or heads that apply water to landscape plants or turf grass.

Irrigation system analysis. A zone-by-zone analysis of an irrigation system that, at a minimum, includes a review of the following elements:

(1) design appropriateness for current landscape requirements;
(2) irrigation spray heads and valves;
(3) precipitation rates expressed in inches per hour; and
(4) annual maintenance plan that includes irrigation system maintenance, landscape maintenance, and a basic summer and winter irrigation scheduling plan.

Landscape renovation. The removal and replacement of existing landscape plants with new landscape plants.

Landscape watering. The application of water to grow or maintain landscaping plants, such as flowers, ground covers, turf or grasses (other than golf courses or athletic fields), shrubs, and trees, but for purposes of this chapter does not include:

(1) Essential use without waste of water by a commercial nursery to the extent the water is used for production rather than decorative landscaping;
(2) Application of water without waste to a noncommercial family garden or orchard the produce of which is for household consumption only; and
(3) Except when certain stages of a Drought Management Plan are in effect, application of water at any time on any day by means of a bucket, hand-held hose, soaker hose (but not one that sprays water in the air), or properly installed drip irrigation system.

Landscaping plant. Any member of the kingdom plantae, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors.

Large property. A land tract owned by a general customer that equals or exceeds five acres in size and has an irrigation system.

Livestock. Cattle, sheep, goats, hogs, poultry, horses, and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

Livestock use. The use of water for drinking by or washing of livestock.

Make-up Meter. A meter that measures the amount of water entering a cooling tower system.

Other outdoor use. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, or the washing of streets, driveways, sidewalks, patios and other similar areas.

Park. A tract of land maintained by a city, private organization, or individual, as a place of beauty or of public recreation.

Person. Any individual, corporation (including a government corporation), organization, state or federal governmental subdivision or agency, political subdivision of a state, interstate agency or body, business, trust, partnership, limited partnership, association, firm, company, joint stock company, joint venture, commission or any other legal entity.

Pervious surface. Any ground surface which can absorb water or other liquids.

Precipitation rate. The speed at which a sprinkler or irrigation system applies water. Precipitation rates are measured in inches per hour or inches per minute.

Property address. The street address of a property, unless multiple street addresses are served by a single meter, in which case the billing address will be used.

Public facilities. Municipally-owned or operated facilities.

Rain sensor. A device designed to stop the flow of water to an automatic irrigation system when rainfall has been detected.

Recycled or Reuse Water. Domestic or municipal wastewater which has been treated to a quality suitable for a beneficial use in accordance with applicable law.

Requestor. A person who requests a variance under this chapter.

Residential Customer. A single or multi-family dwelling unit containing two (2) or fewer family units.

Soil holding capacity. The amount of moisture in the soil that can occur without becoming saturated.

Sprinkler. An emitter that applies water to the landscape plants in a stream that travels through the air. Sprinkler irrigation can be applied by an irrigation system or hose-end sprayer or a soaker hose that sprays water in the air.

Swimming pool. Any structure, basin, chamber, or tank, including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.

TCEQ. Texas Commission on Environmental Quality, and its successor agency.

TDS. Total dissolved solids.
Turf. A surface layer of earth containing mowed grass with roots.

Turf grass. Perennial ground cover plants and grasses that are adapted to regular mowing and traffic through management.

Vacuum system. A system, often consisting of a pump, chamber, and tubes, that is used to create a vacuum for any of a variety of purposes, including but not limited to medical, dental and industrial applications.

Vegetable garden. Any "non-commercial" vegetable garden planted primarily for household use; "noncommercial" includes incidental direct selling of produce from such a vegetable garden to the public.

Vehicle wash facility. A permanently-located business that washes vehicles with water or water-based product, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and fleet maintenance wash facilities.

Vehicle wash fundraiser. Any special-purpose vehicle wash event for which a fee is charged or donation accepted.

Water. Includes, but is not limited to potable or recycled water supplied by the Wimberley Water Supply Corporation or other water purveyor, or potable water withdrawn from any groundwater well, surface water from any river, creek, natural watercourse, pond, lake or reservoir.

Water Waste. Use of water without obtaining maximum beneficial use thereof. Waste shall also include, but not be limited to, causing, suffering, or permitting a flow of water used for landscape watering to run into any river, creek or other natural water course or drain, superficial or underground channel, bayou, or unto any sanitary or storm sewer, any street, road or highway or other impervious surface area, or upon the lands of another person or upon public lands. Waste shall also include, but not be limited to, any discharge of water used for commercial, industrial, municipal or domestic purposes to any storm, sanitary sewer, or septic system without the user first having obtained maximum beneficial use thereof. Waste shall also include, but not be limited to, failure to repair any controllable leak on property.

Water flow restrictor. An orifice or other device through which water passes at a restricted rate.

Water purveyor use. Water used for withdrawal, treatment, remediation, transmission and distribution by a potable water purveyor.

Xeriscape. A landscape consisting of a maximum of 50% turf grass, with the remaining percentage of landscape incorporating low water use plants and/or pervious hardscape. The approved low water use plant list, as may be amended from time to time, shall be available from the City of Wimberley and located at the City or City web site.

Zonal irrigation system. An irrigation system that segregates by station areas of shrubs, ground cover, bedding plants, and turf to accommodate a diversity of watering requirements.

§ 51.04. ***Activities to be Regulated.***

The following activities shall be regulated in the manner set out herein. A person affected by such regulations may request a variance in the manner set out in Section 51.28. A violation of this Chapter shall be subject to the enforcement provisions set out in Section 51.33. It shall be and is hereby declared unlawful for any person to violate, refuse or fail to implement the requirements of this Chapter.

§ 51.05. *Landscape watering.*

It is the policy of the City to promote the efficient use of water without waste at all times on a year round basis. It is unlawful for any person to perform or permit landscape watering on any property within the city between the hours of 10 o'clock a.m. and 6 o'clock p.m. on any day during Daylight Savings Time, and between the hours of 11 o'clock a.m. and 7 p.m. the remainder of the year, except as expressly provided herein. Landscape watering is also restricted further during the times the Drought Management Plan of the Hays Trinity Ground Water Conservation District, Wimberley Water Supply Corporation and/or any other authorized public water purveyor within the city limits is in effect, and the stricter provisions shall prevail and control. Irrigating any turf grass, tree, plant, or other vegetation, or otherwise utilizing the water supply system to permit or cause water to pond, or to flow, spray or otherwise move or be discharged from the premises of any person responsible for any property within the corporate limits of the city to or upon any street, alley, gutter or ditch, or other public right-of-way, or into a storm water drainage system or facility shall be prohibited.

§ 51.06. *Swimming pools.*

Draining water from a swimming pool onto an impervious surface shall be prohibited.

§ 51.07. *Vehicle Wash Fundraisers.*

Vehicle wash fundraisers shall be allowed except when prohibited by the provisions of a Drought Management Plan. Such fundraisers shall be operated in such a manner so as to limit water waste.

§ 51.08. *Washing of Impervious Surface Areas.*

Washing driveways, sidewalks, parking areas, or other impervious surface areas on a commercial property with an open hose, or a spray nozzle attached to an open hose, or under regular or system pressure, except when required to eliminate conditions that threaten public health, safety or welfare, shall be prohibited. This restriction does not apply to residential customers except when such activity is prohibited by the provisions of a Drought Management Plan.

§ 51.09. *Irrigation System Operations.*

It shall be unlawful to operate a permanently installed irrigation system with a broken head or emitter, or with a head that is spraying more than 10 percent of the spray onto the street, parking lot, or sidewalk. This prohibition does not apply unless the head or emitter was designed to deliver more than one gallon of water per hour during normal use.

§ 51.10. *Minimum irrigation area and flow direction.*

(A) Effective April 1, 2009, newly installed irrigation systems using pop-up spray or rotor technology shall not be used in landscaped areas which have both:
   (1) dimensions less than five feet in length and/or width; and
   (2) impervious pedestrian or vehicular traffic surfaces along two (2) or more perimeters.

(B) Where pop-up spray and rotor heads are allowed in newly installed irrigation systems, they:

   (1) must direct flow away from any adjacent impervious surface; and
   (2) shall not be placed within four (4) inches from an impervious surface.

§ 51.11. ***Irrigation System Rain Sensors.***

Effective April 1, 2009, rain sensors shall be installed and maintained on all irrigation systems equipped with automatic irrigation controllers on irrigation systems installed after April 1, 2009.

§ 51.12. ***Zonal Irrigation System.***

In-ground irrigation systems installed on and after April 1, 2009, shall be zonal irrigation systems.

§ 51.13. ***Irrigation Tailwater.***

The escape of irrigation tailwater, as that term is commonly used in the agricultural community, shall be prohibited. In addition, water loss through percolation in transmission canals shall be prohibited.

§ 51.14. ***Water Leaks.***

Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, or a leaking faucet shall be unlawful.

§ 51.15. ***Golf Courses.***

No golf courses located within the city limits shall be allowed to irrigate the greens, tees, roughs or fairways with potable water. Use of potable water for landscape irrigation in and around the club house will be permitted but must conform to all other requirements for landscape irrigation.

§ 51.16. ***Annual irrigation system analysis for athletic fields, and large properties.***

(A) An annual irrigation system analysis demonstrating no water waste shall be required for all athletic fields and large properties shall be submitted in writing to the City of Wimberley on or before May 1st of each year, beginning on May 1, 2009; and

(B) Municipal tenants and lessees of sports and athletic playing fields, and any other municipally owned properties, shall be responsible for compliance with this section. The City shall look directly to such tenants and lessees for compliance unless the municipality concedes by contractual agreement with the tenant/ lessee to assume the tenant / lessee's responsibility for compliance.

§ 51.17. ***Commercial Dining Facilities.***

Effective April 1, 2009, commercial dining facilities shall:

(a) Utilize positive shut-offs for hand-held dish-rinsing wands.
(b) Utilize water flow restrictors for all garbage disposals.
(c) Not operate a misting system in unoccupied areas.

§ 51.18. ***Ice Machines.***

Effective April 1, 2009, newly installed ice machines shall not be single pass water-cooled.

§ 51.19. *Vehicle Wash Facilities.*

(A) Vehicle wash facilities, commencing operation on or after April 1, 2009, using conveyorized, touchless, and / or rollover in-bay technology shall reuse a minimum of fifty percent (50%) of water from previous vehicle rinses in subsequent washes.

(B) Vehicle wash facilities, commencing operation on or after April 1, 2009, using reverse osmosis to produce water rinse with a lower mineral content, shall incorporate the unused concentrate in subsequent vehicle washes.

(C) Regardless of date of operation commencement, from and after April 1, 2009, self-service spray wands used shall emit no more than three gallons of water per minute.

§ 51.20. *Condensate Collection.*

(A) Newly constructed commercial buildings installing air conditioning systems on and after April 1, 2009, shall have a single and independent condensate wastewater line to collect condensate wastewater to provide for future utilization as (i) process water and cooling tower make-up and/or (ii) landscape irrigation water.

(B) Condensate wastewater shall not be allowed to drain into a storm sewer, roof drain overflow piping system public way or impervious surface.

§ 51.21. *Xeriscape Option.*

Effective April 1, 2009, homebuilders and/or developers subdividing lots and/or constructing new single family residential homes shall offer a xeriscape option in any series of landscaping options offered to prospective home buyers.

§ 51.22. *Model Home Xeriscape.*

Effective April 1, 2009, homebuilders and/or developers who construct one or more model homes for a designated subdivision shall have at least one (1) model home per subdivision landscaped according to a xeriscape design.

§ 51.23. *Rainwater Harvesting Option.*

Effective April 1, 2009, homebuilders and/or developers subdividing lots and/or constructing new single family residential homes shall offer a rainwater harvesting option in any series of design options offered to prospective home buyers.

§ 51.24. *Water Purveyors.*

Water purveyors operating within the city limits shall be required to implement programs, such as leak detection surveys and repair programs and stabilizing and equalizing system pressure to limit water waste.

§ 51.25. ***<u>Implementation of additional water use reduction measures, ("aquifer risk").</u>***

(A) Implementation of additional water use reduction measures may occur based on consideration of aquifer water quality or on other aquifer, seasonal or weather conditions.

(B) Whenever the aquifer quality measures thirty percent (30%) TDS above the historical average and above the maximum TDS value for any public supply water well, the City Council, may declare additional measures to protect the aquifer as necessary.

(C) Regardless of consideration of aquifer quality, in consultation with the Hays Trinity Groundwater Conservation District, Wimberley Water Supply Corporation and/or other authorized water purveyor determine that other aquifer, seasonal, or weather conditions warrant, the City Council may also impose additional restrictions for all water uses.

§ 51.26. ***<u>Nuisance Declared.</u>***

The violation of any part of this chapter is deemed a nuisance which may be abated and enjoined by the city. Any person creating a public nuisance shall be subject to the provisions of the Code of Ordinances of the City of Wimberley and other applicable law governing such nuisances, including reimbursing the City for any costs incurred in removing, abating or remedying such nuisance. The owner of any property where such nuisance has occurred shall be liable to the City for the cost of such abatement, removal or remediation, and shall pay such cost on demand, and the City acting for itself shall have the right to file a lien on the property to secure payment of the cost of such abatement, removal or remediation of the nuisance.

§ 51.27. ***<u>Presumption and Exception.</u>***

For purposes of this chapter, it shall be presumed that the person owning the property on which the violation occurred or in whose name a water meter connection is registered with the water purveyor servicing the property, is the responsible party who has made, caused, allowed or permitted a violation of the provisions of this chapter. Proof that the particular premises had a water meter connection registered in the name of the defendant cited in a criminal or civil complaint filed pursuant to this chapter shall constitute a *prima facie* presumption that the defendant is a person who made, caused, allowed or permitted a violation pursuant to the provisions of this chapter.

§ 51.28. ***<u>Variance.</u>***

(A) Owners of newly seeded or sodded turf grass and landscaping and new residential and commercial developments may receive a landscape watering permit upon application and approval by the City Administrator allowing for daily watering of the same until the turf grass and landscaping are established, which shall not exceed thirty days.

(B) A person who is affected by these provisions may seek a variance in the manner set out herein. A person shall request a variance within thirty (30) days of the date a provision becomes apparently applicable to that person's activities and/or properties. For example, a person will have standing to seek a variance within thirty

(30) days following receipt of a formal (citation) or informal notice of violation; prior to a notice of violation; or at the discretion of the City Administrator or his designee when, in the City Administrator's judgment, to deny standing to pursue a variance would clearly deny the applicant an opportunity to have justice and equity done for the applicant's case.

(C) Time, date, place. A person seeking a variance under these provisions shall make such request in writing to the City Administrator. Such request shall be reviewed by the City Administrator. If the application, on its face, warrants a variance, the City Administrator may grant the request without hearing. Otherwise, the City Administrator shall review such request within thirty (30) days of receipt and shall inform the requestor in writing of the time, date and place for variance hearing if necessary.

(D) Representation and notice of City's response; First Hearing. The requestor may be represented by a duly authorized representative and may introduce such evidence as the requestor believes to be relevant. The City Administrator shall hear the request. The requestor shall receive written notification by the City Administrator within thirty (30) days of the date of the hearing whether such variance is granted or denied.

(E) Appeal. In the event the variance is granted, the decision of the City Administrator shall be final. Should the variance be denied, however, the requestor shall have ten (10) days from receipt of the denial of the variance to seek an appeal in writing. Within thirty (30) days of the written request for an appeal from the denial of a variance, the City Council shall hear the appeal. The requestor shall be informed in writing of the time, date and place where such appeal shall be heard. The requestor and/or his authorized representatives may present evidence to the City Council about why such appeal should be granted. The City Council shall make a determination and inform the requestor within ten (10) days of the date of the hearing of the appeal whether the appeal has been granted or denied. The determination of the City Council shall be final and shall be in writing.

(F) Variance Qualifications. Variances to the regulated activities in this chapter may be issued by the City Administrator provided that the general intent of the provisions of this chapter have been met, and strict compliance with this chapter is proven to be impracticable to accomplish and to cause unnecessary hardship. The criteria to determine hardship shall include, but not be limited to, a showing of level of capital outlay and technical complexity in relation to conservation benefit to be derived, and time and effort required to accomplish compliance with this chapter.

(G) Variance Criteria. The City Administrator shall also develop specific criteria to be used for the granting of variances from the provisions of this chapter which are appropriate to the provision for which a variance is being sought. Such criteria shall be applied equally to each request for variance under a particular provision. A requestor shall be furnished with the criteria to be utilized by the City Administrator prior to his/her variance application and/or appeal being heard.

§ 51.29. ***Access to Premises.***

The City and its employees shall make every effort to contact the property owner or authorized occupant prior to entering the premises. Authorized persons or agents employed by the City, at all reasonable hours, have access to properties to ascertain if water is being wasted and whether provisions of this chapter have been and are being complied with in all aspects, however, this section does not authorize entry into a residence without consent of the owner or occupant.

§ 51.30. ***Authorization to Enforce.***

The City Administrator is authorized and directed to commence any action, in law or in equity, including the filing of criminal charges deemed necessary for the purpose of enforcing this chapter. The City Administrator may seek civil penalties or impose surcharges as may be allowed by statute and this ordinance and any other legal or equitable relief available under common law or this ordinance, under Chapter 54 of the Texas Local Government Code as it may be amended to address the subject matter of this chapter, or any other applicable city, state or federal code, ordinance, statute, rule or regulation.

§ 51.31 ***Administrative Action To Abate Violations.***

(A) The City Administrator may proceed administratively to remove an alleged violation of this Chapter by giving notice to the owner of the property where the alleged violation occurred, in accordance with the following procedures:

(1) The notice shall inform the property owner of the alleged violation and state that the owner has seven (7) days from receipt of the notice to comply with this Chapter, and if such action is not taken, the City Administrator may, but is not obligated to:

(a) authorize that the necessary work be done or improvements made;
(b) pay for the expenses incurred in having the work done or improvements made; and
(c) charge the expenses to the property owner.

(2) Notice must be given personally to the property owner in writing or by certified mail return receipt requested addressed to the owner at the owner's address as recorded in the records of the Hays County Central Appraisal District.

(3) If notice by personal service cannot be obtained, the City Administrator may give notice by:

(a) publication of the notice, at least once, in a newspaper of general circulation, as defined by Subchapter C, Chapter 2051, Texas Government Code;
(b) posting the notice on or near the front door of each building on the property to which the violation relates; or
(c) posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

(4) If notice by letter is mailed to the owner and the U.S. Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected and the notice is considered as delivered.

(B) If the City incurs expenses for the work done or improvements made, the Council may assess the expenses and create a lien, including possible foreclosure, against the property as follows and in the manner provided by law:

(1) The City Administrator shall send a statement of expenses to the owner, requesting that payment be made to the City Secretary within twenty (20) days after receipt of the statement. The expenses to be charged to the owner of the property shall include:

(a) the amount paid by the City for the work done or improvements made;
(b) the costs of inspection;
(c) the costs of providing notice;
(d) the costs of identifying and notifying the owner of the property; and
(e) any incidental expenses.

(2) If the violator does not pay the expenses within twenty (20) days of receipt of the statement, the City Secretary shall file a statement of expenses with the Hays County Clerk, including the owner's name, if known, and the legal description of the property. A lien attaches upon the filing of the expense statement with the Hays County Clerk.

(3) The lien is security for the expenses incurred by the City and interest accruing at the rate of ten (10) percent per year on the amount due from the date of payment by the City.

(4) The lien is inferior only to tax liens and liens for street improvements.

(5) The Council may bring a suit for foreclosure in the name of the City to recover the expenses and interest due.

(6) The Council may foreclose the lien in a proceeding brought under the Tax Code, Chapter 33, Subchapter E.

(7) The statement of expenses or a certified copy of the statement is prima facie proof of the expenses incurred by the City in doing the work or making the improvements.

(C) The City, in the notice of violation, may inform the owner by regular mail and a posting on the property that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the City without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice occurs within the one-year period, and the City has not been informed in writing by the owner of an ownership change, then the City without notice may take any action permitted by this Section.

§ 51. 32 ***Abatement of Nuisance or Violation.***

(A) The City Administrator may, without notice, abate the waste of water or other violation of this chapter on any lot parcel, or tract of land, or part thereof, within the City in accordance with the procedures in this Section.

(B) If the City pays the cost of abating the nuisance or violation, the Council shall assess the expenses and, if necessary, create a lien against the lot or parcel of land, including foreclosure on the property, in the same manner and subject to the same conditions as that described in Section 51.31 of this Chapter.

(C) Not later than the tenth (10th) day after the date the Council or its designee has abated the nuisance or violation, the City Secretary shall give written notice to the owner of the lot or parcel of land in the manner required by Section 51.31 this Chapter. The notice shall contain:

(1) an identification, which is not required to be a legal description, of the property;

(2) a description of the violations that occurred on the property;

(3) a statement that the City has abated the nuisance or violation; and

(4) an explanation of the property owner's right to request an administrative hearing regarding the abatement.

(D) If, not later than the thirtieth (30th) day after the date of the abatement of the nuisance or violation, the property owner files with the City Administrator a written request for an administrative hearing, the Council shall hold and conduct the hearing.

(1) The hearing shall be held no later than the twentieth (20th) day after the filing of the written request for a hearing.

(2) At the administrative hearing:

(a) parties are not required to follow formal rules of evidence;
(b) the owner may testify or present any witnesses or written information relating to the abatement of the nuisance or violation; and
(c) the City may call the City Administrator or other individuals deemed appropriate to testify.

§ 51.33. ***Enforcement.***

(A) Violations. It shall be a violation of this chapter for any person in the corporate limits of the city that receives water service from a water purveyor authorized to supply water within the city limits, to intentionally, knowingly, recklessly or criminally negligently to allow or cause water waste, to allow landscape watering outside the prescribed hours for sprinkling, or to allow or cause any violation of any provision of this chapter.

(B) Penalties; surcharges.

(1) Criminal. Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon citation and conviction, shall be punished by a fine not less than one hundred dollars ($100.00) and not more than five hundred dollars ($500.00) for the first offense; a fine not less than two hundred dollars ($200.00) and not more than five hundred dollars ($500.00) for the second offense; a fine of not less than four hundred dollars ($400.00) and not more than five hundred dollars ($500.00) for the third and additional offenses. If the court determines the offense relates to public health or sanitation, the maximum fine is $2,000.00, regardless of the number of offenses. Each violation of a particular section of this chapter shall constitute a separate offense, and each day an offense continues shall be considered a new violation for purposes of enforcing this chapter. All fines collected under this section shall be remitted to the City of Wimberley and used by the City for the furtherance of water conservation programs and to help defray the cost of enforcement of this chapter.

(2) Civil. Civil penalties, imposed by courts of competent jurisdiction in civil actions for violations of this chapter, may also be assessed as may be allowed by applicable state law in any amount to be authorized by the State of Texas. Under Chapter 54 of the Texas Local Government Code, the City Council may direct the City Attorney to pursue civil enforcement for injunctive relief and the imposition of up to $1,000.00 per day civil penalties appropriately imposed by the Court. This statutory remedy is in addition to the City's common law right to bring civil actions for injunctive relief to stop harmful acts, independent of authority found in the Texas Local Government Code.

§ 51.34. ***Defenses.***

(A) It shall be a defense to prosecution or imposition of fines that landscape watering was performed on any plant or seed planted in or transplanted to an area within such period of time as to accomplish a reasonable establishment and maintenance of growth, generally three weeks.

(B) It shall be a defense to prosecution or imposition of fines that landscape watering was performed by a commercial enterprise in the business of growing or maintaining plants for sale, such as plant nurseries; provided, however, that such landscape watering shall be performed solely for the establishment, growth, and maintenance of such plants and not wasted.

(C) It shall be a defense to prosecution or imposition of fines that landscape watering was performed by a residential or commercial water customer utilizing water from an on-site rain water harvesting system.

(D) Use of gray water, treated wastewater or reuse water is a defense to prosecution.

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

SECTION 3. EFFECTIVE DATE

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

SECTION 4. NO VESTED INTEREST

No person shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulation enacted hereby may be amended or repealed by the City Council in the manner provided by law.

SECTION 5. SEVERABILITY

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

SECTION 6. PROPER NOTICE AND MEETING

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

FIRST READING PASSED AND APPROVED this 15th day of January, 2009, by a 5 to 0 vote of the City Council of Wimberley, Texas.

SECOND READING PASSED AND APPROVED this 5th day of February, 2009, by a 5 to 0 vote of the City Council of Wimberley, Texas.

WIMBERLEY, TEXAS

By: Tom Haley
Tom Haley
Mayor

ATTEST:

Cara McPartland
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby
Carolyn J. Crosby, Assistant City Attorney

OFFICIAL SEAL OF THE CITY
City of Wimberley
OFFICIAL SEAL OF THE CITY

ATTACHMENT

G3

TEXAS WATER DEVELOPMENT BOARD

Green Project Reserve

Green Project Information Worksheets

Clean Water State Revolving Plan

Intended Use Plan

The Federal Appropriation Law for the current fiscal year Clean Water and Drinking Water State Revolving Fund programs contains the Green Project Reserve (GPR) requirement. The following Green Project Information Worksheets have been developed to assist TWDB Staff in verifying eligibility of potential GPR projects.

TWDB-0162
Revised 12/2/2010

NOTE: These worksheets should only be completed after the Intended Use Plan has been developed and the entity has been notified by the Texas Water Development Board that funding is available for the project and that the entity has been invited to submit an application for financial assistance.

CONTENTS

Overview ii
Background ii
TWDB GPR Procedures ii
Information on Completing Worksheets iii
Additional Guidance for Common GPR Projects iv
Part I – Green Project Information Summary 1
Part II - Categorically Eligible 2
Section 1 – General Project Information 2
Section 2 – Green Infrastructure 3
Section 3 – Water Efficiency 4
Section 3.1 – Wastewater Effluent Reuse 4
Section 3.2 – Other Water Efficiency Improvements 6
Section 4 – Energy Efficiency 7
Section 4.1 – Renewable Energy Improvements 7
Section 4.2 – Energy Reduction of 20% 8
Section 4.3 – Other Energy Efficiency Improvements 9
Section 5 – Environmentally Innovative 10
Part III - Business Case Eligible 11
Section 1 – General Project Information 11
Section 2 – Green Infrastructure 12
Section 3 – Water Efficiency 13
Section 4 – Energy Efficiency 14
Section 4.1 – Energy Efficiency Improvements (< 20% improvement) 14
Section 4.2 – Lift Station Elimination 15
Section 4.3 – Other Energy Efficiency Improvements 17
Section 5 – Environmentally Innovative 18

OVERVIEW

Background

The Federal Appropriation Law for the current fiscal year Clean Water and Drinking Water State Revolving Fund programs contains additional requirements. The Green Project Reserve (GPR) is included as part of these additional requirements. The GPR requires that not less than 20% of the funds made available from the capitalization grant shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. In a memo dated April 21, 2010, EPA outlined procedures for implementing these additional requirements. Attachment 2 of this memo provided guidance for determining GPR project eligibility and is available from the Texas Water Development Board as guidance form TWDB-0161.

TWDB GPR Procedures

The selection process for GPR projects involves an initial step in which potential GPR projects are listed in ranked order in the Intended Use Plan (IUP). Project GPR status in the IUP is based on preliminary "Green" information provided by the potential applicant on the Project Information Form (PIF) during the IUP solicitation phase. This is followed by a verification process in which the potential applicant is required to provide adequate documentation to verify the project or project components as either categorically or business case eligible for the GPR. The applicant will be required to provide complete information for approval prior to presentation to the Board for a funding commitment. In accordance with EPA instructions, all approved business cases will be made available to the public and posted on the TWDB website after a funding commitment is made.

To accomplish the above, TWDB staff is providing the attached GPR guidance and Green Project Information Worksheets to communities being considered for funding through the GPR. Information provided on these worksheets will be used by TWDB staff to verify GPR eligibility. TWDB staff may issue comments or request additional information depending on the type of "green" improvements proposed and the adequacy of information provided by the potential applicant on these worksheets. These worksheets will not be considered complete until all TWDB staff comments are addressed and any requested information is provided.

Program requirements for business case eligible GPR projects will be considered met only after the business case submittal is approved. The business case submittal will consist of the completed Green Project Information Worksheets with the applicant's business case and supporting documents attached. Program requirements for categorically eligible GPR projects will be considered met upon submittal of the completed Green Project Information Worksheets.

Information on Completing Worksheets

Complete the following worksheets for projects being considered for the Green Project Reserve (GPR). Part II should be completed for projects or project components considered categorically eligible. Part III should be completed for projects or project components considered business case eligible.

The intent of these worksheets is not to require exhaustive responses or redundant information. Information provided on these forms may be concise but must be of sufficient detail such that the GPR eligibility is clearly demonstrated. Information requested on these forms already provided to the TWDB during the Intended Use Plan (IUP) project solicitation period in the form of a detailed business case may be included by reference.

Refer to EPA GPR guidance (TWDB-0161) available at the link below when completing these worksheets. Additional TWDB guidance is provided on the following pages and throughout the worksheets.

http://www.twdb.state.tx.us/assistance/financial/resources/documents/TWDB-0161.pdf

Many of the worksheets following require a detailed description of the proposed improvements. This description should accomplish various goals. The overall rationale and justification of the project or proposed improvements being considered for the GPR should be clearly demonstrated and the proposed improvements should be sufficiently described such that it is clear that the proposed GPR improvements will achieve the anticipated benefits and savings. Furthermore, certain types of GPR projects may require a more detailed analysis than others to adequately justify GPR eligibility. Although the space provided for responses is limited, additional pages should be attached as necessary.

For questions or additional information on completing worksheets, please contact:

John J. Muras, P.E.
1700 North Congress Avenue
P.O. Box 13231
Austin, Texas 78711-3231
john.muras@twdb.state.tx.us
Ph: (512) 463-1706
Fax: (512) 475-2086

Additional Guidance for Common GPR Projects

The purpose of this Texas Water Development Board GPR guidance is to provide additional information and clarification for certain types of GPR projects described in EPA's GPR guidance document titled *Attachment 2 , 2010 Clean Water and Drinking Water State Revolving Fund 20% Green Project Reserve: Guidance for Determining Project Eligibility* (TWDB-0161), see link below. Information provided herein should be considered supplemental and is intended to support TWDB-0161 guidance by emphasizing and further describing specific requirements for certain types of GPR projects. For project types not specifically described herein, EPA GPR guidance (TWDB-0161) should be used to evaluate GPR eligibility.

http://www.twdb.state.tx.us/assistance/financial/resources/documents/TWDB-0161.pdf

Green Infrastructure

Green infrastructure includes a wide array of practices at multiple scales that manage wet weather and that maintains and restores natural hydrology by infiltrating, evapotranspiring and harvesting and using stormwater. On a regional scale, green infrastructure is the preservation and restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with the policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On the local scale, green infrastructure consists of site- and neighborhood-specific practices, such as bioretention, trees, green roofs, permeable pavements and cisterns.

Green infrastructure guidance can be found in Part A, Section 1 of the EPA GPR guidance (TWDB-0161).

Water Efficiency

EPA's WaterSense program defines water efficiency as the use of improved technologies and practices to deliver equal or better services with less water. Water efficiency encompasses conservation and reuse efforts, as well as water loss reduction and prevention, to protect water resources. A few common types of water efficiency improvements eligible for the Clean Water SRF GPR are further described below.

Reuse / Reclaimed Water

Reuse or reclaimed water projects that replace potable sources with non-potable may be categorically eligible for the GPR under the water efficiency category. Part A, Section 2.2-6 of the EPA GPR guidance addresses recycling and water reuse projects. The extra treatment cost, pumping and distribution pipes associated with the water reuse count towards the eligible costs. Golf course irrigation with reuse water is an eligible activity.

Energy Efficiency

Energy efficiency is the use of improved technologies and practices to reduce the energy consumption of water quality projects, use energy in a more efficient way, and/or produce/utilize renewable energy. Part A, Section 3.0 of the EPA GPR guidance (TWDB-0161) addresses energy efficiency GPR requirements for the Clean Water SRF program. Energy efficiency benefits and savings must be clearly identifiable and a substantial part of the rationale or justification for the project and not simply incidental. A few common types of energy efficiency projects eligible for the GPR are further describe below.

Renewable Energy

Renewable energy projects, such as wind, solar, geothermal and micro-hydroelectric and biogas combined heat and power systems (CHP) that provide power to a POTW are considered categorically eligible for the GPR. These projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 3.2-1.

System or Unit Process Improvements

According to Part A, Section 3.2-2 of the EPA GPR guidance, projects may be categorically eligible for the GPR if the project achieves a 20% reduction in energy consumption. The following criteria apply:

1) Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. In the Clean Water SRF program, a system or unit process approach is used to evaluate energy reduction as opposed to an individual component approach.
2) The energy used by the existing system should be based on name plate data when the system was first installed, recognizing that the old system may be currently operating at a lower overall efficiency than at the time of installation.
3) A project that achieves less than a 20% reduction in energy efficiency may still be eligible for the GPR but must be justified using a business case.
4) Any energy efficiency projects requiring a business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.
5) New publicly owned treatment works or capacity expansion projects are expected to be designed to maximize energy efficiency and are expected to select high efficiency premium motors where cost effective, therefore, these types of projects are not eligible for the GPR.

Lift Station Elimination

Lift station elimination projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Lift station elimination projects may be eligible for the GPR based on the following:

1) According to Section 3.2-2, the project may be categorical if it achieves a 20% reduction in energy consumption. Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. Therefore, for a lift station elimination project to be considered as categorically eligible, it would have to account for at least 20% of all energy consumed by lift stations in the system.
2) Section 3.5-3 lists pump station elimination projects as an example of a project requiring a business case to justify GPR eligibility. To be eligible under this option the business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.

Inflow/infiltration

Inflow/infiltration (I/I) projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Sections 3.5-4 and 3.5-5 specifically lists I/I projects as examples of projects that require a business case to justify GPR eligibility. The following applies:

1) According to Section 3.5-4, I/I correction projects that save energy from pumping and reduced treatment costs and are demonstrated to be cost effective are eligible for the GPR. These projects cannot add new structural capacity.
2) According to Section 3.5-5, I/I correction projects where excessive groundwater infiltration is contaminating the influent requiring otherwise unnecessary treatment processes (i.e. arsenic laden groundwater) and are demonstrated to be cost effective are eligible for the GPR.

Environmentally Innovative

Environmentally innovative projects include those that demonstrate new and/or innovative approaches to delivering services or managing water resources in a more sustainable way. These types of projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 4.0.

Construction of US Green Building Council LEED certified buildings is considered categorically eligible for the GPR. All building costs are eligible and any level of certification is acceptable.

Decentralized wastewater treatment solutions to existing deficient or failing onsite wastewater system may be eligible for the GPR. Refer to EPA guidance (TWDB-0161) Part A, Section 4.2-6 for requirements.

TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS

PART I – GREEN PROJECT INFORMATION SUMMARY

Check all that apply and complete applicable worksheets:

Categorically Eligible

- ☐ Green Infrastructure $ _____
- ☒ Water Efficiency $ 130,000
- ☐ Energy Efficiency $ _____
- ☐ Environmentally Innovative $ _____

Business Case Eligible

- ☐ Green Infrastructure $ N/A
- ☐ Water Efficiency $N/A
- ☐ Energy Efficiency $N/A
- ☐ Environmentally Innovative $N/A

Total Requested Green Amount $ 130,000

Total Requested Funding Amount $ 650,000

Type of Funding Requested:

- ☒ PAD (Planning, Acquisition, Design)
- ☐ C (Construction)

Completed by:

Name: Erin Wiesehan, P.E. Title: Project Engineer

Signature: Erin Wiesehan Date: October 29, 2012

STATE OF TEXAS
ERIN G. WIESEHAN
107362
LICENSED
PROFESSIONAL ENGINEER

TEXAS WATER DEVELOPMENT BOARD
CLEAN WATER STATE REVOLVING FUND (CWSRF)
GREEN PROJECT INFORMATION WORKSHEETS

PART II - CATEGORICALLY ELIGIBLE

Complete this worksheet for projects being considered for the Green Project Reserve (GPR) as categorically eligible. Categorically eligible projects or project components are described in the following sections of the EPA GPR guidance (TWDB-0161):

Green Infrastructure	Part A, Section 1.2
Water Efficiency	Part A, Section 2.2
Energy Efficiency	Part A, Section 3.2
Environmentally Innovative	Part A, Section 4.2

Information provided on this worksheet should be of sufficient detail and should clearly demonstrate that the proposed improvements are consistent with EPA and TWDB GPR guidance for categorically eligible projects. Refer to **Information on Completing Worksheets** for additional information.

Section 1 – General Project Information

Applicant: City of Wimberley PIF #: 9754, 9755, 9756

Project Name: Wimberley Wastewater Collection, Treatment and Reuse

Contact Name: Don Ferguson, City Administrator

Contact Phone and e-mail: dferguson@cityofwimberley.com (512-847-0025)

Total Project Cost: $650,000 (PAD) Green Amount: $130,000 (PAD) (Categorically Eligible)

Brief Overall Project Description:

Residents and businesses in the central Wimberley area currently rely on private septic systems for disposal of wastewater. Many of these septic systems are failing and pose an immediate threat to groundwater quality and the quality of water in Cypress Creek and the Blanco River. Additionally, the potential for business growth is limited by these failing systems. In order to address these environmental and economic issues, the City of Wimberley is pursing planning and design funding for a wastewater collection system, treatment plant, and wastewater reuse infrastructure (pumps, piping, irrigation system). The treatment plant will be designed to treat effluent to Type 1 limits. A majority of effluent will be used to irrigate soccer fields and other open parkland within Blue Hole Regional Park. Effluent will also be pumped to other areas in Wimberley for use in landscape irrigation.

Section 2 – Green Infrastructure

Certain green infrastructure improvements are considered categorically eligible for the GPR according to EPA GPR guidance (TWDB-0161) Part A, Section 1.2. List categorically eligible green infrastructure contained within the project in the table below. Also provide a detailed description of the categorically eligible green infrastructure improvements. The detailed description should provide sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Green Infrastructure Description	Project / Component Cost
N/A	N/A
Total:	N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with green infrastructure (categorically eligible): N/A

Section 3 – Water Efficiency

Certain water efficiency improvements may be considered categorically eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of categorically eligible GPR Projects. One such common type of water efficiency project is effluent reuse to replace potable water use. For this type of project, complete section 3.1 below. For any other water efficiency projects being considered for categorical eligibility, complete Section 3.2.

Section 3.1 – Wastewater Effluent Reuse

Briefly describe existing wastewater treatment and disposal system:
Residents and businesses in the central Wimberley area rely on private septic systems. The existing wastewater treatment plant treats waste from the Deer Creek of Wimberley Nursing Home and Rehabilitation Center and public restrooms on Blue Hole Regional Park. The plant discharges to a subsurface drain field. Permit limits for the plant are 35 mg/L single grab BOD. The plant treats approximately 10,000 GPD and is permitted to treat up to 15,000 GPD during the initial phase and 50,000 GPD in the final phase.

Provide a detailed description of proposed effluent reuse facilities including all additional treatment and distribution improvements. Individually list, describe and provide costs for components such as treatment units, pumping facilities and distribution lines. Description should identify reuse users and quantify potable water saved (attach additional pages if necessary):

The existing wastewater package plant will be modified and expanded to included processes to achieve high-quality (Type I) effluent. The expected cost for the treatment plant expansion is approximately $600,000, of which $60,000 is attributed to processes associated with meeting Type 1 effluent criteria. The treatment units and approximate construction costs are listed below:

Equalization Basin	$ 9,500
Course Screening	$ 3,750
Fine Screening	$ 12,000
Grit Removal	$ 5,500
Primary Clarification	$ 22,500
Aeration Basins	$ 56,500
Secondary Clarification	$ 22,500
Tertiary Clarification	$ 31,500
Chlorination (w/Basin)	$ 7,500
Dechlorination	$ 3,000
Post Aeration	$ 3,750
RAS/WAS Handling	$ 4,500
Sludge Holding Tank	$ 5,500
Odor Control	$ 7,500
Nutrient Removal	$142,000

*Please see additional justification on attached page.

Green amount associated with effluent reuse (categorically eligible): $130,000

Effluent will be stored in a 250,000 gallon ground storage tank, where it will be pumped to various areas within Blue Hole Regional Park for irrigation as well as to Wimberley Square via a transmission line along FM 3237. The construction costs associated with the reclaimed water system are listed below:

Ground Storage Tank	$145,000
Drain Field Decommissioning	$ 40,000
Spray Irrigation System	$ 30,500
Pump Station	$ 28,350
Reclaimed Waterline	$320,000

The total construction costs associated with effluent reuse are $891,000 (including contingencies, fees, etc.). The planning and design (PAD) costs associated with these improvements is estimated at $130,000 (approximately 14.5 percent of total construction cost).

The major reclaimed water users and their anticipated water use is summarized below:

Blue Hole Regional Park	32,000 GPD – 48,000 GPD
Wimberley Businesses & Residents	13,000 GPD – 20,000 GPD

The reclaimed users listed above are currently using potable water for their irrigation needs. Constructing the reclaimed system will alleviate the demand on this valuable resource.

Section 3.2 – Other Water Efficiency Improvements

Complete this section for water efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed water efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with water efficiency: N/A
(Attach detailed cost estimate if necessary)

Section 4 – Energy Efficiency

Certain energy efficiency improvements may be considered categorically eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of categorically eligible GPR projects. A few common types of energy efficiency projects that may be considered categorically eligible, such as renewable energy projects and projects that achieve a 20% reduction in energy consumption are listed below. Complete Sections 4.1 and 4.2 if applicable. For any other energy efficiency improvement being considered for categorical eligibility, complete Section 4.3.

Section 4.1 – Renewable Energy Improvements

Renewable energy improvements such as wind, solar, geothermal, micro-electric, biogas combined heat and power (CHP) etc, are considered categorically eligible for the GPR according to EPA GPR guidance (TWDB-0161) Part A, Section 3.2. List renewable energy components applicable to the project in the table below. Also provide a detailed description of the proposed improvements.

Component Description	Design Life	Component Cost	Annual Energy Produced	Annual Financial Savings
N/A				
	Total:	N/A	N/A	N/A

Provide a detailed description of the proposed improvements including location, use, connections to existing systems, proposed facility operation, calculation of anticipated savings, etc (attach additional pages if necessary):

N/A

Green amount associated with renewable energy: N/A

Section 4.2 – Energy Reduction of 20%

Provide a detailed description of the proposed project that result in a 20% reduction in energy consumption. Describe operation of the existing system and provide sufficient information establishing the base energy demand. Describe the proposed improvements providing sufficient detail to demonstrate that the proposed efficiencies will be achievable. Quantify all energy and financial savings. Attach supporting calculations.

Energy efficiency improvements to be considered for categorical eligibility should provide reference to completed planning material such as energy assessments, energy audits, optimization studies and design level project information.

Reference Completed Planning/Design Material:

- ☐ N/A
- ☐ _____
- ☐ _____
- ☐ _____

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with 20% energy reduction: N/A

Section 4.3 – Other Energy Efficiency Improvements

Complete this section for energy efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed energy efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with energy efficiency improvements: N/A
(Attach detailed cost estimate if necessary)

Section 5 – Environmentally Innovative

Certain environmentally innovative improvements may be considered categorically eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of categorically eligible GPR Projects.

Provide reference to applicable EPA GPR guidance (TWDB-0161) sections that demonstrates GPR eligibility and provide a detailed description of the proposed environmentally innovative project or project components.

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with environmentally innovative: N/A
(Attach detailed cost estimate if necessary)

PART III - BUSINESS CASE ELIGIBLE

Complete this worksheet for projects being considered for the Green Project Reserve (GPR) as business case eligible. Business case eligible projects or project components are described in the following sections of the EPA GPR guidance (TWDB-0161):

Green Infrastructure	Part A, Section 1.4 and 1.5
Water Efficiency	Part A, Section 2.4 and 2.5
Energy Efficiency	Part A, Section 3.4 and 3.5
Environmentally Innovative	Part A, Section 4.4 and 4.5

Information provided on this worksheet should be of sufficient detail and should clearly demonstrate that the proposed improvements are consistent with EPA and TWDB GPR guidance for business case eligible projects. Refer to **Information on Completing Worksheets** for additional information.

Section 1 – General Project Information

Applicant: N/A PIF #: N/A

Project Name: N/A

Contact Name: N/A

Contact Phone and e-mail: N/A

Total Project Cost: N/A Green Amount: N/A
(Business Case Eligible)

Brief Overall Project Description:
N/A

Section 2 – Green Infrastructure

Certain green infrastructure improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed green infrastructure improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with green infrastructure (business case eligible): N/A
(Attach a detailed cost estimate if necessary)

Section 3 – Water Efficiency

Certain water efficiency improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed water efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with water efficiency (business case eligible): N/A
(Attach a detailed cost estimate if necessary)

Section 4 – Energy Efficiency

Certain energy efficiency improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. A few common types of energy efficiency projects that may be considered business case eligible, such as projects for energy efficiency (less than 20% energy efficiency improvement) and projects that eliminate pump stations (lift stations) are listed below. Complete Sections 4.1 and 4.2 if applicable. For any other energy efficiency improvement being considered for business case eligibility, complete Section 4.3.

Section 4.1 – Energy Efficiency Improvements (< 20% improvement)

Provide a detailed description of the proposed project that result in a substantial reduction in energy consumption. Describe operation of the existing system and provide sufficient information establishing the base energy demand. Describe the proposed improvements providing sufficient detail to demonstrate that the proposed efficiencies will be achievable. Quantify all energy and financial savings. Attach supporting calculations.

Energy efficiency improvements to be considered for business case eligibility should provide reference to completed planning material such as energy assessments, energy audits, optimization studies and design level project information.

Reference Completed Planning/Design Material:

- ☐ N/A
- ☐ _____
- ☐ _____

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with energy efficiency: N/A

Section 4.2 – Lift Station Elimination

List all lift stations within the collection system contributing to the wastewater treatment facility and indicate which are to be eliminated by the project. Include annual energy usage for all lift stations in the table below and describe methodology for obtaining annual energy usage in detailed description. Provide annual operating costs (include energy, operation and maintenance costs) for each lift station to be eliminated and describe methodology for estimating these costs in the detailed description. For large systems the information can be summarized in the table below with supporting information attached.

Lift Station Identification	To be Eliminated?	Annual Energy Usage	Annual Operating Cost (for LS to be eliminated)
N/A	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	☐		
	Total =		

Total annual energy savings from eliminated lift stations: N/A

Energy reduction (percentage): N/A

Design life (useful life) of proposed facility: N/A

Total project cost of proposed facilities: N/A

Payback period (total project cost ÷ annual cost savings): N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with lift station elimination: N/A

Section 4.3 – Other Energy Efficiency Improvements

Complete this section for energy efficiency improvements other than those listed above. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed energy efficiency improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:

N/A

Detailed Description (attach additional pages if necessary):

N/A

Green amount associated with energy efficiency (business case eligible): N/A

(Attach a detailed cost estimate if necessary)

Section 5 – Environmentally Innovative

Certain environmentally innovative improvements may be considered business case eligible for the GPR. Refer to EPA and TWDB GPR guidance for a complete list and description of business case eligible GPR Projects. Provide reference to the applicable sections of the EPA GPR guidance (TWDB-0161) that demonstrate GPR eligibility. Provide a detailed description of the proposed environmentally innovative improvements of sufficient detail that clearly demonstrates that the proposed improvements are consistent with EPA GPR guidance (TWDB-0161).

Guidance Reference:
N/A

Detailed Description (attach additional pages if necessary):
N/A

Green amount associated with environmentally innovative (business case eligible): N/A
(Attach a detailed cost estimate if necessary)

ATTACHMENT

H1

TWDB-0215
APPLICANT/ENTITY
TEXAS WATER DEVELOPMENT BOARD
AFFIRMATIVE STEPS CERTIFICATION and GOALS

I. PROJECT INFORMATION

A. TWDB Project No.	B. Applicant/Entity Name	C. Total TWDB Funding Request	D. Program Type (insert "X" for all that apply)	
	City of Wimberley	$650,000	☐	Drinking Water SRF (DWSRF)
			☒	Clean Water SRF (CWSRF)

II. GOOD FAITH EFFORT (Applicable to all PRIME contracts awarded by the applicant/entity)

I understand that it is my responsibility to comply with all state and federal regulations and guidance in the utilization of Minority and Women-Owned Businesses in procurement. I certify that I will make a "good faith effort" to afford opportunities for Minority Business Enterprise (MBE), and Women-Owned Business Enterprise (WBE) by:

1	Including qualified MBEs and WBEs on procurement solicitation lists
2	Soliciting potential MBE's and WBE's
3	Reducing contract size/quantities when economically feasible to permit maximum participation by MBE's and WBE's
4	Establishing delivery schedules to encourage participation by MBE's and WBE's
5	Using the services and assistance of the Small Business Administration, Minority Business Development Agency, U.S. Department of Commerce, and Texas Marketplace
6	Requiring all PRIME contractors to follow steps 1-5 of the "good faith effort" in employing MBE and WBE Subcontractors

Signature - Applicant/Entity Representative	Title	Certification Date
	City Administrator	12/26/12

III. PROJECT PARTICIPATION ESTIMATES

Total Procurement		Potential **MBE** Participation		Potential **WBE** Participation	
Cost Category	Total	Goal	Extension	Goal	Extension
Construction	$	12.94%	$0	8.72%	$0
Equipment	$	7.12%	$0	5.39%	$0
Supplies	$	9.68%	$0	9.34%	$0
Services	$ 650,000	10.84%	$ 70,460	5.72%	$ 37,180
Total Procurement (must equal loan/grant amount)	$ 650,000		$ 70,460		$ 37,180

The fair share goals listed above are required by 40 CFR Part 33 Subpart D and are directly negotiated with EPA Region 6. ***Entities receiving federal financial assistance are subject to the TWDB's goals and may not be substituted with other agency*** *or program goals.*

IV. TWDB APPROVAL SIGNATURE

Form Meets DBE Requirements	Yes ☐ No ☐
DBE Coordinator	Approval Date