



City of Wimberley

221 Stillwater, Wimberley, Texas 78676
(512) 847-0025 Fax (512) 847-0422 www.cityofwimberley.com

Susan Jagers, Mayor

Rebecca Minnick, Mayor Pro-tem

Council Members

Craig Fore

Christine Byrne

Gary Barchfeld

Bo Bowman

June 28, 2019

Mr. Dain Larsen
Team Manager, Central Region
Texas Water Development Board
P.O. Box 13231
Austin, TX 78711-3231

Re: Clean Water State Revolving Fund Project

Mr. Larsen:

In response to the letter the City of Wimberley received on June 18, 2019, please find the implementation timeline for the change in project scope below. The City is still working to meet the Board's requirements and has made significant strides to complete and provide all requested information available to us. On March 28, 2019 the Board requested the City complete the Golden-cheeked Warbler Habitat assessment, the General Land Office coordination and engineering approval, and the Texas Parks and Wildlife coordination. Those items are now complete and below is the updated timeline for the Board of the remaining items to be completed.

Timeline:

Exchange refunding in accordance with Chapter 1207 of the Texas Government Code to refund the City's revenue bonds

- The City, working with its Bond Counsel, has finalized the Ordinance language for the Series 2019 Refunding Bonds. Bond Counsel will provide the newly elected Council an update on the Ordinance in preparation for an upcoming vote on the item. – **Anticipated Briefing to City Council, July 18, 2019**

Submission of an executed wholesale wastewater treatment service contract between the City and Aqua Texas

- The City has continued to negotiate the wholesale contract with Aqua TX since August 2018. In April 2019, Council was informed that Aqua Tx preferred to wait until after the May 4 election to enter into any agreements. The newly elected Council has reviewing the proposed agreement (currently on version 12), and administration had been working with the City Attorney to prepare the Contract for final approval. The City was informed on June 26, 2019 that "Aqua is no longer interested in negotiating a contract with Wimberley in light of the City Council member changeover and negative public response despite our previous efforts to try to work a deal." I have reached out to Aqua TX for clarification. The City Council has not expressed any desire to change direction and public responses has remained the same. As I receive more information, I will provide it the TWDB.

Documentation that the City has acquired or is in the process of acquiring all real property interest, as evidenced by earnest money contracts, contracts for sale, firm option agreements to purchase the subject property needed to complete the project

- All necessary easements currently required for the City’s collection lines and lift station have been acquired. – **Provided February 20, 2019**

- The easement currently required for the Change in Scope (possibly on Sabino Ranch) is to be acquired by Aqua TX. Additionally, the City is reviewing an alternate tie-in location. Feasibility of the location is being reviewed by the Design Engineer and the location is being discussed in conjunction with the Aqua TX agreement. We are continuing to review bore locations while we continue to try and negotiate with Aqua TX. (Please see not on contract above).

Issuance of an updated favorable environmental determination.

- The TWDB to my knowledge has completed the Statement of Findings for the environmental determination and is waiting on confirmation of the coordination (email) with the USFWS. – **Anticipated Completion – Week of July 1, 2019.**
- The City has provided the following information in order to comply:
 - Final Golden-cheeked Warbler Habitat Assessment – **Provided May 6, 2019**
 - General Land Office Coordination – **Provided June 20, 2019**
 - Once GLO lease/easement is approved it will take 1-2 weeks to finalize engineering for the bore location.
- Texas Parks and Wildlife Coordination – **Provided May 6, 2019**

The City is currently working with TxDOT on the re-location of manholes along Ranch Road 12 and FM 3237. We expect a response by the end of this week. Once all requirements for the Change in Scope are met and all approvals from TxDOT are acquired, we expect to be completed with the project in 5-6 months.

Sincerely,

Shawn Cox
City Administrator