

City of Wimberley

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

SPECIAL CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
TUESDAY, JULY 10, 2018 – 5:30 P.M.

AGENDA

1. **CALL TO ORDER** July 10, 2018 at 5:30 p.m.

2. **CALL OF ROLL** City Secretary

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**

5. **PUBLIC COMMENT**

The City Council welcomes comments from the public on agenda and non-agenda items in advance of the regular business of the City Council. Those wishing to speak should complete a request to speak form before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

6. **CONSENT AGENDA**

The following item/s may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

A. Approval of minutes from the Regular City Council Meeting held June 21, 2018.

B. Approval of Mayor Susan Jagger's appointment of Mike McDonald to the Planning and Zoning Commission.

7. **PARKS DIRECTOR UPDATE**

Update on Blue Hole Regional Park operations

8. **CITY ADMINISTRATOR REPORT**

Update regarding the status of the Central Wimberley Wastewater Project and other pertinent topics

9. DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action to approve a professional services agreement with Environmental Concepts, LLC to serve as the Environmental Health/OSSF Inspector for the City of Wimberley.
- B. Discuss and consider possible action to amend the Comprehensive Fund Balance Policy regarding the Blue Hole Development Fund.
- C. Discuss and consider possible action to approve Resolution No. 19-2018, authorizing the submission of a community development and revitalization 2015 housing project application to the Texas General Land Office.
- D. Discuss and consider possible action to approve Resolution No. 20-2018, authorizing the submission of a community development and revitalization 2015 non-housing project application to the Texas General Land Office.
- E. Discuss and consider possible action to approve Ordinance No. 2018-23, amending Chapter 33, Subsection 33.04 (C)(2), (D), (E), and (G), for the Parks and Recreation Board.
- F. Discuss and consider possible action to approve Ordinance No. 2018-24, amending Chapter 33, Subsection 33.02 (C), (D), (E), and (G), for the Transportation Advisory Board.
- G. Discuss and consider possible action to approve Ordinance No. 2018-25, amending Chapter 33, Subsection 33.03 (C), (D)(1), (E), (F), and (G), for the Water Wastewater Advisory Board.
- H. Discuss and consider possible action to approve the first reading of Ordinance No. 2018-26, amending Ordinance No. 2015-017, regarding the Hotel Occupancy Tax Advisory Committee.
- I. Discuss and consider possible action regarding appointments to the Hotel Occupancy Tax Advisory Committee.
- J. Discuss and consider possible action regarding short-term vacation rentals within the City of Wimberley.
- K. Discuss and consider possible action regarding Capital Excavation Change Order No. 2 for the provision of materials testing.
- L. Discuss and consider possible action to continue with the current Central Wimberley Wastewater Project, as funded, including immediately removing the pause on the Black Castle contract.
- M. Discuss and consider possible action to approve Resolution No. 21-2018, authorizing an amendment to the Economic Development Administration (EDA) Grant Application to allocate funding associated with the Central Wimberley Wastewater Project from the Wastewater Treatment Plant Project to the Collection Line Project.

- N. Discuss and consider possible action to amend the City of Wimberley Governance Policy and Rules of Procedure pertaining Section 5.9 – Agenda.

10. CITY COUNCIL REPORTS

- A. Announcements

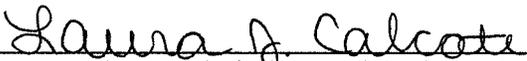
- B. Future agenda items

11. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

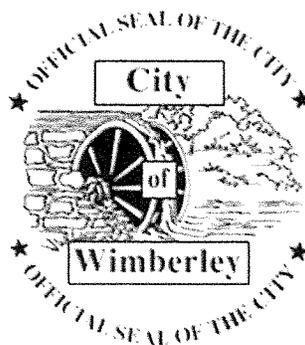
CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Friday, July 6, 2018, by 5:45 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Laura J. Calcote, City Secretary

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



City Council Agenda Form



Date Submitted: July 6, 2018
Agenda Date Requested: July 10, 2018

Project/Proposal Title: CONSENT AGENDA

Council Action Requested:
 Ordinance
 Resolution
 Motion
 Discussion

Project/Proposal Summary:

Please see attached minutes from one meeting:

- Regular City Council held June 21, 2018

Mayor Susan Jagers has recommended appointment of Mark McDonald to the Planning and Zoning Commission. Mr. McDonald's application is attached.



City of Wimberley

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

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JUNE 21, 2018 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor Susan Jagers called the meeting to order at 6:03 p.m.

CALL OF ROLL

Council Members Present: Susan Jagers Mayor
Mike McCullough Place One
Craig Fore Place Two
Allison Davis Place Three
Gary Barchfeld Place Four
Patricia Cantu Kelly Place Five

City Staff Present: Shawn Cox City Administrator
Laura Calcote City Secretary
Sandy Floyd Planning & Development Coordinator/GIS Analyst
Aaron Reed Public Works Director
Rebecca Manning Parks Director

INVOCATION

Council Member Gary Barchfeld gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Jagers led the pledges to the United States and Texas flags.

PROCLAMATION

Proclamation of the City of Wimberley, Texas proclaiming June 2017 to be Revive Civility Month in this community.

This item was postponed until next month.

PRESENTATIONS AND POSSIBLE ACTION

A. Presentation and consider possible action to accept a check from Friends of Blue Hole to provide funding for Blue Hole Camp Scholarships.

Friends of Blue Hole Executive Director, Susan Neeney, presented a check in the amount of \$1,500 to City Council for funding of Blue Hole Camp Scholarships for ten children ages 6-12 to attend environmental nature camps at the Park during the summer. No action was taken on this item.

B. Presentation and consider possible action regarding Charlie Price's Hilltop Park Eagle Scout Project.

Public Works Director Aaron Reed provided an introduction for Boy Scout Charlie Price and background on the potential project. Mr. Price presented information pertaining to his Hilltop Park Eagle Scout Project.

Motion to approve Charlie Price's Hilltop Eagle Scout Project was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (5-0).

C. Presentation and consider possible action regarding Nathan Lipinski's Eagle Scout Project at Blue Hole Regional Park.

Nathan Lipinski presented his Eagle Scout Project at Blue Hole Regional Park.

Motion to approve Nathan Lipinski's Eagle Scout Project at Blue Hole Regional Park was made by Council Member Allison Davis. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (5-0).

CITIZENS COMMUNICATIONS

There were twelve citizen's comments. They were as follows:

1. William "Bill" Bowman noted photographs recovered from the 2015 flood had been categorized and catalogued and were available for review at the Wimberley Library.
2. Susan Jagers, speaking as a Wimberley citizen, stated there was no corruption occurring on City Council pertaining to the Central Wimberley Wastewater Project.
3. Jenni Marino spoke opposing items 10.B. and 10.C., under public hearings and possible action.
4. Malcom Harris, President of the Wimberley Valley Watershed Association, addressed Council regarding the history of the Parks and Recreation Board, and the trail system in the Wimberley community.
5. David Baker also spoke regarding the trail system in Wimberley, and the Central Wimberley Wastewater Project being kept in local control and not going to Aqua Texas.
6. Chris Oddo addressed Council regarding environmental and fiscal issues with the Central Wimberley Wastewater Project. Mr. Oddo requested to see further detail regarding the cost of the Project and advised the City will not save money if it goes to Aqua Texas.
7. Christine Middleton provided a history of Aqua Texas's reputation in the area, including issues with the City of Kyle, and the unauthorized discharges the company had made into various waterways.
8. Andrew Weber, President of Friends of Blue Hole, spoke regarding the Intradepartmental Agreement Regarding the Purchase of Reclaimed Water and how the City should consider financial fairness to Blue Hole Park. Mr. Weber also stated his support for Type 1 affluent, and that he was not in favor of increasing fees at the Park.

9. Lee Ann Bower spoke opposing items 10.B. and 10.C. under public hearings and possible action. Ms. Bower also noted she was opposed to affluent being dumped in the river and creek.
10. Charles Wilten addressed Council pertaining to the Central Wimberley Wastewater Project and stated the City would be in a relationship with either itself or Aqua Texas moving forward. He contended that he was not in favor of Aqua Texas.
11. Diana Gonzales invited the public to the Pedernales Electric Cooperative Districts 1,6 and 7 elections on June 23rd at Smithson Valley High School.
12. Claudia Hanes invited the public to visit the new Los Olivos Market in Wimberley, which was the previous location of Taste Buds.

CONSENT AGENDA

Motion to approve the Consent Agenda, with Council Member Davis notating one correction to the June 12, 2018 minutes, was made by Council Member Allison Davis. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (5-0).

- A. Approval of minutes from the Regular City Council Meeting held May 17, 2018.
- B. Approval of minutes from the Special City Council Meeting held May 21, 2018.
- C. Approval of minutes from the Special City Council Meeting held May 22, 2018.
- D. Approval of minutes from the Special City Council Meeting held May 29, 2018.
- E. Approval of minutes from the Special City Council Meeting held June 12, 2018.
- F. Approval of minutes from the Special City Council Meeting held June 14, 2018.
- G. Approval of March 2018 and April 2018 Financial Statements for the City of Wimberley.
- H. Approval of resignation of Jenelle Flocke from the Ethics Commission.
- I. Approval of resignation of Pam Showalter from the Board of Adjustment.
- J. Approval of resignation of Bert Ray from the Transportation Advisory Board.
- K. Approval of Mayor Susan Jagger's appointment of Scott Way to the Board of Adjustment.
- L. Approval of Place 5 Council Member Patricia Cantu Kelly's appointment of Edward Davis to the Board of Adjustment.

CITY ADMINISTRATOR REPORT

City Administrator Shawn Cox provided a presentation regarding the status of the Central Wimberley Wastewater Project, including the current financial standing for the Project. There was discussion between Mr. Cox and Council members regarding the Project and the associated costs. Additionally, Mr. Cox noted Public Works Director Aaron Reed had accepted

a new position at another city, and John Provost had been hired to fill the Public Works position.

PUBLIC HEARINGS AND POSSIBLE ACTION

- A. Hold a public hearing and consider approval regarding case ZA-18-004, proposing an ordinance amending Ordinance No. 2011-017, which designated real property located on approximately 131.896 acres, more commonly known as 333 Wayside Dr., Wimberley, Hays County, Texas, as a Wimberley Planned Development District with a base zoning of Residential Acreage (RA), and imposed certain development regulations. This amendment proposes to include beer, wine and alcohol for on-premise consumption; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Wimberley Seven A Land, LLC, Applicant*)

Planning & Development Coordinator/GIS Analyst Sandy Floyd presented the item. The Planning & Zoning Commission had recommended approval of the request by a 5-2 vote on June 14th. Applicant Scott Way addressed Council regarding the proposed amendment. Mr. Way answered Council's questions regarding the sale beer, wine and alcohol for on-premise consumption at the property. Furthermore, Council discussed the support and opposition responses the City had received regarding the amendment. There had been more responses in support of the proposed change than opposition.

Mayor Jagers opened the public hearing at 7:31 p.m.

There were two comments. David Glenn spoke in support of the amendment for 7A. William "Bill" Bowman also voiced his support for the amendment for the property, stating it would bring sales tax funds to the City.

Mayor Jagers closed the public hearing at 7:37 p.m.

Motion to approve was made by Council Member Allison Davis. Motion was seconded Council Member Craig Fore. Motion carried unanimously (5-0).

- B. Hold a public hearing and consider approval regarding case ZA-18-006, an application to change the zoning from Residential Acreage (RA) to Rural Residential 1 (R-1) for Lots 4A1B, 4A2A, 4A2B and 4A2C, Flite Acres Little Ranches, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*City of Wimberley, Applicant*)

Ms. Floyd presented the zoning change. The four tracts of land were not originally zoned properly after they were a part of a resubdivision in 2015. The Planning & Zoning Commission had recommended approval by a 6-0-1 vote on June 14th.

Mayor Jagers opened the public hearing at 7:41 p.m.

There were no public comments.

Mayor Jagers closed the public hearing at 7:41 p.m.

Motion to approve was made by Council Member Craig Fore. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).

- C. Hold a public hearing and consider approval regarding case CUP-18-008, an application for a Conditional Use Permit to allow for a vacation rental for property located at 2645 Flite Acres Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*2625 Flite Acres LLC, Applicant*)

Ms. Floyd presented the CUP to allow for a vacation rental at 2645 Flite Acres Road. The Planning & Zoning Commission had recommended approval by a 6-1 vote on June 14th. Phil Collins addressed Council on behalf of the property owner, Tomas Palm, regarding the CUP and presented comprehensive plans for the new vacation rental. There was discussion among Council members pertaining to the opposition received by the City on the application, along

with the commercialization of the Flite Acres neighborhood.

Mayor Jagers opened the public hearing at 7:51 p.m.

Jenni Marino spoke in opposition to the CUP.

Mayor Jagers closed the public hearing at 7:52 p.m.

Motion to deny was made by Council Member Allison Davis. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried as follows (4-1):

| | |
|-----------------------------|------------|
| Mike McCullough | Aye |
| Craig Fore | Aye |
| Gary Barchfeld | Aye |
| Patricia Cantu Kelly | Aye |
| Allison Davis | Nay |

Mayor Susan Jagers requested a recess at 7:58 p.m.

Regular Session reconvened at 8:08 p.m.

DISCUSSION AND POSSIBLE ACTION

(Motion to move Item No. 11.M. Alternatives to the Wastewater Treatment Facility to Item No. 11.A. was made by Council Member Mike McCullough. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).)

A. Discuss and consider possible action regarding options and alternatives to the wastewater treatment facility.

Council Member Allison Davis had requested this item be placed on the agenda, and felt this item needed to be discussed since the collection side of the Central Wimberley Wastewater Project was moving forward without delay.

Project Manager Jim Schoonover provided an update to Council regarding the status of the plant and the collection lines. Mr. Schoonover noted some of the easements and permits had not been acquired for the Project to move forward. There was lengthy discussion among Council members and Mr. Schoonover regarding the easements and permits, along with the potential location of the lift station needing to change, due to power lines being overhead.

Council Member Davis raised some concerns pertaining to the Project, including a shift towards Aqua Texas and owing the citizens a discussion regarding the topic. Additionally, Council Member Davis was concerned on losing the trust of the public and being transparent. Mayor Susan Jagers stated all the information had not yet been given to the public regarding the future of the Project, but that it would be coming soon. There was also discussion on the Black Castle pause and extending the pause for an additional 30 days.

There were several citizen's comments on the Project. First, Lila McCall spoke regarding the financial status of the City, and how it would be unable to pay the loan. She also provided a history of the City of Kyle and Aqua Texas, and stated she was in favor of using the company for the completion of the Project. William "Bill" Bowman spoke regarding the Mayor's Town Hall meeting in June, and how changing the course could cost the City a significant amount and that there should be no major changes to the two contracts now that the Project is underway. Additionally, Mr. Bowman stated Aqua Texas has a bad reputation, and there have historically been issues with the entity. Next, Peter Lee addressed Council on moving forward with the Project as is and that change orders on a project this large are normal and part of the course. He asked Council to listen to the younger generation's voice when it came to the Project, since they will incur the bill. Lastly, Dorothy Knight stated there have been attempts made to undermine the Project and cause delays. Ms. Knight contended the infrastructure is needed in the Square, and the loan cannot be paid back with an ad valorem tax.

There was additional discussion among Council members regarding meetings with the Texas Water Development Board about Aqua Texas and the Project as a whole. No action was taken on this item.

Council Member Allison Davis left the meeting at 9:08 p.m.

- B. Discuss and consider possible action to appoint Sandy Floyd as Floodplain Administrator for the City of Wimberley.
Motion to appoint Sandy Floyd as Floodplain Administrator for the City of Wimberley was made by Council Member Craig Fore. Motion was seconded by Council Member Mike McCullough. Motion carried unanimously (4-0).
- C. Discuss and consider possible action to award the bid to Myer's Concrete Construction in the amount of \$49,200 for the Hidden Valley Crossing Roadway Improvements.
Public Works Director Aaron Reed presented the bid proposal from Myer's Concrete Construction for roadway improvements at the Hidden Valley low water crossing.
Motion to award the bid to Myer's Concrete Construction in the amount of \$49,200 for the Hidden Valley Crossing Roadway Improvements was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).
- D. Discuss and consider possible action to award a road maintenance contract to Pendleton Excavation in an amount not to exceed \$8,500.
Public Works Director Aaron Reed presented the item for pothole and shoulder repair within the City of Wimberley. There was discussion regarding the road maintenance budget for Fiscal Year 2018.
Motion to award a road maintenance contract to Pendleton Excavation in an amount not to exceed \$8,500 was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).
- E. Discuss and consider possible action to approve Ordinance No. 2018-22, amending Ordinance No. 2014-010, for a variance process to Section 2 (B) 508.3.1.1 Inadequate Water Supplies.
Motion to approve Ordinance No. 2018-22, amending Ordinance No. 2014-010, for a variance process to Section 2 (B) 508.3.1.1 Inadequate Water Supplies was made by Council Member Craig Fore. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (4-0).
- F. Discuss and consider possible action to approve Ordinance No. 2018-23, amending appointment and re-appointment terms for the Parks and Recreation Board.
Council Member Gary Barchfeld spoke regarding City board, commission and committee appointment process and term limits, with the exception of the Planning & Zoning Commission. Mr. Barchfeld also provided a list of potential amendments to the composition of the City's boards, committees and commissions, aside from the ones presented in Ordinance No. 2018-23 and Ordinance No. 2018-24.
Christine Byrne addressed Council regarding the June 12th City Council Meeting, where action was taken to modify the term limits and number of members for City boards, commissions and committees. Ms. Byrne stated she believed a uniform start date was a good idea, but that one-year term limits for members were problematic and would cause turnover.

Motion to table Ordinance No. 2018-23 until the next City Council meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).

- G. Discuss and consider possible action to approve the appointments and re-appointments of Mike Stevens, Merry Gibson, Matt Meeks, Gary Pigg, Mark Bursiel and Marilee Wood to the Parks and Recreation Board.

Motion to approve the appointments and re-appointments of Mike Stevens, Merry Gibson, Matt Meeks, Gary Pigg, Mark Bursiel and Marilee Wood to the Parks and Recreation Board was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (4-0).

- H. Discuss and consider possible action to approve Ordinance No. 2018-24, amending appointment and re-appointment terms for the Transportation Advisory Board.

Motion to table Ordinance No. 2018-24 until the next City Council meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).

- I. Discuss and consider possible action to approve the appointments and re-appointments of Mike Moeller, Mike Murphy, Ruth Mince, Bobby Dettmer, Mike Crowley, Gary Callon and Rachel Emry to the Transportation Advisory Board.

Motion to approve the appointments and re-appointments of Mike Moeller, Mike Murphy, Ruth Mince, Bobby Dettmer, Mike Crowley, Gary Callon and Rachel Emry to the Transportation Advisory Board was made by Council Member Patricia Cantu Kelly. Motion was seconded by Council Member Gary Barchfeld. Motion carried unanimously (4-0).

- J. Discuss and consider possible action regarding the nomination and appointment process of the Hotel Occupancy Tax Committee members.

Motion to table the nomination and appointment process of the Hotel Occupancy Tax Advisory Committee members until the next City Council meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Patricia Cantu Kelly. Motion carried unanimously (4-0).

- K. Discuss and consider possible action regarding the audit proposal from Armstrong, Vaughn & Associates, P.C. for the Hotel Occupancy Tax Fund.

City Administrator Shawn Cox presented the audit proposal for the Hotel Occupancy Tax Fund. There was discussion among Council members regarding the proposal cost for the audit. No action was taken on this item.

- L. Discuss and consider possible action regarding a proposal from Langford Community Management Services, Inc. for the provision of grant/loan management services related to the Central Wimberley Wastewater Project.

This item was postponed.

- M. Discuss and consider possible action regarding Resolution No. 18-2018, amending the 2017/2018 Operating Budget (Budget Amendment No. 11) providing for increased appropriations in the General Fund for contract and audit services.

This item was postponed.

- N. Discuss and consider possible action regarding City Council meeting schedules.
No action was taken on this item.

- O. Discuss and consider possible action to amend the City of Wimberley Governance Policy and Rules of Procedure pertaining to City Council regular and special meeting days and times.
There was discussion among Council members pertaining to changing the time of Regular City Council meetings on the first and third Thursdays of the month to 5:30 p.m., instead of 6:00 p.m., and having Special City Council meetings on Tuesdays at 5:30 p.m.
Motion to amend the City of Wimberley Governance Policy and Rules of Procedure pertaining to City Council regular and special meeting days and times was made by Council Member Craig Fore. Motion was seconded by Council Member Mike McCullough. Motion carried unanimously (4-0).

- P. Discuss and consider possible action regarding the Water Wastewater Advisory Board.
Council Member Gary Barchfeld presented this item. Mr. Barchfeld suggested reinstating the Water Wastewater Advisory Committee as an ad hoc committee to aid with the Central Wimberley Wastewater Project. The Committee would consist of five (5) members for one-year terms.
Motion to amend the ordinance creating the Water Wastewater Advisory Board and to bring the ordinance to the next City Council meeting was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

CITY COUNCIL REPORTS

- A. Announcements – The Regular City Council Meeting on Thursday, July 5th would be cancelled, due to the Fourth of July Holiday, and a Special City Council Meeting would be held on Tuesday, July 10th instead.

- B. Future agenda items – None.

ADJOURNMENT

Mayor Susan Jagers adjourned the meeting at 10:02 p.m., without objection.

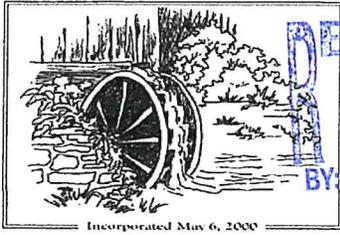
RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Susan B. Jagers, Mayor



RECEIVED
JUN 15 2018
BY

City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Board / Commission / Committee

Name of Commission/Board/Committee: Planning AND zoning Commission

Nominated By: SUSAN JAGGERS

Name: MARIL McDONALD Phone: 214 793 6414 E-mail: mcm83@verizon.net

Physical Address: 2170 Hilltop Drive Wimberley

Mailing Address (If different than physical address): _____

Employer: Retired Position/Occupation: _____

Business Number: _____ Fax: _____

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ () Outside ETJ

I am a registered voter in: () City of Wimberley () Hays County () Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes () No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings? () Yes () No

Would you consider serving on a different Commission/Board/Committee? () Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

Many years of business experience running several companies.

Signature: [Handwritten Signature] Date: 6-15-18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676.

City Council Agenda Form



Date Submitted: July 6, 2018
Agenda Date Requested: July 10, 2018

Project/Proposal Title: CITY ADMINISTRATOR REPORT

Council Action Requested:
 Ordinance
 Resolution
 Motion
 Discussion

Project/Proposal Summary:

City Administrator Shawn Cox will provide an update to City Council regarding the Central Wimberley Wastewater Project status and answer questions related to the Project. Mr. Cox will also update Council on other pertinent topics for the City.

City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title:

Discuss and consider possible action to approve a professional services agreement with Environmental Concepts, LLC to serve as the Environmental Health/OSSF Inspector for the City of Wimberley

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

The City of Wimberley utilizes a third-party inspector to provide health and OSSF (septic system) inspections. The City has utilized Environmental Concepts, LLC since 2009 for the provision of these services.

Under the proposed agreement Environmental Concepts, LLC will continue to be responsible for food service inspections and septic system plan review and inspections. Regular office hours will continue to be kept at City Hall, one day per week by the inspector.

The proposed agreement proposes an increase in service fees to be paid by the City. Specifically, the fee for any office hours worked is proposed to increase from \$45.00 per hour to \$55.00 per hour. Additionally, the fee for field inspections is proposed to increase from \$105.00 to \$125.00. The costs for these services would be recovered by the City through its septic and service fees.

If approved, the terms of this agreement would become effective August 1, 2018.

Financial:

Cost of associated with this contract will be recovered through the City septic and service fees.

Recommendation:

The City Administrator, Shawn Cox recommends approval of this item.

Attached:

- Proposed Environmental Health & City Inspection Service Agreement with Environmental Concepts, LLC

ENVIRONMENTAL HEALTH & CITY INSPECTION SERVICES AGREEMENT

This Agreement, made and entered into this ___*th* day of 2018, by and between the City of Wimberley, Texas, hereinafter referred to as the “City” and Environmental Concepts, LLC, hereinafter referred to as “Inspector,” is understood and agreed to be as set forth herein:

- 1. Description of Services:** The City, in connection with carrying out the duties of its various ordinances and permitting processes regulating the health and safety of food establishments, the environment, day cares, foster cares and the construction and operation of On-Site Sewage Facilities (OSSF, also known as “septic systems”), requires the services of an Environmental Health Inspector.
 - (a) The Inspector shall be retained by the City under the designation of "City Inspector", "City Sanitarian", or "Environmental Health Inspector"
 - (b) Inspector agrees to make all inspections and issue permits required or requested by the City under appropriate ordinances of the City. Such inspections and permits shall include, but not be limited to, those related to food establishments, schools, child care facilities, health care facilities, and on-site sewage facilities.
 - (c) Upon City’s request, Inspector will make written reports noting ordinance compliance or any deviations from all inspections and deliver a copy of such reports to the office via mail, in person, by email, or other electronic means within two (2) business days after the receipt of request for inspection.
 - (d) Inspector shall investigate complaints of poor sanitation in public establishments and private property.
 - (e) Inspector shall explain City health ordinances and recommend corrective actions to the public.
 - (f) Inspector shall perform follow-up inspections, issue warnings and/or citations and ensure proper issuance of City health permits.
 - (g) Inspector shall provide food handler training classes from time to time when requested by the City or a food related establishment.
 - (h) Inspector shall review OSSF permit applications and issue OSSF permits.
 - (i) Inspector shall submit required reports to the State regarding environmental health and OSSFs.
 - (j) Inspector may from time to time be called upon to perform the following services:
 - (1) attend meeting of the City Council, when requested by the Mayor, City Administrator, Council Member or other City Official; and/or
 - (2) attend other public or private meetings involving inspection matters related to the duties performed under this Agreement.
 - (k) Request for the inspections may be made by telephone, email, or text. Upon notification and when available, Inspector will honor the request within two (2) business days.

- (l) Inspector shall conduct business as an agent of the City in good faith displaying professionalism and a courteous manner in dealings with the citizens of the City. City Inspector agrees to abide by the Building Official Code of Ethics as established by the International Code Council. Inspector will report to the City Administrator, verbally or in writing, any conflicts between Inspector and any citizen in the course of performing said duties.
- (m) City may conduct customer satisfaction surveys from time to time without notice to Inspector. The City will incur cost of materials to perform such surveys.
- (n) Inspector shall maintain complete and accurate records of work performed for the City. Inspector shall manage both public and confidential records that Inspector obtains pursuant to this Agreement with the understanding that some records may be subject to state "open record laws."

2. Payment for Services: The City will employ the Inspector for the following fee structure:

- (a) **Office Hours**—Inspector shall observe regular office hours on Tuesdays from 9:00 am until needed or duties are completed. Office Hours shall be maintained in the City Hall complex. Office Hours shall be compensated at an Hourly Rate of \$55.00 per hour, plus mileage reimbursement at the current IRS rate. Office Hours may be rescheduled by the City Administrator or the Inspector as needed to conform to the City’s holiday schedule. The City and/or Inspector reserves the right to change office hours or days upon consultation with the other.
- (b) **Inspections:** Health, Food & OSSF Inspections shall be compensated at a rate of \$125.00 per inspection, plus mileage to be reimbursed at the current IRS rate. All inspections shall be performed at times other than the Inspector’s Office Hours. Other inspection duties occurring outside the realm of scheduled office hours/days (i.e. special events, market days, etc.) will be compensated at \$125.00 per hour plus mileage at the current IRS rate.
- (c) **Food Handler Training:** *Food handler training may be offered as requested by the city or any food related establishment at a cost of \$20 per student.*
- (d) **Invoices:** Inspector shall invoice City monthly for office hours and for each inspection performed. Invoices shall include a description of the work performed during office hours and the address and type of inspection performed.

omit (c), due to inexpensive online classes

- 3. Termination:** Either party may terminate this Agreement with a thirty (30) day written notice to the other party.
- 4. Relationship of Parties:** It is understood by the parties that Inspector is an independent contractor with respect to the City and not an employee of the City. City will not provide fringe benefits, including health insurance benefits, paid vacation, or any employee benefit, for the benefit of Inspector. Inspector shall maintain a separate place of business, from which inspector can provide services to other customers unrelated to the City. Inspector shall provide the tools, equipment and supplies necessary for completion of the tasks covered by this Agreement.
- 5. Employees:** Inspector’s employees, if any, who perform services for City under this Agreement shall also be bound by the provisions of this Agreement. At the request of City, Inspector shall provide adequate evidence that such persons are Inspector’s employees.

6. **Injuries/Insurance:** Inspector acknowledges Inspector's obligation to obtain appropriate insurance coverage for the benefit of Inspector's employees, if any. Inspector waives the rights to recovery from City for any injuries that Inspector and/or Inspector's employees may sustain while performing services under this Agreement. Inspector to provide a copy of insurance coverage to City at least ten (10) days prior to end of any existing coverage period.
7. **Indemnification:** Inspector agrees to indemnify and hold City harmless from all claims, losses, expenses, fees, including attorney's fees, costs and judgments that may be asserted against City that result from acts or omissions of Inspector, Inspector's employees, if any, and Inspector's agents.
8. **Assignment:** Inspector's obligation under this Agreement may not be assigned or transferred to any other person, firm, or corporation without the prior written consent of City.
9. **Notice:** All notice required or permitted under this Agreement shall be in writing and shall be delivered either in person or deposited in the United States mail, postage prepaid, addressed as follows:

If for the City:
 City Administrator
 City of Wimberley
 P.O. Box 2027
 Wimberley, TX 78676

If for Inspector:
 Kyle B. DeHart, R.S.
 Environmental Concepts, LLC
 P.O. Box 585
 Wimberley, TX 78676

Either party may change such address from time to time by providing written notice to the other in the manner set forth above. Notice is deemed to have been received three (3) days after deposit in U.S. mail.

10. **Entire Agreement:** This Agreement contains the entire Agreement of the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes and prior written agreements between the parties.
11. **Amendment:** This agreement may be modified or amended if the amendment is made in writing and is signed by both parties.
12. **Severability:** If any provision of this Agreement shall be held to be invalid or unenforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.
13. **Waiver of Contractual Right:** The failure of any party to enforce any provision of this Agreement shall not be construed as a waiver of limitation to that party's right to subsequently enforce and compel strict compliance with every provision of the Agreement.
14. **Applicable Law:** The laws of the State of Texas shall govern this Agreement. Venue for any disputes arising under this Agreement shall be in *Hays County*, Texas.

City of Wimberley:

**Environmental Health/OSSF Inspector &
City Inspector/Sanitarian:**

City Administrator, Shawn Cox

Kyle B. DeHart, R.S.
Environmental Concepts, LLC

Attest:

City Secretary, Laura Calcote, MPA

City Council Agenda Form



Date Submitted: July 2, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title:

Motion: For council to amend the "City of Wimberley Comprehensive Fund Balance Policy" to state that the Blue Hole Regional Park fund balance must maintain a minimum threshold balance of no less than 75% of the park's current fiscal year operating budget.

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached in packet are two documents: "Resolution No. 11-2017" and the "City of Wimberley Comprehensive Fund Balance Policy." The resolution gives insight on the uncommitted funds currently in the Blue Hole fund balance. This balance totals \$464,993.52. The CoW fund balance policy currently states that 0% of the funds in the Blue Hole parkland fund balance are restricted. Park staff is requesting a minimum threshold placed on that account of no less than 75% of the park's current fiscal year operating budget.

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2017/2018 OPERATING BUDGET (BUDGET AMENDMENT NO. 1), PROVIDING FOR THE TRANSFER OF FUNDS IN THE BLUE HOLE PARKLAND TO THE BLUE HOLE OPERATING FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2017/2018 Operating Budget and appropriated the necessary funds out of the Blue Hole Parkland Fund; and

WHEREAS, Council has reviewed and approves the report establishing the need for increased appropriations in the Blue Hold Operating Fund for the repair of restroom facilities.

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

Section 1

The City Council of the City of Wimberley, Texas, hereby authorizes and approves an amendment to the 2017/2018 Operating Budget (Budget Amendment No. 1) for the purpose and in the amounts shown below, the amounts to be appropriated from Fund Balance:

Blue Hole Parkland Fund (200)

Transfers – Transfer from Blue Hole Parkland Fund (200)

Decrease fund balance (\$484,993.52 by \$20,000)

\$464,993.52

Transfers – Transfer to Blue Hole Operating Fund (6374-Contract Services)

Increase expenditure balance in 6374-Contract Services from \$12,200 to \$32,200

The effect of these transactions will reduce fund balance in Blue Hole Parkland Fund (200) by \$20,000, and increase expenditures in the Blue Hole Operating Fund (6374-Contract Services) by \$20,000.

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2017/2018 Operating Budget, increasing appropriations in the funds stated in Section 1 above.

Section 3

This resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this 7th day of December, 2017.

The City of Wimberley, Texas

H

Herschel P. "Mac" McCullough, Mayor

ATTEST:

Laura Calcote
Laura Calcote, City Secretary



CITY OF WIMBERLEY
COMPREHENSIVE FUND BALANCE POLICY

BACKGROUND

The Governmental Accounting Standards Board (“GASB”) has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions (“GASB-54”)*. The primary objective of this new standard is to improve the usefulness and comparability of fund balance information by reporting fund balance in more intuitive and meaningful components. This standard also clarifies the definitions of the different types of funds that a governmental entity may set up for financial reporting purposes.

GASB-54 now requires the City of Wimberley to classify the fund balance amounts reported within our financial statements in accordance with five new and more detailed classifications shown below. These categories are as follows:

Non-spendable Fund Balance. Fund balance reported as “non-spendable” represents fund balance associated with inventory or prepaid items. The cash outlay for these types of items has already been made and therefore the resources represented by this fund balance category cannot be spent again; hence the term “non-spendable”.

Restricted Fund Balance. Fund balance reported as “restricted” represents amounts that can be spent only on the specific purposes stipulated by law or by the external providers of those resources.

Committed Fund Balance. Fund balance reported as “committed” includes amounts that can be used only for the specific purposes determined by a formal action of City Council.

Assigned Fund Balance. Fund balance reported as “assigned” represents amounts intended to be used for specific purposes, but not meeting the criteria to be reported as committed or restricted fund balance. In addition, the City Council may grant to the City administrator the authority to “assign” fund balance.

Unassigned Fund Balance. Fund balance reported as “unassigned” represents the residual classification of fund balance and includes all spendable amounts not contained within the other classifications.

GASB-54 is effective for periods beginning after June 15, 2010. Therefore, the City of Wimberley was required to implement this new standard starting with Fiscal Year 2011.

A written Comprehensive Fund Balance Policy is recommended to be formally adopted by the governing body of our organization depicting the procedures that will be used for committing fund balance, assigning fund balance, how stabilization funds, if any, will be determined, order of spending the fund balance categories, minimum fund balance levels, and use of governmental fund types.

COMPREHENSIVE FUND BALANCE POLICIES

1.0 Policy on Committing Funds

In accordance with GASB-54, it is the policy of the City of Wimberley that fund balance amounts will be reported as “Committed Fund Balance” only after formal action and approval by the City Council. The action to constrain amounts in such a manner must occur prior to year end; however, if the actual dollar amount is not known that may be determined in the subsequent period.

For example, the City Council may approve a motion prior to year end to report within the year-end financial statements, if available, up to a specified dollar amount as Committed Fund Balance for Capital Projects. The exact dollar amount to be reported as Committed Fund Balance for Capital Projects may not be known at the time of approval due to the annual financial audit not yet being completed. This amount can be determined at a later date when known and appropriately reported within the year-end financial statements due to the governing body approving this action before year-end.

It is the policy of the City of Wimberley that the City Council may commit fund balance for any reason that is consistent with the definition of Committed Fund Balance contained within GASB-54. Examples of reasons to commit fund balance would be to display intentions to use portions of fund balance for future capital projects, stabilization funds, or to earmark special General Fund revenue streams unspent at year-end that are intended to be used for specific purposes.

After approval by the City Council, the amount reported as Committed Fund Balance cannot be undone without utilizing the same process required to commit the funds. Therefore, in accordance with GASB-54, it is the policy of the City of Wimberley that funds can only be removed from the Committed Fund Balance category after motion and approval by the City Council.

2.0 Policy on Assigning Funds

In accordance with GASB-54, funds that are *intended* to be used for a specific purpose but have not received the formal approval action by City Council may be recorded as Assigned Fund Balance. Likewise, redeploying assigned resources to an alternative use does not require formal action by the governing body.

GASB-54 states that resources can be assigned by the governing body or by another internal body or person whom the governing body gives the authority to do so, such as the City Administrator.

Therefore, having considered the requirements to assign fund balance, it is the policy of the City of Wimberley that the City Administrator will have the authority to assign fund balance of this organization based on intentions for use of fund balance communicated by the City Council.

3.0 Policy on Order of Spending Resources

It is the policy of the City of Wimberley that when expenditures are incurred that would qualify as expenditures of either Restricted Fund Balance or Unrestricted Fund Balance (Committed, Assigned, or Unassigned), those expenditures will first be applied to the Restricted Fund Balance category.

Furthermore, it is the policy of the City of Wimberley that when expenditures are incurred that would qualify as a use of any of the Unrestricted Fund Balance categories (Committed, Assigned, or Unassigned), those expenditures will be applied in the order of Committed first, then Assigned, and then Unassigned.

4.0 Policy on the Acceptable Minimum Level of Fund Balances

It is the policy of the City of Wimberley to maintain at all times an overall Unrestricted Fund Balance (Committed Fund Balance, Assigned Fund Balance, and Unassigned Fund Balance) of not less than three months of regular General Fund operating expenditures, measured based on the most recently completed fiscal year. If it is determined that the City of Wimberley is below this minimum established fund balance level, the City Council will be informed of this condition and take necessary budgetary steps to bring the fund balance level into compliance with this policy through budgetary actions.

5.0 Review of Governmental Fund Classifications

The City of Wimberley desires that the governmental fund types available for use in governmental financial reporting be appropriately selected based on the GASB-54 definitions of these fund types. Furthermore, the fund balance categories utilized within each these fund types are also to be appropriately selected from the new GASB-54 classifications.

Therefore, after consideration of the purpose of each governmental fund type, it is the policy of the City of Wimberley to limit the fund balance categories that may be used with each governmental fund type as follows:

General Fund

Non-spendable Fund Balance
Restricted Fund Balance
Committed Fund Balance
Assigned Fund Balance
Unassigned Fund Balance

Debt Service Funds

Restricted Fund Balance
Committed Fund Balance
Assigned Fund Balance

Capital Projects Funds

Restricted Fund Balance
Committed Fund Balance
Assigned Fund Balance

Special Revenue Funds

Restricted Fund Balance
Committed Fund Balance
Assigned Fund Balance

CITY OF WIMBERLEY FUND BALANCE DESIGNATION

General Fund

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 40% of the funds for public works (roads, drainage, etc)
- 25% of the funds for future grant matches
- 35% of the funds for wastewater improvements

Assigned Fund Balance

- 0% of funds

Blue Hole Parkland Fund (Special Revenue Fund)

Restricted Fund Balance

- **75% of the current fiscal year's operating budget**

Committed Fund Balance

- 100% of funds for Blue Hole Park & Park Operations

Assigned Fund Balance

- 0% of funds

Blue Hole Development Fund (Special Revenue Fund)

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 100% of funds for development of Blue Hole Park

Assigned Fund Balance

- 0% of funds

Municipal Court Funds (Special Revenue Fund)

Restricted Fund Balance

- 0% of funds

Committed Fund Balance

- 100% of funds for Municipal Court

Assigned Fund Balance

- 0% of funds

Sidewalk Fund (Special Revenue Fund)

Restricted Fund Balance

- 100% of funds for sidewalk development

Committed Fund Balance

- 0% of funds

Assigned Fund Balance

- 0% of funds

City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title:

Discuss and consider possible action to approve Resolution No. 19-2018, authorizing the submission of a Community Development and Revitalization 2015 Housing Project application for the Texas General Land Office

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

“The Texas General Land Office (GLO), through its Community Development and Revitalization Program (GLO - CDR), works to rebuild Texas communities by putting Texans back in their homes, restoring critical infrastructure and mitigating future damage through resilient community planning.”

The City of Wimberley has been allocated \$1,353,711.76 from the GLO to be utilized for housing recovery efforts, such as elevations or Buyouts. While the money has been allocated to the City of Wimberley, the City must still submit its project application. Resolution No. 19-2018 if approved will allow the City, working with Langford Community Management Services, to submit a housing recovery application to the GLO.

The money allocated must be used for Low to Moderate Income households. In our area, a family of four (4) making \$68,800.00 per year or less is considered low to moderate income. This money can also be utilized to cover the 25% matching funds required through the Hazard Mitigation Grant Program for housing projects, as long as long as the project serves low to moderate income households.

Recommendation:

The City Administrator, Shawn Cox recommends approval of this item.

Attached:

- Resolution No. 19-2018

RESOLUTION NO. 19-2018

A RESOLUTION OF THE CITY COUNCIL OF WIMBERLEY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION 2015 HOUSING PROJECT APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM.

WHEREAS, the Wimberley City Council desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Wimberley to apply for funding under the Community Development & Revitalization Grant Program;

NOW THEREFORE, BE IT RESOLVED;

Section 1. That a Community Development & Revitalization Grant Program application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development & Revitalization Grant Program; and

Section 2. That the application be for the 2015 General Land Office allocated grant funds to Hays County through the Method of Distribution to carry out Housing Activities; and

Section 3. That the City Council directs and designates the Mayor and/or City Administrator as the Chief Executive Officer and Authorized Representative's to act in all matters in connection with this application and participation in the Community Development & Revitalization Grant Program.

PASSED AND APPROVED this 10th day of July, 2018.

THE CITY OF WIMBERLEY, TEXAS

Susan B. Jagers, Mayor

Laura J. Calcote, City Secretary



City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title:

Discuss and consider possible action to approve Resolution No. 20-2018, authorizing the submission of a Community Development and Revitalization 2015 Non-Housing Project application for the Texas General Land Office

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

“The Texas General Land Office (GLO), through its Community Development and Revitalization Program (GLO - CDR), works to rebuild Texas communities by putting Texans back in their homes, restoring critical infrastructure and mitigating future damage through resilient community planning.”

The City of Wimberley has been allocated \$311,217.39 from the GLO to be utilized for non-housing recovery efforts. This would include infrastructure needs. While the money has been allocated to the City of Wimberley, the City must still submit its project application. Resolution No. 20-2018 if approved will allow the City, working with Langford Community Management Services, to submit non-housing recovery application(s) to the GLO.

The money allocated must be used for infrastructure project(s) which serve at least 51% Low to Moderate Income households. In our area, a family of four (4) making \$68,800.00 per year or less is considered low to moderate income. This money can also be utilized to cover the matching funds required through the Army Corps of Engineering Projects currently being reviewed, as long as the project(s) serve(s) low to moderate income households.

Recommendation:

The City Administrator, Shawn Cox recommends approval of this item.

Attached:

- Resolution No. 20-2018

RESOLUTION NO. 20-2018

A RESOLUTION OF THE CITY COUNCIL OF WIMBERLEY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION 2015 NON-HOUSING PROJECT APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM.

WHEREAS, the Wimberley City Council desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Wimberley to apply for funding under the Community Development & Revitalization Grant Program;

NOW THEREFORE, BE IT RESOLVED;

Section 1. That a Community Development & Revitalization Grant Program application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development & Revitalization Grant Program; and

Section 2. That the application be for the 2015 General Land Office allocated grant funds to Hays County through the Method of Distribution to carry out drainage activities; and

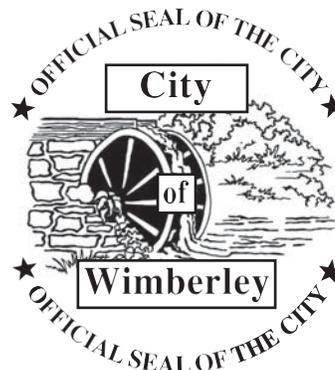
Section 3. That the City Council directs and designates the Mayor and/or City Administrator as the Chief Executive Officer and Authorized Representative's to act in all matters in connection with this application and participation in the Community Development & Revitalization Grant Program.

PASSED AND APPROVED this 10th day of July, 2018.

THE CITY OF WIMBERLEY, TEXAS

Susan B. Jagers, Mayor

Laura J. Calcote, City Secretary



ORDINANCE NO. 2018-23

AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), SUBSECTIONS 33.04 (C)(2), (D), (E) AND (G) (PARKS AND RECREATION BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS AND OFFICERS OF INDIVIDUALS APPOINTED TO THE ABOVE REFERENCED BOARD; PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards, commissions and committees to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards, commissions and committees; and,

WHEREAS, the City Council finds that the amendments to the composition, appointment, vacancies, terms and officers of the Parks and Recreation Board referenced in this Ordinance will ensure uniformity and will enhance the membership of the City's boards, commissions and committees.

NOW, THEREFORE, BE IT ORDANED 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 of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

Chapter 33 (Boards and Commissions), Subsections 33.04(C)(2), (D), and (E) (Parks and Recreation Board) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to read as follows:

(C) *Composition of Board.*

(2) The Board shall be comprised of seven (7) registered voters. Four (4) members must reside within the City's corporate limits and no more than three (3) members may be residents of outside the city limits.

(D) *Appointment of Board members; vacancies.* Each member of the City Council and Mayor shall present their nominations for designated non-consensus ~~board~~ Board positions members at ~~the first~~ before the second regular City Council meeting in ~~the month of July~~ June, following their election to office. At ~~that the~~ same meeting in ~~June~~ July, ~~city~~ City council ~~Council~~ shall consider those nominations for appointment. Once appointed by a majority vote of ~~city~~ City council ~~Council~~, the appointed ~~board~~ Board member shall serve until their successor is appointed. Each Board member shall be eligible for reappointment.

For ~~the~~ consensus ~~board~~ Board positions, the Mayor and Council shall submit names of potential appointees for the consensus place(s) on the Board at the ~~first~~ second regular City Council meeting in ~~the month~~ June ~~of July following the Mayor's election to office~~. At the same meeting in ~~June~~ July, ~~city~~ City council ~~Council~~ shall consider ~~those~~ these nominations and select one for appointment. ~~If a board has more than one consensus position, the Mayor and Council shall submit names of potential appointees for the second consensus place on the Board at the first regular Council meeting in the month of July following the Place 1 City Council Member's election to office. At the same meeting in July, city council shall consider those nominations for appointment. Once appointed by a majority vote of city~~ City council ~~Council~~, the appointed consensus member(s) shall serve until their successor is appointed. ~~Each~~ The consensus Board member shall be eligible for reappointment.

(E) *Terms of Board members.* The term of each ~~board~~ Board member shall be one-year, without term limits, from July 1st to June 30th ~~two years from the date of appointment~~.

(G) *Board officers.* From among its members the Board shall elect its officers, those being the chairperson, vice-chairperson, and secretary. Officers shall be elected for a one-year term ~~s of 1 year~~. The Board chairperson shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the vice-chairperson shall perform the duties of the chairperson. If the chairperson and vice-chairperson are absent or refuse to act, any Board member may be appointed by the Board to preside over the meeting.

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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 following 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 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.

PASSED AND APPROVED this ____ day of _____, 2018.

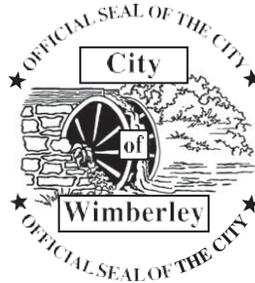
Susan B. Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney



ORDINANCE NO. 2018-24

AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), SUBSECTIONS 33.02 (C), (D), (E) AND (G) (TRANSPORTATION ADVISORY BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS AND OFFICERS OF INDIVIDUALS APPOINTED TO THE ABOVE REFERENCED BOARD; PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards, commissions and committees to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards, commissions and committees; and,

WHEREAS, the City Council finds that the amendments to the composition, appointment, vacancies, terms and officers of the Transportation Advisory Board referenced in this Ordinance will ensure uniformity and will enhance the membership of the City's boards, commissions and committees.

NOW, THEREFORE, BE IT ORDANED 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 of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

Chapter 33 (Boards and Commissions), Subsections 33.02 (C), (D), (E) and (G) (Transportation Advisory Board) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to read as follows:

(C) *Composition of Board.*

(2) The Board shall be comprised of seven (7) registered voters. Four (4) members must reside within the City's corporate limits and no more than three (3) members may be residents of outside the city limits.

(D) *Appointment of Board members; vacancies.* Each member of the City Council and Mayor shall present their nominations for designated non-consensus ~~board~~ Board positions members at ~~the first~~ before the second regular City Council meeting in ~~the month of July~~ June, following their election to office. At ~~that the~~ same meeting in ~~June July, city~~ City council ~~Council~~ shall consider those nominations for appointment. Once appointed by a majority vote of ~~city~~ City council ~~Council~~, the appointed ~~board~~ Board member shall serve until their successor is appointed. Each Board member shall be eligible for reappointment.

For the consensus ~~board~~ Board positions, the Mayor and Council shall submit names of potential appointees for the consensus place(s) on the Board at the ~~first~~ second regular City Council meeting in ~~the month~~ June ~~of July following the Mayor's election to office~~. At the same meeting in ~~June July, city~~ City council ~~Council~~ shall consider ~~those~~ these nominations and select one for appointment. ~~If a board has more than one consensus position, the Mayor and Council shall submit names of potential appointees for the second consensus place on the Board at the first regular Council meeting in the month of July following the Place 1 City Council Member's election to office. At the same meeting in July, city council shall consider those nominations for appointment.~~ Once appointed by a majority vote of ~~city~~ City council ~~Council~~, the appointed consensus member(s) shall serve until their successor is appointed. ~~Each~~ The consensus Board member shall be eligible for reappointment.

(E) *Terms of Board members.* ~~All~~ The terms of each Board member shall will be for a 3 year one-year, without term limits, from July 1st to June 30th, period. Board members can serve up to 3 consecutive terms at the City Council's pleasure.

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(G) *Board officers.* From among its members the Board shall elect its officers ~~in September who shall take office in October~~, those being the chairperson, vice-chairperson, and secretary. Officers shall be elected for a one-year term ~~s of 1 year~~. The Board chairperson shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the vice-chairperson shall perform the duties of the chairperson. If the chairperson and vice-chairperson are absent or refuse to act, any Board member may be appointed by the Board to preside over the meeting.

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 following 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 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.

PASSED AND APPROVED this ____ day of _____, 2018.

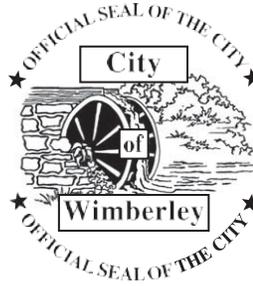
Susan B. Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney



ORDINANCE NO. 2002-007

**AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS
ESTABLISHING A WATER AND WASTEWATER ADVISORY BOARD
AND PROVIDING FOR THE DUTIES, APPOINTMENT, AND
REMOVAL OF BOARD MEMBERS.**

WHEREAS the City Council of the Village of Wimberley seeks to provide for the protection of water quality and quantity of local creeks, rivers, and groundwater aquifers and the orderly and safe development of water & waste water service within its corporate limits and its extraterritorial jurisdiction; and

WHEREAS the City Council finds it to be in the best interest of the public safety, health and general welfare of the Village to plan for the protection of water quality and quantity so as to preserve the quality of life and safety of Village residents; and

WHEREAS the City Council is expressly authorized by the Texas Local Government Code, Chapter 402, to adopt rules & regulations to protect the health of local streams, rivers and groundwater aquifers and to develop and maintain sustainable source water supplies, stormwater management standards and waste water treatment systems and to appoint a Water and Wastewater Advisory Board.

NOW THEREFORE, be it resolved by the City Council of the Village of Wimberley, County of Hays, State of Texas:

I. Findings of Fact

That the foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if set forth herein at length.

II. Purpose

The purpose of this ordinance is to provide for the orderly and safe development of watershed management strategies and participate in regional planning specifically for water, wastewater and storm water management, this ordinance is adopted so that the Water and Waste water Advisory Board (hereafter, "Board") may advise the City Council to promote the public health, safety and general welfare, and protect the public interest and preserve the safety and water quality and quantity.

III. Duties of the Board

The Board shall hold public meetings, conduct work sessions and make recommendations to the City Council regarding water and wastewater issues considered by the city Council. The Board shall also make recommendations to the City Council regarding revisions of subdivision rules, waterway overlay district or any other ordinance or rule that may affect water quality or quantity, and regarding policies having to do with ordinances or rules pertaining to water supply, waste water treatment, watershed protection, storm water management and FEMA issues.

IV. Composition of Board

The Board shall be comprised of nine (9) registered voters who are residents of the Village of Wimberley or the general vicinity of Wimberley. A minimum of 5 members shall be appointed who must reside within the city limits of Wimberley.

V. Appointment of Board Members

The City Council and Mayor shall each appoint one member to the Board. Three (3) additional members shall be appointed by consensus of the City Council. If a vacancy occurs on the Board, the City Council Member who originally appointed that member shall appoint a person, with the approval of a majority of the City Council, to fill the unexpired term. In the case of a vacancy occurring in one of the consensus positions on the Board, the City Council shall by majority vote appoint a person to fill that vacancy.

Ex-officio membership shall be extended to Hays County Environmental Health Department, Wimberley Water Supply, Guadalupe-Blanco River Authority, Hays County Trinity Water Conservation District, Wimberley Valley Watershed Association, Wimberley Neighbors for Healthy Water, Texas Natural Resource Conservation Commission and the City of Woodcreek.

All members shall be appointed by consensus of the City Council consistent with the Village Council's appointment policy.

VI. Terms of Board Members

At the first regular meeting in August, all Board Members shall agree among themselves to determine staggered terms. There shall be three members who will serve an initial term of one year, three members who will serve an initial term of two years and three members who will serve a three-year term. Thereafter all terms will be for a three-year period. Board Members can serve up to three consecutive terms at the City Council's pleasure.

VII. Removal of Board Members

The City Council or the Board may by majority vote remove a Board Member for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any Board Member who misses three (3) consecutive meetings within a twelve (12) month time period or one-third (1/3) of all regular meetings shall be deemed to have automatically vacated his/her position on the Board. This section shall not apply to a Board Member who applied for and received an excused absence from the Board chairperson prior to the meeting(s) at issue.

VIII. Board Officers

From among its members the Board shall elect its officers in September who shall take office in October, those being the Chairperson, Vice-Chairperson, and Secretary. Officers shall be elected for terms of one (1) year. The Board chairperson shall preside over all meetings and may vote. If the Chairperson fails or refused to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the Chairperson and Vice-Chairperson are absent, any Board Member may be appointed by the Board to preside over the meeting.

IX. Board Meetings

The Board shall conduct regular meetings at least once a month at a time and place determined by resolution adopted by the Board. The Board Chair may call special meetings. A majority of the Board shall constitute a quorum. The Board may determine the rules of its proceedings.

X. 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 judgement 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.

XI. Proper Notice and Open 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 552 of the Texas Government Code.

XII. Effective Date

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

PASSED AND APPROVED this 15th day of August, 2002, by a 4 (ayes) to 0 (nays) vote of the City Council of the Village of Wimberley, Texas.

VILLAGE OF WIMBERLEY

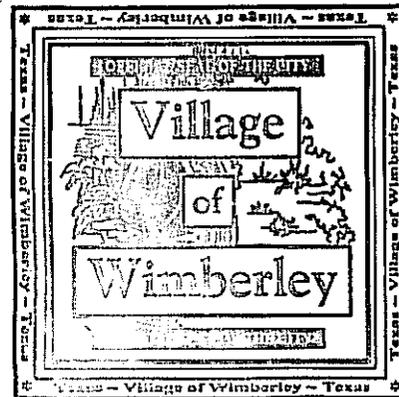
By: Tony McGee
Tony McGee, Mayor

ATTEST:

Adelle Turpen
Adelle Turpen, City Secretary

Stephen J. Harrison
Stephen J. Harrison, City Administrator

APPROVED AS TO FORM:



Alan J. Bojorquez, Village Attorney

ORDINANCE NO. 2018-25

AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), SUBSECTIONS 33.03 (C), (D)(1), (E), (F) AND (G) (WATER WASTEWATER ADVISORY BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS, REMOVAL AND OFFICERS OF INDIVIDUALS APPOINTED TO THE ABOVE REFERENCED BOARD; PROVIDING FOR FINDINGS OF FACT, AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, AND SEVERABILITY.

WHEREAS, the City of Wimberley ("City") is authorized to establish boards, commissions and committees to receive public input and provide recommendations to the City Council; and,

WHEREAS, the City Council strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards, commissions and committees; and,

WHEREAS, the City Council finds that the amendments to the composition, appointment, vacancies, terms, removal and officers of the Water Wastewater Advisory Board referenced in this Ordinance will ensure uniformity and will enhance the membership of the City's boards, commissions and committees.

NOW, THEREFORE, BE IT ORDANED 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 of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

Chapter 33 (Boards and Commissions), Subsections 33.03 (C), (D)(1), (E), (F) and (G) (Water Wastewater Advisory Board) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to read as follows:

C. *Composition of Board.* The Board shall be comprised of five (5) registered voters who are residents of the city or the general vicinity of the City.

D. *Appointment of Board members; vacancies.*

1. The Mayor or any member of Council may nominate a resident to serve on the Board.

- E. *Terms of Board members.* All terms will be for a one-year period.
- F. *Removal of Board members.* The City Council may by majority vote remove a Board member for lack of confidence, incompetence, corruption, misconduct, or malfeasance.
- G. *Board officers.* From among its members the Board shall elect its officers, those being the chairperson, vice-chairperson, and secretary. The Board chairperson shall preside over all meetings and may vote. If the chairperson fails or refuses to act, the vice-chairperson shall perform the duties of the chairperson. If the chairperson and vice-chairperson are absent or fail to act, any Board member may be appointed by the Board to preside over the meeting.

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 following 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 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.

PASSED AND APPROVED this ____ day of _____, 2018.

Susan B. Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary



APPROVED AS TO FORM:

City Attorney

ORDINANCE NO. 2018-26

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, TO AMEND THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE; PROVIDE FOR FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Wimberley ("City"), Texas has established a Hotel Occupancy Tax Committee; and

WHEREAS, the City Council of the City of Wimberley, Texas strives to consider qualified individuals who represent a broad sampling of the community when appointing members to City boards and commissions; and

WHEREAS, the City Council of the City of Wimberley, Texas desires to amend the formal appointment process for the Hotel Occupancy Tax Advisory Committee by formally recognizing the Memorandum of Consensus between the Wimberley Valley Chamber of Commerce and the Wimberley Valley Lodging and Tourism Association and finds that the procedures herein will enhance the membership of the Committee;

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

SECTION 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 and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Ordinance No. 2017-020, Section III, Hotel Occupancy Tax Advisory Committee, is hereby amended as follows:

- A. **Purpose.** There is hereby established a seven (7) member Hotel Occupancy Tax Advisory Committee (Committee), which shall oversee the implementation, collection, and use of hotel occupancy tax dollars.
- B. **Membership.**
 - 1. The seven members of the Committee shall be selected from the following representative groups:
 - a. Four Lodging Operator representatives nominated by the Wimberley Valley Tourism and Lodging Association Board, which shall include:
 - i. Two large lodging facility representatives (over \$250,000 in annual lodging revenue).

- ii. One small lodging facility representative (operator with less than three lodging rooms or less than \$ 250,000 in annual lodging revenue).
 - iii. One lodging reservation booking representative.
 - b. One Chamber Representative nominated by the Chamber of Commerce Board.
 - c. One Arts/Historical Attraction Representative nominated by the Wimberley Valley Arts and Cultural Alliance.
 - d. One Merchants Association Representative nominated by the Wimberley Merchants Association.
- 2. Each Committee member shall be appointed to a two (2) year term and may be reappointed by the Council for two additional consecutive two-year terms. After serving a third consecutive two-year term, an individual is not eligible for reappointment for two-years. The initial terms for one of the two large lodging facility representatives, the lodging reservation booking representative, the Merchants Association Representative and the Arts/Historical Attraction Representative shall be for one-year. The initial term for the remaining members (one large lodging facility representative, one small lodging facility representative, one Chamber representative) shall be for two-years.
- 3. Each Responsible Organization (Wimberley Valley Tourism and Lodging Association Board, Chamber of Commerce Board, Wimberley Valley Arts and Cultural Alliance, and Wimberley Merchants Association) shall provide its slate of nominees to the City Council no later than 30 days from the effective date of this Ordinance; otherwise, the Council may nominate committee members of its own choosing.
- 4. All nominees must be representatives of a business or entity that is located within the city limits or extraterritorial jurisdiction of the City of Wimberley.
- 5. Appointment to the Committee is subject to the approval of a majority vote of the Council. Members shall serve at the pleasure of the Council, and any member may be removed by majority vote of the Council at any time. In the event of removal, the Responsible Organization shall provide a replacement nominee no later than 30 days from the date of the vacancy; otherwise, the Council will nominate a person of its own choosing to fill the vacant position.

C. **Responsibilities.** The Committee is responsible for the following:

1. The Committee shall review revenue received by the City through the Hotel Occupancy Tax and shall make recommendations to the City Council regarding appropriate expenditures.
2. The Committee shall formulate a plan for expenditures of Hotel Occupancy Tax revenue by the City and shall update the plan as requested by Council.
3. The Committee shall submit an annual report to the Council that identifies approved expenditures by the City for the preceding year, discusses approved and proposed expenditures in the context of compliance with state law regarding the use of Hotel Occupancy Tax funds, and evaluates the effectiveness of approved Hotel Occupancy Tax expenditures and programs.
4. All recommendations of the Committee are subject to approval of the Council. The Committee shall not spend any money or authorize the expenditure of any money.

D. **Procedures.**

1. All meetings of the Committee shall satisfy the requirements of the Texas Open Meetings Act.
2. The Committee shall elect a Chair, Vice Chair, and Secretary on an annual basis.
3. All Committee recommendations to the Council shall require an affirmative vote of three- fourths of all members of the Committee (a" Super- Majority" vote").

SECTION III. DISSOLUTION OF PRIOR HOTEL OCCUPANCY TAX ADVOSORY COMMITTEE

The HOT Advisory Committee that was in existence prior to the adoption of this Ordinance is hereby dissolved. A member of the prior HOT Committee shall be eligible to apply for a position on the reconstituted HOT Committee for which that person is qualified, as described by this Ordinance.

SECTION IV. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Ordinance.

SECTION V. SEVERABILITY

Should any sentence, paragraph subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION VI. REPEALER

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VII. EFFECTIVE DATE

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

SECTION VIII. 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.

PASSED AND APPROVED this ____ day of _____, 2018.

Susan B. Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney



City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title: Hotel Occupancy Tax
Advisory Committee Appointments

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Attached are applications from the following individuals for the Hotel Occupancy Tax Advisory Committee:

- Chris Oddo
- Clay Ewing
- Traci Ferguson
- Jennifer Ober
- Julie Ray
- Dan Sturdivant
- Lois Mahoney
- Mark Bursiel
- Natalie Meeks

Qualifications, expertise, credentials or special interests for possible HOT appointment for:

Christopher (Chris) Joel Oddo

Dear Mayor, Council members, and City Manager,

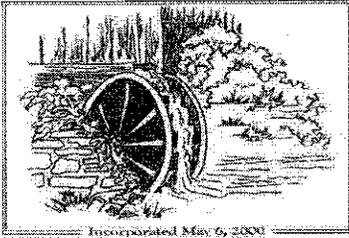
I am currently on the HOT committee as one of two lodging representatives. I was appointed by a lodging organization, Hill Country Premier Lodging and have enjoyed my experience on the committee so far. For that reason and the fact that I feel I can be of continued service to the City of Wimberley with my experience in the community over the last 14 years with rental property, I am re-applying to be a lodging representative Hot committee member.

I know there are businesses that don't want the HOT tax for various reasons. I personally haven't met a tax I DID like, but I do think the HOT does good for communities. I want to work with the re-formed HOT committee to help guide it and provide the City with well-vetted advise on how to spend the moneys we do have.

Thank you for your consideration.

Chris Oddo

512-736-5933



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Christopher (Chris) Joel Oddo

Phone Number: 512-736-5933

E-mail Address: coddoo@tower-commercial.com

Physical Address: 700 Water Park Rd., Wimberley, TX. 78676

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): Bungalows on the Square

Business Phone Number (if applicable): _____

I reside: () Inside Wimberley's City Limits (X) Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes (X) No

If "Yes" please explain: _____

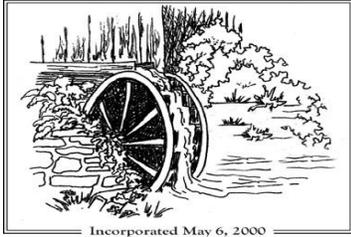
Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? (X) Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

(see attached)

Signature:  Date: 6-18-18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Clay E. Ewing

Phone Number: 512-922-7475

E-mail Address: clayeewing@gmail.com

Physical Address: 300 Hidden Oaks Wimberley 78676

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): Real Estate Broker

Business Phone Number (if applicable): _____

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes (x) No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? (x) Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

I've been involved in Wimberley City concerns for 15 years, have been involved in many aspects of the local business life and, as such, see a bigger picture than what one might recognize if their only interest was in downtown Wimberley, or only the lodging industry, or retail or food. I was involved with Goliad's Main Street Project years ago, and have a working knowledge of how tourism and lodging businesses function, and esp how all these things tie into a single prosperity: the town.

DocuSigned by:
Signature: Clay E. Ewing  Date: 6/18/2018

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676

Laura Calcote

From: Traci Ferguson <onabranctx@gmail.com>
Sent: Tuesday, June 19, 2018 6:03 PM
To: Laura Calcote; Shawn Cox; Mayor; Place1; Place2; Place3; Place4; Place5
Subject: HOT Committee Application

All:

Attached please find my application for the HOT Committee. I have served on the two previous committee's so I'm very familiar with the state regulations and I feel that the committee will have a much better understanding of the current council's goals as we move forward.

I (along with my business partner) have owned On A Branch here in Wimberley since 2012. My youngest daughter graduated from Wimberley High School and I've been active in the school, the Wimberley Community Civic Club and the Wimberley Valley Chamber of Commerce. I have served as President, Past President and currently as the Treasurer on the Board of the Wimberley Merchant's Association and feel that I make a good representative for the merchants.

I am attaching my application from December because my printer isn't working but I'm happy to turn in an updated application if you need it dated more currently.

Thank you for your consideration.
Traci Ferguson



City of Wimberley
221 Stillwater Drive, P.O. Box 2027, Wimberley, Texas 78676
Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: TRACI FERGUSON
Phone Number: 361-688-1160
E-mail Address: onabranctx@gmail.com
Physical Address: 390 N RAINBOW RANCH RD WIMBERLEY
Mailing Address (if different than physical address): _____

Please select a position from the following representative groups:
 Lodging Operator Representative
 Chamber of Commerce Representative
 Arts/Historical Attraction Representative
 Merchants Association Representative
 At-Large Representative
 Councilmember Representative

Business Entity (if applicable): ON A BRANCH, LLC
Business Phone Number (if applicable): 512-722-3668

I reside: () Inside Wimberley's City Limits (X) Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes (X) No
If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? (X) Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on: I served on the initial HOT Committee so I'm very familiar with the state regulations governing the tax. I serve on the Board of the Wimberley Merchant's Association

Signature: [Signature] Date: 06/19/18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676

We have a new address!

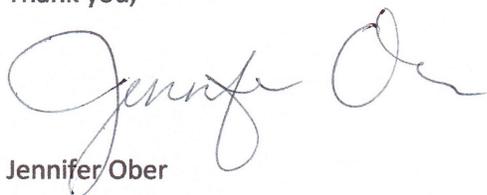
Qualifications/Interests:

My name is Jennifer Ober and I currently serve on the HOT Committee. I began earlier this year and was given a two year term, which I would like to complete. My husband, Gregory Dunham, and I have vacation rentals of our own here in town and we manage some for friends as well. We call ourselves Vacation Wimberley (www.vacationwimberley.com) and we list our places on our own as well as with the three main vacation rental companies in town. We've been doing this for a few years now and have a good sense of the business, what brings tourists to our area, and what is needed to support tourism and the vacation rental industry. We believe strongly that vacation rentals are a wonderful asset to our community. They allow Wimberley to house the tourists for which much of our town's economy is based without losing our small town charm to big box hotel chains, and they allow many working families in our city to be able to continue to afford to live in our high property value area by supplementing their incomes. Homes that are vacation rentals are maintained in pristine condition and provide guests to our town a friendly home away from home while on vacation. In addition to being vacation rental owners, we almost exclusively stay in vacation rental homes when we travel. That gives us a unique perspective both as an owner and as a guest.

Before being a vacation rental owner I was an art teacher in Austin ISD for 10 years. I teach student art lessons in my studio in the summers and I taught for three years at a home school academy in Dripping Springs. I have a passion for art and art education, but I think that also translates into a passion for living in an art rich community. Wimberley is home to a wealth of creativity and creative people and that is a huge part of the draw for people choosing to vacation here. I'd love to help facilitate ways to use the HOT money to encourage more of this creativity in our town and to create opportunities that benefit both the residents of Wimberley as well as the visitors to Wimberley, but particularly in the off season.

I believe it's also important to note that I have a 4 year old daughter, Helen, and a 1 year old daughter, Coral. I feel incredibly invested in our town and in making it the best place they can possibly grow up in. You may have noticed me toting my kids along to speak during citizen communication recently as HOT was discussed during the recent special Council meetings. As a working mother I believe I have a perspective that is unique and perhaps underrepresented in decision-making bodies in our town. I think I can be a valuable resource!

Thank you,

A handwritten signature in cursive script that reads "Jennifer Ober". The signature is written in black ink and is positioned above the printed name.

Jennifer Ober

June 23, 2018



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Jennifer Ober

Phone Number: (512) 796-9967

E-mail Address: Ober.jen@gmail.com

Physical Address: 3100 FM 3237 Wimberley, TX 78676

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): Vacation Wimberley

Business Phone Number (if applicable): (512) 585-9367

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes () No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? () Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

Signature: Jennifer Ober Date: 6/23/18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676

March 31, 2018

City of Wimberley
PO Box 2017
Wimberley, Texas 78676

Thank you for considering this application. I would be honored to serve on the HOT Advisory Committee.

I'm a native Houstonian and grad of UT Austin. My husband and I have lived in Wimberley for 21 years. Most of my community activities have centered on the cultural life of Wimberley. This has heightened my awareness of tourism— and how important it is to the financial health of our organizations and our economy.

As lead co-chair of the Wimberley Art League's 2010 Arts Fest, I had the thrill of watching thousands of people converge on the square to enjoy art, music and live performances. Since then, the Fest has moved and grown exponentially, as crowds and participating artists have multiplied. Very exciting!

In 2015, I wrote a Wimberley Players' Cultural District grant application to the Texas Commission on the Arts (TCA). It funded the new public garden replacing asphalt paving in front of the Wimberley Playhouse and enhancements to the building. About 48% of Players patrons are from out of town. Many comment on these enjoyable upgrades. In 2016, the TCA appointed me to a panel of judges for grant applications in a different category, a valuable experience in applying application criteria.

I've just rotated off the board of the Wimberley Players, having served as VP Marketing for four years and VP Development for two. I've also served on the Art League board and supported in various ways the Starlight Symphony Orchestra, Wimberley Institute of Cultures and Wimberley Community Civic Club. What an amazing place this is.

My professional life began as an advertising copywriter with McCann-Erickson, Inc., Houston, and Campbell-Ewald, Detroit; later I was creative director at W.B. Doner, Houston. Some 30 years ago, I founded Ray Associates, a sole proprietorship devoted solely to creative projects in marketing, fundraising, communications and strategic planning.

Through this work, I was fortunate to gain experience working with corporate and non-profit boards and committees: Shell Exploration and Development Corporation, Texas Children's Hospital, Bayer Corporation/Baytown, Houston Ballet, the Alley Theatre, and others in Houston.

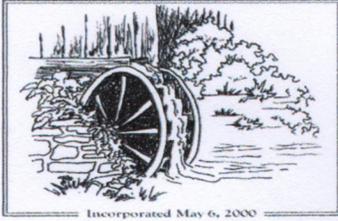
Clients out of state included the Lively Arts at Stanford, Palo Alto: Sunset Center for the Arts, Carmel; Big Sur Land Trust, Monterey, and most recently, Maryland Environmental Trust.

And here I am in Wimberley, interested as always in the inspiration of the arts and the landscape. Now I hope to help in making Wimberley a favored tourist destination, as a member of the HOT Advisory Committee. Thank you for your consideration.

Respectfully submitted,



Julie Ray



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Julie Ray

Phone Number: cell 512-971-4047

E-mail Address: julie.ray@me.com

Physical Address: 115 Sky Ranch Circle, Wimberley, Texas 78676

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): _____

Business Phone Number (if applicable): _____

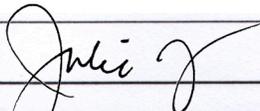
I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes (X) No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? (X) Yes () No

I am honored to submit this application at the request of WVACA. My professional background includes extensive marketing, communications and fund-raising for major non-profit and corporate clients in Houston, California and Maryland. Locally I have served as a volunteer board member for the Wimberley Players and the Wimberley Art League and participated in a wide range of community activities. I enjoy big-picture thinking, working with people and making things happen.

Signature:  Date: March 31, 2018

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Danny (DAN) COSTON STURDIVANT

Phone Number: 210-882-2220

E-mail Address: Danc Hill Country Premier.com

Physical Address: 745 SUNSET DRIVE Wimberley, TX 78676

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): STURDI ENTERPRISE INC. VACATION HOMES (CO FELLOW HCPL)

Business Phone Number (if applicable): 210-882-2220

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes () No

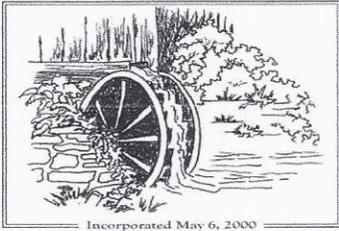
If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? () Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on. Served on original HOT Committee, Starter HCPL in 2002 into the Largest Vacation Rental Business in Wimberley, Turn business over to Daughter and Son in Law in 2016

Signature: Don Sturdvant Date: 6/16/18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Lois Mahoney

Phone Number: 972-965-5478

E-mail Address: Lois@Blairhouseinn.com

Physical Address: 100 W Spoke Hill Drive

Mailing Address (If different than physical address): PO Box 2386 Wimberley, TX

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): Blair House Inn

Business Phone Number (if applicable): 512-847-1111

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes () No

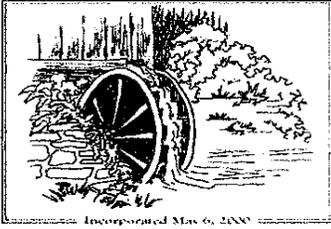
If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? () Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

Signature: Date: 6/16/12

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Mark Hunter Bursiel

Phone Number: 512-565-0073

E-mail Address: c21hcp@yahoo.com

Physical Address: 150 celiche Rd.

Mailing Address
(If different than physical address): _____

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): All Wimberley Lodging

Business Phone Number (if applicable): 512-847-3989

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes () No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? Yes () No

Describe any qualifications, experience, and special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission, Board, Committee that you would prefer to serve on.

Lodging representative and part owner for over 20 yrs.
Prior hot tax rep.
- Resident for almost 25 yrs.

Signature: [Handwritten Signature] Date: 6.18.18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676



City of Wimberley

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

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Hotel Occupancy Tax Committee

Full Name: Natalie Christine Meeks

Phone Number: (512) 665-0047

E-mail Address: nataliemeeks8@gmail.com

Physical Address: 13401 RR 12 Wimberley, TX 78676

Mailing Address (if different than physical address): PO Box 1344 Wimberley, TX 78676

Please select a position from the following representative groups:

- Lodging Operator Representative
- Chamber of Commerce Representative
- Arts/Historical Attraction Representative
- Merchants Association Representative
- At-Large Representative
- Councilmember Representative

Business Entity (if applicable): The Waters Point

Business Phone Number (if applicable): (512) 722-3848

I reside: Inside Wimberley's City Limits () Wimberley's ETJ

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes No
If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Committee and to attend all regularly scheduled meetings? Yes () No

Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.
Lodging Industry Experience

Signature: Natalie Meeks Date: 1/7/13

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676

City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title: Short-term Vacation Rentals in Wimberley

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Place Five Council Member Patricia Cantu Kelly requested this item be placed on the agenda for consideration and possible action.

City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title:

Discuss and consider possible action to amend the original contract with Capital Excavation to allow for the approval of Change Order No. 2 for the provision of materials testing.

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

On January 18, 2018, Council awarded the Sewer Collection System Contract to Capital Excavation, and approved Change Order No. 1. The total contract amount (including the Change Order No. 1) is \$3,616,230.00.

Under Section 13.03 Tests and Inspections, part B. of the Contract with Capital Excavation, the City is responsible for the provision of "materials" testing. Testing will be provided under this Change Order by Alpha Testing, as a sub-contractor to Capital Excavation.

Materials testing is utilized to ensure adequate materials have been utilized and compacted (specify under roadways) to prevent the future failing (sinking) of the roadway or shoulders.

Financial:

The estimate costs for materials testing is \$19,842.00. These costs are not expected to increase the total contract amount. There will be enough reductions in costs to adequately cover the costs associated with this change order

Recommendation:

The City Administrator, Shawn Cox recommends approval of this item.

Attached:

- Contractor's Modification Request including Construction Materials Testing Estimate from Alpha Testing



CONTRACTOR'S MODIFICATION REQUEST

PROJECT NOS.

| | | | |
|-------------|--------------------------------------|--------------|----------------|
| OWNER: | City of Wimberley | | |
| PROJECT | Wastewater Collection System | | |
| CONTRACTOR: | Capital Excavation | | |
| ENGINEER: | Alan Plummer Associates, Inc. | | |
| CMR NO.: | CMR-01 | DESCRIPTION: | Testing |

NOTIFICATION BY CONTRACTOR:

| | | |
|---|---|-----------|
| We are requesting making the change to the Contract described in the attached materials and request that you take the following action: | | |
| <input type="checkbox"/> | Notify us that you concur that this change does not require a change in contract time or amount. A Field Order will be issued. | |
| <input type="checkbox"/> | Issue a Change Order for performing the described change. Change in Contract amount and time are indicated in the attached detailed cost breakdown and revised schedule. The proposed change in cost is \$xx. The proposed change in time is xx day(s). | |
| <input checked="" type="checkbox"/> | Issue a change order for the described change with payment at the unit price bid. (Per attached rate sheet) | |
| <input type="checkbox"/> | Authorize the Contractor to proceed with the change under the time and materials provision of the Contract. | |
| REQUESTED BY: | Reed Hoysradt | 5/21/2018 |
| | TYPED NAME | DATE |

RESPONSE FROM ENGINEER:

| | | |
|--|--|------|
| We respond to your request as follows: | | |
| <input type="checkbox"/> | We concur that this is a no cost or time change. See attached Field Order. | |
| <input type="checkbox"/> | Your proposal is recommended to the Owner for incorporation into a Change Order. | |
| <input type="checkbox"/> | Proceed with the unit price bid for incorporation into a Change Order. | |
| <input type="checkbox"/> | Proceed with the change under the time and materials provision of the Contract. | |
| RESPONSE BY: | | |
| | TYPED NAME | DATE |

ACTION TAKEN:

| | | |
|--------------------------|--|------|
| <input type="checkbox"/> | Proposed contract modification rejected. Contractor notified not to proceed. | |
| <input type="checkbox"/> | Field Order Issued | FO- |
| <input type="checkbox"/> | Change Order Issued | CO- |
| RESPONSE BY: | | |
| | TYPED NAME | DATE |

DESCRIPTION OF CHANGE TO THE CONTRACT

CONTRACTOR'S MODIFICATION REQUEST

CRM-01

See attached Unit Price Proposal from Alpha Testing

CMT COST ESTIMATE

**Revised: Wimberley Wastewater
Collection**

Cost Estimate No: 65272



Environmental

Geotechnical

Construction Materials



Geotechnical
Construction Materials
Environmental
TBPE Firm No. 813

4740 Perrin Creek, Suite
480 San Antonio, TX
78217

Tel: 210.249.2100
Fax: 210.249.2101
www.alphaesting.com

May 21, 2018

CAPITAL EXCAVATION - BUDA

2967 Business Park Drive
Buda, Tx 78610

Attention: Joe Chesney
jchesney@capitalexcaavation.com

Construction Materials Testing
Services and Fees

REVISED: WIMBERLEY WASTEWATER COLLECTION
Wimberley, Tx
Cost Estimate No: 65272-17-36SA

We are pleased to submit the following cost estimate for performing Construction Materials Testing on the project referenced above.

Thank you for the opportunity to submit this estimate. If this cost estimate is satisfactory, would you please sign the white copy of the enclosed cost estimate acceptance sheet and return it to us. We will consider receipt of a signed copy of this cost estimate as our official notice to proceed.

We look forward to working with you on this project. If there are any questions, please contact us at 210.249.2100. We are available to discuss any questions at your convenience.

Respectfully submitted,
ALPHA TESTING, INC.

Courtney Ball
Business Development Manager

John Moreland
Manager of CMT Estimating

Attachments: Acceptance Sheet
General Terms and Conditions



HISTORY

Alpha Testing, Inc. (Alpha), a Texas corporation established in 1983, provides full-service geotechnical engineering, construction materials testing and inspection, and environmental services. Our goal since 1983 has been to be recognized as "First in Service" by our clients. Alpha is known for responsiveness, accurate and reliable data collection, and consistent recommendations - all provided as agreed. Let the success of your next project start with us!

Alpha is a registered Texas engineering firm (# 813) and a Texas geoscience firm (#50341), meets the requirements of ASTM E-329, is AASHTO R-18 accredited, and has engineers licensed in multiple states. Alpha currently employs over 275 people.

Alpha recognizes that our client base faces challenges at every turn, either meeting a deadline, meeting a budget, or overcoming a field or design challenge. It is our internal challenge to make your challenges ours. Tell us what you need, we will take ownership, ask the needed questions, then be responsive in execution.

BUSINESS LOCATIONS

1. Dallas Office – Corporate

2209 Wisconsin St., Suite 100, Dallas, Texas 75229

(V) 972-620-8911 (F) 972-620-1302

Brian Powell, PE, President: bpowell@alphatesting.com

Ken Combs, Vice President: kcombs@alphatesting.com

2. Fort Worth Office

5058 Brush Creek Rd. Fort Worth, TX 76119

(V) 817-496-5600 (F) 817-496-5608

Tim Begole, CET, CMT Manager: tbegole@alphatesting.com

Brian Hoyt, PE, Geotechnical Manager: bhoyt@alphatesting.com

3. San Antonio Office

4740 Perrin Creek, Suite 480 San Antonio, TX 78217

(V) 210-249-2100 (F) 210-249-2101

Adam Heiman, PE, Geotechnical Dept. Manager: aheiman@alphatesting.com

Philip Johnson, PE, CMT Manager: pjohnson@alphatesting.com

4. Houston Office

6513 W. Little York Road, Houston, TX 77040

(V) 713-360-0460 (F) 713-360-0481

Lee J. Mitchell, PE, Senior Geotechnical Engineer: lmitchell@alphatesting.com

Quality Control

All testing equipment in Alpha's laboratories is calibrated on an annual basis using traceable standards (NIST or NSTL). Calibrations are confirmed by CCRL and AASHTO on a bi-annual basis during third-party inspections. Along with calibration of equipment, Alpha also maintains an internal QA/QC program to assure consistent and reliable test results. This program pertains to methodologies for performing tests that have been developed and expanded through years of experience.



PROJECT INFORMATION

It is our understanding that a new sewer line and force main is to be placed in Wimberley. In this cost estimate, we are providing our estimate of the testing anticipated based on our understanding of the project information provided in the contract documents: civil plans dated: 3/6/17; Quantities were provided. Along with the applicable city standards for the City of Wimberley.

UTILITIES

Based on our understanding of the information provided, field density testing is required on the backfill material placed. We have estimated that approximately 7,025 linear feet of 6" gravity line would be excavated and installed. In addition, about 3,000 linear feet of 8" gravity lines, and an estimated 2,800 linear feet of force main would be placed. We have estimated that our engineering technician could be required on site for approximately 326 hours to perform approximately 1,193 field density tests. In addition the technician could obtain approximately 5 soil samples for laboratory proctor analysis.

HOT MIX ASPHALT CONCRETE TESTING

It is our understanding that testing of the hot mix asphalt concrete materials and installation observation is required. Approximately 64,125 square feet of area would be utilized for asphalt concrete pavement. We have estimated that our engineering technician could be required on-site for about 31 hours.

SCOPE OF SERVICES

UTILITIES

Trench Back-fill: 1 density test for every 250 linear feet each 6 inch lift.

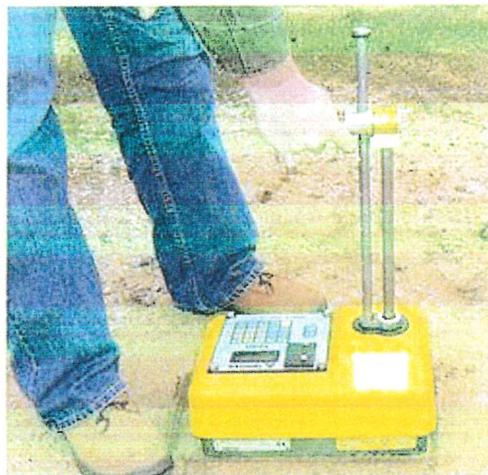
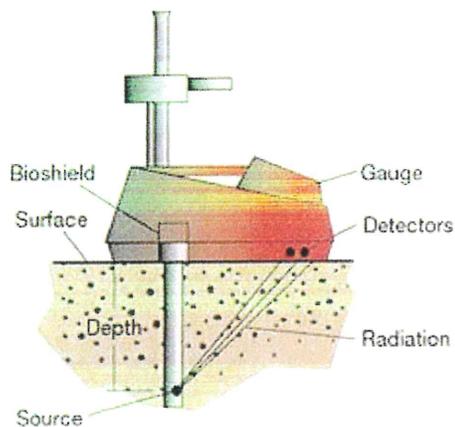
Trench backfill for utilities should be properly placed and compacted in accordance with requirements of local City standards

HOT MIX ASPHALT CONCRETE TESTING

Paving: 1 density test for every 500 tons each type.

Moisture Density Gauge

Direct Transmission





ESTIMATED TESTING SCHEDULE

The following is our estimate of the number, type and cost of anticipated construction materials testing for the project referenced previously. This estimate of the expected testing was developed based on project plans and information as provided by the client. It should be recognized that variations in construction schedules, weather, amount of re-testing, additional testing requested by our client, etc., could result in differences between the actual and estimated testing costs. Although efforts will be made to maintain the testing costs within the estimated amount, charges will be computed based on actual services rendered.

Testing services proposed herein do not include full-time personnel on site nor any form of project supervision. It is our understanding that testing will be scheduled by the client or his designated representative, and ALPHA TESTING, INC. does not assume the responsibility for assuring all required tests are performed. If desired, ALPHA could monitor testing frequencies and locations during the progress of the work to assure the required testing is performed, at an additional cost.

I. Utilities (City R.O.W.)

| Description | Est. Qty | Unit Rate | Est. Total |
|--|----------|-----------|--------------------|
| Density Testing /Hour | 326.00 | \$36.00 | \$11,736.00 |
| Nuclear Density Gauge/Trip | 37.00 | \$50.00 | \$1,850.00 |
| Proctor #/Each | 5.00 | \$175.00 | \$875.00 |
| Atterberg Limit Test/Each | 5.00 | \$60.00 | \$300.00 |
| -200 Sieve/Each | 5.00 | \$60.00 | \$300.00 |
| Compressive Strength of Stabilized Sand/Each | 5.00 | \$112.00 | \$560.00 |
| Material Pickup/Hour | 8.00 | \$36.00 | \$288.00 |
| Vehicle Trip Charge/Trip | 38.00 | \$35.00 | \$1,330.00 |
| Engineering Report Review/Hour | 7.00 | \$100.00 | \$700.00 |
| Subtotal | | | \$17,939.00 |

II. Hot Mix Asphalt Concrete (City R.O.W.)

| Description | Est. Qty | Unit Rate | Est. Total |
|--------------------------------|----------|-----------|-------------------|
| HMAC Monitoring /Hour | 28.00 | \$36.00 | \$1,008.00 |
| Nuclear Density Gauge/Trip | 7.00 | \$50.00 | \$350.00 |
| Vehicle Trip Charge/Trip | 7.00 | \$35.00 | \$245.00 |
| Engineering Report Review/Hour | 3.00 | \$100.00 | \$300.00 |
| Subtotal | | | \$1,903.00 |

Grand Total: \$19,842.00

NO OVERTIME WILL BE BILLED TO THE BIDDING CONTRACTOR FOR ANY OF THE ABOVE SERVICES.

Dallas Ft. Worth Houston San Antonio

ADDITIVE OPTION



II. Optional-Utilities (City R.O.W.)

| Description | Est. Qty | Unit Rate | Est. Total |
|--|----------|-----------|------------|
| Field Gradations/Hour | 25.00 | \$36.00 | \$900.00 |
| PH Test/Each | 4.00 | \$25.00 | \$100.00 |
| Los Angeles Abrasion/Each | 2.00 | \$400.00 | \$800.00 |
| Sodium Sulfate Soundness (3 cycles)/Each | 2.00 | \$450.00 | \$900.00 |
| Subtotal | | | \$2,700.00 |

Reed Hoysradt

From: Joe Chesney
Sent: Wednesday, May 16, 2018 12:07 PM
To: Jim Schoonover; Shawn Cox <Scox@cityofwimberley.com>
(Scox@cityofwimberley.com); scoonan@apaienv.com
Cc: Reed Hoysradt; Joe Mayfield
Subject: RE: third party testing

Has there been any resolution on this?

From: Joe Chesney
Sent: Tuesday, May 01, 2018 9:05 AM
To: 'Jim Schoonover'; Joe Mayfield; Reed Hoysradt
Cc: Shawn Cox <Scox@cityofwimberley.com> (Scox@cityofwimberley.com)
Subject: RE: third party testing

I agree to waive testing in the easements and I can contact Alpha testing for a proposal to do the CO option.

From: Jim Schoonover [<mailto:jimschoonover2253@gmail.com>]
Sent: Tuesday, May 01, 2018 9:00 AM
To: Joe Chesney; Joe Mayfield; Reed Hoysradt
Subject: Fwd: third party testing

Hi guys, I sent this out when you were experiencing server problems. Please let me know if this is feasible.

Thanks, Jim S.

----- Forwarded message -----

From: **Jim Schoonover** <jimschoonover2253@gmail.com>
Date: Thu, Apr 26, 2018 at 7:48 PM
Subject: third party testing
To: "Coonan, Steve" <scoonan@apaienv.com>, Shawn <scox@cityofwimberley.com>, Joe Chesney <jchesney@capitalexcavation.com>, Joe Mayfield <jmayfield@capitalexcavation.com>, Reed Hoysradt <rhoysradt@capitalexcavation.com>

To all:

I would like to make a couple of proposals to help speed things along and hopefully make it simpler. According to the general conditions of the specs, it is the city's responsibility to acquire a third party client for the testing on this project. To do this Shawn would have to jump thru hoops to hire someone and in the end get approval from the city council. The process could take some time.

My first proposal would be to let Capital Excavation hire the testing firm and let the city pay for the testing plus overhead to Capital by way of a change order.

My second proposal is to waive the testing requirements in the easements where there is no pavement and nothing can be built.

I would still expect testing of flowable fill (CLSM) and concrete as required.

Please let me no your opinions, suggestions, ideas, agreements or disagreements

Thanks, Jim S.

City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title: Central Wimberley
Wastewater Project

Council Action Requested:

- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Place Three Council Member Allison Davis requested this item be placed on the agenda for consideration and possible action.

Laura Calcote

From: Shawn Cox
Sent: Friday, July 6, 2018 10:25 AM
To: Laura Calcote
Subject: FW: EDA 1M Grant to City of Wimberley
Attachments: Wimberley Letter Request.pdf

From: Mayor
Sent: Thursday, July 5, 2018 9:47 AM
To: Shawn Cox <Scox@cityofwimberley.com>
Subject: FW: EDA 1M Grant to City of Wimberley

fyi

Respectfully,

Susan Jagers

Mayor
City of Wimberley
221 Stillwater
P.O. Box 2027 (Mailing Address)
Wimberley, TX 78676
Cell: (512) 648-1632 best option
Office: (512) 847-0025
Fax: (512) 847-0422
Website: cityofwimberley.com



 Please consider the environment before printing this e-mail.

From: Giannini, Matthew (Federal) <MGiannini@eda.gov>
Sent: Monday, July 02, 2018 11:24 AM
To: Mayor <mayor@cityofwimberley.com>
Cc: Place1 <place1@cityofwimberley.com>; Place2 <place2@cityofwimberley.com>; Place3 <Place3@cityofwimberley.com>; Place4 <Place4@cityofwimberley.com>; Place5 <Place5@cityofwimberley.com>; Larsen, Lisa (Federal) <LLarsen@eda.gov>; Ayala, Jorge (Federal) <JAyala@eda.gov>; Rahman, Happy (Federal) <HRahman@eda.gov>
Subject: FW: EDA 1M Grant to City of Wimberley

Mayor Jagers:

Please see the attached formal request letter from EDA outlining what we will need to fully address your desire to change the scope of the project. The Austin Regional Office (AURO) is unable to make a determination of a modification to your current grant without the desired change spelled out in its entirety in a formal request. We hope we can all work together to reach a decision that is satisfactory to all.

Thank you,

Matthew P. Giannini

Area Director

Department of Commerce:

Economic Development Administration

903 San Jacinto, Suite 206

Austin, Texas 78701

Mobile: (512) 516-1878

From: Mayor <mayor@cityofwimberley.com>
Sent: Wednesday, June 27, 2018 9:43 AM
To: Larsen, Lisa (Federal) <LLarsen@eda.gov>
Subject: RE: EDA 1M Grant to City of Wimberley

Ms. Larsen,

Checking on the status of the decision from the EDA.

Respectfully,

Susan Jagers

Mayor

City of Wimberley

221 Stillwater

P.O. Box 2027 (Mailing Address)

Wimberley, TX 78676

Cell: (512) 648-1632 best option

Office: (512) 847-0025

Fax: (512) 847-0422

Website: cityofwimberley.com



 Please consider the environment before printing this e-mail.

From: Mayor
Sent: Friday, June 22, 2018 9:59 PM
To: Larsen, Lisa (Federal) <LLarsen@eda.gov>
Subject: Re: EDA 1M Grant to City of Wimberley

Lisa

Again my apology for just now catching up on emails.

You may have everything you need by now. I drove up a few days ago and brought hard copies of everything. Please let me know if you still prefer to have electronic copies.

Respectfully

Mayor Jagers.

We need to be able to get a decision within the next week or so.

Sent from Susan's iPhone

On Jun 18, 2018, at 9:55 AM, Larsen, Lisa (Federal) <LLarsen@eda.gov> wrote:

Ms. Jagers,

I just left you a message on your office phone number (the cell number listed did not work). You can send the documentation through email or through our secured link (if they are fairly large) and that will save you all a trip to our office. Here are some of the documentation you should send for the collection system project:

1. Executed contract (entire document)
2. Preconstruction meeting information
3. Notice to Proceed/Award of contract
4. All information regarding change order(s) executed
5. Bid Bond, Payment Bond, Performance Bond
6. Contractors Insurance
7. Certification Regarding Lobbying
8. [Sam.gov](http://sam.gov) Registration

If you feel it's necessary for further discussion on these items we can meet today but will depend on everyone's schedules today.

I will send you a secured link to our site if you choose to send them through that avenue. Please look for it as it will not come from my work email address but Accellion, EDA's secured server.

It was nice meeting you on Thursday and hopefully we can resolve the project/grant issues.

Sincerely,

Lisa Larsen
Civil Engineer/Project Officer
U.S. Department of Commerce
Economic Development Administration
Austin Regional Office
903 San Jacinto Blvd., Suite 206
Austin, Texas 78701
Phone: (512) 381-8156

From: Mayor [<mailto:mayor@cityofwimberley.com>]
Sent: Friday, June 15, 2018 3:29 PM
To: Ayala, Jorge (Federal) <JAyala@eda.gov>
Cc: Larsen, Lisa (Federal) <LLarsen@eda.gov>
Subject: FW: EDA 1M Grant to City of Wimberley

Mr. Ayala,

Thank you for the meeting and open discussion. I will be bringing in further documentation Monday after to Ms. Larsen and would look forward to meeting with you at 3:00pm

Susan Jagers

Mayor
City of Wimberley
221 Stillwater
P.O. Box 2027 (Mailing Address)
Wimberley, TX 78676
Office: (512) 847-0025
Fax: (512) 847-0422
Website: cityofwimberley.com
<image001.png>



Please consider the environment before printing this e-mail.

From: Mayor
Sent: Friday, June 15, 2018 3:23 PM
To: 'Larsen, Lisa (Federal)' <LLarsen@eda.gov>
Subject: RE: EDA 1M Grant to City of Wimberley

Lisa,

I would like to meet with you Monday afternoon to continue our discussion and deliver documentation. What time is convenient for you?

Susan Jagers

Mayor
City of Wimberley
221 Stillwater
P.O. Box 2027 (Mailing Address)
Wimberley, TX 78676
Office: (512) 847-0025
Cell: (512) 648-6132 best way to reach me
Fax: (512) 847-0422
Website: cityofwimberley.com
<image001.png>



Please consider the environment before printing this e-mail.

From: Larsen, Lisa (Federal) <LLarsen@eda.gov>
Sent: Monday, June 11, 2018 3:51 PM
To: Mayor <mayor@cityofwimberley.com>
Cc: Gary Barchfeld <gbarch@austin.rr.com>; Place1 <place1@cityofwimberley.com>; Ayala, Jorge

(Federal) <JAyala@eda.gov>; Giannini, Matthew (Federal) <MGiannini@eda.gov>; Rahman, Happy (Federal) <HRahman@eda.gov>

Subject: RE: EDA 1M Grant to City of Wimberley

Ms. Jagers,

Thanks for your phone call this morning and subsequent email. The Regional Director and Area Director will be available this Thursday (June 14, 2018) to meet with you regarding the EDA grant. We are available to meet at 10:30 am and hope that works for you as well. The address to our office is listed below my contact.

Let me know and I will send an appointment to you all.

Sincerely,

Lisa Larsen

*Civil Engineer/Project Officer
U.S. Department of Commerce
Economic Development Administration
Austin Regional Office
903 San Jacinto Blvd., Suite 206
Austin, Texas 78701
Phone: (512) 381-8156*

From: Mayor [<mailto:mayor@cityofwimberley.com>]
Sent: Monday, June 11, 2018 3:38 PM
To: Larsen, Lisa (Federal) <LLarsen@eda.gov>
Cc: Gary Barchfeld <gbarch@austin.rr.com>; Place1 <place1@cityofwimberley.com>
Subject: EDA 1M Grant to City of Wimberley

Ms. Larsen,

I look forward to meeting with you tomorrow along with Mr. Gianinni and hopefully Mr. Ayala. I will be bringing 2 Council members, Mr. Barchfeld and Mr. McCullough, along with me for our meeting. I have concerns with regards to having met the Federal Grant eligibility and requirements.

I am sure that upon further review we do not meet the Regional Eligibility for Public Works and Economic Adjustment assistance projects. Wimberley's Per capita income per STATSAMERICA reporting application is well above the 80 percent threshold of the national average. I've attached the most recent report specifically for Wimberley Tract 0108.04 Hays, TX and for Hays County at large. Wimberley's Per Capita Money Income (5-Year ACS) is at 134.74% of the nation at large, Hay's County PCMI is 95.2%.

Unfortunately, the tracts that were submitted with the application included areas that were less relevant with respect to Wimberley's economic development.

Furthermore, with regards to the estimated jobs created (140) and or retained (400) which was simply based on discussions with merchants is unsubstantiated.

Never-the-less, if the EDA Grant remains awarded, per our discussion, I understand that we cannot apply it towards the Capital Excavation expenses. Please clarify if this restriction would also apply to the Black Castle contract of the project.

Susan Jagers

Mayor

City of Wimberley

221 Stillwater

P.O. Box 2027 (Mailing Address)

Wimberley, TX 78676

Office: (512) 847-0025

Fax: (512) 847-0422

Website: cityofwimberley.com

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Please consider the environment before printing this e-mail.

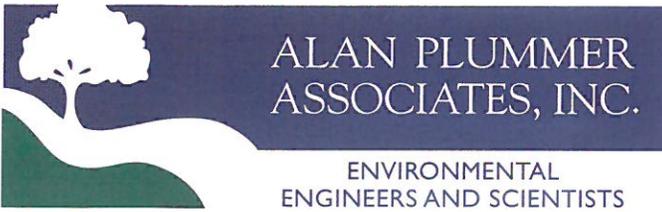
In Amendment 1, the grant scope was downsized so that the EDA would fund the wastewater plant only, and the City would separately fund the wastewater collection system portion of the project. This Amendment 2 changes the request so that EDA will fund only the wastewater collection system portion of the project and that the City will separately fund the remainder of the project.

The reason for this amendment is that due to significant cost overruns and additional review of economics of the original project plan, the City is considering alternatives regarding the treatment of the wastewater. Considerations include continuing with the plan to build a new wastewater plant or to contract the treatment of the wastewater by an existing company that serves the area.

Regardless, the City will build, own and operate the wastewater collection system for the benefit of properties within the central Wimberley business district.

The collection system contract will have only minor changes if an alternative wastewater treatment option is chosen. Under the contract, the physical location of collection system construction terminated before the wastewater plant, and thus would only be modified to provide a tap connection to an alternative provider of treatment at that location. Depending on the financial analysis and option selected, the wastewater plant will either be built as contracted or the contract terminated.

This reduction from the original grant (and minor increase from Amendment 1) does not affect the original intent of the grant and its intended economic outcomes, as the project remains intact with regard to providing wastewater services to Wimberley. The grant terms remain in effect and no change in the grant termination date.



July 3, 2018

Mr. Shawn Cox
City Administrator
City of Wimberley
221 Stillwater
Wimberley, TX 78676

Re: Wastewater Treatment Plant Project
Review of Pay Applications

Dear Mr. Cox:

We are in receipt of Pay Applications 1-4 on the above referenced project. We are unable to recommend that the City pay these Applications as they lacked the following items:

1. Section 14.02.A.1 of the Standard General Conditions requires that *"If payment is requested on the basis of materials and equipment not incorporated in the Work but delivered and suitably stored at the Site or at another location agreed to in writing, the Application for Payment shall also be accompanied by a bill of sale, invoice, or other documentation warranting that Owner has received materials and equipment free and clear of all Liens and evidence that the materials and equipment are covered by appropriate property insurance or other arrangements to protect Owner's interest therein, all of which must be satisfactory to Owner."*
2. Section 14.02.A.2 of the Standard General Conditions requires that *"Beginning with the second Application for Payment, each Application shall include an affidavit of Contractor stating that all previous progress payments received on account of the Work have been applied to discharge Contractor's legitimate obligations associated with prior Applications for Payment."*

In addition, it is our understanding that the City is considering the cancellation of this contract under Section 15.03.A of the Standard General Conditions. Should such cancellation occur, it is our position that the value of the work completed to date should be calculated based on Section 11.01 of the Standard General Conditions.

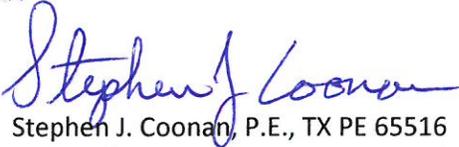


Mr. Shawn Cox
Page 2
July 3, 2018

If you have any questions concerning this issue, please contact me at (512) 452-5905.

Sincerely,

ALAN PLUMMER ASSOCIATES, INC.
TBPE Firm Registration No. 13



Stephen J. Coonan, P.E., TX PE 65516
Principal

cc: Mayor Susan Jagger
Jim Schoonover
Rodney Schwarzlose
Mike Haas

ARTICLE 15 – SUSPENSION OF WORK AND TERMINATION

15.01 *Owner May Suspend Work*

- A. At any time and without cause, Owner may suspend the Work or any portion thereof for a period of not more than 90 consecutive days by notice in writing to Contractor and Engineer which will fix the date on which Work will be resumed. Contractor shall resume the Work on the date so fixed. Contractor shall be granted an adjustment in the Contract Price or an extension of the Contract Times, or both, directly attributable to any such suspension if Contractor makes a Claim therefor as provided in Paragraph 10.05.

15.02 *Owner May Terminate for Cause*

- A. The occurrence of any one or more of the following events will justify termination for cause:
1. Contractor's persistent failure to perform the Work in accordance with the Contract Documents (including, but not limited to, failure to supply sufficient skilled workers or suitable materials or equipment or failure to adhere to the Progress Schedule established under Paragraph 2.07 as adjusted from time to time pursuant to Paragraph 6.04);
 2. Contractor's disregard of Laws or Regulations of any public body having jurisdiction;
 3. Contractor's repeated disregard of the authority of Engineer; or
 4. Contractor's violation in any substantial way of any provisions of the Contract Documents.
- B. If one or more of the events identified in Paragraph 15.02.A occur, Owner may, after giving Contractor (and surety) seven days written notice of its intent to terminate the services of Contractor:
1. exclude Contractor from the Site, and take possession of the Work and of all Contractor's tools, appliances, construction equipment, and machinery at the Site, and use the same to the full extent they could be used by Contractor (without liability to Contractor for trespass or conversion);
 2. incorporate in the Work all materials and equipment stored at the Site or for which Owner has paid Contractor but which are stored elsewhere; and
 3. complete the Work as Owner may deem expedient.
- C. If Owner proceeds as provided in Paragraph 15.02.B, Contractor shall not be entitled to receive any further payment until the Work is completed. If the unpaid balance of the Contract Price exceeds all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) sustained by Owner arising out of or relating to completing the Work, such excess will be paid to Contractor. If such claims, costs, losses, and damages exceed such unpaid balance, Contractor shall pay the difference to Owner. Such claims, costs, losses, and damages incurred by Owner will be reviewed by Engineer as to their reasonableness and, when so approved by Engineer, incorporated in a Change Order. When exercising any rights or

remedies under this Paragraph, Owner shall not be required to obtain the lowest price for the Work performed.

- D. Notwithstanding Paragraphs 15.02.B and 15.02.C, Contractor's services will not be terminated if Contractor begins within seven days of receipt of notice of intent to terminate to correct its failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of said notice.
- E. Where Contractor's services have been so terminated by Owner, the termination will not affect any rights or remedies of Owner against Contractor then existing or which may thereafter accrue. Any retention or payment of moneys due Contractor by Owner will not release Contractor from liability.
- F. If and to the extent that Contractor has provided a performance bond under the provisions of Paragraph 5.01.A, the termination procedures of that bond shall supersede the provisions of Paragraphs 15.02.B and 15.02.C.

15.03 *Owner May Terminate For Convenience*

- A. Upon seven days written notice to Contractor and Engineer, Owner may, without cause and without prejudice to any other right or remedy of Owner, terminate the Contract. In such case, Contractor shall be paid for (without duplication of any items):
 1. completed and acceptable Work executed in accordance with the Contract Documents prior to the effective date of termination, including fair and reasonable sums for overhead and profit on such Work;
 2. expenses sustained prior to the effective date of termination in performing services and furnishing labor, materials, or equipment as required by the Contract Documents in connection with uncompleted Work, plus fair and reasonable sums for overhead and profit on such expenses;
 3. all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) incurred in settlement of terminated contracts with Subcontractors, Suppliers, and others; and
 4. reasonable expenses directly attributable to termination.
- B. Contractor shall not be paid on account of loss of anticipated profits or revenue or other economic loss arising out of or resulting from such termination.

15.04 *Contractor May Stop Work or Terminate*

- A. If, through no act or fault of Contractor, (i) the Work is suspended for more than 90 consecutive days by Owner or under an order of court or other public authority, or (ii) Engineer fails to act on any Application for Payment within 30 days after it is submitted, or (iii) Owner fails for 30 days to pay Contractor any sum finally determined to be due, then Contractor may, upon seven days written notice to Owner and Engineer, and provided Owner or Engineer do not remedy such suspension or failure within that time, terminate the Contract and recover from Owner payment on the same terms as provided in Paragraph 15.03.
- B. In lieu of terminating the Contract and without prejudice to any other right or remedy, if Engineer has failed to act on an Application for Payment within 30 days after it is submitted, or Owner has failed for 30 days to pay Contractor any sum finally determined to be due, Contractor may, seven days after written notice to Owner and Engineer, stop the Work until payment is made of all such amounts due Contractor, including interest thereon. The provisions of this Paragraph 15.04 are not intended to preclude Contractor from making a Claim under Paragraph 10.05 for an adjustment in Contract Price or Contract Times or otherwise for expenses or damage directly attributable to Contractor's stopping the Work as permitted by this Paragraph.

ARTICLE 16 – DISPUTE RESOLUTION

16.01 *Methods and Procedures*

- A. Either Owner or Contractor may request mediation of any Claim submitted to Engineer for a decision under Paragraph 10.05 before such decision becomes final and binding. The mediation will be governed by the Construction Industry Mediation Rules of the American Arbitration Association in effect as of the Effective Date of the Agreement. The request for mediation shall be submitted in writing to the American Arbitration Association and the other party to the Contract. Timely submission of the request shall stay the effect of Paragraph 10.05.E.
- B. Owner and Contractor shall participate in the mediation process in good faith. The process shall be concluded within 60 days of filing of the request. The date of termination of the mediation shall be determined by application of the mediation rules referenced above.
- C. If the Claim is not resolved by mediation, Engineer's action under Paragraph 10.05.C or a denial pursuant to Paragraphs 10.05.C.3 or 10.05.D shall become final and binding 30 days after termination of the mediation unless, within that time period, Owner or Contractor:
1. elects in writing to invoke any dispute resolution process provided for in the Supplementary Conditions; or
 2. agrees with the other party to submit the Claim to another dispute resolution process; or
 3. gives written notice to the other party of the intent to submit the Claim to a court of competent jurisdiction.

RESOLUTION NO. 21-2018

A RESOLUTION OF THE CITY OF WIMBERLEY, TEXAS AUTHORIZING AN AMENDMENT TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT APPLICATION TO ALLOCATE FUNDING ASSOCIATED WITH THE CENTRAL WIMBERLEY WASTEWATER PROJECT FROM THE WASTEWATER TREATMENT PLANT PROJECT TO THE COLLECTION LINE PROJECT

WHEREAS, in 2016 the City of Wimberley applied for and received a grant from the Economic Development Administration in the amount of \$1,000,000.00; and

WHEREAS, 2018 the City of Wimberley requested and received an amendment to the awarded grant to allow the funding for the Central Wimberley Wastewater Project to be separated into two funding mechanisms; and

WHEREAS, the separation of the funding into two mechanisms allowed the \$1,000,000.00 grant to be utilized for the Wastewater Treatment Plant Project; and

WHEREAS, the City of Wimberley would like to allocate the \$1,000,000.00 in grant funding from the Wastewater Treatment Plant Project to the Collection Line Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS that the City Council authorizes an amendment to the Economic Development Administration Grant Application to allocate funding from the Wastewater Treatment Plant Project to the Collection Line Project.

PASSED AND APPROVED this 10th day of July, 2018.

THE CITY OF WIMBERLEY, TEXAS

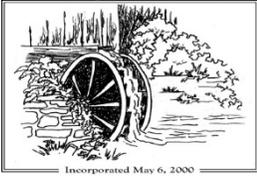
By: _____
Susan B. Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary



City Council Agenda Form



Date Submitted: July 6, 2018

Agenda Date Requested: July 10, 2018

Project/Proposal Title: Governance Policy and Rules of Procedure, Section 5.9 - Agenda

Council Action Requested:

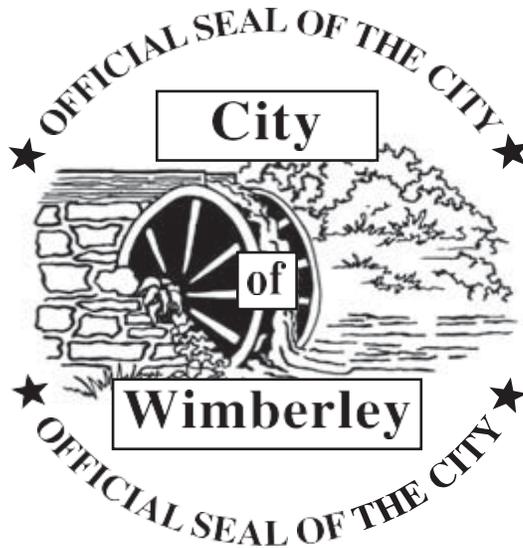
- Ordinance
- Resolution
- Motion
- Discussion

Project/Proposal Summary:

Mayor Susan Jagers requested this item be placed on the agenda for consideration and possible action.

City of Wimberley

City Council Governance Policy and Rules of Procedure



Amended June 2018

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION I INTRODUCTION

The City of Wimberley City Council is the governing body for the City of Wimberley, Texas. Therefore, it must bear the initial responsibility for the integrity of governance.

The Council shall determine its own rules and order of business. The Council is responsible for its own discipline and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy addresses Mayor and Council relations, Council and City staff relations, Council and media relations, roles and meetings. By adopting these guidelines, we, as members of the City Council acknowledge our responsibility to each other to our professional staff and to the public.

This policy will be reviewed and adopted on an annual basis.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION II MISSION

In order to ensure proper discharge of duties for the improvement of democratic local government, members of the Wimberley City Council will display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Wimberley and each other in their relationships.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION III INFORMATION

On major policy issues, the City Administrator shall provide briefing material to the Council in advance of Council consideration of the policy alternatives. Whenever possible, the management report shall be distributed more than a week in advance of Council policy consideration.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION IV ROLES

- 4.1 The Mayor shall preside at meetings of the City Council and shall be recognized as head of City government for all ceremonial purposes and by the Governor for purpose of military law but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the City Council. The Council shall elect, from among the Council members, a Mayor Pro-tem who shall act as Mayor during the absence or disability of the Mayor.
- 4.2 As head of City government for ceremonial purposes, the Mayor may issue and present proclamations and recognitions and attend other ceremonial functions on behalf of the City of Wimberley. City Council members may initiate, through the Mayor, or by a majority vote of the Council, similar items of recognition. Major community events sponsored by the City shall be a policy decision of the Council.
- 4.3 The Mayor shall preserve order and decorum and shall require City Council members engaged in debate to limit discussion to the question under consideration.
- 4.4 The Mayor is the spokesperson on all official positions taken by the City Council. The Mayor Pro-tem or alternate City Council designee will assume that role in the Mayor's absence. *(Amended 6-4-09)*
- 4.5 The Mayor will encourage all City Council members to participate in Council discussion and give each member an opportunity to speak before any member can speak again on the same subject

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION V MEETINGS

5.1 Regular Meetings

The Council shall meet regularly, on the first and third Thursdays of the month, and the regular meetings will begin at 5:30 p.m., unless postponed or canceled for valid reasons. If there is a need to change the date, time or place of a regular meeting, an attempt shall be made to contact all members of the City Council about the proposed change prior to the change being made. *(Amended 06-21-18)*

5.2 Special Meetings

Special meetings will be held on Tuesdays at 5:30 p.m. to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the Mayor. If there is a need to change the date, time or place of a special meeting, an attempt shall be made to contact all members of the City Council about the proposed change prior to the change being made. *(Amended 06-21-18)*

5.3 Executive Sessions

The City Council may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting for which proper notice is provided. All discussions in executive session shall remain confidential.

5.4 Public Notice

The agenda for all regular meetings, special meetings and the notice listing items to be considered shall be posted on the City's official bulletin board, in accordance with the Texas Open Meetings Act, and on the City's website.

5.5 Attendance

City Council members are expected to attend all meetings and stay in attendance during each meeting. No member shall leave a meeting without advising the presiding officer.

5.6 Conflict of Interest

A City Council member prevented from voting due to a conflict of interest shall leave the meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law and City ordinances concerning conflicts of interest. Any Council member filing a conflict of interest affidavit on an executive session item shall not confer with City staff, the City Attorney, Council members or the Mayor regarding the item.

5.7 City Council Members

- (a) During City Council meetings and work sessions, Council members shall assist in preserving order and decorum and shall, neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the City Council.
- (b) A City Council member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities, and in appropriate language and refrain from personal attacks and verbal abuse.
- (c) A City Council member, once recognized by the chair, shall not be interrupted while speaking except for the following reasons:
 - Called to order by the presiding officer
 - A point of order is raised by another member
 - The speaker chooses to yield to questions from another member

If a City Council member is called to order while speaking, that Council member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks to comply with the rules of the City Council

- (d) When there is more than one speaker on the same subject, City Council members shall delay their comments until after all speakers on the subject have been heard.
- (e) The chair shall state all questions submitted for a vote and announce the result. If the vote is not unanimous, the chair shall announce the names of members voting in favor and in opposition to the motion.

5.7 Administrative Staff

- (a) Members of the administrative staff and employees of the City shall observe the same rules and decorum applicable to members of the City Council.
- (b) Although the presiding officer has the authority to preserve decorum in meetings, the City Administrator is responsible for the orderly conduct and decorum of all City employees under the City Administrator's direction and control.
- (c) The City Administrator shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by City employees in meetings.
- (d) All persons addressing the City Council, including the City Administrator, shall be recognized by the presiding officer and shall limit remarks to the matter under discussion.
- (e) All remarks and questions addressed to the City Council shall be addressed to the City Council as a whole and not to any individual member.

5.8 Citizens and Visitors

- (a) Citizens and visitors are welcome to attend all public meetings of the City Council and will be admitted to the Chamber or meeting room up to the fire safety capacity of the room.
- (b) Everyone attending the meeting will refrain from private conversations while the City Council is in session.
- (c) Citizens and visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane, or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the meeting shall be removed from the room if so directed by the presiding officer. The person shall be barred from further audience before the City Council during that session. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act.
- (d) Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer who may direct the removal of offenders from the room. In case the

presiding officer shall fail to act, any member of the Council may move to require enforcement of the rules, and the affirmative vote of the majority of the Council shall require the presiding officer to act.

- (e) No placards, banners or signs will be permitted in the City Council Chamber or in any other room in which the City Council is meeting. Exhibits, displays and visual aids used in connection with presentations, however, are permitted.
- (f) The City Administrator or his designee shall act as sergeant at arms for the City Council and shall furnish whatever assistance is needed to enforce the rules of the City Council.

5.9 Agenda

- (a) Any City Council member may request an item be placed on a future agenda during the item on the agenda for that purpose. The City Administrator must place an item on the agenda if the item is requested by the Mayor or a member of the City Council. *The deadline to submit an item for the agenda is Thursday prior to the requested Council Meeting date. (Amended 11-02-17)*

5.10 Speakers

- (a) A person wishing to address the City Council must first sign the Speaker Registration Form. The following information must be provided on the form:
 - Name
 - Residence Address
 - The subject matter to be addressed
- (b) Speakers must address their comments to the presiding officer rather than to individual City Council members or staff.
- (c) Speakers must keep their remarks specific to the item being considered by the City Council. If the speaker is addressing the City Council under Citizens Communications, the speaker may address any item not slated for discussion on the agenda. Comments from speakers and/or members of City Council should not be directed towards another person, including a member of City Council or City staff in a manner that is derogatory or threatening in nature. These guidelines for speaker decorum shall be posted on each City Council agenda and on Speaker sign-in sheets for all City Council meetings.

- (d) A person who registers to speak on an item listed on the agenda will be called on after the chair gains agreement to do so by the City Council. A person who registers to speak under Citizens Communications will be called on at that time. The chair may determine the order in which speakers are called.
- (e) All speakers will have a maximum of three (3) minutes to address the Council. A majority vote of the Council will be required to extend the time limit. The chair may impose more restrictive time limits if a large number of persons register to speak. Guidelines relating to time allotment for speakers shall be posted on each City Council agenda and on Speaker sign-in sheets for all City Council meetings.
- (f) For called public hearings, the applicant will be allowed a maximum of ten (10) minutes to make a presentation.
- (g) In accordance with the Texas Open Meetings Act, the City Council will not discuss or consider any item addressed during Citizens Communications. City Council members will not interact with the public during the time allotted to speakers unless a non-debatable motion approved by the City Council allots a specific amount of time.
- (h) Whenever it is necessary for a speaker to use an interpreter to translate comments to the City Council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the City Council.

5.11 Motions

- (a) No motion may be moved or suggested until all City Council member discussion is complete and the Mayor calls for the motion. A motion made and seconded will be considered the main motion. Any City Council member may move to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion.
- (b) A motion may be withdrawn or modified by its mover without asking permission until the motion is voted upon. If the mover modifies the motion, the City Council member who seconded the motion may withdraw the second.
- (c) At any time after a motion has been made and seconded, a City Council member may call the question which will have the affect of stopping the debate and requiring the City Council to immediately proceed to vote on the motion to call the question.

- (d) A motion to reconsider any action of the City Council must be made no later than prior to the conclusion of the next regularly scheduled meeting of the City Council. Such a motion may only be made by a City Council member who voted with the prevailing side. The motion to reconsider may be seconded by any member. No question shall be twice reconsidered except by unanimous vote of the City Council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.
 - (i) If a motion to reconsider is made at the same meeting at which the matter was acted upon, the motion may be heard and voted upon and the original action on the matter is set aside. Deliberation may then resume on the matter at that same meeting.
 - (ii) If a motion to reconsider is made at the next meeting after the matter was acted upon, the motion to reconsider may be heard and voted upon and the original action on the matter is not set aside. Deliberation may not resume on the matter, but it shall be placed on the next available agenda for deliberation.

5.12 Suspension of Rules

Any provision of these rules not governed by City ordinance, State or Federal law may be temporarily suspended by a majority vote of the members of the City Council present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

5.13 Amendment of Rules

These rules may be amended, or new rules adopted by a majority vote of the members of the City Council

5.14 Failure to Comply

A failure to comply with these rules does not invalidate any otherwise lawful act of the City Council.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION VI PUBLIC CONTACT MEDIA RELATIONS

Representative government is only successful when the citizens are kept informed and educated about the issues facing their municipality. Consequently, it is imperative that the media play an important role in the Council-Administrator-Media relations. It is through an informed public that progress is ensured, and good government remains sensitive to its constituents.

These guidelines are designed to help ensure positive relationships with print, radio and television reporters. The Mayor, City Council and the City Administrator recognize that the news media provide an important link between the City Council and the public. It is the City Council's desire to establish a professional working relationship to help maintain a well informed and educated citizenry.

- 6.1 During the conduct of official business, the City shall designate adequate space for the news media.
- 6.2 All reporters will receive an agenda in advance and will be furnished support material needed for clarification, if requested.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION VII PLANNING

The Mayor and Council are responsible for establishing a vision for the City of Wimberley and planning for its future.

- 7.1 On an annual basis, the Mayor and City Council shall hold a minimum of one (1) strategic planning session wherein they set priorities goals and objectives. The goals and objectives shall address short term and long term needs of the City.
- 7.2 Policy direction shall be consistent with the strategic goals and objectives. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the long-term vision.

COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION VIII COUNCIL STAFF RELATIONS

- 8.1 The role of the City Administrator and the relationship of staff with City Council is addressed in City ordinance.
- 8.2 The City Council shall direct comments, correspondence and concerns about City services to the City Administrator. Citizens concerns, comments and correspondence regarding City services received by City Council members shall be forwarded to the City Administrator for appropriate staff action and a timely response.
- 8.3 Documents provided to one (1) City Council member shall also be distributed to all other members of the elected body. The City Administrator shall prepare and submit to the Council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year. The City Administrator shall keep the City Council advised of the financial condition and future needs of the City and make such recommendations that may seem desirable.
- 8.4 In order to ensure proper presentation of agenda items by City staff, questions arising from City Council members, after receiving their information packet, should be, whenever possible, presented to the City Administrator or the Administrator's designated assistant for City staff consideration prior to the City Council meeting. This allows time for City staff to address the City Council member's concerns and provide all Council members with the additional information.
- 8.5 In order to control the City's legal costs, Council members shall direct to the City Administrator or Mayor all communications or questions for the City Attorney and shall not contact the City Attorney directly. Council members shall observe the same policy for all other vendors or contractors with the City, including, but not limited to, the City's engineer, information technology vendor, and Code inspectors.