



**CITY OF
WIMBERLEY**

**SPECIAL CITY
COUNCIL MEETING
PACKET**

Thursday, May 14, 2020

4:00 p.m.



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING **THURSDAY, MAY 14, 2020 – 4:00 P.M.**

AGENDA

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Wimberley will conduct a teleconference/video conference meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The meeting will be held on **Thursday, May 14, 2020, at 4:00 p.m.**

The public may participate in this meeting via the following toll-free numbers 888-475-4499 or 877-853-5257 and/or using the Zoom meeting ID 894 9046 1568 and using the password 025141.

The public will be permitted to offer comments via teleconference or video conference, as provided by the agenda and as permitted by the presiding officer during the meeting.

Anyone wishing to offer public comments or offer written questions or comments must notify City Secretary, Laura Calcote, at lcalcote@cityofwimberley.com, at least two hours before the meeting.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.

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1. **CALL TO ORDER** May 14, 2020 at 4:00 p.m.
 2. **CALL OF ROLL** City Secretary, Laura Calcote
 3. **PRESENTATIONS**

- 3.1. Presentation by Barnabas Connection regarding fundraising, hotline call volume and community volunteers during the COVID-19 pandemic. *(Kate Sowell)*
- 3.2. Presentation by the Crisis Bread Basket regarding food distribution and fundraising during the COVID-19 pandemic. *(John Urban)*

4. CITY ADMINISTRATOR REPORT

Updates regarding the COVID-19 virus, City facilities and current and short-term staffing plans *(City Administrator Shawn Cox)*

5. DISCUSSION AND POSSIBLE ACTION

5.1. Discuss and consider possible action regarding an application for a temporary structure. *(Wimberley Café)*

5.2. Discuss and consider possible action regarding an application for a temporary structure. *(Cactus Coffee)*

5.3. Discuss and consider possible action regarding increased cleaning services, due to the COVID-19 pandemic, including a proposal from Mariposa Cleaning Services, LLC for increased restroom cleaning services at the Wimberley Square and at Blue Hole Regional Park. *(Mayor Gina Fulkerson)*

5.4. Discuss and consider possible action to adopt Ordinance No. 2020-12, further extending a Declaration of Local Disaster; establishing rules and regulations for the duration of the disaster unless superseded by executive order of the Governor or further executive order as may be enacted or extended; incorporating the mandates of Executive Order GA-14, GA-18, GA-21 or any further executive order as may be enacted or extended; providing a savings clause; providing a severability clause; and providing an effective date. *(Mayor Gina Fulkerson)*

5.5. Discuss and consider possible action regarding the development of an action plan to reopen Wimberley. *(Place One Council Member Rebecca Minnick)*

5.6. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox)*

6. 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.

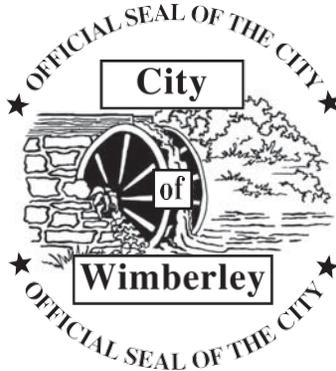
CERTIFICATION

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 Monday, May 11, 2020, by 4:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Laura J. Calcote

Laura J. Calcote, MPA, TRMC
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 two business days in advance of the meeting for appropriate arrangements.





AGENDA ITEM:	Temporary Structure Application - Wimberley Cafe
SUBMITTED BY:	Shawn Cox, City Administrator
DATE SUBMITTED:	May 11, 2020
MEETING DATE:	May 14, 2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Jay Bachman, owner of the Wimberley Cafe, has submitted a Temporary Structure Application to erect a 20'x40' tent at 101-A Wimberley Square, in front of the Cafe. Mr. Bachman is requesting the tent to provide for socially distanced dining at the Cafe

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

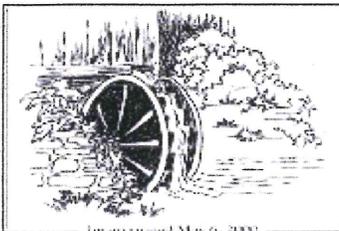
FINANCIAL

- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget:

STAFF RECOMMENDATION

ATTACHMENT/S

- Temporary Structure Application – Wimberley Café
- Wimberley Square Survey



City of Wimberley

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

Temporary Structure Planning & Development

Date: _____
Staff Review: _____
Permit No.: _____
Council Hearing: _____

Applicant: Wimberley Cafe
Mailing Address: 101-A Wimberley Square City: Wimberley State: Tn Zip: 78676
Phone: 512-847-3333 Email: Wimberley Cafe @ gmail.com

(If different from above)

Property Owner: Shawn Stoeber
Mailing Address: 57 Augusta Dr City: Wimberley State: Tx Zip: 78676
Phone: 770-324-2717 Email: shawn.stoeber@cfa corp.com

Subject Property Address: 101-A Wimberley Square

Purpose/Use of Structure: Socially-Distanced Dining. 20'x40' Tent.

Requested Installation Date: 5-1-2020 Requested Removal Date: 6-1-2020

Will the temporary structure be served by electricity? YES NO

Will the temporary structure be served by water service? YES NO

If "YES" to either then an inspection is required for water and/or electrical service.

If service is provided through another meter attach a letter of permission.

Provide a site plan indicating location of temporary structure in relation to other structures, parking lots, property lines etc.

Permission from property owner is attached. YES NO N/A

Has a Mobile Food Establishment application been submitted? YES NO N/A

Temporary Structure Permit..... \$25.00 each structure
Inspections.....\$65.00 each

I certify that the information contained in this application is true and correct and that if any of the information provided is incomplete or incorrect the permit may not be issued or may be revoked by the City of Wimberley. I understand that all temporary structures or accessory uses shall be removed from the property at the expiration of the time period as defined in the permit unless another Temporary Structure Permit is obtained prior to expiration. I understand that a Certificate of Occupancy may be required and contractor information will be provided if applicable. Adequate parking, restroom, setback and additional requirements per City Ordinance No. 2012-007 & Ordinance No. 2016-007 will be verified by City staff.

Applicant: Jay Bachman Date: 5-7-2020

City Official: _____ Date: _____ Approved Denied

5:02

101 Wimberley Square



12



Cottage
Candy store



Wimberley Square

Wimberley Square

101 Wimberley Square

Henson Rd

Henson Rd



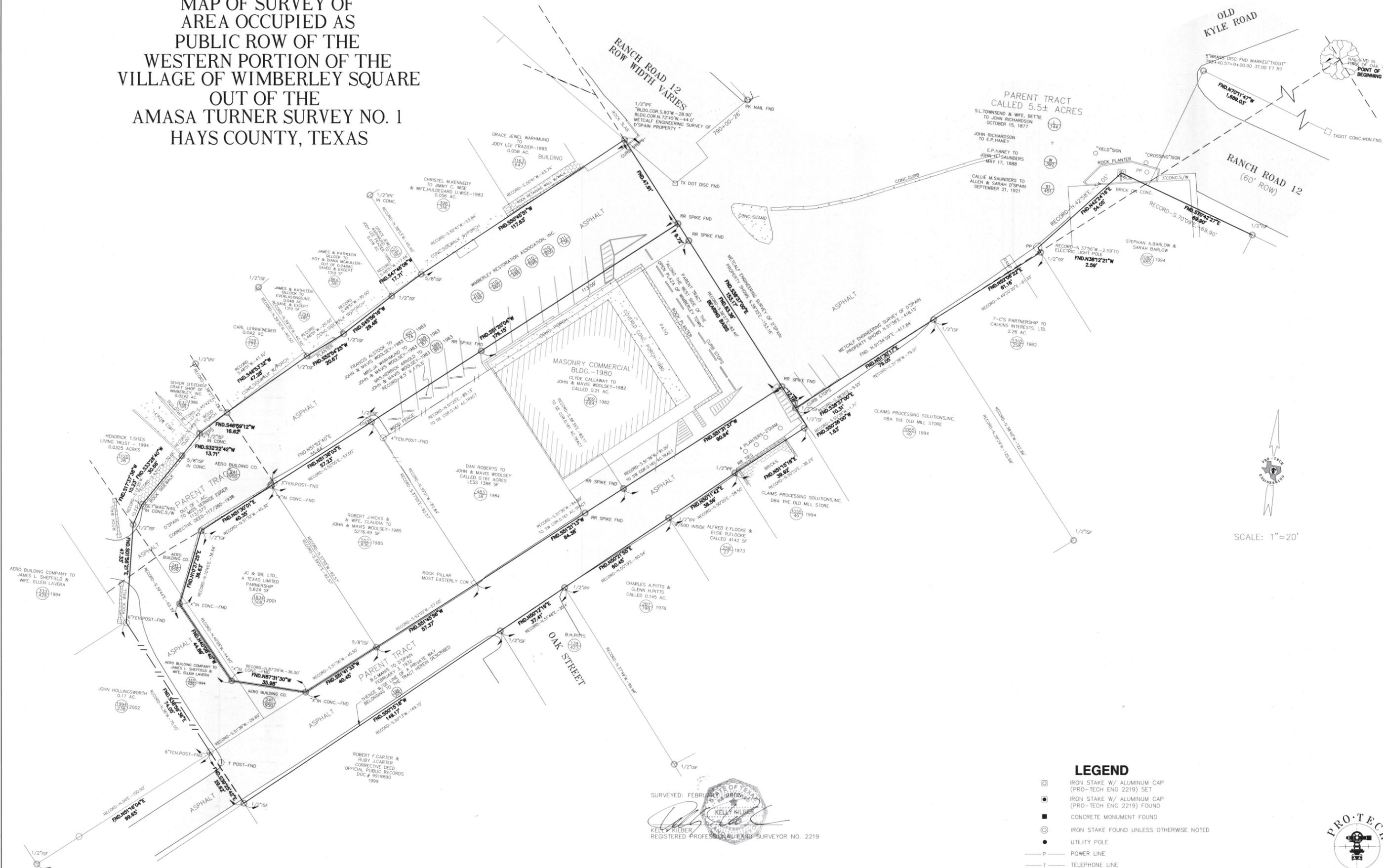
101 Wimberley Square

101 Wimberley Square, Wimberley, TX 78676

1 min

6

MAP OF SURVEY OF
 AREA OCCUPIED AS
 PUBLIC ROW OF THE
 WESTERN PORTION OF THE
 VILLAGE OF WIMBERLEY SQUARE
 OUT OF THE
 AMASA TURNER SURVEY NO. 1
 HAYS COUNTY, TEXAS



SCALE: 1"=20'

LEGEND

- IRON STAKE W/ ALUMINUM CAP (PRO-TECH ENG 2219) SET
- IRON STAKE W/ ALUMINUM CAP (PRO-TECH ENG 2219) FOUND
- CONCRETE MONUMENT FOUND
- IRON STAKE FOUND UNLESS OTHERWISE NOTED
- UTILITY POLE
- P — POWER LINE
- T — TELEPHONE LINE
- X — FENCE
- Ⓜ HAYS COUNTY DEED RECORDS
- ASPHALT PAVING

SURVEYED: FEBRUARY 2006
 KELLY KILBER
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2519

FLOOD INSURANCE RATE NOTE:
 The tract shown hereon lies within Zone "X" areas determined to be outside the 500 year flood plain as delineated on the Flood Insurance Rate Map (FIRM) Community 17441 No. 48299C 0160 E, dated February 18, 1996, for unincorporated areas of Hays County, Texas.

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



AGENDA ITEM:	Temporary Structure Application - Cactus Coffee
SUBMITTED BY:	Shawn Cox, City Administrator
DATE SUBMITTED:	May 11, 2020
MEETING DATE:	May 14, 2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Brooke Burnett, owner of Cactus Coffee, has submitted a Temporary Structure Application to operate a food trailer at 13615 Ranch Rd 12.

Cactus Coffee will has permission to utilize the facilities at Shop the Tree House.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

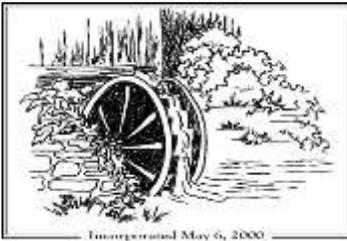
FINANCIAL

- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget:

STAFF RECOMMENDATION

ATTACHMENT/S

- Temporary Structure Application – Cactus Coffee



City of Wimberley

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

Temporary Structure Planning & Development

Date: _____
Staff Review: _____
Permit No.: _____
Council Hearing: _____

Applicant: Brooke Burnett

Mailing Address: 8725 RR 12 City: San Marcos State: TX Zip: 78666

Phone: [REDACTED] Email: [REDACTED]

(If different from above)

Property Owner: Melyn Duncan Einhaus

Mailing Address: 13615 Ranch Rd 12 City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

Subject Property Address: 13615 Ranch Rd 12, Wimberley, TX 78676

Purpose/Use of Structure: Mobile Food Trailer service area

Requested Installation Date : 6/1/2020 Requested Removal Date : _____

Will the temporary structure be served by electric city? YES NO

Will the temporary structure be served by water service? YES NO

If "YES" to either then an inspection is required for water and/or electrical service.

If service is provided through another meter attach a letter of permission.

Provide a site plan indicating location of temporary structure in relation to other structures, parking lots, property lines etc.

Permission from property owner is attached . YES NO N/A

Has a Mobile Food Establishment application been submitted ? YES NO N/A

Temporary Structure Permit..... \$25.00 each structure
Inspections\$65.00 each

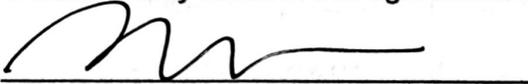
I certify that the information contained in this application is true and correct and that if any of the information provided is incomplete or incorrect the permit may not be issued or may be revoked by the City of Wimberley. I understand that all temporary structures or accessory uses shall be removed from the property at the expiration of the time period as defined in the permit unless another Temporary Structure Permit is obtained prior to expiration. I understand that a Certificate of Occupancy may be required and contractor information will be provided if applicable. Adequate parking, restroom, setback and additional requirements per City Ordinance No. 2012-007 & Ordinance No. 2016 -007 will be verified by City staff.

Applicant: Jan Brooke Burnett Date: 5/5/2020

City Official: _____ Date: _____ Approved Denied

Fixed Establishment Restroom Facility Agreement

I, Melynda Einhaus (Business Owner/Responsible Party Name), owner/responsible party for Shop the Tree House & Tree House Design Barn (Business Name) located at 13615 RR 12 & 13601 RR 12, Wimberley, TX 78676, (Business Address) give permission to Brooke Burnett (Mobile Owner/Responsible Party Name) of Cactus Coffee Shop (Mobile Vending Unit Name) to use my restroom facilities for their employees during the mobile unit's hours of operation. I understand that observations of inaccessibility to my restroom facilities during the mobile vendor's hours of operation, restroom facilities greater than 150 feet from mobile unit, or sewage violations may result in this agreement being revoked by the City of Wimberley.



Business Owner/Responsible Party Signature

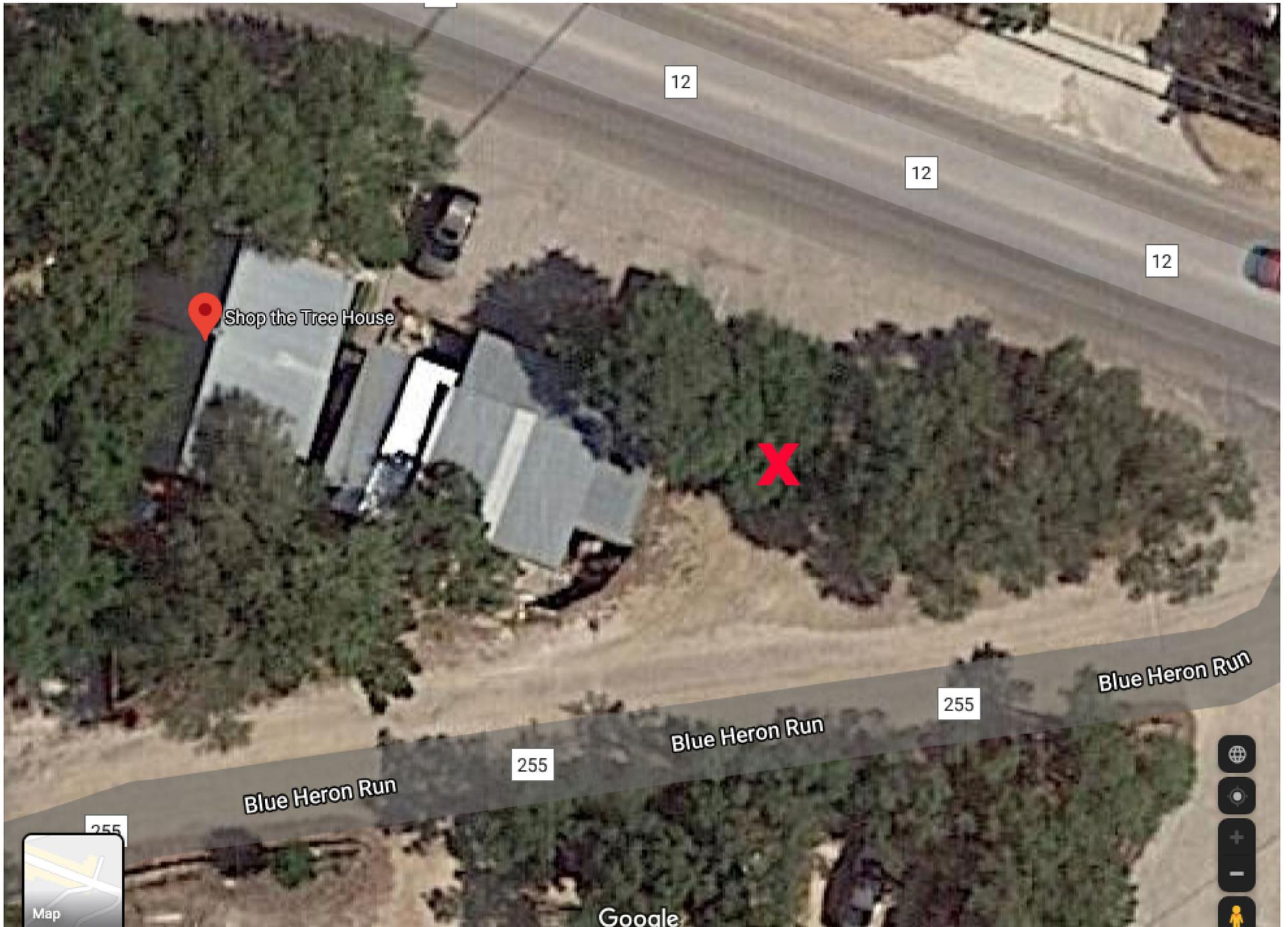
Melynda Einhaus, sole member

Printed Name

Hill Country Chic LLC and
Shop the Tree House LLC

5/4/20
Date





MARIPOSA CLEANING SERVICES, LLC
PROPOSAL FOR CUSTODIAL SERVICES
CITY OF WIMBERLEY RESTROOM FACILITIES, DOWNTOWN AND BLUE HOLE PARK

Description of Services

Mariposa Cleaning Services, LLC is currently providing the following services for a total of \$1215.00 per month plus \$22.50 per week for mopping floors at these locations-

- Trailer 1 - Wimberley Café
- Trailer 2 - Southeast of Square
- Pocket Park
- Blue Hole Park – Entrance
- Blue Hole Park – Trails
- Blue Hole Park – Playscape/Courts

Service currently provided Wednesday, Saturday and Sunday	Each Visit	Once Weekly
Clean/sanitize toilets	✓	
Clean/sanitize sinks and counters	✓	
Clean/sanitize stalls and door handles	✓	
Polish fixtures	✓	
Polish mirrors	✓	
Sweep floors and entrances	✓	
Replace paper products and hand soap	✓	
Mop floors	✓	
Dust air vents, ceiling fans and corners		✓
Sanitize walls		✓

Location	Each Visit	Three times/week	Seven days/week
Trailer 1 – Wimberley Cafe	\$16.25	\$48.75	\$102.00
Trailer 2 – Southeast of Square	\$20.25	\$60.75	\$128.00
Pocket Park	\$8.50	\$25.50	\$53.00
Blue Hole Park - Entrance	\$26.25	\$78.75	\$165.00
Blue Hole Park – Trails	\$21.25	\$63.75	\$134.00
Blue Hole Park – Playscape/Courts	\$11.50	\$34.50	\$72.00

We are pleased to now offer a disinfection service in addition to our standard cleaning. Vital Oxide is an EPA-approved, hospital-grade disinfectant with a dwell/dry time of only 15 minutes, after which surfaces are both thoroughly sanitized and safe to touch. Wimberley ISD has chosen the same product. The chart below is pricing to apply to high-contact surfaces only (i.e. toilets, faucets, sinks, door handles, changing tables)-

Location	Vital Oxide Each Visit
Trailer 1 – Wimberley Cafe	\$8.00
Trailer 2 – Southeast of Square	\$10.00
Pocket Park	\$4.25
Blue Hole Park - Entrance	\$13.00
Blue Hole Park – Trails	\$11.00
Blue Hole Park – Playscape/Courts	\$5.75

Thank you very much for your time and consideration.

Michael and Sara Aragon
Mariposa Cleaning Services, LLC
www.mariposacleaning.net
mariposacleaningtx@gmail.com
(512) 923-1552



ORDINANCE NO. 2020-12

AN ORDINANCE OF THE CITY COUNCIL OF WIMBERLEY, TEXAS FURTHER EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER UNLESS SUPERSEDED BY EXECUTIVE ORDER OF THE GOVERNOR OR FURTHER EXECUTIVE ORDER AS MAY BE ENACTED OR EXTENDED; INCORPORATING THE MANDATES OF EXECUTIVE ORDER GA-14, GA-18, GA-21 OR ANY FURTHER EXECUTIVE ORDER AS MAY BE ENACTED OR EXTENDED; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and,

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and,

WHEREAS, President Trump declared a national emergency on March 13, 2020; and,

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and,

WHEREAS, On March 16, 2020, a Declaration of Local Disaster was issued by Wimberley Mayor Susan Jagers to allow Wimberley to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Wimberley residents utilizing state and federal resources made available with the declaration, which was continued by the City Council on March 19, 2020; and

WHEREAS, on March 31, 2020, Governor Greg Abbott issued Executive Order GA-14 in which he superseded any conflicting order issued by local officials in response to the COVID-19 disaster; and

WHEREAS, On April 17, 2020, Texas Governor Greg Abbott issued Executive Order GA-16 relating to the safe, strategic reopening of select services as the first step to Open Texas in response to the COVID-19 disaster; and

WHEREAS, the Centers on Disease Control and Prevention (“CDC”) recommends an “All of Community” approach focused on slowing the transmission of COVID-19; and

WHEREAS, On April 27, 2020, Texas Governor Greg Abbott issued Executive Order GA-18, recognizing that the virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms and that even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk, and the virus that causes COVID-19 is still circulating in our communities and in which he superseded any conflicting order issued by local officials in response to the COVID-19 disaster; and

WHEREAS, On April 30, 2020 the City Council of the City of Wimberley issued a Public Health Advisory Related to the COVID-19 pandemic; and

WHEREAS, DSHS, the Texas Division of Emergency Management, and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect Texans; and

WHEREAS, the responsibility of local, state and national government is dependent on how we respond when the difference in fatality rates demands extreme measures be taken to combat the coronavirus as compared to the seasonal flu; and

WHEREAS, as of May 11, 2020, the level of community spread of COVID-19 in Hays County and within Wimberley is evidenced by more than 209 cumulative cases across the county including two deaths; and

WHEREAS, as of May 11, 2020, the Texas Department of State Health Services reports 38,869 cases in Texas, with 1,080 deaths; and

WHEREAS, as of May 11, 2020, the CDC showed over 1,300,696 cases of COVID-19 have been reported in the United States, including 78,771 deaths.

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

SECTION 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 2. That the local state of disaster and public health emergency declared by the Mayor of the City of Wimberley, Texas on March 16, 2020 is hereby extended through **June 18, 2020** to the extent that such rules and regulations were not superseded by Executive Order GA-

14, GA-18, GA-21 or any further Executive Order as may be enacted or extended, and further incorporates the mandates of Executive Orders GA-14, GA-18, GA-21 or any further Executive Order as may be enacted or extended.

SECTION 3. That such rules and regulations in Executive Order GA-14, GA-18, GA-21 or any further Executive Order as may be enacted or extended and further that are adopted as guidance and which are not in conflict with CDC guidance are hereby adopted as the guidance of this City Council to the citizens of the City of Wimberley.

SECTION 4. That the Public Health Advisory issued by the City Council of the City of Wimberley on April 30, 2020 is hereby reaffirmed in its entirety.

SECTION 5. This extension of declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part of provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

SECTION 8. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

SECTION 9. This Ordinance shall take effect immediately from and after its passage and the publication as provided by law and shall be in effect through **June 18, 2020**.

SECTION 10. 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.

PASSED, APPROVED and ADOPTED on this 14th day of May 2020.

By: _____

Gina Fulkerson, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

