



**CITY OF  
WIMBERLEY**

**REGULAR CITY  
COUNCIL MEETING  
PACKET**

**Thursday, June 18, 2020**

**6:00 p.m.**



# City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

## **REGULAR CITY COUNCIL MEETING** **THURSDAY, JUNE 18, 2020 – 6:00 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, June 18, 2020 at 6:00 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 857 8472 3151 and using the password 357755.

The public will be permitted to offer public comments and participate in any public hearing 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, participate in any public hearing, or offer written questions or comments must notify City Secretary, Laura Calcote, at [lcalcote@cityofwimberley.com](mailto: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.

- 
1. **CALL TO ORDER**                      June 18, 2020 at 6:00 p.m.
  2. **CALL OF ROLL**                      City Secretary, Laura Calcote
  3. **INVOCATION**                      Wimberley United Methodist Church Reverend, Wes Cain
  4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
  5. **PROCLAMATION**

A proclamation of the City of Wimberley, Texas, recognizing Juneteenth. *(Place Three Council Member Christine Byrne)*

**6. CITIZENS COMMUNICATIONS**

*Citizens must sign-in with City Secretary, Laura Calcote, via email at [lcalcote@cityofwimberley.com](mailto:lcalcote@cityofwimberley.com) at least two (2) hours before the meeting to address City Council. Limit your comments to three (3) minutes. City Council will listen to the comments but cannot discuss or respond to the comments during the meeting. 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.*

**7. CONSENT AGENDA**

7.1. Approval of minutes from the Regular City Council Meeting held June 4, 2020.

7.2. Approval of minutes from the Special City Council Meeting held June 9, 2020.

7.3. Approval of consensus appointee, Russell Whisler, to the Downtown District Committee.

**8. CITY ADMINISTRATOR REPORT**

Updates regarding City facilities, projects, communication and the COVID-19 virus (*City Administrator Shawn Cox*)

**9. DISCUSSION AND POSSIBLE ACTION**

9.1. Discuss and consider possible action regarding an extension request to operate a food service trailer at 411 FM 2325 in Wimberley, Texas. (*Applicant Brandon Kibby/Paradise Amusements*)

9.2. Discuss and consider possible action to approve Ordinance No. 2020-14, amending Chapter 2 (Administration and Personnel), Article 2.04 (Boards, Commissions and Committees), Section 2.04.003 (Parks and Recreation Board), Subsections (C)(2), (D), (E), (F), (G) and (H) of the Code of Ordinances of the City of Wimberley, Texas in order to revise the composition, appointment, vacancies, terms, removal, officers and meetings of individuals appointed to the above referenced Board; providing for findings of fact; an effective date; proper notice and meeting; and severability. (*Place Three Council Member Christine Byrne*)

9.3. Discuss and consider possible action to approve Ordinance No. 2020-15, amending Chapter 2 (Administration and Personnel), Article 2.04 (Boards, Commissions and Committees), Section 2.04.001 (Transportation Advisory Board), Subsections (C), (D), (E), (F), (G) and (H) of the Code of Ordinances of the City of Wimberley, Texas in order to revise the composition, appointment, vacancies, terms, removal, officers and meetings of individuals appointed to the above referenced Board; providing for findings of fact; an effective date; proper notice and meeting; and severability. (*Place Three Council Member Christine Byrne*)

9.4. Discuss and consider possible action regarding a request for proposal (RFP) for wayfinding signage. (*Place One Council Member Rebecca Minnick*)

- 9.5. Discuss and consider possible action regarding weekend traffic control by law enforcement on the Wimberley Square. *(Place One Council Member Rebecca Minnick)*
- 9.6. Discuss and consider possible action to retain the services of a project manager for the Central Wimberley Wastewater Project and funding for same. *(Mayor Gina Fulkerson)*
- 9.7. Discuss and consider possible action regarding the increase in Coronavirus cases in Texas, and particularly in Hays County and Wimberley, health risks and adverse economic impacts and increased response options, including but not limited to use of additional City resources, and additional coordination with community resources and other local government entities. *(Mayor Gina Fulkerson)*
- 9.8. Discuss and consider possible action to establish a COVID-19 Economic Relief Committee for the City of Wimberley. *(Mayor Gina Fulkerson)*
- 9.9. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(City Administrator Shawn Cox)*

**10. CITY COUNCIL REPORTS**

- 10.1. Announcements
- 10.2. 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.

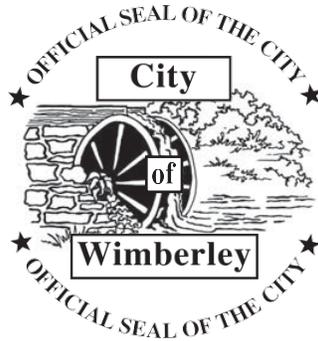
**CERTIFICATION**

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](http://www.cityofwimberley.com), in compliance with Chapter 551, Texas Government Code, on Monday, June 15, 2020, by 6:00 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.



# City of Wimberley



## Proclamation

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

**WHEREAS**, the institution of Black slavery in America began in the 16<sup>th</sup> Century with the unjust and forced delivery of kidnapped African people on our shores, and continued officially until President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863; and

**WHEREAS**, although this historic proclamation was issued in 1863, the approximately 250,000 Texas slaves waited two and a half years to receive word of their liberation, when on June 19, 1865, Union soldiers landed at Galveston and Major General Gordon Granger announced to all Texas slaves that they were free; and

**WHEREAS**, therefore the 19th Day of June – or Juneteenth – became a day of jubilation and liberation for former Texas slaves, and today Juneteenth is celebrated across the nation, and recognized as the oldest celebration of the ending of slavery in our nation; and

**WHEREAS**, The Honorable Al Edwards, a member of the Texas House of Representatives (Houston), authored and introduced H.B. 1016 in 1978 and on June 13, 1979 Governor William P. Clements signed a bill into law that made the Juneteenth Emancipation Day a legal state holiday in Texas; And this bill, spearheaded by Representative Edwards, made Texas the first state to recognize Juneteenth as an official State holiday; And as such, we honor the late Representative Al Edwards, as the “Father of Juneteenth” or “Mr. Juneteenth” as he is affectionately known, and mourn the loss of his passing on April 29, 2020; and

**WHEREAS**, the Juneteenth Flag is a symbol giving all Americans the opportunity to celebrate American freedom and equality for everyone, and recognize African-American history; and the flag colors red, white and blue echo the American flag to symbolize that American Slaves and their descendants are Americans, and the star in the middle pays homage to Texas bursting with new freedom throughout the land and over a new horizon; and

**WHEREAS**, respect and appreciation for all of our differences grow out of exposure and working together; And getting involved with and supporting Juneteenth celebrations creates new bonds of friendship and understanding among us, and brightens the future for all of us,

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor of Wimberley, Gina Fulkerson, and the City Council of Wimberley, do hereby proclaim June 19<sup>th</sup>, 2020 as,

## JUNETEENTH

in Wimberley and invites all citizen to join together in making this a time of rededication to the principles of justice and equality for ALL people; and to participate in the 3<sup>rd</sup> annual Wimberley Juneteenth Celebration, organized by Wimberley High School students, to be held on June 19<sup>th</sup> at 7:00 p.m. at the Blanco Brew parking lot. Attendees shall follow DSHS and CDC guidelines for physical distancing and wearing of facial coverings.

**IN WITNESS WHEREOF**, we hereunto affix the seal of the City of Wimberley this the 18<sup>th</sup> day of June, 2020.

**CITY COUNCIL OF WIMBERLEY, TEXAS**

---

**Gina Fulkerson, Mayor**

---

**Rebecca Minnick, Mayor Pro Tem/Place One**

---

**Teresa Shell, Place Two**

---

**Christine Byrne, Place Three**

---

**Jim Chiles, Place Four**

---

**Bo Bowman, Place Five**



<b>AGENDA ITEM:</b>	<b>Consent Agenda</b>
<b>SUBMITTED BY:</b>	Laura Calcote, City Secretary
<b>DATE SUBMITTED:</b>	June 11, 2020
<b>MEETING DATE:</b>	June 18, 2020

# AGENDA FORM

## ITEM DESCRIPTION/SUMMARY

- 7.1. Approval of minutes from the Regular City Council Meeting held June 4, 2020.
- 7.2. Approval of minutes from the Special City Council Meeting held June 9, 2020.
- 7.3. Approval of consensus appointee, Russell Whisler, to the Downtown District Committee.

## 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

Approval of Items 7.1 through 7.2.

## ATTACHMENT/S

- June 4<sup>th</sup> Regular City Council Meeting Minutes
- June 9<sup>th</sup> Special City Council Meeting Minutes
- Russell Whisler’s Application



# City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

## **REGULAR CITY COUNCIL MEETING** **THURSDAY, JUNE 4, 2020 – 6:00 P.M.**

### **MINUTES**

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, June 4, 2020 at 6:00 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 895 2874 3840 and using the password 415129.

The public will be permitted to offer public comments and participate in any public hearing 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, participate in any public hearing, or offer written questions or comments must notify City Secretary, Laura Calcote, at [lcalcote@cityofwimberley.com](mailto: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.

### **CALL TO ORDER**

Mayor, Gina Fulkerson, called the meeting to order on June 4, 2020 at 6:00 p.m.

### **CALL OF ROLL**

Council Members Present:	Gina Fulkerson	Mayor ( <i>via teleconference</i> )
	Rebecca Minnick	Place One ( <i>via teleconference</i> )
	Teresa Shell	Place Two ( <i>via teleconference</i> )
	Christine Byrne	Place Three ( <i>via teleconference</i> )
	Jim Chiles	Place Four ( <i>via teleconference</i> )
	Bo Bowman	Place Five ( <i>via teleconference</i> )
 City Staff Present:	 Shawn Cox	 City Administrator ( <i>via teleconference</i> )
	Laura Calcote	City Secretary ( <i>via teleconference</i> )
	Sarah Griffin	Deputy City Attorney ( <i>via teleconference</i> )

Terri Provost Wimberley Community Center Director (*via teleconference*)  
Nathan Glaiser Parks Maintenance & Natural Resource Manager (*via teleconference*)

**INVOCATION**

First Baptist Church Wimberley Reverend, Scott Tidwell, gave the invocation.

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

Mayor, Gina Fulkerson, and Mayor Pro Tem, Rebecca Minnick, led the pledges to the United States and Texas flags.

**CITIZENS COMMUNICATIONS**

There were no citizen’s comments.

**PRESENTATION**

Parks Maintenance and Natural Resource Manager, Nathan Glaiser, presented Council with two future Parks and Recreation Department projects, which included a Blue Hole Nature Center and a Wimberley dog park and skate park. Mr. Glaiser thoroughly discussed the designs and associated costs of the two potential projects and the benefits each would bring to the community. There was discussion among Mr. Glaiser and Council pertaining to the projects and the Parks Master Plan, along with the submittal of the projects to Hays County for funding consideration.

**CONSENT AGENDA**

**Motion to approve the Consent Agenda, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).**

- 7.1. Approval of minutes from the Regular City Council Meeting held May 21, 2020.
- 7.2. Approval of minutes from the Special City Council Meeting held May 26, 2020.
- 7.3. Approval of the March 2020 Financial Statements for the City of Wimberley.

**CITY ADMINISTRATOR REPORT**

City Administrator, Shawn Cox, provided an update regarding City facilities beginning to reopen in phases. Visitors would be required to wear face coverings when entering City buildings. Mr. Cox also reported on the Wimberley Task Force group discussions regarding COVID-19, and the increased number of cases within Hays County since businesses and restaurants began to reopen in Texas. There was discussion among Mr. Cox and Council members pertaining to signage encouraging Wimberley residents and visitors to wear face coverings in public.

**DISCUSSION AND POSSIBLE ACTION**

- 9.1. Discuss and consider possible action regarding a quote in the amount of \$7,917.45 to repair or potentially replace the dock in the Blue Hole Regional Park swim area that was damaged during the flood on May 24<sup>th</sup>. (*Parks Maintenance and Natural Resource Manager Nathan Glaiser*)  
Mr. Glaiser requested this item be pulled from the agenda, to be reconsidered at another meeting, due to a lower quote being received.

No action was taken on this item.

- 9.2. Discuss and consider possible action to schedule a City Council Governance and Goal Setting Workshop. *(City Administrator Shawn Cox)*

City Administrator, Shawn Cox, presented Council with two dates for the goal setting workshop to be held at Waters Point. It was agreed that Thursday, June 25<sup>th</sup>, was the best date for all members.

No action was taken on this item.

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

City Administrator, Shawn Cox, discussed TxDOT's completion of the initial review of the plans for connection to the Cypress Creek Bridge. TxDOT's Structures Group and Bridge Division were working with Plummer to complete a load analysis for the proposal. A letter to each property/business owners in the City's wastewater service area had been drafted and would be mailed out next week. Council requested to review the letter before it was circulated. Additionally, there was lengthy discussion between Mr. Cox and Council regarding communication efforts for the remainder of the Project.

No action was taken on this item.

- 9.4. Discuss and consider possible action regarding weekend traffic control by law enforcement on the Wimberley Square. *(Place One Council Member Rebecca Minnick)*

There was discussion pertaining to weekend traffic control administered by the Constable's Office on the Wimberley Square. The service had been provided on an as-needed basis, but additional traffic and pedestrian control assistance was needed on the weekends. The interlocal contract with the Constable's Office would be reviewed for scheduling purposes.

No action was taken on this item.

- 9.5. Discuss and consider possible action regarding existing and potential agreements with Hays County. *(Place One Council Member Rebecca Minnick)*

There was discussion regarding updating the animal control interlocal agreement with Hays County. There was discussion regarding the previously approved 2004 agreement, including Hays County Sheriff's Office calls for service. It was agreed the agreement needed to be revised and updated to meet current needs. This item would be brought back before Council for discussion and consideration on June 18<sup>th</sup>.

No action was taken on this item.

## **CITY COUNCIL REPORTS**

- 10.1. Announcements – There would be a Special City Council Meeting held June 9<sup>th</sup> at 6:00 p.m. regarding utility rates for the Central Wimberley Wastewater Project. Another Special City Council Meeting would be held on June 17<sup>th</sup> to evaluate City Administrator, Shawn Cox.

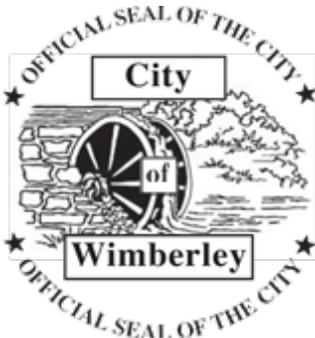
- 10.2. Future agenda items – Council Member, Rebecca Minnick, wanted a discussion item on the upcoming June 18<sup>th</sup> agenda regarding board, commission and committee ordinances.

**ADJOURNMENT**

Motion to adjourn the meeting at 7:56 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

**RECORDED BY:**

\_\_\_\_\_  
Laura J. Calcote, City Secretary



**APPROVED BY:**

\_\_\_\_\_  
Gina V. Fulkerson, Mayor

DRAFT



# City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

## **SPECIAL CITY COUNCIL MEETING** **TUESDAY, JUNE 9, 2020 – 6:00 P.M.**

### **MINUTES**

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 **Tuesday, June 9, 2020, at 6:00 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 820 4541 1702 and using the password 883995.

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](mailto: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.

### **CALL TO ORDER**

Mayor, Gina Fulkerson, called the meeting to order on June 9, 2020 at 6:00 p.m.

### **CALL OF ROLL**

Council Members Present:	Gina Fulkerson	Mayor ( <i>via teleconference</i> )
	Rebecca Minnick	Place One ( <i>via teleconference</i> )
	Teresa Shell	Place Two ( <i>via teleconference</i> )
	Christine Byrne	Place Three ( <i>via teleconference</i> )
	Jim Chiles	Place Four ( <i>via teleconference</i> )
	Bo Bowman	Place Five ( <i>via teleconference</i> )
City Staff Present:	Shawn Cox	City Administrator ( <i>via teleconference</i> )
	Laura Calcote	City Secretary ( <i>via teleconference</i> )
	Sarah Griffin	Deputy City Attorney ( <i>via teleconference</i> )

**DISCUSSION AND POSSIBLE ACTION**

3.1. Discuss and consider possible action regarding a quote in the amount of \$2,387.00 to reinstall the dock at the Blue Hole Regional Park swim area that was damaged during the flood on May 24<sup>th</sup>. (Parks Maintenance and Natural Resource Manager Nathan Glaiser)

**Motion to approve a quote from Percheron Construction, LLC in the amount of \$2,387.00 to reinstall the dock at Blue Hole Regional Park swim area was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).**

3.2. Discuss and consider possible action to retain the services of a project manager for the Central Wimberley Wastewater Project. (Mayor Gina Fulkerson)

There was discussion among Council and City staff regarding options to hire a project manager to assist with the completion of the Central Wimberley Wastewater Project. Currently the City Engineer, Chad Gilpin, was managing inspection services and schedule coordination for the Project. There was further discussion regarding the cost, process and timeframe for hiring a project manager.

**Motion to authorize the Mayor and City Administrator to begin the search for a project manager for the Central Wimberley Wastewater Project was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).**

**WORKSHOP**

City Administrator, Shawn Cox, provided a general overview of the Central Wimberley Wastewater Project's status, including TxDOT's review of plans for north of the Cypress Creek, the addition of sheathing to the force main line and a shutoff valve for the system.

Mr. Cox presented information pertaining to proposed sewer rates versus the adopted rates for the Central Wimberley Wastewater Project, including two options available for the proposed rates for residential and commercial users. Additionally, Mr. Cox reviewed estimated annual expenditures and revenues for the system. There was discussion among City staff and Council regarding the number of commercial and residential users, communication strategies and citizenry input on rate development. Council considered reinstating the wastewater committee to assist in this task. The rates would be discussed further at a later date.

No action was taken.

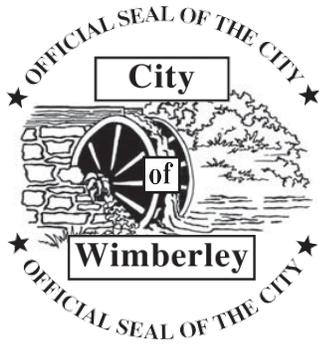
**ADJOURNMENT**

**Motion to adjourn the meeting at 7:40 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).**

**RECORDED BY:**

---

Laura J. Calcote, City Secretary



**APPROVED BY:**

\_\_\_\_\_  
Gina V. Fulkerson, Mayor

DRAFT



# CITY OF WIMBERLEY

## Application for Appointment to City Board/Commission/Committee

Name of Board/Commission/Committee: Downtown Improvement Task Force

Nominated By: Rebecca Minnick, Place 1

Name: Russell Whisler Phone: 6514722592 E-mail: russell\_whisler@yahoo.cc

Physical Address: 1604 Little Ranches Rd; Wimberley TX 78676

Mailing Address  
(If different than physical address): \_\_\_\_\_

Employer: Mustad Fishing Position/Occupation: Management

Business Number: 7868639919 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 serve on this Board/Commission/Committee and to attend all regularly scheduled meetings?  Yes  No

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

Please 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 Board/Commission/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

My wife and I moved back to Wimberley to reside and raise our family here. Community and our small town are very important to us and giving back and seeing it prosper is one of our top values as a family and myself as an individual.

I have a background in global business, engineering, and operations working for multinational companies to startups. I have also started and currently run a beef and cattle business, a full working ranch, and several real estate investments both commercial and residential rental.

Signature:

Date: 06092020



<b>AGENDA ITEM:</b>	<b>City Administrator’s Report</b>
<b>SUBMITTED BY:</b>	Shawn Cox, City Administrator
<b>DATE SUBMITTED:</b>	June 16, 2020
<b>MEETING DATE:</b>	June 18, 2020

# AGENDA FORM

## ITEM DESCRIPTION/SUMMARY

The City Administrator will provide an update regarding City facilities, projects, communication, and the COVID-19 virus, including it’s anticipated impact on City revenues and expenditures.

## 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



# City of Wimberley

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

## Temporary Structure Planning & Development

Date: \_\_\_\_\_  
Staff Review: \_\_\_\_\_  
Permit No.: \_\_\_\_\_  
Council Hearing: \_\_\_\_\_

Applicant: Paradise Amusements - Brandon Kibby

Mailing Address: P.O.B. 3124 City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

(If different from above)

Property Owner: The Faigles LLC

Mailing Address: \_\_\_\_\_ City: Wimberley State: TX Zip: 78676

Phone: \_\_\_\_\_ Email: [REDACTED]

Subject Property Address: 411 FM 2325

Purpose/Use of Structure: concession stand

Requested Installation Date: 7/1/2020 Requested Removal Date: \_\_\_\_\_

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: Brandon Kibby Date: 6-11-2020

City Official: \_\_\_\_\_ Date: \_\_\_\_\_  Approved  Denied



<b>AGENDA ITEM:</b>	<b>Parks &amp; Rec Board and TAB Ordinances</b>
<b>SUBMITTED BY:</b>	Christine Byrne (Place Three) and Laura Calcote (City Secretary)
<b>DATE SUBMITTED:</b>	June 11, 2020
<b>MEETING DATE:</b>	June 18, 2020

## AGENDA FORM

### ITEM DESCRIPTION/SUMMARY

The Parks and Recreation Board and Transportation Advisory Board (TAB) were created in 2001 and 2002 respectively (ordinances attached). Over time, the composition and structure of both Boards has been amended by ordinance. In 2018, several components of the Boards were changed, including the number of members, member terms, removal of members, officers and meetings. Ordinances 2020-14 and 2020-15 modify these aspects of the two Boards, by returning to some of the original Board components from 2001 and 2002. The ordinances are redlined to see the changes.

### REQUESTED ACTION

- Motion
- Discussion
- Ordinance

### FINANCIAL

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

### STAFF RECOMMENDATION

### ATTACHMENT/S

- Ordinance No. 2001-024 (Establishing Parks & Rec Board)
- Ordinance No. 2020-14 (Amending Parks & Rec Board)
- Ordinance No. 2002-008 (Establishing Transportation Advisory Board)
- Ordinance No. 2020-15 (Amending TAB)

**ORDINANCE NO. 2001-024**

**AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS  
ESTABLISHING A PARKS AND RECREATION BOARD AND PROVID-  
ING FOR THE DUTIES, APPOINTMENT, AND REMOVAL OF BOARD  
MEMBERS**

**WHEREAS** the City Council of the Village of Wimberley seeks to provide and maintain facilities for the recreation and enjoyment, both passive and active, of its citizens; and

**WHEREAS** the City Council finds it to be in the best interest of the public safety, health and welfare to promote active recreational activities including, but not limited to, team, individual and family activities and events; and

**WHEREAS** the City Council finds it to be in the best interest of the public safety, health and welfare to preserve, wherever possible and feasible, intact unspoiled tracts of land and open space within the jurisdiction of the Village of Wimberley for the passive appreciation and enjoyment of the citizens

**NOW THEREFORE**, be it ordained 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 parks and recreational facilities for the community. This ordinance is adopted so that the Parks and Recreation Board (hereafter, the "Board") may advise the City Council so to promote the public health, safety morals and general welfare, and protect the public interest and preserve the safety of residents.

**III. Duties of the Board**

The Board shall develop a Master Parks Plan for consideration by the City Council. The Board shall also recommend amendments to the Plan as needed. It shall make recommendations to the City Council concerning procurement opportunities, procurement, and development of parks and other recreational facilities in the Village, as well as facilities planning, construction, and park development and maintenance.

**IV. Composition of Board**

The Board shall be an independent advisory board to the City Council, and shall be comprised exclusively of citizen volunteer members appointed by the Council.

The Board shall be comprised of nine (9) registered voters, with no more than four (4) members being residents of outside the city limits, and no more than two (2) of those being residents of outside the city limits and the extraterritorial jurisdiction.

**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.

**VI. Terms of Board Members**

At the first regular meeting, all Board Members shall either agree among themselves, or draw lots to determine which four (4) members shall serve an initial term of one (1) year. Thereafter, all members' terms shall be two (2) years.

**VII. Removal of Board Members**

The City Council 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, or one-third (1/3) of all regular meetings within a twelve (12) month time period, 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. Any Board Member who no longer resides within the boundaries as provided above in Article IV, is deemed to have automatically vacated his/her position on the Board.

**VIII. 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 terms of one (1) year. The Board Chairperson shall preside over at 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, any Board Member may be appointed by the Board to preside over the meeting.

**IX. Board Meetings**

The Board shall conduct regular meetings now less frequently than once a month at a time and place determined by resolution adopted by the Board. The initial meeting of the Board shall be called by the City Council. Special meetings may be called by the Board chair or upon application of three Board Members. 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 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.

**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 551 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 governing law.

**PASSED AND APPROVED** this 27th day of September, 2001, by a 5 to 0 vote of the City Council of the Village of Wimberley, Texas.

**VILLAGE OF THE WIMBERELY**

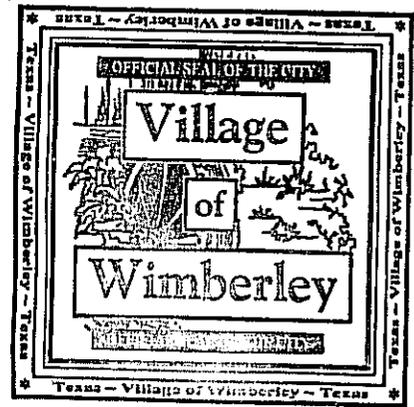
By *Linda Hewlett*  
LINDA HEWLETT, Mayor

**ATTEST:**

*Adelle Turpen*  
Adelle Turpen, City Secretary

**APPROVED AS TO FORM:**

ALAN J. BOJORQUEZ, City Attorney



**ORDINANCE NO. 2020-14**

**AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION AND PERSONNEL), ARTICLE 2.04 (BOARDS, COMMISSIONS AND COMMITTEES), SECTION 2.04.003 (PARKS AND RECREATION BOARD), SUBSECTIONS (C)(2), (D), (E), (F), (G) AND (H) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS, REMOVAL, OFFICERS AND MEETINGS OF INDIVIDUALS APPOINTED TO THE ABOVE REFERENCED BOARD; PROVIDING FOR FINDINGS OF FACT; AN EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND SEVERABILITY.**

~~**AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), SUBSECTIONS 33.04 (C)(2), (D), (E), (F), (G) AND (H) (PARKS AND RECREATION BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS, REMOVAL, OFFICERS AND MEETINGS 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, officers and meetings 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 2 (Administration and Personnel), Article 2.04 (Boards, Commissions and Committees), Section 2.04.003 (Parks and Recreation Board), Subsections (C)(2), (D), (E), (F), (G) and (H) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to read as follows:

~~Chapter 33 (Boards and Commissions), Subsections 33.04(C)(2), (D), (E), (F), (G) and (H) (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 ~~six-seven~~ (67) Hays County registered voters. Four (4) members must reside within the City's corporate limits and no more than ~~two-three~~ (23) members may reside 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 members before the second regular City Council meeting in June, following their election to office. ~~One (1) additional member shall be appointed by consensus of the City Council. Nominations for the consensus member shall be presented by any member of the City Council or the Mayor before the second meeting in June following the election of the Mayor, Place Two and Place Four.~~ At the same meeting in June, City Council shall consider those nominations for appointment. If a vacancy occurs on the Board, the City Council Member who originally appointed that Board member, or his/her successor filling that same term, 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 the consensus position of the Board, the City Council shall by majority vote appoint a person to fill the unexpired term.

~~Once appointed by a majority vote of City Council, the appointed Board member shall serve until their successor is appointed. Each Board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer.~~

(E) *Terms of Board members.* Non-consensus Board member terms shall be concurrent with the City Council Member and/or Mayor appointing the member. The consensus Board member term shall run concurrent with the Mayor, Place Two and Place Four two (2) years, in conjunction with the term of the appointing City Council Member or Mayor.

~~The term of each Board member shall be one (1) year, from July 1<sup>st</sup> to June 30<sup>th</sup>. Members can serve for a limit of four (4) consecutive terms. A Board member shall serve until their successor is appointed, however, this shall not extend the term of the member in any way, but shall instead be considered a holdover appointment.~~

(F) *Removal of Board members.*

~~Board members serve at the pleasure of City Council. The City Council may by majority vote remove a Board member at any time. The City Council may remove a Board member, by a majority vote, for lack of confidence, incompetence, corruption, misconduct or malfeasance. Any Board member who misses three (3) consecutive meetings, or one-third (1/3) of all regular~~

meetings within a 12-month time period, shall be deemed to have automatically vacated his or 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. ~~Any~~ Board member who no longer resides within the boundaries as provided above in Section (C)(2), is deemed to have automatically vacated his or her position on the Board.

(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 (1) year term. 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.

(H) *Board meetings.* The Board shall conduct regular monthly meetings at City Hall at a day and time determined by a majority vote of Board members. Special meetings may be called by the Board chairperson or upon application of three (3) Board members. A quorum shall be comprised of four (4) Board members. The Board may determine the rules of its proceedings.

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 18<sup>th</sup> day of June, 2020.

---

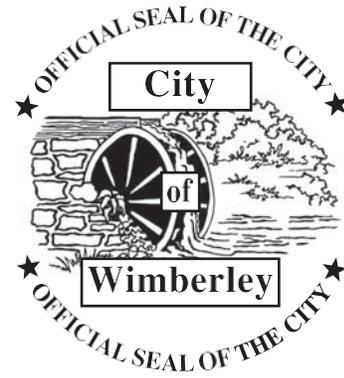
Gina V. Fulkerson, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



## ORDINANCE NO. 2002-008

### AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS ESTABLISHING A TRANSPORTATION 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 an orderly development and maintenance of a road system 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 proper development of new roads, bridges, storm drainage, traffic flow and right-of-way maintenance so as to preserve the quality of life and safety of Village residents; and

**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 and maintenance of a roadway system within the Village. This ordinance is adopted so that the Transportation 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, appearance and functionality of the road and bridge system.

#### III. Duties of the Board

The Board shall hold public meetings, conduct work sessions and make recommendations to the City Council regarding road and bridge development, road and bridge maintenance, traffic flow patterns, parking, bicycle and pedestrian walkways/trails. The Board shall also make recommendations to the City Council regarding revisions of subdivision rules or any other ordinance or rule that may affect the road system. The Board will also assist the City Council with assigning priorities for road and ROW projects to ensure that appropriate funds are budgeted. The Board will work with the City Administrator to ensure that appropriate cooperation is maintained between the Village and the County and the State (TXDOT) so that all parts of the road system is planned and developed.

#### **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 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.

#### **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 public meetings at least once a month at a time and place determined by resolution adopted by the Board. Special meetings may be called by the Board chair or upon application of three Board Members. A majority of the Board shall constitute a quorum. Agendas should be posted and minutes of the meetings transcribed. 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 19th day of September 2002, by a 3 to 0 vote of the City Council of the Village of Wimberley, Texas.

**VILLAGE OF WIMBERLEY**

By: Tony McGee  
Tony McGee, Mayor

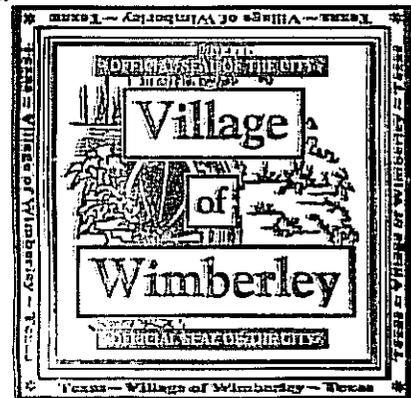
**ATTEST:**

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. 2020-15**

**AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION AND PERSONNEL), ARTICLE 2.04 (BOARDS, COMMISSIONS AND COMMITTEES), SECTION 2.04.001 (TRANSPORTATION ADVISORY BOARD), SUBSECTIONS (C), (D), (E), (F), (G) AND (H) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS, REMOVAL, OFFICERS AND MEETINGS OF INDIVIDUALS APPOINTED TO THE ABOVE REFERENCED BOARD; PROVIDING FOR FINDINGS OF FACT; AN EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND SEVERABILITY.**

~~**AN ORDINANCE AMENDING CHAPTER 33 (BOARDS AND COMMISSIONS), SUBSECTIONS 33.02 (C), (D), (E), (F), (G) AND (H) (TRANSPORTATION ADVISORY BOARD) OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS IN ORDER TO REVISE THE COMPOSITION, APPOINTMENT, VACANCIES, TERMS, REMOVAL, OFFICERS AND MEETINGS 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, officers and meetings 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 2 (Administration and Personnel), Article 2.04 (Boards, Commissions and Committees), Section 2.04.001 (Transportation Advisory Board), Subsections (C), (D), (E), (F), (G) and (H) of the Code of Ordinances of the City of Wimberley, Texas is hereby amended to read as follows:

~~Chapter 33 (Boards and Commissions), Subsections 33.02 (C), (D), (E), (F), (G) and (H) (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.* The Board shall be comprised of ~~six~~seven (67) Hays County registered voters. Four (4) members must reside within the City's corporate limits and no more than ~~three~~two (23) members may reside 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 members before the second regular City Council meeting in June, following their election to office. One (1) additional member shall be appointed by consensus of the City Council. Nominations for the consensus member shall be presented by any member of the City Council or the Mayor before the second meeting in June following the election of the Mayor, Place Two and Place Four. At the same meeting in June, City Council shall consider those nominations for appointment. If a vacancy occurs on the Board, the City Council Member who originally appointed that Board member, or his/her successor filling that same term, 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 the consensus position of the Board, the City Council shall by majority vote appoint a person to fill the unexpired term.

~~Once appointed by a majority vote of City Council, the appointed Board member shall serve until their successor is appointed. Each Board member shall be eligible for reappointment. Reappointments can be made to each position by the original appointer.~~

(E) *Terms of Board members.* Non-consensus Board member terms shall be two (2) years, in conjunction with the term of the appointing City Council Member or Mayor concurrent with the City Council Member and/or Mayor appointing the member. The consensus Board member term shall run concurrent with the Mayor, Place Two and Place Four. A Board member shall serve until their successor is appointed, however, this shall not extend the term of the member in any way, but shall instead be considered a holdover appointment.

~~The term of each Board member shall be one (1) year, from July 1<sup>st</sup> to June 30<sup>th</sup>. Members can serve for a limit of four (4) consecutive terms.~~

(F) *Removal of Board members.* ~~Board members serve at the pleasure of City Council. The City Council may by majority vote remove a Board member at any time. The City Council may remove a Board member, by a majority vote, for lack of confidence, incompetence, corruption, misconduct or malfeasance.~~ Any Board member who misses three (3) consecutive meetings, or one-third (1/3) of all regular meetings within a 12-month time period shall be deemed to have automatically vacated his or 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. ~~Any~~ Board member who no longer resides within the boundaries as provided above in Section (C), is deemed to have automatically vacated his or her position on the Board.

(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 (1) year term. 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.

(H) *Board meetings.* The Board shall conduct regular monthly meetings at City Hall at a day and time determined by a majority vote of Board members. Special meetings may be called by the Board chairperson or upon application of three (3) Board members. A quorum shall be comprised of four (4) Board members. The Board may determine the rules of its proceedings.

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 18<sup>th</sup> day of June, 2020.

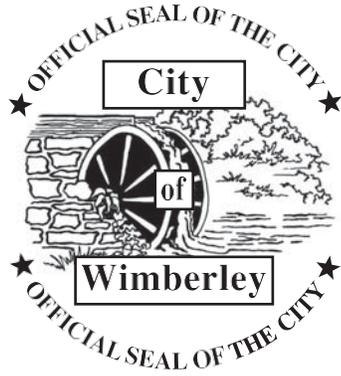
\_\_\_\_\_  
Gina V. Fulkerson, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney





<b>AGENDA ITEM:</b>	<b>Wayfaring Signage RFP</b>
<b>SUBMITTED BY:</b>	Rebecca Minnick, Place 1
<b>DATE SUBMITTED:</b>	June 11, 2020
<b>MEETING DATE:</b>	June 18, 2020

## AGENDA FORM

### ITEM DESCRIPTION/SUMMARY

Wimberley’s Downtown Committee has prioritized wayfaring signage that will:

- Provide a cohesive graphic identity for Wimberley
- Direct visitors to public parking, parks, shopping and other points of interest
- Assist with downtown traffic congestion

Steps to implement this signage include determining sign locations and securing approval from TXDOT where needed, developing sign copy, and requesting bids for design, production and installation. Designs and locations need to be reviewed by representatives of the Downtown Committee and Transportation Advisory Boards. Council will review bids.

These tasks can be completed concurrently and need to commence as soon as possible and the project needs to be fast-tracked.

This project qualifies for Hotel Occupancy Tax funds.

### 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

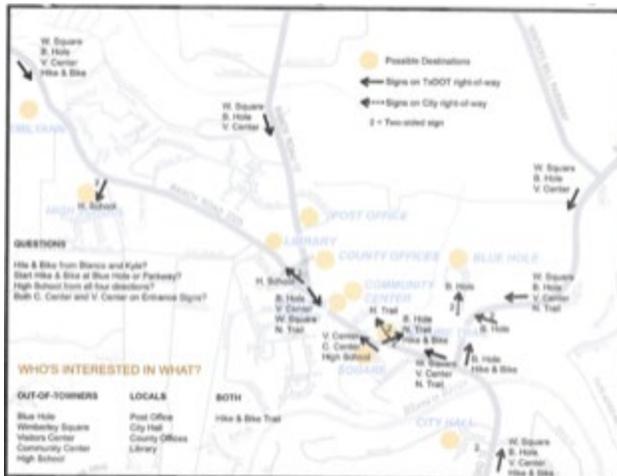
- Sign specs/design
- Sign locations
- Estimate

**From:** [Place1](#)  
**To:** [Laura Calcote](#)  
**Cc:** [Shawn Cox](#); [Place2](#)  
**Subject:** Wayfaring Signage agenda item backup  
**Date:** Tuesday, June 16, 2020 11:03:47 AM  
**Attachments:** [Agenda Form 6\\_18.docx](#)  
[Screen Shot 2019-09-11 at 4.04.43 PM.png](#)  
[Wimberley Directional Signs.PDF](#)  
[Estimate.pdf](#)  
[Screen Shot 2020-06-16 at 10.57.16 AM.png](#)

---

Please see attached information for this agenda item:

- Sign locations determined in 2018/2019 by Bert Ray/Transportation Advisory Board.
- Sign specs provided by Signcrafters in November 2019
- Price estimate from November 2019, based on initial specs
- Texas Controller's Article on Hotel Occupancy Tax use



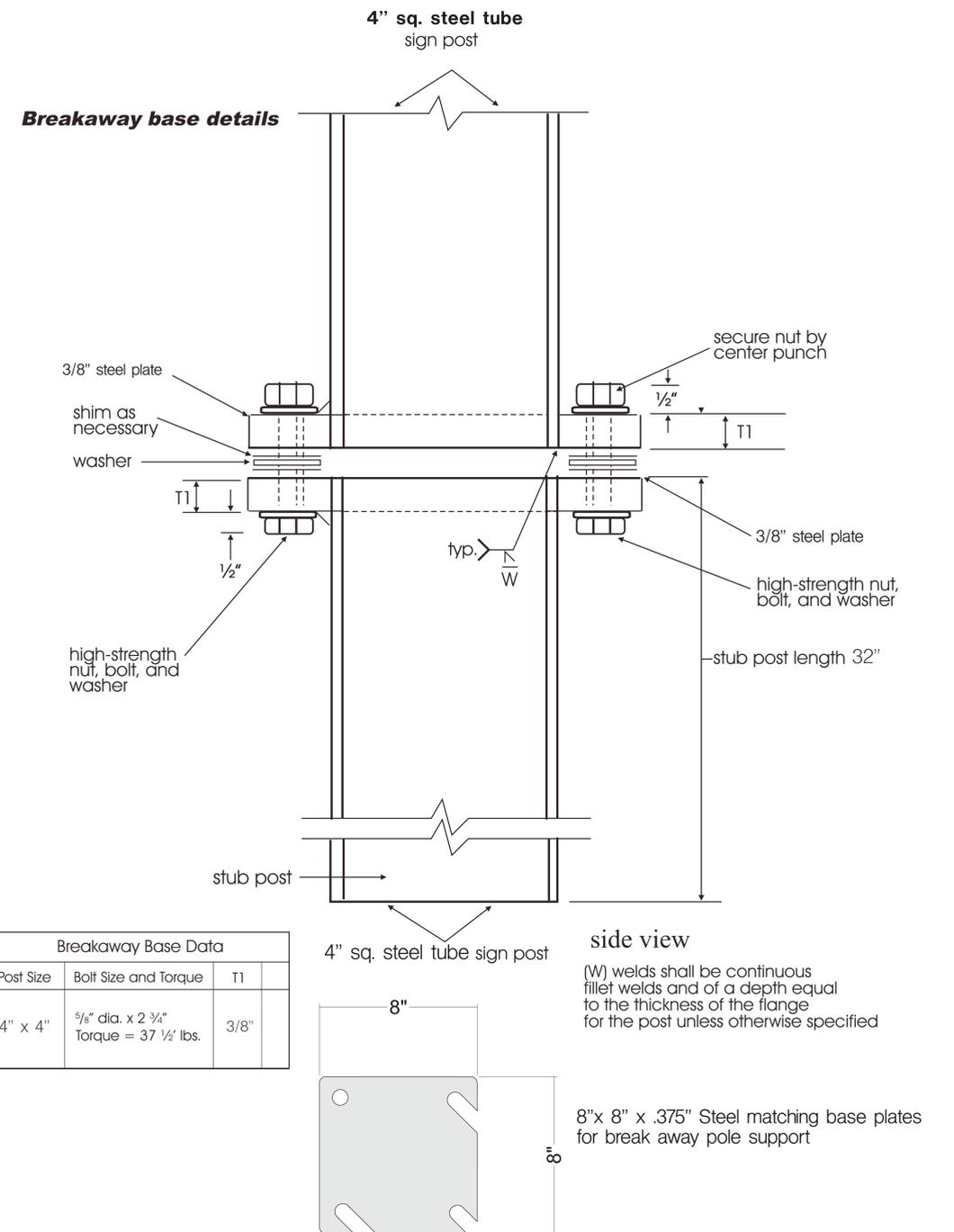
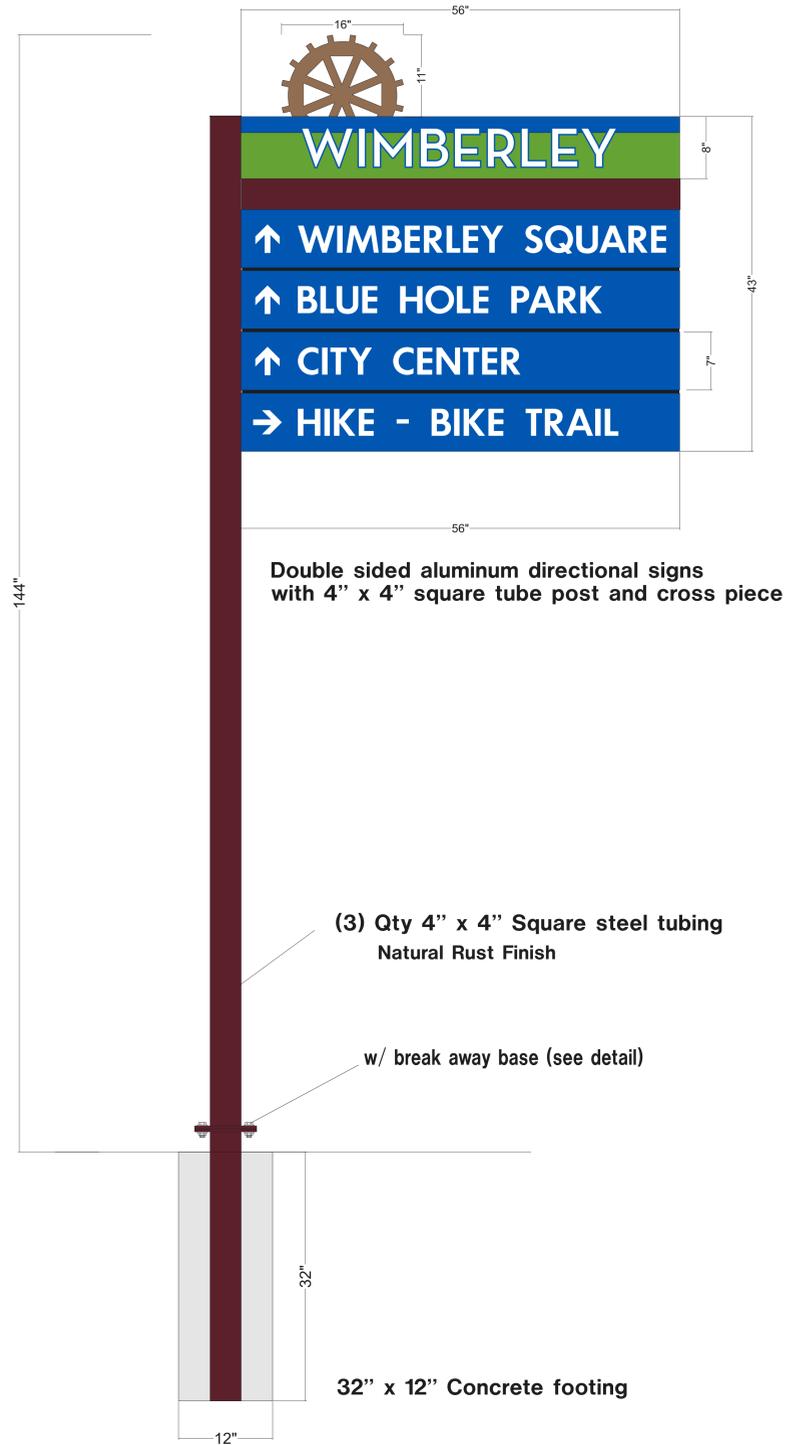
Please see highlighted excerpt from Texas Controller's Office showing that this project complies with usage requirements for Hotel Occupancy Tax funds.

### Local HOT Uses

Under Texas law, local HOT revenue can be used only to directly promote tourism and the convention/hotel industry. This means the proceeds should be spent on projects or events that result in visitors or attendees staying overnight in the community, generating more hotel occupancy tax. The Texas Municipal League describes this as the first part of a two-part test it calls the ["two-step."](#)

Provided the first test of directly promoting tourism and hotel activity is met, the expenditure then must fit into one of the categories authorized by statute. According to the Comptroller's Data Analysis & Transparency Division, these categories include:

- the construction, maintenance and operation of a convention or visitor center;
- facilities and personnel for the registration of convention delegates;
- advertising and promotional programs to attract tourists;
- encouragement and promotion of the arts;
- historical restoration and preservation projects;
- advertising to encourage tourists to visit historic sites and museums;
- **signage directing the public to sights and attractions frequently visited by tourists;**
- certain transportation systems serving tourists and hotel guests;



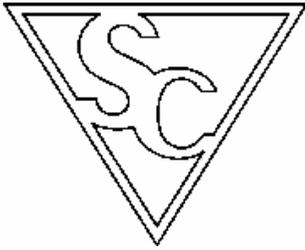
# Wayfinding Signage

15-16 Total

## Legend

 Wayfinding Sign



**Sign Crafters, Inc. TSCL #18033**

2401 IH 35 South  
 San Marcos, TX 78666  
 Ph: (512) 392-0900  
 FAX: (512) 392-3363  
 Email: info@signcrafters.net

**Estimate #: 46980**

<b>Created Date:</b> 11/20/2019 5:21:51PM	<b>Prepared For:</b> City of Wimberley
<b>Salesperson:</b> Scott Vaughan	<b>Contact:</b> Matt Buchanan
<b>Email:</b> scott@signcrafters.net	<b>Office Phone:</b> (512) 787-6109
<b>Business 2:</b> (512) 392-0900	<b>Office Fax:</b> (512) 512-
<b>Business Fax 2:</b> (512) 392-3363	<b>Email:</b> info@leaningpear.com
<b>Entered by:</b> Scott Vaughan	<b>Address:</b> 221 Still Water Wimberley, TX 78676

**Description: Wimberley Directional signs**

		Quantity	Price	Unit Price	Subtotal
--	--	----------	-------	------------	----------

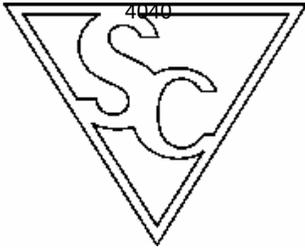
<b>1</b>	<b>Product:</b> Custom metal sign	4	\$5,200.00	\$1,300.00	\$5,200.00
	<b>Description:</b> (4) 53.5" x 56" Double faced .125" thick aluminum directional sign panels with reflective white lettering These signs have removable location panels that are 7.5" x 56".				
<b>Quantity:</b> 4					
<b>Side(s):</b> Double Sided					
<b>Product Code:</b> Custom metal sign.					
<b>Height:</b> 0 in <b>Width:</b> 0 in					
<b>Foreground Color:</b> white diamond grade reflective					
<b>Text:</b> Wimberley					
w/ various directional locations					

		Quantity	Price	Unit Price	Subtotal
--	--	----------	-------	------------	----------

<b>2</b>	<b>Product:</b> Steel tubing 4" x 4"	4	\$2,600.00	\$650.00	\$2,600.00
	<b>Description:</b> (4) Directional sign pole assemblies consisting of 4" x 4" steel tubing with powder coated rust finish. Posts to be set in concrete footings with break-away bases.				
<b>Quantity:</b> 4					
<b>Side(s):</b> Single Sided					
<b>Product Code:</b> Steel tubing					
<b>Height:</b> 4 in <b>Width:</b> 165 in					
<b>Foreground Color:</b> rust powder coat					

		Quantity	Price	Unit Price	Subtotal
--	--	----------	-------	------------	----------

<b>3</b>	<b>Product:</b> Installation	4	\$1,400.00	\$350.00	\$1,400.00
	<b>Description:</b> Installation of sign poles and bases. Price includes concrete, drilling and labor.				
<b>Quantity:</b> 4					
<b>Side(s):</b> Single Sided					
<b>Product Code:</b> Installation.					
<b>Height:</b> 0 in <b>Width:</b> 0 in					



**Sign Crafters, Inc. TSCL #18033**

2401 IH 35 South  
San Marcos, TX 78666  
Ph: (512) 392-0900  
FAX: (512) 392-3363  
Email: info@signcrafters.net

**Estimate #: 46980**

**Notes**

50% Deposit due before production can begin.  
All installation pricing is calculated on typical install conditions during normal working hours.  
If Sign Crafters is unable to install under typical conditions and additional equipment is needed there may be an additional charge.  
This will include any underground obstructions or rocky site conditions, as well as access to the install area.  
Hole locations for excavations below 16" will be marked for review by Dig-Tess statewide utilities locating service, as required by law.  
Completion time of project is determined by sign type, and current work load. Delivery dates are estimated only.  
All work is to commence after receipt of executed acceptance of order, down payment and design approval by all parties.  
All Payments are due at our offices within 30 days of order completion or additional interest of 1.5% per month will be assessed.  
Sales tax or use tax on products sold out of state will be the responsibility of the purchaser.  
Sign Crafters, Inc.  
2401 I-35 S. San Marcos, TX 78666  
(512) 392-0900  
License #: TSCL 18033  
"Regulated by the Texas Department of Licensing and Regulation  
P.O. Box 12157 Austin, TX 78711  
Telephone (512) 463-6599 Toll Free (in Texas): 800-803-9202  
Online-<http://www.license.state.tx.us/Complaints>"

**Estimate Total:** \$9,200.00  
**Subtotal:** \$9,200.00  
**Total:** \$9,200.00  
**Deposit Required:** \$4,600.00

**Payment Terms:** 50% deposit due to start production. Balance Due upon receipt after completion.  
All Payments are due at our offices within 10 days of order completion or additional interest of 1.5% per month will be assessed.  
"Regulated by the Texas Dpt. of Licening and regulation, PO Box 12157, Austin, TX 78711, 512 463-6599 or toll free (in TX) 800-803-9202, <http://www.license.state.tx.us/Complaints>"

**Client Reply Request**

Estimate Accepted "As Is". Please proceed with Order.

Other: \_\_\_\_\_

Changes required, please contact me.

SIGN: \_\_\_\_\_ Date: / /



<b>AGENDA ITEM:</b>	<b>Constable Weekend Schedule</b>
<b>SUBMITTED BY:</b>	Rebecca Minnick, Place 1
<b>DATE SUBMITTED:</b>	May 29, 2020
<b>MEETING DATE:</b>	June 18, 2020

## AGENDA FORM

### ITEM DESCRIPTION/SUMMARY

Wimberley’s Square and downtown area is always busy during the summertime, but has been even more so in the wake of the Covid-19 pandemic. Visitors from throughout the state are drawn to this area because it provides access to nature and is within reasonable driving distance. Traffic backup on RR 12 begins Friday afternoon and continues through both Saturday and Sunday.

Traffic direction by Constables or other off-duty officers have been shown to keep traffic through the square moving more safely and efficiently through the square. This also has a positive effect on pedestrians, who often do not use designated crosswalks, but have been more likely to with an officer presence in the Square.

This item includes discussion and possible action on specific days and times of this service including any associated costs for immediate implementation.

### REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

### FINANCIAL

Budgeted Item	<input checked="" type="checkbox"/>	Original Estimate/Budget:	\$
Non-budgeted Item	<input checked="" type="checkbox"/>	Current Estimate:	\$
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$

### STAFF RECOMMENDATION

**ATTACHMENT/S**



<b>AGENDA ITEM:</b>	Central Wimberley Wastewater Project Update
<b>SUBMITTED BY:</b>	Shawn Cox, City Administrator
<b>DATE SUBMITTED:</b>	June 16, 2020
<b>MEETING DATE:</b>	June 18, 2020

## AGENDA FORM

### ITEM DESCRIPTION/SUMMARY

The City Administrator will provide an update regarding the Central Wimberley Wastewater Project; including updates on easements, construction, contracts and coordination with various State entities.

### 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