



**CITY OF
WIMBERLEY**

**REGULAR CITY
COUNCIL MEETING
PACKET**

**Thursday, September 17, 2020
6:00 p.m.**



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING **THURSDAY, SEPTEMBER 17, 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, September 17, 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 841 3755 1850 and using the password 848348.

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, 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** September 17, 2020 at 6:00 p.m.
 2. **CALL OF ROLL** City Secretary, Laura Calcote
 3. **INVOCATION** Chapel in the Hills Reverend, Jim Denham
 4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
 5. **CITIZENS COMMUNICATIONS**
Citizens must sign-in with City Secretary, Laura Calcote, via email at 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.

6. PROCLAMATION

Proclamation of the City of Wimberley, Texas, proclaiming October 2020 as “Hill Country Night Sky Month.” *(Parks Department)*

7. PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action to support the Wimberley Birding Society in their grant application to Texas Parks and Wildlife Department for the funding of design, engineering and construction of an enhanced wetland/wildlife area at the Patsy Glenn Refuge. *(Council Member Christine Byrne, Nathan Glaiser and David Glenn)*

8. CONSENT AGENDA

8.1. Approval of minutes from the Special City Council Meeting held September 2, 2020.

8.2. Approval of minutes from the Regular City Council Meeting held September 3, 2020.

8.3. Approval of Fiscal Year 2021 City of Wimberley Holiday Schedule.

8.4. Approval of Mayor Gina Fulkerson’s reappointment of Gary Callon to the Transportation Advisory Board.

8.5. Approval of second and final reading of an ordinance amending Chapter 9 (Planning & Development Regulations) Article 9.03 (Zoning), Division 3, (District Regulations) Section 9.03.085 (Commercial-High Impact) of the City of Wimberley Code of Ordinances to add Flea Market/Market Day; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, and effective date, and proper notice and meeting.

9. ETHICS REVIEW COMMISSION REPORT

Report from the Ethics Review Commission *(Commission Chairperson, Edmond Moreland)*

10. DISCUSSION AND POSSIBLE ACTION

10.1. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(Project Manager, Craig Fore)*

10.2. Discuss and consider possible action to accept Capital Excavation’s Change Order No. 07 in the amount of \$11,258.26. *(Interim City Administrator, Paul Parker)*

10.3. Discuss and consider possible action to deny Capital Excavation’s Change Order No. 08 in the amount of \$18,634.80. *(Interim City Administrator, Paul Parker)*

10.4. Discuss and consider possible action regarding the first reading of Ordinance No. 2020-25, amending Chapter 8 (Offenses and Additional Provisions), Article 8.03 (Weapons) of the City of Wimberley’s Code of Ordinances to add a new Division 3, “Firearms on City Property”; providing findings of fact, a repealing clause, a savings and severability

clause; providing for an effective date; providing penalties and proper notice and meeting. *(Place One Council Member, Rebecca Minnick)*

10.5. Discuss and consider possible action regarding the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. *(Mayor, Gina Fulkerson)*

10.6. Discuss and consider possible action to remove previous City Administrator, Shawn Cox, as signatory to City of Wimberley bank accounts, effective immediately.

10.7. Discuss and consider possible action to add Interim City Administrator, Paul Parker, as signatory to the City of Wimberley bank accounts, effective immediately.

11. CITY COUNCIL REPORTS

11.1. Announcements

11.2. Future agenda items

12. 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, September 14, 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.





AGENDA ITEM:	Designate October as Hill Country Night Sky Month
SUBMITTED BY:	Richard Shaver – Park Operations and Program Manager
DATE SUBMITTED:	9/9/2020
MEETING DATE:	9/17/20

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Discuss and consider possible action to proclaim October 2020 as Hill Country Night Sky Month.

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

Staff recommends that council approve this item.

ATTACHMENT/S

City of Wimberley



Proclamation

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

WHEREAS, the aesthetic beauty and wonder of star-filled skies are the heritage of all humankind and locally to the inhabitants of Wimberley and are therefore worthy of celebration; and

WHEREAS, the experience of standing beneath a star-filled night sky inspires feelings of wonder and awe, and may encourage interest in science and nature especially among young people; and

WHEREAS, the opportunity to view star-filled skies attracts tourists to our region and therefore economic benefit to Wimberley; and

WHEREAS, preserving the rich historic heritage and starry night skies of Wimberley is important to its residents; and

WHEREAS, “light pollution,” which is wasted light that performs no function or task and artificial light that goes where it is not supposed to go, is created by glare, light trespass, sky glow, and overlighting; and

WHEREAS, light pollution wastes natural resources amounting to at least \$2 billion per year and contributes to diminished American energy independence; and

WHEREAS, the historical view of the night skies has been eroding in many nearby areas and generations are growing up with limited, if any, view of the wonders of the universe; and

WHEREAS, the influx of people into the Texas Hill Country region and the accompanying light pollution from area lighting fixtures has been steadily on the rise; and

WHEREAS, solving the problem of light pollution involves making better use of outdoor lighting to direct light down to where it is needed instead of upward into the sky, putting outdoor lights on timers and using outdoor lighting only where necessary; and

WHEREAS, Hill Country communities are increasingly dedicated to the preservation of the region’s night skies, as evidenced by the frequent educational activities conducted in our region and by the increasing number of places in our region recognized as International Dark-Sky Places by the International Dark-Sky Association, including: Enchanted Rock State Natural Area, South Llano State Park, the City of Dripping Springs, the City of Wimberley, the City of Fredericksburg, the City of Horseshoe Bay, U Bar U Camp & Retreat Center, River Hills Neighborhood of Travis County, and Lost Creek Neighborhood of Travis County; and

WHEREAS, this regional effort and the preservation and celebration of our night skies is worthy of a month-long celebration.

NOW THEREFORE, BE IT PROCLAIMED by the City of Wimberley, Texas:

1. October 2020 shall hereafter be known as “**Hill Country Night Sky Month**” in Wimberley, Texas.

2. That the Wimberley City Council encourages citizens to enjoy the night sky and to participate in the City of Wimberley's and the Hill County region's events and programs celebrating the night sky and promoting the ways in which communities are working to preserve it.

3. That the City of Wimberley encourages citizens to learn about light pollution and why it matters, night sky friendly lighting, and lighting regulations, and to implement practices and lighting improvements that will reduce light pollution, thereby preserving our night skies.

4. The Wimberley Mayor is hereby instructed to post this Proclamation at City Hall for Public Display and enter this document into the permanent records of the City of Wimberley.



CITY 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



AGENDA ITEM:	Enhanced wetland/wildlife project at the Patsy Glenn Refuge
SUBMITTED BY:	Christine Byrne/Nathan Glaiser
DATE SUBMITTED:	9/10/2020
MEETING DATE:	9/17/2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

“The Patsy Glenn Refuge is a 1.7 acre tract of undeveloped property located adjacent to the Wimberley Community Center. The property is managed as a bird refuge and environmental education site by a local non-profit group, the Wimberley Birding Society, under an agreement with the City.” – Wimberley Parks Master Plan

A drainage easement runs through much of the property. With recent development within the Joe Wimberley Mountain drainage sub-basin of Cypress Creek, the Patsy Glenn Refuge has seen an increase in erosive water events, which is undermining the historic rock wall and other areas of the refuge.

The Wimberley Birding Society (WBS) has been in talks with the city engineer, Meadows Center, park staff and master naturalists to develop a plan to mitigate some of the drainage damage and enhance wildlife and bird habitat in the wetland area at the Refuge. WBS is asking for support from the city as they apply for a Texas Parks and Wildlife Department Great Texas Bird Classic Conservation Grant for the design, engineering and construction of an “enhanced wetland/wildlife area” at the Patsy Glenn Refuge. They are also requesting that city permits be waived for the project.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

- Budgeted Item Not Applicable
- Non-budgeted Item Original Estimate/Budget: \$

Current Estimate: \$

Amount Under/Over Budget: \$

STAFF RECOMMENDATION

ATTACHMENT/S

- Patsy Glenn Refuge aerial view (site plan)
- Project Map (wetlands habitat expansion)



Brookshires

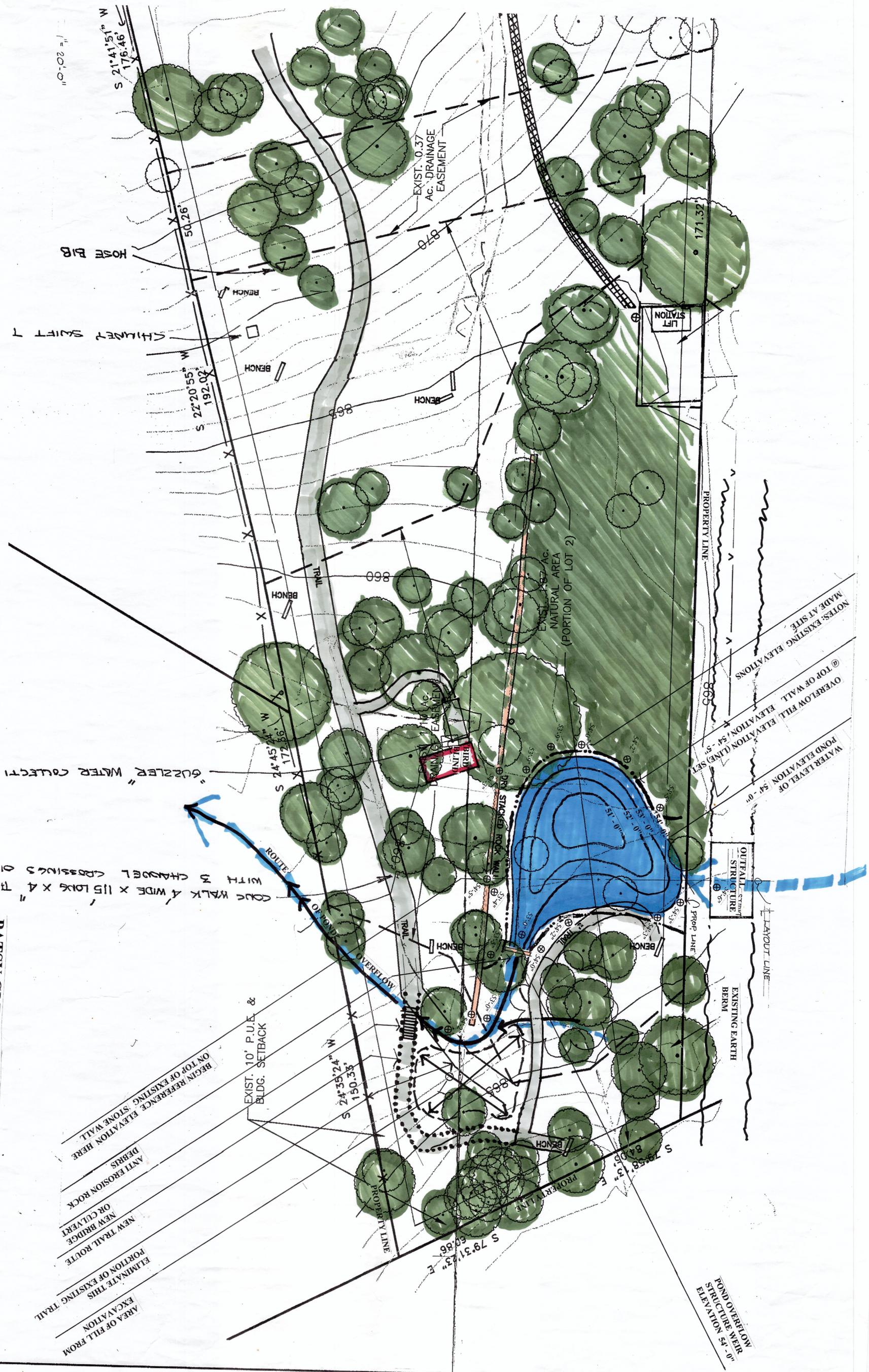
PGR
1.8 acres

Community Center

PATSY GLENN REFUGE ENVIRONMENTAL POND

SCALE 1" = 20' - 0"

Jerry Linn



CODE WALK A WIDE X 115 LON6 X 4 " WITH 3 CHADEL CROSSINGS

GUSLER WATER COLLECTOR

SHIMMET SWIFT 1

HOSE BIB

NOTES: EXISTING ELEVATIONS MADE AT SITE
 @ TOP OF WALL
 OVERFLOW WALL ELEVATION 54'-5"
 WATER LEVEL OF POND ELEVATION 54'-0"

OUTFALL STRUCTURE
 LAYOUT LINE

FOND OVERFLOW STRUCTURE VER. ELEVATION 54'-0"



AGENDA ITEM:	Consent Agenda
SUBMITTED BY:	Laura Calcote, City Secretary
DATE SUBMITTED:	August 31, 2020
MEETING DATE:	September 3, 2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- 8.1. Approval of minutes from the Special City Council Meeting held September 2, 2020.
- 8.2. Approval of minutes from the Regular City Council Meeting held September 3, 2020.
- 8.3. Approval of Fiscal Year 2021 City of Wimberley Holiday Schedule.
- 8.4. Approval of Mayor Gina Fulkerson’s reappointment of Gary Callon to the Transportation Advisory Board.
- 8.5. Approval of second and final reading of an ordinance amending Chapter 9 (Planning & Development Regulations) Article 9.03 (Zoning), Division 3, (District Regulations) Section 9.03.085 (Commercial-High Impact) of the City of Wimberley Code of Ordinances to add Flea Market/Market Day; and providing for the following: findings of fact, a savings clause, a repealing clause, a severability clause, and effective date, and proper notice and meeting.

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 8.1 and 8.3.

ATTACHMENT/S

- September 2nd Special City Council Meeting Minutes
- September 3rd Regular City Council Meeting Minutes
- FY 2021 Holiday Schedule
- Ordinance No. 2020-22



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING **WEDNESDAY, SEPTEMBER 2, 2020 – 8:00 A.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 **Wednesday, September 2, 2020, at 8:00 a.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 5689 4616 and using the password 289414.

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.

CALL TO ORDER

Mayor, Gina Fulkerson, called the meeting to order on September 2, 2020 at 8:08 a.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	City Attorney (<i>via teleconference</i>)
	Terri Provost	Community Center Director (<i>via teleconference</i>)
	John Provost	Public Works Superintendent (<i>via teleconference</i>)



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING **THURSDAY, SEPTEMBER 3, 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, September 3, 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 836 8633 7070 and using the password 167359.

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, 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 September 3, 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:	Laura Calcote	City Secretary (<i>via teleconference</i>)
	Sarah Griffin	City Attorney (<i>via teleconference</i>)

Terri Provost Community Center Director (*via teleconference*)
John Provost Public Works Superintendent (*via teleconference*)
Nathan Glaiser Parks Natural Resource & Maintenance Manager (*via teleconference*)
Richard Shaver Parks Operations & Programs Manager (*via teleconference*)
Jon Thompson City Planner (*via teleconference*)

INVOCATION

Wimberley United Methodist Reverend, Wes Cain, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor, Gina Fulkerson, led the pledges to the United States and Texas flags.

CITIZENS COMMUNICATIONS

There were no citizen's comments.

PROCLAMATION

Proclamation of the City of Wimberley, Texas, proclaiming the week of September 17th through September 23rd as Constitution Week. (*Jacob's Well Chapter, National Society of Daughters of the American Revolution*)

Mayor, Gina Fulkerson, read aloud the Constitution Week Proclamation.

PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action regarding an entry garden project located at the Martha Knies Community Park. (*Stephanie Nestlerode, Keep Wimberley Beautiful*)

Stephanie Nestlerode presented the proposed update to the Martha Knies Community Park, which would include a landscaped entryway garden, sprinkler system, statue and plaques.

There was discussion among Ms. Nestlerode and Council concerning the design of the garden, sidewalk area and cost of the project.

Motion to approve the design/concept of the entry garden project located at the front of the Martha Knies Park, to include the Keep Wimberley Beautiful sculpture, and for all plans to be permitted appropriately per City ordinances and coordinated with the Wimberley Trails Committee, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

CONSENT AGENDA

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

8.1. Approval of minutes from the Regular City Council Meeting held August 20, 2020.

8.2. Approval of the June 2020 Financial Statements for the City of Wimberley.

8.3. Approval of Place Two Council Member Teresa Shell's appointment of Bob Harla to the Transportation Advisory Board.

PUBLIC HEARING AND POSSIBLE ACTION

Hold a public hearing and consider approval regarding case CUP-20-005, an application for a Conditional Use Permit to allow for the installation of a manufactured home on property zoned Rural Residential (R-1) located at 363 Chaparral Dr., Wimberley, Hays County, Texas.

(Applicant, Aimee Lawrence)

City Planner, Jon Thompson, presented the Conditional Use Permit for the installation of a manufactured home. The Planning and Zoning Commission had unanimously voted at their August 27th meeting to recommend approval.

Mayor, Gina Fulkerson, opened the public hearing at 6:31 p.m.

Don Campbell spoke on behalf of his daughter, and applicant, Aimee Lawrence, to request approval of the application by Council.

Mayor, Gina Fulkerson, closed the public hearing at 6:35 p.m.

Motion to approve case CUP-20-005, an application for a Conditional Use Permit to allow for the installation of a manufactured home on property zoned Rural Residential (R-1) located at 363 Chaparral Dr., Wimberley, Hays County, Texas was made by Council Member Teresa Shell. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

PUBLIC HEARING FOR FISCAL YEAR 2020-2021 BUDGET

Public Hearing on the proposed Fiscal Year (FY) 2020-2021 Budget

10.1. Mayor, Gina Fulkerson, opened the public hearing at 6:38 p.m.

10.2. There were no citizen comments.

10.3. Mayor, Gina Fulkerson, closed the public hearing at 6:39 p.m.

DISCUSSION AND POSSIBLE ACTION

11.1. Discuss and consider possible action to approve Resolution No. 06-2020, adopting the City of Wimberley amended Fiscal Year (FY) 2019-2020 Budget.

Motion to approve Resolution No. 06-2020, adopting the City of Wimberley amended Fiscal Year (FY) 2019-2020 Budget, was made by Council Member Jim Chiles.

Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

11.2. Discuss and consider possible action to approve Resolution No. 07-2020, adopting the City of Wimberley Fiscal Year (FY) 2020-2021 Budget.

Motion to approve Resolution No. 07-2020, adopting the City of Wimberley Fiscal Year (FY) 2020-2021 Budget, was made by Council Member Jim Chiles. Motion was seconded by Council Member Bo Bowman. A roll call vote was taken (5-0):

Rebecca Minnick	Aye
Teresa Shell	Aye
Christine Byrne	Aye
Jim Chiles	Aye
Bo Bowman	Aye

11.3. Discuss and consider possible action to accept donations from the Friends of Blue Hole to support park projects, including a Lifejacket Loaner program (\$500), Blue Hole Nature Camp Scholarship program (\$500), and the fall Movies in the Park program (\$1,935) for a total of \$2,935.00. *(Parks Department)*

Parks Operations and Programs Manager, Richard Shaver, presented the Friends of Blue Hole donation information.

Motion to accept donations from the Friends of Blue Hole to support park projects for a total of \$2,935.00 was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

- 11.4. Discuss and consider possible action to support various environmental stewardship initiatives that will be updated to the City website, including the Cats Indoors program from the American Bird Conservancy. *(Parks Maintenance and Natural Resource Manager, Nathan Glaiser)*

Terri Provost spoke in support of cats within the Wimberley community, and was not in favor of promoting the Cats Indoor Program.

Parks Maintenance and Natural Resource Manager, Nathan Glaiser, presented the request to establish an “Environmental Stewardship” page on the City of Wimberley website, which would include oak wilt prevention, riparian management and the Cats Indoors Program. Promoting the Cats Indoors Program from the American Bird Conservancy would assist Wimberley with obtaining a Bird City Texas Certification. There was lengthy discussion among Council regarding keeping cats indoors versus outdoors, as well as the issue of feral cats in the community.

Motion to support the establishment of an “Environmental Stewardship” page on the City of Wimberley website, as presented by the Parks Department, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 11.5. Discuss and consider possible action to authorize funding for increased cleaning services at City Hall. *(Mayor, Gina Fulkerson)*

There was lengthy discussion among Council pertaining to the increased cleaning services proposal from Mariposa Cleaning Services, LLC to disinfect and deep clean City Hall. Mariposa Cleaning Services Owners, Sara and Michael Aragon, advised Council regarding the various disinfection options available and the associated costs with each.

Motion to authorize the expenditure of up to \$2,300 to clean and disinfect City Hall, per the proposal from Mariposa Cleaning Services, LLC, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 11.6. Discuss and consider possible action regarding the status of the Central Wimberley Wastewater Project. *(Project Manager, Craig Fore)*

Project Manager, Craig Fore, provided an overview of the status of the Central Wimberley Wastewater Project, which included construction updates, coordination with state agencies, communication with system users and the Project’s schedule. The electrical installation of the lift station had begun, and the force main line from the lift station to the Cypress Creek bridge would be installed as soon as the environmental review was completed by the Texas Water Development Board. There was discussion among Mr. Fore and Council pertaining to the proposed timeline for completion of the Project, as well as coordination with system users in the coming months.

No action was taken on this item.

EXECUTIVE SESSION

City Council adjourned into Executive Session at 7:48 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purposes:

551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Administrator Shawn Cox and Section 551.071 (Consultation with Legal Counsel) to seek legal advice on same.

OPEN SESSION

Regular Session reconvened at 8:08 p.m.

Motion to accept the resignation of Shawn Cox and approve the Voluntary Separation and Release Agreement between the City and Shawn Cox, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

Motion to appoint Paul Parker as Interim City Administrator, and authorize the Mayor with the assistance of the City Attorney, to reduce an agreement to writing, with a term up to six months, at a cost not to exceed \$80 an hour and an additional car allowance of up to \$500 a month, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (5-0).

CITY COUNCIL REPORTS

14.1. Announcements – None.

14.2. Future agenda items – Council Member, Christine Byrne, noted a conservation grant from the Wimberley Birding Society would be presented at the September 17th City Council Meeting.

ADJOURNMENT

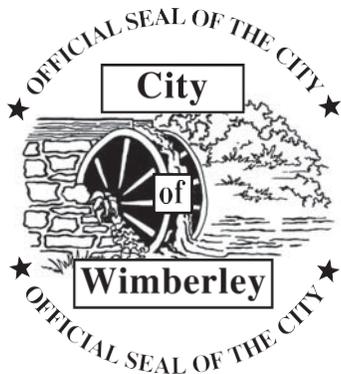
Motion to adjourn the meeting at 8:13 p.m. was made by Council Member Bo Bowman. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote, City Secretary

APPROVED BY:

Gina V. Fulkerson, Mayor





CITY COUNCIL

Gina Fulkerson
Mayor

Rebecca Minnick
Mayor Pro-tem

Teresa Shell
Place 2

Jim Chiles
Place 4

Christine Byrne
Place 3

Bo Bowman
Place 5

2020/2021 CITY HALL OFFICE HOLIDAYS

Indigenous People’s Day	Monday	October 12, 2020
Veterans Day	Wednesday	November 11, 2020
Thanksgiving	Wednesday - Friday	November 25, 26 & 27, 2020
Christmas Day	Wednesday - Friday	December 23, 24 & 25, 2020
New Year’s Day	Friday	January 1, 2021
Martin Luther King Day	Monday	January 18, 2021
President’s Day	Monday	February 15, 2021
Good Friday	Friday	April 2, 2021
Memorial Day	Monday	May 31, 2021
Independence Day	Monday	July 5, 2021
Labor Day	Monday	September 6, 2021

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 9 (PLANNING & DEVELOPMENT REGULATIONS) ARTICLE 9.03 (ZONING), DIVISION 3, (DISTRICT REGULATIONS) SECTION 9.03.085 (COMMERCIAL-HIGH IMPACT) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES TO ADD FLEA MARKER/MARKET DAY; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, A SAVINGS CLAUSE, A REPEALING CLAUSE, A SEVERABILITY CLAUSE, AND EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Wimberley (“City Council”) seeks to provide for the orderly arrangement and regulation of compatible uses within its corporate limits; and

WHEREAS, in the course of reviewing the proposed amendments detailed in this Ordinance, the Planning and Zoning Commission and City Council have given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the City’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities, and infrastructure, and

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade, and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based on the City’s statutory regulatory authority, including, but not limited to, Texas Local Government Code Chapters 51, 52, and 212; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City’s official newspaper before the 15th day before the first public hearing, and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearings;

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

SECTION I. FINDINGS OF FACT

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

SECTION II. AMENDMENT

- A. The City of Wimberley Code of Ordinances, Chapter 9 (Planning & Development Regulations), Article 9.03 (Zoning), Division 3 (District Regulations), Section 9.03.085 (Commercial-High Impact) is hereby amended as follows:

“(B) Permitted Uses

(22) Retail sales and services: flea market/market day

SECTION III. SAVINGS

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

SECTION IV. SEVERABILITY

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

SECTION V. REPEALER

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

SECTION VI. EFFECTIVE DATE

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

SECTION VII. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED First Reading this 20th day of August, 2020, by a vote of 5 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED Second Reading this 17th day of September, 2020, by a vote of (Ayes) to (Nays) (Abstain) vote of the City Council of the City of Wimberley, Texas.

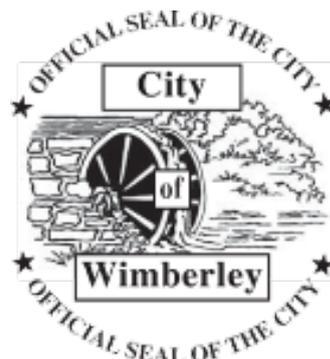
Gina V. Fulkerson, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney





Central Wimberley Wastewater Project - Status Update

September 10, 2020

Prepared By: Craig Fore

Construction

Lift Station (RR12 @ FM 3237)

Electrical installation at the lift station has begun. See attached photos.

Force Main Lines

The force Main from the lift station that will cross the Cypress Creek bridge will be installed as soon as the environmental review is complete.

Texas Water Development Board (TWDB)

Coordination

The environmental portion of the project north of Cypress Creek is being routed internally with TWDB and a statement of findings is expected to be issued shortly. This is the last step before proceeding with construction of the line crossing the RR12 bridge across Cypress Creek.

TxDOT

DXDOT has approved our plans for construction on the north side of Cypress Creek. Once the environmental review is complete, we can go out for bids.

Communication

Property/Business Owners

Any property or business owners who would like to meet with the City, please reach out to the City of Wimberley for an update on the status of the project.

As we did previously, the City and Capital Excavation will work with each property owner to determine the best location for their connection to the system. Historically, this involved going door to door to contact the resident or property owner. We will also utilize written notices to contact those we are unable to meet face to face. This will involve a notice at the property (typically on the front door) which will provide a time frame for construction and contact information for the contracts and City. If you think we may miss anyone, please have them contact the city. We will make sure they are included in the project's coordination.

Schedule

An updated schedule chart has been put together by Gilpin Engineering. Included in the chart is the construction schedule provided by Capital Excavation and the design/review schedule from Plummer Associates.

Construction		
Component	Start	Completion
Collection Lines (CO#4)	February 2020	Completed Aug2020
- Gravity Lines (RR12)	May 2020	Completed July 2020
- Gravity Lines (FM 3237)	June 2020	Completed August 2020
- Force Main (Deer Creek/Blue Hole)	Aug 2020	Completed Sept 2020
- Lift Station	July 2020	September 2020
Collection Lines (Aqua Connection)		
- Design Force Main	February 21, 2020	June 2020
- Connection to Cypress Creek Bridge	Aug 2020	October 2020
- Force Main (RR12-Directional Drill)	Pending Review from TxDOT	2 Months from Awarded Contract
- Tie in to HEB Lift Station	Oct 2020	January 2021
Contract		
Negotiate Aqua Contract	August 2018	Signed April 2020
Other		
Update Sewer Utility Rates	August 2020	November 2020
Impact Fees	TBD	TBD
Utility Billing	January 2021	June 2021







AGENDA ITEM:	Capital Excavation Change Order No. 7
SUBMITTED BY:	Paul Parker, Interim City Administrator
DATE SUBMITTED:	September 11, 2020
MEETING DATE:	September 17, 2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The existing contract with Capital Excavation would require manual operation to start the generator in the instance of a power outage. In essence, the City would need to have someone on standby to maintain the generator, if power were lost, in order for the sewer system to properly operate. One of the primary problems with the current system is in the event of a power outage, no one might be aware of this issue for hours or days. Therefore, staff recommends approval of Change Order No. 7, in the amount of \$11,258.26, in order for the generator to automatically start if the power is disrupted.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input checked="" type="checkbox"/>	Original Estimate/Budget:	\$ 3,251,450.00
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$ 4,038,284.08
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$

Original Contract: \$3,251,450.00

Change Orders to date:

C.O. #1	\$364,780.00
C.O. #2	\$ 21,884.00
C.O. #3	\$ 89,423.22
C.O. #4	-\$ 19,251.50

C.O. #5 \$222,777.24

C.O. #6 \$95,962.86

Approved Revised Budget Total: **\$4,027,025.82**

Total Contract Increase for C.O. #1-6: **\$775,575.82**

Total Contract Increase Percentage: **23.85%**

C.O. #7 \$11,258.26

Total Contract Increase for C.O. #1-7: **\$786,834.08**

Total Contract Increase Percentage: **24.20%**

STAFF RECOMMENDATION

Recommend approval Change Order No. 7, Option #1 (\$11,258.26)

ATTACHMENT/S

Change Order No. 7



CONTRACTOR'S MODIFICATION REQUEST

PROJECT NOS.

OWNER:	City of Wimberley		
PROJECT	Wastewater Collection System		
CONTRACTOR:	Capital Excavation		
ENGINEER:	Alan Plummer Associates, Inc.		
CMR NO.:	CMR-07	DESCRIPTION:	Automatic Transfer Switch for Genset

NOTIFICATION BY CONTRACTOR:

We are requesting making the change to the Contract described in the attached materials and request that you take the following action:		
<input type="checkbox"/>	Notify us that you concur that this change does not require a change in contract time or amount. A Field Order will be issued.	
<input checked="" type="checkbox"/>	<p>Issue a Change Order for performing the described change. There are (2) options for this Change Order, both options include the following:</p> <ul style="list-style-type: none"> -Provide & install 200amp automatic transfer switch -Provide & install main to ATS feeder -Provide & install ATS feeder to control panel -Provide & install genset feeder to ATS <p>Option 1: \$11,258.26 - ATS NEMA 4XSS (8+ week Lead time)</p> <p>Option 2: \$10,023.36 - ATS NEMA 3R (7- week Lead Time)</p> <p>The proposed change in time is TBD.</p>	
<input type="checkbox"/>	Issue a change order for the described change with payment at the unit price bid. (See pg. 2 for details)	
<input type="checkbox"/>	Authorize the Contractor to proceed with the change under the time and materials provision of the Contract.	
REQUESTED BY:	Reed Hoysradt	9/10/2020
	TYPED NAME	DATE

RESPONSE FROM ENGINEER:

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

ACTION TAKEN:

CONTRACTOR'S MODIFICATION REQUEST

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



AGENDA ITEM:	Capital Excavation Change Order No. 8
SUBMITTED BY:	Paul Parker, Interim City Administrator
DATE SUBMITTED:	September 11, 2020
MEETING DATE:	September 17, 2020

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

When the City obtained the easement (Resolution 01-2019) from Mystic Hill, LLC, one of the conditions was the construction of a privacy fence of stone, masonry, or stucco materials around the wastewater system’s lift station (Section 8.a).
 The City has every intention to honor the construction of the fence. However, state law prohibits issuing change orders that exceed 25% of the original contract, which is why the City cannot recommend approval of Change Order No. 8. The City will have to bid the privacy fence separately.

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

Recommend denial of Change Order No. 8

ATTACHMENT/S

- Resolution No. 01-2019
- Change Order No. 8

RESOLUTION NO. 01-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, AUTHORIZING ACCEPTANCE OF AN EASEMENT AGREEMENT FOR UTILITIES TO BE LOCATED AT 13301 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, ON A PROPERTY OWNED BY MYSTIC HILL, LLC

WHEREAS, the City of Wimberley has been in negotiations with the property owner to acquire property for the construction, placement and maintenance of a wastewater lift station for the Central Wimberley Wastewater Project as approved by this City Council; and

WHEREAS, it is necessary for the City to acquire certain easements in connection with this Project.

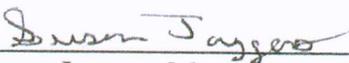
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

SECTION 1. That the City Council of Wimberley accepts the easement made by MYSTIC HILL, LLC to the City, a description of said property being fully set forth in the attached Exhibit "A" for the purposes provided therein.

SECTION 2. That this Resolution supersedes Resolution No. 32-2018.

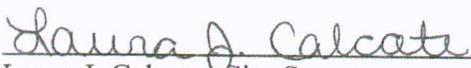
SECTION 3. The Mayor is hereby authorized to execute the dedication instrument and all related documents on behalf of the City to formalize this acceptance.

PASSED, APPROVED, AND ADOPTED on this 3rd day of January 2019, at a regular meeting of the City Council of the City of Wimberley, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.



Susan Jagers, Mayor

ATTEST:



Laura J. Calcote, City Secretary

APPROVED AS TO FORM:



City Attorney
Denton, Navarro, Rocha & Bernal, P.C.



RESOLUTION NO. 01-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, AUTHORIZING ACCEPTANCE OF AN EASEMENT AGREEMENT FOR UTILITIES TO BE LOCATED AT 13301 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, ON A PROPERTY OWNED BY MYSTIC HILL, LLC

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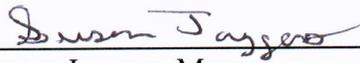
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Susan Jagers, Mayor

ATTEST:



Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney
Denton, Navarro, Rocha & Bernal, P.C.



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PUBLIC UTILITY EASEMENT AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

GRANT OF EASEMENT:

MYSTIC HILL, LLC, 13301 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto **THE CITY OF WIMBERLEY, TEXAS**, a Texas type A general law municipality with offices located at 221 Stillwater, Wimberley, Hayes County, Texas (“Grantee”), an easement and right-of-way (“Easement”) upon and across the property of Grantor which is a parcel of land containing 900 square feet out of and part of a called 3.295 acre tract in the Amasa Turner Survey in Hays County, Texas and being more particularly described on the Survey, attached hereto as **Exhibit “A”**, and the Metes and Bounds Description, attached hereto as **Exhibit “B”**. **Exhibits “A” and “B”** are incorporated herein by reference for all purposes and collectively describe what henceforth may be referenced as the “Easement Tract”, with **Exhibit “B”** prevailing over **Exhibit “A”** in the case of a conflict between the two.

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights, and privileges and on the terms and conditions set forth below; and Grantor, subject to the Exceptions, to Warranty, does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Definitions.* For the purposes of this grant of Easement certain terms shall have the meanings that follow:
 - (a) “Holder” shall mean Grantee and Grantee's heirs, successors and assigns who at any time own any interest in the conveyance is subject to the terms of this agreement.

- (b) "Public Utility" shall mean a sanitary sewer lift station and related surface and subsurface appurtenances.
2. *Character of Easement.* The Easement granted herein is "in gross," in that there is no "Benefitted Property." Nevertheless, the Easement rights herein granted shall pass to Grantee's successors and assigns, subject to all of the Terms hereof. The Easement rights of use granted herein are exclusive and irrevocable. The Easement is for the benefit of Holder.
 3. *Purpose of Easement.* The Easement shall be used for Public Utility purposes, including placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of Public Utility facilities and related surface and subsurface appurtenances, or making connections thereto. The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the public utility facilities and related appurtenances.
 4. *Term.* Easement shall be in perpetuity unless relinquished or abandoned by ordinance or resolution by Grantee.
 5. *Reservation of Rights.* As the Easement Tract shall be contained within a fence, as described herein, Grantor shall reserve no rights of use of the Easement Tract; except for the placement of signage as provided in Section 8, herein.
 6. *Secondary Easement.* Holder has the right (the "Secondary Easement") to use the surface of the 5,550 square foot area adjacent to the Easement Property, and is more fully described in **Exhibit "C"**, to assist in the initial installation and as may be reasonably necessary to maintain, repair and replace the Facilities within the Easement Property of the Facilities within the Easement Property. However, Holder must promptly restore the area of the Temporary Construction Easement to its previous physical condition if changed by use of the rights granted by this Secondary Easement.
 7. *Improvement and Maintenance of Easement Property.* Improvement and maintenance of the Easement Property and the Facilities will be at the sole expense of Holder. Holder has the right to eliminate any encroachments into the Easement Property. Holder has the right to construct, install, maintain, replace, and remove the Facilities under or across any portion of the Easement Property. All matters concerning the Facilities and their configuration, construction, installation, maintenance, replacement, and removal are at Holder's sole discretion, subject to performance of Holder's obligations under this agreement. Holder has the right to remove or relocate any fences or other encroachments within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the Facilities.
 8. *Special Conditions.* As additional consideration for the grant of this Easement Grantee agrees to the following:

- a) *Construction of fence.* The Holder shall cause to be constructed a privacy fence of stone, masonry, or stucco materials, as determined in Grantee's sole discretion, around the Public Utility. The privacy fence shall be eight (8) feet in height and shall be of such design as to cause the Public Utility not to be visible from the remainder of Grantor's property save and except through the fence. Grantor shall allow Holder reasonable access and construction staging on the existing on the 3.295 acre burdened tract for construction of the fence.
 - b) *Signage on the fence.* The placement of signage on the aforementioned fence by Grantor shall not be considered to be contrary to Holder's use of the Easement; provided, the signage complies with the City of Wimberley's regulations of signs and advertising.
 - c) *Water and sewer utilities.* Holder hereby grants to Grantor the right to connect improvements currently existing on the 3.295 acre burdened tract with City sanitary sewer without payment of connection or impact fees subject to following:
 - (i) *Current improvements.* Current improvements as shown on real property tax records of the Hays County Appraisal District for tax year 2018, shall not be required to connect to the City's Sanitary Sewer and shall be allowed to remain on a septic system so long as the septic system complies with the rules of the regulatory authority. Any improvements made thereafter shall be required to connect to the City's Sanitary Sewer Line.
 - (ii) *Maximum Equivalent Dwelling Units.* In consideration for the grant of this Easement Grantor shall be entitled to a waiver of connection and impact fees for future improvements as provided in this subsection. The maximum number of sanitary sewer equivalent dwelling units shall not exceed 5 LUE's.
9. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.
10. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.
11. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

12. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.
13. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.
14. *Waiver of Default.* It is not a waiver of or consent to default if the non-defaulting party fails to declare immediately default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.
15. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.
16. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.
17. *Exceptions to Warranty.* This grant is subject to any and all encumbrances and easements of record, to the extent the same are valid and enforceable.
18. *Legal Construction.* Any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.
19. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

20. *Recitals/Exhibits.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement. All exhibits referenced herein are attached hereto and incorporated by reference herein for all purposes.
21. *Entire Agreement.* This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the party to be charged.

IN WITNESS WHEREOF, this instrument is executed this 4 day of January, 2018.

GRANTOR:

Sibyl Burrows
(Grantor's Name)

By: Sibyl Burrows
(Grantor's Signature)

GRANTEE:

AGREED AND ACCEPTED:

CITY OF WIMBERLEY, TEXAS,
a Texas type A general law municipality

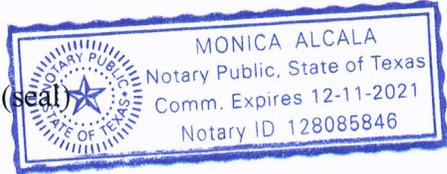
By: Susan Jagers
Susan Jagers, Mayor

ATTEST:

Laura Calcote
Laura Calcote, City Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

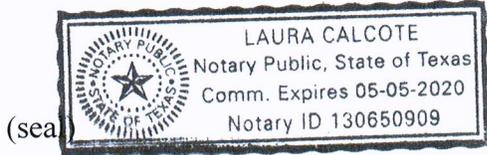
This instrument was acknowledged before me on January 4th, 2019, by Sibyl Burrows, an individual residing in _____ County, Texas.



[Signature]
Notary Public Signature

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on January 11th, 2018, by Susan Jagers, Mayor of the City of Wimberley, Texas, a Texas type A general law municipality, on behalf of said municipality.



Laura Calcote
Notary Public Signature

The preparer of this document has made no investigation of the following matters: The accuracy of the legal description used herein; whether or not the Grantor is the correct owner of the property; whether or not the party signing on behalf of the Grantor is authorized to sign on behalf of the Grantor; or any title matters whatsoever.

PREPARED IN THE LAW OFFICE OF:

Denton, Navarro, Rocha, Bernal, & Zech, P.C.
2517 N. Main Avenue
San Antonio, Texas 78212

**AFTER
RECORDING RETURN
TO:**

City of Wimberley
Attn. City Secretary
P.O. Box 2027

Wimberley, TX 78676

HAYES SURVEYING LLC

202 SUNFLOWER DRIVE
KYLE, TEXAS 78640

EXHIBIT A

METES & BOUNDS DESCRIPTION A FOR 900 SQ. FT. EASEMENT

A parcel of land containing 900 sq. ft. out of and part of a called 3.295 acre tract in the Amasa Turner Survey in Hays County, Texas, said 3.295 acre tract being that same tract as conveyed by a Special Warranty Deed in April of 2011 to Mystic Hill LLC as recorded and described in Volume 4096, Page 194 of the Official Public Records of Hays County, said 484 sq. ft. easement being more particularly described as follows;

COMMENCING at a ¾" iron pipe found in the south right-of-way of Ranch Road # 12 for the northeast corner of the Meeks Tract as described in Volume 5407, Page 261 of the Official Public Records of Hays County and for the northwest corner of the aforementioned Mystic Hill LLC tract, from which for reference a ¾" iron pipe found for the northeast corner of the Mystic Hill LLC tract bears S 70° 09' 39" e, a distance of 100.70 feet;

THENCE S 70° 09' 39" E, along the Ranch Road # 12 right-of-way, a distance of 36.25 feet to a calculated point;

THENCE S 19° 50' 21" W, leaving the right-of-way, a distance of 12.06 feet to a calculated point for the northwest corner of this 900 sq. ft. tract and the POINT OF BEGINNING;

THENCE S 70° 09' 39" E, a distance of 30.00 feet to the southeast corner of this tract;

THENCE S 19° 50' 21" W, a distance of 30.00 feet to the northeast corner of this tract;

THENCE N 70° 09' 39" W, a distance of 30.00 feet to the southwest corner of this tract;

THENCE N 19° 50' 21" E, a distance of 30.00 feet to the POINT OF BEGINNING, containing 900 sq. ft.

All bearings and distances are based upon Texas State Plane Coordinate System, Texas South Central Zone, NAD 1983 datum.

This is to certify that this description of land represents an actual survey made on the ground under my supervision in October of 2018. Only those documents with a red surveyor's signature and an accompanying red surveyor's seal shall be deemed reliable and authentic.

Exhibit B

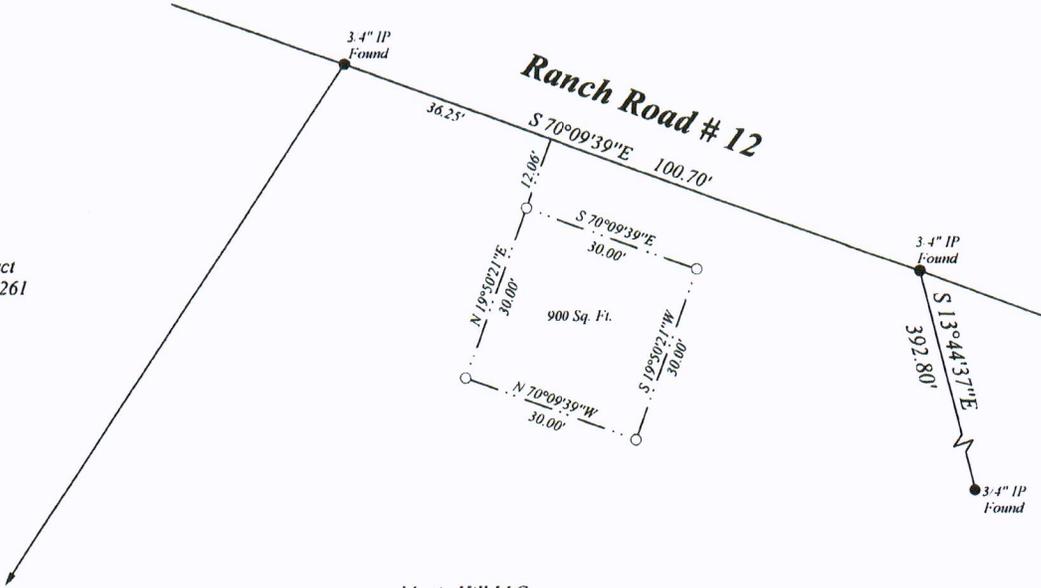
Amasa Turner Survey

Scale
1" = 30'

Reference attached metes
and bounds description
marked Exhibit A



Meeks Tract
V. 5407/ P. 261
OPRHC



Mystic Hill LLC
3.295 Acre Tract
V. 4096/ P. 194
OPRHC

Legend

OPRHC
Official Public Records of Hays County
Calculated point for corner



CONTRACTOR'S MODIFICATION REQUEST

PROJECT NOS.

OWNER:	City of Wimberley		
PROJECT	Wastewater Collection System		
CONTRACTOR:	Capital Excavation		
ENGINEER:	Alan Plummer Associates, Inc.		
CMR NO.:	CMR-08	DESCRIPTION:	Lift Station Fence

NOTIFICATION BY CONTRACTOR:

We are requesting making the change to the Contract described in the attached materials and request that you take the following action:		
<input type="checkbox"/>	Notify us that you concur that this change does not require a change in contract time or amount. A Field Order will be issued.	
Issue a Change Order for performing the described change.		
<ul style="list-style-type: none"> -Provide & install 108' x 2' x 1.5' concrete footing with rebar for proposed fence -Provide & install double 7' gate -Provide & install 6' tall split faced block fence with anchor section filled with concrete 		
<input checked="" type="checkbox"/>	<p>The proposed change in contract price is \$18,634.80</p> <p>The proposed change in time is TBD.</p>	
<input type="checkbox"/>	Issue a change order for the described change with payment at the unit price bid. (See pg. 2 for details)	
<input type="checkbox"/>	Authorize the Contractor to proceed with the change under the time and materials provision of the Contract.	
REQUESTED BY:	Reed Hoysradt	9/10/2020
	TYPED NAME	DATE

RESPONSE FROM ENGINEER:

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

ACTION TAKEN:

<input type="checkbox"/>	Proposed contract modification rejected. Contractor notified not to proceed.	
<input type="checkbox"/>	Field Order Issued	FO-

CONTRACTOR'S MODIFICATION REQUEST

<input type="checkbox"/> Change Order Issued	CO-
RESPONSE BY:	
TYPED NAME	DATE

ORDINANCE NO. 2020-25

AN ORDINANCE AMENDING CHAPTER 8 (OFFENSES AND ADDITIONAL PROVISIONS), ARTICLE 8.03 (WEAPONS) OF THE CITY OF WIMBERLEY'S CODE OF ORDINANCES TO ADD A NEW DIVISION 3, "FIREARMS ON CITY PROPERTY"; PROVIDING FINDINGS OF FACT, A REPEALING CLAUSE, A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING PENALTIES AND PROPER NOTICE AND MEETING.

WHEREAS, the State of Texas has enacted an "open carry law" allowing an individual to openly carry a firearm in a shoulder or belt holster as defined by statute, eliminating the concealed/open carry distinction and creating a "license to carry a handgun" which became effective on January 1, 2016; and

WHEREAS, it is the purpose and intent of the City of Wimberley to provide a safe environment for the transaction of municipal business. It is right and proper that the City of Wimberley take reasonable steps to reduce the likelihood of threatening or potentially dangerous behavior at municipal facilities where it has the ability by law to prohibit firearms; and

WHEREAS, state statute allows the city to regulate the carrying of a firearm by a person licensed to carry a handgun in accordance with express state law authority;

WHEREAS, state law expressly cites the premises of any government court, the offices utilized by the court; anywhere that public meetings are held subject to the Texas Open Meetings Act; and the premises of a polling place on the day of an election or while early voting is in progress as places subject to regulation; and

WHEREAS, the possession of weapons in these places is contrary to the safety of citizens and city employees; and

WHEREAS, based on a careful evaluation of the relevant facts and law, the City of Wimberley makes the determination that this restriction is in compliance with the Constitutions of Texas and the United States, as well as applicable law, and that this restriction is reasonable, necessary and appropriate under these circumstances.

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

Section 1. Findings. 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.

Section 2. “Division 3. FIREARMS ON CITY PROPERTY” of Chapter 8, Offenses and Additional Provisions, Article 8.03, WEAPONS, is hereby created to read as follows:

“Division 3. Firearms on City Property

Sec. 8.03.051 Definitions.

HANDGUN. Any firearm that is designed, made, or adapted to be fired with one hand. (Texas Penal Code, Section (a)(5)).

FIREARM. Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. (Texas Penal Code, Section 46.01(a)(3)).

Sec. 8.03.052 Prohibitions.

(a) A license holder authorized to carry a handgun under Texas Government Code, Chapter 411, Subchapter H, is hereby prohibited from intentionally, knowingly, or recklessly carrying a handgun, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, into any public meeting of the City of Wimberley that is subject to the Texas Open Meetings Act, Chapter 551, Government Code.

(b) A license holder under Texas Government Code, Chapter 411, Subchapter H, is hereby prohibited from intentionally, knowingly, or recklessly carrying a handgun, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on the premises of a polling place on the day of an election or while early voting is in progress.

(c) A license holder under Texas Government Code, Chapter 411, Subchapter H, is hereby prohibited from intentionally, knowingly, or recklessly carrying a handgun, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on the premises of any city building in which municipal court and/or an office used by the court is situated, including, but not limited to, Wimberley City Hall.

(d) The city administrator or the city administrator's designee is hereby authorized to erect the appropriate signs in compliance with the regulations contained in Texas Penal Code 30.06 and 30.07, in both the English and Spanish languages.

Sec. 8.03.052 Defense to Prosecution.

It is a defense to prosecution under this Section that a license holder was personally given notice by oral communication and promptly departed from the property.

Sec. 8.03.053 Penalties.

Penalties pursuant to this Division shall be addressed in accordance with underlying State law.”

Section 3. Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 4. 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 5. 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 or 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 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is 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 Meeting Act, Chapter 551, Loc. Gov't. Code.

PASSED AND APPROVED First Reading on this ___ day of _____, 2020, by ___ (ayes) to ___ (nays) ___ (abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED Second Reading on this ___ day of _____, 2020, by ___ (ayes) to ___ (nays) ___ (abstain) vote of the City Council of the City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

Denton Navarro Rocha Bernal & Zech P.C.



OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 1 – 4 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2020. Ballots received after September 30, 2020, cannot be counted. **The ballot must be properly signed, and all pages of the ballot must be mailed to:**

**Trustee Election
David Reagan, Secretary of the Board
P.O. Box 149194
Austin, Texas 78714-9194**

If the ballot is not signed, it will not be counted.

PLACE 1

- Robert T. Herrera** (Incumbent). City Manager, City of Cibolo (Region 7) since 2012. Mr. Herrera served as City Manager of Hondo, Texas from 2003 to 2012 and as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City, and Woodway. Mr. Herrera has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board. He also served as Chair of the Finance-Information Technology Committee and the Underwriting-Claims Committee of the TML Intergovernmental Risk Pool.

WRITE IN CANDIDATE:

PLACE 2

- Chris Armacost.** City Commissioner for the City of Hitchcock (Region 14). Mr. Armacost is Director of Technology, Transportation, Facilities, and Operations for the Hitchcock Independent School District. He serves on the Hitchcock Education Foundation and Hitchcock Chamber of Commerce. He is the president of the Hitchcock Little League Baseball Association and coached several teams. Mr. Armacort has been awarded the Hitchcock Chamber President Award and the Above and Beyond Citizen Award from the Hitchcock ISD. He has obtained a Certified Municipal Official certification from TML.

- John W. (Buzz) Fullen** (Incumbent). Mayor of the City of Henderson since 2019 and from 2004 to 2012 (Region 15). Mr. Fullen also served as a Commissioner of the Henderson Housing Authority from 2011 to 2019 and is now ex-officio on same. He currently serves on the Henderson Main Street Board (2004–present), Henderson Civic Center Board (2003–present), and the Henderson ETMC Hospital Diabetes Board (2009–present). He has been a Board member of the TML Intergovernmental Risk Pool since 2010, during which time he served as Chair (2018-2020) and Vice Chair (2016-2018).

WRITE IN CANDIDATE:

PLACE 3

- George Hyde.** City Attorney for the City of Watuaga (Region 8). Mr. Hyde is a partner in the law firm Russell Rodriguez Hyde Bullock, LLP, located in Georgetown. He is a member of and holds Merit Certification in Municipal Law from the Texas City Attorneys Association. He has served as City Attorney for ten other cities across Texas, since 2003. He has also served local governments in various public safety positions within Fire Departments, Parks Departments, and Police Departments. During his tenure as a peace officer, Mr. Hyde received the Texas Commission on Law Enforcement Educational Achievement Award for exceeding normal expectations in job performance.

- Roy E. Maynor.** City Alderman, Position 3, for the City of West Columbia (Region 14). He has been an elected official of West Columbia since 2013. Mr. Maynor is a Life Safety Systems Specialist for Vallen Safety Services and a member of Gulf Coast Christian Church. He is also part-owner of Grit Fitness in West Columbia. He and his wife, Rachel, have two children.

- Jeffrey Snyder** (Incumbent). City Manager for the City of Plainview (Region 2). He previously served as the Assistant City Manager for Plainview and as the City Manager for Idalou. Mr. Snyder graduated from West Texas A&M University and obtained a Master of Public Administration from Texas Tech University. He is a member of the International City Management Association (ICMA) and TCMA. He is a graduate of the Public Executive Institute through the University of Texas and is a credentialed manager through ICMA. He has been a Board member of the TML Intergovernmental Risk Pool since 2018 and served on various committees with TML, TCMA and ICMA and as past president of the Panhandle City Management Association.

WRITE IN CANDIDATE:

PLACE 4

- Robert S. Hauck** (Incumbent). City Manager for the City of Tomball (Region 14), a position he has held since April 2018. He began his full-time career in public service with the Los Angeles Police Department in 1988. In 2008, Mr. Hauck retired from the LAPD and joined the City of Tomball, where he has served as Chief of Police, Assistant City Manager, and now City Manager. Mr. Hauck holds a Bachelor of Arts degree in Business Administration, and a Master of Science degree in Management. He has been a Board member of the TML Intergovernmental Risk Pool since 2019. Mr. Hauck and his wife Kathleen have three children – Lauren, Conner, and Madeline.

- Dave Martin**. City Councilmember and current Mayor Pro Tem for the City of Houston (Region 14). Mr. Martin serves as Chair of the City Council Budget and Fiscal Affairs Committee. He previously served on the Humble ISD Board of Trustees and as Secretary/Treasurer of the Board of Directors for the Harris County Houston Sports Authority. Mr. Martin is a Managing Director of Marsh & McLennan Companies, Inc., the largest Global Risk Management firm. Previously he worked for two “Big Four” accounting firms, PricewaterhouseCoopers, LLP and Ernst & Young, LLP.

- Kimberly Meisner**. Executive Director for General Operations for Kerrville (Region 7), overseeing Human Resources, Municipal Court, Public Library, Public Information, the Senior Services Advisory Committee, and the Kerrville Area Youth Leadership Academy. Ms. Meisner has over 23 years of public service, which includes serving Kerrville and La Porte. She is a member of the TCMA, International Public Management Association for Human Resources (IPMA-HR), Society for Human Resource Management (SHRM), and is a former President of the Bay Area Human Resource Management Association. She has a Master’s degree in Public Administration and is an IPMA-HR Senior Certified Professional and a SHRM Certified Professional.

- Sean Overeynder**. City Manager for the City of Lamesa, Texas (Region 3). Sean Overeynder began his career in local government administration in August 2014 in Economic Development, working for various public and private organizations. He has held the position of City Manager for the City of Lamesa since March 2020. Prior to becoming the City Manager, he was appointed as the Economic Development Director for the City of Lamesa on August 27, 2018.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2020.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity



PLAINVIEW, TX
explore the opportunities

August 21, 2020

Gina Fulkerson, Mayor
City of Wimberley
221 Stillwater
Wimberley, TX 78676-6927

RE: Jeffrey Snyder, Place 3
TML Intergovernmental Risk Pool Board of Trustee Election

Dear Gina Fulkerson:

You have recently received your Official Ballot to elect Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool (IRP). I am running for re-election for Place 3 and I would sincerely appreciate your vote and support.

For over 40 years, the mission of the TMLIRP has been to provide Texas cities and other units of local government with a stable source of risk financing and loss prevention services at the lowest cost consistent with sound business practices. Today, the Pool provides coverage for over 96% of Texas's local governments (almost 2,800 members); over 165,000 public servants; and over \$25.0 billion in governmental property. In addition, the TMLIRP provides their members with Loss Prevention Training Programs at no additional cost throughout all regions of the State.

The financial position of the Pool remains strong, with Members' Equity projected to end the fiscal year at \$382 million. As a result, the Pool authorized a \$5.5 million equity return to the membership with over \$4.0 million in the form of a "Partnership Equity Return" providing immediate support for the Pool's members during these challenging times and earmarked \$1.5 million for a Cyber Defense and Resiliency Grant Program for members.

The City Council of Plainview and the TMLIRP Board have nominated me for your consideration for Place 3 on the Board of Trustees. It has been an honor to represent you and I look forward to continue serving you – the cities and other local governments of Texas in this office. I would appreciate your vote and continuing support. Thank you.

Truly,

Jeffrey Snyder
City Manager

City of Liberty Hill
926 Loop 332 – P.O. Box 1920
Liberty, Hill, Texas 78642



Legal Department
Tad Cleaves, City Attorney
Phone (512) 548-5525
Fax (512) 778-5418

August 27, 2020

Mayor Gina Fulkerson
City of Wimberley
221 Stillwater Drive
Wimberley, TX 78676

Re: TML Health Benefits Pool Board of Trustees Vote

Dear Mayor Fulkerson:

My name is Tad Cleaves, and I have been nominated to serve on the TML Health Benefits Pool Board of Trustees for our region, and I am asking for the support of the City of Wimberley.

My interest in this opportunity probably stems from my father, who is a retired family practice physician in Corpus Christi, where I grew up. For most of my childhood, he was a solo practitioner, which allowed me the freedom to hang out at the office. I came to understand that the most important thing one can do to improve one's health (as much as that is possible) is to prevent illness before it starts. That is more complicated than one sentence can capture, but making health-conscious choices early can save so much pain, difficulty, and expense. I understand the power that health care plans can wield both to ensure access to quality health care services when they are needed and to incentivize good, prevention-focused decision-making. If by serving on the TML Health Benefits Pool Board of Trustees I can help influence our region's policyholders to make more healthful choices to improve their health outcomes, while keeping coverage costs as reasonable as possible, that would be time exceedingly well-spent (and probably make my dad proud!).

Thank you for your time and attention. I am at your service if I can help in any way.

Sincerely,

Tad Cleaves
City Attorney
City of Liberty Hill, Texas