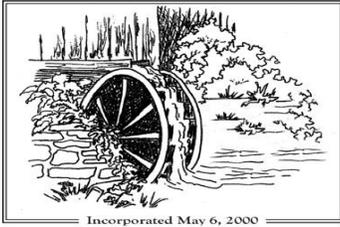


**REGULAR CITY
COUNCIL MEETING
PACKET**

Thursday, October 3, 2019

6:00 p.m.



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS 78676
THURSDAY, OCTOBER 3, 2019 – 6:00 P.M.

AGENDA

1. **CALL TO ORDER** October 3, 2019 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**
The City Council welcomes comments from the general public on issues and items of concern, not on this agenda. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.
6. **CONSENT AGENDA**
 - 6.1. Approval of minutes from the Regular City Council Meeting held September 19, 2019.
 - 6.2. Approval of City of Wimberley Financial Statements for July 2019.
 - 6.3. Approval of the second and final reading of Ordinance No. 2019-31, amending Article 2.05 City Officers, Division 1. Generally, to add Section 2.05.001 Mayor; Powers and Duties.
7. **BOARD, COMMISSION, COMMITTEE REPORTS**
Report from the Transportation Advisory Board (*TAB Chairperson Bobby Dettmer*)

8. CITY ADMINISTRATOR REPORT

Update regarding City road projects and communication efforts (*City Administrator Shawn Cox*)

9. DISCUSSION AND POSSIBLE ACTION

9.1. Discuss and consider possible action regarding a request to operate a food service trailer at 14050 RR 12 in Wimberley, Texas. (*Doug McElwee/Doo-Hickey's Hot Dogs, Applicant*)

9.2. Discuss and consider possible action to approve the CivicRec Contract in the amount of \$5,500 for Blue Hole Regional Park operations software. (*Parks Director Kelly Schmidt*)

9.3. Discuss and consider possible action regarding an ordinance adding Article 4.12, Landscaping and Tree Preservation to Chapter 4, Building Regulations of the City of Wimberley Code of Ordinances. (*Place Three Council Member Christine Byrne and Place Five Council Member Bo Bowman*)

9.4. Discuss and consider possible action to approve an expenditure in the amount of \$7,900.00 from The AC Guys for replacement of two A/C units at the Wimberley Community Center. (*City Administrator Shawn Cox*)

9.5. Discuss and consider possible action to approve an expenditure in the amount of \$7,695.00 from Bartlett Tree Experts for tree trimming on several City streets. (*City Administrator Shawn Cox*)

9.6. Discuss and consider possible action to approve an expenditure in the amount of \$7,495.00 from Hays County for the cattle guard repair on Spoke Hollow Road. (*City Administrator Shawn Cox*)

9.7. Discuss and consider possible action to approve an expenditure in the amount of \$5,500.00 from Myers Concrete for gabion basket repairs at the Hidden Valley Low Water Crossing. (*City Administrator Shawn Cox*)

9.8. Discuss and consider possible action to adopt a City of Wimberley Naming Policy. (*City Administrator Shawn Cox*)

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, in compliance with Chapter 551, Texas Government Code, on Monday, September 30, 2019, 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: Consent Agenda
SUBMITTED BY: Laura Calcote, City Secretary
DATE SUBMITTED: September 27, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- A. Approval of minutes from the Regular City Council Meeting held September 19, 2019.
- B. Approval of City of Wimberley Financial Statements for July 2019.
- C. Approval of the second and final reading of Ordinance No. 2019-31, amending Article 2.05 City Officers, Division 1. Generally, to add Section 2.05.001 Mayor; Powers and Duties. *(Place One Council Member Rebecca Minnick)*

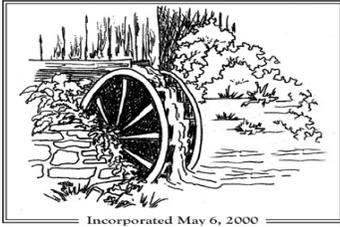
REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

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

STAFF RECOMMENDATION



City of Wimberley

221 Stillwater Drive, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER DRIVE, WIMBERLEY, TEXAS 78676
THURSDAY, SEPTEMBER 19, 2019 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor Pro-Tem, Rebecca Minnick, called the meeting to order at 6:01 p.m.

CALL OF ROLL

Council Members Present: Rebecca Minnick Place One
Craig Fore Place Two
Christine Byrne Place Three
Bo Bowman Place Five

Council Members Absent: Susan Jagers Mayor
Gary Barchfeld Place Four

City Staff Present: Shawn Cox City Administrator
Laura Calcote City Secretary
Sarah Griffin Deputy City Attorney
John Provost Public Works Superintendent
Kelly Schmidt Parks Director
Richard Shaver Parks Programs and Operations Manager

INVOCATION

Chapel in the Hills Reverend, Jim Denham, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

CITIZENS COMMUNICATIONS

There were no citizen's comments.

PRESENTATION AND POSSIBLE ACTION

Presentation and consider possible action regarding the Cypress Creek Nature Preserve and Trail Master Plan.

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

1. Merry Gibson stated she was disheartened by the presented Master Plan and contended the Plan does not align with the Conservation Easement for the Cypress Creek Nature Preserve.

Ms. Gibson noted the Parks and Recreation Board had delayed voting on the Plan until a later date.

2. Christine Middleton spoke in favor of the Master Plan, and noted the Plan addressed storm water management, riparian areas, and a way to manage public access to the area.
3. Dan Gauthier addressed Council regarding the intimate nature and profound benefits of the Cypress Creek Nature Preserve. Mr. Gauthier stated the area provides a way for humans to collaborate with nature and encouraged City Council to vote for approval of the Master Plan.
4. Jamie Pettit spoke in support of the Master Plan, and noted the Preserve was one of the only public access points to water in Wimberley.
5. Shelly Buse spoke in favor of the Master Plan, and contended the Plan was a fair compromise between all interested parties.
6. Elizabeth Craig, President of the Blanco River Academy, addressed Council regarding the benefits students and teacher derive from the Preserve. She stated the Master Plan will assist in preserving greenspace and was in support of the Plan.
7. Martha Knies spoke in support of the Master Plan, and noted the Preserve is a treasure for the Wimberley Valley.

Daniel Alvarado presented the Cypress Creek Nature Preserve Master Plan, including the community engagement process, surveys, existing conditions, stormwater mitigation, roadway conditions, proposed trail alignment and design, signage and wayfinding and maintenance schedule. There was discussion among Mr. Alvarado and Council members pertaining to stormwater mitigation, maintenance concerns and public access to the Cypress Creek. Mr. Alvarado stated the Master Plan could aid in obtaining grants for the City, and the Plan provides a framework for the area.

Motion to approve the Cypress Creek Nature Preserve Master Plan was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried as follows (3-1):

Rebecca Minnick	Aye
Christine Byrne	Aye
Bo Bowman	Aye
Craig Fore	Nay

CONSENT AGENDA

Motion to approve the Consent Agenda was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

- A. Approval of minutes from the Regular City Council Meeting held September 5, 2019.
- B. Approval of minutes from the Special Joint City Council, Comprehensive Plan Review Team and Downtown District Committee Meeting held September 10, 2019.
- C. Approval of Place Two Council Member Craig Fore's reappointment of Charles Savino to the Planning and Zoning Commission.

BOARD, COMMISSION, COMMITTEE REPORTS

- A. Report from the Transportation Advisory Board (*TAB Chairperson Bobby Dettmer*)
This item was postponed until the next meeting.
- B. Report from the Downtown District Committee (*Committee Chairperson Teresa Shell*)
Committee Chairperson, Teresa Shell, addressed Council regarding the Committee's current focus of the downtown area, including pedestrian safety, parking and sidewalks, trash management, lighting concerns and signage.

There was a recess at 7:12 p.m.

Regular Session reconvened at 7:20 p.m.

CITY ADMINISTRATOR REPORT

City Administrator, Shawn Cox, updated City Council regarding the 5.68% increase in sales tax from September 2018, for a year-to-date increase of 6.07% from 2018. Additionally, Mr. Cox stated the City had recently created a Facebook page and an Instagram account, in accordance with the Social Media Policy that was previously passed. Hays County Precinct 3 Constable, Ray Helm, addressed Council pertaining to the August 2019 patrol report for the department, along with the recently high volume of thru truck traffic within the City.

PUBLIC HEARINGS AND POSSIBLE ACTION

- A. Hold a public hearing and consider approval regarding case CUP-19-003, an application for a Conditional Use Permit to allow for the operation of a bed & breakfast on property zoned Residential Acreage (RA) located at 2595 Flite Acres Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Wendy Phillips*)

The application was for the operation of a bed and breakfast (STR1), which would include two cabins. The Planning and Zoning Commission had unanimously voted to recommend approval of the application at their September 12th meeting.

Mayor Pro-Tem, Rebecca Minnick, opened the public hearing at 7:21 p.m.

Suzanne Davis spoke in support of the application and stated the short-term rental would fit nicely into the neighborhood. Ms. Davis also noted short-term rental properties can be beneficial for the community, if the owners go through the proper procedure in obtaining the operation permit.

Mayor Pro-Term Rebecca Minnick, closed the public hearing at 7:25 p.m.

Motion to approve case CUP-19-003, an application for a Conditional Use Permit to allow for the operation of a bed & breakfast on property zoned Residential Acreage (RA) located at 2595 Flite Acres Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- B. Hold a public hearing and consider approval regarding case CUP-19-010, an application for a Conditional Use Permit to allow for the operation of a bed & breakfast on property zoned Single-Family Residential 2 (R-2) located at 3020 Flite Acres Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Mike & LeeAnn Bower*)

The application was for the operation of a bed and breakfast (STR1), which would include one structure. Two letters of support had been received. The Planning and Zoning Commission

had unanimously voted to recommend approval of the application at their September 12th meeting.

Mayor Pro-Tem, Rebecca Minnick, opened the public hearing at 7:27 p.m.

Suzanne Davis spoke in support of the application.

Mayor Pro-Tem, Rebecca Minnick, closed the public hearing at 7:28 p.m.

Motion to approve case CUP-19-010, an application for a Conditional Use Permit to allow for the operation of a bed & breakfast on property zoned Single-Family Residential 2 (R-2) located at 3020 Flite Acres Road, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

- C. Hold a public hearing and consider approval regarding case CUP-19-012, an application for a Conditional Use Permit to allow for the operation of a vacation rental on property zoned Commercial-Low Impact (C-1) located at 216 Mill Race Lane, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Charles Duggan*)

The application was to operate a vacation rental (STR2). Numerous letters of support had been received from property owners within the 200 feet notice area, and no opposition notices had been received. The Planning and Zoning Commission had unanimously voted to recommend approval of the application at their September 12th meeting.

Mayor Pro-Tem, Rebecca Minnick, opened the public hearing at 7:30 p.m.

There were no public comments.

Mayor Pro-Tem, Rebecca Minnick, closed the public hearing at 7:30 p.m.

Motion to approve case CUP-19-012, an application for a Conditional Use Permit to allow for the operation of a vacation rental on property zoned Commercial-Low Impact (C-1) located at 216 Mill Race Lane, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

- D. Hold a public hearing and consider approval regarding case ZA-19-007, an application to change the zoning from Single-Family Residential 2 (R-2) and Single-Family Residential 3 (R-3) to Commercial-Low Impact (C-1) for property located at 3 Palos Verdes Drive, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. (*Amber Busboom*)

The City Council adjourned into Executive Session at 7:32 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, Section 551.071 (Consultation with Attorney) to discuss case ZA-19-007.

Regular Session reconvened at 7:41 p.m.

The application was to change the zoning from R-2 and R-3 to C-1. There had been opposition to the application at the September 12th Planning and Zoning Commission Meeting, and the Commission had voted 3-3-0 to recommend approval.

Mayor Pro-Tem, Rebecca Minnick, opened the public hearing at 7:41 p.m.

There were two public comments. Michael Floreani had spoken against the application at the September 12th Planning and Zoning Commission Meeting but had since met with the prospective owners of the property and had come to a written compromise on the potential usage of the property. The new owners would reapply for a different zoning designation within 30 days of closing on the property from C1 to either O1 or O2. Mr. Floreani was no longer in

opposition to the application, per the agreement to reapply for zoning. April Anderson, the potential future property owner, spoke regarding the intent to reapply for a different zoning designation after closing on the property. Mayor Pro-Tem, Rebecca Minnick, closed the public hearing at 7:45 p.m. There was discussion among Council regarding the zoning application.

Motion to approve case ZA-19-007, an application to change the zoning from Single-Family Residential 2 (R-2) and Single-Family Residential 3 (R-3) to Commercial-Low Impact (C-1) for property located at 3 Palos Verdes Drive, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting was made by Council Member Craig Fore. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action regarding a request to install a tent for the Wimberley Knights of Columbus annual fundraiser at 14711 RR 12 in Wimberley, Texas. (*Wimberley Knights of Columbus*)

Wimberley Knights of Columbus Representative, Bill Kammerer, addressed Council regarding the request to install a tent from October 12th until October 24th for the annual fundraising event at St. Mary Catholic Church.

Motion to approve the request to install a tent for the Wimberley Knights of Columbus annual fundraiser at 14711 RR 12 in Wimberley, Texas was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- B. Discuss and consider possible action to approve the second and final reading of Ordinance No. 2019-27, amending Chapter 4, Article 4.02, Division 2, Residential Building Code. (*City Administrator Shawn Cox*)

Motion to approve the second and final reading of Ordinance No. 2019-27, amending Chapter 4, Article 4.02, Division 2, Residential Building Code was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

- C. Discuss and consider possible action to approve the second and final reading of Ordinance No. 2019-28, amending Chapter 4, Article 4.02, Division 3, Commercial Building Code. (*City Administrator Shawn Cox*)

Motion to approve the second and final reading of Ordinance No. 2019-28, amending Chapter 4, Article 4.02, Division 3, Commercial Building Code was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- D. Discuss and consider possible action to approve the second and final reading of Ordinance No. 2019-29, amending Chapter 4, Article 4.02, Division 4, Other Construction Codes. (*City Administrator Shawn Cox*)

Motion to approve the second and final reading of Ordinance No. 2019-29, amending Chapter 4, Article 4.02, Division 4, Other Construction Codes was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- E. Discuss and consider possible action to approve the second and final reading of Ordinance No. 2019-30, enacting regulatory guidelines for filming within the City limits; empowering the City Administrator to issue film permits pursuant to those guidelines; providing for: enactment; repealer; severability; and proper notice and meeting. *(Place Three Council Member Christine Byrne)*
Motion to approve the second and final reading of Ordinance No. 2019-30, enacting regulatory guidelines for filming within the City limits; empowering the City Administrator to issue film permits pursuant to those guidelines; providing for: enactment; repealer; severability; and proper notice and meeting was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).
- F. Discuss and consider possible action to approve Ordinance No. 2019-31, amending Article 2.05 City Officers, Division 1. Generally, to add Section 2.05.001 Mayor; Powers and Duties. *(Place One Council Member Rebecca Minnick)*
Council Member, Rebecca Minnick, presented Ordinance No. 2019-31, which would add a section to the City's Code of Ordinances regarding the Mayor's powers, duties and authority. There was discussion among Council members regarding the City's governmental structure, and communication among members of the governing body.
Motion to approve the first reading of Ordinance No. 2019-31, amending Article 2.05 City Officers, Division 1. Generally, to add Section 2.05.001 Mayor; Powers and Duties was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).
- G. Discuss and consider possible action regarding an ordinance adding Article 4.12, Landscaping and Tree Preservation to Chapter 4, Building Regulations of the City of Wimberley Code of Ordinances. *(Place Three Council Member Christine Byrne and Place Five Council Member Bo Bowman)*
Council Member, Christine Byrne, spoke regarding the tree survey results. There was discussion among Council pertaining to tree preservation, fines associated with violating the tree ordinance and residential versus commercial properties. It was decided the draft tree ordinance would once again be revised and submitted to the Planning and Zoning Commission for consideration and then to City Council.
No action was taken on this item.
- H. Discuss and consider possible action to approve Resolution No. 16-2019, supporting the extension of the Hays County/City of Wimberley hike and bike trail down Blue Hole Lane and Old Kyle Road to downtown. *(Place Three Council Member Christine Byrne)*
Council Member, Christine Byrne, presented Resolution No. 16-2019, which would support extending the hike and bike trail with a multi-modal path down Blue Hole Lane and Old Kyle Road to downtown to assist with pedestrian safety and connectivity.
Motion to approve Resolution No. 16-2019, supporting the extension of the Hays County/City of Wimberley hike and bike trail down Blue Hole Lane and Old Kyle Road to downtown was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).
- I. Discuss and consider possible action regarding the Hidden Valley Bridge fish weir. *(Mayor Susan Jagers)*

City Administrator, Shawn Cox, and Public Works Superintendent, John Provost, had been in contact with the Texas Parks and Wildlife Department to discuss the options available to correct the fish weir. Council and staff discussed staying in compliance with the sand and gravel permit for the option chosen. The City, county and state would continue talks to select the best option for all vested parties.

No action was taken on this item.

- J. Discuss and consider possible action to approve the JustFOIA Contract with MCCi in the amount of \$4,950.00, beginning October 1, 2019. *(City Secretary Laura Calcote)*

City Secretary, Laura Calcote, presented the JustFOIA software, which would assist the City in complying with open records requests. The item had been budgeted for the upcoming Fiscal Year 2020 Budget, beginning October 1st.

Motion to approve the JustFOIA Contract with MCCi in the amount of \$4,950.00, beginning October 1, 2019, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- K. Discuss and consider possible action to approve the GovOffice Website Contract in the amount of \$6,700.00, beginning October 1, 2019. *(City Administrator Shawn Cox)*

City Administrator, Shawn Cox, presented the GovOffice Website Contract, which would update and redesign the City's current website. The item had been budgeted for the upcoming Fiscal Year 2020 Budget, beginning October 1st.

Motion to approve the GovOffice Website Contract in the amount of \$6,700.00, beginning October 1, 2019, was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

- L. Discuss and consider possible action to approve the storage container purchase from Pac-Van in the amount of \$3,420.00, beginning October 1, 2019. *(City Administrator Shawn Cox)*

Motion to approve the storage container purchase from Pac-Van in the amount of \$3,420.00, beginning October 1, 2019, was made by Council Member Christine Byrne. Motion was seconded by Council Member Craig Fore. Motion carried unanimously (4-0).

- M. Discuss and consider possible action regarding the Auditor Engagement Letter. *(City Administrator Shawn Cox)*

Armstrong, Vaughan, and Associates had offered auditing services to the City for Fiscal Years 2016, 2017 and 2018. The three-year engagement letter could be extended on a year-to-year basis for Fiscal Years 2019 and 2020.

Motion to approve the Auditor Engagement Letter from Armstrong, Vaughan, and Associates, P.C. for Fiscal Year 2019 was made by Council Member Craig Fore. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

- N. Discuss and consider possible action to adopt a City of Wimberley Naming Policy. *(City Administrator Shawn Cox)*

Motion to postpone this item until the October 3rd City Council Meeting was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (4-0).

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

City Administrator, Shawn Cox, updated Council regarding the status of the Central Wimberley Wastewater Project. Capital Excavation and Plummer were working on the designs needed to order the lift station's wet well, and gathering the information requested by the Texas Department of Transportation (TxDOT) regarding the approved manhole locations. Additionally, negotiations pertaining the potential Aqua Texas contract were still being conducted. Four bore locations were being explored and the cost savings associated with each option. Easements for the bore locations were also being discussed with property owners.

No action was taken on this item.

- P. Discuss and consider possible action regarding City Council's proposed priorities for Fiscal Year 2020. *(City Administrator Shawn Cox)*

Motion to approve the City Council's proposed priorities for Fiscal Year 2020 was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

EXECUTIVE SESSION

City Council adjourned into Executive Session at 9:02 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose:

Section 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.

OPEN SESSION

Regular Session reconvened at 9:47 p.m.

Motion to extend City Administrator Shawn Cox's contract for six months from the current expiration date of February 1, 2020, for legal counsel to draft the language for the contract extension and for an evaluation of the City Administrator to be conducted within 60 days of the amended contract agreement was made by Council Member Craig Fore. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

CITY COUNCIL REPORTS

- A. Announcements – Council Member, Rebecca Minnick, announced the Wimberley Pride March to be held on September 21st at 7:00 p.m.

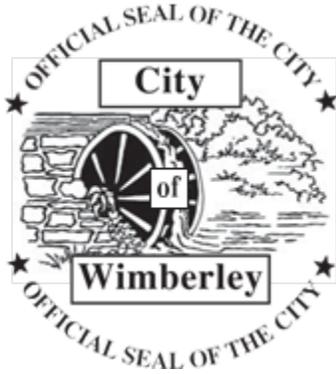
- B. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 9:49 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Bo Bowman. Motion carried unanimously (4-0).

RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Susan Jagers, Mayor

DRAFT

BALANCE SHEET

Page: 1
9/26/2019
8:49 am

City of Wimberley

As of: 7/31/2019

Balances

Fund: 100 - General Fund

Assets

1011 Petty Cash	350.00
1020 General Checking - ONB	911,944.25
1021 Certificate of Deposit - Ozona	229,217.29
1030 Texpool	185,208.95
1050 Sales Tax Receivable	171,723.87
1052 Mixed Bev Taxes Receivable	0.00
1053 Franchise Taxes Receivable	0.00
1150 Accounts Receivable	3,597.54
1151 Allowance for Uncoll Acct Rec	0.00
1210 Prepaid Expenses	0.00
1302 Due from Municipal Court	1,421.40
1304 Due from BHP	0.00
1305 Due from OTHERS	0.00
1306 Due from WW	0.00
1307 Due from TML Claim Fund	0.00

Total Assets

1,503,463.30

Liabilities

2010 Accounts Payable	115,460.76
2015 WCC Security Deposits	4,000.00
2021 Accrued Wages Payable	0.00
2022 Payroll Deductions Payable	137.07
2023 TML IEBP Payable	1,067.59
2060 Payable to Hays County	0.00
2072 ICMA RC Payable	0.00
2073 TWC Payable	0.00
2074 TMRS Payable	2,156.05
2075 TCEQ Payable to State	160.00
2081 Due to Others	344.26
2082 Due to BHP	3,437.82
2086 Due to Wastewater	177,584.31

Total Liabilities

304,347.86

Reserves/Balances

3310 Nonspendable Prepaids	0.00
3410 Restricted Funds	17,844.43
3510 Committed FB - Public Works	559,053.00
3520 Committed FB - New City Hall	0.00
3530 Committed FB - W/W on Square	504,204.00
3540 Committed FB-Future Grant Matc	334,375.00
3600 Fund Balance - Uncommitted	-5,440.71
3601 Transfer	0.00
3602 Suspense	0.00
3650 Net Excess (Deficit)	-210,920.28

Total Reserves/Balances

1,199,115.44

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Total Liabilities & Balances

1,503,463.30

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Revenues				
Dept: 15 ADMINISTRATION				
5120 General Sales & Use Tax	71,107.78	802,938.18	860,000.00	93.36
5131 Mixed Beverage Tax	0.00	15,128.55	9,500.00	159.25
5171 Franchise Tax	45,953.81	200,384.53	278,250.00	72.02
5211 Beer & Wine Permits	0.00	1,090.00	2,250.00	48.44
5212 Food Permits	100.00	11,350.00	12,500.00	90.80
5213 Septic Permits	0.00	8,760.00	12,500.00	70.08
5219 Sign Permits	140.00	2,031.00	2,000.00	101.55
5221 Building Permits	4,043.60	47,254.32	26,500.00	178.32
5340 Grant Funds	0.00	0.00	0.00	0.00
5410 CC Convenience Fees	41.74	500.23	200.00	250.12
5411 Court Costs, Fees & Charges	450.00	1,421.40	0.00	0.00
5413 Zoning	2,600.00	15,562.75	8,500.00	183.09
5414 Subdivision Fees	0.00	2,045.50	2,500.00	81.82
5415 Copies, Maps, Misc.	0.00	0.00	0.00	0.00
5416 Building Inspections	1,645.00	19,205.00	22,000.00	87.30
5417 Bldg Plan Reviews	1,060.00	14,805.00	17,500.00	84.60
5475 WCC Facility Rentals	2,090.00	43,872.70	55,000.00	79.77
5611 Interest Revenues	439.90	4,177.08	1,000.00	417.71
5620 Parking Lot Lease	0.00	0.00	0.00	0.00
5630 Restroom Revenue	0.00	0.00	0.00	0.00
5701 Other/Misc	2,089.13	74,594.17	3,000.00	2,486.47
5799 Operating Transfer In	0.00	0.00	0.00	0.00
5900 Designated Funds	0.00	0.00	0.00	0.00
5901 FEMA Designated Funds	0.00	0.00	0.00	0.00
ADMINISTRATION	131,760.96	1,265,120.41	1,313,200.00	96.34
Revenues	131,760.96	1,265,120.41	1,313,200.00	96.34
Expenditures				
Dept: 15 ADMINISTRATION				
6110 Salaries & Wages- CityAdmin	7,307.70	74,903.92	95,000.00	78.85
6120 Salaries & Wages-CitySecretary	4,846.16	49,673.20	63,000.00	78.85
6130 Salaries & Wages-FinanceClerk	3,078.40	31,554.00	40,000.00	78.89
6210 Health Care	1,521.58	16,603.72	28,080.00	59.13

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Dept: 15 ADMINISTRATION				
6220 Payroll Taxes	1,127.74	11,520.99	15,147.00	76.06
6230 TMRS Contributions	1,274.18	12,318.61	15,979.00	77.09
6250 Unemployment Compensation	0.00	27.00	487.00	5.54
6270 Annual/Assoc DUES	0.00	4,872.88	2,256.00	216.00
6320 Financial Mgmt Services	0.00	0.00	0.00	0.00
6340 Technician/Technology Consulta	93.75	1,572.25	2,000.00	78.61
6370 Contract Services	2,108.00	2,733.00	0.00	0.00
6371 Sanitarian (Contract Labor)	0.00	0.00	0.00	0.00
6410 Utilities	696.84	5,467.60	7,500.00	72.90
6411 Telephones	285.90	2,625.87	2,880.00	91.18
6420 Office Cleaning	400.00	3,800.00	5,300.00	71.70
6430 Bldg Repairs/Maintenance	0.00	1,034.14	3,000.00	34.47
6433 Equipment Maintenance	0.00	0.00	0.00	0.00
6441 Storage Rental	100.00	4,660.00	6,600.00	70.61
6442 Water Cooler	100.48	540.37	600.00	90.06
6443 Equipment Rent/Lease	712.94	6,456.67	8,000.00	80.71
6444 Parking Lot Lease	100.00	1,000.00	1,200.00	83.33
6520 Insurance	0.00	26,604.98	26,000.00	102.33
6521 Security System	170.64	682.56	853.00	80.02
6531 Public Notices	258.00	3,414.51	7,500.00	45.53
6532 Office Tech/Software	639.92	17,226.30	14,153.00	121.71
6540 Advertising	0.00	0.00	0.00	0.00
6551 Printing Services	150.38	150.38	500.00	30.08
6552 Copies/Misc	0.00	6.00	0.00	0.00
6562 CC Processing Fees	35.53	566.78	200.00	283.39
6569 Vehicle Allowance/Moving Exp	500.00	5,000.00	6,000.00	83.33
6570 Travel/Hospitality	1,361.70	2,077.60	2,109.00	98.51
6571 Mileage	261.00	1,168.35	1,350.00	86.54
6572 Training	265.00	1,616.00	900.00	179.56
6573 Tuition Reimbursement	0.00	0.00	0.00	0.00
6580 Pay Comparability Adj	0.00	0.00	0.00	0.00
6581 Refunds	0.00	2,641.30	500.00	528.26
6589 Records Management	39.98	4,325.10	0.00	0.00
6610 Operating Supplies	20.68	1,197.14	2,000.00	59.86
6651 Postage/Shipping	0.00	547.11	1,250.00	43.77

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Dept: 15 ADMINISTRATION				
6660 Office Supplies	107.92	1,012.51	3,000.00	33.75
6700 Bad Debt Expense	0.00	0.00	0.00	0.00
6790 Capital Outlay - Furnishings	0.00	0.00	0.00	0.00
6791 Capital Outlay - Technology	0.00	0.00	0.00	0.00
6792 Capital Outlay - Other	0.00	25,000.00	40,000.00	62.50
6990 Operating Transfer Out	305,653.00	402,703.00	402,703.00	100.00
ADMINISTRATION	333,217.42	727,303.84	806,047.00	90.23
Dept: 16 LEGAL				
6350 Legal	11,942.76	137,860.37	200,000.00	68.93
LEGAL	11,942.76	137,860.37	200,000.00	68.93
Dept: 17 COUNCIL/BOARD				
6320 Financial Mgmt Services	1,350.00	12,150.00	16,200.00	75.00
6330 Audit Svs	0.00	15,375.00	18,875.00	81.46
6340 Technician/Technology Consulta	0.00	0.00	20,000.00	0.00
6382 Social Services Support	0.00	0.00	0.00	0.00
6533 Public Information	0.00	3,949.49	4,750.00	83.15
6541 Public Relations/Receptions	344.74	1,018.72	1,500.00	67.91
6572 Training	877.00	2,007.00	1,000.00	200.70
6590 Elections	0.00	5,894.52	3,250.00	181.37
6591 Planning	0.00	0.00	0.00	0.00
COUNCIL/BOARD	2,571.74	40,394.73	65,575.00	61.60
Dept: 18 BUILDING				
6360 Contract Inspections	4,955.00	35,885.00	29,000.00	123.74
6582 Site Plan Reviews	0.00	5,775.00	10,000.00	57.75
BUILDING	4,955.00	41,660.00	39,000.00	106.82
Dept: 21 PUBLIC SAFETY				
6220 Payroll Taxes	0.00	0.00	0.00	0.00
6230 TMRS Contributions	0.00	0.00	0.00	0.00
6250 Unemployment Compensation	0.00	0.00	0.00	0.00
6370 Contract Services	23,593.41	60,810.41	74,254.00	81.90
6371 Sanitarian (Contract Labor)	0.00	26,222.41	25,000.00	104.89
6373 Animal Control	0.00	6,000.00	6,000.00	100.00

*Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Dept: 21 PUBLIC SAFETY				
6571 Mileage	0.00	0.00	0.00	0.00
6572 Training	0.00	0.00	0.00	0.00
6583 Fuel	0.00	0.00	0.00	0.00
6610 Operating Supplies	0.00	0.00	0.00	0.00
6794 Capital Outlay - Equipmt/Other	0.00	0.00	0.00	0.00
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PUBLIC SAFETY	23,593.41	93,032.82	105,254.00	88.39
Dept: 25 MUNICIPAL COURT				
6270 Annual/Assoc DUES	0.00	0.00	0.00	0.00
6380 Municipal Court Judge	0.00	7,000.00	0.00	0.00
6381 City Prosecutor	0.00	4,833.22	0.00	0.00
6570 Travel/Hospitality	0.00	0.00	0.00	0.00
6572 Training	0.00	0.00	0.00	0.00
6610 Operating Supplies	0.00	0.00	0.00	0.00
6651 Postage/Shipping	0.00	0.00	0.00	0.00
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MUNICIPAL COURT	0.00	11,833.22	0.00	0.00
Dept: 30 PUBLIC WORKS				
6150 Salaries & Wages-PW Code Enfor	3,076.80	32,833.06	40,000.00	82.08
6160 Salaries & Wages - GIS/PlanTec	4,443.20	43,640.18	57,750.00	75.57
6180 Salaries & Wages- Maintenance	1,263.75	8,778.76	15,000.00	58.53
6210 Health Care	1,429.85	9,760.71	18,720.00	52.14
6220 Payroll Taxes	671.97	6,521.78	8,625.00	75.61
6230 TMRS Contributions	726.14	6,026.68	9,099.00	66.23
6250 Unemployment Compensation	0.00	122.56	487.00	25.17
6270 Annual/Assoc DUES	0.00	200.00	500.00	40.00
6431 Vehicle Maint/Insurance	0.00	125.66	600.00	20.94
6532 Office Tech/Software	0.00	56.17	0.00	0.00
6570 Travel/Hospitality	16.00	613.89	1,250.00	49.11
6571 Mileage	45.82	430.82	200.00	215.41
6572 Training	150.00	500.00	350.00	142.86
6583 Fuel	152.54	1,318.92	2,000.00	65.95
6610 Operating Supplies	18.92	502.97	2,050.00	24.54
6612 Tools	0.00	6.30	500.00	1.26
6794 Capital Outlay - Equipmt/Other	312.99	4,161.99	4,000.00	104.05

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Dept: 30 PUBLIC WORKS				
6795 Capital Outlay - Roads	0.00	0.00	0.00	0.00
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PUBLIC WORKS	12,307.98	115,600.45	161,131.00	71.74
Dept: 31 ROADS				
6370 Contract Services	0.00	30.00	0.00	0.00
6372 Survey Services	0.00	13,380.00	0.00	0.00
6432 Road Maintenance	1,230.25	51,996.21	80,000.00	65.00
6433 Equipment Maintenance	0.00	98.30	500.00	19.66
6470 Engineering - Roads	0.00	2,962.50	20,000.00	14.81
6584 Mowing/Trimming	100.00	940.00	10,000.00	9.40
6611 Signs/Barricades	1,015.45	2,774.20	3,000.00	92.47
6792 Capital Outlay - Other	0.00	0.00	0.00	0.00
6795 Capital Outlay - Roads	0.00	87,594.31	140,000.00	62.57
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ROADS	2,345.70	159,775.52	253,500.00	63.03
Dept: 33 WATER/WASTEWATER				
6561 State Sanitations Fees	0.00	0.00	500.00	0.00
6586 Quality Testing WW	0.00	1,934.00	5,000.00	38.68
6588 Public Restroom WW	6,378.20	30,979.54	28,500.00	108.70
6793 Capital Outlay - RR Trailer	0.00	0.00	0.00	0.00
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WATER/WASTEWATER	6,378.20	32,913.54	34,000.00	96.80
Dept: 51 COMMUNITY CENTER				
6140 Salaries & Wages- WCC Director	3,063.06	32,840.98	35,987.00	91.26
6180 Salaries & Wages- Maintenance	1,900.00	17,999.32	35,000.00	51.43
6210 Health Care	712.12	7,455.58	9,360.00	79.65
6220 Payroll Taxes	379.68	3,889.34	5,431.00	71.61
6230 TMRS Contributions	256.74	2,614.97	5,729.00	45.64
6250 Unemployment Compensation	0.00	174.03	487.00	35.74
6270 Annual/Assoc DUES	0.00	88.00	175.00	50.29
6370 Contract Services	74.50	233.50	0.00	0.00
6410 Utilities	2,172.38	17,415.93	21,000.00	82.93
6411 Telephones	132.53	1,015.80	2,700.00	37.62
6430 Bldg Repairs/Maintenance	55.74	8,186.12	5,000.00	163.72
6443 Equipment Rent/Lease	0.00	0.00	0.00	0.00

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 100 - General Fund				
Expenditures				
Dept: 51 COMMUNITY CENTER				
6521 Security System	161.55	1,734.77	2,000.00	86.74
6532 Office Tech/Software	84.98	1,694.84	1,000.00	169.48
6540 Advertising	23.20	1,653.22	2,500.00	66.13
6541 Public Relations/Receptions	0.00	0.00	250.00	0.00
6551 Printing Services	0.00	3.75	250.00	1.50
6610 Operating Supplies	247.90	1,828.83	4,500.00	40.64
6651 Postage/Shipping	0.00	0.00	100.00	0.00
6660 Office Supplies	0.00	132.59	500.00	26.52
6794 Capital Outlay - Equipmt/Other	0.00	7,203.35	4,850.00	148.52
6797 Capital Outlay - Facilities	0.00	0.00	0.00	0.00
COMMUNITY CENTER	9,264.38	106,164.92	136,819.00	77.60
Dept: 52 PARKS				
6585 NATURE TL / OLD BALDY	633.71	9,501.28	10,300.00	92.25
PARKS	633.71	9,501.28	10,300.00	92.25
Dept: 90 Prior Period Adjustment				
9000 Prior Period Adjustment	0.00	0.00	0.00	0.00
Prior Period Adjustment	0.00	0.00	0.00	0.00
Expenditures	407,210.30	1,476,040.69	1,811,626.00	81.48
Net Effect for General Fund	-275,449.34	-210,920.28	-498,426.00	42.32
Change in Fund Balance:	-275,449.34	-210,920.28		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 200 - Blue Hole Parkland

Assets

1011 Petty Cash	695.00
1022 BH Parkland - ONB	565,123.88
1301 Due from General	3,437.82

<u>Total Assets</u>	<u>569,256.70</u>
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Liabilities

2010 Accounts Payable	5,283.92
2016 BHP Security Deposits	200.00
2021 Accrued Wages Payable	0.00
2022 Payroll Deductions Payable	384.02
2071 Sales Tax Payable	0.00
2072 ICMA RC Payable	0.00
2073 TWC Payable	0.00
2074 TMRS Payable	361.48
2080 Due to General	0.00
2081 Due to Others	0.00

<u>Total Liabilities</u>	<u>6,229.42</u>
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Reserves/Balances

3600 Fund Balance - Uncommitted	557,527.00
3601 Transfer	0.00
3650 Net Excess (Deficit)	5,500.28

<u>Total Reserves/Balances</u>	<u>563,027.28</u>
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<u>Total Liabilities & Balances</u>	<u>569,256.70</u>
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REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 200 - Blue Hole Parkland				
Revenues				
Dept: 52 PARKS				
5472 Reservations/Gate Fees	122,952.50	319,120.50	341,680.00	93.40
5474 Facility Rentals	800.00	10,460.00	10,000.00	104.60
5476 Special Events	9,975.00	41,445.00	34,000.00	121.90
5479 Vending/Merchandise	2,709.95	5,920.49	7,500.00	78.94
5611 Interest Revenues	22.91	197.37	150.00	131.58
5701 Other/Misc	739.25	5,176.09	4,500.00	115.02
5799 Operating Transfer In	101,572.00	101,572.00	101,572.00	100.00
5900 Designated Funds	0.00	0.00	0.00	0.00
PARKS	238,771.61	483,891.45	499,402.00	96.89
Revenues	238,771.61	483,891.45	499,402.00	96.89
Expenditures				
Dept: 52 PARKS				
6141 Salaries & Wages- Park Manager	2,019.23	40,353.02	52,500.00	76.86
6180 Salaries & Wages- Maintenance	2,826.92	30,653.20	36,750.00	83.41
6181 Salaries & Wages - PT Seasonal	14,980.50	47,063.51	61,155.00	76.96
6182 Salaries & Wages - Laborer	0.00	20,392.03	28,000.00	72.83
6183 Salaries & Wages - Prog Coord.	2,384.00	19,072.00	31,000.00	61.52
6210 Health Care	2,863.93	28,061.49	37,440.00	74.95
6220 Payroll Taxes	1,699.14	12,051.71	16,019.00	75.23
6230 TMRS Contributions	1,097.10	8,894.26	11,964.00	74.34
6250 Unemployment Compensation	0.00	979.80	1,299.00	75.43
6374 Contract Services	920.97	14,896.40	18,200.00	81.85
6410 Utilities	1,314.45	11,470.09	16,253.00	70.57
6411 Telephones	0.00	2,020.99	2,300.00	87.87
6431 Vehicle Maint/Insurance	25.78	149.21	500.00	29.84
6433 Equipment Maintenance	112.59	122.59	800.00	15.32
6443 Equipment Rent/Lease	0.00	1,131.29	3,000.00	37.71
6532 Office Tech/Software	0.00	223.00	3,000.00	7.43
6562 CC Processing Fees	5,007.59	13,321.55	12,000.00	111.01
6570 Travel/Hospitality	0.00	859.74	800.00	107.47
6571 Mileage	0.00	663.52	400.00	165.88
6572 Training	0.00	610.00	3,000.00	20.33

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 200 - Blue Hole Parkland				
Expenditures				
Dept: 52 PARKS				
6581 Refunds	0.00	4,276.69	0.00	0.00
6583 Fuel	111.77	798.38	1,200.00	66.53
6584 Mowing/Trimming	0.00	0.00	2,000.00	0.00
6610 Operating Supplies	966.55	17,893.25	27,000.00	66.27
6613 Materials	0.00	2,052.43	6,000.00	34.21
6615 Bldg & Maint Supplies	43.68	71.68	4,500.00	1.59
6651 Postage/Shipping	0.00	0.00	50.00	0.00
6660 Office Supplies	0.00	309.34	500.00	61.87
6794 Capital Outlay - Equipmt/Other	0.00	0.00	20,000.00	0.00
6990 Operating Transfer Out	150,000.00	200,000.00	200,000.00	100.00
PARKS	186,374.20	478,391.17	597,630.00	80.05
Expenditures	186,374.20	478,391.17	597,630.00	80.05
Net Effect for Blue Hole Parkland	52,397.41	5,500.28	-98,228.00	-5.60
Change in Fund Balance:	52,397.41	5,500.28		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 201 - Municipal Court

Assets

1023 Municipal Court - ONB
1024 MC Bonds - ONB

3,687.60
76.00

Total Assets

3,763.60

Liabilities

2010 Accounts Payable
2076 MC Payable to State
2080 Due to General

0.00
672.98
1,421.40

Total Liabilities

2,094.38

Reserves/Balances

3600 Fund Balance - Uncommitted
3601 Transfer
3650 Net Excess (Deficit)

3,420.82
0.00
-1,751.60

Total Reserves/Balances

1,669.22

Total Liabilities & Balances

3,763.60

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 201 - Municipal Court				
Revenues				
Dept: 00				
5410 CC Convenience Fees	0.00	0.00	0.00	0.00
5514 Court Technology	24.00	88.00	0.00	0.00
5515 Court Bldg Security	18.00	66.00	0.00	0.00
5516 Child Safety	0.00	50.00	0.00	0.00
5517 Judicial Efficiency	3.00	12.00	0.00	0.00
5611 Interest Revenues	0.37	5.30	0.00	0.00
5701 Other/Misc	405.80	2,143.50	0.00	0.00
Dept: 00	451.17	2,364.80	0.00	0.00
Revenues	451.17	2,364.80	0.00	0.00
Expenditures				
Dept: 00				
6532 Office Tech/Software	0.00	4,116.40	0.00	0.00
6551 Printing Services	0.00	0.00	0.00	0.00
6589 Records Management	0.00	0.00	0.00	0.00
6614 Signage	0.00	0.00	0.00	0.00
6660 Office Supplies	0.00	0.00	0.00	0.00
6790 Capital Outlay - Furnishings	0.00	0.00	0.00	0.00
6791 Capital Outlay - Technology	0.00	0.00	0.00	0.00
Dept: 00	0.00	4,116.40	0.00	0.00
Expenditures	0.00	4,116.40	0.00	0.00
Net Effect for Municipal Court	451.17	-1,751.60	0.00	0.00
Change in Fund Balance:	451.17	-1,751.60		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 202 - Wastewater Fund

Assets

1027	Wastewater - ONB	154,495.44
1028	WW Construction Fund	12,972.80
1029	WW Int & Sinking Fund	101,024.68
1150	Accounts Receivable	618.00
1152	Tax Notes 2013-Restricted Cash	31,784.08
1301	Due from General	0.00
1310	Due from WW Project Fund	68,549.50
1729	WW Reclamation Facility	564,015.37
1730	Utility Plant - WW	223,970.00
1731	Accumulated Deprec.-Bldgs	-39,621.50

	<u>Total Assets</u>	<u>1,117,808.37</u>
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Liabilities

2010	Accounts Payable	72,096.67
2080	Due to General	0.00
2140	Accrued Interest Payable	2,041.92
2240	Notes Payable - Current	124,431.00
2550	Notes Payable - Utility Plant	0.00
2551	Notes Payable-Tax Notes 2013	95,000.00

	<u>Total Liabilities</u>	<u>293,569.59</u>
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Reserves/Balances

3600	Fund Balance - Uncommitted	325,465.24
3601	Transfer	0.00
3610	Net Invest in Capital Assets	514,814.52
3650	Net Excess (Deficit)	-16,040.98

	<u>Total Reserves/Balances</u>	<u>824,238.78</u>
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	<u>Total Liabilities & Balances</u>	<u>1,117,808.37</u>
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REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 202 - Wastewater Fund				
Revenues				
Dept: 04 WATER/WASTEWATER				
5340 Grant Funds	0.00	0.00	0.00	0.00
5400 WW Service Fees	9,898.00	98,980.00	117,286.00	84.39
5611 Interest Revenues	16.52	96.89	0.00	0.00
5789 Revenue Bond Transfer In	0.00	0.00	0.00	0.00
5799 Operating Transfer In	354,081.00	501,131.00	501,131.00	100.00
WATER/WASTEWATER	363,995.52	600,207.89	618,417.00	97.06
Revenues	363,995.52	600,207.89	618,417.00	97.06
Expenditures				
Dept: 04 WATER/WASTEWATER				
6374 Contract Services	7,498.38	151,958.55	268,020.00	56.70
6410 Utilities	547.75	6,150.97	7,500.00	82.01
6411 Telephones	164.17	1,005.26	675.00	148.93
6589 Records Management	350.00	350.00	0.00	0.00
6610 Operating Supplies	0.00	0.00	0.00	0.00
6660 Office Supplies	0.00	0.00	0.00	0.00
6792 Capital Outlay - Other	0.00	0.00	0.00	0.00
6797 Capital Outlay - Facilities	0.00	62,556.67	31,250.00	200.18
6799 Project Manager-WW Project	252.50	54,271.92	90,000.00	60.30
6800 Depreciation	0.00	0.00	0.00	0.00
6900 Wastewater Debt Service - Prin	250,000.00	250,000.00	216,734.00	115.35
6901 Wastewater Debt Service - Int	44,802.75	89,955.50	89,606.00	100.39
6990 Operating Transfer Out	0.00	0.00	0.00	0.00
WATER/WASTEWATER	303,615.55	616,248.87	703,785.00	87.56
Expenditures	303,615.55	616,248.87	703,785.00	87.56
Net Effect for Wastewater Fund	60,379.97	-16,040.98	-85,368.00	18.79
Change in Fund Balance:	60,379.97	-16,040.98		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 205 - Hotel Occupancy Tax

Assets

1019 Hotel Occupancy Tax	141,917.11
1055 Hotel Occupancy Receivable	0.00
1301 Due from General	344.26
1305 Due from OTHERS	0.00
1210 Prepaid Expenses	0.00

<u>Total Assets</u>	<u>142,261.37</u>
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Liabilities

2010 Accounts Payable	344.26
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<u>Total Liabilities</u>	<u>344.26</u>
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Reserves/Balances

3310 Nonspendable Prepaids	10,091.00
3560 FB Committed-Emergency Plan	5,000.00
3600 Fund Balance - Uncommitted	139,229.74
3650 Net Excess (Deficit)	-12,403.63

<u>Total Reserves/Balances</u>	<u>141,917.11</u>
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<u>Total Liabilities & Balances</u>	<u>142,261.37</u>
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REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 205 - Hotel Occupancy Tax				
Revenues				
Dept: 15 ADMINISTRATION				
5132 Hotel Occupancy Tax	0.00	0.00	0.00	0.00
5611 Interest Revenues	6.03	59.27	0.00	0.00
ADMINISTRATION	6.03	59.27	0.00	0.00
Revenues	6.03	59.27	0.00	0.00
Expenditures				
Dept: 15 ADMINISTRATION				
6135 Salaries & Wages - HOT	0.00	0.00	0.00	0.00
6210 Health Care	0.00	0.00	0.00	0.00
6220 Payroll Taxes	0.00	0.00	0.00	0.00
6230 TMRS Contributions	0.00	0.00	0.00	0.00
6250 Unemployment Compensation	0.00	0.00	0.00	0.00
6270 Annual/Assoc DUES	0.00	0.00	0.00	0.00
6370 Contract Services	344.26	2,371.90	0.00	0.00
6551 Printing Services	0.00	0.00	0.00	0.00
6570 Travel/Hospitality	0.00	0.00	0.00	0.00
6572 Training	0.00	0.00	0.00	0.00
6592 HOT Disbursements	0.00	10,091.00	0.00	0.00
6610 Operating Supplies	0.00	0.00	0.00	0.00
6651 Postage/Shipping	0.00	0.00	0.00	0.00
6660 Office Supplies	0.00	0.00	0.00	0.00
6791 Capital Outlay - Technology	0.00	0.00	0.00	0.00
ADMINISTRATION	344.26	12,462.90	0.00	0.00
Expenditures	344.26	12,462.90	0.00	0.00
Net Effect for Hotel Occupancy Tax	-338.23	-12,403.63	0.00	0.00
Change in Fund Balance:	-338.23	-12,403.63		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 600 - BHP Development Projects

Assets

1025 BH Development - ONB

18,778.43

Total Assets

18,778.43

Liabilities

2010 Accounts Payable

0.00

Total Liabilities

0.00

Reserves/Balances

3550 FB Committed - Soccer Fields

109,279.00

3600 Fund Balance - Uncommitted

-90,524.00

3650 Net Excess (Deficit)

23.43

Total Reserves/Balances

18,778.43

Total Liabilities & Balances

18,778.43

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 600 - BHP Development Projects				
Revenues				
Dept: 00				
5611 Interest Revenues	2.39	23.43	18.00	130.17
Dept: 00	2.39	23.43	18.00	130.17
Revenues	2.39	23.43	18.00	130.17
Expenditures				
Dept: 00				
6589 Records Management	0.00	0.00	0.00	0.00
6794 Capital Outlay - Equipmt/Other	0.00	0.00	0.00	0.00
6797 Capital Outlay - Facilities	0.00	0.00	0.00	0.00
6798 Capital Outlay-Development	0.00	0.00	0.00	0.00
Dept: 00	0.00	0.00	0.00	0.00
Expenditures	0.00	0.00	0.00	0.00
Net Effect for BHP Development Projects	2.39	23.43	18.00	130.17
Change in Fund Balance:	2.39	23.43		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 602 - FM 2325 Sidewalk

Assets

1026 FM 2325 Sidewalks - ONB

5,026.64

Total Assets

5,026.64

Reserves/Balances

3600 Fund Balance - Uncommitted

5,024.56

3650 Net Excess (Deficit)

2.08

Total Reserves/Balances

5,026.64

Total Liabilities & Balances

5,026.64

REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 602 - FM 2325 Sidewalk				
Revenues				
Dept: 00				
5611 Interest Revenues	0.21	2.08	2.00	104.00
Dept: 00	0.21	2.08	2.00	104.00
Revenues	0.21	2.08	2.00	104.00
Expenditures				
Dept: 00				
6589 Records Management	0.00	0.00	0.00	0.00
Dept: 00	0.00	0.00	0.00	0.00
Expenditures	0.00	0.00	0.00	0.00
Net Effect for FM 2325 Sidewalk	0.21	2.08	2.00	104.00
Change in Fund Balance:	0.21	2.08		

* Using Actual MTD, QTD and YTD Ammended & Original Budgets

BALANCE SHEET

City of Wimberley

As of: 7/31/2019

Balances

Fund: 604 - WW Collection & Treatment Plan

Assets

1032	WW Bond Reserve Funds	406,357.54
1033	BOK Financial (82-2435-02-0)	249,105.91
1034	BOK Financial (82-2435-01-2)	2,367,662.59
1301	Due from General	177,584.31
1728	WW Project - Const in Progress	2,021,785.14

	Total Assets	5,222,495.49
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Liabilities

2010	Accounts Payable	192.50
2011	Debt Forgiveness Funds	243,005.00
2081	Due to Others	68,549.50
2140	Accrued Interest Payable	21,385.00
2560	N TX General Obligation	5,100,000.00
2561	Bonds - Current	155,000.00

	Total Liabilities	5,588,132.00
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Reserves/Balances

3600	Fund Balance - Uncommitted	-45,969.97
3601	Transfer	0.00
3610	Net Invest in Capital Assets	-95,451.86
3650	Net Excess (Deficit)	-224,214.68

	Total Reserves/Balances	-365,636.51
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	Total Liabilities & Balances	5,222,495.49
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REVENUE/EXPENDITURE REPORT

City of Wimberley

CY MTD: 7/1/2019 to 7/31/2019 CY ATD: 10/1/2018 to 9/30/2019

	CY MTD Actual	CY YTD Actual	CY Amended Annual Budget	Current Year % of Budget
Fund: 604 - WW Collection & Treatment Plan				
Revenues				
Dept: 04 WATER/WASTEWATER				
5340 Grant Funds	0.00	177,584.31	0.00	0.00
5611 Interest Revenues	86.26	1,087.60	0.00	0.00
5612 Investment Income	4,164.03	44,162.40	0.00	0.00
5902 WW Bond Reserve Funds	0.00	0.00	0.00	0.00
WATER/WASTEWATER	4,250.29	222,834.31	0.00	0.00
Revenues	4,250.29	222,834.31	0.00	0.00
Expenditures				
Dept: 00				
6999 Contra Expense	0.00	-67,353.70	0.00	0.00
Dept: 00	0.00	-67,353.70	0.00	0.00
Dept: 04 WATER/WASTEWATER				
6589 Records Management	0.00	0.00	0.00	0.00
6792 Capital Outlay - Other	0.00	514,402.69	0.00	0.00
6901 Wastewater Debt Service - Int	0.00	0.00	0.00	0.00
6902 Bond Issue Costs	0.00	0.00	0.00	0.00
WATER/WASTEWATER	0.00	514,402.69	0.00	0.00
Expenditures	0.00	447,048.99	0.00	0.00
Net Effect for WW Collection & Treatment Plan	4,250.29	-224,214.68	0.00	0.00
Change in Fund Balance:	4,250.29	-224,214.68		
Grand Total Net Effect:	-158,306.13	-459,805.38	-682,002.00	67.42

* Using Actual MTD, QTD and YTD Ammended & Original Budgets



AGENDA ITEM: **ORDINANCE NO. 2019-31**
Clarifying Authority in City Agreements

SUBMITTED BY: REBECCA MINNICK, PLACE ONE

DATE SUBMITTED: 9/12/19

MEETING DATE: 10/3/19

AGENDA FORM

ITEM DESCRIPTION /SUMMARY

The City of Wimberley is working several major initiatives (including the multi-faceted Wastewater Treatment Project) that include partners at the county, state and federal level. These projects require consistent interface with representatives of these agencies as well as various consultants.

Resolution No. 09-2019, adopted in June 2019, designated the City Administrator as the primary point of contact in the Wastewater Treatment Project in all matters involving outside agencies and partners. While there was initially progress in adhering to these agreed-upon communication channels, recently, this agreed-upon process has not been observed. In fact, agencies have been given contradictory direction from representatives of the City.

In order to avoid delays in progress and general confusion in this and other important projects, the Mayor must adhere, per municipal law, to the decisions of the Council. Neither state law nor the aforementioned resolution has been sufficient to ensure that the Mayor operates in the lawful role of this non-voting position. For this reason, and to maintain productive, consistent relationships with our stakeholders and agency partners, maximum clarity in the role of the Mayor is required.

Agreements of any kind that bind the city in any manner shall be restricted to decisions of Council. Any associated expenditures that are not specifically authorized by council as regards agreements shall not be honored. This document will provide the required clarity not only for the affected agencies, but also for the Mayor, Council and Staff.

The first reading of the Ordinance was on 9/19/2019 and passed 4-0. This is the second and final reading of the Ordinance. The Ordinance caption was published in the Wimberley View on Thursday, September 26th, which is also attached.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution

Other

FINANCIAL

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

STAFF RECOMMENDATION

ORDINANCE NO. 2019-31

**AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS,
AMENDING ARTICLE 2.05 CITY OFFICERS, DIVISION 1.
GENERALLY, TO ADD SECTION 2.05.001 MAYOR; POWERS
AND DUTIES**

WHEREAS, the City Council has determined that it is necessary to more clearly delineate what powers and authority comes as the result of holding the position of Mayor; and

WHEREAS, the City Council is cognizant of the powers and duties as conferred by State Statute on such a position in a Type A General Law Municipality.

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

Section 1. The City Council of the City of Wimberley, Texas hereby amends Article 2.05 “City Officers”, Division 1. Generally, to add Section 2.05.001, to read as follows:

“2.05.001 Mayor; Powers and Duties

- (a) The Mayor shall have all powers and duties explicitly conferred upon him/her by Texas Local Government Code, Sections 22.042 and 102.001, but shall have no implied powers unless specifically granted to him/her by state statute or the City Council.
- (b) The Mayor shall not have the power to expend funds of the City, sign agreements binding the City, or otherwise take any other action on behalf of the City without the express approval of City Council.
- (c) The Mayor is hereby expressly authorized to expend funds in the daily operation of the City as they relate to payroll and accounts payable consistent with the approved annual budget, as it may be amended from time to time by the City Council.
- (d) Nothing in this Section is intended to alter the authority of the Mayor Pro Tempore under Texas Local Government Code, Section 22.037 if the Mayor fails, is unable, or refuses to act.”

Section 2. All ordinance 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 3. This City Council recognizes that the legislative nature of this ordinance automatically overrides any policy, resolution, or action of this City Council, specifically, but not limited to any Governance Policies of the City of Wimberley, and as such all policies, resolutions or actions 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 to the extent of any inconsistency or conflict, and additionally all policies, resolutions, or actions of

this City Council including any Governance Policies of the City of Wimberley having to do with the Authority and Duties of the Mayor are hereby specifically repealed.

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part of provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 5. This Ordinance shall take effect immediately from and after its passage and the publication as provided by law.

Section 6. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED First Reading this 19th day of September 2019, by a vote of 4 (Ayes), 0 (Nays), and 0 (Abstentions)

PASSED AND APPROVED Second Reading this _____ day of October 2019, by a vote of _____ (Ayes), _____ (Nays), and _____ (Abstentions)

Susan Jagers, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney



The Wimberley View CLASSIFIEDS

P.O. Box 49 Wimberley, Texas 78676 512-847-2202

- Public Notice

**City of Dripping Springs
Public Notice of Approved Ordinance,
Effective for Tax Year 2020
Ordinance No. 2019-34**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS ("CITY"), ADDING SECTION 11.002 ADDITIONAL HOMESTEAD EXEMPTION; APPROVING AN ADDITIONAL HOMESTEAD EXEMPTION OF ONE PERCENT (1%) PERCENTAGE FROM THE APPRAISED VALUE OF A RESIDENCE HOMESTEAD WITH A MINIMUM EXEMPTION OF \$10,000, BEGINNING IN TAX YEAR STARTING JANUARY 2021 FOR ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

**City of Dripping Springs
Public Notice of Approved Ordinance,
Effective Immediately
Ordinance No. 2019-35**

AN ORDINANCE AMENDING SECTION 102.059 CITIZEN PARTICIPATION AS MEETINGS PROVIDING FOR THE FOLLOWING FINDINGS OF FACT, AMENDMENT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

**NOTICE OF ENACTMENT
ORDINANCE NO. 19-287
CITY OF WOODCREEK, TEXAS**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS AMENDING CHAPTER 151 BUILDING REGULATIONS, CONCERNING AS IT RELATES TO SECTION 151.06 (A) COMPLIANCE WITH OTHER ORDINANCES AND REGULATIONS - BUILDING CODES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND AN OPEN MEETING.

**City of Dripping Springs
Public Notice of Approved Ordinance,
Effective for Tax Year 2019
Ordinance No. 2019-33**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, APPROVING THE 2019 AD VALOREM TAX RATE AND LEVY OF NINETEEN HUNDREDS CENTS (\$0.19) PER ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE CITY LIMITS OF THE CITY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR THE FOLLOWING FINDINGS OF FACT, SEVERABILITY, SAVINGS CLAUSE, PUBLICATION AND EFFECTIVE DATE.

**Notice of Enactment of
Ordinance No. 2019-28**

An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 3 Commercial Building Code, providing an effective date, providing for severability, providing for a penalty not to exceed five hundred dollars.

**City of Dripping Springs
Public Notice of Approved Ordinance -
Municipal Budget
Ordinance No. 2019-32**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, ENACTING THE MUNICIPAL BUDGET FOR FISCAL YEAR 2019-2020, FUNDING MUNICIPAL PURPOSES; AUTHORIZING EXPENDITURES; PROVIDING FOR THE FOLLOWING FINDINGS OF FACT, ENACTMENT, FILING OF BUDGET, REPEALER, SEVERABILITY, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Wine & Beer Retailer's Permit by Beer Ranch Project, LLC dba Beer Ranch Project Tasting Room, to be located at 13510 Ranch Road 12, Wimberley, 78676, Hays County, Texas. Officers of said corporation are Max Saballet, member, Kathryn Saballet, member, and Steven Winnick, member.

**Notice of Enactment of
Ordinance No. 2019-27**

An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 2 Residential Building Code, providing an effective date, providing for severability, providing for a penalty not to exceed five hundred dollars.

**Public Storage Notice
Lockerfox.com**

In accordance with the Texas property code, Chapter 59, RightSpace Storage 16955 Ranch Road 12, Wimberley, Texas, 78676, will conduct a public auction to satisfy a landlord's lien. Units will be sold to the highest bidder online at Lockerfox.com. A \$100 cash down deposit is required. Seller reserves the right to withdraw any unit or not accept any bid at time of sale. Sale will be held online at lockerfox.com starting on or before October 2, 2019 and bidding will close on or after October 9, 2019 at 10:00am. General description of contents: general household/personal goods/ other contents. Names of tenants as they appear on the lease Cary Palumbo. Tenants may redeem their goods for full payment in cash or money order only up to time of auction. Call RightSpace Storage at 512-847-1292.

NOTICE OF MEETING PLACES

NOTICE IS HEREBY GIVEN that the Board of Directors of Greenhawe Water Control and Improvement District No. 2 has established meeting places and District offices outside the boundaries of the District at: (a) Ambrust & Brown, PLLC, 100 Congress Avenue, Suites 950, 1300, and 2200, Austin, Texas 78701; (b) 100 Congress Avenue, Suite 875, Austin, Texas 78701; (c) Salt Lick Thurman Manston, 17900 FM-1826, Driftwood, Texas 78619; and (d) the offices of Murfee Engineering Company, 1101 S. Capital of Texas Highway, Building D, Suite 110, Austin, Texas 78746, which meeting places are hereby declared to be public places open to the public. All residents and taxpayers of Greenhawe Water Control and Improvement District No. 2 and all other interested persons are hereby invited to attend any meeting of the Board of Directors.

**Notice of Enactment of
Ordinance No. 2019-30**

An ordinance of the City of Wimberley, Texas, enacting regulatory guidelines for filming within the City Limits, empowering the City Administrator to issue film permits pursuant to those guidelines; providing for enactment, repealer, severability, and proper notice and meeting.

**NOTICE OF ENACTMENT
ORDINANCE NO. 19-286
CITY OF WOODCREEK, TEXAS**

**REVISIONS OF CHAPTER 152 - SIGNS
OF THE CODE OF ORDINANCES**

AN ORDINANCE ESTABLISHING REVISIONS TO THE CITY OF WOODCREEK CODE OF ORDINANCES CHAPTER 152 - SIGNS, SUCH REVISIONS AS TO ESTABLISH THE PURPOSE OF SIGNS AND THEIR REGULATIONS, TO MANAGE THE DIRECTION AND STRENGTH OF THE ILLUMINATION OF SIGNS TO COMPLY WITH WOODCREEK'S DARK SKY INITIATIVE, TO MODIFY DEFINITIONS, AND TO EXPAND THE PLACEMENT OF RIGHT-OF-WAY SIGNS, DEFINING TERMS, PROVIDING PENALTIES, AND PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE AND FINDING PROPER NOTICE AND MEETING.

**Notice of Enactment of
Ordinance No. 2019-29**

An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 4 Other Construction Codes, providing an effective date, providing for severability, providing for a penalty not to exceed five hundred dollars.

Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Beer Retailer's Permit with Brewpub License by Fitzhugh Texas Brewpub, Ltd dba Fitzhugh Brewing located at 15435 Fitzhugh Road, Dripping Springs, Hays County, Texas 78620. General Partner of said company is Fitzhugh Texas, LLC with William Smith, III as manager of general partner.

NOTICE OF CONSTABLE'S SALE, REAL PROPERTY

THE STATE OF TEXAS §
COUNTY OF HAYS §

By virtue of a Order of Sale issued out of the 207th District Court of HAYS County, Texas on the 31st day of July, 2019, in the case of FIRST BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR WELLS FARGO HOME EQUITY ASSET-BACKED SECURITIES 2006-3 TRUST, HOME EQUITY ASSET-BACKED CERTIFICATES, SERIES 2006-3, Plaintiff, v. CRISTYN D. ERICKSON AND WAYNE A. ERICKSON, Defendant, Cause No. 19-1433, and to me, as Constable, directed and delivered. I have levied upon the below-described property on the 1st day of August, 2019, and will, between the hours of 10:00 A.M. and 4:00 P.M., on the 01st day of October, 2019, in being the first Tuesday of the said month, at the courthouse door, Hays County Government Center of Hays County, Texas located at 712 S. Stepanovich Trail, San Marcos, Texas, 76666, proceed to sell at public auction to the highest bidder for cash-in-hand all right, title and interest if any, which Defendant, CRISTYN D. ERICKSON AND WAYNE A. ERICKSON, had on the 1st day of August, 2019, or any time thereafter, of, in and to the following described property:

1000 SETTLERS TRAIL, DRIPPING SPRINGS, TEXAS 78639 MORE PARTICULARLY DESCRIBED AS LOTS 7 & A, SITE, AND EXCEPT 11,761 SQUARE FEET, -SETTLERS POINT PHASE 1-. ACCORDING TO MAP OR PLAT, RECORDED IN VOLUME # PAGE 125, PLAT RECORDS, HAYS COUNTY, TEXAS.

Said property will be sold to the highest bidder to satisfy the judgment dated the 01st day of October, 2019, in favor of Plaintiff, FIRST BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR WELLS FARGO HOME EQUITY ASSET-BACKED SECURITIES 2006-3 TRUST, HOME EQUITY ASSET-BACKED CERTIFICATES, SERIES 2006-3.

GIVEN UNDER MY HAND on this 5th day of August, 2019.

Ren. J. Hood, Constable
Precinct 4 Hays County, Texas

By: Blaine Hamilton, Deputy Constable
Precinct 4 Hays County, Texas

The State of Texas
County of Hays

Before me personally appeared the above-named affiant, who, being first duly sworn, stated upon oath that the above-stated facts are true and correct and within his or her personal knowledge, and subscribed the same on this 13th day of August, 2019.

Asw. A. Lucko
Notary Public-Public Office, In and For the State of Texas

NOTICE TO BIDDERS: THERE ARE NO WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF PROPERTY "AS IS". BIDDERS ARE FURTHER ADVISED THAT PURCHASES OF THE PROPERTY AT THIS EXECUTION SALE MAY NOT EXTINGUISH ANY LIENS OR SECURITY INTERESTS ON THE PROPERTY.

Employment
General Help Wanted

General Help Wanted
IMMEDIATE HIRE
For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

KATE'S PLACE
restaurant is hiring for all positions including host/hostess, servers, line cooks, and dishwashers. previous experience would be good but is not necessary - we will train. Please come to Kate's Place restaurant, 500 FM 2325, Wimberley, Texas, to fill out an application and to talk with Kate.

NOW HIRING
CNA / Experienced Caregiver Dependable & have Transportation Morning shift in Blanco Private Pay Client Outreach Health (830) 693-1963

PART-TIME HANDYMAN NEEDED
at RV park in Wimberley. 10-15 hours per week. \$12 hr. 512-847-1960 or 512-847-6492

JUST LISTED
Homes For Rent

Properties for Sale

Land for Sale
HISTORIC MILL RACE ROAD. INVESTMENT OPPORTUNITY 3.17 ACRES LONG OVERLOOKING UNDEVELOPED RETAIL, RESORT, CONDO POSSIBLY ADJOINING COMMUNITY CENTER PARKING LOT OVERLOOKING CYPRESS CREEK AND OLD TOWN SQUARE. REDUCED FOR QUICK SALE. CALL Jon 830-446-9157

Homes For Rent
3 BED 2 BATH 2 car garage, 6 Framling Creek Circle. \$1600/month 682-241-4975

Homes For Rent
2/2 CHARMING renovated, country home, huge double lot, secluded neighborhood, Wimberley Water, \$990 Avs1/01 512-847-7615 Owner/Agent

Homes For Rent
WOODCREEK 2/1, upstairs 4+plex apt w/ view. Rent \$825 w/ \$825 deposit. Pets negotiable w/ deposit. Water & trash paid by landlord. (512)557-7087

FOR RENT

PUBLISHER'S NOTICE:
All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or on an individual's source of income, to make any such preference, limitation or discrimination." Factual statements include children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under 18. The newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis. In compliance of discrimination call 800 toll free at 1-800-659-8777. The toll free telephone number for the hearing impaired is 1-800-927-9275.

Homes For Rent
REALLY NICE 2BR / 1 1/2 bath approx. 1254 sq. ft., new WD, Ring doorbell w/ cloud, new refrigerator/freezer, Central A/C/Heat, dishwasher. Stained concrete downstairs, carpet upstairs. Pets considered. Quiet, Gorgeous view. References. 1st month rent \$1250 + deposit. 512-842-6444

IBR/BATHLOFT W/CLOSET, W/D
and all appliances, shop w/wood burning stove, 1 car garage, well, private, covered porch, huge front deck. \$1500/month plus P/C/cable/trash. Deposit required. 512-791-1133

Apartments For Rent
WOODCREEK 2/1, upstairs 4+plex apt w/ view. Rent \$825 w/ \$825 deposit. Pets negotiable w/ deposit. Water & trash paid by landlord. (512)557-7087

FOR RENT

FOR RENT

FOR RENT

FOR RENT

Misc. Services
EYE SORES TREE AND HAULING SERVICE. ALL TYPES OF CLEANUP. We will remove all your eye sore Landscaping fire prevention & flood prevention. Lot clearing, cleanup & removal. Tree trimming & cutting. Hauling of brush, trash & junk. Home leveling & Bobcat work. Land clearing & dozer services. We move and level portable buildings. Call for an estimate today. 512-312-1227 or 512-689-3415

CALL JOHN WILTON
for all your home renovations, repairs and handyman needs. 512-918-1089 Down to Earth Services

SELL YOUR HOME QUICKLY

FOR RENT

FOR RENT

FOR RENT

FOR RENT

GET ON SOLID GROUND
Tired of feeling like you're in a precarious position at work? Find the job security you crave in the Classifieds. Listings are updated daily, many for long term employment at well established firms. Call 512-847-2202 today to start your subscription tomorrow!

FOR RENT

FOR RENT

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FOR RENT

SEARCHING HIGH AND LOW FOR AN APARTMENT?
Search us first!
The Wimberley View
Call Tally at 512-847-2202
The Wimberley View
41 wimberleyview@gmail.com

**Pre-Invoice
54784-0920**

San Marcos Daily Record

P.O. Box 1109
San Marcos, TX 78667
512-392-2458

Accounts Payable
City of Wimberley
P.O. Box 2027
Wimberley, TX 78676

Customer: RA0684
Phone: 847-0025
Ad No.: 54784
PO Number:
Sales Rep: Barker, Taffy
Bill Date: 09/20/19
Due Date: 09/25/19

Public Notices	Date	Publication	Cost
Notice of Enactment of Ordinance No. 2019-27 An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 2 Residential Building Code, providing an effective date; providing for severability; providing for a penalty not to exceed five hundred dollars	Sep 26, 2019	Wimberley Legal Classifieds	\$31.74
	Days: 1	Total Charges:	\$31.74
		Applied Prepayments/Credits:	\$0.00
		Total Due by 9/25/19:	\$31.74

San Marcos Daily Record		Detach and return this stub with your payment to:
Ad #: 54784 Customer #: RA0684 Customer: City of Wimberley Bill Date: 09/20/19 Due Date: 09/25/19 Total Due: \$31.74	Payment Method: <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____ <input type="checkbox"/> Visa <input type="checkbox"/> M/C <input type="checkbox"/> Other: _____ Number: _____ Expiration: _____ CVV _____ Name On Card: _____ Signature: _____ ⁴²	P.O. Box 1109 San Marcos, TX 78667

Pre-Invoice
54787-0920

San Marcos Daily Record

P.O. Box 1109
San Marcos, TX 78667
512-392-2458

Accounts Payable
City of Wimberley
P.O. Box 2027
Wimberley, TX 78676

Customer: RA0684
Phone: 847-0025
Ad No.: 54787
PO Number:
Sales Rep: Barker, Taffy
Bill Date: 09/20/19
Due Date: 09/25/19

Public Notices	Date	Publication	Cost
Notice of Enactment of Ordinance No. 2019-28 An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 3 Commercial Building Code, providing an effective date; providing for severability; providing for a penalty not to exceed five hundred dollars	Sep 26, 2019	Wimberley Legal Classifieds	\$31.74
	Days: 1	Total Charges:	\$31.74
		Applied Prepayments/Credits:	\$0.00
		Total Due by 9/25/19:	\$31.74

An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 3 Commercial Building Code, providing an effective date; providing for severability; providing for a penalty not to exceed five hundred dollars

San Marcos Daily Record

Detach and return this stub with your payment to:

Ad #: 54787
Customer #: RA0684
Customer: City of Wimberley
Bill Date: 09/20/19
Due Date: 09/25/19
Total Due: \$31.74

Payment Method: Cash Check # _____
 Visa M/C Other: _____
Number: _____
Expiration: _____ CVV _____
Name On Card: _____
Signature: _____⁴³

P.O. Box 1109
San Marcos, TX 78667

**Pre-Invoice
54786-0920**

San Marcos Daily Record

P.O. Box 1109
San Marcos, TX 78667
512-392-2458

Accounts Payable
City of Wimberley
P.O. Box 2027
Wimberley, TX 78676

Customer: RA0684
Phone: 847-0025
Ad No.: 54786
PO Number:
Sales Rep: Barker, Taffy
Bill Date: 09/20/19
Due Date: 09/25/19

Public Notices	Date	Publication	Cost
Notice of Enactment of Ordinance No. 2019-29 An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 4 Other Construction Codes, providing an effective date; providing for severability; providing for a penalty not to exceed five hundred dollars	Sep 26, 2019	Wimberley Legal Classifieds	\$31.74
	Days: 1	Total Charges:	\$31.74
		Applied Prepayments/Credits:	\$0.00
		Total Due by 9/25/19:	\$31.74

An ordinance of the City of Wimberley, Texas, amending Chapter 4 Building Regulations, Article 4.02 Construction Codes and Standards, Division 4 Other Construction Codes, providing an effective date; providing for severability; providing for a penalty not to exceed five hundred dollars

San Marcos Daily Record

Detach and return this stub with your payment to:

Ad #: 54786
Customer #: RA0684
Customer: City of Wimberley
Bill Date: 09/20/19

Due Date: 09/25/19
Total Due: \$31.74

Payment Method: Cash Check # _____
 Visa M/C Other: _____
Number: _____
Expiration: _____ CVV _____
Name On Card: _____
Signature: _____⁴⁴

P.O. Box 1109
San Marcos, TX 78667

Pre-Invoice
54785-0920

San Marcos Daily Record

P.O. Box 1109
San Marcos, TX 78667
512-392-2458

Accounts Payable
City of Wimberley
P.O. Box 2027
Wimberley, TX 78676

Customer: RA0684
Phone: 847-0025
Ad No.: 54785
PO Number:
Sales Rep: Barker, Taffy
Bill Date: 09/20/19
Due Date: 09/25/19

Public Notices	Date	Publication	Cost
Notice of Enactment of Ordinance No. 2019-30	Sep 26, 2019	Wimberley Legal Classifieds	\$29.40
	Days: 1	Total Charges:	\$29.40
		Applied Prepayments/Credits:	\$0.00
		Total Due by 9/25/19:	\$29.40

An ordinance of the City of Wimberley, Texas, enacting regulatory guidelines for filming within the City Limits; empowering the City Administrator to issue film permits pursuant to those guidelines; providing for: enactment; repealer; severability; and proper notice and meeting

San Marcos Daily Record

Detach and return this stub with your payment to:

Ad #: 54785
Customer #: RA0684
Customer: City of Wimberley
Bill Date: 09/20/19
Due Date: 09/25/19
Total Due: \$29.40

Payment Method: Cash Check # _____
 Visa M/C Other: _____
Number: _____
Expiration: _____ CVV _____
Name On Card: _____
Signature: _____⁴⁵

P.O. Box 1109
San Marcos, TX 78667



AGENDA ITEM: City Administrator's Report
SUBMITTED BY: Shawn Cox, City Administrator
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Administrator will provide an update regarding, road projects and communication efforts.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

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

STAFF RECOMMENDATION



AGENDA ITEM: Temporary Structure
SUBMITTED BY: Sandy I. Floyd
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Doug McElwee/Doo-Hickey's Hot Dogs is requesting to sell hot dogs, sausage, and sandwiches out of his 4' x 8' food trailer at the proposed location of 14050 Ranch Road 12 in the thrift store parking lot.

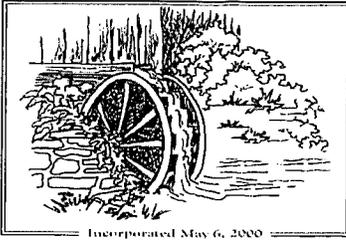
REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

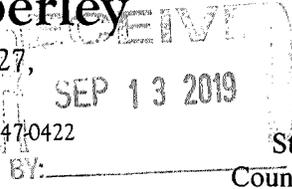
- Budgeted Item Original Estimate/Budget: \$
- Non-budgeted Item Current Estimate: \$
- Not Applicable Amount Under/Over Budget: \$

STAFF RECOMMENDATION



City of Wimberley

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



Temporary Structure Application Form

Permit No.: T-19-006
Date: 9-20-2019
Staff Review: SLF
Council Hearing: 10-3-19

Applicant: DOUG McELWEE - Doo-Hickey's Hot Dogs

Mailing Address: 9 LAS FLORES DR City: WIMBERLEY State: TX Zip: 79676

Phone: [REDACTED] Email: _____

Property Owner: W.S.C.A.I.

Mailing Address: P.O. Box 7911 City: WIMBERLEY State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

Subject Property Address: 14050 VR 12, WIMBERLEY

Purpose/Use of Structure: Food trailer - Fund LOCAL CHARITIES & SVC'S

Request Installation Date: October 4, 2019 Request Removal Date: N/A

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 per 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: [Signature]

Date: _____

Note: This Fuel card will help benefit several local charities & 1st responders thru sharing of proceeds. THX

September 21, 2019

To Whom It May Concern:

We/Thrift Shoppe give permission for Doug McElwee to park and sell hot dogs, etc., from his food truck on our property. He can also use our restroom.

The truck will be parked located on the southwest corner of our upper parking lot.

Should you have any questions or concerns, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melody Pruden', enclosed within a hand-drawn oval.

Melody Pruden



0 60 120
Feet

9-23-19
By: City of Wimberley



DISCLAIMER: Map(s) or data are not of survey quality and are not an authoritative representation of any properties located on the ground; this should be used only as a general reference map. The City of Wimberley assumes no liability as a result of misuse or misinterpretation of any data represented hereon. No warranty is expressed or implied regarding accuracy or completeness.



AGENDA ITEM: Civic Rec Contract
SUBMITTED BY: Kelly Schmidt, Parks Director
DATE SUBMITTED: 09-27-19
MEETING DATE: 10-03-19

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Currently, software operations at Blue Hole Regional Park is provided by two systems Checkfront + Square for admission sales and payment processing. Other business needs like program registration, rental reservations and the like are still completed by an antiquated customer business system of forms and binders. Civic Rec is a cloud-based multi-functional system that not only has payment processing and admission sales capability but also provides on-line camp registration, annual pass membership sales, class registration, point of sale for concessions and on-line facility reservation for rentals and weddings. While the system in its first year will cost \$5500 (savings of \$500 from budgeted amt) the contract for subsequent years is proposed at a cost of \$3,000 going forward. This will yield BHP a cost savings of \$3000 in contractual services as well as provide a contemporary operating system for all facets of the department’s business. Part of the setup fee includes complete integration into the Parks & Recreation page of the City’s website. The system is also visually compatible with all platforms (tablet, smart phone & pc).

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input checked="" type="checkbox"/>	Original Estimate/Budget:	\$ 6,000
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$ 5,500
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$500 (under)

STAFF RECOMMENDATION

Staff is recommending approval.



CIVICREC®

Wimberley TX

Recreation Management Solution

Presented by:

Alan Montgomery

Sales Manager

 | **CIVICPLUS®**

1300 Massachusetts Ave. | Foxborough, MA 01719
302 S. 4th Street, Suite 500 | Manhattan, KS 66502
www.civicplus.com

September 23,2019

Re: Recreation Management System

Dear Kelly

Our mission is to help local government work better. Local governments are continually being asked to do more with less. Technology can be the solution, but complicated applications can cause more issues than they solve. The CivicRec Recreation Management System (RMS) is both comprehensive and convenient to manage and encourages citizen engagement in your park facilities and recreation activities.

Because we know you have unique values and goals for reaching out to your community, the CivicRec RMS will be tailored to meet your specific needs. By partnering with us, you'll receive:

- Unlimited user licenses
- Access to all CivicRec modules
- Ongoing software updates
- 24/7/365 support with secure hosting

With the CivicRec RMS, your staff will have an easy-to-use suite of cloud-based tools that will simplify the way your staff works while creating an engaging experience for your citizens.

Sincerely,

Alan Montgomery
Regional Sales Manager
amontgomery@civicplus.com
Direct Line 785-340-2260

Executive Summary

Exclusively for Parks & Rec	CivicRec has been developed exclusively for parks and recreation departments. It was not designed for another industry and altered to meet your needs. We have the focused vision and strategic direction to specifically cater to the functionality Wimberley needs most.
Unlimited Users	There is no limit to concurrent users—receive the entire system with no user licenses to purchase or update.
All-Inclusive	All modules are available to all clients all the time at no additional cost.
Branded Public Portal	Encounter a seamless visual transition from your website to the RMS pages.
Social Sign-On	Your public can easily sign-on with their Facebook or Google accounts.
Quick Implementation	You can be up and going quickly with our proven implementation process that averages 20-22 weeks.
No Need to “Upgrade”	We have a track record of not only supporting our product, but also evolving it, so it consistently stays at the forefront of design, usability, and capability. Every software update (product enhancement) is available to all clients at no additional cost. You will always have brand new software!
Client Feedback	In order to keep our products fresh, CivicRec clients can submit product enhancement requests through an online ticket tracking system. We regularly accept and incorporate client feedback, which benefits our entire user base, at no cost.

League Management

Athletics staff can easily create leagues, draft players, assess skills, and generate schedules. Sign-up is easy for teams or individuals. With the “Scores & Schedules” and “Parent/Player Portal,” your public and league participants will have easy access to current league information.

Ticketing



Easily generate general admission tickets for events. Public users will receive their tickets and receipt, which are always available in their transaction history. Tickets can then be printed or shown on their phone display to be scanned into our mobile or desktop check-in screens.

Surveys

Participants will automatically receive post-program surveys requesting feedback. This information is captured and is presented back to staff to assist in determining how well your programming is being received.

Email / SMS Blasts

There are several links within CivicRec that allow for mail blasts. Many of our reports and roster views allow for mass mailings with just the click of a button. The People Finder report is particularly handy for mailings based on several different filters. SMS messaging is available to facilitate those particularly time-sensitive notifications like cancellations.

Group Permission Levels

Permissions set up through user groups are used on pages and functions to ensure access is limited based on a user’s role.

Marketing / Brochures

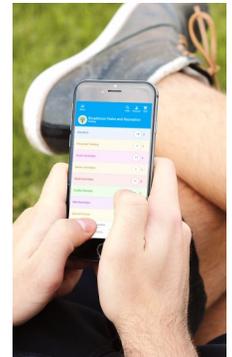
CivicRec information can be exported through our Adobe InDesign, plain text, or HTML. This tool is available with our solution and not a separate module that needs to be purchased.

Reporting / Financial Accounting

CivicRec has a very powerful reporting engine. There are over 100 canned reports. However, staff can basically take any report and customize it to their liking. Filters and fields can be added and/or removed. Reports can be sorted, saved, emailed, exported to Excel, or scheduled for regular delivery to any email address. CivicRec will gladly take any reasonable reporting request from a client and ensure that it is made available as requested.

Mobile Ready

When users register through CivicRec, they get the same great experience on their phone/tablet that they’re used to experiencing on their desktops. This mobile responsive experience supports all the same waivers, prompts, discounts, and add-ons that the desktop version does. There’s QR code support as well as social networking integration to make it easy for your users to connect with you.



Hardware Compatibility

Customers may opt for a variety of hardware peripherals to enhance the CivicRec experience. CivicRec can be integrated with magnetic stripe readers, barcode readers, thermal printers, cash drawers and more. While CivicRec does not directly provide hardware, we are happy to assist with procurement and implementation.

Features & Functionality

CivicRec will provide an integrated, web-based and hosted application recreation management system that is flexible, efficient, and modern. You'll find our robust set of easy-to-use tools the most comprehensive solution to meet your needs.

Facility Reservations

Easily take in-house and online reservations as well as reserve spaces for classes and sports with an integrated master calendar to avoid double bookings.



It's easy to see availability with grid and map-based views with attached photos, descriptions, and rental rates. Generate and email complex permits as well as include waivers, prompts, and forms for a complete checkout process.

Activity Registration

Your staff can quickly create programs, indicate flexible pricing, attach waivers and prompts, and assign instructors. Easily take registrations in-house or allow residents and non-residents to register securely on the device of their choice. Email branded receipts and permits after checkout. Our software utilizes load balanced servers and can be scaled to accommodate any volume.

Volunteer Management

CivicRec's volunteer management tool creates, manages, and organizes the volunteer opportunities. Within the Activity module, you can create volunteer roles and assignments specific to any events, classes, or activities. Citizens can select and register for volunteer roles from home and CivicRec will assist in tracking the time volunteers spend helping around the community with completely integrated reporting for tracking purposes.

Point of Sale

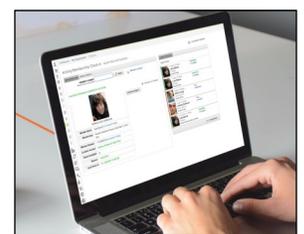
CivicRec's Point-of-Sale screen makes it easy for staff to quickly sell merchandise, enroll participants, and reserve facilities – all in the same cart! It even plugs right in with your cash drawers, barcode readers, receipt printers, and credit card readers. Integrated inventory control will tell you how many of each item are available at each of your locations.

Citizen Dashboard / Management

With CivicRec's intuitive public dashboard, citizens can conveniently view notifications, upcoming events, tickets, and receipts. Family or organization members can be added with age and resident information for easy activity registrations. Administratively, your staff can manage user accounts in-house with tools like internal notes and flags as well as duplicate account prevention.

Membership Management

Easily sell memberships or punch cards, take member photos, print cards or associate barcode key tags, and check people into a facility. Leave credit and debit cards on file for future and recurring payments. Staff can see a history of the account's transactions.

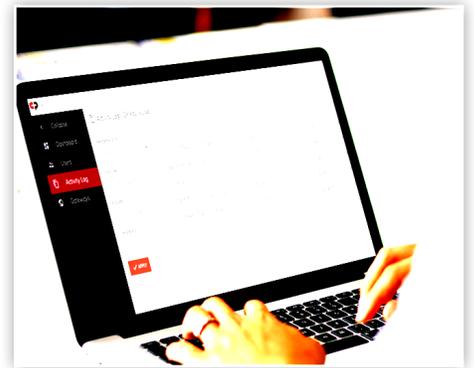


CP Pay™

Opt-in to use CP Pay – our secure, PCI-compliant, standalone payment gateway that is integrated within the CivicPlus Platform. Local governments can use CP Pay within any CivicPlus solution or third-party product. Providing flexible payment solutions, CP Pay offers integrations with commonly used payment gateways in addition to our recommended merchant account gateway – CP Pay Merchant.

Our recommended payment gateway, CP Pay Merchant, will relieve your finance and IT teams of the risk of maintaining and monitoring merchant processing responsibilities and vendor relationships. Take advantage of having all your payment transaction information in a consolidated area, while having the peace of mind that all digital financial compliance requirements are met and your chargebacks and refund requests are being managed for you. Key benefits of CP Pay Merchant include:

- Next day funding.
- Support for the latest secure digital transaction technology with Europay, MasterCard, Visa (EMV).
- Smart payment transactions (chip cards).
- Consolidated, real-time CP Pay reporting across products and third-party software.



Not only does CP Pay Merchant accept online payments, you will be able to accept secure payments in your office with the OpenEdge Hardware Program for CivicPlus. Because each device is encrypted specifically for the payment gateway, you'll need to leverage devices directly from OpenEdge for either a one-time purchase or rent. We are happy to assist in your procurement of such devices.

To utilize our recommended merchant account, CP Pay Merchant, separate merchant account fees and 3% + \$3.0 transaction fees will apply. Please reach out for additional information.

Supported Gateway Providers

Providing flexible payment solutions, CP Pay has a number of supported gateways that you can leverage for an additional set-up fee.

Sample Implementation Standard

A typical CivicRec implementation averages 16-18 weeks. Your specific timeline can vary due to different training or integration needs as well as your schedule and availability. Once your final scope is determined, we will provide a detailed project plan specifically tailored to you.

Kick-Off	
Project Kick-Off Materials	
Review Kick-off materials, view proposed project timeline, and coordinate all training engagements	
Phase 1	
Round 1 Client Deliverables Due	Configuration Training
Payment Gateway Information	Training Sessions
Phase 2	
Round 2 Client Deliverables Due	CivicPlus Public Page Build
Facility & Activity Import	CivicPlus will create the public page view to ensure it has the same look and feel of your current website and complete round 2 imports
Phase 3	
Facilities / Activities Training	POS Training
Training Sessions	Training Sessions
Phase 4	
Client Catalog Build Due	
Catalog is fully built with all desired facilities and activities	
Phase 5	
System Preparation For Launch	Go Live & Sign Off
Project check in meeting to discuss preparation for Go Live, go over items that were imported, verify payment	New CivicRec product goes live, client introduced to Account Manager

Implementation Plan (Standard)

Project Approach

During the implementation period, we will work together to import and/or configure production data, develop and test integration to third party systems, and complete system training with your lead and frontline staff. You will also have begun your marketing promotion for the new site and online registration. After front line training is complete, CivicRec will complete a final data import (if required) and you will ensure the site is fully configured and ready for launch. Once you have indicated a Go for launch, you will place a new link on your site which will redirect your customers to CivicRec. During this time, CivicRec is available to be on site with you or can be available remotely for immediate assistance should you desire.

CivicTraining™

Your virtual CivicTraining plan will be customized to meet your needs. We recommend a train-the-user approach with hands-on training for participants. Training is typically broken up by modules (Registration, POS, Reporting, etc.). Your questions will be addressed before Go Live so you are confident moving forward with your new system.

Data Imports

CivicRec can import certain data from your current database to your new RMS, leveraging our custom developed scripts and libraries. A data import of all GL Codes are included in all CivicRec implementations. Additional data imports include Users, Memberships, Residency, Activities, Facilities, and User Credits. To benefit from further data imports options, additional fees will apply.

Your Role

You should consider the following roles for a successful project team:

- **Project Executive** – Provides focus and guidance for the overall project. Helps to prioritize key objectives, assists with issue escalation, and acts as project champion.
- **Project Manager** – Works closely with the CivicRec Implementation Consultant to facilitate the execution of project activities and logistics. Organizes training for recreation staff, front desk, supervisors, and managers.
- **Lead Staff** – Activity managers and facility managers within parks and recreation who will be doing the primary configuration and setup within the CivicRec system.
- **Frontline Staff** – Acts as end users of the system and will participate in end user training sessions.
- **Information Technology** – Coordinates with CivicRec on technical aspects of the system and transfer of data.
- **Finance** – Coordinates the payment gateway integration and works with CivicRec to properly configure the necessary accounting setup.
- **Marketing** – Identifies and communicates rollout and adoption process both internally and to the public.

Hosting & Security

Secure Data Centers

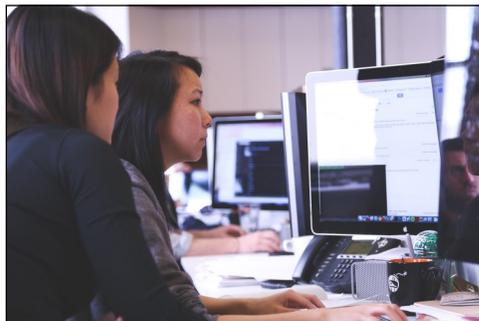
CivicRec utilizes industry standards, insurance requirements, and PCI requirements to ensure that CivicRec is only accessed in the manner it's intended to be accessed and by people who are authorized to do so. Methods include:

- Physical security data centers: Netsolace (Tier II), Digital Reality (Tier III), and Rackspace (Tier III)
- Server firewalls
- Anti-virus scanning
- IP logging and filtering
- Application security monitoring

All data centers provide a network operation center with 24/7/365 monitoring of the data center environment, system availability, and performance. The data centers are SSAE 16 compliant.

Disaster Recovery/Redundancy

CivicRec has policies and procedures in place to ensure continuity and disaster recovery. We utilize local, replicated servers to ensure that copies of data, software, and files are always available and up to date. These servers can be rolled over in the event of hardware failure or other local issues. In addition, we have a process that encrypts backups once each day and sends them off site for purposes of disaster recovery. This process ensures that we can reconstitute our entire product and underlying data structure with limited downtime and loss of data.



PCI Compliance

For credit card security, CivicRec is certified as PCI SAQ-D (Service Provider) compliant. We maintain PCI compliance through an Approved Scanning Vendor (ControlScan). We are scanned monthly and provided a quarterly certificate of compliance, which is provided to our clients for use in their own PCI Compliance.

We also try – when possible – to take CivicRec (and you) completely out of PCI scope by leveraging “hosted” payment pages when available. Many payment gateways have payment forms that can be embedded within CivicRec (or that the browser can be redirected to) that ensure card data never touches the CivicRec servers. Instead, the card data is keyed directly into the payment gateway’s form, and CivicRec simply receives a notification that the payment was successfully made.

Investment Proposal Standard

Wimberley TX

All quotes are priced per project and presented in US dollars.
Pricing is valid for 60 days from September 23,2019.

Our proposed project approach endeavors to meet all your RMS needs and expectations. If, after additional discussion, a need for modifications is identified, a new pricing proposal will be provided.

Website Implementation

- System Development
- Project Implementation
- Eight (8) Hours of Virtual CivicTraining™
- CP Pay™ Merchant Account OR Payment Gateway Set-Up with (Name of other Payment Gateway)
- GL Code Import
-

Annual Services

- CivicRec Recreation Management Software Licensing
- Software Maintenance Including Service Patches and System Enhancements
- 24/7 Technical Support and Access to the CivicPlus Community
- Account Manager
- CivicRec reserves the right to reassess the historical data and transaction volume annually to ensure that the Annual Service Fees accurately reflects the transaction volume processed in the prior year
- Annual Service Fees are also subject to a cumulative annual 5% technology increase beginning Year 3

Total Investment -Year 1: \$5,500
Annual Services (Year 2): \$3,000

Investment Proposal

CP Pay Merchant Account

CP Pay Merchant will collect and disburse all credit card monies. Merchant account fees and percentage + transaction fee (3% + \$0.30 per transaction) apply. These are separate from your Annual Services.

Project Pricing

Our project pricing is presented as an all-inclusive, per-project cost. We have found that this type of pricing structure eliminates surprise costs and is overall more cost effective for our clients. Our goal is not to “nickel and dime” our clients with hidden fees or hourly rates.

We have presented the most cost effective solution while still meeting your needs. This model of pricing eliminates the uncertainty of paying by the hour and provides you with a concrete price that only varies if additional functionality of work, outside of the original project scope, is requested.

Functionality Disclosure

As we continue to evolve and improve our solutions to support our clients’ needs and goals, we reserve the right to upgrade, replace, modify, or terminate any of the features and functionality elements listed, at our sole discretion, and when feasible, providing reasonable notice to our clients of any changes. These features and functionality are offered on a gratuitous basis to our clients (no monetary value per feature) and should any changes be enacted, will not affect any terms in a signed agreement with CivicPlus.

Business Software	Checkfront (Current BHP)	Square (Current BHP)	Civic Rec (Proposed BHP)
Annual Fees	\$6000/Annual		\$3000/Annual
Payment Processing		2.75% - 3.5% + .15 \$13,321 (2019) Stored at Square	3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank
On-line Facility Rental			X
On-line Program Registration			X
Point of Sale & Inventory			X
Event & Admission Sales	X		X
Website Integration			\$2500/first year
League scheduling			X
Membership/Pass Sales			X

Bottom Line	2019	2020	2021
Annual Fees	\$6000 – Checkfront	\$5500 – Civic Rec	\$3000 – Civic Rec
Payment Processing	2.75% - 3.5% + .15 \$13,321 (2019) Stored at Square	3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank	3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank

Business Software	Checkfront (Current BHP)	Square (Current BHP)	Maximum Solution (Current CC)	Civic Rec (Proposed for BHP & CC)
Annual Fees	\$6000/Annual		\$2300/Annual	\$3000/Annual
Payment Processing		2.75% - 3.5% + .15 \$13,321 (2019) Stored at Square		3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank
On-line Facility Rental			X	X
On-line Program Registration			(Add on module)	X
Point of Sale & Inventory Mngmnt			(Add on module)	X
Event & Admission Ticket Sales	X		Not available	X
Website Integration			(Add on module)	\$2500/first year
League scheduling			(Add on module)	X
Membership/Pass Sales			(Add on module)	X

Bottom Line	2019	2020	2021
Annual Fees for BHP & CC	\$6000 - Checkfront <u>\$2300 – Maximum</u> \$8300 - Combined	\$5500 – Civic Rec	\$3000 – Civic Rec
Payment Processing	2.75% - 3.5% + .15 \$13,321 (2019 BHP) Stored at Square	3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank	3% +.30/Transaction (Tokenization PCI Compliant) Stored at customer's bank



AGENDA ITEM: Landscaping and Tree Preservation Ordinance
SUBMITTED BY: Christine Byrne & Bo Bowman
DATE SUBMITTED: September 26, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Discuss and consider possible action to draft an ordinance adding Article 4.12, Landscaping and Tree Preservation to Chapter 4, Building Regulations of the City of Wimberley Code of Ordinances.

Preserving the beauty and natural environment that defines the character of Wimberley is desirable to our community. A tree ordinance has been discussed in the past, but not acted on. This agenda item is to discuss a landscape and tree protection ordinance that fits the needs and desires of Wimberley.

The attached tree ordinance has been reviewed by the city attorney and will need to go through P&Z.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

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

STAFF RECOMMENDATION

ARTICLE 4.12 LANDSCAPING AND TREE PRESERVATION

Division 1. Generally

Sec. 4.12 Title

This article shall be commonly cited as the landscape ordinance.

Sec. xxx Purpose

- (a) This division is adopted to promote and enhance a superior community environment, to maintain the rural character, to maintain air quality and ecologic balance, to maintain property values, to provide soil stabilization, to filter stormwater runoff, and to ensure the maximum preservation of the valuable natural features and scenic rural/wooded character by establishing minimum standards and requirements relating to the protection of trees and natural vegetation.
- (b) It is intended that this division be administered with the foregoing purposes in mind and specifically so as to:
- (1) Ensure, insofar as practical in permitting development of land and minimizing fire hazard, the maximum retention of natural vegetation to aid in protection against erosion of top soil, preservation of natural scenic qualities and healthy ecosystems of the city through good conservation practices, protection from flooding or landslides, noise absorption, maintenance or privacy, and in providing habitat, shade and color;
 - (2) Protect mature trees and significant stands of trees in order to retain as many as possible consistent with the purposes set forth herein and also consistent with reasonable economic enjoyment of private property. In this context, privately owned trees have an impact on the quality of life for the entire community;
 - (3) Preserve the rugged beauty and natural environment that defines the character of the City and makes it a unique and desirable community.

Sec. xxx Scope

This article applies to all commercial and multi-family property, including redevelopment and properties zoned Wimberley Planned Development District (WPDD), within the incorporated municipal boundaries (i.e., city limits). This article applies to actions taken after the date of enactment.

Sec. xxx Definitions

(a) Rules of interpretation. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word “shall” is always mandatory, while the word “may” is merely directory. Headings and captions are for reference purposes only.

(b) Specific definitions.

City administrator. The chief administrative officer of the city. The term shall also include the deputy city administrator.

City council. The governing body of the city.

City of Austin Environmental Criteria Manual. The document promulgated by the City of Austin, which is commonly used throughout the region and is widely regarded as the standard in the development community, as may be amended.

City of Austin Grow Green Guide. The document promulgated in part by the City of Austin, entitled “Native and Adapted Landscape Plants: An Earthwise Guide for Central Texas,” as may be amended.

City permit. A city license, certificate, approval, registration, consent, permit, or other form of authorization required by a city ordinance, regulation, or rule in order to develop, construct, and operate the improvements on the property.

Code. The Code of Ordinances enacted by the city, as may be amended from time to time.

DBH (diameter at breast height). The tree trunk diameter of an existing tree measured in inches at a height of 4.5 feet above the ground. If a tree splits into multiple trunks below 4.5 feet, the trunk is measured at its most narrow point beneath the split.

Designated tree. Any of the following:

- (1) A hardwood tree having a trunk of eight (8) inches in caliper or greater measured at DBH;
- (2) A multi-trunked hardwood tree having a total trunk DBH of thirty (30) inches or more (not counting trunks less than eight (8) inches in diameter); or
- (3) A cluster of hardwood trees within a ten-foot radius circle having a total trunk DBH of forty (40) inches or more (not counting trunks less than eight (8) inches in diameter).

Escrow. A deposit of a cash bond with the city in accordance with this article.

Extreme drought classification. A D3 classification of drought intensity provided by the National Drought Mitigation Center, with D1 being the least intense and D4 being the most intense. D3 classification, extreme drought areas, result in major crop/pasture losses and widespread water shortages or restrictions. The National Drought Mitigation Center must be consulted to determine the classification for the region.

Heritage Tree. A “Heritage Tree” means a tree that has a diameter of twenty-four (24) inches or more, measured four and one-half (4 ½) feet above natural grade.

Impervious cover. Roads, parking areas, buildings, swimming pools, rooftop landscapes, and other construction limiting the absorption of water by covering the natural land surface; this shall include, but not be limited to, all streets and pavement within the development.

Landscape architect. One whose profession is the decorative and functional alteration and planting of grounds, especially at or around a building site.

Landscaping. Consists of introduced vegetation, as well as related improvements to a lot, including, but not limited to, forming and berming, irrigation systems, landscape subsurface drainage systems, site furnishings, and nonstructural retaining walls.

Natural area. An area where the naturally grown landscaping is left primarily undisturbed, except for the removal of poison ivy, greenbrier, and similar vegetation, oak wilt removal and/or prevention measures, and allowing for maintenance of the trees to maintain vigorous growth.

Non-native invasive species. (Also called “non-indigenous,” “non-native” or “alien”) exotic pest plants and invasive exotics growing in native plant communities that adversely affect the wildlife habitats and bioregions they invade, economically, environmentally, and/or ecologically.

Owner. A person with legal control over property in question.

Person. A human individual, corporation, agency, unincorporated association, partnership, or sole proprietorship, or other legal entity.

TCEQ. The state commission on environmental quality, or its successor agency.

Sec. xxx Applicability

This article applies to all new commercial and multi-family development and redevelopment, including properties zoned Wimberley Planned Development District (WPDD), requiring site plan approval subject to zoning requirements. All properties going through redevelopment through extension, reconstruction, resurfacing, or structural alteration must come into compliance. Site plan approval shall be conditioned on compliance with this article.

Sec. xxx Landscaping fund

A fund is hereby created in which any cash-in-lieu paid to the city pursuant to the mandates of this article shall be deposited. The fund may be drawn upon by the city to implement landscaping improvements on city land and city controlled rights-of-way.

Sec. xxx Damaging or removing trees

No person shall damage or remove trees in violation of this article.

Sec. xxx Violations

It shall be unlawful for any person to violate this article. 70

Sec. xxx Enforcement; penalties

- (a) Compliance. Violators of this article will be required to come into compliance within sixty (60) days, unless a variance has been approved by the city. Compliance with this article may be grounds for withholding of other related pending permits for the project by the city.
- (b) Enforcement. The city shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to a stop work order, suit for injunctive relief, and/or prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance. Any violation of this article may serve as grounds to withhold or delay issuance of other permits and revocation of a certificate of occupancy.
- (c) Criminal penalty. Any person violating any provision of this article shall, upon conviction, be fined a sum not exceeding two thousand dollars (\$2,000.00) to be deposited in the landscaping fund. Each day that a provision of this article is violated shall constitute a separate offense. An offense under this article is a misdemeanor.
- (d) Civil remedies. Nothing in this article shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including but not limited to the following:
- (1) Injunctive relief. Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;
 - (2) Civil penalty. A civil penalty up to five hundred dollars (\$500.00) a day to be deposited in the landscaping fund, when it is shown that the defendant was actually notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article, and other available relief; and
 - (3) Stop work order. In the event work is not being performed in accordance with this article, the city shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

Division 2. Standards

Sec. xxx Street trees

- (a) Nonresidential street tree requirements. At least one (1) required tree, shall be planted adjacent to or near the street right-of-way for each twenty-five (25) feet, or fraction thereof, of linear street frontage. Trees shall be planted between the street right-of-way and any horizontal and vertical improvements. The required number of trees need not be placed uniformly, but may be clustered in groups.
- (b) Trees planted shall be a minimum four (4) inch DBH, staked, and wrapped. Small trees/large shrubs trees shall be a minimum two (2) inch DBH, staked, and wrapped.
- (c) Trees with deep roots may be planted in the area between the sidewalk and road if approved by the city administrator, or designee. Trees of species whose roots are known to cause damage to public roadways or other public works are prohibited.

Sec. xxx Landscape buffers

- (a) Landscape buffer planting requirements.
- (1) All plant material shall be of native or adapted species.
 - (2) All new proposed shade trees shall be a minimum of 4 inches in diameter.
 - (3) All proposed ornamental trees shall be a minimum of 2 inches in diameter.
 - (4) All large shrubs shall be a minimum of 5-gallon container size and small shrubs/groundcovers a minimum of 1-gallon container size.
- (b) Landscape buffer spacing requirements. The following landscape buffer spacing requirements shall apply to all designated landscape buffers:
- (1) Shade trees (such as Live Oak or Cedar Elm). One per 50' of buffer frontage.
 - (2) Ornamental trees (such as Crape Myrtle or Desert Willow). One per 25' of buffer frontage.
 - (3) Large shrubs, five-gallon (such as Wax Myrtle, DW Yucca, or Agarita). One per 6' of buffer frontage.

(4) Small shrubs/groundcovers, one-gallon (such as Lantana or Liriope). One per 3' of buffer frontage.

(c) Landscape buffer widths. The following landscape buffer width requirements shall apply to all designated landscape buffers and shall be measured from the edge of the right-of-way:

	At Arterial Roadways	At Collector Roadways
O1-O2	Twenty-five feet (25')	Twenty-five feet (25')
C1-C3	Twenty-five feet (25')	Twenty-five feet (25')
HC	Fifty feet (50')	Fifty feet (50')
I1-I2	Fifty feet (50')	Fifty feet (50')
AS/S	Twenty-five feet (25')	Twenty-five feet (25')
L1-L2	Twenty-five feet (25')	Twenty-five feet (25')
IP	Fifty feet (50')	Fifty feet (50')
PPU	Fifty feet (50')	Fifty feet (50')
PR1-PR2	Twenty-five feet (25')	Twenty-five feet (25')
PF	Fifty feet (50')	Fifty feet (50')
NS	Twenty-five feet (25')	Twenty-five feet (25')
WPDD	Varies	Varies
RR-1	Twenty-five feet (25')	Twenty-five feet (25')
VI	Twenty-five feet (25')	Twenty-five feet (25')
SC	Twenty-five feet (25')	Twenty-five feet (25')
MF1-MF2	Twenty-five feet (25')	Twenty-five feet (25')

(d) Landscape buffer vegetation. The following landscape buffer vegetation requirements shall apply to all designated landscape buffers:

This buffer area shall contain either native vegetation in the form of trees and bushes left in their natural, undisturbed condition, or, if no such native vegetation exists, shall consist of landscaping in conformance with this article. If the area consists of landscaped plantings, maintenance of such plantings shall be the sole responsibility of the developer.

Sec. xxx Landscape material

All trees, plants, and vegetation shall comply with the City of Austin “Grow Green” recommended plant guide. Invasive plants in this guide are specifically prohibited.

Sec. xxx Landscape plan and tree survey submittal

A landscape plan and tree survey shall be submitted to the city with the proposed site plan. The landscape plan shall comply with the landscape requirements. The landscape plan shall be signed and sealed by a landscape architect licensed by the state. The existing tree survey should be signed and sealed by a surveyor licensed by the

state.

Sec. xxx Parking area landscaping

- (a) Parking lots and all vehicular parking and maneuvering areas, excluding driveways behind buildings, shall contain areas constructed, planted, and maintained as landscaped islands, peninsulas, or medians.
- (b) The minimum total area in landscaped islands, peninsulas, or medians in the parking lots in front of buildings shall be ninety (90) square feet for each twelve (12) parking spaces.
- (c) One tree is required for every six (6) parking spaces. Tree preservation is encouraged, thus one (1) existing tree that is at four (4) inches DBH shall count for two (2) new trees.
- (d) No parking space shall be located further than fifty (50) feet from a landscaped island, peninsula, median, or tree. They shall be located evenly through the parking areas; however, the location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features.
- (e) Landscape terminal islands (end islands) shall be located at the end of all parking modules in a configuration to allow for turning radii of intersecting aisles to protect parked vehicles, provide for visibility, confine moving traffic to aisles and driveways, and provide space for landscaping. Medium and tall shrubs are prohibited on internal islands to maintain visibility.
- (f) All landscaped islands shall have curbs except when utilizing low impact development techniques to capture and utilize runoff for irrigation purposes.
- (g) Paving over the critical root zone is discouraged and must be approved by the city administrator, or designee. All approved paving shall be porous pavement to allow water and air exchange.

Sec. xxx Screening of dumpsters and building service equipment

- (a) For outdoor condensers, utility huts, and other building service equipment (other than a rooftop), such equipment shall be reasonably screened from view on all sides using a masonry wall and vegetative screen using at least two (2) varieties of plant material from the “grow green” plant guide, that, at maturity, are at least the height of the equipment to be screened.
- (b) All refuse and/or recycling containers shall be reasonably screened with landscaping from public view and the view of adjoining properties.
- (c) The opening for removal of the dumpster for collection shall be a minimum of twelve (12) feet to allow proper service access. An additional ten (10) feet in width is required for every additional dumpster.
- (d) All durable materials used in constructing the dumpster screening masonry wall system shall be consistent with and complement the primary structure.
- (e) The orientation of the dumpster opening shall not face the street or public sidewalk unless approved by the city administrator, or designee.

Sec. xxx Maintenance requirements

The owner shall be responsible for (unless otherwise specified herein):

- (1) Regular maintenance of all required landscaped areas and plant materials in a vigorous and healthy condition, free from diseases, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilization, pruning, mowing, edging, mulching, or other necessary maintenance in accordance with generally accepted horticultural practice;
- (2) The repair or replacement of required landscape structures (walls, fences, etc.) to a structurally sound condition;
- (3) The regular maintenance, repair, or replacement, where necessary, of any screening or buffering;
- (4) Replacing planted trees if they die or become diseased beyond repair within five (5) years after planting; and
- (5) Repairing damage to landscaped areas, structures, screening, buffering, or trees as a result of ingress or egress from site easements by authorized or unauthorized parties.

Sec. xxx Integrated pest management

Air integrated pest management plan (IPM) shall be submitted with the site plan. The IPM shall include the fertilizer ratios, brands, and types of fertilization application methods to be used. Fertilizers must be phosphate-free.

Sec. xxx Tree preservation

- (a) A grading and tree survey shall be submitted with the site plan. No clearing or grading permits shall be issued until a tree survey is submitted.
- (b) The tree survey shall include all existing, live, healthy trees with an eight-inch DBH in diameter and larger. The survey shall indicate the size (DBH) and species of tree. Trees observed to be distressed will be indicated with an asterisk on the tree list. Trees shall be represented by circles using the formula of one (1) foot of radius for every one inch of trunk diameter. Unbroken circles indicate trees that are to remain. Dashed circles indicate trees that are to be removed (including trees identified to be distressed).
- (c) Healthy designated trees (as defined by the City of Austin Environmental Criteria Manual, Appendix F) that require removal to accommodate the development shall be replaced at a ratio of 1:1, or cash-in-lieu may be paid to the city, the amount equal to the cost of nursery stock required to replace the caliper amounts lost and the cost of installation on a per-unit basis, not to exceed one hundred dollars (\$100.00) per caliper inch or six thousand dollars (\$6,000.00) per acre (prorated for sites of more or less than one acre) for the entire site. Trees identified as distressed shall not be included in tree preservation requirements evaluation. This distress identification must be determined by a certified arborist. No more than XX percent of designated trees may be replaced by cash-in-lieu.
- (d) Removal of a heritage tree is prohibited unless a certified arborist confirms the following finding that the heritage tree is either: (1) dead; (2) is an imminent hazard to life or property, and the hazard cannot reasonably be mitigated without removing the tree; or (3) is diseased and restoration to sound condition is not practicable or the disease may be transmitted to other trees and endanger their health.
- (e) Removal of a heritage tree is prohibited unless a variance is granted by City Council with the following findings that the heritage tree either: (1) prevents reasonable access to the property; (2) prevents a reasonable use of the property.
- (f) Pre- and post-construction fertilization is required for existing trees that will be or have been disturbed by construction activities, including disturbance of the critical root zone. Fertilizers must be phosphate-free.
- (g) The planting, preserving, and maintaining of trees which are contagiously diseased trees, or the storage of cut oak unless first determined by a certified arborist to be devoid of oak wilt or properly treated, shall be deemed a public nuisance and is prohibited.
- (h) During construction, take measures to protect trees, including rigid fencing, shielding, and signage, as necessary. Rigid fencing shall be placed with a radius of at least ten (10) feet from the trunk or at the critical root zone, whichever is greater, unless property lines or other features prohibit a complete radius. Rigid fencing shall consist of chainlink or wood fencing not less than four (4) feet high at the drip line of the tree. Stakes shall be no more than six (6) feet apart and at least one and one-half (1-1/2) deep into the ground. Rigid fencing shall be at least three (3) feet in height.
- (i) The city administrator or designee shall inspect and approve installed tree protection before issuance of any permit to commence with any construction activity.
- (j) Tree protection shall remain in place until final landscaping installation as approved by the city administrator or designee.
- (k) Parking or storing of vehicles, equipment or materials allowed within the critical root zone is prohibited.

Sec. xxx Irrigation requirements

- (a) An irrigation plan is required as part of the site plan and will be prepared by a licensed irrigator (i.e., licensed landscape architect or engineer). The plan should include rain/freeze sensors on all controllers. The irrigation plan should provide drip irrigation in shrub beds where appropriate and bubblers on all trees.
- (b) Turf grass plantings may be Buffalo, Zoysia, or Bermuda. St. Augustine is expressly prohibited.
- (c) Landscaped areas must be mulched to reduce evaporation and preserve water.

Sec. xxx Drought conditions

- (a) During extreme drought classifications for this region as determined by the National Drought Mitigation Center, the city administrator, or designee, may accept a fiscal deposit of the amount equal to the cost of purchasing and installing the trees and other required landscaping into the city's drought tree fund in lieu of the installation of trees and other landscaping required by this chapter for the issuance of a certificate of occupancy permit, or the city administrator or designee may accept an escrow equal to the cost of purchasing and installing the trees and other required landscaping. The city shall only accept the fiscal deposit or escrow if an erosion control plan consistent with section xxx of this code has been reviewed and accepted by the city administrator or

designee. Failure to maintain and adhere to an approved erosion control plan during periods of extreme drought classification shall be deemed a violation and the fines and penalties under section xxx of this article shall apply.

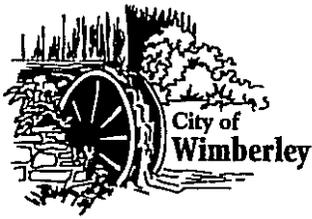
(b) Persons requesting that the city accept a fiscal deposit in lieu shall provide the city with written documentation from an entity that sells trees and landscaping the cost of purchasing and installing the trees and other landscaping required by this chapter.

(c) If no cost for the installation of trees and landscaping required by this chapter is provided to the city, the city shall require sixty-six (66) percent of the cost of the trees and landscaping to be paid as the installation cost in addition to the cost to purchase the trees and landscaping.

(d) Any fiscal deposits for trees and landscaping paid to the city pursuant to this section shall be held in escrow. The escrow may be drawn upon by the city to implement tree and landscaping requirements for the depositing property owner, or the funds shall be released to the depositing property owner to implement tree and landscaping requirements within thirty (30) days when the drought mitigation center determines that this region is no longer in an extreme drought condition or higher classification. Failure to implement the tree and landscaping requirements within thirty (30) days of release of the fiscal deposit to the depositing property owner shall be deemed a violation and the fines and penalties under section xxx of this article shall apply.

(e) Whenever necessary to enforce any provision of this article or implement tree and landscaping requirements on the depositing property owner's property, city staff, or the city's contractor, may enter upon depositing property owner's property at any reasonable time to inspect or perform any duty imposed by this article during an extreme drought classification for this region. If entry is refused, the city shall have recourse to every remedy provided by law and equity to gain entry.

(f) The city is the custodian of any cash funds or bonds on deposit in the property owner's escrow account. The city has a fiduciary duty to the depositing property owner and may dispose of the escrowed funds only in accordance with this section.



AGENDA ITEM: A/C Units – Wimberley Community Center
SUBMITTED BY: Terri Provost - Director
DATE SUBMITTED: 9/25/19
MEETING DATE: 10/3/19

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

On 9/23/19, the A/C unit that cools the Cypress/Blanco Meeting Rooms quit working. A service call was placed, and it was determined that the compressor needs replacing. In an inspection of the other units, it was discovered that the main unit that cools the foyer was also not working (we had noticed that there had been no water draining from the unit) and the foyer was being cooled by a smaller secondary unit that also covers that area. Additionally, the coolant those units use is being phased out in 2020.

The recommendation is that both units need a new compressor but that other parts of the unit are subject to failure and the coolant is also going to be an issue.

The preferred option is to replace the A/C units. Three companies were contacted for bids, two of which responded (The A/C Guys and Woods A/C) and the third (Wright A/C) does not want to work on commercial units.

For consideration is utilizing The A/C Guys to replace both A/C Units for a total cost of \$7,900.00. This will be paid from line item 100-51-6797 (Capital Facilities). For FY 2020 \$25,000.00 was budgeted in this line item for painting and lighting. As we get quotes for these items, we will bring back to Council a budget amendment for consideration.

REQUESTED ACTION

- | | |
|------------|-------------------------------------|
| Motion | <input checked="" type="checkbox"/> |
| Discussion | <input checked="" type="checkbox"/> |
| Ordinance | <input type="checkbox"/> |
| Resolution | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

FINANCIAL

Budgeted Item	<input type="checkbox"/>	Current Estimate:	\$ 3950/unit
Non-budgeted Item	<input checked="" type="checkbox"/>	Total	\$7900.00
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$ 7900.00
Original Estimate/Budget:	\$		

STAFF RECOMMENDATION

The Community Center Director recommended using The A/C Guys to replace both units for an amount not to exceed \$7,900.00

From: Matt Gilliam <matt@theacguys.com>
Sent: Tuesday, September 24, 2019 2:49 PM
To: Tracy Calamari, Wimberley Community Center
Subject: AC Repair Options

Hi Terri,

After doing a bit of research, below are some options for the Blanco/Cypress Room System that has a failed compressor:

Option 1:
Replace the compressor
\$2250

Option 2:
Replace the entire outdoor unit
\$3950

Option 1 could be completed this week.
Option 2 could be completed by mid-next week, as the new unit would need to be ordered in.

Thanks,

Matt Gilliam
the ac guys
512-757-4770
TACLB32066E



WOODS COMFORT SYSTEMS, INC.
www.woodscomfortsystems.com
TACLA 16934C



Proposal and Agreement
for Air Conditioning and Heating Equipment
Regulated by the Texas Department of Licensing and
Regulation, PO Box 12517, Austin, TX 78711
1-800-803-9202, 512-463-6599

512-392-6907 San Marcos 512-847-9989 Wimberley
512-329-8888 Austin 830-620-1204 New Braunfels
1-877-324-6902 Toll free

Submitted To Wimberley Community Center Address Director@wmc.com Date 9/25/19
Street 1406B Ranch Rd 12 Mailing Address _____
City, State Zip Wimberley TX 77676 City, State Zip Turner Forest Phone 512-847-2510

We hereby submit specifications and estimates for:

Option #1 <u>5700 GAS</u>	Option #2 <u>5700 ELECTRIC</u>	Option #3
Manufacturer <u>Carrier SEER 13</u>	Manufacturer <u>Carrier SEER 13</u>	Manufacturer _____ SEER _____
Condenser Model <u>24ABA360A</u>	Condenser Model <u>24ABA360A-5</u>	Condenser Model _____
Evap. Coil Model <u>ENPFP6024</u>	Evap. Coil Model _____	Evap. Coil Model _____
Furnace/AHU Model <u>583BDA110E24</u>	Furnace/AHU Model <u>AF1CNPOD2</u>	Furnace/AHU Model _____
Heat Strip Section _____	Heat Strip Section <u>AF1CNPOD2</u>	Heat Strip Section _____
BTU Cool <u>16,000</u> Heat _____	BTU Cool <u>16,000</u> Heat _____	BTU Cool _____ Heat _____
<input checked="" type="checkbox"/> Limited 1 Year Labor, <u>5</u> Year Parts Warranty	<input checked="" type="checkbox"/> Limited 1 Year Labor, <u>5</u> Year Parts Warranty	<input type="checkbox"/> Limited 1 Year Labor, 10 Year Parts Warranty
<input type="checkbox"/> Limited 10 Year Parts and Labor Warranty	<input type="checkbox"/> Limited 10 Year Parts and Labor Warranty	<input type="checkbox"/> Limited 10 Year Parts and Labor Warranty
<input checked="" type="checkbox"/> Limited 20 Year Heat Exchanger Warranty	<input type="checkbox"/> Limited 20 Year Heat Exchanger Warranty	<input type="checkbox"/> Limited 20 Year Heat Exchanger Warranty

Installations Shall Include:

- High and low voltage connections *As needed*
- Properly sized fused disconnect
- Additional wiring-high/low voltage
- Replace condenser slab
- Install refrigerant drier
- ~~Install~~ Electric overflow protection
- Condensate pump
- Use existing vent pipe/adaptor/replace *Run up 4" PVC*
- Plenum transition with air tight seal
- Provide for external combustion air
- Install return air grille HX W
- Clean and seal return air cavity
- Insulate return air cavity
- EZ filter Base
- Honeywell 4" Media
- Replace gas flex
- New 3/4" plywood platform
- Seal existing duct system
- New digital thermostat, Programmable, touchscreen *Next*
- Recover Freon per "Clean Air Act"
- Adjust charge to manufacturer's specifications
- Provide attic access _____ ft.
- Provide necessary attic decking
- All work done within existing codes
- Manufacturer's specifications followed
- All required permits
- Removal of existing equipment
- Evacuate refrigerant system
- Cleanup and startup
- All necessary labor and tax to complete install

Recommended Optional Investment

Guardian Air "REMI"	\$ _____
Guardian Air "Purifier"	\$ _____
Whole House Dehumidifier "Aprilaire" 90 pint	\$ _____
2 Yr Maintenance Plan	\$ _____
5 Yr Maintenance Plan	\$ _____
Air Ducts _____ Duct Runs _____	\$ _____
_____ R/A Runs _____	\$ _____

Preventive Maintenance Free 1 Year w/system

purchase # of systems _____

Additional Years \$ _____

Installation Notes

Total for Both Systems
\$13,336.47 + tax

These warranties do not cover existing circuit breakers, duct work, existing circuit boxes, fuses, existing electrical supply, dirty filters, clogged drains, dirty coils, rust, corrosion or normal maintenance.

Option #1 _____ SYSTEM	Option #2 _____ SYSTEM	Option #3 _____ SYSTEM
Total Installed Price \$ <u>7090.00</u>	Total Installed Price \$ <u>6246.47</u>	Total Installed Price \$ _____
Woods Discount \$ _____	Woods Discount \$ _____	Woods Discount \$ _____
Utility Rebate \$ _____	Utility Rebate \$ _____	Utility Rebate \$ _____
Manufacturer Rebate \$ _____	Manufacturer Rebate \$ _____	Manufacturer Rebate \$ _____
Other Rebate \$ _____	Other Rebate \$ _____	Other Rebate \$ _____
Net Investment \$ _____	Net Investment \$ _____	Net Investment \$ _____
Total due at installation \$ _____	Total due at installation \$ _____	Total due at installation \$ _____
Authorized Signature _____	Authorized Signature _____	Authorized Signature _____
Date _____	Date <u>9/25/19</u>	Date _____

Woods Comfort Systems, Inc. does not warrant against, nor is it responsible for rust, rot, mold, or other fungi existing in drain lines, at customer's structure or in any way related to work performed by Woods Comfort Systems, Inc.
Property damage Disclaimer: Woods Comfort Systems, Inc. shall use reasonable care in performing all work, but Woods Comfort Systems, Inc. shall not be liable for incidental or consequential damages (including, but not limited to, injuries to persons, pets or damage to property including normal wear and tear) except those caused by negligent acts of a Woods Comfort Systems, Inc. employee. Our workers are fully covered by Workman's Compensation Insurance. All unresolved issues are subject to 3rd party arbitration.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

FINANCING CREDIT CARD CHECK CASH Signature _____

Date of Acceptance _____ Signature _____

* Proposal Good for 30 days.



AGENDA ITEM: Tree Trimming on City Streets
SUBMITTED BY: John Provost
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 5, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

1. Trim trees and dispose of debris both sides of Green Acres from FM 2325 to County Maintenance sign. All trees to be cut to a height of 16’ and 3’ from the edge of the road. Spray and seal all oak cuts.

2. Trim trees and dispose of debris both sides of La Buena Vista from La Flores to the top of the hill. All trees to be cut to a height of 16’ and 3’ from the edge of the road. Spray and seal all oak cuts.

3. Trim trees and dispose of debris both sides of Heritage Hills, Freedom Drive and Liberty Drive beginning at the CR 1492 intersection with Heritage Hills. All trees to be cut to a height of 16’ and 3’ from the edge of the road. Spray and seal all oak cuts.

Request approval of a bid from Bartlett Tree Experts in the amount of \$7,695.00 for the above work. See attached. We reached out to two other vendors including the County and this was the lowest bid.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution

FINANCIAL

Budgeted Item	<input checked="" type="checkbox"/>	Original Estimate/Budget:	\$ None
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$ 7,695.00
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$ 0.00

STAFF RECOMMENDATION

Public Works Superintendent recommends approval.



Client:

Printed on: 9/20/2019

City of Wimberley
 Attn: John Provost
 221 Stillwater
 Wimberley, TX 78676
 Mobile Phone: 512-201-7211 (John)

Bartlett Tree Experts
 Steve Austin - Representative
 2200 Old Ranch Road 12, Unit A
 San Marcos, TX 78666
 Business: 512-392-1089
 Fax Number: 512-392-7398
 E-Mail Address: saustin@bartlett.com

The following program is recommended for certain trees and shrubs on your property. In addition to a thorough plant health care program, Bartlett Tree Experts recommends having a qualified arborist inspect your property periodically to assist you in identifying potential risks or hazardous conditions relating to your trees or shrubs. THIS IS NOT AN INVOICE.

Tree and Shrub Work:

Natural Pruning

Species	Location
mixed species	along sides of roads in Heritage Hill
mixed species	along sides of Green Acres Rd from County Maintenance sign to 2325
mixed species	along sides of La Buena Vista horeshoe starting and ending at Las Flores Dr

Goals:

- Provide 16-17 feet of clearance over road and 3-4 feet of clearance from either side

Specifications:

- Reduce and/or remove as needed live branches, 6-12 feet length reduction, growing over or near roads
- Remove all debris

Total for 'Tree and Shrub Work'

Amount: \$7,695.00

Tax: \$634.84

Client: City of Wimberley
Attn: John Provost

Printed on: 9/20/2019

Please review the information and the terms and conditions attached, which become part of the agreement, and sign and return one copy authorizing the program.

(Customer Signature)


(Bartlett Representative - Steve Austin)

(Date)
9/20/2019

(Date)

* Sales tax added where applicable. Prices are guaranteed if accepted within thirty days.
All accounts are net payable upon receipt of invoice.
Work is done in accordance with ANSI A300 Tree Care Standards.

To access a certificate of liability insurance for Bartlett Tree Experts, please navigate to
<http://www.bartlett.com/BartlettCOI.pdf>

A Job Site Safety Analysis was completed for your property, please contact your arborist for further details.



AGENDA ITEM: Cattle Guard Repair at Spoke Hollow Road
SUBMITTED BY: John Provost
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Requesting approval to award Hays County the following road project through our inter-local agreement:

Repair Cattle Guard on Spoke Hollow Road. From our 2020 Road Maintenance Budget.

Total Cost: \$7,495.00

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input checked="" type="checkbox"/>	Original Estimate/Budget:	\$
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$ 7,495.00
Not Applicable	<input type="checkbox"/>	Amount Under/Over Budget:	\$

STAFF RECOMMENDATION

The Public Works Superintendent recommends approval of this item.

ESTIMATE FOR City of Wimberley

October 12, 2018

<i>ROAD NAME</i>	<i>TIME</i>	<i>DESCRIPTION OF WORK</i>	<i>OPERATOR LABOR</i>	<i>EXPENSES</i>	<i>EQUIP USAGE & FUEL</i>	<i>EXPENSES</i>	<i>MATERIALS</i>	<i>EXPENSES</i>	
Spoke Hollow Rd.-cattle guard	1 day / 8hrs	replacement of damaged cattle guard	5 MAN MAINT. CREW (\$34.50/MAN)	\$1,380	5 pieces of equipment / 2 pick-ups , backhoe , dumptruck , and gooseneck trl / (\$46/HR/EQ)	\$1,840	cattle guard - \$2,429	\$2,429	
	4 HRS	mobilization of equipment p/u and drop off	1 driver / haul truck / 4 hrs / \$34.50 hr	\$138	haul truck and trailer / 4hrs / haul truck \$53.75 / trailer -\$17 hr	\$283	cold mix -5 tons @ \$65 a ton	\$325	
ADMINISTRATIVE EXPENSES								\$100	
				\$1,518		\$2,123		\$2,854	PROJECT COST \$6,495
CONTINGENCIES								EXPENSES	
If we need to do some concrete work for the cattle guard to be placed properly								\$1,000	
								\$1,000	COSTS \$1,000
									GRAND TOTAL \$7,495



AGENDA ITEM: Hidden Valley Gabion Baskets
SUBMITTED BY: Shawn Cox, City Administrator
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The rain received in early May of this year led to a significant amount of water and debris to flow down the Blanco River across the Hidden Valley Low Water Crossing. As a result, some of the gabion baskets installed on the riverbanks beside the crossing were damaged. The gabions were installed to provide erosion protection along the banks.

For consideration is approval of the City Administrator entering into a contract with Myers Concrete Construction LP, for the repair of the damaged gabions in an amount not to exceed \$5,500.00. Myers was the contractor selected to construct the Hidden Valley Low-Water crossing after it was destroyed in the 2015 Memorial Day Flood Event.

Funding for this expenditure is provided in the FY 2020 Budget under line item 100-31-6432: Road Maintenance. Total funding available in this line item is \$80,000.00.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

Budgeted Item	<input type="checkbox"/>	Original Estimate/Budget:	\$
Non-budgeted Item	<input type="checkbox"/>	Current Estimate:	\$5,500.00
Not Applicable	<input checked="" type="checkbox"/>	Amount Under/Over Budget:	\$

STAFF RECOMMENDATION

The City Administrator recommends approval of this item.

ATTACHMENTS

- Hidden Valley Low-Water crossing Damaged Gabion (Photo)
- Myers Proposed Contract



MYERS CONCRETE CONSTRUCTION, LP

P.O. BOX 2928 WIMBERLEY, TEXAS 78676

512-847-8000 Wimberley 512-842-5000 Austin Metro 512-847-3831 Fax
www.myersconcrete.com email: info@myersconcrete.com

WBE/HUB Certified

City of Wimberley
Attn: John Provost
Public Works/Codes Enforcement
Phone: (512) 847-0025 x32
Mobile: 512-748-6131
jprovost@cityofwimberley.com

September 25, 2019

Project: Hidden Valley Gabion Basket Repairs

CONTRACT

1. Myers Concrete Construction, LP proposes to supply all labor and materials for the following work described:
 - A. Haul in 1 load of oversized bull rock and install the rock in baskets where they have washed out.
 - B. Re-sew areas throughout baskets that have been damaged.
 - C. Install new top face of baskets where needed.
 - D. Reattach baskets along concrete sides and bottom with epoxy and anchors as needed.
 - E. Clean up site
2. Exclusions: Bonds, Permits, Testing, Rock Excavation, more than one mobilization, and Utilities Not Clearly Marked.
3. Myers Concrete Construction, LP will provide Workers Compensation and General Liability Insurance.
4. Contract must be signed and returned prior to any commencement of work
5. Draws paid as work progresses and payment in full upon completion.
6. **Total for all work listed above** **\$5,500.00**



Myers Concrete Construction, LP
By Randy Myers, VP of Myers Concrete, LLC, GP

City of Wimberley

September 25, 2019
Date

Date



AGENDA ITEM: Naming Policy
SUBMITTED BY: Shawn Cox, City Administrator
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

At the September 5, 2019 Regular Council Meeting, Council Member Barchfeld requested the City bring back example of naming polices. Included in this packet are three examples:

- City of Houston (as mentioned by Council Member Barchfeld)
- City of Schertz
- City of New Braunfels

While the policies from Schertz and New Braunfels are specific to parks, the City of Houston’s policy address the naming of all facilities; including parks, streets, buildings, etc.

The City Administrator is seeking further guidance on what the City of Wimberley’s Naming Policy should include.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

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

STAFF RECOMMENDATION

ATTACHMENT(S)

- City of Houston Naming Policy
- City of Schertz Naming Policy
- City of New Braunfels Naming Policy



CITY OF HOUSTON

Executive Order

Subject: **Naming of City Facilities**

E.O. No.

1-47

Effective Date:

November 1, 2003

1. PURPOSE

- 1.1 To define the process, policies, procedures, and responsibilities associated with the naming or renaming of City facilities in honor of individuals or community organizations.

2. OBJECTIVE

- 2.1 To establish a systematic and consistent approach for the official naming of City facilities.
- 2.2 To establish a policy that considers community tradition and continuity of name, while utilizing established criteria that emphasize geography, local history, community values and character, civics and service to the City of Houston in the naming or renaming of municipal facilities.

3. SCOPE

- 3.1 All City of Houston property, with the exception of park facilities, which fall under Parks and Recreation Departmental Policy 1010.4 (Attachment A); library facilities, which fall under the Houston Public Library Board Policy (Attachment B) and streets which fall under Chapter 41 and 42 of the Houston Code of Ordinances (Attachment C).

4. DEFINITIONS

- 4.1 City facilities are those that house employees or are otherwise used to conduct city business or serve city function.
- 4.2 Owing department is the City department responsible for operation, maintenance and oversight of the facility.
- 4.3 Naming request proposal includes original request, supporting documentation, public comment, and owning department's evaluation and recommendation.
- 4.4 Park sites are City owned parks, open space and trail areas. Park sites include developed and undeveloped park areas and designated open space areas.

5. RESPONSIBILITIES

- 5.1 The requesting entity will submit in writing to the Mayor's Office the request with supporting information necessary to demonstrate that criteria outlined below have been met.
- 5.2 Those submitting a naming request should show how the proposed name is consistent with the criteria stated in this policy.

Approved:

Date Approved:

November 1, 2003

Page 1 of 4

- 5.3 When naming after a person or persons, the naming request will describe the contributions to the City.
- 5.4 The owning department will gather appropriate documentation and evaluate the request against the applicable criteria.
 - 5.4.1 City staff will review the proposal for adherence to the stated criteria and authentication of statements relative to contributions and/or service.
 - 5.4.2 If the request is incomplete, staff will contact the applicant, in writing, and provide them with the opportunity to resubmit a revised request.
 - 5.4.3 The owning department will offer the opportunity for public input on the proposed naming through public notice of at least 30 days and will notify the recognized Neighborhood Association of the proposal when complete request is received.
 - 5.4.4 Comments will be compiled by the owning department and included in the final request package to City Council.
- 5.5 The Mayor will review each naming request proposal, determine which, if any, Council Committee should review the proposal and make recommendations to full City Council.
- 5.6 The City Council is responsible for the final approval of the proposed name.

6. POLICY

- 6.1 Requests will not be considered when submitted by an individual or a group for self-nomination. The only exception to this policy is when a significant financial contribution is made and the naming is a condition of the gift.
- 6.2 The following criteria shall be used in determining the appropriateness of the naming designation:
 - 6.2.1 Geographic location (neighborhood, significant areas, etc.)
 - 6.2.2 Natural features
 - 6.2.3 A person (non-living) or place of historical or cultural significance
 - 6.2.4 A person (non-living), group, or feature particularly identified with the land or facility
- 6.3 Additionally, naming of City facilities may be considered if the individual, their family or a community organization has made exceptional contributions to the City, including one or more of the following: under the following conditions:
 - 6.3.1 Demonstrated excellence, courage or exceptional service to the citizens of the city of Houston (sustained, continuous public services over a period of 25 years or two-thirds of the person's life span);
 - 6.3.2 Worked to foster equality and reduce discrimination;
 - 6.3.3 Made an outstanding contribution to Houston;
 - 6.3.4 Made a significant financial contribution to City;
 - 6.3.5 Public service as an elected official;
 - 6.3.6 Public service as a community volunteer; and
 - 6.3.7 Risked or given his or her life to save others.

Subject: Naming of City Facilities	E.O. No.: 1-47	Page 2 of 4
	Effective Date: November 1, 2003	

- 6.4 There must be a well-defined connection associated with the contributions of the individual or community organization and the City facility.
- 6.5 The significance of the contribution from the individual/ organization needs to be evaluated in terms of the service impact of the City facility. Programs and projects must be described in specific quantifiable terms.
- 6.6 Individuals and organizations that have made contributions of regional or community wide significance may be considered for naming of facilities that serve the region or community.
- 6.7 Individuals and organizations that have made contributions of area or neighborhood wide significance may be considered for naming of facilities that serve areas or neighborhoods within the City.
- 6.8 Names that are similar to existing parks, properties or facilities in the City system (or other systems in the region) should not be considered in order to minimize confusion.
- 6.9 The City reserves the right to change the name to maintain consistency with these policies.
- 6.10 When City property is named for an individual/organization, this action in no way gives the individual, family members or organization naming rights over other features on the property. Features within the facility or on the property will remain eligible for naming without the consent of the individual or family members for which the property is currently named.

6.11 Existing Facilities

- 6.11.1 Requests to rename existing facilities will be received by the Mayor's Office and directed to the appropriate department for further investigation and evaluation against criteria.
- 6.11.2 Once all relevant documentation is compiled, the owning department will notify the appropriate neighborhood association and post notice of proposed naming changes, allowing 30 days for public comment. Public comment will be incorporated into the naming request proposal.
- 6.11.3 Following the review, the appropriate Commission or Board may require a review of the proposed name change, if necessary.
- 6.11.4 Once complete, a recommendation will be made to the full City Council.

6.12 New Facilities

- 6.12.1 At least 30 days prior to opening a new City facility, the owning department will propose a name to the Mayor for consideration.
- 6.12.2 If acceptable, the appropriate agency i.e. owning department, Board, or Commission will conduct a public hearing regarding the proposed name and provide a recommendation for consideration by the City Council.
- 6.12.3 The naming request proposal to include recommendations, relevant documentation and public comment will be summarized for consideration by the City Council.

6.13 Other Considerations

- 6.13.1 Costs - Evaluate fiscal impacts to the City and affected community, and consider which costs the applicant should bear.

Subject: Naming of City Facilities	E.O. No.: 1-47	Page 3 of 4
	Effective Date: November 1, 2003	

6.13.2 Precedent - Determine whether an action to rename a street might establish a desirable or undesirable precedent.

6.14 Parks facilities

6.14.1 The Park Naming Committee of the Houston Parks and Recreation Department (HPARD) has the authority to review proposals from community organizations to name new parks, buildings and other facilities, or when appropriate, to review proposals from community organizations to change the names of existing parks, buildings and facilities within the Department's inventory. If there is a deed restriction or the given name is of special historical or geographic significance, the property is not eligible for renaming. The Park Naming Committee will forward proposals, which meet the criteria outlined in Parks and Recreation Department's Policy 10.10.4 (Attachment A), to Houston City Council and Mayor for Approval. See Attachment A for process required.

6.15 Library Facilities

6.15.1 The Houston Public Library Board has the authority to review proposals from the community to name new, relocated or significantly remodeled library buildings, or when appropriate, to review proposals for the renaming of existing facilities. In all cases, neighborhood designation is given priority. Libraries that are named or renamed to recognize a donor or to honor or memorialize an individual will continue to carry the neighborhood name along with the name of the party being recognized. On all signage and documentation, the neighborhood name will be listed first, followed by the honoree's name. The Houston Public Library Board will review proposals, which meet the criteria, consult with the district Council Member, and forward proposals to Houston City Council and Mayor for approval. See Attachment B for process required.

6.16 Street renaming – Per Chapter 41 and 42 of the Code of Ordinances – see Attachment C for process required.

ATTACHMENT(S)

CITY OF HOUSTON

PARKS AND RECREATION DEPARTMENT

Policy and Procedure Directive

TITLE
POLICY FOR NAMING OF PARK PROPERTY

POLICY NUMBER
1010.4

1. Summary: The purpose of this policy is to establish a uniform procedure for the naming or renaming of park property.

2. Scope: The Park Naming Committee of the Houston Parks and Recreation Department (HPARD) has the authority to review proposals from community organizations to name new parks, buildings and other facilities, or when appropriate, to review proposals from community organizations to change the names of existing parks, buildings and facilities within the Department's inventory. If there is a deed restriction or the given name is of special historical or geographical significance, the property is not eligible for renaming. The Park Naming Committee will forward proposals meeting the criteria outlined below to Houston City Council and Mayor for approval. The Park Naming Committee is composed of the following members:

- Director, Houston Parks and Recreation Department
- Chairman, Houston City Council Neighborhood Protection and Quality of Life Committee
- Executive Director, Houston Parks Board, Inc.
- President, Houston Parks Board, Inc.
- Executive Director, The Park People
- President, The Park People
- One Park Advisory Council President selected from all PACs and rotated annually (*not eligible to vote on a park renaming if affiliated with the site that is being considered*)
- The Council Member representing the District where the park is located
- A representative from the Super neighborhood where the park is located.

This policy does not apply to park facilities of fair market value less than \$50,000. Those facilities of fair market value less than \$50,000 are named at the discretion of the HPARD Director.

3. General Criteria

The criteria set forth herein shall have no bearing on the present names of parks and recreation facilities.

- a. Park property may be named after streets, geographical locations, historical figures, events, concepts, or local, state or national leaders. Park property may also be named for an individual or group where major donations of land, funds or other exceptional contributions toward the development, maintenance and/or operation of a park or facility have been made by the nominated individual or group.

APPROVAL



ISSUE DATE

11-01-03

EFFECTIVE

11-01-03

PAGE 1 OF 6

- (1) Exceptional contributions include the following:
- (a) The park site or facility is donated; or
 - (b) An amount of money equal to the fair market value of the land or facility is donated, or
 - (c) An amount of money that would provide for 50% or more of the cost to develop the park or facility is donated, or
 - (d) Total donations made over a period of time equal the percentage values required in (a), (b), and (c) above. Only one park site and one facility shall be named for any individual or group or;
 - (e) Direct, significant, and lifelong services for the betterment of the community and the park system, e.g.:
 - (i) Sustained, continuous public services over a period of 25 years or two-thirds of the person's life span.
 - (ii) Programs and projects must be described in very specific, quantifiable terms, e.g. dates, places, times, people, amounts, costs, etc.
 - (iii) Impact statements must show how services rendered directly impacted the lives of over 50,000 citizens, e.g. (a) a healthy start in life, (b) learning marketable skills, (c) enhanced relationships, (d) decreasing gang violence, (e) building stronger schools, homes and churches, (f) protecting the environment, (g) reducing crime, (h) providing a safe place with structured activities during after school and non-school hours, and (i) contributions to the arts.
 - (iv) Must have established a positive relationship and rapport with the community at large and HPARD.
 - (f) Consideration may be given to an individual or group who has brought national or international prominence and historical significance to the City as a result of a major accomplishment or achievement.
 - (g) Consideration will also be given to an individual or group who donated funds to operate and maintain the park or facility for a period of 20 years or more.

Parks and Recreation Department

- (2) A park, recreation center, or other park facility shall not be named after or in honor of any individual, unless such individual has attained 70 years of age or has been deceased at least 18 months, or such naming is a condition of a gift or grant accepted by the City.
- (3) In the case of parks where only geographic, conceptual or other generic names exist or have been proposed, and when such names are not of special historical or geographical significance to the neighborhood; nominations may be made to name a park or park facility for a local or community leader:
 - (a) Who has been deceased at least 18 months or is 70 years of age or older (the application will not be considered by staff until the proposed honoree has been deceased for a period of six months, or no sooner than six months prior to his/her 70th birthday); or
 - (b) Who has made exceptional contributions to the Houston park system and/or the community as defined in (1) (e).
- (4) Nominations may be made to name neighborhood, community or regional parks for an individual who is a known state or national leader:
 - (a) Who has been deceased at least 18 months or is 70 years of age or older (the application will not be considered by staff until the proposed honoree has been deceased for a period of six months, or no sooner than six months prior to his/her 70th birthday) or,
 - (b) Who has made exceptional contributions to the Houston park system and/or community as defined in number (1) (e).
 - (c) The request represents a consensus of the neighborhood as addressed in section 4 of the Procedure for Naming or Renaming Park Property.
- (5) When park property is named for an individual, this action in no way gives the individual or family members naming rights over other features on the property. Features within the facility or on the property will remain eligible for naming without the consent of the individual or family members for which the property is currently named. This matter will be clearly outlined in the written agreement at the time of the naming.
- (6) Nominations will be accepted and considered only when received from community-based organizations which have been in existence a minimum of three years, e.g. advisory councils, neighborhood associations, youth service agencies, churches, etc. The nominating organization will be required to provide information about its history. A formal vote of the organization's executive board must be taken, and the honoree or family of the honoree must agree with the proposed recognition.

Parks and Recreation Department

- (7) Nominations will not be accepted from any individual person including elected officials. The only exception to this policy is when a significant financial contribution is made and the naming is a condition of the gift as outlined in number (1) (a) through (d).
- (8) The sponsoring group shall make a commitment to assist HPARD three to six months in advance of the official name change dedication ceremony, in the following manner:
 - (a) If contributing funds, the funds will cover all costs by HPARD to implement the name changing; e.g. fabrication and installation of signs or additional enhancements to the facility, or,
 - (b) If providing volunteer services, the services will be provided to demonstrate commitment to the park system, e.g. installation and maintenance of landscaping or on-going maintenance.
 - (c) There must be a written agreement outlining the terms of the name change as identified by HPARD. Staff will monitor the hours and specific improvements prior to the name change.
- (9) Requests will not be considered when submitted by an individual or a group for self-nomination. The only exception to this policy is when a significant financial contribution is made and the naming is a condition of the gift as outlined in number (1) (a) through (d).
- (10) The Department will not consider a naming or renaming request if any of the following conditions are present:
 - (a) Duplicates the name of another park or park feature;
 - (b) Endorses or advocates religion or a specific religious belief;
 - (c) Has obscene connotations; or
 - (d) Demeans, intimidates or maliciously portrays any racial and ethnic group;
 - (e) The individual for whom the park or park feature is proposed to be named has been found guilty of a felony crime.
- (11) Policy Exception: Special facilities managed by contracts or supported by other entities are exempt from this policy upon request, in writing, to the Director of the Houston Park and Recreation Department. Those facilities may establish specific guidelines for naming and renaming using this policy as their framework. The guidelines must be approved by the Park Naming Committee.

- (12) When new park property is proposed, acquired or constructed, the property may be given a temporary, unofficial name until a formal petition is submitted by a community based group on the basis of the criteria and procedures outlined in this policy. The temporary name will be designated by HPARD for the purpose of administration and accounting.

4. Procedure for Naming or Renaming Park Property

- a. Citizens desiring to request a name change must contact the Director of the Houston Parks and Recreation Department in writing to request a copy of this policy and to request research on the history of the name of the property, e.g. historical data such as minutes documenting the official or initial naming, deed restrictions, historical designations, etc.
- b. If there are no restrictions on the park to prohibit a name change and the requestor determines that the proposed name change meets the criteria outlined in this policy, a written, community-based request shall be submitted to the Director, Houston Parks and Recreation Department, 2999 S. Wayside Dr., Houston, Texas 77023 or its then current address. The request should include the following information:
- (1) State the reasons for the proposed name change;
 - (2) Show community support for the proposed name change;
 - (3) The number of signatures required as follows unless population density is less than the number stated. Signatures must include the name, age (must be 18 or older), address, zip code and telephone number of each signer as proof of residency.
 - (a) Neighborhood and pocket parks will require 300 signatures with zip codes within a 2-mile radius of the park;
 - (b) Community parks will require 600 signatures with zip codes;
 - (c) Regional, Metro and Linear parks will require 1,000 signatures with zip codes.
- c. The Director and/or designated staff will review the petition in accordance with the nomination criteria as set forth in this policy. If the petition does not meet the policy criteria, the matter will be referred back to the nominator stating the reason for the rejection.

- d. If the name change request meets the criteria as outlined in this document, the Director will arrange a meeting, teleconference or electronic mail notification with the Park Naming Committee to vote on the acceptance or rejection of the new name. A two-thirds affirmative vote of the full committee is required to proceed with approval of the naming.
- e. If the Park Naming Committee approves the name change, **the nominator is responsible for the cost of producing and installing a sign** to solicit public comment from property owners and residents in the area. The sign(s) will remain in place for a minimum of 45 days or longer if HPARD deems it necessary. The sign will solicit comments, written and/or verbal, relative to the proposed name change through the posting of the HPARD mailing address and a phone number.
- f. At the end of the 45-day period, staff will collect all information received from property owners and residents in the area. The Naming Committee will evaluate public comments received by HPARD and make a recommendation to the Director for or against the name change.
- g. If the Park Naming Committee determines that public comments indicate property owners and residents in the area approve the name change, the Director of the Houston Parks and Recreation Department will request final approval from the Mayor and City Council via Request for Council Action (RCA). The RCA will include pertinent background information on the park or facility. HPARD staff will notify the requestor in writing of the final outcome of Council action.

5. Maintenance Responsibility: The Office of Development of the Director's Office of the Houston Parks and Recreation Department is responsible for maintaining this policy.

6. Policy Review Cycle: This policy shall be reviewed not less than biennially.

<p>TITLE POLICY FOR NAMING OF PARK PROPERTY</p>	<p>POLICY NUMBER 1010.4</p>	<p>PAGE 6 OF 6</p>
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**Houston Library Board
Policy on Naming Library Buildings**

The following outlines the Houston Public Library's policy and procedure for the naming of library buildings.

POLICY

The purpose of this policy is to enable the Library Board to periodically recognize donors who have made significant gifts to the Library, to honor community leaders for significant contributions to the Houston community, or to honor or memorialize individuals whose contributions to society the Library Board believes are consistent with the nature and mission of the Library.

I. Naming Library Buildings

Library buildings that are new, relocated or significantly remodeled will be considered for naming or renaming by the Library Board.

The Board will honor a donor who wishes to have a library building named for them as recognition for a significant gift to the Library. The donor must contribute **50%** of the total cost of building construction or purchase of land, or in the case of significant remodeling, must contribute **50%** of the total cost of remodeling, to have a library building named or renamed in their honor. With such a contribution, the donor will have the right to have the library building named for them for a period of twenty-five (25) years. At any time after the end of this period, the Library Board reserves the right to consider renaming proposals from other donors. Before accepting a renaming proposal from another donor, the Library Board will give the initial donor the right to submit a competing proposal to continue to have the building named after the initial donor, but the Library Board shall have the right in its sole discretion to determine which proposal to accept. These rights extend only toward the library building. The Library Board reserves the right to name interior sections of the building, i.e. conference rooms, auditoriums, etc. for other donors. This gift may be paid up front or over a period of time on terms to be agreed upon by the donor and the Library Board. For all instances in which a library facility is named in recognition of a donor, a legal agreement between the donor and the Library will be drafted outlining the details of the naming agreement and must be signed by both parties. City Council approval is required for any naming or renaming of library buildings.

With the naming of libraries, neighborhood designation is given priority. Libraries that are named or renamed to recognize a donor or to honor or memorialize an individual will continue to carry the neighborhood name along with the name of the party being recognized. On all signage and documentation, the neighborhood name will be listed first followed by the donor's name.

Naming contributions may be accepted for libraries that are a part of the library's tax-supported construction schedule. When a donor wishes a building, space or facility to bear a desired name and tax dollars are available to fund the project, the donor may receive naming recognition based on the above criteria.

The Library Board will consider requests [from Mayor and City Council] for naming or renaming of library facilities to honor community leaders who have made significant contributions to the Houston Public Library system. These requests will be considered on a case-by-case basis taking the following details into consideration: service to neighborhood served by library, representative Council Member support and/or endorsement of naming, contributions to Houston community, and recommendations from community and business leaders.

II. Donor Recognition – Library Buildings

Following Library Board and City Council approval of a selected name, the Library will install appropriate signage to recognize the donor.

The Library will refer to the facility by the newly designated name in all library printed and electronic materials and signage.

III. Conditions of Acceptance

A standard legal agreement between the donor and the Library Board containing terms and conditions (including the conditions under which the naming recognition may be lost) must be reviewed and signed by both parties. The naming agreement will outline the amount of the gift, period of naming recognition, and any other information pertinent to the situation.

The Library Board, following the City of Houston's mandate, must decline donor naming proposals from political and religious organizations. The Library Board also reserves the right to decline any other naming proposals in the sole discretion of the Library Board. Decisions on naming of Library facilities and spaces will be recommended by the Library Board and approved by City Council.

IV. Procedure

The following is the procedure for submitting and considering the naming of Library buildings.

1. The proposed naming is submitted to the Library Director. The Director presents the request to the Library Board Executive Committee. After consideration by the Library Board Executive Committee, the Library Board considers the recommendation.

2. The Library Board consults with the relevant district Houston City Council member as proper protocol. The council member advises the Library Board.
3. A legal agreement outlining the terms of the naming agreement between the donor and the Library Board is reviewed and signed by both parties. The agreement is then brought before City Council for final approval.
4. The library building is named or renamed, and appropriate signage is installed at the library facility.

VII. General

The Library Board may make exceptions to the foregoing policies on a case-by-case basis upon a determination by at least two-thirds of the members of the Library Board that the exception is in the best interest of the Library.

The effective date of this policy is _____. If there are library buildings whose names on such date are not consistent with this policy, this policy does not require that such names be changed or any other action be taken to make them consistent.

Chapter 41

SUBDIVISIONS—GENERALLY*

Art. I.	In General, §§ 41-1—41-33
Art. II.	Naming Private Streets, §§ 41-34—41-49
Art. III.	Regulation of Towers, §§ 41-50—41-67

ARTICLE I. IN GENERAL

Sec. 41-1. Other provisions.

To the extent of any conflict between any of the terms and provisions of this chapter and any of the terms and provisions of chapter 42 of this Code, the terms and provisions of chapter 42 shall control.

Sec. 41-2. "Private street" defined.

(a) For the purposes of this chapter, the term "private street" shall mean and include any area, parcel, or strip of land whether or not the same is depicted or shown as such on any plan, map, or drawing, and which is not a duly dedicated and established public street of and in the city, which provides access from any public street in the city to any building or buildings designed or appropriate for occupancy by four (4) or more families, or for occupancy or use by two (2) or more businesses, industrial or commercial establishments, or for occupancy and use by one or more industrial, commercial or business establishments and two (2) or more families, and to which buildings there is no other access from such public street than over the area, strip, or parcel of land in question.

(b) The term "private street," as used in this chapter, shall also include any area, strip, or parcel of land whether or not the same is depicted or shown as such on any map, plan, or plat, which provides a connection between any two (2) public streets in the city, and which the general public is permitted to use for the purpose of traveling from one of such public streets to the other. Under this

definition, the public shall be considered as being permitted to so use such area, strip, or parcel of land if in fact it does so and its use is not obstructed by gates, chains, or watchmen. The mere facts that there may be posted signs prohibiting such use by the public shall not suffice to keep the area from being considered a private street under the terms of this chapter if in fact the owner thereof does not take and continue to take sufficient steps to actually prevent such use.

(c) Notwithstanding the foregoing definitions, the following shall not be considered "private streets" within the purview of this chapter:

- (1) Any driveway designed principally to provide access to the outbuildings appurtenant to any principal building, or to provide access to delivery platforms or the entrances of a building appropriate for the delivery thereto of goods or merchandise.
- (2) An area appurtenant to a store or a group of stores, a theater, a church or any similar establishment, designed primarily to be used as a parking space by customers or patrons of the establishment or group of establishments in question.
- (3) An entranceway or roadway designed to provide entrance to or communication or passage between the several units of a single industrial establishment or of a group of such establishments which are under common control or management; provided such industrial entranceway or roadway shall be considered a private street under the terms of this chapter if it

*Cross references—Buildings, Ch. 10; flood-prone areas, Ch. 19; piers in or adjacent to unapproved subdivisions at Lake Houston, § 23-35; permit for private street work in subdivisions in advance of plat approval, § 40-67 (see also § 40-70); manufactured homes and recreational vehicles, Ch. 29; planning and development generally, Ch. 33; piers prohibited in unapproved subdivisions, § 23-35; subdivisions security organizations, § 34-151 et seq.; installation of street lights at expense of property owner, § 40-3.

has entrances upon two (2) or more public streets, unless there are, at each of such entrances, gates, chains, or watchmen by which all persons are prevented from using the same except those employed by or having business to conduct or such industrial plants or establishments in question.

(Code 1968, § 42-1)

Secs. 41-3—41-7. Reserved.

Editor's note—Ord. No. 99-262, § 7, adopted March 24, 1999, repealed §§ 41-3—41-7 in their entirety. Formerly, said sections pertained to direction of planning commission; compliance with rules; filing fees; withholding city improvements until platting approved; compliance prerequisite to city work on streets. See the Code Comparative Table.

Sec. 41-8. Compliance with chapter prerequisite to issuance of building permits and sewer and water connections.

In every instance in which application is made to the building official for a building permit for the construction of any building to which there does not appear to be reasonable access to a public street of the city except over a private street, he shall refuse the building permit until it is established to his satisfaction that the area or development in question is not subject to the provisions of this chapter or until he is furnished satisfactory proof that the provisions of this chapter have been complied with. Similarly, no permit shall be granted by him for any sewer installation or the connection of any sewers to any of the city's sanitary sewer lines or to lines discharging into any of the city's sanitary sewer lines, where it appears that the area or development is subject to the terms of this chapter, until he is satisfied that the provisions hereof have been complied with. Likewise the city's water division will permit no connection to the city's water lines for service to any improvements within any area or development which is subject to the terms of this chapter, until the provisions hereof have been complied with.

(Code 1968, § 42-7; Ord. No. 90-635, § 127, 5-23-90)

Secs. 41-9, 41-10. Reserved.

Editor's note—Ord. No. 94-1154, § 5, repealed former §§ 41-9 and 41-10, which pertained to the city as party to suit to enjoin or abate recorded restricts affecting subdivisions and limitations on the same, respectively.

Sec. 41-11. Notice of deed restrictions upon conveyance of property.

(a) In this section the following words and terms shall have the meanings herein ascribed:

(1) *Deed restrictions* shall have the meaning ascribed to the word "restriction" in Section 230.002 of the Local Government Code, as amended, provided that it shall not be deemed to include any restrictions that by their express provisions have terminated or any provisions contained within any restrictions to the extent and only to the extent that the provisions restrict the sale, rental, or use of property on the basis of race, color, religion, sex or national origin.

(2) *Sale or conveyance* means any transfer of any lot, tract or parcel of real property subject to deed restrictions that is situated in whole or in part within the corporate limits of the city, except:

- a. A conveyance by trustee's or substitute trustee's deed to the lienholder pursuant to a foreclosure sale;
- b. A conveyance by deed to the lienholder in full or partial satisfaction of a debt secured by the property conveyed;
- c. A deed of trust conveyed to secure a lien;
- d. An auction sale conducted by a public official pursuant to an order of a court of competent jurisdiction; or
- e. A conveyance in which the purchaser is a governmental entity.

Without limitation, the term shall include an executory contract of purchase and sale having a performance period of more than six months.

(3) *Purchaser* shall mean each person who constitutes a grantee, purchaser, buyer, or transferee in a sale or conveyance, regardless of the amount or nature of the consideration received.

(4) *Seller* shall mean each person who constitutes a seller, grantor or transferor in a

sale or conveyance, regardless of the amount or nature of the consideration received.

(b) It shall be the duty of each seller to ensure that each buyer receives, in connection with each sale or conveyance, notice issued in accordance with the terms of this section in the form of Exhibit A to Ordinance No. 89-1312 which exhibit is incorporated herein by reference. The following procedure shall be followed in the giving and recording of the notice:

- (1) The notice shall be given to each purchaser at the final closing of the sale and purchase; provided, however, seller may provide the notice prior to closing;
- (2) Each seller and each purchaser shall sign and acknowledge the notice; and
- (3) Following the execution, acknowledgment and closing of the sale and purchase, the notice shall be recorded in the real property records of the county in which the property is located.

(c) The failure of any seller to comply with this section shall constitute a misdemeanor punishable upon conviction by a fine of not more than \$500.00. Each person who constitutes a seller shall be criminally responsible and each sale or conveyance for which the seller has failed to comply with this section shall constitute a separate offense.

(Ord. No. 89-1312, § 2, 9-20-89)

Secs. 41-12—41-33. Reserved.

ARTICLE II. NAMING PRIVATE STREETS

Sec. 41-34. Approval by planning commission.

In those instances where subdivision plats or any other type of plat required to be submitted to and approved by the planning commission which may contain private streets, as that term is defined in section 41-1 of this Code, the planning commission is hereby authorized to approve the designation of street names upon private streets contained on such plats. Nothing herein shall be

construed to mean, however, that names shall be designated or required to be designated on such private streets by the planning commission. The naming of such private streets shall be in conformance with the duly adopted rules and policies of the planning commission pertaining to the naming of public streets and subject to such additional rules and standards as provided for herein.

(Code 1968, § 42-24; Ord. No. 77-652, § 1, 3-29-77; Ord. No. 95-104, § 1, 1-25-95)

Sec. 41-35. Approval by the city council.

(a) In those instances where the owners of property containing existing private streets desire to establish an official name for such existing private street or streets which are located within the confines of said property, such owners may submit a written petition to the director of the planning and development department requesting the city council to officially adopt an ordinance establishing such name on the subject private street or streets. Such written petitions shall be signed by not less than a majority (51 percent) of the property owners along the subject private street concurring in the proposed name to be established for such private street and shall be accompanied by:

- (1) A current title report, statement or opinion, title policy or certificate or letter from a title guaranty company or a licensed attorney certifying that the owners listed on the subject petition are in fact all the current owners of record having a legal interest in said private street (lienholders excluded) and represent not less than a majority (51 percent) of the property owners along the subject private street;
- (2) A written metes and bounds description of the property occupied by such private street; and
- (3) A boundary survey map of the property occupied by such private street, said survey map showing all engineering and survey data prepared by an engineer or surveyor and sufficient to accurately locate said private street on the ground. Such survey map must also be prepared in

conformance with the official survey system as provided for in division 2 of article III of chapter 33 of this Code.

(b) The director of the planning and development department shall review all such petitions and forward his written recommendations to the mayor and city council for their approval. The director of the planning and development department shall also maintain a permanent record of all such petitions and upon final passage of an appropriate ordinance by city council approving and establishing a name for a private street, such name shall be entered into all appropriate records of the city. No private street name shall be approved or established for an existing private street by action of the city council unless such name is in conformance with the duly adopted rules and policies of the planning commission pertaining to the naming of public streets and subject to such other additional rules and standards as provided for herein.

(Code 1968, § 42-25; Ord. No. 77-652, § 1, 3-29-77)

Sec. 41-36. Changes of existing private street names.

No private street name duly established under the terms and conditions of this article shall be changed, whether established by plat approved by the planning commission or by action of the city council, unless such change is approved by a majority (51 percent) of the property owners adjacent to such private street (lienholders excluded). The city council or the planning commission may approve a change in the name of any duly established private street if such change is in conformance with the provisions of this article.

(Code 1968, § 42-26; Ord. No. 77-652, § 1, 3-29-77)

Secs. 41-37, 41-38. Reserved.

Editor's note—Ord. No. 99-262, § 7, adopted March 24, 1999, repealed §§ 41-37, 41-38, in their entirety. Formerly, said sections pertained to private street naming standards; installation and maintenance of private street marker. See the Code Comparative Table.

Secs. 41-39—41-49. Reserved.

ARTICLE III. REGULATION OF TOWERS

Sec. 41-50. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed below, unless the context of their usage clearly indicates another meaning:

Alteration means any modification, replacement, or reconstruction that increases the height or materially increases the dimension of a tower structure.

Chapter 42

SUBDIVISIONS, DEVELOPMENTS AND PLATTING*

Art. I.	In General, §§ 42-1—42-19
Art. II.	Requirements and Procedures, §§ 42-20—42-99
	Div. 1. Platting Requirements, §§ 42-20—42-39
	Div. 2. Application Requirements, §§ 42-40—42-69
	Div. 3. Review Procedures, § 42-70—42-99
Art. III.	Planning Standards, §§ 42-100—42-249
	Div. 1. General, §§ 42-100—42-119
	Div. 2. Streets, §§ 42-120—42-149
	Div. 3. Building Lines, §§ 42-150—42-179
	Div. 4. Lots and Reserves, §§ 42-180—42-209
	Div. 5. Easements, §§ 42-210—42-229
	Div. 6. Multi-family Residential Developments, §§ 42-230—42-249

***Editor's note**—Section 2 of Ord. No. 99-262, enacted March 24, 1999, amended Ch. 42 to read as herein set forth. Prior to amendment by Ord. No. 99-262, Ch. 42 pertained to similar subject matter and derived from Ord. No. 85-1878 enacted 10-23-85.

Editor's note—Section 10 of Ord. No. 99-262 adopted March 24, 1999, states: That each of the following shall be processed and considered by the director of the planning and development department or the planning commission, as appropriate, pursuant to the provisions of chapter 42, Code of Ordinances, Houston, Texas, in effect prior to the effective date of this chapter, and the former provisions of chapter 42 are saved for that limited purpose:

1. Any complete application for a subdivision plat or development plat that is filed with the department of planning and development prior to the effective date of this chapter;
2. Any final plat and subsequent recorded plat that are based on a preliminary plat approved by the planning commission prior to the effective date of this chapter;
3. Any plat to be recorded based on a final plat approved by the planning commission prior to the effective date of this chapter; or
4. For a period of 90 days following the effective date of this chapter, any application for a subdivision plat or development plat whose applicant satisfactorily demonstrates to the director of the planning and development department that the development plat or subdivision plat reflects a project for which design or engineering work resulting in the application had commenced and was in process prior to the effective date of this chapter. The director of the planning and development department, with the advice of the city attorney, is hereby authorized to promulgate a form upon which an applicant can utilize the provisions of this paragraph.

Notwithstanding the foregoing, an applicant may withdraw any complete application for the approval of a subdivision plat or a development plat that has not been approved by the director of the planning and development department or the planning commission, as appropriate, before the effective date of this chapter and may resubmit the application after the effective date of this chapter without the requirement of paying any additional application fee. An applicant may withdraw any general plan, subdivision plat or development plat that would be subject to the provisions of this section at any time and submit a new application for a general plan, subdivision plat or development plat after the effective date of this chapter.

With respect to a subdivision plat, the applicability of the former provisions of chapter 42 as authorized by this section shall continue until the earlier of the recordation of the subdivision plat for which the application was made or four years after the effective date of this chapter. With respect to a development plat, the applicability of the former provisions of chapter 42 as authorized by this section shall continue until the earlier of the issuance of the last building permit required for the project or two years after the effective date of this chapter if no building permit is issued within the two-year period.

Cross references—Buildings, Ch. 10; flood hazard areas, Ch. 19; planning and development, Ch. 33; streets and sidewalks, Ch. 40; subdivisions generally, Ch. 41.

ARTICLE I. IN GENERAL

Sec. 42-1. Definitions.

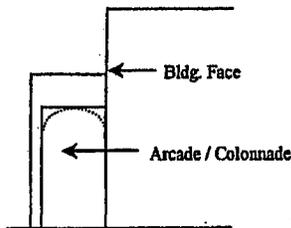
As used in this chapter, the following terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

Alley shall mean a public or private right-of-way that is not used primarily for through traffic and that provides vehicular access to rear entrances to buildings or properties that front on an adjacent street.

Amending plat shall mean an amending subdivision plat prepared and approved under the applicable provisions of chapter 212 and this chapter.

Applicant shall mean the owner of property or the owner's authorized agent who applies for a subdivision plat, development plat, general plan or street dedication plat pursuant to this chapter.

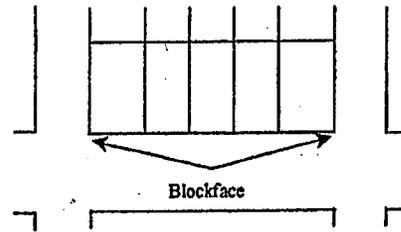
Arcade/colonnade shall mean a series of arches or columns with a roof attached to the face of a building creating an unenclosed covered pedestrian space.



Arcade/colonnade

Block shall mean one or more lots, tracts or parcels of land bounded by streets, easements, rights-of-way or other physical features or a combination thereof.

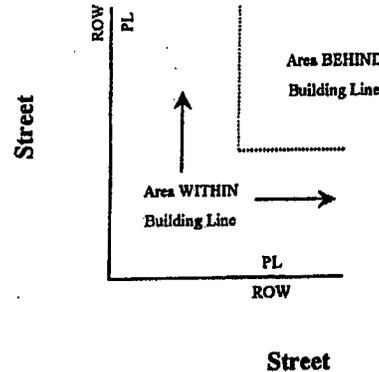
Blockface shall mean that portion of a block that abuts a street between two intersecting streets.



Blockface

Building shall mean any structure used or intended for supporting or sheltering any use or occupancy.

Building line shall mean the line shown on a subdivision plat or development plat establishing the building line requirement. An area is within the building line if it lies between the building line and the property line adjacent to a street or private street and is behind the building line if it lies to the interior of the property from the building line.



Building line

Building line requirement shall mean the minimum required distance from an easement or a property line adjacent to a street or private street in which no improvements requiring a building permit can be constructed on the property.

Building permit shall mean an official document or certificate issued by the building official authorizing performance of a specified activity under the Construction Code.

Central business district shall mean the area beginning at the intersection of the centerline of U.S. 59 and the centerline of I.H. 45; thence in a

northwesterly and northerly direction along the centerline of I.H. 45 to its intersection with the centerline of I.H. 10; thence in an easterly direction along the centerline of I.H. 10 to its intersection with the centerline of U.S. 59; thence in a southwesterly direction along the centerline of U.S. 59 to its intersection with I.H. 45, the point of beginning.

Chapter 212 shall mean Chapter 212 of the Texas Local Government Code, as it may be amended from time to time.

Class I plat shall mean a subdivision plat that meets the applicable requirements of section 42-23 of this Code.

Class II plat shall mean a subdivision plat that meets the applicable requirements of section 42-23 of this Code.

Class III plat shall mean a subdivision plat that is not a Class I plat or a Class II plat.

Collector street shall mean a public street that is not a major thoroughfare or a local street, but that distributes traffic between major thoroughfares and other streets.

Commission shall mean the planning commission of the city.

Compensating open space shall mean one or more areas designated as common open space on a subdivision plat or a development plat that are used to reduce the minimum lot size requirements pursuant to the provisions of article III of this chapter.

Courtyard shall mean a space, open and unobstructed to the sky, located at or above grade level on a lot or parcel and bounded on two or more sides by walls of a building.

Cul-de-sac shall mean a street with only one outlet that terminates in a vehicular turnaround appropriate for the safe and convenient reversal of traffic movement.

Department shall mean the department of planning and development of the city.

Design manual shall mean the department of public works and engineering design manual for

wastewater collection systems, water lines, storm drainage and street paving, as it may be amended from time to time.*

Develop/development shall mean any activity for which a development plat is required by this chapter.

Development plat shall mean a site plan prepared and approved pursuant to section 42-22 of this Code.

Director shall mean the director of the department or the director's designees.

Dwelling unit shall mean a structure, or a portion of a structure, that has independent living facilities including provisions for nontransient sleeping, cooking and sanitation.

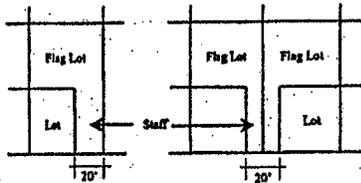
Extraterritorial jurisdiction shall mean the unincorporated territory extending beyond the corporate boundaries of the city established pursuant to chapter 42 of the Texas Local Government Code, as may be amended from time to time.

Filing date shall mean the date on which a subdivision plat is formally presented to the commission for its consideration as part of the commission's official meeting agenda, which shall be considered as the initial date of the statutory 30-day time period in which the commission is required to act upon a subdivision plat submitted to it under the provisions of chapter 212.

Final plat shall mean a map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate county map, plat or real property records and prepared in conformity with the requirements of article II of this chapter.

*Editor's note—Section 4 of Ord. No. 99-262, adopted March 24, 1999, states: That the design manual for wastewater collection systems, water lines, storm drainage and street paving (the "design manual") attached to and made a part of this Ordinance as Exhibit "A". Exhibit A is not set out in this chapter. Exhibit A is hereby approved and authorized as a regulation of the department of public works and engineering. The city engineer is hereby authorized to promulgate regulations amending the design manual from time to time as the city engineer deems appropriate.

Flag lot shall mean a lot whose frontage on and access to the street right-of-way is provided by a narrow driveway, access easement or other parcel of land referred to as the "staff" of the flag lot.



Flag lot

Frontage shall mean that portion of any lot or tract that abuts a street. A lot or tract abutting more than one street shall have frontage on only one street, which shall be deemed to be the side of the lot or tract with the shortest dimension unless otherwise indicated on the subdivision plat or development plat.

General plan shall mean a map illustrating the general design features and street layout of a proposed development of land that is to be subdivided and platted in sections.

Local street shall mean a type 1 permanent access easement and a public street that is not a major thoroughfare or collector street.

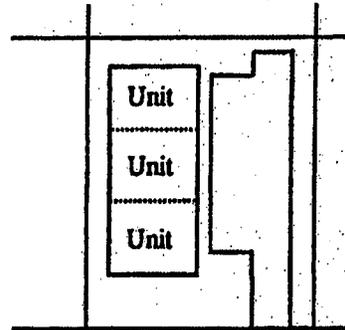
Lot shall mean: (1) in the context of a subdivision plat, an undivided tract of land intended for single-family residential use contained within a block and designated on a subdivision plat by numerical identification; or (2) in the context of a development plat, a parcel intended as an undivided unit for the purpose of development.

Major thoroughfare shall mean a public street designated as a principal thoroughfare or thoroughfare on the latest edition of the major thoroughfare and freeway plan.

Major thoroughfare and freeway plan shall mean the latest edition of the major thoroughfare and freeway plan adopted by the commission and approved by the city council.

Multi-family residential shall mean the use of property with one or more buildings on a parcel designed for and containing an aggregate of three

or more dwelling units. Multi-family residential includes apartments, condominiums, boarding-houses, triplexes and quadriplexes.



Multi-family residential

Nonresidential shall mean any use that is not multi-family residential or single-family residential.

Off-street parking shall mean vehicular parking that is provided in a location other than in a public right-of-way.

Open space amenities plan shall mean a plan submitted as part of a subdivision plat application that specifies how each area not otherwise eligible to be used as compensating open space will be improved and maintained with amenities such as parks, nature trails, picnic areas or other similar facilities that render the compensating open space accessible to and useable by the owners of lots in the subdivision.

Parcel shall mean any quantity of land capable of being described with such definiteness that its location and boundaries can be established that is designated by its owner as land to be used or developed as a unit or that has been used or developed as a unit. Parcel includes an easement supporting or related to a primary parcel, and a condominium unit.

Permanent access easement shall mean a privately maintained and owned street easement approved by the commission that provides for vehicular access to three or more single-family residential units and which shall be either a Type

1 permanent access easement or a Type 2 permanent access easement, each of which is defined in this section.

Permeable shall mean a surface that allows water to pass through it and penetrate into the ground.

Preliminary plat shall mean a map or drawing of a proposed subdivision that illustrates the proposed layout and features of the subdivision submitted to the commission for review and approval, but not suitable for recording in the county map, plat or real property records.

Private drive shall mean a privately owned way used for vehicular travel that is not a street or private street and that provides an unobstructed connection between one or more streets or private streets or to any portion of a parking lot, shopping center, institution, commercial area or industrial development. A private drive may provide for access by the general public, but the owner of the private drive shall maintain the right to restrict public access to the private drive.

Private street shall mean a privately maintained and owned vehicular accessway that provides access from a public street to one or more multi-family residential buildings.

Public street shall mean a public right-of-way, however designated, dedicated or acquired, that provides access to adjacent property.

Recorded map return agreement shall mean a written agreement authorizing the county clerk of the county in which a subdivision plat is filed to return the original recorded subdivision plat to the department.

Remainder tract shall mean the undivided acreage tract that remains when a portion of a tract that is comprised of all contiguous land under common ownership is subdivided pursuant to a subdivision plat.

Replat shall mean a subdivision plat prepared and approved under the applicable provisions of chapter 212 and this chapter.

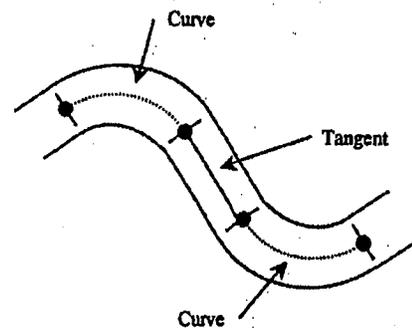
Reserve tract shall mean a parcel of land that is not a lot, but is created within a subdivision plat for other than single-family residential use and is

established to accommodate some purpose for which a division into lots is not suitable or appropriate.

Residential shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential.

Retail commercial center shall mean a group of commercial establishments contained or to be contained in a building or buildings encompassing a total building area of not more than 100,000 square feet developed as an integrated unit under common ownership or operating as an integrated unit under reciprocal agreements governing all external, nonbuilding space.

Reverse curve shall mean a curve composed of two curves turning in opposite directions.



Reverse curve

Shared driveway shall mean: a private way that (1) is not an extension of any street or private street; (2) has a length not greater than 200 feet from its intersection with the right-of-way of a public street; and (3) provides access to two or more single-family residential lots through appropriate cross-access easements.

Single-family residential shall mean the use of a lot with one building designed for and contain-

ing not more than two separate units with facilities for living, sleeping, cooking and eating therein. A lot upon which is located a free-standing building containing one dwelling unit and a detached secondary dwelling unit of not more than 900 square feet also shall be considered single-family residential. A building that contains one dwelling unit on one lot that is connected by a party wall to another building containing one dwelling unit on an adjacent lot shall be single-family residential.

Special exception shall mean a commission-approved adjustment to a requirement of article III of this chapter that is issued under section 42-82 of this Code.

Street shall mean a public street or a permanent access easement.

Street dedication plat shall mean a plat that illustrates only the location and right-of-way of one or more public streets to be dedicated by the street dedication plat.

Street width exception area shall mean an area so designated by or pursuant to section 42-123 of this Code.

Subdivide shall mean the act or process of creating a subdivision.

Subdivision shall mean the division of a tract of land, including a lot, into two or more parts to lay out a subdivision of the tract, to lay out suburban, building or other lots, or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts, regardless of whether the division is made by a metes and bounds description in a deed of conveyance or in a contract for deed, by using a contract of sale or other executory contract to convey or by using any other method. A subdivision does not include a division of land into parts greater than five acres, where each part has access to a public street and no public improvement is required to be dedicated. A subdivision includes a replat.

Subdivision plat shall mean (1) a map or plan prepared and approved pursuant to the applicable provisions of division II of this chapter show-

ing the proposed subdivision of land or (2) an instrument recorded in the map, plat or real property records of the appropriate county showing the previous subdivision of property. A subdivision plat includes a replat, an amending plat and a vacating plat.

Suburban area shall mean an area of the city or its extraterritorial jurisdiction that is not an urban area.

Title report shall mean a current report, commitment, opinion or title policy that: (1) is prepared and executed by a title company authorized and in good standing to do business in the State of Texas or by an attorney licensed in the State of Texas; (2) provides a legal description of the property proposed to be subdivided or developed; (3) identifies the owner and lienholder of the property subject to the subdivision plat or development plat and the recording information of each instrument by which each owner or lienholder acquired its respective interest; and (4) describes all encumbrances of record that affect the property and the recording information of each instrument by which each encumbrance was established. A title report shall be current if it certifies that the records were examined not more than 30 days from the date of the application to which it applies. For purposes of a replat, a title report shall also include information regarding any deed restrictions applicable to the property or reflect that no deed restrictions apply.

Tract shall mean a parcel.

Type 1 permanent access easement shall mean a permanent access easement at least 50 feet in width that is designed and constructed like a public street in accordance with the design manual and contains one or more public utilities in an unpaved portion of the easement.

Type 2 permanent access easement shall mean a permanent access easement at least 28 feet in width that is designed and constructed like a private street serving a development that has no public utilities other than a public water line connected only to one or more fire hydrants that provides no domestic water services.

Urban area shall mean the area included within and bounded by Interstate Highway 610 and any

other area within the city so designated by the city council pursuant to section 42-101 of this Code.

Utility district shall mean a conservation and reclamation district organized under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, the creation or enlargement of which requires the consent of the city.

Vacating plat shall mean a vacating plat prepared and approved under the applicable provisions of chapter 212.

Variance shall mean a commission-approved deviation from the requirements of this chapter issued under section 42-81 of this Code. (Ord. No. 99-262, § 2, 3-24-99; Ord. No. 00-860, § 1, 9-27-00; Ord. No. 02-399, § 87, 5-15-02)

Sec. 42-2. Scope.

This chapter shall apply to all development and subdivision of land within the city and its extraterritorial jurisdiction. This chapter estab-

lishes the general rules and regulations governing plats, subdivisions and development of land within the city and its extraterritorial jurisdiction to promote the health, safety, morals and general welfare of the city and the safe, orderly and healthful development of the city.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-3. Conflict with county regulations.

This chapter shall not be applied in such a manner as to amend or alter any rules, regulations, procedures or policies lawfully and officially adopted by the governing body of any county in which there exists territory contained within the city's extraterritorial jurisdiction. In the circumstance where any rule, regulation, procedure or policy lawfully and officially adopted by the governing body of any county is less restrictive than that contained herein, the standards of this chapter shall apply; provided, however, to the extent that this chapter conflicts with any provision of the Harris County Road Law (Special Laws of the 33rd Texas Legislature, Regular Session, 1913, Chapter 17, as amended), then the provisions of that law, to the extent of conflict, shall apply.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-4. Enforcement and penalties.

(a) It shall be unlawful for any person to lay out, subdivide or plat any land into lots, blocks, tracts or streets within the city, or sell property therein and thereby, if the land has not been laid out, subdivided and platted in accordance with the requirements of this chapter.

(b) The building official shall not issue a building permit:

- (1) For construction on property that was subdivided after March 15, 1963 unless the property is included in a subdivision plat approved and recorded in accordance with this chapter; or
- (2) For a development unless there is attached to the application a development plat approved by the director or the commission.

(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-5. Penal provisions applicable.

(a) The violation of any provision of this chapter within the corporate limits of the city, including the failure to do any act or perform any duty that is required herein, shall be punishable as provided by section 1-6 of this Code. Each day a violation continues constitutes a separate offense. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violation of this chapter.

(b) The violation of any provision of this chapter outside the corporate limits of the city but within the city's extraterritorial jurisdiction shall not constitute an offense, and no fine shall be applicable to the violation.

(c) In addition criminal prosecution, where applicable, the city shall have the right to seek the judicial remedies provided in section 42-6 of this Code for any violation of this chapter within the city or its extraterritorial jurisdiction.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-6. Judicial provisions applicable.

The city, acting through the city attorney or any other attorney representing the city, may file an action in a court of competent jurisdiction to:

- (1) Enjoin the violation or threatened violation by the owner of land of a requirement of this chapter applicable to the land; or
- (2) Recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter.

(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-7. Denial of utility connections.

(a) The building official shall not issue any building permit or other permits required for the installation of any utility, either public or private, to serve:

- (1) Lots or tracts within the city for which a subdivision plat has not been properly recorded as required by this chapter; or

(2) A development within the city that is subject to the provisions of this chapter, for which a development plat has not been properly approved as required by this chapter.

(b) The utility official shall not permit any tract of land to receive any service from the city water or wastewater collection systems unless, at the time of the application for service, the applicant provides to the utility official satisfactory evidence that the tract of land was subdivided or developed in compliance with this chapter.

(c) In those areas located within the city's extraterritorial jurisdiction, the utility official shall not approve any plans for the construction of any wastewater collection system or domestic water distribution system and the city engineer shall not approve any plans for the construction of storm drainage system within any utility district for which the city has granted its consent for creation or enlargement, unless and until the provisions of this chapter have been complied with for any tract of land served by utilities provided by the utility district.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-8. Forms authorized.

The director is authorized to promulgate forms to use in the implementation of this chapter, including forms for standardized language to be used on the face of subdivision plats and development plats. Prior to the use of any form, the city attorney or the city attorney's designee shall review the form for legal sufficiency and approve each form the city attorney or the city attorney's designee, in his sole professional judgment, determines to be legally sufficient.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-9. Cumulative effect.

This chapter is cumulative of other requirements imposed by ordinances and regulations of the city. To the extent of any inconsistency, the more restrictive provision shall govern.
(Ord. No. 99-262, § 2, 3-24-99)

Secs. 42-10—42-19. Reserved.

(b) Nothing in the intersection requirements established by sections 42-127 through 42-129 of this Code shall require the creation of a street that stubs into:

- (1) Publicly owned airport property;
- (2) Property owned or leased by the United States for use by the National Aeronautics and Space Administration for the Johnson Space Center;
- (3) Any grade-separated freeway that does not have a frontage road;
- (4) Property owned in fee by an electric utility and used or intended for use for electric transmission facilities; or
- (5) Any portion of Addicks Reservoir, Barker Reservoir, Sheldon Reservoir, the Houston Ship Channel or Lake Houston that is wider than 100 feet.

(Ord. No. 99-262, § 2, 3-24-99; Ord. No. 00-860, § 11, 9-27-00)

Sec. 42-131. Culs-de-sac.

(a) A cul-de-sac shall not serve a single-family residential development that will generate more than 350 vehicle trips a day at the intersection of the cul-de-sac with a through street. A cul-de-sac that exclusively serves a single-family residential development and that has a length of not more than 350 feet from the centerline of its intersection with the nearest street shall have a paving width of at least 24 feet and shall not be used to serve single-family residential development that will generate more than 350 vehicle trips a day at the intersection of the cul-de-sac with a through street. For purposes of the foregoing requirements, each dwelling unit type shall be deemed to generate the following trips per day:

Detached units	10 trips per unit
Attached units	8 trips per unit

(b) A cul-de-sac shall comply with the applicable terminus design as specified in the design manual.

(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-132. Curves.

(a) Curves for the right-of-way of a major thoroughfare shall have a centerline radius of at least 2000 feet. Reverse curves shall be separated by a tangent distance of not less than 100 feet.

(b) Reverse curves with a tangent distance of 100 feet or less along collector streets and local streets shall have a centerline radius of at least 300 feet. Reverse curves shall be separated by a tangent distance of not less than 50 feet.

(c) Curves along a type 2 permanent access easement or a private street may have any centerline radius except that the centerline radius of a reverse curve shall not be less than 65 feet. Reverse curves shall be separated by a tangent of not less than 25 feet.

(d) At the request of an applicant, the commission shall approve a lesser curve radius upon certification by the director of public works and engineering that the lesser radius meets nationally accepted standards set forth in either the "Guidelines for Urban Major Streets Design" of the Institute of Transportation Engineers or "A Policy on Geometric Design of Highways and Streets" of the American Association of State Highway and Transportation Officials.
(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-133. Public street names.

All public streets contained in any subdivision plat approved by the commission shall be named in conformance with the following policies and procedures:

- (1) The name of a new street that is not an extension of an existing street shall not duplicate the name of any existing street located within the city or the city's extra-territorial jurisdiction.
- (2) The name of a new street that is a direct extension of an existing street shall be the name of the existing street, except in those instances where the existing street name is a duplicate street name.
- (3) Street name prefixes such as "North", "South", "East", and "West" may be used to clarify the general location of the street,

provided that these prefixes must be consistent with the existing and established street naming and numbering system of the general area in which the street is located.

(4) Street name endings shall be used as follows:

- a. "Court," "Circle" and "Loop" shall be limited to streets that terminate at a cul-de-sac or are configured as a loop street.
- b. "Boulevard," "Speedway," "Parkway" and "Expressway" shall be limited to major thoroughfares or other streets designed to handle traffic volumes in excess of normal neighborhood traffic generation or that are divided streets with at least two lanes of traffic in each direction separated by a median.
- c. "Highway" and "Freeway" shall be used only to designate highways or freeways falling under the jurisdiction of the state department of transportation.

(5) Alphabetical and numerical street names must not be used to name any new street on any subdivision plat except in those instances where the street is a direct extension of an existing street with an alphabetical or numerical name that is not a duplicate street name.

(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-134. Private street and permanent access easement names and markers.

(a) Names proposed to be assigned to private streets or permanent access easements shall conform to the standards of section 42-133 of this Code and shall also be subject to the following criteria:

- (1) The suffix "PRIVATE" or "PVT" shall be a part of all names established for private streets and permanent access easements and shall be an integral part of any street

name marker installed. (Example of sign letter: LOG JAM LN. PRIVATE or LOG JAM LN. PVT.)

- (2) The street name markers erected on private streets shall conform to the standards and specifications approved by the director of public works and engineering. In no instance shall the color of the background of a street name marker to be installed on a private street or a permanent access easement be the same as the background color of street name markers used to identify public streets.
- (3) A private street or permanent access easement that is a direct extension of a local public street shall not have the same name as the local public street.

(b) Upon the establishment of the name of any private street or permanent access easement pursuant to this section, the owners of the property adjacent to the private street or permanent access easement shall be responsible for the installation, erection and continued maintenance of appropriate street name markers at the intersections of all streets, including public streets, private streets and permanent access easements. Installation of a private street or permanent access easement name marker shall not be authorized without the approval of the director of public works and engineering and shall conform with the standards of the public works and engineering department for street name markers. The director of public works and engineering may declare as a nuisance or a traffic hazard any private street or permanent access easement name marker indicating a name not established in conformance with this section and installed in the public right-of-way and may remove the marker from the right-of-way without notice upon determining that the marker is misleading, confusing or is located so as to create a traffic hazard.

(Ord. No. 99-262, § 2, 3-24-99)

Sec. 42-135. Street extension.

A public street that terminates at the boundary of a plat previously approved by the commission

RESOLUTION NO. 13-R-39

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT NAMING RIGHTS AND ENDORSEMENT POLICY AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Staff and the Parks and Recreation Advisory Board (“Board”) of the City of Schertz (the “City”) has recommended that the “City” enter into a Parks naming rights and endorsement policy with individuals, organizations and corporations desiring to contribute to the development of, and to pay for the rights to have their individual, organization and corporate name(s) and or logo’s on certain Parks and Recreation Facilities and;

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with individuals, organizations and corporations on a case by case review basis pursuant to future requests, the following Parks, Recreation and Community Services Department Naming Rights Policy attached hereto as Exhibit A (“Naming Rights Policy”).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to negotiate and deliver future naming rights requests subject to the attached “Naming Rights Policy” to the City Council following a review and subsequent approval of the “Board” in substantially the form set forth in Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

...of the public ... to be considered at such meeting, including the Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in full force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 19th day of June, 2013.



Mayor



City Clerk

(CITY SEAL)

EXHIBIT A

“NAMING RIGHTS POLICY”

See attached

City of Schertz Parks, Recreation and Community Services Department Naming Rights and Endorsement Policy

Introduction:

The mission of the City of Schertz Parks and Recreation Advisory Board (The Board) is to:

“...provide a forum to communicate between the citizens and city officials in the stewardship and conservation of Schertz’s natural and recreational resources, while promoting the well being of the community and improvement of the quality of life for all residents.”

To accomplish this goal, City of Schertz Parks, Recreation and Community Services Department (Parks Department) supports the formation of strategic partnerships with individuals, businesses, corporations, and other governmental entities and foundations to provide naming rights for city park facilities.

The Parks Department supports proper acknowledgement of all partners and funding sources. Acknowledgement might be as simple as inclusion on publications and promotional items of a funder’s name and/or logo, as per their individual request. It might be a long-term commemoration of a person, a corporation, a business, an organization or an event on a building, garden or long-term exhibition.

The Board has adopted the following policy which establishes and evaluates the requests for naming rights for city park facilities, to ensure that naming decisions are consistent with City of Schertz mission and receive full appropriate consideration.

Categories:

The Parks Department offers donors and supporters a range of recognition measures based on the type and size of their gifts. Among those donor recognition measures are the three categories below:

Category 1. Parks and Recreation Facilities/property includes real estate, buildings, park roads, whole parks;

Category 2. Memorials/physical items includes gardens, monuments, memorials, rooms, furniture or collections as well as smaller items such as trees, benches, paving stones at specific sites, or individual items within larger collections;

Category 3. Branding and Special Programs/Activities includes sponsorships of time-specific activities or endowments for on-going projects or initiatives. Examples might include, but are not limited to: youth sports team uniforms, booths at city wide events, an exhibition booth display, sponsorship of an annual golf benefit tournament, etc.

Authority

The Board shall review all category requests. Projects for **Category 1** requests will be reviewed by the Board. If approved by the Board, these requests will then, by motion of the board, be forwarded to the City Council approval.

Authority for administration of **Categories 2 and 3** of this policy rests with The Board and the Director of the Parks, Recreation and Community Services Department of the City of Schertz.

General Considerations

- **Category 1. Parks and Recreation Facilities/property** includes real estate, buildings, park roads, whole parks. The naming rights will be for a period not to exceed ten (10) years unless the donor (or company) goes out of business at which time the naming rights will be rescinded. If the donation provides 100% of the cost of construction, the donor (or company) retains the naming rights for a period not to exceed ten (10) years. If the donor (or company) goes out of business prior to that time, the naming rights are rescinded. If the donor (or company) makes annual (incremental) payments over the course of the naming rights period and misses a payment, or goes out of business, the naming rights are rescinded. The City Council will approve all Category 1 requests for naming rights.
- **Category 2. Memorials/physical items** include gardens, monuments, memorials, rooms, furniture or collections, as well as, smaller items such as trees, benches, paving stones at specific sites, or individual items within larger collections. Given the types of items associated with this category, the naming rights for these items would be of an indefinite duration. Category 2 requests will be approved by the Parks Advisory Board following the recommendation of the Director of Parks, Recreation, and Community Services.
- **Category 3. Branding and Special Programs/Activities** includes sponsorships of time-specific activities or endowments for on-going projects or initiatives. Examples might include, but are not limited to: youth sports team uniforms (seasonal); booths at city wide events; an exhibition booth display; sponsorship of an annual golf benefit

tournament; etc. Category 3 requests will be approved by the Parks Advisory Board following the recommendation of the Director of Parks, Recreation, and Community Services.

Procedures

The Board will approve (by a simple majority of members present and voting) and make available at any regularly scheduled meeting a list of items, opportunities, activities and other naming opportunities it is prepared to consider that will be brought forward by the Director of the Parks Department. Developers, who are required to provide parkland under the city's UDC, will not be able to name parks within the community that they develop. This will require The Board's action and the Approval of the City Council of the City of Schertz.

The list may include any request from an interested person, service club, company representative, including a potential donor, who may wish to make a proposal to the Parks Department regarding a naming rights proposal.

Proposals from donors, partners or funding sources, or from local citizens of the City of Schertz, for additional items of consideration will be evaluated on a case-by-case basis, subject to adherence to this general naming and endowment policy and final approval by the Board and the City Council of the City of Schertz.

Scope

This policy is applicable throughout the Parks Department, all of its facilities and for all the Parks Department sponsored activities. No exceptions may be made without the prior written consent of the Director of Parks for City of Schertz, the approval of the Board , and the approval of the City Council of the City of Schertz.

City of New Braunfels Policy for Naming or Renaming Park and Recreation Facilities

I. Purpose

To provide a formal process that assists the City Council with naming or renaming City of New Braunfels Park and Recreational facilities. This policy provides for citizen input, Park and Recreation Board recommendations, and insures City Council approval to adopt all names.

II. Guidelines for Naming or Renaming

Proposed names shall identify one of the following:

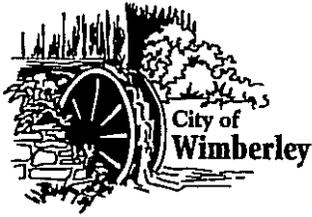
1. An adjacent street to the park;
2. Predominant physical features (such as lakes, rivers, creeks, etc.) in or adjacent to the park;
3. The subdivision in which the park property is located;
4. A state or nationally recognized person who has improved the quality of life for the public;
5. A significant historic feature, event, or person;
6. An individual or group who has made exceptional contributions to the City of New Braunfels with preference being given for contributions to parks and recreation services. Exceptional contributions include:
 - a) Donating or contributing a significant amount for the acquisition and/or development of the park facility;
 - b) Providing direct and significant volunteer services benefiting the public as a local or community leader.

Recommendations for naming a facility after an individual should be made post-mortem.

III. Procedures for Naming or Renaming

- A. Individuals shall submit a written nomination for park names along with justification to the Park and Recreation Board. The nomination shall include:

1. Reasons for the proposed name;
 2. Evidence of community support for the proposed name;
 3. Petitions, if submitted, must state the intent and include printed names, signatures, addresses, zip codes and telephone numbers of each signer as proof of residency.
 4. All of the above must be submitted to the Parks and Recreation Board for review.
- B. The Park and Recreation Board shall:
1. Review the names or renames in accordance with Section II of the guidelines;
 2. Research, review and study the supporting documentation;
 3. Forward recommendations to the City Council for review.
- C. The City Council shall review the Park and Recreation Board's recommendations and make final determination.



AGENDA ITEM: CWWP Status
SUBMITTED BY: Shawn Cox, City Administrator
DATE SUBMITTED: September 30, 2019
MEETING DATE: October 3, 2019

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Joe Mayfield and I inspected the Aqua tie-in location on Wednesday. We reviewed the routes for Options 2 and 4. Additionally, Capital (Joe) proposed a new option (Option #5 attached), which would eliminate the anticipated issues with Option 2 & 4 (underground utility, additional borrowing, tight working conditions behind Brookshire Brothers and along RR12). Estimated costs for Option #5 are \$414,555.00. Based in what has been contracted to date and what the anticipated change orders will cost, this is expected to provide \$77,294.24 in contingency funds.

Bond Funding	\$ 5,255,000.00
Contract Costs Include Change in Scope	(\$ 4,763,150.76)
Option #5 Costs	(\$ 414,555.00)
Balance	\$ 77,294.24

Option #5 would require an additional easement and approval from TxDOT. I am working on contact information for the additional easement. TxDOT approval is not anticipated to be an issue. Lines would be installed in the right -of-way (ROW) not under the pavement, and there are current utilities in their ROW now, which should not be an issue to work around.

REQUESTED ACTION

- Motion
- Discussion
- Ordinance
- Resolution
- Other

FINANCIAL

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

STAFF RECOMMENDATION

ATTACHMENTS

- Aqua Connection Option #5

Option #5

3,795 LF

Legend

-  Aqua's Manhole
-  Option #5

