



**CITY OF
WIMBERLEY**

REGULAR CITY COUNCIL MEETING PACKET

**Thursday, September 2, 2021
6:00 p.m.**



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, SEPTEMBER 2, 2021 – 6:00 P.M.

AGENDA

1. **CALL TO ORDER** September 2, 2021, 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. **PROCLAMATIONS**
 - 6.1. Proclamation of the City of Wimberley, Texas, proclaiming the Month of September 2021 as "Pride Month." (*Place Three Council Member, Christine Byrne*)
 - 6.2. Proclamation of the City of Wimberley, Texas, proclaiming the Month of September 2021 as "Hunger Action Month in Hays County." (*Hays County Food Bank*)
7. **CONSENT AGENDA**
 - 7.1. Approval of minutes from the Regular City Council Meeting held August 19, 2021.
 - 7.2. Approval of the Fiscal Year 2022 City of Wimberley Holiday Schedule.

8. PUBLIC HEARING FOR FISCAL YEAR 2021-2022 BUDGET

Public Hearing on the proposed Fiscal Year (FY) 2021-2022 Budget

- 8.1. Open Public Hearing
- 8.2. Citizen Comments
- 8.3. Close Public Hearing

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Discuss and consider possible action to approve Resolution No. 11-2021, adopting the City of Wimberley Amended Fiscal Year (FY) 2020-2021 Budget.
- 9.2. Discuss and consider possible action to approve Resolution No. 12-2021, adopting the City of Wimberley Fiscal Year (FY) 2021-2022 Budget.
- 9.3. Discuss and consider possible action to approve Resolution No. 13-2021, declaring certain City of Wimberley property surplus (wastewater treatment plant), and authorizing the City Administrator to dispose of said property in the manner most advantageous to the City. *(City Administrator, Mike Boese)*
- 9.4. Discuss and consider possible action to approve a Memorandum of Understanding between the Texas Music Office within the Office of the Governor and the City of Wimberley for ongoing maintenance of the Wimberley dataset of the Texas Music Directory. *(Planning & Development Coordinator, Nathan Glaiser)*
- 9.5. Discuss and consider possible action the second and final reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development), Article 9.03 (Zoning), Division 5 (Development Standards), Section 9.03.181 (Off-Street Parking and Loading Requirements) to add Section (G) City Center Overlay Parking; and amending article 9.05, Development Fees to add section Fee-in-Lieu of Parking Spaces and providing for savings, severability, repeater, effective date, and proper notice and meeting. *(Planning & Development Coordinator, Nathan Glaiser)*
- 9.6. Discuss and consider possible action to award a bid in the amount of \$161,893.00 to Percheron Construction, LLC for the construction of the Parks Department office expansion project at Blue Hole Regional Park. *(City Administrator, Mike Boese)*

10. CITY COUNCIL REPORTS

- 10.1. Announcements
- 10.2. Future agenda items

11. ADJOURNMENT

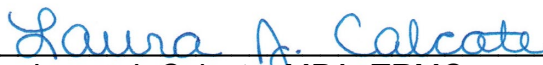
The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas 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.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

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, August 30, 2021, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Laura J. Calcote, MPA, TRMC
City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Laura Calcote at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.



City of Wimberley



Proclamation

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

“PRIDE MONTH”

WHEREAS, lesbian, gay, bisexual, transgender, queer/questioning, plus other sexual orientations or gender identity (LGBTQ+) citizens within Wimberley are a vital part of many fields and professions that contribute to our vibrant community; and

WHEREAS, all people are born free and equal in dignity and fundamental human rights, and no one should live in fear of persecution or violence arising from sexual orientation or gender identity; and

WHEREAS, while the tireless dedication of advocates and allies has led to increased support of LGBTQ+ rights by most Americans and the passage of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009, the need for community education and awareness remains vital to eradicate ongoing discrimination and prejudice; and

WHEREAS, Texan LGBTQ+ advocates like Phyllis Randolph Frye, who became the country’s first openly transgender judge in 2010, have been recognized as national leaders in overturning hateful ordinances at a time when anti-transgender hostility was openly aggressive; and

WHEREAS, according to the American Psychological Association, “attempts to force people to conform with rigid gender identities can be harmful to their mental health and well-being”; and

WHEREAS, according to the the Centers for Disease Control and Prevention, LGBTQ teens in Texas are at significantly higher risk of considering suicide, and research shows that being accepted by family and friends can protect LGBTQ youth from suicidal thoughts and behaviors; and

WHEREAS, the success of our community as a whole is largely measured by how we teach and nurture our children, and it is imperative that young people, regardless of sexual orientation or gender identity, feel valued, safe, empowered, and supported by their peers, educators, and community leaders; and

WHEREAS, celebrating Pride Month creates an opportunity to engage in dialogue and ultimately build alliances and understanding; and

WHEREAS, the City of Wimberley acknowledges that inclusion is vital to achieve true unity, and we are thus committed to promoting visibility, dignity, and equality for all LGBTQ+ people in our community.

NOW THEREFORE, BE IT PROCLAIMED BY THE CITY OF WIMBERLEY COUNCIL AND MAYOR THAT:

- 1. The month of September shall be celebrated as “Pride Month”; and
- 2. The City Council and Mayor invites everyone to reflect on ways we all can live and work together with a commitment to cultivate respect, compassion and understanding within our beloved community.

IN WITNESS WHEREOF, we hereunto affix the seal of the City of Wimberley this the 2nd day of September, 2021.

CITY COUNCIL OF WIMBERLEY, TEXAS

Gina Fulkerson, Mayor

Rebecca Minnick, Mayor Pro Tem/Place One

Teresa Shell, Place Two

Christine Byrne, Place Three

Jim Chiles, Place Four

David Cohen, Place Five

City of Wimberley



Proclamation

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

WHEREAS, according to Feeding America, the pandemic has most impacted families that were already facing hunger or are one paycheck away from facing hunger; and

WHEREAS, households with children are more likely to experience food insecurity, and many of these households do not qualify for federal nutrition programs like the Supplemental Nutrition Assistance Program and visit their local food banks and other food programs for extra support; and

WHEREAS, Hays County Food Bank represents a county-wide effort to provide nutritious food to the food insecure in the greater Hays County area, made possible by the generous contributions of individuals, civic organizations, local government, and businesses; and

WHEREAS, in 2020, Hays County Food Bank and its partners served on average each week, 2,500 low-income individuals and those facing a food emergency, distributing more than 1 million pounds of food to these households in need; and

WHEREAS, Hays County Food Bank partnered with the Hill Country Cowboy Church in 2020 and provided food at no cost to their food pantry program that assisted approximately 2000 Wimberley residents in need throughout the year; and

WHEREAS, a \$25 donation can provide 100 meals through the buying power of the food bank; and

WHEREAS, National Hunger Action Month is a Feeding America effort to raise awareness about the hunger epidemic in the United States and to encourage individuals to take action in some form against hunger;

NOW, THEREFORE, we, the City Council of Wimberley, by virtue of the authority vested in us in Wimberley, Texas do hereby proclaim the Month of September 2021 as

“HUNGER ACTION MONTH IN HAYS COUNTY”

And call upon the people of Hays County to pledge to take action against hunger in our community, whether it be by fund or food donation, volunteering, or advocacy.

IN TESTIMONY WHEREOF, we hereunto affix the seal of the City of
Wimberley this the 2nd day of September, 2021.

CITY COUNCIL OF WIMBERLEY, TEXAS

Gina Fulkerson, Mayor

Rebecca Minnick, Mayor Pro Tem/Place One

Teresa Shell, Place Two

Christine Byrne, Place Three

Jim Chiles, Place Four

David Cohen, Place Five



AGENDA ITEM:	Consent Agenda
SUBMITTED BY:	Laura Calcote, City Secretary
DATE SUBMITTED:	August 26, 2021
MEETING DATE:	September 2, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- 7.1. Approval of minutes from the Regular City Council Meeting held August 19, 2021.
- 7.2. Approval of the Fiscal Year 2022 City of Wimberley Holiday Schedule.

REQUESTED ACTION

- Motion ☒
- Discussion ☐
- Ordinance ☐
- Resolution ☐

FINANCIAL

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

STAFF RECOMMENDATION

Approval of 7.1. and 7.2.

ATTACHMENT/S

- August 19th Regular City Council Meeting Minutes
- FY 2022 Holiday Schedule



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, AUGUST 19, 2021 – 6:00 P.M.

MINUTES

In accordance with the order of the Office of the Governor issued March 16, 2020, in relation to COVID-19, some members of the City Council and/or staff may appear via teleconference/video conference.

The public may participate in this meeting either in person or via the following toll-free numbers 888-475-4499 or 877-853-5257 and/or using the Zoom meeting ID 874 8330 7433 and using the passcode 489346.

The public will be permitted to offer public comments and participate in any public hearing either in person pursuant to City Council rules or via teleconference or video conference, as provided by the agenda and as permitted by the presiding officer during the meeting.

Anyone wishing to offer public comments, participate in any public hearing, or offer written questions or comments **remotely** must notify City Secretary, Laura Calcote, at lcalcote@cityofwimberley.com, at least two (2) hours before the meeting.

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

CALL TO ORDER

Mayor, Gina Fulkerson, called the meeting to order on August 19, 2021, at 6:00 p.m.

CALL OF ROLL

Council Members Present: Gina Fulkerson
Rebecca Minnick
Teresa Shell
Christine Byrne
Jim Chiles
David Cohen

Mayor (*in person*)
Place One (*in person*)
Place Two (*via teleconference*)
Place Three (*in person*)
Place Four (*in person*)
Place Five (*via teleconference*)

City Staff Present: Mike Boese
Laura Calcote
Megan Santee
Nathan Glaiser

City Administrator (*in person*)
City Secretary (*in person*)
City Attorney (*in person*)
Planning & Development Coordinator (*in person*)

INVOCATION

Chapel in the Hills Representative, Dick Adams, gave the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

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

CITIZENS COMMUNICATIONS

City Secretary, Laura Calcote, read David Lowe's comment into the record pertaining to the Central Wimberley Wastewater Project and the system users on Blue Hole Lane.

PRESENTATIONS

6.1. Presentation regarding a vehicle lease program. (*D&M Commercial General Manager, Jerry Haddad*)

D&M Leasing Commercial General Manager, Jerry Haddad, presented information to Council relating to a potential vehicle lease program for the City. Mr. Haddad highlighted the summary of services for the company and program. There was discussion between Council and Mr. Haddad regarding mileage restrictions and vehicle depreciation. Vehicle leasing had been included in the projected Fiscal Year 2021-2022 Budget. No action was taken on this item.

6.2. Presentation regarding a community project at Brookshire Brothers. (*Alexis Pointe Representative, Katy Starr*)

Alexis Pointe Community Relations Director, Katy Starr, presented information regarding a potential community project, "Making a Community Mural," which be located on the side of Brookshire Brothers. Ms. Starr spoke of the benefits the project would have for the Alexis Pointe residents, as well as the Wimberley community as a whole. She also presented a project timeline. There was discussion between Council and Ms. Starr concerning murals and the City's sign ordinance. Overall, Council voiced excitement and support for the project.

No action was taken on this item.

CONSENT AGENDA

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

7.1. Approval of minutes from the Regular City Council Meeting held August 5, 2021.

7.2. Approval of the second and final reading of Ordinance No. 2021-27, repealing and replacing Chapter 12, Utilities, Article 12.02, Water and Sewer, Division 4, Sewer Utility Protection, Sec. 12.02.106 Grease Traps and Grease Interceptors of the City of Wimberley Code of Ordinances; providing for a savings clause; providing for severability; providing for penalties; and providing findings regarding compliance with the Texas Open Meetings Act.

CITY STAFF REPORT

City Administrator, Mike Boese, reported on the current status and projected timeline for the Oak Drive Improvements Project. City Secretary, Laura Calcote, reported on the upcoming

launch of the City's new notification system, CivicReady, and the efforts that would be undertaken to encourage residents to sign up for notifications.

PUBLIC HEARINGS AND POSSIBLE ACTION

9.1. Hold a public hearing and consider possible action regarding case CUP-21-016, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 700 Little Ranches, Wimberley, Hays County, Texas.
(Applicant: Ryan & Molly Galbraith)

Planning and Development Coordinator, Nathan Glaiser, presented the application for a vacation rental. The Planning and Zoning Commission had voted unanimously to recommend approval of the CUP at their August 12th Meeting. Mr. Glaiser also noted the 15 conditions presented in the ordinance.

Mayor, Gina Fulkerson, opened the public hearing at 6:57 p.m.

Applicant, Ryan Galbraith, spoke in support of the CUP.

Mayor, Gina Fulkerson, closed the public hearing at 7:00 p.m.

Motion to approve case CUP-21-016, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 700 Little Ranches, Wimberley, Hays County, Texas, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

9.2. Hold a public hearing and consider possible action regarding case CUP-21-018, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 213 Leveritts Loop, Wimberley, Hays County, Texas.
(Applicant: Steve Crossland)

Mayor, Gina Fulkerson, opened the public hearing at 7:01 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the application for a vacation rental. The City had received nine letters of opposition to date for the CUP. The Planning and Zoning Commission had also voted unanimously to recommend denial of the CUP at their August 12th Meeting.

There were five public comments, which were as follows:

1. Applicant, Steve Crossland, addressed Council and outlined his reasoning why the CUP should be approved, which included a question-and-answer session with Council.
2. Neighbor, Allen Mecklenburg, spoke in opposition of the CUP.
3. Neighbor, Dawn Hernandez, spoke in opposition of the CUP.
4. Neighbor, Ed Cooper, spoke in opposition of the CUP.
5. Neighbor, Steve Vest, spoke in opposition of the CUP.

Mayor, Gina Fulkerson, closed the public hearing at 7:32 p.m.

There was discussion among Council regarding the three reasons the P&Z Commission had recommended denying the request, as well as almost fifty percent (50%) of the neighborhood being in opposition of the vacation rental. A super majority vote of Council would be required to approve the application, due to the twenty percent (20%) rule being triggered because of neighbor opposition.

City Council recessed at 7:48 p.m.

City Council reconvened at 7:58 p.m., with all members present.

Motion to deny case CUP-21-018, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 213 Leveritts

Loop, Wimberley, Hays County, Texas, was made by Council Member Christine Byrne. The motion was not seconded. Therefore, the motion died for lack of a second.

Motion to approve case CUP-21-018, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 213 Leveritts Loop, Wimberley, Hays County, Texas, was made by Council Member David Cohen. The motion was not seconded. Therefore, the motion died for lack of a second.

Motion to send the case back to the Planning and Zoning Commission for clarification for their rational for unanimously recommending denial of the CUP was made by Council Member David Cohen. Motion was seconded by Council Member Teresa Shell. Motion failed as follows (2-3):

Rebecca Minnick	Nay
Teresa Shell	Aye
Christine Byrne	Nay
Jim Chiles	Nay
David Cohen	Aye

CUP-21-018 was not approved or granted.

- 9.3. Hold a public hearing and consider possible action regarding the first reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development), Article 9.03 (Zoning), Division 5 (Development Standards), Section 9.03.181 (Off-Street Parking and Loading Requirements) to add Section (G) City Center Overlay Parking; and amending article 9.05, Development Fees to add section Fee-in-Lieu of Parking Spaces and providing for savings, severability, repeater, effective date, and proper notice and meeting. *(Planning & Development Coordinator, Nathan Glaiser)*

Mayor, Gina Fulkerson, opened the public hearing at 8:18 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the proposed fee-in-lieu parking ordinance, including the Planning and Zoning Commission's recommended language addition. There was discussion pertaining to properties being grandfathered, urban planning and the potential impact the ordinance may have on small businesses. Outdoor seating needed to be addressed within the ordinance. A change in use to the business would trigger the ordinance.

Mayor, Gina Fulkerson, closed the public hearing at 8:38 p.m.

Motion to approve the first reading of an ordinance of the City of Wimberley, Texas amending Chapter 9 (Planning & Development), Article 9.03 (Zoning), Division 5 (Development Standards), Section 9.03.181 (Off-Street Parking and Loading Requirements) to add Section (G) City Center Overlay Parking; and amending article 9.05, Development Fees to add section Fee-in-Lieu of Parking Spaces and providing for savings, severability, repeater, effective date, and proper notice and meeting, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

DISCUSSION AND POSSIBLE ACTION

- 10.1. Discuss and consider possible action regarding a wetland maintenance renovation at the Patsy Glenn Refuge. (*The Wimberley Birding Society and Parks Director, Richard Shaver*) City Council had previously voted to support a Wimberley Birding Society grant application to raise funds and to include monetary support for any required permitting and technical studies necessary for plan approval. The grant had been obtained by the organization for the project.
Motion to approve a wetland maintenance renovation at the Patsy Glenn Refuge, with the City Engineer to conduct the hydrological study needed for the project, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).
- 10.2. Discuss and consider possible action regarding a TexPool Resolution Amending Authorized Representatives for the City of Wimberley. (*City Secretary, Laura Calcote*)
Motion to approve the TexPool Resolution Amending Authorized Representatives for the City of Wimberley was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).
- 10.3. Discuss and consider possible action regarding Ordinance No. 2021-28, approving an amendment to the City of Wimberley, Texas Code of Ordinances, Chapter 2 Administration and Personnel, Article 2.03 Ordinances, Section 2.03.001 Two Readings Required; Exceptions; and providing for the following: findings of fact, savings, repealer, severability, effective date and proper notice and meeting. (*City Secretary, Laura Calcote*)
Motion to approve Ordinance No. 2021-28, approving an amendment to the City of Wimberley, Texas Code of Ordinances, Chapter 2 Administration and Personnel, Article 2.03 Ordinances, Section 2.03.001 Two Readings Required; Exceptions; and providing for the following: findings of fact, savings, repealer, severability, effective date and proper notice and meeting, was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).
- 10.4. Discuss and consider possible action regarding the second and final reading of Ordinance No. 2021-02, concerning the extension of sewer utilities and providing for the following: jurisdiction; purpose and scope; sewer service application requirements; disconnection and discontinuance of sewer service; requirements for connecting to sewer services; establishing wastewater utility system rates and fees; findings of fact; establishing a rate schedule; relation to other ordinances; effective date; severability; proper notice and meeting. (*City Administrator, Mike Boese*)
City Administrator, Mike Boese, highlighted a few amendments that had been made to the Ordinance since its first reading but nothing major was changed.
Motion to approve the second and final reading of Ordinance No. 2021-02, concerning the extension of sewer utilities and providing for the following: jurisdiction; purpose and scope; sewer service application requirements; disconnection and discontinuance of sewer service; requirements for connecting to sewer services; establishing wastewater utility system rates and fees; findings of fact; establishing a rate schedule; relation to other ordinances; effective date; severability; proper notice and meeting, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

10.5. Discuss and consider possible action regarding the proposed Fiscal Year (FY) 2021-2022 Budget. (*City Administrator, Mike Boese*)

There was minor discussion on the proposed Fiscal Year 2021-2022 Budget, including a few line-item changes since the last budget workshop.

No action was taken on this item.

10.6. Discuss and consider possible action regarding the October 7th Regular City Council Meeting, due to City participation in the Texas Municipal League Annual Conference.

(*Mayor, Gina Fulkerson*)

Motion to cancel the October 7th Regular City Council Meeting, and schedule a Special City Council Meeting for Thursday, September 30th, at 6:00 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

CITY COUNCIL REPORTS

11.1. Announcements – City Council would have a Special City Council Meeting on Friday, August 27th, at 12:00 p.m.

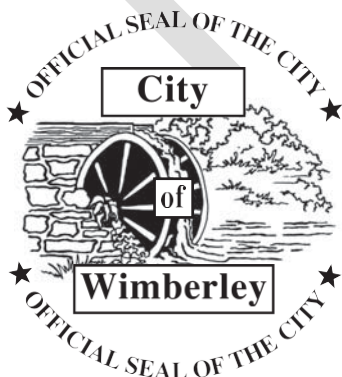
11.2. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 9:14 p.m. was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson, Mayor



CITY COUNCIL

Gina Fulkerson
Mayor

Rebecca Minnick
Mayor Pro-tem

Teresa Shell
Place 2

Jim Chiles
Place 4

Christine Byrne
Place 3

David Cohen
Place 5

2021/2022 CITY HALL OFFICE HOLIDAYS

Indigenous People's Day	Monday	October 11, 2021
Veterans Day	Thursday	November 11, 2021
Thanksgiving	Wednesday - Friday	November 24, 25 & 26, 2021
Christmas Day	Thursday, Friday & Monday	December 23, 24 & 27, 2021
New Year's Day	Friday	December 31, 2021
Martin Luther King Day	Monday	January 17, 2022
President's Day	Monday	February 21, 2022
Good Friday	Friday	April 15, 2022
Memorial Day	Monday	May 30, 2022
Independence Day	Monday	July 4, 2022
Labor Day	Monday	September 5, 2022

RESOLUTION NO. 13-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS (WASTEWATER TREATMENT PLANT) AND AUTHORIZING THE CITY ADMINISTRATOR TO DISPOSE OF SAID PROPERTY IN THE MANNER MOST ADVANTAGEOUS TO THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Wimberley recently commissioned a new wastewater collection system; and

WHEREAS, the City will no longer treat water utilizing the wastewater treatment plant located at Blue Hole Regional Park; and

WHEREAS, the removal of wastewater treatment facilities can accumulate additional costs when not disposed of properly; and

WHEREAS, the wastewater treatment plant has been determined to no longer have a use for the City of Wimberley and staff respectfully requests it to be declared surplus; and

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

Section 1. The City Council of the City of Wimberley, Texas hereby declares the wastewater treatment plant as surplus property and authorizes the sale or donation of said property in accordance with the forgoing legislative findings.

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

Section 4. This Resolution shall be effective upon its approval.

PASSED and APPROVED by the City Council of the City of Wimberley, Texas, on this 2nd day of September, 2021.

CITY OF WIMBERLEY

Gina V. Fulkerson, Mayor

ATTEST:

Laura J. Calcote, City Secretary





AGENDA ITEM:	MOU – Texas Music Office and Music Directory
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	8/30/2021
MEETING DATE:	9/02/2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City of Wimberley is pursuing Texas Music Friendly Community designation with the Texas Music Office. A requirement for receiving this dedication is establishing a working arrangement with the Texas Music Office for the maintenance of Music Directory data. The Texas Music Industry Directory is a resource available for artists and music businesses to connect with one another and the public. Upon the adoption of this MOU, the City will assist in updating, maintaining, and promoting the Wimberley dataset within the Texas Music Industry Directory.

REQUESTED ACTION

Motion ☒

Discussion ☒

Ordinance ☐

Resolution ☐

Other ☒

FINANCIAL

Budgeted Item ☐ Original Estimate/Budget: \$

Non-budgeted Item ☐ Current Estimate: \$

Not Applicable ☒ Amount Under/Over Budget:

ATTACHMENT/S

Memorandum of Understanding - TMO

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
TEXAS MUSIC OFFICE WITHIN THE OFFICE OF THE GOVERNOR
AND THE
CITY OF WIMBERLEY
FOR MAINTENANCE OF THE TEXAS MUSIC INDUSTRY DIRECTORY**

This Memorandum of Understanding (“MOU”) for ongoing maintenance of the Wimberley dataset of the Texas Music Directory is entered into by and between the Texas Music Office within the Office of the Governor (“OOG”) and the City of Wimberley (“City”). The OOG and City shall be referred to collectively as the “Parties.”

I. PURPOSE

The purpose of the MOU is to document the responsibilities of the Parties for export and maintenance of the Wimberley dataset within the Texas Music Industry Directory (the “Directory”). The Directory consists of listings of recording studios, music venues, booking agents, producers, musicians, and other music businesses and is published on the State-owned and managed website, TexasMusicOffice.com. The Directory will be matched and updated from the correlating City-owned dataset of Wimberley-area music businesses with the (512) area code.

This MOU encourages mutual cooperation of the Parties to maintain the accuracy of the information within the Wimberley dataset to help the OOG meet its legislative mandate of promoting the development of the music industry in Texas by informing members of that industry and the public about the resources available in the state for music production. Additional information on the websites, dataset format, and the primary contacts assigned to maintain those datasets are described in this MOU. In addition, this MOU permits the City to use information exported from the Directory to create and maintain a Wimberley Music Industry dataset to promote the development of the Wimberley music industry.

The Parties, in consideration of the mutual covenants and agreements to be performed as set forth in this MOU, agree as follows:

II. TERM

Upon execution by the Parties, this MOU shall commence effective upon the signature of the last Party to sign this MOU (“Effective Date”), and shall remain in effect for a period of one year, unless extended by option of the Parties or terminated earlier pursuant to the terms of this MOU. This MOU may be extended by agreement of the Parties in any increment of months, for up to thirty-six (36) months.

III. SCOPE

The Wimberley dataset will be exchanged between the Parties twice a year. Both Parties shall have the ability to receive updated dataset information from the other Party. Maintenance includes the exporting, updating and monitoring of the Wimberley dataset of the Directory. The Parties will cooperate in good faith at all times to comply with all applicable laws. The Parties shall cooperate when developing priorities

and performing maintenance activities with respect to the Wimberley dataset, and will share information to create a more accurate Texas Music Industry Directory for the mutual benefit of both Parties.

The Parties shall identify primary contacts for all ongoing correspondence and communication related to this MOU. Requests for the twice-a-year export of the dataset and questions about information within the dataset will be managed by these contacts.

The Parties acknowledge that the directory is a priority and agree to dedicate staff time as necessary to perform the tasks required to ensure proper maintenance of the Wimberley dataset of the Directory.

IV. MANAGING PARTIES

CITY OF WIMBERLEY

Nathan Glaiser
Planning and Development Coordinator
221 Stillwater
Wimberley, Texas 78676
(512) 847-0025
nglaiser@cityofwimberley.com

TEXAS MUSIC OFFICE WITHIN THE OFFICE OF THE GOVERNOR

Brendon Anthony
Department Director
Texas Music Office
1100 San Jacinto Boulevard
Austin, Texas 78701
(512) 284-1999
brendon.anthony@gov.texas.gov

V. OOG RESPONSIBILITIES

The OOG shall undertake the following activities during the term of the MOU term:

1. Export the current Wimberley Music Industry dataset twice annually during the months of January and July as an Excel spreadsheet or tab-delimited file. The dataset includes and is limited to: business name, business sort code (how the business is sorted alphabetically), business address, business phone number, contact name & contact job title, business email address, business website URL, genre businesses work within, business category, year business was established, and a business description. The OOG contact will then email an Excel spreadsheet and/or tab-delimited file of the export to the City so that the City may create a Wimberley Music Industry dataset to be published on the City's website, and so that the City may research the accuracy of the dataset.
2. Ensure that the City is kept aware of any website changes that may affect the Wimberley database.
3. Establish and maintain communication with businesses in the Texas Music Industry Directory to assist in the updating of the current listings as necessary.

VI. CITY RESPONSIBILITIES

The City shall undertake the following activities during the term of the MOU term:

1. Assist the OOG in maintaining the Wimberley Music Industry dataset, located at:
<https://gov.texas.gov/apps/music/directory/results/All/p1/city/wimberley>
2. Review and update where possible all exported entries within the Wimberley Music Industry dataset.

3. Update and export the Wimberley dataset twice annually during the months of January and July, to be sent to the OOG for update of the online Directory within 3 months of receiving the exported dataset from the OOG.
4. Promote public awareness of the Wimberley Music Industry dataset and encourage utilization by industry members.

VII. TEXAS PUBLIC INFORMATION ACT

The exchange of information by the Parties is not a release of information to the general public, but rather a transfer of records for an official purpose. Notwithstanding any provisions of this MOU, the Parties acknowledge that they are subject to the Texas Public Information Act, Texas Government Code Chapter 552 (the "PIA"), and that this MOU and any information created or exchanged in connection with this MOU is subject to the PIA. The Parties agree to notify each other in writing within a reasonable time from receipt of a request for information covering the subject matter of this MOU. The OOG, in consultation with the City, will make a determination whether to submit a request received by the OOG for a ruling under the PIA to the Attorney General.

VIII. AMENDMENT

This MOU may be amended only upon written agreement signed by the Parties.

IX. TERMINATION

The Parties understand that participation in this MOU is voluntary and may be terminated by either Party by giving thirty (30) days' written notice to the other Party of its intention to terminate. Within a reasonable time prior to the final termination of this MOU, the Parties will cooperate with each other to ensure that each Party receives the most current Wimberley Music Industry dataset.

X. COSTS

Each Party will bear its own costs in performing its obligations under this MOU.

SIGNATORIES. IN WITNESS WHEREOF, the Parties have executed this MOU as of the Effective Date stated above.

CITY OF WIMBERLEY

**TEXAS MUSIC OFFICE,
OFFICE OF THE GOVERNOR**

GINA FULKERSON, MAYOR

CHIEF OF STAFF OR DESIGNEE

DATE

DATE



AGENDA ITEM:	Fee-in-Lieu Parking Ordinance – Second Reading
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	8/30/2021
MEETING DATE:	9/02/2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Parking spaces in the City Center of Wimberley has proven difficult for business owners to provide due to high density and small lot sizes. Currently, there are no provisions written into our City Center Overlay ordinance that would mitigate the need for parking on the square. The majority of businesses on the square are not in compliance with current parking ordinances.

Staff has drafted a Parking Fee-in-Lieu Ordinance to bring the businesses into compliance and to allow for the collection of funds to be put towards future parking infrastructure. This ordinance decreases the required parking spaces needed for most businesses in the City Center Overlay by 25% and allows for the payment of a fee-in-lieu of required spaces. The fees collected will be put into a separate fund that will only be used for future parking infrastructure and parking services.

REQUESTED ACTION

Motion	☒
Discussion	☒
Ordinance	☒
Resolution	☐
Other	☐

FINANCIAL

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

ATTACHMENT/S

Fee-in-Lieu Parking Ordinance

ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING CHAPTER 9, PLANNING AND DEVELOPMENT, ARTICLE 9.03 ZONING, DIVISION 5, DEVELOPMENT STANDARDS, SECTION 9.03.181 OFF-STREET PARKING AND LOADING REQUIREMENTS TO ADD SECTION (G) CITY CENTER OVERLAY PARKING; AND AMENDING ARTICLE 9.05, DEVELOPMENT FEES TO ADD SECTION(S) FEE-IN -LIEU OF PARKING SPACES AND PROVIDING FOR SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

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

Section 1. The City of Wimberley Code of Ordinances, Chapter 9 (Planning and Development), Article 9.03 Zoning, Division 5. “Development Standards” is hereby amended to add the following Section (g):

“Sec. 9.03.181

(g) City Center Overlay Parking:

(1) Fee-in-Lieu of Parking Spaces.

(A) Within the City Center Overlay, (as defined in Sec 9.03.222), a property owner who is unable to provide the required number of parking spaces for non-residential uses may request to pay a fee in-lieu to the City of Wimberley Downtown Parking Fund for each parking space that is not provided, if the request for reduced parking meets the criteria contained herein. Payments to the fund will be on a per unprovided parking space basis as set out in Article 9.05, Development Fees, subsection (s) “Fee-in-Lieu-of Parking Spaces”. Payments to the Downtown Parking Fund will be used for the sole purpose of constructing, maintaining, and improving public parking on public property within the City Center Overlay, in an area adjacent to the City Center Overlay, including but not limited to on-street parking, public parking lots, public parking garages, and for non City Center Overlay adjacent property with shuttle service and/or for shuttle service to such non-adjacent property.

(B) When an existing building has the gross floor area within the existing building perimeter enlarged, rehabilitated, or remodeled, without enlarging the building footprint ~~or number of stories~~, then the building conversion or improvement shall not require additional off-street parking, so long as the existing off-street parking spaces utilized by said building are maintained, and in the case of commercial buildings, where there is no change ~~in~~ or expansion of use.

(C) For commercial buildings where: (1) there is a change or expansion of its use; or (2) when an existing building footprint is being enlarged or number of stories increased within the City Center Overlay Boundary, the building owner shall only be required to provide seventy five percent (75%) of the off-street parking requirements for the total building area as listed in Sec. 9.03.181(f).

(D) For new commercial buildings and instances where a structure is completely demolished, and where a new building is constructed, then the property owner shall only be required to provide seventy five percent (75%) of the off-street parking requirements as listed in the Sec. 9.03.181(f).

(E) Where additional parking is required, then the applicant/property owner shall provide a detailed plan demonstrating how the site meets the City's parking standards, as amended herein for the City Center Overlay, or pay the fee-in-lieu, as adopted in accordance with Article 9.05, for the necessary number of parking spaces to serve the site. The fee is required to be paid prior to issuance of a building permit or certificate of occupancy.

(F) Residential and hotel type uses shall not be eligible to pay the fee-in-lieu, nor are they allowed the reduced off-street parking requirements unless the City Administrator approves the fee-in-lieu based on the site and requested use. The City Administrator may require a parking study, engineering studies, or other applicable information in order to determine whether the fee-in-lieu should be approved prior to approving the applicants request for fee-in-lieu for residential/hotel type uses.

(G) With the exception of approved special exceptions related to the location of parking described in Sec. 9.03.181(h) below, no new parking special exceptions, alternative parking plans, or joint-use agreements shall be granted within the City Center Overlay, all properties shall comply with the amended parking requirements found herein, either by providing the required number of spaces, paying the fee-in-lieu as delineated in Article 9.05 Development Fees, or a combination of the two. Nothing in this subsection shall affect existing parking special exceptions, alternative parking plans, or joint-use agreements.

(H) Any parking special exceptions, alternative parking plans, or joint-use agreements that were approved prior to the adoption of this ordinance shall be required to comply with all requirements set forth by the Board of Adjustment or other body at the time the request was approved.

Section 2. The City of Wimberley Code of Ordinances, Chapter 9 (Planning and Development), Article 9.05, Development Fees, Section 9.05.001 Planning, zoning and subdivision fees is hereby amended to add the following Section (s):

Section 9.05.001 Planning, zoning and subdivision fees.

“(s) Fee-in-Lieu-of Parking Spaces (pursuant to 9.03.181(g))

The first 3 spaces shall require payment of \$5,000 per space. The next two spaces shall require payment of \$6,500 per space. Any additional spaces (above 5) require payment of \$8,000 per space.

# Of Parking Spaces Needed	Total Fee
1	\$5,000
2	\$10,000
3	\$15,000
4	\$21,500
5	\$28,000
6	\$36,000
7	\$44,000
8	\$52,000
9	\$60,000
10	\$68,000”

Section 3. Savings

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

Section 4. Severability

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

Section 5. Repealer

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

Section 6. Effective Date

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

Section 7. Proper Notice and Meeting

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

Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED First Reading this ____ day of _____, 2021, by a vote of (Ayes) to (Nays) (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED Second Reading this ____ day of _____, 2021, by a vote of (Ayes) to (Nays) (Abstain) vote of the City Council of the City of Wimberley, Texas.

Gina Fulkerson, Mayor

ATTEST:

Laura Calcote,
City Secretary

City Attorney



AGENDA ITEM:	Bid for PARD Expanded Office Project
SUBMITTED BY:	Richard Shaver
DATE SUBMITTED:	8/30/2021
MEETING DATE:	9/2/21

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Discuss and consider possible action to award a bid in the amount of \$161,893.00 to Percheron Construction LLC for the construction of the PARD office expansion project. The budget for this project was between \$150,000 and \$200,000. 4 bids were received and Percheron Construction LLC scored the highest with the criteria in the bid package. Percheron gave an estimated timeline of 4 months to complete the project.

REQUESTED ACTION

- Motion ☒
- Discussion ☒
- Ordinance ☐
- Resolution ☐
- Other ☐

FINANCIAL

- | | | | |
|-------------------|-------------------------------------|---------------------------|---------------|
| Budgeted Item | ☒ | Original Estimate/Budget: | \$ 200,000 |
| Non-budgeted Item | ☐ | Current Estimate: | \$ 161,893.00 |
| Not Applicable | ☐ | Amount Under/Over Budget: | \$ |

STAFF RECOMMENDATION

Staff recommends that council approve this item.

ATTACHMENT/S

Percheron RFP



REQUEST FOR PROPOSALS – BHRP OFFICE EXPANSION BID TABULATION FORM

BID TITLE: Wimberley Blue Hole Regional Park New Parks & Recreation Office Addition
DATE OF BID OPENING & TIME: Wednesday, August 25, 2021, at 3:00 p.m.

BIDDER'S NAME ADDRESS BIDDER'S PHONE EMAIL	BIDDER #1	BIDDER #2	BIDDER #3	BIDDER #4
	Percheron Construction, LLC 6601 FM 3237, Ste. 102 Wimberley, TX 78676 nsloan@percheronconst.com	T.F. Harper & Associates LP 103 Red Bird Lane Austin, TX 78745 asmith@tfharper.com	Noble General Contractors 405 Lange Road Wimberley, TX 78676 patrick.williams@noblegeneral.com	De Haro Ramirez Group 2312 Western Trails Blvd., Ste. 403 Austin, TX 78745 mario@dhr-gc.com
AMOUNT OF BID:	\$ 161,893.00	\$ 249,086.00	\$ 217,000.00 (hard copy) \$ 217,700.00 (digital copy)	\$ 196,900.00

PERCHERON CONSTRUCTION, LLC

Date: 8/25/21

WIMBERLEY BLUE HOLE REGIONAL PARK

New Parks and Recreation Office Addition

REQUEST FOR PROPOSAL

Bid Date August 25, 2021 @ 3:00 pm

Table of Contents	Page 1
(A) Bid Proposal Forms	Page 2
(B-C) Contractor Contact Information/Disclosure Of Ownership	Page 3
(D) Conflict of Interest Disclosure Form	Page 4
(E) Contractor Business References	Page 5
(F) Proof of Insurance	Page 6
(G) Signature Page	Page 7

BID PROPOSAL

The City of Wimberley New Parks and Recreation Office Addition RFP #21-1001

The undersigned Bidder having familiarized themselves with the Contract Documents, Site location, and conditions of the Work as prepared by Taniguchi Architects | 1609 West 6th Street | Austin, TX 78703 and offers, in the amount stated below, to furnish all labor, materials, tools, equipment, apparatus, facilities, transportation, permits any other items required for the full completion/ construction of the New Parks and Recreation Office Addition at Blue Hole Regional Park.

TOTAL AMOUNT OF BASE BID: \$ 161,893.00 LUMP SUM
(use figures only)

The Base Bid amount is to be Stated in figures only and is the total amount bid for the entire contract work including all applicable taxes. Any alteration, erasure, or change must be clearly indicated and initialed by the Bidder. The Bidder agrees that if there are any discrepancies or questions in the figures, the Owner will use the lower figure despite the Bidder's intent.

ACKNOWLEDGE EACH ADDENDUM RECEIVED

- ☒ #1
- ☒ #2
- ☐ #3

Company Name: Percheron Construction, LLC

Signature: 

Title: Vice President

Business Address: 6601 FM 3237, Ste 102, Wimberley, Texas 78676

Date: 8/25/21

CONTRACTOR CONTACT INFORMATION/ DISCLOSURE OF OWNERSHIP

Contractor's Company Name: Percheron Construction, LLC

Company Owner: Lisa Sloan

Address: 6601 FM 3237, Ste 102, Wimberley, Texas 78676

Disclosure of Ownership: (List below the names of all Principals or Joint Owners. Use additional sheets as necessary.)

Name	Position With Company	Percent Ownership (%)
Lisa Sloan	Owner/President	50%
Nathan Sloan	Onwer/Vice President	50%

Please indicate any classification that applies to the company below (select all that apply):

- ☒ Small Business
- ☐ Historically Underutilized Business (HUB)
- ☐ Minority-Owned Business (MBE)
- ☐ Woman-Owned Business (WBE)

NUMBER OF YEARS FIRM HAS BEEN IN BUSINESS: 10 Years

ACCOUNT MANAGER Nathan Sloan

TELEPHONE NUMBER 512-847-0600

EMERGENCY NUMBER 512-736-0755

EMAIL nsloan@percheronconst.com

OTHER CONTACT _____

CONFLICT OF INTEREST DISCLOSURE FORM

Company Name (Contractor) Percheron Construction, LLC

Project Owner: The City of Wimberley

Project Name: New Parks and Recreation Office Addition

Project Number: #21-1001

As the representative responsible for submitting our Bid Proposal for the project referenced above, I have, to the best of my knowledge, determined that, for myself, any owner, partner or employee, with my firm or any of our sub-consulting firms providing services for this project, including family members and personal interests of the above persons, there are:

☒ NO REAL OR POTENTIAL CONFLICTS OF INTEREST

If no conflicts have been identified, complete and sign this form and include in your Bid Proposal.

☐ REAL CONFLICTS OF INTEREST OR THE POTENTIAL FOR CONFLICTS OF INTEREST

If a real or potential conflict has been identified, describe on an attached sheet the nature of the conflict, including the information requested on the reverse side of this form for the type of conflict being reported, and provide a detailed description of Consultant's proposed mitigation measures (if possible). Complete and sign this form and send it, along with all attachments, to the City of Wimberley.

Print Name: Nathan Sloan

Title: Vice President

Signature: _____

Date: 8/25/21

CONTRACTOR BUSINESS REFERENCES

Please provide three (3) business references for contracts awarded of similar size and scope to the requirements of this RFP:

REFERENCE 1

Business Name: Baccus Capital Investments

Address: 111 Old Kyle Road, Wimberley, Texas 78676

Phone: 512-560-2591 Fax: _____ e-mail: mbb@cummingsbaccus.com

Contact Person: Buck Baccus Title: Owner

REFERENCE 2

Business Name: Creekhouse LLC

Address: 14050 RR 12, Wimberley, Texas 78676

Phone: 832-964-4830 Fax: _____ e-mail: mollybowen13@gmail.com

Contact Person: Molly Bowen Title: Owner

REFERENCE 3

Business Name: Community Pizza

Address: 111 Old Kyle Road, Wimberley, Texas 78676

Phone: 512-937-4726 Fax: _____ e-mail: creecy@mac.com

Contact Person: Michael Creecy Title: Owner

COMPANY NAME Percheron Construction, LLC

REPRESENTATIVE SIGNATURE _____



REPRESENTATIVE PRINTED NAME Nathan Sloan



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER D & D Insurance Agency PO Box 2249 Wimberley TX 78676-		CONTACT NAME: Angie Dahl PHONE (A/C, No, Ext): (512)847-5549 FAX (A/C, No): (512)847-2107 E-MAIL ADDRESS: info@dd-ins.net	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Kinsale Insurance Co	
		INSURER B: Progressive Co Mutual	
		INSURER C: Texas Mutual Ins Co	
		INSURER D: Evanston Insurance Co	
		INSURER E: United Fire & Indemnity	
		INSURER F:	

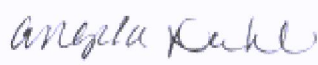
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☒ PROJECT ☐ LOC OTHER:	☒ ☒	0100090842-2	07/10/2021	07/10/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 TTL PROJECTS AGG \$ 6,000,000
B	AUTOMOBILE LIABILITY ANY AUTO ☒ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		03973033-4	11/05/2020	11/05/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	☒ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$		EZXS3055116	07/10/2021	07/10/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	☒ ☐ N/A	SBP0001255562	07/15/2021	07/15/2022	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Equipment		46311521	07/10/2021	07/10/2022	Contractor's Equipment \$102,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The General Liability Policy affords Automatic Additional Insured status on a blanket basis when required by written contract including Completed Operations with Policy Forms CG 2033 0413 and CG 2037 0413. General Liability is Primary and Noncontributory with a Blanket Waiver of Subrogation when required by written contract with Form AD 68 93 01 17. Blanket Waiver of Subrogation is included on the Worker's Compensation Policy. Umbrella is form following

CERTIFICATE HOLDER **CANCELLATION** AI 001310

City of Wimberley PO Box 2027 Wimberley TX 78676-	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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SIGNATURE PAGE

CITY OF WIMBERLEY REQUEST FOR PROPOSAL BID RESPONSE

RFP No. 21-1001

Blue Hole Regional Park- New Office Addition

This Bid Proposal MUST be received by the City of Wimberley before or at 3:00pm on August 25, 2021. Any proposal arriving at the Procurement Department after this submission due date and time will not be accepted.

Read the entire Request for Proposal, including all Terms, Conditions and Attachments. The following information must be submitted with the RFP response as Exhibits.

A- Bid Price Sheet	E- Contractor Business References
B- Contractor Contact Information	F- Proof of Insurance
C- Ownership Disclosure Form	G- Small Business Form
D- Conflict of Interest	

Provide the following information on this page.

Company Name: Percheron Construction, LLC

Company Address: 6601 FM 3237, Ste 102, Wimberley, Texas 78676

Phone Numbers (landline and mobile) 512-847-0600, 512-736-0755

Primary Contact: Nathan Sloan

Tax ID No. 45-3033670

Signature of Contractor: 

Printed Name and Title: Nathan Sloan, Vice President

Date: 8/25/21