



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, NOVEMBER 4, 2021 - 6:00 PM

AGENDA

1. **CALL TO ORDER** November 4, 2021, at 6:00 PM
2. **CALL OF ROLL** City Secretary, Laura Calcote
3. **INVOCATION** Chapel in the Hills Representative, Anne Beall
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. **PROCLAMATION**
 - 6.1. Proclamation of the City of Wimberley, Texas congratulating members of the Wimberley Texans High School Tennis Team on winning the 4A State Team Tennis Championship. (Mayor, Gina Fulkerson)
7. **PRESENTATION AND POSSIBLE ACTION**
 - 7.1. Presentation and consider possible action regarding an Eagle Scout Project at Blue Hole Regional Park. (Diego Elizondo)
8. **CONSENT AGENDA**
 - 8.1. Approval of minutes from the Regular City Council Meeting held October 21, 2021.
 - 8.2. Approval of the August 2021 Financial Statements for the City of Wimberley.
 - 8.3. Approval of Place Three Council Member Christine Byrne's reappointment of John Dunn to the

9. CITY STAFF REPORT

9.1. City Administrator Report

10. DISCUSSION AND POSSIBLE ACTION

- 10.1.** Discuss and consider possible action regarding naming the Rest Stop Park on Ranch Road 12 "The Wimberley Sunrise Park." (*Parks Director, Richard Shaver*)
- 10.2.** Discuss and consider possible action to award a bid to Percheron Construction, LLC for the Oak Drive Parking Improvements Project. (*City Administrator, Mike Boese*)
- 10.3.** Discuss and consider possible action regarding the allocation and value of the Hotel Occupancy Tax (HOT) in Wimberley and surrounding areas. (*Place One City Council Member, Rebecca Minnick*)
- 10.4.** Discuss and consider possible action regarding short-term rental (STR) compliance within the city limits and extraterritorial jurisdiction. (*Place One Council Member, Rebecca Minnick*)

11. CITY COUNCIL REPORTS

- 11.1.** Announcements
- 11.2.** Future Agenda Items

12. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

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, November 1, 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

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:	1. Presentation and consider possible action regarding an Eagle Scout Project at Blue Hole Regional Park. <i>(Diego Elizondo)</i>
SUBMITTED BY:	Richard Shaver
DATE SUBMITTED:	October 28, 2021
MEETING DATE:	November 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

This Eagle Scout project is presented by Diego Elizondo. The project consists of improvements to the McCord-Welp Overlook and Fire Pit and includes the construction of a fence and a firewood station. The budget for this project is \$1,953.81 (not including the timber wooden bollards which were donated to the Eagle Scout). The Parks Department was able to contribute \$1,300 towards this project out of line item 6797 "Capitol Improvements" and the Eagle Scout will fundraise for the remaining \$653.81. The Wimberley Parks and Recreation Board unanimously voted on September 21st to recommend approving this project.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

STAFF RECOMMENDATION

Staff recommends approving this project.

ATTACHMENT/S

1. Eagle Project Presentation copy



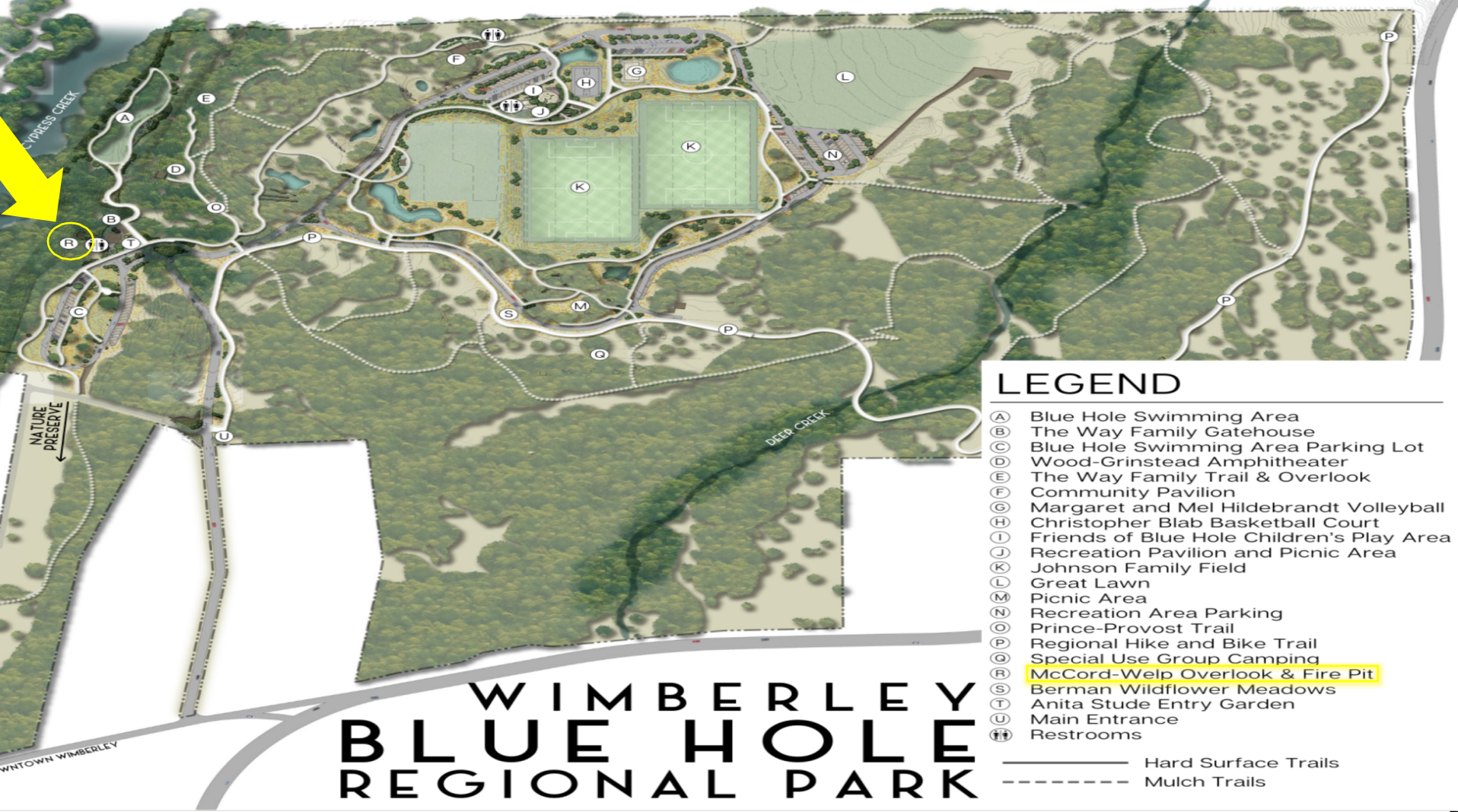
MCCORD-WELP OVERLOOK AND FIRE PIT IMPROVEMENTS AT BLUE HOLE REGIONAL PARK, Wimberley, Texas

By: Diego Elizondo
Troop 127

BLUE HOLE REGIONAL PARK MAP



Project Site



LEGEND

- (A) Blue Hole Swimming Area
- (B) The Way Family Gatehouse
- (C) Blue Hole Swimming Area Parking Lot
- (D) Wood-Grinstead Amphitheater
- (E) The Way Family Trail & Overlook
- (F) Community Pavilion
- (G) Margaret and Mel Hildebrandt Volleyball
- (H) Christopher Blab Basketball Court
- (I) Friends of Blue Hole Children's Play Area
- (J) Recreation Pavilion and Picnic Area
- (K) Johnson Family Field
- (L) Great Lawn
- (M) Picnic Area
- (N) Recreation Area Parking
- (O) Prince-Provost Trail
- (P) Regional Hike and Bike Trail
- (Q) Special Use Group Camping
- (R) McCord-Welp Overlook & Fire Pit
- (S) Berman Wildflower Meadows
- (T) Anita Stude Entry Garden
- (U) Main Entrance
- (R) Restrooms

- Hard Surface Trails
- Mulch Trails

WIMBERLEY
BLUE HOLE
REGIONAL PARK

OLD KYLE ROAD
TO DOWNTOWN WIMBERLEY



PROPOSAL

- I am here to present my proposal for the improvements for my Eagle Project. Mr. Shaver offered to provide the materials for the Project. I will provide the labor and equipment to complete the Project. I am planning on leading my fellow scouts, family, and friends to finish the Project. I will manage the Project by providing all volunteers with tasks to do and help in the overall process. It will require 3 to 4 workdays to complete. I will coordinate with my Project Coach and Scoutmaster to make sure it looks professional and in similar style to the restroom building near it.



PROJECT DESCRIPTION

This project replaces the existing pedestrian rail system at McCord-Welp Overlook and Firepit west of the main entrance

- Guard Post/ Cable Replacement
 - Remove Existing Metal Posts and Chain Rail System
 - Install new wooden posts (bollards) embedded in concrete
 - Install 2 cable rail system
- New Covered Firewood Storage
 - Clear area of debris/stones
 - Level storage area for post bases using post base blocks
 - Set 4 corner posts
 - Install roof framing
 - Install rear and side slats
 - Install metal panel roof



PROJECT BENEFITS

The Project will replace the temporary pedestrian rail system which will better protect the park visitors and the sea oat environment.

The new covered firewood storage open shed will provide a dry environment for wood storage. This will make it easier to start and replenish the fire pit.

I plan on starting the Project at the beginning of Fall and completing before Thanksgiving.



PROJECT DESCRIPTION (POST AND CABLE RAILING)



- My preference is the rounded domed wooden bollards, due to the lack of sharp corners in this pedestrian environment.
- The posts are pressure treated 6" diameter by 5' long. They will be buried a minimum of 18" in the ground
- The posts or bollards will be spaced approximately 6' to 8' from center to center. The Project requires 26 posts in all.



PROJECT DESCRIPTION (FIREWOOD STORAGE)



- The new covered firewood storage shall be 8' x 4' x 6'
- The corner and midposts shall be 4" x 4" pressure treated lumber
- All framing shall be 2' x 6' and 2' x 4' pressure treated lumber
- The posts will be set on block post bases (CMU)
- The slats shall be 6" x 6" treated cedar planks
- The roof will be corrugated metal panels



PRESENT DAY IMAGES



Fire Ring Walkway



Where Firewood Storage will be



PRESENT DAY IMAGES

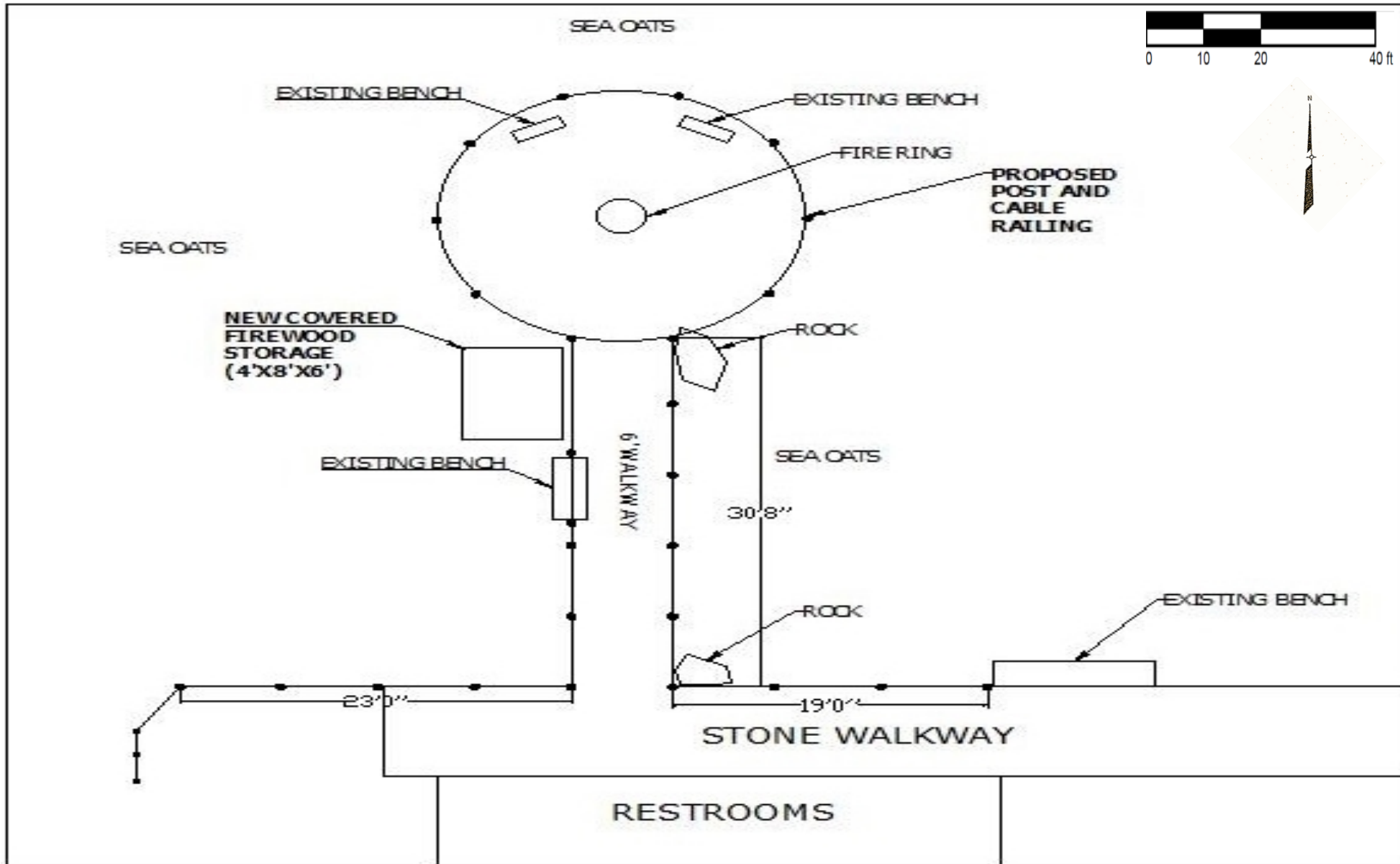


Rock we may have to move at corner of walk



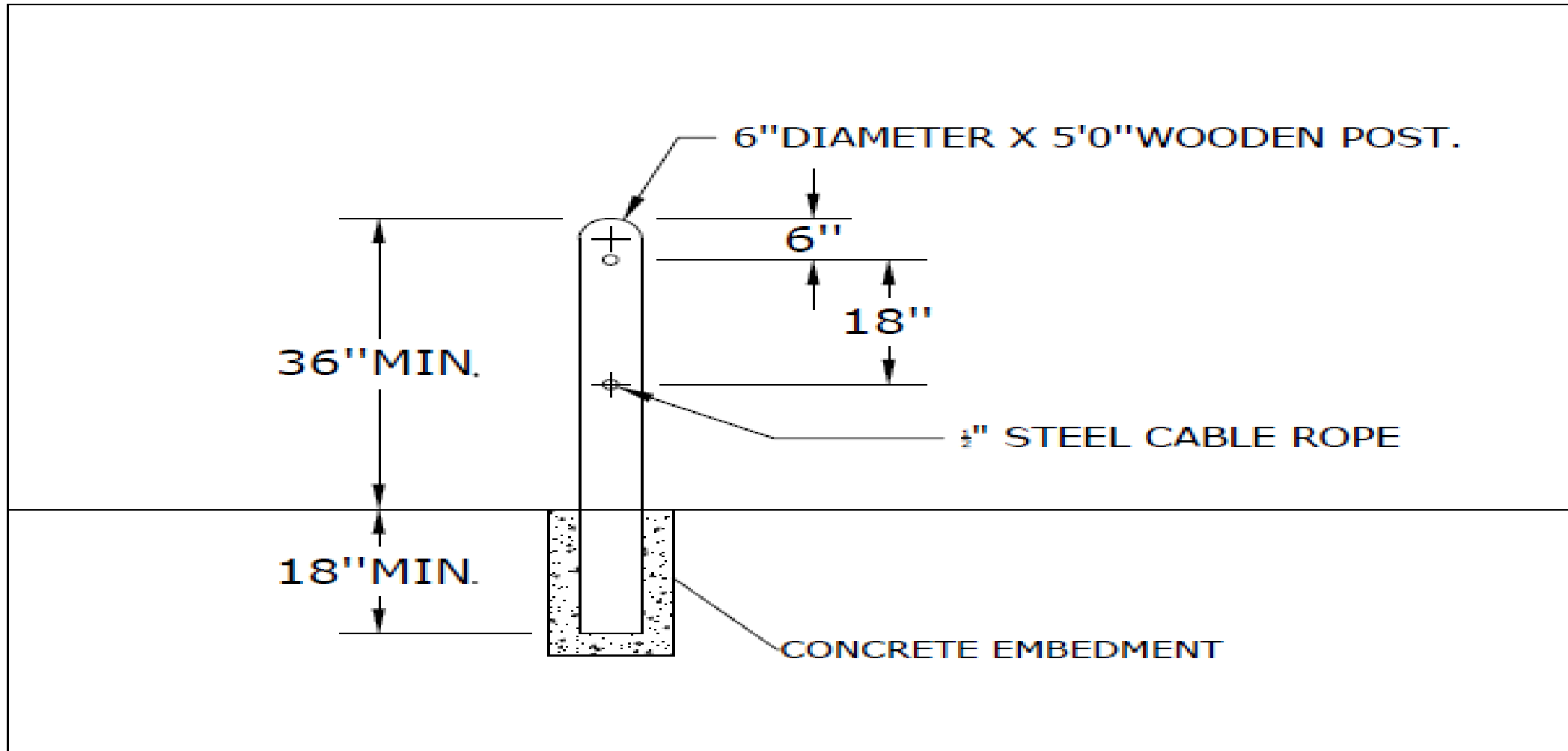
Fire Ring main area

AUTOCAD LAYOUT





AUTOCAD LAYOUT (POST DIMENSIONS)





GENERAL PROCESS

- Remove current posts and chain
 - Stake new post locations
 - Dig holes for new posts
 - Install new posts (might have to move rock in photos)
 - Connect wire cable barrier that will go on posts
-
- Clear area for storage building
 - Level area for post bases
 - Build storage building (see images)
 - Move current firewood to new covered storage
 - Clean up entire area at end of each workday



PRICING

- 26 EA. - Timber Wooden Bollard (5'0" x 6")
- 320 ft - ½" Galvanized Steel Security Wire Rope
- 52 EA.– QuikTriK Concrete Bags
- 52 EA. – ½" Wire Rope Clips
- Sleeve for Wire Rope Diameter ½"
- Firewood Shed Materials
- 11 – 2×4 Floor Deck: 8'-0"
2 – 4×4 Lumber: 7'-8 ½"
2 – 4×4 Lumber: 6'-3 ¾"
- 16 – 1×4 Lumber: 6'-0"
8 – 1×4 Lumber: 8'-1 ½"
- 4 – 2×6 Rafter: 8'-1"
2 – 1×6 Lumber: 8'-3"
2 – 2×4 Lumber: 8'-1"
7 – 2×4 Purlin: 8'-9"
2 – Corrugated Metal Roofing 8'
- 3 ½" Galvanized Steel Nails
2" Deck Screws
2" Galvanized Finishing Nails
- 4 – Concrete Patio Pier Block: 12"x8"x12"

(No Charge)

\$470.40

\$243.00

\$154.34

\$412.79

\$673.28

\$1,953.81 – \$1,300 (Funded by You) = \$653.81



BIBLIOGRAPHY

https://www.etsy.com/listing/896067300/similar?ref=listings_2&from_external=1

<https://www.lowes.com/cart>

<https://buildblueprint.com/6x8-firewood-shed-plans/>

<https://www.whitecap.com/cart>

<https://www.homedepot.com/mycart/home>

<https://www.grainger.com/cart>



AGENDA ITEM:	Consent Agenda
SUBMITTED BY:	Laura Calcote, City Secretary
DATE SUBMITTED:	October 28, 2021
MEETING DATE:	November 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- 8.1. Approval of minutes from the Regular City Council Meeting held October 21, 2021
- 8.2. Approval of the August 2021 Financial Statements for the City of Wimberley.
- 8.3. Approval of Place Three Council Member Christine Byrne's reappointment of John Dunn to the Ethics Review Commission.

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 8.1.

Please note, the August 2021 Financials were not ready in time for this meeting and will be forwarded to the November 18th agenda. Therefore, Item 8.2. should be pulled from consideration and the motion.

ATTACHMENT/S

- October 21st Meeting Minutes



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, OCTOBER 21, 2021 - 6:00 PM

MINUTES

1. **CALL TO ORDER** October 21, 2021, at 6:00 PM

Mayor, Gina Fulkerson, called the meeting to order on October 21, 2021, at 6:01 p.m.

2. **CALL OF ROLL** City Secretary, Laura Calcote

Council Members Present:

Gina Fulkerson, Mayor
Rebecca Minnick, Place One
Teresa Shell, Place Two
Christine Byrne, Place Three
Jim Chiles, Place Four
David Cohen, Place Five

City Staff Present:

Mike Boese, City Administrator
Laura Calcote, City Secretary
Charlie Zech, City Attorney
Nathan Glaiser, Planning & Development Coordinator

3. **INVOCATION** Unity of Wimberley Reverend, Jill Carey

Unity of Wimberley Reverend, Jill Carey, gave the invocation.

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

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

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.

Candy Fore spoke regarding unwanted growth and development in Wimberley, zoning ordinances and voiced concern if Council were to approve Items 10.2. through 10.4.

6. PROCLAMATION

- 6.1.** Proclamation of the City of Wimberley, Texas, proclaiming the Month of October 2021 as "National Domestic Violence Awareness Month." (*Hays-Caldwell Women's Center*)

Mayor, Gina Fulkerson, read aloud the proclamation.

Hays-Caldwell Women's Center Representative, Jennifer Wicker, thanked Council for their continued support of the organization.

7. PRESENTATION AND POSSIBLE ACTION

- 7.1.** Presentation and consider possible action regarding event signs for the 34th Annual Hill Country Home Tour set for October 29th and 30th. (*Wimberley Community Civic Club*)

Wimberley Community Civic Club Representative, Alicia Dedman, presented the request to place event signs around Wimberley for the upcoming Annual Hill Country Home Tour.

Motion to approve the placement of event signs for the 34th Annual Hill Country Home Tour set for October 29th and 30th was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

8. CONSENT AGENDA

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

- 8.1.** Approval of minutes from the Special Joint City Council and Planning & Zoning Commission Meeting held September 23, 2021.
- 8.2.** Approval of minutes from the Special City Council Meeting held September 30, 2021.
- 8.3.** Approval of the July 2021 Financial Statements for the City of Wimberley.
- 8.4.** Approval of Place One Council Member Rebecca Minnick's appointment of Artur Valentine to the Ethics Review Commission.
- 8.5.** Approval of Place One Council Member Rebecca Minnick's appointment of Brandon Metcalf to the Board of Adjustment.

9. PUBLIC HEARINGS AND POSSIBLE ACTION

- 9.1. Hold a public hearing and consider possible action regarding case CUP-21-021, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 105 Mockingbird, Wimberley, Hays County, Texas. (*Applicant: Kasey Belote*)

Mayor, Gina Fulkerson, opened the public hearing at 6:16 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:18 p.m.

Motion to approve case CUP-21-021, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 105 Mockingbird, 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 ZA-21-008, an application to rezone 2.586 acres out of a Portion of Lot 4, Leath Hollow, located approximately 1,000 feet East on Leath Hollow Dr from its intersection with RR 12, from Residential Acreage to Rural Residential 1. (*Applicant: J Thompson Consulting, agent for Mark Jackson*)

Mayor, Gina Fulkerson, opened the public hearing at 6:19 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:20 p.m.

Motion to approve case ZA-21-008, an application to rezone 2.586 acres out of a Portion of Lot 4, Leath Hollow, located approximately 1,000 feet East on Leath Hollow Dr from its intersection with RR 12, from Residential Acreage to Rural Residential 1, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

- 9.3. Hold a public hearing and consider possible action regarding a request for a special exception from City Subdivision Code 9.02.119(c) and 9.02.119(d) regarding the average depth to average width ratio of lots and required frontage on a public road. (*Applicant: J Thompson Consulting, agent for Mark Jackson*)

Mayor, Gina Fulkerson, opened the public hearing at 6:26 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:26 p.m.

Motion to approve special exception from City Subdivision Code 9.02.119(c) and 9.02.119(d) regarding the average depth to average width ratio of lots and required frontage on a public road, was made by Council Member Christine Byrne. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

- 9.4. Hold a public hearing and consider possible action regarding case SUB-21-006, an application for a two-lot resubdivision of a Portion of Lot 4, Leath Hollow, located approximately 1,000 feet down Leath Hollow Dr from its intersection with RR 12, establishing "Jackson's Resubdivision of a Portion of Leath Hollow Subdivision" Lot 1 & Lot 2. (*Applicant: Jon Thompson, agent for Mark Jackson*)

Mayor, Gina Fulkerson, opened the public hearing at 6:29 p.m.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:30 p.m.

Motion to approve case SUB-21-006, an application for a two-lot resubdivision of a Portion of Lot 4, Leath Hollow, located approximately 1,000 feet down Leath Hollow Dr from its intersection with RR 12, establishing "Jackson's Resubdivision of a Portion of Leath Hollow Subdivision" Lot 1 & Lot 2, was made by Council Member Jim Chiles. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

10. DISCUSSION AND POSSIBLE ACTION

- 10.1. Discuss and consider possible action regarding a Temporary Structure Application to place a food trailer at 14306 Ranch Road 12, Wimberley, TX. (*Jaquelin Gomez*)

Motion to approve a Temporary Structure Application to place a food trailer at 14306 Ranch Road 12, Wimberley, TX, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

- 10.2. Discuss and consider possible action regarding case ZA-21-009, an application to change the zoning of portions of Lot 24 and Lot 25, Hilltop Place Section 2, from Residential Acreage (RA) to Rural Residential (R-1). (*Applicant: Ash & Associates, agent for Tom Lucas*)

City Council adjourned into Executive Session at 6:38 p.m., pursuant to Chapter 551.071, consultation with legal counsel.

Regular Session reconvened at 6:45 p.m.

Arch Underwood spoke against approval of the application to change the zoning.

Motion to deny case ZA-21-009, an application to change the zoning of portions of Lot 24 and Lot 25, Hilltop Place Section 2, from Residential Acreage (RA) to Rural Residential (R-1), was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Christine Byrne. Motion carried unanimously (5-0).

- 10.3. Discuss and consider possible action regarding a request for a special exception from the Subdivision Code Sec. 9.02.115(b)(19) that prohibits private streets. (*Applicant: Ash & Associates, agent for Tom Lucas*)

Motion to deny a special exception from the Subdivision Code Sec. 9.02.115(b)(19) that prohibits private streets was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 10.4. Discuss and consider possible action regarding case SUB-21-009, an application for a 3-lot resubdivision of Lot 24 and Lot 25 Hilltop Place Section 2, establishing Lot 24A, Lot 24B, & Lot 25A. (*Applicant: Ashe & Associates, agent for Tom Lucas*)

Motion to deny case SUB-21-009, an application for a 3-lot resubdivision of Lot 24 and Lot 25 Hilltop Place Section 2, establishing Lot 24A, Lot 24B, & Lot 25A, for reasons of noncompliance with City regulations, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 10.5. Discuss and consider possible action regarding City Council's proposed priorities for Fiscal Year 2022. (*City Administrator, Mike Boese*)

There was discussion regarding Council's FY 2022 priorities, including any additions or revisions to the document. It was recommended that the Infrastructure and Transportation sections be consolidated.

Motion to adopt City Council's proposed priorities for Fiscal Year 2022, with discussed revisions, was made by Council Member Christine Byrne. Motion was seconded by Council Member David Cohen. Motion carried unanimously (5-0).

- 10.6. Discuss and consider possible action regarding the first reading of Ordinance No. 2021-33, an ordinance of the City of Wimberley, Texas, to set forth the tax rate to be imposed on hotel occupancy within the corporate limits and extraterritorial jurisdiction of the city; setting forth the duties of persons responsible for collection of the tax; providing for criminal penalties and fines; creating an advisory committee; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting. (*City Administrator, Mike Boese*)

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

1. Phil Collins spoke regarding the proposed seven percent (7%) hotel occupancy tax (HOT) rate within the ordinance, and also noted the lack of a plan to expend the funds once collected. Mr. Collins stated the City's merchants needed to benefit from the collection of the HOT funds. He encouraged Council to wait to implement the HOT until a plan was in place to spend the monies collected.
2. Chris Mahoney expressed his opposition to passage of the HOT, as a lodging owner in the City.
3. Phil Collins addressed Council once more about the lack of compliance with short-term rentals once a Conditional Use Permit was granted by the City.

There was lengthy discussion among Council and City staff relating to the proposed HOT, including planning, congestion concerns, community input and the rate.
No action was taken on this item.

11. CITY COUNCIL REPORTS

11.1. Announcements

None.

11.2. Future agenda items

1. Council Member, Rebecca Minnick, requested the hotel occupancy tax ordinance be reconsidered at a future meeting, as well as review of the City's zoning code.
2. Council Member, Teresa Shell, stated she would bring forth a presentation pertaining to a historic overlay district at a future meeting.
3. Mayor, Gina Fulkerson, requested review of the City's ordinances regarding trash/junk storage. She also noted review of the City's emergency plan.

12. ADJOURNMENT

Motion to adjourn the meeting at 7:44 p.m. was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson, Mayor

DRAFT



AGENDA ITEM:	1. Discuss and consider possible action regarding naming the Rest Stop Park on Ranch Road 12 "The Wimberley Sunrise Park." (<i>Parks Director, Richard Shaver</i>)
SUBMITTED BY:	Richard Shaver
DATE SUBMITTED:	October 28, 2021
MEETING DATE:	November 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The Wimberley Parks and Recreation Department has taken ownership of the rest stop on Ranch Road 12 in between Downtown Wimberley and the Junction. This area has been maintained by Public Works. The Parks and Recreation Advisory Board unanimously voted to recommend to Council naming the park "Wimberley Sunrise Park". There will be a small park entrance sign made by our park maintenance crew.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

STAFF RECOMMENDATION

Staff recommends approving this item.

ATTACHMENT/S

None



AGENDA ITEM:	2. Discuss and consider possible action to award a bid to Percheron Construction, LLC for the Oak Drive Parking Improvements Project. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	November 2, 2021
MEETING DATE:	November 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City of Wimberley recently sought sealed bids for the Oak Drive Parking Improvements Project. Bids were due on Wednesday, October 27, 2021, at 2:00 p.m. at Wimberley City Hall. Three bids were received. Percheron Construction, LLC was the low bidder.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

Original estimated cost was \$670,000.

STAFF RECOMMENDATION

ATTACHMENT/S

1. Oak Drive Parking Improvements - Bid Tabulation

OAK DRIVE PARKING IMPROVEMENTS
Bid Tabulation - October 28, 2021

BASE BID						BID TAB					
						Percheron Construction, LLC		Lone Star Sitework, LLC		G Creek, Inc.	
SPEC	SPEC NO.	ITEM No.	ITEM DESCRIPTION	UNITS	QTY	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID
TxDOT	05006001	1	MOBILIZATION (NOT TO EXCEED 10% OF TOTAL BID)	LS	1	\$29,156.84	\$29,156.84	\$5,000.00	\$5,000.00	\$50,000.00	\$50,000.00
TxDOT	01006001	2	PREPARING ROW (SITE CLEARING)	AC	0.75	\$8,747.05	\$6,560.29	\$7,500.00	\$5,625.00	\$7,820.00	\$5,865.00
TxDOT	05026001	3	BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	4	\$1,166.27	\$4,665.08	\$800.00	\$3,200.00	\$1,380.00	\$5,520.00
TxDOT	05066020	4	CONSTRUCTION EXITS (INSTALL) (TY 1)	SY	139	\$46.90	\$6,519.10	\$16.20	\$2,251.80	\$23.00	\$3,197.00
TxDOT	04966043	5	REMOV STR (SMALL FENCE)	LF	556	\$6.12	\$3,402.72	\$4.00	\$2,224.00	\$6.04	\$3,358.24
COA	610S-R	6	REMOVAL OF EXISTING TREES	LS	1	\$11,312.85	\$11,312.85	\$8,500.00	\$8,500.00	\$11,500.00	\$11,500.00
TxDOT	506	7	TEMP SEDMT CONT FENCE (INSTALL AND REMOVE)	LF	430	\$3.86	\$1,659.80	\$10.00	\$4,300.00	\$4.60	\$1,978.00
COA	610S-A	8	PROTECTIVE FENCING TYPE A (CHAIN LINK)	LF	370	\$3.28	\$1,213.60	\$15.00	\$5,550.00	\$17.25	\$6,382.50
SS	02650	9	ABANDONMENT OF EXISTING SEPTIC TANK	LS	1	\$1,668.94	\$1,668.94	\$3,500.00	\$3,500.00	\$4,025.00	\$4,025.00
TxDOT	01106003	10	EXCAVATION (SPECIAL)	CY	458	\$54.81	\$25,102.98	\$47.00	\$21,526.00	\$152.95	\$70,051.10
TxDOT	02476388	11	FL BS (CMP IN PLC)(TY A GR 5)(6")	SY	1,374	\$26.47	\$36,369.78	\$22.70	\$31,189.80	\$15.93	\$21,887.82
TxDOT	03106001	12	PRIME COAT (MULTI OPTION)	SY	1,374	\$1.40	\$1,923.60	\$1.20	\$1,648.80	\$5.75	\$7,900.50
TxDOT	03406122	13	D-GR HMA(SQ) TY-D PG70-22 (2-IN)	SY	1,374	\$24.49	\$33,649.26	\$21.00	\$28,854.00	\$24.15	\$33,182.10
TxDOT	02606006	14	LIME TRT (EXST MATL) (6")	SY	1,374	\$30.79	\$42,305.46	\$26.40	\$36,273.60	\$8.63	\$11,857.62
SS	03212	15	GRAVEL PARKING	SY	685	\$46.65	\$31,955.25	\$40.00	\$27,400.00	\$42.55	\$29,146.75
SS	03215	16	DECOMPOSED GRANITE (4-IN)	SY	95	\$48.98	\$4,653.10	\$42.00	\$3,990.00	\$63.25	\$6,008.75
SS	03217	17	CEDAR LOG CURB STOPS	EA	42	\$90.97	\$3,820.74	\$226.00	\$9,492.00	\$115.00	\$4,830.00
TxDOT	05316002	18	CONC SIDEWALKS (5")	SY	178	\$127.12	\$22,627.36	\$109.00	\$19,402.00	\$74.75	\$13,305.50
COA	701s-E	19	TWO-POST CEDAR FENCE	LF	255	\$52.14	\$13,295.70	\$50.40	\$12,852.00	\$23.00	\$5,865.00
COA	701s-E	20	WOOD PRIVACY FENCE (6-FOOT)	LF	300	\$60.65	\$18,195.00	\$59.20	\$17,760.00	\$40.25	\$12,075.00
COA	510-AR	21	PIPE, 4-IN DIA, SCHED 80 PVC (ALL DEPTHS)	LF	35	\$58.31	\$2,040.85	\$50.00	\$1,750.00	\$46.00	\$1,610.00
COA	510-AR	22	PIPE, 2-IN DIA, SDR 26 PVC (ALL DEPTHS)	LF	55	\$44.90	\$2,469.50	\$38.50	\$2,117.50	\$34.50	\$1,897.50
COA	551	23	PIPE UNDERDRAINS, 4-IN	LF	317	\$61.81	\$19,593.77	\$53.00	\$16,801.00	\$46.00	\$14,582.00
COA	551	24	PIPE UNDERDRAINS, 6-IN	LF	411	\$64.15	\$26,365.65	\$55.00	\$22,605.00	\$57.50	\$23,632.50
TxDOT	06446001	25	IN SM RD SN SUP&AM TY10BWG(1)SA(P)	EA	7	\$366.54	\$2,565.78	\$480.00	\$3,360.00	\$575.00	\$4,025.00
COA	710s-B	26	BICYCLE PARKING, HOT DIPPED GALVANIZED	EA	2	\$1,135.37	\$2,270.74	\$900.00	\$1,800.00	\$920.00	\$1,840.00
TxDOT	666	27	PAVEMENT MARKINGS	LS	1	\$4,038.81	\$4,038.81	\$5,676.00	\$5,676.00	\$920.00	\$920.00
COA	609s-C	28	NATIVE SEEDING	SY	1,462	\$2.33	\$3,406.46	\$5.40	\$7,894.80	\$2.30	\$3,362.60
TxDOT	0628	29	ELECTRICAL SERVICE	LS	1	\$1,861.37	\$1,861.37	\$6,000.00	\$6,000.00	\$25,000.00	\$25,000.00
TxDOT	06186033	30	CONDT (PVC) (SCH 40) (4")	LF	280	\$33.01	\$9,242.80	\$20.00	\$5,600.00	\$69.00	\$19,320.00
TxDOT	06186046	31	CONDT (PVC) (SCH 80) (2")	LF	424	\$7.73	\$3,277.52	\$8.00	\$3,392.00	\$46.00	\$19,504.00
TxDOT	06206008	32	ELEC CONDR (NO.8) INSULATED	LF	424	\$3.32	\$1,407.68	\$7.00	\$2,968.00	\$21.00	\$8,904.00
SS	02656	33	LIGHT POLES	EA	4	\$11,915.24	\$47,660.96	\$10,500.00	\$42,000.00	\$9,775.00	\$39,100.00
		34	QUICK COUPLER/HOSE BIB	EA	1	\$1,412.36	\$1,412.36	\$300.00	\$300.00	\$287.50	\$287.50
SS	06246001	35	GROUND BOX TY A (122311)	EA	2	\$507.33	\$1,014.66	\$675.00	\$1,350.00	\$2,300.00	\$4,600.00
SS	3346	36	DETENTION POND	LS	1	\$14,593.58	\$14,593.58	\$33,000.00	\$33,000.00	\$17,250.00	\$17,250.00
		37	BATHROOM BUILDING (SEE ARCHITECTURAL PLANS)	LS	1	\$419,844.29	\$419,844.29	\$521,740.00	\$521,740.00	\$437,000.00	\$437,000.00
		38	RAINWATER COLLECTION SYSTEM (SEE ARCHITECTURAL PLANS)	LS	1	\$33,185.15	\$33,185.15	\$14,000.00	\$14,000.00	\$55,200.00	\$55,200.00
SUBTOTAL BASE BID						\$896,309.38	\$896,309.38	\$942,893.30	\$942,893.30	\$985,970.98	\$985,970.98
BID ALTERNATE #1						Percheron Construction, LLC		Lone Star Sitework, LLC		G Creek, Inc.	
SPEC	SPEC NO.	ITEM No.	ITEM DESCRIPTION	UNITS	QTY	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID
TxDOT	01006001	A1-1	PREPARING ROW (SITE CLEARING)		0.92	\$8,747.05	\$8,047.29	\$7,500.00	\$6,900.00	\$5,635.00	\$5,184.20
TxDOT	01106003	A1-2	EXCAVATION (SPECIAL)		262	\$62.40	\$16,348.80	\$53.50	\$14,017.00	\$152.95	\$40,072.90
TxDOT	02476388	A1-3	FL BS (CMP IN PLC)(TY A GR 5)(6")		1,178	\$26.47	\$31,181.66	\$22.70	\$26,740.60	\$15.93	\$18,765.54
TxDOT	03106001	A1-4	PRIME COAT (MULTI OPTION)		1,178	\$1.34	\$1,578.52	\$1.15	\$1,354.70	\$5.75	\$6,773.50
TxDOT	03406122	A1-5	D-GR HMA(SQ) TY-D PG70-22 (2-IN)		1,178	\$18.66	\$21,981.48	\$16.00	\$18,848.00	\$24.15	\$28,448.70
TxDOT	02606006	A1-6	LIME TRT (EXST MATL) (6")		1,178	\$30.79	\$36,270.62	\$26.40	\$31,099.20	\$8.63	\$10,166.14
COA	551	A1-7	PIPE UNDERDRAINS, 4-IN		860	\$53.65	\$46,139.00	\$46.00	\$39,560.00	\$17.25	\$14,835.00
COA	610S-A	A1-8	PROTECTIVE FENCING TYPE A (CHAIN LINK)		400	\$3.28	\$1,312.00	\$15.00	\$6,000.00	\$34.50	\$13,800.00
SS	03212	A1-9	GRAVEL PARKING		2,079	\$40.24	\$83,658.96	\$34.50	\$71,725.50	\$42.55	\$88,461.45
COA	609s-C	A1-10	NATIVE SEEDING		1,195	\$2.33	\$2,784.35	\$5.40	\$6,453.00	\$2.30	\$2,748.50
TxDOT	06186046	A1-11	CONDT (PVC) (SCH 80) (2")		150	\$7.73	\$1,159.50	\$25.00	\$3,750.00	\$46.00	\$6,900.00
TxDOT	06206008	A1-12	ELEC CONDR (NO.8) INSULATED		150	\$3.32	\$498.00	\$7.00	\$1,050.00	\$21.00	\$3,150.00
SS	02656	A1-13	LIGHT POLES		3	\$11,915.24	\$35,745.72	\$10,500.00	\$31,500.00	\$9,775.00	\$29,325.00
SUBTOTAL BID ALTERNATE #1						\$286,705.90	\$286,705.90	\$258,998.00	\$258,998.00	\$268,630.93	\$268,630.93
BID ALTERNATE #2						Percheron Construction, LLC		Lone Star Sitework, LLC		G Creek, Inc.	
SPEC	SPEC NO.	ITEM No.	ITEM DESCRIPTION	UNITS	QTY	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID	UNIT PRICE BID	AMOUNT BID
TxDOT	05316001	A1-1	CONC SIDEWALKS (4") (EXPOSED AGGREGATE FINISH)		322	\$119.54	\$38,491.88	\$102.50	\$33,005.00	\$92.00	\$29,624.00
TxDOT	05306004	A1-2	DRIVEWAYS (CONC)		56	\$106.13	\$5,943.28	\$91.00	\$5,096.00	\$92.00	\$5,152.00
SUBTOTAL BID ALTERNATE #2						\$44,435.16	\$44,435.16	\$38,101.00	\$38,101.00	\$34,776.00	\$34,776.00
SUBTOTAL BASE BID						\$896,309.38	\$896,309.38	\$942,893.30	\$942,893.30	\$985,970.98	\$985,970.98
SUBTOTAL BID ALTERNATE #1						\$286,705.90	\$286,705.90	\$258,998.00	\$258,998.00	\$268,630.93	\$268,630.93
SUBTOTAL BID ALTERNATE #2						\$44,435.16	\$44,435.16	\$38,101.00	\$38,101.00	\$34,776.00	\$34,776.00
TOTAL BID AMOUNT						\$1,227,450.43	\$1,227,450.43	\$1,239,992.30	\$1,239,992.30	\$1,289,377.91	\$1,289,377.91

Prepared By:



Firm # F-9266

Required Bid Items
 Bid Security
 Non-Collusion Statement
 Information From Bidders
 Conflict of Interest Statement

YES	YES	YES
YES	YES	YES
YES	YES	YES
YES	YES	YES

■ DENOTES MATHEMATICAL ERROR IN BID. CORRECTED AMOUNT SHOWN.



AGENDA ITEM:	HOT Background Info
SUBMITTED BY:	Rebecca Minnick, Place 1
DATE SUBMITTED:	Oct. 29, 2021
MEETING DATE:	Nov. 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The Hotel Occupancy Tax is implemented in all but one tourist town in Texas. Wimberley implemented this tax several years ago and it was repealed by a past City Council. The current Council has used some remaining funds collected for the extremely popular wayfinding signs, which is one of the state-approved uses for the HOT. Other approved uses for the funds would be of benefit to the city.

All surrounding municipalities to Wimberley implement this tax to help enhance the tourist experience and manage the increase in visitors that has resulted from the Pandemic.

An overview of how our neighboring cities approach the allocation of funds and the value of this tool will be discussed.

REQUESTED ACTION

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

FINANCIAL

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

STAFF RECOMMENDATION

ATTACHMENT/S

Hotel Occupancy Tax in Wimberley

Background & History, State Requirements,
Applications in Our Town

Presented by Rebecca Minnick & Jim Chiles

Who pays HOT?

- LODGING CUSTOMERS
- The HOT is an add-on to the state's 6% HOT and is charged to customers renting rooms at any lodging facility in the state
- The GREAT MAJORITY of Texas cities have a HOT
- Lodging owners collect the tax and pay it directly to the city
- The HOT is a separate line-item on a lodging bill

Example: Folio screenshot from Tapatio Springs Resort in Boerne ETJ, 6% HOT

08-07-21	Room Charge	289.00
08-07-21	Room Tax Occupancy	17.34
08-07-21	Resort Fee	22.00
08-07-21	Resort Fee Tax	1.32

Per Texas law, HOT funds can be spent on:

- Construction, maintenance and operation of a convention or visitor center
- Advertising and promotional programs to attract tourists
- Encouragement and promotion of the arts
- Historical restoration and preservation projects
- Advertising to encourage tourists to visit historic sites and museums
- Signage directing the public to sights and attractions frequently visited by tourists
- Certain transportation systems serving tourists and hotel guests
- Qualifying sports facilities that routinely host regional or national tournaments; and coliseums or multiuse facilities
- For certain cities, sporting events for which the majority of participants come from out of town
- Facilities and personnel for the registration of convention delegates

Why previous HOT was repealed (2018)

- Goal/Objective of HOT wasn't clearly adapted to Wimberley's specific situation
- Though "no plan" was repeatedly alleged, there was a plan – but it did not have buy-in and was generally unpopular
 - Plan featured two primary elements:
 - Hire an agency to create and implement an advertising campaign (which was done)
 - Hire Tourism Director
- Application process was complicated & difficult for applicants
- Result: Discussions took on an unconstructive and unnecessarily divisive tone

Why it's important to reinstitute HOT Now

- Over the past 2 years, the pandemic has changed the overall economic picture in the Hill Country
- Tourism in Wimberley has skyrocketed, increasing traffic & congestion, pedestrian & parking challenges, & overall safety concerns
- This influx affects the quality of tourists' visits to our town and, in turn, affects our residents' ability to enjoy the very things that drew us to this special place
- We have a CLEAR OBJECTIVE in reinstituting this tax :

Improve the tourist experience

- IMPROVING the tourist experience brings them back again & again
- Returning tourists stabilize the lodging market

Improving the tourist experience improves resident experience

How HOT Helps

- **Creates a revenue stream that will be used to help:**
 - Move vehicle traffic more efficiently
 - Direct cars to parking lots
 - Signage to find local attractions
 - Digital technology to enable visit/trip planning
 - Support the historic character of Wimberley
 - Support what we continue to nurture here - the arts & our natural environment

HOT provides a sustainable means to support ALL of our businesses with zero financial impact to our residents

A Plan for HOT Fund Use

Council has spent previously collected HOT funds for the popular wayfinding signage, which is continuing to be installed. It will take some time to accumulate sufficient funds to further address issues currently identified, so additional refining and more accurate pricing will continue

Current proposed budget allocations include:

- Digital Tourist information Strategies
 - Pilot kiosk at Oak Drive with potential future locations at Visitor's Center, Old Kyle Road, Lions Field, Blue Hole Park
- Phone app to assist visitors in locating lodging, parking & attractions
- Shuttle buses and car services from lodging to shops and restaurants
(cont'd)

Plan, cont'd

- Grants for special events
 - Examples might include Home Tour, Wine Walk, Butterfly Festival, Market Days, Story Fest, Rodeo, Car Shows, etc
- Historic Preservation
 - Strategies that can ensure Wimberley protects its historic structures
- Supporting the Arts
 - Provide a framework for arts support to provide broad-based, sustainable and compliant assistance

Implementation

- Review & approve draft ordinance
 - 7% rate
 - Establishes Lodging Advisory Committee
 - Draft budget allocations
- Hire compliance company to:
 - Monitor STRs in city limits so all are permitted/counted
 - Ensure tax is collected
- Give lodging owners lead time to begin collecting HOT

Implementation, cont'd.

- It's fiscally responsible to maintain HOT fund reserve balance
 - Totals for collection are unknown, especially in early stages
 - Each of the sample neighbor cities have collected significantly higher amounts than anticipated – it could go either way
 - Reserve funds needed for cost changes and future qualifying capital project allowed by state requirements
 - Determine percentage to hold in reserve
 - Research potential Capital Projects & PLAN

THERE IS TIME to refine & communicate plan & prioritize projects: If approved before year-end, it will be Spring/Summer 2022 before tax begins being collected; even longer can accumulate enough funds to begin spending - likely 2023

HOT Comparables in Hill Country

City	Rate	Total Funds/Yr	Projects/Svcs funded	How Administered	Community Climate
<u>Blanco</u>	<u>7%</u>	<u>\$106,000</u>	Chamber for events & advertising; Keep Blanco Beautiful for Downtown Upkeep; Historic Preservation	Planning included in the annual budgeting process. All grant recipients execute contracts w/city	Longtime Community/Business /Lodging Support
<u>Johnson City</u>	<u>7%</u>	<u>\$121,000</u>	Visitor's Center/Chamber; Targeted Advertising; Signage (in work)	Allocations included in annual budgeting process	Lodging Owners/Businesses strongly support; STR owners not as supportive
<u>Fredricksburg</u>	<u>7%</u>	<u>\$3.5MM</u>	Conv & Visitors Center primarily; Special Events plus funds coordinator position; historic preservation; local organizations to promote their events; seed \$ for trolley operator	Allocations included in annual budgeting process	Widespread support in all sectors
<u>Dripping Springs</u>	<u>7%</u>	<u>\$400,000+</u>	Visitor's Bureau (25 percent); DS Ranch; Signage, Advertising; Lighting Displays; Non-profits including Hill Country Alliance, Pound House, etc.	Grant applications reviewed by city staff and review committee; submitted to City Council for review and approval; included in annual budget	Widespread support in all sectors



AGENDA ITEM:	Compliance for STRs
SUBMITTED BY:	Rebecca Minnick, Place 1
DATE SUBMITTED:	Oct. 29, 2021
MEETING DATE:	Nov. 4, 2021

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Most cities engage a compliance company to monitor short-term rentals in the city limits and Extra-Territorial Jurisdiction (ETJ). These companies identify all STRs, ensure that the Hotel Occupancy Tax is paid and provide associated services.

In concert with discussion of the Hotel Occupancy Tax, the city may consider engaging a company to manage compliance.

REQUESTED ACTION

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

FINANCIAL

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

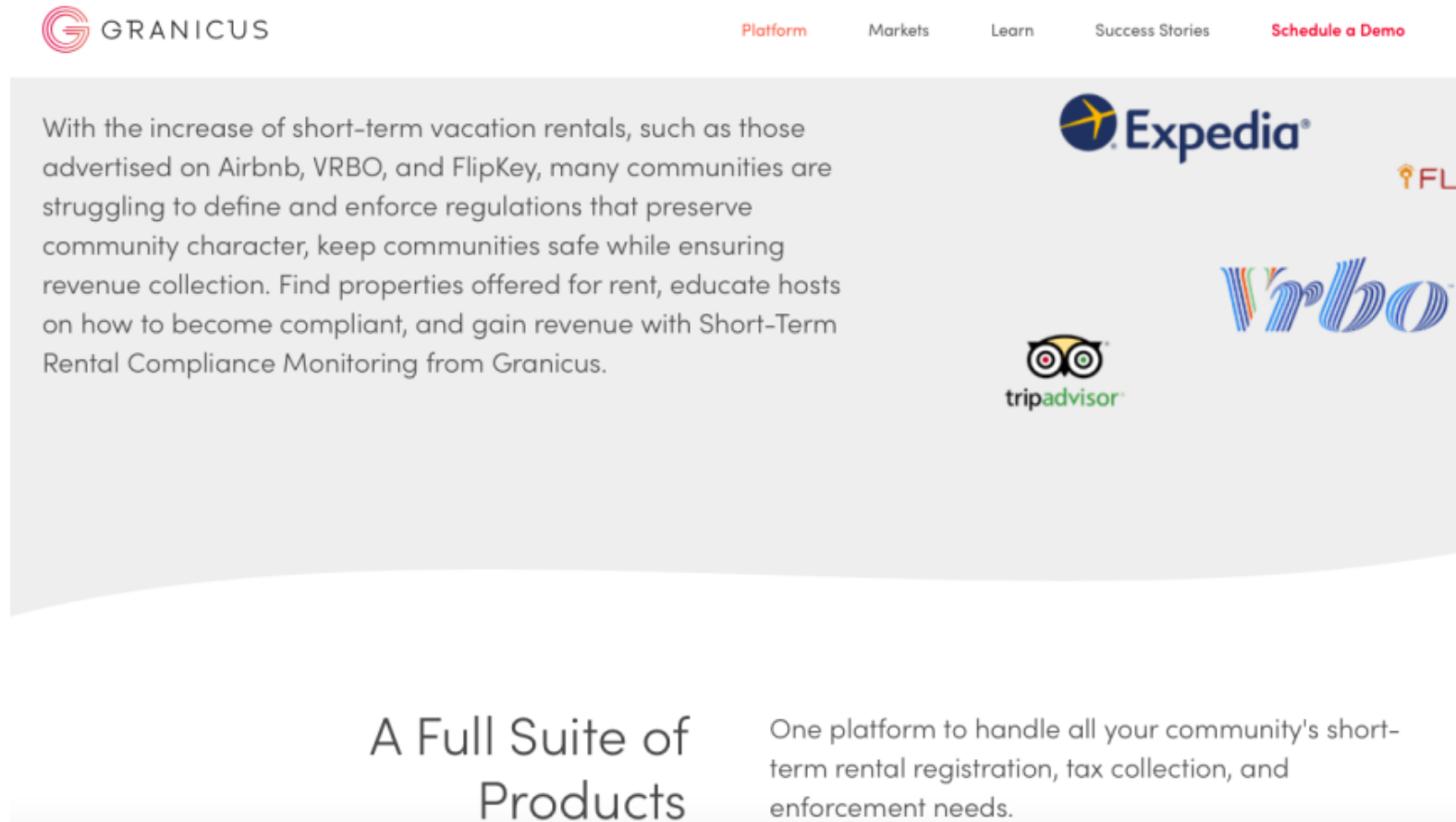
STAFF RECOMMENDATION

ATTACHMENT/S

Compliance for STRs/HOT

- Most Hill Country cities that have high concentrations of STRs & Hotel Occupancy Tax (HOT) hire compliance companies
 - Ex: Johnson City - STRs are on the rise; identifying 'illegal' STRs high priority; ensuring taxes are collected (use Granicus, previously HOST Compliance)
 - Fredricksburg - city has 900 STRs and is looking at options to more effectively regulate STRs AND collect the tax; has been using Granicus and is currently out to bid
- Provide support to city and to lodging owners
- Consider doing this in tandem with implementing the HOT

Host Compliance is now Granicus



The image shows a screenshot of the Granicus website. At the top left is the Granicus logo, which consists of a stylized 'G' inside a circle followed by the word 'GRANICUS'. To the right of the logo are five navigation links: 'Platform', 'Markets', 'Learn', 'Success Stories', and 'Schedule a Demo'. The 'Schedule a Demo' link is highlighted in red. Below the navigation bar is a large light gray rectangular area. On the left side of this area is a paragraph of text. On the right side are four logos: Expedia, FlipKey, Vrbo, and TripAdvisor. Below the gray area, the text 'A Full Suite of Products' is centered. To the right of this text is a short paragraph describing the platform's capabilities.

GRANICUS

Platform Markets Learn Success Stories [Schedule a Demo](#)

With the increase of short-term vacation rentals, such as those advertised on Airbnb, VRBO, and FlipKey, many communities are struggling to define and enforce regulations that preserve community character, keep communities safe while ensuring revenue collection. Find properties offered for rent, educate hosts on how to become compliant, and gain revenue with Short-Term Rental Compliance Monitoring from Granicus.

Expedia®

FLIPKEY

Vrbo

tripadvisor

A Full Suite of Products

One platform to handle all your community's short-term rental registration, tax collection, and enforcement needs.