



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PARKS AND RECREATION BOARD MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
TUESDAY, NOVEMBER 16, 2021 - 4:00 PM

AGENDA

1. **CALL TO ORDER** November 16, 2021, at 4:00 PM
2. **CALL OF ROLL**
3. **CITIZENS COMMUNICATIONS**
This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Parks and Recreation Board. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.
4. **MINUTES**
 - 4.1. Approval of minutes from the Parks and Recreation Board Meeting held September 21, 2021.
5. **CITY STAFF REPORT**
 - 5.1. Director Report - Richard Shaver
 - 5.2. Education and Outreach Sub-Committee Report
6. **DISCUSSION AND POSSIBLE ACTION**
 - 6.1. Discuss and consider possible action to recommend approving an ordinance amending Chapter 9 (Planning and Development Regulations), Article 9.02 "Subdivision Control", Division 8, Parkland Dedication, Section 9.02.273 "Fee Payment in Lieu of Parkland Dedication" of the city code of the City of Wimberley, Texas providing for findings of fact; an effective date; proper notice and meeting; and severability. (*Parks Director, Richard Shaver*)
 - 6.2. Discuss and consider possible action regarding a budget amendment in the amount of \$8,118.75 for emergency water line repair at Blue Hole Regional Park. (*Parks Director, Richard Shaver*)
 - 6.3. Discuss and consider possible action regarding approval to complete a grant application for up to \$300,000 in funding for trail improvements in Blue Hole Regional Park and the Cypress Creek Nature Preserve. (*Parks Director, Richard Shaver*)

7. **BOARD MEMBER REPORTS**

7.1. Announcements

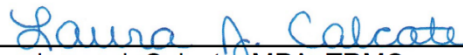
7.2. Future agenda items

8. **ADJOURNMENT**

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 Friday, November 12, 2021, by 5:00 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

221 Stillwater Drive, Wimberley, Texas 78676

PARKS AND RECREATION BOARD MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
TUESDAY, SEPTEMBER 21, 2021 – 4:00 P.M.

MINUTES

CALL TO ORDER

Vice Chairperson, Lin Weber, called the meeting to order on September 21, 2021 at 4:00 p.m.

CALL OF ROLL

Board Members Present: Lin Weber, Vice Chairperson – *presiding officer*
Noland Martin, Secretary
Leah Cuddeback
Kelley Shand

Board Members Absent: Trey Cooksey
Lee Ann Linam
Anthony Derringer, Chairperson

City Staff Present: Richard Shaver, Parks Director
Laura Calcote, City Secretary
Gina Fulkerson, Mayor

CITIZENS COMMUNICATIONS

There were no citizen's communications.

MINUTES

Motion to approve the minutes from August 17, 2021, with minor amendments, was made by Leah Cuddeback. Motion was seconded by Kelley Shand. Motion carried unanimously.

PRESENTATION

Presentation regarding an Eagle Scout Project at Blue Hole Regional Park was made by Diego Elizondo.

- Site location described.
- Proposed improvements at location described.
- benefits to site and park described.
- Anticipated completion date: Thanksgiving 2021.
- Comments from board were unanimously positive.

- Cost to city: \$653.81

Motion was to recommend approval of the project by City Council, as presented, was made by Leah Cuddeback. Motion was seconded by Kelley Shand. Motion carried unanimously.

CITY STAFF AND SUB-COMMITTEE REPORTS

Parks Director, Richard Shaver, presented the Wimberley parks and recreation *annual report* for Fiscal Year 2021. The printed packet was presented to the Board and described in detail. Additional detail about volunteer hours (298 hours) was discussed at the request of the presiding officer.

- Additional \$1/hour wage increases were announced for the staff.
- Spray-field fence will be removed at some point.
- New signage will appear at Martha Kniess and Old Baldy.
- Projects with Education outreach subcommittee were discussed.
- Senior swim dates discussed.
- Nature education program discussed.
- Star Party coming up Oct 2.
- Howl at the moon party discussed.
- Boo Hole Halloween event discussed.
- Construction for Blue Hole office expansion discussed.

DISCUSSION AND POSSIBLE ACTION

7.1. Discuss and consider possible action to recommend naming the pocket park on RR12, north of the Junction. (Presentation by Parks Director, Richard Shaver)
The Public Works Department is currently maintaining the park. The Parks and Rec. Department will start overseeing the 0.7 acre tract. New eagle scout project that will include a map of Wimberley and an information board will be installed in the next few weeks.

Motion to recommend that City Council name the park “Wimberley Sunrise Park” was made by Lin Weber. Motion was seconded by Leah Cuddeback. Motion carried unanimously.

7.2. Discuss and consider possible action regarding funding for the Blue Hole Nature Center. (Presentation by Parks Director, Richard Shaver)
Suggestions to use the fund balance as potential matching funds (> \$500,000) or go after a bond package for the matching funds of the \$3,700,000 total project or seek additional funding through grants and/or local businesses and philanthropists.
No action was taken on this item.

BOARD MEMBER REPORTS

8.1. Announcements: None

8.2 Future agenda items: Update from education and outreach committee.

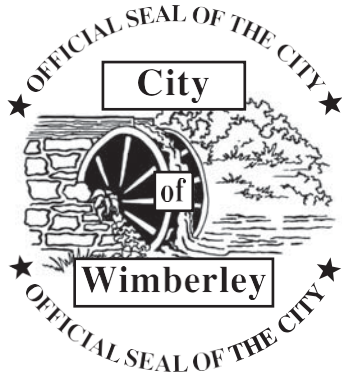
ADJOURNMENT

Motion to adjourn at 4:49 p.m. was made by Leah Cuddeback. Motion was seconded by Kelley Shand. Motion carried unanimously.

RECORDED BY:

Noland Martin, Board Secretary

APPROVED BY:



Anthony Derringer, Chairperson

DRAFT

DISCUSSION AND PRESENTATION

PARKLAND DEDICATION ORDINANCE

NATHAN GLAISER: PLANNING AND DEVELOPMENT COORDINATOR

RICHARD SHAVER: DIRECTOR OF PARKS AND RECREATION



CITY OF
WIMBERLEY

Current Level of Park Service Factors

Greater Wimberley Population	8,615 (Based on WISD Service Area)
Total Parkland Acreage (Level of Service)	140.5 Acres
Persons Served Per Acre	61

KEY FACTORS OF FEE DEVELOPMENT

LAND REQUIREMENT

Land Requirement Calculation

$$\frac{\text{Persons Served Per Acre (61)}}{\text{Persons Per Dwelling Unit (2.24)}} = \frac{27.2 \text{ Dwelling Units}}{\text{Per Acre}}$$

Staff recommends that per every 20 dwelling units built, 1 acre of parkland be dedicated

SUBDIVISION

Subdivision Factors

Persons Per Dwelling Unit	2.24
Dwelling Units Per Acre	20
Park Development Fee	\$2,350 Per Dwelling Units Built

Definitions

Dwelling Unit: A room or group of rooms in a structure forming a habitable living unit. Common facilities in a unit are things intended for cooking, bathing, sleeping, and sanitation.

Persons Per Dwelling Unit: Average Number of Persons Per Household determined by the census

Park Development Fee: Flat fee paid by a developer will pay for each dwelling unit built

FEE IN-LIEU-OF

Fee In-Lieu-Of Parkland Dedication

Market Value of land per the required acreage at the time of appraisal

\$35,000 per acre = \$35,000 In-Lieu-of fee

PARK DEVELOPMENT FEE

Park Development Fee Calculation

$$\frac{\text{Average Cost for 1 Acre of Park Land}}{20 \text{ Dwelling Units Per Acre}} = \text{Average Cost per Dwelling Unit}$$

$$\$46,990 / 20 \text{ DU} = \$2,350 \text{ per dwelling unit}$$

EXAMPLES

Developer wants to subdivide and create 20 dwelling units.

Option 1- Dedicate the required land and build/develop a public park

With the price of 1 acre of land valued at \$35,000 and scheduled to build 20 units the developer decided to dedicate the required 1 acre of land and develop a park so all fees were waived.

Fees-In-Lieu-Of Land	\$0
<u>Development Fee</u>	<u>\$0</u>
<u>Total Fee</u>	<u>\$0</u>

Net Gain +0 New Public Park Built

Option 2- Dedicate the land, but do not build/develop a public park

With the price of 1 acre of land valued at \$35,000 and scheduled to build 30 units the developer decided to dedicate the required 1 acre of land but not develop a park so they still had to pay the development fee.

Fees-In-Lieu-Of Land	\$0
<u>Development Fee</u>	<u>\$47,000</u>
<u>Total Fee</u>	<u>\$47,000</u>

Net Gain +\$47,000 +1 acre

Option 3- Pay both fees

Fees-In-Lieu-Of Land	\$35,000
<u>Development Fee</u>	<u>\$47,000</u>
<u>Total Fee</u>	<u>\$82,000</u>

Net Gain +\$82,000

LEGAL CONSIDERATIONS

- The City of Wimberley must demonstrate a proportional relationship between the mandates placed on developers and the increased community demand for more parkland recreation areas and/or facilities.
- Any parkland dedicated to the City of Wimberley must benefit the nexus area and its residents.
- The City of Wimberley must provide a reasonable timeframe for fees-in-lieu parkland dedication in accordance with Texas Local Government Code Chapter § 212.904.
- The City of Wimberley must be aware of areas containing vegetation identified as endangered or threatened or that provide habitat for animals identified as endangered, threatened, or of special concern in accordance with 16 U.S. Code § 1531 (1973 Endangered Species Act).



QUESTIONS

ORDINANCE NO. 2021-__

AN ORDINANCE AMENDING CHAPTER 9 (PLANNING AND DEVELOPMENT REGULATIONS), ARTICLE 9.02 “SUBDIVISION CONTROL”, DIVISION 8, PARK LAND DEDICATION, SECTION 9.02.273 “FEE PAYMENT IN LIEU OF PARK LAND DEDICATION” OF THE CITY CODE OF THE CITY OF WIMBERLEY, TEXAS PROVIDING FOR FINDINGS OF FACT; AN EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND SEVERABILITY.

WHEREAS, Division 8 of Article 9.02, Subdivision Control of the Codified Ordinances of the City of Wimberley, Texas provides for Park Land Dedication; and

WHEREAS, Section 9.02.273 requiring a fee payment in lieu of park land dedication is somewhat ambiguous under its current language; and

WHEREAS, Texas Local Government Code Section 212.904 requires that if a municipality requires as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications or the payment of fees, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer; and

WHEREAS, the City Council of the City of Wimberley, Texas finds that the amendments to the language of Section 9.02.273 will provide better notice to citizens and developers as to what is expected under Division 8, Park Land Dedication and will better the orderly development of this community.

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

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Chapter 9 (PLANNING AND DEVELOPMENT REGULATIONS), Article 9.02 “SUBDIVISION CONTROL”, Division 8, Park Land Dedication, Section 9.02.273 “Fee Payment in Lieu of Park Land dedication”, of the City of Wimberley City Code, is hereby amended as follows (with a ~~strikeout~~ depicting the deletion of language and an underline depicting the addition of language):

Sec. 9.02.273 Fee payment in lieu of park land dedication

The council ~~may~~ shall require the subdivider to pay a fee in lieu of park land dedication, if all land is not dedicated pursuant to Sec. 9.02.272. Where the payment of a fee in lieu of park land dedication is required or acceptable to the council as provided for in this article, that fee shall be in an amount roughly proportional to the impact on park services necessitated by the subdivision. The formula for calculating the in-lieu fee shall be established by the city council, however, the subdivider shall have all rights afforded pursuant to Texas Local Government Code, Section 212.904 (c) in relation to appeal.

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

Section 4. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Section 5. EFFECTIVE DATE

This Ordinance shall take effect immediately following its passage and publication as may be required by governing law.

Section 6. PROPER NOTICE AND MEETING

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

PASSED AND APPROVED this ____ day of _____, 2021.

Gina V. Fulkerson, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney