



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, FEBRUARY 17, 2022 - 6:00 PM

AGENDA

1. **CALL TO ORDER** February 17, 2022, at 6:00 PM
2. **CALL OF ROLL** City Secretary, Laura Calcote
3. **INVOCATION** Chapel in the Hills Representative, Dick Adams
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 February 2022 as Dating Violence Awareness and Prevention Month for teens and young adults. (*Hays-Caldwell Women's Center*)
 - 6.2. Proclamation of the City of Wimberley, Texas proclaiming February 22, 2022 as "President George Washington Day." (*William Hightower Chapter of the Sons of the American Revolution*)
7. **PRESENTATIONS AND POSSIBLE ACTION**
 - 7.1. Presentation regarding the Night Sky Friendly Business Award for Blue Hole Regional Park. (*Wimberley Dark Sky Committee*)
 - 7.2. Presentation and consider possible action regarding the City of Wimberley's Quarterly Investment Report for the first quarter of Fiscal Year 2022. (*City Administrator, Mike Boese*)
8. **CONSENT AGENDA**

- 8.1. Approval of minutes from the Regular City Council Meeting held December 16, 2021.
- 8.2. Approval of minutes from the Regular City Council Meeting held January 6, 2022.
- 8.3. Approval of minutes from the Special City Council Meeting held February 7, 2022.
- 8.4. Approval of Mayor Gina Fulkerson's appointment of Natalie Meeks to the Hotel Occupancy Tax Advisory Committee.
- 8.5. Approval of Place Four Council Member Jim Chiles's appointment of Bruce Levinson to the Hotel Occupancy Tax Advisory Committee.
- 8.6. Approval of Place Two Council Member Teresa Shell's appointment of Chris Herndon to the Hotel Occupancy Tax Advisory Committee.
- 8.7. Approval of Place One Council Member Rebecca Minnick's appointment of Jennifer Ober to the Hotel Occupancy Tax Advisory Committee.
- 8.8. Approval of Place Five Council Member David Cohen's appointment of Mac McCullough to the Hotel Occupancy Tax Advisory Committee.
- 8.9. Approval of Place Three Council Member Christine Byrne's appointment of Helena Hauk to the Hotel Occupancy Tax Advisory Committee.
- 8.10. Approval of consensus appointment of Scott Way to the Hotel Occupancy Tax Advisory Committee.

9. CITY STAFF REPORT

- 9.1. City Administrator Report
 - City Sales Tax
 - Wastewater System Project

10. PUBLIC HEARINGS AND POSSIBLE ACTION

- 10.1. Hold a public hearing and take possible action regarding case CUP-22-001, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 13285 Ranch Road 12, Wimberley, Hays County, Texas. (*Applicant: Johanna Cromwell*)
- 10.2. Hold a public hearing and take possible action regarding case CUP-22-003, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 40 La Buena Vista, Wimberley, Hays County, Texas. (*Applicants: Robert & Brandy Fox*)

11. DISCUSSION AND POSSIBLE ACTION

- 11.1. Discuss and consider possible action regarding the City of Wimberley Investment Policy. (*City Administrator, Mike Boese*)

12. CITY COUNCIL REPORTS

12.1. Announcements

12.2. Future agenda items

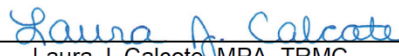
13. **ADJOURNMENT**

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, February 14, 2022, 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 §

WHEREAS, one in three adolescents is a victim of physical, sexual, emotional, or verbal abuse from a dating partner; and

WHEREAS, the effects of dating violence impact youth in all communities and cuts across economic, racial, gender, and societal barriers; and

WHEREAS, respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and

WHEREAS, by providing teens and young adults with education about healthy relationships and relationship skills, and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, family, friends, teachers, coaches, faith leaders, community members, and other important people in young peoples’ lives have the power to influence youth in positive ways; and

WHEREAS, last year HCWC provided 157 dating violence prevention and healthy relationships presentations to 3,141 teens and young adults; and

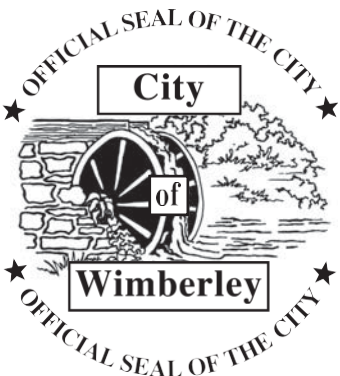
WHEREAS, we must work together to raise awareness and promote healthy dating relationships with activities and conversations about mutually respectful and non-violent relationships in our homes, schools, and communities.

NOW, THEREFORE, I, Gina V. Fulkerson, by virtue of the authority vested in me as Mayor of Wimberley, Texas do hereby proclaim the month of February 2022 as

Dating Violence Awareness and Prevention Month for Teens and Young Adults

And do hereby call upon the citizens of Wimberley to work together to raise awareness and prevent dating violence in our community and beyond.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of Wimberley, Texas, this 17th day of February 2022.



CITY OF WIMBERLEY

Gina V. Fulkerson, Mayor

City of Wimberley



Proclamation

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

WHEREAS, the United States of America was established following the War of Revolution from 1776 to 1783, a war won through the brilliant and courageous leadership of George Washington, revered Father of our Nation; and

WHEREAS, George Washington, who lived from 1732 to 1799, mobilized the Continental Army and led the American colonies against the most powerful country in the world, finally defeating the British at the famous battle of Yorktown, Virginia; and

WHEREAS, this revered founder of our nation resisted the efforts of many supporters to make him a king or dictator, instead using his influence and power to support the creation and adoption of the Constitution of the United States; and

WHEREAS, George Washington was elected as the first President of the United States, serving two terms of office from 1789 to 1797, and through his devotion, wisdom, and vision, became the exemplar of distinguished leadership for all future presidents; and

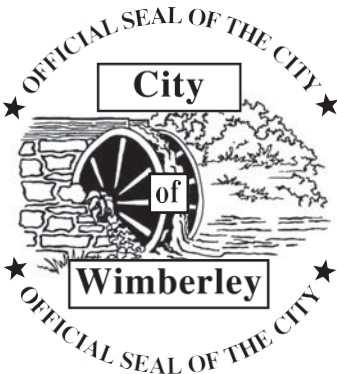
WHEREAS, the William Hightower Chapter of the Sons of the American Revolution (and the local DAR chapter if a co-sponsor) wishes (or wish) to encourage all citizens to recognize the epochal contributions of George Washington to our nation by celebrating his birth on Tuesday, February 22, 2022.

NOW THEREFORE I, (mayor's name), by virtue of the authority vested in me as mayor of (City), do hereby proclaim February 22, 2022, as

PRESIDENT GEORGE WASHINGTON DAY

And call upon all citizens to recognize and honor the brilliance, courage, and vision of the Father of our Nation and the relevance of his life to the preservation of our democracy in today's complex world.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the City of Wimberley, Texas to be affixed this 17th day of February 2022.



CITY OF WIMBERLEY

Gina V. Fulkerson, Mayor

City of Wimberley Quarterly Investment Report

First Quarter of FY 2022

	Fund	Investment Portfolio Summary					Cash Summary			TexPool Summary			CD Summary		
		Cash in Bank	TexPool	CD	Total	% of Total Investment	Yield Rate	MTD Interest Earned	YTD Interest Earned		MTD Interest Earned	YTD Interest Earned	Yield Rate	MTD Interest Earned	YTD Interest Earned
October 2021	General Fund	731,234.49	187,672.70	233,148.91	1,152,056.10	38%	0.50%	34.09	34.09		5.62	5.62	1.00%	191.47	191.47
	Blue Hole Operating	898,774.47			898,774.47	29%	0.05%	38.39	38.39	Total	5.62	5.62	Total	191.47	191.47
	Blue Hole Development	8,268.12			8,268.12	0%	0.05%	0.35	0.35						
	Municipal Court	2,976.35			2,976.35	0%	0.05%	0.13	0.13						
	Wastewater Operations	39,816.98			39,816.98	1%	0.05%	1.40	1.40						
	American Rescue Plan Act	400,422.10			400,422.10	13%	0.00%	-	-						
	Wastewater C&T	395,526.93			395,526.93	13%	0.10%	19.56	19.56						
	Donations	55,086.30			55,086.30	2%	0.05%	2.34	2.34						
	Hotel Occupancy Tax	101,680.66			101,680.66	3%	0.05%	4.32	4.32						
					-	0%	0.00%	-	-						
	Total	2,633,786.40	187,672.70	233,148.91	3,054,608.01			100.58	100.58						
	Portfolio Diversification Ratio	86%	6%	8%											
November 2021	General Fund	1,134,372.39	187,678.59	233,340.54	1,555,391.52	50%	0.05%	45.33	79.42		5.89	11.51	1.00%	191.63	383.10
	Blue Hole Operating	875,241.12			875,241.12	28%	0.05%	36.44	74.83	Total	5.89	17.13	Total	191.63	383.10
	Blue Hole Development	8,268.46			8,268.46	0%	0.05%	0.34	0.69						
	Municipal Court	2,976.47			2,976.47	0%	0.05%	0.12	0.25						
	Wastewater Operations	44,120.90			44,120.90	1%	0.05%	1.77	3.17						
	American Rescue Plan Act	400,422.10			400,422.10	13%	0.00%	-	-						
	Wastewater C&T	41,003.16			41,003.16	0%	0.05%	1.69	21.25						
	Donations	55,088.56			55,088.56	2%	0.05%	2.26	4.60						
	Hotel Occupancy Tax	101,689.16			101,689.16	3%	0.05%	4.18	8.50						
		-			-	0%	0.05%	-	-						
	Total	2,663,182.32	187,678.59	233,340.54	3,084,201.45			92.13	192.71						
	Portfolio Diversification Ratio	86%	6%	8%											
December 2021	General Fund	740,233.26	187,684.60	233,532.33	1,161,450.19	43%	0.05%	34.32	113.74		14.46	25.97	1.00%	191.79	574.89
	Blue Hole Operating	855,578.15			855,578.15	32%	0.05%	36.72	111.55	Total	14.46	43.10	Total	191.79	1,149.46
	Blue Hole Development	8,268.81			8,268.81	0%	0.05%	0.35	1.04						
	Municipal Court	2,976.60			2,976.60	0%	0.05%	0.13	0.38						
	Wastewater Operations	52,122.25			52,122.25	2%	0.05%	1.74	4.91						
	American Rescue Plan Act	400,422.10			400,422.10	15%	0.00%	-	-						
	Wastewater C&T	36,557.90			36,557.90	1%	0.05%	1.60	22.85						
	Donations	55,090.90			55,090.90	2%	0.05%	2.34	6.94						
	Hotel Occupancy Tax	101,693.48			101,693.48	4%	0.05%	4.32	12.82						
	Municipal Court Bond Fees	-			-	0%	0.05%	-	-						
	Total	2,252,943.45	187,684.60	233,532.33	2,674,160.38			81.52	274.23						
	Portfolio Diversification Ratio	84%	7%	9%											

The attached information comprises the *Quarterly Investment Report* for the City of Wimberley, Texas for the first quarter of FY 2022 ending on December 31, 2021 (October -December 2021). The undersigned acknowledges that the City's investment portfolio has been and is in compliance with the policies and strategies as contained in the City's Investment Policy and in compliance with the Public Funds Investment Act of the State of Texas.


Mike Boese
City Administrator



AGENDA ITEM:	Consent Agenda
SUBMITTED BY:	Laura Calcote, City Secretary
DATE SUBMITTED:	January 27, 2022
MEETING DATE:	February 3, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- 8.1. Approval of minutes from the Regular City Council Meeting held December 16, 2021.
- 8.2. Approval of minutes from the Regular City Council Meeting held January 6, 2022.
- 8.3. Approval of Mayor Gina Fulkerson's appointment of Natalie Meeks to the Hotel Occupancy Tax Advisory Committee.
- 8.4. Approval of Place One Council Member Rebecca Minnick's appointment of Jennifer Ober to the Hotel Occupancy Tax Advisory Committee.
- 8.5. Approval of Place Two Council Member Teresa Shell's appointment of Chris Herndon to the Hotel Occupancy Tax Advisory Committee.
- 8.6. Approval of Place Three Council Member Christine Byrne's appointment of Helena Hauk to the Hotel Occupancy Tax Advisory Committee.
- 8.7. Approval of Place Four Council Member Jim Chiles's appointment of Bruce Levinson to the Hotel Occupancy Tax Advisory Committee.
- 8.8. Approval of Place Five Council Member David Cohen's appointment of Mac McCullough to the Hotel Occupancy Tax Advisory Committee.
- 8.9. Approval of consensus appointment of Scott Way to the Hotel Occupancy Tax Advisory Committee.

REQUESTED ACTION

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

FINANCIAL

- Budgeted Item ☐

Non-budgeted Item ☐

Not Applicable ☒

STAFF RECOMMENDATION

Approval of 8.1. and 8.2.

ATTACHMENT/S

- December 16th City Council Meeting Minutes
- January 6th City Council Meeting Minutes
- Natalie Meeks's Application
- Jennifer Ober's Application
- Chris Herndon's Application
- Helena Hauk's Application
- Bruce Levinson's Application
- Mac McCullough's Application
- Scott Way's Application



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, DECEMBER 16, 2021 - 6:00 PM

MINUTES

1. **CALL TO ORDER**

December 16, 2021, at 6:00 PM

Mayor, Gina Fulkerson, called the meeting to order on December 16, 2021, at 6:00 p.m.

2. **CALL OF ROLL**

City Secretary, Laura Calcote

Council Members Present:

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

Council Members Absent:

Christine Byrne, Place Three

City Staff Present:

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

3. **INVOCATION**

Wimberley Presbyterian Church Reverend, Clint Regen

A moment of silence was observed.

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.

There were no citizen's comments.

6. 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 (4-0).

- 6.1. Approval of minutes from the Regular City Council Meeting held December 2, 2021.
- 6.2. Approval of the September 2021 Financial Statements for the City of Wimberley.
- 6.3. Approval of Place Four Council Member Jim Chiles's appointment of Bo Bowman to the Ethics Review Commission.

7. CITY STAFF REPORT

- 7.1. Parks Director Report
 - Operations and significant project updates
 - Maintenance
 - Programs

Parks Director, Richard Shaver, provided an update regarding the successful Boo! Hole Halloween Event and the record number of Event attendees, as well as the upcoming Polar Bear Plunge and 5K that would be held on January 1, 2022. Mr. Shaver also noted Keep Wimberley Beautiful would be donating a fence to place around the fountain at the Martha Knies Community Park. Furthermore, Mr. Shaver reviewed the Fiscal Year 2022 budget expenditures for the Parks Department, which included a parking lot for Old Baldy, new park signs and additional programs and initiatives for the Department.

8. PUBLIC HEARINGS AND POSSIBLE ACTION

- 8.1. Hold a public hearing and consider possible action regarding case ZA-21-011, an application to change the zoning of 10600 Ranch Road 12, also known as Lot 36, Hilltop Place Section 1, from Residential Acreage (RA) to Lodging (L-2). (*Applicant: 10600 Ranch Road 12, LLC*)

Mayor, Gina Fulkerson, opened the public hearing at 6:10 p.m.

Planning and Development Coordinator, Nathan Glaiser, presented the zoning change, which the Planning and Zoning Commission had unanimously recommended to approve at their December 9th Meeting.

There were no public comments.

Mayor, Gina Fulkerson, closed the public hearing at 6:14 p.m.

Motion to approve case ZA-21-011, an application to change the zoning of 10600 Ranch Road 12, also known as Lot 36, Hilltop Place Section 1, from Residential Acreage (RA) to Lodging (L-2), as

presented, was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

- 8.2. Hold a public hearing and consider possible action regarding case CUP-21-22, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 2800 River Road, Wimberley, Texas. (*Applicant: Patrick Birdsong*)

This item was pulled by the applicant prior to the meeting.

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Discuss and consider possible action to execute a Construction Services Agreement between the City of Wimberley and Brizo Construction LLC. to provide Reconstruction services related to the 2015 CDBG-DR Housing Assistance Program. (*Langford Community Management Services*)

Langford Community Management Project Coordinator, Jessica Daidone, presented the agreement to reconstruct one home from the 2015 floods.

Motion to approve and execute a Construction Services Agreement between the City of Wimberley and Brizo Construction LLC. to provide Reconstruction services related to the 2015 CDBG-DR Housing Assistance Program, as presented, was made by Council Member Jim Chiles. Motion was seconded by Council Member David Cohen. Motion carried unanimously (4-0).

- 9.2. Discuss and consider possible action to execute a Construction Services Agreement between the City of Wimberley and Rocket Contracting, LLC. to provide Rehabilitation services related to the 2015 CDBG-DR Housing Assistance Program. (*Langford Community Management Services*)

Langford Community Management Project Coordinator, Jessica Daidone, presented the agreement to rehabilitate one home from the 2015 floods.

Motion to approve and execute a Construction Services Agreement between the City of Wimberley and Rocket Contracting, LLC. to provide Rehabilitation services related to the 2015 CDBG-DR Housing Assistance Program, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member David Cohen. Motion carried unanimously (4-0).

- 9.3. Discuss and consider possible action regarding Resolution No. 17-2021, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 2), providing for the increase of revenue to the General Fund Revenue Account Number 5340 (Grant Revenue) - to fund the General Fund Operating Account Number 6500 (Grant Expenditures) and providing an effective date. (*City Administrator, Mike Boese*)

City Administrator, Mike Boese, presented the budget amendment, which would allocate City funds for reconstruction and rehabilitation on the two residences for the GLO 2015 Homeowner Assistance Program. The GLO would reimburse the City once the projects were completed.

Motion to approve Resolution No. 17-2021, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 2), providing for the increase of revenue to the General Fund Revenue Account Number 5340 (Grant Revenue) - to fund the General Fund Operating Account Number 6500 (Grant Expenditures) and providing an effective date, was made by Council Member Teresa Shell. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (4-0).

- 9.4. Discuss and consider possible action regarding Ordinance No. 2021-36, amending Chapter 2, Article 2.04 (Boards, Commissions and Committees), by amending Section 2.04.005 (Hotel Occupancy Tax Advisory Committee), to the Code of Ordinances; providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting. (*City Secretary, Laura Calcote*)

There was discussion among Council, City staff and the City Attorney regarding Ordinance No. 2021-36, including language amendments and changes. City Attorney, Charlie Zech, reviewed all amendments prior to action being taken.

Motion to approve Ordinance No. 2021-36, amending Chapter 2, Article 2.04 (Boards, Commissions and Committees), by amending Section 2.04.005 (Hotel Occupancy Tax Advisory Committee), to the Code of Ordinances; providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting, including changes discussed and presented by Counselor Zech, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (4-0).

- 9.5.** Discuss and consider possible action to distinguish a resident and non-resident fee for the Blue Hole Nature Camp program in 2022. (*Parks Director, Richard Shaver*)

Parks Director, Richard Shaver, presented the proposed fees of \$150 per week for residents and \$200 per week for non-residents for the upcoming 2022 Blue Hole Nature Camp Program.

Motion to approve the resident and non-resident fees for the Blue Hole Nature Camp Program in 2022, as presented, was made by Council Member Teresa Shell. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

- 9.6.** Discuss and consider possible action giving priority to Wimberley residents for the 2022 Blue Hole Season Pass program. (*Parks Director, Richard Shaver*)

Parks Director, Richard Shaver, presented the recommendation that season passes would only be sold to Wimberley residents during the month of March and would open to the general public starting the first of April. Previously, season passes were available to everyone beginning March 1st, but this change would give priority to residents.

Motion to approve giving priority to Wimberley residents for the 2022 Blue Hole Season Pass Program, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (4-0).

- 9.7.** Discuss and consider possible action to accept monetary and in-kind sponsorships for the Blue Hole Polar Bear Plunge & 5K on January 1st, 2022. (*Parks Director, Richard Shaver*)

Parks Director, Richard Shaver, presented the sponsorship tiers and the current sponsors for the upcoming Blue Hole Polar Bear Plunge and 5K on January 1, 2022.

Motion to accept monetary and in-kind sponsorships for the Blue Hole Polar Bear Plunge and 5K on January 1st, 2022 was made by Council Member Teresa Shell. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (4-0).

10. CITY COUNCIL REPORTS

10.1. Announcements

City Secretary, Laura Calcote, reminded Council of their upcoming Special Meeting on January 10, 2022 at 2:00 p.m. at the Wimberley Community Center - Blanco Room, as well as the Board, Commission and Commission Reception, which would be held on February 24, 2022, from 6:00 p.m. to 8:00 p.m., at the Wimberley Community Center.

10.2. Future agenda items

- Council Member, Teresa Shell, stated she would be bringing a historical preservation presentation to Council in the near future.
- Council Member, Rebecca Minnick, would present information regarding signage and downtown

mapping at the January 6, 2022 Meeting.

- City Administrator, Mike Boese, would present information pertaining to a SCADA system to help manage the City's wastewater system at the January 6, 2022 Meeting.

11. ADJOURNMENT

Motion to adjourn the meeting at 6:58 p.m. was made by Council Member David Cohen. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (4-0).

RECORDED BY:

Laura J. Calcote, City Secretary



APPROVED BY:

Gina V. Fulkerson, Mayor



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, JANUARY 6, 2022 - 6:00 PM

MINUTES

1. **CALL TO ORDER** January 6, 2022, at 6:00 PM

Mayor, Gina Fulkerson, called the meeting to order on January 6, 2022, at 6:00 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

3. **INVOCATION** First Baptist Church Reverend, Scott Tidwell

First Baptist Church Reverend, Scott Tidwell, 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.

Mayor Fulkerson also read aloud a proclamation honoring and recognizing Martin Luther King, Jr. Day on January 17, 2022.

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.

There were no citizen's comments.

6. DISCUSSION AND POSSIBLE ACTION

- 6.1.** Discuss and consider possible action regarding a request to permit a temporary structure located at 13900 Ranch Road 12, Wimberley, Texas. (*Applicant: Wimberley Supper Club*)

Applicants, Mike and Kimmie Grimes, presented their request for a temporary structure to be located at 13900 Ranch Road 12 from January 12th until January 15th, 2022.

Motion to permit a temporary structure located at 13900 Ranch Road 12, Wimberley, Texas, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

- 6.2.** Discuss and consider possible action regarding Ordinance No. 2022-01, ordering a General Election to be held on Saturday, May 7, 2022, for the purpose of electing at-large a Mayor and Council members for Place Two and Place Four for the Wimberley City Council. (*City Secretary, Laura Calcote*)

Motion to approve Ordinance No. 2022-01, ordering a General Election to be held on Saturday, May 7, 2022, for the purpose of electing at-large a Mayor and Council members for Place Two and Place Four for the Wimberley City Council, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 6.3.** Discuss and consider possible action regarding a Contract for Election Services with the Hays County Elections Administrator to conduct the May 7, 2022 General Election for the City of Wimberley. (*City Secretary, Laura Calcote*)

Motion to approve a Contract for Election Services with the Hays County Elections Administrator to conduct the May 7, 2022 General Election for the City of Wimberley, as presented, was made by Council Member David Cohen. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

- 6.4.** Discuss and consider possible action regarding a Joint Election Agreement between Hays County and the City of Wimberley. (*City Secretary, Laura Calcote*)

Motion to approve a Joint Election Agreement between Hays County and the City of Wimberley, as presented, was made by Council Member David Cohen. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 6.5.** Discuss and consider possible action regarding pedestrian wayfinding displays/maps for downtown Wimberley. (*Place One Council Member, Rebecca Minnick*)

Council Member, Rebecca Minnick, presented the potential design and locations for pedestrian wayfinding maps in downtown Wimberley. Council Member Minnick discussed the benefits of these wayfinding maps in other communities, and stated they would be beneficial to pedestrians in the Wimberley Square. She also noted that the hotel occupancy tax could be utilized to pay for the maps.

No action was taken on this item.

- 6.6.** Discuss and consider possible action to purchase wastewater automation (SCADA) from Sitepro Automation and Software Solutions to operate the wastewater collection system. (*Sitepro Representative*)

Sitepro representatives, Lance Hasbrouck and Greg Stout, addressed Council regarding their company's automation software solution services. There was lengthy discussion between Council, City staff and Sitepro pertaining to the supervisory control and data acquisition (SCADA) system, which would provide a secure means to efficiently operate the wastewater system from the cloud-based software. There was also discussion on the associated cost of the software. City Administrator, Mike Boese, noted the purchase was eligible to expend funds from the American Rescue Act.

Motion to purchase wastewater automation (SCADA) from Sitepro Automation and Software Solutions to operate the wastewater collection system, as presented, was made by Council Member Jim Chiles. Motion was seconded by Council Member Teresa Shell. Motion carried unanimously (5-0).

- 6.7. Discuss and consider possible action regarding Resolution No. 01-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 3), to authorize expenditures from the American Rescue Plan Fund 6751 (Outlay – Projects) and providing an effective date. (*City Administrator, Mike Boese*)

City Administrator, Mike Boese, presented Resolution No. 01-2022, which would authorize expenditures from the American Rescue Act funds to purchase the SCADA system and a back-up generator for the Wimberley Valley Radio Station.

Station Manager, Mike Crusham, addressed Council regarding the radio's need for a back-up generator.

Motion to approve Resolution No. 01-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 3), to authorize expenditures from the American Rescue Plan Fund 6751 (Outlay – Projects) and providing an effective date, was made by Council member Rebecca Minnick. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

7. CITY COUNCIL REPORTS

7.1. Announcements

- Mayor, Gina Fulkerson, noted the recent launch of the City of Wimberley's new website. Mayor Fulkerson also asked Council their opinion on holding the mid-year FY 2022 goals workshop in February.
- City Administrator, Mike Boese, stated Council was welcome to attend a transportation summit on January 27th and the City would pay for registration costs.
- City Secretary, Laura Calcote, reminded Council to submit their nominees for the Hotel Occupancy Tax Advisory Committee to be considered at the first Regular Council Meeting in February.

7.2. Future agenda items

None.

8. ADJOURNMENT

Motion to adjourn the meeting at 6:59 p.m. was made by Council Member David Cohen. 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



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING
WIMBERLEY COMMUNITY CENTER – BLANCO ROOM
14068 RANCH ROAD 12, WIMBERLEY, TEXAS 78676
MONDAY, FEBRUARY 7, 2022 - 2:00 PM

MINUTES

1. **CALL TO ORDER** February 7, 2022, at 2:00 PM

Mayor, Gina Fulkerson, called the meeting to order on February 7, 2022, at 2:00 p.m.

2. **CALL OF ROLL**

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
Richard Shaver, Parks Director

- 5.1. Discuss and consider possible action regarding a quote from Big Ingen Media & Design to update the Johnson Hall audio sound system at the Wimberley Community Center. *(City Administrator, Mike Boese & Parks Director, Richard Shaver)*

Motion to approve a quote in the amount of \$9,500 from Big Ingen Media & Design to update the Johnson Hall audio sound system at the Wimberley Community Center, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 5.2. Discuss and consider possible action authorizing the City Administrator to sign Right of Way Encroachment License Agreement No. 2022-001 granting permission to use the licensed property solely to install, repair, maintain, and remove grading, sidewalks, retaining wall(s), handicap accessible ramp, stairs, patio, and safety railing, with Kontiki LLC. *(City Administrator, Mike Boese)*

Motion to authorize the City Administrator to sign Right of Way Encroachment License Agreement No. 2022-001 granting permission to use the licensed property solely to install, repair, maintain, and remove grading, sidewalks, retaining wall(s), handicap accessible ramp, stairs, patio, and safety railing, with Kontiki LLC, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

- 5.3. Discuss and consider possible action to purchase a new Blue Hole lift station control panel for the wastewater collection system. *(City Administrator, Mike Boese)*

Motion to purchase a new Blue Hole lift station control panel from Alterman for the wastewater collection system, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

3. **EXECUTIVE SESSION** In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.

- 3.1. Executive Session pursuant to Texas Government Code, Section 551.071 (Consultation with Legal Counsel).

City Council adjourned into Executive Session at 2:38 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose:

Section 551.071 (Consultation with Legal Counsel) in respect to a contract dispute with the Wimberley Valley Chamber of Commerce.

4. **OPEN SESSION**

- 4.1. Discussion and possible action resulting from Executive Session.

Regular Session reconvened at 3:19 p.m.
There was no action.

5. **DISCUSSION AND POSSIBLE ACTION**

- 5.4. Discuss and consider possible action regarding Resolution No. 02-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 4), authorizing the expenditures from the American Rescue Plan Fund 6571 (Outlay - Projects) and providing an effective date. *(City Administrator, Mike Boese)*

Motion to approve Resolution No. 02-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 4), authorizing the expenditures from the American Rescue Plan Fund 6571 (Outlay - Projects) in the amount of \$22,393.00, and providing an effective date, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 5.5. Discuss and consider possible action to authorize a Request for Proposal (RFP) for Short-Term Rental Compliance Software. *(City Administrator, Mike Boese)*

Motion to authorize the City Administrator to advertise a Request for Proposal (RFP) for Short-Term Rental Compliance Software was made by Council Member Jim Chiles. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

6. **WORKSHOP**

6.1. City Council will participate in a mid-year review of their Fiscal Year 2022 Goals and Priorities.

City Council observed and participated in a mid-year review of their Fiscal Year 2022 Goals and Priorities.
No action was taken.

7. **ADJOURNMENT**

Motion to adjourn the meeting at 4:51 p.m. was made by Council Member David Cohen. 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

From: noreply@civicplus.com
To: [Laura Calcote](#)
Subject: Online Form Submittal: Application for Appointment to Commission/Board/Committee
Date: Monday, January 10, 2022 9:31:01 PM

Application for Appointment to Commission/Board/Committee

Name of Commission/Board/Committee	Lodging Owners Only
Nominated By	<i>Field not completed.</i>
Name	Natalie Meeks
Phone	
Email Address	
Physical Address	
Mailing Address (If different than physical address)	
Employer	Self
Position/Occupation	Lodging and Events
Business Phone Number	5126650047
Fax	<i>Field not completed.</i>
I reside:	Inside Wimberley's City Limits
I am a registered voter in:	City of Wimberley
Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest?	No
If "Yes," please explain	<i>Field not completed.</i>
Are you committed to devote the necessary amount of time to service on this Commission/"Board/Committee and to attend all regularly scheduled meetings?	Yes

Would you consider serving on a different Commission/Board/Committee?

Yes

Qualifications

Served on several boards previously, longtime resident of Wimberley

Name as Signature

Natalie Meeks

Date

1/10/2022

Note:

Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary [via email](#) or at the City of Wimberley Administration Office, located at: 221 Stillwater Wimberley, TX 78676

Letter of Interest

Field not completed.

Brief Resume

Field not completed.

Email not displaying correctly? [View it in your browser.](#)



CITY OF WIMBERLEY

Application for Appointment to City Board/Commission/Committee

Name of Board/Commission/Committee: Hotel Occupancy Tax Committee

Nominated By: Rebecca Minnick

Name: Bruce Levinson Phone: [REDACTED] E-mail: [REDACTED]

Physical Address: [REDACTED]

Mailing Address

(If different than physical address): [REDACTED]

Employer: Scripps Networks Position/Occupation: VP, Content Distribution

Business Number: 817-789-3719 Fax: n/a

I reside: ☒ Inside Wimberley's City Limits ☐ Wimberley's ETJ ☐ Outside ETJ

I am a registered voter in: ☒ City of Wimberley ☐ Hays County ☐ Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? ☐ Yes ☒ No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to serve on this Board/Commission/Committee and to attend all regularly scheduled meetings? ☒ Yes ☐ No

Would you consider serving on a different Board/Commission/Committee? ☐ Yes ☒ Not at this time but in the future!

Please describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Board/Commission/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

- 30+ years in Corporate America with multiple leadership & executive roles
- Hotel & Restaurant Management degree from Michigan State University
- Former manager at The Plaza Hotel, NYC - completed Management Training Program
- Former Sales manager at The Ritz Carlton Hotel, Houston, TX
- Former Representative at The Kobrand Corporation - Fine wines & spirits
- Current owner The Bell House Wimberley Short-term rental suite.

Signature: [Signature]

Date: 1/18/2022



CITY OF WIMBERLEY

Application for Appointment to City Board/Commission/Committee

Hotel Occupancy Tax Committee

Name of Board/Commission/Committee: _____

Nominated By: Teresa Shell

Name: Chris Herndon

Phone: _____

E-mail: _____

Physical Address: _____

Mailing Address

(If different than physical address): _____

Employer: Self-employed

Position/Occupation: entrepreneur / investor

Business Number: 312.730.8871

Fax: _____

I reside: ☐ Inside Wimberley's City Limits

☐ Wimberley's ETJ

☒ Outside ETJ

I am a registered voter in: ☐ City of Wimberley

☐ Hays County

☒ Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? ☐ Yes ☒ No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to serve on this Board/Commission/Committee and to attend all regularly scheduled meetings? ☒ Yes ☐ No

Would you consider serving on a different Board/Commission/Committee? ☒ Yes ☐ No

Please describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Board/Commission/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

Owner of the Mountain View Lodge, co-owner of 15-acre resort development property on Hasche Ln. Co-founder of The Guild, an operator of urban apartment hotels throughout the US.

Signature: _____

Date: 12/22/2021

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, 221 Stillwater Drive, Wimberley, Texas 78676.



CITY OF WIMBERLEY

Application for Appointment to City Board/Commission/Committee

Name of Board/Commission/Committee: Lodging Committee

Nominated By: Rebecca Minnick

Name: Jennifer Ober

Phone: [REDACTED]

E-mail: [REDACTED]

Physical Address: [REDACTED]

Mailing Address

(If different than physical address): _____

Employer: Vacation Wimberley (I'm an owner) Position/Occupation: Owner & Manager

Business Number: 512-585-9367

Fax: _____

I reside: ☒ Inside Wimberley's City Limits

☐ Wimberley's ETJ

☐ Outside ETJ

I am a registered voter in: ☒ City of Wimberley

☒ Hays County

☐ Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? ☐ Yes ☒ No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to serve on this Board/Commission/Committee and to attend all regularly scheduled meetings? ☒ Yes ☐ No

Would you consider serving on a different Board/Commission/Committee? ☐ Yes ☒ No

Please describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Board/Commission/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

My husband, Gregory, and I have several vacation rentals, both inside and outside of the city limits. We are well versed in the STR business and paid the city HOT when it was previously in effect. I also served on the HOT Committee at the time. I serve as president of projectART Wimberley and am connected to the local art community and would love to bring that experience to this committee and the development of guidelines for how the HOT might be creatively used to benefit the arts in Wimberley. *Note: I checked yes above about time, however I can only commit to one meeting per month. As a parent, owner of a business, and president of a nonprofit, my time is limited.

Signature: [Signature]

Date: 12/30/2021

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, 221 Stillwater Drive, Wimberley, Texas 78676.

RECEIVED JAN 20 2022



City of Wimberley

221 Stillwater, Wimberley, Texas 78676
(512) 847-0025 Fax: (512) 847-0422
www.cityofwimberley.com

Application for Appointment to Commission / Board / Committee

Name of Commission/Board/Committee: HOT

Nominated By: _____

Name: HERSCHEL P "MAC" McCullough Phone: _____

E-mail address: _____

Physical Address: _____

Mailing Address
(If different than physical address): _____

Employer: MRT LLC Position/Occupation: OWNER

Business Phone No.: 512-878-7985 Fax: NONE

I reside: ☒ Inside Wimberley's City Limits ☐ Wimberley's ETJ ☐ Outside ETJ

I am a registered voter in: ☒ City of Wimberley ☒ Hays County ☐ Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? ☐ Yes ☒ No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings? ☒ Yes ☐ No

Would you consider serving on a different Commission/Board/Committee? ☒ Yes ☐ No

Describe any qualifications, expertise, credentials, or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on. I support HOT, I own AND OPERATE A LICENSED 1 UNIT B&B HERE ON OUR PROPERTY. I HAVE 15 YEARS OF COMMISSION, BOARD AND COMMITTEE PLUS ELECTED SERVICE IN THIS COMMUNITY. I DON'T MISS MEETINGS

Signature: H Date: 1-12-22

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary via email at: lcacote@cityofwimberley.com or at City of Wimberley Administration Office located at 221 Stillwater, Wimberley, Texas 78676



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

(512) 847-0025 Fax: (512) 847-0422

www.cityofwimberley.com

Application for Appointment to Commission / Board / Committee

Name of Commission/Board/Committee: H.O.T. Tourism

Nominated By: _____

Name: Helena Hawk

Phone: _____

E-mail address: _____

Physical Address: _____

Mailing Address

(If different than physical address): _____

Employer: Self: Creekhaven Inn + Spa

Position/Occupation: Owner

Business Phone No.: 512-847-9344

Fax: N/A

I reside: () Inside Wimberley's City Limits

(☒) Wimberley's ETJ

() Outside ETJ

I am a registered voter in: (☒) City of Wimberley

() Hays County

() Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? () Yes (☒) No

If "Yes" please explain: _____

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings?

(☒) Yes

() No

Would you consider serving on a different Commission/Board/Committee?

() Yes

(☒) No

Describe any qualifications, expertise, credentials, or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

See other Applications on file. Currently serving on ETC & have a vested interest the lodging/tourism agendas within Wimberley.

Signature: _____

Date: 12/10/21

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary via email at lcalcote@cityofwimberley.com or at City of Wimberley Administration Office located at 221 Stillwater, Wimberley, Texas 78676



CITY OF WIMBERLEY

Application for Appointment to City Board/Commission/Committee

Name of Board/Commission/Committee: Hotel Occupancy Tax Committee

Nominated By: Rebecca Minnick

Name: Scott Way

Phone: [REDACTED]

E-mail: [REDACTED]

Physical Address: [REDACTED]

Mailing Address

(If different than physical address): 204 Loma Vista, Wimberley, TX 78676

Employer: Impulse Dynamics (USA), Inc.

Position/Occupation: General Counsel

Business Number: 512-589-0284

Fax: _____

I reside: ☒ Inside Wimberley's City Limits

☐ Wimberley's ETJ

☐ Outside ETJ

I am a registered voter in: ☒ City of Wimberley

☐ Hays County

☐ Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? ☐ Yes ☒ No

If "Yes" please explain: _____

I own the Wimberley Inn and 7A. I do not believe this would create a conflict of interest.

Are you committed to devote the necessary amount of time to serve on this Board/Commission/Committee and to attend all regularly scheduled meetings? ☒ Yes ☐ No

Would you consider serving on a different Board/Commission/Committee? ☐ Yes ☒ No

Please describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Board/Commission/Committee that you would prefer to serve on. Attach a separate sheet, if necessary.

As an owner of 2 hotels in the City of Wimberley, I believe I can represent the interests of hotel lodging owners on the Hotel Occupancy Tax Committee. In addition, as a resident of Wimberley, with extended family also residing in Wimberley concerned with the quality of life of our residents, I can help ensure that those interests are also considered in harmony with the interests of lodging owners.

Signature: _____

Date: 1/6/2022

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, 221 Stillwater Drive, Wimberley, Texas 78676.



AGENDA ITEM:	CUP-22-001 Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	December 17, 2021
MEETING DATE:	February 10, 2022 (P&Z) / February 17, 2022 (City Council)

REPORT

ITEM

The owner of 13285 Ranch Road 12 is requesting a Conditional Use Permit (CUP) to allow for the operation of a Vacation Rental (STR2). There is a home on the property, previously used as a long-term rental, that was damaged by the 2015 flood. The applicant plans to tear down the current structure and rebuild an elevated 3-bedroom 1,395 square foot home. They will also put in a new septic system.

They are requesting a maximum occupancy of 8 guest. This property has waterfront on the Blanco River.

PROPERTY INFORMATION

Property Description

Applicant(s):	Johanna Cromwell
Property Address:	13285 Ranch Road 12
Property Owner:	John K. Morgan
Legal Description:	Amasa Turner Survey Abstract 461
Property Size:	1.13 Acres
Existing Use of Property:	Vacant
Existing Zoning:	Single-Family Residential - 2
Shared Infrastructure	None
Request:	Operate a Vacation Rental (STR2)
Planning Area:	III
Overlay District:	Protected Waterway Overlay

Surrounding Property:

Frontage: Ranch Road 12

Surrounding Zoning & Land Use	Current Zoning:			Existing Land Use:	
	North of Property	C1		Commercial	
	South of Property	C1		Raw Land	
	East of Property	R2		Residential	
	West of Property	R2		Residential	

COMMENTS

Staff has not received any comments as of 2/14/2022.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): January 27, 2022
Published Legal Notice (Wimberley View): January 27, 2022

RECOMMENDATION

The Planning & Zoning Commission considered this request at their February 10th, 2022 meeting. They unanimously recommended (6-0) approval of this application with an added condition that all renters be notified that the property lies within the floodplain.

CRITERIA FOR CONSIDERATION

When considering action on a zoning application, the Council should consider the criteria within the Code of Ordinances Sec.9.03.251(b)

Possible Motions can include:

- Motion to approve CUP-22-001
- Motion to approve CUP-22-001 with the following conditions (list all conditions)
- Motion to deny CUP-22-001

ATTACHMENT/S

- Criteria For Consideration
- Application
- Notification Map



CITY OF WIMBERLEY

Conditional Use Permit Planning & Development

FOR OFFICE USE ONLY

Date: 12/17/2021 CUP - 22 - 001 Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$650): ☒

Applicant: Johanna Morgan Cromwell
Mailing Address: 4409 Medford Dr. City: Annandale State: VA Zip: 22003

OWNER'S INFORMATION

Property Owner: John K. Morgan
Mailing Address: 349 Crabapple Rd City: Blanco State: TX Zip: 78606

PROJECT SITE ADDRESS: 13285 ~~13201~~ RR 12 Wimberley TX 78676
Legal description: A0461 Amasa Turner Survey
Total Acreage or Square Footage: 1.13 acres Deed recorded in: Hays county
Hays CAD Parcel ID R- ~~18394~~ 18483 Planning Area: 111 Zoning: R-2
Is property located in an overlay district? ☒ Yes ☐ No If Yes, type: Protected Waterway overlay
SPECIFIC CONDITIONAL USE REQUEST: short term rental 2, owner occupied
Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

UTILITIES

Electric Provider: PEC
Water provider or Private Well: Wimberley Water Supply
Wastewater Service or Septic Permit No. aerobic spray (to be determined)

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

Forms & Applications October 2021 1

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

- ☒ Complete "Conditional Use Permit Application"
- ☒ Metes and bounds description and/or survey exhibit
- ☒ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences
- ☒ Copy of the Original Deed(s)
- ☒ Payment of application fee (credit card payments, checks, money orders, cash exact change only)
- ☒ Agent authorization to represent property owner if applicable

MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses and does not adversely affect an adjoining site than would a permitted use.
- The use requested by the applicant is set forth as a conditional use in the base district.
- The nature of the use is reasonable.
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

Applicant's Signature: _____

[Handwritten Signature]

Date: _____

12/15/21

Forms & Applications October 2021 2

ADDITIONAL QUESTIONS AND LIST OF CONDITIONS THAT MAY BE INCLUDED IN A BED AND BREAKFAST/VACATION RENTAL CUP

OWNER: John K. Morgan

LOCATION OF PROPERTY: 13201 RR 12 Wimberley TX 78676

LEGAL DESCRIPTION: A0461 Amasa Turner Survey

PLANNING AREA: 111 PRESENT ZONING: R-2

EXISTING USE: Previously a long-term rental but was damaged by 2015 flood

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

SHARED FACILITIES (RIVER PARK, POOL, ETC.): N/A

PROPERTY IN FLOODPLAIN? ☒ YES ☐ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

USE TO BE GRANTED: Bed & Breakfast OR ☒ Vacation Rental

NEW CONSTRUCTION: (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules, and regulations.

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will always be harmonious and compatible with surrounding uses

OFF-STREET PARKING: All parking will be off-street. 4 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8 guests. Parking will be in these spaces only.

SIGNAGE: All signage will be of traditional "Hill Country" design and will comply with the City Sign Ordinance.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties are permitted.

NUMBER OF BEDROOMS: 3 PROPOSED MAXIMUM OCCUPANCY: 8 guests.

Forms & Applications October 2021 3

OCCUPANT REGULATIONS AND GUIDELINES: Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests.

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will always be adequate for the maximum occupancy.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the Blanco ~~River~~/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason.

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner-occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive, and pass on to owner any complaints received and at owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall actively always supervise and manage the property that it is used as a bed and breakfast facility.

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be always maintained in good condition.

REVOCATION: The cup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

ACCEPTED AND AGREED TO:

John K. Morgan
OWNER SIGNATURE

John K. Morgan
PRINT NAME

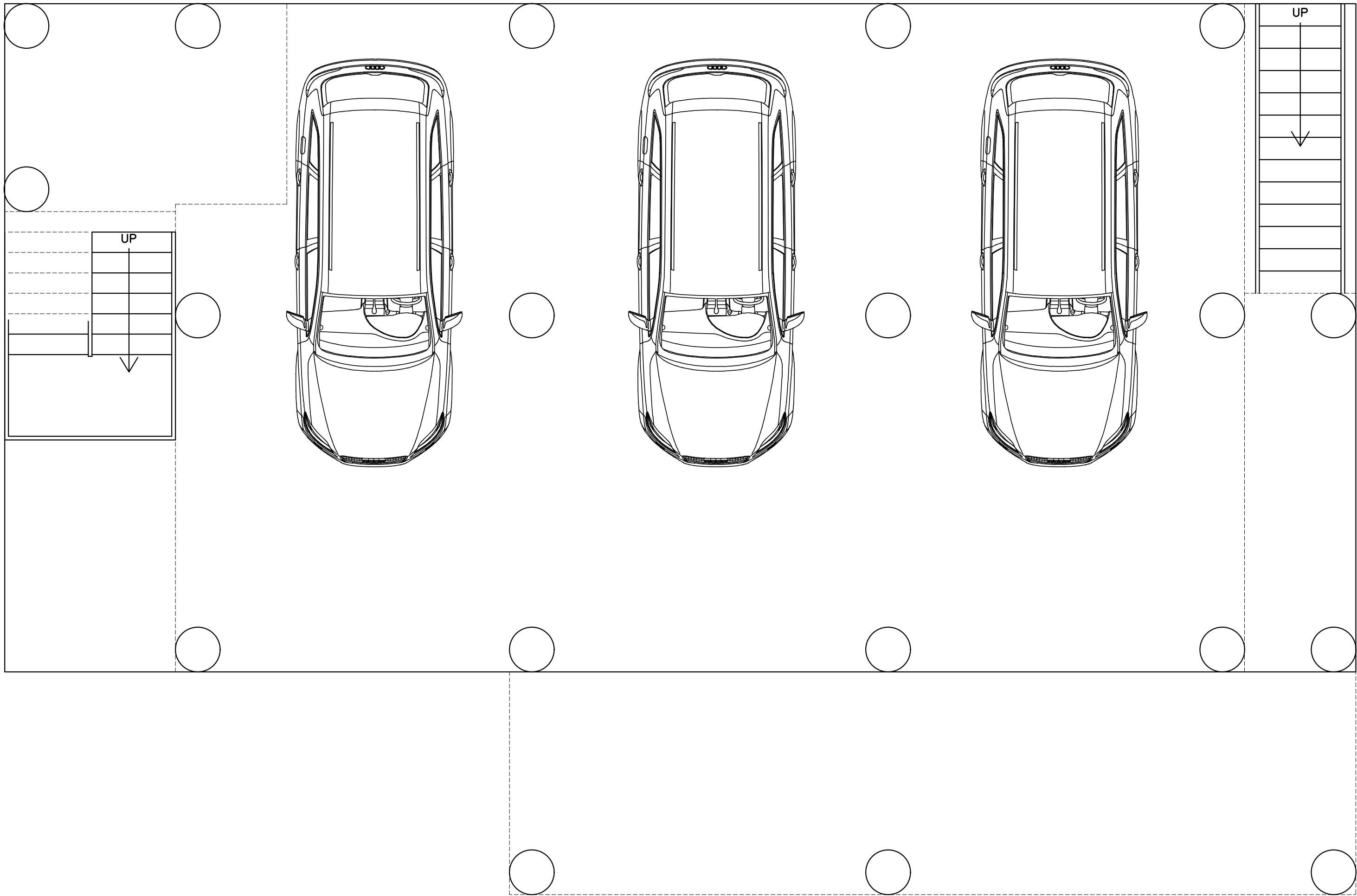
12/16/21
DATE

OWNER SIGNATURE

PRINT NAME

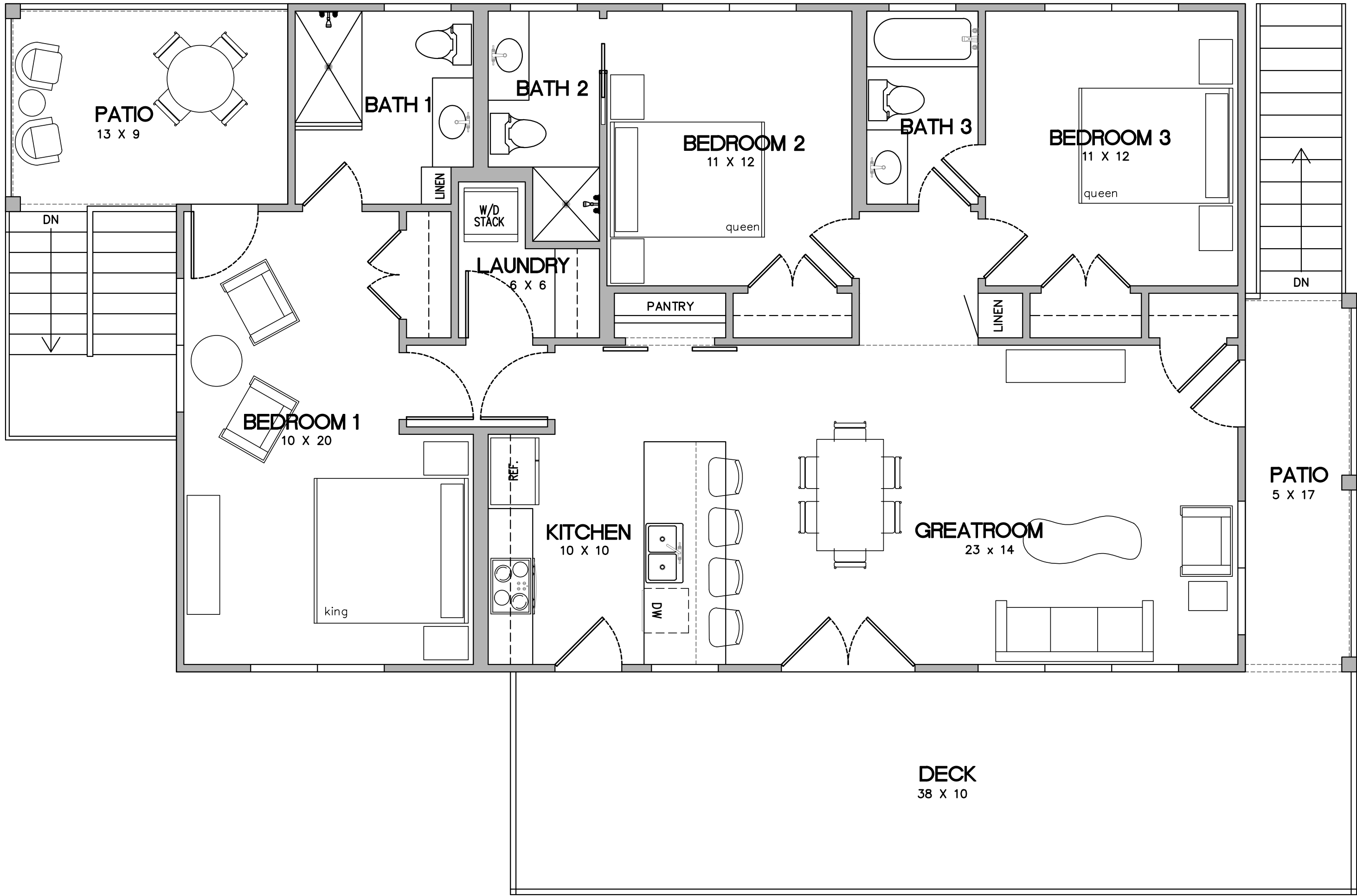
DATE

Forms & Applications October 2021 4



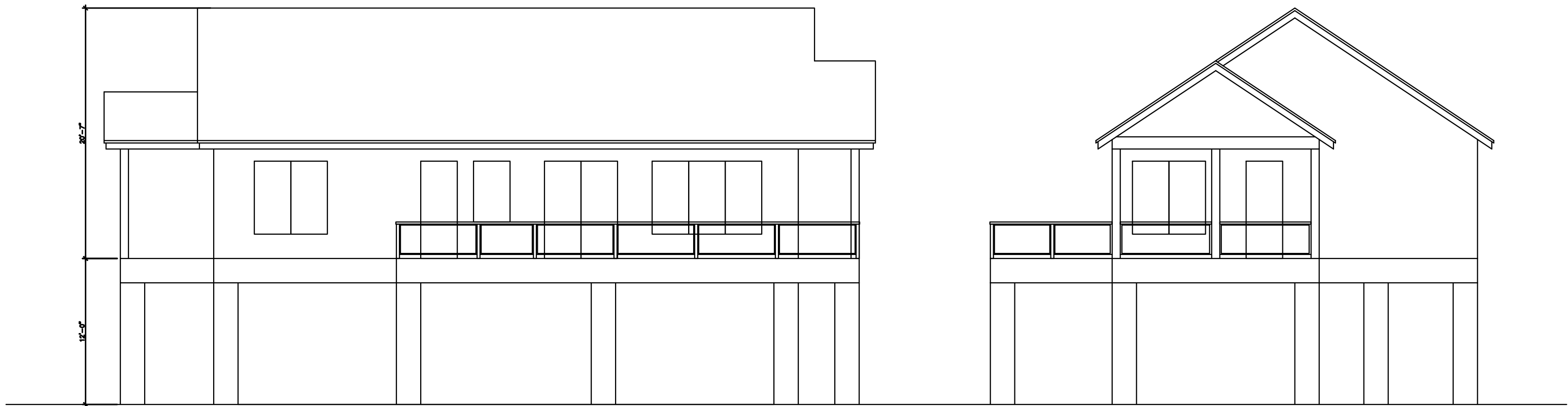
LOWER LEVEL

SCALE: 1/4" = 1'-0"



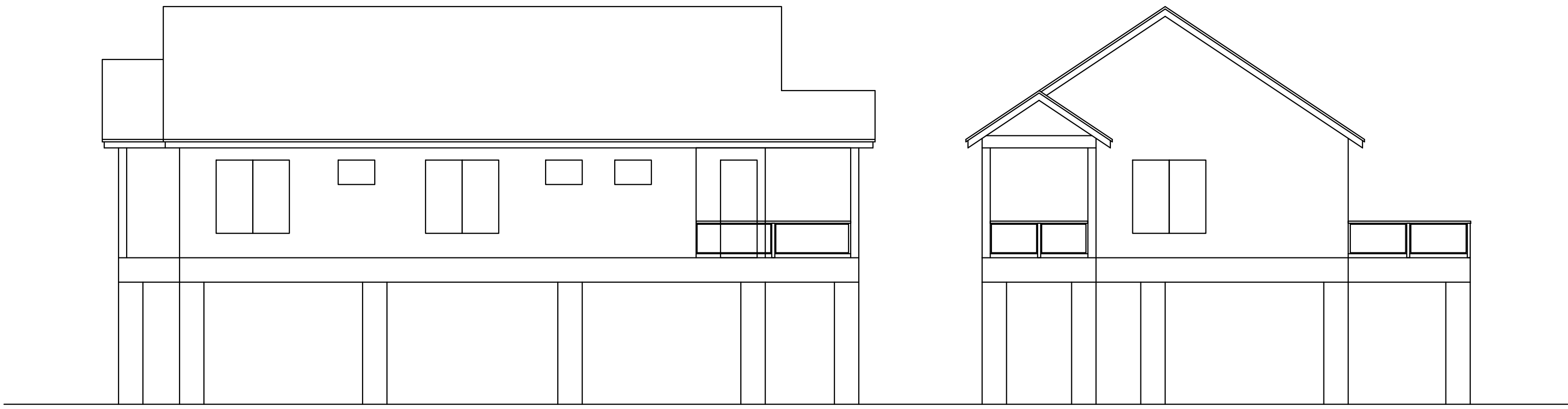
MAIN LEVEL

SCALE: 1/4" = 1'-0"



PRELIMINARY ELEVATIONS

SCALE: 1/8" = 1'-0"



Estrada
Design & Co.

Estrada Design & Co.
830 - 481 - 4739
nathan@estradadesignco.com
P.O. Box 312422
New Braunfels, Tx. 78131

H O M E P L A N S F O R
MORGAN RIVERSIDE HOUSE
13201 RANCH ROAD 12
WIMBERLEY, TX 78676

A1
12/16/21

PRELIMINARY HOME PLANS FOR

MORGAN RIVERSIDE HOUSE

13201 RANCH ROAD 12
WIMBERLEY, TX 78676



Estrada
Design & Co.

Estrada Design & Co.
830-481-4739
nathan@estradadesignco.com
P.O. Box 312422
New Braunfels, Tx. 78131

H O M E P L A N S F O R
MORGAN RIVERSIDE HOUSE
13201 RANCH ROAD 12
WIMBERLEY, TX 78676

A0
12/16/21

December 15th, 2021

Dear Planning and Development Department,

The existing construction on ~~13201~~¹³²⁸⁵ RR 12 was damaged by the flood in 2015. We looked into the option of restoring the house but concluded it would be a more worthwhile project to take it down and rebuild a new construction that is elevated in accordance with FEMA guidelines.

The proposed new construction would be a single story elevated 1,395 square foot home with 3 bedrooms. This property has been in our family since the 70's and we hope to continue to enjoy it for generations to come. To offset the new construction costs we'd like to use the property as a short term rental as well as a place for our own small family gatherings.

We will need to apply and build a new septic system as we are out of limits to get onto the city's wastewater service. It will need to be an aerobic spray but we are waiting to see if our site plan is approved before designing the system.

Thank you for your consideration,

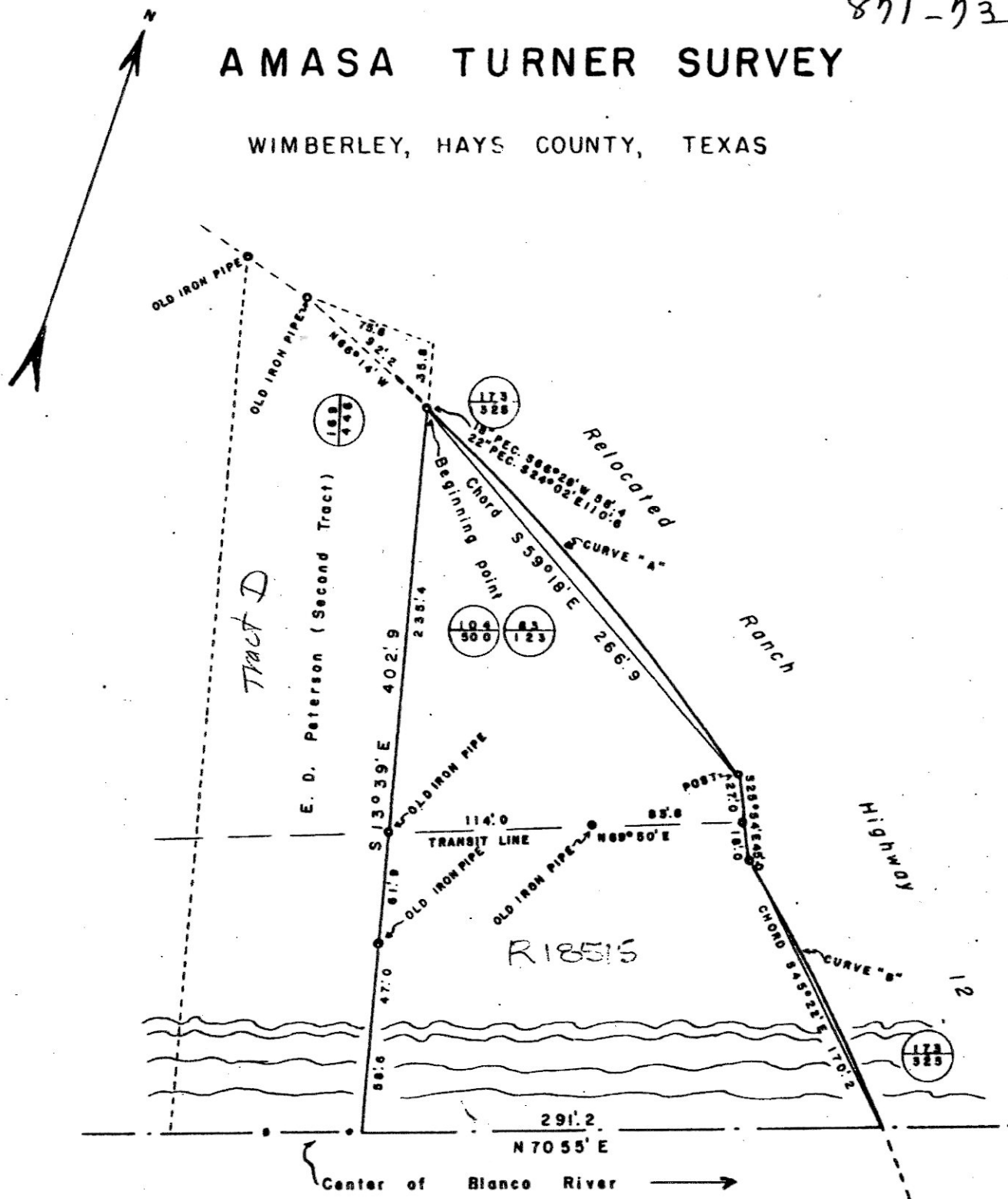
Johanna Morgan Cromwell,
on behalf of John K. Morgan

254
~~864~~
 871-73

PART OF

AMASA TURNER SURVEY

WIMBERLEY, HAYS COUNTY, TEXAS



Surveyor's Notes —

o = Iron Pipe

Scale —

1 in. = 80 ft.

Curve "A"

I = 84°34'

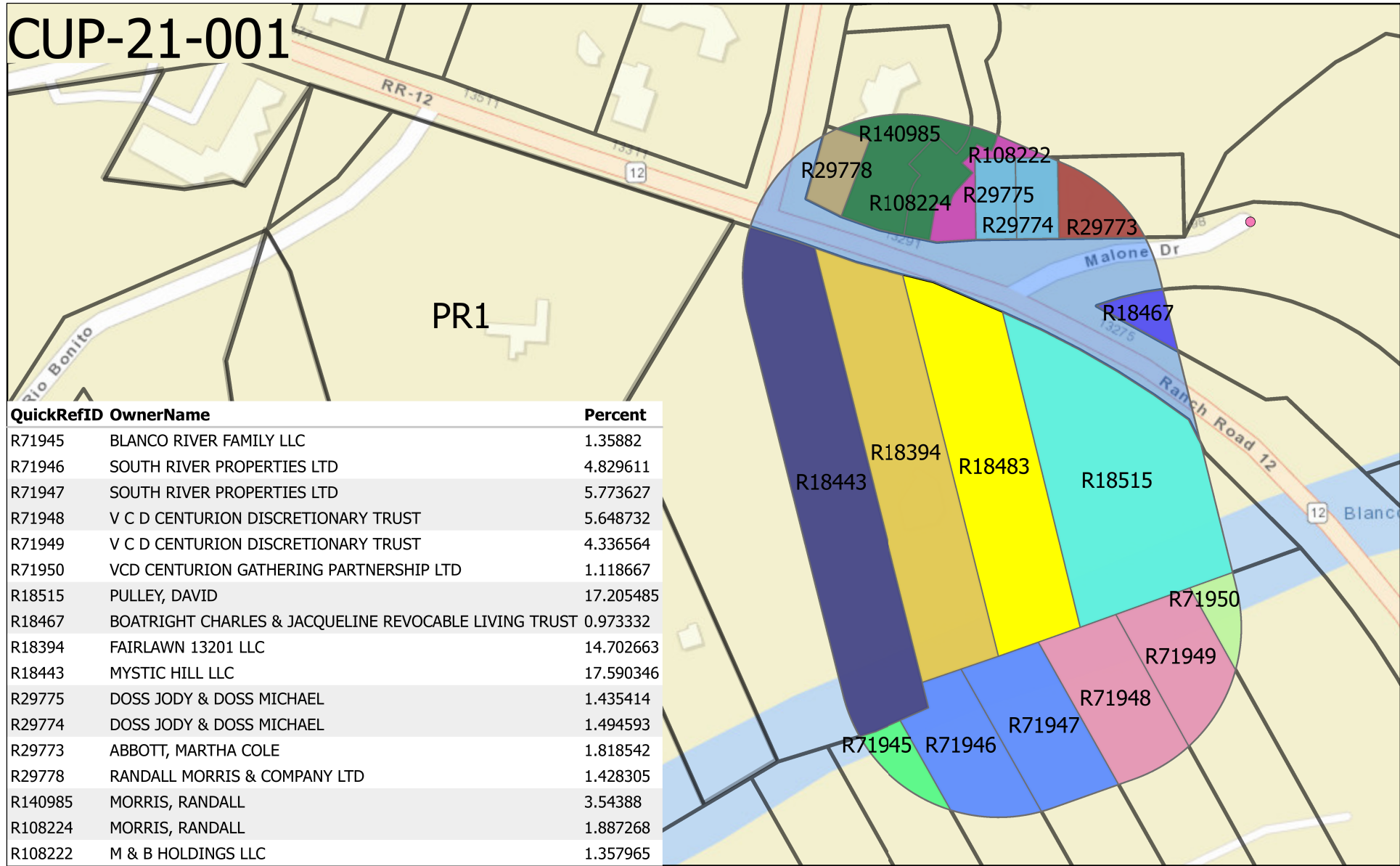
D = 5°

R = 1116.0

A map of a survey made by me
 on January 24, 1959:

Don Cude
 DON CUDE, REGISTERED
 PUBLIC SURVEYOR NO. 364

CUP-21-001

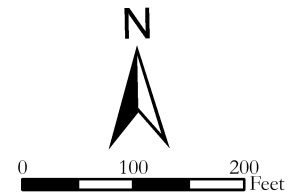


200' Notification Map

© OpenStreetMap (and) contributors, CC-BY-SA, City of Wimberley, Comal County, Esri, HERE, Garmin, INCREMENT P, NGA, USGS HaysCAD
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

2022

Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



ORDINANCE NO. 2022-XX

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY JOHANNA CROMWELL TO PERMIT THE OPERATION OF A VACATION RENTAL (STR2) ON PROPERTY LOCATED AT 13285 RANCH ROAD 12, WIMBERLEY, TEXAS, ZONED SINGLE-FAMILY RESIDENTIAL 2 (R-2); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit (“CUP”) has been filed by Johanna Cromwell (“Applicant”) requesting authorization to operate a vacation rental (STR2) on real property described as 1.13 acres out of the Amasa Turner Survey, Abstract 461, zoned Single-family residential 2 (R-2); and

WHEREAS, a vacation rental (STR2) is an authorized use in areas zoned Single-family residential 2 (R-2) upon approval of a CUP;

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, the City Council conducted a public hearing on the CUP wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the use of the subject property as a vacation rental (STR2) facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Johanna Cromwell (“Applicant”) for use as a vacation rental (STR2) on real property, described as 1.13 acres out of the Amasa Turner Survey, Abstract 461, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Single-family residential 2 (R-2), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. CUP shall substantially comply with Application as submitted.
2. No organized outside activities shall be allowed on the property after 10 p.m.

City of Wimberley, Texas

3. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
4. The grounds outside the residence shall remain free of litter and trash at all times.
5. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
6. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
7. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
8. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
9. A copy of the requirements set forth in the CUP shall be made available to all guests.
10. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
11. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
12. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
13. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months after the issuance of a certificate of occupancy. The burden shall be on the property owner to prove that use of the property has been in continuous use.

14. The owner of the property or the owner's agent, which may be a vacation rental agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
15. Should an operating permit for vacation rental facilities be established by the City in the future, the owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.
16. The owner of the property or the owner's agent, which may be a vacation rental agency, shall notify each renter that the subject property is located within a FEMA designated special flood hazard area.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. 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 or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability 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.

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. 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 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, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 17th day of February, 2022 by a vote of __ (Ayes) and __ (Nays) and __ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

Laura Calcote, City Secretary



APPROVED AS TO FORM:

City Attorney



AGENDA ITEM:	CUP-22-003 Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	January 18, 2021
MEETING DATE:	February 10, 2022 (P&Z) / February 17, 2022 (City Council)

REPORT

ITEM

The owners of 40 La Buena Vista Dr are requesting a Conditional Use Permit (CUP) to allow for the operation of a Vacation Rental (STR2). There is one main house plus a studio building and pool on 1.9 acres of property. The applicants are proposing 3 bedrooms and a maximum of 6 guest and 6 parking spaces. This property utilizes on-site septic facilities with the capacity for the request.

PROPERTY INFORMATION

Property Description

Applicant(s):	Robert & Brandy Fox
Property Address:	40 La Buena Vista Dr.
Property Owner:	Robert Fox
Legal Description:	Robert S Rankin Survey Abstract 390
Property Size:	1.9 Acres
Existing Use of Property:	Single-Family Residential
Existing Zoning:	Single-Family Residential - 2
Shared Infrastructure	None
Request:	Operate a Vacation Rental (STR2)
Planning Area:	II
Overlay District:	None

Surrounding Property:

Frontage: La Buena Vista

Surrounding Zoning & Land Use

North of Property

Current Zoning:
ETJ

Existing Land Use:
Residential

South of Property	R2	Residential
East of Property	R1	Residential
West of Property	R2	Residential

COMMENTS

Staff has received 5 letters of opposition. Two were from one adjacent property that makes up 6.98% of land area within 200' of the subject property. Staff also received one letter of support from an adjacent neighbor.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): January 27, 2022
Published Legal Notice (Wimberley View): January 27, 2022

RECOMMENDATION

Planning & Zoning Commission considered this item at their February 10th, 2022, meeting. They recommended (5-0-1) to deny this application due to the neighbor opposition and the potential for the character of the neighborhood to change if short term rentals are introduced.

CRITERIA FOR CONSIDERATION

When considering action on a zoning application, the Council should consider the criteria within the Code of Ordinances Sec.9.03.251(b)

Possible Motions can include:

- Motion to approve CUP-22-003
- Motion to approve CUP-22-003 with the following conditions (list all conditions)
- Motion to deny CUP-22-003

ATTACHMENT/S

- Letters of Opposition
- Application
- Notification Map
- Ordinance



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: 1/18/22 CUP - 22 - 003 Staff Review 1/25/22
P&Z Hearing: 2/10/22 Council Hearing: 2/17/22 Fees Paid (\$650): ☒ N.G.

Applicant: ROBERT FOX & BRANDY FOX
Mailing Address: 40 LA BUENA VISTA City: WIMBERLEY State: TX Zip: 78676
Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: ROBERT FOX
Mailing Address: 40 LA BUENA VISTA DR. City: WIMBERLEY State: TX Zip: 78676
Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 40 LA BUENA VISTA DR.

Legal description: A0390 ROBERT RANKIN SURVEY, ACRES 1.9

Total Acreage or Square Footage: 1.9 ACRES Deed recorded in: HAYS COUNTY

Hays CAD Parcel ID R- 17538 Planning Area: II Zoning: R24 NONE
SEE EXHIBIT A

Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____

SPECIFIC CONDITIONAL USE REQUEST: SHORT TERM RENTAL

Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

UTILITIES

Electric Provider: PEC

Water provider or Private Well: WIMBERLEY WATER SUPPLY

Wastewater Service or Septic Permit No. 2021-24

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

- ☒ Complete "Conditional Use Permit Application"
- ☒ Metes and bounds description and/or survey exhibit
- ☒ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences
- ☒ Copy of the Original Deed(s)
- ☒ Payment of application fee (credit card payments, checks/money orders, cash exact change only)
- ☐ Agent authorization to represent property owner if applicable

MY REQUEST IS BASED ON THE FOLLOWING:

- The use is harmonious and compatible with surrounding existing uses or proposed uses and does not adversely affect an adjoining site than would a permitted use.
- The use requested by the applicant is set forth as a conditional use in the base district.
- The nature of the use is reasonable.
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

Applicant's Signature: _____

Robert Fry
B. J. [Signature]

Date: _____

1/19/21
1/19/21

Forms & Applications October 2021 2

ADDITIONAL QUESTIONS AND LIST OF CONDITIONS THAT MAY BE INCLUDED IN A BED AND BREAKFAST/VACATION RENTAL CUP

OWNER: ROBERT FOX

LOCATION OF PROPERTY: 40 LA BOWLA VISTA DR.

LEGAL DESCRIPTION: A03 90 ROBERT RANKIN SURVEY, ACRES 1.9

PLANNING AREA: II PRESENT ZONING: SEE AN EXHIBIT A

EXISTING USE: SFR

HOMEOWNERS ASSOCIATION CONTACT INFO: NONE

SHARED FACILITIES (RIVER PARK, POOL, ETC.): NONE

PROPERTY IN FLOODPLAIN? ☐ YES ☒ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

USE TO BE GRANTED: Bed & Breakfast OR ☒ Vacation Rental

NEW CONSTRUCTION: (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules, and regulations.

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will always be harmonious and compatible with surrounding uses

OFF-STREET PARKING: All parking will be off-street. N/A Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 6 ~~8~~ guests. Parking will be in these spaces only. NO OFF-STREET PARKING, ALL PARKING WILL BE ON PROPERTY.

SIGNAGE: All signage will be of traditional "Hill Country" design and will comply with the City Sign Ordinance.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties are permitted.

NUMBER OF BEDROOMS: BM 3 **PROPOSED MAXIMUM OCCUPANCY:** 6 ~~8~~ guests.

Forms & Applications October 2021 3

OCCUPANT REGULATIONS AND GUIDELINES: Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests.

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will always be adequate for the maximum occupancy.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the N/A River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason.

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner-occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive, and pass on to owner any complaints received and at owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall actively always supervise and manage the property that it is used as a bed and breakfast facility.

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be always maintained in good condition.

REVOCATION: The cup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

ACCEPTED AND AGREED TO:


OWNER SIGNATURE

Robert Fox
PRINT NAME

11/19/21
DATE


OWNER SIGNATURE

Brandon Fox
PRINT NAME

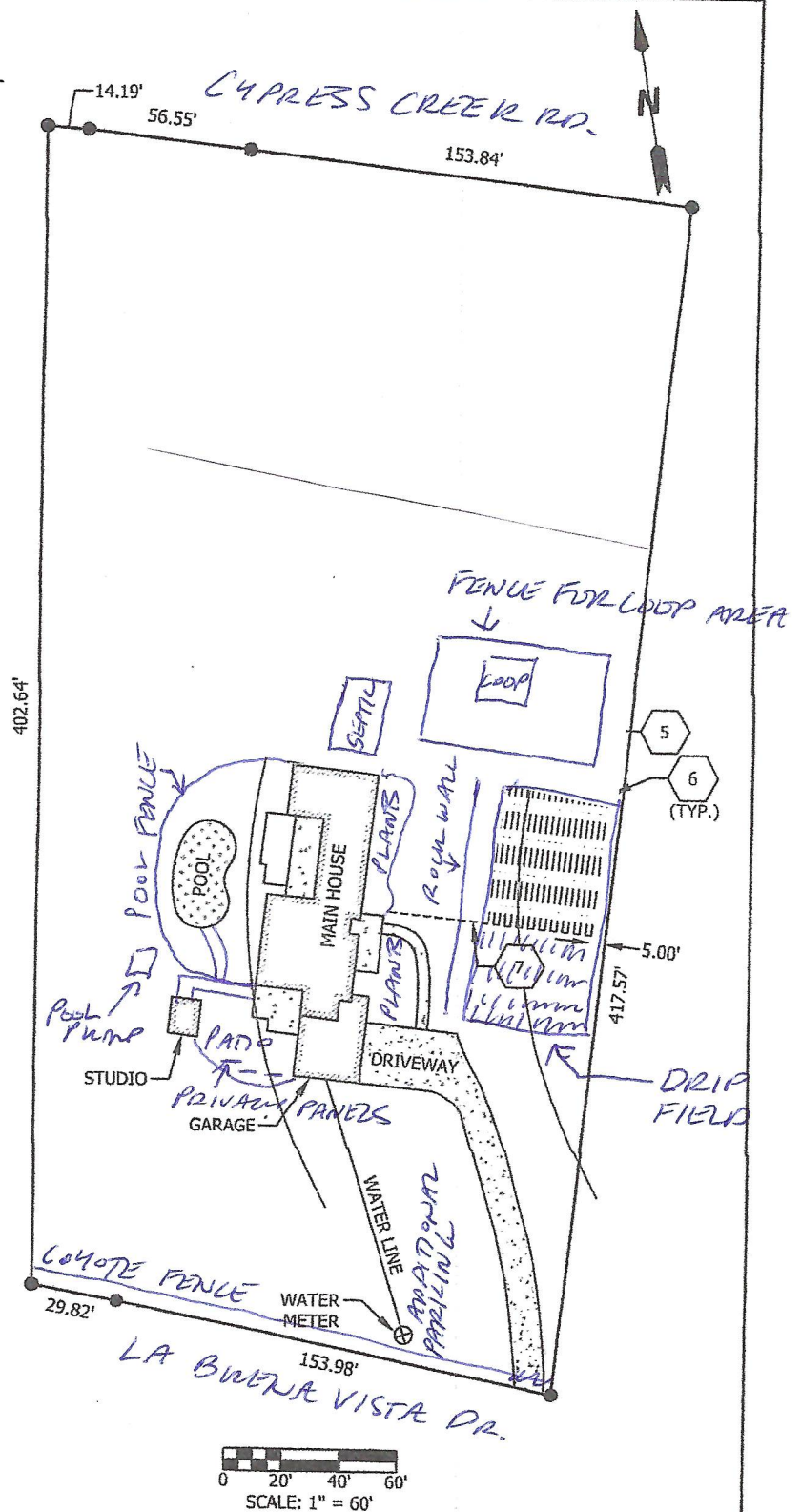
11/19/21
DATE

SYSTEM COMPONENTS:

- 1 SEWER LINE WITH TWO-WAY CLEANOUT
- 2 NUWATER B-800 ATU
- 3 DRIP FIELD SUPPLY LINE
- 4 DRIP FIELD RETURN LINE
- 5 VACUUM BREAKERS ON SUPPLY AND RETURN LINES
- 6 DRIP TUBING CONNECTION (TYP.)
- 7 DRIP TUBING:
 - 36 LINES AT 50' EACH, SPACED 2' APART
 - 6 CONNECTIONS EACH ON SUPPLY AND RETURN LINES
 - 5' MINIMUM SET BACK FROM ALL PROPERTY LINES.

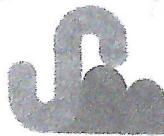
NOTES:

1. RISERS TO GRADE ON ALL ACCESS PORTS.
2. PLANS MAY VARY SLIGHTLY BASED ON CONDITIONS FOUND IN THE FIELD.
3. ALL SEPARATIONS AND SETBACK REQUIREMENTS AS STATED IN CH. 285, TCEQ ON-SITE SEWAGE FACILITIES MUST BE MAINTAINED.



SMITH SEPTIC DESIGN
AND CONSULTATION

202 Reimer Ave
San Marcos, TX 78666
512-644-6980
smithsepticdesign@gmail.com

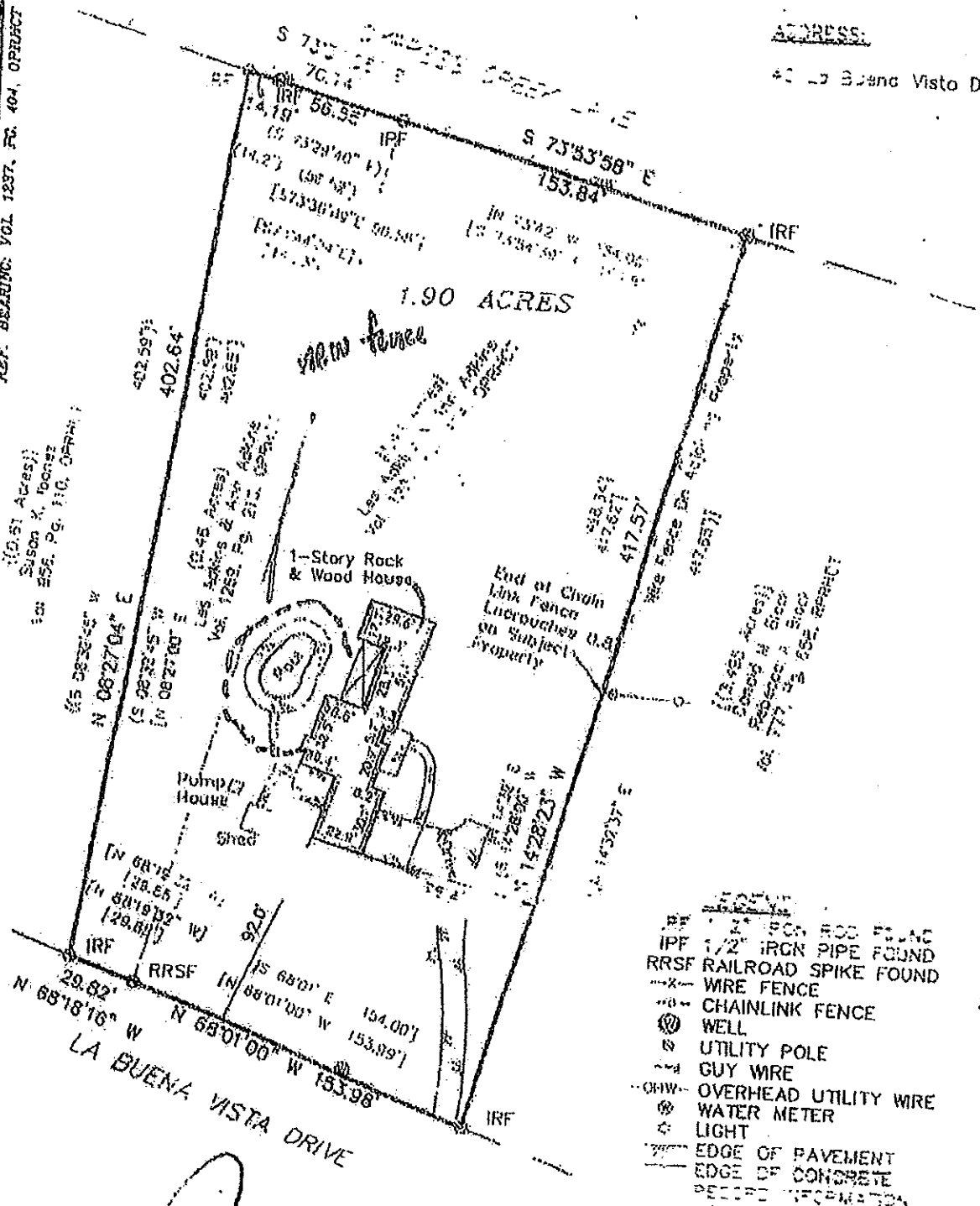


CUSTOMER	Brandy Fox	TITLE	SEPTIC PLAN	SCALE	1" = 60'	DATE	6/28/2021
SITE ADDRESS	40 La Buena Vista Dr Wimberley, TX			PROJECT No.	0292	SHEET No.	1 of 1

REF. BEARING: VOL 1297, FS. 404, OBJECT

ADDRESS:

42 - 3990 Visto Drive



Kimberly J. Cui 1/15/10



PF 1/2" IRON PIPE FOUND
RRSF RAILROAD SPIKE FOUND
---X--- WIRE FENCE
⊗ CHAINLINK FENCE
⊗ WELL
⊗ UTILITY POLE
---GUY--- GUY WIRE
---OHW--- OVERHEAD UTILITY WIRE
⊗ WATER METER
⊗ LIGHT
---EDGE OF PAVEMENT
---EDGE OF CONCRETE

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

STATE OF TEXAS
COUNTY OF HAYS

1.90 ACRES
R. S. RANKIN SURVEY
NO. 65, A-390

DESCRIPTION

DESCRIPTION OF A 1.90 ACRES TRACT OUT OF THE R. S. RANKIN SURVEY NO. 65, A-390, HAYS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CALLED TO BE 1.44 ACRES, DESCRIBED IN A DEED TO LES ADKINS AND ANN ADKINS, OF RECORD IN VOLUME 123, PAGE 404, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CALLED TO BE 0.46 ACRES, DESCRIBED IN A DEED TO LES ADKINS AND ANN ADKINS, OF RECORD IN VOLUME 1269, PAGE 210, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 1.90 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the north line of La Buena Vista Drive for the southwest corner of a tract of land called to be 3.495 acres, described in a deed to Donald M. Black and Rebecca A. Black, of record in Volume 777, Page 658, of the Real Property Records of Hays County, Texas, same being the southeast corner of said 1.44 acre tract, and the southeast corner of the herein described tract;

THENCE, with the north line of said La Buena Vista Drive, the following two (2) courses:

- 1) N 68° 01' 00" W, 153.98 feet to a rail road spike found for the southwest corner of said 1.44 acre tract, and the southeast corner of said 0.46 acre tract;
- 2) N 68° 18' 16" W, 29.82 feet to a 1/2 inch iron rod found for the southeast corner of a tract of land called to be 0.61 acres, described in a deed to Susan K. Ibanez, of record in Volume 956, Page 110, of the Official Public Records of Hays County, Texas, same being the southwest corner of said 0.46 acre tract, and the southwest corner of the herein described tract;

THENCE, N 68° 27' 04" E, with the west line of said 0.46 acre tract and the east line of said 0.61 acre tract, 402.04 feet to a 1/2 inch iron rod found in the south line of Cypress Creek Lane, for the northeast corner of said 0.61 acre tract, same being the northwest corner of said 0.46 acre tract, and the northwest corner of the herein described tract;

THENCE, with the south line of said Cypress Creek Lane, the following two (2) courses:

- 1) S 72° 37' 28" E, 70.74 feet to a 1/2 inch iron pipe found for the northeast corner of said 0.46 acre tract, same being the northwest corner of said 1.44 acre tract;
- 2) S 73° 53' 58" E, 153.84 feet to a 1/2 inch iron rod found for the northwest corner of said 3.495 acre tract, same being the northeast corner of said 1.44 acre tract, and the northwest corner of the herein described tract;

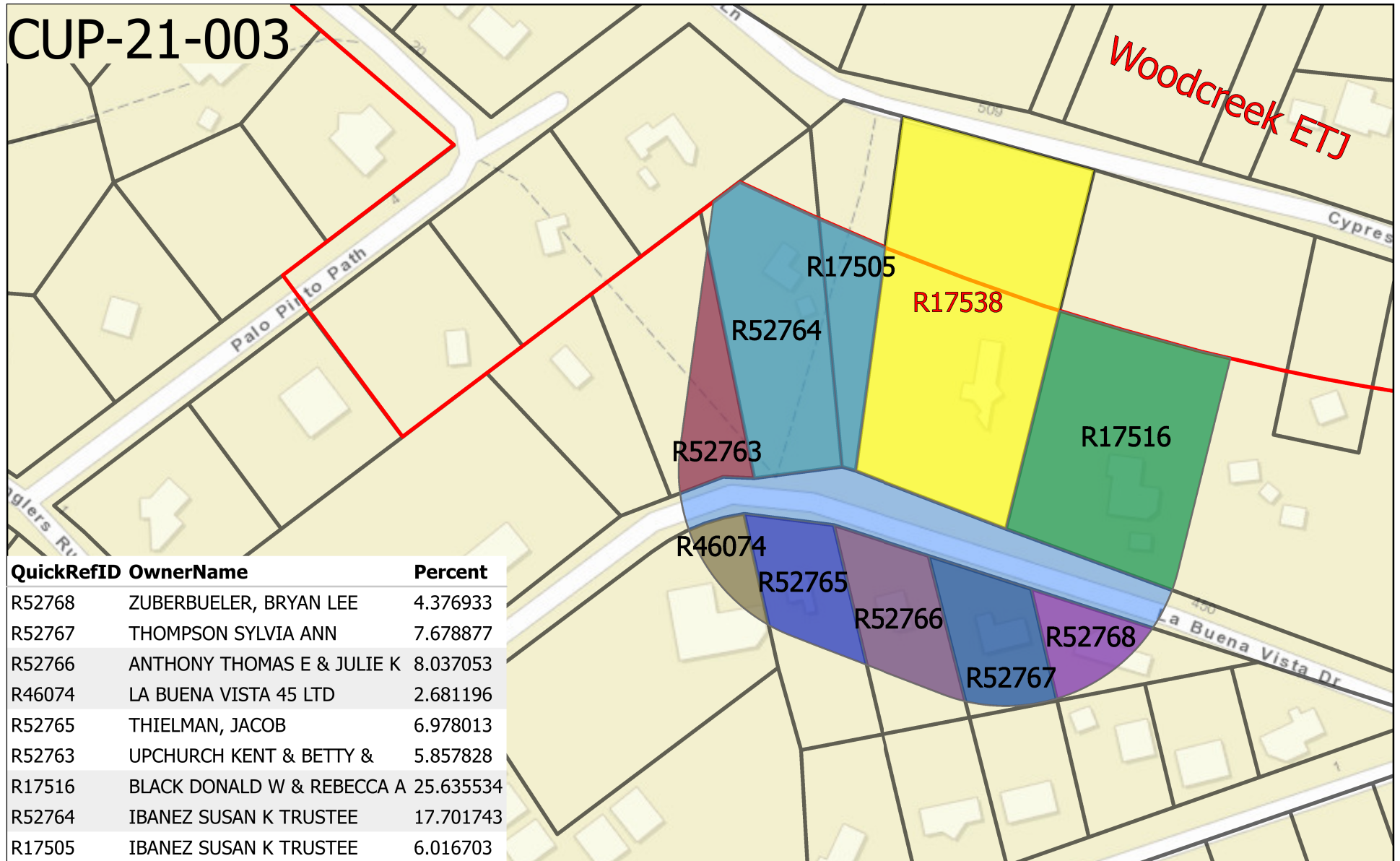
THENCE, S 14° 28' 23" W, with the east line of said 1.44 acre tract and the west line of said 3.495 acre tract, 417.57 feet to the POINT OF BEGINNING containing 1.90 acres of land within these metes and bounds.

Surveyed by: Stuart Surveying
P.O. Box 1273
Dripping Springs, Texas 78620
512-858-2236

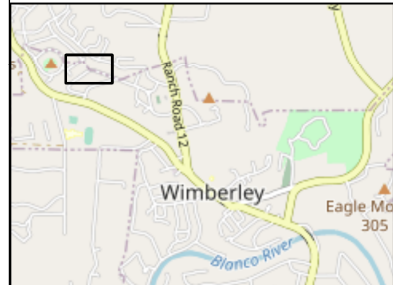
Thomas E. Stuart Registered Professional Land Surveyor No. 5414



CUP-21-003



QuickRefID	OwnerName	Percent
R52768	ZUBERBUELER, BRYAN LEE	4.376933
R52767	THOMPSON SYLVIA ANN	7.678877
R52766	ANTHONY THOMAS E & JULIE K	8.037053
R46074	LA BUENA VISTA 45 LTD	2.681196
R52765	THIELMAN, JACOB	6.978013
R52763	UPCHURCH KENT & BETTY &	5.857828
R17516	BLACK DONALD W & REBECCA A	25.635534
R52764	IBANEZ SUSAN K TRUSTEE	17.701743
R17505	IBANEZ SUSAN K TRUSTEE	6.016703

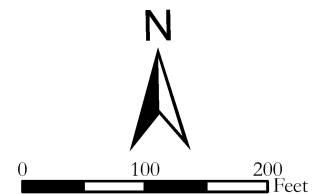


200' Notification Map

© OpenStreetMap (and) contributors, CC-BY-SA, City of Wimberley, Comal County, Esri, HERE, Garmin, INCREMENT P, NGA, USGS HaysCAD
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

2022

Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



CUP permit for 40 La Buena Vista Dr.

Jake Thielman <jake.thielman@gmail.com>

Thu 2/10/2022 11:07 AM

To: Nathaniel Glaiser <nglaiser@cityofwimberley.com>

I am writing in reference to the Conditional Use Permit to operate a Vacation Rental at 40 La Buena Vista Drive in Wimberley.

My name is Jake Thielman and I live across the street with my family and I received a letter requesting input on the matter.

The owners of the home at 40 La Buena Vista have expressed that they are moving out of state and planning to turn their home into a short term rental, with the plan of building more tiny homes on the property in the future. I think almost any neighborhood would be concerned about changing a traditional single family home into a business. Having different groups of customers coming and going every day rather than a traditional resident is a big change to the neighborhood. I am especially concerned being that I am a Firefighter and work 24 hour shifts. My family built our home in this neighborhood, next to the Montessori elementary, not in a hotel district. It is concerning to me that when I leave for work, I have no idea what group of strangers will be staying next door to my wife and children while I'm gone.

I am also concerned that having out of state ownership of a short term rental in the middle of a neighborhood will pose issues. The owners will not have direct contact with any neighbors or customers and thus will not be invested in the community. Profits from the business are going out of state and the owners will not be around to address any issues created.

This permit is being considered while the home on one side is vacant having just been sold and the new family hasn't moved in yet. The home across the street had the same family for 15 plus years and is currently being remodeled and is almost ready for a new family to move in, but is vacant. Thus the new neighbors will likely not have any chance for input on this application. I would anticipate that the families moving into these homes will be very surprised to see that they no longer have a neighbor but a business next door, with the business owner living in Michigan.

Please consider these issues and not issue this permit at 40 La Buena Vista. Although short term rentals are really great in many ways, this isn't a good spot for one.

Please feel free to contact me as needed.

Jake Thielman
Jake.thielman@gmail.com
512-665-6964

Sent from my iPhone

Request for CUP at 40 La Buena Vista Dr.

Amanda Zehnder <amanda.zehnder@gmail.com>

Wed 2/9/2022 5:33 PM

To: Nathaniel Glaiser <nglaiser@cityofwimberley.com>

Cc: ICE Jake Thielman <jake.thielman@gmail.com>

My name is Amanda Zehnder. I reside with my husband, Jacob Thielman and child at 41 La Buena Vista Drive in Wimberley.

I am writing in reference to the Conditional Use Permit to operate a Vacation Rental at 40 La Buena Vista Drive in Wimberley.

Mrs. Fox has told me since moving into our new home(August 2021) that the back section of her property was not within the City Limits and not subject to zoning restrictions imposed by the City of Wimberley. She mentioned building "tiny houses" and renting them out on the back side of her property that opens to Cypress Creek. Subsequently, her family put in a large septic tank, which I assumed was to support the needs of the tiny homes she spoke of building. In December Mrs. Fox told me of her family's plans to move to Michigan at the close of the school year.

A couple of weeks ago while walking my dogs I ran into Mrs. Fox and she said they were going to submit a request for a Conditional Use Permit to operate a vacation rental for their home. I asked at that time if she was going to build the tiny homes in the back and she indicated she was not. Instead, she was wanting to use her primary residence on the property as a "vacation rental" with an entrance on La Buena Vista Dr. She also mentioned that if she were to sell her home that this would convey with the sale. I was indifferent with tiny homes going into the back side of her property because I was under the assumption that it was unrestricted and she was able to use it for whatever she wished and that I had no input in the matter.

However, the zoning for the front part of the property and the main home are of consequence to my family and myself, and it would be my desire to see this property remain a family home with either owners or long term renters (those being vetted) residing in it. I have no bias against short term renters as a "group" in general, but they are not vetted and I do not feel comfortable in such a secluded part of the neighborhood with a host of random strangers staying across the street. My husband is a firefighter at the City of Austin and I am alone a minimum of one-third of the time with my young son in the home. Mrs. Fox indicated that IF there were problems then her permit would not be renewed and it would be a non issue. Yet, the Fox family is moving out of state and there is no department in the City that monitors Short Term Vacation Rentals. This would lead to our having to "police" the area to report if there were issues. Their home and swimming pool are in direct view of our front door and window. It is a large home and I would assume that parties renting their home would be large in number and not individuals.

Furthermore, the property directly connected to the Fox property was just bought by investors and the property next door is not owner occupied, but it is currently available for long term rental. My concern is that if the City of Wimberley grants this Conditional Use Permit that it opens the door for our end of La Buena Vista to become an open ground for investors looking to provide short term rentals, thereby minimizing the integrity of our "neighborhood." The Fox family will effectively become out of state investors in a short term rental in Wimberley. They have lived here only a few years and will no longer be a part of the "community." I also have reservations that they will sell to investors who will build the tiny homes and the increased traffic and noise on our already overcrowded streets will interfere with our daily living. We regularly walk to town and walk our dogs and there are no sidewalks or shoulders to accomodate us safely when there is an abundance of traffic from the schools or school events. We also have a Montessori school in the neighborhood.

We sold our long term home in San Marcos to purchase this property from a former co-worker of my husband's when he coached at Wimberley High School. We were told this was a great neighborhood to raise our children in with its location and proximity to the school and town allowing us easy access to the community and events that take place therein. We are very involved in many activities in the community and are grateful to be close and have our child feel included in the community. Our decision to purchase property and build at this location would have been different had we been surrounded by short term rentals.

We like the idea of living in a neighborhood. We like to know who lives around us. We have animals and children and familiarity is of great importance. We have always had wonderful relationships with our neighbors. I like the comfort of knowing who lives around us and being able to reach out to them and vice versa. I don't know the economic impact of a short term rental on our property. I have not researched it and wouldn't even hazard a guess, especially in this market. My concerns are all directly related to the inherent properties of a short term rental and their negative impact on the security of my family in our home and the soundness of our neighborhood. We invested a lot of money, time, and energy into building a home that would be great for my son to grow up in and complete his time at Wimberley ISD. He is currently a fifth grader and we have no intentions on uprooting him. We are invested in the neighborhood and community.

I apologize for my wordiness. I know I rambled on quite a bit as I tried to recount my understanding of how everything unfolded. There is some animosity on the part of my neighbors towards us regarding this matter, so I wanted to be as accurate as possible.

Thank you for your consideration.

Nathaniel Glaiser

From: Mary Ann DeLeon <madeleon23@icloud.com>
Sent: Thursday, February 10, 2022 5:03 PM
To: Nathaniel Glaiser
Subject: Agenda item CUP-22-003 vacation rental (STR2)

Follow Up Flag: Follow up
Flag Status: Completed

Please accept this email as my letter of opposition in regards to Robert & Brandy Fox's Agenda item CUP-22-003 vacation rental (STR2).

I have lived on La Buena Vista Dr. for the past 25 years and have seen lots of growth in our little neighborhood. We would like to keep it as a family neighborhood and not add any vacation rentals to it.

Sent from my iPhone

311 La Buena Bista Dr. app. for CUP

Anne McFadden <anmac29@icloud.com>

Mon 2/14/2022 4:08 PM

To: Nathaniel Glaiser <nglaiser@cityofwimberley.com>

I live on Las Flores here in Wimberley and I believe to give that residence a cup would be a big mistake for our neighborhood we're single family here we want to remain that way we don't want strangers coming and going in this neighborhood it's bad enough we have to put up with all the cut through traffic and I firmly protest this application they need to sell the house or a long-term rental thank you.

Anne McFadden
14 Las Flores

Sent from my iPhone

Nathaniel Glaiser

From: Antonio Saucedo <tonysauceda1240@gmail.com>
Sent: Thursday, February 10, 2022 5:12 PM
To: Nathaniel Glaiser
Subject: Agenda Item CUP-22-003 vacation rental

Follow Up Flag: Follow up
Flag Status: Completed

I am opposed to the above agenda item for the property located at 40 La Buena Vista Dr., Wimberley, Tx. I have owned property on La Buena Vista for the past 30 years and I also built several homes in this neighborhood for families to reside in a residential neighborhood.

Tony Saucedo

File #CUP-22-003 40 La Buena Vista

oldblackdonald55@yahoo.com <oldblackdonald55@yahoo.com>

Thu 2/10/2022 6:45 AM

To: Nathaniel Glaiser <nglaiser@cityofwimberley.com>

This correspondence is in reference to the application for change in zoning made by Robert and Brandy Fox. My name is Donald Black, my wife and I have lived at 38 La Buena Vista Drive for the last 32 years. The proposed zoning change is directly next door with adjoining property lines. We met the Fox family on the day that we helped them move in. They have decided to relocate, for personal reasons, but have expressed a desire to retain ownership of their home here in Wimberley.

We have no objection to the proposed zoning change and would like to see them retain ownership of the property. In the 32 years that we have lived at our address, I believe the Fox family are the fifth owners of the property in question. Directly across La Buena Vista is a rent house and my understanding is that the property just west of the Fox address just sold to a investor and will probably end up being a rental also.

Brandy Fox is a realtor and we have been assured that, if the zoning change is approved, the short term rental property will be managed in a responsible manner. Thanks for your consideration of their desire and your service to the city. I can be reached at 512-665-8100 for any additional questions.

ORDINANCE NO. 2022-XX

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY ROBERT & BRANDY FOX TO PERMIT THE OPERATION OF A VACATION RENTAL (STR2) ON PROPERTY LOCATED AT 40 LA BUENA VISTA, WIMBERLEY, TEXAS, ZONED SINGLE-FAMILY RESIDENTIAL 2 (R-2); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit (“CUP”) has been filed by Robert & Brandy Fox (“Applicant”) requesting authorization to operate a vacation rental (STR2) on real property described as 1.9 acres out of the Robert S Rankin Survey, Abstract 390, zoned Single-family residential 2 (R-2); and

WHEREAS, a vacation rental (STR2) is an authorized use in areas zoned Single-family residential 2 (R-2) upon approval of a CUP;

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, the City Council conducted a public hearing on the CUP wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the use of the subject property as a vacation rental (STR2) facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Robert & Brandy Fox (“Applicant”) for use as a vacation rental (STR2) on real property, described as 1.9 acres out of the Robert S Rankin Survey, Abstract 390, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Single-family residential 2 (R-2), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. CUP shall substantially comply with Application as submitted.

2. No organized outside activities shall be allowed on the property after 10 p.m.
3. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
4. The grounds outside the residence shall remain free of litter and trash at all times.
5. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
6. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
7. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
8. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
9. A copy of the requirements set forth in the CUP shall be made available to all guests.
10. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
11. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
12. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
13. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months after the issuance of a certificate of occupancy. The burden shall be on the property owner to prove that use of the property has been in continuous use.

14. The owner of the property or the owner's agent, which may be a vacation rental agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
15. Should an operating permit for vacation rental facilities be established by the City in the future, the owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. 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 or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability 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.

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. 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 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, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 17th day of February, 2022 by a vote of __ (Ayes) and __ (Nays) and __ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

Laura Calcote, City Secretary



APPROVED AS TO FORM:

City Attorney



AGENDA ITEM:	1. Discuss and consider possible action regarding the City of Wimberley Investment Policy. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	02/09/2022
MEETING DATE:	February 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City of Wimberley is required by State Law (Sec. 2256 of the Texas Local Government Code) to annually review its Investment Policy. The City first adopted an Investment Policy in September 2002, and it has been reviewed each year since then.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

N/A

STAFF RECOMMENDATION

Approval of Investment Policy.

ATTACHMENT/S

1. Investment Policy (amended 02-23-2021)



City of Wimberley
Investment Policy
Last Adopted: February 23, 2021

I. Purpose

The purpose of this document is to establish the investment policies for the management of the public funds of the City of Wimberley, Texas (City). This policy will be reviewed on an annual basis by City Council. At such time, the council will adopt a resolution that (1) states that the investment policy has been reviewed and (2) enumerates the changes to be made to the policy.

These policies are designed to ensure the prudent management of public funds, the availability of operating and capital funds when needed, and an investment return competitive with those of comparable funds and financial market indexes.

A copy of this policy will be provided to all business organizations offering to engage in investment transactions with the City. A qualified representative of the business organization must confirm in writing (1) that this policy has been read and thoroughly reviewed and (2) that reasonable controls have been established to preclude unauthorized investment transactions. The City prior to the firm providing any services must receive this confirmation.

II. Statutory Authority

This policy was adopted in accordance with the Public Funds Investment Act (V.T.C.A., Government Code §2256).

III. Policy Scope

This investment policy applies to all of the financial assets (i.e., cash, bank deposits and securities) of the City. These assets are pooled into a single common investment fund that incorporates the following accounting fund types:

- General fund;
- Special revenue funds; and
- Enterprise funds.

Investments in the City's employee deferred compensation plan are independently managed and are not covered by this policy.

IV. Investment Strategy Statement

It is the City's policy to invest public funds in a manner that meets the following objectives:

- Ensure the suitability of the investment to the financial requirements of the City;
- Ensure preservation and safety of capital;
- Provide sufficient liquidity to meet cash flow needs;
- Ensure the marketability of the investments;
- Provide sufficient diversification; and
- Provide a competitive return on investment.

V. Investment Objectives

The following is a detailed discussion of the City's investment objectives, in priority order:

A. Suitability of Investments

Investments shall be made with the primary focus of having cash available to meet the City's financial requirements. This requires that the City match investment maturities with anticipated expenditures.

B. Preservation and Safety of Capital

Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To achieve this objective it is necessary to minimize credit risk and interest rate risk.

Credit risk is the risk of loss due to failure of the security issuer to pay interest and/or principal in a timely manner. It may be reduced by:

- Limiting investments to the safest types of securities;
- Pre-qualifying the business organizations with which the City will do business; and
- Requiring that investments not insured or guaranteed by the United States Government be fully collateralized.

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. The longer the term, the more tendencies there are for rates to fluctuate. Interest rate risk may be reduced by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity; and
- Investing primarily in shorter-term securities.

Both types of risk may also be controlled through diversification.

C. Liquidity

It is the City's objective that the investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Liquidity is the relative ease with which a security may be converted to cash, typically through sale on the open market. The goals of liquidity and preservation of capital may conflict at times. While a security may be easily converted to cash, the amount of cash received may be less than the amount initially paid due to fluctuations in market value. For that reason, it is important for the portfolio to be structured so that securities mature concurrent with anticipated cash needs, hereby avoiding the need to liquidate investments under adverse market conditions.

D. Marketability of Investments

Marketability is the availability to quickly purchase and sell a security at competitive prices in secondary markets. Some investments, such as Treasury bills, can be sold at any time. Other more exotic instruments may not be much in demand by other investors and, consequently, may be much harder to sell.

Since all possible cash demands cannot be anticipated, the portfolio should consist of securities with active secondary or resale markets. This will ensure that in the event the City must sell a security, a buyer can be readily found.

At all times, selling a security before maturity may produce a loss. With the exception of the following situations, securities shall not be sold at a loss:

- A security with a declining market value could be sold early to minimize loss;
- A security swap would improve the quality, yield, or target duration in the portfolio; or
- Liquidity needs of the portfolio require that a security be sold and all other sales would result in a larger loss.

E. Diversification

The constraints established by this investment policy minimize the City's risk exposure. Through diversification, the City can further limit risk exposure. The City will address diversification in its portfolio by not limiting its exposure to any one type of investment, staggering investment maturities, and using several investment providers.

F. Yield

A fundamental rule of investments is that risk equals return. The City has deliberately established a low risk threshold in order to protect its financial resources and ensure that cash is available when needed. Return on investment is the least important objective of the City's investment program. It is anticipated, however, that the City will still earn a competitive rate of return given the level of risk assumed.

VI. Standard of Care

A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio, not each investment decision. Investment officers acting in accordance with this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that the investment decision was consistent with this written policy.

The "prudent person" standard requires that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived.

B. Ethics and Conflicts of Interest

Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper executing and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from under-taking personal investment transactions with the same individual with which business is conducted on behalf of the City.

C. Delegation of Authority

The City Administrator shall be responsible for ensuring that all of the physical and monetary assets of the City are appropriately safeguarded and controlled and perform any duties of City Treasurer as required by the general laws of the State of Texas. Through the adoption of this policy, the position of City Administrator shall be designated as an investment officer who is responsible for the investment of the City's funds. In the absence of the City Administrator, the Mayor shall have the responsibility for investment decisions and activities. No person may engage in an investment transaction or the management of funds except as provided under the terms of this Investment Policy as approved by the City Council. The investment authority granted to the investment officer is effective until rescinded by the governing body.

The City Administrator shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

D. Training

The City Administrator and Finance Officers shall attend at least one training session related to their respective duties within 24 months of assuming office or duties. This training must include education in investment controls, security risks, strategy risks, market risks and compliance with the Public Funds Investment Act.

The City Administrator shall receive training as required by state law, which is designed to ensure the continued proper performance of their duties under this policy and the Public Funds Investment Act. The City Administrator shall attend an investment training session no less often than once every two fiscal years commencing February 1, 2009 and shall receive not less than 10 hours of instruction relating to investment responsibilities. The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a business organization with whom the City of Wimberley may engage in an investment transaction.

VII. Execution of Security Transactions

A. Authorized Financial Dealers and Institutions

A list will be maintained of the business organizations authorized by the City Council to provide investment services. These may include "primary dealers" or regional dealers that qualify under Securities and Exchange Commission Rule 15C3 1 (uniform net capital rule).

All business organizations desiring to become qualified bidders for investment transactions must supply the following, as appropriate:

- Audited financial statements
- Proof of National Association of Securities Dealers (NASD) certification
- Proof of state registration
- Completed broker/dealer questionnaire
- Certification signed by a qualified representative of the firm, of having read and thoroughly reviewed the City's investment policy and having implemented reasonable procedures and controls in an effort to preclude unauthorized investment transactions. (See Appendix B for an example.)

A qualified representative of a business organization is a person who holds a position with the organization, is authorized to act on behalf of the organization, and who is:

- For organizations regulated or registered with a securities commission, registered under the rules of the National Association of Securities Dealers; or
- For state and national banks and savings banks, a member of the loan committee or authorized by corporate resolution to act on behalf of and bind the banking institution.
- For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment.

The City Administrator shall conduct an annual review of the financial condition and registration of qualified business organizations interested in providing investment services for the City. The City Administrator shall recommend six or more qualified bidders to the City Council, which will then select qualified bidders to provide investment services for the City for the next year.

B. Selection of Investments

The City Administrator shall establish a competitive process for the selection of investments.

C. Delivery vs. Payment

With the exception of mutual funds, all investment transactions will be executed by delivery vs. payment (DVP). This requires that the release of funds and the receipt of the investment occur simultaneously.

D. Safekeeping

The City will utilize an independent third party as a custodial agent for safekeeping of the City's investments. Book entry only securities may be held in the custodial agent's account with a Federal Reserve Bank, as long as the custodial agent's internal records clearly indicate the City's ownership of the securities. Any physical securities will be transferred directly to the custodial agent.

Receipts must be issued by the custodial agent for all property received in physical or book entry form. Not less than quarterly, the City should be provided with reports of all assets held in safekeeping.

E. Measuring Market Value

The City shall use The Wall Street Journal or a comparable nationally recognized business publication to measure the market value of its investments. The price quote used will be as of the date of market valuation.

VIII. Internal Controls and Compliance Audit

A. Internal Controls

The City Administrator is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal control structure should address the following points:

- Control of collusion. Collusion is a situation where two or more employees work in conjunction to defraud their employer.
- Separation of transaction authority from accounting and record keeping. By separating the person who authorizes or performs the transactions from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- Custodial safekeeping. Securities purchased from any bank or dealer including appropriate collateral shall be placed with an independent third party for custodial safekeeping.
- Avoidance of physical delivery securities. Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
- Clear delegation of authority to subordinate staff members. Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.
- Written confirmation of telephone transactions for investments and wire transfers. Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.
- Development of a wire transfer agreement with the lead bank or third party custodial. This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.

B. Annual Audit

The City Administrator shall establish a process for annual independent review by an external auditor to:

- Assure compliance with policies and procedures; and

- Review monthly investment reports.

This review is to be done in conjunction with the annual audit of the City's financial statements.

IX. Suitable and Authorized Investments

A. Investment Types

The following investments are permitted under this policy.

- Obligations of the United States Government (i.e., treasury bills, treasury notes and treasury bonds):
 - Mutual funds offered by the City's depository bank as part of its cash management program;
 - Certificates of deposit issued by a state or national bank or a savings bank domiciled in the State of Texas; and
 - Demand deposits with state and national banks and savings banks.
 - Statewide investment pools.

B. Collateralization

Certificates of deposit and all other deposits with banks and savings banks shall be 1) guaranteed or insured by the Federal Deposit Insurance Corporation or 2) fully collateralized as required by the Public Funds Investment Act. In order to provide an appropriate level of protection, the market value of the pledged security will be a minimum of 105% of the amount on deposit plus accrued interest.

The City prior to the substitution taking place must approve substitution of collateral in writing.

Collateral will be held by an independent third party. A clearly marked safekeeping receipt showing the securities pledged in the City's name must be provided to the City on a monthly basis.

C. Prohibited Investments

Any investment not specifically authorized by this policy is prohibited. Any investment that is a derivative in nature, even though the underlying asset may meet the guidelines established in this policy, is also prohibited.

D. Additional Qualifications by Investment Type:

1. Mutual Funds

As part of its overall cash management program, the City intends to utilize the automatic investment sweep program offered by its depository bank. This program will enable the City to eliminate idle cash balances in its checking accounts, while ensuring that adequate cash is on hand to meet daily requirements.

For this purpose, the City is authorized to invest in a no-load money market mutual fund, if the mutual fund:

- Is registered with and regulated by the Securities and Exchange Commission;

- Provides the City with a prospectus and any other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- Invests exclusively in obligations of the U.S. Treasury and/or repurchase agreements fully collateralized by such obligations;
- Is continuously rated as AAA or its equivalent by at least one nationally recognized rating service;
- Has a dollar-weighted average stated maturity of 90 days or less; and
- Includes in its investment objectives the maintenance of a stable net asset value of \$1 per share.

2. State Wide Investment Pools

Statewide investment pools are separate legal entities established to invest the funds of 2 or more other government entities. The investment pool typically has its own management and investment staff and provides a highly liquid investment option.

In order to be eligible to provide services to the City, investment pools must meet all the requirements of state law as determined under Chapter 2256 of the Government Code, as amended and the following requirements:

- Provide the City with an offering circular and other information required by the Public Funds Investment Act;
- Provide investment transaction confirmations;
- Provide monthly detailed transaction and performance reports as specified by state statute;
- Establish an advisory board composed of qualified members representing participants and non-participants;
- Be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

In addition to the preceding requirements, investment pools created to function, as money market mutual funds must mark-to-market daily and must maintain a market value ratio (market value divided by book value) between .995 and 1.005.

Investment in a particular pool will be made only after a thorough investigation of the pool and approval by the City Council. The City Administrator shall conduct an annual review of the pools and recommend qualified pools to the City Council, which will then select and adopt a list of approved pools.

With the exception of mortgage-backed securities or any other derivative, pools are permitted to invest in a broader range of investment instruments than those authorized under this policy, provided those instruments are authorized under the Public Funds Investment Act.

X. Investment Parameters

A. Investment Management Style

Investment maturities are timed to correspond with anticipated cash requirements and should be purchased at or near par. The City employs a passive management style in which investments are

expected to be held to maturity. This does not preclude the use of active portfolio management techniques.

B. Diversification

At the time of purchase, investments will be selected to ensure that the City's portfolio is diversified by security type and institution as follows:

- United States Treasuries;
- No-load money market mutual funds;
- Certificates of deposit within maximum limitation of FDIC and/or collateralization limits.
- Savings bank deposits within maximum limitation of FDIC and/or collateralization limits.
- Authorized investment pools.

C. Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements.

Maximum allowable stated maturities are limited by investment type as follows:

- 3 years for United States treasuries securities;
- 90 days for certificates of deposit; and
- 90 days for no-load money market mutual funds.

XI. Reporting

The City Administrator or his designee shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter. The report shall be signed by all designated investment officers and include the statement that the report is in full compliance with the investment strategies as established by the City of Wimberley Investment Policy and Public Funds Investment Act (Government Code Chapter 2256)

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Council. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio which each type of investment represents.

- Statement of compliance of the City's investment portfolio with state law and the investment strategy and policy approved by the City Council.

A formal annual review of the quarterly reports will be performed by an independent auditor with the results reported to the governing body.

Appendix A: Glossary

ACTIVE PORTFOLIO MANAGEMENT: An approach to investment management in which the investment officer actively trades the portfolio to take advantage of changing market conditions. This style requires the investment officer to develop a comprehensive economic outlook and to take action based upon that outlook. Requires relatively technical knowledge of the investment field.

BENCHMARKS: A measure used to evaluate the effectiveness of the investment program. Suitable benchmarks are readily available and share the characteristics of the portfolio with respect to legal constraints and investment policy compliance. Benchmarks may be published figures or indexes in publications such as the Wall Street Journal or they may be specially created for entity.

BOOK ENTRY SECURITIES: Securities that are purchased, sold and held with only electronic computer entries rather than the transfer of physical certificates. Buyers typically receive receipts or confirmations as evidence of ownership.

BROKER: A party who brings buyers and sellers together. Brokers do not take ownership of the property being traded. They are compensated by commissions.

COLLATERAL: Securities that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

DEALER: A firm or an individual who buys and sells for his own account. Dealers have ownership, even if only for an instant, between a purchase from one party and a sale to another party. They are compensated by the spread between the price they pay and the price they receive.

DERIVATIVES: Financial instruments whose value depends on the values of underlying assets or indexes.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

PASSIVE INVESTMENT MANAGEMENT: An approach to investment management in which the investment officer adopts a buy and hold strategy. Some investment techniques are used. Requires basic level investment knowledge.

PRIMARY DEALERS: A group of securities dealers who are recognized as major participants in the government securities markets and who are willing to market all government securities. Primary dealers must submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its oversight.

RATE OF RETURN: The yield obtain-able on a security based on its purchase price or its current market price.

REGIONAL DEALERS: The second tier of broker/dealers (after primary dealers) composed of brokerage firms that specialize in certain market niches, typically on a regional basis.

SAVINGS BANK DEPOSITS: Demand deposits held in an account at a savings and loan association.

SECONDARY MARKET: A market made for the purchase and sale of outstanding debt issues following the initial distribution.

TREASURY BILLS: Short term obligations issued by the United States Treasury. Bills are issued for maturities of one year or less. They do not pay interest but are issued on a discount basis instead.

TREASURY NOTES: Medium term obligations issued by the United States Treasury. Notes are issued for initial maturities over 1 to 10 years.

YIELD: The annual return on an investment expressed as a percentage.

Broker Dealer Certification Form

(As required by Texas Government Code 2256.005(k))

The City of Wimberley (City) acknowledges that the only means the firm has to preclude unauthorized investment transactions between the firm and the City is to confirm that all provisions of the City's investment policy are followed in investment transactions conducted between the firm and the City, and, the second paragraph below should be read accordingly.

I, _____, as a qualified representative for the firm _____ do hereby certify that I and the broker covering this account, _____, have received and thoroughly reviewed the investment policy of the City of Wimberley.

I acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude investment transactions not authorized by the City's investment policy.

Signature

Name: _____

Title: _____

Date: _____



AGENDA ITEM:	1. Announcements
SUBMITTED BY:	
DATE SUBMITTED:	02/09/2022
MEETING DATE:	February 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	2. Future agenda items
SUBMITTED BY:	
DATE SUBMITTED:	02/09/2022
MEETING DATE:	February 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None