



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

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

AGENDA

1. **CALL TO ORDER** March 17, 2022, at 6:00 PM
2. **CALL OF ROLL**
3. **INVOCATION** Church of Christ Minister, Nathan Hill
4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
5. **CITIZENS COMMUNICATIONS**
The City Council welcomes comments from the general public on issues and items of concern, not on this agenda. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.
6. **CONSENT AGENDA**
 - 6.1. Confirmation of the appointment of Nathan Glaiser as Interim City Secretary.
 - 6.2. Approval of minutes from the Regular City Council Meeting held March 3, 2022.
 - 6.3. Approval of minutes from the Special City Council Meeting held March 4, 2022.
 - 6.4. Approval of minutes from the Special Joint City Council and Transportation Advisory Board Meeting held March 5, 2022.
7. **PROCLAMATION**
 - 7.1. Proclamation of the City of Wimberley, Texas proclaiming the March 1 – June 15 and August 15 – November 30 as “Lights Out for Bird Safety”. (Parks Director, Richard Shaver, Wimberley Parks and Recreation and Wimberley Valley Dark Sky Committee)
8. **PUBLIC HEARINGS AND POSSIBLE ACTION**

- 8.1. Hold a public hearing and consider possible action regarding case CUP-22-002, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) on a property located at 13510 Ranch Road 12, Wimberley, Hays County, Texas. (*Applicant: Beer Ranch Project, LLC*)

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Discuss and consider possible action regarding Ordinance No. 2022-05, amending Division 3. Hotel Occupancy Tax of Article 2.10, taxation of the Codified Ordinances of the City of Wimberley, Texas; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting. (*City Administrator, Mike Boese*)
- 9.2. Discuss and consider possible action regarding Resolution No. 03-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 6), authorizing the expenditures from the American Rescue Plan Fund 6571 (Outlay - Projects) and providing an effective date. (*City Administrator, Mike Boese*)
- 9.3. Discuss and consider possible action regarding Resolution No. 04-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No.6), authorizing expenditures from the Hotel Occupancy Tax Fund 6796 (Outlay-Capital) and providing an effective date. (*City Administrator, Mike Boese*)
- 9.4. Discuss and consider possible action regarding Resolution No. 05-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No.7), authorizing expenditures from the Donations Fund 6796 (Outlay-Capital) and providing an effective date. (*City Administrator, Mike Boese*)
- 9.5. Discuss and consider possible action regarding Resolution No. 06-2022, authorizing an amendment to the 2021/2022 Operation Budget (Budget Amendment No.8), providing for the transfer of funds within the General Tax Fund - unobligated fund balance to the Capital Projects Fund account number 6801 (Oak Street Parkling Lot) and providing an effective date. (*City Administrator, Mike Boese*)
- 9.6. Discuss and consider possible action regarding Resolution No. 07-2022, amending the authorization and consolidation of certain bank accounts; and the continuation of banking services with Ozona Bank; providing for repeal of resolutions in conflict herewith; providing a savings clause; and providing for effective date. (*City Administrator, Mike Boese*)
- 9.7. Discuss and consider possible action regarding Resolution No. 08-2022, a resolution opposing TCEQ Air Quality Standard Permit #167888 which requests authorization to construct permanent rock and concrete crushers on Fulton Ranch Road. (*Council Member, Christine Byrne*)
- 9.8. Discuss and consider possible action regarding Resolution No. 09-2022, a resolution to support the Pristine Streams Petition for rule making to TCEQ to adopt new rules for protected watersheds (subchapter K) for pristine stream segments from degradation caused by treated domestic wastewater effluent. (*Mayor, Gina Fulkerson*)
- 9.9. Discuss and consider possible action regarding a proposal from LCRA for radio communications equipment for the City Marshal and Emergency Management. (*City Administrator, Mike Boese*)

10. CITY STAFF REPORT

- 10.1. City Administrator Report

- City Sales Tax
- Engagement of Financial Consultant

11. **EXECUTIVE SESSION** In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session.

11.1. Executive Session pursuant to Texas Government Code, Section 551.074 (Personnel Matters) City Council will meet for the annual salary and performance review of City Administrator, Mike Boese.

12. **OPEN SESSION**

12.1. Discussion and possible action resulting from Executive Session.

13. **CITY COUNCIL REPORTS**

13.1. Announcements

13.2. Future Agenda Items

14. **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, March 14, 2022, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Nathan Glaiser, Interim 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 Interim City Secretary Nathan Glaiser at (512) 847-0025 two business days in advance of the meeting for appropriate arrangements.





AGENDA ITEM:	Consent Agenda
SUBMITTED BY:	Nathan Glaiser
DATE SUBMITTED:	3/14/2022
MEETING DATE:	3/17/2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

- 6.1 Confirmation of the appointment of Nathan Glaiser as Interim City Secretary.
- 6.2 Approval of minutes of the Regular City Council Meeting held March 3, 2022.
- 6.3 Approval of minutes of the Special City Council Meeting held March 4, 2022.
- 6.4 Approval of minutes of the Special Joint City Council and Transportation Advisory Board Meeting held March 5, 2022.

REQUESTED ACTION

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

FINANCIAL

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

STAFF RECOMMENDATION

Approval of 6.1, 6.2, and 6.3.

ATTACHMENT/S

- Order appointing Nathan Glaiser as Interim City Secretary.
- March 3rd City Council Meeting Minutes
- March 4th Special City Council Meeting Minutes
- March 5th Special Joint City Council and Transportation Advisory Board Meeting Minutes

**ORDER OF MAYOR GINA FULKERSON APPOINTING AN
INTERIM CITY SECRETARY**

WHEREAS, Texas Local Government Code Section 22.010 provides that if a vacancy exists in a municipal office, other than an elected office, the mayor shall appoint a person to fill the vacancy, subject to confirmation by the governing body; and

WHEREAS, a vacancy currently exists in the office of the City Secretary; and

WHEREAS, as Mayor of the City of Wimberly I find and determine it necessary and appropriate to appoint an interim City Secretary to the existing vacancy in the office of City Secretary until such time as the office may be filled permanently.

NOW, THEREFORE, I, GINA FULKERSON, MAYOR OF WIMBERLY, TEXAS, BY VIRTUE OF THE POWER AND AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AND AS SPECIFICALLY AUTHORIZED BY TEXAS LOCAL GOVERNMENT CODE SECTION 22.010(e), DO HEREBY ORDER THAT NATHAN GLAISER BE APPOINTED TO THE OFFICE OF CITY SECRETARY IN AN INTERIM CAPACITY SUBJECT TO THE CONFIRMATION OF HIS APPOINTMENT BY THE CITY COUNCIL.

ORDERED this 14th day of March, 2022.



Gina Fulkerson, Mayor, City of Wimberley



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, MARCH 3, 2022 - 6:00 PM

Minutes

1. **CALL TO ORDER** March 3, 2022, at 6:00 PM

Mayor, Gina Fulkerson, called the meeting to order on March 3, 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
Clarissa Rodriguez, City Attorney

3. **INVOCATION** Cypress Creek Church Reverend, Jose Abaroa

Church of Christ Minister, Nathan Hill, gave the invocation.

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

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

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from the general public on issues and items of concern, not on this agenda. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.

There were no citizen's comments.

6. **PRESENTATION AND POSSIBLE ACTION**

- 6.1. Presentation and possible action regarding the City of Wimberley Annual Financial and Compliance Report for the Fiscal Year ending September 30, 2021. (*Neffendorf & Blocker, P.C.*)

City Administrator, Mike Boese, presented highlights from the report. Keith Neffendorf of Neffendorf & Blocker, P.C. presented details from the report and stated that the general fund was in good financial shape and that there were no compliance problems with the federal grant program audit.

Motion to accept the City of Wimberley Annual Financial and Compliance Report for the Fiscal Year ending September 30, 2021 was made by Council Member David Cohen. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

7. **CONSENT AGENDA**

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

- 7.1. Approval of minutes from the Regular City Council Meeting held February 17, 2022.
- 7.2. Approval of the October 2021 Financial Statements for the City of Wimberley.
- 7.3. Approval of the November 2021 Financial Statements for the City of Wimberley.
- 7.4. Approval of the December 2021 Financial Statements for the City of Wimberley.

8. **DISCUSSION AND POSSIBLE ACTION**

- 8.1. Discuss and consider possible action regarding Ordinance No. 2022-03, declaring unopposed candidates in the May 7, 2022 General Election elected to office; canceling the General Election; providing for severability, conflicting provisions, governing law, proper notice and open meetings, and an effective date. (*City Secretary, Laura Calcote*)

City Secretary, Laura Calcote, stated that the unopposed candidates were Gina V. Fulkerson, Mayor; Teresa Shell, Place Two; and Jim Chiles, Place Four. City Secretary, Laura Calcote, presented the ordinance and stated that canceling the election will save the City \$6,500.

Motion to adopt Ordinance No. 2022-03, declaring unopposed candidates and canceling the General Election was made by Council Member David Cohen. Motion was seconded by Council Member Rebecca Minnick. Motion carried unanimously (5-0).

- 8.2. Discuss and consider possible action regarding the Emergency Operations Plan. (*City Administrator, Mike Boese*)

City Administrator, Mike Boese, presented the Emergency Operations Plan and answered questions from the Council Members. He described the multiple partnerships including non-profits and other government entities that are included in the plan.

Motion to adopt the Emergency Operations Plan, as presented, was made by Council Member Christine Byrne. Motion was seconded by Council Member Jim Chiles. Motion carried unanimously (5-0).

- 8.3. Discuss and consider possible action to award a bid to HdL Companies for Short-Term Rental Administration and Collection of Hotel Occupancy Tax. (*City Administrator, Mike Boese*)

City Administrator, Mike Boese, spoke regarding the City's need to provide administration of the Hotel Occupancy Tax collection. Administrator Boese introduced Katie Biggers, a representative of Hdl, to address the Council Member's questions. There was a discussion regarding the cost of discovery of new short-term rentals in the City's jurisdiction.

Motion to award the bid to Hdl Companies for Short-term Rental Administration and Collection of Hotel Occupancy Tax, as presented, was made by Council Member Rebecca Minnick. Motion was seconded by Council Member David Cohen. Motion carried unanimously (5-0).

9. EXECUTIVE SESSION

City Council adjourned into Executive Session at 7:33 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, for the following purpose.

- 9.1.** Executive Session pursuant to Texas Government Code, Section 551.074 (Personnel Matters) City Council will meet to discuss the City Secretary/Municipal Court Clerk position.

10. OPEN SESSION

Regular Session reconvened at 8:12 p.m.

- 10.1.** Discussion and possible action resulting from Executive Session.

Motion to accept City Secretary, Laura Calcote's, letter of resignation, acknowledging her exemplary work for four and half years on behalf of the City Council was made by David Cohen. Motion was seconded by Jim Chiles. Motion carried unanimously (5-0).

11. CITY COUNCIL REPORTS

- 11.1.** Announcements

City Administrator provided a reminder to City Council of the Transportation Planning Meeting on 3/4/22 at 3 p.m. and of the mobile transportation meeting on 3/5/22 at 8 a.m. Council Member Jim Chiles announced that the Methodist Church has a new pastor and proposed having her give the invocation at the next meeting. Council Member Teresa Shell announced that there will be historic consultants coming on March 10 to tour Wimberley and provide input.

- 11.2.** Future agenda items

Council Member Christine Byrne will have a "Lights Out" proclamation for the March 17th City Council meeting. Mayor Gina Fulkerson mentioned having the City Administrators evaluation on the March 17th meeting.

12. ADJOURNMENT

Motion to adjourn the meeting at 8:15 was made by Council Member David Cohen. Motion was seconded by Jim Chiles. Motion carried unanimously (5-0).

RECORDED BY:

Nathan Glaiser, Interim City Secretary/Planning and Development Coordinator



APPROVED BY:

Gina V. Fulkerson, Mayor



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

SPECIAL CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
FRIDAY, MARCH 4, 2022 - 3:00 PM

MINUTES

1. **CALL TO ORDER** March 4, 2022, at 3:00 PM

Mayor, Gina Fulkerson, called the meeting to order on March 4, 2022, at 3:00 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 (arrived at 3:02 p.m.)

Staff Members Present:

Mike Boese, City Administrator
John Provost, Public Works Director
Nathan Glaiser, Planning and Development Coordinator

3. **DISCUSSION**

- 3.1. City Council and City staff will discuss the proposed Wimberley Transportation Plan.

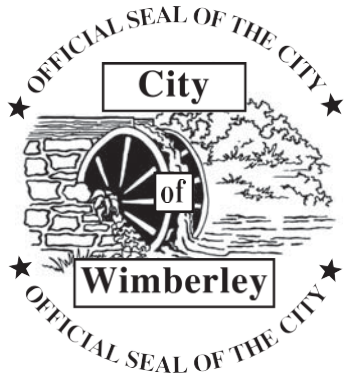
City Council and City staff met and discussed the proposed Wimberley Transportation Plan with John Dean and Stacey Benningfield from CP&Y.

4. **ADJOURNMENT**

**Motion to adjourn the meeting at 5:40 p.m. was made by Council Member Teresa Shell.
Motion was seconded by Council Member David Cohen. Motion carried unanimously (5-0).**

RECORDED BY:

Nathan Glaiser, Interim City Secretary/Planning and Development Coordinator



APPROVED BY:

Gina V. Fulkerson, Mayor



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

**SPECIAL JOINT CITY COUNCIL AND
TRANSPORTATION ADVISORY BOARD MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
SATURDAY, MARCH 5, 2022 - 8:00 AM**

MINUTES

1. **CALL TO ORDER** March 5, 2022, at 8:00 AM

Mayor, Gina Fulkerson, called the meeting to order on March 5, 2022, at 8:00 a.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

Transportation Advisory Board Members:

Chris Sheffield, Chairperson
Gary Callon, Vice-Chairperson
Bob Harla, Member
Mike Bower, Member
Ben O’Kane, Member (arrived at 8:25 a.m.)

Staff Members Present:

Mike Boese, City Administrator
John Provost, Public Works Director
Nathan Glaiser, Planning and Development Coordinator

3. **DISCUSSION**

City Council, the Transportation Advisory Board and City staff will discuss the proposed Wimberley Transportation Plan by participating in a ride along tour of the City of Wimberley.

City Council, Members of the Transportation Advisory Board, City Staff, and members of the community participated in a mobile tour of the City of Wimberley’s transportation infrastructure. Discussion consisted of the proposed Wimberley Transportation Plan, road maintenance issues,

traffic hazards, and potential traffic solutions. The meeting was mobile for approximately two hours before resuming discussion in Council Chambers at City Hall. Members of the Transportation Advisory Board left the meeting at 10:20 a.m. Council Member Rebecca Minnick left the meeting at 10:27 a.m.

4. **ADJOURNMENT**

Motion to adjourn the meeting at 11:31 a.m. was made by Teresa Shell. Motion was seconded by Jim Chiles. Motion carried unanimously (5-0).

RECORDED BY:

Nathan Glaiser, Interim City Secretary/Planning and Development Coordinator



APPROVED BY:

Gina V. Fulkerson, Mayor



AGENDA ITEM:	1. Proclamation of the City of Wimberley, Texas proclaiming the March 1 – June 15 and August 15 – November 30 as “Lights Out for Bird Safety”. <i>(Parks Director, Richard Shaver, Wimberley Parks and Recreation and Wimberley Valley Dark Sky Committee)</i>
SUBMITTED BY:	Richard Shaver
DATE SUBMITTED:	03/14/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Proclamation of the City of Wimberley, Texas proclaiming the March 1 – June 15 and August 15 – November 30 as “Lights Out for Bird Safety” (Parks Director, Richard Shaver, Wimberley Parks and Recreation and Wimberley Valley Dark Sky Committee).

REQUESTED ACTION

Other

FINANCIAL

N/A

STAFF RECOMMENDATION

ATTACHMENT/S

1. Lights Out Texas Proclamation 2022

City of Wimberley



Proclamation

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

WHEREAS, Lights Out Texas is a statewide initiative that aims to raise awareness of the risk light pollution poses to birds and to ask businesses, residents, and governments to turn off non-essential lights at night in the City of Wimberley during bird migration from 11 p.m. to 6 a.m. in the spring and fall bird migration periods of March 1 – June 15 and August 15 – November 30 each year; and

WHEREAS, The City of Wimberley is joining an international Lights Out effort by proposing and implementing a simple solution that dramatically reduces hazards to migrating birds, allowing them to safely proceed with their journeys during critical migration periods; and

WHEREAS, The initiative is led by the Cornell Lab of Ornithology and Texan by Nature, which was founded by former First Lady Laura Bush, and is a collaborative effort supported by numerous organizations and communities throughout Wimberley; and

WHEREAS, More than one billion birds die in collisions with buildings, including our single-story buildings with lights that attract and disorient migrating birds in the United States annually; and

WHEREAS, Each year, nearly two billion birds travel through the State of Texas, mostly at night. This number represents between a quarter and a third of all birds migrating throughout the United States; and

WHEREAS, The extensive light pollution, from our non-shielded rural and urban lights, both residential and commercial, including string and pole lights, combined with the enormous bird migration, creates a particularly hazardous environment; and

WHEREAS, Birds are important to the Texas economy. Texas A&M found that nature tourism, which is dominated by bird watching, contributes \$300 million to the economy. Our Wimberley Parks including Patsy Glenn Refuge attracts birders who contribute to our local economy; and

WHEREAS, Birds also help control the population of pest insects, enhancing agricultural production, and are important pollinators for many flowering plants; and

WHEREAS, Turning out non-essential lights also provides additional benefits such as reducing electricity consumption, saving money, and reducing pollution associated with power production; and

WHEREAS, The City of Wimberley is a community that cares about protecting wildlife and the environment. The Lights Out Program supports other local activities such as Parks and open space, Hays County Master Naturalist Chapter, the International Dark Sky Community designations, Adult and Jr. Birding Clubs, Bird City designation, Wimberley Valley Dark Sky Committee, and Hays County Friends Night Sky, that will help us qualify for grants to support Nature Tourism benefiting our local economy; and

WHEREAS, Birds are essential to the ecology of our planet, provide ecosystem services, act as benchmarks for environmental health, increase livability, and connect people of all ages and abilities to the natural world.

NOW THEREFORE, BE IT PROCLAIMED, I, Gina V. Fulkerson, by virtue of the authority vested in me as Mayor of Wimberley,

1. March through June 15, 2022, and August 15 through November 2022 shall hereafter be known as "Lights Out for Bird Safety" months in the City of Wimberley, Texas

2. City staff in Parks and Recreation shall work with local organizations to provide information to the public about the Lights Out for Bird Safety campaign, the impacts of lights on bird migration, and the benefits of reducing light pollution and energy consumption.

3. Community members, business owners, and government officials are encouraged to sign the pledge stating they will extinguish exterior lights during the specified time frame during Lights Out for Bird Safety migratory months.

CITY OF WIMBERLEY

Gina V. Fulkerson, Mayor



AGENDA ITEM:	CUP-22-002 Vacation Rental (STR2)
SUBMITTED BY:	Nathan Glaiser, Planning and Development Coordinator
DATE SUBMITTED:	January 17, 2021
MEETING DATE:	March 10, 2022 (P&Z) / March 17, 2022 (City Council)

REPORT

ITEM

In 2018 a Conditional Use Permit (CUP) was approved for 13510 Ranch Road 12 to allow for the operation of a Vacation Rental (STR2) with a maximum of four (4) guests. The current owners are requesting to amend their current CUP to allow for 14 guests. The owners plan to build an additional four (4) units behind the existing structure. The existing structure will house three (3) STR2 units and a tasting room for craft beer. The property is proposing to have 14 parking spaces. This property is on City sewer.

PROPERTY INFORMATION

Property Description

Applicant(s):	Beer Ranch Project, LLC
Property Address:	13510 Ranch Road 12
Property Owner:	Max and Kathryn Saballett
Legal Description:	Amasa Turner Survey Abstract 461
Property Size:	0.48 Acres
Existing Use of Property:	Vacation Rental
Existing Zoning:	Commercial Low Impact – 1 (C-1)
Shared Infrastructure	None
Request:	Operate a Vacation Rental (STR2)
Planning Area:	IV
Overlay District:	None

Surrounding Property:

Frontage:	Ranch Road 12
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Surrounding Zoning & Land Use	North of Property	Current Zoning: MF-2	Existing Land Use: Residential
	South of Property	C1, WPDD	Commercial
	East of Property	C1	Commercial
	West of Property	C2	Commercial

COMMENTS

Staff has received two letters of support from neighbors within the 200ft notification area.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): February 24, 2022
Published Legal Notice (Wimberley View): February 24, 2022

RECOMMENDATION

At the Regular Planning & Zoning Commission meeting on March 10, the commissioners voted (6-0-1) to recommend approval of this application with the added condition that the property be limited to seven (7) individual STR2 units.

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-22-002
- Motion to approve CUP-22-002 with the following conditions (list all conditions)
- Motion to deny CUP-22-002

ATTACHMENT/S

- Application
- Notification Map



Conditional Use Permit
Planning & Development

FOR OFFICE USE ONLY

Date: 1/12/2022 CUP - 22 - 002 Staff Review _____

P&Z Hearing: 2/10/22 Council Hearing: 2/17/2022 Fees Paid (\$650): ☒ _____

Applicant: Beer Ranch Project, LLC

Mailing Address: 101 Deer Lake Estates City: Wimberley State: TX Zip: 78676

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: Max and Kathryn Saballett

Mailing Address: Same as above City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

PROJECT SITE ADDRESS: 13510 RR 12, Wimberley, Texas 78676

Legal description: A0461 Amasa Turner Survey, 0.48 acres, 13510 RR 12

Total Acreage or Square Footage: 0.48 acres Deed recorded in: 2020

Hays CAD Parcel ID R- 18481 Planning Area: IV Zoning: C-1

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

SPECIFIC CONDITIONAL USE REQUEST: To increase the number of guests for the vacation rentals

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: Pedernales Electric Cooperative (PEC)

Water provider or Private Well: Wimberley Water

Wastewater Service or Septic Permit No. Wimberley Sewer

*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)
- ☐ N/A 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: _____



Date: 1-12-21

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

OWNER: Max and Kathryn Saballett, Beer Ranch Project, LLC

LOCATION OF PROPERTY: 13510 RR 12, Wimberley, Texas 78676

LEGAL DESCRIPTION: A0461 Amasa Turner Survey, 0.48 acres, 13510 RR 12

PLANNING AREA: IV PRESENT ZONING: C-1

EXISTING USE: Vacation Rentals and Tasting Room for Brewery

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. 14 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 14 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: 7 **PROPOSED MAXIMUM OCCUPANCY:** 14 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

Max G. Saballett

PRINT NAME

1-12-21

DATE



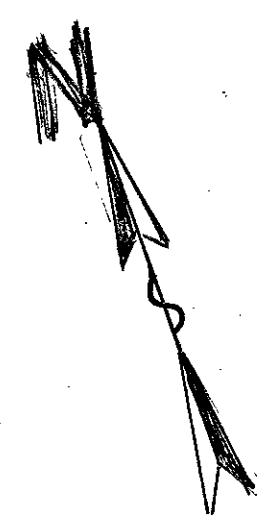
OWNER SIGNATURE

Kathryn Saballett

PRINT NAME

1-12-21

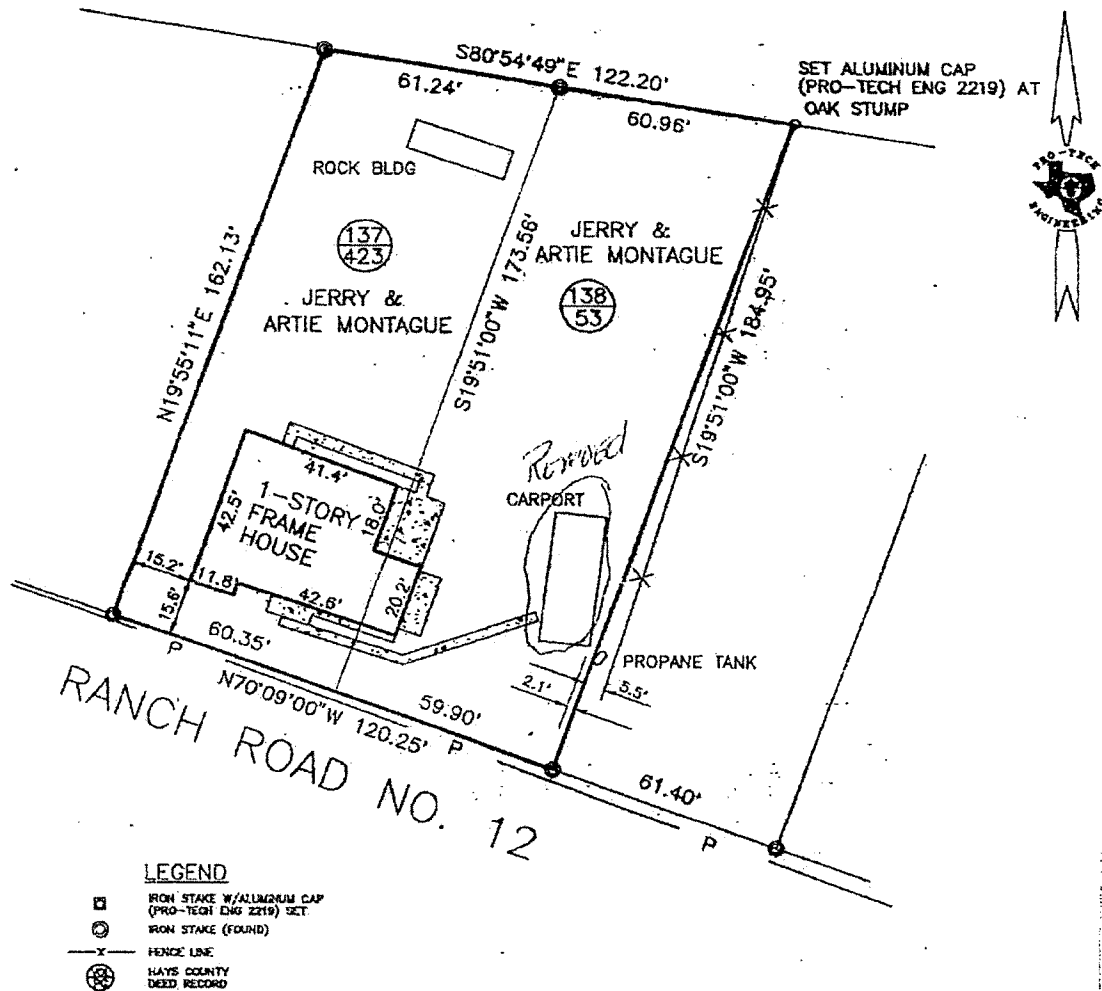
DATE



Page 24 of 59



MAP OF SURVEY OF
SURVEY
0.40 ACRES OF LAND
OUT OF THE
AMASA TURNER SURVEY NO. 1
HAYS COUNTY, TEXAS



E.O. 14603
FB:394 PG:68
PLAN No. 6430
EDSC\DWG\14603\SURVEY.DWG

SCALE: 1"=30'

CUP-21-002

139.19

12

138.09

R18445

R18389

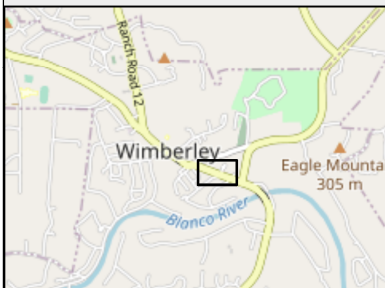
R18568

R112617

R97681

R18443

QuickRefID	OwnerName	Percent
R18579	MEEKS MATTHEW & NATALIE	8.534176
R143329	M & N MEEKS LLC	4.262306
		0
R18432	M & N MEEKS LLC	1.452854
R18577	MYERS LAND & INVESTMENTS LLC	7.898296
R18436	HILL COUNTRY CHIC LLC	0.260225
R151651	SEE SHELL ENTERPRISES LLC	8.144208
R120136	SEE SHELL INVESTMENTS LLC	8.321455
R18413	DER HUND HAUS LLC	6.551245
R97681	SPICEWOOD LLC	3.831896
R18568	WILDER JUDITH S & CHARLES M	14.410025
R18442	WIMBERLEY CLEAR WATER PROPERTY LLC	4.616648
R18389	MINNICK DONALD J & REBECCA	11.221087
R112617	ROE, JENNIFER M	0.40925
R18445	OLDMIXON DOUGLAS E & BENSON JO-DEE M	1.265745

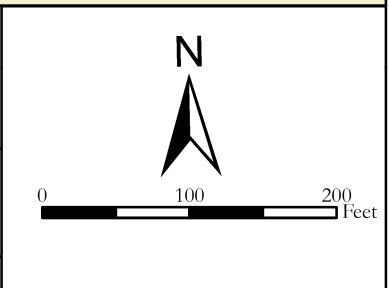


200' Notification Map

© 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



Nathaniel Glaiser

From: Teresa Shell <teresa@shellres.com>
Sent: Tuesday, March 8, 2022 5:48 PM
To: Nathaniel Glaiser
Subject: Letter of Support for CUP 22-002

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Mr. Glaiser,

I am writing you this letter of support on behalf of three properties that I and my husband Scott See own (13500 RR 12, 13310 RR 12 and 13504 RR 12). We are in support of their application. We are adjacent property owners and live in one of the buildings that is only separated from their property by a 8' deer proof metal fence. The property owners are very responsible owners and keep the property in good condition. They have on-site maintenance staff and a cleaning crew that comes very frequently. In addition to being a conforming use to the existing zoning, it is in our opinion that the proposed use would be a beneficial addition to our downtown area. If you have any questions for us, please do not hesitate to reach out via email or on my cell phone at 512-538-5475.

Thank you for your time and consideration,

Teresa Shell and Scott See

Texas law requires all real estate license holders to give the following to prospective buyers, tenants, sellers & landlords:

[Texas Real Estate Commission Information About Brokerage Services](#)

[Texas Real Estate Commission Consumer Protection Notice](#)

Teresa Shell, CCIM
Principal/Broker

Shell Real Estate Services
13500 Ranch Road 12
Suite B
Wimberley, TX 78676

(512) 538-5475
www.tashellgroup.com



Nathaniel Glaiser

From: Rebecca Minnick <minnickreb4@gmail.com>
Sent: Thursday, March 10, 2022 3:36 PM
To: Nathaniel Glaiser
Cc: Mike Boese; Donald Minnick
Subject: In support of 13510 RR12 CUP

To the City of Wimberley Planner:

We are in support of the Conditional Use Permit at 13510 Ranch Road 12, currently under consideration. Our property is within the 200-foot notification area.

Because this area is in the commercial downtown area, we believe vacation rentals are a good and appropriate use for this property.

Sincerely,

Donald J. Minnick, Ph.D.
Rebecca Minnick

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS AMENDING ORDINANCE NO. 2018.04 WHICH PERMITTED THE OPERATION OF A VACATION RENTAL(STR2) ON PROPERTY LOCATED AT 13510 RANCH ROAD 12, WIMBERLEY, TEXAS, ZONED COMMERCIAL-LOW IMPACT (C-1) AND IMPOSED CERTAIN CONDITIONS, IN ORDER TO REVISE CONDITIONS RESTRICTING THE MAXIMUM NUMBER OF GUEST AND ADD CONDITIONS LIMITING THE NUMBER OF STR2 UNITS ON THE PROPERTY AND REQUIRING SUBSTANTIAL COMPLIANCE WITH THE APPLICATION AS SUBMITTED; 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, on January 18, 2018, the City Council approved Ordinance No. 2018-04 which permitted the operation of a Vacation Rental (STR2) on property located at 13510 Ranch Road 12, Wimberley, Texas by conditional use permit (“CUP”); and,

WHEREAS, the property owner wishes to amend the conditions of the CUP to allow for more guests which must be reviewed and approved by Council; and,

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

WHEREAS, the City Council conducted a public hearing on the CUP amendment 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 amended 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. AMENDMENT

THAT Ordinance No. 2018-04, which grants a Conditional Use Permit for operation of a Vacation Rental (STR2) on property located at 13510 Ranch Road 12, Wimberley, Hays County, Texas, is hereby amended as follows. Deletions are provided as ~~striketroughs~~ and additions are provided as underlined.

15. The maximum occupancy for the property shall be ~~four (4)~~ fourteen (14) people.

16. The owner of the property or the owner's agent shall not advertise a maximum occupancy for the vacation rental that is greater than the maximum occupancy established ~~by the City based on septic capacity by this ordinance.~~

19. The STR2 shall substantially comply with the application for amendment which is attached hereto as Exhibit A.

20. The maximum number of STR2 units on the property shall be seven (7).

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 March, 2022 by a vote of ____ (Ayes) and __ (Nays) and __ (Abstain).

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

City Secretary



APPROVED AS TO FORM:

City Attorney



AGENDA ITEM:	1. Discuss and consider possible action regarding Ordinance No. 2022-05, amending Division 3. Hotel Occupancy Tax of Article 2.10, taxation of the Codified Ordinances of the City of Wimberley, Texas; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	
DATE SUBMITTED:	03/09/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

An amendment to this ordinance is needed to clarify qualified exemptions to the Hotel Occupancy Tax. The tax will be collected on stays beginning April 1, 2022. The reservation or booking time is not considered for collection of the hotel occupancy tax.

REQUESTED ACTION

Motion
Discussion
Ordinance

FINANCIAL

STAFF RECOMMENDATION

Staff recommends City Council adopt Ordinance No. 2022-05, amending Division 3 of the Hotel Occupancy Tax.

ATTACHMENT/S

1. Ordinance No. 2022-05- Hotel Occupancy Tax Amendment (4869-6709-1220.1)

Ordinance No. 2022-05

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, TO AMEND DIVISION 3. HOTEL OCCUPANCY TAX OF ARTICLE 2.10, TAXATION OF THE CODIFIED ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS; AND PROVIDING FOR FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City is authorized by Chapter 351 of the Texas Tax Code to impose a hotel occupancy tax for the purpose of promoting tourism and the convention and hotel industry, and for further purposes as set forth in Texas Tax Code, Section 351.101, as amended; and

WHEREAS, the City Council passed and approved Ordinance No. 2021-33, which created, "Division 3. Hotel Occupancy Tax," of Article 2.10 of the Codified Ordinances of the City of Wimberley; and

WHEREAS, the "Division 3. Hotel Occupancy Tax," is to be amended as set forth below; and

WHEREAS, the City recognizes its responsibility and authority to impose ordinances and controls that are necessary for the government of the City, its interest, welfare, and good order of the City as a body politic.

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

Section 1. Findings of Fact

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

Section 2. The "Division 3. Hotel Occupancy Tax", of Article 2.10 Taxation of the Codified Ordinances of the City of Wimberley, Texas is hereby amended as follows. Deletions are provided as ~~striketroughs~~ and additions are provided as underlined.

Division 3. Hotel Occupancy Tax.

Sec. 2.10.044 Exemptions.

(a) This Ordinance does not impose a tax on:

- (1) A person who has the right to use or possess a hotel room for at least 30consecutive days, so long as there is no interruption of payment for the period; or
- (2) A United States governmental entity described in Section 156.103(a) of the Texas Tax Code is exempt from the payment of tax authorized by this chapter; or

- (3) A state governmental entity described in Section 156.103(b) of the Texas Tax Code shall pay the tax imposed by this chapter but is entitled to a refund of the tax paid; or
- (4) A person who is described by Section 156.103(d) of the Texas Tax Code is exempt from the payment of the tax authorized by this chapter or
- (5) A person who is described by Section 156.103(c) shall pay the tax imposed by this chapter but the state governmental entity with whom the person is associated is entitled to a refund of the tax paid.
- (6) Any other person entitled to an exemption under Chapter 156 of the Texas Tax Code.
- ~~(7) A person who made a hotel reservation on or before the effective date of this Ordinance.~~

- (b) To receive a refund of tax paid under this chapter, the governmental entity entitled to the refund must file a refund claim on a form provided by the City.

Section 5. Savings.

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

Section 6. Severability.

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

Section 7. Repealer.

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

Section 8. Effective Date.

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

Section 9. 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED First Reading this ____ of _____, 2022,
by a vote of (Ayes) to (Nays) to (Abstain) vote of the City Council of the City
of Wimberley, Texas.

PASSED AND APPROVED Second Reading this ____ of _____ 2022,
by a vote of (Ayes) to (Nays) to (Abstain) vote of the City Council of the City
of Wimberley, Texas.

Gina V. Fulkerson, Mayor

ATTEST:

Nathanial Glaiser, Interim City Secretary

APPROVED AS TO FORM:

City Attorney





AGENDA ITEM:	2. Discuss and consider possible action regarding Resolution No. 03-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No. 6), authorizing the expenditures from the American Rescue Plan Fund 6571 (Outlay - Projects) and providing an effective date. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Council has reviewed and awarded the construction contract for the Oak Drive parking lot, restroom/visitor center project and recognized the need to appropriate funds from the American Rescue Plan Fund – Outlay – Projects Account by \$280,000.00.

Additionally, the City Council has realized the need to collaborate with the Wimberley Water Supply Corporation to increase the size of the water line along Oak Drive to improve fire safety and meet the water supply needs of the restrooms/visitor center and recognized the need to appropriate funds from the American Rescue Plan Fund – Outlay – Projects Account by \$50,000.00

REQUESTED ACTION

Motion
Discussion
Resolution

FINANCIAL

Budgeted Item ☐
 Non-budgeted Item ☒
 Not Applicable ☐
 Original Estimate/Budget: N/A
 Current Estimate: \$330,000.00
 Amount Under/Over Budget: \$ N/A

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 03-2022 to increase expenditures in the American Rescue Plan Fund Account 6751.

ATTACHMENT/S

1. Resolution No. 03-2022 (Budget Amendment No. 5)

RESOLUTION NO. 03-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2021/2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 5), AUTHORIZING EXPENDITURES FROM THE AMERICAN RESCUE PLAN FUND 6751 (OUTLAY – PROJECTS) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2021/2022 Operating Budget.

WHEREAS, the City Council has reviewed and awarded the construction contract for the Oak Drive parking lot, restroom/visitor center project and recognized the need to appropriate funds from the American Rescue Plan Fund – Outlay – Projects Account by \$280,000.00.

WHEREAS, the City Council has realized the need to collaborate with the Wimberley Water Supply Corporation to increase the size of the water line along Oak Drive to improve fire safety and meet the water supply needs of the restrooms/visitor center and recognized the need to appropriate funds from the American Rescue Plan Fund – Outlay – Projects Account by \$50,000.00

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

Section 1

The City Council of the City of Wimberley, Texas, hereby authorizes and approves an amendment to the 2021/2022 Revenue / Operating Budget (Budget Amendment No. 5) for the purpose and in the amounts shown below.

American Rescue Plan Fund - Expenditures

The effect of these transactions will increase expenditures in the American Rescue Plan Fund Account Number 6751 (Outlay - Projects) by \$330,000.00.

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2021/2022 Revenue / Operating Budget, increasing appropriations in the funds stated in Section 1 above.

Section 3

This resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this 17th day of March, 2022.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

City Secretary





AGENDA ITEM:	3. Discuss and consider possible action regarding Resolution No. 04-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No.6), authorizing expenditures from the Hotel Occupancy Tax Fund 6796 (Outlay-Capital) and providing an effective date. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Council has reviewed and awarded the construction contract for the Oak Drive Visitor Center project. This resolution will allocate funds from the Hotel Occupancy Tax Fund – Outlay – Capital Account to pay for a portion of the Visitor Center.

REQUESTED ACTION

Motion
Discussion
Resolution

FINANCIAL

Budgeted Item ☐
Non-budgeted Item ☒
Not Applicable ☐
Original Estimate/Budget: N/A
Current Estimate: \$80,000.00
Amount Under/Over Budget: \$ N/A

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 04-2022 to allocate funds from the Hotel Occupancy Tax Fund.

ATTACHMENT/S

1. Resolution No. 04-2022 (Budget Amendment No. 6)

RESOLUTION NO. 04-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2021/2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 6), AUTHORIZING EXPENDITURES FROM THE HOTEL OCCUPANCY TAX FUND 6796 (OUTLAY – CAPITAL) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2021/2022 Operating Budget.

WHEREAS, the City Council has reviewed and awarded the construction contract for the Oak Drive Visitor Center project and recognized the need to appropriate funds from the Hotel Occupancy Tax Fund – Outlay – Capital Account by \$80,000.00.

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

Section 1

The City Council of the City of Wimberley, Texas, hereby authorizes and approves an amendment to the 2021/2022 Revenue / Operating Budget (Budget Amendment No. 6) for the purpose and in the amounts shown below.

American Rescue Plan Fund - Expenditures

The effect of these transactions will increase expenditures in the Hotel Occupancy Tax Fund Account Number 6796 (Outlay - Capital) by \$80,000.00.

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2021/2022 Revenue / Operating Budget, increasing appropriations in the funds stated in Section 1 above.

Section 3

This resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this 17th day of March, 2021.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

City Secretary





AGENDA ITEM:	4. Discuss and consider possible action regarding Resolution No. 05-2022, authorizing an amendment to the 2021/2022 Operating Budget (Budget Amendment No.7), authorizing expenditures from the Donations Fund 6796 (Outlay-Capital) and providing an effective date. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Council has reviewed and awarded the construction contract for the Oak Drive Restroom/Visitor Center project and designated a portion of the property to be used as a city park. This resolution will appropriate funds from the Donations Fund – Outlay – Capital Account.

REQUESTED ACTION

Motion
Discussion
Resolution

FINANCIAL

Budgeted Item ☐
Non-budgeted Item ☒
Not Applicable ☐
Original Estimate/Budget: N/A
Current Estimate: \$50,000.00
Amount Under/Over Budget: \$ N/A

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 05-2022 to allocate funds from the Donations Fund.

ATTACHMENT/S

1. Resolution No. 05-2022 (Budget Amendment No. 7)

RESOLUTION NO. 05-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2021/2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 7), AUTHORIZING EXPENDITURES FROM THE DONATIONS FUND 6796 (OUTLAY – CAPITAL) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2021/2022 Operating Budget.

WHEREAS, the City Council has reviewed and awarded the construction contract for the Oak Drive Restroom/Visitor Center project and designated a portion of the property to be used as a city park and recognized the need to appropriate funds from the Donations Fund – Outlay – Capital Account by \$50,000.00.

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

Section 1

The City Council of the City of Wimberley, Texas, hereby authorizes and approves an amendment to the 2021/2022 Revenue / Operating Budget (Budget Amendment No. 6) for the purpose and in the amounts shown below.

American Rescue Plan Fund - Expenditures

The effect of these transactions will increase expenditures in the Donations Fund Account Number 6796 (Outlay - Capital) by \$50,000.00.

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2021/2022 Revenue / Operating Budget, increasing appropriations in the funds stated in Section 1 above.

Section 3

This resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this 17th day of March, 2021.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

City Secretary





AGENDA ITEM:	5. Discuss and consider possible action regarding Resolution No. 06-2022, authorizing an amendment to the 2021/2022 Operation Budget (Budget Amendment No.8), providing for the transfer of funds within the General Tax Fund - unobligated fund balance to the Capital Projects Fund account number 6801 (Oak Street Parking Lot) and providing an effective date. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Council has reviewed and awarded the construction contract for the Oak Drive parking lot, restroom/visitor center project. This resolution will transfer funds from the General Tax Fund Unobligated to the Capital Projects Fund – Oak Street Parking Lot Account 6801.

REQUESTED ACTION

Motion
Discussion
Resolution

FINANCIAL

Budgeted Item ☐
Non-budgeted Item ☒
Not Applicable ☐
Original Estimate/Budget: N/A
Current Estimate: \$151,000.00
Amount Under/Over Budget: \$ N/A

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 05-2022 to transfer funds from the General Tax Fund Unobligated to the Capital Projects Fund.

ATTACHMENT/S

1. Resolution No. 06-2022 (Budget Amendment No. 8)

RESOLUTION NO. 06-2022

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2021/2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 8), PROVIDING FOR THE TRANSFER OF FUNDS WITHIN THE GENERAL TAX FUND – UNOBLIGATED FUND BALANCE TO THE CAPITAL PROJECTS FUND ACCOUNT NUMBER 6801 (OAK STREET PARKING LOT) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2021/2022 Operating Budget.

WHEREAS, the City Council has reviewed and awarded the construction contract for the Oak Drive parking lot, restroom/visitor center project and recognized the need to transfer funds from the General Tax Fund Unobligated to the Capital Projects Fund – Oak Street Parking Lot Account 6801 by \$151,000.00.

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

Section 1

The City Council of the City of Wimberley, Texas, hereby authorizes and approves an amendment to the 2021/2022 Revenue / Operating Budget (Budget Amendment No. 8) for the purpose and in the amounts shown below.

American Rescue Plan Fund - Expenditures

The effect of these transactions will increase expenditures in the Capital Projects Fund Account Number 6801 (Oak Street Parking Lot) by \$151,000.00.

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2021/2022 Revenue / Operating Budget, increasing appropriations in the funds stated in Section 1 above.

Section 3

This resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this 17th day of March, 2021.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

City Secretary





AGENDA ITEM:	6. Discuss and consider possible action regarding Resolution No. 07-2022, amending the authorization and consolidation of certain bank accounts; and the continuation of banking services with Ozona Bank; providing for repeal of resolutions in conflict herewith; providing a savings clause; and providing for effective date. <i>(City Administrator, Mike Boese)</i>
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/10/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City currently maintains nine separate bank accounts with Ozona Bank. The City Council has implemented governmental fund accounting software capable of accurately managing, reporting, and utilizing many City funds, departments, and projects without the need to maintain separate bank accounts. This resolution will consolidate accounts into three separate accounts. A Pooled General Account, Blue Hole Account, and a Dedicated Account for American Rescue Plan funds that need to be separated from the General Operating Account.

This resolution will also maintain the City's relationship with Ozona Bank.

REQUESTED ACTION

Motion
Resolution
Discussion

FINANCIAL

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution No. 07-2022 to consolidate certain accounts at Ozona Bank.

ATTACHMENT/S

1. Bank Account Resolution

RESOLUTION NO. 07-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, AMENDING THE AUTHORIZATION AND CONSOLIDATION OF CERTAIN BANK ACCOUNTS; AND THE CONTINUATION OF BANKING SERVICES WITH OZONA BANK; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR EFFECTIVE DATE

WHEREAS, Ozona Bank has been designated as the official depository of the City of Wimberley, TX; and

WHEREAS, the City Of Wimberley, Texas maintained 9 separate bank accounts with Ozona Bank; and

WHEREAS, the City of Wimberley, Texas has implemented governmental fund accounting software capable of accurately managing, reporting, and utilizing many City funds, departments, and projects without the need to maintain separate bank accounts for; and

WHEREAS, the City Council of the City of Wimberley, Texas desires to consolidate accounts into a Pooled General Account, Blue Hole Account, and a Dedicated Account for American Rescue Plan funds that need to be separated from the General Operating Account; and

WHEREAS, the City Council of the City of Wimberley, Texas desires to continue to utilize banking services with Ozona Bank in order to maintain efficient account management practices;

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

SECTION 1:

THAT, the City Council of the City of Wimberley, Texas, authorizes the City Administrator to consolidate City bank accounts into the following bank accounts to be known as:

1. Pooled General Account
2. Blue Hole Account
3. Dedicated Account for American Rescue Plan

SECTION 2:

THAT, the City Council of the City of Wimberley, Texas, authorizes the City Administrator to continue the use of other banking services related to this account, such as online access, ACH and Wire Transfer, Merchant Account Services, Positive Pay, and other prudent and reasonable standard banking services, for the efficient management of the City's financial operations.

SECTION 3:

THAT, all resolutions or parts of resolutions inconsistent with the terms of this resolutions are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this resolution shall be cumulative of other resolutions regulating and governing the subject matter covered by this resolution.

SECTION 4:

THAT, if any provision, section, exception, subsection, paragraph, sentence, clause or phrase of this resolution or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void, or invalid, such invalidity shall not affect the validity of the remaining provisions of this resolution or their application to other persons or sets of circumstances and to this end all provisions of this resolution are declared to be severable.

SECTION 8:

THAT, this resolution shall be and remain in full force and effect from and after its final passage and publication.

PASSED AND APPROVED in a meeting of the City Council of the City of Wimberley, Texas, held on the 17th day of March, 2022.

CITY OF WIMBERLEY

By: _____
Gina Fulkerson, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



AGENDA ITEM:	7. Discuss and consider possible action regarding Resolution No. 08-2022, a resolution opposing TCEQ Air Quality Standard Permit #167888 which requests authorization to construct permanent rock and concrete crushers on Fulton Ranch Road. <i>(Council Member, Christine Byrne)</i>
SUBMITTED BY:	Christine Byrne
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Far South Mining, LLC has applied to TCEQ for an Air Quality Standard Permit which would authorize construction of a permanent rock crusher on Fulton Ranch Road. Citizens have expressed strong concerns and opposition to the proposed rock and concrete crushers due to its potential negative impacts to the environment, air, water, wildlife and land values.

Resolution No.08-2022 opposes the application for Air Quality Standard Permit

REQUESTED ACTION

Motion
Discussion
Resolution

FINANCIAL

N/A

STAFF RECOMMENDATION

ATTACHMENT/S

1. TCEQ Rock crusher permit
2. Resolution Rock Crushers

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION FOR AN AIR QUALITY STANDARD PERMIT FOR PERMANENT ROCK AND CONCRETE CRUSHERS

PROPOSED AIR QUALITY REGISTRATION NUMBER 167888

APPLICATION. Far South Mining LLC, 8845 West Loop 1604 North, San Antonio, Texas 78254-9519 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration Number 167888, which would authorize construction of a permanent rock crusher. The facility is proposed to be located at the following driving directions: from the intersection of Ranch Road 12 and Fulton Ranch Road, travel 2.5 miles north on Fulton Ranch Road to private gate at site entry on right, Wimberley, Hays County, Texas 78666. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.9431&lng=-98.0197&zoom=13&type=r>. This application was submitted to the TCEQ on February 4, 2022. The executive director has determined the application was technically complete on February 17, 2022.

PUBLIC COMMENT. Written public comments about this application may be submitted at any time during the public comment period. You may submit public comments either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. The deadline to submit public comments is 30 days after newspaper notice is published.

RESPONSE TO COMMENTS. A written response to all relevant comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and requested to be added to the mailing list. The response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 30 days after the end of the public comment period, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Austin Regional Office, located at 12100 Park 35 Circle Bldg A Rm 179, Austin, Texas 78753-1808, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

INFORMATION. For more information about this permit application or the permitting process, please call the Public Education Program toll free at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Far South Mining LLC, 8845 West Loop 1604 North, San Antonio, Texas 78254-9519, or by calling Mrs. Melissa Fitts, Vice President, Westward Environmental, Inc. at (830) 249-8284.

Notice Issuance Date: February 23, 2022



TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

You have chosen this pending permit number:

Regulated Entity Name:

PORTABLE CRUSHER SN 41650

RN Number:

RN111135372

TCEQ Permit No.:

167888

TCEQ Docket No:

County:

HAYS

Principal Name:

FAR SOUTH MINING LLC , CN604026567

RESOLUTION NO. 08-2022

A RESOLUTION IN OPPOSITION TO AN APPLICATION FOR AN AIR QUALITY STANDARD PERMIT (#167888) FOR PERMANENT ROCK AND CONCRETE CRUSHERS ON FULTON RANCH ROAD.

WHEREAS, Far South Mining, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration #167888, which would authorize construction of a permanent rock crusher; and

WHEREAS, The facility is proposed to be located off Fulton Ranch Road near Wimberley and in the vicinity of several residential neighborhoods; and

WHEREAS, Our valley is known for clean air, pristine waterways, an abundance of wildlife, dark skies and quietness; and

WHEREAS, A rock crushing facility will have a detrimental effect on both our air quality and water quality and produce unnecessary noise; and

WHEREAS, The Golden Cheek Warbler is known to nest throughout the Wimberley Valley and the noise of a rock crusher facility may disrupt their nesting areas; and

WHEREAS, the citizens of the Wimberley Valley have expressed strong concerns and opposition to the proposed rock and concrete crushers due to its potential negative impacts to the environment, air, water, wildlife and land values; and

WHEREAS, The City of Wimberley, by and through the above-named members of the governing body, has an interest in the protection of its air quality and natural resources and an interest in how a rock crusher may affect its citizens;

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

The City of Wimberley hereby opposes the application for an Air Quality Standard Permit (#167888) by Far South Mining, LLC for permanent rock and concrete crushers on Fulton Ranch Road.

PASSED AND APPROVED this 17th day of March, 2022

CITY OF WIMBERLEY, TEXAS

BY: _____
GINA FULKERSON, Mayor

ATTEST:

NATHAN GLAISER, Interim City Secretary





AGENDA ITEM:	8. Discuss and consider possible action regarding Resolution No. 09-2022, a resolution to support the Pristine Streams Petition for rule making to TCEQ to adopt new rules for protected watersheds (subchapter K) for pristine stream segments from degradation caused by treated domestic wastewater effluent. <i>(Mayor, Gina Fulkerson)</i>
SUBMITTED BY:	Gina Fulkerson
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Several Hill Country conservation groups formally petitioned the Texas Commission on Environmental Quality (“TCEQ”), requesting the Commission adopt a new rule establishing a new “Subchapter K – Protected Watersheds” (“Subchapter K”) to be included in Chapter 311 of the Texas Administrative Code (the “TAC”). The objective of the new rules in Subchapter K is to prohibit the permitting of the discharge of treated domestic wastewater effluent to certain “stream segments” and their “drainages”, often referred to herein as “pristine streams”.

REQUESTED ACTION

Resolution
Motion
Discussion

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

1. CityOfWimberley_DraftResolutionOfSupport_PristineStreamsPetition

RESOLUTION NO. 09-2022

WHEREAS, City of Wimberley contains and is located near the Blanco River and Cypress Creek (covered segments 1813 and 1815) and

WHEREAS, the pristine streams within and around City of Wimberley support the region's visitor and recreation-based economy; and

WHEREAS, these streams are clear and pristine because they carry little or no detectable nutrients, such as phosphorus; and

WHEREAS, treated domestic wastewater has high levels of phosphorus, because phosphorus is a byproduct of the treatment process itself; and

WHEREAS, the addition of nutrients, like phosphorus, to these pristine streams will degrade water quality and may result in algal blooms, fish kills and interruption of recreational use; and

WHEREAS, these streams can be protected by prohibiting direct discharge of treated domestic wastewater within their drainages; and

WHEREAS, the rule would not prohibit new development on these streams. Developers will be able to apply for a TLAP land irrigation permit and for authorization to reuse their wastewater; and

WHEREAS, both options have been used very successfully in the two areas where TCEQ has already prohibited new wastewater discharge permits — around the Highland Lakes (since 1986) and in the Edwards Aquifer Recharge Zone (since 1996).

WHEREAS, The City of Wimberley City Council recognizes the value of these pristine streams to the environment and economy of our City.

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

The City of Wimberley hereby supports petitioned Texas Commission on Environmental Quality rule change (2022-1075-PET).

PASSED AND APPROVED this 17th day of March, 2022

CITY OF WIMBERLEY, TEXAS

BY: _____
GINA FULKERSON, Mayor

ATTEST:

NATHAN GLAISER, Interim City Secretary





AGENDA ITEM:	9. Discuss and consider possible action regarding a proposal from LCRA for radio communications equipment for the City Marshal and Emergency Management. (<i>City Administrator, Mike Boese</i>)
SUBMITTED BY:	Mike Boese
DATE SUBMITTED:	03/11/2022
MEETING DATE:	March 17, 2022

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The Lower Colorado River Authority LCRA has been delegated radio communications management for the Hays County Region by the State of Texas. This proposed purchase is for two portable radios, and an in-car radio for the Wimberley Marshal along with one portable radio for emergency management use at City Hall.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

Budgeted Item ☒
Non-budgeted Item ☐
Not Applicable ☐
Original Estimate/Budget: \$10,000.00
Current Estimate: \$18,500.00
Amount Under/Over Budget: \$ 8,500.00

STAFF RECOMMENDATION

Staff recommends City Council approve the purchase of radio communications equipment from LCRA.

ATTACHMENT/S

None