



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 5, 2023 - 6:00 PM

AGENDA

1. **CALL TO ORDER** January 5, 2023, at 6:00 PM

2. **CALL OF ROLL**

3. **INVOCATION**

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

5. **CITIZENS COMMUNICATIONS**

The City Council welcomes comments from citizens at regular meetings. Citizens wishing to speak must sign up prior to the meeting being called to order. We abide by the Texas Open Meetings Act, so council members are allowed only to speak about items posted on the agenda. All other inquiries will be forwarded to staff and may be placed on a future agenda for discussion. Speakers will have one opportunity to speak during the time period, and they must observe the three-minute time limit. After you state your name, staff will start the timer and you have 3 minutes to speak. We will endeavor to ensure that meetings are conducted in a courteous manner, and in an atmosphere free of defamation, intimidation, personal affronts, profanity, or threats of violence.

6. **PRESENTATION AND POSSIBLE ACTION**

6.1. Receive an update from Hays County Constable, Don Montague. (*Don Montague, Constable*)

7. **CONSENT AGENDA**

7.1. Consider approval of Minutes from the December 15, 2022 Regular City Council Meeting.

8. **CITY STAFF REPORT**

8.1. City Administrator Report, including but not limited to the following items:

- a. Transportation Alternative Program
- b. Wimberley Downtown Historic District
- c. Comprehensive Plan - Resilient Communities Grant through the General Land Office
- d. Parks Master Plan
- e. Lift Station Update
- f. Traffic Related Issues

g. Water Suppression Issues Update

9. DISCUSSION AND POSSIBLE ACTION

- 9.1. Consider approval of Resolution No. 01-2023, approving a Fair Housing Policy that aligns with the Federal Civil Rights Act and Fair Housing Act and the Texas Fair Housing Act, providing for a repealer clause, and establishing an effective date. (*Tim Patek, City Administrator*)
- 9.2. Consider approval of Resolution No. 02-2023, authorizing an amendment to the 2022/2023 Operating Budget (Budget Amendment No. 4), authorizing expenditures from the Hotel Occupancy Tax Fund (Special Events and Special Events Equipment) and providing an effective date. (*Leanne Kirby, Tourism Director*)
- 9.3. Discuss and consider any further action related to the TxDOT 2023 Transportation Alternatives Program. (*Mayor Gina Fulkerson*)

10. CITY COUNCIL REPORTS

- 10.1. Announcements
- 10.2. Future Agenda Items

11. ADJOURNMENT

EXECUTIVE SESSION NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive 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. 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 December 30, 2022 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Tammy Cook, 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 Tammy Cook at (512) 648-2403 two business days in advance of the meeting for appropriate arrangements.





AGENDA ITEM:	1. Receive an update from Hays County Constable, Don Montague. <i>(Don Montague, Constable)</i>
SUBMITTED BY:	
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	1. Consider approval of Minutes from the December 15, 2022 Regular City Council Meeting.
SUBMITTED BY:	Tammy Cook
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

Minutes from December 15th are attached for review and consideration by the Council.

REQUESTED ACTION

Motion

FINANCIAL

N/A

STAFF RECOMMENDATION

Approve Minutes as presented or amend as necessary.

ATTACHMENT/S

1. 12-15-2022 DRAFT City Council Minutes



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, DECEMBER 15, 2022 - 6:00 PM

MINUTES

1. **CALL TO ORDER**

December 15, 2022, at 6:00 PM

Mayor Gina Fulkerson called the meeting to order at 6:00 p.m.

2. **CALL OF ROLL**

Council Members Present:

Gina Fulkerson, Mayor
Rebecca Minnick, Place 1
Teresa Shell, Place 2
Chris Sheffield, Place 3
Jim Chiles, Place 4
David Cohen, Place 5

Staff Members Present:

Tim Patek, City Administrator
Tammy Cook, City Secretary
Nathan Glaiser, Director of Planning & Public Works
Charles Zech, City Attorney

3. **INVOCATION**

A moment of silence was observed.

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

Mayor Fulkerson led the pledges of allegiance.

5. **CITIZENS COMMUNICATIONS**

None.

6. **PROCLAMATIONS/RECOGNITIONS**

6.1. Community Excellence Award recognition presented by the Wimberley Mayor and City Council.

Mayor Pro Tem Minnick presented the Community Excellence award to Willis Rothelle and Everett Robuck of Ceremony Botanical Studio. She expressed her appreciation for their vision and work on improving the downtown area through landscaping. She stated a completely different atmosphere has been created and it has become an iconic spot for Wimberley. This aesthetic has been extended throughout the community. She stated that Willis and Everett host workshops, serve the community with generous donations, volunteer when there is a need and they have enhanced Wimberley as a destination.

7. CONSENT AGENDA

A motion was made by Council Member Chiles, seconded by Council Member Cohen to approve the consent agenda. The motion carried unanimously (5-0).

- 7.1.** Consider approval of Minutes from the December 1, 2022 Regular City Council Meeting.
- 7.2.** Approval of the November 2022 Revenue and Expenditure Report for the City of Wimberley.

8. DISCUSSION AND POSSIBLE ACTION

- 8.1.** Discuss and consider Ordinance 2022-27, amending Chapter 12, Utilities, Section 12.02.033 Rates and Charges, subsection (e) and (f), providing for findings of fact, savings, severability, repealer; an effective date and proper notice and meeting. *(Tim Patek, City Administrator)*

Tim Patek, City Administrator, stated this amendment is a request by staff to amend the wastewater bill due date from the 15th to the 22nd of each month. This allows staff an additional week to ensure bills are accurate prior to mailing, make any adjustments if necessary and provides additional time for citizens to receive their bill and to make payment.

A motion was made by Council Member Minnick, seconded by Council Member Shell to approve Ordinance 2022-27, as presented. The motion carried unanimously (5-0).

- 8.2.** Discuss and consider Resolution No. 23-2022, authorizing an amendment to the 2022/2023 Operating Budget (Budget Amendment No. 3), authorizing expenditures from General Fund accounts (100-21-6170), (100-21-6210) and (100-30-6170) and providing an effective date.

Tim Patek, City Administrator, provided a brief presentation requesting an upgrade of the part-time Permitting Assistant, currently budgeted, to a full-time Permitting Coordinator position. He provided the job description and stated this would accommodate the increased staffing needs and additional workload that the City of Wimberley is experiencing within this department.

Upon completion of discussion, a motion was made by Council Member Minnick, seconded by Council Member Sheffield to approve Resolution No. 23-2022, as presented. The motion carried unanimously (5-0).

9. CITY COUNCIL REPORTS

- 9.1.** Announcements

Tammy Cook, City Secretary, stated that City Hall would be closed December 22, December 23, and December 26 for the Christmas holiday.

Teresa Shell, Council Member, stated that she attended the Capital Area Council of Governments (CAPCOG) General Assembly meeting and the speaker, Tucker Ferguson, provided updates on the construction projects underway in Hays County. Council Member Shell shared a handout with the Council listing these projects.

Tim Patek, City Administrator, stated he attended the Public Funds Investment training last week.

- 9.2.** Future agenda items

Mayor Fulkerson requested an update related to recent discussions with TxDOT on the sidewalk project.

10. ADJOURNMENT

A motion was made by Council Member Cohen, seconded by Council Member Chiles to adjourn the meeting at 6:25 p.m. The motion carried unanimously (5-0).

RECORDED BY:

APPROVED BY:

Tammy Cook, City Secretary

Gina V. Fulkerson, Mayor





AGENDA ITEM:	1. City Administrator Report, including but not limited to the following items: a. Transportation Alternative Program b. Wimberley Downtown Historic District c. Comprehensive Plan - Resilient Communities Grant through the General Land Office d. Parks Master Plan e. Lift Station Update f. Traffic Related Issues g. Water Suppression Issues Update
SUBMITTED BY:	Tim Patek
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The City Administrator will update the Council on the listed items.

REQUESTED ACTION

Other

FINANCIAL

N/A

STAFF RECOMMENDATION

Staff will provide update on items listed.

ATTACHMENT/S

1. City Administrator Report January 5 2023

CITY ADMINISTRATOR REPORT – JANUARY 5, 2022

A. Transportation Alternative Program

- a. Transportation Master Plan adopted in December 2022
- b. Met with TxDOT officials on December 13, 2022, regarding the Transportation Alternative Program (Sidewalk on RR 12 from Downtown Square to FM 3237) and Staff attended virtual meeting on December 16, 2022
- c. Transportation Advisory Board met, discussed, and will assist in the preliminary application (Due January 27th) Staff is working on application process.
- d. Council indicated interest in applying for this (Funding, if approved 80/20) for the Sidewalk (approved within the Transportation Master Plan)

B. Wimberley Downtown Historic District – Design Guidelines

- a. Working with Post Oak Preservations (bi-weekly meetings held with Staff)
- b. Community Townhall held on July 28, 2022
- c. Community Townhall to be held on January 26, 2023
- d. Additional Meetings if needed to be held in February/March 2023
- e. Design Guidelines to Planning & Zoning Commission March/April 2023
- f. Expected completion April/May 2023
- g. City Administrator will continue to provide updates to Council throughout this process.

C. Comprehensive Plan – Resilient Communities Program

- a. Awarded grant administration to Langford Community Management Services on December 1, 2022.
- b. Meeting held on December 19, 2022 to discuss brief overview of what to expect and the next steps in the process of the Resilient Communities Program Grant.
- c. SAM.GOV (U.S. Federal Government System for Award Management) registration complete on December 23, 2022 and sent to Langford.
- d. City Administrator will continue to provide updates to Council throughout this process.

D. Wimberley Parks & Recreation Comprehensive Master Plan

- a. Council approved a budget amendment on December 1, 2022 to allocate funds to this plan
- b. RFP for Grant Administrator is being reviewed by Legal Counsel December 2022
- c. RFP for Grant Administrator going out in January/February 2023
- d. RFP proposal deadline February/March 2023

- e. City Council award Grant Administrator for Comprehensive Master Plan March/April 2023
- f. City Administrator will continue to provide updates to Council throughout this process

E. Lift Station

- a. Blue Hole Lift Station generator has been replaced, and new stairway has been installed.
- b. Parts are on back order for electrical panel, contractor hopes to install panel by mid-January.
- c. Parts are on back order for pumps and guiderails, contractor hopes to install pumps and guiderails by mid-January.
- d. City Administrator will continue to provide updates to Council throughout this process.

F. Traffic Related Issues

- a. Working with Transportation Advisory Board and Hays County
- b. Don Montague, Precinct 3 Constable will give update on January 5, 2023 to City Council on areas they are patrolling
- c. Met with TxDOT on December 13, 2022 on getting signage approval on RR 12 for FM 1492.
- d. Working with City Engineers on getting pricing for re-striping parking, re-striping crosswalks, and curb stops for the downtown square.
- e. City Administrator will continue to provide updates to Council throughout this process.

G. Water Suppression Issues

- a. Met with Fire Chief and Fire Marshal on December 21, to discuss water suppression issues and how to move forward in helping business owners meet fire protection guidelines.
- b. Joint meeting scheduled for January 10, 2023 at 2:00 pm City Hall, with business owners and Fire Marshal to go over water suppression issues, alternative water sources and meeting fire protection guidelines.
- c. City Administrator will continue to provide updates to Council throughout this process.



AGENDA ITEM:	1. Consider approval of Resolution No. 01-2023, approving a Fair Housing Policy that aligns with the Federal Civil Rights Act and Fair Housing Act and the Texas Fair Housing Act, providing for a repealer clause, and establishing an effective date. <i>(Tim Patek, City Administrator)</i>
SUBMITTED BY:	Tim Patek
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

A Fair Housing Policy or any fair housing initiatives by a municipality are encouraged when applying for grants, such as the GLO-Resilient Communities Program. In December, Langford Community Management Services (LCMS) was selected as our grant administrator for this program and they have asked the staff to compile various documents. One of these documents is something that shows the city's support of fair housing in our community. The attached Resolution indicates the City's support of the Federal and Texas Fair Housing Acts.

REQUESTED ACTION

Motion
Resolution

FINANCIAL

N/A

STAFF RECOMMENDATION

ATTACHMENT/S

1. Resolution - Fair Housing Policy
2. Fair Housing Initiatives

RESOLUTION NO. 01-2023

A RESOLUTION OF THE CITY OF WIMBERLEY, TEXAS, APPROVING A FAIR HOUSING POLICY THAT ALIGNS WITH THE FEDERAL CIVIL RIGHTS ACT AND FAIR HOUSING ACT AND THE TEXAS FAIR HOUSING ACT; PROVIDING FOR A REPEALER CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968, which was meant as a follow-up to the Civil Rights Act of 1964. The 1968 Act expanded on previous acts and prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, (and as amended) handicap and family status. Title VIII of the Act is also known as the Fair Housing Act (of 1968).

WHEREAS, on September 1, 1993 Texas created the Fair Housing Act with a purpose to provide fair housing practices in the state, create a procedure for investigating and settling complaints of discriminatory housing practices, and provide rights and remedies substantially equivalent to those granted under federal law.

WHEREAS, both the Federal and Texas Fair Housing Acts provide for equal opportunity for all Americans in the sale, rental, and financing of housing and prohibits housing discrimination on the basis of race, color, creed, religion, sex, age, national origin, family status and handicap.

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

1. The City of Wimberley supports the intent of the Federal Fair Housing Act and the Texas Fair Housing Act and offers assistance both to those who feel they have been the victims of housing discrimination and those who require educational support to ensure compliance with fair housing law.
2. The City of Wimberley hereby adopts a Fair Housing Policy, attached as Exhibit A.
3. All orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.
4. That this Resolution shall take effect immediately from and after its passage, and it is duly resolved.

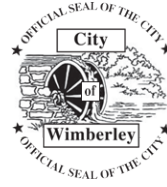
PASSED, APPROVED AND ADOPTED this 5th day of January, 2023.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

Tammy Cook, City Secretary





FAIR HOUSING

Objectives

The general objectives of the City's Fair Housing Initiatives are:

- To bring about, through fair, orderly, and lawful procedures the opportunity for each person to obtain housing without regard to race, color, religion, sex, or national origin, physical or mental handicap, marital status, parenthood, or age.
- To recognize the inalienable right of each individual to provide for themselves and their family a dwelling according to their own choosing
- To recognize that denial of such rights through considerations based upon race, color, religion, sex, national origin, physical or mental handicap, marital status, parenthood, or age is detrimental to the health, safety, and welfare of the inhabitants of the city, and constitutes an unjust denial or deprivation of such inalienable right which is within the power and the proper responsibility of government to prevent.
- To support the Federal Civil Rights Act and Fair Housing Act and the Texas Fair Housing Act
- To recognize the Month of April as Fair Housing Month in the City of Wimberley



AGENDA ITEM:	2. Consider approval of Resolution No. 02-2023, authorizing an amendment to the 2022/2023 Operating Budget (Budget Amendment No. 4), authorizing expenditures from the Hotel Occupancy Tax Fund (Special Events and Special Events Equipment) and providing an effective date. <i>(Leanne Kirby, Tourism Director)</i>
SUBMITTED BY:	
DATE SUBMITTED:	12/29/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

Motion
Resolution

FINANCIAL

Utilizing Funds from the budgeted line items stated in the attached Resolution.
200-15-6973 - not to exceed 50K
200-15-6974 - not to exceed 15K

STAFF RECOMMENDATION

Approve Resolution as presented

ATTACHMENT/S

1. Resolution No. 02-2023 (Budget Amendment No. 4)

RESOLUTION NO. 02-2023

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2022/2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 4), AUTHORIZING EXPENDITURES FROM THE HOTEL OCCUPANCY TAX FUND (SPECIAL EVENTS AND SPECIAL EVENTS EQUIPMENT) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved the 2022/2023 Operating Budget.

WHEREAS, the Special Events and Special Events Equipment fund accounts are currently budgeted, but these funds will not be utilized this budget year.

WHEREAS, the Tourism Director would utilize these funds for an office lease in the downtown area which would provide easy accessibility to the community to increase and improve connectivity and outreach.

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 2022/2023 Revenue/Operating Budget (Budget Amendment No. 4) for the purpose and in the amounts shown below.

Hotel Occupancy Tax, Special Events - Expenditures

The effect of these transactions will decrease funds from the Special Events Fund Account (200-15-6973) by an amount not to exceed \$50,000

Hotel Occupancy Tax, Special Events Equipment – Expenditures

The effect of these transactions will decrease funds from the Special Events Equipment Fund Account (200-15-6974) by an amount not to exceed \$15,000

Section 2

The City Council of the City of Wimberley, Texas, hereby amends the 2022/2023 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 5th day of January 2023.

The City of Wimberley, Texas

Gina V. Fulkerson, Mayor

ATTEST:

City Secretary





AGENDA ITEM:	3. Discuss and consider any further action related to the TxDOT 2023 Transportation Alternatives Program. <i>(Mayor Gina Fulkerson)</i>
SUBMITTED BY:	Gina Fulkerson
DATE SUBMITTED:	12/29/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The council has given their support to move forward with the initial application for the Transportation Alternatives program. City Administrator, Tim Patek just provided an update and the progress that staff has made to this point related to this program.

This is an opportunity for the council to discuss the program further, if necessary.

More information on this program can be found here:

<https://www.txdot.gov/business/grants-and-funding/bicycle-pedestrian-local-federal-funding-programs.html>

PowerPoint overview: <https://ftp.txdot.gov/pub/txdot/ptn/bicycle/2023-ta-call-for-projects-workshop-slides.pdf>

REQUESTED ACTION

Discussion

FINANCIAL

N/A

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	1. Announcements
SUBMITTED BY:	
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None



AGENDA ITEM:	2. Future Agenda Items
SUBMITTED BY:	
DATE SUBMITTED:	12/21/2022
MEETING DATE:	January 5, 2023

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

REQUESTED ACTION

FINANCIAL

STAFF RECOMMENDATION

ATTACHMENT/S

None