

City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS
12111 RANCH ROAD 12, WIMBERLEY, TEXAS
JUNE 18, 2009, 6:30 P.M.

AGENDA

CALL TO ORDER: JUNE 18, 2009 @ 6:30 P.M.

CALL OF ROLL: CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

CITIZENS COMMUNICATIONS:

THE CITY COUNCIL WELCOMES COMMENTS FROM CITIZENS 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.

1. CONSENT AGENDA

THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COUNCIL MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

- (A) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 4, 2009.
- (B) APPROVAL OF MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MAY 27, 2009.
- (C) APPROVAL OF THE REAPPOINTMENT OF LILA MCCALL TO CITY OF WIMBERLEY PLANNING AND ZONING COMMISSION. (MAYOR PRO-TEM CHARLES ROCCAFORTE'S NOMINEE)
- (D) APPROVAL OF THE REAPPOINTMENT OF JEAN ROSS TO CITY OF WIMBERLEY PLANNING AND ZONING COMMISSION. (PLACE FIVE COUNCIL MEMBER JOHN WHITE'S NOMINEE)

- (E) APPROVAL OF THE APPOINTMENT OF MIKE JONES TO CITY OF WIMBERLEY PLANNING AND ZONING COMMISSION. (*CONSENSUS NOMINEE*)
- (F) APPROVAL OF THE APPOINTMENT OF ROBERT SKIPPER TO CITY OF WIMBERLEY ETHICS COMMISSION. (*PLACE FIVE COUNCIL MEMBER JOHN WHITE'S NOMINEE*)

2. **CITY ADMINISTRATOR REPORT**

- STATUS REPORT ON THE DEVELOPMENT AND OPERATION OF THE BLUE HOLE REGIONAL PARK
- STATUS REPORT ON THE ACTIVITIES OF THE *LOCAL EMERGENCY MANAGEMENT PLANNING TASK FORCE*
- STATUS REPORT ON THE DEVELOPMENT OF A NON-POINT SOURCE POLLUTION ORDINANCE
- STATUS REPORT ON THE POSSIBLE DEVELOPMENT OF AN ADDITIONAL PUBLIC RESTROOM FACILITY ON THE WIMBERLEY SQUARE
- STATUS REPORT ON THE APPOINTMENT OF A WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION
- STATUS REPORT ON EFFORTS UNDERWAY TO SECURE STATE AND FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON FOURTH OF JULY ACTIVITIES
- STATUS REPORT ON ACTIVITIES OF THE WIMBERLEY MUNICIPAL COURT
- STATUS REPORT ON ACTIVITIES OF THE CITY MARSHAL

3. **PRESENTATIONS**

PRESENTATION BY REPRESENTATIVES OF *YOUTH TAKING CHARGE* ON THE EFFORTS UNDERWAY TO DEVELOP A *BOYS AND GIRLS CLUB* IN THE WIMBERLEY VALLEY

4. **PUBLIC HEARING AND POSSIBLE ACTION**

PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A 1.18 ACRE TRACT LOCATED AT 108 S. VALLEY VIEW DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING INITIAL ZONING FOR SUCH TRACT AS NEIGHBORHOOD SERVICES (NS); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING. (*JMI STUDIOS , APPLICANT*)

5. **DISCUSSION AND POSSIBLE ACTION**

- (A) DISCUSS AND CONSIDER ACTION RESCINDING THE PREVIOUS CITY COUNCIL ACTION ON JUNE 4, 2009 RELATING TO THE DESIGNATION OF A BANK DEPOSITORY AND DIRECTING CITY STAFF TO READVERTISE FOR BIDS TO BECOME DEPOSITORY BANK FOR THE CITY OF WIMBERLEY. (*CITY ADMINISTRATOR*)

- (B) DISCUSS AND CONSIDER ACTION ON ISSUES RELATING TO THE FUTURE OPERATION OF THE WIMBERLEY COMMUNITY CENTER BY THE CITY OF WIMBERLEY. (CITY ADMINISTRATOR)
- (C) DISCUSS AND CONSIDER APPROVAL OF FISCAL YEAR 2010 WIMBERLEY BUDGET CALENDAR. (CITY ADMINISTRATOR)
- (D) DISCUSS AND CONSIDER DESIGNATING MAYOR TOM HALEY, MAYOR PRO-TEM CHARLES ROCCAFORTE AND CITY ADMINISTRATOR DON FERGUSON AS AUTHORIZED SIGNATORIES ON THE CITY OF WIMBERLEY DEPOSITORY BANK ACCOUNTS. (MAYOR TOM HALEY)
- (E) DISCUSS AND CONSIDER LEGAL ISSUES RELATING TO THE CONDUCT OF PUBLIC OFFICIALS WHEN TRANSACTING PUBLIC BUSINESS. (PLACE FOUR COUNCIL MEMBER STEVE THURBER)
- (F) DISCUSS POSSIBLE OPTIONS RELATING TO THE DEVELOPMENT OF A NEW CITY HALL FACILITY FOR THE CITY OF WIMBERLEY, TEXAS. (MAYOR TOM HALEY)

6. CITY COUNCIL REPORTS

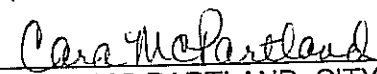
- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

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 LOCAL 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.

CERTIFICATION

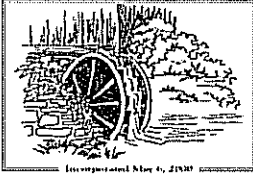
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on June 15, 2009 at 5:00 p.m.



CARA MC PARTLAND, 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 Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: APPROVAL OF JUNE 4,
2009 MINUTES OF REGULAR CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

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

Project/Proposal Summary:

Attached are minutes for the June 4, 2009 Regular City Council Meeting for review and consideration.

City of Wimberley
City Hall, 12111 Ranch Road 12, Ste. 114
Wimberley, Texas 78676
Minutes of Regular Meeting of City Council
June 4, 2009 at 6:30 p.m.

City Council meeting called to order at 6:30 p.m. by Mayor Tom Haley.

Mayor Haley gave the Invocation and Councilmembers led the Pledge of Allegiance to the United States and Texas flags.

Councilmembers Present: Mayor Haley and Councilmembers Bob Flocke, Bill Appleman, Steve Thurber, and John White. Councilmember Charles Roccaforte had an excused absence.

Staff Present: City Administrator Don Ferguson, City Secretary Cara McPartland, and Assistant City Attorney Cindy Crosby.

Citizen Communications

No citizen communications were heard.

1. Consent Agenda

- A. Approval of minutes of the regular City Council meeting of May 21, 2009.
- B. Approval of minutes of the special City Council meeting of May 15, 2009.
- C. Approval of minutes of the special City Council meeting of May 26, 2009.
- D. Approval of the April 2009 Financial Statements for the City of Wimberley.
- E. Approval of the reappointment of David Glenn to the City of Wimberley Planning and Zoning Commission (*Place Three Councilmember Bill Appleman's nominee*).

Councilmember Flocke moved to approve all Consent Agenda items as presented. Councilmember Thurber seconded. Motion carried on a vote of 4-0.

2. City Administrator Report

- Status report on development of Blue Hole Regional Park

City Administrator Ferguson reported on progress to date on hike and bike trail construction, and provided details on timeframe for completion, materials used, design, structures, parking, and work

schedule for Hays County. He anticipated that the City will execute its contract with *Design Workshop* in the coming week.

- Status report on Blue Hole Regional Park summer operations

City Administrator Ferguson reported on snake activity at Blue Hole, which resulted in no injuries to park personnel or visitors. He provided information on admission trends for daily adult/children passes and season pass holders. Mr. Ferguson noted that total revenue is slightly up this season and that rules prohibiting jumping from trees are being enforced. He stated that several reservation requests have been received and reminded that the park will be closed to the public on Friday, July 3, 2009.

- Status report on 2009 building permit activity in Wimberley

City Administrator Ferguson reported on a significant decline in residential/new home building permit activity and a slight decline in commercial building permits. He noted that most residential building permits were issued for remodels/additions.

- Status report on Planning and Zoning Commission review of Zoning Code relating to alcohol sales

City Administrator Ferguson reported that the Planning and Zoning Commission has directed staff to draft an ordinance allowing alcohol sales:

- in restaurants in all commercial zoning districts with a Conditional Use Permit
- for liquor stores zoned Commercial Moderate Impact (C-2) or Commercial High Impact (C-3) with a Conditional Use Permit (except within the Village Center Overlay District)
- in bars/taverns in Commercial High Impact (C-3) districts with a Conditional Use Permit

He outlined current regulations for off-premise consumption and anticipated Council's consideration of this issue to take place in early July.

- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project

City Administrator Ferguson reported on a Texas Water Development Board meeting/public hearing to be held on June 12, 2009 at 1:30 p.m. in Austin. He explained the process and timeline for Board action on this matter and anticipated a decision on the City's project by the end of this summer. He reported favorably on the City's ranking and noted that City representation will be present at the meeting. Mr. Ferguson stated that the new plant servicing Deer Creek Nursing Center is on line and that flow issues are being worked out with Deer Creek's management.

- Status report on Fourth of July Fireworks Project

City Administrator Ferguson thanked Council for its attendance at the recent fireworks sponsorship demonstration. He reported that the City's contract with the vendor has been executed in the amount of \$3,500 and noted that \$3,400 has been collected to date, with any overage to be placed into next year's fund.

- Status report on activities of the Wimberley Municipal Court

City Administrator Ferguson reported that a Request for Proposal (RFP) will be issued for a replacement municipal court judge.

- Status report on activities of the City Marshal

City Administrator Ferguson reported on an upcoming meeting with area law enforcement agencies regarding traffic/crowd issues at the Little Arkansas low water crossing. In response to several public inquiries, Mr. Ferguson stated that an incident involving Hays County law enforcement in response to a call for service on CR 1492 last evening has been resolved.

Mayor Haley spoke favorably of the Fourth of July fireworks demonstration and upcoming display and brief discussion addressed the possibility of providing music in some form for the event.

3. Public Hearing and Possible Action

Hold a public hearing and consider approval of an ordinance of the City of Wimberley, amending Ordinance No. 2008-002 which designated a particular tract as a Wimberley Planned Development District (WPDD) and imposed certain conditions; and amend Section 155 (Zoning) of the Code of Wimberley, designating geographic boundaries for a particular zoning district and classification for a particular tract located at 14711 Ranch Road 12, Wimberley, Hays County, Texas, changing the zoning designation of a portion of the real property from Single Family Residential 2 (R2) to Wimberley Planned Development District (WPDD) with a base zoning district of Public Facilities (PF); and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting (*Bishop Gregory Aymond, Applicant*).

City Administrator Ferguson reviewed the application and provided specifics on the subject property's location, existing/proposed zoning/uses, project downsizing/re-phasing, and acquisition of two additional lots with requests for rezoning. He reported on turnaround emergency access, changes in roofing material, and Palos Verdes Drive access. Mr. Ferguson noted one response from a neighboring property owner who previously expressed objection to the original WPDD, but does not oppose this application, which reduces the impact of the project. Mr. Ferguson concurred with Planning and Zoning Commission's recommendation for approval.

Mayor Haley opened the public hearing. Hearing no response, Mayor Haley closed the public hearing. Discussion addressed ordinance language relating to rezoning, procedures available should the applicant desire to “upsized” later that allow some flexibility for modification, and prior consolidation of lots under the original WPDD agreement.

Councilmember White moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

4. Discussion and Possible Action

- A. Discuss and consider possible approval of an agreement with Blanco National Bank to serve as a bank depository for the City of Wimberley (*City Administrator*).

City Administrator Ferguson advised that the City received only one response to its Request for Proposal (RFP) for depository services from Blanco National Bank (the City’s current depository). Upon review of the bid, Mr. Ferguson recommended approval and stated that under the current agreement the City will be able to draw interest on its assets. For future reference, he noted that there is no statutory requirement that the City have only one depository.

Discussion addressed the advantages/disadvantages of various clearing house options, including comparison of using Federal Reserve Bank, Federal Home Loan Bank, or other major banks as underwriting depositories. Brief discussion ensued on the lack of responses from bidders, security for assets, and the City’s investment policy.

Councilmember Thurber moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 4-0.

- B. Discuss and consider possible approval of the appointment of an interim municipal court judge for the City of Wimberley (*City Administrator*).

City Administrator Ferguson stated that Hays County Precinct Three Justice of the Peace Andrew Cable has offered to serve as interim Wimberley Municipal Court judge until a replacement can be found. He advised that staff recommends approval of the interim appointment of Judge Cable who will receive the same hourly compensation as former Municipal Court Judge Don Campbell, who recently resigned.

Discussion addressed conflict of interest rules for courts of record that would prohibit service of Judge Cable should the Wimberley Municipal Court become a court of record. In response to Councilmember White, City Administrator Ferguson clarified that the City of Wimberley Municipal Court became a non-record court in September 2008.

Councilmember Thurber moved to accept Wimberley Municipal Court Judge Don Campbell's resignation and approve the appointment of Andrew Cable as interim municipal court judge for the City of Wimberley. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

- C. Discuss and consider possible action on issues relating to the future operation of the Wimberley Community Center by the City of Wimberley (*City Administrator*).

City Administrator Ferguson reported on budget/deficit trends associated with Community Center operations and projections based on those trends. Details were provided on marketing, rentals/rental fees, and expenses, including those related to personnel. Upon examination of various options such as privatization (outsourcing), Mr. Ferguson felt that some City-run operations experience may give insight into management strategies that would hopefully keep deficits down.

Discussion addressed a possible increase in the current director's working hours, the formation of a small operations oversight committee/advisory board, use of tax revenue for Community Center funding, role of Wimberley Senior Citizens Association, Inc. (WSCAI), other possible uses for the property, and grant-related restrictions on those uses.

WSCAI Board member Curt Busk provided clarification on the five-year operating agreement between WSCAI and the City and Councilmember Thurber expressed appreciation to WSCAI for its admirable performance in fulfilling its contract. Councilmember Thurber felt issuance of a Request for Proposal (RFP) may create ill will and favored retention of the current Board, volunteers, and operational personnel, given lack of assurance that privatization will work. Mayor Haley spoke of possible additions to the existing Community Center (with no impact on current uses of the building) to house City Hall office/storage space in order to avoid rental expenses. Councilmember Flocke agreed with Mayor Haley. Councilmember Appleman felt that adopting a mindset that profitable operations are possible will help future operational success and potential profitability. Discussion addressed enhanced marketing efforts, scope of use, rental fees, organizations that regularly rent Community Center space, zoned air conditioning/utility costs, and establishment of uniform rules for setting rates.

Discussion reached agreement to defer action until Council's next regularly scheduled meeting.

Councilmember Thurber clarified for the record that the subject agreement referred to in the previously approved Agenda Item No. 4A (Blanco National Bank agreement to serve as City of Wimberley depository) is for a period of three (3) years.

At this time, Mayor Haley called a short break in order for Council to be photographed for local media coverage of the City's recently recognized status as one of the top three finalists in the *Envision Central Texas Community Stewardship Awards*.

- D. Discuss and consider possible action on proposed amendments to *The City of Wimberley Governance Policy and Rules of Procedure* (Place Three Councilmember Bill Appleman).

Councilmember Appleman moved to make the following change to Section 4.4:

“The Mayor is the spokesperson on all official positions taken by the City Council. The Mayor Pro-tem or alternate City Council designee will assume that role in the Mayor’s absence.”

Councilmember Thurber seconded. Motion carried on a vote of 4-0.

- E. Discuss and consider possible action on a proposal to provide complimentary season passes to part-time employees of the Blue Hole Regional Park (*City Administrator*).

City Administrator Ferguson outlined cost to the City and restrictions to prevent abuse should Council approve this proposal. Mayor Haley stated that complimentary season passes should be applicable to the employee only (not friends/relatives) and that employees’ behavior should set an example for others using the park. Councilmember Thurber suggested setting a minimum number of hours to be worked in order to be eligible for a complimentary season pass. Discussion addressed procedures for issuance/verification of season pass holders, additional staffing, conduct of staff (on- and off-duty), and requiring twenty-five (25) hours per pay period as a threshold for minimum number of hours worked.

Councilmember Thurber moved to approve providing complimentary season passes to part-time employees of Blue Hole Regional Park who work at least twenty-five (25) hours in the course of a pay period. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

- F. Discuss and consider possible action relating to the proposed development of a Joint Governmental Services Facility in Wimberley, Texas (*City Administrator*).

City Administrator Ferguson stated that a response has not been received from Hays County Commissioners Court to a letter dated April 2, 2009 (sent at Council’s direction) requesting evidence of formal action on the proposed development. As communicated by Hays County Commissioner Will Conley, Mr. Ferguson advised that Hays County has hired a consultant to develop firmer cost estimates for the proposed project, which is anticipated to be on Hays County Commissioners Court agenda in late June. Discussion addressed whether action is required or advisable at this time.

Councilmember Thurber moved to direct staff to write a letter to Hays County Commissioners Court informing them that the sixty (60) day period is over; that the City has not had a response to its letter dated April 2, 2009; and, that City Council will not take any further action on this proposal at this time. Motion died for lack of a second.

Councilmember Appleman moved that City staff notify Hays County Commissioners Court of its failure to respond within the sixty (60) day deadline; that Council plans no further action on this item; and, that Council is open to considering any future proposals. Councilmember Thurber seconded. City Administrator Ferguson suggested adding to the motion that Council is not limited in seeking other alternatives. Councilmembers Appleman and Thurber accepted the suggested

addition to the motion. Discussion on the motion addressed the necessity of sending the letter, which does not preclude the City from considering any future proposals from Hays County.

Mayor Haley called for a vote as follows: Councilmember Flocke, nay; Councilmember Appleman, aye; Councilmember Thurber, aye; Councilmember White, nay; Mayor Haley, nay. Motion failed on a vote of 2-3.

5. City Council Reports

- Announcements
- Future Agenda Items

Councilmember White requested his Ethics Commission appointment as a future agenda item.

City Administrator Ferguson announced that Council will be receiving updated information on board/commission/committee membership.

As a future agenda item, Councilmember Thurber requested a status update on the Non-Point Source Pollution ordinance.

Hearing no further announcements or future agenda item requests, Mayor Haley called the meeting adjourned.

Adjournment: Council meeting adjourned at 8:02 p.m.

Recorded by:

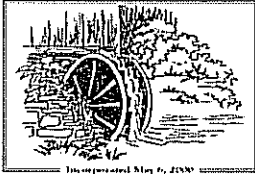
Cara McPartland

These minutes approved on the _____ of June, 2009.

APPROVED:

Tom Haley, Mayor

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: APPROVAL OF MAY 27, 2009 MINUTES OF SPECIAL CITY COUNCIL MEETINGS

Funds Required:
Funds Available:

Council Action Requested:

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

Project/Proposal Summary:

Attached are minutes for the May 27, 2009 Special City Council Meeting for review and consideration.

MINUTES
SPECIAL CITY COUNCIL MEETING
MAY 27, 2009 – 8:45 P.M.

The City Council of the City of Wimberley, Texas met for the purpose of participating in a Fourth of July Fireworks Sponsorship Presentation, located at South River Business Park, 12000 block of Ranch Road 12, Wimberley, Hays County, Texas on Wednesday, May 27, 2009 at 8:45 p.m.

Those present were: Mayor Tom Haley, Presiding; Council Members Roccaforte and John White.

Members of the City of Wimberley City Council attended the special meeting for the purpose of participation in a Fourth of July Fireworks Sponsorship Presentation. No action was taken during the meeting that began at 8:45 p.m. and ended at 9:15 p.m.

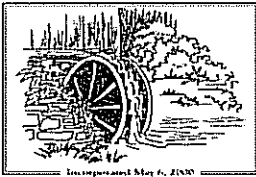
DATE APPROVED: June __, 2009

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: REAPPOINTMENT OF
LILA MCCALL TO THE PLANNING AND ZONING
COMMISSION

Funds Required:
Funds Available:

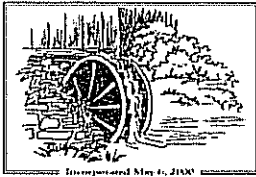
Council Action Requested:

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

Project/Proposal Summary:

This item was placed on the agenda at the request of Mayor Pro-tem Charles Roccaforte to allow City Council to consider the reappointment of Lila McCall to the City of Wimberley Planning and Zoning Commission.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: REAPPOINTMENT OF
JEAN ROSS TO THE PLANNING AND ZONING
COMMISSION

Funds Required:
Funds Available:

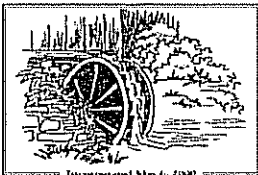
Council Action Requested:

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

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Five Council Member John White to allow City Council to consider the reappointment of Jean Ross to the City of Wimberley Planning and Zoning Commission.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: APPOINTMENT OF MIKE JONES TO THE PLANNING AND ZONING COMMISSION

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

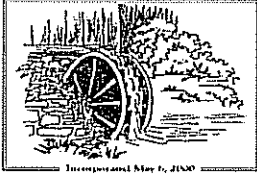
☒ Motion

☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Mayor Tom Haley to allow City Council to consider the nomination of Mike Jones as the consensus appointee to the City of Wimberley Planning and Zoning Commission.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: APPOINTMENT OF
ROBERT SKIPPER TO THE WIMBERLEY
ETHICS COMMISSION

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

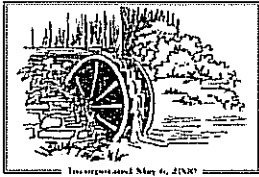
☒ Motion

☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Five Council Member John White to allow City Council to consider the appointment of Robert Skipper to the City of Wimberley Ethics Commission. If appointed, Mr. Skipper would take the place of Carroll Czichos who recently stepped down from his position on the Commission.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

☐ Motion

☒ Discussion

Project/Proposal Summary:

The City Administrator will present a report on the following items:

- Status report on the development and operation of the *Blue Hole Regional Park*
- Status report on the development of a *Local Emergency Management Planning Task Force*
- Status report on the development of a *Non-Point Source Pollution Ordinance*
- Status report on the possible development of an additional public restroom facility on the Wimberley Square
- Status report on the appointment of a *Wimberley Economic Development Commission*
- Status report on efforts underway to secure state and federal funding for the Downtown Wastewater Project
- Status report on Fourth of July activities
- Status report on activities of the Wimberley Municipal Court
- Status report on activities of the City Marshal

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2008

Project/Proposal Title: PRESENTATION ON THE
POSSIBLE DEVELOPMENT OF A BOYS AND GIRLS
CLUB IN THE WIMBERLEY VALLEY

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

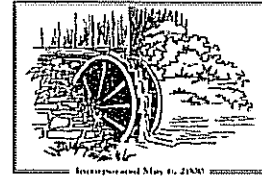
☐ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow representatives of *Youth Taking Charge* to brief the City Council on efforts underway to develop a *Boys and Girls Club* in the Wimberley Valley.

Report for Zoning Change ZA-09-015



Summary:

The applicant has requested a base zoning of Neighborhood Services (NS) for a currently unzoned tract of property located at 108 S. Valley View Drive.

Applicant Information:

Applicant:

JMI Studios
8015 Shoal Creek Blvd
Austin TX, 78757
JMI Studios

Property Owner:

JMI Studios

Subject Property:

Legal Description:

Wimberley Hills Office Park Sec 1 Lots 4 and 5 (1.18 acres total)

Location:

108 S. Valley View Dr.

Existing Use of Property:

Video Production Studio

Existing Zoning:

None

Proposed Use of Property:

Low Intensity Retail or Service Facilities

Proposed Zoning:

Neighborhood Services (NS)

Planning Area

A

Overlay District

N/A

Surroundings:

Frontage On:

South Valley View Drive

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	C1	Retail Services
S of Property	R2	Residential
E of Property	Unzoned	Retail Services
W of Property	R2	Residential

Legal Notice

200' Letters

5/22/09

Published

5/27/09

Sign Placement

5/28/09

Responses

One (1) response was received from a notified property owner (property #12 on the enclosed notification map) who expressed interest in maintaining the residential feel of the neighborhood. The respondent was happy with the current use of the subject property and is opposed to any use that may be more intense.

Comments:

The applicant has requested a base zoning designation of Neighborhood Services (NS) for a currently unzoned tract of property located at 108 South Valley View Drive in the Wimberley Hills Office Park. The subject property is located in Planning Area A, where NS zoning is permitted.

The subject property is currently being used as a video recording studio. The current owner, JMI Studios, is planning to sell the property and is seeking NS zoning to make other potential uses possible. Permitted uses in the NS zoning district include, single family residential, religious assembly and accessory uses. All other uses, including light retail sales and services, are permitted only with a Conditional Use Permit.

On June 11, 2009, the Planning and Zoning Commission held a public hearing on the zoning request. Afterwards, the Commission voted unanimously to recommend approval of the NS zoning request.

City staff concurs with the recommendation of the Commission.

§ 155.061 NEIGHBORHOOD SERVICES DISTRICT; NS.

(A) *General purpose and description.* The NS, neighborhood services district is established to provide areas for limited local neighborhood, low intensity retail and service facilities for the retail sales of goods and services. These business areas shall utilize established landscape and buffering requirements and can also act as a buffer between residential areas and more intense commercial areas.

(B) *Permitted uses.*

- (1) Single-family residence;
- (2) Religious assembly; and
- (3) Accessory uses as permitted in § 155.076.

(C) *Conditional uses.*

(1) Administrative and professional office:

- (a) Insurance, real estate, attorneys, accountants, architects, investment services, travel agencies;
- (b) Photography studios, doctors, dentists;
- (c) Non-profit organizations (with certain restrictions);
- (d) Research services: limited;
- (e) Office; and
- (f) Arts and crafts.

(2) Civic uses (such as City Hall);

(3) Office/residential;

(4) Medical services: limited;

(5) Retail sales and services: limited;

(6) Repair services: consumer;

(7) Bed and breakfast lodging;

(8) Telecommunications towers, commercial antennas, and broadcast towers, subject to all

applicable city regulations;

(9) Private primary educational services; and

(10) Accessory uses as permitted in § 155.076.

(D) *Development regulations.* ~~HEALTH, FITNESS~~

(1) Minimum lot size: 6,000 square feet.

(2) Maximum building height (as defined in § 155.005):

(a) Primary buildings: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(3) For minimum setback, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 25 feet;

(b) Secondary street: 15 feet; and

(c) Interior side and rear yard: 10 feet, 20 feet when adjacent to a residential district and the building is more than 1 story.

(4) Maximum impervious cover: 60%. Impervious coverage shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(5) Maximum building coverage: 50%. Building coverage shall be calculated as a percentage of the net site area.

(6) Maximum building footprint: 4,500 square feet.

(7) Maximum floor area: 9,000 square feet.

(E) *Special district requirements.* Fencing and landscaping are required to mitigate and screen adverse impacts on adjacent residential properties.

(F) *Supplemental development standards.*

(1) All permitted uses within this district, with the exception of medical services, bed and breakfast lodging, residential, and government and public uses, shall have hours of operation between 6:00 am and 10:00 pm.

(2) Open storage is prohibited for all uses.

(3) Recreational vehicles, travel trailers, and motor homes may not be used for on-site dwelling or non-residential purposes.

(4) Other development standards as established in §§ 155.075 *et seq.*, development standards, apply.

(G) *Parking requirements.*

(1) As established by § 155.075, off-street parking and loading requirements.

(2) Open storage is prohibited.

(3) For site plan requirements, see § 155.077.

(4) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling or non-residential purposes.

(Ord. 2001-010, § 40, passed 4-1-2001; Am. Ord. 2004-002, passed 2-19-2004) Penalty, see § 155.999

FOR OFFICIAL USE ONLY

APPLICATION DATE: 5/15 FILE NO. ZA-09-015
 TENTATIVE P&Z* HEARING: 6/11 TENTATIVE CC** DATE: 6/18
 CITY INITIATED: YES - ☒ NO ☐ PLANNING AREA: A ZONING REQUESTED: N3
 ZONING FEES: \$ 320 DATE PAID: 5/15 RECEIVED BY: Abby

* P&Z - Planning & Zoning Commission ** CC - Village of Wimberley City Council

APPLICATION FOR ZONING

NON-RESIDENTIAL, MULTI-FAMILY DEVELOPMENTS, MOBILE HOME DEVELOPMENTS, CONDITIONAL USE PERMIT APPLICATIONS & WIMBERLEY PLANNED DEVELOPMENT DISTRICTS (WPDD'S)

OWNER, AGENT AND PROJECT DATA

STREET ADDRESS OF PROPERTY TO VIEW HAYS COUNTY CENTRAL APPRAISAL DISTRICT
 BE ZONED: 100 SOUTH VALLEY Wimberley, Texas PROPERTY ID#: R 007 **
 * New street addresses can be obtained by calling (512) 393-2160
 ** You may obtain this from your property tax statement.

PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY:

RR 12 TO WIMBERLEY HILLS, FIRST STREET
TO RIGHT IS VALLEY VIEW, BUILDING @
END OF PAVED ROAD TO RIGHT.

NOTE: Please clearly mark your property so it is easily identifiable.

1. OWNER'S NAME: JMI STUDIOS HOME PHONE: (512) 422-6427
 BUSINESS PHONE: (512) 637-5166
 FAX: (512) 367-5169
 E-MAIL: JF++@10MP.COM

OWNER'S CURRENT MAILING ADDRESS 8015 SHOCK CREEK BLVD AUSTIN STATE TEXAS ZIP 78757
SUITE 100

2. AGENT'S NAME: BRENDA SANFORD AGENT'S PHONE: (512) 842-1286
 FAX: (512) 847-1256

AGENT'S FIRM NAME: THE SANFORD GROUP E-MAIL: BRENDA@THESANFORDGROUP.COM

AGENT'S FIRM MAILING ADDRESS: 13615 RR 12 CITY WIMBERLEY STATE TX ZIP 78676

PROPERTY INFORMATION

1.18 *Pic*

3. TOTAL AREA TO BE ZONED: ACRES 1.18 (OR) SQ.FT. _____ TOTAL NO. of TRACTS: 12 *Pic*

4. PLANNING AREA(S): 1.18 5. REQUESTED ZONING CLASSIFICATION: HS (NEIGHBORHOOD SERVICES)

PROPOSED USE(S): _____

6. EXISTING ZONING CLASSIFICATION(S) AND USES (if applicable): _____

7. LEGAL DESCRIPTION

Street Address: 108 S. VALLEY VIEW Subdivision: WIMBERLEY HILLS OFFICE PARK SEC 1

Block(s) _____ Lot(s) _____

Plat Book: _____ Page Number: _____

8. DEED RECORDS: (REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER):

VOLUME: 4 PAGE: 321-322 OF COUNTY PLAT RECORDS

9. OTHER PROVISIONS

A. IS PROPERTY IN AN OVERLAY DISTRICT? YES ☒ NO _____ UNKNOWN _____

TYPE OF OVERLAY ZONE(S) (if applicable) _____

B. FLOOD PLAIN (What, if any, flood zone does your property occupy?): NO

C. ELECTRIC UTILITY PROVIDER: PEC

WATER UTILITY PROVIDER: WIMBERLEY WATER SUPPLY

WASTEWATER UTILITY PROVIDER: SEPTIC SYSTEM

HAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): UNKNOWN

Related Cases, If Applicable

Zoning	File No. _____
Building Permit	File No. _____
Subdivision	File No. _____
Sign Permit	File No. _____
Engineered construction	File No. _____

SITE INSPECTION AUTHORIZATION

Applicant/owner, or Applicant's authorized agent, hereby authorizes the Village of Wimberley representatives to visit and inspect the property for which this application is being submitted.

Date: 5/12/09 APPLICANT SIGNATURE [Signature]

WHEN APPLICABLE:

Date: 5/12/09 AGENT SIGNATURE Brenda Samford

ACKNOWLEDGMENT OF EXISTING Subdivision Plat Notes, Deed Restrictions Restrictive Covenants and/or Zoning Conditional Use Permits

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 108 SOUTH VALLEY VIEW, and more particularly known as Lot 445, Block _____ of the WIMBERLEY HILLS OFFICE PARK SEC 1 Subdivision.

If a conflict should result with the request I am submitting to the Village of Wimberley due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permit information, which may apply to this property.

Date: 5/11/09 APPLICANT SIGNATURE [Signature]

WHEN APPLICABLE:

Date: 5/12/09 AGENT SIGNATURE Brenda Samford

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE ZONING APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

- ☒ Complete "Application For Zoning"
- ☒ Provide plat map of property to be zoned which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- ☐ Provide plat map of the specific property to be zoned.
- ☒ Provide names and addresses of property owners within 200 feet of any portion of Applicant's property.
- ☒ Provide a legal description of the property to be zoned.
- ☐ Sign/date Submittal Verification form.
- ☐ Sign/date Site Inspection Authorization form.
- ☐ Sign/date Acknowledgement Form.
- ☒ Pay Zoning Fee (this fee is based on the cost of services incurred by the Village of Wimberley in reviewing, processing and recording the zoning request).
- ☒ Applicant agrees to attend a pre-zoning conference prior to acceptance of Application.
- ☒ Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed zoning.
- ☐ Applicant agrees to attend City Council hearing scheduled for Applicant's proposed zoning or waives his/her rights of appearance (see below).
- ☐ Provide detailed Site Plan for WPDD (11x17)

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

- () My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that Village 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 hereby waive my right to appear before the Village of Wimberley City Council at the public hearing to be held concerning the zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 5/18/09

APPLICANT SIGNATURE [Signature]

WHEN APPLICABLE:

Date: 5/12/09

AGENT SIGNATURE [Signature]

NORTH
REF. BEARING PLAT: VOL. 4, PG. 321-322, PRHCT

David W. Welp & Mary L. Welp
Doc. # 9913945, OPRHCT

LEGEND

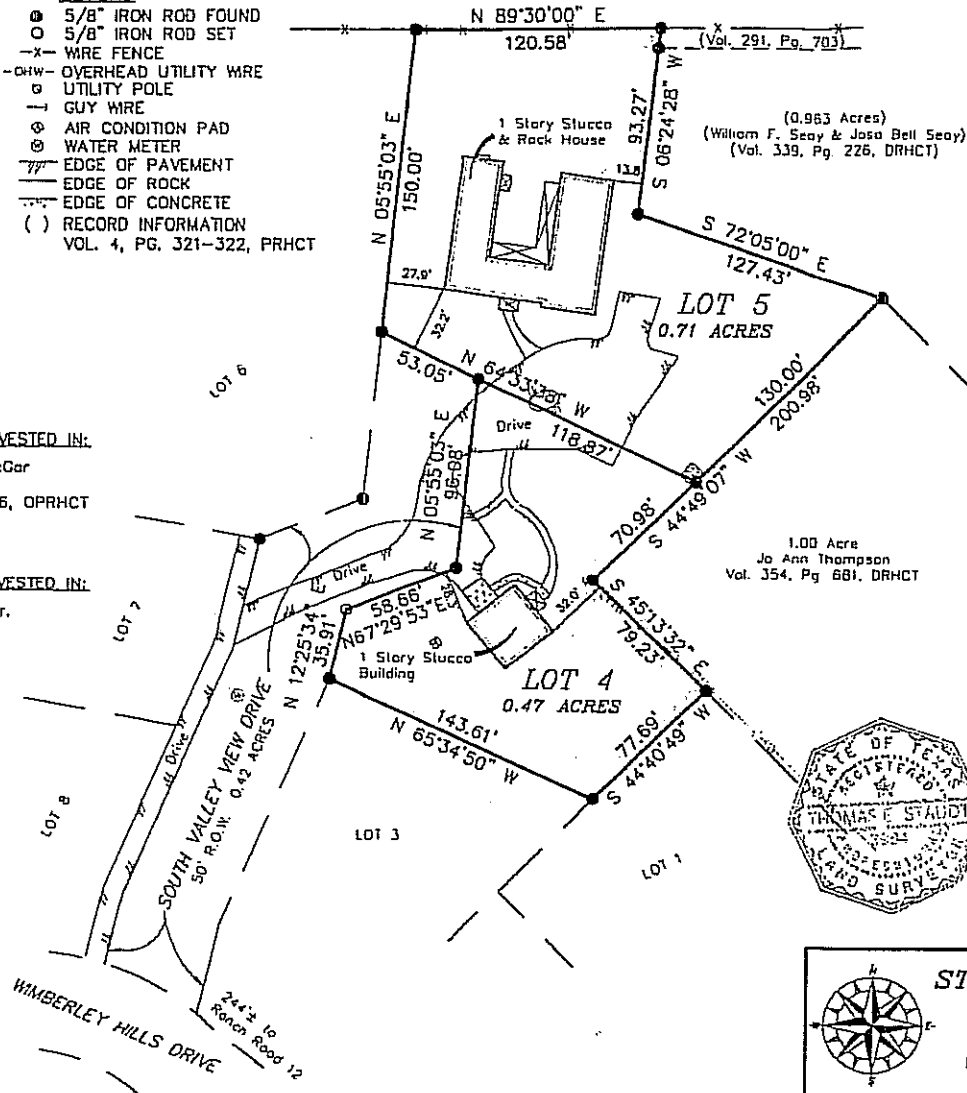
- 5/8" IRON ROD FOUND
- 5/8" IRON ROD SET
- X- WIRE FENCE
- CHW- OVERHEAD UTILITY WIRE
- UTILITY POLE
- GUY WIRE
- AIR CONDITION PAD
- WATER METER
- EDGE OF PAVEMENT
- EDGE OF ROCK
- EDGE OF CONCRETE
- () RECORD INFORMATION
VOL. 4, PG. 321-322, PRHCT

APPEARS TO BE VESTED IN:

Michael Luther McGar
Palmira Longoria
Vol. 1267, Pg. 216, OPRHCT

APPEARS TO BE VESTED IN:

108 Valley View Dr.



**FLOOD PLAIN NOTE: (FOR INSURANCE PURPOSES ONLY;
NOT FOR CONSTRUCTION, PERMITTING, OR OTHER USES.)**

This tract is not within an identified Special Flood Hazard Area Inundated by 100-Year Flood as identified by the Federal Emergency Management Agency, Flood Insurance Rate Map for Hays County, Texas, and Incorporated Areas, Map Number 48209C0160 E, dated February 18, 1998.

BUILDING SETBACK NOTE: VOL. 661, PG. 354, RPRHCT

No commercial structure shall be located closer than fifty (50') feet from Ranch Road 12, forty (40') feet from Wimberley Hills Drive, twenty-five (25') from Valley View Drive, or ten (10') feet of any side line, unless there is joint ownership of two or more Lots and the sideline setbacks are not applicable.

TITLE COMMITMENT NOTE:

This survey reflects and is limited to those easements visible and apparent on the ground, and those easements of record called out on Stewart Title Guaranty Company, Title Commitment GF No. 20202090, effective February 4, 2002, at 8:00 A.M., issued by Hays County Abstract Co., February 16, 2002 at 8:00 A.M. The following is a partial listing of specific exceptions cited on Schedule B of said Title Commitment, and their effect on the property shown hereon.

- 1) Restrictive Covenants: Vol. 661, Pg. 354, RPRHCT, Vol. 1000, Pg. 318, OPRHCT.
- 9b) Easement to Pedernales Electric Cooperative, Inc., Vol. 309, Pg. 109, DRHCT, may affect this property.
- 9d) Easement to Wimberley Water Supply Corp., Vol. 332, Pg. 877, DRHCT, does not affect this property.
- 9e) Easement to Pedernales Electric Cooperative, Inc., Vol. 116, Pg. 571, DRHCT, may affect this property.
- 9e) Easement to Pedernales Electric Cooperative, Inc., Vol. 293, Pg. 303, DRHCT, is a Blanket Easement and affects this property.
- 9g) 30' road easement Vol. 424, Pg. 331, RPRHCT, is contained within Valley View Drive, 50' R.O.W.

STATE OF TEXAS
COUNTY OF HAYS

To: Alchemy LTD, Bank of America, N.A., and The Hays County Abstract

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and that to the best of my knowledge and belief is correct, and does declare that on the ground there are no apparent or visible: discrepancies, deed line conflicts, overlapping of improvements, utility easements, or roadways, except as shown hereon, and that said property adjoins a dedicated roadway, except as shown hereon.

Thomas E. Staudt
Thomas E. Staudt
Registered Professional Land Surveyor No. 3984

3/26/2002
Date

STAUDT SURVEYING
Thomas E. Staudt
RPLS # 3984
P.O. Box 1273
Dripping Springs, Texas 78620
(512)858-2236

60 30 0 60 120
GRAPHIC SCALE IN FEET

PLAT SHOWING SURVEY OF
LOT 4 & LOT 5
WIMBERLEY HILLS OFFICE PARK
SECTION ONE
HAYS COUNTY, TEXAS

Rev.	Date: MARCH 26, 2002
Dr. By: TES	Job #: S02094
DWG #: S02094b	

RALPH R. NELSON & BERNICE A. NELSON
VOL. 208 PG. 364WIMBERLEY HILLS
OFFICE PARK
SECTION ONE
HAYS COUNTY, TEXAS

SCALE: 1" = 50'

LEGEND

- 5/8" INCH IRON ROD SET (UNLESS OTHERWISE NOTED)
- 5/8" INCH IRON ROD FOUND
- UTILITY POLE
- ⊥ CUT ANCHOR
- OVERHEAD UTILITY WIRE
- ELECTRICAL OUTLET
- CONCRETE HIGHWAY MONUMENT
- IRON ROD
- [] RECORD INFORMATION
- TEXAS STATE HIGHWAY DEPARTMENT
- RIGHT-OF-WAY MAP — HAYS COUNTY —
- R.M. 12, DATED OCTOBER 1963
- 100' — CONTOUR LINE — SCALED FROM U.S.G.S.
- MAP — WIMBERLEY 1964

CURVE DATA

① R = 128.46'
Δ = 04°32'05"
A = 10.0'
CH = 10.0'
CH BRG = N 47°36'25" W

② R = 128.46'
Δ = 23°44'24"
A = 32.0'
CH = 31.75'
CH BRG = N 61°29'10" W

③ R = 128.46'
Δ = 22°48'56"
A = 31.0'
CH = 30.74'
CH BRG = N 84°29'50" W

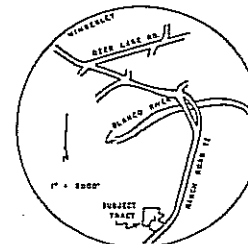
④ R = 213.24'
Δ = 23°22'38"
A = 51.0'
CH = 50.60'
CH BRG = N 84°12'10" W

NOTE:
BEARING BASED ON TEXAS STATE HIGHWAY DEPARTMENT
RIGHT-OF-WAY MAP — HAYS COUNTY — R.M. 12, DATED
OCTOBER 1963
PT STATION 80 + 71.7 TO PC STATION 71 + 09.6
CENTERLINE BEARING S 44°44' W
ALL IMPROVEMENTS NOT SHOWN ON THIS PLAN
30' R.O.W. (VALLEY VIEW DRIVE) ENCOMPASSES 30'
ROAD EASEMENT RECORDED IN VOL. 464, PG. 351

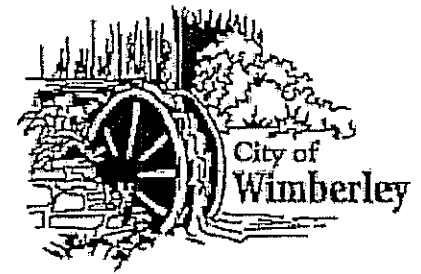
SHEET 1 OF 2

STAUDT SURVEYING
P.O. BOX 238
DRIPPING SPRINGS, TEXAS 78620
TEL. 859-4084

JOB NO.	81-97	REVISION
FIELD BOOK	16-1-1	
DATE	11/7/81	
DRAWING	SE 1/4/81	



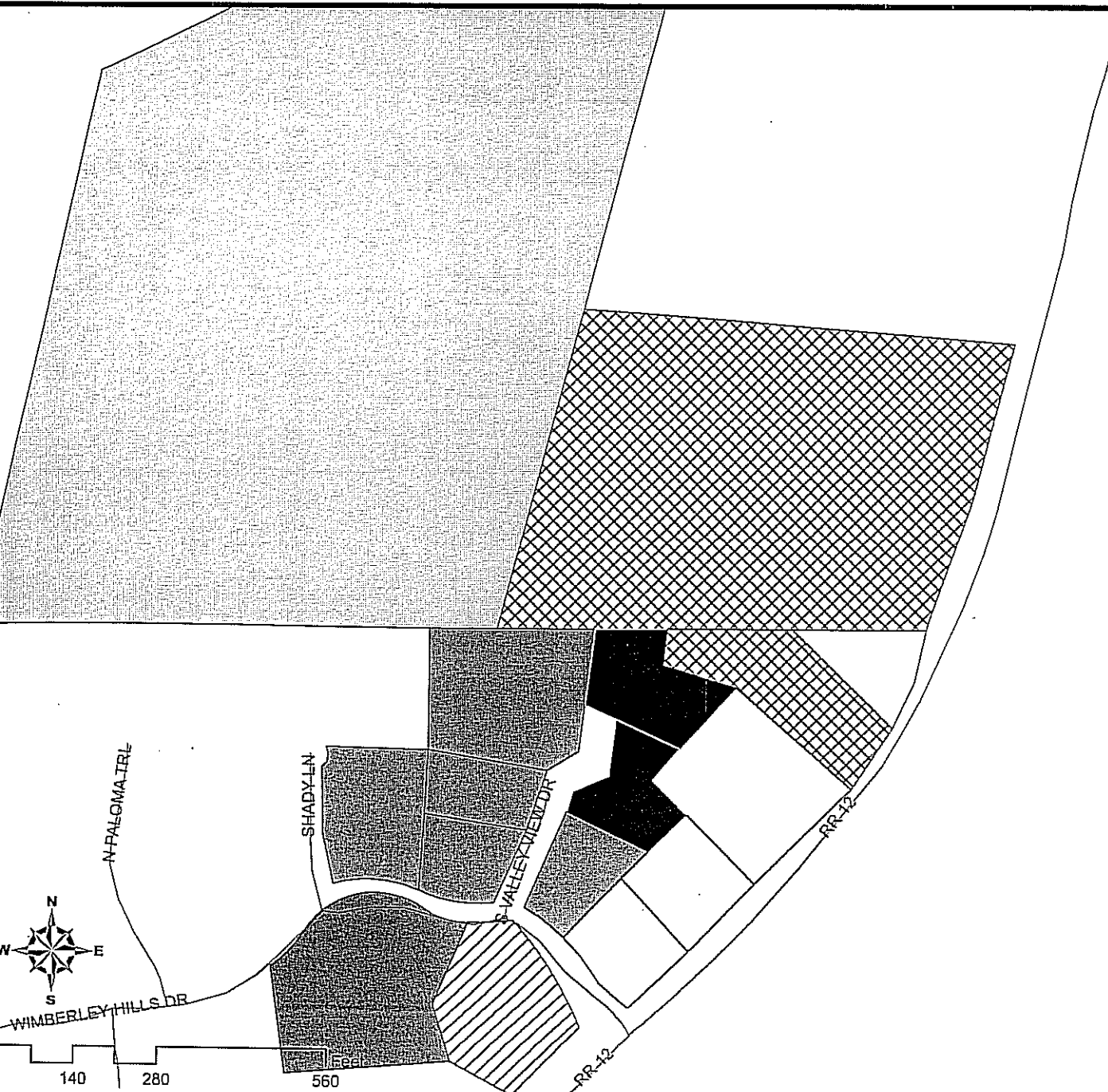
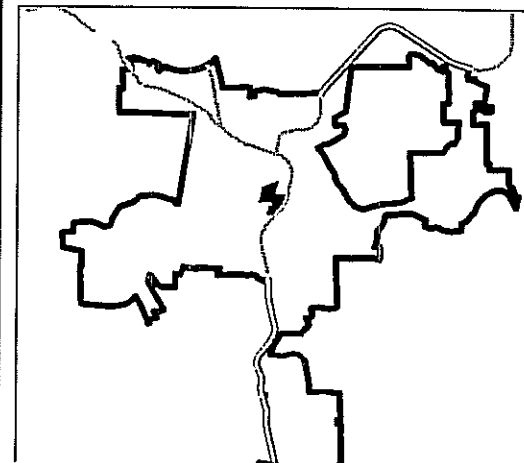
Zoning Map for ZA-09-015



P.O. Box 2027 • Wimberley, Texas 78676

-  SUBJECT PROPERTY
-  UNZONED
-  RURAL ACREAGE
-  SINGLE FAMILY RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL 1
-  OFFICE - LOW IMPACT
-  COMMERCIAL - LOW IMPACT

Location Map

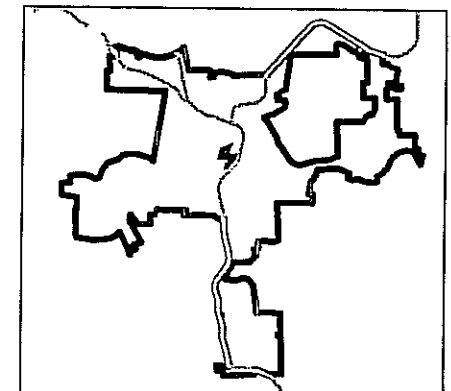


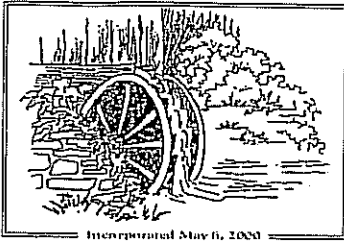
Notification Map for ZA-09-015



-  SUBJECT PROPERTY
-  1, CURRIE ROBERT A & SALWA KHAN
-  2, CYPRESS CREEK CHURCH INC
-  3, DUKE DAVID & DENISE
-  4, HERRING, BEVERLY
-  5, JACOBSON, BARBARA
-  6, KHAN, SALWA
-  7, MASON RICHARD P & JACQUE F
-  8, MCCULLOUGH HERSCHEL P & ROBINETTE
-  9, SEAY, WILLIAM F
-  10, SHEFFIELD CHARLES M & TRACY
-  11, SOUTH RIVER PROPERTIES LTD
-  12, SUBLETT JIMMY O & LELIA B
-  13, VARGAS, MARIA A
-  14, WIEDERKEHR, VIOLET
-  15, WIMBERLEY STARR PROPERTIES LLC

Location Map





City of Wimberley

12111 Ranch Road 12, P.O. Box 2027, Wimberley, Texas, 78676

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

E-mail: Wimberley@anvilcom.com - Web: www.vil.wimberley.tx.us

NOTICE BY SIGN POSTING

Zoning No: ZA-09-015

Owner JME studios

Date 5/28/09

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

(Project Site Address 108 S. Valley View Dr

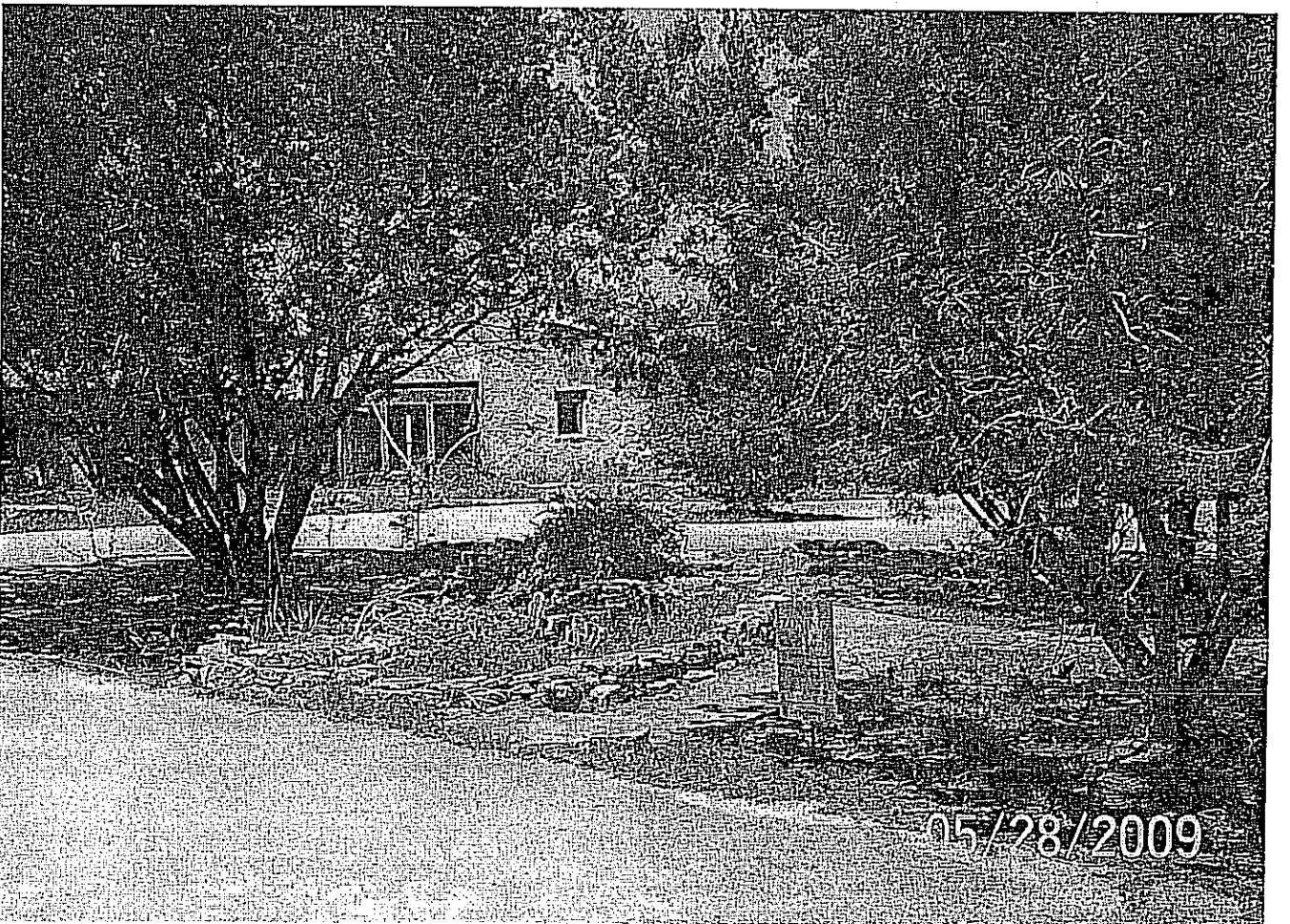
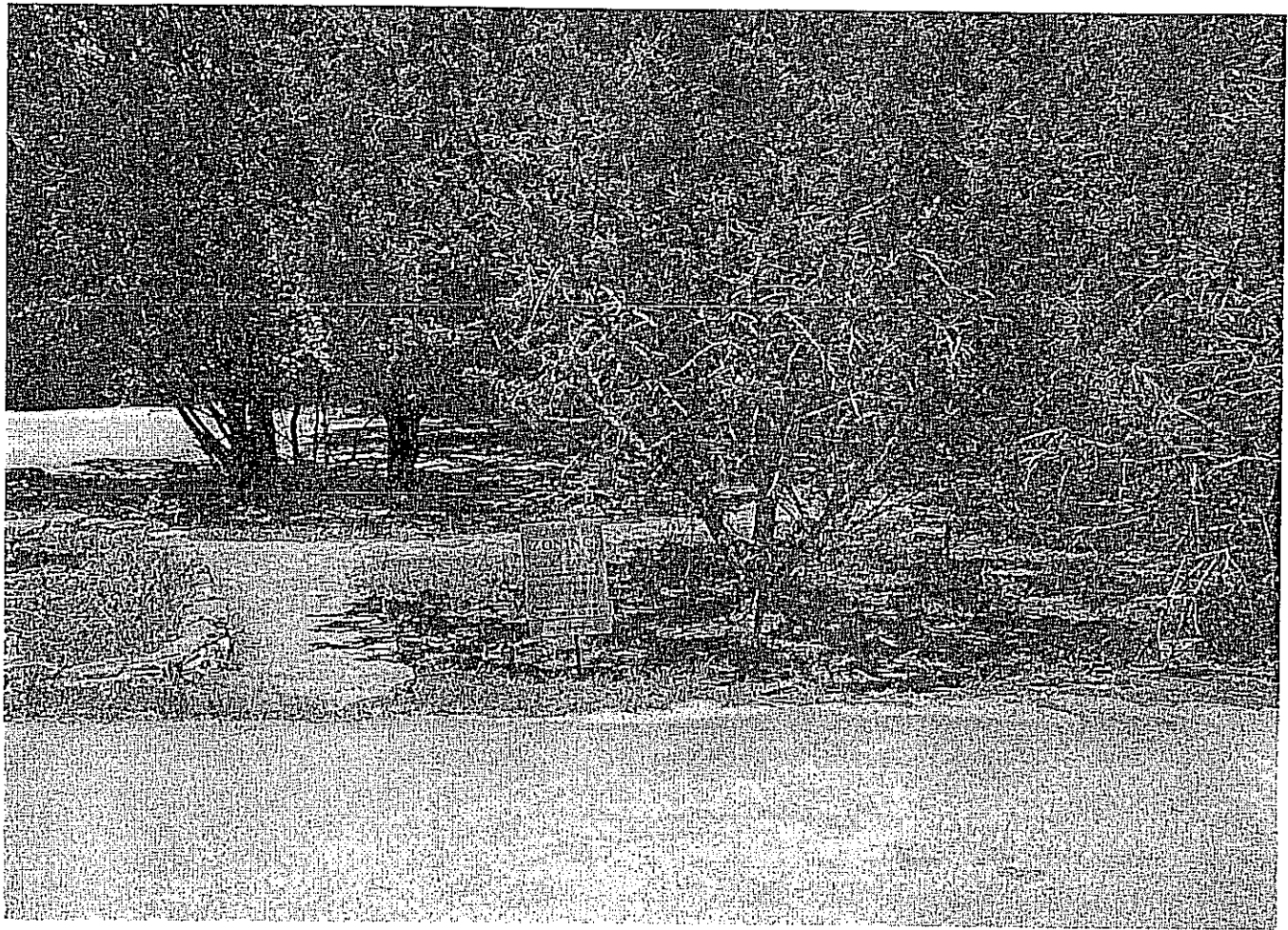
which is located South Valley View Dr

Bill Bowers
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

5/28, 2009

Bill Bowers
Signature



period of one year with renewal provisions.] (04836/1a/42)

NOTICE OF PUBLIC HEARING

(Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, June 11, 2009, at 6:30 p.m. to consider the following: ZA-09-016 - an application for initial zoning of "Neighborhood Services (NS)" at 108 S. Valley View Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, June 18, 2009, at 6:30 p.m. at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 12111 Ranch Road 12, Wimberley, Texas. (04836/1a/42)

PUBLIC NOTICE REQUEST FOR QUALIFICATIONS

Sealed competitive proposals will be received at the Business Office of the Dripping Springs Independent School District, 510 West

PERMIT NO. WO0013748001

APPLICATION AND PERMIT NARY DECISION

Dripping Springs Independent School District, P.O. Box 479, Dripping Springs, Texas 78620-0479, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Permit No. WO0013748001 to authorize an increase in the daily average flow from 15,000 gallons per day to 50,000 gallons per day and to increase the corresponding subsurface drip irrigation disposal site from 150,000 square feet of non-public access land to 500,000 square feet of public access land. This permit will not authorize a discharge of pollutants into waters in the State. TCEQ received this application on September 11, 2008.

The wastewater treatment facility and disposal site are located at 940 U.S. Highway 290 West, Dripping Springs, Texas, approximately 0.9 mile northwest of the intersection of Ranch Road 12 and U.S. Highway 290 in Hays County, Texas. The wastewater treatment facility and disposal site are located in the drainage basin of Onion Creek in Segment No. 427 of the Colorado River Basin.

The TCEQ Executive

will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone, applicants name and permit number, the location and distance of your property/activities relative to the facility, a specific description of how you would be adversely affected by the facility in a way not common to the general public, and the statement if/when request a contested case hearing. If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence, identify an individual member of the group who would be adversely affected by the proposed facility, or activity, provide the information discussed above regarding the affected member's location and distance from the facility or activity, explain how and why the member would be affected, and explain how the interests the

affected member(s) will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105 TCEQ, P.O. Box 13087, Austin, TX 78741-3087 or electronically at www.tceq.state.tx.us/about/comments.htm within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION

If you need more information about this permit application for the proposed permitting process, please call TCEQ Office of Public Assistance Toll Free at 1-800-687-4040. If you need information in Spanish, please call 1-800-687-4040.

General information about TCEQ can be found at our website at www.tceq.state.tx.us. Further information may also be obtained from Dripping Springs Independent School District at the address stated above or by calling Mr. Dan Davis at 512-858-3013.

(S) pneumatic, only 21 broke back frame for parts only (NO MINIMUM BID)
(S) digital #33 no mask (MINIMUM BID \$500)
(S) digital #40 no mask (MINIMUM BID \$500)
(S) pneumatic #21 no pass (MINIMUM BID \$1000)
(S) pneumatic #22 complete no pass (MINIMUM BID \$1000)
(S) pneumatic #24 complete no pass (MINIMUM BID \$1000)
(S) digital #39 no mask (MINIMUM BID \$500)
(S) digital #5 not functional parts only (NO MINIMUM BID)
(S) Harley #1 pneumatic complete (MINIMUM BID \$1000)
(S) #5 pneumatic no mask (MINIMUM BID \$500)
(S) pneumatic no pass (MINIMUM BID \$1000)
(S) digital broke for parts only (NO MINIMUM BID)

The vehicles and equipment may be inspected weekdays between the hours of 8:00am and 5:00pm from Monday, May 11, 2009, through Wednesday, June 10, 2009.

Interested bidders wanting to obtain bid instructions for to inspect the vehicles may contact the number below for assistance. Jim Gothard, P.O. Box 112 OR 1114, E.M.S. Dr. Dripping Springs, Texas 78620, 512-894-0704. Sealed bids will be received until Wednesday, June 10, 2009, at 6:00pm current time at which they will be pub-

lidders must have or be willing to obtain liability insurance in the minimum amount of \$1,000,000/100.

The city reserves the right to accept the bid which, in its judgment, is the lowest, most responsive and best bid or to reject any or all bids.

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on Tuesday, June 2, 2009, at 9 a.m. in the Hays County Courthouse, 111 S. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider

Replat and Partial Vacation of Lot 2, Watkins Subdivision in Precinct 4. (04782/3a/49)

REQUEST FOR PROPOSAL

Sealed competitive proposals will be received at the Business Office of the Dripping Springs Independent School District, 510 West Mercer Street, P.O. Box 479, Dripping Springs, Texas 78620, June 4, 2009, until 2:00 P.M. for the following:

ACCESS CONTROL SYSTEMS AT DRIPPING SPRINGS I.S.D.
NEW HIGH SCHOOL (DWING AND CARETIERA AND NEW MIDDLE SCHOOL)



GOOD OLD BOYS AUTO RECYCLING

Cash for your Cars and Trucks - running or not. Free pickup. 512-993-4100 or 512-353-4778 (01997/4cc/11/43)

ATTENTION Road Runner Recycling

Is now buying all types of scrap metal. We buy junk vehicles in any condition - running, wrecked, or not. Cash paid. Location: 16880 N. Hwy 128, San Marcos, TX 78682. 512-358-4510 or 512-996-3882 (02949/4cc/44/5)



WAREHOUSES/ CONTRACTORS SHOP/ LIGHT MANUFACTURING

1500 sq. ft. & 1000 sq. ft. from \$425. Insulated w/half bath, DSL & phone available. 1801 Carney Ln, 1 mile past High School. 512-914-1510

ONE - 2000 SQ. FT. Office/Warehouse \$850/month
TWO - 4000 SQ. FT. Office/Warehouse \$550/mo each
THREE - 800 SQ. FT. Office/Retail

ALLERGIES/ ASTHMA?

Needed: 10-15 People who desire immediate relief to find out a New compact state-of-the-art home air purification system. No cost or obligation. FREE Gift for participants. Call toll FREE 1-800-466-4148. www.freshairliving.com/day_passcode_guest



OFFICE CLERK

Answer phones, Billing, light bookkeeping. Experience with Word & Excel. QuickBooks experience helpful but not required. Dripping Springs area. Email resume and salary history to dripping234@yahoo.com. Bookkeeping service companies need not reply. (04747/2cc/42)

GIRLING HEALTH CARE

Immediate Positions Available!!! PROVIDERS Full-time & Part-time Providers to do house cleaning, shopping, preparing meals, personal care & other duties for the elderly or disabled. Fax resume/referencing Ad # 9523 to 512-453-1748. Call 800-742-0042. Online at www.girling.com

ORDINANCE NO. 2009-_____

AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR A 1.18 ACRE TRACT LOCATED AT 108 S. VALLEY VIEW DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING INITIAL ZONING FOR SUCH TRACT AS NEIGHBORHOOD SERVICES (NS); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, the regulations established by Section 155 (Zoning), as amended, (the "Code") are specifically designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public facilities; and

WHEREAS, in the course of adopting the regulations established by the Code, the Planning and Zoning Commission and City Council gave careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the community's history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and

WHEREAS, the regulations established by the Code have been adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the regulations established by the Code are in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City's broad police powers and based upon the City's statutory regulatory authority, including but not limited to Texas Local Government Code Chapters 51, 52, and 211; and

WHEREAS, the City Council and Planning and Zoning Commission have carefully reviewed the requirements of the City's Code of Ordinances and have concluded that the requested zoning designation is consistent with established City policy and in the public interest; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City's official newspaper before the 15th day before the first public hearing and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearing.

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

ARTICLE I. AMENDMENT

Section 155 (Zoning) of the Code of Wimberley is hereby amended by adding the following language to Appendix F to read as follows, which shall be incorporated into and made part of Section 155 (Zoning), and given full weight and effect:

Appendix F: Zoning District Designations

The City Council of the City of Wimberley has divided the City into the zoning districts as follows. The applicable use, height, area and development regulations adopted by the City shall apply to each district. The following geographic boundaries of the zoning districts for the properties listed below are hereby established as follows:

The 1.18 acre tract described as Wimberley Hills Office Park, Section 1, Lots 4 and 5, and more particularly described by the plat in the attached Exhibit "A" incorporated by reference, in Wimberley, Hays County, Texas, commonly known as 108 S. Valley View Drive, is hereby designated initial zoning of Neighborhood Services (NS) designation.

Except as expressly amended herein, Appendix F shall remain in full force and effect.

ARTICLE II. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the zoning district boundary established by this Ordinance.

ARTICLE III. SEVERABILITY

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

IV. EFFECTIVE DATE

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

ARTICLE V. 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 this _____ day of _____, 2009, by _____ (Ayes) to _____ (Nays) _____ (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

BY: _____
Tom Haley, Mayor

ATTEST:

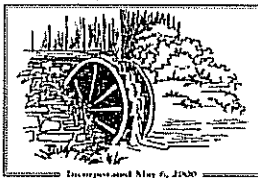
Cara McPartland, City Secretary

APPROVED AS TO FORM:

Carolyn J. Crosby, Assistant City Attorney

DRAFT

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: CONSIDER
RESCINDING THE PREVIOUS AWARD OF A
NEW DEPOSITORY AGREEMENT TO BLANCO
NATIONAL BANK AND DIRECT STAFF TO
READVERTISE FOR DEPOSITORY BIDS

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

☒ Motion

☒ Discussion

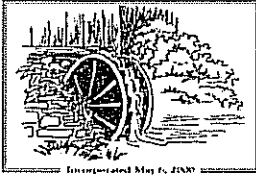
Project/Proposal Summary:

At the June 4, 2009 City Council meeting, the Council voted to award a new depository bank agreement to Blanco National Bank – the City's current depository bank. That action was based on a signed bid proposal submitted by the Bank which acknowledged the various depository requirements of the City.

Following the above-mentioned action, the City was notified by Blanco National Bank that after further review of the City's depository requirements, the Bank is unable to meet the terms of the City's depository agreement, specifically the requirement that the chosen depository utilize the Federal Reserve Bank for safekeeping. Currently, Blanco National Bank utilizes Texas Independent Bank for safekeeping and the Bank is not willing change to the Federal Reserve Bank.

As such, City staff is asking that City Council vote to rescind its June 4th action regarding the new depository bank agreement and direct staff to readvertise for depository bank bids. In the new solicitation, City staff plans to modify the City's safekeeping requirement to allow some flexibility for banks not wishing to utilize the Federal Reserve Bank while still ensuring protection of the City's funds.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: DISCUSS AND
CONSIDER POSSIBLE ACTION ON ISSUES
REGARDING THE FUTURE OPERATION OF
WIMBERLEY COMMUNITY CENTER

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

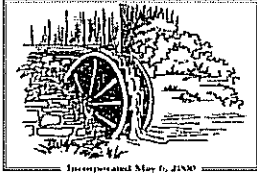
☒ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to continue discussions and take possible action on issues relating to the future operation of the Wimberley Community Center by the City. At issue is whether the City should solicit proposals from firms interested in operating the Center for the City or whether the City should assume operation of the Center utilizing existing staff.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: CONSIDER APPROVAL
OF FY 2010 BUDGET CALENDAR

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

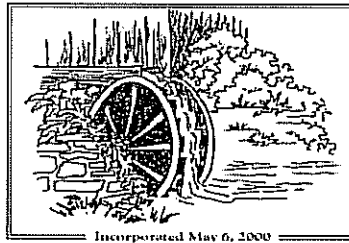
☐ Resolution

☒ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of a calendar to be utilized in the upcoming preparation of the Fiscal Year 2010 Operating Budget for the City of Wimberley.



CITY OF WIMBERLEY

FISCAL YEAR 2010

BUDGET PREPARATION CALENDAR

Thursday, July 16, 2009

(Regular City Council Meeting)

- Budget work session

Monday, July 20, 2009

- Presentation of City staff budgetary recommendations to Mayor for review.

Late July

- Development of Proposed Budget in draft form by Mayor
- Budget work sessions, **if necessary**.

Thursday, July 30, 2009

- Distribution of preliminary FY 2009 budget to members of City Council

Tuesday, August 6, 2009

(Regular City Council Meeting)

- Budget work session.
- Set the date for the public hearing on the proposed budget

Tuesday, August 18, 2009

- Final Draft of Proposed Budget presented to City Council and copy placed with the City Secretary and the Wimberley Community Library.

Thursday, August 20, 2009

(Regular City Council Meeting)

- Budget work session, if necessary.

Saturday, August 22, 2009

- "Notice of Public Hearing on Proposed Budget" published in newspaper

Thursday, September 3, 2009

(Regular City Council Meeting)

- Public Hearing on Proposed Budget

Thursday, September 17, 2009 *(Regular City Council Meeting)*

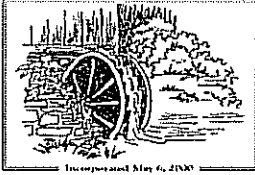
- Budget work session, **if necessary**.
- Adoption of budget and appropriation resolution.

Tuesday, September 22, 2009 *(Special City Council Meeting)*

- Adoption of budget and appropriation resolution, **if necessary**

DRAFT

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: DESIGNATE NEW
BANK SIGNATORIES FOR THE CITY OF WIMBERLEY

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

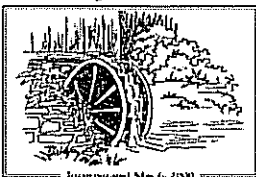
☒ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda by Mayor Tom Haley to designate himself, Mayor Pro-tem Charles Roccaforte and City Administrator Don Ferguson as authorized signatories on the City of Wimberley depository bank account. If approved, Mayor Pro-tem Roccaforte would replace Jeri Xiques as a signatory.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: DISCUSS AND
CONSIDER LEGAL ISSUES RELATING TO THE
CONDUCT OF PUBLIC OFFICIALS WHEN
TRANSACTIONING PUBLIC BUSINESS

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

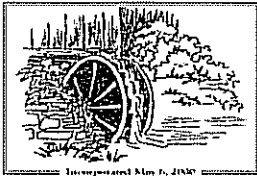
☐ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Four City Council Member Steve Thurber to allow the City Attorney to discuss legal issues relating to the conduct of public officials when transacting public business. This is a discussion item only with no action to be taken.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: CONSIDER POSSIBLE
OPTIONS FOR THE DEVELOPMENT OF A NEW
CITY HALL

Funds Required:
Funds Available:

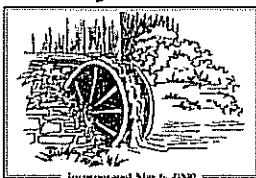
Council Action Requested:

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

Project/Proposal Summary:

This item was placed on the agenda by Mayor Tom Haley to allow City Council to discuss and consider the various options that may exist for the development of a new City Hall for the City of Wimberley. This is a discussion only agenda item.

City Council Agenda Form



Date Submitted: June 15, 2009

Agenda Date Requested: June 18, 2009

Project/Proposal Title: CITY COUNCIL REPORTS

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

☐ Motion

☒ Discussion

Project/Proposal Summary:

This item was placed on the agenda to allow for reports to be presented by the Mayor and members of City Council and for future agenda item requests.