

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
AUGUST 6, 2009, 6:30 P.M.

AGENDA

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

CALL OF ROLL: CITY SECRETARY

INVOCATION

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

PROCLAMATION

PROCLAMATION RECOGNIZING THE WORK OF THE MUSCULAR DYSTROPHY ASSOCIATION (MDA) AND DECLARING SEPTEMBER 7, 2009 AS MUSCULAR DYSTROPHY ASSOCIATION DAY IN WIMBERLEY, TEXAS

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 SPECIAL CITY COUNCIL MEETING OF JULY 16, 2009.
- (B) APPROVAL OF MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 16, 2009.

- (C) APPROVAL OF THE APPOINTMENT OF GAIL PIGG TO THE WIMBERLEY WATER WASTEWATER ADVISORY BOARD. *(PLACE THREE COUNCIL MEMBER BILL APPLEMAN'S NOMINEE)*
- (D) APPROVAL OF THE APPOINTMENT OF JERI ROSS TO THE WIMBERLEY ECONOMIC DEVELOPMENT COMMISSION. *(PLACE THREE COUNCIL MEMBER BILL APPLEMAN'S NOMINEE)*
- (E) APPROVAL OF THE REAPPOINTMENT OF BARRY TYLER TO THE WIMBERLEY BOARD OF ADJUSTMENT. *(PLACE FOUR COUNCIL MEMBER STEVE THURBER'S NOMINEE)*

2. CITY ADMINISTRATOR REPORT

- STATUS REPORT ON THE CITY-INITIATED EFFORT TO ZONE UN-ZONED PROPERTIES WITHIN THE CITY OF WIMBERLEY
- STATUS REPORT ON *THE PEDERNALES ELECTRIC COOPERATIVE (PEC) DISTRIBUTION SYSTEM IMPROVEMENT PROJECT TASK FORCE*
- STATUS REPORT ON THE DEVELOPMENT OF A *NON-POINT SOURCE POLLUTION ORDINANCE*
- STATUS REPORT ON THE OPERATION AND DEVELOPMENT OF THE *BLUE HOLE REGIONAL PARK*
- STATUS REPORT ON EFFORTS UNDERWAY TO SECURE STATE AND FEDERAL FUNDING FOR THE DOWNTOWN WASTEWATER PROJECT
- STATUS REPORT ON ACTIVITIES OF THE WIMBERLEY MUNICIPAL COURT
- STATUS REPORT ON ACTIVITIES OF THE CITY MARSHAL

3. PUBLIC HEARING AND POSSIBLE ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MICHAEL D. JENKINS AND LYNN M. GRIMES TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY .86 ACRE TRACT LOCATED AT 2328 FLITE ACRES, WIMBERLEY, HAYS COUNTY, TEXAS, ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS. *(MICHAEL D. JENKINS & LYNN M. GRIMES, APPLICANTS)*
- (B) HOLD A PUBLIC HEARING AND CONSIDER APPROVAL OF PROPOSED ADDITIONS TO THE CITY OF WIMBERLEY TRANSPORTATION MASTER PLAN RELATING TO EMERGENCY ACCESS. *(TRANSPORTATION ADVISORY BOARD & PLANNING AND ZONING COMMISSION)*

4. DISCUSSION AND POSSIBLE ACTION

- (A) DISCUSS AND CONSIDER APPROVAL OF *THE PROPOSED WIMBERLEY WASTEWATER TREATMENT PLANT WORK PLAN AND BUDGET FOR FISCAL YEAR 2010. (GUADALUPE BLANCO RIVER AUTHORITY)*
- (B) DISCUSS AND CONSIDER APPROVAL OF A VARIANCE TO THE CITY OF WIMBERLEY SIGN REGULATIONS FOR A BUSINESS LOCATED AT 13900 RANCH ROAD 12. *(YVETTE STRANGE, APPLICANT)*

- (C) DISCUSS AND CONSIDER ACTION ON ISSUES RELATING TO THE UPCOMING 2010 UNITED STATES CENSUS. (PLACE TWO COUNCIL MEMBER BOB FLOCKE)
- (D) DISCUSS AND CONSIDER APPROVAL OF PLANS FOR A PROPOSED CHRISTMAS PARADE IN DOWNTOWN WIMBERLEY. (CITY ADMINISTRATOR)
- (E) DISCUSS AND CONSIDER ISSUES RELATING TO THE DEVELOPMENT OF THE FISCAL YEAR 2010 OPERATING BUDGET FOR THE CITY OF WIMBERLEY. (CITY ADMINISTRATOR)
- (F) DISCUSS AND CONSIDER POSSIBLE ACTION RELATING TO THE DEVELOPMENT OF A NEW CITY HALL FACILITY FOR THE CITY OF WIMBERLEY, TEXAS. (MAYOR TOM HALEY)

5. **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

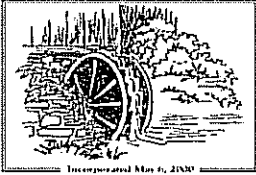
I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on August 3, 2009 at 5:00 p.m.



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: August 1, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: APPROVAL OF JULY 16,
2009 MINUTES OF SPECIAL CITY COUNCIL
MEETING

Funds Required:

Funds Available:

Council Action Requested:

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

Project/Proposal Summary:

Attached are minutes for the July 16, 2009 Special City Council Meeting for review and consideration.

MINUTES
SPECIAL CITY COUNCIL MEETING
JULY 16, 2009 – 5:30 P.M.

The City Council of the City of Wimberley, Texas met for the purpose of touring the recent improvements at the Blue Hole Regional Park, located at 100 Blue Hole Lane, Wimberley, Hays County, Texas on Tuesday, July 16, 2009 at 5:30 p.m.

Those present were: Mayor Tom Haley, Presiding; Council Members Charles Roccaforte, Bob Flocke, Bill Appleman, Steve Thurber, and John White.

Members of the City of Wimberley City Council attended the special meeting for the purpose of a special meeting of touring Blue Hole Regional Park improvements. No action was taken during the meeting that began at 5:30 p.m. and ended at 5:50 p.m.

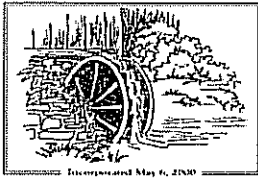
DATE APPROVED: August , 2009

Tom Haley, Mayor

ATTEST:

Cara McPartland, City Secretary

City Council Agenda Form



Date Submitted: August 1, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: APPROVAL OF JULY 16,
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 July 16, 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
July 16, 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 Charles Roccaforte, Bob Flocke, Bill Appleman, Steve Thurber, and John White.

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

Citizen Communications

No citizen communications were heard.

1. Executive Session

In accordance with Texas Government Code, Subchapter D the City Council may convene in a closed session. After the executive session discussion on any of the following items, any final action or vote taken will be in public:

Consultation with attorney regarding pending litigation in Cause No. 08-1984, Cyndi Brown, Individually vs. City of Wimberley, Tom Haley, Individually and Don Ferguson, Individually in the 428th District Court of Hays County, Texas

Mayor Haley adjourned to Executive Session at 6:34 p.m. for consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code.

Mayor Haley reconvened into Open Session at 6:50 p.m. No action was taken during Executive Session.

2. Consent Agenda

- A. Approval of minutes of the special City Council meeting of June 24, 2009.
- B. Approval of minutes of the special City Council meeting of July 1, 2009.
- C. Approval of minutes of the special City Council meeting of July 2, 2009.
- D. Approval of minutes of the regular City Council meeting of July 2, 2009.
- E. Approval of minutes of the special City Council meeting of July 8, 2009.

- F. Approval of the appointment of Julie Harris to the Wimberley Economic Development Commission (*Place Two Councilmember Bob Flocke's Nominee*).
- G. Approval of the appointment of Jenelle Flocke to the Wimberley Economic Development Commission (*Mayor Tom Haley's Nominee*).
- H. Approval of the appointment of Terrie Bursiel to the Wimberley Economic Development Commission (*Place Five Councilmember John White's Nominee*).
- I. Approval of the appointment of Gary Weeks to the Wimberley Economic Development Commission (*Consensus Nominee*).
- J. Approval of the appointment of Bob Currie to the Wimberley Economic Development Commission (*Place One Councilmember Charles Roccaforte's Nominee*).
- K. Approval of the May 2009 Financial Statements for the City of Wimberley (*City Administrator*).
- L. Approval of the June 2009 Financial Statements for the City of Wimberley (*City Administrator*).

Councilmember Flocke moved to approve all Consent Agenda items as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

3. City Administrator Report

- Status report on proposed amendments to the *Wimberley Transportation Master Plan*

City Administrator Ferguson reported on the public meeting schedule for Planning and Zoning Commission's consideration of recent proposed additions relating to connectivity, mobility, and emergency access.

- Status report on the *Wimberley Square Sidewalk Development Grant Application*

City Administrator Ferguson detailed the City's submitted application, including specifics on funding amounts and locations of sidewalk development.

- Status report on the *Blanco River and Cypress Creek Water Quality Testing Program*

City Administrator Ferguson reported on recent volunteer testing performed as part of Texas State University's Cypress Creek Project with City staff. He listed specific location results for July, with emphasis on E. coli level readings, which require careful monitoring because locations tested are natural bodies of water used for recreational purposes.

Discussion addressed the need for additional testing for other contaminants, fluctuations in readings in natural bodies of water, specific pollutants, current conditions such as low flow, and effects of heavy rainfall/runoff.

- Status report on the operation and development of *Blue Hole Regional Park*

City Administrator Ferguson reported on grant funds expended on the construction of a rope swing deck, purchase of benches and picnic tables, and landscaping plans. He noted upcoming meetings scheduled with the Blue Hole Regional Park Development Task Force and design consultants, current surveying efforts, and grant funding specifics.

Mr. Ferguson stated that Blue Hole weekday attendance is holding steady, with last Saturday's attendance the second largest number in the Park's history. He reported on the purchase of a misting fan to help employees deal with extremely hot weather conditions and thanked Blue Hole adjacent property owners, Bill and M.F. Johnson for being good neighbors.

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

City Administrator Ferguson reported on recent and upcoming meetings with Texas Water Development Board (TWDB) officials on the City's eligibility/qualifying status and specific funding deadlines. Discussion addressed the need for coordination of wastewater and sidewalk projects should the City receive state and federal funding.

- Status report on activities of the Wimberley Municipal Court

City Administrator Ferguson advised that there is nothing new to report relating to court activity.

- Status report on activities of the City Marshal

City Administrator Ferguson thanked City Marshal Bill Robinson for his time and efforts over the Fourth of July holiday weekend.

4. Presentations

Presentation by City staff on the City of Wimberley Mayor's Fitness Council (*City Administrator*)

City Administrator Ferguson reported on the Mayor's Fitness Council's history, membership composition and representation, vision/mission statements, fitness survey results, and development of goals. Presentation specifics included:

- Branding efforts, with thanks to graphic artist Mary Owen for her logo design
- Tri-fold informational brochure promoting an active lifestyle
- Spring fitness walking events and participation
- Inventory of commercial/non-commercial fitness facilities and activity centers in the Wimberley Valley
- Press releases including local media recognition of walk participants
- Sponsorship of the *Wimberley 4 Run* supporting Wimberley High School's *Project Graduation*

- Partnership with Wimberley Independent School District's *Fit Faculty Program*
- Networking with area medical service providers, including Central Texas Medical Center
- Future goals include: Mayor's Fitness Challenge, fitness website design/creation, promotion of healthy restaurant menus, distribution of community nutrition/menu guides, safe walk to school program, fit workforce program, health screening events, and neighborhood walking clubs

Mayor Haley and Council thanked Mr. Ferguson for his presentation.

5. Public Hearing and Possible Action

- A. Hold a public hearing and consider approval of an ordinance approving an application for a conditional use permit submitted by Wimberley RR 12 LLC to operate a bed and breakfast lodging facility on an approximately 5.4 acre tract located at 10460 Ranch Road 12, Wimberley, Texas, zoned Residential Acreage (RA), and imposing certain conditions; and providing for findings of fact; amendment of the zoning district map; repealer; severability; effective date; proper notice and meeting; and providing for certain conditions (*Wimberley RR LLC, Applicant*)

Planning and Zoning Commissioner Jean Ross reviewed the subject property's history/location, noted one neighboring property owner's comment relating to architectural design, and recommended approval based on the Commission's unanimous vote. Discussion addressed the subject property's current RA zoning, surrounding uses, proposed structure(s), and specifics relating to maximum occupancy, parking, topography, and bed and breakfast conditions.

Mayor Haley opened the public hearing.

In response to concerns over possible architectural styles, subject property owner Phil Collins stated his hope to locate and renovate an old "Texas-style" home compatible with surrounding properties.

Hearing no further comments, Mayor Haley closed the public hearing. Discussion addressed wording specific to off-street parking spaces. Councilmember Thurber moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

- B. Hold a 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 0.365 acre tract located at 13590 Ranch Road 12, Wimberley, Hays County, Texas, designating initial zoning for such tract as Commercial – Moderate Impact (C-2); and providing for the following: delineation on zoning map; severability; effective date and proper notice and meeting (*Wimberley RR 12 LLC, Applicant*).

Planning and Zoning Commissioner Jean Ross reported on the Commission's unanimous recommendation for approval, noting the subject property's location and prior/proposed uses as

appropriate for the requested zoning. City Administrator Ferguson displayed subject property information, including placement of parking. He noted that no responses were received from notified property owners.

Mayor Haley opened the public hearing.

Subject property owner Phil Collins stated that architectural plans for the house will return it to a more period-specific look.

Hearing no further comments, Mayor Haley closed the public hearing. Councilmember White moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

- C. Hold a public hearing and consider approval of the second and final reading of an ordinance of the City of Wimberley, Texas amending Chapter 155 (Zoning) of the Code of Ordinances, certain subsections of Section 155.23 (Districts Established; Designation and Review) in order to add the "Scenic Corridor (SC)" as a base zoning district, create Planning Area VII, and revise the planning areas accordingly; and providing for the following: findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

City Administrator Ferguson reviewed the amendments in accordance with the recently updated Comprehensive Plan, including Councilmember Appleman's previously recommended revisions to parking requirements noted in tonight's draft ordinance.

Mayor Haley opened the public hearing.

Wimberley resident Dr. Curt Busk expressed objections to proposed minimum setbacks, which he felt are significantly too small along the Scenic Corridor (SC). He also objected to the maximum allowed signage (64 square feet) and proposed parking requirements as being inconsistent with the spirit of the Comprehensive Plan. He spoke on the public hearing process to date, including Comprehensive Plan Review Commission and Planning and Zoning Commission meetings resulting in recommended setback amounts. Dr. Busk felt that public comments given before the Comprehensive Plan Review Commission (CPRC) were completely discounted, with more weight given to selective testimony heard at Planning and Zoning's meetings. Dr. Busk objected to giving the same testimony at CPRC, Planning and Zoning, and City Council meetings and felt that City government is not friendly in carrying forward information. He read excerpts from the Comprehensive Plan's vision statement relating to purpose and appearance along entrance corridors. He provided specifics on setbacks for existing business locations in order to illustrate certain setback amounts. Dr. Busk stated that the minimum fifty (50) foot proposed setback should be reconsidered by Planning and Zoning, which needs to hear additional testimony from citizens other than affected property owners. He also requested reconsideration of the proposed allowance of sixty-four (64) square feet of signage and percentages of parking allowed at the front and/or back of properties.

Ranch Road 12 property owner Phil Collins spoke in support of the proposed setbacks as sufficient in preserving scenic views given the unique topographical challenges along the Scenic Corridor.

M.F. Johnson questioned the reasoning for buying property that is too small to build on and wanted to keep people coming to Wimberley to enjoy its attractive views.

Hearing no further comments, Mayor Haley closed the public hearing.

Councilmember Thurber stated that the variance and Wimberley Planned Development District processes are available to property owners whose properties do not fit certain zoning requirements. He felt that Agenda Items 5C and 5D are contrary to the mandate of the Comprehensive Plan and agreed with Dr. Busk's requests to reconsider setbacks, parking, and signage requirements. He distributed information on two existing entrance corridor properties as positive visions of commercial development.

Councilmember Appleman commented on the limited number of affected properties and questioned the City's original lack of incorporation of properties along certain sections of Ranch Road 12. He stated that his proposed parking language was meant to encourage deeper setbacks and more buffering. Councilmember Appleman felt that topographical limitations are not conducive to urban sprawl along the entry corridor.

Councilmember Flocke disagreed with Councilmember Thurber and stated that the Comprehensive Plan is meant to guide, not mandate, Council action. He believed that original incorporation was sought to deter *any* development along the entrance corridors (other than residential). He felt that this proposed ordinance corrects overly restrictive regulations affecting entrance corridor property owners, especially given the lack of suitability for residential building along Ranch Road frontage.

Councilmember Roccaforte stated that each property will be examined on a case-by-case basis, taking into consideration its unique topography and associated challenges. Discussion clarified current/proposed signage requirements relating to entrance corridor properties.

Mayor Haley stated that the Comprehensive Plan is not a mandate. Discussion between Councilmember White and City Administrator Ferguson clarified the type/size of signage allowed under the proposed ordinance. Councilmember Thurber noted use of the word "shall" in the Comprehensive Plan as Council's mandate to consider the Comprehensive Plan in its decision-making process.

Councilmember Flocke moved to approve the item as presented. Councilmember White seconded. Motion carried on a vote of 4-1. Councilmember Thurber voted against approval.

- D. Hold a public hearing and consider approval of the second and final reading of an ordinance of the City of Wimberley, Texas amending Chapter 155 (Zoning) of the Code of Ordinances Section 155.093 Entrance Corridor Overlay District (EC) in order to revise the setback requirements and add requirements related to construction type and materials, landscaping

and signage; and providing for the following: penalty; findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

Mayor Haley opened the public hearing. Hearing no comments, Mayor Haley closed the public hearing.

City Administrator Ferguson stated that the same earlier noted revisions suggested by Councilmember Appleman related to parking percentages are included in this draft ordinance.

Councilmember Flocke moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 4-1. Councilmember Thurber voted against approval.

- E. Hold a public hearing and consider approval of the second and final reading of an ordinance amending Chapter 155 (Zoning) of the Code of Ordinances to allow bars and taverns in Commercial High Impact (C-3) zoning districts with a conditional use permit; liquor stores in Commercial Moderate Impact (C-2) and Commercial High Impact (C-3) zoning districts with a conditional use permit, and prohibiting the use within the Village Center Overlay District; allowing the on-premise consumption of alcohol in restaurants in Commercial Low Impact (C-1), Commercial Moderate Impact (C-2) and Commercial High Impact (C-3) zoning districts with a conditional use permit; creating and revising related definitions and deleting references to private clubs; and providing for the following: penalty; findings of fact; repealer; severability; effective date; and proper notice and meeting (*City Administrator*).

Mayor Haley opened the public hearing.

Wimberley property owner Phil Collins requested clarification on the requirement for conditional use permits in the Scenic Corridor, which City Administrator Ferguson explained is included in the prior ordinance just approved by Council (see Agenda Item 5C) that allows alcohol consumption as a permitted use with a conditional use permit.

Hearing no further comments, Mayor Haley closed the public hearing.

City Administrator Ferguson noted language on page 5 excluding establishments that solely serve and sell wine for on- and off-premise consumption.

Councilmember White moved to approve the item as presented. Councilmember Appleman seconded. Motion carried on a vote of 5-0.

6. Resolutions

Consider approval of a resolution of the City Council of the City of Wimberley, Texas encouraging water purveyors in the Wimberley Valley to implement the most restrictive

stage in their respective drought management plans in response to the current drought condition (*Place Four Councilmember Steve Thurber*).

Mayor Haley and Mayor Pro-tem Roccaforte recused themselves at this time (7:58 p.m.) due to possible conflict of interest. Councilmember Flocke assumed duties of presiding officer.

Councilmember Thurber thanked Mayor Haley and Mayor Pro-tem Roccaforte for Wimberley Water Supply Corporation's successful efforts in reducing pumping and informing customers about conservation measures. He spoke of the need to conserve, provided specific drought statistics, and encouraged approval of the resolution. Councilmember Appleman felt that recused Council members could provide valuable input on this resolution and expressed reservations over inclusion of the last paragraph. He questioned the need for mandating specific stages given the existing roles and responsibilities of various entities with expert knowledge of water issues and suggested delaying action until such expert advice could be obtained.

Discussion addressed the authority of appropriate bodies to encourage and/or mandate specific drought management plan stages. Councilmember Flocke stated that both area water purveyors have drought management plans in place and listed specific trigger events for each stage. He outlined conservation measures put in place by Wimberley Water Supply Corporation, noted water supply well levels at certain times and locations, and disagreed with the necessity for this resolution.

Discussion generally agreed on the need for general public awareness of conservation, but did not support specific language in the last paragraph on drought stage restrictions best left to those with expert knowledge.

Councilmember Thurber moved to approve the resolution with the deletion of the last paragraph. Councilmember Appleman seconded. Motion carried on a vote of 4-0.

Mayor Haley and Mayor Pro-tem Roccaforte rejoined the meeting at this time (8:15 p.m.). Mayor Haley resumed duties as presiding officer.

7. Discussion and Possible Action

- A. Discuss and consider action amending the Fiscal Year 2009 City of Wimberley General Fund and Blue Hole Budgets for the purpose of accounting for actual and anticipated expenditures, and declaring the adjustments as a necessity (*City Administrator*).

City Administrator Ferguson explained the need to account for anticipated differences in actual expenditures and revenues compared to budgeted expenses, including those related to acquisition of real property, reclassification of certain personnel expenditures, use of a temporary receptionist early in the year, sidewalk engineering, and the City wide zoning project. Also included are revenue category adjustments due in part to the recent economic downturn.

Blue Hole budget amendments reflect additional staffing, mowing, utilities costs, and capital improvement costs. Blue Hole's amended budget also reflects the first installment of grant funding from Hays County and a projected gate revenue increase. City Administrator Ferguson reminded that final budget amendments will take place in September, prior to approval of the Fiscal Year 2010 Budget. He noted that \$1,000 proposed for Parks Research & Development is reduced to \$500, with an additional \$500 allocated for law enforcement supplies.

Councilmember Flocke moved to approve the item as presented. Councilmember Roccaforte seconded. Motion carried on a vote of 5-0.

B. Discuss and consider issues relating to the development of the Fiscal Year 2010 Operating Budget for the City of Wimberley (*City Administrator*).

City Administrator Ferguson explained the process for a "needs" budget that will undergo extensive input and review, resulting in a draft budget for Council consideration. Specific costs, expenditures, and possible revenue sources were discussed and a timeframe was provided for future Council action. Discussion included the following priorities: roads survey; citizens survey; Community Center operations; city boundaries survey; street improvements; health safety and welfare costs such as health inspections/sanitarian, and sidewalks along school walking routes. No action was taken on this item.

C. Discuss and consider action regarding a request from the Texas Department of Transportation (TxDOT) to spray herbicides to control the vegetation growth in TxDOT right of ways located in Wimberley, Texas (*City Administrator*).

M.F. Johnson spoke in opposition to spraying herbicides due to problems encountered by those with extra sensitivity and/or compromised immune systems. She suggested putting up warning signs should spraying occur and obtaining a list of people who are sensitive.

As a food science professional, Dr. Curt Busk spoke in opposition to the spraying based on long-lasting effects of herbicides and negative effect on aquifers. While spraying herbicides may be a money-saving option for TxDOT, Dr. Busk stated that this is a life and death issue for residents in this area.

City Administrator Ferguson stated that TxDOT is reducing its mowing program to cut costs and is seeking permission from the City to reinstate an herbicide spraying program to control vegetation along roadways in Wimberley. He noted past successful efforts by local residents to stop TxDOT's spraying program and provided information on specific products used to control vegetation.

Discussion addressed the impact of spraying on residents (particularly those with extra sensitivity), TxDOT's budget problems, and generally agreed that herbicide spraying along Wimberley roadways is not in the best interest of residents.

Councilmember Thurber moved to deny TxDOT's request to spray herbicides anywhere and in any form along Wimberley right-of-ways. Councilmember White seconded. Motion carried on a vote of 5-0.

- D. Discuss and consider possible action relating to the development of a new City Hall facility for the City of Wimberley, Texas (*Mayor Tom Haley*).

Wimberley Senior Citizens Activities, Inc. Board member Dr. Curt Busk stated that there is a rumor that the Board voted in favor of moving City Hall to the Wimberley Community Center property. He informed Council that the Board has never voted on this issue and results of a straw poll of Board members resulted in unanimous disapproval of moving City Hall to the Community Center property. He stated that grant requirements prohibit the use of the property for City administrative office space.

Jimmie Robinson noted that past mayors had signed Community Center contracts with the usage stipulations as specified in Texas Parks and Wildlife Department agreements. She asked that Council not consider violating contracts that were legitimate from inception of the Community Center.

Hearing no more comments, Mayor Haley adjourned to Executive Session at 8:44 p.m. for consultation with legal counsel for the purpose of discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code.

Mayor Haley reconvened in Open Session at 9:07 p.m. No action was taken during Executive Session.

8. City Council Reports

- Announcements
- Future Agenda Items

Councilmember Thurber requested an update relating to Pedernales Electric Cooperative power line issues and status of the water quality ordinance. Councilmember Roccaforte requested consideration of issues relating to the City's steep slope requirements. Councilmember White requested a status report on Ethics Commission membership. Councilmember Flocke requested discussion of census-related issues. At City Administrator Ferguson's suggestion, discussion of a "sunset provision" for City ordinances was agreed upon as a future agenda item.

Hearing no further announcements or future agenda item requests, Mayor Haley called the meeting adjourned at 9:09 p.m.

Adjournment: Council meeting adjourned at 9:09 p.m.

Recorded by:

Cara McPartland

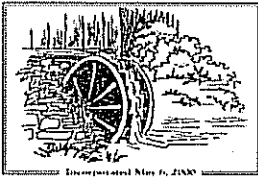
These minutes approved on the ____ of August, 2009.

APPROVED:

Tom Haley, Mayor

DRAFT

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: APPOINTMENT OF GAIL PIGG TO THE WATER WASTEWATER BOARD

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

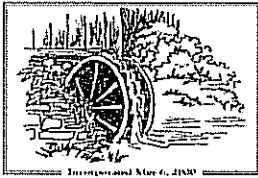
☒ Motion

☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Three Council Member Bill Appleman to allow City Council to consider the appointment of Gail Pigg to the City of Wimberley Water Wastewater Advisory Board.

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: APPOINTMENT OF JERI
ROSS TO THE ECONOMIC DEVELOPMENT
COMMISSION

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

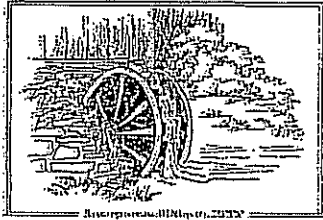
☐ Resolution

☒ Motion

☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Three Council Member Bill Appleman to allow City Council to consider the appointment of Jeri Ross to the City of Wimberley Economic Development Commission.



Village of Wimberley

13210 Ranch Road 12 (P.O. Box 2027), Wimberley, Texas 78676
Phone: (512) 847-0025 Fax: 512-847-0422 - E-mail: village@wimberley-tx.com Web: vil.Wimberley.tx.us

Application for Appointment to Commission/Board/Committee

Name of Commission/Board/Committee:

ECONOMIC DEVELOPMENT

Name: Jerri Ross

Home

Phone: 847-7659

E-Mail: jeri@skipperweb.org

Physical Address:

P.O. BOX 593 W/T 720 WOOD CREEK RANCH RD.

Mailing Address (if other than physical address):

Employer:

SELF

Business

Phone: 923-3562 Fax:

Position/Occupation

ARTIST

I reside: ☒ Inside Wimberley's City Limits - () In Wimberley's ETJ - () Outside ETJ

I am a registered voter in ☒ Village of Wimberley; () Hays County; () Not registered.

Do you or your employer have any business or other dealings with the Village of Wimberley, which might present a conflict of interest? () Yes; ☒ No. If "Yes", explain:

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

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

SEE ATTACHED

Would you consider serving on a different Commission/Board/Committee () Yes ☒ No

Date: 7-6-2009

Signature

Jerri L. Ross

P.O. Box 593
Wimberley, TX 78676

(512) 847-7659 hm
(512) 923-3562 cell

Résumé

Education

1983 *BFA, University of Houston.* Special studies in Spanish language, Madrid, 1979.
Conversant in Spanish. Computer literate. Ten-key by touch.

Experience

1991-Present

Community Service Volunteer and Coordinator

Organizations served:

- *Woodcreek Ranch Property Owners Association, Treasurer, 2005-present.*
- *Skipperweb, Original incorporator and Vice-president 2002-present, Program coordinator, Wimberley Scholastic Chess Club, 2000-2006.*
- *Starlight Symphony Orchestra, founding Secretary, 2002-2005. Chairman 2005-2006.*
- *The Wimberley Players, Executive Vice-president, 2002-2005, campaign for new Wimberley Playhouse.*
- *Arts From the Heart, Board member and program coordinator, 2000-2002.*
- *Strategic Planning Committee for WISD, Co-chairman, 1998-1999.*
- *Hill Country Suzuki Organization, Original incorporator and President, 1997-1999.*
- *Woodcreek Property Owners Association, Board member and Architectural Control Committee Chairman, 1996-1997.*
- *Wimberley Valley Art League, founding Secretary, 1991-1992.*

Projects, Duties, and Accomplishments:

- Spearheaded and achieved incorporation and 501 (c) 3 status as a non-profit organization for two organizations.
- Coordinated multiple after-school programs for students K-12 in Wimberley ISD.
- Handled publicity and public relations.
- Oversaw, organized, and participated in fundraising activities.
- Organized events, including a regional chess tournament and juried student art show.
- Managed meetings
- Produced minutes of meetings.
- Wrote grants, applications for funding, and articles.
- Published strategic planning documents.
- Produced concert programs.
- Coordinated facilities.
- E-mail newsletters/communications with members.
- Web site design and updating.

1991-1993

Assistant Manager, Corbin Factory Outlet, San Marcos. In charge of scheduling, supervising, and training six employees in addition to general operations and inventory control.

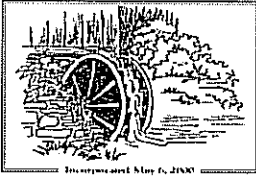
1980-1987

Commission Sales Associate/ Customer Service Representative/Supervisor, Ladies' Shoes and Credit/Cash Office, Joske's Post Oak, Houston. Graduated to duties and responsibilities of Head Cashier, i.e., opening the vault, preparing a deposit upwards of \$40 thousand, reconciling deposit reports, balancing the cash drawers, etc. As Dillard's Department Store, *Customer Service Supervisor*, Westwood Mall store. In charge of scheduling, supervising, and training an office of nine employees.

Personal

Married, Robert Boyd Skipper, Ph. D., Associate Professor of Philosophy, St. Mary's University, San Antonio. Daughter, Lily Skipper, college senior, violinist.

City Council Agenda Form



Date Submitted: August 2, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: REAPPOINTMENT OF
BARRY TYLER TO THE BOARD OF
ADJUSTMENT

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

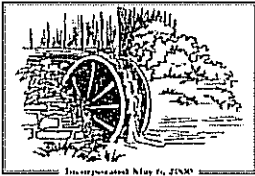
☒ Motion

☐ Discussion

Project/Proposal Summary:

This item was placed on the agenda at the request of Place Four Council Member Steve Thurber to allow City Council to consider the reappointment of Barry Tyler to the City of Wimberley Board of Adjustment.

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CITY ADMINISTRATOR'S REPORT

Funds Required:
Funds Available:

Council Action Requested:

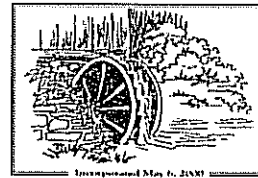
- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

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

- Status report on the City-initiated effort to zone un-zoned properties within the City of Wimberley
- Status report on the *Pedernales Electric Cooperative (PEC) Distribution System Improvement Project Task Force*
- Status report on the development of a *Non-Point Source Pollution Ordinance*
- Status report on the operation and development of the *Blue Hole Regional Park*
- Status report on efforts underway to secure state and federal funding for the *Downtown Wastewater Project*
- Status report on activities of the Wimberley Municipal Court
- Status report on activities of the City Marshal

Report for Conditional Use Permit CUP-09-006



Summary:

A Request for a Conditional Use Permit (CUP) to allow the operation of a bed and breakfast at 2328 Flite Acres Road

Applicant Information:

Applicant: Michael D. Jenkins & Lynn M. Grimes
1023 Martin St
Houston, TX 77018

Property Owner: Michael D. Jenkins & Lynn M. Grimes

Subject Property:

Legal Description: Flite Acres Lot 42
Location: 2328 Flite Acres Road
Existing Use of Property: Residential
Existing Zoning: R2
Proposed Use of Property: Bed and Breakfast
Proposed Zoning: N/A
Planning Area: A
Overlay District: Protected Waterway

Surroundings:

Frontage On: Flite Acres Rd

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	RA	Residential
S of Property	R2	Residential
E of Property	R2	B&B
W of Property	R2	Residential

Legal Notice

200' Letters 7/2/09
Published 7/8/09
Sign Placement 7/2/09
Responses None

Comments:

The applicants, Michael Jenkins and Lynn Grimes, have requested a Conditional Use Permit (CUP) to allow the operation of a bed and breakfast at 2328 Flite Acres Road. The subject property is located in close proximity to six (6) other permitted or grandfathered bed and breakfast operations and is compatible with other existing properties in the area. The subject property is currently zoned Single Family Residential 2 (R2). Bed and breakfast lodgings, located only in the residential building, are permitted as a conditional use in this zoning district.

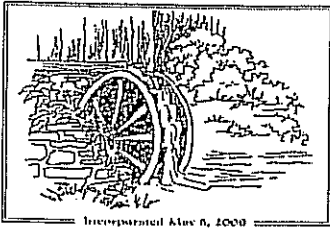
The proposed bed and breakfast is on .86 acres and contains one two-bedroom house and a garage with an attached guest bedroom. The proposed maximum occupancy is 8 guests and 4

off-street parking places will be provided. The applicants have agreed to abide by the required list of conditions for bed and breakfast operations in the City of Wimberley.

As the proposed bed and breakfast operation is located adjacent to the Blanco River, guests will have be allowed to access to river only from the subject property.

City staff has received no opposition to the proposed request.

On July 23, 2009, the Planning and Zoning held a public hearing on the CUP request. Afterwards, the Commission voted unanimously to recommend approval of the request.



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-09 - 006

FOR OFFICIAL USE ONLY

Application Date: 6/26 Tentative P&Z Hearing: 7/23 Tentative Council Hearing: 8/6

FEES: \$400.00 DATE PAID: 6/26 CHECK NO. 1349 REC'D BY ely

PROJECT SITE ADDRESS: 2328 Flite Acres Road Wimberley, TX. 78676

OWNER/APPLICANT Lynn M. Grimes Michael D. Jenkins PHONE (113) 263-8174
563-1370

FAX () 1grimes@mdanderson.org EMAIL: jenkinsmichaeld@gmail.com

Mailing Address: 1023 Martin St. CITY: Houston STATE: TX ZIP: 77018

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

ZONING: _____ CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

Vacation Rental / Guest House

Planning Area A Zoning R2 Total Acreage or Sq. Ft. 0.86 Acres

Subdivision: Elite Acres Rd. Sect. 1 Lot 42 Block _____

Appraisal District Tax ID#: R 27635

Deed Records Hays County: Volume 137 Page 430

Is property located in an overlay district? (X) Yes () No - If Yes,

Type: Protected Water

Is property located in flood plain? (X) Yes () No

Utilities:

Electric Provider: PEC

Water Provider or Private Well: Wimberley Water Supply

Wastewater Service Provider or Hays County Septic Permit No: No record of permit No. septic system was serviced this past spring 2009.

MY REQUEST IS BASED ON THE FOLLOWING:

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

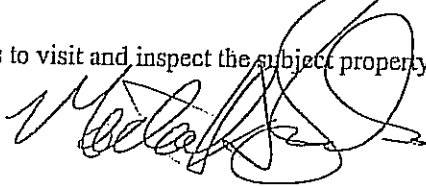
ADDITIONAL REQUIREMENTS/DOCUMENTATION

- ☒ Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- ☐ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- ☐ List of Special Conditions that Applicant agrees apply to property.
- ☒ List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property.
- ☒ Payment of Application fee \$400.00.
- ☒ Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- ☒ Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the Village zoning action does not relieve any obligation of these restrictions.
- ☒ Applicant agrees to provide additional documentation as needed by the Village.
- ☒ Applicant understands that Village review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- ☒ Applicant hereby authorizes the Village representatives to visit and inspect the subject property.

Date: 6/16/09

WHEN APPLICABLE:

Date: _____


APPLICANT SIGNATURE

AGENT SIGNATURE

LIST OF CONDITIONS THAT MAY BE INCLUDED IN BED AND BREAKFAST CUPs

The Zoning ordinance provides in Section 155.105 B (2) that "in granting a Conditional Use Permit, the Planning and Zoning Commission and the City Council may impose conditions which shall be complied with by the owner or grantee...." The following is a list of usual conditions that may be included in Bed and Breakfast CUPs. Not all of these conditions should be in every CUP nor should the list be deemed exclusive. The Zoning Ordinance sets forth in Sections 155.105(B) and (C) the matters which may be taken into consideration by the Planning and Zoning Commission and the City Council in granting a Bed and Breakfast CUP. The following list addresses many of those matters. References after each condition below are to these sections of the Ordinance

CONSTRUCTION: The architecture and facade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. [155.105 (B) 1] *No new construction*

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will at all times be harmonious and compatible with surrounding uses. [155.105 (B) 1]

OFF-STREET PARKING: All parking will be off-street. 4 off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8 guests. Parking will be in these spaces only. [155.105 (B) 1]

SIGNAGE: All signage will be of traditional "Hill Country" design. [155.105 (B) 1]

NOISE AND LIGHTING: All noise audible from, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted. [155.105 (B) 1]

NUMBER OF BEDROOMS: 2 [155.105(C)2]

MAXIMUM OCCUPANCY: 8 guests. [155.105(C)2]

OCCUPANT REGULATIONS AND GUIDELINES: The bed and breakfast lodging facility shall be operated in accordance with the guest guidelines furnished by owner and attached to the Conditional Use Permit. These guidelines shall be furnished to all guests. These guidelines may not be modified to be made less restrictive without the consent of the City Administrator. [155.105(C)4]

WASTEWATER SYSTEM: The wastewater treatment system will at all times be adequate for the maximum occupancy. (Applicant should provide as part of his application a certificate from the appropriate authority evidencing the adequacy of the waste water treatment system for the proposed use.) [155.105(C)8]

WATERFRONT USAGE (Applicable if guests have water access). Guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water. [155.105(C)5]

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. [155.105(C)4]

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. [155.105(C)7]

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

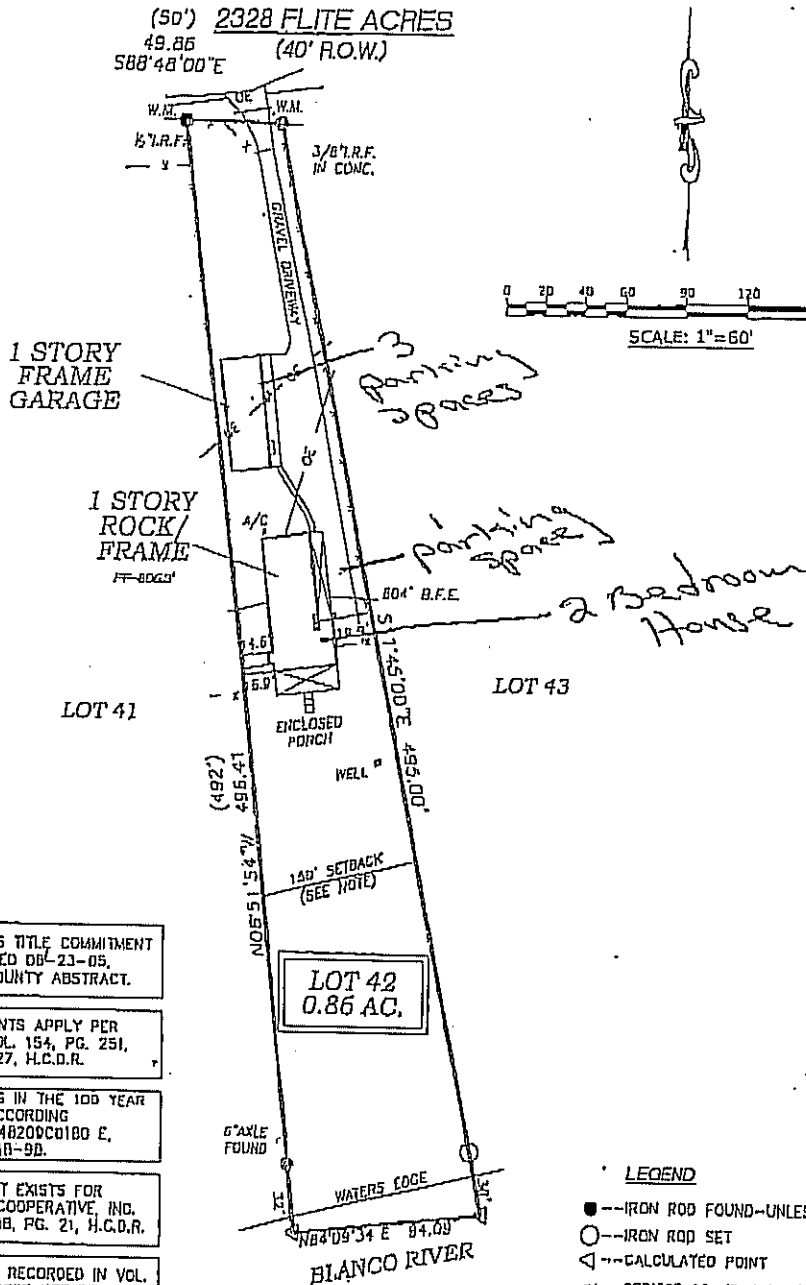
Dated: 7/15/09

Accepted and Agreed To:

[Signature]
Lynn M. Grimes

**LOT 42, FLITE ACRES, SECTION 1,
A SUBDIVISION IN HAYS COUNTY, TEXAS
VOLUME 137, PAGE 430, HAYS COUNTY DEED RECORDS**

5/14/96 JWP 5098/6 2000



NOTES

THIS SURVEY REFERENCES TITLE COMMITMENT No. 20508228, DATED 08-23-05, PROVIDED BY HAYS COUNTY ABSTRACT.

RESTRICTIVE COVENANTS APPLY PER VOL. 142, PG. 305, VOL. 154, PG. 251, VOL. 210, PG. 127, H.C.D.R.

A PORTION OF LOT 42 IS IN THE 100 YEAR FLOODPLAIN ACCORDING TO F.I.R.M. PANEL #48200C0180 E, DATED 02-10-98.

A UTILITY EASEMENT EXISTS FOR PEDERNALES ELECTRIC COOPERATIVE, INC. AS RECORDED IN VOL. 138, PG. 21, H.C.D.R.

A PIPELINE EASEMENT AS RECORDED IN VOL. 96, PG. 348, H.C.D.R. DOES NOT EFFECT LOT 42, FLITE ACRES.

BOUNDARY LINE AGREEMENT FOR WATER SERVICES AS RECORDED IN VOL. 1148, PG. 876, H.C.D.R.

THIS PROPERTY LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WIMBERLEY AND IS SUBJECT TO ITS ORDINANCES.

130' SETBACK FROM CURRENT RIVERBANK PER VILLAGE OF WIMBERLEY PROTECTED WATERWAY OVERLAY DISTRICT ORDINANCE No. 2001-010, SECTION 50.

LEGEND

- --IRON ROD FOUND--UNLESS NOTED
- --IRON ROD SET
- ◁ --CALCULATED POINT
- SERVICE OR UTILITY POLES
- OVERHEAD UTILITIES
- EASEMENT
- FENCE
- SETBACK

VOL. 137, PAGE 430 HAYS COUNTY PLAT RECORDS

VOL. 137, PAGE 430 HAYS COUNTY OFFICIAL PUBLIC RECORDS

SURVEYOR'S CERTIFICATION

This survey is made for the benefit of Hays County Abstract and buyers, Michael Jenkins and Lynn Gilmes. I hereby certify to the effect that a careful survey was made on the ground, under my supervision, of the tract of land described herein, and that said survey complied with the current Texas Society of Professional Surveyors Standards & Specifications for a Category 10, Condition II Land Survey, and that said property has abutting access to and from a public roadway.

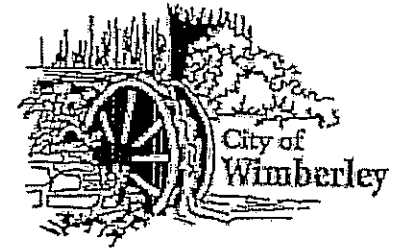


Driftwood Surveying
Professional Land Surveyors - Surveying the Hill Country
P.O. Box 378
Wimberley, TX 77875
PH. (817) 847-7323 FAX (817) 847-7372

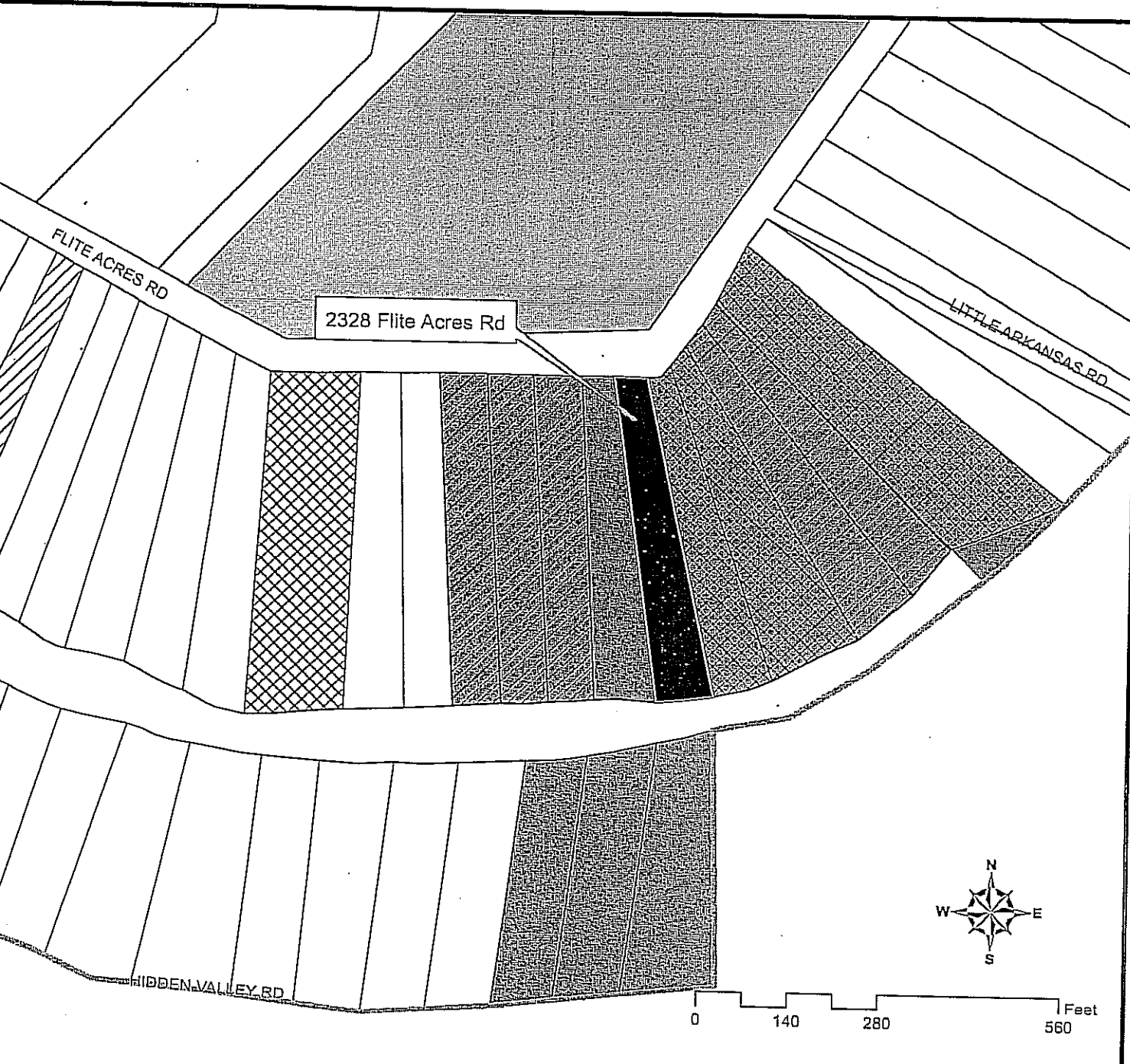
DATE	09-14-05
DRAWN BY	SHR/WHM
CHECKED BY	RJP
PROJ. NO.	HC22305
EXP. NAME/TITLE	
REVISIONS	DATE

**LOT 42, FLITE ACRES, SECTION 1,
A SUBDIVISION IN HAYS COUNTY TEXAS**

Zoning Map for CUP-05-006

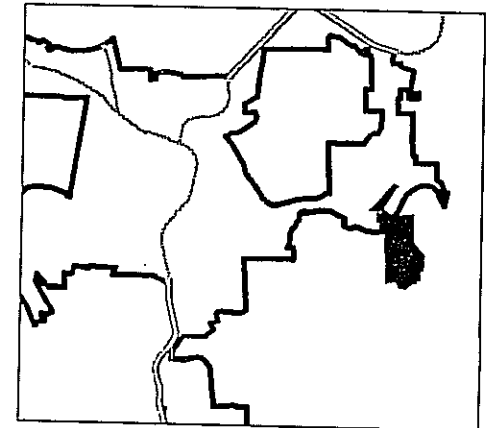


P.O. Box 2027 • Wimberley, Texas 78676

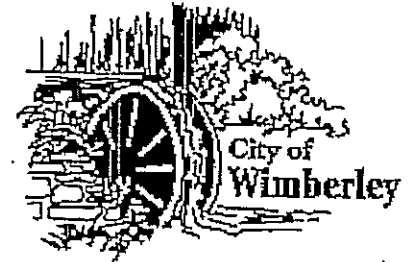


-  Subject Property
-  City Limit
-  Grandfather Bed N Breakfast
-  CUP Bed N Breakfast
-  R2 (Single Family Residential)
-  RA (Rural Acreage)

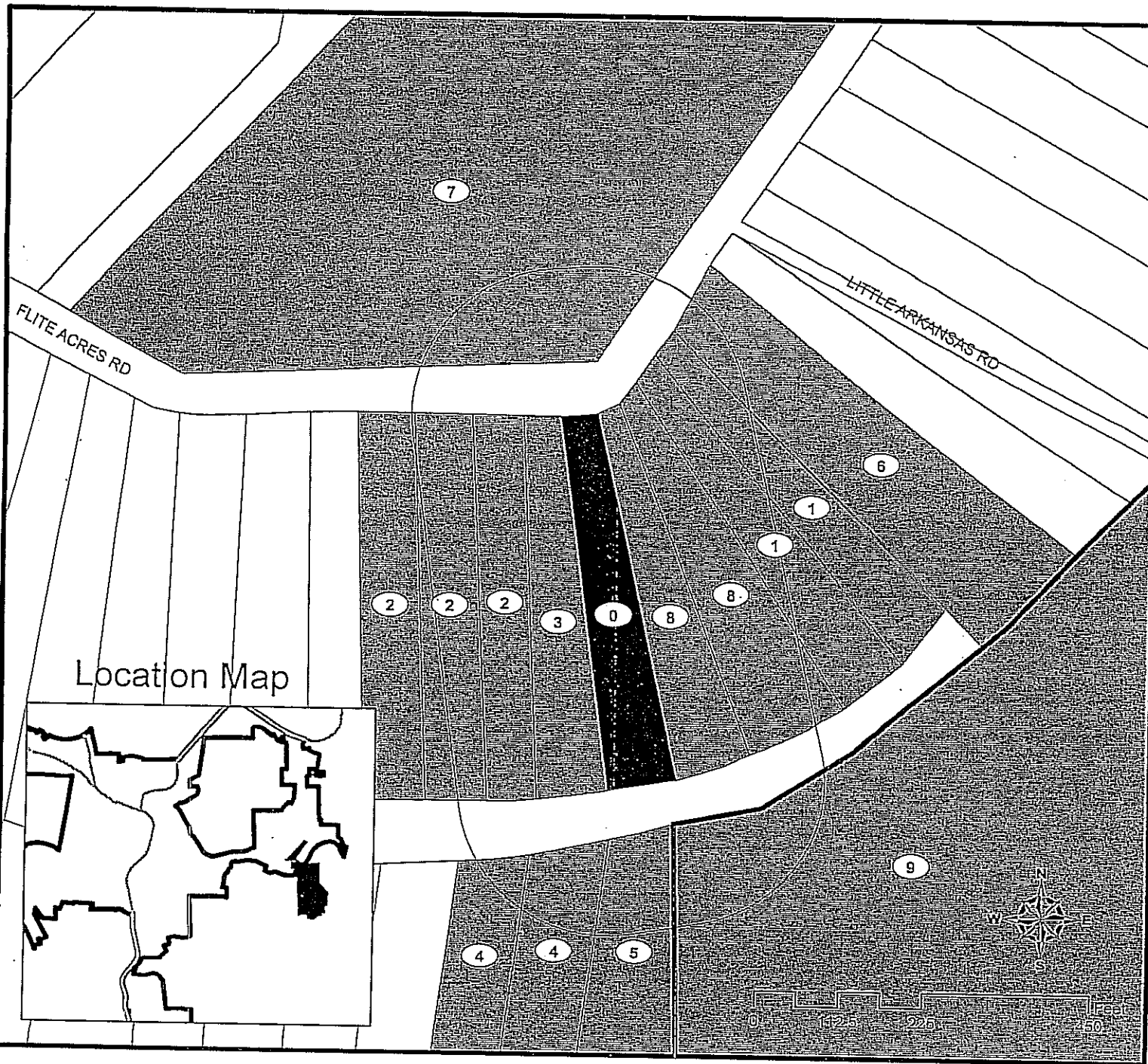
Location Map



Notification Map for CUP-09-006

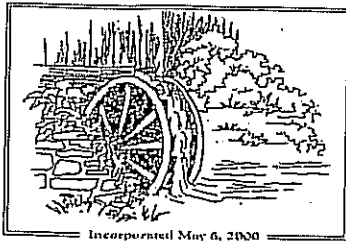


P.O. Box 2027 • Wimberley, Texas 786



- City Limit
- 200Ft Notification Buffer
- SUBJECT PROPERTY
- 1, CALLON GARY & SUSAN
- 2, COLLINS, PHILLIP A & PEC
- 3, GRIMES THOMAS & JOYC
- 4, JOSEPH ROSE MARY
- 5, PFLUGER, MARY M
- 6, ROLLING CAROLINE L F
- 7, BREITENBACH EDWARD I
- 8, CAIN FRANK & MARGIE
- 9, TEXAS PORCH HOUSE IN





City of Wimberley

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

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

Email: village@anvil.com Web: www.vil.Wimberley.tx.us

Tom Haley, Mayor - Bob Flocke, Mayor Pro-tem

Council Members - Charles Roccaforte, Bill Appleman, Steve Thurber, John White
Don Ferguson, City Administrator

July 1, 2009

NOTICE OF PUBLIC HEARING

Re: File No. CUP-09-006

2328 Flite Acres Rd, Wimberley, Texas

A Request for a Conditional Use Permit (CUP) to allow the operation of a Bed and Breakfast at this location.

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

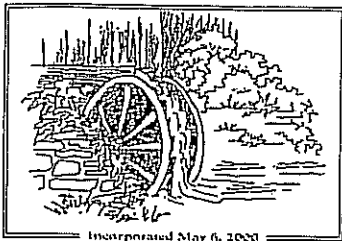
Lynn Grimes and Michael Jenkins have requested a Conditional Use Permit in order to operate a Bed and Breakfast at 2328 Flite Acres Rd. The current zoning for this property is Single Family Residential-2 (R2).

The City of Wimberley Planning & Zoning Commission will consider this request during a public hearing on Thursday, July 23, 2009, at 6:30 p.m. in the Wimberley City Hall, 12111 Ranch Road 12. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on Thursday, August 6, 2009, at 6:30 p.m.

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed Conditional Use Permit is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

CITY OF WIMBERLEY



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: CUP-00-006

Owner Lynn M Grimes
Michael Jenkins

Date 7/2/09

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 2328 Rite Acres

which is located Rite Acres

Bill Bowers
Asst. Public Works

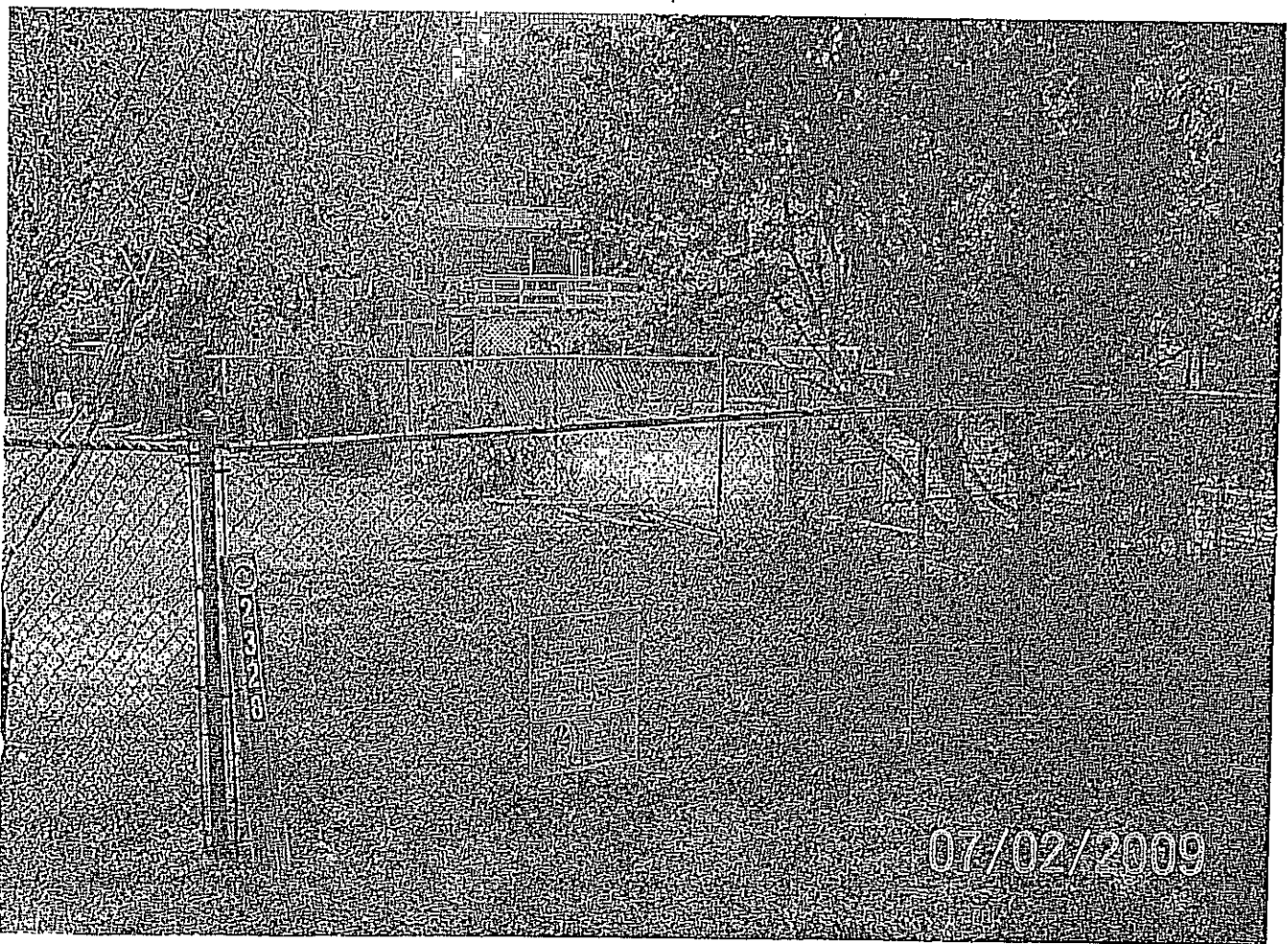
Note: The above-referenced sign was placed on the subject property on

7/2, 2009

[Signature]
Signature



07/02/2009



07/02/2009

ORDINANCE NO. 2009-_____

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MICHAEL D. JENKINS & LYNN M. GRIMES TO OPERATE A BED AND BREAKFAST LODGING FACILITY ON AN APPROXIMATELY 0.86 ACRE TRACT LOCATED AT 2328 FLITE ACRES ROAD, WIMBERLEY, TEXAS, ZONED SINGLE-FAMILY RESIDENTIAL 2 (R2), AND IMPOSING CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Michael D. Jenkins & Lynn M. Grimes ("Applicant") requesting authorization to operate a bed and breakfast lodging facility on real property described as Lot 42, Flite Acres Subdivision, consisting of approximately 0.86 acres, zoned Single-Family Residential 2 (R2); and

WHEREAS, a bed and breakfast lodging facility is an authorized use in areas zoned Single-Family Residential 2 (R2) upon the granting of a Conditional Use Permit; and

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

WHEREAS, Applicant has submitted a Conditional Use Permit Application, site plan, and list of conditions on the use of the property for the bed and breakfast purposes, attached hereto as Exhibits "A" and "B", respectively, and incorporated herein, and other necessary information, and has complied with the requirements of the Wimberley Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission and City Council have conducted Public Hearings on the Application for a Conditional Use Permit wherein public comment was received and considered on the Application; and

WHEREAS, the City Council finds that the use of the subject property as a bed and breakfast lodging facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

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

ARTICLE I. FINDINGS OF FACT

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

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Michael D. Jenkins & Lynn M. Grimes ("Applicant") for use as a bed and breakfast lodging facility on real property described as Lot 42, Flite Acres Subdivision, consisting of approximately 0.86 acres, zoned Single-Family Residential 2 (R2), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Applicant shall not commence development until it has secured all permits and approvals as required by the Wimberley zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
2. This Ordinance only authorizes the additional use of a bed and breakfast lodging facility in accordance with the site plan attached hereto as Exhibit "A", and subject to the conditions described in Exhibit "B", attached and incorporated by reference, as well as all applicable regulations in effect at the time of the submission of the building permit application. No other use of the property is authorized by this Conditional Use Permit.
3. No commercial signage shall be permitted on the subject property. No more than one (1) sign shall be permitted to provide the property street address and not identify the business. Any signage material, color and dimension shall be compatible with the "Hill Country" theme.
4. Maximum occupancy of the bed and breakfast facility shall be eight (8), and four (4) off-street parking places shall be provided.
5. Owner shall provide up to date contact information to the neighbors immediately adjacent to the subject property as well as across the street.

ARTICLE III. ZONING DISTRICT MAP

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

ARTICLE IV. REPEALER

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

ARTICLE V. SEVERABILITY

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

sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

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

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the Wimberley City Council on the ___ day of _____, 2009 by a vote of ____ (Ayes) and ____ (Nayes).

WIMBERLEY, TEXAS

By: _____
Tom Haley, Mayor

ATTEST:

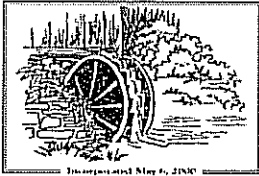
Cara McPartland, City Secretary

(SEAL)

APPROVED AS TO FORM:

Carolyn J. Crosby, City Attorney

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: PUBLIC HEARING AND
CONSIDER APPROVAL OF ADDITIONS TO THE
WIMBERLEY TRANSPORTATION MASTER PLAN

Funds Required:

Funds Available:

Council Action Requested:

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

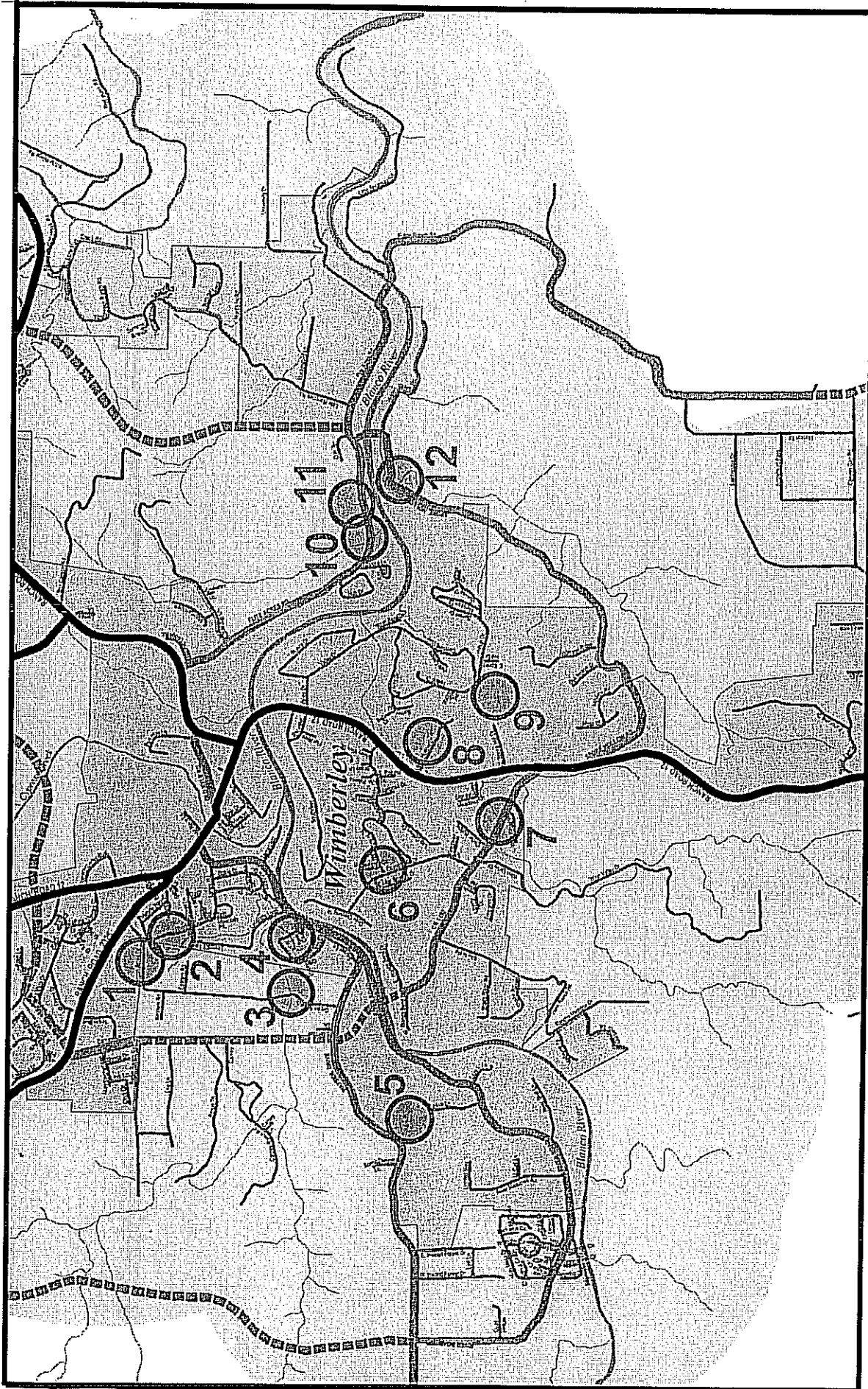
Project/Proposal Summary:

The purpose of this agenda item is to allow City Council to hold a public hearing and consider approval of several proposed additions to the Wimberley Transportation Master Plan. Specifically, the additions proposed by the Transportation Advisory Board are designed to improve emergency access in several areas of the city.

On July 9th and 23rd, the Planning and Zoning Commission held public hearings and discussed the proposed additions. In the hearings, opposition was expressed by two River Meadows residents to the proposed use of Leach Lane as an emergency access route between River Road and Wayside Drive. After considerable discussion, the Commission voted 6-1 in favor of recommending approval of the proposed additions relating to emergency access.

Attached are draft copies of the proposed additions along with a copy of the existing Transportation Master Plan.

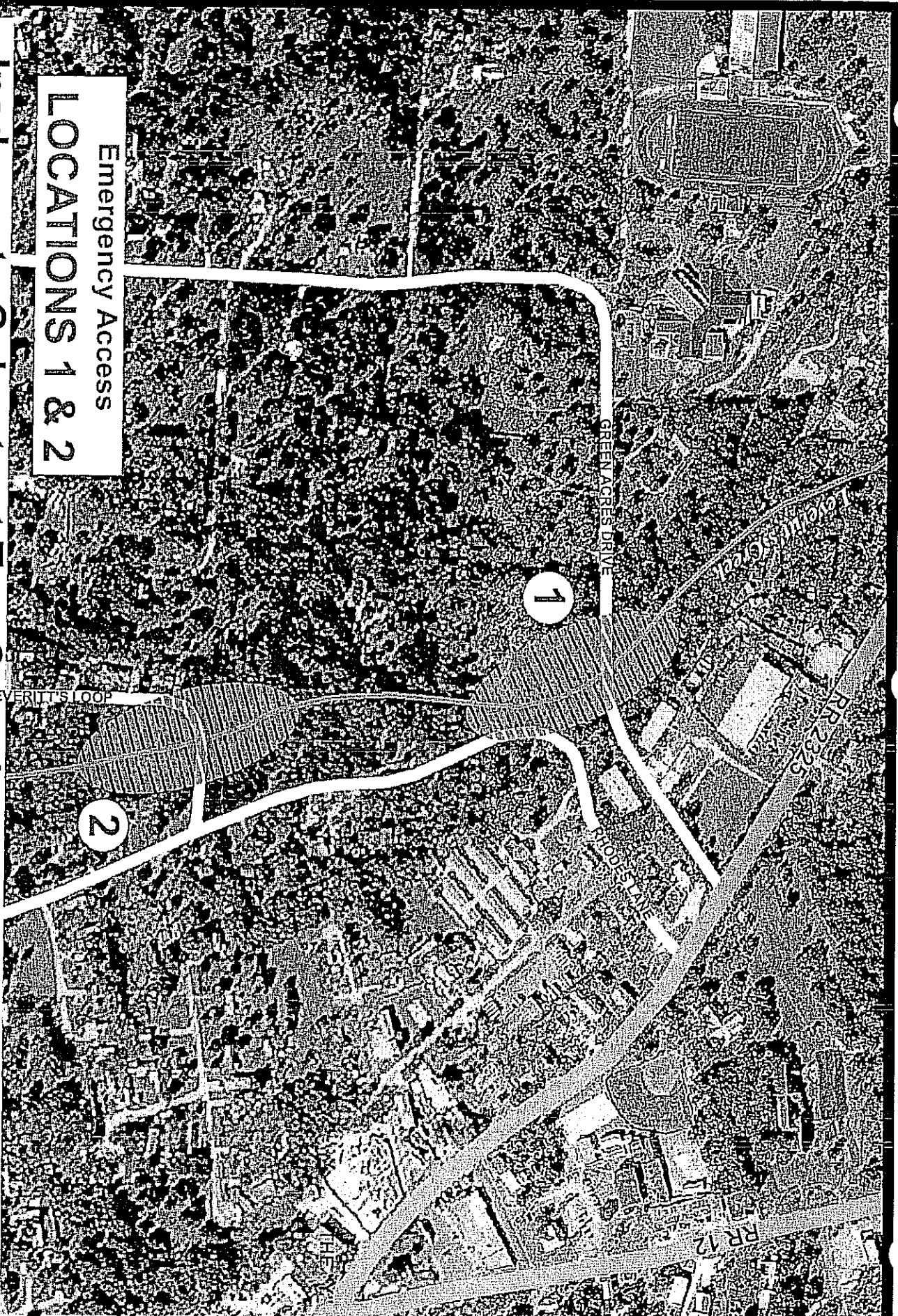
Representatives of the Planning and Zoning Commission and Transportation Advisory Board will be present at the meeting to brief City Council on the proposed additions.

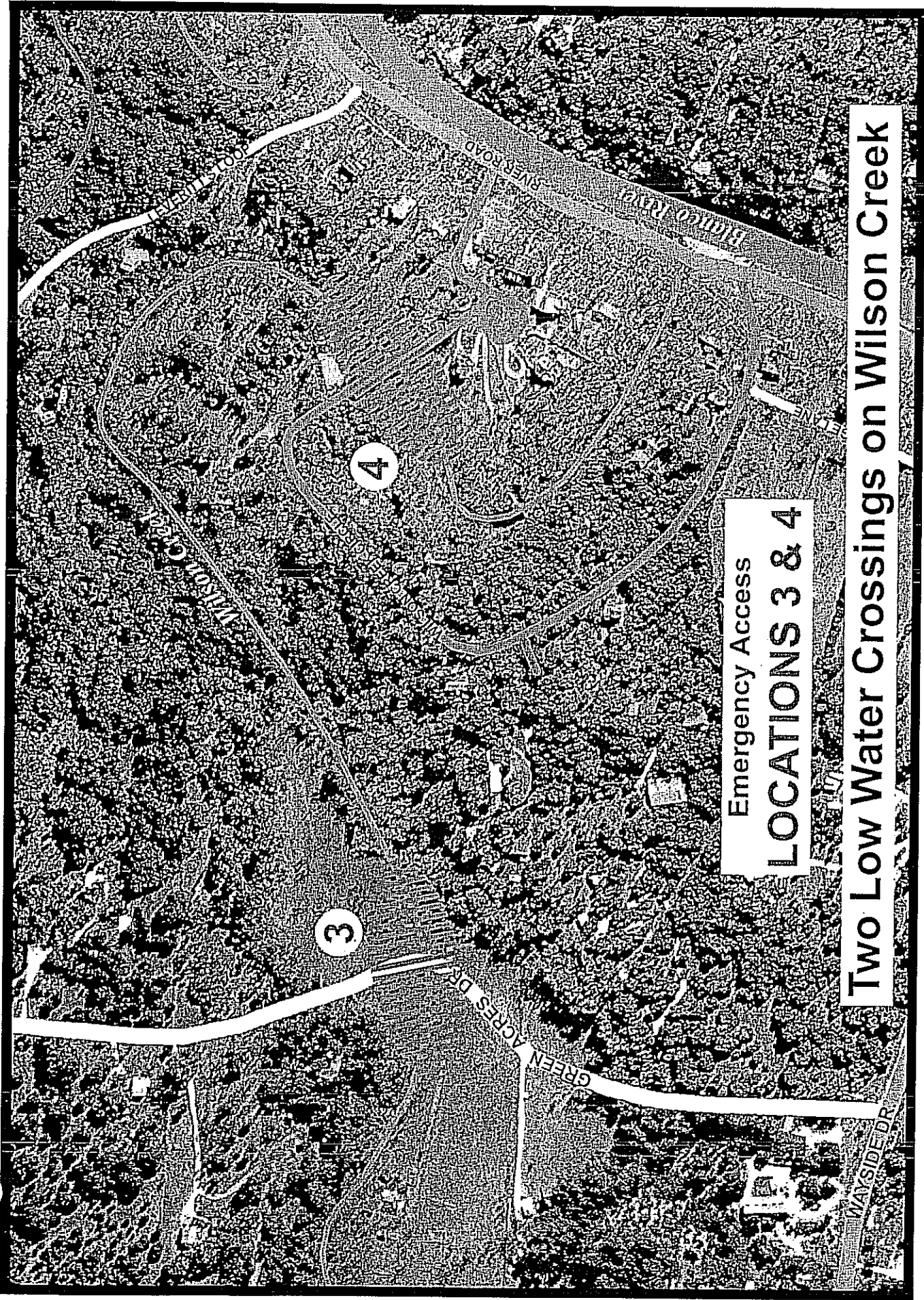


Key Map
Emergency Access Locations

Emergency Access
LOCATIONS 1 & 2

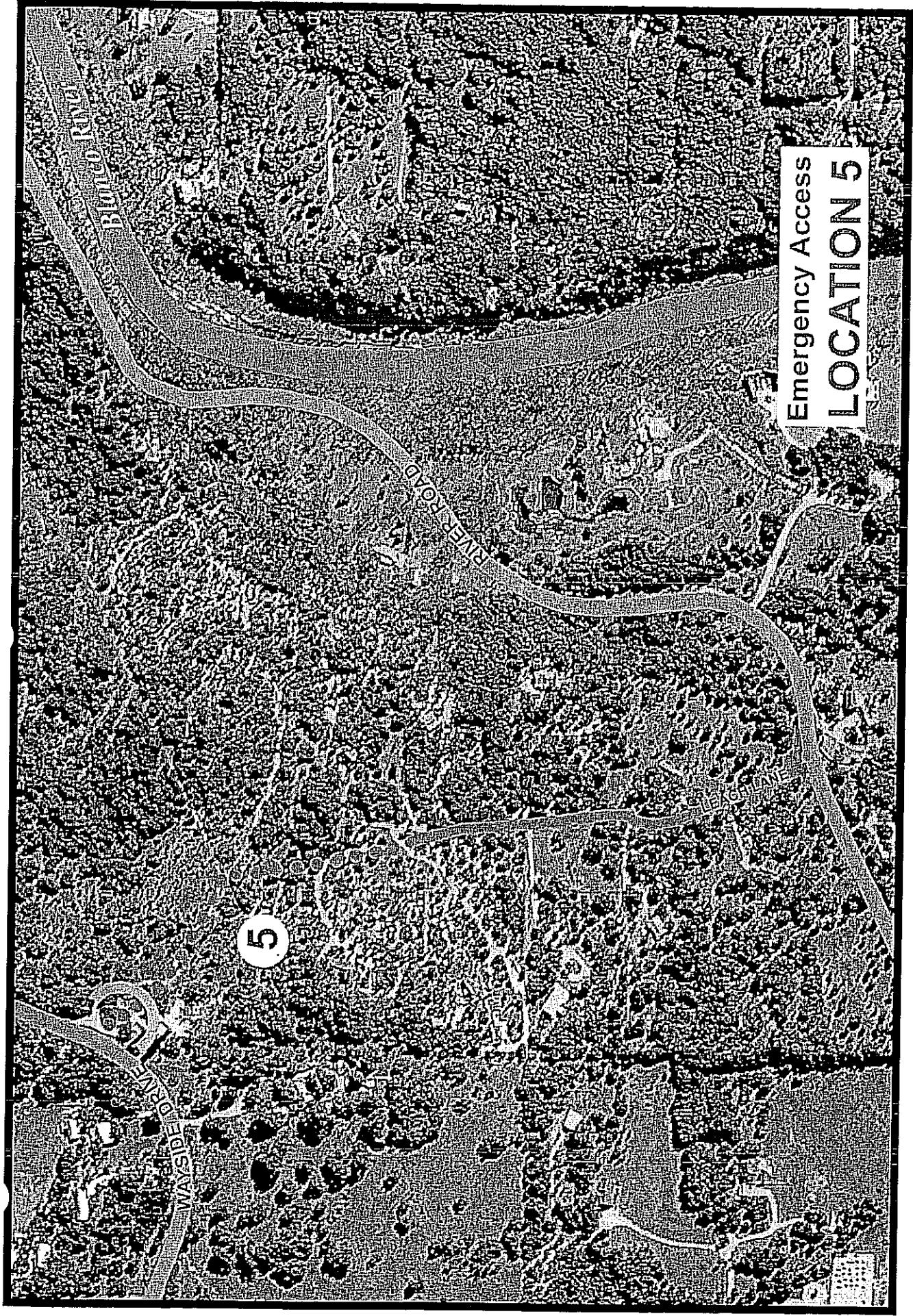
Inadequate Culverts at Two Crossings on Leveritt's Creek



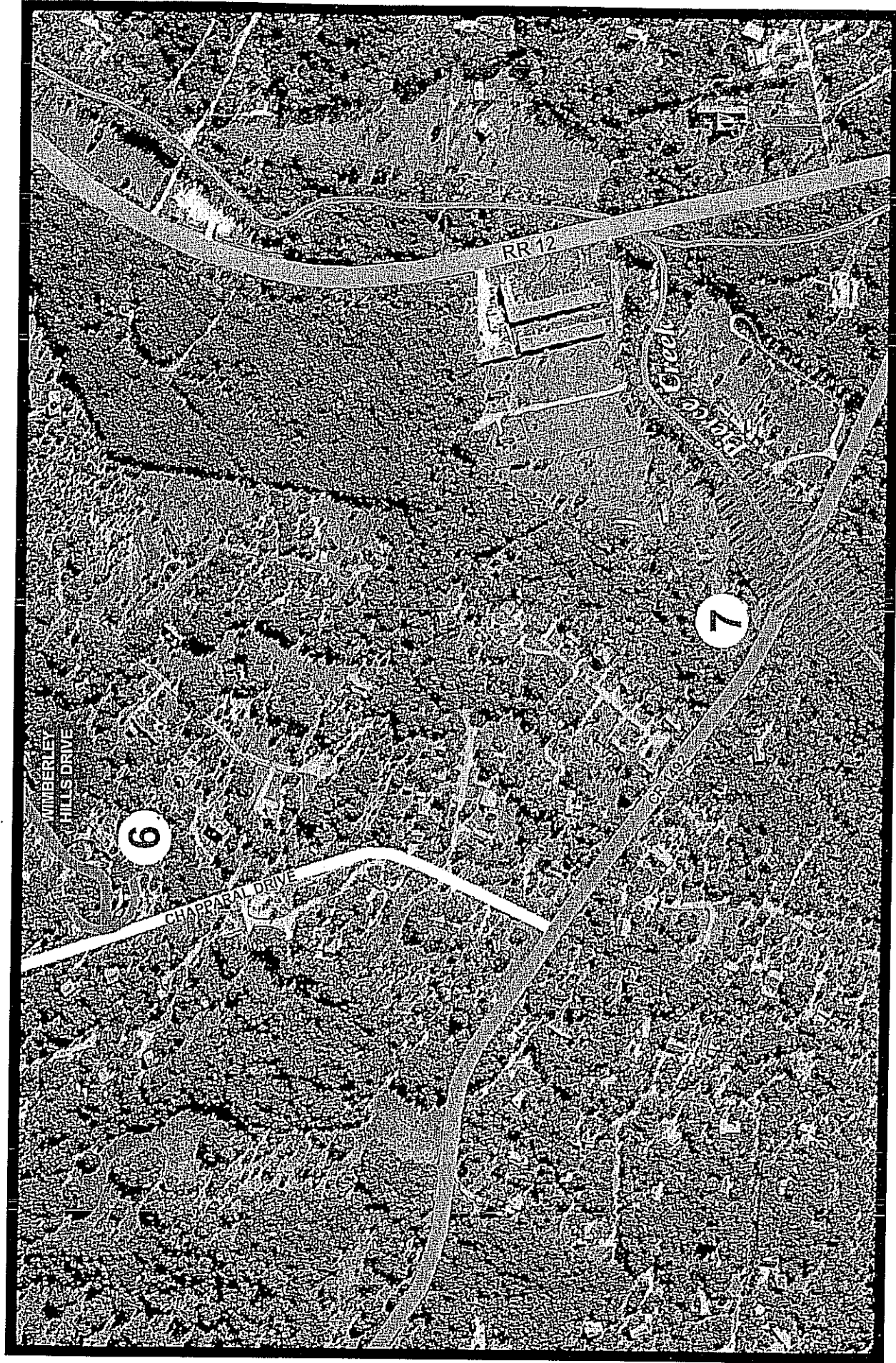


Emergency Access
LOCATIONS 3 & 4

Two Low Water Crossings on Wilson Creek



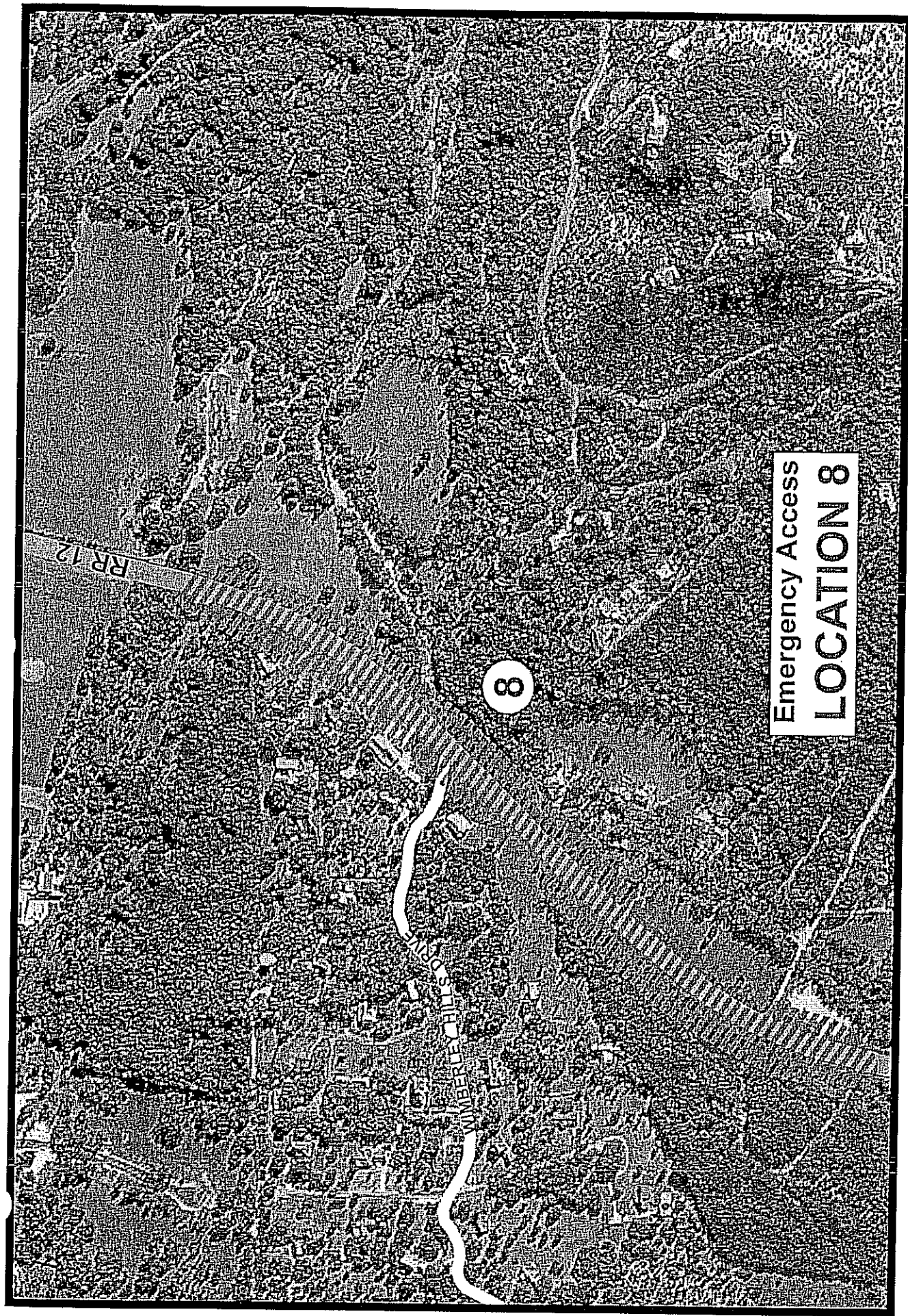
Emergency Access for Rivers Meadows Area



Emergency Access

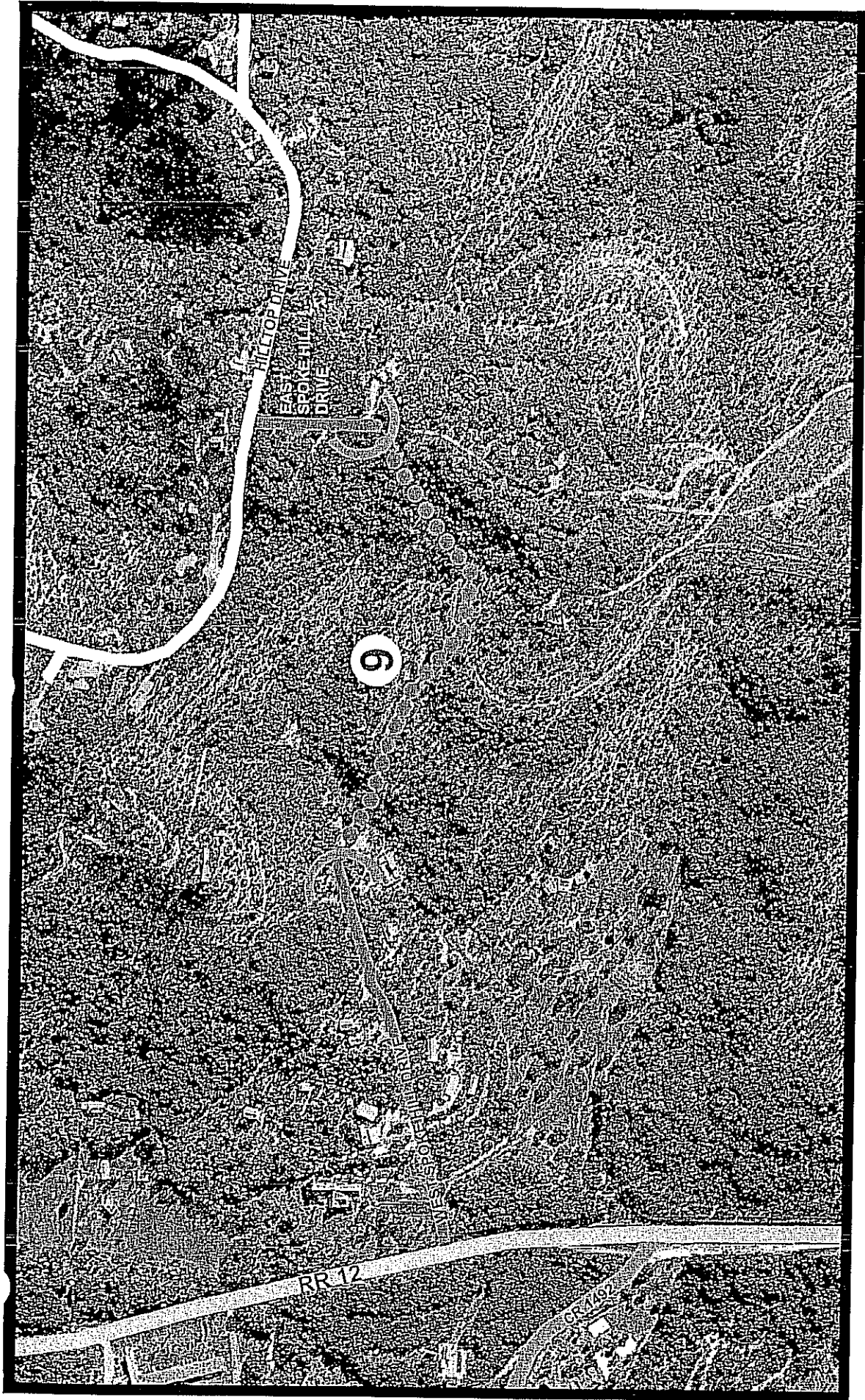
LOCATIONS 6 & 7

Wimberley Hills Access and CR 1492 Pierce Creek Crossing



Emergency Access
LOCATION 8

High Water Over RR 12



Emergency Access

LOCATION 9

Emergency Access for Paradise Hills

**A Transportation Master Plan
for the
Village of Wimberley**

COMPONENTS ONE and TWO

**Village of Wimberley
Transportation Advisory Board
Transportation Master Plan Subcommittee**

ADOPTED AUGUST 2, 2007

A Transportation Master Plan for the Village of Wimberley

PART ONE INTRODUCTION

PLAN ORIGATION

The Village of Wimberley Comprehensive Plan states: "Respondents to the Comprehensive Plan Survey and attendees at workshop sessions considered traffic to be among Wimberley's biggest problems. It is clear that traffic management, road maintenance and safety have become important Village priorities." In fact, in that survey, traffic led the complaint list by almost a two-to-one margin over the next contender.

Addressing this concern, the goals of the Roads and Transportation element of the Comprehensive Plan include "development of a comprehensive traffic plan addressing safety, congestion, emergency vehicle routes and through-traffic in the Village".

As a community grows, transportation issues become more and more critical. Simply letting roads develop haphazardly and then dealing with the resulting problems they create is not only expensive, but also negatively affects the character of the community. Only by being pro-active and looking ahead can the Village guide its transportation systems in ways that will preserve Wimberley's character and charm, and direct growth to desired areas.

In October 2003, the Village of Wimberley Transportation Advisory Board (TAB) appointed a subcommittee to begin work on a comprehensive Transportation Master Plan, building on the original Traffic Study which was approved by Council in August 2001.

Current members of the Subcommittee are Bert Ray, Chair, Kelly Kilber, Mark Roden, and Gene Woodruff. Past members are Jim Lee and Bob Flocke.

PLAN GUIDELINES

The Subcommittee was charged with creating a document which acknowledged the broad direction articulated in the Wimberley Comprehensive Plan. The City Council endorsed this effort, and agreed that a reasonable and objective Transportation Master Plan would be a major asset to the City for planning and budgeting purposes, and would also provide a valuable tool for communication between Council, TAB, P&Z, the Public, the County and TxDOT.

Development guidelines for the Subcommittee were:

1. The Plan should reflect the Village's philosophy regarding transportation, particularly the positions outlined in Section IV B of the Wimberley Comprehensive Plan.
2. The Plan should include accommodations for pedestrians and bicycles in addition to autos and trucks.
3. The Plan should acknowledge overlapping or adjacent authorities to insure compatibility with other local or regional plans (Hays County, TxDOT, WISD, Woodcreek).
4. The Plan should reflect input and data from as many pertinent sources as possible.
5. The Plan should, wherever possible, acknowledge existing rights-of-way, property lines and development patterns in the Village and its ETJ.
6. The Plan should provide Council and P&Z the necessary tools to guide the location and character of future road installations.
7. The Plan should be schematic and should not address highly specific issues such as technical dimensions, precise alignments, legal processes, etc.
8. The Plan should contain a requirement for updating on a regular schedule.

PLAN SCOPE

To be a useful document, a city's Transportation Master Plan must have a broad scope—it must look at both current and future needs, and must address both regional and neighborhood issues. This Plan attempts to do both.

Because the actual Village of Wimberley and its ETJ are a relatively small part of the Wimberley Valley, it was obvious that future regional development patterns and transportation decisions would have a direct and significant affect on Wimberley. Therefore, the Subcommittee concluded that the Village Transportation Master Plan should look well beyond Wimberley and its ETJ.

As a result of its early demographic studies, the Subcommittee concluded that the appropriate geographic area for the Plan would be a 5-mile radius circle centered on the Wimberley Square. Of course, the City has no say in these outer areas, but predicting how they might develop and where roads might be needed is essential in addressing the City's future transportation needs. It is understood that any Plan components outside the Village's ETJ are in the County's jurisdiction, and are simply recommendations.

The Subcommittee also decided that while it is very important to make informed estimates of where and how the Valley will grow, prediction of the exact timing and pace of the growth is not of major significance. So even though it may be interesting to consider introducing a time line, this Transportation Master Plan does not include a timetable. This avoids the distraction of trying to predict growth patterns and timing.

PRESENTATIONS AND REVIEWS

As it was being developed, drafts of portions of the Plan were reviewed with numerous groups and individuals:

1. August 24, 2005: First drafts of Lee Buse's computer-generated maps were presented to TAB.
2. October 26, 2005: The first draft of Part One of the Plan was presented to TAB and representatives of the Planning and Zoning Commission.
3. November 17, 2005: The first draft of Part One of the Plan was presented to the City Council.
4. September 27, 2006: The draft Plan showing Collectors in the Wimberley Valley was presented to TAB, Mayor Tom Haley and Council Member Terrie Bursiel.
5. October 4, 2006: The draft Plan showing Collectors in the Wimberley Valley was reviewed with County Commissioner Will Conley, County Roads Engineer Jerry Borcharding and Council Member Marilee Wood.
6. October 18, 2006: The draft Plan showing Collectors in the Wimberley Valley was reviewed with Council Members Bob Flocke and Carroll Czichos.
7. November 21, 2006: The draft Plan showing Collectors in the Valley was reviewed with Commissioner Will Conley, TxDOT Area Engineer Don Nyland and Mayor Tom Haley.
8. April 4, 2007: The draft Plan showing Collectors in the Valley was reviewed with Jane Little, Chair of the Woodcreek Traffic Committee.
9. April 11, 2007: The April 5, 2007 draft Plan was reviewed with the Transportation Advisory Board. Because they were considered supplemental or procedural, part Two was made a separate resource document and part Three was made an appendix to the base Plan. The Plan, as revised, was scheduled for a Public Hearing at the April 25, 2007 TAB meeting.
10. April 25, 2007: A Public Hearing with PowerPoint presentation was held at this regularly scheduled TAB meeting. The Board approved the Plan and voted to send it to P&Z for their review and a Public Hearing.
11. May 24, 2007: At this regularly scheduled P&Z meeting, which included a Public Hearing, the May 9, 2007 draft Plan was submitted, and a PowerPoint presentation was made.
12. June 14, 2007: After discussion, P&Z voted unanimously to recommend the May 9, 2007 draft Plan for adoption by Council.
13. July 5, 2007: The May 9, 2007 draft Plan was presented to Council for consideration.
14. August 4, 2007: After a Public Hearing including a PowerPoint presentation and citizen discussion, Council voted to adopt the May 9, 2007 draft Plan with one revision to new Collector Segment B.

PART TWO DEMOGRAPHICS AND PROJECTIONS

BACKGROUND

Early in the planning process, the Subcommittee determined that the future demographics of the Wimberley Valley would play a very important role in shaping the Transportation Master Plan. Therefore, the group spent over a year acquiring and studying information related to the past and present growth patterns of the area. Some categories addressed were:

1. Existing road patterns
2. Population density patterns
3. Flood plain locations
4. Topographic characteristics
5. Traffic counts
6. Existing subdivision characteristics
7. Existing subdivision build-out percentages
8. Growth projections by public and private entities

As the Subcommittee focused on future growth patterns, it became aware that the greatest difficulty in making such projections is the lack of past and present demographic data related to specific small areas such as the Valley. Most available statistics are county-wide or region-wide, and there is a general conviction that Wimberley will not necessarily follow those patterns.

Numerous public and private entities attempt to predict future growth, so early in the process, the Subcommittee prepared a list of those resources which might be willing to share their predictions. Subsequently, Subcommittee members made contact with each one.

Unfortunately, most of the resources indicated that they only plan for broad, general increases in their scope, services or customers, and do not attempt to predict specifically where those future demands will be located. For their purposes, defining discrete geographic areas is not necessary in planning for future growth or capacity. Therefore, much of this early information was of general value only. Following is a list of resources contacted:

Envision Central Texas
Guadalupe Blanco River Authority
Austin-San Antonio Corridor Council
Texas Parks and Wildlife
Capital Area Planning Council
Texas Department of Transportation
Wimberley Emergency Medical Service
Aquasource (Aquatexas)
Wimberley Water Supply
Pedernales Electric Coop

Wimberley Chamber of Commerce
Wimberley Independent School District
VOW Parks and Recreation Board
VOW Water and Wastewater Board
VOW Economic Development Advisory Board
VOW Planning and Zoning Commission
Hays County Commissioner, Precinct 3
Wimberley Volunteer Fire Department

STRUCTURE

In the process of communicating with other City and regional entities to find pertinent data, the Subcommittee was fortunate to acquire a statistical analysis compiled by a professional demographic data firm, which organized existing census information and projected growth information into concentric circles around the Village in 1-mile, 3-mile, and 5-mile radii.

After careful consideration of a reasonable area to examine, the Subcommittee concluded that these three circles or “bands” suggested an excellent format for organizing its material. Also, the report’s population numbers could serve as a double check for data acquired or projected by the Subcommittee. Therefore, the demographic analysis was structured on that basis.

PROCESS

Before it looked at future possible growth patterns, it was essential that the Subcommittee understood the current demographics:

1. Existing subdivisions---number of lots, average lot size, number of existing homes.
2. Existing roads and whom they serve.
3. Current population densities and locations.

To accomplish this, the Subcommittee collected and documented data from Hays County, regional maps, POA’s, and subdivision plats.

To acquire an understanding of the current development characteristics, the Subcommittee analyzed the above existing data as well as other influences:

1. The number of homes that will be added when the existing subdivisions are built-out.
2. The average lot size in each subdivision.
3. The apparent relationship between lot sizes and terrain.
4. The location and scope of floodplains.

Using these current demographics, the Subcommittee attempted to develop a theoretical build-out scenario for each “band” recognizing the influence of:

1. Terrain and other physical restrictions.
2. Future utility availability (difficult to predict).
3. Current assumptions about regional growth patterns.

Theoretical future developed areas were projected as non-specific shapes, with no attempt to relate them to current property lines, ownerships, or other transient characteristics. Empty space was left around them to account for commercial development, parks, roadways, floodplains, schools, easements, etc. The study was not intended to be a land-use plan.

CAVEATS

It is very important to emphasize that utility availability can significantly affect future development planning. It may well be that current densities or lot sizes will not be reliable guides to the future if the pattern of utility provision changes.

Over time, environmental issues such as water conservation, impervious cover, aquifer recharge, endangered species, conservation easements, etc. will likely play an increasing role in planning and development. Therefore, some of the patterns and approaches from the past may not be accurate guides for predicting future growth characteristics.

NOTE

The complete demographic study described above has been organized as a separate document to serve as a resource and comparison for future Transportation Master Plan evaluations or revisions.

PART THREE MASTER PLAN

As outlined in Part One, the scope of a transportation master plan must include both large-scale regional views and small-scale neighborhood details. To accommodate this range, the Village of Wimberley Transportation Master Plan has been divided into five Components, with each Component addressing a specific transportation issue at its appropriate scale.

It was important to address the larger-scope planning issues first, because these are the most critical to the City's planning review processes. Therefore, the Transportation Master Plan subcommittee concentrated its initial efforts on the first two Plan Components, and only those two Components are included in this document:

Component A. Wimberley Valley Transportation Plan

Component B. Village of Wimberley Thoroughfare Plan

Subsequent Components will be submitted to Council as they are completed:

Component C. Village of Wimberley Street Plan

Component D. Village of Wimberley Pedestrian and Bicycle Plan

Component E. Village of Wimberley RR12 Alternative Routes

Component A Wimberley Valley Transportation Plan

The area covered by this Plan is based on the 5-mile radius circle described in Part One. Addressing this portion of the Wimberley Valley allows the impact of regional growth to be reflected in transportation planning for the Village of Wimberley and its ETJ (Component B).

In looking at the present configuration of the State Highways and County Roads, it became apparent that construction of a relatively few new or extended roads would vastly increase the connectivity of the Valley. In most cases, the general routing of these new roads is obvious, although topography and land availability would determine their precise layout.

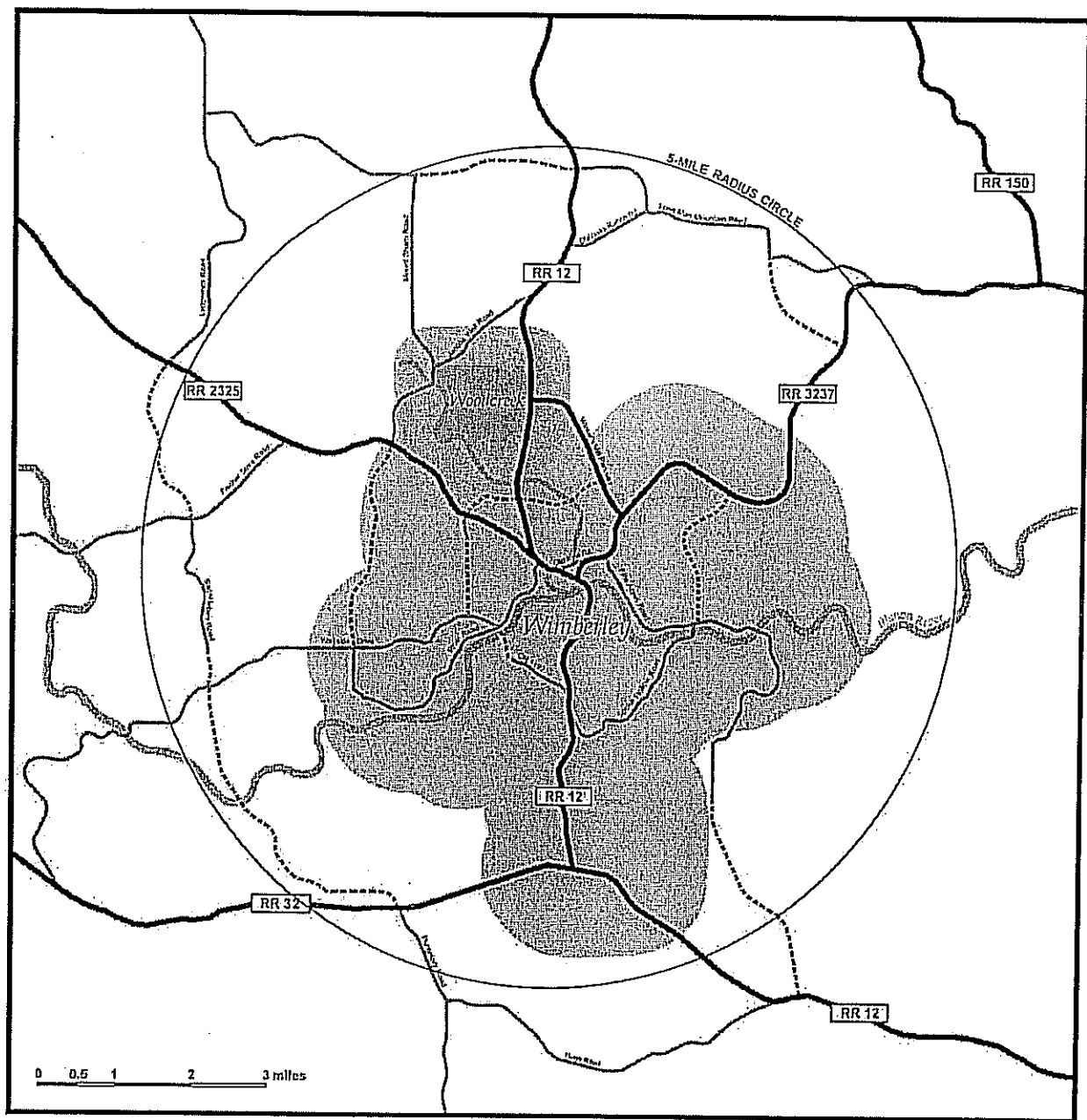
The following map shows these suggested connectors. It also shows proposed new roads within the Village and its ETJ, but these are presented in more detail in Section B.

As pointed in Part One, the Village has no authority to do planning in the County's jurisdiction. This map is simply the documentation of ideas resulting from the Village's desire to take a broad view of the local transportation issues.

However, to make sure that it was not developing this Plan in isolation, the Subcommittee met with a number of representatives of affected governmental entities to review the planning process and the proposed improvements. All were very supportive. To date they are:

Hays County Commissioner Will Conley
Hays County Transportation Engineer Jerry Borcharding
TxDOT Area Engineer Don Nyland P.E.
City of San Marcos Transportation Advisory Board
City of Woodcreek Traffic Committee Chair Jane Little

It is hoped that the ideas and recommendations in this Plan will be of some value to Wimberley's neighbors in their future planning.



Component A Wimberley Valley Transportation Plan

Existing and Proposed Collectors Within 5 Miles of Village Center

- | | | |
|---|---|---|
|  Wimberley City Limits |  Woodcreek City Limits |  Arterial |
|  Wimberley ETJ |  Woodcreek ETJ |  Existing Collector |
| | |  Proposed Collector |

Component B Village of Wimberley Thoroughfare Plan

This Plan addresses existing and proposed Collectors within the Village and its ETJ. Arterials (the three State highways and the County By-pass) are also shown on the Plan, but they are not under the City's jurisdiction, so no improvements are proposed. However, to assist the City in future planning, recommended right-of-way widths for both Arterials and Collectors are included in this Plan.

The Collectors fall into three general categories:

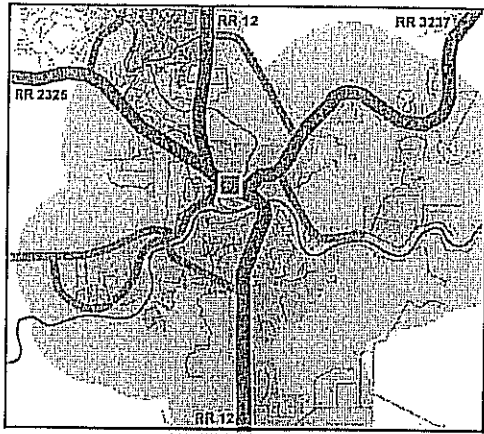
1. Existing roads that currently serve as Collectors, although they may have inadequate pavement or right-of-way widths, or need general upgrades.
2. Existing streets or lanes which are substandard or inadequate, but which represent a logical route for a new Collector to follow.
3. Completely new Collector segments where no current route exists.

In many cases, a single Collector may be composed of segments derived from more than one of the above categories. To address the specific issues of each segment, the Thoroughfare Map identifies them with letter designations and, in some cases, supplementary satellite photo diagrams are included.

This Plan is diagrammatic and, except where existing roads are upgraded to Collectors, it does not attempt to show precise locations or alignments. Although the Subcommittee made a significant effort to show proposed routes that acknowledge the local topography, property lines and existing development, the City should determine the specific engineering and legal issues before finalizing any alignments.

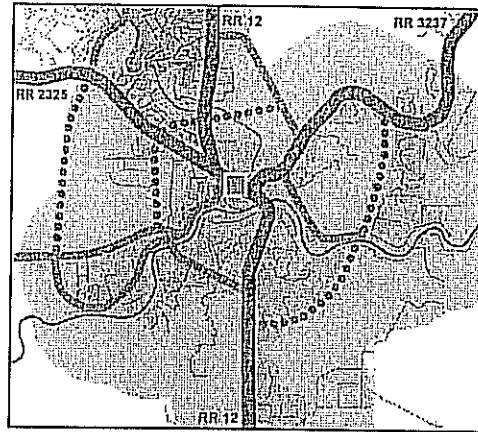
One significant purpose of this Transportation Master Plan is to clearly document the required locations and characteristics of future streets and roads so they can be accommodated as property is developed. However, in large developments, the exact alignments may not be critical, and it may be reasonable to allow the developer some flexibility to locate Collectors where they work best for his particular plan.

An Analysis of Traffic Circulation Patterns in Wimberley and its ETJ



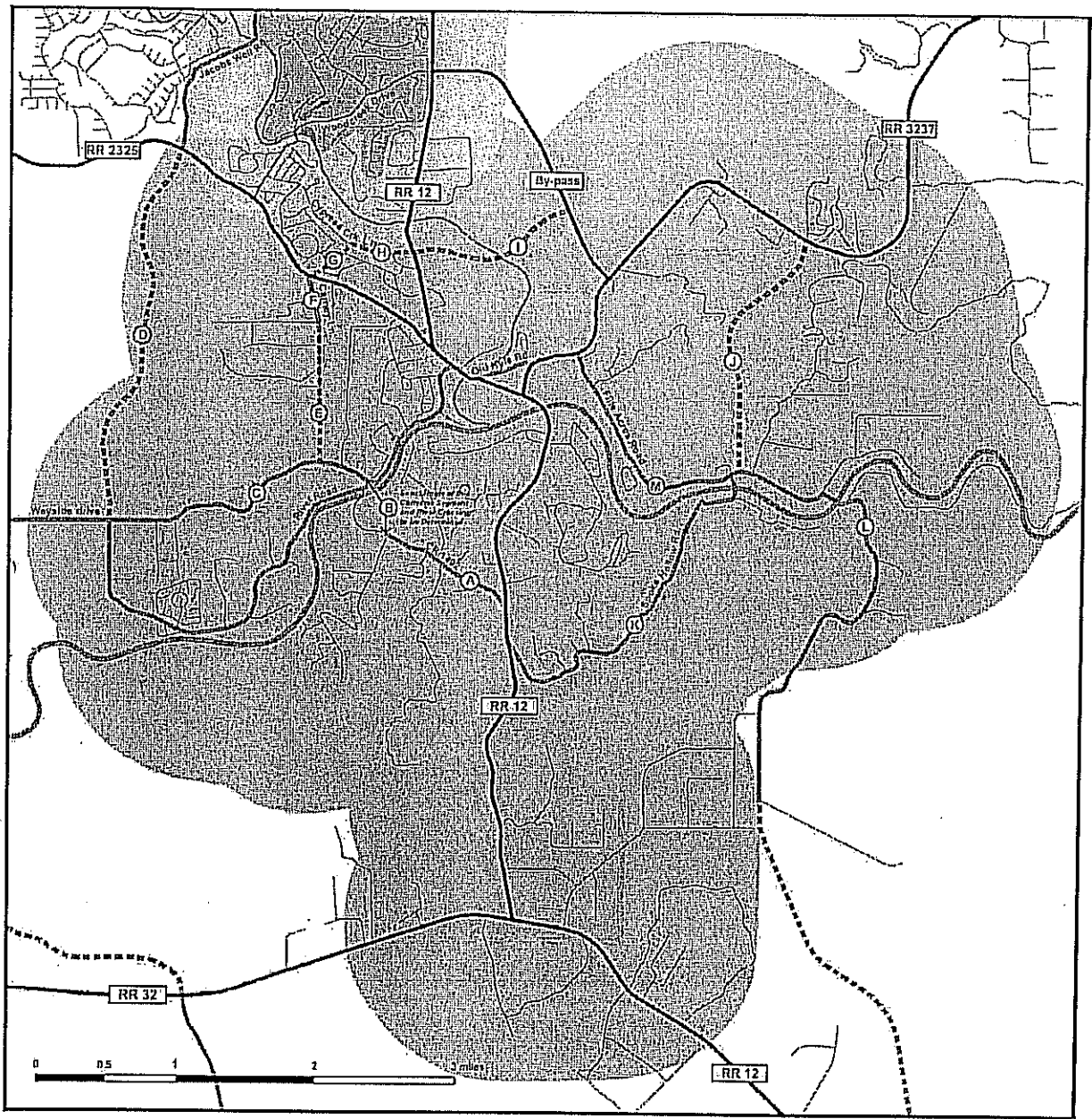
Existing Circulation Pattern

The highways into Wimberley all meet near the center of the Village, much like the spokes of a wheel, and most of the secondary roads do the same. Unfortunately, there are very few connections between the "spokes", so many trips must go through the center of the Village.

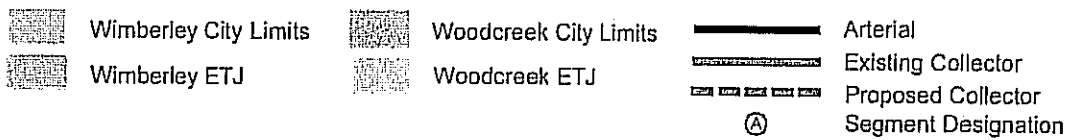


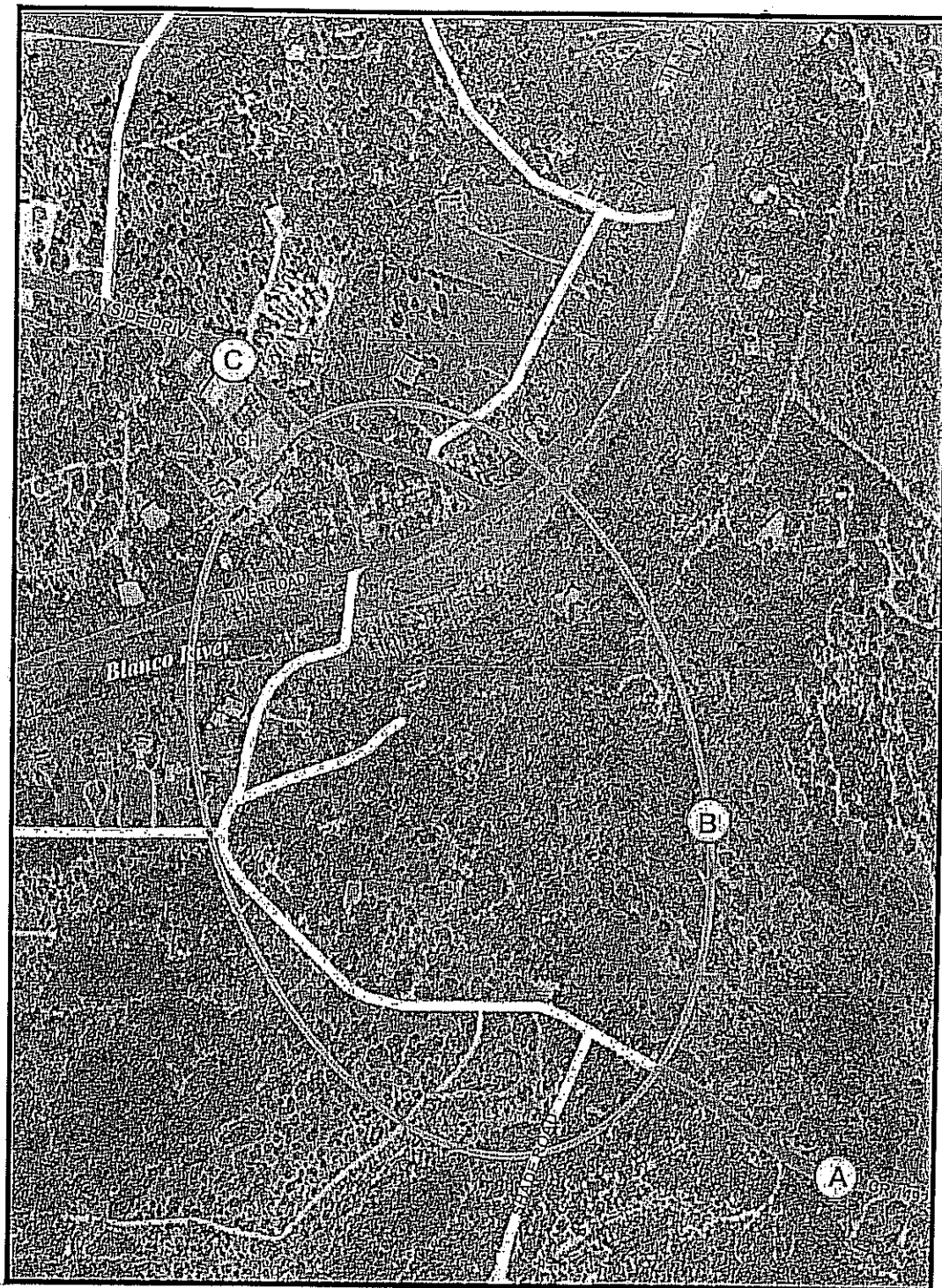
Proposed New Connections

New or extended roads connecting the "spokes" in the approximate locations shown above will allow local traffic to avoid the center of town. This will save time and fuel, and provide for much faster emergency response. See Village of Wimberley Thoroughfare Plan.



Village of Wimberley Thoroughfare Master Plan



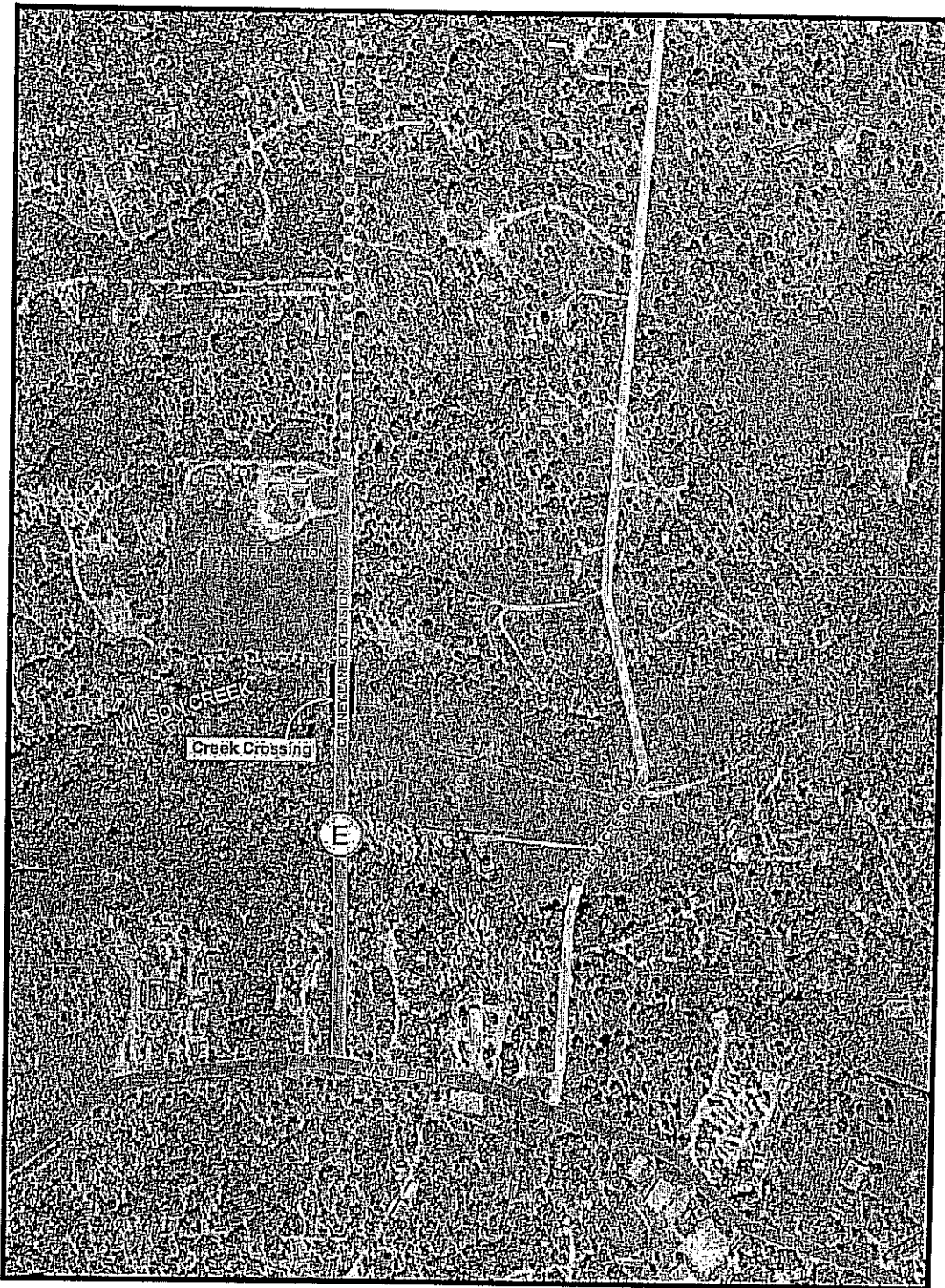


Segment B New Collector from 1492 to Wayside Drive

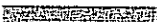
 General Area of New Collector Between Segments A and C. Exact Route to be Determined. Requires New Crossing or Bridge Over Blanco River

 Existing Collector

Green Area is Within City Limits



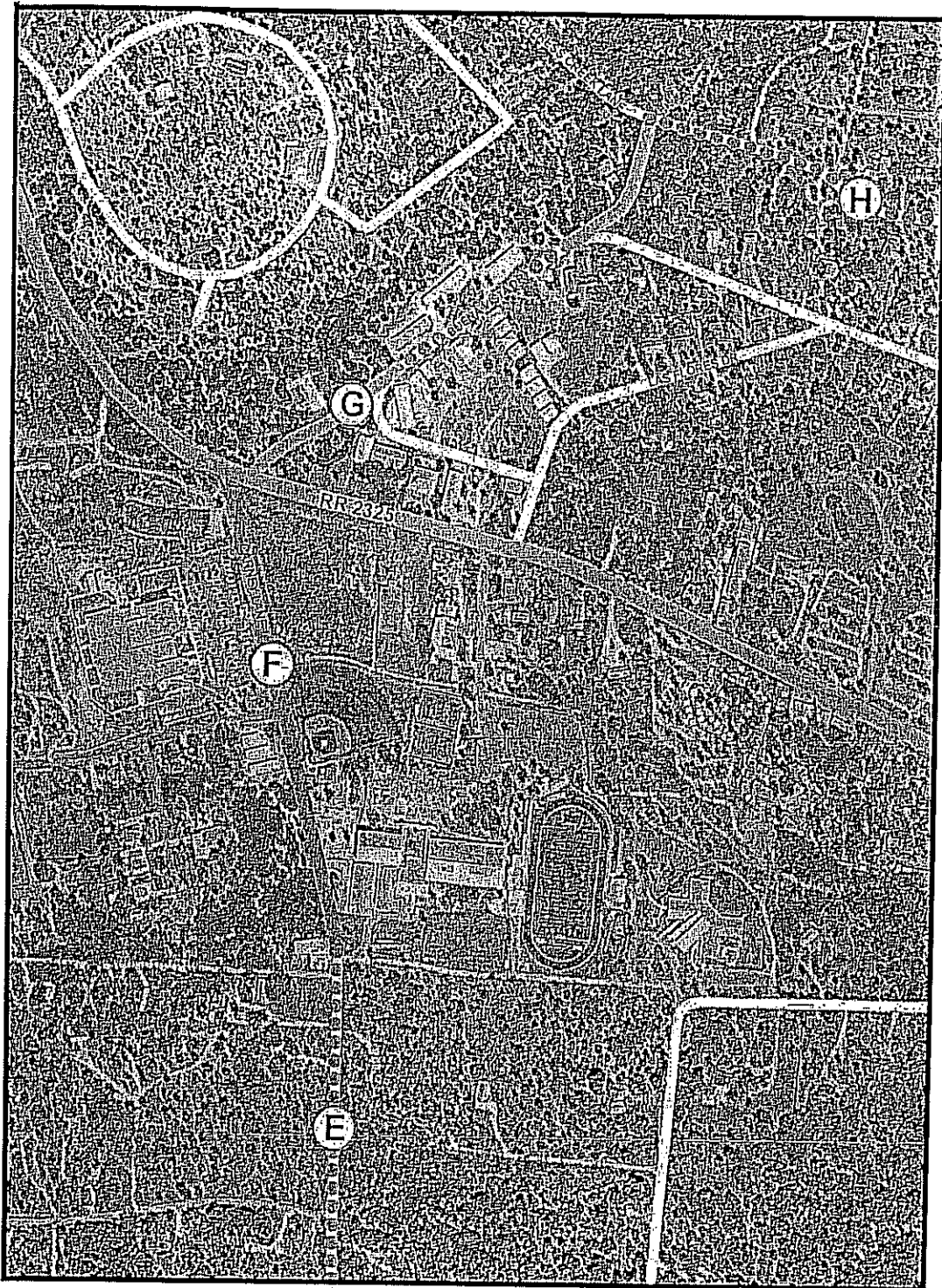
Segment E Extension of Carney Lane South to Wayside Dr.

 New Collector

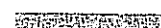
 Existing Street Upgraded to Collector

 Existing Collector

Green Area is Within City Limits

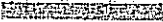
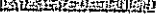


Segments E, F and G Carney Lane to Cypress Creek Lane

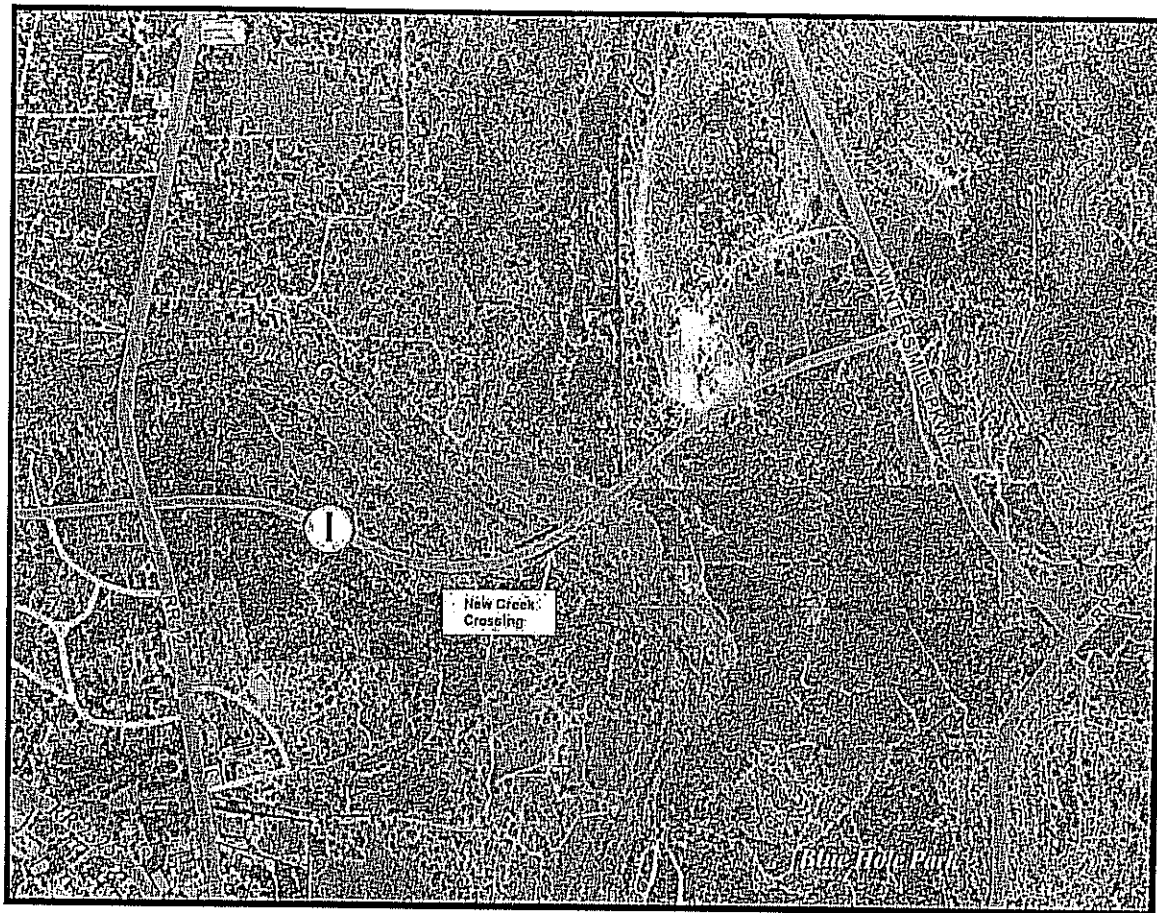
-  New Collector
-  Existing Collector
-  Existing Street Upgraded to Collector
-  State Highway
-  Green Area is Within City Limits
-  Segment



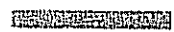
Segments H and I Cypress Creek Ln. Extension Across RR 12

-  New Collector
-  Existing Street Upgraded to Collector
-  Existing Collector
-  State Highway

Green Area is Within City Limits

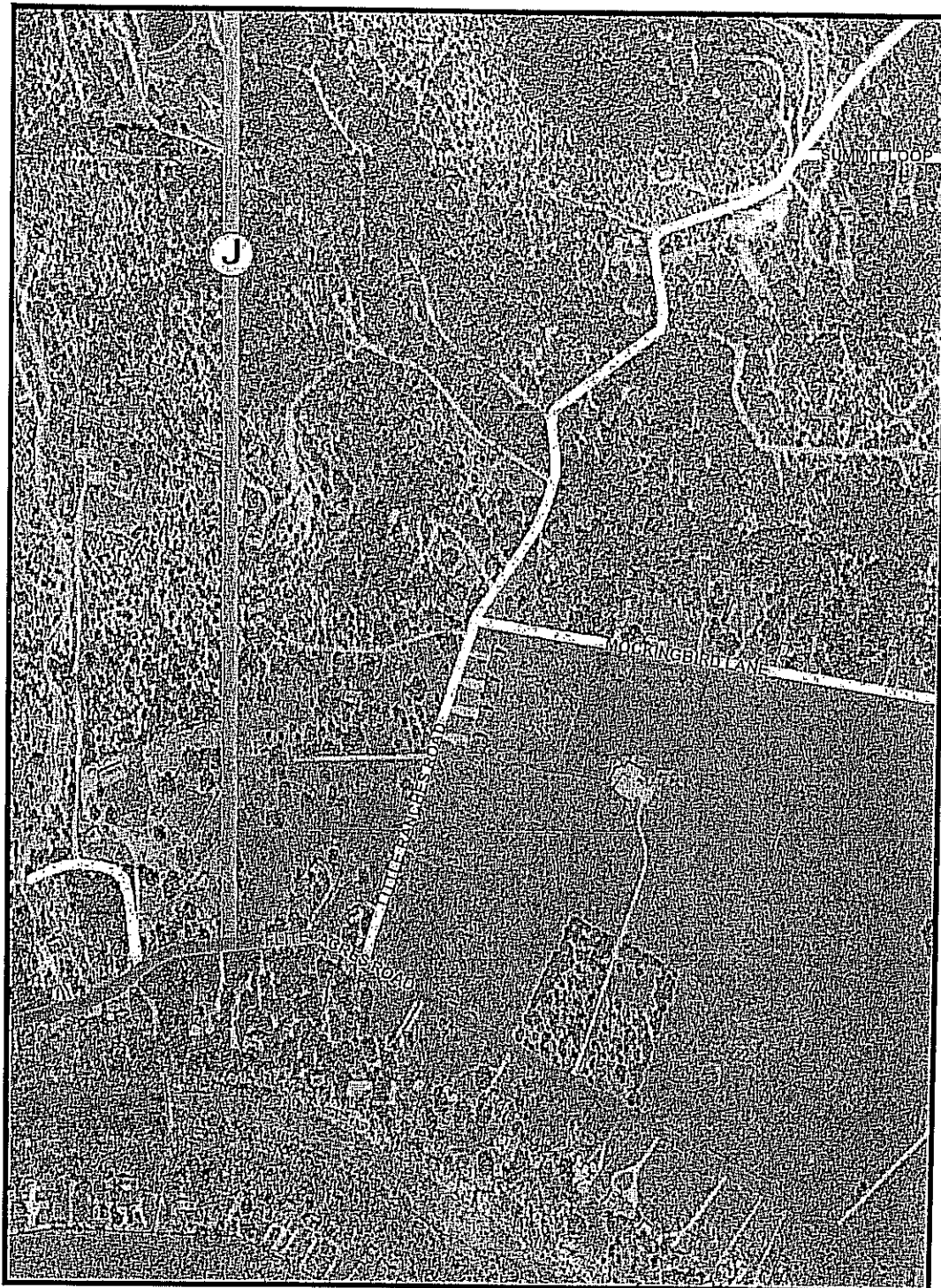


Segment I New Collector from RR12 to Winters Mill Pkwy.

 New Collector

 State Highway

Green Area is Within City Limits



Segment J, South Section Flite Acres Rd. to RR3237

 New Collector
 Existing Collector

Green Area is Within City Limits

SCOPE OF COLLECTOR SEGMENTS

Segment A: The existing, paved Road 1492 from RR12 to a point approaching the Blanco River is upgraded to Collector.

Segment B: A new Collector is constructed from Segment A to the Blanco River. A new bridge or crossing is constructed at the Blanco River. A new Collector is constructed from the bridge or crossing to Wayside Drive.

Segment C: The existing, paved Wayside Drive is upgraded to Collector from River Road to the new north-south Collector (Segment D).

Segment D: A new Collector is constructed from Wayside Drive at River Road to RR2325 at Jacob's Well Road.

Segment E: A new Collector is constructed from Wayside Drive to the Hays County Transfer Station. The existing, one-lane part of Carney Lane is upgraded to Collector from the Transfer Station to Rader Ranch Rd.

Segment F: The existing, paved Carney Lane is upgraded to Collector from Rader Ranch Rd. to RR2325. The intersection at RR2325 is realigned.

Segment G: A new Collector is constructed from RR2325 to La Buena Vista Drive. The existing, paved section of La Buena Vista Drive is upgraded to Collector. A new Collector is constructed from La Buena Vista Drive to Cypress Creek Lane.

Segment H: The existing, paved Cypress Creek Lane is upgraded to Collector from Segment G to the sharp bend. A new east-west Collector is constructed from the sharp bend to RR12.

Segment I: A new Collector is constructed from RR12 to Winters Mill Parkway. A new bridge or crossing is constructed at Cypress Creek.

Segment J: A new Collector is constructed from Flite Acres Road to RR3237.

Segment K: The existing, paved Spoke Hollow Road is upgraded to Collector from RR12 to the Blanco River. The approach and crossing at the Blanco River is upgraded.

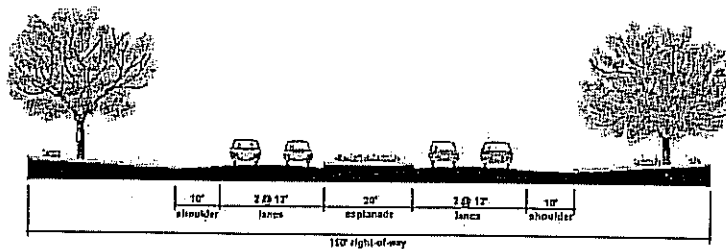
Segment L: The existing, paved Fulton Ranch Road is upgraded to Collector from Flite Acres Road/Little Arkansas Road to the vicinity of Saddleridge Section 2. A new Collector is constructed from that point south to RR12.

Segment M: The existing, paved Flite Acres Road is upgraded to Collector from RR3237 to Little Arkansas Road. The approach and crossing at the Blanco River is upgraded.

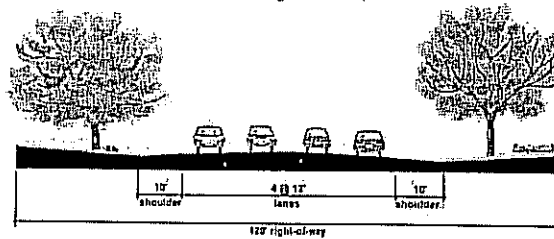
Right-of-way and Pavement Dimensions for Arterials and Collectors

This Plan is diagrammatic and does not assign "primary" or "secondary" designations to the Arterials and Collectors shown. Those definitions are set forth in the City Ordinances, and are based primarily on anticipated traffic counts.

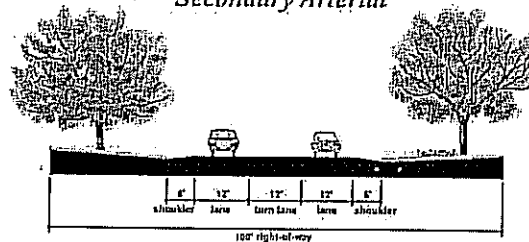
To provide adequate accommodation for this anticipated traffic, it is recommended that the following dimensions be adopted by the City:



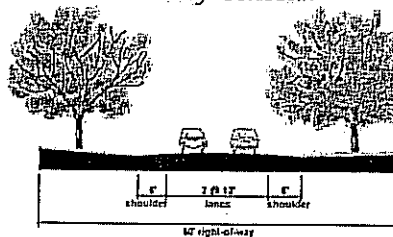
Primary Arterial



Secondary Arterial



Primary Collector



Secondary Collector

**APPENDIX
PART A
TRAFFIC ANALYSIS**

A comprehensive picture of the traffic in and around the Village was very important to the master planning process:

1. Between November 2004 and January 2005, the City took 40 week-long traffic counts at locations within the City Limits.
2. In March 2005, with permission of Woodcreek and the County, the City took 9 additional counts in and around Woodcreek.
3. TxDOT does not allow traffic counts by others on State highways, so their published 2005 counts are used. The dates and duration of these counts is not known.
4. CAMPO also publishes counts on major roads (not highways) but the dates and durations are not known, and their counts generally disagree with the City counts.

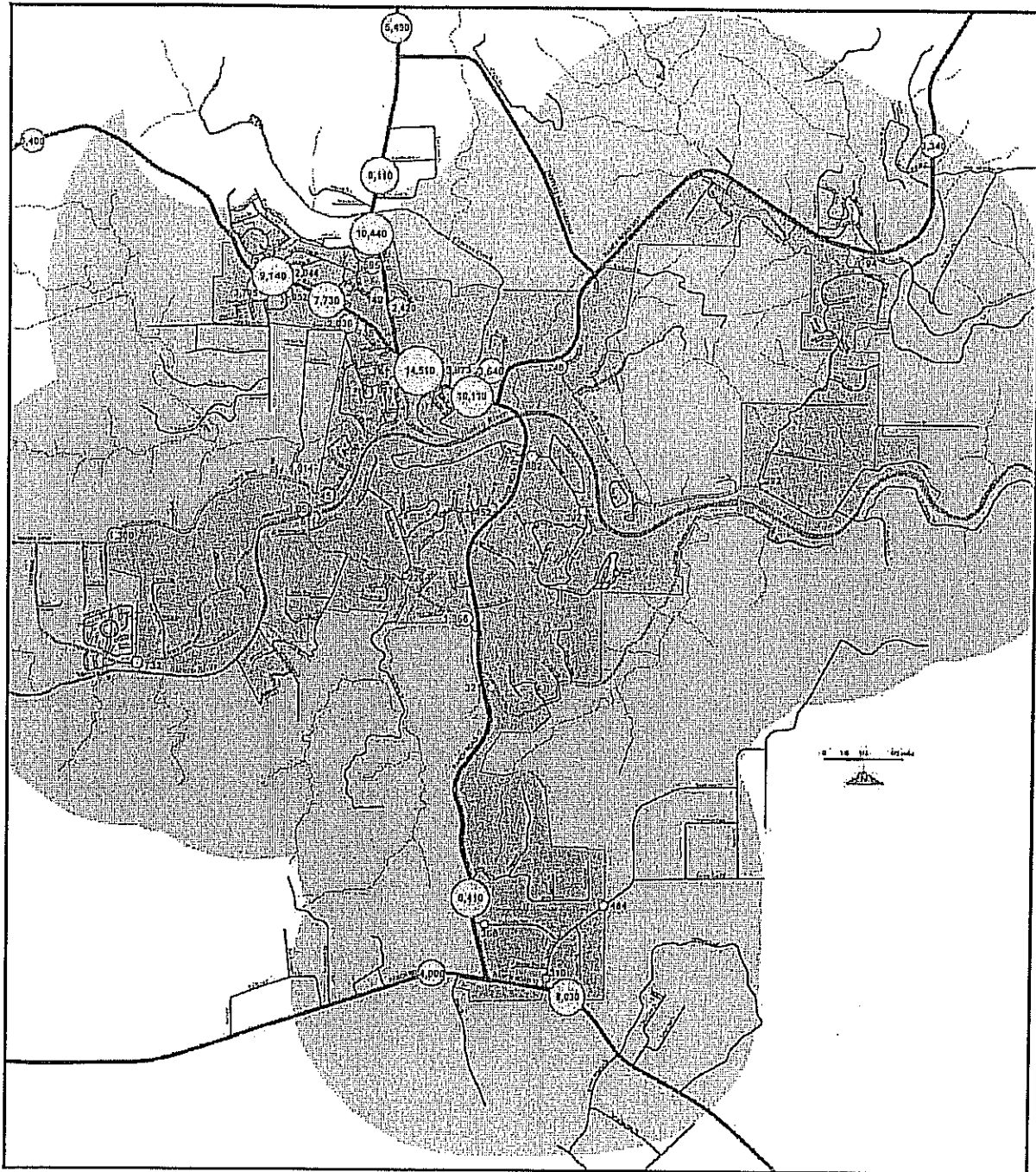
It should be noted that none of the information was collected after the Winters Mill Parkway (the Bypass) was opened, so its affect on the traffic patterns is not known. It is also important to point out that traffic counts are significantly affected by the seasons, holidays, weather, school calendars and scheduled events. Therefore, they only provide a general picture of transportation patterns.

The above traffic count information is presented in two maps:

A. Village of Wimberley Traffic Counts

B. Traffic Counts on Neighboring Roads

Traffic on most roads is a combination of neighborhood trips, local in-town trips and through-town regional trips. But because there is no available way to determine the origins of our current traffic, it is very difficult to extrapolate its characteristics into areas of future development. Additionally, because there is no land planning in the Village ETJ or County, the location and impact of future traffic-generating features cannot be ascertained. For these reasons, only general assumptions about future traffic could be made in formulating the Plan.

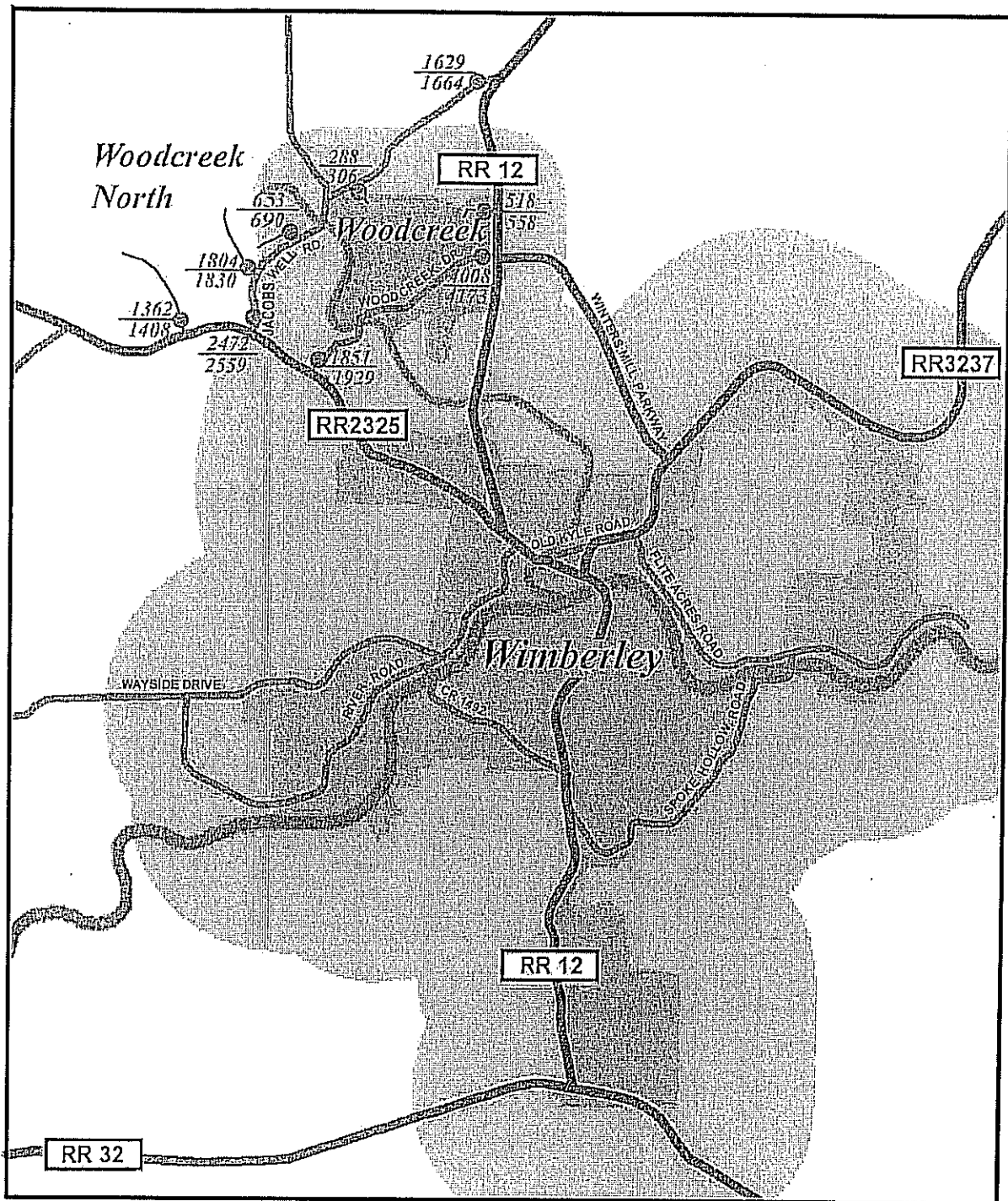


Village of Wimberley Traffic Counts

 Wimberley City Limits
 Wimberley ETJ

10,000

Circles are located where counts were taken
 Circle size is proportional to traffic count
 Numbers indicate average trips per day
 Counts on highways are from TxDOT
 Counts on Village streets are weekday averages



Traffic Counts on Neighboring Roads

—●— Location of City Counters

2481 7-day Average
2593 5-day Average Trips per Day

**APPENDIX
PART B
IMPACT STATEMENT**

This Executive Summary provides a synopsis of the Village of Wimberley's Transportation Master Plan. The overall purpose of the plan is to identify a vision for transportation that is integrally linked with the Village's land use goals. The vision describes how the transportation facilities and services will evolve over a long period of time. As such, the Transportation Master Plan will guide public and private sector decisions on the region's transportation systems.

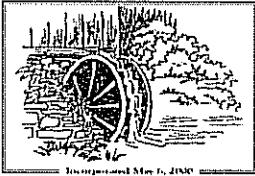
The need for a transportation plan is based on the changes that are occurring in the Village of Wimberley area and the need to integrate the transportation plan/program with the land use goals. Traffic growth continues, giving rise to additional concerns regarding congestion and safety.

In response to these issues, the Transportation Master Plan provides an opportunity to more clearly and firmly establish the relationship between land use and development policy and transportation. The Plan also provides a chance for community leadership to seize opportunities that may now exist for the Village of Wimberley area. Transportation investments can create and achieve significant change. Economic development can be stimulated, environmental conditions can be improved, and quality of life can be enhanced. The number one goal in making and prioritizing transportation decisions must be the safety and well being of our citizens.

This plan should be continually managed and updated. This requires commitment. The Village of Wimberley will need to be an active partner with other local, county, and state governments to achieve this use of the Plan. In this sense, the preparation of this Plan is only the beginning.

The Village of Wimberley Transportation Master Plan, as it develops, will carefully consider the challenges and opportunities facing the Village of Wimberley over the next twenty (20) years, to recommend goals, objectives, policies, and improvements to prepare the city to meet its future transportation needs. The relationship between transportation and land use is significant and should be recognized more fully. Transportation systems and land use patterns have well-documented reciprocal relationships. The Village of Wimberley, demands upgraded transportation systems, while improvements to streets, bridges, pedestrian, and bike systems initiate changes to adjacent lands. The Village has an obligation in protecting the health, safety, and welfare of its citizens to curtail growth in areas where the proper transportation infrastructure is not in place. Integrating transportation infrastructure improvements with the recommendations and programs contained in land use goals will substantially improve the City by providing enhanced access and mobility for current and future residents and assuring responsible land use decisions.

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CONSIDER APPROVAL
OF FY 2010 GBRA WASTEWATER BUDGET

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 the proposed *Wimberley Wastewater Treatment Plant Work Plan and Budget for Fiscal Year 2010*.

The proposed budget reflects the Guadalupe Blanco River Authority's cost of operating the treatment plant located at the Blue Hole Regional Park which serves one customer – the Deer Creek Rehabilitation Facility. The combined capital additions, debt service and operating expenditures proposed for Fiscal Year 2010 amounts to \$111,969. To recover these costs, the GBRA is proposing a 20 percent increase in the Deer Creek's rates.

It should be noted the proposed budget includes an interfund loan repayment of \$20,000. This amount represents the first in a series of loan repayments to the GBRA's General Division for funds that were advanced to assist with the recent acquisition of a new wastewater treatment plant to replace the troubled *Imhoff Plant* that has served Deer Creek for years.

GBRA representatives will be present at the meeting to brief City Council on the proposed budget.

WIMBERLEY WASTEWATER TREATMENT PLANT SYSTEM

WORK PLAN AND BUDGET

Fiscal Year Ending August 31, 2010



WIMBERLEY WASTEWATER TREATMENT PLANT SYSTEM

WORK PLAN AND BUDGET

Fiscal Year Ending August 31, 2010

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Clifton L. Thomas Jr.
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Secretary-Treasurer
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Arlene N. Marshall
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David Welsch
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Bryan Serold
Operations Manager – Lower Basin
John Smith
Operations Manager – Upper Basin
LaMarriol Smith
Manager of Communication & Education

**WIMBERLEY WASTEWATER TREATMENT PLANT SYSTEM
WORK PLAN AND BUDGET**

Fiscal Year Ending August 31, 2010

Tentative as submitted by
Guadalupe Blanco River Authority
July 15, 2009

Rural Utilities Division

Wimberley Wastewater Treatment Plant System

Operating Plan for Fiscal Year Ending 8/31/10

BACKGROUND

The following Work Plan and Budget is based on the treatment of an average sewage flow of 4.3925 million gallons per year or 0.012 million gallons per day.

GBRA assumed operations of the Wimberley Wastewater Treatment Plant on February 5, 2004 and currently has one customer, the Deer Creek Rehabilitation Facility, a nursing home. Two operators divide their time between the Buda, Shadow Creek, Sunfield and Wimberley plants to operate and maintain the systems. The System is supervised by the Chief Operator of the Shadow Creek Wastewater Reclamation System. In addition, some contract labor and support from other GBRA Divisions are included in the form of electrical, preventive maintenance, supervision, engineering, purchasing, laboratory, and administrative functions. GBRA's budget forecast includes all payroll and benefit expenses. In this work plan, the Wimberley Wastewater Treatment Plant will continue to be managed by existing GBRA professionals located in Seguin.

Prior to the summer of 2009, the waste treatment process consisted of an Imhoff tank. This plant was not capable of complying with the discharge permit limit for biochemical oxygen demand, and following the issuance by TCEQ of an Agreed Order, hydrogen peroxide was injected into the process stream in an attempt to meet compliance. Operators were not able to consistently meet the discharge permit requirements and the Imhoff tank was supplemented with a conventional extended air package treatment plant in June 2009. While power costs increased significantly in the new treatment process due to the use of mechanical aeration, treatment chemicals and their costs were eliminated.

REVENUE SOURCES AND TRENDS

After signing an operating agreement with the Village of Wimberley in April 2002 GBRA assumed operation of the wastewater plant on February 5, 2004. The plant has a permitted capacity of 0.015 million gallons per day (MGD). The contract between the Village of Wimberley and GBRA provides that GBRA operate the plant and associated facilities and bill the customers of the system.

This work plan is based upon a 12-month FY 2010 budget year. The Village and GBRA are continuing to study the need to expand the Plant in order to meet the needs of additional customers in the Wimberley area.

The budget is based on the treatment of 4,392,000 gallons, which is a decrease in flow due to corrective measures taken by the customer. The budgeted FY 2010 revenue for the Wimberley Division is \$112,435.

CAPITAL ADDITIONS AND OPERATING EXPENDITURES

The combined capital additions, debt service and operating expenditure budget for FY 2010 amounts to \$111,969.

In addition to personnel costs, other significant operating and maintenance expenses are truck operating expenses of \$5,400, power and utilities expenses of \$8,000, and \$2,400 for laboratory supplies.

A portable building will be purchased at an estimated cost of \$3,500 and utilized at the treatment plant site to serve as operations center and equipment storage.

The budget also assumes that GBRA will be completely responsible for insurance and risk management, the cost of which is estimated at \$881. The budget includes the standard administration and general expense charged to all operating divisions of GBRA, and the budget for this expense is \$10,494.

The FY 2010 budget includes an interfund loan repayment in the amount of \$20,000. This amount represents a ten-year repayment to GBRA's General Division for the funds that were advanced to assist the Wimberley System in acquiring the new 0.15 mgd treatment plant.

FUND BALANCE

Funds for the above listed capital additions and maintenance projects as well as all of the other operating expenditures that are summarized in the following pages will be provided from revenues from the customer of the system. The net increase in the fund balance that GBRA anticipates in the Wimberley System is \$466.

**GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010**

036 - WIMBERLEY WWTP

	FY 2009 BUDGET	FY 2010 BUDGET	FY 2009-2010 DIFFERENCE
OPERATING REVENUES			
WASTEWATER SERVICES:			
SERVICE FEES	90,514	112,435	21,921
Total WASTEWATER SERVICES	90,514	112,435	21,921
TOTAL OPERATING REVENUES			
	90,514	112,435	21,921
OPERATING EXPENSES			
STAFF TECHNICAL ASSISTANCE	2,541	4,729	2,188
SUPERVISION	6,518	7,047	529
LABOR	10,311	15,558	5,247
Total OPERATING SALARIES & WAGES	19,370	27,334	7,964
EMPLOYEE EXPENSES & BENEFITS:			
EMPLOYEE BENEFITS	10,926	13,445	2,519
Total EMPLOYEE EXPENSES & BENEFITS	10,926	13,445	2,519
OPERATING SUPPLIES & SERVICES:			
TRUCK OPERATING EXPENSES	5,400	5,400	
PUBLICATIONS AND BOOKS	60	60	
SMALL TOOLS EXPENSE	120	120	
TRACTORS AND EQUIPMENT		360	360
BIOSOLIDS DISPOSAL COSTS	1,440	1,440	
SAFETY & EMERG. EXPENSES	516	516	
POWER AND UTILITIES	2,760	8,000	5,240
AUXILLARY POWER EXPENSE	420	420	
OPERATING CHEMICALS	6,255		(6,255)
CHLORINE	240	240	
ALUM	720		(720)
LAB SUPPLIES & EXPENSES	2,400	2,400	
PROFESSIONAL FEES	9,060	1,040	(8,020)
INSPECTION FEES	900	1,250	350
COMMUNICATIONS	1,836	1,920	84
OFFICE SUPPLIES & EXPENSES	60	60	
COMPUTER SUPPLIES & SERVICE	840	120	(720)
INSURANCE EXPENSE	2,362	881	(1,481)
MISCELLANEOUS EXPENSES	240	240	

GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010

036 - WIMBERLEY WWTP

	FY 2009 BUDGET	FY 2010 BUDGET	FY 2009-2010 DIFFERENCE
Total OPERATING SUPPLIES & SERVICES	35,629	24,467	(11,162)
MAINTENANCE & REPAIR			
LABOR	8,645	5,458	(3,187)
MATERIAL	2,280	3,660	1,380
SERVICES	4,700	3,960	(740)
Total MAINTENANCE & REPAIR	15,625	13,078	(2,547)
TOTAL OPERATING & MAINTENANCE	81,549	78,324	(3,226)
ADMINISTRATIVE & GENERAL: A & G EXPENSES	8,965	10,494	1,529
Total ADMINISTRATIVE & GENERAL	8,965	10,494	1,529
TOTAL OPERATING EXPENSES	90,514	88,817	(1,697)
NET OPERATING INCOME		23,618	23,618

GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010

036 - WIMBERLEY WWTP

	FY 2009 BUDGET	FY 2010 BUDGET	FY 2009-2010 DIFFERENCE
OPERATING REVENUES	90,514	112,435	21,921
OPERATING EXPENSES	(90,514)	(88,817)	1,697
NET OPERATING INCOME		23,618	23,618
NON-OPERATING REVENUES (EXPENSES)			
INTEREST INCOME:			
INT ON WIMBERLEY OPR FUND	792	300	(492)
INT ON NOW ACCTS	48	48	
Total INTEREST INCOME	840	348	(492)
TOTAL NON-OPERATING REVENUES (EXPENSES)	840	348	(492)
CHANGE IN NET ASSETS	840	23,966	23,126
INTERFUND LOANS			
DEBT CAPITAL			
TOTAL FUNDS AVAILABLE	840	23,966	23,126
PURCHASES OF FIXED ASSETS			
STRUCTURES & IMPROVEMENTS		3,500	3,500
Total PURCHASES OF FIXED ASSETS		3,500	3,500
WORK IN PROGRESS			
DEBT SERVICE			
GENERAL LOANS PAID		20,000	20,000
Total DEBT SERVICE		20,000	20,000
TOTAL FUNDS APPLIED		23,500	23,500
NET CHANGE IN FUND BALANCE	840	466	(374)

GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010

036 - WIMBERLEY WWTP

	FY 2009 BUDGET	FY 2010 BUDGET	FY 2009-2010 DIFFERENCE
SALARIES & WAGES DETAIL			
STAFF TECHNICAL ASSISTANCE:			
STA- SUPERVISION	1,356	1,357	2
STA- CLERICAL	1,186	3,372	2,186
Total STAFF TECHNICAL ASSISTANCE	2,541	4,729	2,188
SUPERVISION:			
SUPERVISION	6,518	7,047	529
Total SUPERVISION	6,518	7,047	529
OPERATING LABOR:			
CLERICAL	860	529	(331)
REG- OPERATING LABOR	9,246	13,924	4,677
OVT- OPERATING LABOR	205	1,105	901
Total OPERATING LABOR	10,311	15,558	5,247
MAINTENANCE & REPAIR			
M&R-LABOR:			
REG/LBR- OTHER	8,645	5,458	(3,187)
Total M&R-LABOR	8,645	5,458	(3,187)
Total MAINTENANCE & REPAIR	8,645	5,458	(3,187)
WORK IN PROGRESS			
PROJECT DEVELOPMENT			
TOTAL SALARIES & WAGES	28,015	32,792	4,777

**GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010**

036 - WIMBERLEY WWTP

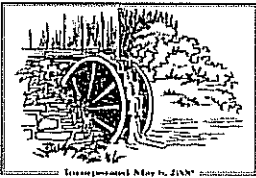
	FY 2009 BUDGET	FY 2010 BUDGET	FY 2009-2010 DIFFERENCE
MAINTENANCE & REPAIR DETAIL			
LABOR:			
REG/LBR- OTHER	8,645	5,458	(3,187)
Total LABOR	<u>8,645</u>	<u>5,458</u>	<u>(3,187)</u>
MATERIAL:			
M&R/MAT- PUMPS	240	240	
M&R/MAT- LIFT STATION	240	240	
M&R/MAT- COLLECTN/FORCE MAINS	240	240	
M&R/MAT- METERS	120	120	
M&R/MAT- DRAIN FIELD	120	120	
M&R/MAT- INSTRUMNTS/ELECTRICAL	600	600	
M&R/MAT- FENCE/GROUNDS	240	240	
M&R/MAT- NON POTABLE WTR SYS	120	1,500	1,380
M&R/MAT- TOOLS/EQUIPMENT	120	120	
M&R/MAT- OTHER	240	240	
Total MATERIAL	<u>2,280</u>	<u>3,660</u>	<u>1,380</u>
SERVICES:			
M&R/SER- PUMPS	1,200	1,200	
M&R/SER- LIFT STATION	480	480	
M&R/SER- METERS	360	240	(120)
M&R/SER- DRAIN FIELD	120	120	
M&R/SER- INSTRUMNTS/ELECTRICAL	240	240	
M&R/SER- FENCE/GROUNDS	2,000	1,200	(800)
M&R/SER- TOOLS/EQUIPMENT	60	240	180
M&R/SER- OTHER	240	240	
Total SERVICES	<u>4,700</u>	<u>3,960</u>	<u>(740)</u>
TOTAL MAINTENANCE & REPAIR	<u><u>15,625</u></u>	<u><u>13,078</u></u>	<u><u>(2,547)</u></u>

GUADALUPE-BLANCO RIVER AUTHORITY
WORKPLAN AND BUDGET
FISCAL YEAR ENDING AUGUST 31, 2010

WIMBERLEY WWTP

	FY 2010 BUDGET
STRUCTURES & IMPROVEMENTS	
STORAGE BUILDING	3,500
Total STRUCTURES & IMPROVEMENTS	<u>3,500</u>
TOTAL CAPITAL ADDITIONS	<u><u>3,500</u></u>

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CONSIDER APPROVAL OF A SIGN VARIANCE REQUEST FOR WIMBERLEY MEDISPA AT THE VINTAGE OAKS SHOPPING CENTER

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

☒ Motion

☒ Discussion

Project/Proposal Summary:

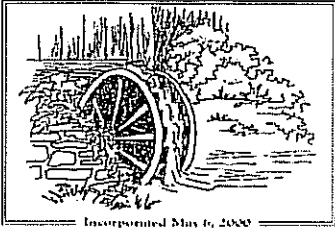
This item was placed on the agenda to allow the City Council to discuss and consider action on a request for a variance from the City of Wimberley Sign Ordinance for the Wimberley MediSpa located at 13900 Ranch Road 12 in the Vintage Oaks Shopping Center.

Specifically, the applicant, Yvette Strange, is seeking permission to install a sign for her business on the rear wall of her leased space instead of on the front wall as required by City Code. Currently, the business has a free standing sign on Ranch Road 12. The applicant believes additional signage for the business is needed along Old Kyle Road where customer parking is available for the business.

In a commercial complex, the City of Wimberley Sign Ordinance allows one (1) free standing sign for the complex and each business may have one (1) properly sized sign attached to the front of its leased space.

The City of Wimberley City Council has the ability to grant a sign variance if the following standards are met:

- The variance will not authorize a type of sign which is specifically prohibited this chapter
- The variance is not contrary to the goals and objectives outlined by the City of Wimberley Comprehensive Plan; Section VII, D-2
- The variance is not contrary to the public interest
- Due to special conditions, a literal enforcement of the chapter would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement.
- The spirit and purpose of the chapter will be observed, and substantial justice will be done



Village of Wimberley

12111 Ranch Road 12, P.O. Box 2027,
Wimberley, Texas, 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422
E-mail: dferguson@anvil.com.com
Web: www.vil.wimberley.tx.us

Sign Variance Application

Sign Permit No. 5-2004-107
Date: 7/27/09

*Owner/Applicant: Uvett Strange

Mailing Address: 13900 RR 12 Wimberley TX 78676

Phone: 512-847-5878 Fax: _____

Sign Address & Location same as above Type of Business: Medi-Spa

Please include the \$50 application fee and a full description of the sign and its location on the property.

Explain the condition which causes then need for a variance request: we have multiple

entrances and parking on 2 sides of our business - see

we would like attached sign to be on old Kyle Road side attached
The Village Council may approve a variance only if it makes affirmative findings as to all of the following:
(provide written explanation for meeting each of the following conditions)

1. The variance will not authorize a type of sign which is specifically prohibited; see §152.10

N/A

2. The variance is not contrary to the goals and objectives outlined by the Village of Wimberley Comprehensive Plan; Section VII, D-2;
"Ensure that signage is appropriate to the Village character and ambience."
 - a. The Village should establish standards for the size, location, illumination and other characteristics of permanent and temporary signs.
 - b. The Village should regulate signage design so that it is compatible with the scale, materials and character of the community."

N/A

3. The variance is not contrary to the public interest;

N/A

4. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement.

possibly -

5. The spirit and purpose of the ordinance will be observed, and substantial justice will be done.

yes

The Village Council may impose such conditions or requirements in a variance as are necessary in the Village Council's judgment to achieve the fundamental purposes of the sign ordinance.

APPLICANT

Uvett Strange

Date

7-27-09

Wimberley MediSpa
13900 Ranch Road 12
Wimberley, Texas 78676

July 24, 2009

To Whom It May Concern:

I am writing to you to apply for a variance for a sign on our building in downtown Wimberley.

We are located at 13900 Ranch Road 12 in Vintage Oaks Shopping Center. We occupy the green house that has frontage and parking on both Ranch Road 12 and Old Kyle Road. We have multiple entrances into this building on both sides of the building. Our building offers multiple services which include massage, facials, manicure, pedicures, lasers for hair removal and skin rejuvenation, and Botox injections. We currently have a free standing sign on Ranch Road 12 and feel that we need a sign on the Old Kyle Road frontage. That road is a very well traveled road and we have two entrances on that side, one leading to our facial area and one into the manicure/pedicure area. We have eight parking spots on the Kyle Road frontage which enables clients to park and go directly to their service area.

We also have an entrance on the Ranch Road 12 side of the building. We share this parking with the other buildings in our strip center, so we really only have five true designated parking spots for our clients. We have four providers, and if we are all booked then our parking is full. This will probably not be a problem unless the weekend tourists start parking in our lot. We currently do not have "medispa parking only" signs up but this may need to be addressed at a later time.

My point in describing our parking and entrances is this: we are permitted to put one sign on the building (as per 152.09c) and one sign that is not attached (as per 152.09b). The sign that is attached to the building is supposed to be on the front of the building according to the sign ordinance. Our business really has no "front" as our customers will be accessing our building through two "fronts". They will be parking on Ranch Road 12 and Old Kyle Road. We face the Lumberyard, which is a popular shopping center for the tourist. If we have our "attached sign" located on the Old Kyle Road side of the building it would show that our business is accessible on both sides. Old Kyle Road is a viable street that is well traveled and we want people who drive it to know

we are open for business, the nature of our business, and that parking and entrances are available on that road.

Our sign fits within all of the regulations required to sufficiently be attached to that sign of the building. The sign is 30 square feet (4 X 8) and the "store front" on that side measures up to approximately 350 square feet.

I realize that we have rules and regulations in our village for a reason and I am actually glad for that. I appreciate you taking into consideration this variance. Please consider allowing Wimberley MediSpa to attach this sign to the Old Kyle Road side of the building. One may argue "if we approve your request then we will have to approve all requests for attached signs to any side of a business." Well, isn't that the reason for applying for a variance? ... To plead our case, and if the council feels it is an exception then grant permission. I know that this situation has come up for other businesses in town and you have not allowed it. I feel that our case is different than others as we have two "fronts" and multiple entrances and parking.

I thank you for the opportunity to hear my petition and I truly hope that you will rule in favor of my request.

Respectfully,

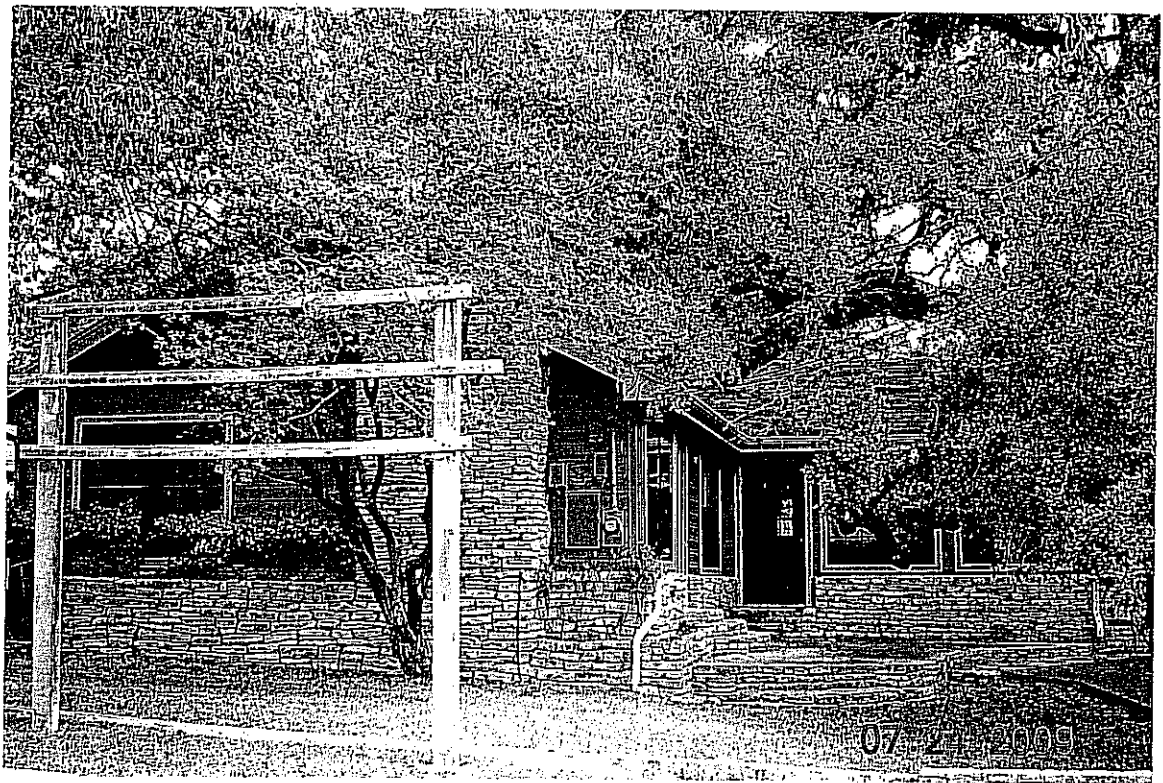
Yvette Strange

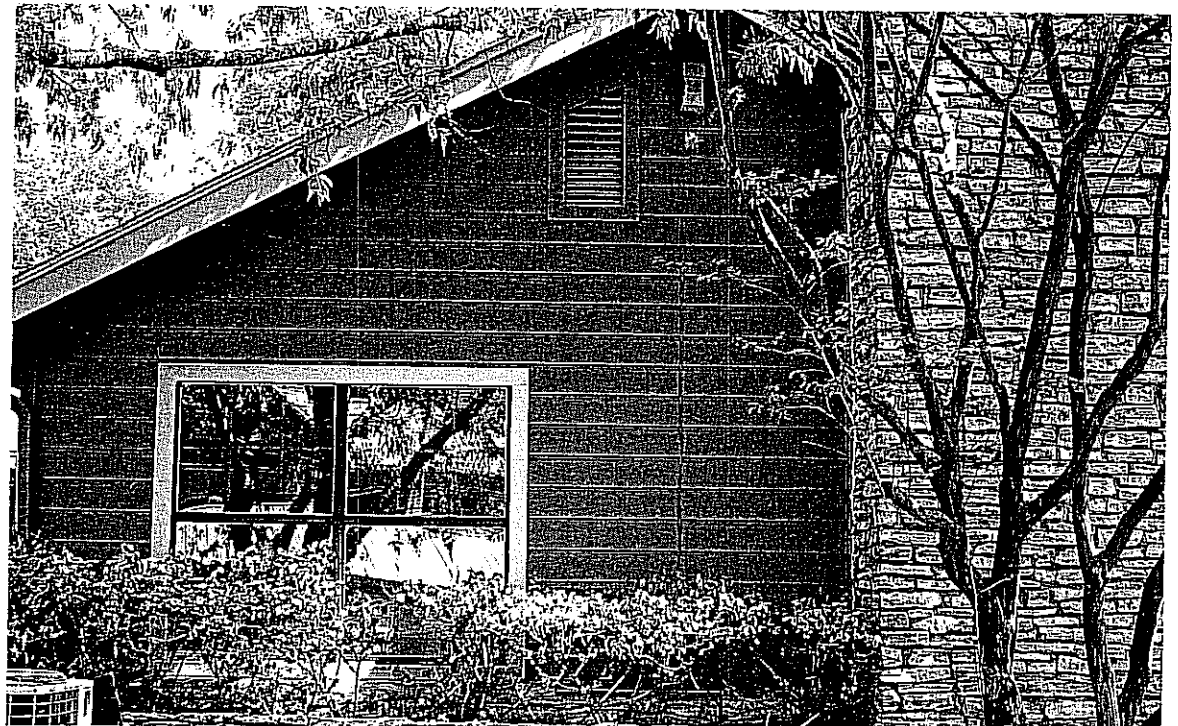


2 story
Building
2 different
businesses.

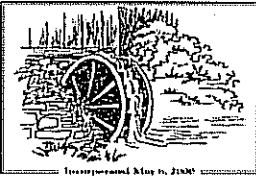
RR 12

Medi
sign





City Council Agenda Form



Date Submitted: August 1, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CONSIDER ACTIONS
RELATING TO THE UPCOMING 2010 UNITED STATES
CENSUS

Funds Required:
Funds Available:

Council Action Requested:

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

Project/Proposal Summary:

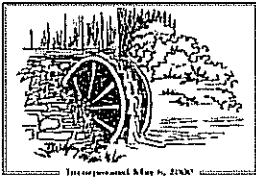
This item was placed on the agenda by Place Two Council Member Bob Flocke to allow the City Council to discuss and consider action on issues relating to the upcoming 2010 United States Census. Specifically, the Census Bureau is asking communities to enter into a partnership with the agency to ensure success of the upcoming population count. The ways communities can become a partner include but are not limited to the following:

- Appoint a liaison to work with the Census Bureau
- Display and distribute 2010 Census materials
- Provide space to test Census job applicants
- Provide space to train Census employees
- Provide space for "Be Counted" site and/or Questionnaire Assistance Centers
- Organize and/or serve as a member on a Complete Count Committee
- Issue a public endorsement for the 2010 Census
- Provide Census links on the City web site

It is important to note that the above mentioned actions would be in addition to the City staff support that is already being provided to the Census Bureau.

Council Member Bob Flocke will brief Council on the partnership opportunities at the meeting.

City Council Agenda Form



Date Submitted: August 3, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CONSIDER APPROVAL OF
PLAN FOR A CHRISTMAS PARADE IN DOWNTOWN
WIMBERLEY

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

☒ Motion

☒ Discussion

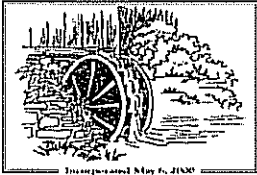
Project/Proposal Summary:

This item was placed on the agenda to allow City Council to discuss and consider approval of plans for a proposed Christmas Parade in downtown Wimberley this year.

The event is being organized by local realtor Brenda Samford. According to her proposal, the parade would be a night parade featuring lighted floats. The parade would start at the Brookshire Brothers parking lot and proceed south on Ranch Road 12 to Blue Heron Drive where the parade would end. The required insurance along with the cost of law enforcement and any traffic control devices needed for the parade would be funded by parade organizers.

At the time of production of the agenda packet, event organizers were finalizing the date and time of the parade. That information will be presented at the City Council meeting.

City Council Agenda Form



Date Submitted: August 1, 2009

Agenda Date Requested: August 6, 2009

Project/Proposal Title: CONSIDER ISSUES
RELATING TO DEVELOPMENT OF FY 2010 BUDGET

Funds Required:

Funds Available:

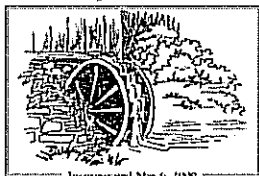
Council Action Requested:

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

Project/Proposal Summary:

This item was placed on the agenda to allow for discussion of issues to be considered in the upcoming development and adoption of the City of Wimberley FY 2010 Budget beginning October 1, 2009.

City Council Agenda Form



Date Submitted: August 1, 2009

Agenda Date Requested: August 6, 2009

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

Funds Required:

Funds Available:

Council Action Requested:

☐ Ordinance

☐ Resolution

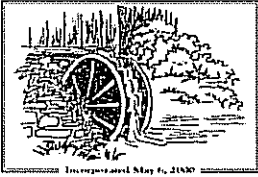
☒ Motion

☒ Discussion

Project/Proposal Summary:

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

City Council Agenda Form



Date Submitted: August 1, 2009

Agenda Date Requested: August 6, 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.