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## MEETING NOTICE

The City Council of the City of Woodcreek, Texas will conduct a special meeting at City Hall, 41 Champions Circle, Woodcreek, TX. The meeting will be held on June 16, 2022 at 2:00 PM. All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained.

**Note: Smoking is not allowed anywhere on the property of City Hall.**

The public may watch this meeting live at the following link: <https://meetings.ipvideotalk.com/199570153>. The public may listen to this meeting by dialing one of the following numbers: 1(617) 315- 8088 or toll free at 1(866) 948-0772. When prompted enter Meeting ID:199570153.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request. This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).

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## AGENDA

### CALL TO ORDER

### MOMENT OF SILENCE

### PLEDGES

### ROLL CALL AND ESTABLISH QUORUM

### PUBLIC COMMENTS

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the City Council in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Council's attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.

Citizen comments will be allowed at the beginning of every meeting, or alternatively, before an item on the agenda on which the citizen wishes to speak is to be considered. All citizens will be allowed to comment for three (3) minutes per person and shall be allowed more time at the Mayor's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names of three (3) individuals present in the audience who wish to yield their three minutes. Citizens may present materials regarding any agenda item to the City Secretary at or before a meeting, citizens attending any meeting are requested to complete a form providing their name, address, and agenda item/concern, but are not required to do so before speaking and presenting it to the City Secretary prior to the beginning of such meeting. Comments may only be disallowed and/or limited as per Government Code § 551.007(e).

Submit written comments by email to [woodcreek@woodcreektx.gov](mailto:woodcreek@woodcreektx.gov) by noon on the day prior to the meeting. Please include your full name, home or work address, and agenda item number. Written

comments will be part of the official written record only. A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request

## REGULAR AGENDA

1. Discuss and Take Appropriate Action on the Resignation of City Manager Brenton B. Lewis and the Posting Qualifications for the City Manager Position
2. Discuss and Take Appropriate Action on a Resolution Removing Brenton B. Lewis and Adding Councilmember Brent H. Pulley as a Texas Regional Bank Signatory
3. Discuss and Take Appropriate Action on the City of Woodcreek Establishing an Ad Valorem Tax Exemption for Those 65 and Older or Disabled (Grummert)

## ADJOURN

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

### **Attendance by Other Elected or Appointed Officials:**

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the 13th day of June, 2022 at 12:10 PM.

By:   
Brenton B. Lewis, City Manager

**CITY OF WOODCREEK, TEXAS**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS DESIGNATING AUTHORIZED SIGNATURES FOR THE CITY OF WOODCREEK'S BANK ACCOUNTS AND INVESTMENT VEHICLES**

**WHEREAS**, the City Council of the City of Woodcreek has established a financial responsibility to its citizens and to its employees, and

**WHEREAS**, the City Council of City of Woodcreek shall take action by Resolution to designate authorized signatures for the City's bank accounts and investment vehicles,

**NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WOODCREEK HEREBY ADOPTS THE FOLLOWING RESOLUTION THAT:**

Section 1.

The City Council of the City of Woodcreek designates authorized signatures on the City's bank accounts and investment vehicles as the Mayor Jeff Rasco, the Mayor Pro-Tem Aurora LeBrun, and Councilmember Brent Pulley.

Section 2.

This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the 16<sup>th</sup> day of June 2022, on a roll call vote of the City Council of Woodcreek, Texas.

**City of Woodcreek:**

By: \_\_\_\_\_  
Mayor Jeff Rasco

**Attest:**

By: \_\_\_\_\_  
Suzanne Mac Kenzie, City Secretary

# Residence Homestead Exemption Application

Appraisal District's Name \_\_\_\_\_ Appraisal District Account Number (if known) \_\_\_\_\_  
Are you filing a late application?  Yes  No Tax Year(s) for Application \_\_\_\_\_

**GENERAL INFORMATION:** Property owners applying for a residence homestead exemption file this form and supporting documentation with the appraisal district in each county in which the property is located (Tax Code Sections 11.13, 11.131, 11.132, 11.133, 11.134 and 11.432). **Do not file this form with the Texas Comptroller of Public Accounts.**

## SECTION 1: Exemption(s) Requested (Select all that apply.)

Do you live in the property for which you are seeking this residence homestead exemption?  Yes  No

- General Residence Homestead Exemption**     **Disabled Person**     **Person Age 65 or Older (or Surviving Spouse)**
- 100 Percent Disabled Veteran (or Surviving Spouse)** Is the disability a permanent total disability as determined by the U.S. Department of Veterans Affairs under 38 C.F.R. Section 4.15? .....  Yes  No
- Surviving Spouse of an Armed Services Member Killed or Fatally Injured in the Line of Duty**     **Surviving Spouse of a First Responder Killed in the Line of Duty**
- Donated Residence of Partially Disabled Veteran (or Surviving Spouse)** \_\_\_\_\_  
Percent Disability Rating \_\_\_\_\_

**Surviving Spouse:** \_\_\_\_\_  
Name of Deceased Spouse \_\_\_\_\_ Date of Death \_\_\_\_\_

- Cooperative Housing:** Do you have an exclusive right to occupy this property because you own stock in a cooperative housing corporation? .....  Yes  No  
If yes, state name of cooperative housing corporation: \_\_\_\_\_
- Were you receiving a homestead exemption on your previous residence? .....  Yes  No
- Are you transferring an exemption from a previous residence? .....  Yes  No
- Are you transferring a tax limitation? .....  Yes  No

Previous Residence Address, City, State, Zip Code \_\_\_\_\_ Previous County \_\_\_\_\_

## SECTION 2: Property Owner/Applicant (Provide information for additional property owners in Section 5.)

**Select One:**  Single Adult     Married Couple     Other (e.g., individual who owns the property with others)

Name of Property Owner 1 _____		Birth Date* (mm/dd/yyyy) _____	Driver's License, Personal ID Certificate or Social Security Number** _____
Primary Phone Number (area code and number) _____	Email Address*** _____	Percent Ownership Interest _____	
Name of Property Owner 2 (e.g., Spouse, Co-Owner/Individual) _____		Birth Date* (mm/dd/yyyy) _____	Driver's License, Personal ID Certificate or Social Security Number** _____
Primary Phone Number (area code and number) _____	Email Address*** _____	Percent Ownership Interest _____	

Applicant mailing address (if different from the physical address) \_\_\_\_\_

## SECTION 3: Property Information

Date you acquired this property \_\_\_\_\_ Date you began occupying this property as your principal residence \_\_\_\_\_  
Physical Address (i.e. street address, not P.O. Box), City, County, ZIP Code \_\_\_\_\_

Legal Description (if known) \_\_\_\_\_  
Is the applicant identified on deed or other recorded instrument?  
 Yes \_\_\_\_\_  
Court record/filing number on recorded deed or other recorded instrument, if available \_\_\_\_\_  
 No If no, required documentation must be provided. (see important information)

Is the property for which this application is submitted an heir property (see Important Information)?  Yes  No

Do other heir property owners occupy the property?  Yes (affidavits required)  No

SECTION 3: Property Information (Continued)

Item 3.

Manufactured Home Make \_\_\_\_\_ Model \_\_\_\_\_ ID Number \_\_\_\_\_
Is any portion of the property for which you are claiming a residence homestead exemption income producing? ..... [ ] Yes [ ] No
If yes, indicate the percentage of the property that is income producing: \_\_\_\_\_ percent
Number of acres (or fraction of an acre, not to exceed 20 acres) you own and occupy as your principal residence: \_\_\_\_\_ acres

SECTION 4: Waiver of Required Documentation

Indicate if you are exempt from the requirement to provide a copy of your driver's license or state-issued personal identification certificate.

[ ] I am a resident of a facility that provides services related to health, infirmity or aging.

Facility Name and Address \_\_\_\_\_

[ ] I am certified for participation in the address confidentiality program administered by the Office of the Texas Attorney General under Code of Criminal Procedure Chapter 58, Subchapter B.

Indicate if you request that the chief appraiser waive the requirement that the property address for exemption corresponds to your driver's license or state-issued personal identification certificate address:

[ ] I am an active duty U.S. armed services member or the spouse of an active duty member.

[ ] I hold a driver's license issued under Transportation Code Section 521.121(c) or 521.1211. Attached is a copy of the application for that license.

SECTION 5: Provide Additional Information Here (If any)

\_\_\_\_\_
\_\_\_\_\_

If you own other residential property in Texas, please list the county(ies) of location.

\_\_\_\_\_
\_\_\_\_\_

SECTION 6: Affirmation and Signature

I understand if I make a false statement on this form, I could be found guilty of a Class A misdemeanor or a state jail felony under Penal Code Section 37.10.

I, \_\_\_\_\_, \_\_\_\_\_, swear or affirm the following:
Property Owner/Authorized Representative Name Title/Authorization

- 1. that each fact contained in this application is true and correct;
2. that I/the property owner meet(s) the qualifications under Texas law for the residence homestead exemption for which I am applying; and
3. that I/the property owner do(es) not claim an exemption on another residence homestead or claim a residence homestead exemption on a residence homestead outside Texas.

sign here

Signature of Property Owner/Applicant or Authorized Representative

Date

\* May be used by appraisal district to determine eligibility for persons age 65 or older exemption or surviving spouse exemptions (Tax Code §11.43(m))
\*\* Social security number disclosure may be required for tax administration and identification. (42 U.S.C. §405(c)(2)(C)(i); Tax Code §11.43(f)). A driver's license number, personal identification number or social security number disclosed in an exemption application is confidential and not open to public inspection, except as authorized by Tax Code §11.48(b).
\*\*\* May be confidential under Government Code §552.137; however, by including the email address on this form, you are affirmatively consenting to its release under the Public Information Act.

## Important Information

### GENERAL INSTRUCTIONS

This application is for claiming residence homestead exemptions pursuant to Tax Code Sections 11.13, 11.131, 11.132, 11.133, 11.134 and 11.432. Certain exemptions may also require Form 50-114-A. The exemptions apply only to property that you own and occupy as your principal place of residence.

### FILING INSTRUCTIONS

File this form and all supporting documentation with the appraisal district office in each county in which the property is located generally between Jan. 1 and April 30 of the year for which the exemption is requested. **Do not file this document with the Texas Comptroller of Public Accounts.** A directory with contact information for appraisal district offices is on the Comptroller's website.

### APPLICATION DEADLINES

Generally, the completed application and required documentation is due no later than April 30 of the year for which the exemption is requested.

The due date for persons age 65 or older; disabled; or partially disabled veterans with donated homesteads to apply for the exemption is no later than the first anniversary of the qualification date.

A late application for a residence homestead exemption may be filed up to two years after the deadline for filing has passed. (Tax Code Section 11.431). A late application for residence homestead exemption filed for a disabled veteran (not a surviving spouse) under Tax Code sections 11.131 or 11.132 may be filed up to 5 years after the delinquency date. Surviving spouse of a disabled veteran, who files under Tax Code sections 11.131 or 11.132, may file up to two years after the delinquency date, for a late application for residence homestead exemption.

If the chief appraiser grants the exemption(s), property owner does not need to reapply annually, but must reapply if the chief appraiser requires it, unless seeking to apply the exemption to property not listed in this application.

Property owners already receiving a general residence homestead exemption who turn age 65 in that next year are not required to apply for age 65 or older exemption if accurate birthdate information is included in the appraisal district records or in the information the Texas Department of Public Safety provided to the appraisal district under Transportation Code Section 521.049. (Tax Code Section 11.43(m))

### REQUIRED DOCUMENTATION

Attach a copy of property owner's driver's license or state-issued personal identification certificate. The address listed on the driver's license or state-issued personal identification certificate must correspond to the property address for which the exemption is requested. Property owners who reside in certain facilities or participate in a certain address confidentiality program may be exempt from this requirement. The chief appraiser may waive the requirements for certain active duty U.S. armed services members or their spouses or holders of certain driver's licenses.

**Heir property** is property owned by one or more individuals, where at least one owner claims the property as a residence homestead, and the property was acquired by will, transfer on death deed, or intestacy. An heir property owner not specifically identified as the residence homestead owner on a deed or other recorded instrument in the county where the property is located must provide:

- an affidavit establishing ownership of interest in the property (See Form 114-A);
- a copy of the prior property owner's death certificate;
- a copy of the property's most recent utility bill; and
- A citation of any court record relating to the applicant's ownership of the property, if available.

Each heir property owner who occupies the property as a principal residence, other than the applicant, must provide an affidavit that authorizes the submission of this application (See Form 50-114-A).

**Manufactured homeowners** must provide:

- a copy of the Texas Department of Housing and Community Affairs statement of ownership showing that the applicant is the owner of the manufactured home;
- a copy of the sales purchase agreement, other applicable contract or agreement or payment receipt showing that the applicant is the purchaser of the manufactured home; or
- a sworn affidavit (see Form 50-114-A) by the applicant indicating that:
  1. the applicant is the owner of the manufactured home;
  2. the seller of the manufactured home did not provide the applicant with the applicable contract or agreement; **and**
  3. the applicant could not locate the seller after making a good faith effort.

### ADDITIONAL INFORMATION REQUEST

The chief appraiser may request additional information to evaluate this application. Property owner must comply within 30 days of the request or the application will be denied. The chief appraiser may extend this deadline for a single period not to exceed 15 days for good cause shown. (Tax Code Section 11.45)

### DUTY TO NOTIFY

Property owner must notify the chief appraiser in writing before May 1 of the year after his or her right to this exemption ends.

### EXEMPTION QUALIFICATIONS

**General Residence Homestead Exemption** (Tax Code Section 11.13(a) and (b))

A property owner who acquires property after Jan. 1 may receive the residence homestead exemption for the applicable portion of that tax year immediately on qualification of the exemption, if the previous owner did not receive the same exemption for the tax year. The property owner must occupy the property as the owner's primary residence and the residence homestead exemption cannot be claimed by the property owner on any other property.

**Disabled Person Exemption** (Tax Code Section 11.13(c) and (d))

Persons under a disability for purposes of payment of disability insurance benefits under Federal Old-Age, Survivors, and Disability Insurance. Property owners not identified on a deed or other instrument recorded in the applicable real property records as an owner of the residence homestead must provide an affidavit or other compelling evidence establishing the applicant's ownership interest in the homestead. (See Form 50-114-A) An eligible disabled person age 65 or older may receive both exemptions in the same year, but not from the same taxing units. Contact the appraisal district for more information.

**Age 65 or Older Exemption** (Tax Code Section 11.13(c) and (d))

This exemption is effective Jan. 1 of the tax year in which the property owner becomes age 65. Property owners not identified on a deed or other instrument recorded in the applicable real property records as an owner of the residence homestead must provide an affidavit or other compelling evidence establishing the applicant's ownership interest in the homestead. (See Form 50-114-A) An eligible disabled person age 65 or older may receive both exemptions in the same year, but not from the same taxing units. Contact the appraisal district for more information.

**Surviving Spouse of an Individual Who Qualified for Age 65 or Older Exemption** (Tax Code Section 11.13(q)):

Surviving spouse of person who qualified for the age 65 or older exemption may receive this exemption if the surviving spouse was 55 years of age or older when the qualifying spouse died. The property must have been the surviving spouse's residence homestead at the time of death and remain the surviving spouse's residence homestead. This exemption cannot be combined with an exemption under 11.13(d).

**100 Percent Disabled Veterans Exemption** (Tax Code Section 11.131(b))

Property owner who has been awarded a 100 percent disability compensation due to a service-connected disability and a rating of 100 percent disabled or individual unemployability from the U.S. Department of Veterans Affairs or its successor. Documentation must be provided to support this exemption request.

**Surviving Spouse of a Disabled Veteran Who Qualified or Would Have Qualified for the 100 Percent Disabled Veteran's Exemption** (Tax Code Section 11.131(c) and (d))

Surviving spouse of a disabled veteran (who qualified for an exemption under Tax Code Section 11.131(b) at the time of his or her death or would have qualified for the exemption if the exemption had been in effect on the date the disabled veteran died) who has not remarried since the death of the veteran. The property must have been the surviving spouse's residence homestead at the time of the veteran's death and remain the surviving spouse's residence homestead.

**Donated Residence Homestead of Partially Disabled Veteran** (Tax Code Section 11.132(b))

A disabled veteran with a disability rating of less than 100 percent with a residence homestead donated by a charitable organization at no cost or at some cost that is not more than 50 percent of the good faith estimate of the market value of the residence homestead as of the date the donation is made. Documentation must be provided to support this exemption request.

**Surviving Spouse of a Disabled Veteran Who Qualified for the Donated Residence Homestead Exemption** (Tax Code Section 11.132(c) and (d)):

Surviving spouse of a disabled veteran (who qualified for an exemption under Tax Code Section 11.132(b) at the time of his or her death) who has not remarried since the death of the disabled veteran and maintains the property as his or her residence homestead.

**Surviving Spouse of a Member of Armed Services Killed in Line of Duty** (Tax Code Section 11.133(b) and (c))

Surviving spouse of a U.S. armed services member who is killed or fatally injured in the line of duty who has not remarried since the death of the service member. Documentation must be provided to support this exemption request.

**Surviving Spouse of a First Responder Killed in the Line of Duty** (Tax Code Section 11.134)

Surviving spouse of a first responder who is killed or fatally injured in the line of duty who has not remarried since the death of the first responder. Documentation must be provided to support this exemption request.

**CITY OF WOODCREEK, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE BY THE CITY OF WOODCREEK, TEXAS ESTABLISHING  
AD VALOREM TAX EXEMPTIONS FOR SENIORS 65 YEARS OF AGE AND OVER;  
DISABLED PERSONS; PROVIDING FOR REPEALING OF CONFLICTS,  
SEVERABILITY, SAVINGS, AND EFFECTIVE DATE.**

**WHEREAS**, the City of Woodcreek is authorized by Texas Tax Code to offer certain exemptions from the Ad Valorem Tax; and

**WHEREAS**, the City Council of the City of Woodcreek is of the opinion that adopting certain exemptions from the Ad Valorem Tax is in the best interest of the City of Woodcreek and its citizens;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK**, that:

**FINDINGS OF FACTS**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**1. ENACTMENT**

The Code of Ordinances of the City of Woodcreek is amended as to read as Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**2. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**3. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**4. CODIFICATION**

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 110, as amended by this Ordinance, in the City’s Code of Ordinances.

**5. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon its passage and the publication of caption of this ordinance.

**6. SAVINGS CLAUSE**

All previous ordinances shall remain in full force and effect, save and except as amended by this ordinance.

**7. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed and attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**Section A: Exemption**

The City of Woodcreek hereby establishes the following ad valorem tax exemption for those who are required to pay city ad valorem taxes:

1. Exemption for persons 65 years of age or older and for disabled persons of any age in the amount of the first \$\_\_\_\_\_ of the appraised value, as authorized by Texas Tax Code Section 11.13(d);
2. The property is Homesteaded within the city of Woodcreek.

**APPROVED AND ADOPTED** by the City Council of the City of Woodcreek, Texas on this, \_\_\_\_\_, in the City of Woodcreek.