

---

## MEETING NOTICE

The City Council of the City of Woodcreek, Texas will conduct a meeting at Camp Young Judaea, 121 Camp Young Judaea Dr., Woodcreek, TX 78676. The meeting will be held on Wednesday, September 20, 2023 at 7:30 PM.

The public may watch this meeting live at the following link:

<https://zoom.us/j/97994850099?pwd=K0g1OGpSMzF3RmhnczlhTW9sRVdQdz09>

Meeting ID: 979 9485 0099; Passcode: 981748

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).

---

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.

It is anticipated that members of other City Boards, Commissions, Panels and/or Committees may attend the meeting in numbers that may constitute a quorum of the other City Boards, Commissions, Panels and/or Committees. Notice is hereby given that this meeting, to the extent required by law, is also noticed as a meeting of the other City Boards, Commissions, Panels and/or Committees of the City, whose members may be in attendance. The members of the City Boards, Commissions, Panels and/or Committees may participate in discussions on the items listed on this agenda, which occur at this meeting, but no action will be taken by those in attendance unless such action item is specifically listed on an agenda during a regular or special meeting for the respective Board, Commission, Panel and/or Committee subject to the Texas Open Meetings Act.

---

The City Council may retire to Executive Session any time during this meeting, under Texas Government Code, Subchapter D. 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.

---

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the Governing Body 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 Governing Body'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 upon 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 or Chair's discretion. In addition, citizens may pool their allotted speaking time. To pool time, a speaker must present the names individuals present in the audience who wish to yield their three(3) 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**, the day prior to the meeting. Please include your full name, home or work address, and the agenda item number. Written comments will be part of the official written record only.

---

# AGENDA

## CALL TO ORDER

## ROLL CALL and ESTABLISH QUORUM

## PUBLIC COMMENTS

## REGULAR AGENDA

1. Resolution 2023-09-20-01, Naming Denton Navarro Rocha Bernal & Zech, P.C. As Legal Counsel and City Attorney For The City of Woodcreek.
2. Discussion and First Reading of An Ordinance Implementing A Temporary Moratorium On The Permitting of New Short-Term Rental Properties Within the City of Woodcreek.
3. Scheduling of Second Reading of An Ordinance Implementing A Temporary Moratorium On The Permitting of New Short-Term Rental Properties Within The City of Woodcreek For The Woodcreek Regular City Council Meeting on October 25, 2023.

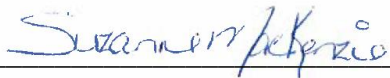
## ANNOUNCEMENTS

## ADJOURN

## POSTING CERTIFICATION

I certify that the above notice was posted on the **15th day of September 2023, at 3:45PM.**

By: \_\_\_\_\_



**Suzanne J. MacKenzie, City Secretary**

**RESOLUTION NO. 2023-09-20-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS APPROVING THE APPOINTMENT OF THE LAW FIRM DENTON NAVARRO ROCHA BERNAL & ZECH, P.C. TO PROVIDE LEGAL SERVICES AS CITY ATTORNEY, AND APPOINTMENT OF CITY ATTORNEY AND ASSISTANT CITY ATTORNEYS.**

**WHEREAS**, the City of Woodcreek is a Type A General Law City (the “City”) incorporated under the laws of the State of Texas; and

**WHEREAS**, section 22.071 of the Texas Local Government Code provides that a Type A general-law municipality shall appoint a City Attorney; and

**WHEREAS**, the City Council desires to appoint an individual from the law firm of Denton, Navarro, Rocha, Bernal & Zech, P.C., as City Attorney for the City and all other Attorneys of the law firm as Assistant City Attorneys.

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**SECTION 2. Appointment of Denton Navarro Rocha Bernal & Zech, P.C.** The City Council hereby approves of the appointment of the law firm of Denton Navarro Rocha Bernal & Zech PC to provide legal services as City Attorney.

**SECTION 3. City Attorney.** The City Council hereby approves of the appointment of Charles E. Zech, a shareholder in the Firm, as the City Attorney.

**SECTION 4. Assistant City Attorneys.** The City Council hereby approves of the appointment of the lawyers of the Firm as assistant City Attorneys all of which are hereby authorized to represent and provide legal services to the City at the direction of the City Attorney.

PASSED AND APPROVED on this 20th day of September, 2023.

---

Brent Pulley, Mayor Pro Tem

**ORDINANCE 2023-\_\_**  
**CITY OF WOODCREEK, TEXAS**

**AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, TO CONSIDER AMENDING SECTION 156.055 (PERMITTED SINGLE-FAMILY RESIDENTIAL ZONING USES) OF CHAPTER 156 (ZONING) BY ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF NEW SHORT TERM RENTAL APPLICATIONS AND FEES FOR A PERIOD NOT TO EXCEED NINETY (90) DAYS OR UNTIL THE ADOPTION AND IMPLEMENTATION OF AN APPROVED COMPREHENSIVE SHORT TERM RENTAL POLICY; ALLOWING FOR THE SUSPENSION OF NEW SHORT TERM RENTAL CONDITIONAL USE PERMITS DURING THE TIMEFRAME OF THE MORATORIUM; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, the City of Woodcreek City Council, the Planning and Zoning Commission, and the (Ordinance Review Committee) have been reviewing proposed regulations concerning the operation of short-term rental properties (STR) in the city and requests that the City Council adopt a moratorium allowing for the completion of its review and implementation of a comprehensive policy guided by the Texas Legislature and Supreme Court; and,

**WHEREAS**, it is expected that the initial period of the moratorium shall not exceed ninety (90) days. New short term rental applications, conditional use permit requests, and acceptance of fees will be suspended until completion and implementation of the comprehensive policy. Thereupon, existing and new STR's, if permitted, must comply with the new policy; and,

**WHEREAS**, the City Council deems it in the public's interest to place a temporary moratorium on the acceptance of new Short Term Rental applications and fees for a period not to exceed ninety (90) days or until the adoption and implementation of a comprehensive STR policy, whichever is earlier.

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

**SECTION 1.** The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**SECTION 2.** The City Council of the City of Woodcreek hereby places a moratorium on the acceptance of new Short Term Rental applications and fees for a period not to exceed ninety (90) days, subject to extension by the Council, or until the adoption and implementation of a comprehensive STR policy, whichever is earlier.

**SECTION 3.** The temporary moratorium shall allow for the suspension of new short term rental applications and permitting during the timeframe of the moratorium. Upon termination of the moratorium, STR's shall comply with the new fee structure.

**SECTION 4.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any Hays County court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

**SECTION 5.** All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

**SECTION 6.** In accordance with the Texas Open Meetings Act been posted by the City Secretary for not less than 72 hours prior to its first and second readings; that this Ordinance may be read and published by descriptive caption only.

**SECTION 7.** This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Code of Ordinances of the City of Woodcreek.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS, ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, BY A VOTE OF \_\_\_\_ AYES TO \_\_\_\_ NAYS.**

ATTEST:

\_\_\_\_\_  
MAYOR JEFF RASCO,  
CITY OF WOODCREEK

\_\_\_\_\_  
SUZANNE MACKENZIE  
CITY SECRETARY, CITY OF WOODCREEK