

The City Council of the City of Woodcreek, Texas will conduct a meeting at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas. The meeting will be held on Wednesday, March 27, 2024 at 4:00 PM.

All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained. Smoking is not allowed anywhere on the property of City Hall.

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

<https://zoom.us/j/92253352690?pwd=UkdIWmRTQldLYnhwaDE0eVI3eWdJZz09>

Meeting ID: 922 5335 2690; Passcode: 402874

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 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

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PUBLIC COMMENTS

CONSENT AGENDA

- [1.](#) Approval of Minutes From Regular City Council Meeting on March 13, 2024.
- [2.](#) Approval of A Special Event Permit At Augusta Park on March 30, 2024, And A Waiving Of The Permit Fee. (*Rasco*)
- [3.](#) Discuss and Take Possible Action to Approve The Brookhollow Drive Road Closure For The Arbor Day Event on April 27, 2024. (*Richardson*)

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

- [4.](#) Report From City Manager, Kevin Rule
 - a) Monthly Staff Activity (February)
- [5.](#) Report by Ordinance Review Committee Liaison. (*Hines*)
 - a) "Year-To-Date Review" of ORC Work, with Status Report on Each Item.
- [6.](#) Report from the Ad-Hoc Council Committee on the Program to Address Driveway Approach Repairs Post the 2023 Road Improvements. (*Hines*)

REGULAR AGENDA

- [7.](#) Presentation by Cindy Longo Cassidy on The Joint Hays County Friends of the Night Sky and Dark Sky Texas, Sky Quality Meter Program. (*Rasco*)
- [8.](#) Discuss and Amend Previously Adopted Council's Public Hearing Date of March 27th, Regarding Possible Updates to Chapter 156.057 Fences. (*Grummert*)
- [9.](#) Discuss and Take Appropriate Action on Items Submitted by the Ordinance Review Committee to Council for Consideration Regarding Electronic/Electric Fences and Traffic Code Schedule IV - City Parking of the City of Woodcreek Code of Ordinances. (*Hines*)
- [10.](#) Discuss and Take Appropriate Action To Adopt Ordinance 2024-03-28-01, Amending the City of Woodcreek Code of Ordinances at Title III ("Administration"), Chapter 30 ("Officials, Employees and Organizations"); Providing For The Creation of the Infrastructure and Mobility Panel. (*Bailey*)
- [11.](#) Discuss and Take Appropriate Action to Make Full-Term Member Nominations to the Infrastructure and Mobility Panel. (*Bailey*)

REGULAR AGENDA (Cont'd.)

- 12. Workshop To Discuss All Advisory Body Ordinances, As Updated, Including The Following Commonly, or Officially Known As: *(Hines)*

 - a) H.O.T. Committee
 - b) Planning and Zoning Commission
 - c) Tree Board
 - d) Parks and Recreation Board
 - e) Ordinance Review Committee
 - f) Infrastructure and Mobility Panel

- 13. Discuss and Take Appropriate Action on Directing City Attorney Zech to Draft Ordinance Updates for Any Existing Ordinance as Updated Concerning An Council Advisory Body for the City of Woodcreek, Texas. *(Hines)*

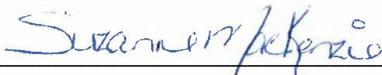
COUNCIL CONSIDERATIONS FOR NEW AGENDA ITEMS AT NEXT REGULAR COUNCIL MEETING

ANNOUNCEMENTS

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **22nd day of March, 2024 at 3:00PM**

By: 
Suzanne J. MacKenzie, City Secretary

Council Meeting Agenda Item Cover Sheet

Item 1.

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Approval of Minutes From Regular City Council Meeting on March 13, 2024.

SUMMARY of REQUESTED AGENDA ITEM:

Approval of Minutes From Regular City Council Meeting on March 13, 2024.

STATE YOUR INTENDED MOTION:

Move to Approve the Minutes From Regular City Council Meeting on March 13, 2024.

FINANCIAL IMPACT:

0

SUBMITTED BY:

City Staff

AGENDA TYPE:

Consent Agenda

COMPLETION DATE:

3/18/2024 12:37:09 PM

MS FORM ID:

12

**CITY COUNCIL MEETING (CITY HALL)
March 13, 2024; 6:30 PM
Woodcreek, Texas**

MINUTES

CALL TO ORDER

Mayor Rasco Called the Meeting to Order at 6:32PM.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Council Member Linnea Bailey
Council Member Chrys Grummert
Council Member Bob Hambrick
Council Member Krista Richardson

ABSENT

Mayor Pro Tem Debra Hines

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie
City Attorney, Charles Zech - A representative of Denton, Navarro, Rocha, Bernal & Zech P.C.

PUBLIC COMMENTS

No Public Comments were Offered.

CONSENT AGENDA

1. **Approval of Regular City Council Meeting Minutes From February 28, 2024.**

Motion was made by Council Member Grummert to move the minutes out of the Consent Agenda. After no objections were made, Mayor Rasco stated the minutes will be moved for discussion under New Business.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

2. Report From Mayor.
 - a) Aqua Texas Meeting
 - b) Kitchen Cabinet Meeting
 - c) March 23, 2024 Emergency Preparedness Fair
 - d) June 2, 2024 City of Woodcreek, 40th Celebration Event
3. Report From City Manager.
 - City Engineer, Current Projects and Top Priorities.

REGULAR AGENDA

4. **Presentation by Cindy Longo Cassidy on The Joint Hays County Friends of the Night Sky and Dark Sky Texas, Sky Quality Meter Program.** (Rasco)

Mayor Rasco moved this item to the next Council Meeting, with no objections.

1. (From Consent Agenda) **Approval of Regular City Council Meeting Minutes From February 28, 2024.**

Motion was made by Council Member Grummert to approve the meeting minutes for February 28, 2024, with edits. Motion was seconded by Council Member Richardson.

An Amended motion was made by Council Member Grummert that Council edits under Item 8, by striking "Public Comments, including the Planning and Zoning Commission Recommendation on Fence Height were offered by Lydia Johns, Vice Chairperson of the Planning and Zoning Commission." and adding under Item 5, "Lydia Johns, the Vice Chairperson of the Planning and Zoning Commission reported on the Planning and Zoning Commission recommendation of fence height." Amended motion was seconded by Council Member Hambrick.

A Second Amended Motion was made by Council Member Grummert to amend the meeting minutes under "Council Considerations (A)(i), by striking the word "wildflower" and replacing with "wildfire". Seconded amended motion was seconded by Council Member Hambrick.

A Third Amended Motion was made by Council Member Grummert to amend the meeting minutes under Item 14, by adding the statement that, "Amendment was seconded by Council Member Grummert." Third amended motion was seconded by Council Member Hambrick.

The Third Amended Motion Passed: 4-0-0

Voting Yea:

Council Member Hambrick, Council Member Richardson, Council Member Bailey, Council Member Grummert

The Second Amended Motion Passed: 4-0-0.

Voting Yea:

Council Member Grummert, Council Member Hambrick, Council Member Richardson, Council Member Bailey

The First Amended Motion Passed: 4-0-0.

Voting Yea:

Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Richardson

The Main Motion Passed: 4-0-0.

Voting Yea:

Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Richardson

5. **Discuss and Take Appropriate Action for the Creation of a Woodcreek Community Wildfire Protection Plan (CWPP), Including a Presentation by Kate Crosthwaite.** (*Grummert*)

Motion was made by Council Member Grummert that Council begins the process of creating a Woodcreek Community Wildfire Protection Plan (CWPP). Motion was seconded by Council Member Richardson.

The Motion Passed: 4-0-0.

Voting Yea:

Council Member Richardson, Council Member Bailey, Council Member Grummert, Council Member Hambrick

6. **Discuss and Take Possible Action to Adopt Resolution 2024-03-13-01, A Resolution of the City Council of the City of Woodcreek, Texas, Amending the City's Master Fee Schedule to Include A Fee To Cover the City's Costs For Processing Petitions For The Release From The City's Extra Territorial Jurisdiction (ETJ).** (*Rule*)

Motion was made by Council Member Grummert that Council holds the First Reading of Resolution 2024-03-13-01, a Resolution amending the City's Master Fee Schedule. Motion was seconded by Council Member Bailey.

An Amended Motion was made by Council Member Grummert that Staff make the grammatical edits to the "Whereas" sections before returning this Resolution back to Council for its additional readings. Motion was seconded by Council Member Bailey.

The Amended Motion Passed: 4-0-0.

Voting Yea:

Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Richardson

The Main Motion Passed: 4-0-0.

Voting Yea:

Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Richardson

7. **Discuss and Take Possible Action To Approve Ordinance 2024-03-13-01, Public Information Act Policy. (Rule)**

Motion was made by Council Member Grummert to postpone till the next Council Meeting, the First Reading of Ordinance 2024-03-13-01, Public Information Act Policy. Motion was seconded by Council Member Hambrick.

The Motion Passed: 4-0-0.

Voting Yea:

Council Member Grummert, Council Member Hambrick, Council Member Richardson, Council Member Bailey

8. **Discuss and Take Possible Action To Approve Ordinance 2024-03-13-02, Public Information Act Policy, Establishing Time Limits For Processing Requests of Public Records. (Rule)**

Motion was made by Council Member Grummert that Council holds the First Reading of the Ordinance 2024-03-13-02, Public Information Act Policy, Establishing Time Limits For Processing Requests of Public Records. Motion was seconded by Council Member Hambrick.

The Motion Passed: 4-0-0.

Voting Yea:

Council Member Hambrick, Council Member Richardson, Council Member Bailey, Council Member Grummert

9. **Executive Session for Consultation With Legal Counsel Pursuant to Chapter 551.071 of the Texas Government Code To Receive Legal Advice Regarding Petitions For Release From the City's Extra Territorial Jurisdiction, and City of Woodcreek Sign Regulations.**

Executive Session Began at 7:33PM.

Executive Session Ended and the Regular Council Meeting Reconvened at 7:55PM.

No action was taken during Executive Session.

COUNCIL CONSIDERATIONS FOR AGENDA ITEMS AT NEXT REGULAR CITY COUNCIL MEETING

- A) Introduced by Council Member Bailey, Seconded by Council Member Grummert:
"Discuss and Take Possible Action Adopting Ordinance for Formation of Infrastructure and Mobility Panel."
- B) Introduced by Council Member Bailey, Seconded by Council Member Grummert:
"Discuss and Take Possible Action to Make Full-Member Nominations For The Infrastructure and Mobility Panel."
- C) Introduced by Council Member Grummert, Seconded by Council Member Bailey:
Amend the Public Hearing date for Council for 156.057 Fences.

ANNOUNCEMENTS - None

ADJOURN

Mayor Rasco Adjourned the Meeting at 7:58PM.

Jeff Rasco, Mayor

Suzanne MacKenzie, City Secretary

DRAFT

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Approval of A Special Event Permit At Augusta Park On March 30, With A Waiving Of The \$100 Permit Fee.

SUMMARY of REQUESTED AGENDA ITEM:

Approval of A Special Event Permit At Augusta Park On March 30, With A Waiving Of The \$100 Permit Fee.

STATE YOUR INTENDED MOTION:

Move to Approve the Special Event Permit At Augusta Park On March 30, With A Waiving Of The \$100 Permit Fee.

FINANCIAL IMPACT:

Loss of \$100.00 income

SUBMITTED BY:

Jeff Rasco

AGENDA TYPE:

Consent Agenda

COMPLETION DATE:

3/20/2024 12:00:00PM

MS FORM ID:

13



Item 2.



City of Woodcreek

41 Champions Circle • Woodcreek, Texas 78676 • Office: (512) 847-9390 • Fax: (512) 847-6661
Email: woodcreek@woodcreektx.gov • Website: woodcreektx.gov

Application for Special Event Permit

Applicant(s) Jeff Rasco, Cheryl Mills, Claire Palmer

Address [REDACTED]

Home Phone _____ Cell Phone [REDACTED]

Work Phone _____

Email address [REDACTED]

Event Location Triangle/Gazebo Augusta Park

Event Name/Description Easter Egg Hunt

- Event Type:
- Private Group
 - Public Event
 - Alcohol Will Be Available at this Event
 - Music/Entertainment will be amplified at this Event
 - Security/Traffic Enforcement will be provided at this Event

**** If any of the above categories are checked please attach additional information ****

Estimated Number of Attendees/Guests 30

Estimated Number of Contractors/Staff 0

Event Date & Starting/Ending Time March 30 3:00

Estimated Number/Type of Vehicles expected for the event, including suppliers:

- 5 Automobiles
- _____ Buses golf carts
- _____ Box trucks (2 axles)
- _____ Semi-trucks
- _____ Other (please identify)



Any other information city council may find beneficial in deciding whether or not to grant the special event permit (attach additional documentation if necessary):

Spokane Community event organized by members of Friends of Woodcreek and Community Garden

§156.082 of the City of Woodcreek Code of Ordinances requires a special event permit for all events which are outside of normal and customary activities associated with the applicable zoning district. Such activities must also comply with all other city ordinances and be harmonious with the zoning district in which it is to take place.

An application for a special event permit shall be made in writing. Application will be approved or denied within 30 days from date all necessary information is received. Unless specifically approved by the City Council all special event permit applications are DENIED.

Music and entertainment shall not be played outdoors after 10 PM or before 12 PM (noon).

Groups that anticipate Special Events of larger than 200 people may be required by City Council to have the following for the issuance of the permit and shall be noted below in conditions of permit:

- EMS personnel on hand per every 200 people in attendance.
- A designated first aid/EMS station for events over 300 people
- Law enforcement/security personnel equal to 1 law enforcement/security personnel for every 100 people in attendance if alcohol is served.
- Additional fees for city services may be required as indicated by permit

Application Fee:

A non-refundable application fee of \$100 must accompany the submission of this form.

Completed application can be emailed to woodcreek@woodcreektx.gov.

For City use only:

Date application, required information and fee received: Fee Waived *Jeff Dasso, Mayor*

Applicable Zoning Category/Use: _____

City Council Vote: Approved or Denied (circle one) Date: _____

Date permit issued to property owner: _____ Permit # _____

Date applicant notified of denial: _____

Reason for denial: _____

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Take Possible Action to Approve The Brookhollow Drive Road Closure For The Arbor Day Event on April 27, 2024.

SUMMARY of REQUESTED AGENDA ITEM:

Discuss and Take Possible Action to Approve The Brookhollow Drive Road Closure For The Arbor Day Event on April 27, 2024.

STATE YOUR INTENDED MOTION:

I move to Approve The Brookhollow Drive Road Closure For The Arbor Day Event on April 27, 2024.

FINANCIAL IMPACT:

0.00

SUBMITTED BY:

City Secretary

AGENDA TYPE:

New Business

COMPLETION DATE:

3/13/2024 11:11:38 AM

MS FORM ID:

4

Special Permit Request for Road Closure

Item 3.



City of Woodcreek

41 Champions Circle • Woodcreek, Texas 78676 • Office: (512) 847-9390 • Fax: (512) 847-6661
Email: woodcreek@woodcreektx.gov • Website: woodcreektx.gov



Application for Special Event Permit

Applicant(s) City of Woodcreek Tree Board (Ramos)
Address Triangle @ Brookhollow + Woodcreek Dr

Home Phone _____ Cell Phone

Work Phone _____

Email address

Event Location Short street of Brookhollow between Woodcreek + Brookhollow

Event Name/Description Arbor Day Celebration

- Event Type:
- Private Group
 - Public Event
 - Alcohol Will Be Available at this Event
 - Music/Entertainment will be amplified at this Event
 - Security/Traffic Enforcement will be provided at this Event

**** If any of the above categories are checked please attach additional information ****

Estimated Number of Attendees/Guests 50 - 100 +

Estimated Number of Contractors/Staff 10

Event Date & Starting/Ending Time 8am - 1pm, April 27, 2024

Estimated Number/Type of Vehicles expected for the event, including suppliers:

- 30 Automobiles
- Buses
- Box trucks (2 axles)
- Semi-trucks
- Other (please identify)

Any other information city council may find beneficial in deciding whether or not to grant the special event permit (attach additional documentation if necessary):

Permit Request for street closure for Brookhollow
stretch between Woodcreek + Brookhollow. This stretch
will allow for loading + unloading for event w/out blocking
Woodcreek Dr. (Triangle Park).

§156.082 of the City of Woodcreek Code 60 Ordinances requires a special event permit for all events which are outside of normal and customary activities associated with the applicable zoning district. Such activities must also comply with all other city ordinances and be harmonious with the zoning district in which it is to take place.

An application for a special event permit shall be made in writing. Application will be approved or denied within 30 days from date all necessary information is received. Unless specifically approved by the City Council all special event permit applications are DENIED.

Music and entertainment shall not be played outdoors after 10 PM or before 12 PM (noon).

Groups that anticipate Special Events of larger than 200 people may be required by City Council to have the following for the issuance of the permit and shall be noted below in conditions of permit:

- EMS personnel on hand per every 200 people in attendance.
- A designated first aid/EMS station for events over 300 people
- Law enforcement/security personnel equal to 1 law enforcement/security personnel for every 100 people in attendance if alcohol is served.
- Additional fees for city services may be required as indicated by permit

Application Fee:

A non-refundable application fee of \$100 must accompany the submission of this form.

Completed application can be emailed to woodcreek@woodcreektx.gov.

For City use only:

Date application, required information and fee received: 3/12/2021

Applicable Zoning Category/Use: RTA

City Council Vote: Approved or Denied (circle one) Date: _____

Date permit issued to property owner: _____ Permit # _____

Date applicant notified of denial: _____

Reason for denial: _____

Council Meeting Agenda Item Cover Sheet

Item 4.

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Report From City Manager
- Monthly Staff Activity (February)

SUMMARY of REQUESTED AGENDA ITEM:

Report From City Manager

STATE YOUR INTENDED MOTION:

n/a

FINANCIAL IMPACT:

0.00

SUBMITTED BY:

City Secretary

AGENDA TYPE:

Report From City Body Liaison or Staff

COMPLETION DATE:

3/12/2024 1:47:13 PM

MS FORM ID:

3

City Staff Activity Tracker

For the Month of

Feb-24

Activity Name	TOTAL
GENERAL ACTIVITY SHARED for City Staff and Contractor(s)	
Number of Incoming Phone Calls	180
Number of Visitors to City Hall Assisted	124
Number of Incoming Emails Processed	2258
Number of Meetings Attended	8
Number of Training Sessions Attended	0
Number of Text Messages Sent to Residents:	7
Number of Email Blasts Sent to Residents:	1
a. Woodcreek News (<i>Meeting Information</i>)	1
b. Other	0
Number of Social Media Posts:	14
a. FaceBook	7
b. NextDoor	7
CITY MANAGER ACTIVITY	
Number of Vendor Contracts Negotiated, Incl. Franchise Agreements	0
Number of ATS Traffic Alerts Received - BARNEY	
36 - 40 MPH	22
41 - 45 MPH	5
46 - 50 MPH	3
51 - 55 MPH	0
56 - 60 MPH	0
TOTAL Number of Cars Counted	10522
TOTAL Number of Cars OVER the Speed Limit	31
PERCENTAGE of Traffic OVER the Speed Limit	2.90%
AVERAGE SPEED OF VEHICLES	20.6
Number of ATS Traffic Alerts Received - FRED	
36 - 40 MPH	65
41 - 45 MPH	8
46 - 50 MPH	4
51 - 55 MPH	1
56 - 60 MPH	0
TOTAL Number of Cars Counted	7742
TOTAL Number of Cars OVER the Speed Limit	78
PERCENTAGE of Traffic OVER the Speed Limit	1.01%
AVERAGE SPEED OF VEHICLES	23.7
CITY SECRETARY ACTIVITY	
Number of Agendas Created	12
Number of Agendas Posted	5

Activity Name	TOTAL
Number of Public Information Requests Answered	1
Number of HOT IT Tickets Generated (Call or Email)	0
Special Events Coordinated:	
Solar Eclipse Glasses	1
SUPPORT STAFF ACTIVITY	
Number of "Contact Us" Emails Processed	0
Number of Invoices Coded	54
Number of Checks Printed	26
Number of Deer Reported	0
Number of Deer Successfully Pick Up	0
CODE ADMIN ACTIVITY	
Number of Code Violation Letters Sent	8
Number of Certificate of Occupancies Issued	0
Number of Permits Issued:	7
Tree	1
Commercial	0
New Home Construction	0
Remodel / Addition	1
Fence	1
Deck	0
Shed / Greenhouse	1
Solar Panel Installation	0
Pool	0
Rights-of-Way Signs	0
Rights-of-Way Construction / Digging	2
Fireworks	0
Special Event	0
Variance Requests	1
Other Permits, Not Listed (<i>on Financials</i>)	0
HAYS COUNTY SHERIFF ACTIVITY	
Total Hours of Patrols	12
NON-Woodcreek Residents Stopped	6
Number of Warnings Issued	7
Number of Tickets Issued	0

Council Meeting
Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Ordinance Review Committee Report

SUMMARY of REQUESTED AGENDA ITEM:

"Year-to-Date Review" of ORC work with status report on each item.

STATE YOUR INTENDED MOTION:

None - Report only

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

Report From City Body Liaison or Staff

COMPLETION DATE:

3/18/2024 10:37:47 AM

MS FORM ID:

8

Memo

To: Debra Hines
Council Liaison: Ordinance Review Committee Date: December 7, 2023

From: Jim Miller

Re: Committee Issues

Debra:

Just to bring you up to date on issues, this is the list of items or ordinances that the ORC has addressed while I have been there (I have no record of what transpired in the past):

- Chapter 95: HEALTH AND SANITATION
- 156.061: HOME OCCUPATION CRITERIA
- 156.065: COMMUNITY HOMES FOR PERSONS WITH DISABILITIES
- 156.080: BUSINESS USE REQUIREMENTS AND LIMITATIONS
- Chapter 90: ANIMALS
- Chapter 93: FIRE PREVENTION AND PROTECTION
- Chapter 94: FIREWORKS
- Chapter 70: SCHEDULE IV. - CITY PARKING

We will need some new ideas to work on in the future, I would ask the Council to consider authorizing or directing the Committee to work on some items.

Chris mentioned that there was a flaw in our Ordinance (Chapter 30.70 – 30.76) wherein the term descriptions do not keep the Member seated until the replacement arrives. This could be a general flaw removing most Committees of their quorum past December. We could have had a December meeting had I known the term shown on the City website for Joe was incorrect; we might have had a quorum.

Also, the staff seems to want to rewrite the ordinance governing our Committee, I think we need to clarify just what their authority is in doing so. I have simply held the line that I will act according to our Ordinance which describes the Committee, until directed otherwise by Council. So far, I have been told to change procedures using Robert's Rules and State Law as justification, neither of which were correct. I am sure they will lobby for change anyway. I would still like to address the limitations that were put on us (mistakenly so, I believe) by the Council in contradiction to our Ordinance. Those are the issues facing this Committee in the new year.



Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Report from the Ad-Hoc Council Committee on the Program to Address Driveway Approach Repairs Post the 2023 Road Improvements

SUMMARY of REQUESTED AGENDA ITEM:

Five addresses have been identified for consideration. Freeland Turk will provide additional information regarding cost to Council by April 24th.

STATE YOUR INTENDED MOTION:

None - just report

FINANCIAL IMPACT:

cost of engineering review plus any future costs anticipated if repairs proceed

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

Report From City Body Liaison or Staff

COMPLETION DATE:

3/18/2024 11:48:08 AM

MS FORM ID:

11

Ad-Hoc Council Committee Report

Program to Address Driveway Approach and Transitions

Key Reference Items in Woodcreek's Code of Ordinances

- 1) Chapter 156 Zoning: General Provisions – Definitions: 156.009

Drive Approach. A paved surface connecting the street to a lot line.

Driveway. A hard, impervious surface such as hot-mix asphalt or concrete surface connecting a drive approach with a parking space, parking lot, loading dock or garage.

- 1) Responsibility of the City established in Chapter 92.03 - Streets and Rights-of-way

"The City shall have exclusive dominion, control and jurisdiction in, over, under, through, along and across the streets and rights-of-ways, and may provide for the improvement thereof by paving, re-paving, raising, draining, realigning, closing, or otherwise the use thereof. Such exclusive dominion, control and jurisdiction in, over, under, through, along and across the streets and rights-of-way of the City shall also include, but not be limited to, the power to regulate, locate, remove or prohibit the location, installation, alteration or removal of any type of facility or other property in, over, under, through, along or across any streets or rights-of-way. The location, alteration or removal, including the route, of all facilities within the rights-of-way or streets shall be subject to the reasonable direction of the City."

- 2) Chapter 156 Zoning: General Requirements and Limitations establishes a responsibility of the private property owner to install a driveway, but no mention of the driveway approach or establishing access to a city-owned right-of-way

156.028: All buildings shall have a hard-surface driveway. Accessory structures not accessed by road vehicles are excepted.

Creation of Committee: Nov 8th 2023

<https://mccmeetings.blob.core.usgovcloudapi.net/woodcreek-pubu/MEET-Minutes-dfd3e39ecad841cf833760b8f1fa6a6a.pdf>

6. **Discuss and Take Appropriate Action on a Change Order for Added Scope and Fee to Address Driveway Transition Improvements Related to the 2023 Roads Project.** (Hines)

Motion was made by Council Member Hines to approve a Change Order for added scope and fee to address driveway transition improvements related to the 2023 Woodcreek Roads Project.

After discussion, Council Member Hines withdrew her motion at 7:18PM.

Motion was made by Council Member Hines to create an Ad Hoc Committee of Council Members to travel the streets and work with Staff and develop a program to address driveway approach and transitions.

A roll call vote was taken.

Voting Yea:

Mayor Pro Tem Pulley, Council Member Bailey, Council Member Grummert, Council Member Hambrick, Council Member Hines

Motion Passed: 5-0-0

Staff was directed to turn over their list of addresses with missing driveway approaches and "short driveways" that don't meet the main street.

Purpose: Work with staff to develop a program to address driveway approach and transitions as related to the 2023 Roads Project work done by Alpa Paving last fall.

History:

- 1) Committee Members:
 - a. City Manager Kevin Rule
 - b. Mayor Jeff Rasco
 - c. Mayor Pro Tem Debra Hines
 - d. Council Member: Bob Hambrick
- 2) Meeting of Committee Members:
 - a. During the Nov 8th 2023 meeting discussion established the following key points:
 - i. There are clear inconsistencies in treatment for driveway approaches throughout the City in the 2023 roads improvement project.
 - ii. It was established that Alpha frequently paved up to or beyond existing road edges to improve driveway approaches and road edge transitions. See photos in the Staff prepared documents in the ["Meeting About Driveways" on SharePoint.](#)
 - iii. Example of an improved driveway approach and road edge connection fully repaired by the 2023 road improvement project.

Source: [2023 Roads Project – Long and Short Driveways.](#)

28 Champions Circle – Before



28 Champions Circle – After



2023 Roads Project – Long and Short Driveways

Page 5 | 21

- iv. There was an arbitrary method used to mark road edges – a person with a can of spray paint walking and marking.
 - v. There was no clear formula or establishment of procedure for how one would delineate between a driveway or road edge.
 - vi. Many of the driveway aprons throughout the City consisted of asphalt (and/or old road base and gravel due to erosion) these seamlessly connected to the previous road prior to 2023 road improvements.
- b. All streets in the City of Woodcreek city limits were reviewed by Rasco, Hines and Hambrick
 - c. Staff conducted an independent driveway approach review and provided additional documentation (see packet: Jan 24th 2024, item 5)
 - d. A zoom meeting occurred to discuss the committee review of the driveways and discuss next steps. It was determined that a consultation with the anticipated new engineer hire would be desirable before any final report is sent to Council. The focus being: What (if any) action can, or should, the city take as a remediation plan for any driveways determined to need additional work to repair crumbling road edge connections that remained after the 2023 road improvements completed by Alpha Paving.
- 3) Council Discussion:
- a. Jan 24th 2024 Bob Hambrick placed the following item on the agenda: Discussion of Remediation Necessity Regarding Driveway Approach Repairs for Woodcreek Residents

- b. No action was taken, the committee report was still pending
- c. Staff documents posted in the packet featuring photos of driveway connection inconsistencies.
- d. Concerns over the cost and scope of work were discussed.
- e. It was shared that the Ad-Hoc Committee had narrowed it down to a list of less than 20 addresses that were being reviewed for consideration and likely less would make the final cut for the report.

List of Driveways: They following addresses were determined to be under consideration for additional repairs in the driveway approach and road edging connections:

3) Determining Factors Considered:

- a. Type of material – was this pre-existing road base or is this the private driveway?
- b. Condition of remaining erosion – Does this pose a hazard for pedestrians, and could it result in damage to vehicles?
- c. Is this located in the City owned right-of-way easement?
- d. Did the road work result in additional deterioration? (i.e. water flow increase or directional change and any possible damage that may have been caused during the 2023 road improvements project)
- e. In some instances, driveway approach aprons were previously constructed of road base and/or asphalt which connected seamlessly with the previous road. Did the City create a potential disconnect from the road to the existing driveway in the apron? Note: typically, it is the responsibility of the resident to ensure their driveway meets the road (see ordinance: ____). In this instance, if the private drive did in fact meet a previous road edge, but the City has since moved the maintenance of that edge... who is responsible for the gap or the “apron” at that time? Examples of apron gaps that do not pose a hazard, but still present a question of who is responsible for improving and maintaining space between a driveway and road that is of a previously existing road base or asphalt material - see examples in the [2023 Roads Project – Driveway Approaches](#) and [2023 Roads Project – Long and Short Driveways](#) documents on share point.

4) Full List of Addresses for Consideration:

These addresses were selected due to potential hazards to pedestrians and possible damage to vehicles with signs of significant disrepair and crumbling pre-existing road edging left behind in the driveway approach, or via citizen complaint:

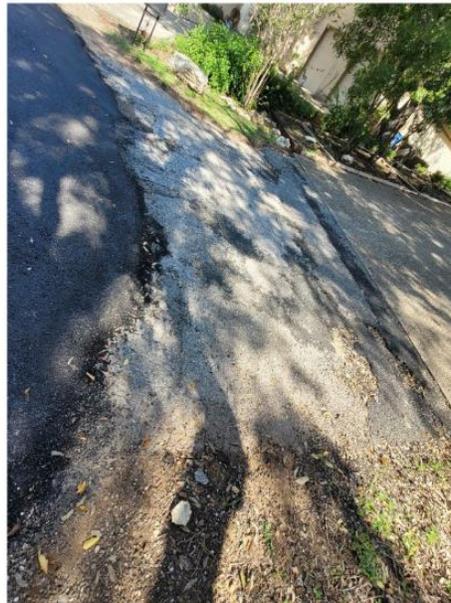
- a. Augusta Drive: 58, 100, and 162 (58 was on the City’s citizen report of complaint list – but would not have made this list otherwise)
- b. Augusta / Brookmeadow: 73 Augusta with Brookmeadow driveway
- c. Shady Grove: 23 (reported concerns prior to road work occurring and tried to receive assistance- this report was shared with Council and can be viewed here [Shady Grove Driveway Issues](#))
- d. Brookmeadow: 19
- e. Tremont Trace: 17

Photos taken from the Staff prepared documents in the “Meeting About Driveways” on SharePoint and attached in the Jan 14th packet, document titled: 2023 Roads Project – Driveway Approaches.

17 Tremont Trace – Before



17 Tremont Trace – After



73 Augusta Drive (Off BrookMeadow) – After



Page 14 | 24

100 Augusta Drive - After



Page 12 | 24

23 Shady Grove Lane – After



19 Brookmeadow Drive – After



2023 Roads Project – Driveway Approaches

58 Augusta Drive – After



2023 Roads Project – Driveway Approaches

162 Augusta Drive – After



2023 Roads Project – Road Inconsistencies

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Recommendations:

- 1) Contact owners of the “top priority addresses” listed below to alert them to the consideration of additional repairs in the driveway approach located in the city-owned right-of-way easement along their lot line.
- 2) Consider repairing the “top priority addresses” listed below:
 - a. 100 Augusta Drive
 - b. 73 Augusta - Brookmeadow driveway
 - c. 23 Shady Grove
 - d. 19 Brookmeadow
 - e. 17 Tremont Trace

Current Status Report:

- f. Tom Turk from the City’s engineering firm Freeland Turk, City Manager Rule, and Mayor Pro Tem Hines met on March 12th of 2024 via Zoom.
- g. Discussion centered around the responsibility of the maintenance of driveway approaches, satisfaction of the vendor contract with Alpha Paving, and what was needed from the engineering firm to determine a scope of work and cost should Council consider repairs.

- h. Mr. Turk has reviewed in person the specified “top priority” addresses in this report on March 12th and will provide a report on the cost estimate of the work by April 24th.

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Presentation by Cindy Longo Cassidy on The Joint Hays County Friends of the Night Sky and Dark Sky Texas, Sky Quality Meter Program. (Rasco)

SUMMARY of REQUESTED AGENDA ITEM:

Presentation by Cindy Longo Cassidy on The Joint Hays County Friends of the Night Sky and Dark Sky Texas, Sky Quality Meter Program. This will include a "photo opportunity" for the receipt of the Eclipse Glasses from the Dark Sky Texas organization.

STATE YOUR INTENDED MOTION:

n/a

FINANCIAL IMPACT:

0.00

SUBMITTED BY:

City Secretary

AGENDA TYPE:

New Business

COMPLETION DATE:

3/12/2024 1:42:32 PM

MS FORM ID:

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Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Amend Previously Adopted Council's Public Hearing Date of March 27th, Regarding Possible Updates to Chapter 156.057 Fences.

SUMMARY of REQUESTED AGENDA ITEM:

On February 28th, Council set their Public Hearing regarding possible updates to Chapter 156.057 Fences for March 27th, 2024. On March 8th, the City Manager notified Council by email, that the Public Hearing will not take place on the 27th but will occur on April 10th. This motion to Amend Previously Adopted date of March 27th for Council's Public Hearing is to facilitate staff.

STATE YOUR INTENDED MOTION:

I MOVE to Amend Previously Adopted Council's Public Hearing date regarding possible updates to Chapter 156.057 Fences be moved from March 27th, 2024 to April 10th, 2024

FINANCIAL IMPACT:

This Amending Previously Adopted Council's Public Hearing date could help save money by combining notices.

SUBMITTED BY:

Chrys Grummert

AGENDA TYPE:

New Business

COMPLETION DATE:

3/11/2024 3:18:40 PM

MS FORM ID:

1

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Take Appropriate Action on Items Submitted by the Ordinance Review Committee to Council for Consideration Regarding Electronic/Electric Fences and Traffic Code Schedule IV - City Parking of the City of Woodcreek Code of Ordinances.

SUMMARY of REQUESTED AGENDA ITEM:

In November of 2023 the Ordinance Review Committee submitted the attached items for Council review. Please see the documents titled "Memo" and "Report" for reference as to the specifics of their analysis. See "Revised Schedule IV" for their proposed changes regarding City Parking. Some photos have been submitted for visual representation of the size and style of the vehicles under consideration in the proposed ORC revision to the Traffic Schedules portion of the City of Woodcreek Code of Ordinances.

STATE YOUR INTENDED MOTION:

Two Main Motions:

- 1) That the City of Woodcreek issue an official statement regarding electronic/electric fences and promote the use of signs warning others of their use.
- 2) That Council consider the "Revised Schedule IV" drafted by the Ordinance Review

FINANCIAL IMPACT:

staff's time to compile and send email about electronic/electric fences

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

3/18/2024 11:22:29 AM

MS FORM ID:

10

Memo

To: Councilmember Hines
Council Liaison: Ordinance Review Committee

Date: November 16, 2023

From: Jim Miller
Ordinance Review Committee Chairman

Re: Report on Invisible/Electric Fences, Revised Traffic Code Schedule IV – City Parking

Debra,

This Committee is submitting two items this month with notes as follows:

1. Report on Invisible/Electric Fences, and
2. a revision to Traffic Code Schedule IV – City Parking.

These will be the last two items this year as we have cancelled the December meeting and await new members for the Committee.

Report on Invisible/Electric Fences

The bullet points on this report are as follows:

- Electric fences are not allowed on residential lots,
- Electronic fences don't work some of the time,
- Electronic fences are not always healthy for dogs,
- Electronic fences do not constitute "control" of an animal.

On this last point the Committee discussed whether this type of fence should be disallowed or banned; it was decided that it was best to remain silent on them. They are certainly allowed both on a County and State level, but it is clearly stated in County law that the use of these fences does not change the status of the animal "running at large." This would make our Ordinance in compliance as the animal must be under direct physical control. Therefore, should the animal either leave the property or have a negative interaction with another animal or human, it would be in a state of "Running at Large" as defined by both Woodcreek and County ordinances.

Traffic Code Schedule IV – City Parking

There were two main points the Committee addressed in this Ordinance:

- Refining the definition of RV's,
- Changing the definition of "Junked vehicles" to be in alignment with current State law.

The current Ordinance bans the parking of RV's outright. It was decided that this was based on their size, blocking proper sight, and possible use as living quarters. The Committee was unanimous in deciding that these mini-RV's should be allowed.

It was pointed out that there is a large portion of the RV's purchased that are small, built on existing van chassis. A number of these are smaller than the larger pickup trucks that the City allows to be parked. (notice picture samples of such RV's are included) It was decided that 21 ft. is the deciding factor wherein size may become a factor.

The committee decided to treat these smaller RV's similar to work trucks whereby a permit is issued by the City, allowing them to verify compliance. It was not unanimous as to whether the City should charge for this permit; however, where there is a permit, there is usually a charge to assuage costs.

It was offered that many of these mini-RV's are used as a second "around town" vehicle. Although appearance may not be used by the City to deny use, it should be noted that these vehicles cost more than \$100,000; therefore, should be considered a high-end vehicle.

We have suggested protections against individuals living in such vehicles (difficult in these small vehicles) and any grey-water discharge.

"Junked Vehicles" both in our Ordinance and the State law define such as not having an "unexpired license plate and a valid motor vehicle inspection certificate." The State currently uses Registration stickers and as of September of next year will no longer require Inspections. While normally we mirror State law, the State added wording into their traffic code which seems to allow municipalities to correct their ordinance wording to mirror current procedures.



Report to the Mayor/Council

From: The Ordinance Review Committee

November 7, 2023

Subject: The Use of Electronic or Electric Fences for Pet Control

In analyzing the use of Electronic or Electric fences in Woodcreek, the topic was broken down into these areas of question:

1. What is the Definition of Electronic or Electric fences?
2. What type of Control over your Pet do these types assert?
3. How do Woodcreek's ordinances address these fences?
4. How do other Municipalities address them?
5. What does State and County law say about them?
6. How do the Humane Societies or Veterinaries feel about them?

What is the Definition of Electronic or Electric fences?

An **electronic fence**, otherwise known as a **pet fence** or **fenceless or Invisible boundary** is an electronic system designed to keep a pet or other domestic animal within a set of predefined boundaries without the use of a physical barrier. A mild electric shock is delivered by an electronic collar if its warning sound as it approaches the boundary is ignored.

An **electric fence** is a physical barrier that uses a continuous flow of an electric current to deter animals and people from crossing a boundary. For the purposes of this report, further discussion of electric fences will be avoided as State Law prohibits their use for residential property.¹

What type of Control over your Pet does this type of fence assert?

The Electronic fence is a system designed to startle, not hurt the animal. When the pet approaches the set barrier, an audible alarm sounds from a collar around its neck. If he fails to stop, a mild electric shock is sent. This type of fence is only effective when used alongside proper, compassionate, and professional training. Their effectiveness can be problematic for the following reasons:

- a) Dogs put up with the shock when the "reward" is great enough. If a dog is highly motivated to leave the property, it will withstand the shock.
- b) The system can malfunction due to electrical outages. The collar runs on batteries so one must be meticulous in checking this.
- c) The prongs on the collar can injure the skin. The prongs need to be close to the skin to deliver the shock therefore they can irritate the skin if used often.
- d) These fences do not prevent others (people nor animals) from coming in. If your dog is aggressive, you will need to warn others such as delivery persons through clearly seen signs.

¹ Texas Local Government Code, Chapter 250, Miscellaneous Regulatory Authority

- e) Electric shocks can induce fear, anxiety, and aggression. While the shock delivered to the dog is supposed to link approaching the barrier as the reason for the shock, the dog may associate it with something else, such as a person walking by.²

How do Woodcreek’s ordinances address this type of fence?

Woodcreek’s ordinances are silent on this type of fence.

How do other Municipalities address them?

Some municipalities forbid the use of electronic fences; however *due process* requires that a prohibition must be stated clearly or else is unenforceable. Therefore, a lengthy description of exactly what type of fence is required to actually forbid them.

What does State and County law say about them?

State Law does not prohibit electronic fences. However, County law, to which Woodcreek would be subject, states, “*The use of a wireless fence which transmits either a high frequency sound or a pulse stimulus shock and that is intended to train the dog to stay on the premises will not be considered a means of restraint;*”³

How do the Humane Societies or Veterinaries feel about them?

Local veterinary offices do support the use of an invisible fence if the dog is properly and professionally trained. However, they state that even with training they do not work 10% of the time. Also, the breed of the dog is a big factor in their success and whether they should be used.⁴

The Humane Society and Rescue Organizations will not allow adoption of a dog if the only means of control is an invisible fence.

Conclusion

Woodcreek’s Pet Ordinance which was revised by this Committee previously defines an animal running at large as: *Running at Large*. Not under the direct physical control of the owner or handler by leash, cord, chain, or similar direct physical control and not being kept physically restrained from leaving the premises of the owner.⁵

This would place us in alignment with County regulations, which means that should the pet leave a resident’s property, the use of an electronic fence would not be a defense as it does not constitute control.

We do not see where a direct change to our Ordinances is required, but it may be wise for staff to be aware that the use of invisible fences does not constitute control of the dog/pet and that steps should be taken to assure that the animal stays on the property.

² “Why Invisible Fences Don’t Work” by Jennifer Coates, DVM

³ Sixth Amended Hays County Animal Control Ordinance NO. 32190

⁴ Wimberley Veterinary Clinic, Cypress Creek Clinic

⁵ Chapter 90.01 - Definitions

Further, it is advised that anyone using an Invisible Fence should post signage making it clear that the pet is roaming at large on the property. This should be done to warn others that the pet is not under direct control.

REVISED
TEXT

- **SCHEDULE IV. - CITY PARKING.**

(A) No vehicle shall be allowed to park in a public street, or alley, ~~, or public right-of-way.~~

(B) Parking on private property of buses, commercial vehicles, trailers, boats, motor homes, RVs **that are greater in length than 21ft**, campers, jet skis and the like is prohibited, unless inside a fully enclosed garage or storage space or behind privacy fencing on a durable surface, except on a temporary basis. Temporary shall be defined as not to exceed seven 24-hour periods total in any 30-day period.

(C) A long-term parking permit may be obtained from the city for work and commercial vehicles, except for those meant to hold human excrement, on private property for a renewable period of six months at a cost of \$50.00 per parking permitted work vehicle.

In order to obtain a long-term parking permit for a work vehicle the property owner must show that:

- (1) They have enough durable-surfaced parking space to accommodate all vehicles of the residence and the work vehicle and one additional guest parking space; and
- (2) That the work vehicle is needed for work purposes for a member of the household; and
- (3) Parking of said vehicle shall not result in a dangerous obstruction of view of the public right-of-way.

Conforming to the process for work truck or commercial vehicle parking, a household may request one long term renewable parking permit at a time lasting 6 months for parking of an RV or van conversion of less than 21 feet that is used as a primary or secondary routine means of transportation for the household ~~(for example: travel to and from a grocery store or to take children to school)~~ at a cost of \$50.

In order to obtain a long-term parking permit for an RV or van conversion of less than 21 feet the property owner must show that:

- (1) They have enough durable-surfaced parking space to accommodate all vehicles of the residence and one additional guest parking space; and
- (2) That the vehicle is needed for a member of the household as a primary or secondary vehicle; and
- (3) Parking of said vehicle shall not result in a dangerous obstruction of view of the public right-of-way.
- (4) The vehicle may not be used as an accessory dwelling unit.

(D) Parking of automobiles, trucks, buses, trailers, mobile homes, recreational or commercial vehicles on publicly owned right-of-way, park or greenbelt is prohibited except under the following conditions:

- (1) Parking of personal automobiles and trucks will be allowed along the street right-of-way in front of a residential property if the vehicles are pulled off the street pavement and no part of the vehicle projects out over the street pavement.

(2) Residential property owners may elect to surface parking space in the right-of-way with a pervious cover, such as gravel or crushed granite.

(3) Parking of personal vehicles shall be allowed on publicly owned rights-of-way, parks, and greenbelts with paved or pervious parking spaces provided by the City, subject to the restrictions of any posted signs.

(E) Junked Vehicles. "Junked vehicle" means a vehicle that is self-propelled and does not lawfully have attached to it an unexpired registration sticker ~~license plate and a valid motor vehicle inspection certificate~~ and is wrecked, dismantled, or partially dismantled or discarded or inoperable and has remained inoperable for more than: 72 consecutive hours, if the vehicle is on public property, or 30 consecutive days, if vehicle is on private property. (Texas Transportation Code § 683.071)

A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) Is detrimental to the safety and welfare of the public;
- (2) Tends to reduce the value of private property;
- (3) Invites vandalism;
- (4) Creates a fire hazard;
- (5) Is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) Produces urban blight adverse to the maintenance and continuing development of municipalities; and
- (7) Is a public nuisance. (Texas Transportation Code § 683.072)

A person commits an offense if the person maintains a public nuisance described above as Junked Vehicle. The offense is a misdemeanor punishable by a fine not to exceed \$200.00.

The court shall order abatement and removal of the nuisance on conviction. (Texas Transportation Code Sec. 683.073)

(F) Erection of signs. The City may erect signage of such design, placement, and location as may be required by law, and any other signage as City staff may determine appropriate or necessary, to notify the public.

(G) Two-hour parking signs. In order to promote safer driving in the vicinity of the public parking spaces at Deerfield Drive and Woodcreek Drive, and Champions Circle at Woodcreek Drive, the City shall erect signs reading "2 Hour Parking - Violators will be towed at vehicle owner's expense".

(H) Penalty. Any person violating any provision of this schedule shall be subject to the penalties and provisions in [§ 10.99](#) of this Code of Ordinances, unless otherwise expressed in this chapter or State Statute.

(Ord. 15-207, 5-13-2015; Ord. 19-257, 3-13-2019; [Ord. No. 22-304](#), 3-9-2022)



Coachman Nova

Length: 20'11" Height: 9'4" Width: 7'"



Midwest Passage 144

Length: 19'7" Height: 9'6" Width: 7'8"



Thor Scope
Length: 17'11"
Height: 9'5"
Width: 6'9"



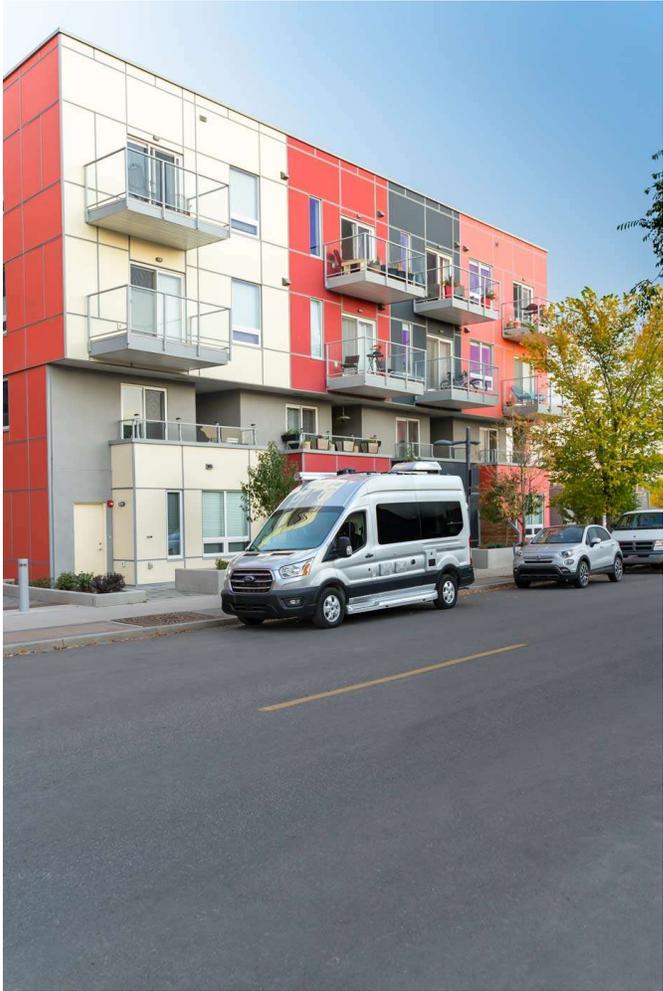
Thor Rize
Length: 17'11"
Height: 9'5"
Width: 6'9"



Thor Sanctuary
Length: 19'7"
Height: 10'1"
Width: 8'1"



Pleasure Way Ascent
Length: 19'5"
Height: 9'8"
Width: 7'1"



Pleasure Way On Tour
Length: 19'8"
Height: 10'
Width: 7'1/2"

WINNEBAGO **REVEL** / Blue Grey with Graphics Full-Body Paint



Length: 19'7" Height: 10' Width: 7'1"

WINNEBAGO **TRAVATO** / Bright White, Full-Body Paint



Winnebago.com

Length: 21' Height: 9'4" Width: 6'9"

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Take Appropriate Action To Adopt Ordinance 2024-03-28-01, Amending the City of Woodcreek Code of Ordinances at Title III ("Administration"), Chapter 30 ("Officials, Employees and Organizations"); Providing For The Creation of the Infrastructure and Mobility Panel.

SUMMARY of REQUESTED AGENDA ITEM:

Adopt ordinance creating Infrastructure and Mobility Panel

STATE YOUR INTENDED MOTION:

Move To Adopt Ordinance 2024-03-28-01, Amending the City of Woodcreek Code of Ordinances at Title III ("Administration"), Chapter 30 ("Officials, Employees and Organizations"); Providing For The Creation of the Infrastructure and Mobility Panel.

FINANCIAL IMPACT:

Attorney Fees and Codification

SUBMITTED BY:

Linnea Bailey

AGENDA TYPE:

Unfinished Business and General Orders

COMPLETION DATE:

3/18/2024 10:14:43 AM

MS FORM ID:

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**THE CITY OF WOODCREEK
ORDINANCE NO. 2024-03-27-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS, AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE III (“ADMINISTRATION”), CHAPTER 30 (“OFFICIALS, EMPLOYEES AND ORGANIZATIONS”); PROVIDING FOR THE CREATION OF THE INFRASTRUCTURE AND MOBILITY PANEL.

WHEREAS the City of Woodcreek (“City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS City Council has previously created a Platinum Panel to (1) advise the City Council on roads, traffic, drainage and funding sources related to all transportation, including alternative forms; (2) secure public input in this process; and (3) promote transparency in the process of creating a Master Transportation Plan and assist in advising on decisions to secure funding for road improvements. The Platinum Panel shall be viewed as an independent body; and

WHEREAS the City Council finds and determines it in the best interests of the City to revise the scope of work, structure of said Panel and to rename it; and

WHEREAS the City Council of the City of Woodcreek, Texas finds that these amendments to the Code of Ordinances follow state law.

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

Section 1. The foregoing recitals are 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. The City Code of Ordinances at Title III, Chapter 30 (“the “Code”), is hereby amended to repeal sections 30.80 to read as follows:

§ 30.80 Popular Name

This subchapter shall be commonly cited as the “Infrastructure and Mobility Panel”.

§ 30.81 Purpose

(A) This subchapter creates an Infrastructure and Mobility Panel (“I&M Panel”) whose purpose shall be to make recommendations on road maintenance, traffic safety, drainage and funding sources related to all transportation. To accomplish these tasks, the I&M Panel shall study, investigate and develop plans and recommendations to Council for approval. The I&M Panel should be prepared to provide monthly reports at regular City Council meetings.

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- The scope of the I&M Panel shall include, but not be limited to, the following:
- i. A Road Maintenance Plan to strategically outline a schedule for the funding and performance of regular road maintenance within the City limits of the City of Woodcreek.
 - ii. A Fiscal Capacity Plan to anticipate and plan for future improvements to existing and proposed infrastructure. This may include, but is not limited to, the following:
 - a) acquisition of new land for the installation of additional parks, trails and other public greenspaces;
 - b) acquisition of new land for the construction of a community meeting place, the expansion of City Hall, or other such governmental properties; and
 - c) physical improvements upon existing public lands, such as parks, greenspaces and other government properties.
 - iii. A Drainage and Flooding Mitigation Plan which may include, but is not limited to, the following:
 - a) conduct a study to identify key projects;
 - b) seek potentials for outside funding;
 - c) create a plan of action, listing a prioritization of proposed projects; and
 - d) advise Council on solutions utilizing engineering input and feasibility analysis.
 - iv. A Pedestrian Mobility Plan to address ADA Compliant pedestrian pathways to safely access parks and trails located within the City limits and its Extra Territorial Jurisdiction (“ETJ”); and provide for an expansion of trails for the purpose of promoting an outdoor exercise loop. This may include, but is not limited to, the following:
 - a) a feasibility study with cost analysis;
 - b) professional survey and mapping; and a
 - c) review of any bid packages and contracts related to the installation of such improvements.
 - v. A Traffic Calming Plan which may include, but is not limited to, the following:
 - a) make recommendations on changes to existing, or the addition of, signage, passive calming devices and other infrastructure improvements throughout the City limits of the City of Woodcreek; and
 - b) a plan and budget for regular traffic patrols and reports including the monitoring of
 - traffic data from City-owned electronic devices; and
 - c) may seek engineering judgement and/or review, as needed.
 - vi. Conduct a study, review and report of additional mobility challenges and infrastructure improvement needs as they may arise.

- 81 (B) The I&M Panel shall be viewed as an independent Advisory Body to the City Council and is
 82 hereby given explicit permission to work directly with the City of Woodcreek's contracted
 83 City Engineering Firm, through the City Manager, to develop and review plans under their
 84 purview, as stated in Section 30.81(A).
 85
 86 (C) The I&M Panel shall conduct a biennial review of the plans under their purview, as stated in
 87 Section 30.81(A) and provide regular reports to the City Council.
 88
 89 (D) To conduct this work, the I&M Panel shall seek public input through surveys and Town Halls.
 90 Any public survey or Town Hall presentation generated shall be reviewed and must be
 91 approved by City Council.
 92
 93 (E) The I&M Panel shall promote transparency in their processes.
 94

95 § 30.82 Creation & Composition

- 96 (A) Membership: The I&M Panel shall consist of seven(7) Panel Members; five(5) Regular
 97 Panel Members and two(2) Alternate Panel Members. No member of the I&M Panel may be
 98 a member of the City Council.
 99 (B) Appointment: Each of Woodcreek's five(5) Council Members shall make one(1) Regular
 100 Panel Member nomination and the Mayor shall make two(2) Alternate Panel Member
 101 nominations, specifically a First and Second Alternate Panel Member. All nominations shall
 102 be confirmed by a majority vote of the City Council. In the event that any Council Members,
 103 or the Mayor, refuses, or is unable, to make a nomination, the vacancy may be filled by the
 104 majority vote of the remaining members of the City Council.
 105 (C) Alternate Members: Alternate Members shall sit in the place of an absent
 106 Regular Panel Member, with selection being in order of their alternate designation.
 107 Alternate Panel Members are encouraged, but not required, to attend all meetings and may
 108 participate in all discussions, when present. However, Alternate Panel Members may only
 109 vote when sitting in the place of an absent Regular Panel Member.
 110

111 § 30.83 Terms, Resignation, Vacancy & Removal

- 112 (A) The terms of Regular and Alternate Panel Members shall coincide with the term of the
 113 Council Member and Mayor who nominated the Panel Member and will expire upon the
 114 Nominating Officer's term of office ending. In even numbered years, three(3) newly elected
 115 members of Council shall make a nomination for a Regular Panel Member. In odd numbered
 116 years, two(2) newly elected members of Council shall make a nomination for a Regular Panel
 117 Member and the newly elected Mayor shall make a nomination for two(2) Alternate Panel
 118 Members.
 119 (B) Any Panel Member may resign by submitting written notice to the City Secretary, as the
 120 Records Management Officer for the City. Resignations will be effective when received.
 121 Upon receipt of resignation, the City Secretary shall as soon as administratively possible,
 122 send such resignation to the Chairperson, The Mayor and the Panel Liaison.

- 123 (C) All vacancies shall be filled on a nomination from the Council Member who nominated the
 124 Resigning Panel Member. Upon confirmation by a majority vote of Council, the newly
 125 appointed Panel Member shall fill the unexpired term of the vacated seat.
- 126 (D) Members may be removed from the I&M Panel by a majority vote of the Council Members.
 127 By a majority vote, the I&M Panel may make a recommendation to the Council regarding the
 128 removal of a member of their Panel.
- 129 (E) Members of the I&M Panel shall continue to serve on the Panel until their replacement has
 130 been appointed by Council, unless the Panel Member submits a letter of resignation, in
 131 which case, the Panel Member shall have no further authority, duties or obligations in regard
 132 to the Panel.
- 133 (F) To be considered for appointment or re-appointment to the I&M Panel, a Volunteer
 134 Application must be completed and submitted to the City Secretary, as the Records
 135 Management Officer for the City. City Staff shall present all completed Volunteer
 136 Applications to the Council for their consideration of I&M Panel appointments.

137

138 **§ 30.84 Duties & Meetings**

- 139 (A) The I&M Panel shall meet at such regular and special times as necessary to efficiently carry
 140 out the Panel's purpose. Regular meetings are to be set by order of the Panel and Special
 141 Meetings are to be called by the Chairperson. At a minimum, there shall be two(2) meetings
 142 per year.
- 143 (B) Any recommendation of the I&M Panel shall result from a majority vote of the Regular Panel
 144 Members. However, any recommendation is merely a recommendation and is not binding
 145 on the City Council. Any final decision on topics for which the I&M Panel has made a
 146 recommendation rest with the City Council.

147

148 **§ 30.85 Officers**

- 149 (A) The I&M Panel shall choose its own Officers from among its Regular Panel Members. Officers
 150 shall be elected for terms of one(1) year by majority vote of all its membership present and
 151 voting, including Alternates Panel Members. Officers shall include Chairperson, Vice-
 152 Chairperson and a Secretary.
- 153 (B) The Chairperson's sole duty shall be to preside over all meetings in accordance with any
 154 rules the I&M Panel may establish. The Chairperson may vote. If the Chairperson fails or
 155 refuses to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the
 156 Chairperson and Vice- Chairperson are absent, any Panel Member may be appointed by the
 157 Panel to preside over the meeting. The Panel shall keep minutes of its proceedings. A
 158 majority of the Regular Panel Members shall be a quorum for the transaction of business.
- 159 (C) The Secretary's sole duty shall be to record the minutes of the meetings. Minutes are to be
 160 held by the City.

161 **§ 30.86 Open Meetings Act**

162 The Infrastructure and Mobility Panel shall comply with the Texas Open Meetings Act. The
 163 agenda will include a Public Comments Section, allowing the Public the right to speak.

164 **SEVERABILITY CLAUSE:** Should any of the clauses, sentences, paragraphs, sections or parts of this
165 Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with
166 jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.
167 All provisions of this Ordinance are declared severable.

168 **CUMULATIVE CLAUSE:** This Ordinance shall be cumulative of all provisions of ordinances of the City
169 except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which
170 event the conflicting provisions of such ordinances are hereby repealed.

171 **REPEALER CLAUSE:** All Ordinances, Resolutions, or parts thereof, that are in conflict or inconsistent with any
172 provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance
173 shall be and remain controlling as to the matters regulated, herein.

174 **SAVINGS CLAUSE:** The repeal or amendment of any ordinance or part of ordinances effectuated by the
175 enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of
176 such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting
177 any right of the City of Woodcreek under any section or provisions of any ordinances in effect at the time of the
178 passage of this Ordinance.

179 **PROPER NOTICE AND MEETING:** It is hereby officially found and determined that the meeting at which this
180 Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of
181 said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice
182 was also provided as required by Chapter 52 of the Texas Local Government Code.

183 **ENACTMENT:** This Ordinance shall be in full force and effect after its final passage and approval, as required by
184 law.

185
186 **PASSED, ADOPTED AND APPROVED** this _____ day of _____, 2024,

187
188 by a _____ **Yea** to _____ **Nay** vote of the City Council of Woodcreek, Texas.
189
190
191

193 PLACE 192
194 CITY SEAL
HERE 195
196

WOODCREEK, TEXAS

By: _____
Jeff Rasco, Mayor

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207 **ATTEST:**

208

209

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211 _____
Suzanne J. Mac Kenzie, City Secretary

212

213

214 **APPROVED AS TO FORM:**

215

216

217

218 _____
City Attorney's Office

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Take Appropriate Action to Make Full-Term Member Nominations to the Infrastructure and Mobility Panel.

SUMMARY of REQUESTED AGENDA ITEM:

The Infrastructure and Mobility Panel is a new Panel whose members will be nominated after the new Infrastructure and Mobility Panel Ordinance has been passed.

STATE YOUR INTENDED MOTION:

Move To Have Council Members Make Full-Term Member Nominations to the Infrastructure and Mobility Panel, Based On The Applications Provided.

FINANCIAL IMPACT:

00.00

SUBMITTED BY:

Linnea Bailey

AGENDA TYPE:

Unfinished Business and General Orders

COMPLETION DATE:

3/18/2024 10:25:21 AM

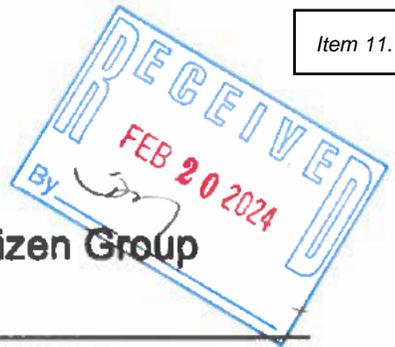
MS FORM ID:

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The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY

Application for Appointment to A Volunteer Citizen Group



Name: CRAIG BIGGS

Property Address: [REDACTED]

Mailing Address: SAME

Telephone Number(s): Home: [REDACTED] Cell: [REDACTED]

Email Address: [REDACTED]

1. Do you want your phone number(s)/email address released in a Public Information Request? YES NO

Committee(s) of Interest (Select All That Apply)

NOTE: Groups listed below are *Advisory* and submit reports and/or recommendations, as needed, to the City Council, per state and federal laws and City Ordinances.

- Infrastructure and Mobility Panel
- Planning and Zoning Commission
- Parks and Recreation Board
- Tree Board
- Ordinance Review Committee

City Hall Areas of Interest (Select All That Apply)

NOTE: Volunteers would work with City Staff to complete projects on an "as needed" basis.

- City Staff Mailouts (Indoors)
- City Clean-Up Projects (Outdoors)
- City Information Distribution Projects (Outdoors)
- City's 4th Decennial Celebration (Hybrid)

2. Length of Time as a Texas Resident: 15 Length of Time as a Woodcreek Resident: 3

3. Have you previously served on any City of Woodcreek Boards, Commissions, Committees or Panels?
YES NO If "YES", please list capacity and term.
PLATINUM ROAD PANEL / TERM

Describe any qualifications, credentials or special interests that relate to your possible appointment.

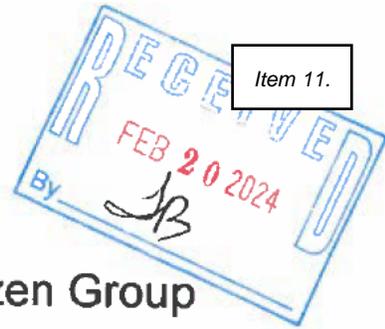
4. Do you, or your employer, have any business or other dealings with the City of Woodcreek which may create a conflict of interest upon your appointment? YES NO
If "YES", please explain.

Signature [Handwritten Signature]

Date 2-18-24

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY



Application for Appointment to A Volunteer Citizen Group

Name: Jay Gallaway
Property Address: [REDACTED]
Mailing Address: [REDACTED]
Telephone Number(s): Home: _____ Cell: [REDACTED]
Email Address: [REDACTED]

1. Do you want your phone number(s)/email address released in a Public Information Request? YES NO

Committee(s) of Interest (Select All That Apply)	
<i>NOTE: Groups listed below are Advisory and submit reports and/or recommendations, as needed, to the City Council, per state and federal laws and City Ordinances.</i>	
<input checked="" type="checkbox"/> Infrastructure and Mobility Panel	<input type="checkbox"/> Tree Board
<input type="checkbox"/> Planning and Zoning Commission	<input type="checkbox"/> Ordinance Review Committee
<input type="checkbox"/> Parks and Recreation Board	

City Hall Areas of Interest (Select All That Apply)	
<i>NOTE: Volunteers would work with City Staff to complete projects on an "as needed" basis.</i>	
<input type="checkbox"/> City Staff Mailouts (Indoors)	<input type="checkbox"/> City Information Distribution Projects (Outdoors)
<input checked="" type="checkbox"/> City Clean-Up Projects (Outdoors)	<input type="checkbox"/> City's 4th Decennial Celebration (Hybrid)

2. Length of Time as a Texas Resident: 45 Length of Time as a Woodcreek Resident: 3+

3. Have you previously served on any City of Woodcreek Boards, Commissions, Committees or Panels?
YES NO If "YES", please list capacity and term.

Describe any qualifications, credentials or special interests that relate to your possible appointment.
MGM for a GLOBAL TELECOM ORG. ENGINEERING DEGREE AND BACKGROUND

4. Do you, or your employer, have any business or other dealings with the City of Woodcreek which may create a conflict of interest upon your appointment? YES NO
If "YES", please explain. _____

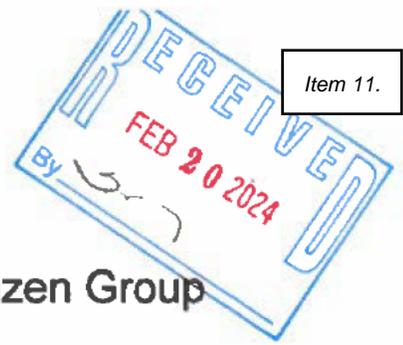
Signature Jay Gallaway

Date 2/20/24

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY

Application for Appointment to A Volunteer Citizen Group



Item 11.

Name: ROGERS HOLT

Property Address: [REDACTED]

Mailing Address: [REDACTED]

Telephone Number(s): Home: [REDACTED] Cell: [REDACTED]

Email Address: [REDACTED]

1. Do you want your phone number(s)/email address released in a Public Information Request? YES NO

Committee(s) of Interest (Select All That Apply)

NOTE: Groups listed below are Advisory and submit reports and/or recommendations, as needed, to the City Council, per state and federal laws and City Ordinances.

Infrastructure and Mobility Panel Tree Board
 Planning and Zoning Commission Ordinance Review Committee
 Parks and Recreation Board

City Hall Areas of Interest (Select All That Apply)

NOTE: Volunteers would work with City Staff to complete projects on an "as needed" basis.

City Staff Mailouts (Indoors) City Information Distribution Projects (Outdoors)
 City Clean-Up Projects (Outdoors) City's 4th Decennial Celebration (Hybrid)

2. Length of Time as a Texas Resident: 8 1/2 yrs Length of Time as a Woodcreek Resident: 12 yrs

3. Have you previously served on any City of Woodcreek Boards, Commissions, Committees or Panels?
YES NO If "YES", please list capacity and term.

2021 MEMBER - PLANNING & ZONING / MEMBER 2023 PLATINUM ROADS

Describe any qualifications, credentials or special interests that relate to your possible appointment.

FORMER COMMITTEES
ENGINEERING DEGREE
33 YRS ENGINEERING EXPERIENCE

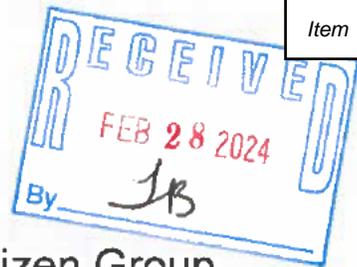
4. Do you, or your employer, have any business or other dealings with the City of Woodcreek which may create a conflict of interest upon your appointment? YES NO
If "YES", please explain. _____

Signature Rogers Holt

Date 2/18/24

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY



Item 11.

Application for Appointment to A Volunteer Citizen Group

Name: JOSE TORMO

Property Address: [REDACTED]

Mailing Address: _____

Telephone Number(s): Home: _____ Cell: [REDACTED]

Email Address: [REDACTED]

1. Do you want your phone number(s)/email address released in a Public Information Request? YES NO

Committee(s) of Interest (Select All That Apply)

NOTE: Groups listed below are Advisory and submit reports and/or recommendations, as needed, to the City Council, per state and federal laws and City Ordinances.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Infrastructure and Mobility Panel | <input type="checkbox"/> Tree Board |
| <input type="checkbox"/> Planning and Zoning Commission | <input type="checkbox"/> Ordinance Review Committee |
| <input type="checkbox"/> Parks and Recreation Board | |

City Hall Areas of Interest (Select All That Apply)

NOTE: Volunteers would work with City Staff to complete projects on an "as needed" basis.

- | | |
|--|--|
| <input type="checkbox"/> City Staff Mailouts (Indoors) | <input type="checkbox"/> City Information Distribution Projects (Outdoors) |
| <input type="checkbox"/> City Clean-Up Projects (Outdoors) | <input type="checkbox"/> City's 4th Decennial Celebration (Hybrid) |

2. Length of Time as a Texas Resident: 16 yrs Length of Time as a Woodcreek Resident: 2 yrs

3. Have you previously served on any City of Woodcreek Boards, Commissions, Committees or Panels?
YES NO If "YES", please list capacity and term.

Describe any qualifications, credentials or special interests that relate to your possible appointment.

*Engineering training & experience.
Statistical analysis background.
Directly impacted by city drainage issues.*

4. Do you, or your employer, have any business or other dealings with the City of Woodcreek which may create a conflict of interest upon your appointment? YES NO
If "YES", please explain. _____

Signature: [Handwritten Signature]

Date: 2/28/2024

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Workshop: Discussion on all "advisory body" ordinances as updated, including the following commonly or officially known as: the HOT Committee, Planning and Zoning Commission, Tree Board, Parks and Recreation Board, Ordinance Review Committee, and Infrastructure and Mobility Panel (draft).

SUMMARY of REQUESTED AGENDA ITEM:

The purpose of this workshop is to discuss the procedural aspects of the terms of membership for all advisory body appointees for each board to create a unified and streamlined process, to the extent to which state law allows, for the City of Woodcreek.

STATE YOUR INTENDED MOTION:

NO MOTION DURING WORKSHOP TO BE TAKEN - suggested edits to draft documents expected for discussion

FINANCIAL IMPACT:

none - status pending - review by city attorney costs anticipated

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

Workshop

COMPLETION DATE:

3/18/2024 10:25:00 AM

MS FORM ID:

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CITY OF WOODCREEK

ORDINANCE NO. 2024-02-28-02

AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE III (“ADMINISTRATION”), CHAPTER 30 (“PLANNING AND ZONING COMMISSION”); PROVIDING FOR AMENDMENTS TO THE OPERATION AND STRUCTURE OF THE PLANNING AND ZONING COMMISSION.

WHEREAS, the City of Woodcreek (“City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS, Chapter 211, Texas Local Government Code authorizes a general law municipality to appoint a zoning commission; and

WHEREAS, City Council has previously created a Planning and Zoning Commission the purpose of which is to: (1) advise and make recommendations to the City Council on amendments to the municipal Comprehensive Plan, changes of zoning, zoning ordinance amendments and zoning to be given to newly annexed areas, and shall consider approval of plats of subdivisions as may be submitted to it for review and other planning related matters; (2) secure public input in this process; and (3) promote transparency in the process of amendments to the municipal Comprehensive Plan, changes of zoning, zoning ordinance amendments and zoning to be given to newly annexed areas, and shall consider approval of plats of subdivisions as may be submitted to it for review and other planning related matters; and

WHEREAS, the City Council finds and determines it in the best interests of the City to revise the operations and structure of the Planning and Zoning Commission; and

WHEREAS, the City Council of the City of Woodcreek, Texas finds that these amendments to the Code of Ordinances are in compliance with state law.

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

Section 1. The foregoing recitals are 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. The City Code of Ordinances Title III, Chapter 30 (the “Code”), is hereby amended as follows with underlines being additions to the Code and ~~strikethroughs~~ being deletions from the code:

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§ 30.38 CREATION; MEMBERSHIP; OFFICERS; RULES AND BYLAWS.

(A) There is created, in accordance with Tex. Local Gov't. Code Ch. 211, the Planning and Zoning Commission, hereafter sometimes referred to as the "Commission", which shall consist of ~~five people~~ seven regular voting members residing within the City limits.

(B) Commission members shall reside within the City Limits. Members and alternates shall be nominated by the Mayor and appointed by the City Council.

~~(C) All appointments to the Commission shall serve as a member of the Commission for a term of office of three two years. Members may be reappointed with no limitation on the number of terms one may serve. When a term expires without request for renewal or resignation from the member, the City Council may, at its discretion, extend the member's term for a one-year period. Each of Woodcreek's five Councilmembers shall make one regular member appointment to the Planning and Zoning Commission. The Mayor will make two regular member appointments to the Planning and Zoning Commission. All appointments shall be confirmed by a majority vote of the City Council. In the event any Councilmembers or the Mayor fails or refuses to make an appointment, the vacancy may be filled by the majority vote of the remaining members of the City Council.~~

(1) The terms of each regular member of the Planning and Zoning commission shall coincide with the term of the appointing officer and shall expire upon the end of the appointing Officer's term of office. One year, the three newly elected members of council shall make recommendation for a regular member of the Planning and Zoning commission. The next year, the two newly elected members of council shall make a recommendation for a regular member of the commission, and the newly elected Mayor shall make recommendation for two regular voting members.

(2) In order to be considered for appointment to the Commission, a Volunteer Application shall be filled out and submitted to the City Records Management Officer. City staff shall present all volunteer applications to City Council for their consideration.

~~(D) Any vacancy(s) on the Commission shall be filled via appointment by a simple majority vote of the City Council. Any member of the Commission may resign by submitting written notice to the City Records Management Officer. Resignation will be effective when received. Upon receipt of written notice of resignation, the City Records Management Officer shall within 48 hours send such resignation to the Mayor, the Chair of Planning and Zoning and the Commission liaison.~~

(E) If a vacancy occurs on the Planning and Zoning Commission, that vacancy shall be filled by a recommendation from the Council member who appointed the

82 resigning member. Upon confirmation by a simple majority vote of council, the
 83 newly appointed member shall fulfill the unexpired term of that Planning and
 84 Zoning Commission seat. All members may serve until their successor is
 85 properly appointed.

86
 87 ~~(E)~~(F) Members of the Planning and Zoning Commission may be removed from
 88 office at any time by a simple majority vote of the full City Council either upon
 89 its own motion or upon recommendation of the Commission. Failure to attend
 90 three consecutive scheduled meetings shall be deemed as neglect and cause for
 91 removal from office, unless such absences were due to unusual circumstances
 92 beyond the member's control such as sickness of the member or someone within
 93 the member's immediate family, or if the Commission or Council approves the
 94 absence(s) as excused. A vote to remove a Commission member shall be placed
 95 on the appropriate agenda as a regular item, and shall be voted upon accordingly.

96
 97 ~~(F)~~(G) The members of the Commission shall regularly attend meetings and
 98 public hearings of the Commission, shall serve without compensation and shall
 99 not hold any other office within, or serve as an employee of, the City while
 100 serving on the Commission. Appointments to non-voting commissions and/or
 101 boards seats ~~(e.g., the Beautification Committee)~~ shall be permitted. The
 102 Commission shall meet a minimum of twice per year at a time established by ~~the~~
 103 ~~City Council~~ the Planning and Zoning Chairperson. If there have been no
 104 applications filed for review by the Commission, the City Secretary shall notify
 105 the Chairperson and no meeting shall be required.

106
 107 ~~(G)~~(H) The Commission shall elect a Chairperson and a Vice-Chairperson from
 108 among the Commission membership, ~~and each officer shall hold office for a term~~
 109 ~~of three years upon or until replaced by a two-thirds vote of the full Commission.~~
 110 ~~The City Manager's/Administrator's designee shall serve as Secretary to the~~
 111 ~~Commission, and shall keep minutes of all meetings held by the Commission as~~
 112 ~~well as the full record of all recommendations made by the Commission to the~~
 113 ~~City Council.~~

114
 115 (1) Chairpersons shall be elected for terms of one year by simple majority
 116 vote of its membership present, or until replaced by a two-thirds vote of the full
 117 Commission. Chairpersons shall include Chairperson and Vice-Chairperson.

118
 119 (2) The Chairperson's sole duty shall be to preside over all meetings in
 120 accordance with any rules the Commission may establish. If the Chairperson fails
 121 or refuses to act, the Vice-Chairperson shall perform the duties of the
 122 Chairperson. If the Chairperson and Vice-Chairperson are absent, any committee
 123 member may be appointed by the committee to preside over the meeting.

124
 125 (3) Chairpersons retain all rights given to them as regular voting
 126 members.

127

128 ~~(H)~~(I) The Commission shall have the power to make rules, regulations and
129 bylaws for its own governance, which shall conform with those set forth by the
130 City Council, and such rules, regulations and bylaws shall be subject to approval
131 by the City Council. Such rules and bylaws shall include, among other items,
132 provisions for the following:

- 133
- 134 (1) Regular and special meetings, open to the public;
- 135
- 136 (2) A record of its proceedings, to be open for inspection by the public;
- 137
- 138 (3) Reporting to the City Council and the public, from time to time and
- 139 annually; and
- 140
- 141 (4) Reviewing the City's municipal Comprehensive Plan on a biennial
- 142 basis.

143

144 (J) The City Manager's/Administrator's designee shall serve as Secretary to
145 the Commission and shall keep minutes of all meetings held by the Commission
146 as well as the full record of all recommendations made by the Commission to the
147 City Council.

148

149 **§ 30.39 PARLIAMENTARY PROCEDURE; QUORUM; VOTING.**

150 The Commission will follow the parliamentary procedure adopted by the City
151 Council, and procedures shall not be in conflict with the laws applicable to the
152 Commission on the following.

- 153
- 154 (A) *Quorum.* A quorum shall consist of a majority of the membership of the
- 155 Commission, and any issue to be voted upon shall be resolved by a majority of
- 156 those members present.
- 157
- 158 (B) *Voting.* All Commission members, including the Chairperson, shall be
- 159 entitled to one vote each upon any question, upon a quorum being present. Voting
- 160 procedures shall be in accordance with the parliamentary procedures adopted by
- 161 the City Council.

162

163

164 **Section 3.** If any provision of this Ordinance is illegal, invalid, or unenforceable under
165 present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each
166 illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid,
167 or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this
168 Ordinance.

169 **Section 4.** This Ordinance shall be cumulative of all provisions of ordinances of the City

170 except where the provisions of the Ordinance are in direct conflict with the provisions of such
171 ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

172
173 **Section 5.** This Ordinance shall be construed and enforced in accordance with the laws of
174 the state of Texas and the United States of America.

175
176 **Section 6.** It is officially found, determined, and declared that the meeting at which this
177 Ordinance is adopted was open to the public as required and that public notice of the time, place,
178 and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter
179 551, Texas Government Code, as amended.

180
181 **Section 7.** This Ordinance shall be in full force and effect after its final passage and
182 approval by the City Council, as duly attested by the Mayor and City Secretary, and any
183 publication required by law.

184
185 **PASSED AND APPROVED** this _____ day of _____, 2024, by a vote of ____
186 ayes to ____ nays to ____ abstentions of the City Council of Woodcreek, Texas.

187
188 CITY OF WOODCREEK, TEXAS

189
190
191 By: _____
192 Jeff Rasco, Mayor

193 ATTEST:

194
195 _____
196 Suzanne Mac Kenzie, City Secretary

197

**ORDINANCE NO. 22-311
CITY OF WOODCREEK, TEXAS**

AN ORDINANCE AMENDING THE CITY OF WOODCREEK, TEXAS, CODE OF ORDINANCES AT TITLE III (“ADMINISTRATION”), CHAPTER 30 (“OFFICIALS, EMPLOYEES AND ORGANIZATIONS”) TO ESTABLISH A TREE BOARD; PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, The City of Woodcreek has in existence boards, commissions, panels, and committees; and these entities are advisory bodies and accountable to the City Council, and, thereby, to the electorate; and

WHEREAS, The City of Woodcreek seeks to be inclusive and transparent regarding its business thus subjecting boards, commissions, panels, and committees to the Open Meetings Act; and

WHEREAS, The City of Woodcreek values its citizens' talents, input, and ideas in helping shape our city and seeks to involve its citizens in their local government thus appointing willing volunteers to positions on existing boards, commissions, panels and committees; and

WHEREAS, The City of Woodcreek City Council finds that it is prudent for all boards, commissions, panels, and committees to have uniform appointment structures, member numbers, and staggered term limits to create fairness and streamline City business; and

WHEREAS, the City Councils finds the creation of this ordinance aligns with the best interests of its citizens and is for good government and order of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:

1. FINDINGS OF FACT

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

2. ENACTMENT

The Code of Ordinances of the City of Woodcreek is amended at Title III (“Administration), Chapter 30 (“Officials, Employees and Organizations”) so as to read in accordance with Attachment A.

3. 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.

4. 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.

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Title III, Chapter 30, as written by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was 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. 27.

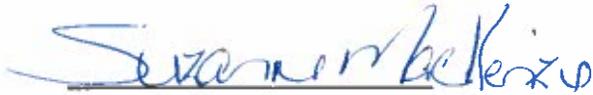
PASSED & APPROVED this, the 10th day of August 2022, by a vote of 3 (ayes) to 0 (nays) and 0 (abstentions) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:



Jeff Rasco, Mayor



Suzanne Mac Kenzie, City Secretary

Attachment A**City of Woodcreek****CODE OF ORDINANCES TITLE III: ADMINISTRATION****CHAPTER 30: OFFICIALS, EMPLOYEES AND ORGANIZATIONS****TREE BOARD****§ 30.10 POPULAR NAME.**

This subchapter shall be commonly cited as the "Tree Board."

§ 30.11 PURPOSE.

The purpose of this subchapter is to create a Tree Board which shall advise the City Council as it relates to the city of Woodcreek's Trees. The Tree Board shall be viewed as an independent advisory body.

§ 30.12 CREATION AND COMPOSITION.

The Tree Board is hereby created. The Tree Board shall consist of seven members: five regular members and two alternate members. Each of Woodcreek's five Councilmembers shall make one regular member appointment to the Tree Board. The Mayor will make two alternate member appointments to the Tree Board, specifically a first and second alternate. All appointments shall be confirmed by a majority vote of the City Council. In the event any Councilmembers or the Mayor refuses or is unable to make an appointment, the vacancy may be filled by the majority vote of the remaining members of the City Council. No member of the Tree Board may be a present member of the City Council.

§ 30.13 TERMS, RESIGNATION, VACANCY, AND REMOVAL.

(A) The terms of each member (regular and alternate) of the Tree Board shall be concurrent with the Councilmember who appointed each member and will expire upon the appointing Councilmember's term in office ending, either by expiration or resignation. Members shall serve terms of two years and may be reappointed with no limitation on the number of terms one may serve. Terms will begin on January 1 and end on December 31, two years thereafter.

(B) Any member of the Tree Board may resign by submitting written notice to the Chairperson of the Tree Board. Resignation will be effective when sent. Upon receipt of written notice of resignation, the Chairperson of the Tree Board shall promptly send such resignation to the Mayor.

(C) If a vacancy occurs on the Tree Board, the vacancy may be filled by the Councilmember who appointed the resigning member.

(D) Members of the Tree Board may be removed from the Tree Board by a simple majority vote of the Councilmembers, and at a meeting of the Woodcreek City Council for which such a vote has been properly noticed.

§ 30.14 DUTIES AND MEETINGS.

(A) The Tree Board shall meet to consider advising the City Council as it relates to the city of Woodcreek's policy and regulations regarding trees under the City's jurisdiction.

(B) The Tree Board shall create and maintain a "tree inventory" including species and location of all trees located in public parks, right-of-way greenspaces, and other public land.

(C) It shall be the responsibility of the Tree Board to study, investigate, provide counsel, develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, right-of-way greenspaces, and in other public areas per the Greenspaces Ordinance. Such a plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City. Any actions taken in accordance with this plan shall require the approval of city council.

(D) The Tree Board, upon request by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

(E) The Tree Board shall participate in or hold an annual Arbor Day event (date to be established annually). This event can occur in conjunction with the celebration of other natural resources and/or protective organizations, such as but not limited to the Cypress Creek Watershed protections, Trinity Aquifer regulations, Jacob's Well management zone, rainwater collection efforts, permaculture education, and other similar sustainable practices.

§ 30.15 OFFICERS.

(A) The Tree Board shall choose its own officers from among its members. Officers shall be elected for terms of one year by majority vote of all its membership present. Officers shall include Chairperson and Vice-Chairperson.

(B) The Chairperson's sole duty shall be to preside over at all meetings in accordance with any rules the Tree Board may establish. The Chairperson may vote. If the Chairperson fails or refuses to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the Chairperson and Vice Chairperson are absent, any committee member may be appointed by the committee to preside over the meeting. The committee shall keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business.

§ 30.16 OPEN MEETINGS ACT.

The Tree Board shall comply with the provisions of Tex. Gov't Code Ch. 551, commonly referred to as the Open Meetings Act, including posting notices and agendas. The Tree Board agenda shall have a Public Comments section allowing the public the right to speak.

City Staff shall post a notice of quorum for all meetings of the Tree Board so that all members of the governing body may attend all meetings of the Tree Board.

ORDINANCE NO. 22-310
CITY OF WOODCREEK, TEXAS
PARKS AND RECREATION BOARD

AN ORDINANCE AMENDING THE CITY OF WOODCREEK, TEXAS, CODE OF ORDINANCES AT TITLE III (“ADMINISTRATION”), CHAPTER 30 (“OFFICIALS, EMPLOYEES AND ORGANIZATIONS”) TO ESTABLISH A PARKS AND RECREATION BOARD AND TO REMOVE TITLE XV (“LAND USAGE”), CHAPTER 157 (“PARKS AND RECREATION”); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, The City of Woodcreek has in existence boards, commissions, panels, and committees; and these entities are advisory bodies and accountable to the City Council, and, thereby, to the electorate; and

WHEREAS, The City of Woodcreek seeks to be inclusive and transparent regarding its business thus subjecting boards, commissions, panels, and committees to the Open Meetings Act; and

WHEREAS, The City of Woodcreek values its citizens’ talents, input, and ideas in helping shape our city and seeks to involve its citizens in their local government thus appointing willing volunteers to positions on existing boards, commissions, panels and committees; and

WHEREAS, The City of Woodcreek City Council finds that it is prudent for all boards, commissions, panels, and committees to have uniform appointment structures, member numbers, and staggered term limits to create fairness and streamline City business; and

WHEREAS, the City Councils finds the creation of this ordinance aligns with the best interests of its citizens and is for good government and order of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodcreek:

1. FINDINGS OF FACT

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

2. ENACTMENT

The Code of Ordinances of the City of Woodcreek is amended at Title III (“Administration”), Chapter 30 (“Officials, Employees and Organizations”) so as to read in accordance with Attachment A attached hereto and incorporated into this Ordinance for all intents and purposes and to remove Title XV (“Land Usage”), Chapter 157 (“Parks and Recreation”) as it is in conflict with this new addition as read in Attachment A.

3. REPEALER

Ordinance 22-310

Parks and Recreation Board – Alternate Members and Move to Ch. 30

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.

4. 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.

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Title III, Chapter 30, as written by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was 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. 27

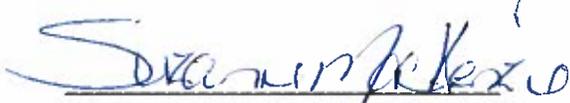
PASSED & APPROVED this, the 2nd day of August 2022, by a vote of 5 (ayes) to 0 (nays) and 0 (abstentions) of the City Council of Woodcreek, Texas.

City of Woodcreek:

Attest:



Jeff Rasco, Mayor



Suzanne Mac Kenzie, City Secretary

**Attachment A
CITY OF WOODCREEK
TITLE III: ADMINISTRATION
CHAPTER 30: OFFICIALS, EMPLOYEES AND ORGANIZATIONS**

§ 30.90 POPULAR NAME.

This subchapter shall be commonly cited as the "Parks and Recreation Board."

§ 30.91 PURPOSE.

The purpose of this subchapter is to create a Parks and Recreation Board which shall advise the City Council as it relates to the city of Woodcreek's Parks and Recreation. The Parks and Recreation Board shall be viewed as an independent advisory body.

§ 30.92 CREATION AND COMPOSITION.

The Parks and Recreation Board is hereby created. The Parks and Recreation Board shall consist of seven members: five regular members and two alternate members. Each of Woodcreek's five Councilmembers shall make one regular member appointment to the Parks and Recreation Board. The Mayor will make two alternate member appointments to the Parks and Recreation Board, specifically a first and second alternate. All appointments shall be confirmed by a majority vote of the City Council. In the event any Councilmembers or the Mayor refuses or is unable to make an appointment, the vacancy may be filled by the majority vote of the remaining members of the City Council. No member of the Parks and Recreation Board may be a present member of the City Council.

§ 30.93 TERMS, RESIGNATION, VACANCY, AND REMOVAL.

(A) The terms of each member (regular and alternate) of the Parks and Recreation Board shall be concurrent with the Councilmember who appointed each member and will expire upon the appointing Councilmember's term in office ending, either by expiration or resignation. Members shall serve terms of two years, and may be reappointed with no limitation on the number of terms one may serve. Terms will begin on January 1 and end on December 31, two years thereafter.

(B) Any member of the Parks and Recreation Board may resign by submitting written notice to the Chairperson of the Parks and Recreation Board. Resignation will be effective when sent. Upon receipt of written notice of resignation, the Chairperson of the Parks and Recreation Board shall promptly send such resignation to the Mayor.

(C) If a vacancy occurs on the Parks and Recreation Board, the vacancy may be filled by the Councilmember who appointed the resigning member.

(D) Members of the Parks and Recreation Board may be removed from the Parks and Recreation Board by a simple majority vote of the Councilmembers, and at a meeting of the Woodcreek City Council for which such a vote has been properly noticed.

§ 30.94 DUTIES AND MEETINGS.

Ordinance 22-310

Parks and Recreation Board – Alternate Members and Move to Ch. 30

(A) The Parks and Recreation Board shall meet to consider advising the City Council as it relates to the city of Woodcreek's Parks and Recreation including, but not limited to, the following:

- (1) The acquisition, development, improvement, equipment, and maintenance of City parks and public playgrounds;
- (2) The future development of the City parks, playgrounds, and recreational facilities, and the purchase of additional land for those purposes;
- (3) Improvements in the maintenance, operation, and general welfare of the City's parks, playgrounds, and recreational facilities and their use by the public; and
- (4) The application of grants or other funding for such projects; and
- (5) The planning and holding of public recreational events to encourage community and promote connectivity among the residents of Woodcreek.

(B) The Parks and Recreation Board shall advise the City Council on tasks given to them to consider by the City Council. To accomplish these tasks, the Parks and Recreation Board shall study, investigate and develop a recommendation or plan in response to the task given to them by Council, and under any deadlines established by the City Council.

(C) The Parks and Recreation Board should be prepared to provide monthly reports at regular meetings of the City Council.

(D) The Parks and Recreation Board shall meet at least once a month if they are presently considering advising the City Council as it relates to the city of Woodcreek's Parks and Recreation, but as often as necessary to accomplish the tasks at hand.

(E) Any recommendation of the Parks and Recreation Board shall result from a majority vote of the regular members of the Parks and Recreation Board. However, any recommendation of the Parks and Recreation Board is merely a recommendation and is not binding on the City Council. Any final decision as it relates to the city of Woodcreek's Parks and Recreation rests with the City Council.

(F) The board shall deliberate and draft a general Parks and Recreation Plan for the development of new parks and playgrounds, including landscaping, roads, trails, buildings, and equipment. That plan shall be submitted to the City Council for review and further elaboration. After approval by the City Council of the Parks and Recreation Plan any subsequent evaluations or reviews of the same may be submitted to the board for consideration and advice.

§ 30.95 OFFICERS.

(A) The Parks and Recreation Board shall choose its own officers from among its members. Officers shall be elected for terms of one year by majority vote of all its membership present. Officers shall include Chairperson and Vice-Chairperson.

(B) The Chairperson's sole duty shall be to preside over at all meetings in accordance with any rules the Parks and Recreation Board may establish. The Chairperson may vote. If the Chairperson fails or refuses to act, the Vice-Chairperson shall perform the duties of the

Chairperson. If the Chairperson and Vice- Chairperson are absent, any committee member may be appointed by the committee to preside over the meeting. The committee shall keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business.

§ 30.96 OPEN MEETINGS ACT.

The Parks and Recreation Board shall comply with the provisions of Tex. Gov't Code Ch. 551, commonly referred to as the Open Meetings Act, including posting notices and agendas. The Parks and Recreation Board agenda shall have a Public Comments section allowing the public the right to speak.

City Staff shall post a notice of quorum for all meetings of the Parks and Recreation Board so that all members of the governing body may attend all meetings of the Parks and Recreation Board.

ORDINANCE NO. 22-298-1

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, ESTABLISHING AN ORDINANCE REVIEW COMMITTEE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, The City of Woodcreek has in existence boards, commissions and committees. These entities are advisory bodies to the City Council. The boards, commissions, and committees are accountable to the City Council, and, thereby, to the electorate.

WHEREAS, The City of Woodcreek seeks to be inclusive and transparent regarding its business.

WHEREAS, The City of Woodcreek values its citizens talents, input and ideas in helping shape our city.

WHEREAS, The City of Woodcreek seeks to involve its citizens in their local government.

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

I. FINDING OF FACT

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

II. 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.

III. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of this Ordinance, and any changes thereto, in the City’s Code of Ordinances.

IV. EFFECTIVE DATE

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

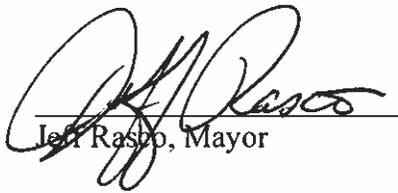
V. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was 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.

PASSED AND APPROVED this, the 12th day of January 2022, by a vote of 4 Ayes to 0 Nays to 0 Abstentions of the City Council of Woodcreek, Texas.

City of Woodcreek:

Attest:



Jeff Rasbo, Mayor



Brenton B. Lewis, Interim City Secretary

ORDINANCE REVIEW COMMITTEE

§ 30.70 Popular Name

§ 30.71 Purpose

§ 30.72 Creation & Composition

§ 30.73 Terms, Resignation, Vacancy, & Removal

§ 30.74 Duties & Meetings

§ 30.75 Officers

§ 30.76 Open Meetings Act

§ 30.70 Popular Name

This subchapter shall be commonly cited as the "Ordinance Review Committee Ordinance."

§ 30.71 Purpose

The purpose of this subchapter is to create an Ordinance Review Committee which shall: (1) advise the City Council on the amending, creating, and rescinding ordinances; (2) secure public input in this process; and (3) promote transparency in the process of amending, creating, and rescinding ordinances. The Ordinance Review Committee shall be viewed as an independent body.

§ 30.72 Creation & Composition

The Ordinance Review Committee is hereby created. The Ordinance Review Committee shall consist of seven (7) members: five (5) regular members and two (2) alternate members. Each of Woodcreek's five (5) Councilmembers shall make one (1) regular member appointment to the Ordinance Review Committee. The Mayor will make two (2) alternate member appointments to the Ordinance Review Committee, specifically a first and second alternate. All appointments shall be confirmed by a majority vote of the City Council. In the event any Councilmembers or the Mayor refuses to make an appointment, the vacancy may be filled by the majority vote of the remaining members of the City Council. No member of the Ordinance Review Committee may be a present member of the City Council.

§ 30.73 Terms, Resignation, Vacancy, & Removal

(a) The terms of each member (regular and alternate) of the Ordinance Review shall be concurrent with the Councilmember who appointed each member and will expire upon the appointing Councilmember's term in office ending, either by expiration or resignation.

(b) Any member of the Ordinance Review Committee may resign by submitting written notice to the Chairperson of the Ordinance Review Committee. Resignation will be effective when sent. Upon receipt of written notice of resignation, the Chairperson of the Ordinance Review Committee shall promptly send such resignation to the Mayor.

(c) If a vacancy occurs on the Ordinance Review Committee, the vacancy shall be filled by the Councilmember who appointed the resigning member.

(d) Members of the Ordinance Review Committee may be removed from the Ordinance Review Committee by a simple majority vote of the Councilmembers, and at a meeting of the Woodcreek City Council for which such a vote has been properly noticed.

§ 30.74 Duties & Meetings

(a) The Ordinance Review Committee shall meet to consider amending, creating, and rescinding ordinances they have been tasked to consider by the City Council. To accomplish these tasks, the Ordinance Review Committee shall study, investigate and develop a recommendation or plan in response to the task given to them by council, and under any deadlines established by the City Council. The Ordinance Review Committee should be prepared to provide monthly reports at regular meetings of the City Council.

(b) The Ordinance Review Committee shall meet at least once a month if they are presently considering amending, creating, and/or rescinding ordinances, but as often as necessary to accomplish the tasks at hand.

(c) Any recommendation of the Ordinance Review Committee regarding amending, creating, and/or rescinding ordinances shall result from a majority vote of the regular members of the Ordinance Review Committee. However, any recommendation of the Ordinance Review Committee regarding amending, creating, and/or rescinding ordinances is merely a recommendation and is not binding on the City Council. Any final decision on amending, creating, and/or rescinding ordinances rests with the City Council.

§ 30.75 Officers

(a) The Ordinance Review Committee shall choose its own officers from among its members. Officers shall be elected for terms of one (1) year by majority vote of its membership present, including alternates. Officers shall include Chairperson and Vice-Chairperson.

(b) The Chairperson's sole duty shall be to preside over at all meetings in accordance with any rules the Ordinance Review Committee may establish. The Chairperson may vote. If the Chairperson fails or refuses to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the Chairperson and Vice-Chairperson are absent, any committee member may be appointed by the committee to preside over the meeting. The committee shall keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business.

§ 30.76 Open Meetings Act

The Ordinance Review Committee shall comply with the provisions of Chapter 551, Texas Government Code, commonly referred to as the Open Meetings Act, including posting notices and agendas. The Ordinance Review Committee agenda shall have a Public Comments section allowing the public the right to speak.

City Staff shall post a notice of quorum for all meetings of the Ordinance Review Committee so that all members of the governing body may attend all meetings of the Ordinance Review Committee.

**THE CITY OF WOODCREEK
ORDINANCE NO. 2024-03-27-01**

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS, AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE III (“ADMINISTRATION”), CHAPTER 30 (“OFFICIALS, EMPLOYEES AND ORGANIZATIONS”); PROVIDING FOR THE CREATION OF THE INFRASTRUCTURE AND MOBILITY PANEL.

WHEREAS the City of Woodcreek (“City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS City Council has previously created a Platinum Panel to (1) advise the City Council on roads, traffic, drainage and funding sources related to all transportation, including alternative forms; (2) secure public input in this process; and (3) promote transparency in the process of creating a Master Transportation Plan and assist in advising on decisions to secure funding for road improvements. The Platinum Panel shall be viewed as an independent body; and

WHEREAS the City Council finds and determines it in the best interests of the City to revise the scope of work, structure of said Panel and to rename it; and

WHEREAS the City Council of the City of Woodcreek, Texas finds that these amendments to the Code of Ordinances follow state law.

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

Section 1. The foregoing recitals are 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. The City Code of Ordinances at Title III, Chapter 30 (“the “Code”), is hereby amended to repeal sections 30.80 to read as follows:

§ 30.80 Popular Name

This subchapter shall be commonly cited as the “Infrastructure and Mobility Panel”.

§ 30.81 Purpose

(A) This subchapter creates an Infrastructure and Mobility Panel (“I&M Panel”) whose purpose shall be to make recommendations on road maintenance, traffic safety, drainage and funding sources related to all transportation. To accomplish these tasks, the I&M Panel shall study, investigate and develop plans and recommendations to Council for approval. The I&M Panel should be prepared to provide monthly reports at regular City Council meetings.

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- The scope of the I&M Panel shall include, but not be limited to, the following:
- i. A Road Maintenance Plan to strategically outline a schedule for the funding and performance of regular road maintenance within the City limits of the City of Woodcreek.
 - ii. A Fiscal Capacity Plan to anticipate and plan for future improvements to existing and proposed infrastructure. This may include, but is not limited to, the following:
 - a) acquisition of new land for the installation of additional parks, trails and other public greenspaces;
 - b) acquisition of new land for the construction of a community meeting place, the expansion of City Hall, or other such governmental properties; and
 - c) physical improvements upon existing public lands, such as parks, greenspaces and other government properties.
 - iii. A Drainage and Flooding Mitigation Plan which may include, but is not limited to, the following:
 - a) conduct a study to identify key projects;
 - b) seek potentials for outside funding;
 - c) create a plan of action, listing a prioritization of proposed projects; and
 - d) advise Council on solutions utilizing engineering input and feasibility analysis.
 - iv. A Pedestrian Mobility Plan to address ADA Compliant pedestrian pathways to safely access parks and trails located within the City limits and its Extra Territorial Jurisdiction (“ETJ”); and provide for an expansion of trails for the purpose of promoting an outdoor exercise loop. This may include, but is not limited to, the following:
 - a) a feasibility study with cost analysis;
 - b) professional survey and mapping; and a
 - c) review of any bid packages and contracts related to the installation of such improvements.
 - v. A Traffic Calming Plan which may include, but is not limited to, the following:
 - a) make recommendations on changes to existing, or the addition of, signage, passive calming devices and other infrastructure improvements throughout the City limits of the City of Woodcreek; and
 - b) a plan and budget for regular traffic patrols and reports including the monitoring of
 - traffic data from City-owned electronic devices; and
 - c) may seek engineering judgement and/or review, as needed.
 - vi. Conduct a study, review and report of additional mobility challenges and infrastructure improvement needs as they may arise.

- 81 (B) The I&M Panel shall be viewed as an independent Advisory Body to the City Council and is
 82 hereby given explicit permission to work directly with the City of Woodcreek's contracted
 83 City Engineering Firm, through the City Manager, to develop and review plans under their
 84 purview, as stated in Section 30.81(A).
 85
 86 (C) The I&M Panel shall conduct a biennial review of the plans under their purview, as stated in
 87 Section 30.81(A) and provide regular reports to the City Council.
 88
 89 (D) To conduct this work, the I&M Panel shall seek public input through surveys and Town Halls.
 90 Any public survey or Town Hall presentation generated shall be reviewed and must be
 91 approved by City Council.
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 93 (E) The I&M Panel shall promote transparency in their processes.
 94

95 § 30.82 Creation & Composition

- 96 (A) Membership: The I&M Panel shall consist of seven(7) Panel Members; five(5) Regular
 97 Panel Members and two(2) Alternate Panel Members. No member of the I&M Panel may be
 98 a member of the City Council.
 99 (B) Appointment: Each of Woodcreek's five(5) Council Members shall make one(1) Regular
 100 Panel Member nomination and the Mayor shall make two(2) Alternate Panel Member
 101 nominations, specifically a First and Second Alternate Panel Member. All nominations shall
 102 be confirmed by a majority vote of the City Council. In the event that any Council Members,
 103 or the Mayor, refuses, or is unable, to make a nomination, the vacancy may be filled by the
 104 majority vote of the remaining members of the City Council.
 105 (C) Alternate Members: Alternate Members shall sit in the place of an absent
 106 Regular Panel Member, with selection being in order of their alternate designation.
 107 Alternate Panel Members are encouraged, but not required, to attend all meetings and may
 108 participate in all discussions, when present. However, Alternate Panel Members may only
 109 vote when sitting in the place of an absent Regular Panel Member.
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111 § 30.83 Terms, Resignation, Vacancy & Removal

- 112 (A) The terms of Regular and Alternate Panel Members shall coincide with the term of the
 113 Council Member and Mayor who nominated the Panel Member and will expire upon the
 114 Nominating Officer's term of office ending. In even numbered years, three(3) newly elected
 115 members of Council shall make a nomination for a Regular Panel Member. In odd numbered
 116 years, two(2) newly elected members of Council shall make a nomination for a Regular Panel
 117 Member and the newly elected Mayor shall make a nomination for two(2) Alternate Panel
 118 Members.
 119 (B) Any Panel Member may resign by submitting written notice to the City Secretary, as the
 120 Records Management Officer for the City. Resignations will be effective when received.
 121 Upon receipt of resignation, the City Secretary shall as soon as administratively possible,
 122 send such resignation to the Chairperson, The Mayor and the Panel Liaison.

- 123 (C) All vacancies shall be filled on a nomination from the Council Member who nominated the
 124 Resigning Panel Member. Upon confirmation by a majority vote of Council, the newly
 125 appointed Panel Member shall fill the unexpired term of the vacated seat.
- 126 (D) Members may be removed from the I&M Panel by a majority vote of the Council Members.
 127 By a majority vote, the I&M Panel may make a recommendation to the Council regarding the
 128 removal of a member of their Panel.
- 129 (E) Members of the I&M Panel shall continue to serve on the Panel until their replacement has
 130 been appointed by Council, unless the Panel Member submits a letter of resignation, in
 131 which case, the Panel Member shall have no further authority, duties or obligations in regard
 132 to the Panel.
- 133 (F) To be considered for appointment or re-appointment to the I&M Panel, a Volunteer
 134 Application must be completed and submitted to the City Secretary, as the Records
 135 Management Officer for the City. City Staff shall present all completed Volunteer
 136 Applications to the Council for their consideration of I&M Panel appointments.

137

138 **§ 30.84 Duties & Meetings**

- 139 (A) The I&M Panel shall meet at such regular and special times as necessary to efficiently carry
 140 out the Panel's purpose. Regular meetings are to be set by order of the Panel and Special
 141 Meetings are to be called by the Chairperson. At a minimum, there shall be two(2) meetings
 142 per year.
- 143 (B) Any recommendation of the I&M Panel shall result from a majority vote of the Regular Panel
 144 Members. However, any recommendation is merely a recommendation and is not binding
 145 on the City Council. Any final decision on topics for which the I&M Panel has made a
 146 recommendation rest with the City Council.

147

148 **§ 30.85 Officers**

- 149 (A) The I&M Panel shall choose its own Officers from among its Regular Panel Members. Officers
 150 shall be elected for terms of one(1) year by majority vote of all its membership present and
 151 voting, including Alternates Panel Members. Officers shall include Chairperson, Vice-
 152 Chairperson and a Secretary.
- 153 (B) The Chairperson's sole duty shall be to preside over all meetings in accordance with any
 154 rules the I&M Panel may establish. The Chairperson may vote. If the Chairperson fails or
 155 refuses to act, the Vice-Chairperson shall perform the duties of the Chairperson. If the
 156 Chairperson and Vice- Chairperson are absent, any Panel Member may be appointed by the
 157 Panel to preside over the meeting. The Panel shall keep minutes of its proceedings. A
 158 majority of the Regular Panel Members shall be a quorum for the transaction of business.
- 159 (C) The Secretary's sole duty shall be to record the minutes of the meetings. Minutes are to be
 160 held by the City.

161 **§ 30.86 Open Meetings Act**

162 The Infrastructure and Mobility Panel shall comply with the Texas Open Meetings Act. The
 163 agenda will include a Public Comments Section, allowing the Public the right to speak.

164 **SEVERABILITY CLAUSE:** Should any of the clauses, sentences, paragraphs, sections or parts of this
165 Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with
166 jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.
167 All provisions of this Ordinance are declared severable.

168 **CUMULATIVE CLAUSE:** This Ordinance shall be cumulative of all provisions of ordinances of the City
169 except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which
170 event the conflicting provisions of such ordinances are hereby repealed.

171 **REPEALER CLAUSE:** All Ordinances, Resolutions, or parts thereof, that are in conflict or inconsistent with any
172 provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance
173 shall be and remain controlling as to the matters regulated, herein.

174 **SAVINGS CLAUSE:** The repeal or amendment of any ordinance or part of ordinances effectuated by the
175 enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of
176 such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting
177 any right of the City of Woodcreek under any section or provisions of any ordinances in effect at the time of the
178 passage of this Ordinance.

179 **PROPER NOTICE AND MEETING:** It is hereby officially found and determined that the meeting at which this
180 Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of
181 said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice
182 was also provided as required by Chapter 52 of the Texas Local Government Code.

183 **ENACTMENT:** This Ordinance shall be in full force and effect after its final passage and approval, as required by
184 law.

185
186 **PASSED, ADOPTED AND APPROVED** this _____ day of _____, 2024,

187
188 by a _____ **Yea** to _____ **Nay** vote of the City Council of Woodcreek, Texas.
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191

193 PLACE 192
194 CITY SEAL
HERE 195
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WOODCREEK, TEXAS

By: _____
Jeff Rasco, Mayor

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207 **ATTEST:**

208

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211 _____
Suzanne J. Mac Kenzie, City Secretary

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213

214 **APPROVED AS TO FORM:**

215

216

217

218 _____
City Attorney's Office

Council Meeting Agenda Item Cover Sheet

TITLE/SUBJECT of REQUESTED AGENDA ITEM:

Discuss and Take Appropriate Action on Directing City Attorney Zech to Draft Ordinance Updates for Any Existing Ordinance as Updated Concerning a Council Advisory Body for the City of Woodcreek, Texas.

SUMMARY of REQUESTED AGENDA ITEM:

As discussed in the proceeding workshop of today's meeting, Council may wish to direct the City Attorney to draft updates of ordinances pertaining to the Council advisory bodies of the City of Woodcreek.

STATE YOUR INTENDED MOTION:

Direct City Attorney Zech to draft ordinance updates for any ordinance concerning an advisory body to Council as discussed in the workshop held today March 18th.

FINANCIAL IMPACT:

City Attorney fees estimated value unknown

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

3/18/2024 10:58:37 AM

MS FORM ID:

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