



IN THE MIDST OF THE TEXAS HILL COUNTRY

CITY COUNCIL MEETING (CITY HALL)
July 12, 2023; 6:30 PM
Woodcreek, Texas

MEETING NOTICE

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, July 12, 2023 at 6:30 PM.

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/91901227351?pwd=NjRYTFZDeDRNaHdDR1ZwNEtBd0NqQT09

Meeting ID: 919 0122 7351; Passcode: 432154

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 CALENDAR

1. Approval of Regular Meeting Minutes from June 14, 2023.
2. Approval of Financial Statements for May 2023. *(Rule)*

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

Report by Ordinance Review Committee Liaison.

Report by Parks and Recreation Board Liaison.

Report by Platinum Roads Panel Liaison.

Report by Tree Board Liaison.

Report by City Manager.

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES - None

SPECIAL ORDERS - None

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

3. Receive Briefing from Stifel, Nicolaus & Company, Inc., Regarding Pricing Summary of the City's General Obligation Bonds, Series 2023, and Matters Incident Thereto. *(Rule)*
4. Consider and Possibly Take Action to Adopt An Ordinance Authorizing and Ordering the Issuance of City of Woodcreek, Texas General Obligation Bonds, Series 2023; Prescribing the Terms and Form Thereof; Making Other Provisions Regarding Such Bonds, Including Use of the Proceeds Thereof, and Matters Incident Thereto. *(Rule)*
5. Presentation of the Spirit of Woodcreek Award to the Team at Camp Young Judaea. *(Pulley/Hines)*
6. Discuss and Take Possible Action on Resolution 2023-07-12-03, Amending Regular Council Meeting, Frequency, Location, and Time. *(Rasco)*

- [7.](#) Discuss and Take Appropriate Action on Resolution 2023-07-12-04, Amending the City of Woodcreek Social Media Policy Approved November 09, 2022. (*Rule*)
- [8.](#) Discuss and Take Appropriate Action on Resolution 2023-07-12-01 of the City of Woodcreek, Texas Update the City's Fund Balance Policy, Amending The Fund Balance Policy Approved August 10, 2022. (*Rule*)
- [9.](#) Discuss and Take Appropriate Action on Resolution 2023-07-12-02 of the City of Woodcreek, Texas Amending the City's Procurement Policy Dated May 25, 2022. (*Rule*)
- [10.](#) Discuss and Take Appropriate Action to Send the Packet Documents for this Item to the Planning and Zoning Commission and the Ordinance Review Committee for Review. (*Grummert*)
- [11.](#) Review and Discuss the City of Woodcreek Comprehensive Plan and Take Possible Action in Accordance with the Comprehensive Plan Goals, Strategies, and Action Plans. (*Hines*)

ANNOUNCEMENTS - None

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **5th day of July, 2023 at 4:00PM**

By: 

Suzanne J. MacKenzie, City Secretary

CITY COUNCIL MEETING (CITY HALL)
June 14, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Meeting to Order at 6:30P

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Mayor Pro Tem Brent H. Pulley
Councilmember Linnea R. Bailey
Councilmember Chrys Grummert
Councilmember Bob Hambrick
Councilmember Debra Hines

STAFF PRESENT

City Attorney, Roger Gordon
City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

Public Comments were Offered and Read from Email Submissions.

BREAK: 7:25P – 7:30P

CONSENT CALENDAR

1. **Approval of City Council Workshop Minutes from March 14, 2023.**
2. **Approval of City Council Regular Meeting Minutes from April 12, 2023.**
3. **Approval of City Council Workshop Minutes from April 18, 2023.**
4. **Approval of City Council Special Meeting Minutes from May 24, 2023.**
5. **Approval of City Council Workshop Minutes from May 30, 2023.**

Motion was made by Member Grummert to move the approval of the minutes to the Special Workshop on Tuesday. Motion was seconded by Member Hines.

A roll call vote was held.

Voting Yea: Mayor Pro Tem Pulley, Member Bailey, Member Grummert, Member Hambrick, Member Hines.

Motion Passed: 5-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

The Planning and Zoning postponed Above Ground Pools until a questionnaire can be distributed to the residents.

Report by Ordinance Review Committee Liaison.

Reviewing final drafts of Chapters 90, 93 and 94.

Report by Parks and Recreation Board Liaison.

Parks is moving forward with their project and the Chair will speak on it when the agenda item comes up.

Report by Platinum Roads Panel Liaison.

Will wait to report when the agenda item comes up.

Report by Tree Board Liaison.

Board is researching locations to hold event in November and working with Karl Flocke as a presenter. Tree Survey is in the works, along with seeking applicants for the Certified Arborist position. Board is also accepting new members.

Report by City Manager.

City Hall closed June 19 and July 4; Election Packets will be posted online by June 22nd; Candidates can register on July 22nd; City will have their first float in the Wimberley 4th of July Parade; City Wide Garage Sale is Saturday, July 8th – Instructions will be posted next week; July 15 – curbside bulk trash pick-up - Instructions will be posted next week; Traffic Calming Devices are being researched.

Report by City Secretary. – No report provided.

6. *Report by City Attorney - Legislative Update.*

This was the most anti-city legislation in history. Three main points today, the rest will be discussed at the Workshop on June 20th. Most of the bills in this session will go into effect in September 2023. In August, he anticipates the receipt of Special Session details.

- a) Property Tax Process is out of balance;
- b) Short-Term Rental bills introduced and written in December/January are different than what passed in May 2023;
- c) Preemption Bill provides the same regulations for ALL 254 counties in Texas. The 30-day shot clock for development was removed.

NEW BUSINESS

7. **Public Hearing to Consider The Adoption of An Ordinance Amending Chapter 156, "Building Regulations; Construction" Section 156.058 "Above Ground Pools", of The Code of Ordinances, City of Woodcreek, Texas, For The Purpose of Allowing Above Ground Pools.** *(Rule)*

Motion was made by Member Hines to wait until Council receives the Planning and Zoning Report, before Council discusses and schedules a Public Hearing. Motion was seconded by Mayor Pro Tem Pulley.

A roll call vote was held.

Voting Yea: Member Bailey, Member Grummert, Member Hambrick, Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

8. **Discuss and Take Possible Action on Scheduling A Public Hearing Concerning Proposed STR Amendments to the Code of Ordinances Land Use Regulations Addressing Short-Term Rentals (STRs).** *(Pulley)*

Motion was made by Mayor Pro Tem Pulley to schedule a Public Hearing concerning proposed Short-Term Rental amendments to the Code of Ordinances Land Use Regulations addressing Short-Term Rentals and give the City Manager discretion on a venue. Motion was seconded by Member Hambrick.

A roll call vote was held.

Voting Yea: Member Grummert, Member Hambrick, Member Hines, Mayor Pro Tem Pulley, Member Bailey

Motion Passed: 5-0-0.

BREAK: 8:32P – 8:37P

9. **Discuss and Take Possible Action on the 2023 Woodcreek Roads Project RFP.** *(Rule)*

Motion was made by Member Bailey that City Council accept and approve the May 2023 Request for Proposal, titled "City of Woodcreek Residential Mill and Overlay Project", produced and submitted by K.Friese and Associates. The purpose of this Request for Proposal documents is to publicly announce the project, clearly define the scope of the project, and to solicit bids from qualified contractors to perform the work delineated in the Contract Documents. Motion was seconded by Member Hambrick.

A roll call vote was held.

Voting Yea: Mayor Pro Tem Pulley, Member Bailey, Member Grummert, Member Hambrick, Member Hines.

Motion Passed: 5-0-0.

12. **Discuss and Take Possible Action Regarding Development Work and the Acquisition and Placement of Equipment, Structures and Incidentals for Various Woodcreek Parks.**
(Rawlings/Rule)

Presentation of Project by Parks and Recreation Chair, Pat Rawlings.

Motion was made by Member Hambrick that Council accept the recommendation of the Parks and Recreation Board, dated June 8th and to go forward with implementing the Parks project, as outlined in the presentation tonight. Motion was seconded by Member Bailey.

Member Hines offered an amendment to the motion to break the Parks Project into phases: Creekside #1 Playscape, 2nd Augusta Park, and 3rd the gazebo at the Triangle. Amendment was seconded by Member Grummert.

Amendment not accepted by Member Hambrick.

Member Hines' amendment became a separate motion.

A roll call vote was held on the second motion.

Voting Yea: Member Grummert, Member Hines

Voting Nay: Mayor Pro Tem Pulley, Member Bailey, Member Hambrick

Motion Failed: 2-3-0.

A roll call vote was held on the original motion.

Voting Yea: Member Hines, Mayor Pro Tem Pulley, Member Bailey, Member Grummert, Member Hambrick

Motion Passed: 5-0-0.

10. **Consider and Possibly Take Action to Adopt A Resolution Approving the Form of A Preliminary Official Statement Relating to the City of Woodcreek, Texas General Obligation Bonds, Series 2023; Authorizing Distribution and Publication of Such Preliminary Official Statement and Other Matters Related to the Issuance of the Bonds.**
(Rule)

Motion was made by Member Bailey that the City Council adopt a Resolution approving the form of a Preliminary Official Statement related to the City of Woodcreek, Texas General Obligation Bonds, Series 2023, authorizing distribution and publication of such Preliminary Official Statement and other matters related to the issuance of the bonds, which is before the Council. Motion was seconded by Member Hambrick.

A roll call vote was held.

Voting Yea: Member Bailey, Member Grummert, Member Hambrick, Member Hines, Mayor Pro Tem Pulley

Motion Passed: 5-0-0.

BREAK: 10:07P-10:19P

11. Discussion, Consideration, and Take Appropriate Action on the Receipt and Acceptance of the Audited Basic Financial Statements and Supplemental Schedules and Independent Auditors Report by ABIP, PC for the Fiscal Year Ended September 30, 2022. (Rule)

Motion was made by Member Hines that Council accept the audit and report by ABIP for the fiscal year 2022. Motion was seconded by Member Grummert.

A roll call vote was held.

Voting Yea: Member Grummert, Member Hambrick, Member Hines, Mayor Pro Tem Pulley, Member Bailey

Motion Passed: 5-0-0.

***** ***** *****

Motion was made by Member Grummert to postpone items 15 and 16 until the June 20th Workshop. Motion was seconded by Member Hines.

Member Grummert amended his motion to move items 13, 14, 15 and 16 to the Workshop. Motion was seconded by Member Hines.

A roll call vote was held.

Voting Yea: Member Hambrick, Member Hines, Mayor Pro Tem Pulley, Member Bailey, Member Grummert

Motion Passed: 5-0-0.

13. Approval of Financial Statements for April 2023. (Rule)

14. Discuss and Take Possible Action on A Conversion and Consolidation of the City Functions of Accounts Receivable/Payable, Payroll, Permitting and Code Enforcement into FundView Software. (Rule)

15. Discuss and Take Appropriate Action on a Resolution of the City of Woodcreek, Texas Update the City's Fund Balance Policy. (Rule)

**16. Discuss and Take Appropriate Action on A Resolution of the City of Woodcreek, Texas
Updating the City's Procurement Policy. (Rule)**

ANNOUNCEMENTS

ADJOURN

Jeff Rasco, Mayor

Suzanne MacKenzie, City Secretary

DRAFT

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Approval of Financial Statements for May 2023.

AGENDA ITEM SUMMARY:

RECOMMENDATION:

Approval of financial statements for June 2023

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

Consent Calendar

COMPLETION DATE:

7/3/2023 9:44:05 AM

**GENERAL FUND
SUMMARY OF REVENUES AND EXPENDITURES**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	5/31/2022	
				YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$ 1,373,668	\$ 1,414,326	\$ 1,147,428	1,147,428	
Revenues					
Ad Valorem Taxes	337,235	357,479	364,500	355,696	97.58%
Sales Taxes	95,923	89,871	81,200	69,549	85.65%
Franchise Fees	186,706	193,311	175,660	162,629	92.58%
Reimbursements	11,285	2,061	10,500	-	0.00%
Development Revenue	76,343	26,731	25,500	37,687	147.79%
Permits	1,630	2,013	1,600	2,120	132.50%
Other	31,016	22,608	14,000	57,054	407.53%
Total Revenues	740,138	694,074	672,960	684,734	101.75%
Other Funding Sources					
Fund Balance	-	288,485	236,950	-	0.00%
Total Other Funding Sources	-	288,485	236,950	-	0.00%
TOTAL RESOURCES	\$ 740,138	\$ 982,559	\$ 909,910	\$ 684,734	75.25%
Expenditures					
Personnel Services	233,781	245,621	208,600	127,108	60.93%
Office Expenses	40,399	36,865	39,300	36,094	91.84%
Professional Services	192,947	184,736	173,157	83,753	48.37%
Area Care & Maintenance	42,344	42,587	98,453	21,529	21.87%
Other Operating Expenses	26,356	30,864	28,800	19,033	66.09%
Utility Expenses	10,895	11,644	11,050	7,216	65.30%
Municipal Court	5,111	-	6,750	100	1.48%
Other	147,649	408,656	50,000	263,592	527.18%
Total Expenditures	699,481	960,972	616,110	558,423	90.64%
Other Financing Uses					
Transfer to Capital	-	-	294,000	-	0.00%
Total Other Financing Uses	-	-	294,000	-	0.00%
TOTAL EXPENDITURES	\$ 699,481	\$ 960,972	\$ 910,110	\$ 558,423	61.36%
ENDING FUND BALANCE	\$ 1,414,326	\$ 1,147,428	\$ 910,278	\$ 1,273,739	

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

				5/31/2022	
				YTD	% of
				2022-2023	BUDGET
				2020-2021	2021-2022
				2022-2023	2022-2023
Ad Valorem Taxes					
3000.01	Current	334,890	354,040	360,000	353,480 98.19%
3000.02	Delinquent	2,345	3,439	4,500	2,215 49.23%
	Penalty and Interest	-	-	-	-
Total Ad Valorem Taxes		337,235	357,479	364,500	355,696 97.58%
Sales Taxes					
3005.00	Sales Tax	94,412	88,478	80,000	68,679 85.85%
3010.00	Mixed Beverage Tax	1,511	1,393	1,200	870 72.51%
Total Sales Taxes		95,923	89,871	81,200	69,549 85.65%
Franchise Fees					
3020.00	Electric Franchise Fees	31,404	31,877	31,000	28,516 91.99%
3030.00	Cable Franchise Fees	33,260	34,779	30,000	16,832 56.11%
3040.00	Water Franchise Fees	99,351	100,581	90,000	94,817 105.35%
3050.00	Solid Waste Franchise Fees	22,004	25,418	24,000	22,361 93.17%
3060.00	Telephone Franchise Fees	186	157	160	103 64.58%
3080.00	Golf Course Franchise Fees	500	500	500	- 0.00%
Total Franchise Fees		186,706	193,311	175,660	162,629 92.58%
Reimbursements					
3080.10	Engineering	11,285	2,061	8,000	- 0.00%
3080.20	Legal	-	-	2,500	- 0.00%
3080.30	Admin	-	-	-	- 0.00%
Total Reimbursements		11,285	2,061	10,500	- 0.00%
Development Revenue					
3090.01	New Home Permits - Residential	23,000	7,000	6,000	2,000 33.33%
3090.01	Other Permit - Residential	14,129	8,198	7,000	3,293 47.04%
3090.01	Inspections -Residential	22,214	8,299	7,000	6,432 91.89%
	Commercial	3,250	3,234	500	- 0.00%
3090.03	Subdivisions/Plats/Replats	13,750	-	5,000	25,962 519.24%
Total Development Revenue		76,343	26,731	25,500	37,687 147.79%
Permits					
3093.00	Liquor License	1,310	1,388	1,250	- 0.00%
3095.00	Sign Permits	320	625	350	155 44.29%
3090.99	Other Permits	-	-	-	1,965 0.00%
Total Permit Fees		1,630	2,013	1,600	2,120 132.50%

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	5/31/2022	
				YTD 2022-2023	% of BUDGET
Other					
4000.00 Interest Income	1,259	9,339	2,500	50,941	2037.64%
4010.00 Miscellaneous	9,581	12,369	10,000	5,368	53.68%
4020.00 Municipal Court Revenue	2,293	901	1,500	-	0.00%
4035.00 TDEM DR - 4485	12,883	-	-	-	0.00%
4040.00 Donations	5,000	-	-	-	0.00%
Uncategorized Revenue				746	0.00%
Total Other	31,016	22,608	14,000	57,054	407.53%
TOTAL REVENUES	\$ 740,138	\$ 694,074	\$ 672,960	\$ 684,734	101.75%

**GENERAL FUND
EXPENSES**

			5/31/2022				
			ACTUAL	ACTUAL	BUDGET		
			2020-2021	2021-2022	2022-2023	YTD	% of
						2022-2023	BUDGET
PERSONNEL SERVICES							
5000.01	Salaries		184,271	196,403	170,000	93,433	54.96%
5000.04	Overtime		-	-	-	8,001	0.00%
5000.02	Group Insurance		8,615	6,958	6,000	3,744	62.39%
5000.40	Retirement Plan		19,409	21,562	18,100	10,834	59.85%
5000.23	Worker Compensation			539	-	-	0.00%
5000.22	Unemployment Insurance		601	918	1,100	29	2.60%
5000.21	Social Security		14,885	14,591	13,400	8,261	61.65%
5000.03	Car Allowance		6,000	4,650	-	2,808	0.00%
Total Personnel Services			233,781	245,621	208,600	127,108	60.93%
OFFICE EXPENSES							
5500.10	City Hall Maintenance/Repair		4,040	2,545	2,000	2,618	130.89%
5500.20	Cleaning		1,500	1,575	1,800	1,298	72.11%
5500.30	IT Expenses		10,668	10,421	10,000	2,315	23.15%
5500.50	Office Supplies		3,561	6,154	4,500	4,183	92.96%
5500.55	Office Equipment		-	-	-	3,730	0.00%
5500.60	Postage		2,025	2,312	3,000	2,522	84.06%
5500.61	Printing		4,183	4,091	4,500	1,302	28.94%
5500.62	Advertising		1,560	396	1,500	211	14.08%
5500.80	Software/Subscriptions		12,861	9,370	12,000	17,914	149.29%
Total Supplies			40,399	36,865	39,300	36,094	91.84%
PROFESSIONAL SERVICES							
6000.01	Audit Expense		9,896	11,990	12,000	-	0.00%
6000.10	Codification		3,239	2,831	2,750	-	0.00%
6000.11	Contract Labor		6,105		-	3,939	0.00%
6000.15	Engineering		12,611	11,967	20,000	15,517	77.59%
6000.16	Engineering Mapping		-	-	3,000	-	0.00%
6000.17	Engineering Reimbursable		5,946	9,905	8,000	8,090	101.13%
6000.21	Legal - General		23,985	26,370	20,000	19,711	98.56%
6000.22	Legal - Reimbursable		2,980	3,380	2,500	2,500	100.00%
6000.23	Legal - Litigation		46,368	7,520	5,000	-	0.00%
6000.25	Legal - Special Cases		7,778	38,288	30,000	3,295	10.98%
6000.26	Legal - Elected Body		-	10,270	5,000	2,375	47.50%
6000.30	IT Services		13,804	13,262	15,500	2,521	16.27%
6000.40	Accounting		13,383	16,160	25,000	16,188	64.75%
6000.50	Law Enforcement		15,913	16,809	12,500	5,938	47.50%
7000.01	AD Valorem Tax		3,824	4,100	4,407	1,864	42.30%
7000.02	Building Inspections		27,114	11,110	7,000	1,815	25.93%
7000.03	Code Compliance		-	774	500	-	0.00%
Total Contractual Services			192,947	184,736	173,157	83,753	48.37%

**GENERAL FUND
EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
AREA CARE & MAINTENANCE					
6500.01	Deer Removal	825	1,650	1,750	975 55.71%
6500.15	Mowing	575	2,625	2,750	5,400 196.36%
6500.20	Oak Wilt Containment	-	3,085	15,000	- 0.00%
6500.21	Greenspace Maintenance	3,342	-	6,000	5,792 96.53%
6500.22	Landscape Maintenance	6,000	9,170	9,000	2,375 26.39%
6500.23	Contract Services	703	-	-	470 0.00%
6500.24	Parks & Playground Maintenance	-	-	13,453	- 0.00%
6500.25	ROW Tree Trimming	15,150	945	11,000	- 0.00%
6500.26	Holiday Decorations	1,693	262	500	650 130.00%
6500.30	Street Maintenance	10,791	16,361	30,000	4,283 14.28%
6500.31	Street Signs	1,726	5,496	6,000	119 1.98%
6500.50	Equipment Maintenance	196	2,373	2,000	372 18.61%
6500.60	Water Quality Testing - CCWPP	1,344	620	1,000	1,093 109.30%
	Total Area Care/Maintenance	42,344	42,587	98,453	21,529 21.87%
OTHER OPERATING EXPENSES					
7000.04	Dues/Memberships	2,436	2,411	1,750	671 38.36%
7000.05	Election Expense	2,124	1,065	2,750	- 0.00%
7000.06	TML Dues	591	591	600	632 105.33%
7000.15	Meeting Expense	4,458	6,768	3,000	907 30.24%
7000.20	Public Notices	1,690	1,195	1,200	4,747 395.58%
7000.30	Travel/Vehicle Expense	1,253	4,743	2,000	102 5.12%
7000.31	Elected Official Travel	-	667	500	- 0.00%
7000.41	Training/Development - Elected Body	3,915	1,795	2,500	1,421 56.82%
7000.42	Training/Development - Staff	3,272	2,729	4,000	2,402 60.04%
7000.43	Training/Development - Boards	-	-	-	133 0.00%
7000.50	Community Relations	3,204	4,846	7,000	2,925 41.78%
7600.01	Insurance Risk Pool	3,413	4,053	3,500	5,093 145.52%
	Total Other Operating Expenses	26,356	30,864	28,800	19,033 66.09%
UTILITY EXPENSES					
7500.11	Electric - City Hall	1,809	1,972	2,100	1,027 48.93%
7500.12	Water - City Hall	1,431	1,427	1,500	988 65.84%
7500.21	Electric - Outdoor	1,281	1,318	1,350	948 70.23%
7500.22	Water - Outdoor	1,620	1,615	1,600	1,042 65.14%
7500.30	Internet/Phone	4,753	5,312	4,500	3,211 71.34%
	Total Utility Expenses	10,895	11,644	11,050	7,216 65.30%

**GENERAL FUND
EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
MUNICIPAL COURT					
8020.20 Judge	3,600	-	4,800	-	0.00%
8020.00 Misc. Court Cost	150	-	150	100	66.67%
8020.30 Prosecutor	880	-	1,500	-	0.00%
8020.40 State Comptroller Costs	481	-	300	-	0.00%
Total Utility Expenses	5,111	-	6,750	100	1.48%
OTHER					
8900.20 Contingency Reserve	-	-	50,000	-	0.00%
8900.25 2023 Ice Storm	-	-	-	232,340	
8900.30 Comprehensive Plan	50,200	20,740	-	31,252	0.00%
9015.00 Bond Issuance	-	-	-	-	0.00%
9800.12 Woodcreek Dr Street Project	97,449	387,916	-	-	
Other Expenses	147,649	408,656	50,000	263,592	527.18%
TOTAL EXPENSES	\$ 699,481	\$ 960,972	\$ 616,110	\$ 558,423	90.64%

**RESERVE FUND
SUMMARY OF REVENUES AND EXPENSES**

	5/31/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$168,375	\$168,375	
Revenues					
General Fund Transfers	-	-	-	-	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Other	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Transfer Out to General Fund	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 168,375	\$ 168,375	\$ 168,375	0%

**DEBT SERVICE
SUMMARY OF REVENUES AND EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$25,048	\$33,146	\$32,636	\$32,636	
Revenues					
9810.01 Ad Valorem Taxes	215,651	216,085	224,793	212,148	94.37%
Total Revenue	215,651	216,085	224,793	212,148	94.37%
Other Funding Sources					
Transfers in from Other Funds	-	-	-	-	0.00%
Fund Balance	-	510	400	-	0.00%
Total Other Funding Sources	-	510	400	-	0.00%
TOTAL RESOURCES	\$ 215,651	\$ 216,595	\$ 225,193	\$ 212,148	94.21%
Expenditures					
9810.03 Principal	195,000	207,000	219,000	219,000	0.00%
9810.02 Interest	12,153	9,195	5,793	3,811	0.00%
9810.04 Fees	400	400	400	400	0.00%
Total Expenditures	207,553	216,595	225,193	223,211	0.00%
Other Financing Uses					
Bond Refunding	-	-	-	-	0.00%
Total Other Financing Uses	-	-	-	-	0.00%
TOTAL EXPENDITURES	\$ 207,553	\$ 216,595	\$ 225,193	\$ 223,211	0.00%
ENDING FUND BALANCE	\$ 33,146	\$ 32,636	\$ 32,236	\$ 21,573	0.00%

**ARP FUNDS
SUMMARY OF REVENUES AND EXPENSES**

		5/31/2022				
		ACTUAL	ACTUAL	BUDGET	YTD	% of
		2020-2021	2021-2022	2022-2023	2022-2023	BUDGET
BEGINNING FUND BALANCE		\$0	\$0	\$425,621	\$425,621	
Revenues						
9810.01	ARP Funds	-	425,621	-		0.00%
Total Revenue		-	425,621	-	-	0.00%
Other Funding Sources						
Other Funding Sources		-	-	-	-	0.00%
Total Other Funding Sources		-	-	-	-	0.00%
TOTAL RESOURCES		\$ -	\$ 425,621	\$ -	\$ -	0.00%
Expenditures						
ARP Expenses		-	-	-	-	0.00%
Total Expenditures		-	-	-	-	0.00%
Other Financing Uses						
Transfer to Capital		-	-	425,621	-	0.00%
Total Other Financing Uses		-	-	425,621	-	0.00%
TOTAL EXPENDITURES		\$ -	\$ -	\$ 425,621	\$ -	0.00%
ENDING FUND BALANCE		\$ -	\$ 425,621	\$ -	\$ 425,621	0.00%

**PARK FUND
SUMMARY OF REVENUES AND EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$0	\$0	
Revenues					
4040.02 Donations	-	-	-	2,500	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	2,500	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ 2,500	0%
Expenditures					
Park Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ 2,500	0%

**TREE FUND
SUMMARY OF REVENUES AND EXPENSES**

				5/31/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$4,754	\$4,754	
Revenues					
Tree Income	-	-	-	-	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Tree Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 4,754	\$ 4,754	\$ 4,754	0%

**COURT SECURITY
SUMMARY OF REVENUES AND EXPENSES**

				5/31/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$19	\$19	
Revenues					
MC Security Fees	-	-	-	-	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Security Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 19	\$ 19	\$ 19	0%

**COURT TECHNOLOGY
SUMMARY OF REVENUES AND EXPENSES**

	5/31/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$26	\$26	
Revenues					
MC Technology Fees	-	-	-	-	-
Interest	-	-	-	-	-
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Fund Balance	-	-	-	-	-
Total Other Funding Sources	-	-	-	-	-
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Technology Expense	-	-	-	-	-
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	-
Total Other Financing Uses	-	-	-	-	-
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 26	\$ 26	\$ 26	0%

**PEG FUNDS
SUMMARY OF REVENUES AND EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$13,971	\$13,971	
Revenues					
3030.10 Peg Funds	-	-	6,650	13,634	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	6,650	13,634	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ 6,650	\$ 13,634	0%
Expenditures					
PEG Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 13,971	\$ 20,621	\$ 27,605	0%

**CAPITAL FUND
SUMMARY OF REVENUES AND EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	0.00%
Funding Sources					
3000.00 Revenue	-	-	-	-	0.00%
3001.00 POSAC Grant	-	-	200,000	-	0.00%
3002.00 CDBG Grant	-	-	-	-	
3001.00 2023 GO Bonds	-	-	-	-	
8000.00 Transfer In: General Fund	-	-	294,000	-	0.00%
8010.00 Transfer In: ARP Fund	-	-	425,624	-	
8999.00 Fund Balance	-	-	-	-	0.00%
Total Revenue	-	-	919,624	\$ -	0.00%
TOTAL RESOURCES	\$ -	\$ -	\$ 919,624	\$ -	0.00%
Expenditures					
Capital Expenditures	-	-	919,624	19,540	0.00%
Total Expenditures	-	-	919,624	19,540	0.00%
Other Financing Uses					
Other Expenses	-	-	-	-	0.00%
Total Other Financing Uses	-	-	-	-	0.00%
TOTAL EXPENDITURES	\$ -	\$ -	\$ 919,624	\$ 19,540	0.00%
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ (19,540)	0.00%

**CAPITAL FUND
EXPENSES**

			5/31/2022		
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
General Fund Capital					
20231	Parks	-	-	267,000	-
	<i>Creekside</i>	-	-	-	-
	<i>Augusta</i>	-	-	-	-
	<i>Triangle</i>	-	-	-	-
20232	Chip Seal Road Project	-	-	227,000	19,540
20233	Drainage Project (Westwood/Brrokhollow)	-	-	425,624	-
20234	Roads - GO Bonds	-	-	-	-
20235	Total General Fund Capital	-	-	919,624	19,540
TOTAL CAPITAL EXPENSES					
	\$	-	\$	-	\$ 919,624
				\$	19,540
				\$	-

Treasurer's Report
For the Period: October 2022 - May 2023

Item 2.

Percent Complete: 66.67%

	2022-2023			2021-2022			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	May-23	May-22	Difference
Revenue									
2900 Accounting Info Needed	-	-	n/a	-	-	n/a	-	-	-
3000 Ad Valorem Tax Revenue	-	-	n/a	-	-	n/a	-	-	-
3000.01 Ad Valorem Tax	353,480	360,000	98%	340,465	349,000	98%	1,964	4,105	(2,141)
3000.02 Delinquent Ad Valorem Tax	2,215	4,500	49%	2,474	-	n/a	159	264	(105)
3000 Ad Valorem Tax Revenue	355,696	364,500	98%	342,939	349,000	98%	2,123	4,369	(2,246)
3005 State Sales Tax Revenue	68,679	80,000	86%	58,169	80,000	73%	9,258	7,556	1,702
3010 Mixed Beverage Tax & Fees Rev	870	1,200	73%	766	1,500	51%	206	125	81
3020 Electric Franchise Fee Revenue	28,516	31,000	92%	23,837	34,000	70%	-	-	-
3030 Cable Services Franchise Rev	16,832	30,000	56%	26,067	30,000	87%	8,315	8,523	(208)
3030.1 PEG - Cable Revenue	13,634	6,650	205%	5,208	6,000	87%	1,663	1,705	(42)
3030 Cable Services Franchise Rev	30,466	-		31,275	-	#DIV/0!	9,978	10,228	(250)
3040 Water Service Franchise Revenue	94,817	90,000	105%	90,436	100,000	90%	-	-	-
3050 Disposal Service Franchise Rev	22,361	24,000	93%	18,692	25,000	75%	7,940	6,840	1,101
3060 Telephone Franchise Revenue	103	160	65%	120	200	60%	32	39	(7)
3070 Golf Course Franchise Revenue	-	500	0%	500	500	100%	-	-	-
3080 Reimbursements	-	-	n/a	-	6,000	0%	-	-	-
3080.10 Engineerings	-	8,000	0%	2,061	-	n/a	-	-	-
3080.20 Legal	-	2,500	0%	-	-	n/a	-	-	-
3080.30 Admin	-	-	n/a	-	-	n/a	-	-	-
3080 Reimbursements	-	10,500	0%	2,061	6,000	34%	-	-	-
3090 Development Revenue	-	-	n/a	-	-	n/a	-	-	-
3090.01 Residential	-	-	n/a	-	-	n/a	-	-	-
3090.011 New Home Permits	2,000	6,000	33%	5,000	5,000	100%	1,000	-	1,000
3090.012 Other Permits	3,293	7,000	47%	6,860	11,000	62%	-	707	(707)
3090.013 Inspections	6,432	7,000	92%	7,997	17,000	47%	-	325	(325)
3090.02 Commercial	-	500	0%	3,234	5,000	65%	-	-	-
3090.03 Other	-	200	0%	-	80	0%	-	-	-
3090.031 Subdivisions/Plats/Re-Plats	25,962	5,000	519%	-	5,000	0%	-	-	-
3090.99 Permits Other	475	-	n/a	-	-	n/a	350	-	350
Total 3090 Development Revenue	38,162	25,700	148%	23,090	43,080	54%	1,350	1,032	319
3093 Liquor License Revenue	-	1,250	0%	-	1,310	0%	-	-	-
3095 Sign Fees	155	350	44%	390	700	56%	-	-	-
3096 - Other Permits	1,490	-	n/a	-	-	n/a	-	-	-
4000 Interest Income	43,780	2,500	1751%	1,479	1,000	148%	1,182	601	581
4010 Other Revenue	5,368	10,000	54%	12,369	700	1767%	-	4,754	(4,754)
4010 Other Revenue	5,368	10,000	54%	12,369	700	1767%	-	4,754	(4,754)
4015 Oak Wilt Containment	-	6,000	0%	-	-	n/a	-	-	-
4020 Municipal Court Revenue	-	1,500	0%	901	1,500	60%	-	800	(800)
4035 TDEM DR-4485 Revenue	-	-	n/a	213,021	-	n/a	-	-	-
4040 Donations Received	-	5,200	0%	-	6,180	0%	-	-	-
4040.02 Park Donations	2,500	500	500%	1,180	-	n/a	-	-	-
Total Donations Received	2,500	5,700	44%	1,180	6,180	19%	-	-	-
4050 General Fund Transfer	-	-	n/a	-	-	n/a	-	-	-
Uncategorized Revenue	746	-	n/a	-	-	n/a	-	-	-
Total Revenue	693,707	691,510	100%	821,223	686,670	120%	32,070	36,344	(4,274)
Expenditures									
5000 Personnel Services	-	-	n/a	-	-	n/a	-	-	-
5000.01 Salaries and Wages	93,433	170,000	55%	132,657	208,500	64%	11,687	15,786	(4,099)
5000.02 Health Insurance Stipend	3,744	6,000	62%	5,967	8,600	69%	615	763	(147)
5000.03 City Manager Vehicle Reimburse	2,808	-	n/a	4,000	6,000	67%	462	500	(38)
5000.04 Overtime Wages	8,001	-	n/a	-	-	n/a	315	-	315
5000.05 Elected Official Pay	-	-	n/a	-	-	n/a	-	-	-
5000.20 Payroll Tax Expense	-	-	n/a	-	-	n/a	-	-	-
5000.21 FICA/OASDI	8,261	13,400	62%	9,665	16,410	59%	1,001	1,246	(245)
5000.22 Unemployment Insurance	29	1,100	3%	913	500	183%	-	3	(3)
5000.20 Payroll Tax Expense	8,289	14,500	57%	10,578	16,910	63%	1,001	1,249	(248)
5000.40 Retirement	10,834	18,100	60%	14,536	22,190	66%	1,274	1,800	(526)
Total 5000 Personnel Services	127,108	208,600	61%	167,739	262,200	64%	15,353	20,097	(4,744)
5500 Office Expenses	-	-	n/a	-	-	n/a	-	-	-
5500.05 Bank Fees & Charges	-	-	n/a	-	-	n/a	-	-	-
5500.10 City Hall Maintenance / Repairs	2,618	2,000	131%	551	4,000	14%	-	40	(40)
5500.20 Cleaning Costs	1,298	1,800	72%	1,000	1,500	67%	150	125	25
5500.30 IT & Radio Expenses	2,315	10,000	23%	10,461	15,000	70%	43	-	43
5500.40 Newsletter	-	-	n/a	-	-	n/a	-	-	-
5500.50 Office Supplies	4,097	4,500	91%	3,672	4,000	92%	753	602	152
5500.55 Office Equipment	3,730	-	n/a	-	-	n/a	3,171	-	3,171
5500.60 Postage & Shipping	2,518	3,000	84%	1,748	2,100	83%	1	479	(478)
5500.61 Printing & Reproduction	1,302	4,500	29%	2,975	4,000	74%	274	616	(342)
5500.62 Printing Cost Newspaper	211	1,500	14%	223	2,000	11%	94	-	-

	2022-2023			2021-2022			Y/Y Monthly Comparison			Item 2.
	YTD	Budget	%	YTD	Budget	%	May-23	May-22	Diff	
5500.70 Storage Rental	-	-	n/a	-	-	n/a	-	-	-	
5500.80 Software & Subscriptions	17,914	12,000	149%	4,538	15,000	30%	1,321	198	1,123	
Total 5500 Office Expenses	36,003	39,300	92%	25,169	47,600	53%	5,807	2,059	3,747	
6000 Professional Services	-	-	n/a	-	-	n/a	-	-	-	
6000.01 Audit Expense	-	12,000	0%	-	12,000	0%	-	-	-	
6000.10 Codification	-	2,750	0%	-	4,000	0%	-	-	-	
6000.11 Contract Labor	3,939	-	n/a	-	6,500	0%	620	-	620	
6000.15 Engineering	15,517	20,000	78%	11,270	10,000	113%	3,967	5,455	(1,488)	
6000.16 Mapping	-	3,000	0%	-	-	n/a	-	-	-	
6000.17 Engineering Reimbursable	8,090	8,000		9,847	4,000		4,953	7,338	(2,385)	
6000.15 Engineering	23,607	31,000	76%	21,117	14,000	151%	8,920	12,793	(3,873)	
6000.20 Legal Expenses	3,540	-	n/a	-	-	n/a	-	-	-	
6000.21 General	16,171	20,000	81%	25,490	65,000	39%	4,316	3,500	816	
6000.22 Legal Reimbursable	2,500	2,500	100%	2,540	3,000	85%	-	-	-	
6000.23 Litigation	-	5,000	0%	7,320	15,000	49%	-	-	-	
6000.25 Special Cases	3,295	30,000	11%	36,228	22,000	165%	-	28,470	(28,470)	
6000.26 Elected Body Legal	2,375	5,000	48%	2,290	-	n/a	500	-	500	
6000.20 Legal Expenses	27,881	62,500	45%	73,868	105,000	70%	4,816	31,970	(27,154)	
6000.30 IT Services	2,521	15,500	16%	9,325	14,500	64%	-	1,189	(1,189)	
6000.40 Accounting	16,188	25,000	65%	9,890	15,000	66%	1,995	1,369	626	
6000.50 Law Enforcement	5,938	12,500	48%	13,689	8,160	168%	-	12,249	(12,249)	
Total 6000 Professional Services	80,074	161,250	50%	127,888	179,160	71%	16,351	59,569	(43,219)	
6500 Area Care/Maintenance	-	-	n/a	-	-	n/a	-	-	-	
6500.01 Deer Removal	975	1,750	56%	1,350	1,000	135%	-	75	(75)	
6500.15 Mowing	5,400	2,750	196%	1,500	2,000	75%	2,225	-	2,225	
6500.20 Oak Wilt Containment	-	15,000	0%	-	15,000	0%	-	-	-	
6500.21 Greenspace Maintenance	5,792	6,000	97%	1,336	-	n/a	3,401	-	3,401	
6500.22 Landscape Maintenance	2,375	9,000	26%	6,885	10,000	69%	-	2,125	(2,125)	
6500.23 Contract Services	470	-	n/a	-	2,000	0%	-	-	-	
6500.24 Parks and Playground Maintenance	-	13,453	0%	-	30,000	0%	-	-	-	
6500.25 ROW Tree Trimming	-	11,000	0%	-	7,500	0%	-	-	-	
6500.26 Holiday Decorations	650	500	130%	262	2,000	13%	-	-	-	
6500.30 street maintenance	4,283	30,000	14%	7,515	20,000	38%	-	2,522	(2,522)	
6500.31 Street Signs	119	6,000	2%	3,999	4,000	100%	-	1,242	(1,242)	
6500.35 Storm Damage Reserve	-	-	n/a	-	1,000	0%	-	-	-	
6500.40 Tree Limb Pick-Up	-	-	n/a	-	-	n/a	-	-	-	
6500.50 Equipment Maintenance	372	2,000	19%	2,086	4,000	52%	11	-	11	
6500.60 Water Quality Testing CCWPP	1,093	1,000	109%	620	2,000	31%	-	-	-	
Total 6500 Area Care/Maintenance	21,529	98,453	22%	25,552	100,500	25%	5,637	5,964	(327)	
7000 Other Operating Expenses	-	-	n/a	-	-	n/a	-	-	-	
7000.01 Ad Valorem Tax Expense	1,864	4,407	42%	2,046	4,060	50%	-	-	-	
7000.02 Building Inspections	1,815	7,000	26%	9,190	12,550	73%	-	775	(775)	
7000.03 Code Compliance	-	500	0%	774	1,500	52%	-	-	-	
7000.04 Dues & Membership	671	2,500	27%	2,311	3,000	77%	256	891	(635)	
7000.05 Election Expense	-	2,000	0%	1,065	1,200	89%	-	-	-	
7000.06 TML Dues	632	600	105%	591	600	99%	-	-	-	
7000.10 Depreciation Expense	-	-	n/a	-	-	n/a	-	-	-	
7000.15 Meeting Expense	907	3,000	30%	6,521	5,000	130%	-	996	(996)	
7000.20 Public Notices	4,747	1,200	396%	822	3,000	27%	-	-	-	
7000.30 Travel & Vehicle Exp Reimb.	102	2,000	5%	4,898	5,000	98%	-	73	(73)	
7000.31 Elected Official Travel	-	500	0%	-	2,000	0%	-	-	-	
7000.40 Training & Prof Development	-	-	n/a	-	-	n/a	-	-	-	
7000.41 Elected Body	1,421	2,500	57%	1,165	2,500	47%	-	190	(190)	
7000.42 Staff	2,402	4,000	60%	3,851	5,000	77%	-	-	-	
7000.43 Boards/Committees	133	-	n/a	-	-	n/a	-	-	-	
7000.50 Community Relations	2,925	7,000	42%	1,490	6,000	25%	600	-	600	
Total 7000 Other Operating Expenses	17,619	37,207	47%	34,723	51,410	68%	856	2,925	(2,070)	
7500 Utilities	-	-	n/a	-	-	n/a	-	-	-	
7500.10 City Hall Utilities	-	-	n/a	-	3,500	0%	-	-	-	
7500.11 Electric	915	2,100	44%	1,192	-	n/a	238	140	98	
7500.12 Water	988	1,500	66%	955	-	n/a	128	118	10	
7500.10 City Hall Utilities	1,903	3,600	53%	2,147	3,500	61%	367	258	108	
7500.20 Outdoor Utilities	-	-	n/a	-	4,250	0%	-	-	-	
7500.21 Electric	828	1,350	61%	877	-	n/a	239	109	131	
7500.22 Water	1,042	1,600	65%	1,069	-	n/a	129	129	0	
7500.20 Outdoor Utilities	1,870	2,950	63%	1,946	4,250	46%	368	237	131	
7500.30 Telephone & Internet	3,211	4,500	71%	3,612	6,200	58%	522	457	65	
Total 7500 Utilities	6,983	11,050	63%	7,705	13,950	55%	1,257	953	304	
7600 Insurance	-	3,500	0%	4,592	-	n/a	-	-	-	
6010 Health Insurance (deleted)	-	-	n/a	-	-	n/a	-	-	-	
7600.01 TML Insurance	5,093	200	2547%	200	4,600	4%	-	200	(200)	
7600 Insurance	5,093	3,700	138%	4,792	4,600	104%	-	200	-19992%	
7700 TDEM DR-4485 Expenditures	-	-	n/a	-	-	n/a	-	-	-	
8020 Municipal Court Costs	100	-	n/a	-	-	n/a	-	-	-	
8020.20 MC Judge	-	4,800	0%	600	3,600	17%	-	-	-	
8020.25 Misc. Court Costs	-	150	0%	-	2,500	0%	-	-	-	

	2022-2023			2021-2022			Y/Y Monthly Comparison			Item 2.
	YTD	Budget	%	YTD	Budget	%	May-23	May-22	D	
8020.30 Prosecutor	-	1,500	0%	2,540	3,000	85%	-	-	-	
8020.35 Court Bailiff	-	-	n/a	-	750	0%	-	-	-	
8020.40 State Comptroller Costs	-	300	0%	(45)	700	-6%	-	-	-	
8020.41 Supplies	-	-	n/a	67	200	34%	-	-	-	
8020.60 Public Safety	-	-	n/a	-	-	n/a	-	-	-	
Total 8020 Municipal Court Costs	100	6,750	1%	3,162	10,750	29%	-	-	-	
8900 Miscellaneous	-	75,200	0%	5,000	120,650	4%	-	-	-	
8900.10 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-	
8900.20 Contingency Reserve	-	50,000	0%	-	50,000	0%	-	-	-	
8900.25 Ice Storm 2023	232,340	-	n/a	-	-	n/a	-	-	-	
8900.30 Projects	31,252	-	n/a	16,709	-	n/a	-	8,827	(8,827)	
8900.40 Engineering Services – Street Projects	-	-	n/a	21,588	15,000	144%	-	-	-	
Total 8900 Miscellaneous	263,592	125,200	211%	43,297	185,650	23%	-	8,827	(8,827)	
9077 General Fund Accrual	-	-	n/a	-	(169,150)	0%	-	-	-	
Unapplied Cash Bill Payment Expenditure	-	-	n/a	-	-	n/a	-	-	-	
Uncategorized Expense	973	-	n/a	-	-	n/a	186	-	186	
Total Expenditures	559,073	691,510	81%	440,027	686,670	64%	45,446	100,594	(55,148)	
Net Operating Revenue	134,634	-	n/a	381,197	-	n/a	(13,376)	(64,250)	50,875	
Other Revenue										
4019 Proceeds from Capital Leases	-	-	n/a	-	-	n/a	-	-	-	
9810.01 Sinking Fund Revenue	212,148	224,793	94%	207,281	-	n/a	1,271	2,641	(1,370)	
8500 Capital Improvement Income	200,000	227,000	88%	0	-	n/a	-	0	(0)	
Total Other Revenue	412,148	451,793	91%	207,281	-	n/a	1,271	2,641	(1,370)	
Other Expenditures										
8500.25 Capital Improvement Expense	-	-	n/a	-	-	n/a	-	-	-	
9800.23 Chip Seal Project FYE23	19,540	-	n/a	-	-	n/a	9,542	-	9,542	
9001 Capital Lease Principal	-	-	n/a	-	-	n/a	-	-	-	
9002 Interest on Capital Lease	-	-	n/a	-	-	n/a	-	-	-	
9005 Bond Interest Paid	-	-	n/a	-	-	n/a	-	-	-	
9006 Bond Costs of Issuance	1,764	-	n/a	-	-	n/a	-	-	-	
9800.01 Capital Expenditures - CY	-	-	n/a	-	-	n/a	-	-	-	
9800.1 Capital Project Expenditures - FY	-	227,000	0%	-	-	n/a	-	-	-	
9800.11 2017 Street Improvements	-	-	n/a	-	-	n/a	-	-	-	
9800.12 2017 Street Improvements Legal	-	-	n/a	-	-	n/a	-	-	-	
9800.13 2021 Street Improvements	-	-	n/a	387,916	-	n/a	-	-	-	
9810.02 Sinking Fund Interest & Fees	3,811	5,793	66%	5,784	-	n/a	-	-	-	
9810.03 Sinking Fund Principal	219,000	219,000	100%	207,000	-	n/a	-	-	-	
9810.04 Agent Fees	400	-	n/a	-	-	n/a	-	-	-	
9800.02 Other Miscellaneous Expenditure	-	-	n/a	(417,633)	-	n/a	-	-	-	
9888 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-	
Total Other Expenditures	244,515	451,793	54%	183,067	-	n/a	9,542	-	9,542	
Net Other Revenue	167,633	-	n/a	24,214	-	n/a	(8,271)	2,641	(10,912)	
Net Revenue	302,267	-	n/a	405,411	-	n/a	(21,646)	(61,609)	39,963	

Date	Name
05/02/2023	Atteign LLC
05/02/2023	Government Treasurers' Organization Of Te
05/03/2023	Atteign LLC
05/04/2023	United States Postal Service
05/05/2023	TMRS
05/08/2023	Law Office of Roger Gordon
05/08/2023	ODP Business Solutions LLC
05/08/2023	Landscape Business Services, LLC
05/08/2023	Amazon Capital Services, Inc.
05/08/2023	Suzanne Mac Kenzie
05/08/2023	Marissa Anderson
05/08/2023	HOT IT
05/08/2023	Sean Rawlings
05/08/2023	Zoom Video Communications
05/09/2023	..
05/11/2023	Amazon
05/11/2023	Hill Country Land Improvement
05/12/2023	Payroll Account
05/15/2023	Xerox Financial Services
05/17/2023	United States Postal Service
05/17/2023	Atteign LLC
05/18/2023	Sherry Rogers & Co.
05/22/2023	HEB
05/22/2023	Walmart
05/22/2023	Office Depot
05/22/2023	American Association Of Notaries
05/22/2023	Amazon
05/23/2023	Yvette Foster Photography
05/23/2023	Xerox Business Solutions Southwest (Dahill)
05/23/2023	Verizon
05/23/2023	Trevor Cutler
05/23/2023	Sean Rawlings
05/23/2023	San Marcos Daily Record
05/23/2023	Pitney Bowes Purchase Power Inc.
05/23/2023	Spectrum Business
05/23/2023	AquaTexas, Inc.
05/23/2023	AquaTexas, Inc.
05/23/2023	AquaTexas, Inc.
05/23/2023	PEC - Utilities
05/23/2023	AquaTexas, Inc.

05/23/2023 K Friese & Associates, Inc.
05/26/2023 Payroll Account
05/31/2023 Kwik Chek

TOTAL

Friday, Jun 09, 2023 03:59:01 PM GMT-7 - Cash Basis

The City of Woodcreek
Transaction Report
May 2023

Memo/Description	Amount
Software subscriptions	-162.50
Membership through 3/1/24	-75.00
Monthly accounting services	-1,995.00
POS Purchase TX WIMBERLEY USPS P POS Purchase TX WIMBERLEY USPS	-4.15
Retirement contributions	-2,441.84
Legal services	-4,816.20
Office supplies	-53.88
Landscaping services	-2,225.00
Office supplies and color copier	-3,504.64
Reimbursement for SD PA TOWEL	-15.11
Plant & bookbinder	-96.06
IT such as Premium packages, Office 365, Backup software & storage, Email sec	-1,164.84
Contract labor hours	-285.00
Zoom subscription	-17.04
POS Purchase TX MSEWELL@SSSRH HI POS Purchase TX MSEWELL@SSSR	-42.76
POS Purchase WA AMZN.COM/BILL Am POS Purchase WA AMZN.COM/BILL AI	-52.60
Par View Parking Pad	-3,401.25
Automatic transfer to payroll account to cover payroll costs.	-6,786.41
Contract # 010-0164812-001, Customer 164812, Lease pmt	-190.63
Postage shortage - mail Letter of Public Hearing for homeowner who lives in Neth	-0.87
Software subscriptions	-162.50
Monthly payment for office cleaning services	-150.00
Drinking water	-10.44
Office supplies	-32.62
Office supplies	-116.65
Notary bond, filing fee, insurance, package, membership	-180.94
POS Purchase WA AMZN.COM/BILL AM POS Purchase WA AMZN.COM/BILL AI	-86.30
Headshot, City of Woodcreek (City coded 5500.50)	-95.00
Color meter; WC44:40G975	-42.10
Acct # 842103446-00001 Monthly - internet access for computer	-166.34
Decomposed granite, skid steer rental & fuel, labor (City coded to 7000.50)	-600.00
Contract labor hours	-334.50
RA1906 - Public notices	-93.85
8000-9090-0977-2711 Postage meter equipment and/or services	-41.26
Cable service	-212.43
Water bill payment (Brookhollow & Woodcreek)	-42.92
Water bill payment (Par View)	-43.29
Water bill payment (City Hall)	-128.37
Monthly electric payment 3 meters (City Hall, Entrance, Brookhollow)	-477.45
Water bill payment (Gatehouse)	-42.92

Engineering services	-18,461.83
Automatic transfer to payroll clearing to cover payroll costs.	-6,377.22
Fuel for Mule	-10.70
	<hr/>
	-\$ 55,240.41

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Receive briefing from Stifel, Nicolaus & Company, Inc., regarding pricing summary of the City's General Obligation Bonds, Series 2023, and matters incident thereto

AGENDA ITEM SUMMARY:

RECOMMENDATION:

None

FINANCIAL IMPACT:

None

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

7/3/2023 10:46:52 AM

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Consider and possibly take action to adopt an ordinance authorizing and ordering the issuance of City of Woodcreek, Texas General Obligation Bonds, Series 2023; prescribing the terms and form thereof; making other provisions regarding such bonds, including use of the proceeds thereof, and matters incident thereto

AGENDA ITEM SUMMARY:

RECOMMENDATION:

I move that the City Council adopt the ordinance by the City Council of the Ordinance authorizing and ordering the issuance of City of Woodcreek, Texas General Obligation Bonds, Series 2023, which is before the Council.

FINANCIAL IMPACT:

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

7/3/2023 10:48:20 AM

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Presentation of the Spirit of Woodcreek Award to the team at Camp Young Judaea

AGENDA ITEM SUMMARY:

Presentation of the Spirit of Woodcreek Award to the team at Camp Young Judaea for the help, generosity and support they have given to this community.

RECOMMENDATION:

Presentation of the Spirit of Woodcreek Award to the team at Camp Young Judaea

FINANCIAL IMPACT:

Cost of Certificate

SUBMITTED BY:

Brent Pulley

AGENDA TYPE:

New Business

COMPLETION DATE:

6/26/2023 11:31:44 AM

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Possible Action on a Resolution Setting Regular Council Meetings, Their Frequency, Location, and Time.

AGENDA ITEM SUMMARY:

Response to discussion to hold two regular meetings of the Council each month.

RECOMMENDATION:

Set two regular Council Meetings on the 2nd (6:30pm) and 4th (3:00pm) Wednesdays of the month

FINANCIAL IMPACT:

Staff time (should not change significantly from current procedures)

SUBMITTED BY:

Jeff Rasco

AGENDA TYPE:

New Business

COMPLETION DATE:

6/28/2023 1:46:19 PM

CITY OF WOODCREEK, TEXAS

RESOLUTION 2023-07-12-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF ITS MEETINGS; AND REPEALING ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH.

WHEREAS the City of Woodcreek City Council (City Council) wishes to formally adopt rules of procedure for City Council meetings; and

WHEREAS provide clear, transparent, and comprehensive rules of procedure, which are vital to the efficient administration of City matters.

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

SECTION 1. The following rules of procedure shall govern all meetings and proceedings of the City Council and the conduct of all members and other persons in attendance at such meetings.

DEFINITIONS

MAJORITY VOTE: Except when governed by specific rules to the contrary, a *majority vote* is the fundamental requirement to pass a motion. A *majority vote* simply stated, is *more than half*. And a majority vote refers to more than half of the votes actually cast, not more than half of the votes that could be cast if everybody voted.

TWO-THIRDS VOTE: As a means of balancing the rights of the entire group with the rights of individuals, some decisions require the affirmative consent of at least twice the number of members as are not in favor. This vote is called a *two-thirds* vote and refers to two-thirds of the votes cast.

ABSTENTION: A voting member present and choosing not to vote. Abstentions are not counted and are neither an AYE or a NAY, but will be listed in the minutes as 'abstain'.

Rule 1. Meetings, Regular and Special

(A) The City Council shall meet at Camp Young Judaea, Woodcreek City Hall or VFW Post 6441, depending on availability of each venue and anticipated citizen attendance. All such meetings shall be held on the second Wednesday of each month, commencing at 6:30p.m., with a second regular meeting held on the fourth Wednesday of each month at 3:00 pm, unless set for another time or date by resolution of the City Council. In the event a second Wednesday falls on a holiday, the meeting for that day shall be rescheduled as determined by Council by and through a resolution, Any meeting of Council may be recessed from hour to hour for a period not to exceed 24 hours, by an affirmative vote of four (4) or more voting members of the City Council present at such meeting, and such recessed meeting may be held without further posted notice in compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

(B) Special meetings may be held on the call of the Mayor or on the application of three (3) Councilmembers to the Mayor. The agenda items for such meetings shall be determined at the discretion of the person or persons calling the meeting.

(C) The Mayor and City Manager shall be responsible for compiling the agenda for all regular and special meetings. For regular meetings, members of the Governing Body of the City of Woodcreek or City Manager may request agenda items, and all such requested agenda items shall be accepted and placed on the agenda. If it becomes necessary to postpone placement of the requested item, the Mayor and City Manager must confer with the requesting Councilmember to obtain their agreement.

(D) Meetings will follow Robert's Rules of Order, as revised.

~~(E) City staff may approach any member of the Council, including the Mayor, with an item for Council to entertain, but that member of Council has discretion to place the item on the agenda. The member of Council then becomes the sponsor of that item once placed on the agenda.~~ The agenda will have a section called "city staff and/or city committee reports" for every ~~monthly~~ regular meeting. Each staff and/or committee member will be responsible for providing report documentation in the agenda packet.

Rule 2. Chairman and Call to Order

The Mayor, or in the Mayor's absence, the Mayor Pro Tern, shall preside at all meetings of the Council. If the Mayor and the Mayor Pro Tern are absent, the Mayor, or a majority of the Council, may appoint a Councilmember to preside. At the hour of the meeting, the Mayor shall call the Council to order, and the City Secretary shall record the roll.

Rule 3. Conduct of Mayor and Councilmembers

Any member of the Council, including the Mayor, who fails to observe decorous and orderly behavior during a meeting, or who disturbs a meeting of Council with such disorderly conduct, is subject to being expelled from such meeting upon motion passed by a two-thirds vote of the Council present at the meeting. Any member reprimanded by motion or expelled from a meeting by motion who commits another breach of decorous or disorderly behavior during a subsequent meeting shall be subject to a reprimand upon a motion approved by two-thirds of the Council present at the meeting. A Councilmember, upon a vote from two-thirds of Council present at the meeting, may be subject of a reprimand, complaint, or investigation.

Rule 4. Handling of Question of Order

All questions of order shall be decided by the presiding officer with the right of appeal such decision by the City Council. The majority of the Councilmembers present, through a motion, may overrule the decision of the presiding officer. When the presiding officer, rules on a point of order and one of the Councilmember states, "I appeal the ruling!" or words to such effect, no other business shall be transacted until a vote on the appeal is completed. The presiding officer shall immediately put such question to vote without debate, and, if not, any member of the Council may put the question to a vote.

Rule 5. Procedure for Submitting Agenda Items

For a regular council meeting, any and all ordinances, resolutions or other matters, including all written data and supporting documents, except emergency items, to be brought by the Mayor or by a member of the City Council for consideration, shall be submitted to the City Manager not later than 1:00p.m. of the Monday the week preceding the meeting at which the same is to be considered. Items shall identify the subject matter to be discussed with such notification in compliance with the Texas Open Meetings Act and provide the possible action the sponsor intends the City Council take during the

meeting, e.g., discussion, update, and/or take appropriate action. All items shall be accompanied by supporting documents intended to be considered by the City Council.

For special meetings, the member or members calling the meeting shall submit any and all ordinances, resolutions or other matters, including all written data and supporting documents to the City Manager not later than 1:00p.m. one week (7 days) before the scheduled special council meeting at which the same is to be considered. Items shall identify the subject matter to be discussed with such notification in compliance with the Texas Open Meetings Act and provide the possible action the sponsor intends the City Council take during the meeting] e.g., discussion, update, and/or take appropriate action. All items shall be accompanied by supporting documents intended to be considered by the City Council.

The name of the sponsor of the agenda item shall be listed with that item on the agenda. The sponsor of an item is given the opportunity to speak first about their item during discussion and speak last to that item.

Rule 6. Motion to Table

Since the Council has regularly scheduled meetings, a motion to table, when carried, does not permanently defeat an ordinance, resolution, motion, or other measure. Motions laid on the table are merely temporarily laid aside and may be taken from the table at any time. This motion is for the sole purpose of taking up more urgent business that requires the council or governing body's immediate attention. The motion to "Lay on the Table" is carried by majority vote and is not debatable or amendable and does not have interrupting privileges. Once tabled, the motion shall be on the next agenda, now listed under "Unfinished business." Council may not debate nor take any action that would affect the tabled question until a subsequent in-order motion to "Take from the Table" is moved, seconded, and carried. At the following Council meeting the chair will automatically bring up for consideration the Unfinished business before moving to the regular agenda. If the tabled motion continues to be 'tabled', after three months the motion dies.

The motion to "Lay on the Table" should not be confused with the motion to Postpone to a Certain Time or with the motion to Postpone Indefinitely. The purpose of these motions is to postpone or suspend debate on a question for reasons other than to consider more urgent business.

Rule 7. Closing of Debate

If, during debate upon any ordinance, resolution, motion or other matter before the Council, any member wishing to end debate, the member, after seeking and receiving recognition from the chair, may move to end debate, commonly called "question" or "calling the question." This motion requires a second. This motion is non-debatable. Immediately after the second, the chair takes the vote regarding the motion to end debate. It takes two-thirds of the voting members present in favor of ending debate to close discussion on the original motion being considered. If two-thirds of the voting members end the discussion, then the chair immediately takes a vote on the pending motion and any possible amendments to that motion without any further debate or discussion. Provided however, debate may not be closed until such time as each councilmember has been given opportunity to speak on the agenda item in an amount of time not to exceed three (3) minutes.

Rule 8. Citizens' Right to be Heard

Any citizen shall have a reasonable opportunity to be heard at any and all meetings of the City Council in regard to: (1) any and all matters to be considered at any such meeting, or (2) any matter a citizen may wish to bring to the Councils attention. No member of the Governing Body may discuss or comment on any citizen public comment, except to make: (1) a statement of specific factual information

given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting per Texas Local Government code Sec. 551.042.

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

Citizens may submit written public comments not exceeding 300 words in length to the City Secretary not later than 1:00p.m. of the Monday preceding the meeting at which the citizen would like the public comment received. If the written public comment is submitted by this time, it shall be read into the public record for the upcoming meeting.

Rule 9. Suspension of Rules of Procedure

Any of the rules of procedure may be suspended (by a two-thirds vote of the voting councilmembers present) to allow consideration of a matter unless doing so would violate the U.S. Constitution, Texas Constitution, and/or Federal or State Law.

Rule 10. Rules of Procedure

Except where in conflict with applicable law, the most recent version of Robert’s Rules of Order shall govern the proceedings of the City Council.

SECTION 2. It is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 3. City of Woodcreek resolutions or parts of resolutions inconsistent or in conflict herein, ~~specifically Resolution No. 13-111302~~, are to the extent of such inconsistency or conflict, hereby repealed.

SECTION 4. This Resolution shall be effective immediately upon its passage.

Passed and approved, this, 12th day of July 2023 on a roll call vote of the City Council of Woodcreek, Texas.

City of Woodcreek:

Attest:

Jeff Rasco, Mayor

Suzanne Mac Kenzie

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on the City of Woodcreek Social Media Policy

AGENDA ITEM SUMMARY:

Gives the City Manager or designee responsibility of social media platform for the City of Woodcreek

RECOMMENDATION:

FINANCIAL IMPACT:

None

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

7/3/2023 10:59:54 AM

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2023-07-12-04

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS
UPDATING THE SOCIAL MEDIA POLICY

WHEREAS, the City Council has reviewed the existing Social Media Policy and the newly proposed version on July 12, 2023; and

WHEREAS, the City Council finds the maintenance of the Social Media Policy to be in the public interest, and necessary for the efficient and effective administration of City business.

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

1. The document entitled, "City of Woodcreek Social Media Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Social Media Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Social Media Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed 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 July 2023, by a vote of ____ ayes to ____ nays to ____ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

 Jeff Rasco, Mayor

 Suzanne Mac Kenzie, City Secretary

CITY OF WOODCREEK
[DRAFT] SOCIAL MEDIA POLICY
July 12, 2023

1. Purpose.

The City of Woodcreek, Texas Official Social Media/Communications Policy (“Social Media Policy”) is to establish regulations for the development, operation and administration of the City’s Social Media Presence to ensure that such social media pages remain a non-public forum subject to the City administration’s exclusive use and control. The purposes and goals of the City’s Social Media Presence are as follows:

- a. To provide a convenient and information-rich resource regarding the City for residents, visitors, businesses, non-profit organizations, governmental entities, schools, and other public resources.
- b. To provide information and resources that contribute to the health, safety and welfare of the citizens of, and visitors to, the City of Woodcreek.
- c. To contribute to the improvement of City serves, foster economic and residential development, and enhance the sense of community within the City.
- d. To establish and strengthen long-term partnerships between the City, the County, along with individuals and entities in both the public and private sectors where such partnerships further the goals of advancing and strengthening the public health, safety, and welfare.
- e. To provide information about the City and local services in a manner that is as manageable, efficient, and organized as possible.
- f. To provide an opportunity and means to create a personalized face for the City to display to its residents, businesses, neighboring entities and individuals who may have heard about the City of Woodcreek or are curious about the same but have yet to visit or meet anyone who calls the City home.
- g. To encourage and help generate civic pride and foster a sense of community among the City’s residents.
- h. To provide a readily available and accessibly means for the City to effectively communicate news, emergency updates, upcoming events, information, and recognition to the public at large.
- i. To complement and increase awareness of information available through the City’s website.

2. Policy

The City Manager and his or her designee, as may be appropriate, shall operate and maintain the City Social Media Presence and engage in the use of preferred Social Media Platforms as may be provided in this Policy and any amendments or supplements thereto.

3. Emergency Services Requests

Requests for emergency services, such as those seeking assistance from police, firefighting, EMS/ambulance services, or animal control services should NOT be directed to the City's Social Media Presence. Person(s) needing immediate assistance should contact 9-1-1 or request such emergency services by some other recognized and reliable method.

4. Non-Public Forum Status

The City's Social Media Presence, including any accounts established by City staff pursuant to the same, are to be considered "non-public forums." While the City encourages the public to use these mechanisms to access information and resources, the City expressly reserves the right to impose certain reasonable and narrowly-tailored restrictions on the use of the City's Social Media accounts. The City's Social Media Presence shall NOT be used to facilitate general debate, public discourse, or the free exchange of ideas; all of these priorities are intended to use other available forums as may already exist or be created in the future. Use of the City's Social Media Presence is restricted to only those uses authorized by the City Manager with input from the City Council.

5. Authority of City Manager

- a. The City Manager or his or her designee shall have the sole authority and responsibility for the implementation of this Policy. The City Manager may also make interpretations on issues that are not clearly articulated or not included in this Policy, so long as the City Manager's discretion is exercised in a manner consistent with the stated purposes of this Policy.
- b. Only the City Manager, or the City Manager's authorized designee, shall be authorized to perform any of the following functions:
 - i. create, establish, register, or otherwise initiate any Social Media Account on behalf of the City of Woodcreek or which appears to be established by the City, or to use any Social Media account in such fashion;
 - ii. modify the content of any City Social Media Account;
 - iii. to set, remove, or otherwise modify any User-controlled settings associated with a City-associated Social Media Account;
 - iv. publish any information to the City's authorized Social Media Account(s) on the City's behalf, or in any fashion which may be attributable to the City;
 - v. create, delete, or modify a social media/internet link to the Social Media Account of any other person or entity;

- vi. use any function of a Social Media Platform which states or implies an opinion or position held by the City, as may be formally adopted or established by the City Council; or
 - vii. modify the City Website or any City Social Media Account.
- c. This Policy will be posted on the City Website for review by the public at any time. If technologically feasible, any Social Media Account established by the City will include a copy of this Policy or a link to this Policy as published on the City's Website.
- d. Questions or comments regarding any subjects or issues addressed in this Policy may be directed to:

City of Woodcreek
 Attn: City Manager
 41 Champions Circle
 Woodcreek, Texas 78676

6. Privacy

- a. The City is sensitive to the privacy interests of the users who may access any City Social Media Account and believes that the protection of those interests is of great importance. The City's goal in collecting personal information online is to provide the users with the most personalized and effective service possible. By understanding the user's needs and preferences, the City may provide users with improved service. The City strives to protect online personal information in the same manner that the City protects residents and business' information obtained through other permissible means. The following information explains the City's policy regarding any personal information supplied when using or accessing the City's Social Media content.
- b. Social Media Account Privacy Policies: when a visitor accesses or views the City's Social Media Account page(s), those sites may use or otherwise employ automated tools to log information about each such unique visitor. The City reserves the right to process this information in the manner or methods made available by the Social Media platforms to determine site performance issues, such as popular pages, most frequently downloaded forms, and other site performance characteristics. This information does not publicly identify such users individually.
- c. Social Media Privacy Policies (*cont.*): By their nature, Social Media Accounts are accessible by a vast number of persons and entities over which the City has no control. The City may use or otherwise employ automated tools to log information about visitors to the City's Social Media Accounts and associated websites. The City may process this information in the aggregate to determine Social Media Platform issues, such as popular posts or messages, links established with other Social Media Accounts and are re-transmitted by other parties, and other similar usage information. However, the City cannot guarantee that the information available to the City or a third party through a particular platform will not identify a user personally. To determine whether or not personally-identifiable information will be accessible to the City or a third party when interfacing with a City Social Media Account, a user is encouraged to refer to the privacy policies and terms of use applicable to each Social Media Platform. The City will not track or record

information about individuals and their visits to City Social Media Accounts, except to the extent required by law or automated by the platform itself.

- d. Sensitive Information/Communications: Visitors to the City's website or Social Media Accounts are hereby notified that any information provided to the City by any means of the user may not be maintained confidentially by the City. Information received by the City by any person through a Social Media Account may later be shared with third parties, particularly when such information is subject to disclosure under the Texas Public Information Act or other statute. Any person wishing to communicate confidentially with the City or any City official, officer, or employee should first contact the City to determine the appropriate channel (if any) for such communication prior to revealing any sensitive information or material that the user does not wish shared with third parties. City employees are prohibited from using any City Social Media Account to transmit or otherwise allow access to any information which the City employee has any special right or ability to access or any information which is privileged by law or statute.
- e. Disclaimer: While every effort will be made to keep information provided over the internet accurate and up-to-date, the City of Woodcreek does not certify the authenticity or accuracy of any such information. Users are encouraged to contact the City directly for the most current and up-to-date information. No warranties, express or implied, are provided for the content, records and/or mapping data as may be provided therein.
- f. The City of Woodcreek, its elected officials, officers, employees, agents, and consultants assume no legal responsibility for the information or accuracy contained on any website, account or platform as described herein, including any action taken in reliance on any information contained herein. The City and its officials, employees and agents shall have no liability for any damages, losses, costs, expenses, or fees – including but not limited to attorney's fees – arising from the use or misuse of the information provided herein.
- g. By accessing the City's Social Media Accounts and using any information therein, the User is stating that the above Disclaimer has been read and that he/she has full understanding and is in agreement with the contents.

7. Final Decision

The decision to post or not to post content and/or links on the City's Social Media Accounts rests solely with the City Manager and his or her designee. The decision of the City Manager and his or her designee is final and binding. Under no circumstances will individuals or entities be entitled to compensation or damages in the event the City Manager and his or her designee directs the City to include or exclude the content or link.

City of Woodcreek

Social Media Policy

Overview

The City of Woodcreek has an official City presence on two social media sites – Facebook and Nextdoor. These accounts are managed by the City Manager who is designated the administrator, but they may delegate the duties of posting and maintenance of the profiles to other city employees. The Mayor may utilize the posting feature of social media profiles for official City communications.

Purpose

The purpose of social media pages used by the City is to share information about city business and events, celebrate the achievements of our community, share about other community events outside of those sponsored directly by the City which could be relevant or beneficial to residents, and provide updates about issues and events that impact our citizens. In times of crises or emergency, the City's social media pages will be used to disseminate critical information to promote the health, welfare, and safety of residents.

Rules of Engagement

Comments and reactions will be limited to specific posts seeking public input. There shall be no public posting on the City social media profiles by anyone other than the City Manager, Mayor, or other designated City Employee.

The administrators reserve the right to remove posts that violate community guidelines and/or violate the privacy of staff. A comment may be removed if it:

- Threatens physical violence or is obscene, vulgar, or sexually explicit
- Promotes illegal use of drugs, alcohol, or other controlled substances
- The materials endorse actions endangering the health or safety of others
- The post contains untrue and potentially harmful statements about a city employee or identifies a specific employee in a defamatory, abusive, or negative way, or violates an employee's privacy
- Violates the law or encourages others to do so or advocates imminent lawlessness or disruptive action and is likely to incite or produce such action
- Violates the intellectual property rights of another person or entity
- Contains hate speech or similar language that offensively attacks any group, including racist, homophobic, sexist, obscene or sexually explicit remarks
- Violates federal or state law or any Board policies regarding the protection of employee privacy or the confidentiality of employee

- Is for fundraising activities and are from a group not affiliated with the City.
- Advertises or promotes goods or services or is “spam”
- Creates reasonable cause to believe that posting the information will cause material or substantial disruption or interference with City business or the rights of others

Guidelines for City Responses

Direct Message Communication and Open Comments

The City’s social media platforms exist for the purpose of sharing information with the public, and are not the best venues for individuals to report concerns to or seek information from the City. Questions, requests for information, and reports of concern should be directed to the City via the official City email, phone, or by going to City Hall directly.

The City of Woodcreek is not responsible for user-generated content on posts open for comments. Therefore, the opinions expressed in that content do not necessarily reflect those of the City or its employees.

When a City of Woodcreek employee responds to a comment, in his/her capacity as a City of Woodcreek employee, the employee’s name and title should be made available, and the employee shall not share personal information about himself or herself, or other City employees.

The City of Woodcreek employees, Mayor and City Manager may or may not check inbox communications via social media platforms on a regular or timely basis. Communication from residents on these platforms will not be viewed as formal communications with the City nor shall the City be bound by the Public Information Act in regard to the timeline or content of a response to a citizen comment via the direct message feature on social media platforms. ALL communications received in the messenger or in-box feature of a social media platform will receive the same blanket response once it has been viewed:

“This is not an official means of communication for individuals to contact the City of Woodcreek . To contact City Staff please email: Woodcreek@woodcreektx.gov or call: 512.847.9390 or go to City Hall at: 41 Champions Circle, Woodcreek, TX 78676-3327. The City will not respond to the direct content of this communication.”

Disclaimer

The City of Woodcreek Social Media Policy will be updated over time as the use of social media evolves.

This is a policy document meant to guide city staff and government officials. It is not legally binding and does not seek to diminish first amendment rights. All parties are encouraged to use their personal social media pages to exercise their personal rights.

General Policy for Use

1. City social media sites should make clear that they are maintained by the City of Woodcreek and that they follow the City's Social Media Policy.
2. Wherever possible, City social media sites should link back to the official City of Woodcreek website for forms, documents, online services and other information necessary to conduct business with the City of Woodcreek.
3. The City Manager, or their designee, will monitor content on City social media sites to ensure adherence to the City's Social Media Policy.
4. The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines must be retained by the City Manager for a reasonable period of time, including the time, date and identity of the poster, when available.
5. These guidelines must be displayed to users or made available by hyperlink.
6. The City will approach the use of social media tools as consistently as possible and shall refrain from using the platforms for political or personal gain.
7. The City of Woodcreek's website at <https://www.woodcreektx.gov/> will remain the City's primary and predominant internet presence.
8. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies.
9. City social media sites are subject to The Public Information Act (Chapter 522 of the Texas Government Code). Any content maintained in a social media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
10. Employees representing the City government via City social media sites must always conduct themselves as a representative of the City and in accordance with all City policies.
11. Comments on topics or issues not within the jurisdictional purview of the City of Woodcreek may be removed.
12. The City does not endorse any links or advertisements that may show up on this Facebook page.

Comment Policy

By posting or commenting on the City of Woodcreek's Facebook or Nextdoor (when allowed), you agree to the terms of use of the City of Woodcreek's social media comment policy as provided herein.

1. As a public entity the City must abide by certain standards to serve all its constituents in a civil and unbiased manner.

2. The City of Woodcreek’s social media pages are intended to be “family friendly,” so please keep your comments clean by following the rules of engagement outlined above in this document.
3. The intended purpose behind establishing City of Woodcreek social media sites is to disseminate information from the City, about the City, to its citizens. It is not intended to be a citizen complaint channel or to serve as a replacement for official channels of communication to receive information from citizens. Citizens shall not expect the City to respond to comments or direct messages via social media platforms in a specific time frame or in accordance with the Public Information Request Act guidelines. Those types of communication MUST be via email: Woodcreek@woodcreektx.gov or call: 512.847.9390 or go to City Hall at: 41 Champions Circle, Woodcreek, TX 78676-3327
4. A comment posted by a member of the public on any City of Woodcreek social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Woodcreek, nor do such comments necessarily reflect the opinions or policies of the City of Woodcreek.
5. The City of Woodcreek reserves the right to deny access to City of Woodcreek social media sites for any individual, who violates the City of Woodcreek’s Social Media Policy, at any time and without prior notice.
6. Comments posted to this page will be monitored and inappropriate content as defined above will be removed as soon as possible and without prior notice.
7. All comments posted to any City of Woodcreek social media sites are bound by the terms and conditions of those respective platforms.
8. By posting or commenting on the City of Woodcreek social media platforms you agree to our terms of use. You participate by your own choice, taking personal responsibility for your comments, your username and any information you provide therein.
9. The City of Woodcreek reserves the right to report any violation of Facebook or Nextdoor’s Statement of Rights and Responsibilities and/or Community Standards to those entities. The City of Woodcreek is not responsible for the actions taken by Facebook or Nextdoor should the report lead to a loss of the social media account or some other penalty
10. To report an inappropriate comment, please call the City Hall at 512.847.9390 and/or report the comment directly to Facebook or Nextdoor using that feature on the platform.

If you are experiencing an emergency please dial 911 and DO NOT RELY on the City of Woodcreek’s social media pages to seek or receive immediate assistance.

In the event of a public emergency, the City of Woodcreek will make every effort to update social media pages with relevant and important information to help protect citizens and

promote safety. Do NOT rely on these sources alone for news and/or other information. They are NOT meant to replace National and Statewide Emergency Communication efforts.

LEGAL RESOURCES AND GUIDELINES

If a municipality decides it would like to allow commenting on its Facebook page, the next consideration is how much commenting it wants to allow. If the municipality only wants to open up public comments on specific posts or for a specific period of time, it is creating a “designated” or “limited” public forum. In a “designated public forum” situation, the municipality would open up commenting on specific posts and limited to certain topics. See [Good News Club v. Milford Central School, 533 U.S. 98 \(2001\)](#) (allowing a university to restrict use of its meeting rooms to events pertaining to education and community welfare as long as the restrictions were content-neutral). In a “limited public form” situation, the municipality would open up comments for a specific period of time on any topic. If a municipality allows public commenting on all topics and at all times, the municipality has created a “traditional public forum” akin to the courthouse steps.

If a municipality allows public commenting in any form, the municipality must decide how to moderate the comments and determine when to delete or hide comments. In a limited forum, the deletion of a comment “must not discriminate against speech based on viewpoint, and must be reasonable in light of the forum’s purpose.” [Good News Club v. Milford Central School, 533 U.S. 98 \(2001\)](#). In a designated forum or traditional forum, there must be a narrowly drawn “compelling state interest” to restrict free speech. [Perry Educ. Ass’n v. Perry Educators’ Ass’n, 460 U.S. 37 \(1983\)](#). Therefore, the municipality must only delete or hide comments that violate such “compelling interests.” Examples include the protection of the public welfare, threats, offensive, racist or derogatory words. [Gitlow v. New York, 268 U.S. 652 \(1925\)](#); [Virginia v. Black, 538 U.S. 343 \(2003\)](#); [Denver Area Educ. Telecommunications Consortium, Inc. v. F.C.C., 518 U.S. 727 \(1996\)](#).

SOURCE: <https://www.gklegal.com/blog/should-municipalities-allow-public-commenting-on-their-facebook-pages/>

ADDITIONAL LINK TO LEGAL RESOURCES:

<https://www.tml.org/DocumentCenter/View/426/When-Can-My-City-Delete-a-Facebook-Comment-and-Other-Social-Media-Issues-PDF>

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on a Resolution of the City of Woodcreek, Texas
Update the City's Fund Balance Policy

AGENDA ITEM SUMMARY:

The goal of the update is to better align the policy with actual City practice, other regulatory policy updates per the Government Accounting Standards Board (GASB) and best practices from Government Financial Officers Association

RECOMMENDATION:

FINANCIAL IMPACT:

None

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

7/3/2023 11:13:34 AM

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2023-07-12-01

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS

UPDATING THE FUND BALANCE POLICY

WHEREAS, the City Council has reviewed the existing fund balance policy and the newly proposed version on July 12, 2023; and

WHEREAS, the City Council finds the maintenance of the financial policy to be in the public interest, and necessary for the efficient and effective administration of City business.

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

1. The document entitled, "City of Woodcreek Fund Balance Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Fund Balance Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Fund Balance Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed 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 July, 2023, by a vote of _____ ayes to _____ nays to _____ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

City of Woodcreek, Texas

FUND BALANCE POLICY

Purpose

The purpose of this policy is to establish a key element of the financial stability of the City by setting guidelines and parameters for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and other similar circumstances. This policy will ensure that the City maintains an adequate fund balance in the City's general fund for the purposes of:

- Providing sufficient cash flow for daily operations
- Securing and maintaining a higher investment grade bond rating
- Offsetting significant economic declines or revenue shortfalls
- Providing funds to meet unforeseen emergency expenditures
- Demonstrating a commitment to long-term financial planning objectives

General Financial Goals

- **General Fund:** maintain adequate funds to cover basic operating costs.
- **Reserves:** provide for unanticipated costs in the event of an emergency.
- **Grants:** research and pursue optional funding methods for all Capital Improvements Projects.
- **Debt:** seek to reduce and limit debt while simultaneously acknowledging that the City may need to pursue outside municipal funding options for some Capital Improvement Projects.
- **Investment:** pursue investments to generate additional revenue for the City as outlined in the City's Investment Policy.
- **Economic Development:** while increasing City revenue is a goal, it must be balanced with the greater public good and the expressed interests of the Citizens.
- **Accounting and Financial Reporting:** provide monthly and quarterly reports and financial updates to City Council.
- **Long-term Financial Planning:** shall include risk management, debt reduction, identification and funding of Capital Improvements Projects, and on-going contributions to investments and reserves.
- **Structurally Balanced Budget:** it is essential the City address over-spending and seek to maintain low operating costs given the limited revenues sources available.
- **Capital Improvement:** planning, budgeting, project management, and asset maintenance are essential considerations for the City when developing the annual budget.
- **Revenues:** the City shall seek revenue expansion but not to the detriment of the quality of life or loss of character of the City.

- **Expenditures:** it is the duty of the City Manager to report to the governing body on a range of issues surrounding allocation and expenditure of funds, debt management, personnel costs, project management, and the health of investments. It is essential that regular reports are given in order to maintain a balanced budget, and that excess spending be reduced and managed immediately.
- **Annual Budget:** the City's annual operating budget identifies clearly how City funds shall be expended throughout the fiscal year.
- **Transparency:** the City will strive to be transparent and provide regular communications on the finances of the City and its operation to the Citizens of Woodcreek.

Definitions

- **Fund Equity** – A fund's equity is generally the difference between its assets and its liabilities.
- **Fund Balance** – The fund equity of a governmental fund is required to be split into the following categories for reporting purposes:
 - **Non-Spendable Fund Balance** – includes amounts that are not in spendable form or are legally or contractually required to be maintained intact.
 - **Restricted Fund Balance** – includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation.
 - **Committed Fund Balance** – includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
 - **Assigned Fund Balance** – comprises amounts intended to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
 - **Unassigned Fund Balance** – is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.

Policy

Committed Fund Balance

The City Council is the City's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Council at the City's Council meeting.

Assigned Fund Balance

The City Council has authorized the City Manager as the official authorized to assign fund balance to a specific purpose as approved by this Fund Balance Policy.

Unassigned Fund Balance

It is the goal of the City to achieve and maintain an unassigned fund balance in the general fund of six (6) months of general fund operating expenditures, exclusive of capital outlay and debt services expenditures. The City considers a balance of less than six (6) months to be cause for concern, barring unusual or deliberate circumstances.

The computation of the required fund balance will occur once a year, as follows:

- The computation will occur after the audit is presented to City Council. The fund balance as of September 30 of the audit year will be compared to the budgeted operating general fund expenditures for the fiscal year following the audit.

The Council may appropriate Unassigned Fund Balances for emergency purposes, as deemed necessary, even if such use decreases the fund balance below the established minimum.

If Unassigned Fund Balance falls below the goal or has a deficiency, the City will implement a plan to replenish the fund within one year or as soon as economic and budgetary conditions allow. The following budget strategies may be considered for implementation until fund balance has been replenished to an acceptable level:

- Reduction of expenditures to minimum levels, including, but not limited to:
 - Reduction in discretionary spending such as travel and training.
 - Implementation of a hiring freeze for non-essential positions
- Increase revenues or pursue other funding sources.
- Use operating surpluses available in other funds.
- Designate a fixed amount or a percent of operating expenditures in the next budget.
- Any combination of the above strategies or others presented for consideration by staff or City Council

Should unassigned fund balance of the general fund exceed the six (6) month level, the City will consider using such fund balance surpluses for one-time expenditures that are nonrecurring in nature and which will not require additional future expense outlays for maintenance, additional staffing or other recurring expenditures.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure, the City will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

Monitoring and Reporting

The City Manager will be responsible for monitoring and reporting on the City’s general fund balance. The City Manager is directed to make recommendations to the Council on the use of general fund balance surpluses both as an element of the annual operating budget submission process and in the annual audit and financial statement preparation process.

DRAFT

CITY OF WOODCREEK

FUND BALANCE POLICY

OBJECTIVE

The purpose of this document is to establish clear guidelines for the management of assets and allocation of financial resources in the City of Woodcreek. Creating financial policies is an essential part of public finance management.

By creating strategic, long-term approaches to financial management through policy we promote stability and continuity for the City and clarify the intent of the City to provide the best value for the community.

By defining the limits on the actions of the staff authorized to spend funds we create boundaries that will ensure the preservation of the City's wealth and form a framework for achieving long-term goals while balancing financial risks with the pursuit of funding public goals.

It is essential that the City maintain adequate levels of funds for general operation, investments, and mitigation of future risks such as revenue shortfalls and unanticipated expenditures.

By maintaining a structurally balanced budget, the City can ensure stable tax rates, support good bond ratings which reduces the cost of borrowing when needed, and promotes wealth retention for the City while working to achieve Capital Improvement goals.

The City of Woodcreek hereby adopts policies and procedures of accounting and managing the City funds as outlined by The Governmental Accounting Standards Board (GASB) in the Governmental Accounting Auditing and Financial Reporting (GAAFR) text.

GENERAL FINANCIAL GOALS:

1. **General Fund:** maintain significant and adequate funds to cover basic operating costs, contribute to reserves, anticipate and adjust for changes in revenue or expenditures, and provide for unanticipated yet unavoidable costs in the event of an emergency.
2. **Grants:** research and pursue optional funding methods for all Capital Improvements projects when possible.
3. **Debt:** seek to reduce and limit debt while simultaneously acknowledging that the City may need to pursue outside municipal funding options for some Capital Improvement Projects.
4. **Investment:** pursue smart and safe investments to generate additional revenue for the City as outlined in the City's Investment Policy.
5. **Economic Development:** while increasing City revenue is a goal, it must be balanced with the greater public good and the expressed interests of the Citizens as stated in the Comprehensive Plan.
6. **Accounting and Financial Reporting:** providing regular reports and good financial accounting are a primary objective and a core function of the City Manager.

7. **Long-term Financial Planning:** shall include risk management, debt reduction, identification and funding of Capital Improvements Projects, and on-going contributions to investments and reserves.
8. **Structurally Balanced Budget:** it is essential the City address over-spending and seek to maintain low operating costs given the limited revenues sources available.
9. **Capital Improvement:** planning, budgeting, project management, and asset maintenance are essential considerations for the City when developing the annual Committed Funds Balance in addition to long-term financial planning.
10. **Revenues:** the City shall seek revenue expansion but not to the detriment of the quality of life or loss of character of the City. All revenue expansion shall align with the Comprehensive Plan.
11. **Expenditures:** it is the duty of the City Manager to report to the governing body on a range of issues surrounding allocation and expenditure of funds, debt management, personnel costs, project management, and the health of investments. It is essential that regular reports are given in order to maintain a balanced budget, and that excess spending be reduced and managed immediately.
12. **Operating Budget:** the City should maintain a basic operating budget with clear identification of how City funds shall be committed throughout the fiscal year. Changes in this budget must go through a formal review process.
13. **Transparency:** the City will strive to be transparent and provide regular communications on the finances of the City and its operation to the Citizens of Woodcreek.

COMPREHENSIVE FUND BALANCE POLICIES

1) Policy on Commitment of Funds

Creating an annual operating budget or “Committed Fund Balance” must occur prior to the end of the fiscal year. Fund balance amounts will be reported as the “Committed Fund Balance” only after formal action and approval by the governing body.

If the actual dollar amount expected to be spent on an item is not known, estimates may be used to plan. For example, Capitol Projects may receive an allocation of funds in the Committed Fund Balance prior to finalizing the procurement process for a specific project. In this case, the Committed Fund Balance may be approved utilizing an estimation of expected costs providing the actual amount to be spent can be determined prior to its expenditure and accurately reported within the year-end financials.

It is the policy of The City of Woodcreek that the governing body may commit funds for any reason that is consistent with the GASB and GAAFR. This includes, but is not limited to, general operating expenses, maintenance of infrastructure, employee payroll, public relations, funding public works projects, purchasing of equipment, expansion of property or structures owned and more.

Unspent funds shall be committed to reserves at the end of each fiscal year unless the governing body determines it is essential they roll into the subsequent year’s Committed Fund Balance.

After approval, the Committed Fund Balance cannot be undone or altered without utilizing the same approval process required to commit the funds, including no less than one public hearing, two draft readings, a formal motion, and approval by a majority of the governing body.

2) Policy on Expenditure of Committed Funds

The annual operating budget including all Capital Improvement Projects and other large, planned expenditures shall operate as a Committed Fund Balance in accordance with GASB standards as outlined in the GAAFR text. There shall be no other fund balance types aside from those outlined in this Fund Balance Policy document under number five below. All funds received from ad valorem taxes, sales tax, investment dividends, permit fees, or hotel occupancy taxes shall be considered part of the City's General Revenue Fund and may be used for the purpose of creating the Committed Fund Balance and annual operating budget for the City.

Funds that are intended and committed to be used for a specific purpose as outlined in the Committed Funds Balance, also known as the annual operating budget, cannot be transferred to another budget line item or used to cover a deficit elsewhere without formal action and approval by the governing body.

Expenditures over \$1500 within the Committed Funds Balance must be reported in advance to the governing body and may be subject to approval at their discretion. This shall not include funds spent for the daily function of the City; such as personnel costs, payment of existing contracts, maintenance and use of necessary equipment, and other regular aspects of the City's basic operation.

Use of Committed Funds is governed by the Procurement Policies of the City and shall occur in accordance with that document.

3) Policy for the Creation and Use of an Unrestricted Fund Balance

The City may maintain no more than \$50,000 in an Unrestricted Fund Balance as part of the annual budget in combination with the Committed Fund Balance during any single fiscal year. Use of these funds for any purpose shall require formal action and approval by a majority of the governing body. The purpose of maintaining an unrestricted fund balance is to create an emergency reserve fund in the case of natural disaster, volatile revenue sources, or unforeseen market trends at the state or federal level. These funds are not intended to fund general expenses or cover deficits in the Committed Fund Balance due to poor management or planning.

4) Policy on Acceptable Minimal Level of Net Fund Balance

It is recommended that the City use no more than one-half of the General Fund Balance in any fiscal year to create the Committed Funds Balance, also known as the annual operating budget. This shall include any approved Capital Improvement Projects and the Unrestricted Fund Balance if one has been designated. Additionally, the City's Net Fund Balance shall not fall below \$500,000 excluding Debt Service Funds and other Special or Restricted Revenue Funds. No less

than two-months of operating costs shall remain readily accessible at all times in reserves set aside from the Committed Fund Balance in the General Fund Balance.

5) Fund Balance Classifications

A) General Fund Balance:

This is the primary operating budget of the City. This includes items in the Committed Funds Balance, the Unrestricted Fund Balance if it exists, and all reserves. This is the total amount of liquidity the City has during a single fiscal year. The General Fund Balance does not include investments or other assets; those are calculated in the Net Fund Balance below.

B) Capital Improvement Projects Funds:

Capital Improvements can be funded from the General Fund Balance or from Restricted Funds. The source of the revenue and expected costs must be outlined in the annual budget and Committed Fund Balance. Estimates may be used for planning purposes in the allocation of these resources as stipulated in item number one on this document. Expenditures of these funds must go through the City's formal procurement process and be approved by a formal motion of a majority of the governing body.

C) Debt Service Funds:

A portion of the annual revenues shall be set aside and used for debt service alone. Proper planning and management of the annual budget and Committed Fund Balance shall set aside funds for this purpose. It is the duty of the governing body and City Manager to ensure this service is properly accounted for and maintained.

D) Special and Restricted Revenue Funds:

Funds in this category include income from federal programs tied to specific infrastructure projects and the like, general bond funds, grants, and donations received that contain stipulations that they be used for a specific purpose only. These funds must be kept separate from the General Fund Balance and can only be included in the annual budget or Committed Fund Balance so long as they are shown to be restricted and used for their intended purpose alone.

E) Net Fund Balance:

This fund includes all funds, reserves, investments, assets, and debt owned by The City of Woodcreek. It is from the Net Fund Balance that all other balances come. This could also be stated as the total net worth of the City and will be used to calculate any future municipal debt services.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on a Resolution of the City of Woodcreek, Texas
Updating the City's Procurement Policy

AGENDA ITEM SUMMARY:

Enhance and better define the procurement policy and set reasonable spending caps
for city officials.

* Increased amount required for three bid from \$300 to \$5,000

* Included required language for HUB (Historically Underutilized Business)

RECOMMENDATION:

FINANCIAL IMPACT:

None

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

7/3/2023 12:39:11 PM

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2023-07-12-02

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS
UPDATING THE PROCUREMENT POLICY

WHEREAS, the City Council has reviewed the existing procurement policy and the newly proposed version on July 12, 2023; and

WHEREAS, the City Council finds the maintenance of the financial policy to be in the public interest, and necessary for the efficient and effective administration of City business.

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

1. The document entitled, "City of Woodcreek Procurement Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Procurement Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Procurement Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed 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 July 2023, by a vote of _____ ayes to ___ nays to _____ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

**City of Woodcreek
City of Woodcreek, TX
PROCUREMENT POLICY
July 12, 2023**

1.0 GOVERNING AUTHORITY

The primary governing authority for the City of Woodcreek's Purchasing Policy shall be the Local Government Code Chapter 252, "*Purchasing and Contracting Authority of Municipalities.*" All procurement activity shall be governed by the Purchasing Policy, in accordance with applicable state and local government codes.

All powers of the City vest in the City Council. Authority for purchasing of goods and services is delegated to the City Manager provided the purchase does not exceed \$50,000.

To ensure proper oversight, all purchases will be reported to Council monthly.

2.0 PURPOSE AND SCOPE

The Purchasing Policy applies to the procurement activities of the City of Woodcreek. All procurement activities for the City shall be administered in accordance with the provisions of this policy, with the express intent to promote open and fair conduct in all aspects of the procurement process.

3.0 OBJECTIVES

The City Manager is responsible for ensuring that City departments comply with federal, state and local statutes regulating competitive sealed bids, competitive sealed proposals, professional services, high technology purchases, cooperative purchases, and emergency and sole-source purchases. The City Manager solicits all competitive procurements required by law evaluates bids and proposals and makes recommendations to the City Council for awarding of contracts.

The City Manager or designee should be included in all states of acquisition, through planning, ordering and receiving. The City Manager or designee processes bids, and/or negotiates and executes contracts to deliver goods and services in a timely manner. Ensure compliance with State of Texas purchasing statutes and the City's purchasing policies.

The City Manager is committed to providing quality service through effective teamwork and communication with vendors, in order to fulfill the purchasing needs of the City in a professional, responsive and timely manner in compliance with all City policies and applicable federal, State, county and local purchasing laws. Public purchasing has the responsibility to obtain the best value for the tax dollar in a fair, efficient and equitable manner. To achieve this objective the City of Woodcreek seeks to foster as much competition as possible. In doing so, we adopt the goal of fairness by ensuring all who wish to compete for the opportunity to sell to the City of Woodcreek can do so. Our policy is intended to:

1. Give all suppliers full, fair, prompt and courteous consideration;
2. Encourage open and fair competition;
3. Solicit supplier suggestions in the determination of clear and adequate specifications and standards;
4. Cooperate with suppliers and consider possible difficulties they may encounter; and
5. Observe strict truthfulness and highest ethics in all transactions and correspondence.

3.1 General Duties of City Manager or designee

1. Observe and enforce the policies and procedures outlined in the City of Woodcreek Internal Purchasing Controls
2. Advise and assist in the formulation of policies and procedures connected with the purchasing activities of the City..
3. Investigate and analyze research done in the field of purchasing by other governmental agencies and by private industry, in an effort to keep abreast of current developments in the fields of purchasing, prices, market conditions and new products;
4. Coordinate, organize, and assist departments in the specification writing process to ensure that specifications are written concisely and are not written in an exclusive manner;
5. Join with other governmental agencies in cooperative purchasing plans when it is in the best interest of the City;
6. Receive, open, and evaluate competitive solicitations;
7. Prepare recommendations for competitive solicitations for City Council approval;
8. Combine purchases of similar items whenever possible and practical, to allow for better pricing and establish a more competitive atmosphere;
9. Dispose of surplus City property;
10. Conduct regular training sessions for employees involved in the purchasing process

4.0 CODE OF ETHICS

By participating in the procurement process, employees of the City of Woodcreek agree to:

- Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- Demonstrate loyalty to the City of Woodcreek by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- Refrain from any private business or professional activity that would create a conflict between personal interests and the interest of the City of Woodcreek.
- Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence, or appear to influence purchasing decisions.
- Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether as payment for services or not; and never accept for himself or herself or for family members, favors or benefits under circumstance which might be construed by reasonable persons as influencing the performance of Governmental duties.

- Engage in no business with the City of Woodcreek, directly or indirectly, which is inconsistent with the conscientious performance of Governmental duties.
- Handle confidential or proprietary information belonging to employer or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- Never use any information gained confidentially in the performance of Governmental duties as a means of making private profit.
- Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- Know and obey the letter and spirit of laws governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.
- Expose corruption and fraud wherever discovered.
- Uphold these principles, ever conscious that public office is a public trust.

5.0 COMPETITIVE PURCHASING REQUIREMENTS

Under no circumstances shall multiple requisitions be used to circumvent other applicable bidding requirements or City Council approval.

5.1 Procedures for Purchases Less than \$4,999

Purchases under \$5,000 may be made through a simplified requisitions process.

- Items not subject to this process may include utility bills, lease payments, membership dues, employee reimbursements, travel fees, fuel, etc.

5.2 Procedures for Purchases of \$5,000 to \$50,000

All purchases \$5,000 or greater but less than \$50,000 must be processed in accordance with the following procedure:

- Purchases totaling \$5,000 to \$50,000 will require three or more quotes, when available. Two no quotes returned equal one quote.
- All quotations received must be provided in writing or by electronic mail from the vendor and available for review by the City Manager or designee.

5.3 HUB'S

Local Government Code Chapter 252.0215 Competitive bidding in relations to Historically Underutilized Business vendors, states that a municipality, in making an expenditure of more than \$3,000 but less than \$50,000, shall contact at least two HUB vendors on a rotating basis. If the list fails to identify a disadvantaged business in the county in which the City is situated, the City is exempt from this section.

HUB – Certified businesses that are at least 51% owned, operated, and controlled by the qualifying groups which include Asian Pacific Americans, Black Americans, Hispanic Americans, Native Americans and American Women.

5.5 Purchases more than \$50,000

1. Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$50,000 must be processed as a competitive solicitations (**e.g. sealed bids, request for proposals, and request for offers.**) Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

Texas Local Government Code, Section 252.062, states:

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential, or component purchases to avoid the competitive bidding requirements of Section 252.021. An offense under this subsection is a Class B Misdemeanor.

A municipal officer or employee commits an offense if the officer or employee intentional or knowingly violates Section 252.021, other than by conduct described in subsection (a). An offense under this subsection is a Class B Misdemeanor.

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates this chapter, other than by conduct described by subsection (a) or (b). An offense under this subsection is a Class C Misdemeanor.

Conviction for any of these offenses may result in immediate removal from office or employment.

5.6 Reciprocity

The State of Texas Reciprocity Law provides that the State or political subdivision cannot award contracts or purchases to non-resident bidders having local preference laws in their resident states unless their bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the amount that a Texas resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

5.7 Award of Contract

The City of Woodcreek shall award contracts based on criteria deemed in the best interest of the City.

Texas Local Government Code, Section 252.043, states, in part:

- (a) *If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.*
- (b) *Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.*

5.8 Disclosure of Information

Access to bidder-declared trade secrets or confidential information shall be in accordance with the Texas Government Code Chapter 552, the Public Information Act, and applicable City policies implementing this chapter.

Texas Local Government Code Chapter 252.049(b) states, in part:

If provided in a RFP, proposals shall be opened in a manner that avoids disclosure of the contents to competing offerors and keeps the proposals secret during negotiations. All proposals are open for public inspection after the contract is awarded, but trade secrets and confidential information in the proposals are not open for public inspection.

5.9 Professional Services

Personal and professional services are exempted from the competitive bidding process and are procured through the use of Request for Qualifications (RFQ) documents. The City Manager is available to consult with departments regarding the preparation of information; however, the presentation of technical and qualifications aspects of personal and/or professional services included in the RFQ documents is the sole responsibility of the requesting department.

1. Texas Government Code, Chapter 2254, Subchapter A, Professional Services, states that contracts for the procurement of defined professional services may not be awarded on the basis of competitive bids. Instead, they must be awarded on the basis:
 - (a) *Of demonstrated competence and qualifications to perform the services;* (b) *For a fair and reasonable price;*
2. Professional Services for the purposes of Government Code Chapter 2254 are defined as those “services within the scope of the practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing, or provided in connection with the professional employment or practice of a person who is licensed or registered as a certified public accountant, an architect, a landscape architect, a land surveyor, a physician, including a surgeon, an optometrist, a professional engineer, a state certified or state licensed real estate appraiser, or a registered nurse.

5.10 Cooperative Purchases

Cooperative purchasing occurs when two or more governmental entities coordinate some or all purchasing efforts to reduce administrative costs, take advantage of quantity discounts, share specifications, and create a heightened awareness of legal requirements. Cooperative purchasing can occur through inter-local agreements, state contracts, piggybacking, and joint purchases and should be used when deemed in the City’s best interest.

5.11 Emergency Purchases

Valid emergencies are those that occur as a result of the breakdown of equipment which must be kept in operation to maintain the public’s safety or health, or whose breakdown would result in the disruption of City operations. When this situation occurs, the department shall contact the City Manager and procure supplies and services in accordance with the Purchasing Manual.

The Legislature exempted certain items from sealed bidding in the Texas Local Government Code Section 252.022(a), including but not limited to:

1. *A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.*
2. *A procurement necessary to preserve or protect the public health or safety of the municipality's residents;*
3. *A procurement necessary because of unforeseen damage to public machinery, equipment or other property.*

5.12 Sole Source Purchases

Sole-source purchases are items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies as defined by local government code.

When a department has identified a specific item with unique features or characteristics essential and necessary to the requesting department and no alternate products are available, a detailed written justification must be provided to the Purchasing Office in advance for review and approval.

6.0 LEGAL DEFINITION

The legislature exempted certain items from sealed bidding in the Vernon's Texas Codes Annotated- Local Government Code Section 252.022 (a) 7, in part: Procurement of items available from only one source, including:

1. Items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies;
2. films, manuscripts, or books
3. gas, water and other utility services;
4. captive replacement parts or components for equipment;
5. books, papers, and other library materials for a public library that are available only from the person holding exclusive distribution rights to the materials; and
6. management services provided by a nonprofit organization to a municipal museum, park, zoo, or other facility to which the organization has provided significant financial or other benefits.

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2022-05-25-1

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS
UPDATING THE PROCUREMENT POLICY

WHEREAS, the City Council has review the existing procurement policy and the newly proposed version on May 25, 2022; and

WHEREAS, the City Council finds the maintenance of the financial policy to be in the public interest, and necessary for the efficient and effective administration of City business.

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

1. The document entitled, "City of Woodcreek Procurement Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Procurement Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Procurement Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed 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 25th day of May, 2022, by a vote of 5 ayes to 0 nays to 0 abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:



Jeff Rasco, Mayor



Suzanne Mac Kenzie, City Secretary

CITY OF WOODCREEK

PROCUREMENT POLICY**I. Purpose**

This Policy document establishes guidelines and procedures for the procurement of goods or services for the City of Woodcreek. In accordance with the public trust placed upon the City of Woodcreek, its governing body, staff, and City Manager, it is essential that all City Officials and Employees adhere to the procedures set forth by this Policy.

The intent is to purchase equipment, materials, supplies and services at the lowest possible cost to the City from the most responsible and reputable sources.

II. Procedure

A. All expenditures must be in accordance with the Comprehensive Fund Balance, also known as the annual City budget, as approved by the governing body. Any unbudgeted purchases must be approved in advance by the City Council by a formal motion and a majority vote. Unbudgeted purchases may be subject to the budget amendment process.

B. Contracting Services: verbal agreements will not be legally binding; a written contract or purchase agreement must be secured prior to the release of City funds.

1. Professional Service:

a. The City will pursue services from the most qualified provider. It is essential the City Manager, or any other authorized representative of the City, do their due diligence in researching providers for professional services such as, but not limited to, debt management, investment portfolio management, financial advising, legal representation and more.

b. Relevant qualifications to provide the needed service shall be the primary reason for their selection. Monetary concerns and limitations shall be secondary in this process unless there is a reasonable need to reduce costs and a similarly qualified service provider is available at a lower cost.

2. Contract Labor:

a. The City will solicit three proposals for all contract work over \$300.

b. A report to the governing body shall be required for all expenditures over \$1500 not pertaining to the regular function and daily maintenance involved in the basic operations of the City and previously allocated in the Comprehensive Fund Balance. Expenditures over \$1500 may be subject to approval by the governing body.

- c. A W-9 is required from all contractors and will be furnished prior to the start of work.
- d. All contractors are required to provide proof of liability insurance, have the necessary professional licenses should there be any required and show proof of such, and provide for the compensation of all workers under their supervision. Work shall not begin, and no payment will be processed without all proper documentation on file with the City.
- e. The City will not be held liable for unpaid labor under a contractors' supervision during work or after final payment has been released to the contractor. It is the sole responsibility of the contractor to carry worker's compensation, adequate liability insurance, and full compensation for work provided by their staff. The City shall require a document stating these provisions be signed by the contractor thus waiving their rights to claim otherwise.
- f. Initial payments to begin work shall not exceed two-thirds of the final total bill. The final payment will only be released upon completion of the work and will require an inspection from the supervising City Official with a satisfactory report.
- g. The City Manager shall coordinate with all contract employees but may delegate this duty to a subordinate without relegating their ultimate responsibility of project management including securing proper documentation in advance, final inspections, and the processing of all payments.
- h. If changes are necessary after a contract has been agreed upon, the City Manager must be the one to approve the change order, except when approval of the governing body is necessary. Every attempt shall be made to limit change orders and to establish a final expected cost prior to finalizing written agreements or providing payments.
- i. When estimates are received from Hays County Transportation Services, found to be fair and reasonable, and are within budgeted amounts allocated in the Comprehensive Fund Balance, the City Manager may approve these expenditures so long as they do not exceed \$1500. All expenditures over \$1500 must be reported in advance to the governing body and may be subject to their approval.

C. Daily Operations and Regular Maintenance: it is recognized that some expenditures involved in regular city business should not be subject to constant reporting and approval as they are accounted for in the Comprehensive Fund Balance as approved by the governing body and are regular monthly expenses not subject to significant change.

- 1. Some such examples include personnel costs, janitorial services, pothole filling, cost of utilities, landscape maintenance, IT subscriptions, emergency services, and lease of normal business equipment such as the copier.

2. These items will be reported in the monthly check registers and regularly monitored by the City Manager and governing body.

3. The cost of these items may exceed spending limits set forth in this Policy document for other services and goods and are not subject to approval or reporting unless there is a significant change in cost or service expected.

D. Purchase of Goods: there shall be preference given to buy local to the extent that it is reasonably possible, fiscally prudent, and within the confines of State Law.

1. Purchase of goods is subject to the City Managers approval.

2. An invoice, charge slip, or receipt must be obtained and submitted to the City Manager.

3. Purchases for daily operations and janitorial supplies should be purchased in bulk and the City Manager is authorized to create an account at a provider with an annual subscription fee in order to secure these resources at discounted rates and in bulk quantities.

E. Purchase of Equipment: the purchase of all equipment over \$300 shall require a minimum of three quotes. Expenditures over \$1500 must be reported to the governing body and are subject to approval.

F. Spending Limits: the City shall have reasonable spending limits set for all goods, services, and authorized personnel in order to protect the City's assets and financial stability.

1. All spending must be in accordance with the Committed Fund Balance, also known as the annual City budget, as approved by the governing body.

2. Spending limits are outlined throughout this Policy document and are varied depending on the goods, type of services, frequency provided, and the authorized representative designated to approve such expenditures.

3. It is mandatory this policy document be followed regarding the use of City funds.

4. Any questions on this topic should be directed to the Mayor and/or City Council.

5. The governing body will set discretionary spending limits as they see fit and may from time to time authorize spending beyond the limits set forth in this document. However, authorization to exceed spending limits shall require a formal motion and a majority vote.

G. Use of Restricted Funds: there shall be no spending of restricted funds without prior notice given to the governing body.

1. Use of restricted funds is subject to the policies outlined in this document depending on the type of goods or services needed.

2. Spending of restricted funds is prohibited without a formal motion, review and approval by a majority of the governing body.

3. Spending of restricted funds can be dependent upon their revenue source and are subject to be designated for a specific purpose or project. This must be taken into account when authorizing their use and it is prohibited to authorize the use of restricted funds for any purpose outside of those designated by their revenue source if such designation exists.

H. Sales Tax: As a municipal corporation, the City is exempt from paying sales tax. Authorized personnel making purchases on behalf of the City are required to notify vendors, stores, and the like and make them aware of this exemption by providing the proper exemption documentation.

I. Means of Purchase: to the extent possible, purchases shall be made utilizing one of the preferred methods listed here and preference given in the order shown: (1) direct bill to the City, (2) City-issued credit card, and (3) Check drawn on the City's bank account

III. Compliance

A. Any authorized representative of The City of Woodcreek who spends funds on behalf of the City must follow the procedures outlined in this document.

B. Failure to follow these guidelines may be considered grounds for disciplinary action and/or may result in the termination of employment or contract without severance depending on the severity of the misconduct.

C. Certain actions are considered unlawful by State and Local code, while this document is a set of guidelines for City policy. Authorized representatives of the City of Woodcreek are expected to always follow State and Local law in the expenditure and management of City funds; failure to do so will result in immediate termination of employment and contract without severance and can result in legal action taken against the individual.

IV. State Law

Nothing in this Policy document shall be construed as waiving or altering the mandates of State Law.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action to Send the Packet Documents for this Item to the Planning and Zoning Commission and the Ordinance Review Committee for Review.

AGENDA ITEM SUMMARY:

Request Planning and Zoning and Ordinance Review Commission to review the newly adopted State code SB 929.

RECOMMENDATION:

Request Planning and Zoning and Ordinance Review Commission to review the newly adopted State code SB 929.

FINANCIAL IMPACT:

No costs associated with P&Z's consideration.

SUBMITTED BY:

Chrys Grummert

AGENDA TYPE:

New Business

COMPLETION DATE:

6/27/2023 4:11:31 PM

901 S. Mopac Expressway
Building One, Suite 300
Austin, Texas 78746

THE LAW OFFICE OF
ROGER GORDON

Phone: (512) 636-2540
Fax: (512) 692-2533
roger@rogergordonlaw.com

June 20, 2023

City of Woodcreek
c/o Kevin Rule, City Manager
41 Champions Circle
Woodcreek, TX 78676

via email: manager@woodcreektx.gov

Short-Term Rental Legal Update for June 20th Woodcreek City Council Special Meeting

Last Friday the Texas Supreme Court issued its ruling in the preeminent case involving local government regulation of short-term rentals (“STR”), the *City of Grapevine v. Muns, et al* case¹, where the Court **DENIED** the City of Grapevine ("City")'s petition for review, temporarily cementing the 2nd Court of Appeals' pro-STR decision and sending the case back to the lower court for trial. This was a significant win for the pro-STR group... albeit a temporary one.

First, let's discuss what this Order DOES NOT DO - **this is NOT a decision on the merits in favor of the pro-STR group.** The Supreme Court merely denied the City's appeal of their initial jurisdictional loss at trial & appellate court through opinions holding in favor of the pro-STR group (*summary*) "*There's enough of a claim from the pro-STR group to allow this case from the residents and company against the City to proceed to trial.*" A rough summary of the case:

CASE HISTORY:

A. CITY BANS STRS; LOSES JURISDICTIONAL ARGUMENT IN FIRST PHASE OF LOWER COURT.

1. In 2018 the **City** passed a change to their zoning ordinance expressly prohibiting **STRs in the City** ("the Ordinance"). As a result, the Muns led the pro-STR group and filed suit against the City, requesting the lower court declare the Ordinance violated their due process rights, was pre-empted, was a taking, and was unconstitutionally retroactive.
2. The **City** argued that the lower court lacked subject-matter jurisdiction over the case for a number of reasons, the most important (among others) being that **the Muns failed to exhaust their administrative remedies by not first going before the Board of Adjustment before filing the lawsuit** (*a bedrock principle that cities use to defeat lawsuits every day across this State*).
3. The lower court disagreed with the City's jurisdictional defenses, **ruling in favor of the Muns** that the City did not have immunity from this suit which sufficiently alleged that a taking had occurred, ordering them to trial. The City immediately appealed to the Second Court of Appeals.

¹ Case No. 22-0044, *City of Grapevine* (Petitioner) v. *Ludmilla B. Muns, Richard Mueller, Kari Perkins, Kevin Perkins, Pamela Holt, and A-1 Commercial and Residential Services, Inc.* (Respondents), on Petition for Review from the Second Court of Appeals

B. CITY APPEALS TO SECOND COURT OF APPEALS; LOSES ON JURISDICTIONAL QUESTION.

4. The 2nd COA analyzed the "**exhaustion of remedies**" question and upended decades of precedent by stating the exhaustion of remedies doctrine did not apply here because the City never actually pursued enforcement... rather their letters were informational only. (***important due to Woodcreek's lack of a municipal court*). The Court ruled there could be no trigger of the 15-day deadline to administratively appeal a city decision if no 'enforcement action' had been issued. This was quite a stretch given the facts of the case but allowed the court to side-step the commonly-used defensive tactic by the city.
5. The 2nd COA also ruled that the City's existing zoning ordinance did not impose any "**occupation-duration requirements**" on residential homes and wholly failed to address leasing; whether short- or long-term. The Court thus concluded that in the absence of express language prohibiting STRs, the Court would not read into the ordinance a prohibition on STRs (*very similar fact pattern to Woodcreek*).
6. The 2nd COA also noted the "**unremarkable and well-established notion that private-property ownership is a fundamental right... that embraces such essential attributes as the right to use, lease, and dispose of it for lawful purposes.**" The Court thus concluded the pro-STR group had sufficiently alleged a "taking" that the City's outright ban of STRs interfered with their right to lawfully earn lease income from it. The Court gave a few examples similar to my question about the "*senior citizen who spends one weekend a month with her daughter in the city and rents out her home on AirBnB to help pay her steadily-rising property taxes.*"
7. The 2nd COA noted in its analysis of home-rule cities like Grapevine that general law cities (*such as Woodcreek*) are not self-governing and instead derive their power directly from the general laws of the Legislature, and thus any limitation on local laws will not be implied unless the general-law provisions are "**clear and compelling to that end**" - noting that any limitation (*either on cities or the homeowners*) to prohibit STRs "**must appear with unmistakable clarity.**" Like Woodcreek, Grapevine did not have language in their zoning ordinance which clearly prohibited STRs... instead they only had language OK'ing them in certain areas which they argued implied a prohibition on the others... but the Court rejected that argument would not read between the lines to imply a prohibition.
8. The 2nd COA suggested that this lawsuit was not a dispute over "**property owners' right to use their property in a certain way**"; but rather about owners' "**retaining their well-settled right to lease their property.**" It held that "**private property ownership is a fundamental right . . . which includes the right to lease to others.**" The Court correctly noted it was far too early to determine whether the Ordinance's time-based leasing restrictions were a due process violation; a question which goes to the merits of the case and is more proper for trial. **Muns' pro-STR group WINS the intermediate level of appeal.** The City then turned to the Supreme Court for their final available appeal *on the jurisdictional issues.*

C. CITY APPEALS TO SUPREME COURT - BUT THE COURT PUNTS THE ISSUE AND DENIES THE CITY'S APPEAL, INSTEAD SENDING CASE TO TRIAL IN LOWER COURT.

9. **(Jan. '23) STRs at Capitol - Legislature Files pro-STR Pre-Emption Bill That Would Have Ended Both This Case and City Regulation of STRs ; But Bill is**

Defeated and Replaced w/ Watered-Down STR Task Force Bill.

10. While the **Supreme Court** considered whether to take up the Grapevine STR case reviewing hundreds of pages of briefing and legal arguments filed over the next 16 months by the Parties as well as "friend of the court" *amicus curiae* briefs by organizations like TML and TCAA. Everyone agrees this is an incredibly important issue and seeks the benefits of a definitive ruling from the Court; including the Muns/pro-STR group who surprisingly sought an appeal of their own lower court and 2nd COA wins; an almost unheard of situation, to cement their win into law/precedent.
11. Now before the **Supreme Court**, the City focused its argument on the **exhaustion of remedies** issue, which if the 2nd COA's holding were upheld and adopted by the Supreme Court would be earth-shattering for cities. The Muns focused their argument on freedom, capitalism, and concerns over the **creation of a gigantic surveillance deep-state** necessary to regulate STRs. It was a compelling set of briefs from the Parties.
12. On June 16, 2023 the **Supreme Court punted the case**, issuing a one-page **ORDER DENYING PETITION FOR REVIEW**, which means they decline to hear the City's complaints. Thus, the 2nd COA's opinion stands for now, has no statewide effect, and the case will be sent back to the lower court to proceed with trial.
13. The **Supreme Court's** concurring opinion issued with the **DENIAL ORDER** explained it's punting of this important issue by stating:

"This case, therefore, starts out as a less-than ideal vehicle for resolving the constitutional issues that are presented. But I think there is even more, because it may also be premature for us to render a final decision that binds all our cities, the legislature, and the lower courts. Given the seeming prevalence of short-term rental bans, and of the opposition against them, I am confident that other cases - unburdened by potentially dispositive collateral questions - will lead to a better vehicle for this Court to address the bans' constitutionality."

D. CONCLUSION: The Supreme Court likely will not have the time to rule on this issue before it goes back before the Legislature in 2025. This was a fairly obvious, and not entirely unpredictable, way to avoid setting state-wide precedent that would have made such STR bans illegal, and created significant financial exposure for cities. The Court was in a no-win situation, much like the Council, and took the easy way out. The case will now go back to the trial court for a trial on the merits of the issues... but in all likelihood will be settled before getting to that point.

CITY ATTORNEY LEGAL ANALYSIS: WOODCREEK REGULATION OF SHORT-TERM RENTALS

Local governments will face an increasingly hostile environment with future STR regulations. To have the best chance at survival they must be narrowly-tailored and preserve existing uses. Decisions on changes to STR regulations must be driven by data and must attempt to address issues specifically outside of previous regulations such as noise, parking, and property values (which are impacted by leases of all durations; not just short-term ones).

A. CONSIDERATIONS FOR ZONING/LAND-USE REGULATION OF SHORT-TERM RENTALS

1. Express language must be set forth in land-use regulations; if you have to read between the lines your regulation may not survive legal challenge.
2. Outright prohibitions of short-term rentals will likely both fail to survive a legal challenge and would likely subject the city to damages and the recovery of attorney fees.
3. Permitting existing users is an absolutely essential intermediate step in the process.
4. A temporary moratorium on issuing new permits would make sense in light of uncertainty from courts and the legislature.

The City of Woodcreek does not appear to have any internal processes in place for inventorying the supply of currently operating short-term rentals. Any future attempt to regulate in this area would be strongest if the governing body took into consideration information on the existing supply of STRs within the community before adopting broad-stroke amendments.

The advisory boards and governing body would be wise to consider the following three subsets of STR owner/operators when crafting its proposed regulations for the City of Woodcreek.

1. Existing STR operators who are fully in compliance with local and state regulations;
2. Existing STR operators who are not in compliance with local and state regulations;
3. Future STR operators who may wish to operate as an STR at some future time.

Any regulation that the City of Woodcreek attempts to implement which has a retroactive effect of prohibiting future rentals by an existing owner/operator of an STR in Woodcreek would face a strict-scrutiny analysis; and in Texas courts' distaste of "big government" creates an uphill battle.

Thus following the City Council's stated preference to "act conservatively and keep us out of court" when it comes to general policy considerations... a middle-ground approach of something *more than* a hands-off approach but *less than* a full outright ban/regulation would be considered.

Recall that just a few months ago the P&Z was considering an outright ban of STRs, the Legislature was considering a pre-emption bill that would have banned all future regulation of short-term rentals by cities, and the Supreme Court had issued no guidance on the issue. Since then the regulatory environment has shifted dramatically but provided some clarity on the issue.

B. SUGGESTIONS FOR ZONING/LAND-USE REGULATION OF SHORT-TERM RENTALS

Taking a conservative legal approach which reflects the Council's and citizens' interest in this issue, my suggestion would be the city council consider a temporary moratorium with the following provisions:

1. Immediately adopt a permitting program for STRs to determine the City's inventory;
2. Immediately determine whether existing operators are in compliance with existing laws;
3. Implement a conditional-use permitting program for existing lawful STR operators;
4. Implement a temporary moratorium on new permitted STRs pending legislative/legal guidance through revisions to the zoning code's permissive uses and duration of leases;
5. Create an enforcement mechanism with a municipal court that would offer an option to the county/district courts when the city seeks to enforce whatever changes it adopts; and
6. Effectively communicate the changes in the law to those most closely impacted by the decision, and let them participate in the process of shaping those regulations in the future.

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AN ACT

relating to the notice and compensation a municipality must provide before revoking the right to use property for a use that was allowed before the adoption of or change to a zoning regulation or boundary.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 211.006, Local Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) In addition to any notice required by this section or Section 211.007, the governing body of a municipality or a zoning commission, as applicable, shall provide written notice of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. The notice must:

(1) be mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date;

(2) contain the time and place of the hearing; and

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(3) include the following text in bold 14-point type or

larger:

"THE [MUNICIPALITY NAME] IS HOLDING A HEARING THAT
WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE
USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ
THIS NOTICE CAREFULLY."

SECTION 2. Subchapter A, Chapter 211, Local Government Code,
is amended by adding Section 211.019 to read as follows:

Sec. 211.019. NONCONFORMING LAND USE. (a) In this section,
"market value" means the price the sale of the property would bring
in an arms-length transaction when offered for sale by one who
wishes, but is not obliged, to sell and when bought by one who is
under no necessity of buying it.

(b) A person using a property in a manner considered to be
a nonconforming use as a result of the adoption of or change to a
zoning regulation or boundary may continue to use the property in
the same manner unless required by a municipality to stop the
nonconforming use of the property.

(c) A requirement imposed by a municipality to stop a
nonconforming use of a property under this section includes:

(1) an official action by the governing body of the
municipality or a board, commission, department, or official of
the municipality; or

(2) a determination by the municipality that a

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nonconforming use has an adverse effect or other necessary determination that a municipality must make before imposing a requirement to stop a nonconforming use under applicable law.

(d) If a municipality requires a property owner or lessee to stop the nonconforming use of a property as described by Subsection (b), the owner or lessee of the property is entitled to:

(1) payment from the municipality in an amount equal to the sum of:

(A) the costs incurred by the owner or lessee of the property that are directly attributable to ceasing the nonconforming use of the property, including expenses related to demolition, relocation, termination of a lease, or discharge of a mortgage; and

(B) an amount equal to the greater of, as determined by the municipality, the diminution in the market value of the property, computed by subtracting the current market value of the property after the imposition of a requirement to stop the nonconforming use of the property from:

(i) the market value of the property on the day before the date the notice was given under Section 211.006(a-1); or

(ii) the market value of the property on the day before a person submits an application or request to the municipality to require or the municipality otherwise requires a

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person to stop using the property in a manner that is a nonconforming use as described by Subsection (b); or

(2) continued nonconforming use of the property until the owner or lessee recovers the amount determined under Subdivision (1) through the owner or lessee's continued business activities according to generally accepted accounting principles.

(e) Not later than the 10th day after the date a municipality imposes a requirement to stop a nonconforming use of a property under this section, the municipality shall give written notice to each owner or lessee of the property, as indicated by the most recently approved municipal tax roll, who is required to stop a nonconforming use of the property of the requirement and of the remedies which an owner or lessee of the property is entitled to under Subsection (d).

(f) The owner or lessee of a property that is subject to a requirement to stop a nonconforming use of the property under this section shall not later than the 30th day after the date the municipality gives the notice required by Subsection (e) respond in writing to the municipality indicating the remedy under Subsection (d) chosen by the owner or lessee. In the event of a conflict in the choice of remedy by the owner and a lessee of the property, the owner's choice of remedy shall control. In the event of a conflict in the choice of remedy by the owners of a property that has more than one owner, the choice of remedy made by an owner

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or owners holding the greater ownership interest in the property shall control. If the municipality does not receive timely notice from an owner or lessee, the municipality may choose the remedy provided under this section.

(g) A person receiving a payment under Subsection (d)(1) must stop the nonconforming use not later than the 10th day after the date of the payment.

(h) A person who continues the nonconforming use under Subsection (d)(2) must stop the nonconforming use immediately on the recovery of the amount determined under Subsection (d)(1).

(i) If more than one person seeks a payment from the municipality under Subsection (d)(1), the municipality shall apportion the payment between each person based on the market value of the person's interest in the property. A person may appeal the apportionment in the manner provided by this section.

(j) A person entitled to a remedy under this section may appeal a determination under Subsection (d)(1) or (2) to the board of adjustment of the municipality not later than the 20th day after the date the determination is made. At the hearing before the board of adjustment, the municipality has the burden of proof to establish the correctness of its determination.

(k) A municipality or a person aggrieved by the final decision of the board of adjustment under Subsection (j) may seek judicial review of the decision by filing suit as provided by

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Section 211.011 not later than the 20th day after the date the final decision is made. The court shall review the decision in the manner provided by Section 211.011 except that:

(1) the municipality has the burden of proving by clear and convincing evidence that its determination was correct; and

(2) the court:

(A) in reviewing the municipality's decision may not use a deferential standard in the municipality's favor; and

(B) is not limited to determining whether a decision of the board meets the requirements of this chapter or other applicable law.

(1) A person seeking to continue a nonconforming use under Subsection (d)(2) who appeals the decision of the municipality or board of adjustment may continue to use the property in the same manner pending the appeal unless an official of the body that made the decision shows cause to stay the nonconforming use by certifying in writing to the board of adjustment or court with jurisdiction over the appeal facts supporting the official's opinion that continued nonconforming use of the property would cause imminent peril to life or property. On a showing of cause the board of adjustment or court with jurisdiction over the appeal may, after notice to the official, grant a restraining order to stay continued nonconforming use of the property.

(m) If the board of adjustment or court with jurisdiction

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over an appeal determines that an owner or lessee is entitled to:

(1) a payment under this section in an amount different than the amount determined by the municipality under Subsection (d)(1), the board of adjustment or court shall order, as applicable:

(A) additional payment to the owner or lessee; or

(B) the owner or lessee to reimburse the municipality; or

(2) an amount of time to operate the nonconforming use that is different than the amount of time initially received under Subsection (d)(2), the board of adjustment or court shall order the municipality to allow an owner or lessee to continue the nonconforming use for additional or less time.

(n) An owner or lessee may waive the rights and remedies provided by this section by providing to the municipality a written waiver.

(o) This section does not apply to a nonconforming use that has been intentionally abandoned for at least six months.

(p) A municipality's immunity from suit and governmental immunity from liability are waived for purposes of an action brought by a property owner or lessee to enforce the rights and remedies under this section.

SECTION 3. (a) Section 211.006, Local Government Code, as amended by this Act, and Section 211.019, Local Government Code,

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as added by this Act, apply to a property for which:

(1) on or after June 1, 2023, the governing body or zoning commission of a municipality considers a proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of the property is a nonconforming use; or

(2) on or after February 1, 2023, the governing body or a board, commission, department, or official of a municipality requires, by ordinance or otherwise, or receives an application or request to require a person to stop nonconforming use of the property due to its nonconformity with the property's current zoning.

(b) Subsection (a)(2) of this section applies to a property regardless of whether the governing body or a board, commission, department, or official of the municipality is required by applicable law to make a determination that the nonconforming use has an adverse effect or other determination before the nonconforming use is required to stop.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

S.B. No. 929

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 929 passed the Senate on April 20, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 929 passed the House on May 4, 2023, by the following vote: Yeas 136, Nays 8, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

BILL ANALYSIS

Senate Research Center
88R16484 DRS-F

C.S.S.B. 929
By: Parker
Local Government
3/28/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Cities can currently change property use regulations, which renders a business owner's previously legal property use as "non-conforming," without triggering takings repayment requirements. Cities then can use a process called "amortization" to force a property owner to cease business operations deemed non-conforming despite being perfectly acceptable before the zoning change. The city never has to pay the landowner a dime for taking away the right to use their property, and instead implements the use of an accounting maneuver to allow the property owner to "compensate themselves."

Amortization occurs all over the state $\frac{1}{2}$ from Lubbock to Dallas to Corpus Christi. One city put a number of auto-related businesses out of work to establish an "arts-gateway," and instead of offering compensation for lost revenue, the city sought \$1,000 per day fines for those who continued to operate while fighting for their livelihoods. Another city passed new regulations on property leases that would force several landlords out of the rental business. In one case, a city threatened to drive a roofing materials factory that employs 150 workers from their property without giving them a dime even though they legally called the factory their home of 80 years. Facing certain abuse of the city's amortization ordinance, the company relented and plans to shut down its plant in just seven years and vacate the property, likely carrying the expense of hundreds of millions of dollars. Often, businesses facing amortization close for good or move their factories $\frac{1}{2}$ and jobs $\frac{1}{2}$ out of Texas.

The amortization process goes against Texas' long tradition of job creation and respect for private property rights. And when a city has a compelling need to deprive landowners of the useful enjoyment of their properties, it should be required, as it is in cases of eminent domain, that it offer financial compensation at fair market value. Amortization hurts Texas businesses, from small auto repair shops to factories employing hundreds of Texans.

S.B. 929 requires the governing body of a municipality or a zoning commission to provide written notice to property owners and occupants of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary that could result in a current conforming use of a property becoming a nonconforming use. The bill also establishes the compensation that the owner or lessee of property with a nonconforming use is entitled to receive if the nonconforming use is required to cease operation due to being a nonconforming use.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 929 amends current law relating to the notice and compensation a municipality must provide before revoking the right to use property for a use that was allowed before the adoption of or change to a zoning regulation or boundary.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 211.006, Local Government Code, by adding Subsection (a-1), as follows:

(a-1) Requires the governing body of a municipality or a zoning commission, as applicable, in addition to any notice required by Section 211.006 (Procedures Governing Adoption of Zoning Regulations and District Boundaries) or Section 211.007 (Zoning Commission), to provide written notice of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. Requires that the notice:

(1) be mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date;

(2) contain the time and place of the hearing; and

(3) include certain text. Sets forth the language required to be included in the notice.

SECTION 2. Amends Subchapter A, Chapter 211, Local Government Code, by adding Section 211.019, as follows:

Sec. 211.019. NONCONFORMING LAND USE. (a) Defines "market value."

(b) Authorizes a person using a property in a manner considered to be a nonconforming use as a result of the adoption of or change to a zoning regulation or boundary to continue to use the property in the same manner unless required by a municipality to stop the nonconforming use of the property.

(c) Provides that a requirement imposed by a municipality to stop a nonconforming use of a property under this section includes:

(1) an official action by the governing body of the municipality or a board, commission, department, or official of the municipality; or

(2) a determination by the municipality that a nonconforming use has an adverse effect or other necessary determination that a municipality is required to make before imposing a requirement to stop a nonconforming use under applicable law.

(d) Entitles the owner or lessee of the property, if a municipality requires a property owner or lessee to stop the nonconforming use of a property as described by Subsection (b), to:

(1) payment from the municipality in an amount equal to the sum of:

(A) the costs incurred by the owner or lessee of the property that are directly attributable to ceasing the nonconforming use of the property, including expenses related to demolition, relocation, termination of a lease, or discharge of a mortgage; and

(B) an amount equal to the greater of, as determined by the municipality, the diminution in the market value of the property, computed by subtracting the current market value of the property after the imposition of a requirement to stop the nonconforming use of the property from:

(i) the market value of the property on the day before the date the notice was given under Section 211.006(a-1); or

(ii) the market value of the property on the day before a person submits an application or request to the municipality to require or the municipality otherwise requires a person to stop using the property in a manner that is a nonconforming use as described by Subsection (b); or

(2) continued nonconforming use of the property until the owner or lessee recovers the amount determined under Subdivision (1) through the owner or lessee's continued business activities according to generally accepted accounting principles.

(e) Requires a municipality, not later than the 10th day after the date the municipality imposes a requirement to stop a nonconforming use of a property under this section, to give written notice to each owner or lessee of the property, as indicated by the most recently approved municipal tax roll, who is required to stop a nonconforming use of the property of the requirement and of the remedies which an owner or lessee of the property is entitled to under Subsection (d).

(f) Requires the owner or lessee of a property that is subject to a requirement to stop a nonconforming use of the property under this section, not later than the 30th day after the date the municipality gives the notice required by Subsection (e), to respond in writing to the municipality indicating the remedy under Subsection (d) chosen by the owner or lessee. Requires that the owner's choice of remedy, in the event of a conflict in the choice of remedy by the owner and a lessee of the property, control. Requires that the choice of remedy made by an owner or owners holding the greater ownership interest in the property, in the event of a conflict in the choice of remedy by the owners of a property that has more than one owner, control. Authorizes the municipality, if the municipality does not receive timely notice from an owner or lessee, to choose the remedy provided under this section.

- (g) Requires a person receiving a payment under Subsection (d)(1) to stop the nonconforming use not later than the 10th day after the date of the payment.
- (h) Requires a person who continues the nonconforming use under Subsection (d)(2) to stop the nonconforming use immediately on the recovery of the amount determined under Subsection (d)(1).
- (i) Requires the municipality, if more than one person seeks a payment from the municipality under Subsection (d)(1), to apportion the payment between each person based on the market value of the person's interest in the property. Authorizes a person to appeal the apportionment in the manner provided by this section.
- (j) Authorizes a person entitled to a remedy under this section to appeal a determination under Subsection (d)(1) or (2) to the board of adjustment of the municipality not later than the 20th day after the date the determination is made. Provides that the municipality, at the hearing before the board of adjustment, has the burden of proof to establish the correctness of its determination.
- (k) Authorizes a municipality or a person aggrieved by the final decision of the board of adjustment under Subsection (j) to seek judicial review of the decision by filing suit as provided by Section 211.011 (Judicial Review of Board Decision) not later than the 20th day after the date the final decision is made. Requires the court to review the decision in the manner provided by Section 211.011 except that:
- (1) the municipality has the burden of proving by clear and convincing evidence that its determination was correct; and
 - (2) the court in reviewing the municipality's decision is prohibited from using a deferential standard in the municipality's favor and is not limited to determining whether a decision of the board meets the requirements of Chapter 211 (Municipal Zoning Authority) or other applicable law.
- (l) Authorizes a person seeking to continue a nonconforming use under Subsection (d)(2) who appeals the decision of the municipality or board of adjustment to continue to use the property in the same manner pending the appeal unless an official of the body that made the decision shows cause to stay the nonconforming use by certifying in writing to the board of adjustment or court with jurisdiction over the appeal facts supporting the official's opinion that continued nonconforming use of the property would cause imminent peril to life or property. Authorizes the board of adjustment or court with jurisdiction over the appeal, on a showing of cause, after notice to the official, to grant a restraining order to stay continued nonconforming use of the property.
- (m) Provides that, if the board of adjustment or court with jurisdiction over an appeal determines that an owner or lessee is entitled to:
- (1) a payment under this section in an amount different than the amount determined by the municipality under Subsection (d)(1), the board of adjustment or court is required to order, as applicable:
 - (A) additional payment to the owner or lessee; or
 - (B) the owner or lessee to reimburse the municipality; or
 - (2) an amount of time to operate the nonconforming use that is different than the amount of time initially received under Subsection (d)(2), the board of adjustment or court is required to order the municipality to allow an owner or lessee to continue the nonconforming use for additional or less time.
- (n) Authorizes an owner or lessee to waive the rights and remedies provided by this section by providing to the municipality a written waiver.
- (o) Provides that this section does not apply to a nonconforming use that has been intentionally abandoned for at least six months.
- (p) Provides that a municipality's immunity from suit and governmental immunity from liability are waived for purposes of an action brought by a property owner or lessee to enforce the rights and remedies under this section.

SECTION 3. (a) Provides that Section 211.006, Local Government Code, as amended by this Act, and Section 211.019, Local Government Code, as added by this Act, apply to a property for which:

(1) on or after June 1, 2023, the governing body or zoning commission of a municipality considers a proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of the property is a nonconforming use; or

(2) on or after February 1, 2023, the governing body or a board, commission, department, or official of a municipality requires, by ordinance or otherwise, or receives an application or request to require a person to stop nonconforming use of the property due to its nonconformity with the property's current zoning.

(b) Provides that Subsection (a)(2) of this section applies to a property regardless of whether the governing body or a board, commission, department, or official of the municipality is required by applicable law to make a determination that the nonconforming use has an adverse effect or other determination before the nonconforming use is required to stop.

SECTION 4. Effective date: upon passage or September 1, 2023.

The logo features the letters 'TMI' in a large, bold, serif font. A stylized outline of the state of Texas is positioned above the 'I'. To the right of 'TMI', the words 'LEGISLATIVE' and 'UPDATE' are stacked vertically in a smaller, all-caps, serif font.

June 9, 2023
Number 23

S.B. 929 (Parker/Rogers) – Nonconforming Use Compensation: provides, among other things: (1) that in addition to other notices, a city shall provide written notice containing certain language of any public hearing regarding any proposed zoning change that could result in the creation of a nonconforming use; (2) that the notice required in (1), above, must: (a) be sent by mail to certain addresses; (b) contain the time and place of the hearing; and (c) include specific notice language; (3) a person using property in a manner considered to be a nonconforming use as a result of a change in an applicable zoning regulation may continue that nonconforming use unless required to stop by the city; (4) that a requirement to stop a nonconforming use includes: (a) an official action by the city; or (b) a determination by the city that the nonconforming use has an adverse effect or another necessary determination that the city must make prior to imposing a requirement to stop a nonconforming use; (5) that if a nonconforming use is required by a city to cease operation, the owner or the lessee of the property is entitled to receive a certain, calculated payment for damages associated with closing the operation or additional time to engage in the nonconforming use; and (6) for a process to appeal determinations to the board of adjustment, along with a process to seek judicial review of the final decision of the board of adjustment. (Effective immediately).

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Review and Discuss the City of Woodcreek Comprehensive Plan and Take Possible Action in Accordance with the Comprehensive Plan Goals, Strategies, and Action Plans

AGENDA ITEM SUMMARY:

Council should periodically review the Comprehensive Plan and assess how the governing body is working to achieve the citizen goals itemized in the plan. The focus on this discussion will be to identify items that have been completed, or are in progress, and then highlight areas that are in need of additional attention and action. Specific attention should be placed on the Goals, Strategies, and Action Plans identified in pages 44-73 of the Comprehensive Plan attached in this packet and available at this link: <https://www.woodcreektx.gov/bc-comp-plan/page/comprehensive-plan>

RECOMMENDATION:

Recommend that Council identify Action Items listed under the Goals and Strategies of the Comprehensive Plan that are in need of attention or action. Then, Council should take the next steps necessary to achieve or address these items. This may mean directing items to individual Councilmembers, staff, or other advisory boards.

FINANCIAL IMPACT:

none

SUBMITTED BY:

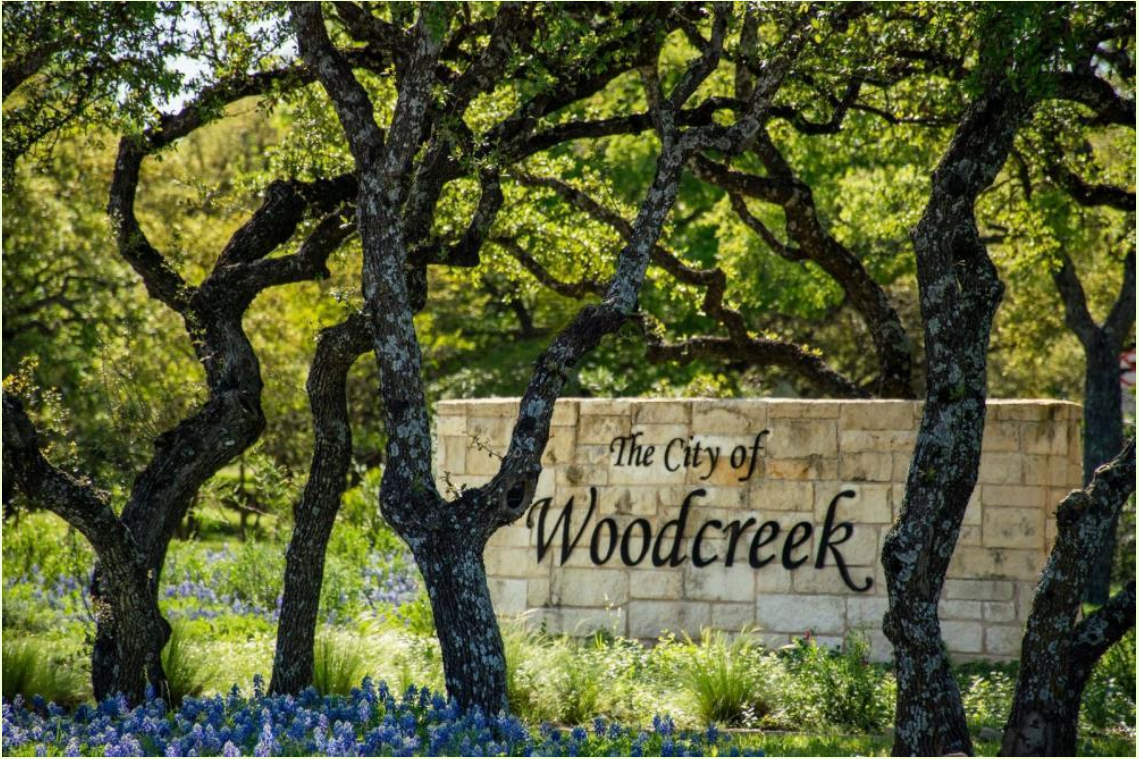
Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

6/30/2023 12:28:48 PM



*City Of Woodcreek
Comprehensive Plan
2022*

Vision Statement

Nestled amid the unique Texas Hill Country, the City of Woodcreek is a growing, family-oriented community tucked around an 18-hole golf course, with an inherent dedication to celebrating natural beauty and the culture of the surrounding area. Citizens seek to preserve the peaceful, rural feel of this community through sustainable land management, responsible planning, quality infrastructure management, and thoughtful development practices. Residents chose Woodcreek as home for its safety, convenient location, recreational opportunities, and high quality of life. Intentional communication and community spirit will preserve Woodcreek’s enduring charm.

Background

A comprehensive plan is a policy document that establishes a community’s aspirations and lays out a road map to achieve those goals. The core philosophy of the Woodcreek Comprehensive Plan, as directed by the citizen survey, will be to preserve the character of Woodcreek and its quality of life for residents. The tenets driving the plan are to promote a sense of community; to preserve and protect our natural beauty and wealth of resources; and to ensure that the rural character of Woodcreek carries on even as the Wimberley Valley experiences unprecedented growth.



Image 1: Woodcreek Golf Course

- I. Introduction**
- II. Acknowledgements**
- III. Plan Creation**
- IV. Overview of Woodcreek**
- V. Current Conditions**
 - a. Demographics
 - b. Environmental Analysis
 - c. Natural Systems
 - d. Physical Systems
 - e. Fiscal
 - f. Land Use
- VI. Citizen Survey Focus Areas**
 - a. Overview
 - b. Key Areas of Focus
- VII. Vision for Woodcreek**
 - a. Natural Systems
 - b. Physical Systems
 - c. Fiscal
 - d. Land Use
- VIII. Implementation**
- IX. Woodcreek and the Wimberley Valley**
- X. Summary of Key Action Items**
- XI. Glossary**
- XII. Appendix: Image Credits**

The City of Woodcreek Comprehensive Plan serves as a vision for the future of the city. As a policy guide, it directs long-term planning across the city and its Extra Territorial Jurisdiction (ETJ). This plan builds upon past vision plans and utilizes existing plans, like the Parks & Recreation Master Plan, to form a complete picture for the Woodcreek community. Development, sustainability, preservation of its character, infrastructure maintenance, protecting natural resources, supporting local business, and all other aspects ensure a community will flourish.

The Comprehensive Plan creates a framework for allocation of city resources to achieve community goals and plan for improvements, as well as basis for future land use and development in the ETJ. The Plan integrates the wants and needs of the community's stakeholders. Its workgroup consists of a representative from each of the three commercial enterprises located within the city limits, a diverse group of citizens, two elected Councilmembers, and a member each from the Planning & Zoning Commission and Parks & Recreation Board, all with the assistance of a City Planner from K. Friese. The plan is driven by citizen input through surveys and focus groups. Periodic updates will ensure that the Plan stays relevant and reflective of changing needs over time.

Chapter 213 – Texas Local Government Code

Chapter 213 of the Texas Local Government Code provides the basis for comprehensive planning in Texas. This chapter reads in part:

Sec. 213.002. COMPREHENSIVE PLAN

(a) The governing body of a municipality may adopt a comprehensive plan for the long-range development of the municipality. A municipality may define the content and design of a comprehensive plan.

(b) A comprehensive plan may:

(1) include but is not limited to provisions on land use, transportation, and public facilities;

(2) consist of a single plan or a coordinated set of plans organized by subject and geographic area; and

(3) be used to coordinate and guide the establishment of development regulations.

(c) A municipality may define, in its charter or by ordinance, the relationship between a comprehensive plan and development regulations and may provide standards for determining the consistency required between a plan and development regulations.

(d) Land use assumptions adopted in a manner that complies with Subchapter C, Chapter 395 may be incorporated in a comprehensive plan.

A primary way that a municipality regulates the development of land within its jurisdiction is through a zoning ordinance. Here again, the comprehensive plan serves as the basis upon which all zoning decisions are made. Chapter 211 of the Local Government Code requires that all zoning decisions be consistent with a municipal comprehensive plan. That chapter reads in part:

Chapter 211 – Texas Local Government Code

Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN

(a) Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

- (1) lessen congestion in the streets;
- (2) safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent the overcrowding of land;
- (6) avoid undue concentration of population; or
- (7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

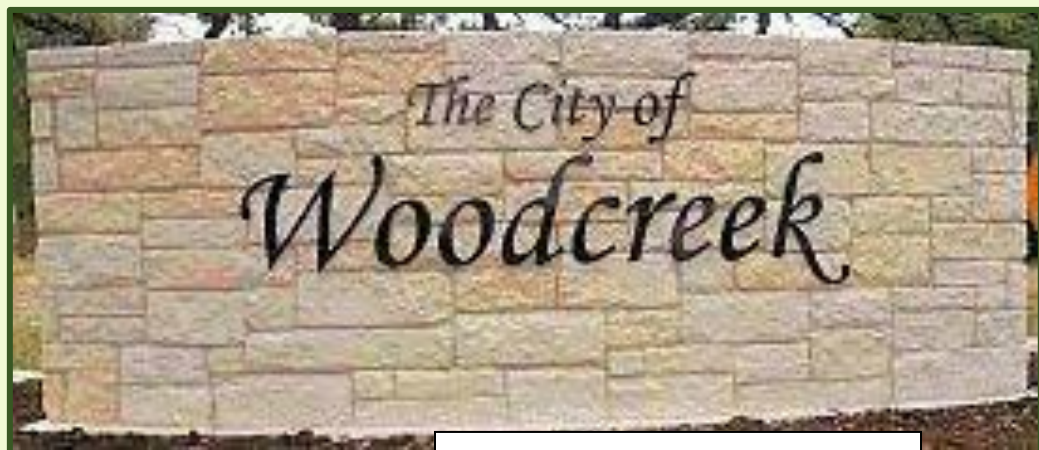


Image 2: Woodcreek Main Entrance Sign

We would like to acknowledge the many individuals who gave a significant amount of their time and energy to drafting this Comprehensive Plan for the City of Woodcreek.

The following lists of people from the City of Woodcreek have been directly or indirectly involved in the completion of this plan, and they are listed below to acknowledge and thank them for their time spent in service to the community.

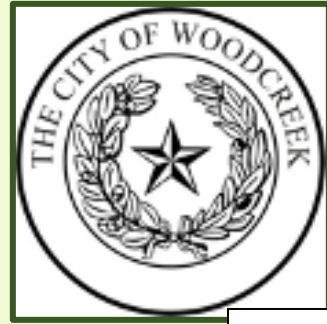


Image 3: City Seal

Comprehensive Plan

Current:

- Aurora LeBrun**, Co-Chair
- Debra Hines**, Co-Chair
- Justin Camp**
- Jason Donaldson**
- Lydia Johns**
- Jerry Moore**
- Tomas Palm**
- Greg Posey**
- Pat Rawlings**
- Danny Ross**
- Bill Tarwater**

Previous:

- Amanda Erwin**, Chair
- Diane Stewart**
- Pat Rawlings**

City Administration

Current:

- Suzanne Mac Kenzie**, City Secretary
- Maureen Mele**, Administrative Assistant
- Bud Wymore**, City Attorney

Previous:

- Brenton Lewis**, City Manager
- Linda Land**, City Secretary
- Joe Tijerina**, City Inspector

City Council

Current:

- Jeff Rasco**, Mayor
- Aurora LeBrun**, Mayor Pro-Tem
- Chrys Grummert**, Councilmember
- Debra Hines**, Councilmember
- Joe Kotarba**, Councilmember
- Brent Pulley**, Councilmember

Previous:

- Gloria Whitehead**, Mayor
- Judy Brizendine**, Councilmember
- Bob Hamrick**, Councilmember

Planning and Zoning

Current:

- Andy Davenport**, Chairperson
- Lydia Johns**, Vice-Chair
- Tomas Palm**, Commissioner
- Chris Sonnier**, Commissioner
- Tamara Robertson**, Commissioner
- Carson Bledsoe**, Alt. Commissioner
- Josh Erwin**, Alt. Commissioner

Previous:

- Joe Kotarba**, Chair
- Larry Alford**, Commissioner
- Jack Bose**, Commissioner
- Kathy Maldonado**, Commissioner
- Rogers Holt**, Alt. Commissioner

A special thank you to our city staff, past and present, who provided answers to questions and vital information as this plan came together, in addition to, setting up each meeting, tracking minutes, posting communications for public engagement and the distribution of the citizen surveys. This endeavor would not have been possible without the direct support of the City of Woodcreek staff.

Planning and Development Consultant - Pegasus

Civil Engineering Firm - K. Friese

- **Brandon Melland**
- **Selina Angel**
- **Adrian Frias**
- **Carolyn LaFollette**

Important acknowledgement goes out to the K. Friese staff members who assisted in:

- Collecting and compiling survey results,
- Analyzing the survey results,
- Producing reports,
- Advising in the creation of the Comprehensive Plan document,
- Hosting the Future Land Use workshop,
- Developing all the visuals for that event,
- Providing charts and maps for inclusion in the Comprehensive Plan.

Parks and Recreation

Current:

- Pat Rawlings, Chair**
- Karen Poe, Vice-Chair**
- Cody Abney**
- Ruth Ann Gilbert**
- Elizabeth Maurer**

Previous:

Jane Little

Tree Board

Current:

- Cindy Jones, Chair**
- Monica Rasco, Vice-Chair**
- Jacob McElroy**
- Iris Ramos**
- Dorothy Tasian**
- Nan Simpson, Alternate**
- Terri Burney-Bisett, Alternate**

Platinum Panel

- Linnea Bailey, Chair**
- Cody Abney, Vice-Chair**
- Joe Green**
- Ed Fleming**
- Jill Bloom**

Ordinance Review

Current:

- Emma Davenport, Chair**
- Donna Hector, Vice-Chair**
- Randy Renter**
- Karen Duncan**
- Steve Passalacqua**

Previous:

- Carroll Wilson, Chair**
- Peg Wolfe, Vice-Chair**

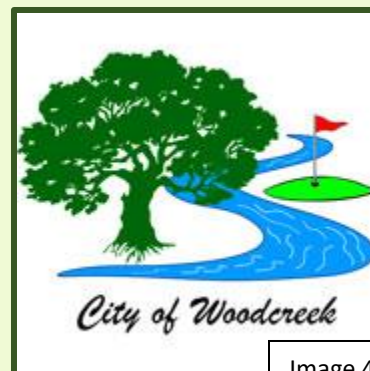


Image 4: Unofficial Logo

The City of Woodcreek Comprehensive Plan is the result of an extensive process involving:

- analysis of existing conditions,
- engaging the public for input,
- drafting recommendations for future goals.

Meetings were open to the public, advanced notice was published, and in most cases, meetings were recorded and posted on the city website.

Phases in Process

1. **Formation of the Comprehensive Plan Workgroup and the creation of the Comprehensive Plan Survey of Summer 2021** involved gathering a diverse group of citizens and stakeholders together as the official advising body to work on the Comprehensive Plan. This group would see the plan to its finish and was initially responsible for producing the first citizen survey that would serve as the foundational source of information for the first iteration of the City of Woodcreek's Comprehensive Plan.
2. **Review of Survey results and the creation of an outline utilizing focus groups** marked the start of the writing of the Comprehensive Plan. The city of Woodcreek hired K. Friese to collect, process and analyze the citizen survey results. From their report, and with on-going counsel from K. Friese staff, the Comprehensive Plan Workgroup identified key focus groups from which the plan could derive its basic outline: Natural Systems, Physical Systems, Fiscal Systems and Land Use. During this time the introductory portions of the plan were written and edited.
3. **Focus group meetings, discussions, and the Future Land Use Workshop** served to further fill out the plan establishing existing conditions and identifying future goals as expressed in citizen input. The Future Land Use Workshop was an interactive event with significant attendance. It served as an educational event and involved gathering more citizen input through additional survey questions and boards for stakeholders to provide feedback for their vision of Woodcreek's future. Providing multiple opportunities for citizen engagement, the bi-weekly meetings of the Comprehensive Plan Workgroup have proceeded through each focus group individually filling out large portions of the existing conditions and vision sections of this document.



Image 5: Future Land Use Meeting

4. Final drafting of the plan and review by the Planning and Zoning Commission and City Council is the last step in the process. Once approved by the City Council, the Comprehensive Plan becomes a document to guide policy and planning. It is backed by City ordinance and can directly influence the expenditure of funds and future development agreements. Planning and Zoning will be directly responsible for future updates of the plan and for ensuring stated goals are carried out.

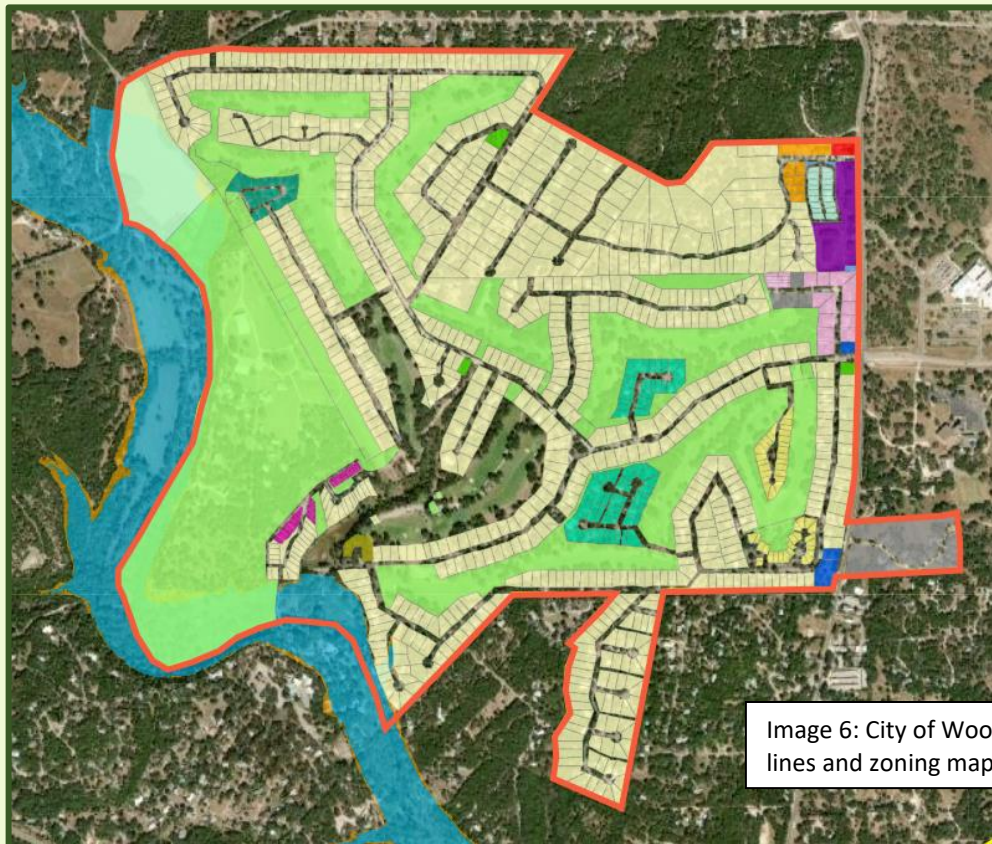


Image 6: City of Woodcreek Lot lines and zoning map (2019)

Overview of Woodcreek

The City of Woodcreek, located in Hays County, was incorporated into a municipality in 1984 and became a General Law Type A city in 1989. It originally began as a golfing resort community with many vacation homes and has grown to be a thriving and diverse community of long-term residents. With its narrow streets lined by ancient oaks, park-like setting, larger-than-average lot sizes, varied fauna, and views of Cypress Creek, Woodcreek feels more like a quaint, rural neighborhood than a city.

Woodcreek

- Consists of approximately 696 acres of land
- More than 900 residences
- 1,750 residents
- Nestles in the Cypress Creek Watershed of the Blanco River Basin
- Sister city to Wimberley, relying on basic consumer, recreational and education needs
- City limits bordered by Cypress Creek to the west and south, Ranch Road 12 to the east and Mountain



Image 7: Road Map of Texas



Image 8: Hays County Cut Out

The City of Woodcreek has just three non-residential entities: **Double J Ranch Golf Club (formerly Quicksand Golf Course), Camp Young Judaea, and Hill Country Spirits.** Woodcreek is known for its championship 18-hole golf course dating back to the 1970s. Quicksand winds throughout the entire city and serves as a beautiful scenic backdrop to the residents' daily lives, making this an idyllic spot for retirement and raising children alike.

Growth

The City of Woodcreek has seen a steady growth rate of about one percent annually for the past decade, with a 21% increase between 2010 and 2020. The city saw a dramatic increase in population in 2017 due to the Woodcreek Apartments complex.

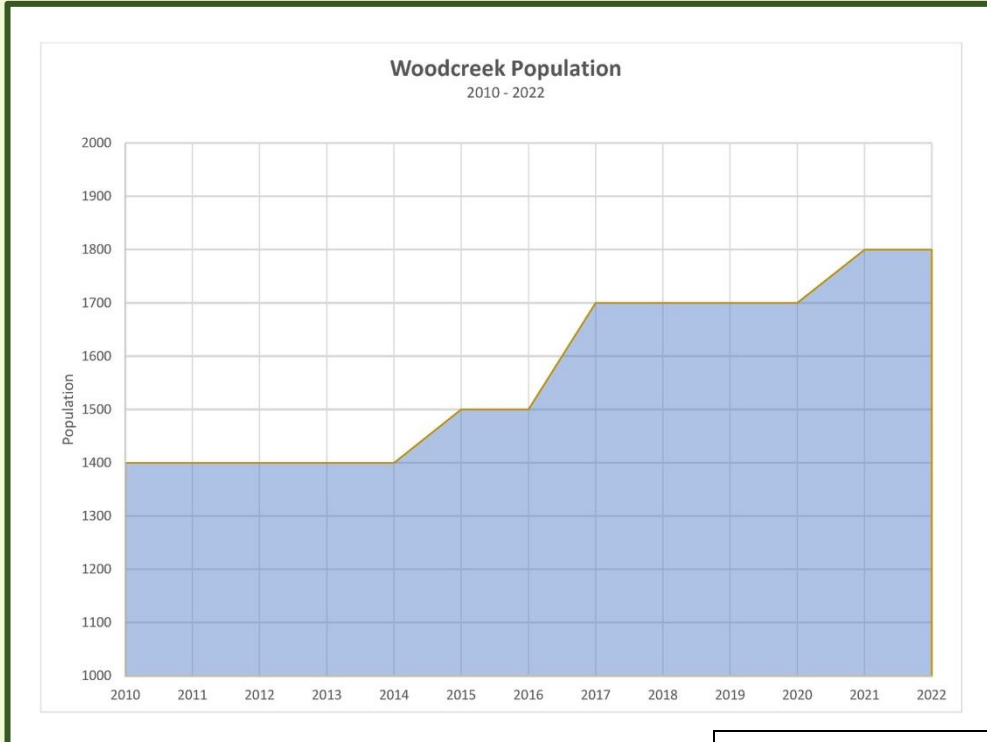


Image 9: Population Graph

Statistics

- The median income matches the average for the County and is nine percent higher than the State average.
- The median age has hovered in the low to mid 60s for most of the City’s history but has been shifting in recent years to include more young families.
- Houses and property have typically remained affordable in Woodcreek. However, Hays County’s status as the fastest growing county in the nation with a population of 100,000 or more has caused Woodcreek property values to increase significantly over the last five years.

Demographics

The median age of Woodcreek is 59, and the population distribution is shown in the charts below.

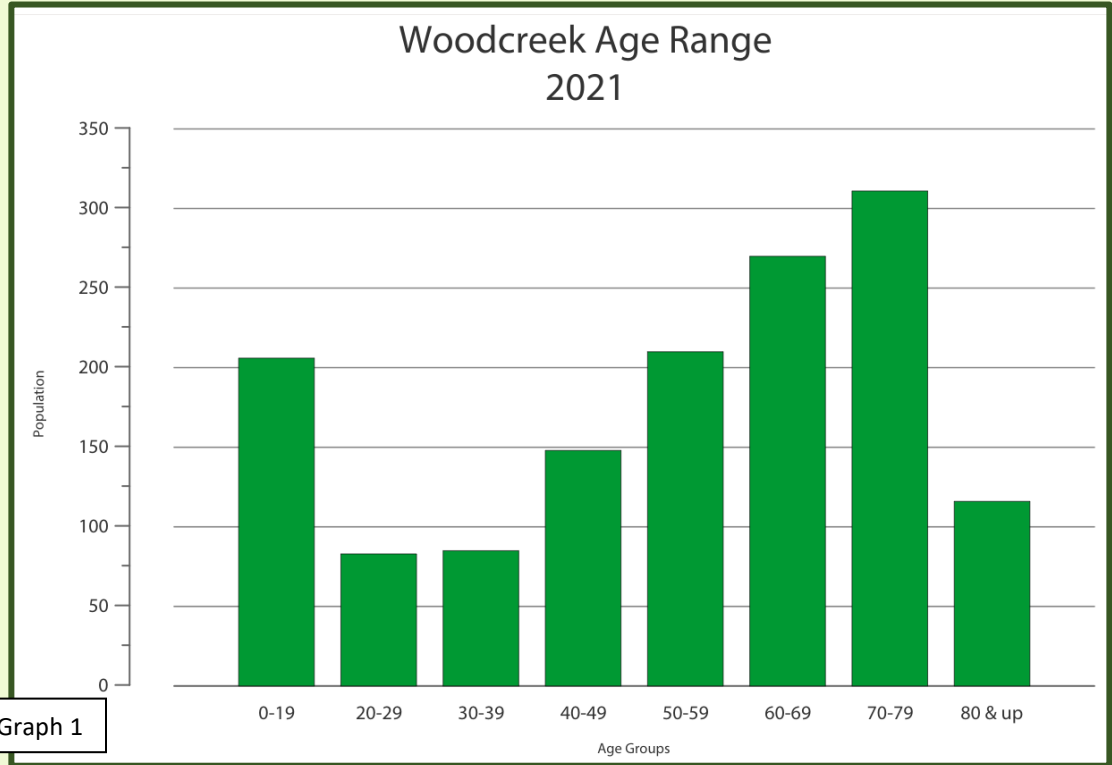


Image 10: Demographics Graph 1

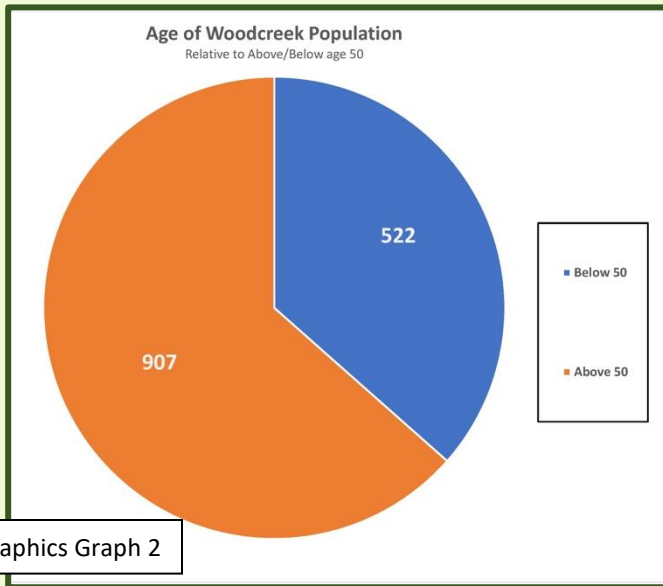


Image 11: Demographics Graph 2

Changes in this make-up are expected as there has been an increase in younger home buyers and those with adolescent children moving into the area. This is due in part to the new Blue Hole Primary School opening in the ETJ but can also be tied to the relative worth and low cost of the homes in this area. Woodcreek is one of the last affordable neighborhoods in the area.

The 2020 Census results have not been released yet, but demographics reported in the Comprehensive Plan Survey match trends in previous census data. The survey results were only indicative of about half the population of Woodcreek but given the large sample size are still considered significant for gathering resident preferences. The 2020 census data will shine greater light on current population trends in Woodcreek and the plan shall be updated once those are released.

Housing and Extra Territorial Jurisdiction

- *The housing market within the city limits has seen an increase in home values since 2020 as a more mobile workforce has migrated into rural communities.*
- *The rising housing costs in the closest major cities have caused home buyers seeking proximity to Austin to look in a much broader radius into the surrounding hill country and places like Woodcreek.*
- *Around 70 homes are long-term rentals in Woodcreek.*
- *Much of the land within Woodcreek City limits is built out and remains residential.*
- *There are less than 120 lots available for new construction.*
- *The ETJ remains widely undeveloped and will be the site of any significant future growth for the city.*
- *Woodcreek hosts a diverse housing market with everything from apartments and townhomes to duplexes and single-family residences, both on small*

Commercial Enterprises

There are only three major non-residential enterprises within the city.

- *Double J Ranch Golf Club (formerly Quicksand Golf Course) and Hill Country Spirits bring in significant sales tax income for the city.*
- *The third major business is Camp Young Judaea, a nonprofit children's summer camp, and is the second largest private landowner in Woodcreek behind the golf course.*
- *There are a handful of other small, home-based, businesses operating throughout the community.*

Environmental Analysis

Woodcreek has several environment features determined to be of critical value for the protection of water quality such as flood plains, a nearby fault line, riparian corridors, karst features, groundwater management zones, cave like rock features, seeps, and natural springs. These features, when protected and managed, help to lessen the impact of floods and drought.

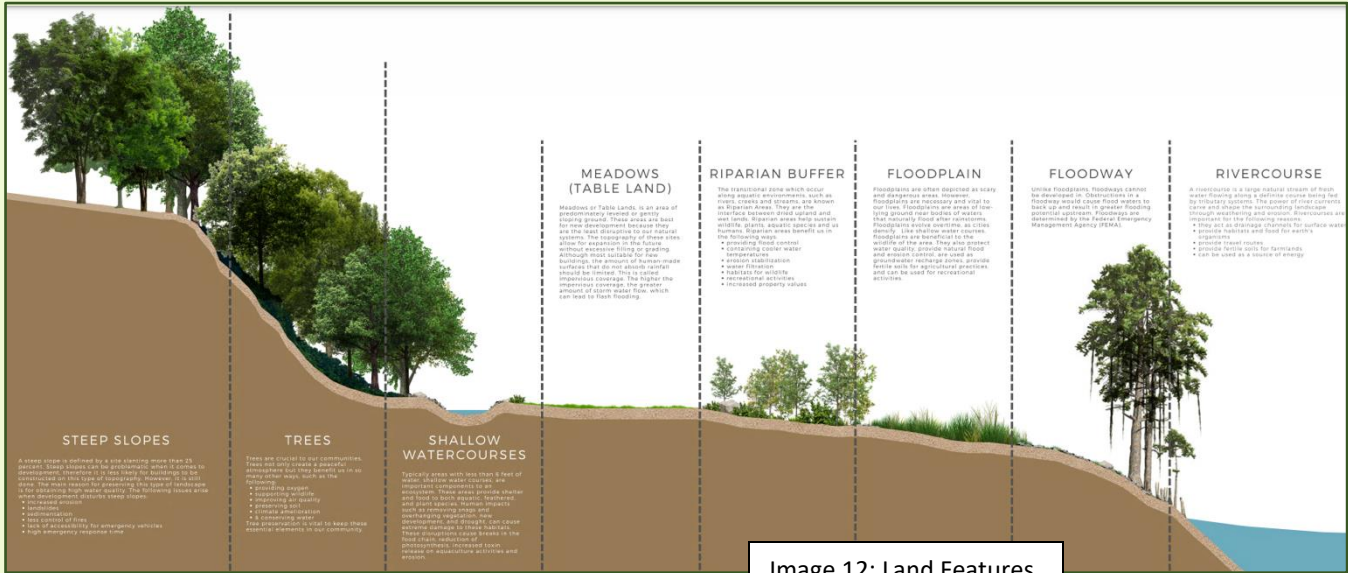


Image 12: Land Features

Steep Slopes

A steep slope is defined by a site slanting more than 25 percent. Steep slopes can be problematic when it comes to development, therefore it is less likely for buildings to be constructed on this type of topography. However, it is still done. The main reason for preserving this type of landscape is for obtaining high water quality. The following issues arise when development disturbs steep slopes:

- Increased erosion
- Landslides
- Sedimentation
- Less control of fires
- Lack of accessibility for emergency vehicles
- High emergency response time

Trees

Trees are crucial to our communities. Trees not only create a peaceful atmosphere, but they benefit us in so many other ways, such as the following:

- Providing oxygen
- Supporting wildlife
- Improving air quality
- Preserving soil
- Climate amelioration
- Conserving water

Tree Preservation is vital to keep these essential elements in our community.

Shallow Watercourses

Typically, areas with less than 6 feet of water. Shallow water courses are important components to an ecosystem. These areas provide shelter and food to both aquatic, feathered, and plant species. Human impacts such as removing snags and overhanging vegetation, new development, and drought can cause extreme damage to these habitats. These disruptions cause breaks in the food chain, reduction of photosynthesis, increased toxin release on aquaculture activities and erosion.

Meadows (Table Land)

Meadows or Table Lands, is an area of predominately leveled or gently sloping ground. These areas are best for new development because they are the least disruptive to our natural systems. The topography of these sites allow for expansion in the future without excessive filling or grading. Although most suitable for new buildings, the amount of human-made surfaces that do not absorb rainfall should be limited. This is called impervious coverage. The higher the impervious coverage, the greater amount of storm water flow, which can lead to flash flooding.

Riparian Buffer

The transitional zones which occur along aquatic environments, such as rivers, creeks, and streams are known as Riparian Areas. They are the interface between dried upland and wetlands. Riparian areas benefit us in the following ways:

- Providing flood control
- Containing cooler water temperatures
- Erosion stabilization
- Water filtration
- Habitats for wildlife
- Recreational activities
- Increased property values

Floodplain

Floodplains are often depicted as scary and dangerous areas. However, floodplains are necessary and vital to our lives. Floodplains are areas of low-lying ground near bodies of waters that naturally flood after rainstorms. Floodplains evolve over time, as cities densify. Like shallow water courses, floodplains are beneficial to the wildlife of the area. They also protect water quality, provide natural flood and erosion control, are used as groundwater recharge zones, provide fertile soils for agricultural practices, and can be used for recreational activities.

Floodway

Unlike floodplains, floodways cannot be developed in. Obstructions in a floodway would cause flood waters to back up and result in greater flooding potential upstream. Floodways are determined by the Federal Emergency Management Agency (FEMA).

Rivercourse

A rivercourse is a large natural stream of fresh water flowing along a definite course being fed by tributary systems. The power of river currents carve and shape the surrounding landscape through weathering and erosion. Rivercourses are important for the following reasons:

- They act as drainage channels for surface water
- Provide habitats and food for earth's organisms
- Provide travel routes
- Provide fertile soils for farmlands
- Can be used as a source of energy



Image 13: Cypress Falls Swimming Hole

Influences on the local environment:

- Increased population in the area has put a strain on the local watershed.
- Human development changes the natural landscape, increases impervious coverage, and magnifies resource consumption by residents and businesses.
- Protecting groundwater recharge in the local watershed in which Woodcreek is located will work to preserve water quality and availability for future residents.
- Additionally, it will ensure the character of the valley endures for generations to come.

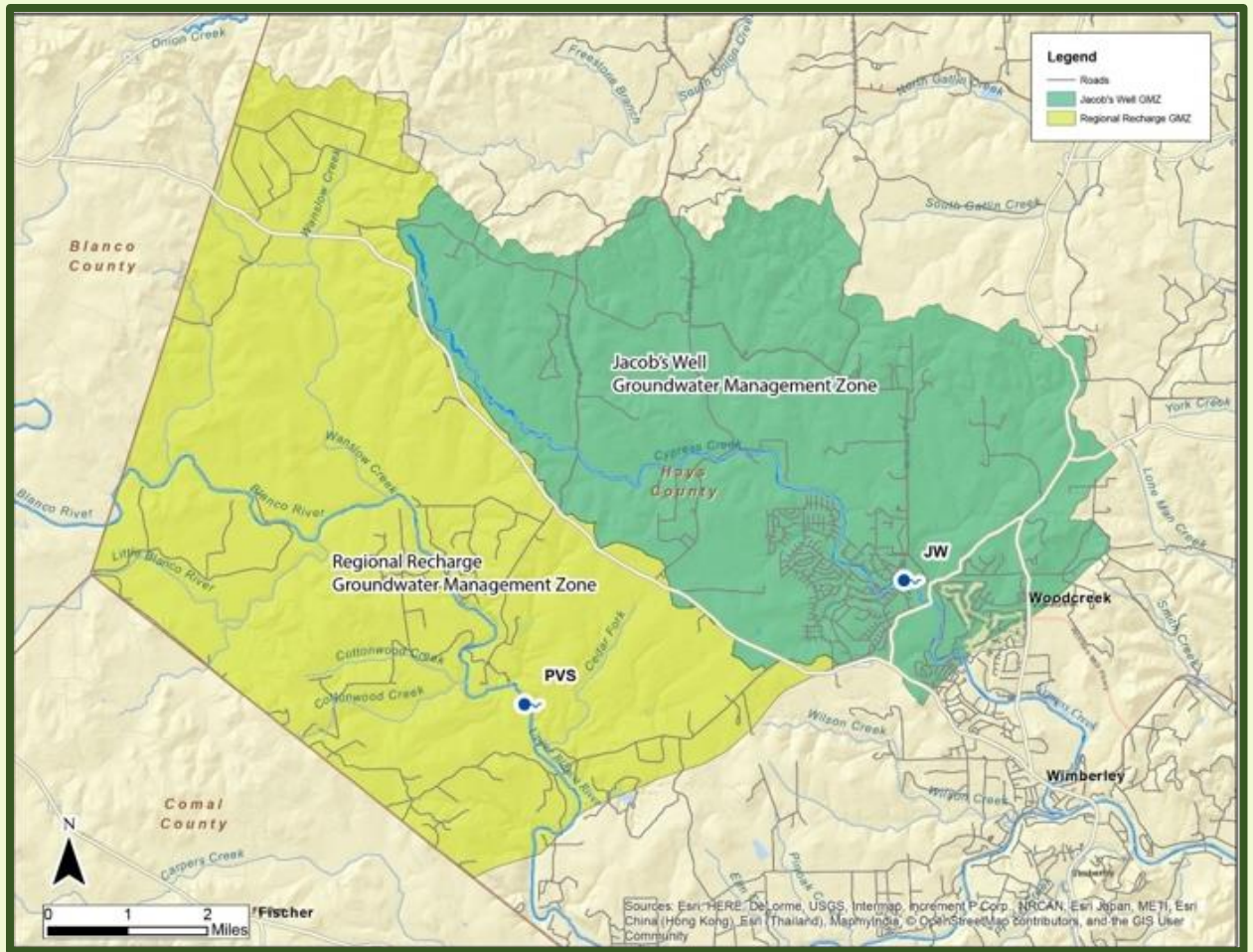


Image 14: Regional Groundwater Management Zones

Woodcreek lies within the Wimberley Valley which follows the course of the Blanco River and Cypress Creek. This area is in the Blanco River basin where the land and all water tributaries (streams and creeks) slowly drain any rainfall into the Blanco River, acting like a giant sink basin.

On a larger scale, Woodcreek sits on top of the Trinity aquifer – the sole source of our water supply - which is a network of underground limestone water channels. Karst features (i.e. sinkholes, fissures and caves) on the surface level allow direct access for rain and runoff into the aquifer.

Woodcreek sits inside the Cypress Creek Watershed (black outline in map below). All surface water in the Woodcreek area flows downward towards the creek, and any surface pollutants from our community can quickly impact surface and groundwater quality. Woodcreek has allied with the City of Wimberley and the Meadows Center at Texas State University to improve and preserve the water quality and quantity of Cypress Creek and the Trinity aquifer.

Cypress Creek and portions of the Blanco River are part of only 22 remaining segments of waterways in the State of Texas that are still considered pristine and without toxic levels of phosphorous.

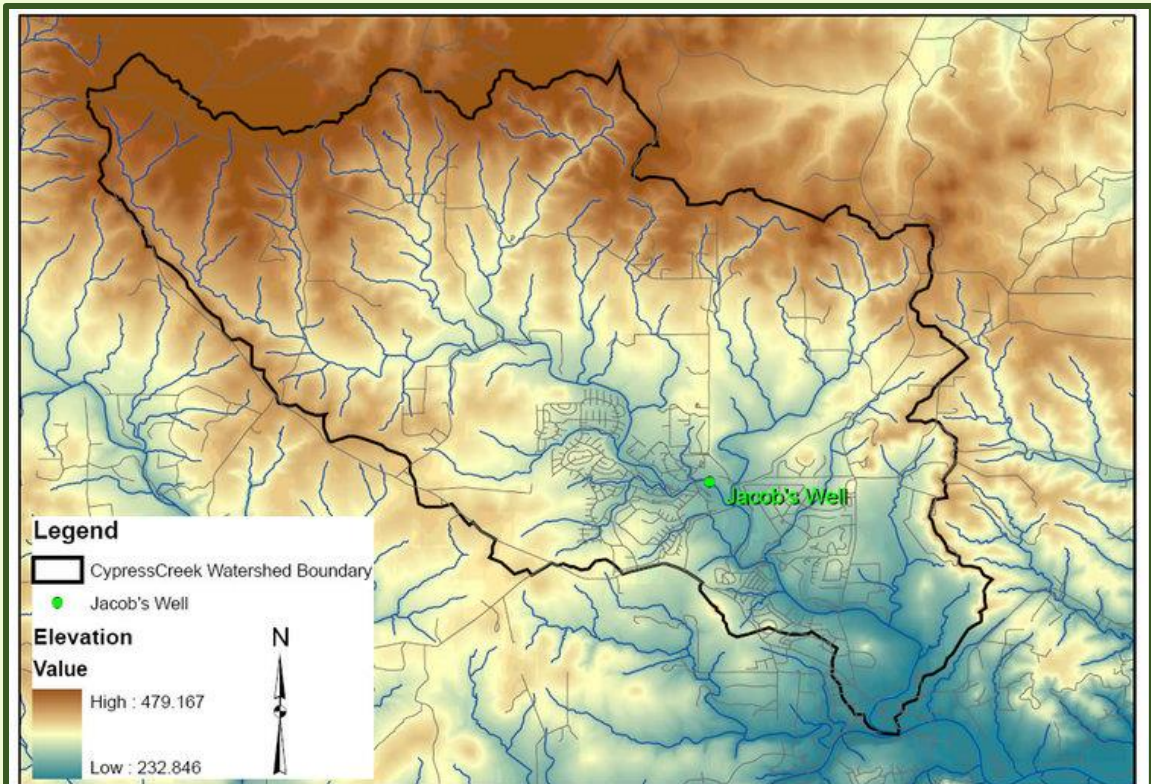


Image 15: Cypress Creek Watershed

0 0.5 1 2 3 4 Kilometers

Current Conditions

Part of Woodcreek, specifically the northwest part of the city limits, a large segment of Brookmeadow, and much of the northwest portion of the ETJ are in the Jacob's Well Groundwater Management Zone (yellow and green map below). This is a sensitive area where aquifer pumping is reduced during periods of drought to help maintain spring flow.

This zone serves as a catchment that feeds water into Cypress creek. Some of the outer limits of the ETJ intersect the Jacob's Well recharge zone (sinkholes and caves) where water is percolating down into the aquifer that feeds the spring.

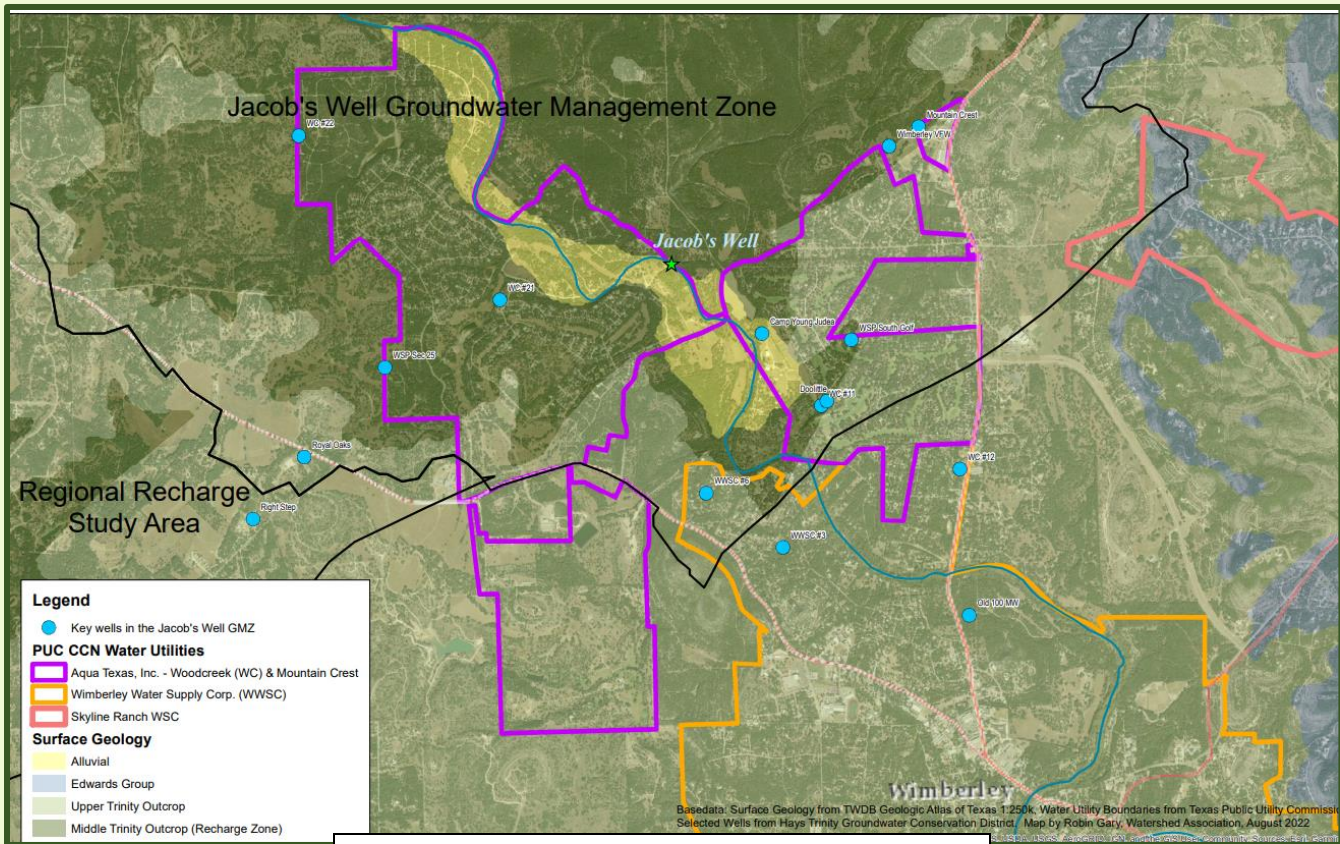


Image 16: Jacob's Well Groundwater Management Zone

Current Conditions

Jacob’s Well is a karst spring located in the Cypress Creek watershed about one mile northwest of Woodcreek. The spring is situated on a fault which delivers artesian flow (water under pressure) to the creek and provides a unique habitat for aquatic species. The spring is a great indicator of the health of the Trinity aquifer, our drinking water supply.

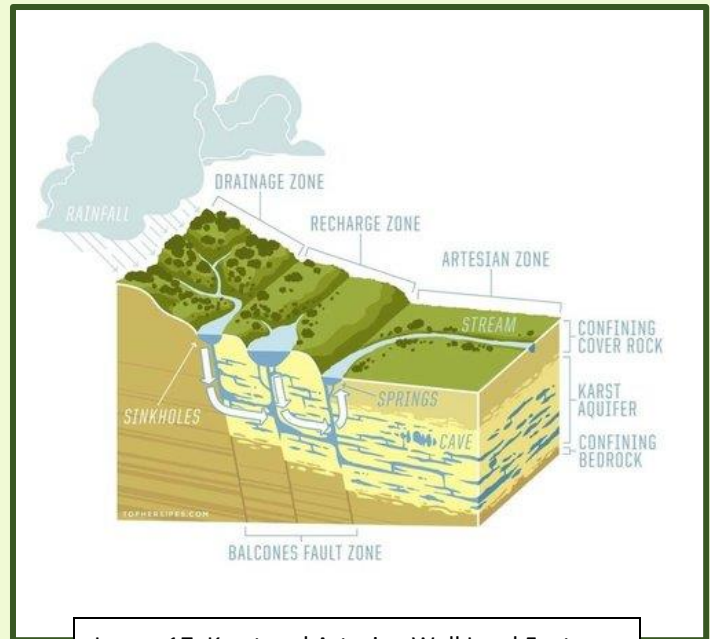


Image 17: Karst and Artesian Well Land Features

Efforts to protect this natural resource area are paramount to the Woodcreek community. Maintaining spring flow from Jacob’s Well into Cypress Creek and the Blanco River is essential for our local economy and for the health of our regional ecosystems.

Pumping of nearby wells drawing from the same aquifer can influence the flow from Jacob’s Well. While it traditionally flows year-round, the combination of periodic drought and increased groundwater pumping have led to periods of low-to-no flow at Jacob’s well.



Image 18: Jacob’s Well

Current Conditions

The karst features of Woodcreek and the greater Wimberley valley provide it with a unique character and charming landscape. In addition, it provides the community a cherished groundwater resource.

Conversely, karst geology also makes the groundwater more susceptible to contamination and damage through over consumption and excessive development, so conservation is essential.

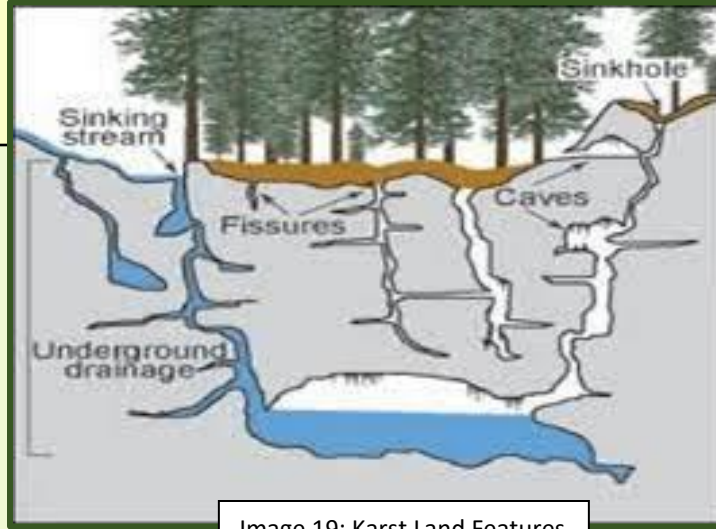


Image 19: Karst Land Features

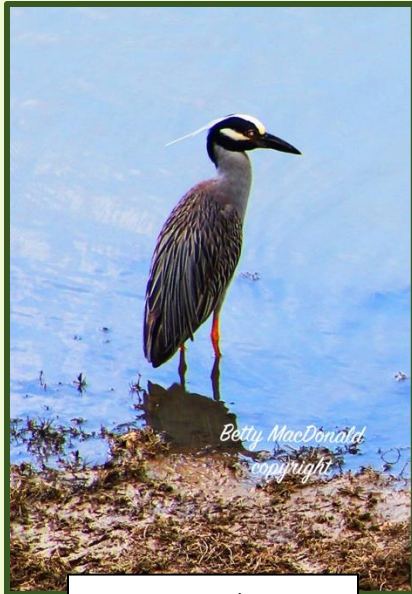


Image 20: Night Heron



Image 21: Cypress Falls Bridge

Woodcreek does not have much in the way of drainage infrastructure and so during heavy rains, water travels in surface level sheet flows through our community primarily down our streets, and directly into Cypress Creek.

Hog Creek flows towards a dam located at Woodcreek Drive creating a stormwater retention pond. This not only creates significant pollution hazards if unmanaged, but it also contributes to erosion as well. Studies show that traditional “gray infrastructure” or concrete like culverts do not do well with limestone karst features.

The city has, in alliance with the Cypress Creek Protection Plan, been implementing nature-based infrastructure such as rain gardens to slow and collect water allowing it to soak into the ground rather than rapidly washing away into the stream and out of the area.

These efforts will help restore and protect groundwater levels and help to reduce surface water pollutants during periods of flooding and heavy rains.



Images 22 & 23: Rainwater Collection at Golf Course

In 2018, the Cypress Creek Project team installed the above 5,000 gallon polyethylene cistern at the Woodcreek Golf Course. The cistern is collecting water off of a 2,700 square foot roof, which allows for the harvesting potential to be approximately 45,000 gallons annually. The rainwater harvested from this cistern is being used to clean golf carts at the facility.



Image 24: Rain Garden on Golf Course at Installation

Work continued at the Woodcreek Golf Course in the summer of 2019, with the installation of this rain garden. Rain gardens are installed downslope of hills to capture stormwater. The bottoms are often planted with native plants to further treat the water before it recharges the aquifer.

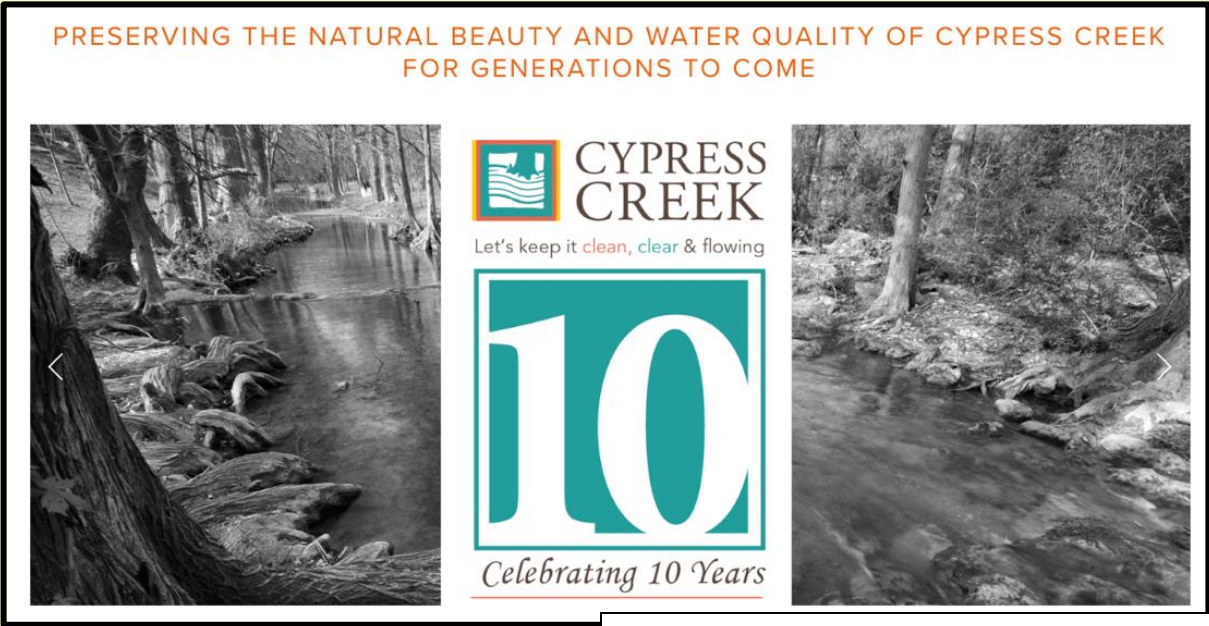


Image 25: Cypress Creek Watershed Protection Project

Some areas of Woodcreek’s ETJ are at risk of “groundwater under influence” because the source of drinking water or groundwater travels close to the land surface. This presents the possibility of surface water mingling with the groundwater and this risks microbial contamination as the surface water has not gone through the natural filtrations of the limestone. This means greater filtration and sanitation efforts for the water systems in those areas.

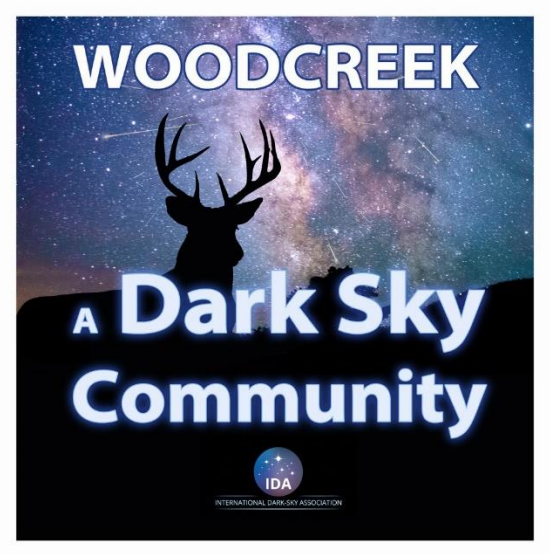


Image 26: Dark Skies Community Sign

International Dark Skies

We are a designated International Dark Skies Community with ordinances backing this effort and reinforcing the commitment to reduce light pollution to protect the clear night skies for which rural communities are so well known and loved.

Ashe Junipers (colloquially called "Cedars" in this area) serve as habitat for the Golden Cheek Warbler bird which is Native to Central Texas and an endangered species.

Substantial amounts of these trees can be found in the Woodcreek ETJ and undeveloped areas within the city limits.

These trees not only serve to provide habitat for this beloved bird species, but they also diversify our tree canopies, and contribute to soil production as they drop significant amounts of debris on the ground.



Image 27: Golden-cheeked Warbler

Oak Wilt

Oak Wilt is a fungal disease that impacts specific species of oak trees, many of which can be found within Woodcreek and serve as representation of the namesake of the community.

There is no known cure for oak wilt. Efforts can be made to prevent and protect trees, but once infected all further efforts turn to containment and extending the life of the tree until a replacement canopy can mature.

Woodcreek does currently have documented Oak Wilt in various areas of the community and so strong ordinances and education efforts remain a priority for leadership here as trees are a great asset for the community.



Image 28: Oak Wilt

Much of Woodcreek is part of a riparian corridor that serves to protect Cypress Creek. The plants in this land belt running adjacent to the creek protect the water quality and prevent erosion and flooding damage to homes nearby by providing a water break and buffer. Item 11.

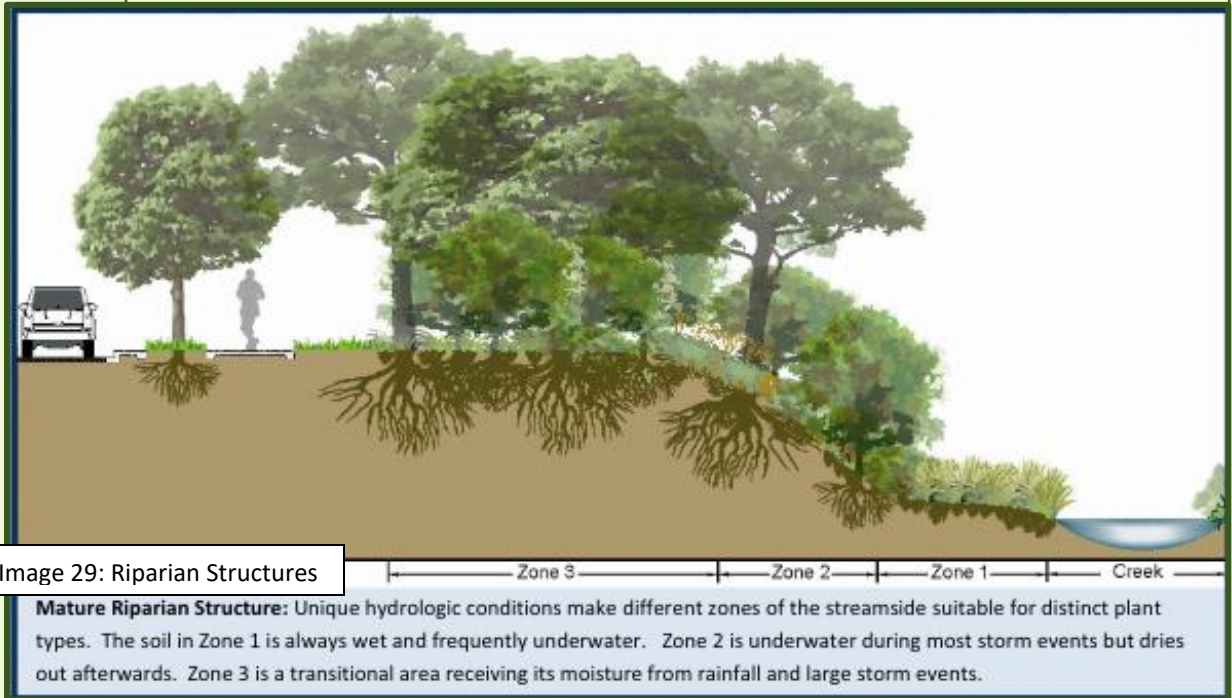


Image 29: Riparian Structures

Mature Riparian Structure: Unique hydrologic conditions make different zones of the streamside suitable for distinct plant types. The soil in Zone 1 is always wet and frequently underwater. Zone 2 is underwater during most storm events but dries out afterwards. Zone 3 is a transitional area receiving its moisture from rainfall and large storm events.

Air Quality

Air quality remains good in Woodcreek and the Wimberley Valley currently. Protecting this from over-development, excessive traffic, and industrial production will need to be a focus for the community as the Wimberley Valley grows.

Light Pollution

Light pollution is a growing concern as more concentrated and commercial development grows in the valley. Preserving unadulterated night skies by limiting outdoor lighting benefits wildlife and brings a greater quality of life for human residents. Outdoor lighting at night should be avoided or specific fixtures that reduce glare, light trespass, and sky glow should be utilized where lighting is desired or needed.

Noise Pollution

Noise pollution from major roads like Ranch Road 12 will only increase, and the community can take steps to address this by raising fence lines alongside the road and planting vegetation as a noise break.

Additionally, the material used for the reconstruction of streets within the city limits will need to be carefully considered as many residents are reporting the concrete of Brookhollow to be louder than the previous asphalt street, thereby producing a loud hum as cars travel down the road.

Natural Systems

These are open systems whose elements and boundaries exist outside of human control. There are four main natural systems: land, water, life, and air. Humans rely on the natural systems to survive and must work to protect them.

Land: Parks and Greenspaces

There are a handful of parks and greenspaces in Woodcreek with only a few amenities for citizens to use. The Parks Board is seeking grants to improve existing parklands. The city does have a current Parks Master Plan and there is an existing budget for park maintenance and improvements. Protections exist for trees located on all public land.

Augusta Park

Augusta Park is at the north corner of where Augusta Lane and Augusta Drive meet. It features a rain garden, bocci ball court, and a couple of cement picnic tables.



Image 30: Augusta Park

Veteran's Memorial Plaza

Veteran's Memorial Plaza is located at the intersection of Woodcreek Drive and RR12 on the north side of Woodcreek Drive just behind the main entrance sign. This park features a small memorial to Veterans and a stone table with benches.



Image 31: Veteran's Memorial Plaza

Creekside Park

A new park named Creekside is the center for discussions about a playscape and nature walk on Brookhollow alongside Hog Creek.

Champions Circle Park

1 Champions Circle across from Veteran's Memorial Plaza on the southside of Woodcreek Drive and RR12 intersection remains undeveloped but is zoned for a public park.

The Triangle

The Triangle, is often thought of as a park by the community but is designated a right-of-way greenspace. It features a single bench, some landscaping and an unused flagpole.

Greenspaces

There are several other greenspaces throughout the community. These include street trees, the Brookmeadow planter, the Par View cul-de-sac median, a median on Woodcreek Drive near The Triangle, a small lot located alongside La Rocca Lane, a wooded area next to City Hall. There are protections in place for trees located in these areas and some have varying levels of landscaping or maintenance that is performed.



Image 32: Brookmeadow Sign Median

Greenspaces within Woodcreek

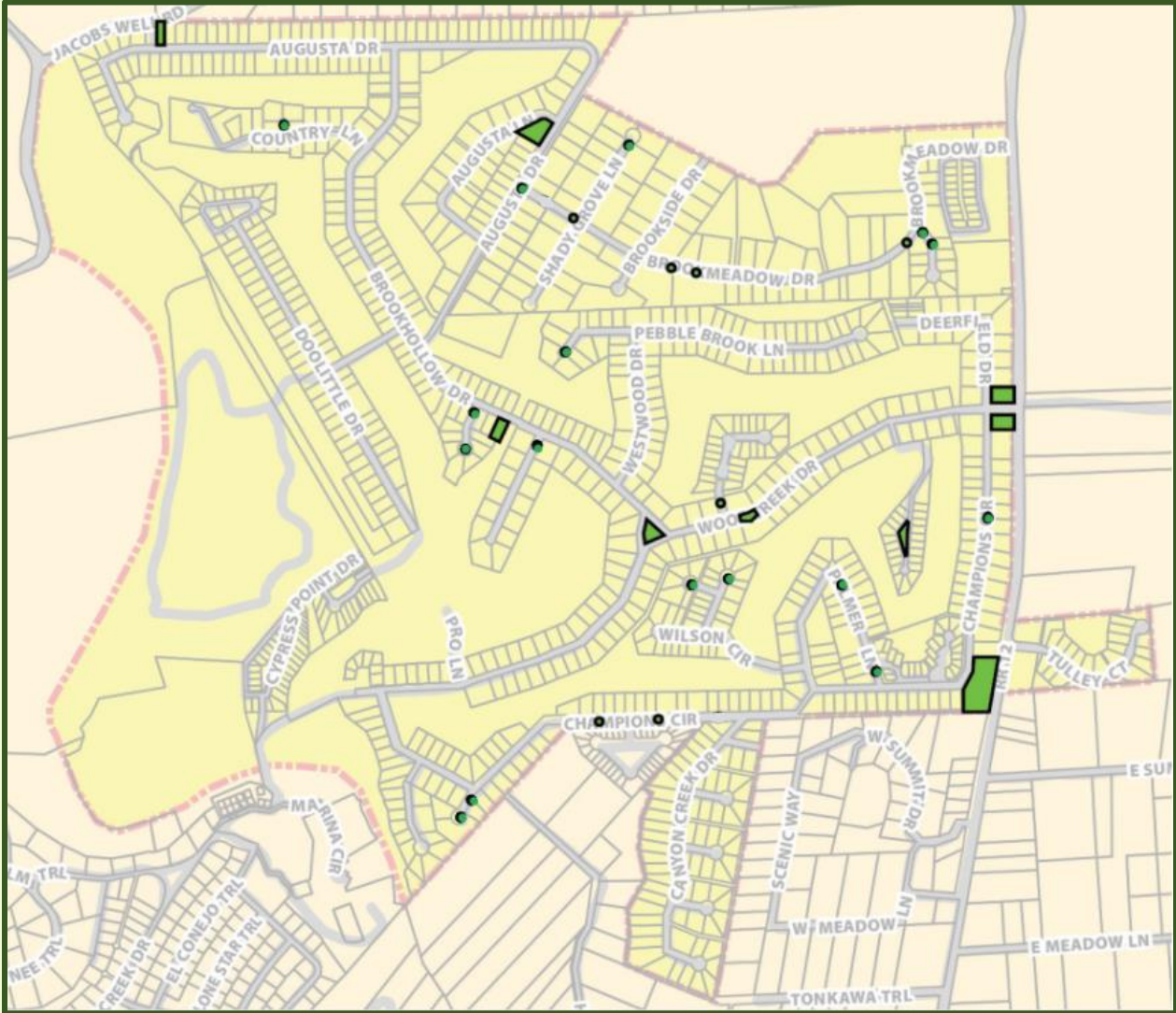


Image 33: Greenspaces Map

Water: Drinking, Regulation, Quality Management

- Woodcreek is a groundwater dependent community. While some rainwater catchment systems exist, the community is linked to a public water utility system serviced by Aqua Texas. They control drinking water quality, drought curtailment enforcement, and oversee the treatment of effluent then used for watering the Quicksand Golf Course grounds. Some private septic systems still exist.
- Hays Trinity Groundwater Management is the state regulatory body responsible for permits and water management in this area. Woodcreek relies on the Middle Trinity Aquifer for meeting community potable water needs.
- There are two natural waterways within Woodcreek city limits and its ETJ. These are Cypress Creek and Hog Creek. There are several ponds on the golf course grounds and a large retention pond located at the dam on Woodcreek Drive east of Cypress Point.

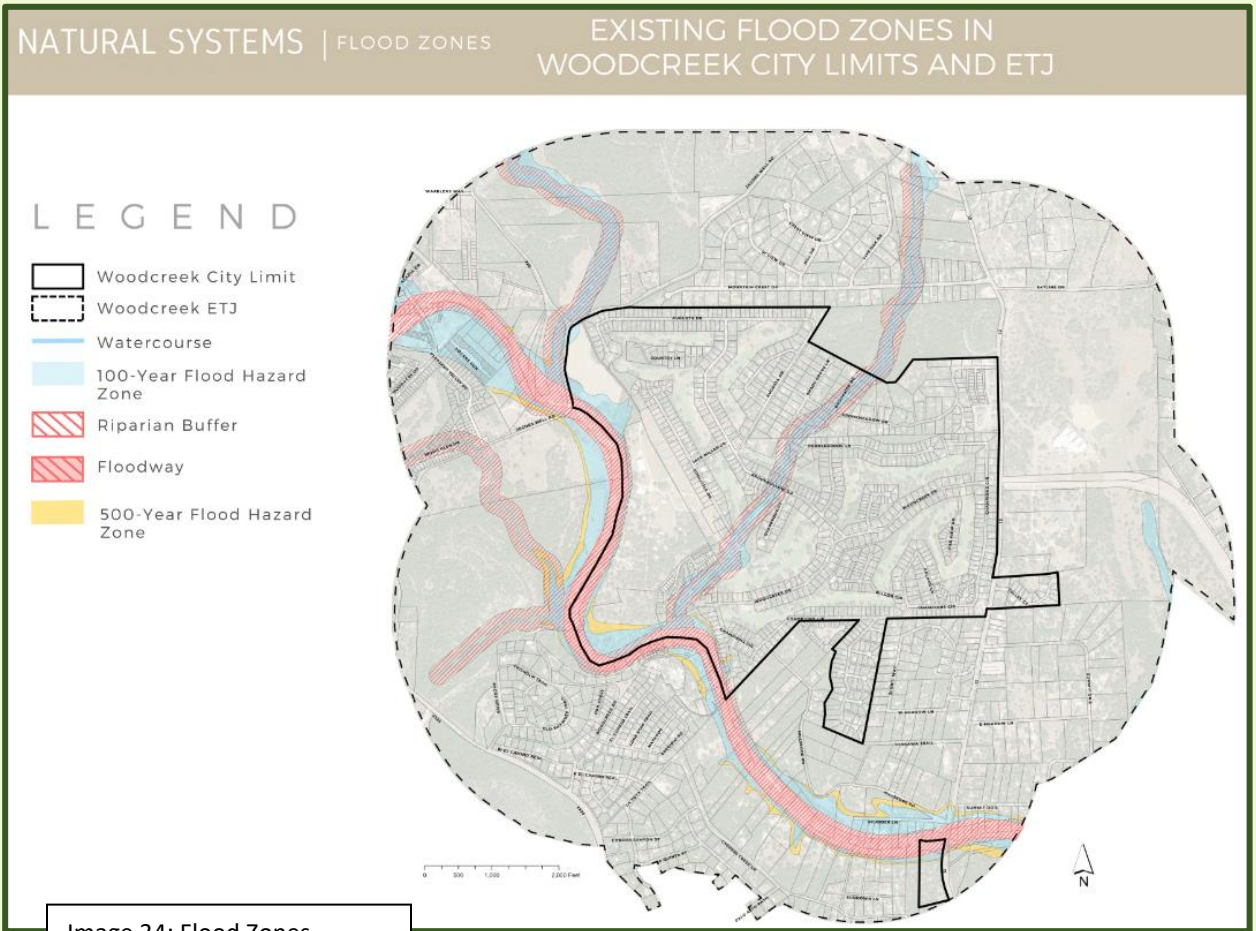


Image 34: Flood Zones

Water: Drinking, Regulation, Quality Management

- Environmental protection efforts have increased in the past 30 years resulting in the creation of efforts like the Cypress Creek Watershed Protection plan which seeks to preserve Cypress Creek as a pristine stream, implement waterwise conservation systems, and help to educate residents on water issues.
 - The Meadows Center based in San Marcos has been in partnership with this effort along with the Wimberley Valley Watershed Association, who was instrumental in the effort to preserve Jacob’s Well, the headwaters of Cypress Creek.
 - Woodcreek has engaged in water conservation efforts through the creation of the Water Quality ordinance and by setting strict impervious coverage guidelines.
 - There are no rainwater collection incentives offered by the city at this time, but rainwater collection is allowed and there are some guidelines that exist in the City’s code.

- Rain gardens can be used to trap rainwater and help it soak into the ground. Augusta Park and Quicksand Golf Course both have these features. Rain gardens can be utilized to control drainage as a method of natural based infrastructure.

- Sizeable portions of Woodcreek and its ETJ fall in the Middle Trinity Aquifer recharge zone and the Jacob’s Well Management zone. Limiting impervious coverage in these areas is essential for the preservation of the aquifer and maintaining its ability to recharge and provide potable water for this community.

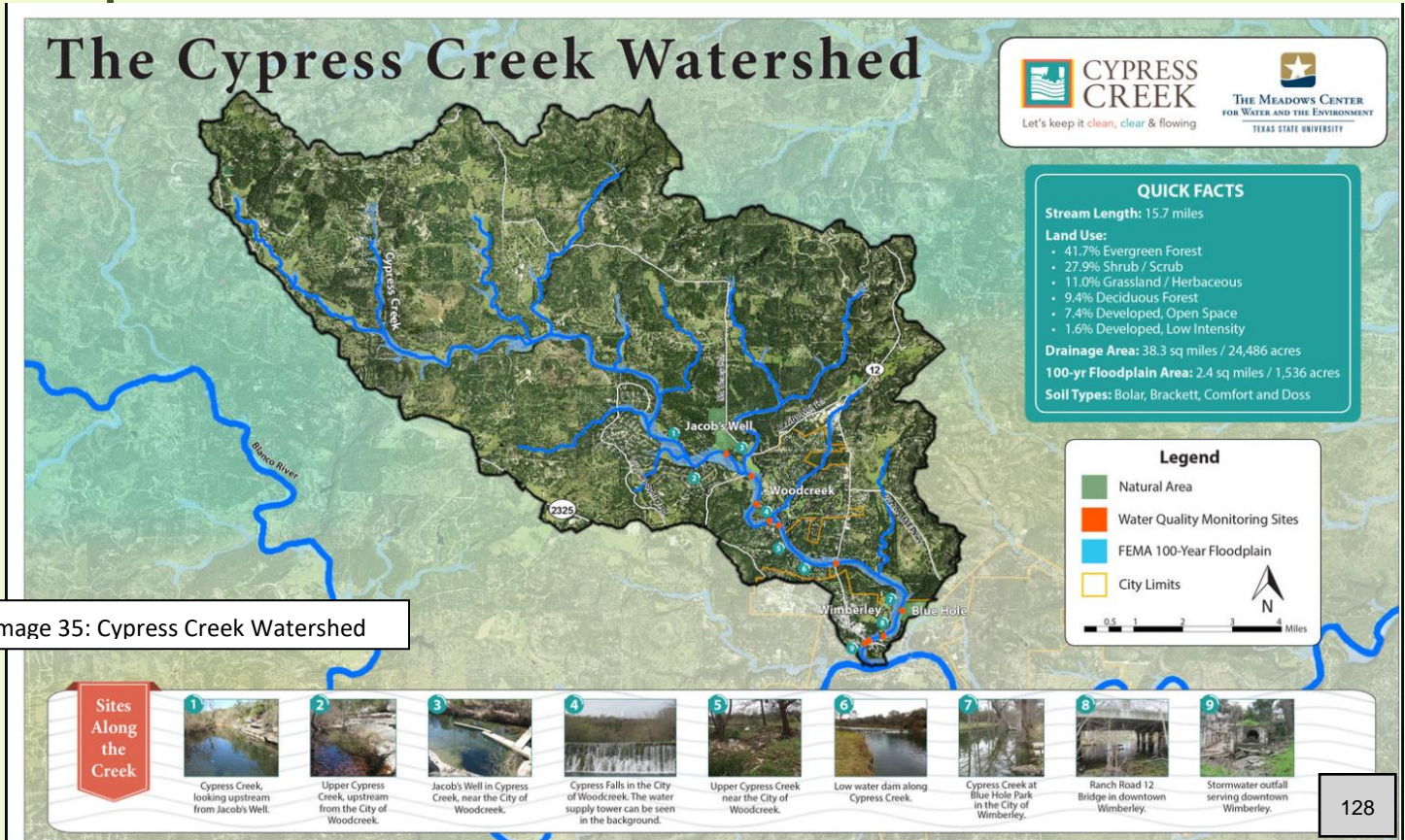


Image 35: Cypress Creek Watershed

Life: Plants and Animals

- A Tree Board has been created as an official government body and a city tree inventory is in the process of being completed. The city has substantial amounts of Heritage and Protected Trees. Ordinances passed in 2022 seek to protect those trees.
- Oak Wilt has been documented within the City’s jurisdiction for over 30 years.
 - Texas A&M Forestry Services keeps a record of documented Oak Wilt cases and provides testing services.
 - Oak Wilt is a collective problem as it spreads easily across property lines.
 - The loss of trees can reduce property values by up to 20%.
 - Some preventative treatments exist, but there is no cure for the disease.
 - Once infected, trees will experience a “failure to thrive” and in most cases will die.
 - Early identification and removal or containment are the best options for stopping the spread of this infectious disease.
- Golden Cheek Warblers are an endangered species that breed in Central Texas. Protection of their habitats, such as dense ashe juniper stands and some types of oaks, has become increasingly important for the protection of this species.
- Overpopulation of deer brings concerns of disease and large predators moving through the area.



Image 36: Deer Family

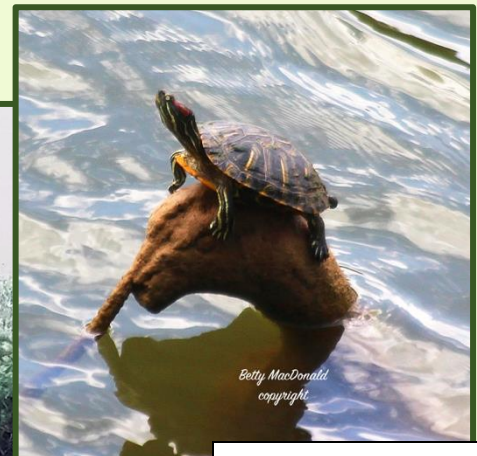


Image 37: Red Eared Slider

Air: Visibility, Quality, and Pollution

- Light pollution at night threatens both wildlife migratory patterns and quality of life for residents of Woodcreek. Efforts to reduce outdoor lighting at night have been a focus for the valley-wide community. Residents can assist by turning lights off or buying fixtures that comply with recommendations for outdoor lighting that minimize glare, light trespass, and skyglow.
 - International “Lights Out” for migratory bird protection seeks to reduce light pollution in the skies that can disorient birds while flying at night. Central Texas sees about 1/3 of the national migratory birds move through the area twice a year.
 - International Dark Skies Initiative is a commitment from the community to reduce outdoor lighting at night to promote visibility of the night sky.
- As the area grows in population, it brings more traffic on the county roads around Woodcreek. Efforts to reduce noise pollution are increasing in popularity.
- Currently, Woodcreek and the Wimberley Valley typically have good air quality with very little pollution. Occasional fires can change this and there have been periods of dust from the Saharan Desert causing the particulate matter to increase.
- There are no large-scale industrial or manufacturing plants in the area that typically bring noise pollution and air quality concerns.



Images 38 & 39: Woodcreek Skies



Physical Systems

Physical Systems, often called infrastructure, are the basic physical and organizational structures and facilities needed for the operation of a society.

Public Facilities

The City of Woodcreek does not own the utilities that serve its citizens. These services are provided by private entities through franchise agreements granting the service provider the right to offer, sell, or distribute services specifically identified in the agreement. Fees collected through these franchise agreements create supplemental income for the city.

- Electricity – Pedernales Cooperative
- Water and Sewer – AQUA Texas
- Cable/Internet - Spectrum
- Telephone – Spectrum and Frontier
- Trash and Recycling – Waste Connections



Image 40: Blue Heron

Infrastructure

- **Roads:**
 - There are thirty-four roads with a total of 10.95 miles in the City of Woodcreek.
 - Road conditions throughout the City have been described as poor or in need of repair.
 - Extensive engineering and pavement assessments have been completed.
 - Road conditions have consistently been rated as a top priority concern for citizens.
 - Some traffic calming in the form of speed monitoring signage exists, but there is no widespread traffic calming infrastructure or design plan in place.

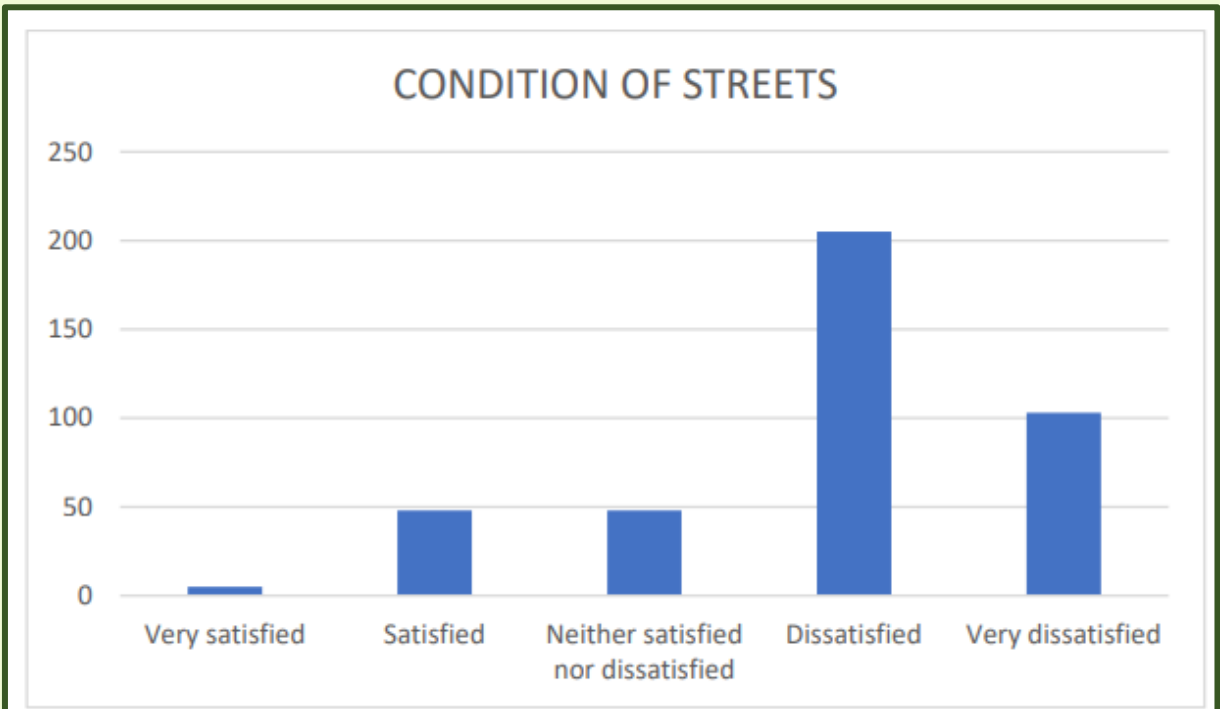


Image 41: Citizen Survey Graph 1

Road Conditions

Current Conditions

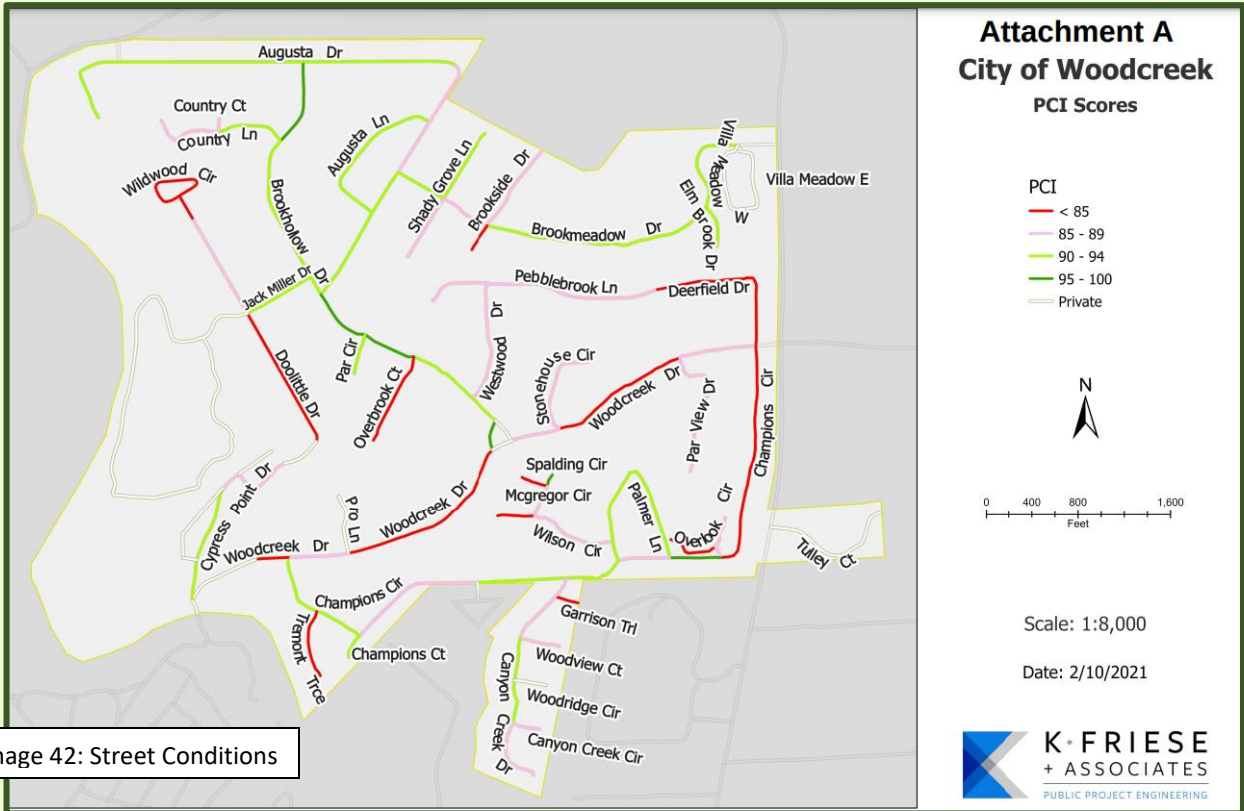


Image 42: Street Conditions

Attachment A City of Woodcreek PCI Scores

- PCI
- < 85
- 85 - 89
- 90 - 94
- 95 - 100
- Private



0 400 800 1,600
Feet

Scale: 1:8,000

Date: 2/10/2021



Table 2. PCI Rating Scale

PCI Rating	Range	Definition	Maintenance Classification
Good	100 - 85	Pavement has minor or no distresses and requires only routine maintenance.	Preventative
Satisfactory	84 - 70	Pavement has scattered low-severity to medium distresses that need only routine maintenance.	Preventative
At risk	69 - 50	Pavement has low, medium, and high severity distresses that may cause a reduction in ride quality.	Rehabilitation
Poor	49 - 25	Pavement has predominantly medium and high severity distresses that cause noticeable reduction in ride quality and pavement life span.	Rehabilitation
Serious	24 - 0	Pavement has mainly high severity distresses that cause significant reduction in ride quality and pavement life span. Immediate repairs are needed.	Reconstruction

Image 43: Street Condition Rating Scale

Infrastructure

- **Drainage:**
 - There is no official drainage infrastructure that is consistently implemented in the city.
 - Most areas rely on the street surfaces to convey excess water which contributes to the further erosion and degradation of these structures.

Infrastructure

- **Trails, Pedestrian and Other Alternative Forms of Mobility:**
 - There are no public walking trails in the City of Woodcreek, nor are there bike lines or any alternative transportation options available.
 - Currently, Hays County has outlined a system of trail improvements for the Wimberley Valley. Some of this plan may include connectivity for Woodcreek to existing and future trails.
 - There is a portion of the Winters Mill and Blue Hole Walking Trail located in Woodcreek's ETJ.
 - Addressing pedestrian safety and mobility has been listed as a high priority for citizens.



Image 44: Blue Hole Walking Trail

Infrastructure

- **City Hall:**
 - The City of Woodcreek owns the land and constructed the building that currently houses the daily operations of the city and hosts most City meetings.
 - There have been some on-going discussions about expansion to accommodate a larger meeting space in the future.



Image 45: Woodcreek City Hall

Infrastructure

- **Water Hydrants and Flush Valves:**
 - The system of water hydrant flush valves is owned and maintained by AQUA Texas.
 - These hydrants will not be directly used in the event of a fire as there is not enough pressure in the system and some of the lines are too small to conduct sufficient water.
 - These valves can and are used to fill water tank trucks for the local fire department.
 - The system is also utilized to flush water to maintain water quality as needed. AQUA is responsible for performing regular checks and maintenance on this system.

Fiscal

Ad Valorem Dependency:

- Woodcreek is heavily dependent on ad valorem tax income.
- Only an estimated 14% of the City's total income comes from sales tax and other retail taxes.
- About 33% of the City's total income is derived from franchise agreements

Land Availability Concerns:

- Within the city limits there is little land left for development of any kind.
- There is little to no commercial zoning inside the city limits.
- Annexation into the city limits must be on a voluntary basis or can be a part of a development agreement for future construction projects in the ETJ.
- Aquifer availability and groundwater management zones can limit future development possibilities.

Financial Stability:

- The City's income is stable as ad valorem income is not as susceptible to market fluctuations as other forms of income such as sales tax.
- The City maintains healthy reserves, utilizes investment accounts to generate passive income, and has strong financial policies to protect from overspending.
- The City maintains a strong credit rating and has only one debt service account for a tax note issued in 2017 for the repair of Brookhollow. There are only two more years of payments left on this note.

Project Funding Realities:

- Funding current projects on projected future growth is not a viable or sustainable financial policy. Thus, planning for future growth in property values, increases in the territory of the city limits, or the construction of new homes and businesses cannot be relied upon to fund desired projects.
- The City must look to grants and other sources of funding like a General Bond or additional tax notes to fund infrastructure and other desired projects.

Land Use

The City of Woodcreek is a collection of residential neighborhoods forming one large subdivision. There is no town center or central district. There is one small retail area within the City Limits at the north entrance to Brookmeadow.

Woodcreek boasts a diversity in housing choices with high-density options like apartments, duplexes, town homes, condominiums, and a pending fourplex planned development district to a wide variety of low-density single-family options with a significant range in lot sizes from 6,500 square feet to multiple acres. Most of these housing options being that of single-family residential lots with an average size of around or just above a quarter of an acre.



Image 46: Woodcreek Apartments

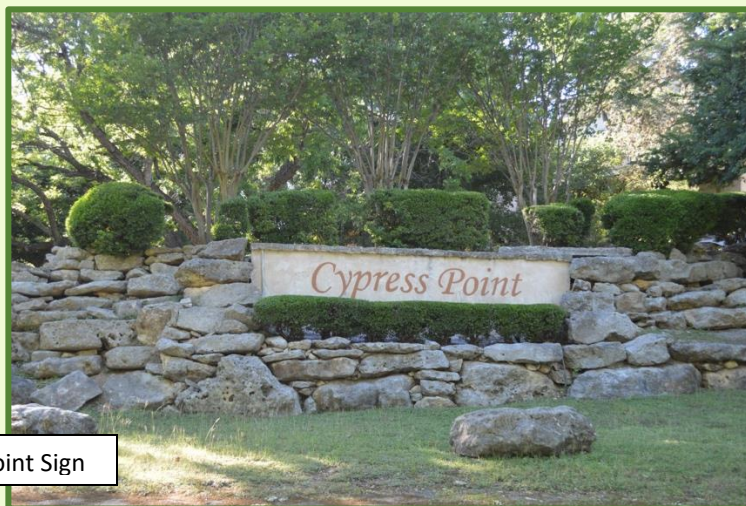


Image 47: Cypress Point Sign

Current Conditions

Vast portions of the city are zoned recreational for Quicksand Golf Course and Camp Young Judaea. The city has a handful of pocket parks and right-of-way greenspaces scattered throughout the neighborhoods. There is one small nature preserve tucked in the upper northwest corner within the city limits.

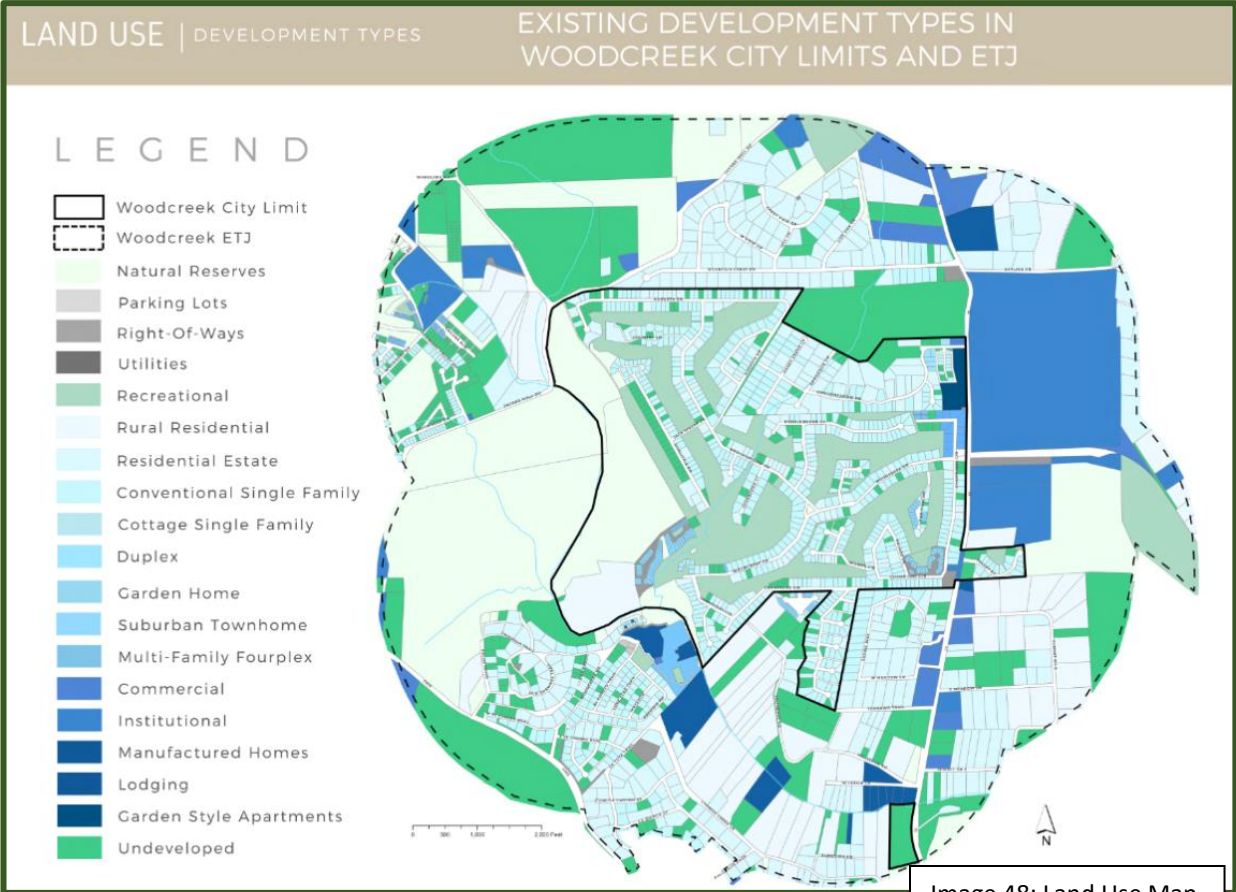


Image 48: Land Use Map

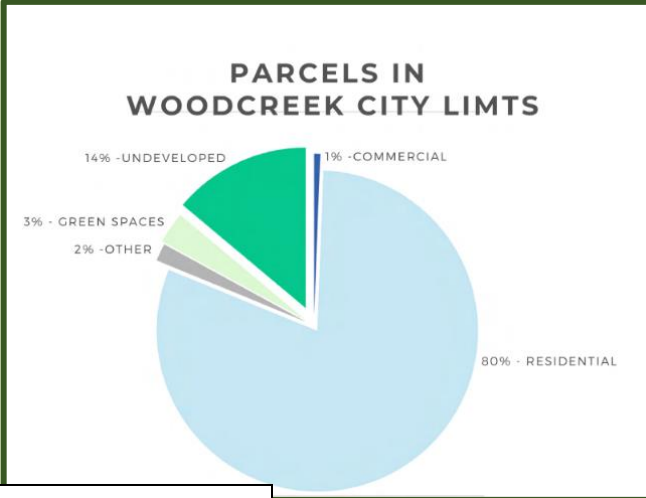


Image 49: Land Use Chart 1

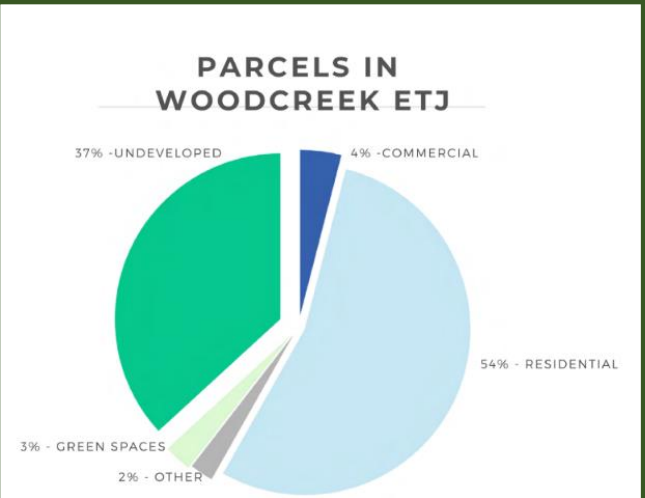


Image 50: Land Use

Extra Territorial Jurisdiction

- The ETJ is largely undeveloped
 - Blue Hole Primary School and the First Baptist Church are the largest non-residential landholders in that area.
 - Woodcreek has one Planned Development District outside the contiguous city lines, The Enclave, which is located on the Eastside of Ranch Road 12 opposite City Hall.
 - There is a conservation district South of the city across Cypress Creek resting on the southern bank of the creek closer to Wimberley.
- There are many residential homes in Woodcreek's ETJ, including the Mountain Crest and Eagle Rock POAs.
- There are also several commercial short-term lodging operations,
 - The Lodge at Cypress Falls
 - Cypress Creek Cottages
 - Messina Inn
 - Cypress Creek Vacation Homes
- There are two bars
 - Casa Vindemia
 - The Tavern
- A restaurant, The Falls, located in the wedding venue complex of Cypress Falls alongside The Lodge.
- There are a handful of office spaces and other retail enterprises in the ETJ located along Ranch Road 12.
- The ETJ envelops portions of three major throughfares for the Wimberley Valley
 - Ranch Road 12
 - Winter's Mill Parkway
 - FM 2325.
- The road, Woodcreek Drive, which cuts through the heart of Woodcreek, crosses Cypress Creek and links Ranch Road 12 to FM 2325 sees significant through traffic from residents of the greater valley area, specifically those traveling between Blue Hole Primary and Jacob's Well Elementary for school pick-ups and drop off.

Citizen Survey

A total of 911 surveys were distributed, one per household within the city limits. Of those, 411 were returned.

- A majority of the participants were property owners and residents, with less than 25% being renters.
- The responses were equally distributed throughout the four geographical zones designated in the survey.
- A slight majority, 54%, of the responses came from houses with two residents.
- 29% percent came from houses with a single resident.
- The remaining 17% from homes with three or more.
- Age demographics in this survey showed a slight majority, 64%, were 65 and older. This holds steady with previous census data of the area.
- A large majority of respondents, 84%, do not have children under the age of 18 living in their homes.

The five aspects of Woodcreek that participants valued most were (in order):

- natural beauty
- peace and quiet
- location
- safety
- rural setting.

It was found that 42% of participants have lived or worked in Woodcreek for over ten years, with 22% in the five-to-ten-year range, another 22% in the two-to-five-year range, and 14% for less than two years.

While less than half of the surveys were returned, the sample size and response was significant and represents many of the residents since the total number of individuals living within the households that responded represents about one half of the total population at a conservative estimate of 798 citizens based on the household occupancy question.

Most Pressing Issues

Roadway Improvements

Roadway improvements received the most support of any topic in the survey and have been identified as a key priority for immediate planning in the city. A Platinum Panel with representation from city residents has been formed and is addressing this issue. The Panel will develop a master transportation plan and is working on funding options that include addressing all forms of mobility for the city. A follow-up survey on funding options was conducted and helped identify citizen preferences for funding road improvements.

Pedestrian Safety and Mobility

Pedestrian Safety and Mobility were ranked as high priorities; falling among the top four issues identified by respondents. Specifically, residents listed pedestrian safety along roadways as a major concern and area for improvement.

Tree Preservation

Tree Preservation also landed in the top four pressing issues facing Woodcreek residents. Protection for heritage trees, preventing oak wilt, tree planting, and education are areas the city will focus on to address tree preservation.

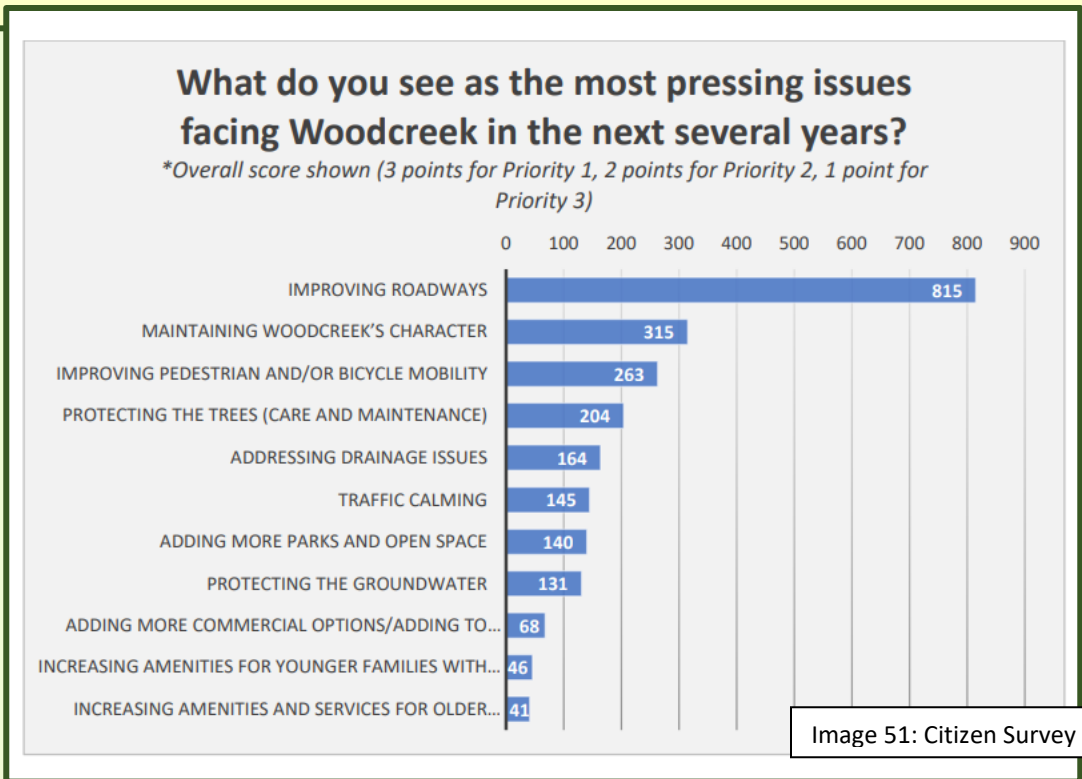


Image 51: Citizen Survey Graph 2

Future Development Goals

- Limited to no commercial development was a theme throughout the survey results. Residents would like Woodcreek to remain rural and noted that many needed commercial services are already provided in Wimberley.
- Needing more restaurants, a coffee shop, and/or food trucks were popular responses regarding what type of development would be desirable. These have the benefit of building community and boosting sales tax income.
- Maintaining Woodcreek's character was in the top four pressing issues and was mentioned in open comments as something residents supported.
 - When considering why residents chose Woodcreek to live, it becomes apparent that the quiet, peaceful, and rural setting are large factors in their decision.
 - This general concept was a common thread running through most responses.
 - Aside from road improvements, if there was one thing that united respondents it would be the desire to protect Woodcreek's charm as a residential community with significant natural features.
 - Respondents were against growth and commercial development.
- Parks and greenspaces received neutral to dissatisfied ratings indicating residents could be interested in additional parks, park improvements, and additional community amenities. The top-rated choices for new amenities were a community pool and playground.



Image 52: Double J Ranch Golf Club

Addressing Mobility

- Traffic calming received significant support, falling among the top three desired improvements in mobility for the city.
- Improving trails and connections to Wimberley was frequently mentioned. This may be in support of or as a response to the larger Wimberley trails projects being proposed. It should be noted that citizens supported this concept of interlocking trails connecting Woodcreek with the rest of the Valley.
- Implementing walking space (sidewalks or trails) along roadways was mentioned as a pressing issue and as a top priority for improving mobility in the City. Citizens cited walking on the golf course, which is technically not permitted, as an alternative or that they are simply walking in the road. These open comments point to a community that has a significant population of residents who appreciate taking walks and other similar activities. The city would do well to address providing safe spaces for the residents to support this preference.



Image 53: Blue Hole Trail

Natural Systems

GOAL: Preserve Woodcreek's natural, rural setting

Strategy One: Protect what exists.

Action Plan:

- Enforce protective regulations for trees
- Community education programs
 - Rainwater collection
 - Oak Wilt
 - Drought tolerant landscaping
 - Reducing chemicals used in landscaping
- Incentivize rainwater collection
- Protect impervious coverage limits and create strong regulations for areas of the Middle Trinity recharge zone and Jacob's Well Management Zone
- Create green building incentives
- Promote the protection of natural habitats and local ecosystems
- Participate in an annual Arbor Day Event and encourage tree planting events
- Invest in public land via tree care, planting, watering, and other efforts to beautify and improve public spaces

Are you satisfied with the current parks, trails, and recreational options in Woodcreek?

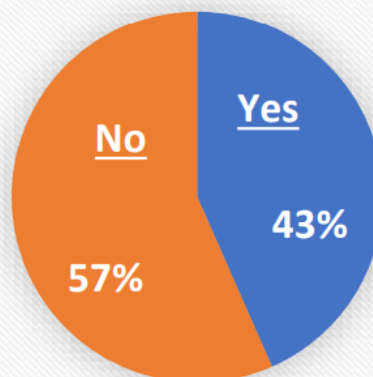


Image 54: Citizen Survey Chart 1

Strategy Two: Increase and improve parks and greenspaces.

Action Plan:

- Update the Park’s Master Plan
- Pursue the purchase of more parkland with the plan of one acre of parkland or greenspace per 80 people and no more than a 10-minute walk to greenspace
- Negotiate parkland designations in future development to include a 15% minimum acre of suitable parkland or greenspace per acre of land to be developed or a cash in-lieu payment system.
- Revise and review the plating and subdivision codes to promote greenspace allocation in design
- Pursue grants and other funding to improve park amenities, with a playscape being the citizen’s top priority
- Consider and plan on how to achieve the citizens’ goal of a community pool
- Consider the placement of a dog park in an existing park as this was listed as moderately desirable in the citizen survey.

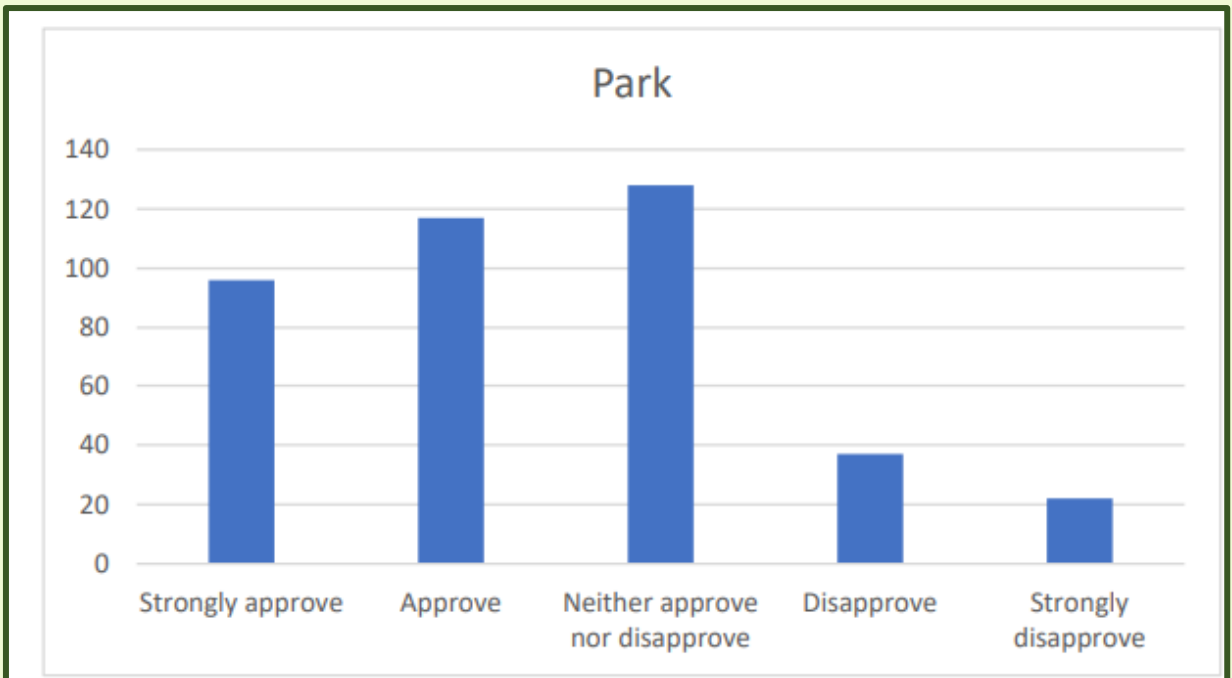


Image 55: Citizen Survey Graph 3

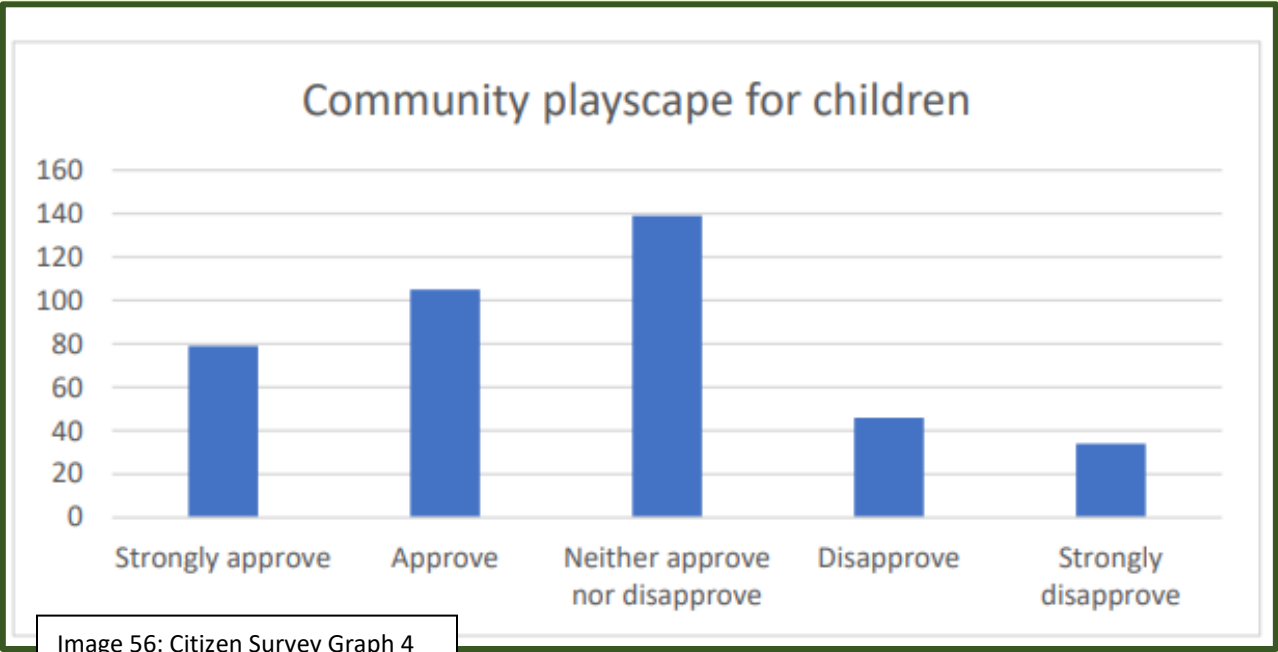


Image 56: Citizen Survey Graph 4

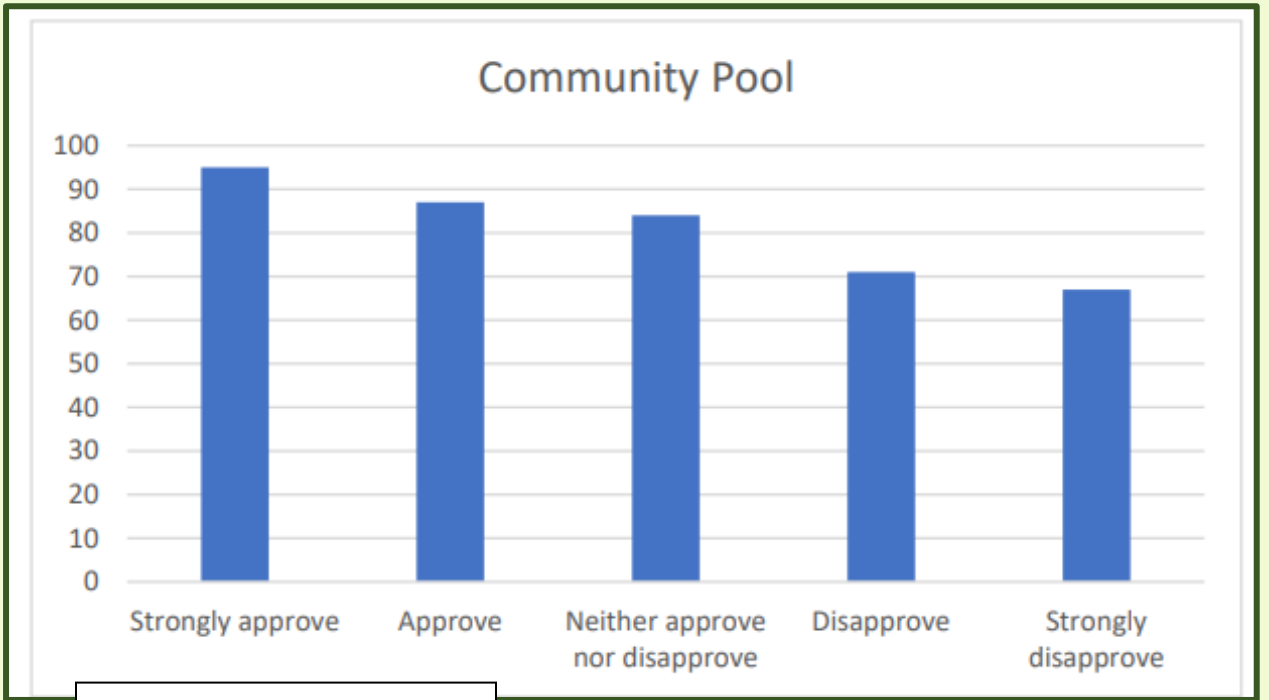
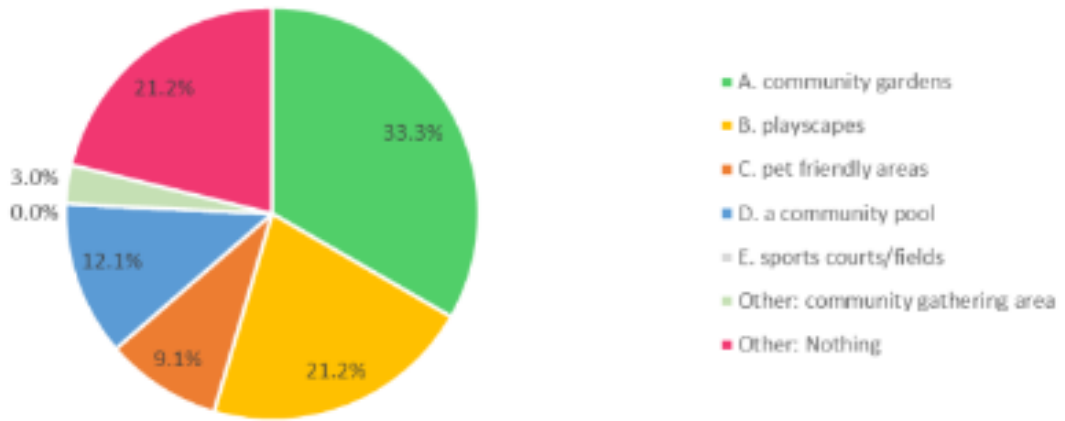
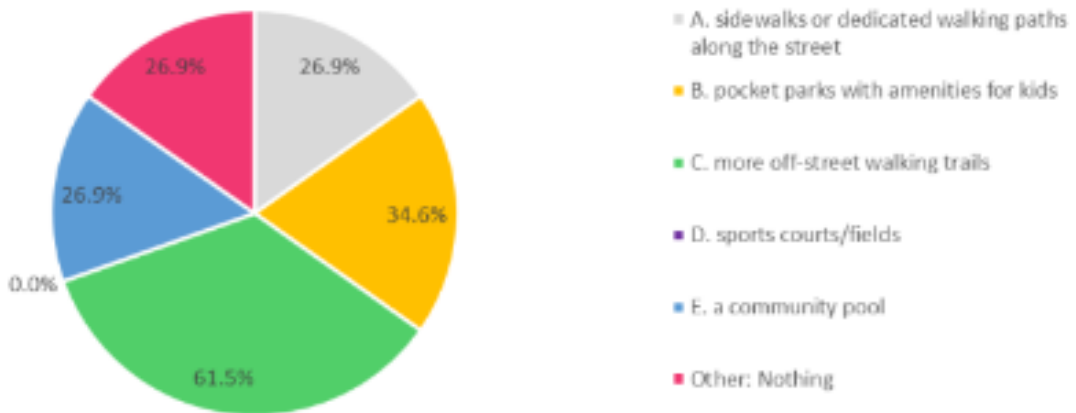


Image 57: Citizen Survey Graph 5

IN WOODCREEK'S EXISTING PARKS, I WOULD LIKE TO SEE..



IN TERMS OF ACTIVE RECREATION, I WOULD LIKE TO SEE MORE...



I WOULD PREFER THIS TYPE OF PARK...

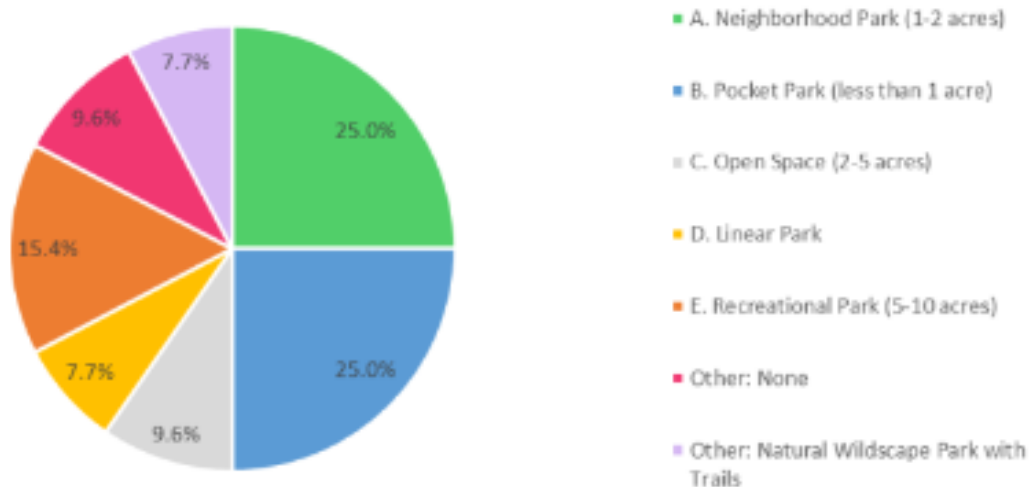


Image 58: Future Land Use Workshop Chart 1

Physical Systems

GOAL: Improve existing structures with a focus on roads and mobility.

Strategy One: Re-negotiate franchise agreements to seek to lower rates and improve customer service.

Action Plan:

- **Electricity** - Residents expressed general satisfaction with the rates and customer service provided by Pedernales. As account holders, resident involvement directly with voting board members onto the co-op board and staying active in rate change discussions is the best way for PEC customers to influence this service provider. The City can and should seek advantageous improvements in the franchise agreement each time it comes up for re-negotiation.
- **Water and Sewer** - AQUA Texas received low satisfaction ratings from citizens who completed the survey. Poor customer service, frequent outages, line breaks, and water quality were all cited as issues needing improvement. Residents would like to address rising rate increases, improving sewage treatment and the smell related to the effluent used to water the golf course. Little to no enforcement of the drought curtailment guidelines exists which can result in poor water management practices from residents due to lack of awareness and/or no consequences for non-compliance. This public utility should be seen as the highest priority for action based on citizen responses and water availability concerns due to population increases and drought.

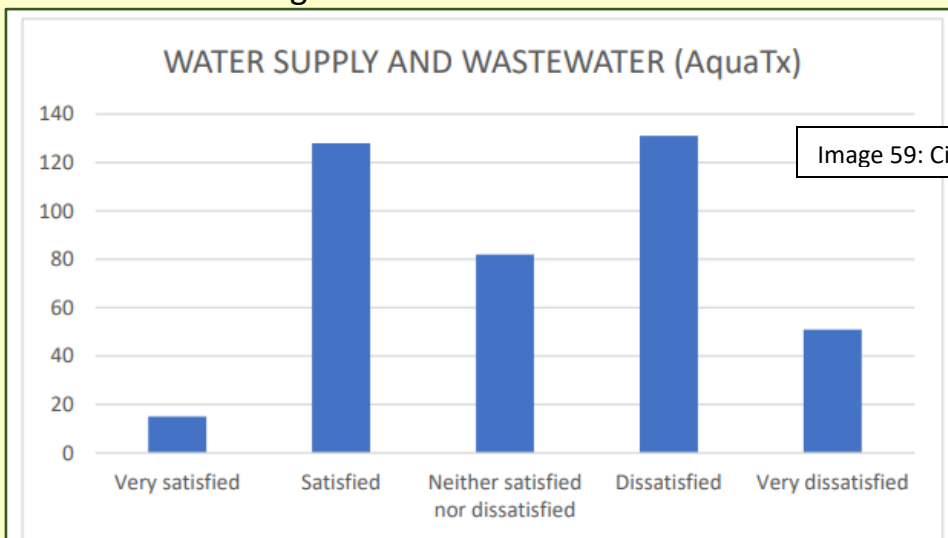


Image 59: Citizen Survey Graph 6

Strategy One: Re-negotiate franchise agreements to seek to lower rates and improve customer service.

Action Plan:

- **Cable/Internet** - Spectrum received general satisfaction ratings, but many citizens noted slow service, rising costs, and frequent connectivity issues. The City's cable lines are aged, and an update is needed. Negotiations of the franchise agreement in the future should take this into consideration.
- **Telephone** – Fewer residents are using landlines than ever. This service is dated and produces little revenue for the city.
- **Trash and Recycling** - Waste Connections received a satisfactory rating in the survey results. However, open comments highlighted issues with pick-up regularity, rising costs, desires for bulk pick-up on the street and increases in recycling services.

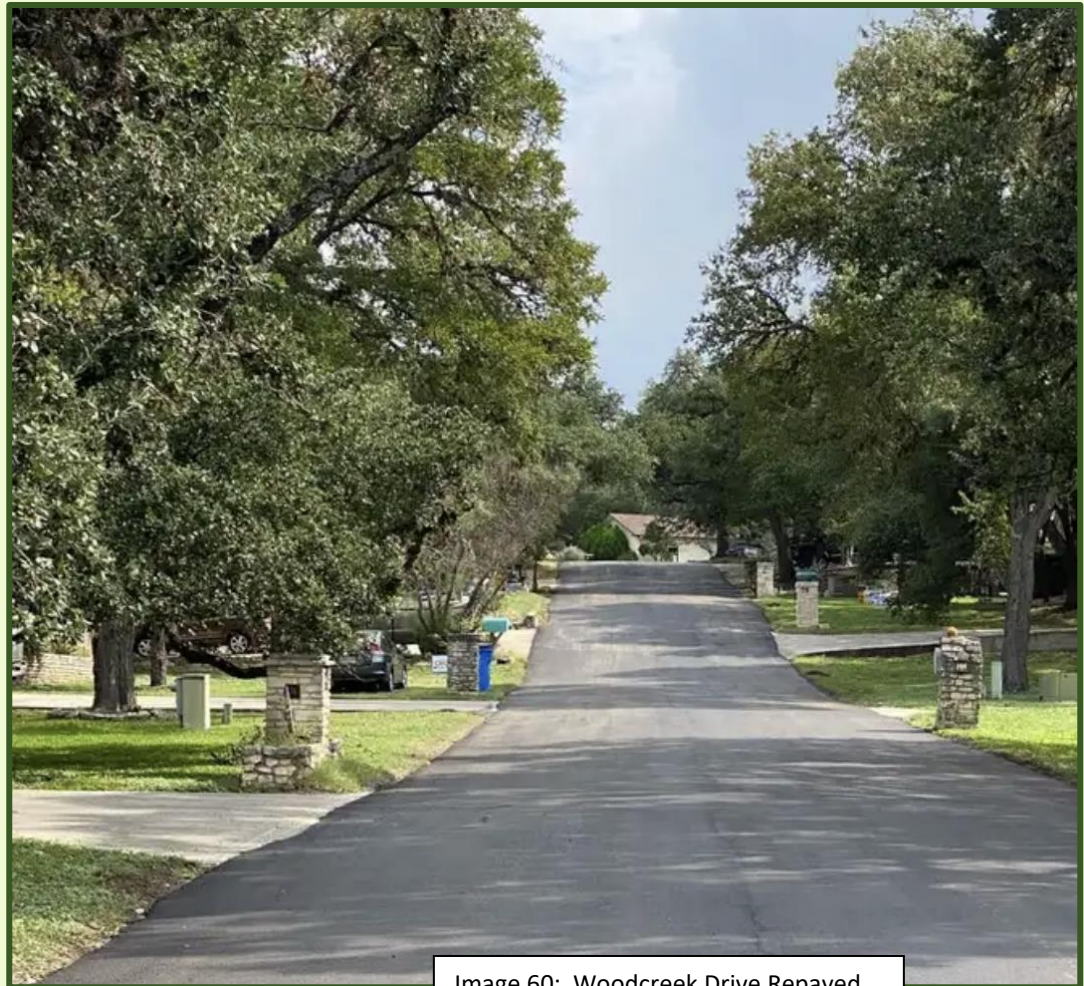


Image 60: Woodcreek Drive Repaved

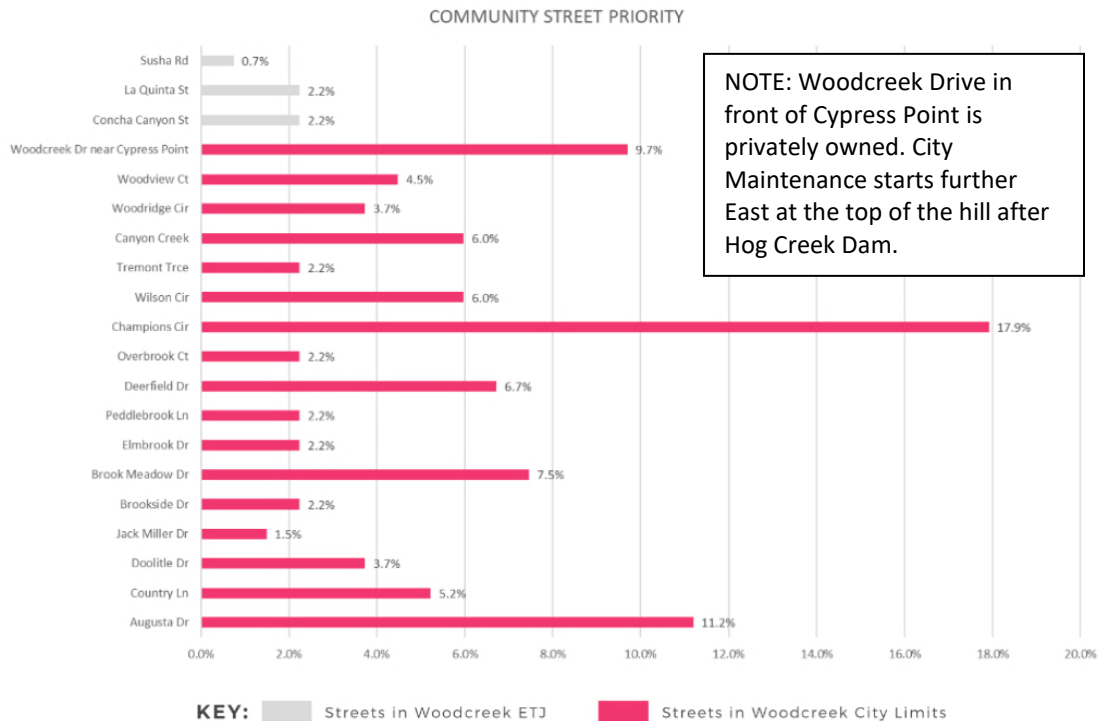
Strategy Two: Repair all roads in the City of Woodcreek and create a long-term maintenance plan.

Action Plan:

- Develop a Master Transportation Plan and Policy that addresses a regular maintenance schedule as part of the duty of the Platinum Panel.
- Finish the creation of a Capital Improvements Plan by the Platinum Panel which looks at capital needs as a whole and assesses fiscal capacity. The City should manage reserves and operating budgets to plan for and create the capacity for debt, while simultaneously funding some immediate projects. This plan should create a timeframe to achieve goals while balancing needs with fiscal responsibility. This plan would compile engineering studies, work through the priorities for roads to be improved, and seek final budget requests.
- Pursue grants and alternative funding
- Address drainage and traffic calming with road improvements

PHYSICAL SYSTEMS |

OTHER THAN WOODCREEK DR AND BROOKHOLLOW DR. PLACE A STICKER ON WHICH STREETS YOU BELIEVE THE CITY SHOULD PRIORITIZE WHEN IT COMES TO IMPROVEMENTS. (SELECT YOUR TOP 3)



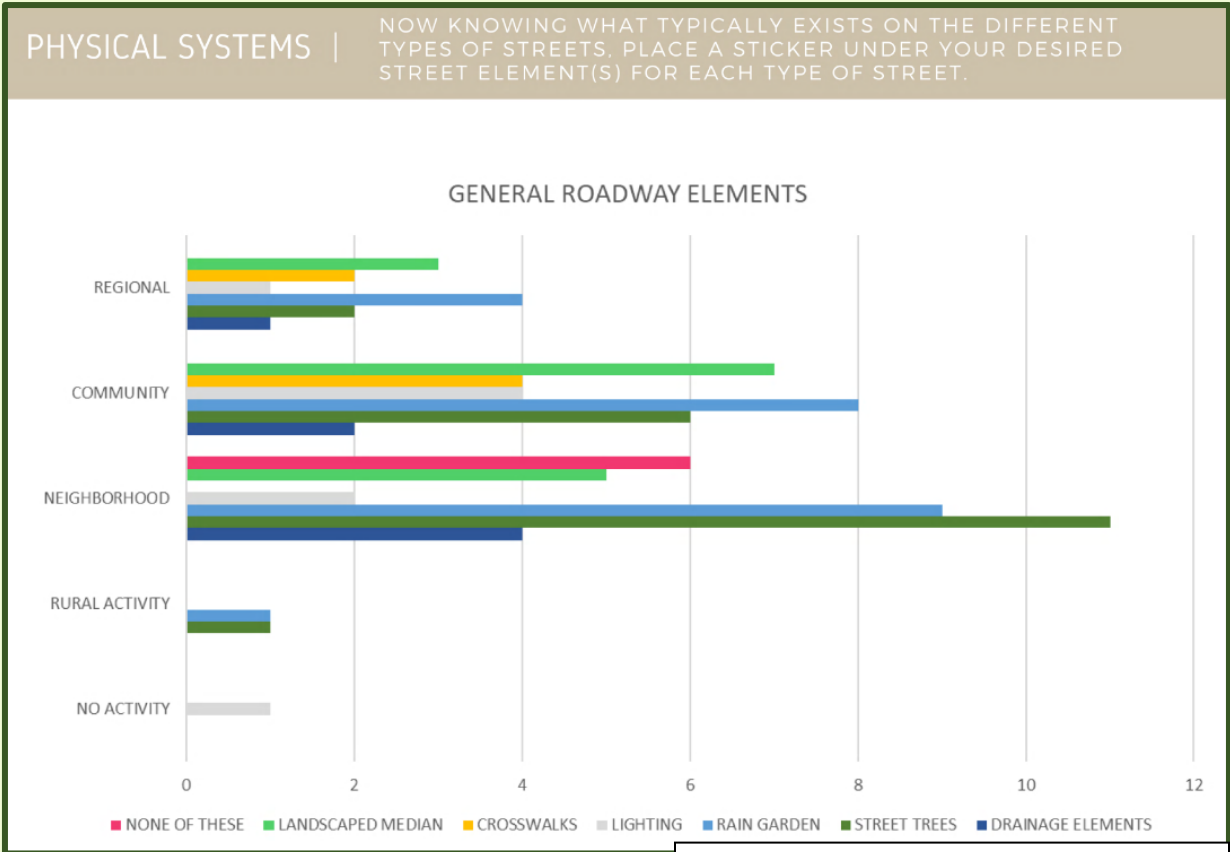


Image 62: Future Land Use Workshop Graph 2



Image 63: Future Land Use Workshop Map 1 Street Types

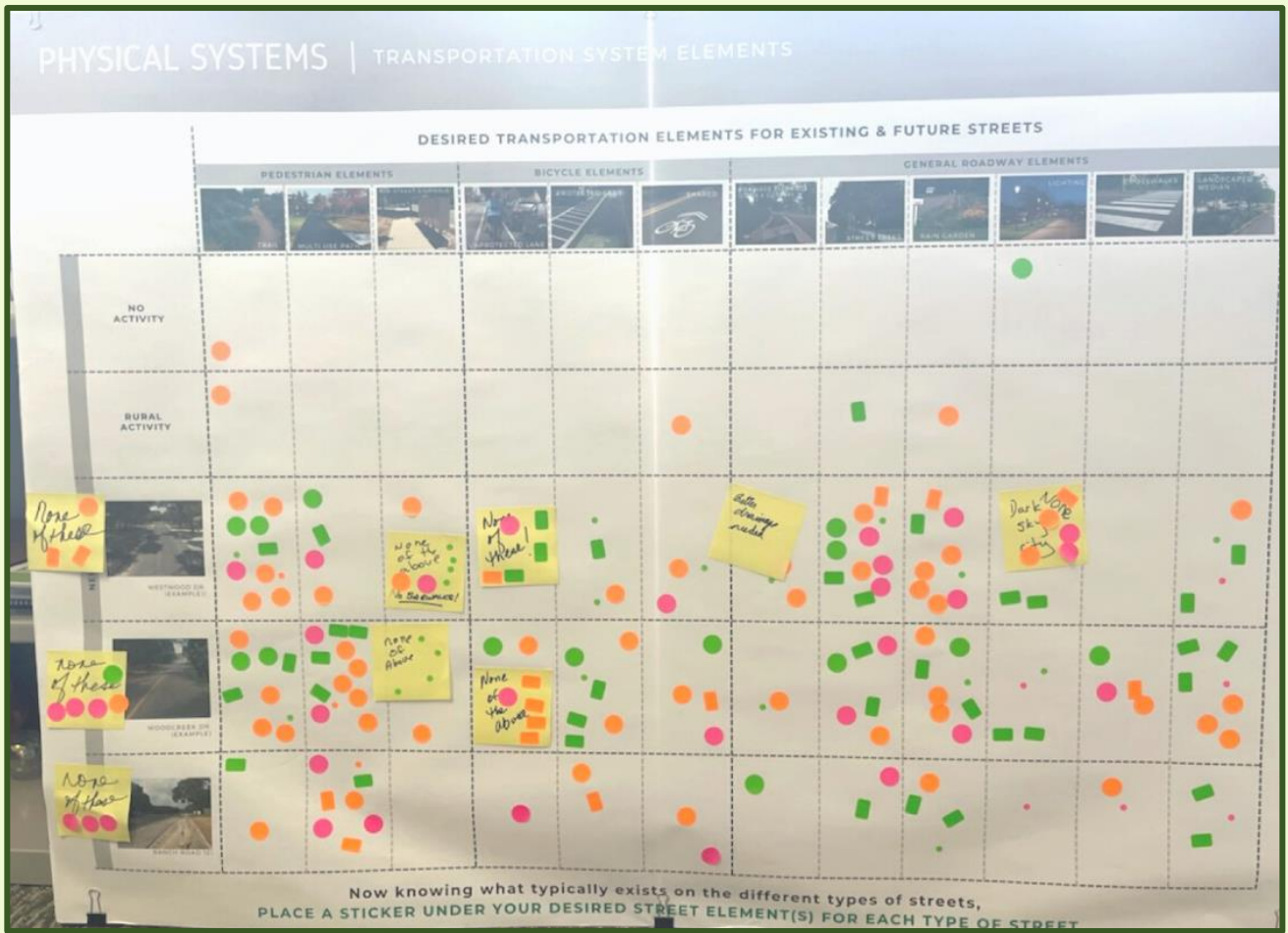


Image 64: Future Land Use Workshop Citizen Input for Graph 2 & Map 1 (Above)

Strategy Three: Create walking trails to address pedestrian safety.

Action Plan:

- Seek alternative funding through grants
- Work with the County on existing trails projects
- Obtain engineering studies to work on the placement of trails within the community
- Utilize citizen feedback to create a plan and prioritize routes for mobility improvements
- Create a timeline for execution of the plan and funding

What mobility improvements would you like to see the City address?

*Overall score shown (7 points for Rank 1, 6 points for Rank 2, etc.)

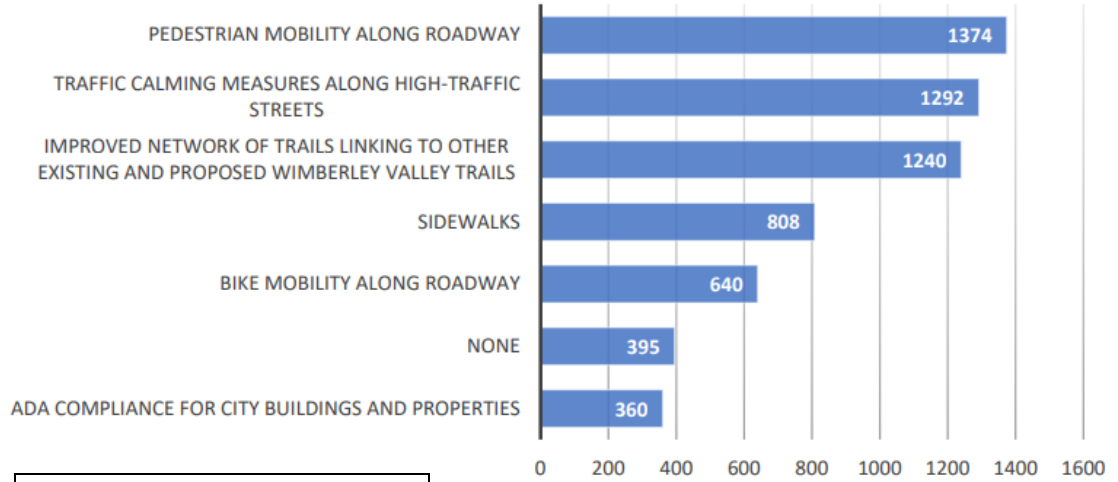


Image 65: Citizen Survey Graph 7

PHYSICAL SYSTEMS |

IF YOU COULD WALK OR BIKE ANYWHERE IN WOODCREEK, WHERE WOULD YOU WALK OR BIKE TO? (FOR SAFETY ISSUES, DO NOT WALK/BIKE ACROSS THE GOLF COURSE!)

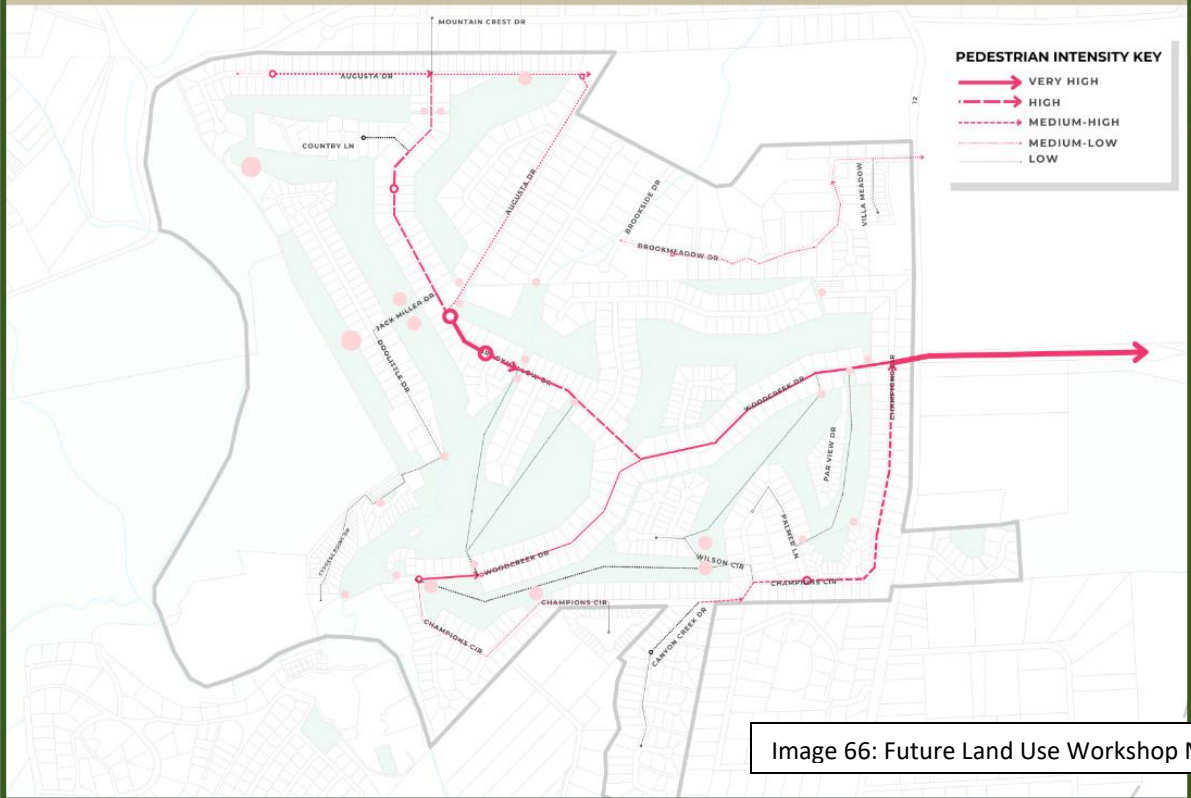


Image 66: Future Land Use Workshop Map 2

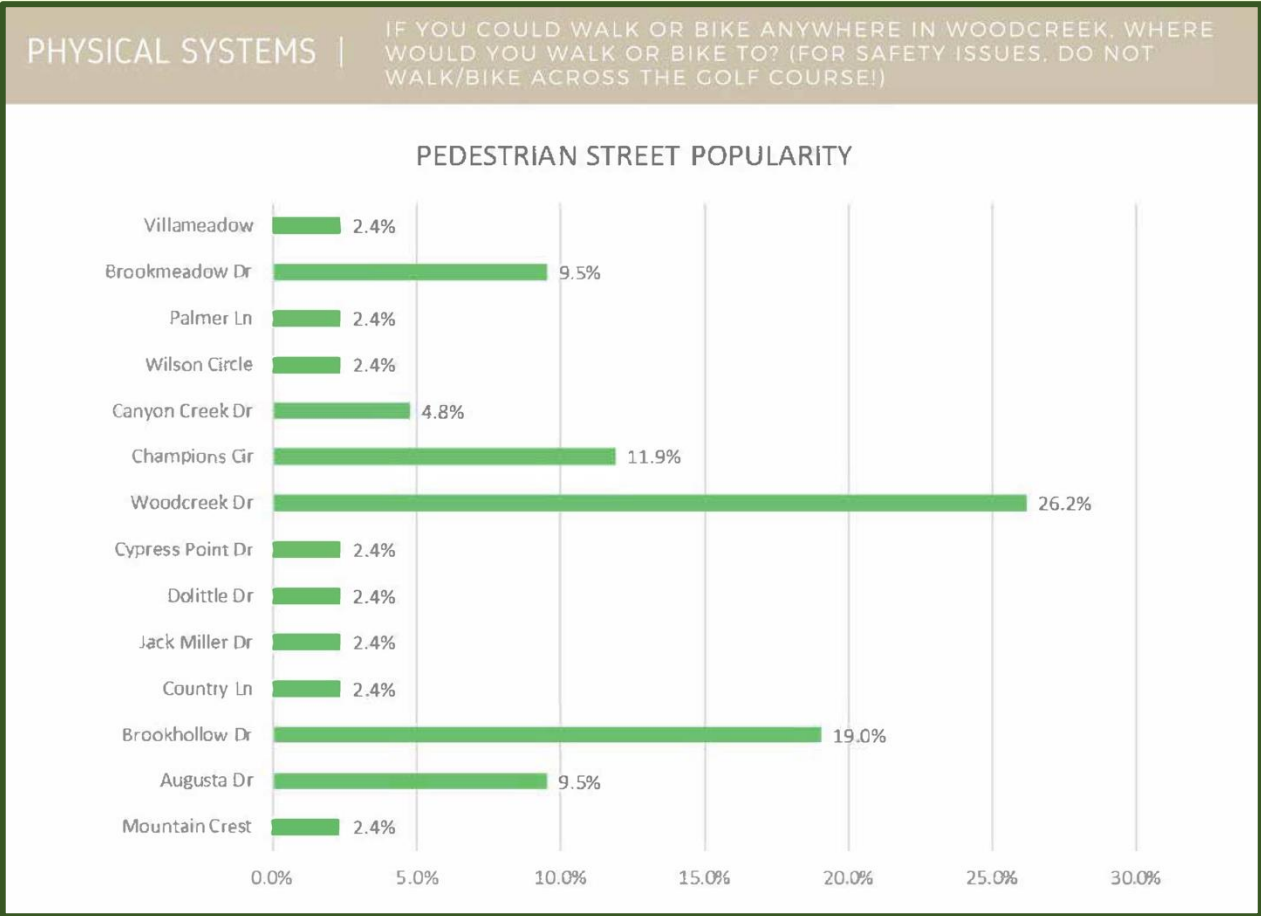


Image 67: Future Land Use Graph 4

Vision for Woodcreek

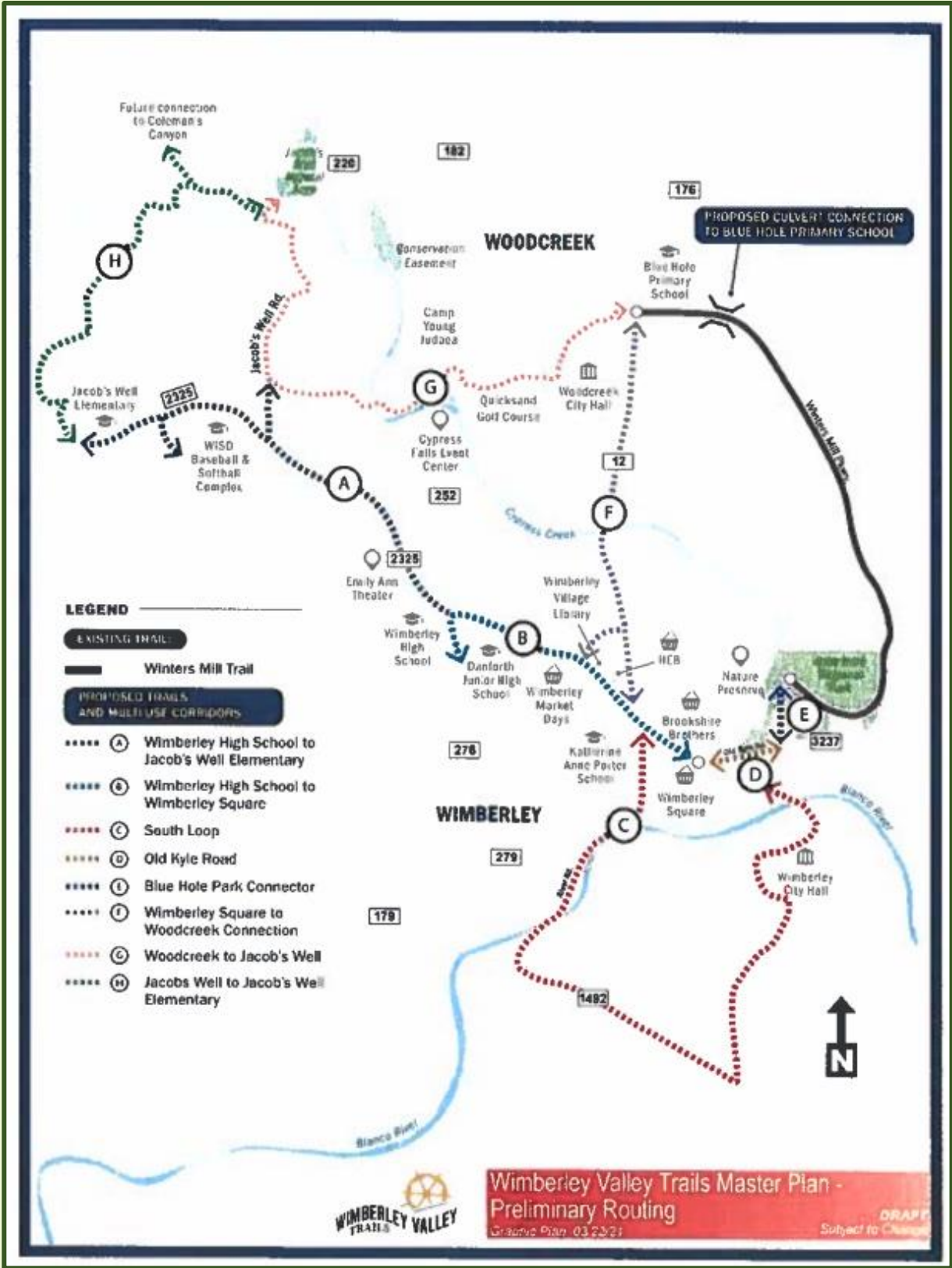


Image 68: Wimberley Valley Trails Project Preliminary Map

GOAL: Reduce the burden on taxpayers and over reliance on increasing ad valorem taxes to fund City projects.

Strategy One: Maintain suitable reserves and manage the annual budget to reduce excess spending.

Action Plan:

- Decrease annual spending in the “Maintenance and Operation” portion of the budget to provide funds from ad valorem income for desired projects rather than drawing from reserves.
- Do not spend over \$500,000 of the Net Reserves and maintain no less than two months operating expenses set aside from the Committed Funds Balance in the General Fund.
- Utilize existing reserves, no more than half of the general fund reserves in any single year, to fund small projects rather than seeking more debt whenever possible.

Strategy Two: Increase income outside of ad valorem taxes.

Action Plan:

- Promote and support local business
- Use Woodcreek as the city designation for online purchases
- Reconsider increasing the Hotel Occupancy Tax from 0 to create additional income for the city.

Strategy Three: Seek advantageous development and franchise agreements.

Action Plan:

- Pursue advantageous annexation agreements for any new development in the ETJ seeking businesses and residencies that represent smart growth and economic muscle.
- Consider the creation of an Economic Development Plan and Committee to oversee these action items and create a policy to ensure the City can sustain itself.



Image 69: Development Revenue Chart 1

HOW MUCH AD VALOREM REVENUE DOES EACH DEVELOPMENT TYPE GENERATE PER ACRE?

Amounts represent revenue for the City of Woodcreek only.
Amounts in italics represent estimates.

LOCAL RETAIL



Ad Valorem/Acre: \$2,435

LOCAL OFFICE



Ad Valorem/Acre: \$2,123

BOUTIQUE HOTEL



Ad Valorem/Acre: \$5,663

MEDICAL OFFICES



Ad Valorem/Acre: \$2,549

RV PARK



Ad Valorem/Acre: \$690

CABINS



Ad Valorem/Acre: \$1,398

MICRO-BREWERY



Ad Valorem/Acre: \$481

WINERY



Ad Valorem/Acre: \$9

CHURCH



Ad Valorem/Acre: \$0

Image 70: Development Revenue Chart 2

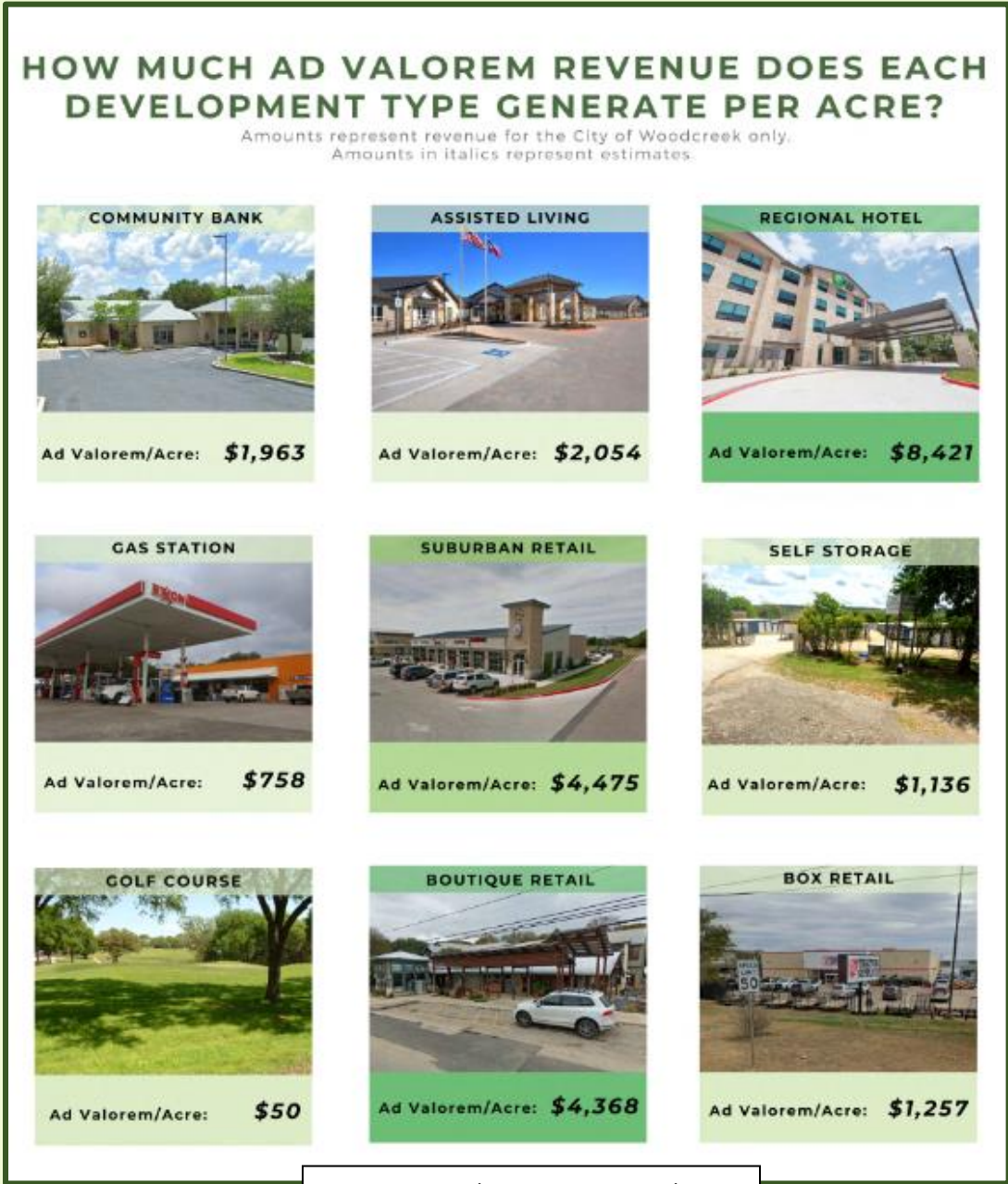


Image 71: Development Revenue Chart 3

Strategy Four: Pursue alternative and outside funding.

Action Plan:

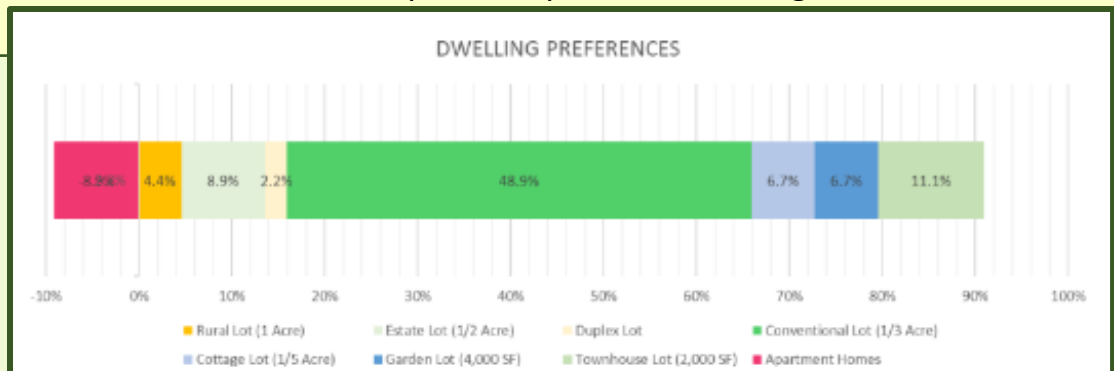
- Seek grants to fund desired projects rather than debt or the use of reserves.
- Encourage the Parks Board to pursue the formation of a citizen-based non-profit organization 501(c)(3) to raise funds for parks projects and walking trails.

GOAL: Maintain Woodcreek's character and promote sustainable resource management.

Strategy One: Preserve the rural and residential character of the community.

Action Plan:

- Review and update building and development ordinances.
- Update the subdivision and platting requirements to make them stricter and create more division of steps in the process including an environmental study.



Shows Preference for Conventional 1/3 Acre Lots

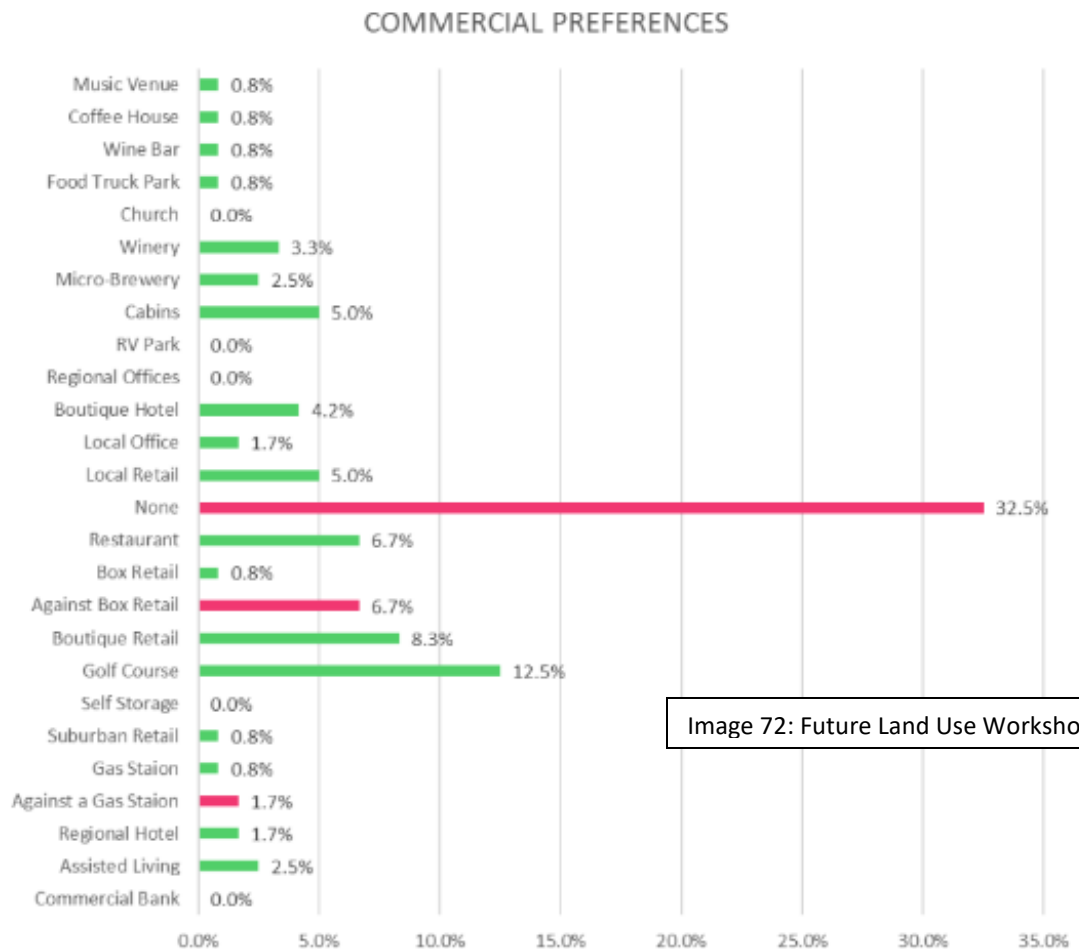


Image 72: Future Land Use Workshop Graph 5

Strategy Two: Protect the watershed.

Action Plan:

- Limit impervious coverage
- Encourage sustainable building practice
- Promote water-wise landscaping practices
- Create protections in the Jacob’s Well and Middle Trinity aquifer zones to limit development and minimize impervious coverage
- Utilize steep slopes and water quality management code to regulate development in the ETJ with the goal of managing impervious coverage and maintaining natural landscapes that work to reduce erosion and lessen the impacts of flooding.
- Encourage developers to utilize conservation style development in the ETJ and uphold parkland and greenspace regulations
- Enforce Heritage and Protected Tree preservation efforts

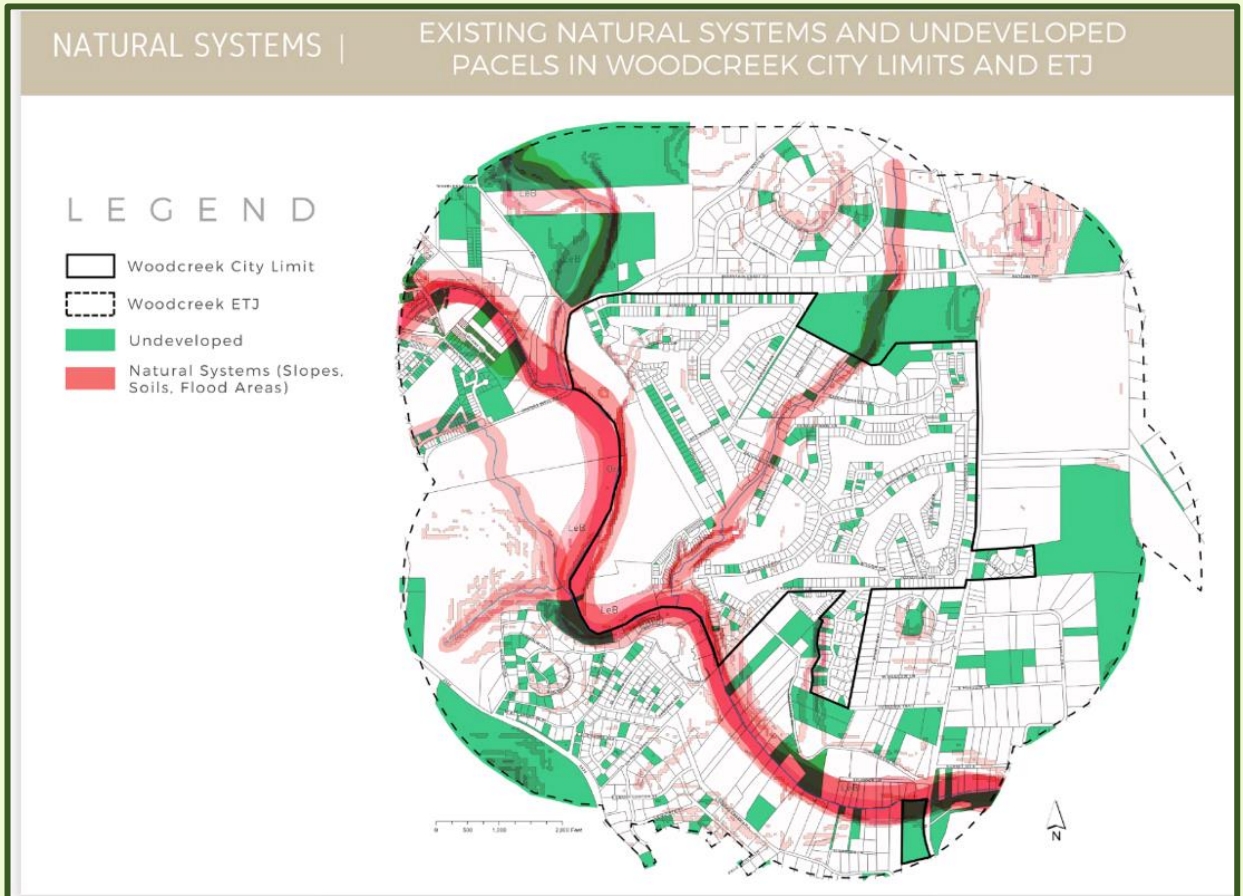


Image 73: Future Land Use Workshop Map 3

Strategy Three: Seek to encourage development that aligns with resident preferences.

Action Plan:

- Look for commercial opportunities that align with resident interests
- Do not duplicate the resources available in Wimberley
- Enforce minimal impact for resources such as water and encourage builders to utilize “one water” design principles
- Seek business that brings economic muscle: things that bring new money into the community rather than recirculating existing money or ones that take it away

NATURAL SYSTEMS |

IF ANY, WHAT TYPE OF DEVELOPMENT WOULD YOU LIKE TO SEE ON THE PARCELS THAT ARE UNDEVELOPED?

COMMUNITY LIKES

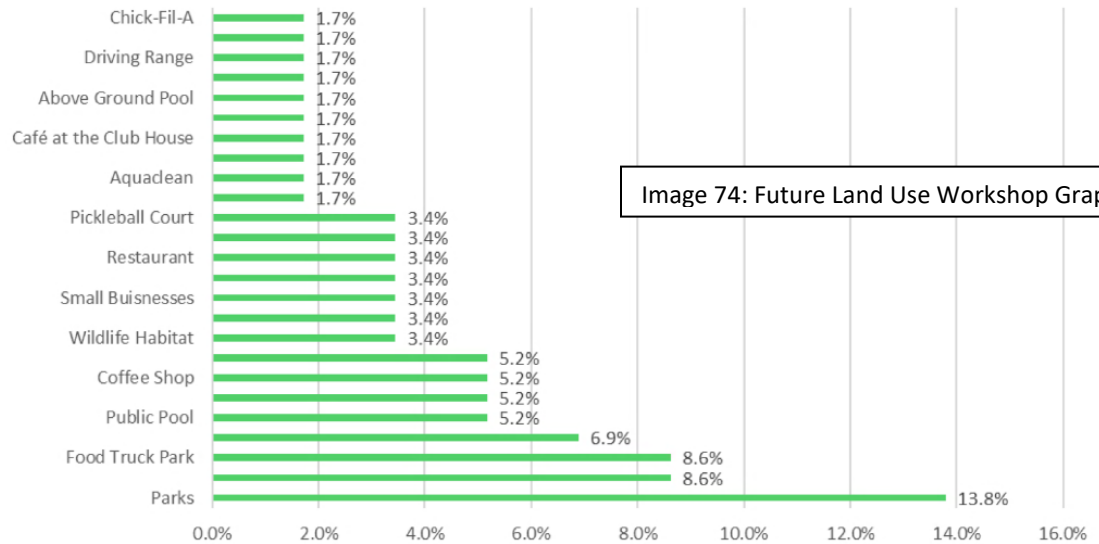


Image 74: Future Land Use Workshop Graph 6

If the City pursues commercial development within the city limits on the few remaining lots or within the outer ETJ limits, what (if any) of these would you like to see?

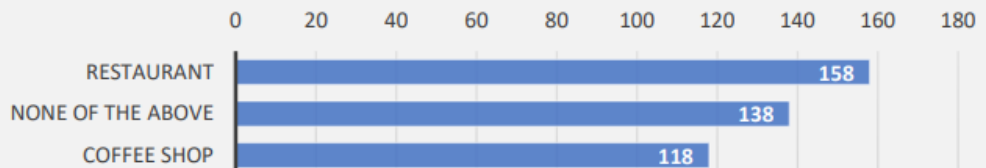
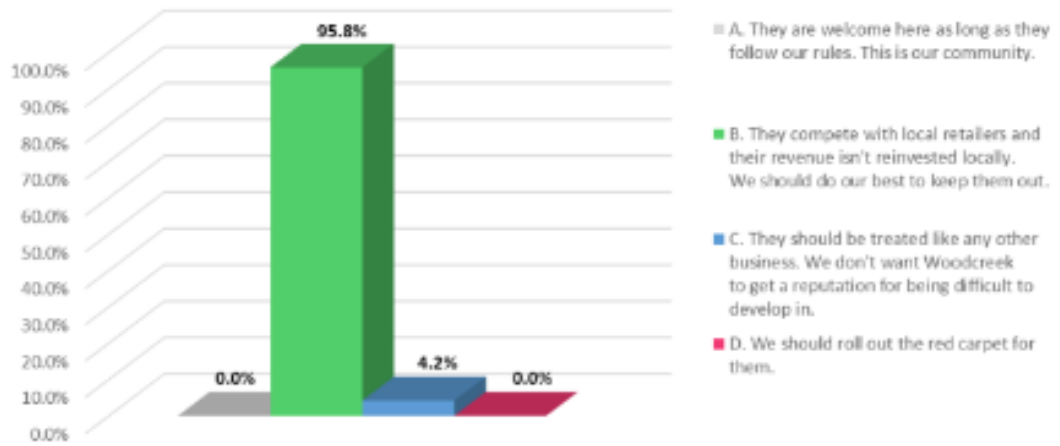
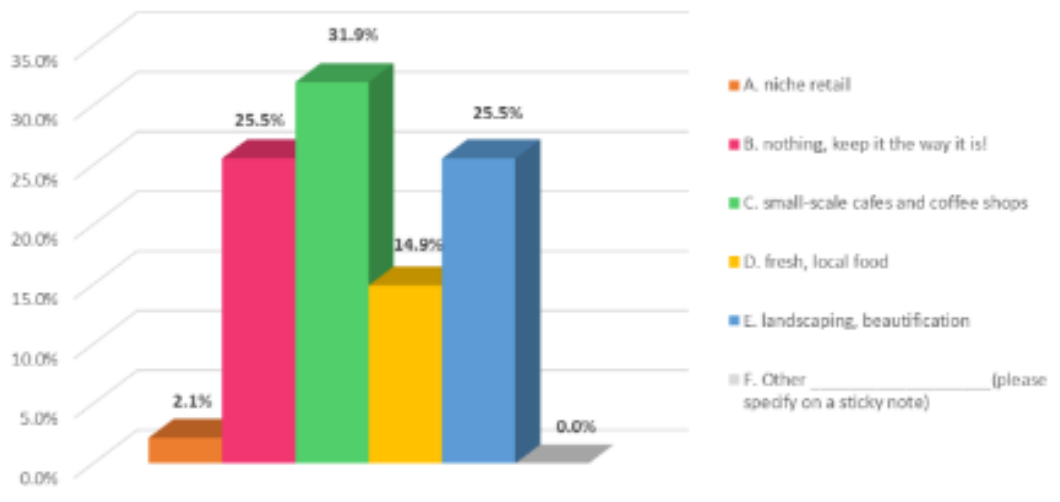


Image 75: Citizen Survey Graph 8

MY SENTIMENTS TOWARDS NATIONAL BRAND RETAILERS ARE THAT...



ALONG RANCH ROAD 12, I WOULD LIKE TO SEE...



MY BIGGEST CONCERN WITH NEW RESIDENTIAL DEVELOPMENT IN THE UNDEVELOPED AREAS SURROUNDING WOODCREEK IS...

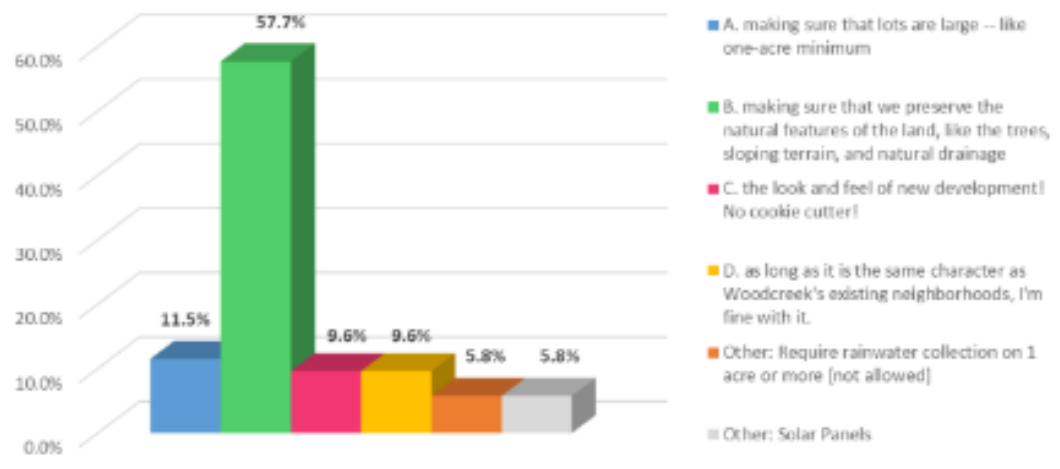


Image 76: Future Land Use Workshop Graph 7

LAND USE TYPES: CLASSIFICATION AND TERMINOLOGY

SCALE/ LU CLASS	POSSIBLE ZONING	ACTIVITY	PRIMARY STREET FRONTAGE CLASS (Street Classification that the Majority of the Lot/Tract Abuts)			
			RURAL	NEIGHBORHOOD	COMMUNITY	REGIONAL
NATURAL (no activity)	NWP, GB, P-1	Floodplains				
		Nature Preserves				
		Parks (unimproved)				
		Rivers				
		Wetlands				
		Wildlife Habitats				
RURAL	RR, P-1, R, CR	Agriculture				
		RV Park				
		Rural SF (>1 Ac.)				
		Outdoor Venue/Camp				
		Retreat - (Lodges/Cabins)				
NEIGHBORHOOD	SF 1-6	Estate (1/2 Ac.)				
		Conventional (1/3 Ac.)				
		Bungalow (1/5 Ac.)				
		Garden (1/10 Ac.)				
		Townhome				
	??	Manufactured Home				
	DU-1	Twin House (duplex/semi-detached)				
NO	Neighborhood Office (>2,500 sf)					
NC	Neighborhood Commercial (>2,500 sf)					
COMMUNITY	MF 1	Apartment				
	G	Private School				
	4PLX	Big-House (quad-plex)				
	MF 2	Apartment				
	G	Church				
	G	Government				
	R, PI, GB	City Park				
	G, U	Utility Services				
	MH 1	Manufactured Home Park				
	NC	Service & Repair (non-vehicular)				
	NC	Community Retail**/Restaurant***				
	NO	Medical/Professional Offices				
NO	Medical Clinic					
REGIONAL	CR, R	Outdoor Entertainment & Recreation				
	CRR12	Gas Station				
	CRR12, G	University				
	TH/C, DU 1, 4PLX, MF 1, MF 2	Assisted-Living				
	CRR12	Vertical Mixed Use				
	CR	Indoor Entertainment & Recreation				
	CRR12	Service & Repair (vehicular)				
	CRR12, HCC	Hotel				
	NO	Bank				
	CRR12	Grocery/Market				
	CRR12	Strip Center				
	CRR12	Large Format Retail				

Images 77: Future Land Types

LAND USE | FUTURE

WOODCREEK FUTURE LAND USE MAP

LEGEND

- Woodcreek City Limit
- Woodcreek ETJ
- Conservation
- Rural
- Neighborhood
- Community
- Regional

NOTE: "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries."

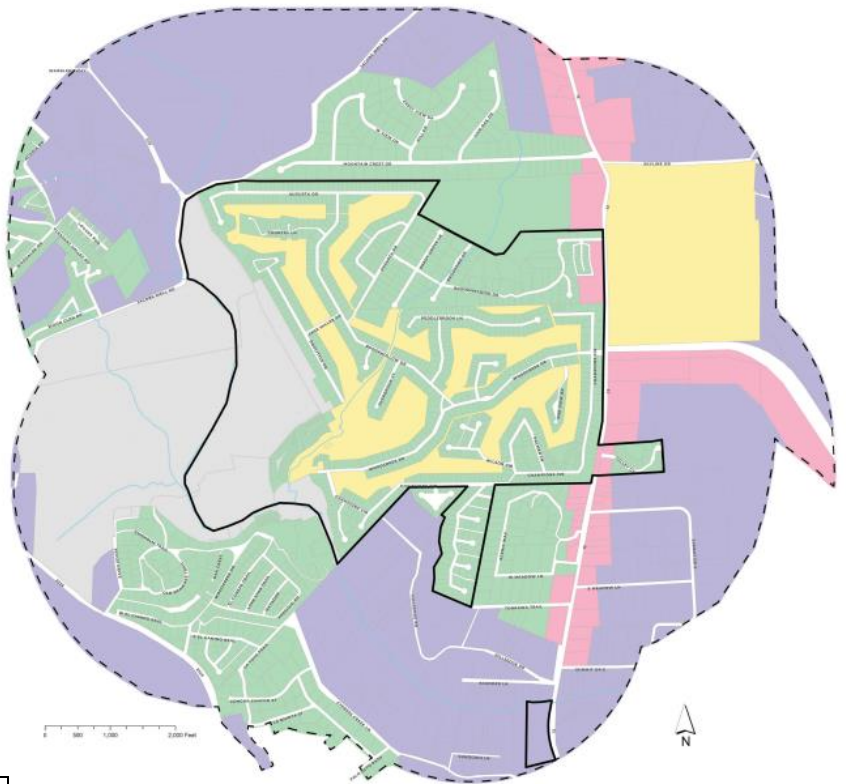


Image 78: Future Land Use Map

PHYSICAL SYSTEMS | STREETS

WOODCREEK MASTER THOROUGHFARE PLAN: STREET CLASSIFICATION

LEGEND

- Woodcreek City Limit
- Woodcreek ETJ
- Rural Streets
- Neighborhood Streets
- Community Streets
- Regional Streets

NOTE: For Woodcreek Drive and Brookhollow the use of the streets themselves remains under the "community" designation. However, the use of land surrounding these streets is to remain consistent with the designation of a "neighborhood" land use.



Image 79: Future Land Use Road Map

Plan Roots

- Public engagement
- Reflects the priorities of Woodcreek residents
- Outlines expectations for action from city officials and staff to address these priorities
- Important for leaders to recognize that by implementing this plan, they will be serving their community and putting resources into projects identified as most needed by residents.

Continual Review

- Important to recognize that this plan is intended to be reviewed and revised on a regular basis.
- Woodcreek and the greater Wimberley Valley are growing rapidly.
- Growth will lead to unforeseen challenges and opportunities that require a response.
- Plan provides direction and clear guidelines for how to navigate this anticipated development.
- New unanticipated issues will arise and city leadership will need to turn to this plan for reference and guidance as they navigate each situation.
- Plan serves as a set of benchmarks for city leadership to aid in their planning and decision making.

Framework for Decision Making

- Based on extensive public engagement
- A direct reflection of the residents
 - their demographics
 - their wish lists
 - their demands
 - their needs
 - their priorities
- Key to successful implementation is to keep the plan in front of decision makers
- Decision makers must recognize it as a resource to guide their decisions, basing them on the priorities identified in the plan.
- When adjustments need to be made, or new priorities arise, they can be incorporated into the plan.
- The plan is a resource that serves to promote action and responsiveness from city leadership and ensures that the community collective vision for the City of Woodcreek is upheld.

Planning for the Future

- The Comprehensive Plan shall need to be updated every four to six years.
- This will allow the community to address changes in demographics and any future needs that may arise.
- This document is not meant to be static or sit on a shelf. It is to be referenced often and updated at regular, planned intervals.
- By doing this, our community leaders are setting Woodcreek up with a foundation for success and ensuring the community thrives as a desirable place to live, work and play; a place where the local government listens to and works for its citizens.

Implementation of Comprehensive Plan

Phase 1: Finalize the Comprehensive Plan, present to the Planning and Zoning Commission for their review, and finally present to City Council for their review and approval.

Phase 2: Implement the strategies outlined under each focus group goal and fund identified projects.

Phase 3: Review of the Comprehensive Plan every two years by the Planning and Zoning Commission to assess the achievement of or progress towards each goal, effectiveness of strategies utilized, and to conduct an update of the citizen survey as needed. Survey updates should happen every 4 to 6 years.

Phase 4: Identify and reassess goals that are not being achieved or lag and adjust strategies and action plans accordingly. Additionally, on survey years, identify new goals outlined in the surveys and update the plan to address changes in the needs of the community as well as demographics.

Phase 5: Repeat Phases 3 and 4 every two years.

Woodcreek and the Wimberley Valley

The City of Woodcreek is part of the Wimberley Valley, sharing this area surrounding the Blanco River and Cypress Creek with Wimberley and large unincorporated areas. As a predominantly residential City, Woodcreek depends on others in the Valley for public and private services: schools, medical, law enforcement, fire protection, library, entertainment, groceries, and other retail. Woodcreek residents share the challenges of growth and the impact of this growth on natural resources, primarily water supply, with all residents of the Valley. Traffic issues, overcrowding, expansions of schools, new recreational spaces, and other shared issues will be best addressed through Valley-wide efforts.

Protecting the Valley and its cherished beauty requires cooperation and information sharing among Woodcreek and Wimberley along with Hays County. When planning the future of Woodcreek, we must explore opportunities for sharing resources and services across entities. Promoting and supporting connection and community through projects like the Hays County Trails or those pending with Parks and Open Space Advisory Commission (POSAC) is important for the Woodcreek community and that of the whole Valley. The city must recognize the importance of planning as the decisions of Woodcreek impact the entire Valley. The City shall work to create liaisons with the County and Wimberley to promote this endeavor.

Key Action Items

- Preserve the rural setting of Woodcreek by protecting trees and investing in parkland and greenspace.
- Repair roads and create a regular maintenance plan.
- Address pedestrian safety and create walking trails.
- Reduce the burden on taxpayers through an overreliance on increasing ad valorem income to fund projects.
- Improve and strengthen development regulations in order to reduce impact on the aquifer and maintain Woodcreek's character.

Glossary

- **Ad Valorem:** Property taxes generated through a city's tax rate that are used for the maintenance and operation of a city in addition to debt service or they can be held in reserves.
- **Annexation:** the act of bring an area of land or collection of properties under the jurisdiction of a governing body. In this case, it refers to bringing land into the city limits for the purposes of taxation and to apply the City's code of ordinances. See Chapter 43 of the State of Texas Local Government Code for regulations.
- **Community Streets:** may have some commercial business mixed with residential lots, have higher volumes of traffic and may be used by non-residents to move through the area without stopping.
- **Economic development:** creation of wealth from which a community benefits and can include programs or policies that improve the economic well-being, quality of life, and financial stability of a community.
- **Economic muscle:** refers to the monetary benefits an organization brings to the community. Typically, a business that sells goods or services to non-community members and the funds remain the community has more "economic muscle" than those that send funds outside the community or only bring in business from the community itself.
- **ETJ:** Extraterritorial Jurisdiction is the area directly outside the City limits for which the City can enforce limited regulations. Property owners in this area can seek annexation into the City. This size of the ETJ is dependent upon the size of the City. Woodcreek's ETJ extends one half mile in all directions from the city limit boundaries.
- **Neighborhood Streets:** small, rural streets that only have residential lots and very low traffic
- **Regional Streets:** Connect the community with other communities and regions.
- **Rights-of-way:** these are typically streets but are any publicly used area of land utilized or meant for transportation which includes that of motor vehicles, pedestrians, bicycles, and other forms.
- **Riparian:** Transitional zones that occur along aquatic environments, such as rivers and creeks, that bridge the upper dried land with lower wetlands directly adjacent to the water.
- **Steep slopes:** site slanting by more than 25%. Preserving this type of landscape is beneficial to water quality.

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- *Image 43: Street Condition Rating Scale (Credit: K. Friese)*
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- *Image 47 Cypress Point Sign (Credit: Cypress Point POA)*
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- *Image 56: Citizen Survey Graph 4 (Credit: K. Friese)*
- *Image 57: Citizen Survey Graph 5 (Credit: K. Friese)*
- *Image 58 Future Land Use Workshop Chart 1 (Credit: K. Friese)*
- *Image 59: Citizen Survey Graph 6 (Credit: K. Friese)*
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- *Image 63: Future Land Use Workshop Map 1 Street Types (Credit: K. Friese)*
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- *Image 78: Future Land Use Map (Credit: K. Friese)*
- *Image 79: Future Land Use Road Map (Credit: K. Friese)*

A very special thank you to Lydia Johns for her work in the graphic design and formatting of this document.