
MEETING NOTICE

The City Council of the City of Woodcreek, Texas will conduct a special meeting at Camp Young Judaea, 121 Camp Young Judaea Rd., Woodcreek, TX. The meeting will be held on January 26, 2022 at 6:30 PM.

All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained.

Note: Smoking is not allowed anywhere on the property of Camp Young Judaea.

The public may watch this meeting live at the following link: <https://meetings.ipvideotalk.com/119304555>. The public may listen to this meeting by dialing one of the following numbers: 1(617) 315-8088 or toll free at 1(866) 948-0772. When prompted enter Meeting ID:119304555.

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).

AGENDA

CALL TO ORDER

INVOCATION

PLEDGES

ROLL CALL

PUBLIC COMMENTS

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

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

Citizens may submit written public comments not exceeding 300 words in length to the City Secretary not later than 1:00 p.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.

REGULAR AGENDA

1. Discuss and Take Possible Action on Starting Traffic Enforcement by the Hays County Sheriff's Office (off-Duty officers), as Well as a Possible Budget Amendment To Allocate Funds for Same. Lt. Dennis Guterrez will be in Attendance attend our meeting (Pulley)
2. Discussion and Editing of Draft 1 of the Informal Road Funding Survey (Hines)
3. Discuss and Take Appropriate Action on Requesting Staff to Begin the Process of Gaining a "Tree City" Designation (Grummert)
4. Discussion and Possible Action on Revision of City of Woodcreek Code of Ordinances Chapter 151 To: 1) Clarify What "Alter" Means In 151.03 of That Ordinance; 2) Provide for a "Deemed Approved" Deadline for Processing of Permits Under 151.08 (Pulley)
5. Pursuant to Chapter 551.071 - Executive Session for the Purpose of Consultation with Legal Council Regarding the City of Woodcreek's Franchise Agreement with Aqua Texas (Rasco)
6. Discuss and Take Appropriate Action on Restoring the Rating for Pools To 100% On Impervious Coverage Guidelines Under Title V, Chapter 50 Water Quality, Regulations and Standards, 50.37 Impervious Coverage, C) Human-Made Improvements #6 Where it States: Fifty Percent of the Horizontal Water Surface Area of an Inground Swimming Pool. All Existing Applications Submitted Prior to this Date and in Process with City in Addition to All Pools Currently Under Construction Shall be Grandfathered (Hines)
7. Review of City Budget - Report From City Manager On First Quarter of Fiscal Year 2021-2022 Performance (LeBrun)
8. Review of the Permitting Process During First Quarter of Fiscal Year 2021-2022, Including Number of Permits Issued, Number of Permits Currently Pending, Number of Permits Successfully Completed, Number of Violations/Letters Sent/Citations/Stop Work Orders (Rasco)
9. Discuss and Take Appropriate Action on an Amendment to the Sign Ordinance 19-266 Where It Relates to Political Signs Creating a Limitation On the Timeline for Which they Can Be Displayed and Aligning It With State Regulations and Limitations (Hines)
10. Discussion and Take Appropriate Action on Discontinuing the Use of "Stop Work" Signs Placed In the Yards of Residents and Instead Move Towards the Use of Notification Sent Via Certified Mail and/or Taped To the Door or Some Other More Respectful and Private Method of Notification (Hines)
11. Discuss and Take Possible Action on Filling a Vacancy on the Planning & Zoning Commission (Rasco)

ADJOURN

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

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this

agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

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

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

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

I certify that the above notice was posted on the **21st day of January, 2022 at 4:00 PM**

By:  _____

Brenton B. Lewis, City Manager

Council Meeting Date: 1/26/22

Agenda Item #1 Cover Sheet

Agenda Item Subject/Title:

Discuss and Take Possible Action on Starting Traffic Enforcement by the Hays County Sheriff's Office (off-Duty officers), as Well as a Possible Budget Amendment To Allocate Funds for Same. Lt. Dennis Guterrez will be in Attendance attend our meeting

Agenda Item Summary:

Start HCSO regular traffic patrols by off-duty officers AND allocating funds for same. Lt. Dennis Guterrez will attend our meeting.

Financial Impact:

\$960 per month

Recommendations:

Authorize starting HSCO traffic enforcement patrols by off-duty officers.

Submitted by: Councilmember Brent Pulley

Council Meeting Date: 1/26/2022

Agenda Item Cover Sheet

Agenda Item Subject/Title:

Discussion and Editing of Draft 1 of the Informal Road Funding Survey.

Agenda Item Summary:

A draft survey has been created and Council will have the opportunity to review, offer feedback and edit.

Financial Impact:

none

Recommendations:

No action to be taken beyond editing of the draft document as a collective body. A second, possibly final draft, will be submitted to Council for approval at a later date.

Submitted by: Councilmember Debra Hines

How do we deliver this? Survey Monkey and offer paper options at City Hall?

The City of Woodcreek is faced with the pressing need for improvements on most of the roadways within the city limits. It has been established through our Comprehensive Plan Survey results that fixing our roads is a top priority for a majority of our responding citizens. The cost of these improvements will be substantial and the City does not have enough in reserve to pay for all these projects outright. Therefore, outside funding and debt must be considered if the City is to act upon these issues in a timely manner or to consider addressing all streets in need. The two municipal funding options available to the City currently are extending tax notes or general obligation bonds. There has been much discussion on these topics and a brief explanation of each option is available (provide link or give a brief description?)

Question 1: What remaining questions do you have about general obligation bonds?

Question 2: What remaining questions do you have about extending tax notes?

*Optional Question: Rate how involved you have been in following the City discussion and process on this topic leading up to this survey

Question 3: Do you think it best for the City to fund and repair all roads together or should the City approach it one project at a time?

Question 4: What roads do you see as the top priority for repairs? (Provide rating list with all roads remaining roads listed?)

Question 5: Do you feel like you understand the two forms of debt being considered: tax notes versus general obligation bonds?

Question 6: What more can the City do to help you feel informed about this topic?

Question 7: What more should the City do before making the decision to go with a tax note extension or start the process of going towards a general bond election?

Question 8: Do you support the City using the tax note extension process to repair 1 or 2 more miles of road and keeping the tax rate the same if this means it would be 3 more years before more road repairs could be funded?

Question 9: Do you support a General Obligation Bond if the tax rate stays the same and the City receives about ½ of the estimated funds needed to repair all roads?

Question 10: Do you support a General Obligation Bond with a small tax rate increase of about 5% if the City can receive most if not all funds currently estimated as needed to repair all roads? (Provide simple financial breakdown of how this would impact residents on their taxes with average home values)

Question 11: Would you rather the City extend tax notes or pursue a bond election?

Question 12: Would you consider applying for the Platinum Panel that will help the City address funding road repairs and more?

Council Meeting Date: 1/26/2022

Agenda Item #3 Cover Sheet

Agenda Item Subject/Title:

Discuss and Take Appropriate Action On Requesting Staff To Begin the Process of Gaining a "Tree City" Designation.

Agenda Item Summary:

Begin next steps for gaining the Tree City designation.

Financial Impact:

Minimal

Recommendations:

Gather the required documents and application forms and begin the process of submitting them so that Woodcreek can gain the designation of being a "Tree City".

Submitted by: Councilmember Chrys Grummert

Council Meeting Date: 1/26/2022

Agenda Item # 4 Cover Sheet

Agenda Item Subject/Title:

Discussion and Possible Action on Revision of City of Woodcreek Code of Ordinances Chapter 151 To: 1) Clarify What “Alter” Means In 151.03 of That Ordinance; 2) Provide for a “Deemed Approved” Deadline for Processing of Permits Under 151.08

Agenda Item Summary:

These revisions seek to clarify terms in order to save citizens additional expense and delays in the permitting process when the project does not create an impact that would require inspections, such as simple roof repair/replacement, remodeling without structural or other major changes, etc.

Financial Impact:

O

Recommendations:

Discuss and approve revised Ordinance

Submitted by: Councilmember Brent Pulley

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS AMENDING (1) § 151.03 TO CLARIFY WHEN A BUILDING PERMIT IS REQUIRED; AND (2) § 151.08 TO ESTABLISH WHEN A PERMIT IS DEEMED APPROVED; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, The City of Woodcreek desires to provide clarity as to when a building permit will and will not be required; and

WHEREAS, The City of Woodcreek desires to set a timeframe for the processing of building permits, including when a building permit will be deemed approved.

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

I. FINDING OF FACT

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

II. SEVERABILITY

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

III. CODIFICATION

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

IV. EFFECTIVE DATE

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

V. PROPER NOTICE & MEETING

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

PASSED AND APPROVED this, the ____ day of _____ 2022, by a vote of ____ Ayes to ____ Nays to ____ Abstentions of the City Council of Woodcreek, Texas.

City of Woodcreek:

By: _____
Mayor Jeff Rasco

Attest:

By: _____
Brenton B. Lewis, Interim City Secretary

§ 151.03 - JURISDICTION.

- (A) It shall be unlawful for any person or persons to erect, construct or alter any building, accessory building or structure in the City or cause the same to be done, unless the provisions of this subchapter are complied with and a building permit has been issued by the City prior to the start of any of the aforementioned activities.
- (B) Any changes in building plans after the building permit is issued must be resubmitted for approval.
- (C) Notwithstanding any provision of this building code, a building permit is not required for property interior or exterior repairs or renovations that do not involve structural changes to any building or accessory building. Structural changes (hereafter “structural changes”) include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting egress requirements (*consistent with IRC R105.2.2*).
- (D) A building permit is required for property interior or exterior repairs or renovations that involve structural changes or repairs to any building or accessory building.
- (E) A permit is required for the addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, solid waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or public safety (*consistent with IRC R105.2.2*).
- (F) Notwithstanding any provision of this building code, a building permit is not required for roof repairs or reroofing work that is being performed by or on behalf of the property owner provided such work does not involve structural changes to the residence or the installation of heavy roofing materials such as tile or slate. If the roof repairs or reroofing work involves structural changes, or involves the installation of heavy roofing materials such as tile or slate, a building permit is required for such work.
- (G) A building permit is required if any repair, addition or renovation results in an increase in the overall impervious cover foot-print for the property.

§ 151.08 - PROCESSING.

When a completed application is received, the City shall provide the applicant(s) written notice stating a completed application has been received by electronic mail and/or certified mail. The application shall be approved or denied within 45 calendar days following the day on which written notice of a completed application is sent to the applicant(s). If the 45th day falls on a weekend and/or holiday, then the date for approval or denial shall be the first business day immediately following the 45th day. If the application is approved, the City will issue a building permit to the applicant(s). If the application is denied, the applicant(s) will be notified in writing how the application is not in compliance with City ordinances. The building permit fee will not be refunded if the application is not approved. Plans may be resubmitted to the City for

reconsideration for a fee in accordance with Chapter 35. If the City fails to approve or deny the completed application within 45 calendar days of the day on which the City provides the applicant(s) written notice stating a completed application has been received, then the application will be deemed approved, and the applicant(s) may proceed with completing all work provided for in the application as if a permit has been received.

Council Meeting Date: 1/12/2022

Agenda Item #5 Cover Sheet

Agenda Item Subject/Title:

Discuss and Take Appropriate Action on Restoring the Rating for Pools To 100% On Impervious Coverage Guidelines Under Title V, Chapter 50 Water Quality, Regulations and Standards, 50.37 Impervious Coverage, C) Human-Made Improvements #6 Where it States: Fifty Percent of the Horizontal Water Surface Area of an Inground Swimming Pool. All Existing Applications Submitted Prior to this Date and in Process with City in Addition to All Pools Currently Under Construction Shall be Grandfathered.

Agenda Item Summary:

Return the designation of impervious coverage for inground swimming pools to the rating of 100% for the area of the surface of the water.

Financial Impact:

none

Recommendations:

Amend the ordinance to be in agreement with the scientific and professional recommendations previously provided to Council and to be in alignment with regional efforts to reduce impervious coverage in order to protect our groundwater valley-wide.

Submitted by: Councilmember Debra Hines

To: Mayor Gloria Whitehead

October 29, 2020

From: Ordinance Review Committee

Subject: Review of impervious cover calculation for swimming pools, Chapter 50, Water Quality Ordinance

On September 18, 2020, the committee was asked to review the impervious cover ordinance as it relates to swimming pools in the City of Woodcreek.

The Committee received input from Tom Hegemeier, P.E., of Doucet and Associates, Inc. and from Nick Dornak, Director of Watershed Services, The Meadows Center for Water and the environment, Texas State University. Their input was specifically requested by the Woodcreek City Council. The committee met on October 5, 2020 and discussed the matter after reviewing the materials and information available to the committee.

It is the recommendation of the Committee that no change be made to the existing impervious cover calculation of the horizontal water surface area of an in ground swimming pool. The committee's analysis follows below.

Basis for the Recommendation

In reaching its recommendation the Committee considered the importance of the following factors recognized in the existing Water Quality Ordinance, Impervious Barrier calculations:

- (1) to protect degradation and pollution of ground water resources-specifically aquifer protection and supply;
- (2) the need to protect the springs and creeks that enhance the quality of life, property values, and critical aquatic habitat; and
- (3) to control and manage the quality of storm water runoff and the sediment load in that runoff.

Additional factors recognized by the Committee include:

- (1) the generally small lot sizes in the City of Woodcreek;
- (2) the unique hydrology and natural beauty of Woodcreek;
- (3) the lack of storm water infrastructure in the City of Woodcreek;
- (4) the critical interrelationship between surface water and groundwater;
- (5) the importance of Woodcreek to act consistently with adjacent communities which share the Wimberley Valley watershed. It was noted that the City of Wimberley incorporated the same impervious cover allocation as the City of Woodcreek. The adjacent City of San

Marcos also incorporated the same one hundred percent impervious cover allocation for swimming pool horizontal surfaces;

- (6) the acknowledgment that swimming pools do not allow for infiltration of rainwater;
- (7) the reality that swimming pools do not serve as a usable source of rainwater collection due to pollution from chemicals and/or salt water, both potentially detrimental on vegetation and soil; and
- (8) the recognition that swimming pools result in significant loss of water storage due to evaporation.

As an alternative to changing the impervious cover calculation, the Committee encourages property owners wishing to add an in ground swimming pool to consider ways to decrease the existing impervious cover on their lots. Property owners could pursue steps such as the use of pervious pavers to replace impervious parking, driveway, and pathway surfaces in order to meet the impervious cover limit.

It should be noted that the Committee did not have any data available on the number of in ground swimming pools already constructed in the City; nor did it have data available to consider how many property owners would potentially pursue future construction of an in ground pool were the impervious cover computation be decreased from one hundred percent to fifty percent. The Council may wish to gather the above-noted data in the forthcoming comprehensive survey of the citizens of Woodcreek. In addition, the survey could query citizens' interest in construction of a single community pool to be located where impact to the groundwater and hydrology of Woodcreek could be mitigated. Such an inquiry would necessarily also need to include follow-up questions on the citizens' willingness to fund initial construction and maintenance of the pool amenity. Given the general perception, not yet subject to empirical data - that the demographics of the city are shifting to younger families, there might be interest in a community pool.

ORDINANCE NO. 20-
CITY OF WOODCREEK, TEXAS
AMENDMENT TO CHAPTER 50 OF THE CODE OF ORDINANCES
WATER QUALITY ORDINANCE

AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE V ("PUBLIC WORKS"), CHAPTER 50 ("WATER QUALITY"), SECTION 50.37 ("IMPERVIOUS COVER"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to amend an ordinance that is for good government and order of the City; and

WHEREAS, the City Council finds that addressing non-point source pollution control management policies which shall govern the planning, design, construction, operation and maintenance of drainage, erosion and water quality control facilities within city's jurisdiction is for good government and order of the City; and

WHEREAS, the City Council further finds that amending the City Code to provide for additional measures to control and manage the quality of storm water runoff from points and surfaces within subdivisions is for good government and order of the City; and

WHEREAS, the City Council finds that inground swimming pools can act as a rainwater and stormwater detention area, and that setting a limit as to the surface area of a swimming pool that may serve as impervious cover is for good government and order of the City

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

1. FINDINGS OF FACT

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

2. ENACTMENT

Chapter 50 ("Water Quality") of the Code of Ordinances of the City of Woodcreek is amended at Section 50.37 so as to read in accordance with *Attachment A*, which are attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

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

4. SEVERABILITY

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

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Chapter 50, as amended by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

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

PASSED & APPROVED this, the ___ day of January 2021, by a vote of ___ (*ayes*) to ___ (*nays*) and ___ (*abstentions*) of the City Council of Woodcreek, Texas.

Gloria Whitehead, Mayor

Linda Land, City Secretary

Attachment "A"

City of Woodcreek

CODE OF ORDINANCES

TITLE V: PUBLIC WORKS

CHAPTER 50: WATER QUALITY

§ 50.37 Impervious Cover

- (C) (6) Fifty percent of the horizontal water surface area of an inground swimming pool;
~~Swimming pool water surface area;~~

To: Mayor Gloria Whitehead

October 29, 2020

From: Ordinance Review Committee

Subject: Review of impervious cover calculation for swimming pools, Chapter 50, Water Quality Ordinance

On September 18, 2020, the committee was asked to review the impervious cover ordinance as it relates to swimming pools in the City of Woodcreek.

The Committee received input from Tom Hegemeier, P.E., of Doucet and Associates, Inc. and from Nick Dornak, Director of Watershed Services, The Meadows Center for Water and the environment, Texas State University. Their input was specifically requested by the Woodcreek City Council. The committee met on October 5, 2020 and discussed the matter after reviewing the materials and information available to the committee.

It is the recommendation of the Committee that no change be made to the existing impervious cover calculation of the horizontal water surface area of an in ground swimming pool. The committee's analysis follows below.

Basis for the Recommendation

In reaching its recommendation the Committee considered the importance of the following factors recognized in the existing Water Quality Ordinance, Impervious Barrier calculations:

- (1) to protect degradation and pollution of ground water resources-specifically aquifer protection and supply;
- (2) the need to protect the springs and creeks that enhance the quality of life, property values, and critical aquatic habitat; and
- (3) to control and manage the quality of storm water runoff and the sediment load in that runoff.

Additional factors recognized by the Committee include:

- (1) the generally small lot sizes in the City of Woodcreek;
- (2) the unique hydrology and natural beauty of Woodcreek;
- (3) the lack of storm water infrastructure in the City of Woodcreek;
- (4) the critical interrelationship between surface water and groundwater;
- (5) the importance of Woodcreek to act consistently with adjacent communities which share the Wimberley Valley watershed. It was noted that the City of Wimberley incorporated the same impervious cover allocation as the City of Woodcreek. The adjacent City of San

Marcos also incorporated the same one hundred percent impervious cover allocation for swimming pool horizontal surfaces;

- (6) the acknowledgment that swimming pools do not allow for infiltration of rainwater;
- (7) the reality that swimming pools do not serve as a usable source of rainwater collection due to pollution from chemicals and/or salt water, both potentially detrimental on vegetation and soil; and
- (8) the recognition that swimming pools result in significant loss of water storage due to evaporation.

As an alternative to changing the impervious cover calculation, the Committee encourages property owners wishing to add an in ground swimming pool to consider ways to decrease the existing impervious cover on their lots. Property owners could pursue steps such as the use of pervious pavers to replace impervious parking, driveway, and pathway surfaces in order to meet the impervious cover limit.

It should be noted that the Committee did not have any data available on the number of in ground swimming pools already constructed in the City; nor did it have data available to consider how many property owners would potentially pursue future construction of an in ground pool were the impervious cover computation be decreased from one hundred percent to fifty percent. The Council may wish to gather the above-noted data in the forthcoming comprehensive survey of the citizens of Woodcreek. In addition, the survey could query citizens' interest in construction of a single community pool to be located where impact to the groundwater and hydrology of Woodcreek could be mitigated. Such an inquiry would necessarily also need to include follow-up questions on the citizens' willingness to fund initial construction and maintenance of the pool amenity. Given the general perception, not yet subject to empirical data - that the demographics of the city are shifting to younger families, there might be interest in a community pool.

§ 50.37 - *IMPERVIOUS COVER*.
modified

(A)

Maximum limitations. A 30 percent maximum limitation on *impervious cover* is hereby established for any new development or redevelopment added together with the existing development for the site.

(B)

Impervious cover limit calculations. *Impervious cover* limits in this section are expressed as a percentage of the gross site area of the subject tract. For purposes of calculation of *impervious cover* limits, the gross site area includes water quality buffer zone (WQBZ) areas and critical environmental feature (CEF) setback areas.

(C)

Human-made improvements. *Impervious cover* shall include all human-made improvements which prevent the infiltration of water into the natural soil or prevent the migration of the infiltration as base flow. The following shall be considered as *impervious cover*:

(1)

Roads, pavements and driveways;

(2)

Parking areas;

(3)

Buildings;

(4)

Pedestrian walkways and sidewalks;

(5)

Concrete, asphalt, masonry, surfaced areas and paving stone surfaced areas;

(6)

Fifty percent of the horizontal water surface area of an inground swimming pool;

(7)

Densely compacted natural soils or fills which result in a coefficient of permeability less than 1×10^{-6} cm/sec;

(8)

All existing human-made *impervious* surfaces prior to development;

(9)

Water quality and storm water detention basins lined with impermeable materials;

(10)

Storm water drainage conveyance structures lined with impermeable materials;

(11)

Fifty percent of the horizontal surface area of an uncovered deck that has drainage spaces between the deck boards that is located over a pervious surface.

(D)

Exceptions to *impervious cover* calculations.

(1)

Existing roads adjacent to the development and not constructed as part of the development at an earlier phase;

(2)

Naturally occurring *impervious* features, such as rock out crops;

(3)

Landscaped areas and areas remaining in their natural state;

(4)

Water quality controls and storm water detention basins not lined with impermeable materials; and

(5)

Storm water drainage conveyance structures not lined with impermeable materials.

(6)

Interlocking or "permeable pavers" based on percent of permeability;

(7)

Functioning rainwater harvesting systems.

(E)

Reduction incentives.

(1)

Rainwater harvesting. Rainwater harvesting consists of a series of components designed to capture, store and reuse rainwater. A rainwater harvesting system consists of six basic components including:

(a)

Catchment area/roof, which is the surface on which the rain falls;

(b)

Gutters and downspouts, which transport the water from the catchment area to storage;

(c)

Leaf screens and roof washers, which are used to filter out debris;

(d)

Cisterns or storage tanks where collected rainfall is stored;

(e)

Conveyance, which is the method of delivering the water either by gravity or pump; and

(f)

Water treatment, which includes filters and equipment that are used to settle, filter, and disinfect the water if it is to be used for drinking water.

(2)

A rainwater harvesting system approved under this article shall comply with the following minimum requirements:

(a)

The entire system, including rainwater collection, conveyance and storage, shall be isolated from the site storm water system.

(b)

The collected rainwater shall be used for on-site irrigation or other purposes as approved by the City.

(c)

The system shall comply with the pollution control performance standards of [§ 50.35](#).

(d)

The on-site irrigation system shall be designed in accordance with standard irrigation practices considering such factors as soil type, slope, and vegetative uptake rates.

(3)

Rainwater collection and containment structures functioning as a rainwater harvesting system are not considered *impervious cover*. Such structures and/or improvements can be used to obtain credit towards any *impervious cover* requirement set forth in this article. Structures and/or improvements (e.g., building roofs, patios, awnings, etc.) from which stormwater is harvested are considered *impervious cover*.

(4)

In order to qualify to receive credit for a rainwater harvesting system, the system must be designed to exceed normal draw (i.e., no credit will be given if the tank routinely stays full). Credit is just for the tank *cover*. In order to qualify, the applicant must demonstrate where water is going, (e.g., how it will be drawn down, use as non-potable source rainwater, or irrigation).

(5)

Credits can zero-out *impervious cover* for purposes of calculating runoff treatment for the captured area. Applicants may also get up to ten percentage points credit toward additional *cover*. The calculation procedures are found in the Cypress Creek Technical Resource Guide.

(F)

Restrictions on siting of *impervious cover*.

(1)

Impervious cover shall not be constructed downstream of water quality controls except for specific instances reviewed and approved by the City Engineer.

(2)

Impervious cover shall not be constructed within WQBZs except as allowed by this chapter.

(3)

Impervious cover shall not be constructed within critical environmental feature setback areas.

(4)

Impervious cover shall not be constructed within the areas designated for on-site irrigation of treated wastewater effluent disposal and/or captured stormwater.

(Ord. 10-139, 2-10-2010; Ord. 14-194, 6-11-2014; Ord. [20-278](#), 2-12-2020; [Ord. No. 21-289](#), § 2, 1-13-2021)

§ 50.37 IMPERVIOUS COVER.

- (A) *Maximum limitations.* A 30 percent maximum limitation on impervious cover is hereby established for any new development or redevelopment added together with the existing development for the site.
- (B) *Impervious cover limit calculations.* Impervious cover limits in this section are expressed as a percentage of the gross site area of the subject tract. For purposes of calculation of impervious cover limits, the gross site area includes water quality buffer zone (WQBZ) areas and critical environmental feature (CEF) setback areas.
- (C) *Human-made improvements.* Impervious cover shall include all human-made improvements which prevent the infiltration of water into the natural soil or prevent the migration of the infiltration as base flow. The following shall be considered as impervious cover:
- (1) Roads, pavements and driveways;
 - (2) Parking areas;
 - (3) Buildings;
 - (4) Pedestrian walkways and sidewalks;
 - (5) Concrete, asphalt, masonry, surfaced areas and paving stone surfaced areas;
 - (6) Fifty percent of the horizontal water surface area of an inground swimming pool;
 - (7) Densely compacted natural soils or fills which result in a coefficient of permeability less than 1×10^{-6} cm/sec;
 - (8) All existing human-made impervious surfaces prior to development;
 - (9) Water quality and storm water detention basins lined with impermeable materials;
 - (10) Storm water drainage conveyance structures lined with impermeable materials; and
 - (11) Fifty percent of the horizontal surface area of an uncovered deck that has drainage spaces between the deck boards that is located over a pervious surface.
- (D) *Exceptions to impervious cover calculations.*
- (1) Existing roads adjacent to the development and not constructed as part of the development at an earlier phase;
 - (2) Naturally occurring impervious features, such as rock out crops;
 - (3) Landscaped areas and areas remaining in their natural state;
 - (4) Water quality controls and storm water detention basins not lined with impermeable materials; and
 - (5) Storm water drainage conveyance structures not lined with impermeable materials.
 - (6) Interlocking or "permeable pavers" based on percent of permeability;
 - (7) Functioning rainwater harvesting systems.
- (E) *Reduction incentives.*
- (1) *Rainwater harvesting.* Rainwater harvesting consists of a series of components designed to capture, store and reuse rainwater. A rainwater harvesting system consists of six basic components including:
 - (a) Catchment area/roof, which is the surface on which the rain falls;
 - (b) Gutters and downspouts, which transport the water from the catchment area to storage;

- (c) Leaf screens and roof washers, which are used to filter out debris;
 - (d) Cisterns or storage tanks where collected rainfall is stored;
 - (e) Conveyance, which is the method of delivering the water either by gravity or pump; and
 - (f) Water treatment, which includes filters and equipment that are used to settle, filter, and disinfect the water if it is to be used for drinking water.
- (2) A rainwater harvesting system approved under this article shall comply with the following minimum requirements:
- (a) The entire system, including rainwater collection, conveyance and storage, shall be isolated from the site storm water system.
 - (b) The collected rainwater shall be used for on-site irrigation or other purposes as approved by the City.
 - (c) The system shall comply with the pollution control performance standards of § 50.35.
 - (d) The on-site irrigation system shall be designed in accordance with standard irrigation practices considering such factors as soil type, slope, and vegetative uptake rates.
- (3) Rainwater collection and containment structures functioning as a rainwater harvesting system are not considered impervious cover. Such structures and/or improvements can be used to obtain credit towards any impervious cover requirement set forth in this article. Structures and/or improvements (e.g., building roofs, patios, awnings, etc.) from which stormwater is harvested are considered impervious cover.
- (4) In order to qualify to receive credit for a rainwater harvesting system, the system must be designed to exceed normal draw (i.e., no credit will be given if the tank routinely stays full). Credit is just for the tank cover. In order to qualify, the applicant must demonstrate where water is going, (e.g., how it will be drawn down, use as non-potable source rainwater, or irrigation).
- (5) Credits can zero-out impervious cover for purposes of calculating runoff treatment for the captured area. Applicants may also get up to ten percentage points credit toward additional cover. The calculation procedures are found in the *Cypress Creek Technical Resource Guide*.
- (F) *Restrictions on siting of impervious cover.*
- (1) Impervious cover shall not be constructed downstream of water quality controls except for specific instances reviewed and approved by the City Engineer.
 - (2) Impervious cover shall not be constructed within WQBZs except as allowed by this chapter.
 - (3) Impervious cover shall not be constructed within critical environmental feature setback areas.
 - (4) Impervious cover shall not be constructed within the areas designated for on-site irrigation of treated wastewater effluent disposal and/or captured stormwater.

(Ord. 10-139, 2-10-2010; Ord. 14-194, 6-11-2014; Ord. 20-278 , 2-12-2020; Ord. No. 21-289 , § 2, 1-13-2021)

Cross reference(s)—Penalty, see § 50.99

Council Meeting Date: 1/26/2022

Agenda Item #7 Cover Sheet

Agenda Item Subject/Title:

Review of City Budget - Report From City Manager On First Quarter of Fiscal Year 2021-2022 Performance.

Agenda Item Summary:

Assess performance focusing on areas where financial reports indicate we are performing below or above the expected budget for the item and review the need for a budget amendment or other actions to manage this trend. Some examples: Revenue Item 3090.011 "new home permits" is performing well below projections. There are several expenditure categories that are well above expectations, specifically Code Compliance (7000.03), Prosecutor (8020.30), Engineering (Street Projects) (8900.40).

Financial Impact:

Failure to control expenditures will, at a minimum, require budget adjustments across categories or a transfer from reserves.

Recommendations:

Inform full Council, receive input from Council Members, and possible action.

Submitted by: Mayor Pro Tem Aurora LeBrun

1st Quarter of Fiscal Year 21-22

Revenue	
3000 Ad Valorem Tax Revenue	
3000.01 Ad Valorem Tax	
3000.02 Delinquent Ad Valorem Tax	
3000 Ad Valorem Tax Revenue	
3005 State Sales Tax Revenue	Dec 2020 receipts \$16,485 vs Dec 2021 receipts \$6535 down 61%
3010 Mixed Beverage Tax & Fees Rev	
3020 Electric Franchise Fee Revenue	
3030 Cable Services Franchise Rev	
3030.1 PEG - Cable Revenue	
3030 Cable Services Franchise Rev	
3040 Water Service Franchise Revenue	
3050 Disposal Service Franchise Rev	
3060 Telephone Franchise Revenue	
3070 Golf Course Franchise Revenue	
3080 Reimbursements	
3080.10 Engineerings	no adjustment at this time with forecasted future accounts receivable
3080.20 Legal	
3080.30 Admin	
3080 Reimbursements	
3090 Development Revenue	
3090.01 Residential	
3090.011 New Home Permits	Only one new home building permit filed 11/03/21 vs three filed through 12/20
3090.012 Other Permits	
3090.013 Inspections	Redution in Inspections Correlates with Reduction in Inspection Expenses
3090.02 Commercial	
3090.03 Other	
3090.031 Subdivisions/Plats/Re-Plats	
Total 3090 Development Revenue	
3093 Liquor License Revenue	
3095 Sign Fees	Reduction in Rental of Public Sign Area
4000 Interest Income	Reduction in Funds Invested and interest has dropped from .1768% to .0391%
4010 Other Revenue	

1st Quarter of Fiscal Year 21-22

Item 7.

4010.1 Coupons	
4010 Other Revenue	
4015 Oak Wilt Containment	
4020 Municipal Court Revenue	
4035 TDEM DR-4485 Revenue	
4040 Donations Received	
4040.02 Park Donations	
Total Donations Received	
4050 General Fund Transfer	
Billable Expenditure Revenue	
Markup	
Services	
Shipping Revenue	
Uncategorized Revenue	
Total Revenue	
Cost of Goods Sold	
50000 Cost of Goods Sold	
Total Cost of Goods Sold	
Gross Profit	
Expenditures	
5000 Personnel Services	
5000.01 Salaries and Wages	
5000.02 Ins Expense Reimbursement	
5000.03 City Manager Vehicle Reimbursen	
5000.05 Elected Official Pay	
5000.20 Payroll Tax Expense	
5000.21 FICA/OASDI	
5000.22 Unemployment Insurance	
5000.20 Payroll Tax Expense	
5000.40 Retirement	
5000.50 Direct Deposit Expense	
5000.51 Health Insurance Stipend	
Total 5000 Personnel Services	

1st Quarter of Fiscal Year 21-22

Item 7.

5500 Office Expenses	
5500.05 Bank Fees & Charges	
5500.10 City Hall Maintenance / Repairs	
5500.20 Cleaning Costs	
5500.30 IT & Radio Expenses	Discontinued use of leased fixed location computers, now have remote access to all files on laptops
5500.40 Newsletter	
5500.50 Office Supplies	
5500.60 Postage & Shipping	
5500.61 Printing & Reproduction	
5500.62 Printing Cost Newspaper	
5500.70 Storage Rental	
5500.80 Software & Subscriptions	
Total 5500 Office Expenses	
6000 Professional Services	
6000.01 Audit Expense	
6000.10 Codification	
6000.11 Contract Labor	
6000.15 Engineering	
6000.16 Mapping	
6000.17 Engineering Reimbursable	
6000.15 Engineering	
6000.20 Legal Expenses	
6000.21 General	
6000.22 Legal Reimbursable	
6000.23 Litigation	Can be amended after receipt of final billing after dismissal
6000.25 Special Cases	
6000.20 Legal Expenses	
6000.30 IT Services	
6000.40 Accounting	
6000.50 Law Enforcement	
Total 6000 Professional Services	
6500 Area Care/Maintenance	
6500.01 Deer Removal	
6500.15 Mowing	

1st Quarter of Fiscal Year 21-22

Item 7.

6500.20 Oak Wilt Containment	
6500.21 Greenspace Maintenance	
6500.22 Landscape Maintenance	
6500.23 Contract Services	
6500.24 Playground Maintenance	
6500.25 ROW Tree Trimming	
6500.26 Holiday Decorations	
6500.30 Street Maintenance	
6500.31 Street Signs	
6500.35 Storm Damage Reserve	
6500.40 Tree Limb Pick-Up	
6500.50 Equipment Maintenance	
6500.60 Water Quality Testing CCWPP	
Total 6500 Area Care/Maintenance	
7000 Other Operating Expenses	
7000.01 Ad Valorem Tax Expense	
7000.02 Building Inspections	
7000.03 Code Compliance	needs to be reclassified to 7000.30
7000.04 Dues & Membership	
7000.05 Election Expense	
7000.06 TML Dues	
7000.10 Depreciation Expense	
7000.15 Meeting Expense	
7000.20 Public Notices	
7000.30 Travel & Vehicle Exp Reimb.	Needs to have budget amendment because of reclassification of 7000.03
7000.31 Elected Official Travel	
7000.40 Training & Prof Development	
7000.41 Elected Body	
7000.42 Staff	
7000.50 Community Relations	
Total 7000 Other Operating Expenses	
7500 Utilities	
7500.10 City Hall Utilities	
7500.11 Electric	

1st Quarter of Fiscal Year 21-22

Item 7.

7500.12 Water	
7500.10 City Hall Utilities	
7500.20 Outdoor Utilities	
7500.21 Electric	
7500.22 Water	
7500.20 Outdoor Utilities	
7500.30 Telephone & Internet	
Total 7500 Utilities	
7600 Insurance	
6010 Health Insurance (deleted)	
7600.01 TML Insurance	
7600 Insurance	
7700 TDEM DR-4485 Expenditures	
8020 Municipal Court Costs	
8020.20 MC Judge	
8020.25 Misc. Court Costs	
8020.30 Prosecutor	Costs associated with Court - No new court dates have been scheduled
8020.35 Court Bailiff	
8020.40 State Comptroller Costs	
8020.41 Supplies	
8020.60 Public Safety	
Total 8020 Municipal Court Costs	
8900 Miscellaneous	
8900.10 Reconciliation Discrepancies	
8900.20 Contingency Reserve	
8900.30 Projects	
8900.40 Engineering Services – Street Projects	Woodcreek Overlay Engineering Costs - within Scope of Work Estimate Carried over
Total 8900 Miscellaneous	
9077 General Fund Accrual	
Unapplied Cash Bill Payment Expenditure	
Uncategorized Expenditure	
Total Expenditures	
Net Operating Revenue	
Other Revenue	

1st Quarter of Fiscal Year 21-22

Item 7.

4019 Proceeds from Capital Leases	
8500 Capital Improvement Income	
Total Other Revenue	
Other Expenditures	
8500.25 Capital Improvement Expense	
9001 Capital Lease Principal	
9002 Interest on Capital Lease	
9005 Bond Interest Paid	
9800.01 Capital Expenditures - CY	
9800.1 Capital Project Expenditures - FY	
9800.11 2017 Street Improvements	
9800.12 2017 Street Improvements Legal	
9810.01 Sinking Fund Revenue	
9810.02 Sinking Fund Interest	
9810.03 Sinking Fund Principal	
9800.02 Other Miscellaneous Expenditure	
9888 Reconciliation Discrepancies	
Total Other Expenditures	
Net Other Revenue	
Net Revenue	

Council Meeting Date: 1/26/2022

Agenda Item #8 Cover Sheet

Agenda Item Subject/Title:

Review of the Permitting Process During First Quarter of Fiscal Year 2021-2022, Including Number of Permits Issued, Number of Permits Currently Pending, Number of Permits Successfully Completed, Number of Violations/Letters Sent/Citations/Stop Work Orders.

Agenda Item Summary:

Receive a regular report, at least quarterly, on the city's work on permitting and inspections.

Financial Impact:

\$0

Recommendations:

Have city staff prepare a simple report with the data, and let Council provide input.

Submitted by: Mayor Jeff Rasco

Council Meeting Date: 1/26/2022

Agenda Item #9 Cover Sheet

Agenda Item Subject/Title:

Discuss and Take Appropriate Action on an Amendment to the Sign Ordinance 19-266 Where It Relates to Political Signs Creating a Limitation On the Timeline for Which they Can Be Displayed and Aligning It With State Regulations and Limitations.

Agenda Item Summary:

Amend the ordinance to read that political signs cannot be displayed more than 90 days prior to an election date and must be removed after 10 days post election date.

Financial Impact:

none

Recommendations:

Amend the Sign Ordinance 19-266 to regulate the amount of time any property owner can display political signs within the City limits and ETJ. The goal being not to limit free speech, but rather to promote unity and reduce division within our community. Additionally, to promote a beautiful landscape free of visual sign clutter throughout most of the year.

Submitted by: Councilmember Debra Hines

ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 259. POLITICAL SIGNS

Sec. 259.001. NOTICE REQUIREMENT ON POLITICAL ADVERTISING SIGNS.

(a) The following notice must be written on each political advertising sign:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

(b) A person commits an offense if the person:

(1) knowingly enters into a contract to print or make a political advertising sign that does not contain the notice required by Subsection (a); or

(2) instructs another person to place a political advertising sign that does not contain the notice required by Subsection (a).

(c) An offense under this section is a Class C misdemeanor.

(d) It is an exception to the application of Subsection (b) that the political advertising sign was printed or made before September 1, 1997, and complied with Subsection (a) as it existed immediately before that date.

(e) In this section, "political advertising sign" means a written form of political advertising designed to be seen from a road but does not include a bumper sticker.

Added by Acts 1991, 72nd Leg., ch. 288, Sec. 5, eff. Sept. 1, 1991.

Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 10, eff. Sept. 1, 1997;

Acts 1997, 75th Leg., ch. 1349, Sec. 71, eff. Sept. 1, 1997.

Transferred and redesignated from Election Code, Section 255.007 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. [2554](#)), Sec. 2, eff. September 1, 2019.

Sec. 259.002. REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATION. (a) In this section, "property owners' association" has the meaning assigned by Section [202.001](#), Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

(4) threatens the public health or safety;

(5) is larger than four feet by six feet;

(6) violates a law;

(7) contains language, graphics, or any display that would be offensive to the ordinary person; or

(8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

Added by Acts 2005, 79th Leg., Ch. 1010 (H.B. 873), Sec. 1, eff. June 18, 2005.

Transferred, redesignated and amended from Property Code, Section 202.009 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. 2554), Sec. 3, eff. September 1, 2019.

Sec. 259.003. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

- (1) prohibit the sign from being placed;
- (2) require a permit or approval of the municipality or impose a fee for the sign to be placed;
- (3) restrict the size of the sign; or
- (4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

- (d) Subsection (b) does not apply to a sign that:
- (1) has an effective area greater than 36 feet;
 - (2) is more than eight feet high;
 - (3) is illuminated; or
 - (4) has any moving elements.

Added by Acts 2003, 78th Leg., ch. 1004, Sec. 1, eff. Sept. 1, 2003.

Transferred and redesignated from Local Government Code, Section 216.903 by Acts 2019, 86th Leg., R.S., Ch. 824 (H.B. [2554](#)), Sec. 4, eff. September 1, 2019.

Council Meeting Date: 1/26/2022

Agenda Item #10 Cover Sheet

Agenda Item Subject/Title:

Discussion and Take Appropriate Action on Discontinuing the Use of "Stop Work" Signs Placed in the Yards of Residents and Instead Move Towards the Use of Notification Sent Via Certified Mail and/or Taped To the Door or Some Other More Respectful and Private Method of Notification.

Agenda Item Summary:

The stop work signs shame residents and create a negative feeling towards city officials. The goal is to promote friendly customer service, encourage compliance and help educate around code violations rather than shame into compliance.

Financial Impact:

none

Recommendations:

Discontinue the use of the "stop work" sign and find an alternative more discreet method for this communication.

Submitted by: Councilmember Debra Hines