
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, May 29, 2024 at 6:30 PM.

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

<https://zoom.us/j/96777240645?pwd=bkJzWGNib1BmR11VlJUykySTNDdz09>

Meeting ID: 967 7724 0645; Passcode: 908807

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

REGULAR AGENDA

1. Discuss and Take Appropriate Action on the Resignation of City Manager Kevin Rule and Posting Qualifications for the City Manager Position (*Rasco*)
2. Discuss and Take Appropriate Action on A Resolution Removing Kevin Rule and Retaining Mayor Jeff Rasco and Mayor Pro Tem Debra J Hines as Texas Regional Bank Signatories. (*Rasco*)
3. Discuss and Take Appropriate Action on Adopting the Amending Ordinance for Title III ("Administration") Chapter 30 ("Governing Body"). (*Rasco*)

ANNOUNCEMENTS

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **24th day of May, 2024 at 4:00PM**

By: 

Suzanne J. MacKenzie, City Secretary

City Secretary

From: Manager
Sent: Monday, May 20, 2024 1:07 PM
To: Jeff Rasco
Cc: City Secretary; City Clerk; Code Admin
Subject: Resignation
Attachments: Resignation.pdf



Mayor and Council (Bcc)

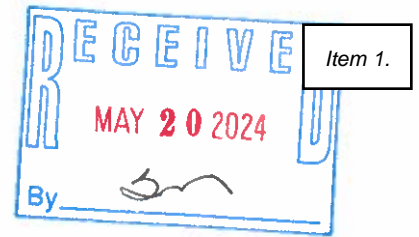
Please see attached.

Kevin Rule
City Manager, City of Woodcreek

41 Champions Circle
Woodcreek, TX 78676-3327

manager@woodcreektx.gov
Office: 512.847.9390 Ext. 202
Cell: 512.878.9102





May 20, 2024

Mayor Rasco,

Please accept this letter as official notification of my resignation as City Manager for the City of Woodcreek, effective immediately on May 20th, 2024. I want to thank the City of Woodcreek and the citizens of Woodcreek for the support given to me during my tenure.

I wish the City of Woodcreek the best in the future.

Sincerely,

Kevin Rule

CC: Suzanne Mac Kenzie, City Secretary
Taffy Barker, City Clerk
Jim Burton, Director of Development Services
City Council Members, City of Woodcreek

THE CITY OF WOODCREEK RESOLUTION NO. 2024-05-29-01

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

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

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

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

I

The City Council of the City of Woodcreek designates authorized signatures on the City's bank accounts and investment vehicles as the Mayor of the City of Woodcreek, Jeff Rasco and the Mayor Pro Tem, Debra Hines.

II

This Resolution shall be effective immediately upon adoption.

PASSED, APPROVED and RESOLVED, this the 29th day of **May, 2024**, by a vote of

_____ **Ayes** to _____ **Nays** and _____ **Abstentions** at a Special Meeting of the City Council of the City of Woodcreek, Texas.

PLACE
CITY SEAL
HERE

Jeff Rasco, Mayor

ATTEST:

Suzanne J. Mac Kenzie, City Secretary

THE CITY OF WOODCREEK
ORDINANCE NO. XXXX-XX-XX

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

WHEREAS, the City Council has previously established the powers and duties of the governing body whose authorities and duties are granted to them by the State;

WHEREAS, though this is not a complete representation of the authorities, powers and duties represented in State Code for the Governing Body;

WHEREAS, the City Council finds these passages placed into our local code increases transparency and understanding of our city Governing Body operations, duties and structure; and

WHEREAS, the City Council of the City of Woodcreek finds it appropriate to approve certain amendments to the operation, duties and structure of the Governing Body.

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

SECTION I. CODE AMENDMENT: The City Code of Ordinances Title III, Chapter 30, is hereby amended as follows with underlines being additions to the code and strikethroughs being deletions from the code:

§ 30.13 GOVERNING BODY.

(A) *Governing body.* The governing body consists of a Mayor and five Aldermen who are elected by the qualified voters of the municipality. The terms of office of the Mayor and Council Member of the city shall be two-year staggered terms of office, and until successors have qualified.

(A) Members of the governing body shall serve without compensation, but will be entitled to payment or reimbursement of all actual and necessary expenses incurred in the performance of their official duties as determined by a reimbursement policy adopted by the city council.

(B) Members of the governing body shall have access to city administrative accounts, ever mindful of their ethics oaths including confidentiality when accessing these accounts; State law and local ordinances and resolutions also apply to the integrity of these accounts and to their contents; The accounts accessible by the governing body include, but are not limited to:

(1) City FundView Account (access to be assigned as appropriate for sensitive information)

36 (2) City online documents storage (currently Microsoft SharePoint)
 37

38 **30.13.01 Council meetings generally**

39 (A) The city council shall hold at least one regular meeting each month and may hold as many special
 40 meetings as necessary to conduct city business. The regular meetings of the city council shall be held on
 41 Wednesdays, unless changed by majority vote of the city council at a public meeting.

42 (B) While in an open meeting, an executive session which is properly posted on the agenda may be convened
 43 by the mayor or upon motion of any council member.

44 (C) Notice of all meetings shall be posted in accordance with the Texas Open Meetings Act, V.T.C.A.,
 45 Government Code, Ch. 551.

46 (D) All meetings of the city council shall be conducted in accordance with the provisions of the latest edition
 47 of Robert's Rules of Order.

48 (E) If a closed meeting is permitted by state law, the city council may meet in a meeting that is closed to
 49 the public during any city council meeting. A closed meeting may be held at any time during any city
 50 council meeting, but notice of the closed meeting must be given in accordance with the Texas Open
 51 Meetings Act, V.T.C.A., Government Code, Ch. 551.

52
 53 **30.13.02 QUORUM.**

54 A majority of the number of City Council members constitutes a quorum. However, at a called meeting or at
 55 a meeting to consider the imposition of taxes, two-thirds of the number of Council members constitutes a
 56 quorum unless provided otherwise.

57
 58 ~~(B)~~ **30.13.03 Mayor—Powers and duties.**

59 The Mayor shall have all powers and duties explicitly conferred upon them by Tex. Local Gov't. Code, §§
 60 22.037, 22.038, 22.042, and 102., but shall have no implied powers unless specifically granted to them by
 61 state statute or the City Council by resolution or ordinance. In the absence of a Municipal Administrator, the
 62 Mayor assumes the Chief Administrator responsibilities and duties not otherwise delegated to other Officers.

63 (A) The Mayor is the Chief Executive Officer of the municipality. The Mayor shall at all times actively ensure
 64 that the laws and ordinances of the municipality are properly carried out. The Mayor shall perform the duties and
 65 exercise the powers prescribed by the governing body of the municipality.

66 (B) The Mayor shall inspect the conduct of each subordinate municipal officer and shall cause any negligence,
 67 carelessness, or other violation of duty to be prosecuted and punished.

68 (C) The Mayor shall give to the governing body any information, and shall recommend to the governing body
 69 any measure, that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or
 70 good government of the municipality.

71 (D) The Mayor may administer oaths of office.

72 (E) In the event of a riot or unlawful assembly or to preserve the peace and good order in the municipality,
 73 the Mayor may order and enforce the closing of a theater, ballroom, or other place of recreation or entertainment,
 74 or a public room or building and may order the arrest of a person who violates a state law or a municipal ordinance
 75 in the presence of the Mayor. The Mayor is the Emergency Management Director of the city per Tex. Gov't. Code §
 76 418. and the city's Chapter 34. The Mayor will supervise and oversee the actions of the Emergency Management
 77 Coordinator of the city.

78 (F) The Mayor shall preside at all meetings of the governing body of the municipality and, except in elections,
79 may vote only if there is a tie.

80 ~~The Mayor is generally recognized as the ceremonial and governmental head of the City for most purposes.~~

81 (G) The Mayor may call a Special Council meeting on the Mayor's own motion and shall call a Special Council
82 meeting on the application of three Council Members. Each member of the governing body, the secretary, and the
83 municipal attorney must be notified of the Special Council meeting. The notice may be given personally or left at
84 the person's usual place of residence.

85 (H) The Mayor shall allow a Council Member to add items to a Regular Council meeting agenda.

86 (1) The Mayor and the Administrator shall compile the items submitted for council and council workshop
87 meeting agendas; and follow any council resolution regarding council agendas as may be amended from
88 time to time by the City Council.

89 (I) A Mayor may add items to a Special Council meeting agenda in which they called, and may add items to
90 any Regular Council meeting agenda.

91 (J) The Mayor's primary function is to carry out the legislative responsibilities they share with other members
92 of Council: identifying the needs of the City, developing programs to satisfy those needs, and evaluating the extent
93 to which municipal services reflect the policy goals of the Council.

94 (K) The Mayor shall not have the power to expend funds of the City, sign agreements binding the City, or
95 otherwise take any other action on behalf of the City without the express approval of the City Council. The Mayor
96 shall not have the power to veto or modify any ordinance or resolution adopted by the City Council and may not,
97 in any way, neutralize or negate any action of the City Council.

98 (L) The Mayor is hereby expressly authorized to expend funds in the daily operation of the City as they relate
99 to payroll and accounts payable consistent with the approved annual budget, as it may be amended from time to
100 time by the City Council.

101 (M) In support of Council, the Mayor may create additional duties assigned to city staff.

102

103 **30.13.04 The Mayor as Budget Officer**

104 (Reference: Local Government Code 102)

105 The Mayor shall:

106 (A) Prepare each year a municipal budget to cover the proposed expenditures of the municipal government
107 for the succeeding year.

108 (B) Itemize the proposed budget to allow as clear a comparison as practicable between expenditures
109 included in the proposed budget and actual expenditures for the same or similar purposes made for the preceding
110 year. The proposed budget must show as definitely as possible each of the projects for which expenditures are set
111 up in the proposed budget and the estimated amount of money carried in the proposed budget for each project.

112 (1) The proposed budget must contain a complete financial statement of the city that shows:

113 (a) the outstanding obligations of the municipality;

114 (b) the cash on hand to the credit of each fund;

115 (c) the funds received from all sources during the preceding year;

116 (d) the funds available from all sources during the ensuing year;

117 (e) the estimated revenue available to cover the proposed budget; and

- 118 (f) the estimated tax rate required to cover the proposed budget.
- 119 (2) In preparing the proposed budget, the Mayor may require any municipal officer or board to furnish
120 information necessary for the Mayor to properly prepare the proposed budget.
- 121 (C) File the proposed budget with the city clerk before the 30th day before the date the City Council makes
122 its tax levy for the fiscal year.
- 123 (1) A proposed budget that will require raising more revenue from property taxes than in the previous
124 year must contain a cover page with the following statement in 18-point or larger type: "This budget will
125 raise more total property taxes than last year's budget by (insert total dollar amount of increase and
126 percentage increase), and of that amount (insert amount computed by multiplying the proposed tax rate
127 by the value of new property added to the roll) is tax revenue to be raised from new property added to
128 the tax roll this year."
- 129 (2) The proposed budget shall be available for inspection by any person; and shall be posted on the city
130 website by the city clerk.
- 131 (D) After the adoption of the budget or a budget amendment by Council, the Mayor shall direct the city clerk
132 to file a true copy of the approved budget or amendment in the office of the Hays county clerk.
- 133
- 134 Nothing in this Section is intended to alter the authority of the Mayor Pro Tempore under Tex. Local Gov't. Code, §
135 22.037 "if the Mayor fails, is unable, or refuses to act."
- 136
- 137 ~~(C)~~ **30.13.05 Mayor pro tempore.**
- 138 At each new governing body's first meeting or as soon as practicable, the governing body shall elect one
139 alderman to serve as president pro tempore for a term of one year. If the Mayor fails, is unable, or refuses to
140 act, the president pro tempore shall perform the Mayor's duties and is entitled to receive the fees and
141 compensation prescribed for the Mayor. If the Mayor and the president pro tempore are absent, any
142 alderman may be appointed to preside at the meeting.
- 143
- 144 ~~(D)~~ **30.13.06 Council Members—Powers and Duties.**
- 145 Council Members shall have all powers and duties explicitly conferred upon them by Tex. Local Gov't. Code, §§
146 22.037, 22.038, 22.042, 22.071, 22.072 and 102., but shall have no implied powers unless specifically granted
147 to them by state statute.
- 148 (A) Council is the judge of the election and qualifications of its members.
- 149 (B) Council Members may add items to the Regular Council meeting agenda, and may add items to a Special
150 Council meeting agenda in which they called.
- 151 (C) The governing body of the municipality shall meet at the time and place determined by a resolution
152 adopted by the governing body.
- 153 (D) The governing body shall determine the rules of its proceedings and may compel the attendance of
154 absent members and punish them for disorderly conduct.
- 155 (E) A Council Member shall be fined \$3.00 for each meeting that the Council Member fails to attend unless
156 the absence is caused by the Council Member's illness or the illness of a family member.
- 157 (F) Council may describe by resolution or ordinance the duties and powers of the Mayor, not otherwise
158 granted to that position by State Statute.

159 (G) The governing body by ordinance shall provide for the election or appointment of other municipal
160 officers.

161 (H) The governing body may confer on other municipal officers the powers and duties of an officer.

162 (I) The governing body may prescribe the powers and duties of a municipal officer appointed or elected to an
163 office under Chapter 22 whose duties are not specified under that code.

164 (J) Council Members are the city's legislators. Their primary duty is policy making, which includes identifying
165 the needs of local residents, formulating programs to meet the changing requirements of the community, and
166 measuring the effectiveness of ongoing municipal services. Council Members provide direction and leadership,
167 deciding what needs to be done and planning for the future of the City and its residents.

168 Council Members also perform the following duties as the governing body:

169 (1) *Regulator*—The Council exercises regulatory powers over the conduct and property of its citizens. It
170 has the power to declare certain conduct to be criminal, to require that certain businesses and
171 activities be licensed, and to tell property owners how and for what purposes they may use their
172 property.

173 (2) *Financier*—The Council may levy taxes, assess fees and charges, and sell bonds in order to finance the
174 many functions of the city government. The council also has to budget the expenditure of the city's
175 funds.

176 (3) *Employer*—The Council is responsible for all of the city's employees, and looks to the City ~~Manager~~
177 Administrator and Mayor to see that they perform their duties effectively and professionally.

178

179 **30.13.07 Council - the Annual Budget – Powers and Duties**

180 The City Council adopts the annual budget in anticipation of possible spending they may take action
181 on during that fiscal year. This serves the transparency taxpayers should expect of their city
182 government.

183

184 Council shall:

185 (A) hold a public hearing on the proposed budget. Any person may attend and may participate in the
186 hearing;

187 (B) set the hearing for a date occurring after the 15th day after the date the proposed budget is filed with
188 the city clerk but before the date the governing body makes its tax levy;

189 (1) The city clerk has been assigned the task of executing the requirements of public notices stated in
190 Local Government Code 102

191 (C) take action on the proposed budget, at the conclusion of the public hearing;

192 (1) A vote to adopt the budget must be a record vote;

193 (2) Council may make any changes in the budget that it considers warranted by the law or by the best
194 interest of the municipal taxpayers;

195 (3) Adoption of a budget that will require raising more revenue from property taxes than in the
196 previous year requires a separate vote of council to ratify the property tax increase reflected in the
197 budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget
198 or a vote to set the tax rate required by Chapter 26, Tax Code, or other law; and

199 (4) An adopted budget must contain a cover page which has been delegated to the city clerk to
200 execute;

201 (D) file the final adopted budget with the city clerk. The city clerk will ensure that the adopted budget, the
202 cover sheet and the recorded vote are on the city website; and

203 (1) Council shall take action to ensure that the cover page of the budget is amended to include the
204 property tax rates required by Section 102.007(d)(3) for the current fiscal year if the rates are not
205 included on the cover page when the budget is filed with the city clerk. Council shall file an amended
206 cover page with the city clerk and take action to ensure that the amended cover page is posted on the
207 city website.

208 (E) LEVY OF TAXES AND EXPENDITURE OF FUNDS UNDER BUDGET; EMERGENCY EXPENDITURE.

209 (1) Council may levy taxes only in accordance with the budget;

210 (2) After final approval of the budget, council may spend municipal funds only in strict compliance with
211 the budget, except in an emergency;

212 (3) Council may authorize an emergency expenditure as an amendment to the original budget only in a
213 case of grave public necessity to meet an unusual and unforeseen condition that could not have been
214 included in the original budget through the use of reasonably diligent thought and attention. If council
215 amends the original budget to meet an emergency, council shall file a copy of its order or resolution
216 amending the budget with the city clerk, and the clerk shall attach the copy to the original budget; and

217 (4) This does not prevent council from making other budget amendments in the adopted budget for
218 municipal purposes.

219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237

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

242 SECTION III. CUMULATIVE CLAUSE: This Ordinance shall be cumulative of all provisions of ordinances of the City
243 except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which
244 event the conflicting provisions of such ordinances are hereby repealed.

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

248 SECTION V. SAVINGS CLAUSE: The repeal or amendment of any ordinance or part of ordinances effectuated by the
249 enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of
250 such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting
251 any right of the City of Woodcreek under any section or provisions of any ordinances in effect at the time of the
252 passage of this Ordinance.

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

257 Effective as of final passage and any publication as required by law.

258 PASSED AND APPROVED this _____ day of _____, 2024, by a _____ to _____
259 vote of the City Council of Woodcreek, Texas.

260 WOODCREEK, TEXAS

261
262 By: _____

263 Jeff Rasco, Mayor

264

265

266

267 ATTEST:

268 _____ Suzanne J. Mac Kenzie, City Secretary