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## 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, February 08, 2023 at 6:30 PM.

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

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

<https://www.microsoft.com/microsoft-teams/join-a-meeting;>

Meeting ID: 259 403 280 172; Passcode: Dhsnr6

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).

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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.

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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.

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

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

Submit written comments by email to [woodcreek@woodcreektx.gov](mailto:woodcreek@woodcreektx.gov) by **NOON**, the day prior to the meeting. Please include your full name, home or work address, and the agenda item number. Written comments will be part of the official written record only.

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# AGENDA

## CALL TO ORDER

## MOMENT OF SILENCE

## PLEDGES

## ROLL CALL and ESTABLISH QUORUM

## PUBLIC COMMENTS

## CONSENT CALENDAR

- [1.](#) Approval of Regular City Council Meeting Minutes from November 9, 2022.
- [2.](#) Approval of Regular City Council Meeting Minutes from January 11, 2023.
- [3.](#) Approval of Special City Council Meeting Minutes from January 25, 2023.

## REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

Report by 22 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 by City Secretary.

## REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

Ad Hoc Workgroup, ARPA Review (American Rescue Plan Act) – *(Hines)*

Ad Hoc Workgroup, Chapters 154-157 (Development Workgroup) – *(Grummert)*

## SPECIAL ORDERS

## UNFINISHED BUSINESS AND GENERAL ORDERS

## NEW BUSINESS

4. Presentation of the Spirit of Woodcreek Award to the Parks and Recreation Board Membership (past and present) For Their Work on the Spooktacular Events and the Recent POSAC Grant Award. *(Pulley)*
5. Discuss and Take Possible Action on A Resolution Establishing Schedule for Submission of Certain Applications to the City of Woodcreek. *(Rule/Gordon)*
6. Discussion and Take Possible Action on A Resolution to Possibly Extend the Declaration of Winter Disaster for the City of Woodcreek. *(Rasco/Gordon)*
7. Discuss and Take Appropriate Action on Naming Remaining Members to the Ordinance Review Committee. *(Rasco)*
8. Consider and Take Possible Action on Proposed Oak Wilt Assistance Application from the Tree Board. *(Pulley)*
9. Discuss and Take Possible Action on Amendments to Zoning Regulations Concerning Short-Term Rentals. *(Grummert)*
10. Discuss and Take Appropriate Action on Considering a Re-Codification and Restructuring of the City of Woodcreek Code of Ordinances. *(Hines)*
11. Discuss and Take Possible Action to Approve the Verbiage in the Proposed Citizen Survey. *(Hines)*
12. Discuss and Take Appropriate Action to Approve the 2023 Citizen Survey Final Draft to be Mailed and Shared As An Online Survey and Set A Date for Closure of Survey and Final Day to Submit. *(Hines)*

## ANNOUNCEMENTS

## ADJOURN

## POSTING CERTIFICATION

I certify that the above notice was posted on the **5th day of February, 2023 at 6:15 PM**

By: 

**Suzanne J. MacKenzie, City Secretary**

**CITY COUNCIL MEETING (CYJ) - VIDEO EDITED DUE TO  
RECORDING ISSUES  
November 09, 2022; 6:30 PM  
Woodcreek, Texas**

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**MINUTES**

**CALL TO ORDER**

Mayor Rasco called the meeting to order at 6:30 PM.

**ROLL CALL AND ESTABLISH QUORUM**

**PRESENT**

Mayor Jeff Rasco

Council Member Linnea Bailey

Council Member Chrys Grummert

Council Member Bob Hambrick

Council Member Debra Hines

Council Member Brent Pulley

**ABSENT**

None

**CITY STAFF PRESENT**

City Attorney, (Interim) Roger Gordon

City Manager, Kevin Rule

City Secretary, Suzanne Mac Kenzie

Office Admin, Maureen Mele

**PUBLIC COMMENTS**

Public Comments submitted by Lynnsey Hastie via email were read by Mayor Rasco.

## CONSENT AGENDA

### 1. **Approval of Public Hearing for the Adoption of the 2022 Comprehensive Plan Document Meeting Minutes from October 12, 2022.**

Council Member Hines stated that she would like to pull items 2 through 4 for discussion. (5:19) Council Member Grummert was in agreement.

No roll call vote was taken.

Motion was made by Council Member Hines to approve 1, without discussion. (5:35) Motion was seconded by Council Member Pulley.

A roll call vote was taken.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba, Member Pulley

Motion passed with 5-0-0 vote.

### 2. **Approval of City Council Meeting Minutes from October 12, 2022.**

(6:43) Council Member Hines stated she wanted to change the minutes on page 6, item 6 in the packet. She read the second paragraph and continued stating that 'what he said in the meeting and what the accurate statement would be, "geobonds can go up to 40 years and the interest rates are not the only thing determining them is are also determined by the life of the assets and in this case, it would not go much over 20 years."

Council Member Hines made a motion that we edit item 6, paragraph 2 of the October 12 meeting minutes to state the bond is actually a 20-40 year bond, the 20 years listed is a guide and would depend on interest rates and life of the asset (8:05) Council Member Grummert seconded the motion.

A roll call vote was taken.

Voting Yea: Member Grummert, Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun

Motion passed with a 5-0-0 vote.

(9:08) Council Member Hines stated the second item she wanted to change the minutes on page 8 in the packet, a correction on the motion to read that the item was supposed to be sent to the Tree Board and Council Member Pulley would receive the list as part of the process.

Council Member Hines made a motion that the amended motion made by Councilmember Grummet read "An amended motion was made by Councilmember Grummert to have the list of RFQ suggestions and questions mentioned by Councilmember Hines to be sent to the Tree Board and shared with Councilmember Pulley." (10:48) Council Member Grummert seconded the motion.

A roll call vote was held.

Voting Yea: Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert

Motion was made by Council Member Hines to approve the minutes with those adjusted edits. (11:34) Motion was seconded by Council Member Kotarba.

A roll call vote was held.

Voting Yea: Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert, Member Hines

### 3. **Approval of August 2022 Financial Reports.**

Items of concern for Council Member Hines on the Treasurers' Report, starting on pg. 21 are line items: 6000.26, 6000.22; pg. 22, 8900.30.

(18:03) City Attorney, Bud Wymore called the cell phone of Mayor Jeff Rasco and was placed on speaker.

Motion was made by Council Member Hines to approve the financial statements and get the coding adjusted. (24:09) Motion was seconded by Council Member Grummert.

A roll call vote was held.

Voting Yea: Member Pulley, Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba

Motion passed with 5-0-0 vote.

### 4. **Approval of September 2022 Financial Reports.**

(see above)

## REGULAR AGENDA

### 5. **Introduction and Presentation by Aqua Texas President Craig Blanchette.**

(25:00) Introduction of new Aqua Texas President, Craig Blanchette.

He is aware after citizen interactions, that customer top priorities are sustainability and conservation of natural resources. He also provided a packet a information that contained resources for a crisis and the current projects that Aqua Texas is working on, including the construction of a new type I waste water plant and ways to lower the pumping out of the Jacobs Water Well.

Mr. Blanchette also received input regarding information residents receive through the Aqua Customer Service Number.

(41:45) Public Comment was received by David Baker, Executive Director of the Watershed Association.

### 6. **Introduction of City Manager Kevin Rule.**

(47:15) Introduction by Mayor Jeff Rasco of the new Woodcreek City Manager, Kevin Rule, whose start date will be December 1st.

Mayor Pro Tem LeBrun offered support, welcome and assistance to Mr. Rule.

7. **Presentation of the Spirit of Woodcreek Award to Cynthia Jones. (Pulley)**

Item was withdrawn from the agenda, as Ms. Jones was unable to attend the meeting.

8. **Discuss and Take Appropriate Action on the Creation of an AD HOC Selection Review Committee (work group) to Review Applications for Administrator and Engineering Services as it Relates to the American Rescue Plan Grant (Grummert)**

Motion was made by Council Member Grummert to create a new AD HOC Selection Review Committee (work group) to Review Applications for American Rescue Plan Grant (51:00) Motion was seconded by Council Member Hines.

This review of applications is for future grant use.

A roll call vote was taken.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hine, Member Kotarba, Member Pulley

Motion passed with a 5-0-0 vote.

9. **Discuss and Take Appropriate Action on Contacting Double J Ranch Golf Club Owner, Manager and/or Director of Operations about Oak Wilt Containment and Abatement on Golf Course Properties to Consider a City Assistance Program for Oak Wilt Mitigation (Hines)**

Motion was made by Council Member Hines to consider authorizing Mayor Rasco and Staff to begin negotiations and make a plan to address Oak Wilt on the Double J Ranch Golf Club property and any final amount of funds to be spent and a final plan to be submitted to Council. (57:00) Motion was seconded by Council Member Kotarba.

During discussion, Council Member Hines made the suggestion to create a new budget line item for this proposed 2-year project. Mayor Rasco agreed to meet with the Golf Course to discuss this item, including easements as suggested by Council Member Kotarba.

(1:09) Mayor Rasco expressed a request to Leave this Item on the Table.

A motion amendment was made by Council Member Grummert to get a report with the next January Council. (1:12) Motion was seconded by Council Member Hines.

A roll call vote was taken on the amended motion.

Voting Yea: Member Grummert, Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun

Motion passed with a 5-0-0 vote.

A roll call vote was taken on the main motion.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba, Member Pulley

Motion passed with a 5-0-0 vote.

10. **Discuss and Take Appropriate Action on the Social Media Policy (Second Draft) (Hines)**

Council Member Hines made a motion to recommend that Council pass the Social Media Policy as written in the packet. (1:13:22) Motion was seconded by Mayor Pro Tem LeBrun.

A motion amendment was made by Council Member Grummert to send Council Member Grummert's list of typos to Council Member Hines to make corrections and send the final document to City Staff and that will be the adoption. (1:15:15) Motion was seconded by Council Member Hines.

A roll call vote was taken on the amended motion.

Voting Yea: Member Kotarba, Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Pulley

Motion passed with a 5-0-0 vote.

A roll call vote was taken on the main motion.

Voting Yea: Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert

Motion passed with a 5-0-0 vote.

11. **Discuss and Take Appropriate Action on the Recommendation from the Platinum Roads Panel that Council Authorize K. Friese to Begin the Assessment of the Drainage Issues at Westwood and Brookhollow Approved to be Funded by State and Local Fiscal Recovery Funds (SLFRF) awarded to the City under the American Rescue Plan Act of 2021 (ARPA) (LeBrun)**

Motion was made by Mayor Pro Tem LeBrun that Council approve the Platinum Panel's recommendation and authorize K. Friese to make the first step in the completion of the project award to resolve drainage at the intersection of Westwood Drive and Brookhollow and if funds permit, a second location. (1:16:58) Motion was seconded by Council Member Grummert.

An amended motion was made by Mayor Pro Tem that if the assessment at Brookhollow and Westwood is below the funds available, then proceed with analysis at second location.

A roll call vote was taken on the amended motion.

Voting Yea: Member Grummert, Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun

Motion passed with a 5-0-0 vote.

A roll call vote was taken on the main motion.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba, Member Pulley

Motion passed with a 5-0-0 vote.



**12. Discuss and Take Appropriate Action on the Formation of Membership of the HOT Committee (Grummert)**

Motion was made by Council Member Grummert to direct Staff to make a HOT Committee Application Form to be placed on the City website and published in the paper and City email inviting people to apply. (1:24:13) Motion was seconded by Mayor Pro Tem LeBrun.

A roll call vote was taken.

Voting Yea: Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert

Motion passed with a 5-0-0 vote.

Motion was made by Council Member Grummert to have the Mayor make recommendations to the Chair and Vice-Chair positions from the pool of applications. (1:25:48) Motion was seconded by Council Member Hines.

A roll call vote was taken.

Voting Yea: Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert, Member Hines

Motion passed with a 5-0-0 vote.

Motion was made by Council Member Grummert that the Mayor and City Manager become liaisons to this Committee. Motion was seconded by Debra Hines.

A roll call vote was taken.

Voting Yea: Member Pulley, Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba

Motion passed with a 5-0-0 vote.

Motion was made by Council Member Hines that we put together an initial packet for them that includes that TML document that I shared with everyone. (1:29:57) Motion was seconded by Council Member Grummert.

A roll call vote was taken.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba, Member Pulley

Motion passed with a 5-0-0 vote.

Motion was made by Council Member Grummert to consider creating a paid position to manage the HOT Fund program, out of the HOT Funds received. (1:42:45) Motion was seconded by Council Member Hines.

A roll call vote was taken.

Voting Yea: None.

Voting Nay: Member Grummert, Member Hines, Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun

Motion failed with a 0-5-0 vote.

**13. Discuss and Take Appropriate Action on Increasing the Approved Budget for the Par View Beautification Project to \$5,000 (Hines)**

Motion was made by Council Member Hines to consider increasing the approved budget for the Par View Beautification Project to \$5,000. (1:48:58). Motion was seconded by Council Member Pulley.

A roll call was taken.

Voting Yea: Member Hines, Member Kotarba, Member Pulley, Member Grummert

Voting Nay: Mayor Pro Tem LeBrun

Motion passed with a 4-1-0 vote.

Recess was called by Mayor Jeff Rasco at 8:45PM.

Meeting was Called to Order at 8:51PM.

**14. Discuss and Take Appropriate Action to Allocation of Resources for Oak Wilt Containment and Removal of Diseased and Dying Trees on Stonehouse Circle and the Planting of New Oak Wilt Resistant Trees**

Motion was made by Council Member Hines for Council to consider initiating the first step of a plan to address Oak Wilt on Stonehouse Circle. (2:26:00) Motion was seconded by Council Member Grummert.

A roll call vote was taken.

Voting Yea: Mayor Pro Tem LeBrun, Member Grummert, Member Hines, Member Kotarba

Motion passed with a 4-0-0 vote.

**15. Discuss and Take Appropriate Action on the Oak Wilt Assistance Application and Process for Review (Hines)**

Motion was made by Council Member Hines to approve the application as listed and consider sending this to the Tree Board to ask if they would like to participate in the approval application process. (2:30:30) Motion was seconded by Mayor Pro Tem LeBrun.

A roll call was held.

Voting Yea: Member Grummert, Member Hines, Member Kotarba, Mayor Pro Tem LeBrun

Motion passed with a 4-0-0 vote.

**16. Discuss and Take Appropriate Action on an Update to the Garage Sales and Sign Regulation Portions of the City of Woodcreek Code of Ordinances Amending at Title XV ("Land Usage"), Chapters 152 ("Signs") and Chapter 156 ("Zoning - Residential Requirements and Limitations") (Hines)**

Motion was made by Council Member Hines that Council approve the Garage Sale and Sign edits as in the packet. (2:32:35) Motion was seconded by Mayor Pro Tem LeBrun.

Motion was made by Council Member Grummert to amend 156.060(c) to say "There shall be no more than 4 garage sales at the same location", including City-wide. Motion was seconded by Member Hines.

A roll call was held on the amendment.

Voting Yea: None

Voting Nay: Member Hines, Member Kotarba, Mayor Pro Tem LeBrun, Member Grummert

Motion failed with a 0-4-0 vote.

A roll call was held on the main motion.

Voting Yea: Member Kotarba, Mayor Pro Tem LeBrun, Member Grummert, Member Hines

Motion passed with a 4-0-0 vote.

**17. Discuss and Take Appropriate Action on Directing GrantWorks to Find Possible Grants to Help the City of Woodcreek and its Citizens with Oak Wilt Mitigation (Grummert)**

Motion was made by Council Member Grummert to move to direct GrantWorks to find possible grants to help the City of Woodcreek and its citizens with Oak Wilt Mitigation. (2:39:47) Motion was seconded by Council Member Hines.

During discussion, Mayor Rasco Called the Question.

A roll call was held.

Voting Yea: Member Kotarba, Mayor Pro Tem LeBrun, Member Hines, Member Grummert.

Motion passed with a 4-0-0 vote.

**18. Discussion and Take Appropriate Action Regarding Traffic Enforcement Activities in the City of Woodcreek (Pulley)**

Item was moved up on the agenda to be addressed before Item #14, as Council Member Pulley was not feeling well and wanted to leave after presenting the item.

Council Member Pulley presented a summary of the report in the packet and asked for suggestions.

Motion was made by Council Member Grummert to authorize Council Member Pulley to discuss with his contact in the [Hays County Sheriff] Department the possibility of increasing officer patrols in Woodcreek. (2:20:30) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Kotarba, Member Pulley, Mayor Pro Tem LeBrun, Member Grummert

Motion passed with a 5-0-0 vote.

**REPORT**

- 19. Councilmember Joe Kotarba will Report on the Planning and Zoning Commission's Activities During the October 4, 2022 and November 2, 2022 Meetings

Councilmember Joe Kotarba reported on work being done by Planning and Zoning Committee.

October 5, 2022 Meeting

- 1. Short-Term Rental documents - 1st draft submitted
- 2. Minimum Lot Sizes - lacking in the City Code.

November 2, 2022 Meeting

Focused on short-term rentals. Proposed amendments to 156.62 and 156.064 with the "Short-Term Rentals not allowed". "Short-Term Rentals Allowed" will remain under SF-4 and in the Multi-Family Unit zones.

They will put together an Ordinance so Council can see it.

**ADJOURN**

Mayor Rasco adjourned the meeting at 9:31 PM.

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**Mayor Jeff Rasco**

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**Suzanne MacKenzie, City Secretary**

**CITY COUNCIL MEETING**  
**January 11, 2023; 6:30 PM**  
**Woodcreek, Texas**

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**MINUTES**

**(Video begins at 10:05)**

**CALL TO ORDER**

Mayor Rasco called the meeting to order at 6:32PM.

**ROLL CALL AND ESTABLISH QUORUM**

**PRESENT**

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

**ABSENT**

Councilmember Chrys Grummert

**CITY STAFF PRESENT**

City Manager, Kevin Rule  
City Secretary, Suzanne MacKenzie  
Administrative Assistant, Maureen Mele

**PUBLIC COMMENTS**

Public Comment was offered by Suzie Hall at the time the item comes up for discussion.

**CONSENT CALENDAR**

**1. Approval of Regular City Council Meeting Minutes from December 14, 2022.**

Motion was made by Council Member Hines to approve the Regular City Council Meeting minutes from December 14, 2022. (13:19 ) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Bailey, Member Hambrick, Member Hines, Member Pulley

Motion passed with a 4-0-0 vote.

## REPORTS FROM OFFICERS AND COUNCIL LIAISONS

### **Report by Planning and Zoning Committee Liaison.**

Meeting was all about STRs and the legal ramifications of STRs.

### **Report by Ordinance Review Committee Liaison.**

Wrap up Important Woodcreek Ordinances. Postponed election of the Chair and Vice-Chair until the new people are elected.

### **Report by Parks and Recreation Board Liaison.**

Main topic in the last meeting was the luminarias and getting those out. Since the last Parks Meeting, the City was awarded the \$200,000 POSAC Grant from Hays County.

### **Report by Platinum Roads Panel Liaison.**

Received the revised RPF from K.Friese. Kevin has been instrumental in helping the Panel. Next meeting is on the 19th.

### **Report by Tree Board Liaison.**

Draft RPF is ready and will be in packet next time. Want to interview finalists in person. Concern about Triangle trees getting close to Oak Wilt. Talking about Oak Wilt Assistance Program for the residents and Map. Arbor Day is November 3rd. Application from Tree City USA, waiting on next step.

### **Report by City Manager.**

- Next week is Brush Pick-Up, starts on Monday through end of the week, approximately 105 people participating.
- City Hall will be closed on Monday, January 16th for holiday.
- Reminder no oak tree trimming after January 31st.
- February 1st will begin the process with the new Tree Trimming and Removal Applications.
- New button on the website for tree information
- Neighborhood Meeting on January 24 at 5:30P for residents affected by drainage issues on Westwood and Brookhollow. Once feedback is received, information will be relayed to K.Friese.
- Trying a new video system. Switched from IP Video to MS Teams to increase the quality of sound.
- New agenda template - following it tonight. More in line with Robert's Rules.
- Article in newspaper regarding Parks was really good, talking about past and future work. Thankful to Hays County for the grant.

### **Report by City Secretary.**

No report given.

## REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

### **Ad Hoc Workgroup, ARPA Review (American Rescue Plan Act of 2021)**

Council Member Chrys Grummert was not in attendance to give a report.

### **Ad Hoc Workgroup, Chapters 154-157 (Development Workgroup)**

- Review of K.Friese's documents and the meshing of existing ordinances is complete. Chapter 154 is ready for review by Ad Hoc Committee.
- Other chapters (155-156) are in first draft mode. Chapter 15(currently Parks Board) will be environmental regulation.

## SPECIAL ORDERS

### 2. **Discuss and Take Appropriate Action on Proposed Agreement with the Law Offices of Roger Gordon for Interim City Attorney Services (*Rasco*)**

Mayor Rasco presented the Agreement in the packet.

Motion was made by Council Member Hines to accept the proposed agreement with the Law Offices of Roger Gordon for Interim City Attorney Services. (25:45) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Hambrick, Member Hines, Member Pulley, Member Bailey

Motion passed with 4-0-0 vote.

## UNFINISHED BUSINESS AND GENERAL ORDERS

### 3. **Presentation of the "Spirit of Woodcreek Award" to Cindy Jones (*Pulley*)**

Item was removed from the agenda. Council Member Pulley will bring the award to her home. He wants her to know how much she is appreciated what she does to help her neighbors and the City.

### 4. **Discuss and Take Appropriate Action on the Nominations to be Made by Councilmember Hambrick for the Open Tree Board and Ordinance Review Committee Positions. Discuss and Take Appropriate Action on the Nomination to be Made by Mayor Rasco for the Open Alternate Member Position on the Ordinance Review Committee (*Rasco*)**

Discussion was held on the following items:

1. Mayor Rasco re-submitted Monica Rasco's application to the Tree Board;
2. Council Member Hines stated that the reason the positions were being nominated was because of a change in the Ordinances. She then asked if Ordinances were retroactive. Interim City Attorney Gordon replied "no" and that since nominations for Parks and Planning and Zoning were picked out of a hat, they are not tied to Council Members. Mayor Rasco also replied that he would be willing to review appointments. Motion was made by Council Member Hines that we direct Staff to do a full review of of term appointments using Council Member Grummert's list and highlight anyone who needs a re-appointment and asks that fellow Council Members honor current appointments. (41.25) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Hines, Member Pulley, Member Bailey, Member Hambrick

Motion passed with 4-0-0 vote.

Jeff stated that Emma Davenport has submitted her resignation from the Committee as Chair, with the request that she can return as an alternate. This would be his nomination.

Motion was made by Council Member Hines that we accept Emma Davenport's resignation as Chair and request to be appointed as an alternate per Mayor Rasco's suggestion.

(44:07) Motion was seconded by Council Member Pulley

No action was taken on this motion.

Council Member Hambrick asked what positions were open. Mayor Rasco stated there are two positions open and applications in the packet were submitted by Joe Branco and James Miller. Council Member Hambrick would be responsible for one nomination and Council Member Grummert for the second.

Motion was made by Council Member Hambrick to nominate Mr. James Miller to the Ordinance Review Committee (47:13). Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Bailey, Member Hambrick, Member Hines, Member Pulley

Motion passed with 4-0-0 vote.

Council Member Hambrick made a motion that he would like to nominate Nancy Coddington for the position [as a member of the Tree Board]. (49:08) Council Member Bailey seconded the motion.

During discussion, Council Member Pulley stated he would like to keep Monica on the Board. Council Member Hines stated that Ms. Coddington could fill an open position on the Parks Board. Mayor Rasco stated that the new Chair isn't quite comfortable in her new role and as Vice-Chair Monica provides stability. Council Member Hines is not comfortable about removing a member from a board without speaking with her first.

Council Member Hambrick withdrew his motion. (56:01)

Motion was made by Council Member Hambrick to table the agenda item until next meeting. (57:00) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Hambrick, Member Hines, Member Pulley, Member Bailey

Motion passed with 4-0-0 vote.

## NEW BUSINESS

### 5. **Discuss and Take Appropriate Action on Changes to Committee Liaison Assignments (Rasco)**

Motion was made by Council Member Hines to consider realigning the appointments of liaisons to Planning and Zoning and Parks with Council Member Hambrick taking over the Parks position and Council Member Grummert taking over the Planning and Zoning position. ( 58:00 ) Motion was seconded by Council Member Pulley.

A roll call vote was held.

Voting Yea: Member Hines, Member Pulley, Member Bailey, Member Hambrick

Motion passed with 4-0-0 vote.



**6. Discuss and Take Appropriate Action on Parks and Recreation Board Resignations and Appointments (Rasco)**

Motion was made by Council Member Pulley to accept the resignation of Karen Poe from Parks. (1:01) Motion was seconded by Council Member Bailey.

A roll call vote was held.

Voting Yea: Member Pulley, Member Bailey, Member Hambrick, Member Hines

Motion passed with 4-0-0 vote.

Motion was made by Council Member Hambrick to appoint Mr. John Abney to the Parks and Rec Committee. (1:03:15) Motion was seconded by Council Member Bailey.

A roll call vote was held.

Voting Yea: Member Bailey, Member Hambrick, Member Hines, Member Pulley

Motion passed with 4-0-0 vote.

Motion was made by Council Member Hines that we honor the Parks Board terms to their limits, omitting the recent Ordinance change for their memberships. (1:03:50) Motion was seconded by Council Member Pulley.

Rawlings and Maurer will expire with Council Member Pulley's and Hines' election term

A roll call vote was held.

Voting Yea: Member Hambrick, Member Hines, Member Pulley, Member Bailey

Motion passed with 4-0-0 vote.

**7. Discuss and Take Appropriate Action on the Appointment of Members to the Hotel Occupancy Tax Advisory Committee (Rasco)**

Suzie Hall retracted her Public Comment for this item.

Mayor Rasco introduced this item as the formation of a new Committee, based on an Ordinance that will have seven(7) members, no alternates and will have Mayor Rasco and City Manager Rule co-liaison the Committee.

Council Member Hambrick nominated Dany Ross;

Council Member Pulley nominated Mike Schneider;

Council Member Bailey nominated Lynnsey Hastie;

Council Member Hines nominated Cherri Maley; and

Mayor Rasco nominated Ann Tyler-Konradi and Tomas Palm.

\*\* Still need Council Grummert's recommendation. \*\*

Discussion included:

1. Council is not voting on HOT tonight, just the formation of the Committee;
2. Council went through the HOT training video and asks if the first meeting, the Committee can watch the video.

A roll call vote was held on all of the nominations.

Voting Yea: Member Hines, Member Pulley, Member Bailey, Member Hambrick

Motion passed with a 4-0-0 vote.

**8. Consider and Take Appropriate Action on a Resolution by the Woodcreek City Council Confirming a Review of the Investment Policy and Strategies of the City and Confirming Changes Made (Rule)**

City Manager Rule explained that the point of the Public Funds Investment Policy and Strategy is part of the Public Funds Investment Act and requires an annual review and approval by Council. The new policy does not remove any information from the old policy, only adds information into the new policy. Some examples in the packet include: page 46, length of investment (did not have a section "C"); page 48, reporting requirements (section 7); and page 49, internal controls and annual review (section 8).

Motion was made by Council Member Hines to adopt the Investment Policy as written by City Manger Rule. (1:29:29) Motion was seconded by Council Member Pulley.

In response to Council Member Hines' question about moving City Funds into a Money Market to draw upon when needed, City Manager Rule explained that the \$400,000 that we have is in a state investment pool, whose rates are currently at 3%. The weighted average of investments is one(1) year, but cannot be more than five(5) years. When the Bond Funds arrive, they will arrive in a chunk and will be committed in a protected (allocated) account.

A roll call vote was held.

Voting Yea: Member Pulley, Member Bailey, Member Hambrick, Member Hines

Motion passed with a 4-0-0 vote.

**9. Discuss and Take Appropriate Action to Renew the Motion to Approve the Recommendations from the City Engineer, the Ordinance Review Committee and the Planning and Zoning Committee to Include Minimum Lot Sizes in our Zoning Chapter (Grummert)**

Mayor Rasco read an email from Council Member Grummert, stating the motion that he was going to make if he had been present at the meeting: "Renew the motion to approve the recommendation from the City Engineer, the Ordinance Review Committee and the Planning and Zoning Committee to include Minimum Lot Sizes in a future Zoning Ordinance to be presented to Council at a later time."

Motion was made by Council Member Hambrick to follow Council Member Grummert's motion in the email, but to renew and reconsider the item to approve at a later time. (1:40:00) Motion was seconded by Council Member Pulley

A roll call vote was held.

Voting Yea: Member Bailey, Member Hambrick, Member Hines, Member Pulley

Motion passed with a 4-0-0 vote.

Motion was made by Council Member Hines that Council approve adding Minimum Lot Sizes into our Zoning Code for a pending Ordinance to be passed at a later date. (1:43:56) Motion was seconded by Council Member Pulley.

Part of the discussion contained the suggestion that there should be a statement in the Ordinance that states that existing properties (large or small) are not affected by this change.

Mayor Rasco called the question.

A roll call vote was held.

Voting Yea: Member Hambrick, Member Hines, Member Bailey

Abstentions: Member Pulley

Motion passed with a 3-0-1 vote.

\*\* Note from Interim City Attorney: What we can try to do is piggy-back other items that require a Public Notice into one mailing.

#### 10. **Discuss and Consider Approving a 2023 Citizen Survey (Hines)**

Motion was made by Council Member Hines that Council approve the Citizen Survey concept and that we consider this draft.(1:56:09) Motion was seconded by Council Member Pulley.

Council Member Hines would like, if nothing else to approve the concept of a survey at this time. The content of the survey, if we would like a second draft presented, has no issue with that.

Council Member Bailey asked about delivery method. Council Member Hambrick asked about cost of membership. Council Member Hines said she thinks the \$400 annual membership is paid for through February. Council Member Hambrick asked about the misrepresentation of residents who may not want to use the electronic survey. Council Member Bailey would like to do both options for the survey (electronic and mail)

A roll call vote was held.

Voting Yea: Member Hines, Member Pulley, Member Bailey, Member Hambrick

Motion passed with a 4-0-0 vote.

Motion was made by Council Member Hambrick to include a mailing with the electronic version. (2:14:00) Motion was seconded by Council Member Bailey.

A roll call vote was held.

Voting Yea: Member Pulley, Member Bailey, Member Hambrick, Member Hines

Motion passed with a 4-0-0 vote.

**ADJOURN**

Mayor Rasco adjourned the meeting at 8:36PM.

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**Mayor Jeff Rasco**

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**Suzanne MacKenzie, City Secretary**

DRAFT

**SPECIAL CITY COUNCIL MEETING**  
**January 25, 2023; 4:00 PM**  
**Woodcreek, Texas**

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**MINUTES**

**CALL TO ORDER**

Mayor Rasco called the meeting to order at 4:01PM.

**MOMENT OF SILENCE**  
**PLEDGES**

**ROLL CALL and ESTABLISH QUORUM**

**PRESENT**

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

**ABSENT**

Councilmember Linnea R. Bailey

**STAFF PRESENT**

City Manager, Kevin Rule  
City Secretary, Suzanne Mac Kenzie  
Administrative Assistant, Maureen Mele

**PUBLIC COMMENTS**

No public comments were offered.

**CONSENT CALENDAR**

**REPORTS FROM OFFICERS AND COUNCIL LIAISONS**

**Report by Planning and Zoning Committee Liaison.** – No report was offered.

**Report by Ordinance Review Committee Liaison.** – No report was offered.

**Report by Parks and Recreation Board Liaison.**

Councilmember Hambrick said for the POSAC (Parks and Open Space Advisory Commission) grant, a subcommittee was formed for each appropriate area in Woodcreek, i.e. Creekside Park, Augusta Park, and the Triangle (Woodcreek Dr. at Brookhollow Dr.). Also, a survey and a tree survey is being done of Creekside Park. In addition, Mayor Rasco has contacted the owner of the Double J Ranch Golf Club about a fence of Creekside Park but has not been able to speak to him as of this meeting.

**Report by Platinum Roads Panel Liaison.**

City Manager Rule reported on the "Roads Panel" as Councilmember Bailey was not in attendance. He stated that the chip seal Request for Proposal (RFP) was approved by the Panel and is an item on the agenda for this meeting. The RFP for the remainder of the roads should be issued in the summer of 2023.

**Report by Tree Board Liaison.**

Councilmember Pulley said there is an RFP for a City Arborist in the agenda and that the next meeting will address an Oak Wilt Assistance Program for homeowners.

**Report on Par View Greenspace Beautification Project.**

The Par View greenspace is almost finished with it's upgrade and it is still within budgeted particularly with the picnic table donated by Camp Young Judaea and the little library donated by Hill Country Spirits.

**Report by City Manager.**

City Manager Rule noted that:

- 1) The funds from the POSAC grant of Hays County were received;
- 2) A Neighborhood Meeting to address residents' observations about drainage issues in the area of Brookhollow and Westwood Drives and that the City Engineers, K. Friese will be developing a new plan to deal with this;
- 3) Training for Committee Members on Robert's Rules for conducting meetings was begun; and
- 4) Double J Ranch Golf Club has a permit to rebuild the Cart Barn, not to move the Cart Barn

**Report by City Secretary.** - No report was offered.

**REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES****Ad Hoc Workgroup, ARPA Review (American Rescue Plan Act of 2021).**

Councilmember Grummert reported that the ARPA is being reviewed with GrantWorks for the next step.

**Ad Hoc Workgroup, Chapters 154-157 (Development Workgroup).**

Councilmember Hines noted that Chapter 154 of the Code of Ordinances has been rewritten as a draft and the additional chapters are being worked on and there will be a meeting the next day to discuss.

**SPECIAL ORDERS****UNFINISHED BUSINESS AND GENERAL ORDERS**

1. **Discuss and Take Appropriate Action on the Appointment of Mayor Rasco of Alternate Members to the Ordinance Review Committee and the Parks and Recreation Board (Rasco)**

This agenda item was addressed after agenda item Number 3.

**2. Discuss and Take Appropriate Action on Nomination to the Hotel Occupancy Tax Committee (*Grummert*)**

Councilmember Grummert made a motion that Councilmembers make their nomination to the Hotel Occupancy Tax (HOT) Committee (19:44). The motion was seconded by Councilmember Hines.

Councilmember Grummert made a motion to nominate Aurora LeBrun to the HOT Committee (20:00). The motion was seconded by Councilmember Hines.

A roll call vote was held.

Voting Yea: Mayor Pro Tem Pulley, Councilmember Grummert, Councilmember Hambrick, Councilmember Hines

The motion carried with a 4-0-0 vote.

Councilmember Pulley made a motion to nominate Mike Wimmer to the HOT Committee (22:33). The motion was seconded by Councilmember Hines.

A roll call vote was held.

Voting Yea: Councilmember Grummert, Councilmember Hambrick, Councilmember Hines, Mayor Pro Tem Pulley

The motion carried with a 4-0-0 vote.

**3. Discuss and Take Appropriate Action on Nomination to the Tree Board (*Hambrick*)**

Councilmember Hambrick nominated Nanci Coddington to the Tree Board (25:53). The motion was seconded by Councilmember Grummert.

A roll call vote was held.

Voting Yea: Councilmember Hambrick, Councilmember Hines, Mayor Pro Tem Pulley, Councilmember Grummert

The motion carried with a 4-0-0 vote.

Agenda item 1 was addressed at this point.

**4. Discuss and Take Appropriate Action on the Appointment of Mayor Rasco of Alternate Members to the Ordinance Review Committee and the Parks and Recreation Board (*Rasco*)**

Councilmember Grummert moved to have Mayor Rasco's nominate alternate members to the Parks and Recreation Board and the Ordinance Review Committee (39:24). This was seconded by Councilmember Hines.

Mayor Rasco nominated Joe Branco as an alternate member of the Ordinance Review Committee and Monica Rasco as an alternate member of the Parks and Recreation Board.

Councilmember Hines made a motion to approve these nominations (40:14). Councilmember Hambrick seconded this motion.

A roll call vote was held.

Voting Yea: Councilmember Hines, Mayor Pro Tem Pulley, Councilmember Grummert, Councilmember Hambrick

The motion carried with a 4-0-0 vote.

## NEW BUSINESS

### 4. Discuss and Take Appropriate Action on Recommendations for Hotel Occupancy Tax (HOT) Committee Chair and Vice-Chair (*Rule*)

Councilmember Grummert made a motion to accept Mayor Rasco's recommendation of Ann-Tyler Konradi as the Chair and Tomas Palm as Vice-Chairperson of the HOT Committee (41:22). This was seconded by Councilmember Hines.

After discussion, a roll call vote was held.

Voting Yea: Mayor Pro Tem Pulley, Councilmember Grummert, Councilmember Hambrick, Councilmember Hines

The motion carried with a 4-0-0 vote.

### 5. Discuss and Take Appropriate Action on Parking Spaces for the Par View Greenspace (*Hines*)

Councilmember Hines made a motion to consider a bid for one parking space on the Par View Greenspace (46:42). The motion was seconded by Councilmember Hambrick.

Councilmember Hines said she would like to accept the bid from Hill Country Land for an angled 10' x 30' parking spot as addressed in page 11 of the packet without the permeable pavers. This parking spot was bid for \$2,850.

A roll call vote was held.

Voting Yea: Councilmember Grummert, Councilmember Hambrick, Councilmember Hines, Mayor Pro Tem Pulley

The motion carried with a 4-0-0 vote.

### 6. Discuss and Take Appropriate Action on Installation of Posts at Par View Greenspace (*Hines*)

A motion was made by Councilmember Hines to accept the proposal from Hill Country Land but to install only 2 posts on the Par View Greenspace, one to hold a parking sign and one to hold the Little Library (54:28). The motion was seconded by Councilmember Grummert.

After discussion, a roll call vote was held.

Voting Yea: Councilmember Hambrick, Councilmember Hines, Mayor Pro Tem Pulley, Councilmember Grummert

The motion carried with a 4-0-0 vote.

### 7. Discuss and Take Appropriate Action on Changes to Chapter 32.01 (*Grummert*)

Councilmember Grummert made a motion to accept the Ordinance on changes to Chapter 30 (1:01:29). The motion was seconded by Councilmember Hines.

After discussion, a roll call vote was held.

Voting Yea: Councilmember Hines, Mayor Pro Tem Pulley, Councilmember Grummert, Councilmember Hambrick

The motion carried with a 4-0-0 vote.



**8. Discuss and Take Appropriate Action on the Platinum Roads Panel Recommendation of the K Friese Request for Proposal (RFP) for Residential Chip Seal Project Report from January 20, 2023 (Rule)**

Councilmember Hines made a motion to accept the Residential Chip Seal Project RFP and instruct City Staff to post the RFP appropriately (1:03:34). The motion was seconded by Councilmember Grummert.

After discussion regarding a pre-bid and pre-construction meeting and where the posting of the RFP would be, a roll call vote was held.

Voting Yea: Mayor Pro Tem Pulley, Councilmember Grummert, Councilmember Hambrick, Councilmember Hines

The motion carried with a 4-0-0 vote.

**9. Discuss and Take Appropriate Action on Request for Proposal (RFP) for City Arborist (Pulley)**

Councilmember Pulley made a motion to discuss and take appropriate action on the Tree Board's Request for Proposal (RFP) for a City Arborist (1:15:26). The motion was seconded by Councilmember Grummert.

After discussion, edits are needed that the City Arborist must have two types of insurance: i) personal liability for property, and ii) personal liability for themselves and their employees, and possibly iii) Worker's Compensation.

A recess was held at 5:21PM and the meeting reconvened at 5:23PM.

The document was also edited to say that the City Arborist "should" be available to work approximately 10 hours on an "as needed" basis.

A roll call vote was held.

Voting Yea: Councilmember Grummert, Councilmember Hambrick, Councilmember Hines, Mayor Pro Tem Pulley

The motion carried with a 4-0-0 vote.

**ANNOUNCEMENTS**

None were made.

**ADJOURN**

Mayor Rasco adjourned the meeting at 5:26PM.

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**Jeff Rasco, Mayor**

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**Suzanne Mac Kenzie, City Secretary**

**CITY OF WOODCREEK, TEXAS**

**RESOLUTION 2023-\_\_\_-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS, CREATING A CALENDAR DESIGNATING CERTAIN SPECIFIC WEEKS FOR THE AUTHORIZED TIMELY SUBMISSION OF PLANNING, ZONING, PLATTING, SUBDIVISION, DEMOLITION, OR NEW CONSTRUCTION BUILDING PERMIT APPLICATIONS TO THE CITY OF WOODCREEK, TEXAS FOR REVIEW, COMMENT, AND CONSIDERATION OF APPROVAL.**

**WHEREAS**, the City Council of the City of Woodcreek seeks to create a timely and predictable process establishing procedures for the submission of applications for planning, zoning, platting, subdivision, demolition, or new construction building permits to the City; and

**WHEREAS**, the 86<sup>th</sup> Texas Legislature passed HB 3167 and enacted amendments to Chapters 212 and 232 of the Local Government Code, taking effect on September 1, 2019; and

**WHEREAS**, the legislative history of HB 3167 demonstrates the intent of the bill is to address a common and longstanding problem in land development across the state involving piecemeal and seemingly interminable regulatory review processes adopted by local subdivisions that were perceived as being needlessly protracted and consequently too expensive; and

**WHEREAS**, the “Shot Clock” provisions implemented by HB 3167 remains silent as to whether it applies to the subdivision and platting process *only*, leading to a Request for Attorney General opinion seeking clarification on which development applications or processes other than subdivision and platting does the bill apply; and

**WHEREAS**, the Request for Attorney General Opinion RQ-0488-KP remains pending as of the effective date of this resolution; and

**WHEREAS**, the City of Woodcreek, utilizing outside third-party engineers, consultants, and experts necessary for the appropriate and timely analysis of any applications presumed to be under the “Shot Clock” provisions of HB 3167, requiring additional working lead time;

**WHEREAS**, a designated calendar allowing for regular, predictable, and periodic “submission windows” will allow City staff, third-party engineers, consultants, and experts to be prepared to allocate the necessary time, labor, and attention to any such applications;

**NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WOODCREEK HEREBY ADOPTS THE FOLLOWING CALENDAR AUTHORIZING SUBMISSION OF APPLICATIONS FOR PLANNING, ZONING, PLATTING,**

**SUBDIVISION, DEMOLITION AND NEW CONSTRUCTION PERMITS ON THE FOLLOWING SPECIFIC DATES:**

Section 1: The City Council authorizes City staff, administration and management to accept the described applications herein on the following dates ONLY, and any applications submitted prior to (or after) the proscribed window will not be considered as timely submitted until the next immediate following period.

Section 2: This Resolution shall be made available on the City’s website, and available for review at City Hall, as soon as possible upon its passage.

Section 3: This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the 8<sup>th</sup> day of February, 2023, on a roll call vote of the City Council of Woodcreek, Texas.

**City of Woodcreek, Texas:**

By: \_\_\_\_\_  
**Jeff Rasco, Mayor**

**Attest:**

By: \_\_\_\_\_  
**Suzanne MacKenzie, City Secretary**

# APPLICATION SUBMISSION WINDOW CALENDAR

(insert City of Woodcreek seal)

Available Application Submission Windows:

*All Applications Must Fully Comply with the City of Woodcreek Code of Ordinances*

Applications Deemed Incomplete Will Roll-Over to Next Window for Reconsideration

Window One	January 15 <sup>th</sup> through January 22 <sup>nd</sup>
Window Two	March 15 <sup>th</sup> through March 22 <sup>nd</sup>
Window Three	May 15 <sup>th</sup> through May 22 <sup>nd</sup>
Window Four	July 15 <sup>th</sup> through July 22 <sup>nd</sup>
Window Five	September 15 <sup>th</sup> through September 22 <sup>nd</sup>
Window Six	November 15 <sup>th</sup> through November 22 <sup>nd</sup>

### Approved as to Form and Contents:

By: \_\_\_\_\_  
Jeff Rasco, Mayor

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Kevin Rule, City Manager

\_\_\_\_\_  
Date

**CITY OF WOODCREEK, TEXAS  
RESOLUTION EXTENDING DECLARATION OF LOCAL DISASTER  
FOR WINTER WEATHER EMERGENCY**

**WHEREAS**, the City of Woodcreek on the 1<sup>st</sup> of February, 2023, has determined that severe winter weather poses an imminent threat of widespread and severe property damage, injury, and loss of life due to excessive icing, freezing precipitation, falling trees, and extended freezing temperatures in Woodcreek;

**WHEREAS**, extensive freezing precipitation led to the loss of significant tree canopy, creating potentially hazardous conditions which continue to exist and are expected to continue for an undetermined period, pending emergency response and tree removal crew availability;

**WHEREAS**, the Mayor of the City of Woodcreek has previously determined that extraordinary measures must be taken to prepare, and alleviate, any suffering of people and to protect or rehabilitate property. Accordingly the Mayor issued Resolution 2023-02-01 with a Declaration of Local Disaster, which was scheduled to expire on February 8, 2023 absent additional extension by the City Council;

**WHEREAS**, the Mayor and City Council of the City of Woodcreek have determined that sufficient cause exists to extend the Declaration of Local Disaster for a period of fourteen (14) days or until such time as Governor Abbott issue a Declaration Disaster affecting Hays County and the City of Woodcreek, Texas; and

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

Section 1: That a local State of Disaster is hereby extended for the City of Woodcreek pursuant to TEXAS GOVERNMENT CODE SECTION §418.108(a).

Section 2: Pursuant to TEXAS GOVERNMENT CODE SECTION §418.108(b), the State of Disaster shall continue for a period of not more than fourteen (14) days from the date of this Declaration unless continued or renewed by the City Council of Woodcreek, Texas.

Section 3: Pursuant to TEXAS GOVERNMENT CODE SECTION §418.108(c), the extension of the declaration of a local State of Disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary, with copies made available to Hays County.

Section 4: Pursuant to TEXAS GOVERNMENT CODE SECTION §418.108(d), the extension of the declaration of a local State of Disaster activates the City of Woodcreek emergency management plan.

Section 5: This Extension of the Declaration of Local Disaster shall take remain in effect immediately from and after its issuance.

PASSED AND APPROVED BY on this the 8<sup>TH</sup> day of February, 2023 by a vote of \_\_\_\_\_ (Ayes), \_\_\_\_\_ (Nays), and \_\_\_\_\_ (Abstentions)

\_\_\_\_\_  
**Jeff Rasco, Mayor**  
**City of Woodcreek, Texas**

**ATTEST:** \_\_\_\_\_  
Suzanne McKenzie, City Secretary  
City of Woodcreek, Texas



**CITY OF WOODCREEK**

**OAK WILT ABATEMENT AND REPLACEMENT PROGRAM APPLICATION (per Ord. 91.09)**

Date of Application Submission: \_\_\_\_\_

*Note: to receive assistance through this program you must FIRST have a confirmed diagnosis of Oak Wilt by a professional holding the appropriate qualifications and certifications. Confirmation of this diagnosis MUST be submitted with this application. Please see the checklist below for the full list of items needed.*

PROPERTY OWNER:	
LOCATION ADDRESS:	
EMAIL:	
PHONE:	
WHAT RELIEF ARE YOU SEEKING?	<input type="checkbox"/> ABATEMENT ASSISTANCE <input type="checkbox"/> REPLACEMENT ASSISTANCE <input type="checkbox"/> BOTH

**Checklist of Items to Include with this Application:**

*Applications will only be considered complete once ALL items have been provided.*

*Incomplete applications will not be sent to the Tree Board for review.*

- Images of all trees impacted by Oak Wilt. Must be of good quality and no less than two per tree showing height and canopy conditions.
- Size (diameter) and Species of Tree(s). Diameter is circumference divide by 3.14 measured at about 5 feet in height or the widest part of the tree before trunk division.
- Statement from Certified Arborist / Oak Wilt specialist and documentation of diagnosis.
- Submit receipts for replacement showing purchase of tree (NOT in the Oak species) and planting.
- Photo of replacement tree planted at the location listed on the application.
- For abatement, additional site plans and description of work to be done and a bid from 3 companies for proposed work must be submitted.
- Additional supporting materials are welcome

**Please return this application and all supplemental materials to City Staff.**

**41 Champions Cir | Woodcreek, TX 78676 | (512) 847-9390**

[Woodcreek@WoodcreekTX.gov](mailto:Woodcreek@WoodcreekTX.gov)





**Guidelines of the Assistance Program:**

The City shall spend funds on Oak Wilt suppression on private lands within the city limits. Funds for this effort will come from the Oak Wilt Containment budget.

The City has no obligation to pay for preventive measures on any private property. However, the City may enter into written agreements to pay for all or part of the costs of preventive measures to stop the spread of Oak Wilt. This may include cost-sharing of trenching or removal of diseased oaks. Fungicide treatments are NOT automatically covered, but requests may be considered.

The City may enter into an agreement with the property owner(s) for cost-sharing of replacement trees for **Protected (19+ inches in diameter)** and **Heritage (24+ inches for single trunk or 30+ inches for a multi-trunk in diameter)** trees lost to Oak Wilt.

- (a) The City will offer to cover 50% of the cost of the replacement tree, or up to \$600 in matching funds, to replace any protected or heritage tree that has died or must be removed due to Oak Wilt as diagnosed by a certified arborist and confirmed by the City.
- (b) Trees smaller in diameter and younger in age than a designated protected or heritage tree but afflicted by Oak Wilt as diagnosed by a certified arborist and confirmed by the City, will be grouped into sets of 5 to determine a funding match from the City; for every five smaller trees a resident may receive \$600 and for every three smaller trees a resident may receive half value at \$300 in matching funds.
- (c) The resident will be reimbursed upon the confirmed planting of the replacement tree. Trees must be planted in the fall, not during a drought, and the resident must provide an exact match of funds from the city to purchase a tree of advanced age and suitable durability to survive transplantation.
- (d) The City will not cover costs to plant the tree and no portion of the match funds may be used for planting services. The match funds shall be solely used for the purchase of the tree.
- (e) Trees selected for planting may not be susceptible to Oak Wilt and residents should reference the Texas A&M Forest Service guidelines for appropriate trees to plant to in this area that Oak Wilt cannot infect. <https://texasoakwilt.org/resources/recommended-trees/edwards-plateau>
- (f) Residents that show proof the replacement tree planted has survived after three years will receive an additional \$100 per tree. This must be documented via photos and the tree must still be alive and thriving at the time the City sends out a representative to confirm in person.

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*NOTE: Process can take up to 4-6 weeks before reimbursement is received.*

***Assistance will only be considered for work done within the 6 months prior to the application submission. Funds are available on a "first come, first served" basis from the budget. If the City has spent all the approved budgeted funds for the year, then assistance may not be available. No property shall receive more than one quarter of available funds during a single fiscal year without explicit Council approval.***

*Applications may go before the Tree Board for review and are subject to approval.*

*If you are unable to provide some of the materials because the tree has already been removed, then you may request review based on special circumstances. Additional supplemental items may be needed in this case. Please be prepared to work with staff in a supportive manner.*

**TITLE I: CITY OF WOODCREEK**

**CHAPTER 10: TYPE A- GENERAL LAW MUNICIPALITY**

**CHAPTER 11: GOVERNING BODY**

**CHAPTER 12: GENERAL PROVISIONS – CODE OF ORDINANCES OPERATION**

**CHAPTER 13: GENERAL DEFINITIONS (REDUCE DEFINITIONS IN ALL OTHER ORDINANCES)**

**CHAPTER 14: COMPREHENSIVE PLAN**

**TITLE II: ADMINISTRATION**

**CHAPTER 20: MUNICIPAL OFFICERS AND OTHER EMPLOYEES**

Retirement and five-year vesting moved here

**CHAPTER 21: ADVISORY BODIES**

**PLANNING AND ZONING COMMISSION**

**BOARD OF ADJUSTMENT**

**ORDINANCE REVIEW COMMITTEE**

**PLATINUM PANEL**

**PARKS AND RECREATION BOARD**

**AD HOC Committees (need to add)**

**CHAPTER 22: MUNICIPAL COURT**

**TITLE III: CITY POLICIES**

**CHAPTER 30: MUNICIPAL FUNDS**

**INVESTMENT POLICIES**

**TAXATION**

**HOTEL – MOTEL OCCUPANCY TAX**

**65+ and DISABLED**

**FUNDS**

**CHAPTER 31: RECORDS RETENTION MANAGEMENT**

**CHAPTER 32: EMERGENCY MANAGEMENT**

**CHAPTER 33: VARIANCES**

**NEED TO PLACE SOMEWHERE:**

**DEVELOPMENT AGREEMENTS**

**NATIONAL INCIDENT MANAGEMENT SYSTEM**

**PROPERTY DAMAGE, PERSONAL INJURY, AND THE LIKE**

**CHAPTER 34: ENFORCEMENT, PENALTIES, AND APPEALS**

**CHAPTER 35: FEES AND PENALTIES SCHEDULE**

**CHAPTER 36: ANNEXATION**

**CHAPTER 37: CHILD SAFETY**

**CHAPTER 38: PUBLIC WORKS**

**FIRE HYDRANTS**

**WATER SERVICE**

**TITLE IV: LAND AND WATER PRESERVATION**

**CHAPTER 41: TREES**

**CHAPTER 42: STREET TREES, RIGHT-OF-WAY GREENSPACES, CITY PARKS**

**CHAPTER 43: WATER QUALITY**

**TITLE V: ZONING**

**TITLE VI: GENERAL REGULATIONS**

**CHAPTER 60: ANIMALS**

**GENERAL PROVISIONS**

**GEESE**

**DEER**

**CHAPTER 61: FIRE PREVENTION AND PROTECTION**

**GENERAL PROVISIONS**

**OPEN BURNING**

**CHAPTER 62: FIREWORKS**

**CHAPTER 63: HEALTH AND SANITATION**

**CHAPTER 64: USE OF WEAPONS**

**CHAPTER 65: NOISE**

**CHAPTER 66: TRAFFIC AND PARKING**

**TITLE VII: CONSTRUCTION**

**CHAPTER 70: BUILDING REGULATIONS and CONSTRUCTION**

**GENERAL BUILDING REGULATIONS**

**SUBSTANDARD, HAZARDOUS, AND DANGEROUS BUILDINGS**

**CHAPTER 71: STREETS AND SIDEWALKS**

**EXCAVATIONS AND CUTTINGS**

**CHAPTER 72: FLOOD HAZARD REDUCTION**

**TITLE VIII: DEVELOPMENT AND SUBDIVISION**

**CHAPTER 80: GRANDFATHERED DEVELOPMENT STATUS + VESTING RIGHTS**

**CHAPTER 81: SITE DEVELOPMENT**

**CHAPTER 82: SUBDIVISION**

**CHAPTER 83: EXTRA-TERRITORIAL JURISDICTION**

**CHAPTER 84: ENVIROMENTAL PROTECTIONS**

**TITLE IX: SIGNS**

**GENERAL PROVISIONS**

**DESIGN GUIDELINES**

**PROHIBITIONS AND RESTRICTIONS**

**PERMITS**

**TABLE OF SPECIAL ORDINANCES:**

**TABLE I: FRANCHISES AND AGREEMENTS**

**TABLE II: ANNEXATIONS AND DISANNEXATIONS; ACQUISITIONS**

**TABLE III: UTILITY RATES AND PETITIONS**

**TABLE IV: STREET CLOSINGS**






**TABLE V: REZONINGS**

## EXAMPLES OF THE ORGANIZATION AND WORK TO DATE

Code Outline:

-  TITLE I CITY OF WOODCREEK
-  TITLE II ADMINISTRATION
-  TITLE III CITY POLICIES
-  TITLE IV LAND AND WATER PRESERVATION
-  TITLE IX SIGNS
-  TITLE V ZONING
-  TITLE VI GENERAL REGULATIONS
-  TITLE VII CONSTRUCTION
-  TITLE VIII DEVELOPMENT AND SUBDIVISION

TITLE I: City of Woodcreek

-  Chapter 10 Type A General Law Municipality
-  Chapter 11 Governing Body
-  Chapter 12 General Provisions - Code of Or...
-  Chapter 13 General Definitions
-  Chapter 14 Comprehensive Plan

Title III: City Policies



Chapter 30 Municipal Funds



Chapter 31 Records Retention Management



Chapter 32 Emergency Management



Chapter 33 Variances



Chapter 34 Enforcement, Penalties, and Ap...



Chapter 35 Fees and Penalties Schedule



Chapter 36 Annexation



Chapter 37 Child Safety



Chapter 38 Public Works

Several questions have been on the minds of Woodcreek citizens for a number of years, discussed with neighbors and on social media, but have not been surveyed. Your City Council would like to know your thoughts through this informal Citizen Survey. Your answers will help guide our work for the future of Woodcreek.

**Please complete your survey and return it to City Hall by March 1<sup>st</sup> 2023.**

You may choose to take the survey online here:

<https://www.surveymonkey.com/r/YD3N92T>



**If you choose to submit an online survey, please do NOT submit a paper one.**

**PLEASE ONLY SUBMIT ONE RESPONSE PER RESIDENT 18 YEARS OR OLDER**

### CITIZEN SURVEY 2023

1) Should the City raise the Hotel Occupancy Tax to promote tourism and support local businesses in the area? Funds collected under this tax are restricted for certain purposes.

Yes

No

Additional Comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

2) Should homeowners be able to rent their homes out as short-term rentals (defined as less than 30 days at a time)?

Yes

Yes, but only in certain areas and with strong regulations.

No

No, and the City should take steps to ban them entirely.

Additional Comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

3) Should the City consider investing in more land for additional parks and/or greenspaces?

Yes

Yes, but only if it doesn't raise my property taxes.

No

Additional Comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important



- 4) Should residents, occupying homes in single-family residential zoning, be able to own up to six hens (no roosters) in fully enclosed runs/cages in the backyard, with guidelines on setbacks from neighbors, minimum lot sizes, minimum enclosure sizes, etc.?

Yes

Yes, but only if the backyard does not border the golf course.

No

Additional Comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

- 5) Should Woodcreek incorporate traffic calming measures throughout the city, especially as part of road projects in the near future? These measures could include street plantings, speed cushions/tables acceptable to first responders, raised golf cart paths where they cross streets, additional stop signs, etc.

Yes

No

Additional comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

- 6) Should the City consider taking measures to close public access to the private drive known as "La Rocca Lane," which is currently being used as a public road providing ingress and egress to the city?

Yes

No

Additional comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

7) Should the City consider some remodeling of City Hall? (Examples: replacement of carpet, repaint interior, extension of meeting room)

Yes

No

Additional Comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

8) Should the City hold more Community Events?

Yes

No

If Yes, what kinds of events?

\_\_\_\_\_

Additional comments: \_\_\_\_\_

How important is it to you that the City take action on this item? (Circle one)

1	2	3	4	5
Not Important		Neutral		Very Important

Please list other items you'd like to see in future Citizen Surveys:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Thank you for completing the survey!**

The results will be shared at the March Regular City Council Meeting.