
The City Council of the City of Woodcreek, Texas will conduct a Special Meeting at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas. The meeting will be held on Tuesday, June 20, 2023 at 3:00 PM.

Smoking is not allowed anywhere on the property of City Hall.

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

<https://zoom.us/j/99489307380?pwd=TzQ4WVVVMcWZrd1BrSkJlL2hFNjRjRjQ0T09>

Meeting ID: 994 8930 7380; Passcode: 366814

A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request. This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551).

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

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

It is anticipated that members of other City Boards, Commissions, Panels and/or Committees may attend the meeting in numbers that may constitute a quorum of the other City Boards, Commissions, Panels and/or Committees. Notice is hereby given that this meeting, to the extent required by law, is also noticed as a meeting of the other City Boards, Commissions, Panels and/or Committees of the City, whose members may be in attendance. The members of the City Boards, Commissions, Panels and/or Committees may participate in discussions on the items listed on this agenda, which occur at this meeting, but no action will be taken by those in attendance unless such action item is specifically listed on an agenda during a regular or special meeting for the respective Board, Commission, Panel and/or Committee subject to the Texas Open Meetings Act.

The City Council may retire to Executive Session any time during this meeting, under Texas Government Code, Subchapter D. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

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

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

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

AGENDA

CALL TO ORDER

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PUBLIC COMMENTS

CONSENT CALENDAR

- [1.](#) Approval of City Council Workshop Minutes from March 14, 2023.
- [2.](#) Approval of City Council Regular Meeting Minutes from April 12, 2023.
- [3.](#) Approval of City Council Workshop Minutes from April 18, 2023.
- [4.](#) Approval of City Council Special Meeting Minutes from May 24, 2023.
- [5.](#) Approval of City Council Workshop Minutes from May 30, 2023.

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

- [6.](#) Report on the Completion of the 2022 City Beautification Project – Par View. (*Hines*)

SPECIAL ORDERS – None

UNFINISHED BUSINESS AND GENERAL ORDERS

- [7.](#) Approval of Financial Statements for April 2023. (*Rule*)
- [8.](#) Discuss and Take Appropriate Action on a Resolution of the City of Woodcreek, Texas Update the City's Fund Balance Policy. (*Rule*)
- [9.](#) Discuss and Take Appropriate Action on A Resolution of the City of Woodcreek, Texas Updating the City's Procurement Policy. (*Rule*)
- [10.](#) Discuss and Take Possible Action on A Conversion and Consolidation of the City Functions of Accounts Receivable/Payable, Payroll, Permitting and Code Enforcement into FundView Software. (*Rule*)

NEW BUSINESS

- [11.](#) Discuss the Possibility of Creating a Drought Contingency Plan for the City of Woodcreek. (*Rasco*)
- [12.](#) Discuss and Take Appropriate Action to Nominate a Full Member to the Platinum Panel. (*Hines*)

NEW BUSINESS (Cont'd.)

- [13.](#) Discuss Council Meeting Options Including an Additional Regular Meeting, Special Meetings, and Work Sessions. (*Rasco*)
- [14.](#) Discuss and Take Appropriate Action on Updating a Draft Permit and Draft Ordinance to Regulate Short-term Rentals in the City of Woodcreek. (*Hines*)
- [15.](#) Discuss and Take Appropriate Action on the Creation of A 2023 Citizen Survey, Part 2. (*Bailey/Hines*)
- [16.](#) Discuss and Take Appropriate Action on Hiring A Part-Time Code Administrator. (*Rule*).
- [17.](#) Discuss and Take Appropriate Action on Hiring A City Attorney. (*Rule*)
- [18.](#) Discuss and Take Appropriate Action on the City of Woodcreek Social Media Policy/Communication Policy. (*Rule*)
- [19.](#) Discuss and Provide Guidance to Staff Concerning the FY 2023-24 Budget. (*Rule*)

ANNOUNCEMENTS

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **16th day of June, 2023 at 3:45PM**

By: 

Suzanne J. MacKenzie, City Secretary

CITY COUNCIL WORKSHOP (CITY HALL)
March 14, 2023; 3:00 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Workshop to Order at 3:02P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

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

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

None were offered.

NEW BUSINESS

1. **Workshop with Heart of Texas, IT.** (Rasco/Rule)

Workshop Opened at 3:04P.

Training with Casey:

- i. Portal.Office.com – online access to Microsoft Office 365 package;
- ii. Document Storage: All documents should be stored in the portal and NOT on alternate storage devices or personal laptop/tablet devices;
- iii. Document Storage: One Drive is an online personal drive; and
- iv. Access to SharePoint – Council access to City's document folders.

Workshop Closed at 4:04P

2. Workshop To Discuss Items Submitted.

Workshop Opened at 4:05P.

- a. Discussion of Community Block Grant Description, Uses and Applicability For the City of Woodcreek. (Bailey)

Council Member Grummert explained that GrantWorks does all of the work associated with this Grant.

- b. Discussion of Possible Woodcreek Earth Day Celebration on April 22, 2023, in Coordination with Aqua Texas. (Rasco)

Discussion of the different volunteer groups that have coordinated events around the City. i.e. Cypress Point POA will clean up the dam area; Parks Board will clean up Augusta Park; Tree Board will be at the Triangle with the Naturalist Gardeners; Aqua Texas will present the water fountain donation; City Manager Rule will grill hot dogs for volunteers/residents to eat at the conclusion of the day.

- c. Discuss Results of the City Council's Ranking of the Pending City Business Document.

Ranking of Staff Items in Order of Importance (highest to lowest), based on a survey of Council Members:

- i. Social Media Account Creation – FaceBook and NextDoor;
- ii. Installation of 5 Permanent Solar Powered Radar Signs;
- iii. Posting of Dark Skies, Safe Driving and Neighborhood Signs [on posts];
- iv. [Installation of] Stop Signs and Brookhollow and Augusta to create 3-way stop;
- v. Consider all vendor contracts and go to RFQ;
- vi. Update Lot Line and Zoning Map/Get cost approved by Council first;
- vii. NEW Year-Round Tree Signs;
- viii. Staff Communication Policy;
- ix. Post Arborist RFP;
- x. Annual City-Wide Garage Sale;
- xi. Consider a City Inspector and Code Enforcement Officer;
- xii. Procedures and Policy Binder Update and Post Docs Online;
- xiii. Sign and Garage Sale Sign Permit Updates; and
- xiv. Long-Term Parking Permit.

NOTE for items iii and iv.:

City Manager will make a list of signs in the shed (inventory) and work with Council Members. If the signs are city business, there is no need to go through Council.

- d. Report on Pending Business. (Hines) – Item was not discussed.

- e. Discussion On The Alteration of Draft Documents Between Meetings Outside of Items Voted Into Approval. (Hines)

Working documents presented in meetings need a revision date and change tracking. Document changes voted on by Advisory Committees, edited/added by Staff will be presented in the applicable Advisory Committee packets for final approval.

- f. Discussion On the Review of Agenda Items and Proposed Ordinances or Other Documents By Legal Counsel and Staff Prior to Council Meetings. (Hines)

Staff will create a template form for "Recommendations to Council" for use by Advisory Committees and Commissions, to be completed by Chair of the Advisory Committee, and sent to City Staff for inclusion in packets.

- g. Discuss and Take Action On The Communication Policy Document, if Prepared. (Hines)

Member Hines questioned when/why Legal Counsel reviews agenda and packets.

Rasco: Agenda Item content submitted by Council need to be finalized in Form Submission by due date, and not changed after due date.

Rule: Dual review is being done on agendas, but there are software issues that provider cannot explain.

Discussion of Ordinance changes for 154, 155, etc.

[Workflow is: Write ordinance(s), send to Kevin, legal review, PZ (when applicable), then Council]

Member Pulley left the workshop at 5:30P.

Workshop Closed at 6:09P.

3. **Discuss and Take Possible Action on Items Discussed During Workshop Session.**

Motion was made by Member Hines that the City of Woodcreek celebrate Earth Day on April 22, 2023. Motion was seconded by Member Grummert.

A roll call vote was held.

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

Motion Passed: 4-0-0.

4. **Discuss and Take Appropriate Action Authorizing the City Manager to Enter Into A Municipal Advisory Services Agreement With Stifel, Nicolaus & Company.** (Rule)

HillTop Securities resigned as the Financial Advisor for the City of Woodcreek.

Motion was made by Member Hines to accept the agreement with Stifel, Nicolaus & Company and enter into a municipal service contract with them. Motion was seconded by Member Hambrick.

A roll call vote was held.

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

Motion Passed: 4-0-0.

ANNOUNCEMENTS - None

ADJOURN

Mayor Rasco Adjourned the Workshop at 6:14P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

DRAFT

CITY COUNCIL MEETING (CYJ)
April 12, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

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

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

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

STAFF PRESENT

City Attorney, Roger Gordon (via phone)
City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

Public Comments were offered.

CONSENT CALENDAR

1. **Approval of Regular City Council Meeting Minutes, February 8, 2023.**
2. **Approval of City Council Workshop Minutes, February 21, 2023.**
3. **Approval of Regular City Council Meeting Minutes, March 8, 2023.**

Motion was made by Member Hines to accept the minutes listed in the Consent Agenda.
Motion was seconded by Member Hambrick.

A roll call vote was held.

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

Motion Passed: 5-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Ordinance Review Committee Liaison.

Committee is working on Health and Sanitation; agenda item regarding direction is covered later.

Report by Parks and Recreation Board Liaison.

Next meeting is April 19. Earth Day Clean-Up will be done by Board and Volunteers at Augusta Park at 8A.

Report by Planning and Zoning Commission Liaison.

Chair Davenport will provide the Commission's Recommendation on Short Term Rentals.

Report by Platinum Roads Panel Liaison.

No useable bids were received for the Chip Seal Project. Lighter traffic streets will be included in the 2023 Woodcreek Roads Project RFP. Goal is to have a 20 year road, including a maintenance package.

The next meeting is April 13, a workshop with K.Friese; RFP is due on May 19

Report by Tree Board Liaison.

Board plans to participate in the Earth Day at the Triangle on April 22nd 9A-1P.

Tree Survey will be updated after the City Arborist has been hired.

Board will coordinate a walking event with Karl Flocke.

Members agree internally that after a member misses 3 meetings, their position is vacated. They have asked Council to review the Ordinance for Board creation.

Report by City Manager.

Roger Gordon is watching from home.

Earth Day information will be posted on City Website and in email blast.

Next Meeting is a Workshop on April 18th.

Thank you to the residents for attending the March 25th Emergency Preparedness Event.

The City Arborist RFP will be posted by next week.

Report by City Secretary. – No report provided.

4. *Report by H.O.T. Committee Liaison.*

City Manager Rule relayed that the recommendation of the committee was to leave the Hotel Occupancy Tax Rate at 0%. The committee voted to stay together and reassemble in one year.

SPECIAL ORDERS - None

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

City Manager Rule suggested that Item 14 be the next item to be address. Mayor Rasco agreed and reminded everyone about the speaking guidelines in Robert's Rules of Order.

14. Discuss and Take Appropriate Action on Removing the Prohibition of Above Ground Swimming Pools for the City of Woodcreek. (Grummert / Hines)

Motion was made by Member Hines to recommend to Council to accept the proposed changes to the Code of Ordinance by striking section 156.08 as it stands and incorporating the new proposed ordinance regulations. These would be sent to the Ad Hoc Workgroup for incorporation in the updated 156. (28:18) Motion was seconded by Member Grummert.

Public Comments was offered.

Reminder by Staff that Council has already accepted the 2015 International Swimming Pool and Spa Code for guidelines on in-ground and above-ground pool installation, chapters 7 and 8, respectively.

Member Hines' suggestions to change on the Above Ground Pool Permit:

- City Permit would be good for two years, with renewal and inspection every 2 years;
- Still subject to 100% Impervious Cover;
- Follow water use guidelines;
- Acknowledgement of acceptance 2015 International Swimming Pool and Spa Code;
- Safety equipment installation required;
- Fill up pool from water source outside of the City of Woodcreek;
- Decking and privacy screening encouraged;
- Inspections required for decking installation;
- Property value appraisal should not be affected – it would be considered to be like a playscape

Additional discussion on Above Ground Pools included responsibility of inspections, possibly establishing a resolution to establish a moratorium pending passage of ordinance.

Per the City Attorney, there is no such thing as a reverse moratorium, but the City has its own discretion. But could be fast-tracked if requested.

Staff provided dates for Planning and Zoning Meeting and incorporated dates for required publication and resident notification of a Public Hearing.

Amended motion was made by Member Hines to strike the Ad Hoc Workgroup, add Planning and Zoning, and ask Staff to discontinue prohibition of above ground pools. (48:10)

City Attorney stated that Council cannot direct Staff to not enforce an Ordinance.

Member Hines revised her Amended Motion to strike the Ad Hoc Workgroup, add Planning and Zoning instead. (50:07)

Member Grummert wanted to add an amendment to hold a Public Hearing. (50:17) City Manager Rule stated that a motion was not necessary to direct Staff to hold a Public Hearing and that Planning and Zoning is not required to use the language sent by Council.

The City Attorney and Staff reminded Council that the City is bound by state laws i.e. the Texas Administrative Code 265 and accepted 2015 International Swimming Pool and Spa Code. City Manager Rule stated that an Ordinance will be created with Member Hines' recommendations and sent to Planning and Zoning for consideration.

Additional discussion about water usage and best use of water resources.

Member Grummert stated that an item on the permit could be added asking where the water for the pool came from.

A roll call vote was called on the Amended Motion, without a second.

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

Motion Passed: 4-0-1.

A roll call vote was called on the Main Motion.

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

Motion Passed: 4-0-1.

5. **Presentation and Discussion on Plan of Finance by Stifel, with Guest Speaker Brad Angst.** (Rule) Presentation Time (1:00:31 – 1:43:46)
6. **Report from Planning and Zoning Chair Andy Davenport.** (Grummert) Presentation Time (1:44 – 2:17:18)

BREAK at 8:46P-8:57P

7. **Discuss and Take Possible Action Regarding Presentation on 2023 Winter Event and Future City Emergency Preparedness Suggestions.** (Rule) Presentation Time (2:28:30 – 2:44:46)

Recommendations include:

a. Emergency Operations Plan; b. Web Redesign with a phone app; c. Establish Neighbor 2 Neighbor Network; d. Establish Emergency Communication between City and Community Partners (Camp Young Judaea and Double J Ranch Golf Club) – These partners have large facilities that can offer food and shelter in a catastrophe; e. Establish a network of Emergency Responders in the City who have pick-up trucks for clean-up and delivery who would be provided training; f. Emergency Preparedness Fair suggests 3-day readiness for City Hall; g. Generator for City Hall; and h. Purchase of a City Vehicle, including a trailer.

Council Member Grummert requested an itemized cost of expenses for the 2023 Winter Event.

8. Executive Session Under Government Code 551.072, Deliberation Regarding Real Property.

Executive Session Opened at 9:25P ; Executive Session Closed at 9:54P

No action was taken.

9. Discussion on "La Rocca" with Possible Action to Follow. (Hines)

Motion was made by Member Hines to authorize Mayor Rasco, Staff and the City Attorney, Roger Gordon to enter into negotiations for real property with the Golf Course owner, Joe Gambino, of Double J Ranch. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-1.

10. Discuss and Take Appropriate Action on the Creation of a Storm Response Relief Program for Citizens. (Rule)

Summary provided by City Manager Rule that Staff was directed to use the Assistance@WoodcreekTX.gov address to reach out to the citizens of Woodcreek for feedback in creating a Disaster Financial Relief Program. Complete email sent to residents is available [HERE](#).

(<https://www.woodcreektx.gov/community/page/opinions-requested-new-assistance-program>)

Public Comment was read by Mayor Rasco.

Motion was made by Member Hines to direct Staff to send an email making a direct call to those residents who are in need of additional assistance. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

Voting Yea: Member Hines, Member Grummert

Motion Failed: 2-3-0.

11. Discuss and Take Appropriate Action on the City of Woodcreek's Emergency Management. (Grummert)

Motion was made by Member Grummert that Council create an Emergency Management Plan, distribute to appropriate officials, including Council, and do community outreach regarding hurricane preparedness between May 25th - May 31st, annually. Motion was seconded by Member Hines.

Mayor Rasco stated that City Manager Rule has a document in the works that he can adapt.

A roll call vote was called on the motion.

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

Motion Passed: 5-0-0.

12. Approval of Financial Statements for February 2023. (Rule)

City Manager Rule provided an explanation of the documents in the packet and with the recommendation of Mayor Rasco, will include a graph of the Sales Tax.

Discussion of Item 8900.30 (pg 163) and pg 161 (Comprehensive Plan); Transfer to Capital pg 158; the movement of the \$25,000 for the Community Development Block Grant; and the re-investment of unused funds.

City Manager Rule stated that he is working to get items coded correctly before several budget amendments will be completed.

Motion was made by Member Hines to approve the financials. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 5-0-0.

13. Discuss and Take Possible Action Regarding the Update of City Applications and Forms. (Rule)

City Manager Rule explained that this document was created by him and Interim City Attorney, Roger Gordon. It is an acknowledgement by people who are building that they have read and understand our Codes. It provides an opportunity to ask questions or ask for a Variance, if needed.

Discussion was held to revise the text "West Lake Hills" on page 184 and bold the definitions of letters A, B, C under the Instruction section on page 182.

A motion was made by Member Hines to approve this form. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-1.

Mayor Pro Tem Pulley left the meeting at 10:37P

15. Discuss and Take Possible Action on Providing New Direction to the Ordinance Review Committee. (Hines)

Member Hines asked that this item be moved to the Workshop (April 18th)

16. Discuss and Provide Direction to the Ad Hoc Work Group for Chapters 154+ and Designate Where the Committee Shall Send the First Packet of Completed Work. (Hines)

Member Hines asked that this item be moved to the Workshop (April 18th)

17. Discuss and Take Action on the 2023 Citizen Survey Results. (Hines)

Motion was made by Member Hines to approve and accept the Citizen Survey Results for Item 17. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-0.

18. Discuss and Take Action Providing Direction on the new Tree Trimming Application to Address Concerns Over Additional Requirements. (Hines)

Motion was made by Member Hines to discuss changes to the Tree Trimming Application procedure. Motion was seconded by Member Grummert.

Interim City Attorney Roger Gordon offered the information that a pre-emption bill (HB2127) may do away with tree regulations, if adopted as currently written.

City Manager Rule stated that the application was created according to Code, but agreed to change the word "branch" to "trunk". It was decided that this is a Staff document.

No action was taken.

19. Discuss and Take Appropriate Action to Accept an Edit the Oak Wilt Assistance Application. (Hines)

Motion was made by Member Hines to change the word "Available" to "Budgeted" on page 2 of the Oak Wilt Application. Motion was seconded by Member Grummert.

A roll call vote was called on the motion.

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

Motion Passed: 4-0-0.

20. Discuss and Take Appropriate Action to Amend The City of Woodcreek Code of Ordinances at Title VII ("TRAFFIC CODE"), Chapter 70 ("TRAFFIC SCHEDULES"), Schedule II ("STOP AND YIELD INTERSECTIONS"). (Hines)

Motion was made by Member Hines to add the amendment of staggered stop signs, per the amendments on pages 278 and 279 in the packet. Motion was seconded by Member Grummert.

Member Bailey asked that this item be moved to Workshop (April 18th) to have a thorough discussion.

A roll call vote was called on the motion.

Voting Yea: Member Grummert, Member Hines

Motion Passed: 2-2-0. Tie was broken by Mayor Rasco who voted in favor of the amendment.

ANNOUNCEMENTS - None

ADJOURN

Mayor Rasco Adjourned the Meeting at 11:17P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

CITY COUNCIL WORKSHOP (CITY HALL)
April 18, 2023; 3:00 PM
Woodcreek, Texas

MINUTES

CALL WORKSHOP TO ORDER

Mayor Pro Tem Pulley Called the Workshop to Order at 3:11P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Pro Tem Brent H. Pulley
Councilmember Linnea R. Bailey
Councilmember Chrys Grummert
Councilmember Debra Hines

ABSENT

Mayor Jeff Rasco
Councilmember Bob Hambrick

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne MacKenzie

PUBLIC COMMENTS

Public Comment was offered on Agenda Item #5.

Mayor Pro Tem Pulley moved Item #5 to be the first item discussed on the agenda.

UNFINISHED BUSINESS

1. **Discuss and Take Possible Action on Providing New Direction to the Ordinance Review Committee.** (Hines)

Motion was made by Member Hines that Council provide new direction to the Ordinance Review Committee, specifying animal control and fireworks. Motion was seconded by Member Grummert.

A roll call vote was taken.

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

Motion passed:4-0-0

2. **Discuss and Provide Direction to the Ad Hoc Work Group for Chapters 154+ and Designate Where the Committee Shall Send the First Packet of Completed Work.** *(Hines)*

Motion was made by Member Hines that Council provide specific action for the Ad Hoc Workgroup to take regarding first draft of the packet of information that they have prepared. Member Grummert seconded the motion.

An amended motion was made by Member Grummert that the Ad Hoc Workgroup send the documents directly to Planning and Zoning for their review and recommendation and Public Hearing and from there to legal review and then to Council.

A roll call vote was taken on the amended motion.

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

Motion passed:4-0-0

A roll call vote was taken on the Main Motion.

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

Motion passed:4-0-0

NEW BUSINESS

3. **Review Neighbor-to-Neighbor and Neighborhood Watch initiatives.** *(Rasco)*

Recess was called at 4:03P.

Council readjourned at 4:09P.

Motion was made by Member Grummert to take the next steps to establishing the Neighbor-to-Neighbor Program. Motion was seconded by Member Hines.

A roll call vote was taken.

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

Motion passed:4-0-0

4. **Discuss and Take Appropriate Action on Citizen Mobility in the City of Woodcreek.** *(Grummert)*

Motion was made by Member Hines that Council should take steps to establish ADA compliant walking trail along Woodcreek Drive and BrookHollow, with the first of those being committing funds in the next budget planning session for engineering and land surveying costs to plan a route in the Right-of-Way easement. Motion was seconded by Member Grummert.

Discussion was held regarding the location of the trails, to possibly not include BrookHollow Drive.

Motion was withdrawn at 4:47P.

Motion was made by Mayor Pro Tem Pulley that Council explore the grant process with GrantWorks and any other appropriate party and come back to Council to discuss with specifics for moving forward.

A roll call vote was taken.

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

Motion passed:4-0-0

5. Discussion and Possible Action on the Creation of a Community Garden and Dog Park in the City of Woodcreek and Set Locations for the Community Engagement Additions to Real Property. (Grummert / Hines)

Motion was made by Member Hines to approve the creation of a Community Garden, here at City Hall. Motion was seconded by Member Grummert.

Discussion was held that no City resources would be used for the Community Garden. Funds would be raised for the use of the raised boxes to reimburse the City for water usage. Donated project materials have been obtained and the coordinators are speaking to organizations whose members need to log volunteer hours.

The temporary Community Garden will be located inside the fenced area at City Hall, behind the storage shed. All of the City's equipment, currently stored in the fenced area, will be moved into the parking lot.

Member Hines will speak to Aqua about the installation of a tap at the final community garden which will be located under the water tower.

Motion was made by Member Hines that Council create a Dog Park on the South side of the entrance of RR12 and Woodcreek Drive, using the parking space that is already there.

Motion was withdrawn at 3:43P.

Motion was made by Member Hines to direct the Parks Board to look at viable options for creating a Dog Park. Motion was seconded by Member Bailey.

A roll call vote was taken.

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

Motion passed:4-0-0

6. Discuss and Take Possible Action to Approve the K.Friese Work Authorization for the 2023 Woodcreek Roads Project. (Rule)

Motion was made by Member Grummert to approve the K.Friese Work Authorization for the 2023 Woodcreek Roads Project. Motion was seconded by Member Bailey.

A roll call vote was taken.

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

Motion passed:4-0-0

7. **Discuss and Take Possible Action on a Report from the Ordinance Review Committee's Review of Chapter 95- SANITATION and Sections of Chapter 156 - ZONING**

Motion was made by Member Hines to accept their report. Motion was seconded by Member Grummert.

An Amended Motion was made by Member Grummert to send both of these documents to the Ad Hoc Committee. Motion was seconded by Member Hines.

A roll call vote was taken on the Amended Motion.

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

Motion passed:4-0-0

A roll call vote was taken on the Main Motion.

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

Motion passed:4-0-0

ADJOURN

Mayor Pro Tem Pulley Adjourned the Workshop at 5:00P.

Brent Pulley, Mayor Pro Tem

Suzanne Mac Kenzie, City Secretary

SPECIAL CITY COUNCIL MEETING (CITY HALL)
May 24, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Meeting to Order at 6:35P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Mayor Pro Tem Brent Pulley
Council Member Linnea Bailey
Council Member Chris Grummert
Council Member Bob Hambrick
Council Member Debra Hines

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

Public Comments were read from emails and offered in person.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

A report on Above Ground Pools will come to Council soon. There is a question on water source. Public Hearing is set for June 7, 2023.

Report by Ordinance Review Committee Liaison.

Committee has reviewed Fireworks and Open Burning (Chapters 93 and 94). They are seeking input from Council.

Report by Parks and Recreation Board Liaison.

Board is collecting bids for play equipment and parks.

Report by Platinum Roads Panel Liaison.

Panel has received the bid package, but it arrived later than the due date. All members will review the package and send revisions or questions to the City Manager to forward to K.Friese. June 15th it should go out for bid. The next meeting is June 1st to review the final version, of the RFP. The project timeline works as the best months to repair road is September through November due to lower rain chances.

Report by Tree Board Liaison.

Arbor Day Event will be on November 4th, 10a-2p, maybe at CYJ. Board is hoping to have Karl Flocke do a walking tour.

Earth Day had a lot of activity at the Triangle.

Report by City Manager.

The City has hired a new employee, Taffy Barker, to replace Maureen Mele. Upcoming items include: STR permit will be presented in the Council Workshop on May 30th; Taffy's duties; pending City Business; Budget priorities for next year; Motions for Items 3 and 4 have been provided as a handout; Community Development Block Grant has been submitted and we expect to hear back in November or December.

Report by City Secretary. - No report was offered.

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

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

SPECIAL ORDERS**1. Approval of Financial Statements for March 2023. (Rule)**

Motion was made by Member Hines to approve for discussion. Motion was seconded by Member Grummert.

Discussion was held that the City Manager will provide labels with a graph for the next report; Page 11 is the cost associated with the 2023 Winter Event Storm Clean-Up whose monies were taken from Reserve Funds; The City expects to hear from FEMA regarding reimbursement of some of the costs of clean-up by end of month July; City Manager Rule explained when questioned that the City does not have enough money to operate a television channel (peg channel).

A roll call vote was held.

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

Motion Passed: 5-0-0.

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

2. **Presentation and Discussion on Plan of Finance by Stifel, with Guest Speaker Brad Angst. (Rule)**

3. **Consider and Possible Action to Adopt A Resolution Authorizing Various Actions to Prepare For The Issuance of the City of Woodcreek, Texas General Obligation Bonds, Series 2023; and Containing Other Matters Related Thereto. (Rule)**

Motion was made by Member Hines that the City Council adopt the resolution authorizing various actions to prepare for the issuance of the City of Woodcreek, Texas General Obligation Bonds, Series 2023, which is before the Council. Motion was seconded by Member Grummert.

A roll call vote was held.

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

Motion Passed: 5-0-0.

4. **Consider Adoption of A Resolution Authorizing and Providing For the Defeasance and Redemption of the Outstanding City of Woodcreek, Texas Tax Notes, Series 2017; Directing the Redemption of Such Notes; and Containing Other Matters Related Thereto. (Rule)**

Motion was made by Member Hines that City Council adopt the resolution of the City Council of the City of Woodcreek, Texas authorizing and providing for the defeasance and redemption of the outstanding City of Woodcreek, Texas Tax Notes, Series 2017: directing the redemption of such notes, which is before the Council. Motion was seconded by Member Hambrick.

A roll call vote was held.

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

Motion Passed: 5-0-0.

5. **Discuss and Take Appropriate Action on Setting a Public Hearing in June, 2023.**
(Grummert)

Motion was made by Member Grummert to set a Public Hearing date to discuss Above Ground Pools on or before June 14, 2023. Motion was seconded by Member Hines.

A roll call vote was held.

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

Motion Passed: 5-0-0.

BREAK from 8:12P – 8:25P

6. **Discuss and Take Action on A Resolution to Create A Calendar Designating Specific Weeks for the Authorized Timely Submission of Certain Applications Related to Land Development and Construction.** (Hines)

Motion was made by Member Hines to approve the resolution to create a calendar designating specific weeks for the authorized timely submission of certain applications related to land development and construction. Motion was seconded by Mayor Pro Tem Pulley.

Discussion was held on Section 1 – add “administratively complete letter” verbiage; Section 3 – add “existing.”

Amended motion was made by Member Hines to accept the minor language changes as proposed for sections one and three. Motion was seconded by Member Grummert.

A roll call vote was held on the Amended Motion.

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

Motion Passed: 5-0-0.

A roll call vote was held on the Main Motion.

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

Motion Passed: 5-0-0.

7. **Discuss and Take Appropriate Action on the City of Woodcreek's Emergency Management Plan.** (Rule)

Discussion of edits to the document: pg. 55 – median vs. average; pg. 66 capitalize “Outside” in 5th paragraph; pg. 66 #2 – campuses; pg. 66 emergency shelter is CYJ; pg. 75, strike “E”; pg. 85, 1106 Clayton Lan, Austin, TX. 78723; pg. 86 – Change TDS to Waste Connections; pg. 86 – “WIS” to “WISD”.

Motion was made by Member Grummert to accept the City of Woodcreek's Emergency Management Plan with edits. Motion was seconded by Member Hines.

A roll call vote was held.

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

Motion Passed: 5-0-0.

8. **Discuss and Take Appropriate Action To Update Council's Preferred Communication Policies and Procedures With City Staff, Officers and Consultants.** *(Rule)*

Motion was made by Member Hambrick to approve the Communications Ordinance. Motion was seconded by Mayor Pro Tem Pulley.

Discussion was held on 411 Policies for the Council Liaisons and the Governing Bodies and templates of reports for Council.

Motion was withdrawn at 9:18P.

9. **Discussion and Possible Action on Traffic, Traffic Enforcement, and Possible Additional Measures.** *(Pulley)*

Motion was made by Mayor Pro Tem Pulley to direct Staff to discuss with the City Engineer to do a traffic study and traffic calming measures. Motion was seconded by Member Grummert.

A roll call vote was held.

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

Motion Passed: 5-0-0.

10. **Executive Session for Discussion of Personnel Matters, Under LGC 551.074.** *(Rasco)*

Executive Session Opened at 10:15P.

Executive Session Closed at 10:37P.

No action was taken during Executive Session.

Motion was made by Member Hines to accept the results of the review of performance for City Manager, Kevin Rule, and award a 6% increase in salary. Motion was seconded by Mayor Pro Tem Pulley.

A roll call vote was held.

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

Motion Passed: 5-0-0.

ANNOUNCEMENTS – None

ADJOURN

Mayor Rasco Adjourned the Meeting at 10:17P

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

DRAFT

CITY COUNCIL WORKSHOP (CITY HALL)
May 30, 2023; 3:00 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Rasco Called the Workshop to Order at 3:00P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

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

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

Public Comments were offered.

NEW BUSINESS

1. **Workshop for Discussion.**

Mayor Rasco explained to the audience that the Workshop is an atmosphere in which Council can discuss items less formally.

Workshop Opened at 3:47P.

Mayor Rasco pulled the Short-Term Rental item to the beginning of the Workshop.

g. **Discussion of Short-Term Rental Permit. (Rule)**

City Manager Rule explained that Interim City Attorney Roger Gordon would provide a legislative update at the next regular meeting. He also explained that the Ordinance, once reviewed and passed, was to be issued in conjunction with the permit on the agenda.

Discussion included the definition of daytime visitors versus overnight visitors, a clearer definition of bedrooms and the number of people who were permitted to stay overnight; Rules of the House and contact numbers of the owners would be required to be posted,

along with the Short-Term Rental Permit, which would be revokable, if necessary. Additional discussion was for the previous items and the following to be available in a binder: Proof of Insurance, Certificate of Inspection, Noise Ordinance, Parking Maximums. Additional items included: No home businesses, 20 guest maximum, no one under 18 without an adult on-site, property cleanliness, disorderly conduct rules, and a permit fee.

Break 4:58P-5:09P

a. **Discussion Regarding Prohibition of Texting While Driving Within the City of Woodcreek.** *(Pulley)*

Discussion of signage that Texas is a “hands free” state. City Manager Rule will research and bring back findings. There would also need to be follow-up with Hays County to see if they would enforce this Ordinance or Proclamation, if passed.

b. **Discussion of Pending City Business.** *(Rule)*

Discussion of ranking the items on the Pending City Business List, based of another Council survey, and a status reporting on a quarterly basis.

c. **Discussion of Communications Policy.** *(Rule)*

Discussion that this item is still in the works.

d. **Discussion of 2023 Woodcreek Roads Project RFP.** *(Rasco)* – Item Pulled.

e. **Discussion of Contract For Part-Time Code Administrator.** *(Rule)*

City Manager Rule is working on the description for the Part-Time Code Administrator and will present it soon.

f. **Discussion of FY 2023-2024 City Budget.** *(Rule)*

Budget Workshop will be held on June 20, 2023.

h. **Discussion of Creating Next Steps For Preparation To Apply For Grants Regarding Pedestrian Mobility In The City of Woodcreek.** *(Grummert)* – Item Pulled.

Council Member Hambrick and Mayor Pro Tem Pulley left the Workshop at 6:00P.

Workshop Closed at

2. **Take Possible Action On Items Discussed In Workshop Session.**

No action was taken because there was not a super majority quorum of 4 out 5 votes available.

ANNOUNCEMENTS – Announcement to Committee Chairs for budget requests.

ADJOURN

Mayor Rasco Adjourned the Workshop at 6:55P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

DRAFT

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Report on the Completion of the 2022 City Beautification Project - Par View

AGENDA ITEM SUMMARY:

Provide a summary with visuals of the new "pocket park" greenspace improvements.

FINANCIAL IMPACT:

Under the budgeted \$5000

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

Report From City Body Liaison or Staff

COMPLETION DATE:

6/15/2023 12:49:56 PM

2022 City of Woodcreek Beautification Project

Par View Recap

Last year we started our first annual beautification project. Par View was selected. We conducted a citizen survey to identify wants/needs and held some neighborhood discussions for this cul-de-sac. A plan was formed and a budget was set.

We have a couple finishing touches, but here is what we have accomplished:

- Root crown excavation on all trees with mulch and compost (donated by Simple Leaf Tree Care)
- Attempted transplant of a tree what was too close to another and not thriving (it suffered in the ice storm and was lost)
- A NEW Red Bud was planted
- A picnic table was placed (donated by Camp Young Judaea)
- A little library was installed (donated by Hill Country Spirits)
- A parking space was installed
- And rocks were placed to prevent illegal parking in this island to protect the trees from root compaction (donated by Simple Leaf Tree Care)

Last steps:

- Order and install the parking sign
- Place limestone edging around the parking space to help protect against erosion over time

Total of all work came in under budget from the \$5000 allocated by Council.





Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Approval of Financial Statements for April 2023.

AGENDA ITEM SUMMARY:

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/8/2023 2:06:38 PM

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

				4/30/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
Ad Valorem Taxes					
Current	334,890	354,040	360,000	343,822	95.51%
Delinquent	2,345	3,439	4,500	1,599	35.52%
Penalty and Interest	-	-	-	-	
Total Ad Valorem Taxes	337,235	357,479	364,500	345,421	94.77%
Sales Taxes					
Sales Tax	94,412	88,478	80,000	59,420	74.28%
Mixed Beverage Tax	1,511	1,393	1,200	664	55.32%
Total Sales Taxes	95,923	89,871	81,200	60,084	74.00%
Franchise Fees					
Electric Franchise Fees	31,404	31,877	31,000	28,516	91.99%
Cable Franchise Fees	33,260	34,779	30,000	8,517	28.39%
Water Franchise Fees	99,351	100,581	90,000	94,817	105.35%
Solid Waste Franchise Fees	22,004	25,418	24,000	14,421	60.09%
Telephone Franchise Fees	186	157	160	71	44.44%
Golf Course Franchise Fees	500	500	500	-	0.00%
Total Franchise Fees	186,706	193,311	175,660	146,341	83.31%
Reimbursements					
Engineering	11,285	2,061	8,000	-	0.00%
Legal	-	-	2,500	-	0.00%
Admin	-	-	-	-	0.00%
Total Reimbursements	11,285	2,061	10,500	-	0.00%
Development Revenue					
New Home Permits - Residential	23,000	7,000	6,000	1,000	16.67%
Other Permit - Residential	14,129	8,198	7,000	3,293	47.04%
Inspections -Residential	22,214	8,299	7,000	6,432	91.89%
Commercial	3,250	3,234	500	-	0.00%
Subdivisions/Plats/Replats	13,750	-	5,000	25,962	519.24%
Total Development Revenue	76,343	26,731	25,500	36,687	143.87%
Permits					
Liquor License	1,310	1,388	1,250	-	0.00%
Sign Permits	320	625	350	155	44.29%
Other Permits	-	-	-	1,615	0.00%
Total Permit Fees	1,630	2,013	1,600	1,770	110.63%

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

				4/30/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
Other					
Interest Income	1,259	9,339	2,500	35,901	1436.05%
Miscellaneous	9,581	12,369	10,000	5,368	53.68%
Municipal Court Revenue	2,293	901	1,500	-	0.00%
TDEM DR - 4485	12,883	-	-	-	0.00%
Donations	5,000	-	-	-	0.00%
Uncategorized Revenue				13,764	0.00%
Total Other	31,016	22,608	14,000	55,032	393.09%
TOTAL REVENUES	\$ 740,138	\$ 694,074	\$ 672,960	\$ 645,335	95.90%

**GENERAL FUND
EXPENSES**

				4/30/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
PERSONNEL SERVICES					
Salaries	184,271	196,403	170,000	81,746	48.09%
Overtime	-	-	-	7,686	0.00%
Group Insurance	8,615	6,958	6,000	3,128	52.14%
Retirement Plan	19,409	21,562	18,100	9,560	52.82%
Worker Compensation		539	-	-	0.00%
Unemployment Insurance	601	918	1,100	29	2.60%
Social Security	14,885	14,591	13,400	7,260	54.18%
Car Allowance	6,000	4,650	-	2,346	0.00%
Total Personnel Services	233,781	245,621	208,600	111,755	53.57%
OFFICE EXPENSES					
City Hall Maintenance/Repair	4,040	2,545	2,000	2,618	130.89%
Cleaning	1,500	1,575	1,800	1,148	63.77%
IT Expenses	10,668	10,421	10,000	2,273	22.73%
Office Supplies	3,561	6,154	4,500	3,344	74.31%
Office Equipment	-	-	-	559	0.00%
Postage	2,025	2,312	3,000	2,517	83.89%
Printing	4,183	4,091	4,500	1,028	22.85%
Advertising	1,560	396	1,500	117	7.82%
Software/Subscriptions	12,861	9,370	12,000	16,094	134.12%
Total Supplies	40,399	36,865	39,300	29,698	75.57%
PROFESSIONAL SERVICES					
Audit Expense	9,896	11,990	12,000	-	0.00%
Codification	3,239	2,831	2,750	-	0.00%
Contract Labor	6,105	-	-	3,319	0.00%
Engineering	12,611	11,967	20,000	11,550	57.75%
Engineering Mapping	-	-	3,000	-	0.00%
Engineering Reimbursable	5,946	9,905	8,000	3,138	39.22%
Legal - General	23,985	26,370	20,000	15,395	76.97%
Legal - Reimbursable	2,980	3,380	2,500	2,500	100.00%
Legal - Litigation	46,368	7,520	5,000	-	0.00%
Legal - Special Cases	7,778	38,288	30,000	3,295	10.98%
Legal - Elected Body	-	10,270	5,000	1,875	37.50%
IT Services	13,804	13,262	15,500	2,521	16.27%
Accounting	13,383	16,160	25,000	14,193	56.77%
Law Enforcement	15,913	16,809	12,500	5,938	47.50%
AD Valorem Tax	3,824	4,100	4,407	1,864	42.30%
Building Inspections	27,114	11,110	7,000	1,815	25.93%
Code Compliance	-	774	500	-	0.00%
Total Contractual Services	192,947	184,736	173,157	67,402	38.93%

**GENERAL FUND
EXPENSES**

				4/30/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
AREA CARE & MAINTENANCE					
Deer Removal	825	1,650	1,750	975	55.71%
Mowing	575	2,625	2,750	3,175	115.45%
Oak Wilt Containment	-	3,085	15,000	-	0.00%
Greenspace Maintenance	3,342	-	6,000	2,391	39.84%
Landscape Maintenance	6,000	9,170	9,000	2,375	26.39%
Contract Services	703	-	-	470	0.00%
Parks & Playground Maintenance	-	-	13,453	-	0.00%
ROW Tree Trimming	15,150	945	11,000	-	0.00%
Holiday Decorations	1,693	262	500	650	130.00%
Street Maintenance	10,791	16,361	30,000	4,283	14.28%
Street Signs	1,726	5,496	6,000	119	1.98%
Equipment Maintenance	196	2,373	2,000	362	18.08%
Water Quality Testing - CCWPP	1,344	620	1,000	1,093	109.30%
Total Area Care/Maintenance	42,344	42,587	98,453	15,892	16.14%
OTHER OPERATING EXPENSES					
Dues/Memeberships	2,436	2,411	1,750	415	23.74%
Election Expense	2,124	1,065	2,750	-	0.00%
TML Dues	591	591	600	632	105.33%
Meeting Expense	4,458	6,768	3,000	907	30.24%
Public Notices	1,690	1,195	1,200	4,747	395.58%
Travel/Vehicle Expense	1,253	4,743	2,000	102	5.12%
Elected Official Travel	-	667	500	-	0.00%
Training/Development - Elected Body	3,915	1,795	2,500	1,421	56.82%
Training/Development - Staff	3,272	2,729	4,000	1,308	32.69%
Training/Development - Boards	-	-	-	133	0.00%
Community Relations	3,204	4,846	7,000	2,325	33.21%
Insurance Risk Pool	3,413	4,053	3,500	5,093	145.52%
Total Other Operating Expenses	26,356	30,864	28,800	17,083	59.31%
UTILITY EXPENSES					
Electric - City Hall	1,809	1,972	2,100	677	32.23%
Water - City Hall	1,431	1,427	1,500	859	57.28%
Electric - Outdoor	1,281	1,318	1,350	589	43.60%
Water - Outdoor	1,620	1,615	1,600	913	57.07%
Internet/Phone	4,753	5,312	4,500	2,689	59.75%
Total Utility Expenses	10,895	11,644	11,050	5,727	51.82%

**GENERAL FUND
EXPENSES**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	4/30/2022	
				YTD 2022-2023	% of BUDGET
MUNICIPAL COURT					
Judge	3,600	-	4,800	-	0.00%
Misc. Court Cost	150	-	150	100	66.67%
Prosecutor	880	-	1,500	-	0.00%
State Comptroller Costs	481	-	300	-	0.00%
Total Utility Expenses	5,111	-	6,750	100	1.48%
OTHER					
Contingency Reserve	-	-	50,000	-	0.00%
2023 Ice Storm	-	-	-	232,340	
Comprehensive Plan	50,200	20,740	-	31,252	0.00%
Bond Issuance	-	-	-	-	0.00%
Woodcreek Dr Street Project	97,449	387,916	-	-	
Other Expenses	147,649	408,656	50,000	263,592	527.18%
TOTAL EXPENSES	\$ 699,481	\$ 960,972	\$ 616,110	\$ 511,247	82.98%

**GENERAL FUND
SUMMARY OF REVENUES AND EXPENDITURES**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	4/30/2022	
				YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$ 1,373,668	\$ 1,414,326	\$ 1,147,428	1,147,428	
Revenues					
Ad Valorem Taxes	337,235	357,479	364,500	345,421	94.77%
Sales Taxes	95,923	89,871	81,200	60,084	74.00%
Franchise Fees	186,706	193,311	175,660	146,341	83.31%
Reimbursements	11,285	2,061	10,500	-	0.00%
Development Revenue	76,343	26,731	25,500	36,687	143.87%
Permits	1,630	2,013	1,600	1,770	110.63%
Other	31,016	22,608	14,000	55,032	393.09%
Total Revenues	740,138	694,074	672,960	645,335	95.90%
Other Funding Sources					
Fund Balance	-	288,485	236,950	-	0.00%
Total Other Funding Sources	-	288,485	236,950	-	0.00%
TOTAL RESOURCES	\$ 740,138	\$ 982,559	\$ 909,910	\$ 645,335	70.92%
Expenditures					
Personnel Services	233,781	245,621	208,600	111,755	53.57%
Office Expenses	40,399	36,865	39,300	29,698	75.57%
Professional Services	192,947	184,736	173,157	67,402	38.93%
Area Care & Maintenance	42,344	42,587	98,453	15,892	16.14%
Other Operating Expenses	26,356	30,864	28,800	17,083	59.31%
Utility Expenses	10,895	11,644	11,050	5,727	51.82%
Municipal Court	5,111	-	6,750	100	1.48%
Other	147,649	408,656	50,000	263,592	527.18%
Total Expenditures	699,481	960,972	616,110	511,247	82.98%
Other Financing Uses					
Transfer to Capital	-	-	294,000	-	0.00%
Total Other Financing Uses	-	-	294,000	-	0.00%
TOTAL EXPENDITURES	\$ 699,481	\$ 960,972	\$ 910,110	\$ 511,247	56.17%
ENDING FUND BALANCE	\$ 1,414,326	\$ 1,147,428	\$ 910,278	\$ 1,281,516	

**RESERVE FUND
SUMMARY OF REVENUES AND EXPENSES**

4/30/2022

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

**DEBT SERVICE
SUMMARY OF REVENUES AND EXPENSES**

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$25,048	\$33,146	\$32,636	\$32,636	
Revenues					
Ad Valorem Taxes	215,651	216,085	224,793	200,000	88.97%
Total Revenue	215,651	216,085	224,793	200,000	88.97%
Other Funding Sources					
Transfers in from Other Funds	-	-	-	-	0.00%
Fund Balance	-	510	400	-	0.00%
Total Other Funding Sources	-	510	400	-	0.00%
TOTAL RESOURCES	\$ 215,651	\$ 216,595	\$ 225,193	\$ 200,000	88.81%
Expenditures					
Principal	195,000	207,000	219,000	3,811	0.00%
Interest	12,153	9,195	5,793	1,764	0.00%
Fees	400	400	400	-	0.00%
Total Expenditures	207,553	216,595	225,193	5,575	0.00%
Other Financing Uses					
Bond Refunding	-	-	-	-	0.00%
Total Other Financing Uses	-	-	-	-	0.00%
TOTAL EXPENDITURES	\$ 207,553	\$ 216,595	\$ 225,193	\$ 5,575	0.00%
ENDING FUND BALANCE	\$ 33,146	\$ 32,636	\$ 32,236	\$ 227,061	0.00%

ARP FUNDS
SUMMARY OF REVENUES AND EXPENSES

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$0	\$0	\$425,621	\$425,621	
Revenues					
ARP Funds	-	425,621	-		0.00%
Total Revenue	-	425,621	-	-	0.00%
Other Funding Sources					
Other Funding Sources	-	-	-	-	0.00%
Total Other Funding Sources	-	-	-	-	0.00%
TOTAL RESOURCES	\$ -	\$ 425,621	\$ -	\$ -	0.00%
Expenditures					
ARP Expenses	-	-	-	-	0.00%
Total Expenditures	-	-	-	-	0.00%
Other Financing Uses					
Transfer to Capital	-	-	425,621	-	0.00%
Total Other Financing Uses	-	-	425,621	-	0.00%
TOTAL EXPENDITURES	\$ -	\$ -	\$ 425,621	\$ -	0.00%
ENDING FUND BALANCE	\$ -	\$ 425,621	\$ -	\$ 425,621	0.00%

PARK FUND
SUMMARY OF REVENUES AND EXPENSES

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$0	\$0	
Revenues					
Donations	-	-	-	2,500	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	2,500	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ 2,500	0%
Expenditures					
Park Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ 2,500	0%

**TREE FUND
SUMMARY OF REVENUES AND EXPENSES**

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$4,754	\$4,754	
Revenues					
Tree Income	-	-	-	-	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Tree Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 4,754	\$ 4,754	\$ 4,754	0%

**COURT SECURITY
SUMMARY OF REVENUES AND EXPENSES**

4/30/2022

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

**COURT TECHNOLOGY
SUMMARY OF REVENUES AND EXPENSES**

4/30/2022

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

PEG FUNDS
SUMMARY OF REVENUES AND EXPENSES

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$13,971	\$13,971	
Revenues					
Peg Funds	-	-	6,650	11,971	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	6,650	11,971	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ 6,650	\$ 11,971	0%
Expenditures					
PEG Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 13,971	\$ 20,621	\$ 25,942	0%

**CAPITAL FUND
SUMMARY OF REVENUES AND EXPENSES**

	4/30/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	0.00%
Funding Sources					
Revenue	-	-	-	-	0.00%
POSAC Grant	-	-	200,000	-	0.00%
CDBG Grant	-	-	-	-	
2023 GO Bonds	-	-	-	-	
Transfer In: General Fund	-	-	294,000	-	0.00%
Transfer In: ARP Fund	-	-	425,624	-	
Fund Balance	-	-	-	-	0.00%
Total Revenue	-	-	919,624	\$ -	0.00%
TOTAL RESOURCES	\$ -	\$ -	\$ 919,624	\$ -	0.00%
Expenditures					
Capital Expenditures	-	-	919,624	-	0.00%
Total Expenditures	-	-	919,624	-	0.00%
Other Financing Uses					
Other Expenses	-	-	-	-	0.00%
Total Other Financing Uses	-	-	-	-	0.00%
TOTAL EXPENDITURES	\$ -	\$ -	\$ 919,624	\$ -	0.00%
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	0.00%

**CAPITAL FUND
EXPENSES**

	4/30/2022				
	ACTUAL	ACTUAL	BUDGET	YTD	% of
	2020-2021	2021-2022	2022-2023	2022-2023	BUDGET
General Fund Capital					
Parks	-	-	267,000	-	-
<i>Creekside</i>	-	-	-	-	-
<i>Augusta</i>	-	-	-	-	-
<i>Triangle</i>	-	-	-	-	-
Chip Seal Road Project	-	-	227,000	-	-
Drainage Project (Westwood/Brrokhollow)	-	-	425,624	-	-
Roads - GO Bonds	-	-	-	-	-
Total General Fund Capital	-	-	919,624	-	-
TOTAL CAPITAL EXPENSES	\$ -	\$ -	\$ 919,624	\$ -	\$ -

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

Item 7.

Percent Complete: 58.33%

	2022-2023			2021-2022			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Apr-23	Apr-22	Difference
Revenue									
2900 Accounting Info Needed	-	-	n/a	-	-	n/a	-	-	-
3000 Ad Valorem Tax Revenue	-	-	n/a	-	-	n/a	-	-	-
3000.01 Ad Valorem Tax	343,822	360,000	96%	336,360	349,000	96%	-	11,055	(11,055)
3000.02 Delinquent Ad Valorem Tax	1,599	4,500	36%	2,210	-	n/a	-	553	(553)
3000 Ad Valorem Tax Revenue	345,421	364,500	95%	338,570	349,000	97%	-	11,608	(11,608)
3005 State Sales Tax Revenue	59,420	80,000	74%	50,613	80,000	63%	12,897	6,290	6,607
3010 Mixed Beverage Tax & Fees Rev	664	1,200	55%	640	1,500	43%	105	54	51
3020 Electric Franchise Fee Revenue	28,516	31,000	92%	23,837	34,000	70%	9,679	10,593	(914)
3030 Cable Services Franchise Rev	8,517	30,000	28%	17,544	30,000	58%	-	-	-
3030.1 PEG - Cable Revenue	11,971	6,650	180%	3,503	6,000	58%	-	-	-
3030 Cable Services Franchise Rev	20,488	-	-	21,047	-	#DIV/0!	-	-	-
3040 Water Service Franchise Revenue	94,817	90,000	105%	90,436	100,000	90%	9,460	9,400	60
3050 Disposal Service Franchise Rev	14,421	24,000	60%	11,853	25,000	47%	-	-	-
3060 Telephone Franchise Revenue	71	160	44%	81	200	40%	-	-	-
3070 Golf Course Franchise Revenue	-	500	0%	500	500	100%	-	-	-
3080 Reimbursements	-	-	n/a	-	6,000	0%	-	-	-
3080.10 Engineerings	-	8,000	0%	2,061	-	n/a	-	-	-
3080.20 Legal	-	2,500	0%	-	-	n/a	-	-	-
3080.30 Admin	-	-	n/a	-	-	n/a	-	-	-
3080 Reimbursements	-	10,500	0%	2,061	6,000	34%	-	-	-
3090 Development Revenue	-	-	n/a	-	-	n/a	-	-	-
3090.01 Residential	-	-	n/a	-	-	n/a	-	-	-
3090.011 New Home Permits	1,000	6,000	17%	5,000	5,000	100%	-	4,000	(4,000)
3090.012 Other Permits	3,293	7,000	47%	6,153	11,000	56%	-	750	(750)
3090.013 Inspections	6,432	7,000	92%	7,672	17,000	45%	182	2,365	(2,184)
3090.02 Commercial	-	500	0%	3,234	5,000	65%	-	-	-
3090.03 Other	-	200	0%	-	80	0%	-	-	-
3090.031 Subdivisions/Plats/Re-Plats	25,962	5,000	519%	-	5,000	0%	-	-	-
3090.99 Permits Other	125	-	n/a	-	-	n/a	75	-	75
Total 3090 Development Revenue	36,812	25,700	143%	22,059	43,080	51%	257	7,115	(6,859)
3093 Liquor License Revenue	-	1,250	0%	-	1,310	0%	-	-	-
3095 Sign Fees	155	350	44%	390	700	56%	-	105	(105)
3096 - Other Permits	1,490	-	n/a	-	-	n/a	218	-	218
4000 Interest Income	35,901	2,500	1436%	878	1,000	88%	1,088	393	695
4010 Other Revenue	5,368	10,000	54%	7,615	700	1088%	-	200	(200)
4010 Other Revenue	5,368	10,000	54%	7,615	700	1088%	-	200	(200)
4015 Oak Wilt Containment	-	6,000	0%	-	-	n/a	-	-	-
4020 Municipal Court Revenue	-	1,500	0%	101	1,500	7%	-	-	-
4035 TDEM DR-4485 Revenue	-	-	n/a	213,021	-	n/a	-	-	-
4040 Donations Received	-	5,200	0%	-	6,180	0%	-	-	-
4040.02 Park Donations	2,500	500	500%	1,180	-	n/a	-	-	-
Total Donations Received	2,500	5,700	44%	1,180	6,180	19%	-	-	-
4050 General Fund Transfer	-	-	n/a	-	-	n/a	-	-	-
Uncategorized Revenue	13,764	-	n/a	-	-	n/a	13,243	-	13,243
Total Revenue	659,806	691,510	95%	784,880	686,670	114%	46,948	45,758	1,189
Expenditures									
5000 Personnel Services	-	-	n/a	-	-	n/a	-	-	-
5000.01 Salaries and Wages	81,746	170,000	48%	116,872	208,500	56%	11,526	15,858	(4,332)
5000.02 Health Insurance Stipend	3,128	6,000	52%	5,204	8,600	61%	615	763	(147)
5000.03 City Manager Vehicle Reimburse	2,346	-	n/a	3,500	6,000	58%	462	500	(38)
5000.04 Overtime Wages	7,686	-	n/a	-	-	n/a	1,984	-	1,984
5000.05 Elected Official Pay	-	-	n/a	-	-	n/a	-	-	-
5000.20 Payroll Tax Expense	-	-	n/a	-	-	n/a	-	-	-
5000.21 FICA/OASDI	7,260	13,400	54%	8,419	16,410	51%	1,116	453	663
5000.22 Unemployment Insurance	29	1,100	3%	910	500	182%	-	4	(4)
5000.20 Payroll Tax Expense	7,289	14,500	50%	9,329	16,910	55%	1,116	457	659
5000.40 Retirement	9,560	18,100	53%	12,737	22,190	57%	1,421	1,785	(364)
Total 5000 Personnel Services	111,755	208,600	54%	147,642	262,200	56%	17,123	19,362	(2,239)
5500 Office Expenses	-	-	n/a	-	-	n/a	-	-	-
5500.05 Bank Fees & Charges	-	-	n/a	-	-	n/a	-	-	-
5500.10 City Hall Maintenance / Repairs	2,618	2,000	131%	511	4,000	13%	67	310	(243)
5500.20 Cleaning Costs	1,148	1,800	64%	875	1,500	58%	101	125	(24)
5500.30 IT & Radio Expenses	2,273	10,000	23%	10,461	15,000	70%	-	115	(115)
5500.40 Newsletter	-	-	n/a	-	-	n/a	-	-	-
5500.50 Office Supplies	3,344	4,500	74%	3,071	4,000	77%	748	897	(149)
5500.55 Office Equipment	559	-	n/a	-	-	n/a	311	-	311
5500.60 Postage & Shipping	2,517	3,000	84%	1,269	2,100	60%	302	6	296
5500.61 Printing & Reproduction	1,028	4,500	23%	2,359	4,000	59%	305	231	74
5500.62 Printing Cost Newspaper	117	1,500	8%	223	2,000	11%	14	115	-

	2022-2023			2021-2022			Y/Y Monthly Comparison			Item 7.
	YTD	Budget	%	YTD	Budget	%	Apr-23	Apr-22	Diff	
5500.70 Storage Rental	-	-	n/a	-	-	n/a	-	-	-	
5500.80 Software & Subscriptions	16,094	12,000	134%	4,340	15,000	29%	17	640	(623)	
Total 5500 Office Expenses	29,698	39,300	76%	23,109	47,600	49%	1,866	2,440	(574)	
6000 Professional Services	-	-	n/a	-	-	n/a	-	-	-	
6000.01 Audit Expense	-	12,000	0%	-	12,000	0%	-	-	-	
6000.10 Codification	-	2,750	0%	-	4,000	0%	-	-	-	
6000.11 Contract Labor	3,319	-	n/a	-	6,500	0%	463	-	463	
6000.15 Engineering	20,314	20,000	102%	5,815	10,000	58%	978	-	978	
6000.16 Mapping	-	3,000	0%	-	-	n/a	-	-	-	
6000.17 Engineering Reimbursable	3,138	8,000		2,510	4,000		-	-	-	
6000.15 Engineering	23,452	31,000	76%	8,324	14,000	59%	978	-	978	
6000.20 Legal Expenses	3,540	-	n/a	-	-	n/a	-	-	-	
6000.21 General	11,855	20,000	59%	21,990	65,000	34%	-	840	(840)	
6000.22 Legal Reimbursable	2,500	2,500	100%	2,540	3,000	85%	-	740	(740)	
6000.23 Litigation	-	5,000	0%	7,320	15,000	49%	-	-	-	
6000.25 Special Cases	3,295	30,000	11%	7,758	22,000	35%	-	800	(800)	
6000.26 Elected Body Legal	1,875	5,000	38%	2,290	-	n/a	-	200	(200)	
6000.20 Legal Expenses	23,065	62,500	37%	41,898	105,000	40%	-	2,580	(2,580)	
6000.30 IT Services	2,521	15,500	16%	8,136	14,500	56%	295	750	(455)	
6000.40 Accounting	14,193	25,000	57%	8,521	15,000	57%	1,995	1,484	511	
6000.50 Law Enforcement	5,938	12,500	48%	1,440	8,160	18%	1,160	480	680	
Total 6000 Professional Services	72,488	161,250	45%	68,318	179,160	38%	4,890	5,294	(405)	
6500 Area Care/Maintenance	-	-	n/a	-	-	n/a	-	-	-	
6500.01 Deer Removal	975	1,750	56%	1,275	1,000	128%	-	-	-	
6500.15 Mowing	3,175	2,750	115%	1,500	2,000	75%	475	-	475	
6500.20 Oak Wilt Containment	-	15,000	0%	-	15,000	0%	-	-	-	
6500.21 Greenspace Maintenance	2,391	6,000	40%	1,336	-	n/a	-	409	(409)	
6500.22 Landscape Maintenance	2,375	9,000	26%	4,760	10,000	48%	-	375	(375)	
6500.23 Contract Services	470	-	n/a	-	2,000	0%	-	-	-	
6500.24 Parks and Playground Maintenance	-	13,453	0%	-	30,000	0%	-	-	-	
6500.25 ROW Tree Trimming	-	11,000	0%	-	7,500	0%	-	-	-	
6500.26 Holiday Decorations	650	500	130%	262	2,000	13%	-	-	-	
6500.30 Street Maintenance	4,283	30,000	14%	4,993	20,000	25%	444	197	248	
6500.31 Street Signs	119	6,000	2%	2,757	4,000	69%	-	93	(93)	
6500.35 Storm Damage Reserve	-	-	n/a	-	1,000	0%	-	-	-	
6500.40 Tree Limb Pick-Up	-	-	n/a	-	-	n/a	-	-	-	
6500.50 Equipment Maintenance	362	2,000	18%	2,086	4,000	52%	-	629	(629)	
6500.60 Water Quality Testing CCWPP	1,093	1,000	109%	620	2,000	31%	324	-	324	
Total 6500 Area Care/Maintenance	15,892	98,453	16%	19,588	100,500	19%	1,243	1,703	(459)	
7000 Other Operating Expenses	-	-	n/a	-	-	n/a	-	-	-	
7000.01 Ad Valorem Tax Expense	1,864	4,407	42%	2,046	4,060	50%	-	-	-	
7000.02 Building Inspections	1,815	7,000	26%	8,415	12,550	67%	-	1,485	(1,485)	
7000.03 Code Compliance	-	500	0%	774	1,500	52%	-	-	-	
7000.04 Dues & Membership	415	2,500	17%	1,419	3,000	47%	-	453	(453)	
7000.05 Election Expense	-	2,000	0%	1,065	1,200	89%	-	-	-	
7000.06 TML Dues	632	600	105%	591	600	99%	-	-	-	
7000.10 Depreciation Expense	-	-	n/a	-	-	n/a	-	-	-	
7000.15 Meeting Expense	907	3,000	30%	5,524	5,000	110%	-	17	(17)	
7000.20 Public Notices	4,747	1,200	396%	822	3,000	27%	-	199	(199)	
7000.30 Travel & Vehicle Exp Reimb.	102	2,000	5%	4,825	5,000	96%	-	119	(119)	
7000.31 Elected Official Travel	-	500	0%	-	2,000	0%	-	-	-	
7000.40 Training & Prof Development	-	-	n/a	-	-	n/a	-	-	-	
7000.41 Elected Body	1,421	2,500	57%	975	2,500	39%	582	-	582	
7000.42 Staff	1,308	4,000	33%	3,851	5,000	77%	-	270	(270)	
7000.43 Boards/Committees	133	-	n/a	-	-	n/a	-	-	-	
7000.50 Community Relations	2,325	7,000	33%	1,490	6,000	25%	264	-	264	
Total 7000 Other Operating Expenses	15,669	37,207	42%	31,798	51,410	62%	846	2,543	(1,697)	
7500 Utilities	-	-	n/a	-	-	n/a	-	-	-	
7500.10 City Hall Utilities	-	-	n/a	-	3,500	0%	-	-	-	
7500.11 Electric	677	2,100	32%	1,052	-	n/a	-	133	(133)	
7500.12 Water	859	1,500	57%	837	-	n/a	141	118	23	
7500.10 City Hall Utilities	1,536	3,600	43%	1,889	3,500	54%	141	251	(111)	
7500.20 Outdoor Utilities	-	-	n/a	-	4,250	0%	-	-	-	
7500.21 Electric	589	1,350	44%	768	-	n/a	-	109	(109)	
7500.22 Water	913	1,600	57%	941	-	n/a	131	129	2	
7500.20 Outdoor Utilities	1,502	2,950	51%	1,709	4,250	40%	131	238	(107)	
7500.30 Telephone & Internet	2,689	4,500	60%	3,155	6,200	51%	379	447	(68)	
Total 7500 Utilities	5,727	11,050	52%	6,753	13,950	48%	650	936	(286)	
7600 Insurance	-	3,500	0%	4,592	-	n/a	-	-	-	
6010 Health Insurance (deleted)	-	-	n/a	-	-	n/a	-	-	-	
7600.01 TML Insurance	5,093	200	2547%	-	4,600	0%	-	-	-	
7600 Insurance	5,093	3,700	138%	4,592	4,600	100%	-	-	0%	
7700 TDEM DR-4485 Expenditures	-	-	n/a	-	-	n/a	-	-	-	
8020 Municipal Court Costs	100	-	n/a	-	-	n/a	-	-	-	
8020.20 MC Judge	-	4,800	0%	600	3,600	17%	-	-	-	
8020.25 Misc. Court Costs	-	150	0%	-	2,500	0%	-	-	-	

	2022-2023			2021-2022			Y/Y Monthly Comparison			Item 7.
	YTD	Budget	%	YTD	Budget	%	Apr-23	Apr-22	D	
8020.30 Prosecutor	-	1,500	0%	2,540	3,000	85%	-	-	-	
8020.35 Court Bailiff	-	-	n/a	-	750	0%	-	-	-	
8020.40 State Comptroller Costs	-	300	0%	(45)	700	-6%	-	-	-	
8020.41 Supplies	-	-	n/a	67	200	34%	-	-	-	
8020.60 Public Safety	-	-	n/a	-	-	n/a	-	-	-	
Total 8020 Municipal Court Costs	100	6,750	1%	3,162	10,750	29%	-	-	-	
8900 Miscellaneous	-	75,200	0%	5,000	120,650	4%	-	-	-	
8900.10 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-	
8900.20 Contingency Reserve	-	50,000	0%	-	50,000	0%	-	-	-	
8900.25 Ice Storm 2023	232,340	-	n/a	-	-	n/a	44,365	-	44,365	
8900.30 Projects	31,252	-	n/a	7,883	-	n/a	-	-	-	
8900.40 Engineering Services – Street Projects	-	-	n/a	21,588	15,000	144%	-	-	-	
Total 8900 Miscellaneous	263,592	125,200	211%	34,470	185,650	19%	44,365	-	44,365	
9077 General Fund Accrual	-	-	n/a	-	(169,150)	0%	-	-	-	
Unapplied Cash Bill Payment Expenditure	-	-	n/a	-	-	n/a	-	-	-	
Uncategorized Expense	2,380	-	n/a	-	-	n/a	458	-	458	
Total Expenditures	522,392	691,510	76%	339,433	686,670	49%	71,442	32,278	39,164	
Net Operating Revenue	137,414	-	n/a	445,447	-	n/a	(24,494)	13,480	(37,974)	
Other Revenue										
4019 Proceeds from Capital Leases	-	-	n/a	-	-	n/a	-	-	-	
9810.01 Sinking Fund Revenue	206,010	224,793	92%	204,640	-	n/a	-	7,015	(7,015)	
8500 Capital Improvement Income	200,000	227,000	88%	0	-	n/a	-	-	-	
Total Other Revenue	406,010	451,793	90%	204,640	-	n/a	-	7,015	(7,015)	
Other Expenditures										
8500.25 Capital Improvement Expense	-	-	n/a	-	-	n/a	-	-	-	
9001 Capital Lease Principal	-	-	n/a	-	-	n/a	-	-	-	
9002 Interest on Capital Lease	-	-	n/a	-	-	n/a	-	-	-	
9005 Bond Interest Paid	-	-	n/a	-	-	n/a	-	-	-	
9006 Bond Costs of Issuance	1,764	-	n/a	-	-	n/a	-	-	-	
9800.01 Capital Expenditures - CY	-	-	n/a	-	-	n/a	-	-	-	
9800.1 Capital Project Expenditures - FY	-	227,000	0%	-	-	n/a	-	-	-	
9800.11 2017 Street Improvements	-	-	n/a	-	-	n/a	-	-	-	
9800.12 2017 Street Improvements Legal	-	-	n/a	-	-	n/a	-	-	-	
9800.13 2021 Street Improvements	-	-	n/a	387,916	-	n/a	-	-	-	
9810.02 Sinking Fund Interest & Fees	3,811	5,793	66%	5,784	-	n/a	-	400	(400)	
9810.03 Sinking Fund Principal	219,000	219,000	100%	207,000	-	n/a	-	-	-	
9810.04 Agent Fees	400	-	n/a	-	-	n/a	400	-	400	
9800.02 Other Miscellaneous Expenditure	-	-	n/a	(417,633)	-	n/a	-	-	-	
9888 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-	
Total Other Expenditures	224,975	451,793	50%	183,067	-	n/a	400	400	-	
Net Other Revenue	181,035	-	n/a	21,573	-	n/a	(400)	6,615	(7,015)	
Net Revenue	318,450	-	n/a	467,020	-	n/a	(24,894)	20,096	(44,990)	

The City of Woodcreek
Transaction Report
April 2023

Date	Name	Memo/Description	Amount
04/01/2023	Atteign LLC	Monthly accounting services	-1,995.00
04/03/2023	Amazon	5 piece Torsion Bit shockproof Ph2 50mm	-18.86
04/05/2023	Double J Ranch Golf Club	POS Purchase TX WIMBERLEY Double POS Purchase TX V	-84.00
04/10/2023	Zoom Video Communications	Zoom subscription	-177.04
04/11/2023	Pitney Bowes Global Financial Services L	Quarterly lease payment	-188.12
04/11/2023	Sean Rawlings	Contract labor hours	-444.38
04/11/2023	Landscape Business Services, LLC	Landscaping services	-475.00
04/11/2023	ODP Business Solutions LLC	Office supplies	-53.88
04/11/2023	The Bush Barber LLC	Brush clearing	-4,400.00
04/12/2023	Amazon Capital Services, Inc.	A32IU9DGT11VB07	-700.99
04/14/2023	Payroll Account	Automatic transfer to payroll clearing to cover payroll costs.	-7,418.93
04/15/2023	Xerox Financial Services	APRIL Contract # 010-0164812-001, Customer 164812, Leas	-190.63
04/16/2023	TMRS	Retirement	-3,679.98
04/17/2023	Kalahari Resort And Convention Center	POS Purchase TX ROUND ROCK KALAH POS Purchase TX	-374.00
04/18/2023	Sherry Rogers & Co.	Monthly payment for office cleaning services	-150.00
04/21/2023	AquaTexas, Inc.	Water bill payment (Gatehouse)	-44.03
04/21/2023	AquaTexas, Inc.	Water bill payment (Par View)	-43.65
04/21/2023	AquaTexas, Inc.	Water bill payment (City Hall)	-140.91
04/21/2023	Spectrum Business	Cable service	-212.43
04/21/2023	AquaTexas, Inc.	Water bill payment (Brookhollow & Woodcreek)	-42.92
04/24/2023	Kwik Chek	Gas for Earth Day	-18.20
04/24/2023	Walmart	Earth Day 4/22/23 ice	-10.18
04/24/2023	Home Depot	Office equipment	-97.40
04/24/2023	Kwik Chek	Gas for Earth Day	-16.62
04/24/2023	Shipley Do-nuts	Earth Day 4/22/23 donuts, coffee	-123.17
04/25/2023	Joshua Evans	Traffic enforcement	-200.00
04/25/2023	Jeff Rasco (v)	Reimbursement	-86.66
04/28/2023	Payroll Account	Automatic transfer to payroll clearing to cover payroll costs.	-7,262.69
04/28/2023	Verizon	Acct # 842103446-00001 Monthly - internet access for comp	-166.34
04/28/2023	Owen Rule	Brush pickup March 20	-120.00
04/28/2023	Hill Country Springs	Drinking water 014081	-22.49
04/28/2023	The Meadows Center for Water and the E	Cypress Creek water quality monitoring	-324.00
04/28/2023	San Marcos Daily Record	RA1906 - Public notices	-14.00
04/28/2023	Hays County Traffic Enforcement	Traffic enforcement	-160.00
04/28/2023	Suzanne Mac Kenzie	Reimb for ear plugs	-8.91
04/28/2023	K Friese & Associates, Inc.	Engineering services	-2,070.60
04/28/2023	Broadway Bank.	Loan #1755010000	-400.00
04/28/2023	Jeff Rasco (v)	Conf costs & hotel reimbursement	-552.34
04/28/2023	Waste Connections Lone Star Inc	5155-6030381-001	-2,528.60
04/28/2023	Adam Halstead	Traffic enforcement	-800.00
04/28/2023	Pitney Bowes Purchase Power Inc.	8000-9090-0977-2711 Postage meter equipment and/or serv	-114.18
04/28/2023	Waste Connections Lone Star Inc	Bruch trucks	-37,500.00
04/28/2023	Xerox Business Solutions Southwest (Daf	Color meter; WC44:40G975	-114.55
04/28/2023	Marissa Anderson	Brush clean up workday	-30.00
04/28/2023	Sean Rawlings	Hours April 9 - 22	-462.50
04/28/2023	HOT IT	IT such as Premium packages, Office 365, Backup software ,	-294.82
TOTAL			-\$ 74,173.00

Wednesday, May 10, 2023 03:07:23 PM GMT-7 - Cash Basis

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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

AGENDA ITEM SUMMARY:

The goal of the update is to better align the policy with actual City practice, other regulatory

policy updates per the Government Accounting Standards Board (GASB) and best practices from Government Financial Officers Association

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/5/2023 12:26:39 PM

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2022-05-25-2

A RESOLUTION OF THE CITY OF WOODCREEK,
TEXAS UPDATING THE FUND BALANCE POLICY

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

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

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

1. The document entitled, "City of Woodcreek Fund Balance Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Fund Balance Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Fund Balance Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this, the 25TH day of May, 2022, by a vote of 5 ayes to 0 nays to 0 abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:



Jeff Rasco, Mayor



Suzanne Mac Kenzie, City Secretary

CITY OF WOODCREEK

FUND BALANCE POLICY

OBJECTIVE

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

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

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

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

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

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

GENERAL FINANCIAL GOALS:

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

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

COMPREHENSIVE FUND BALANCE POLICIES

1) Policy on Commitment of Funds

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

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

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

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

After approval, the Committed Fund Balance cannot be undone or altered without utilizing the same approval process required to commit the funds, including no less than one public hearing,

two draft readings, a formal motion, and approval by a majority of the governing body.

2) Policy on Expenditure of Committed Funds

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

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

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

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

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

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

4) Policy on Acceptable Minimal Level of Fund Balance

It is recommended that the City use no more than one-half of the General Fund Balance in any fiscal year to create the Committed Funds Balance, also known as the annual operating budget. This shall include any approved Capital Improvement Projects and the Unrestricted Fund Balance if one has been designated. Additionally, the City's General Fund Balance shall not fall below \$500,000 in reserves, and no less than two-months of operating costs shall remain readily accessible at all times.

5) Fund Balance Classifications

A) General Fund Balance:

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

B) Capital Improvement Projects Funds:

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

C) Debt Service Funds:

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

D) Special and Restricted Revenue Funds:

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

E) Net Fund Balance:

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

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2023-06-14-01

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS
UPDATING THE FUND BALANCE POLICY

WHEREAS, the City Council has reviewed the existing fund balance policy and the newly proposed version on June 14, 2023; and

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

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

1. The document entitled, “City of Woodcreek Fund Balance Policy” is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Fund Balance Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Fund Balance Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this, the 14TH day of June, 2023, by a vote of _____ ayes to _____ nays to _____ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

City of Woodcreek, Texas

FUND BALANCE POLICY

Purpose

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

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

General Financial Goals

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

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

Definitions

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

Policy

Committed Fund Balance

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

Assigned Fund Balance

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

Unassigned Fund Balance

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

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

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

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

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

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

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

Order of Expenditure of Funds

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

Monitoring and Reporting

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

DRAFT

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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

AGENDA ITEM SUMMARY:

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

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/5/2023 5:24:19 PM

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2021-05-25-1

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

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

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

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

1. The document entitled, "City of Woodcreek Procurement Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Procurement Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Procurement Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this, the 25th day of May, 2022, by a vote of 5 ayes to 0 nays to 0 abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:



Jeff Rasco, Mayor



Suzanne Mac Kenzie, City Secretary

CITY OF WOODCREEK

PROCUREMENT POLICY**I. Purpose**

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

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

II. Procedure

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

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

1. Professional Service:

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

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

2. Contract Labor:

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

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

c. A W-9 is required from all contractors and will be furnished prior to the start of work.

d. All contractors are required to provide proof of liability insurance, have the necessary professional licenses should there be any required and show proof of such, and provide for the compensation of all workers under their supervision. Work shall not begin, and no payment will be processed without all proper documentation on file with the City.

e. The City will not be held liable for unpaid labor under a contractors' supervision during work or after final payment has been released to the contractor. It is the sole responsibility of the contractor to carry worker's compensation, adequate liability insurance, and full compensation for work provided by their staff. The City shall require a document stating these provisions be signed by the contractor thus waiving their rights to claim otherwise.

f. Initial payments to begin work shall not exceed two-thirds of the final total bill. The final payment will only be released upon completion of the work and will require an inspection from the supervising City Official with a satisfactory report.

g. The City Manager shall coordinate with all contract employees but may delegate this duty to a subordinate without relegating their ultimate responsibility of project management including securing proper documentation in advance, final inspections, and the processing of all payments.

h. If changes are necessary after a contract has been agreed upon, the City Manager must be the one to approve the change order, except when approval of the governing body is necessary. Every attempt shall be made to limit change orders and to establish a final expected cost prior to finalizing written agreements or providing payments.

i. When estimates are received from Hays County Transportation Services, found to be fair and reasonable, and are within budgeted amounts allocated in the Comprehensive Fund Balance, the City Manager may approve these expenditures so long as they do not exceed \$1500. All expenditures over \$1500 must be reported in advance to the governing body and may be subject to their approval.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. Compliance

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

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

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

IV. State Law

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

CITY OF WOODCREEK, TEXAS

RESOLUTION NO. 2023-06-14-02

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

WHEREAS, the City Council has reviewed the existing procurement policy and the newly proposed version on June 14, 2023; and

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

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

1. The document entitled, "City of Woodcreek Procurement Policy" is hereby approved and adopted for purposes of conducting City business.
2. The City Council directs City Staff to implement the Procurement Policy to the extent reasonably possible.
3. The City Secretary is instructed to include a copy of this Resolution and the Procurement Policy enacted by this resolution in and among the records of the City.
4. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this, the 14th day of June 2023, by a vote of _____ ayes to _____ nays to _____ abstentions of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

ATTEST:

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

CITY OF WOODCREEK

PROCUREMENT POLICY**I. Purpose**

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

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

II. Procedure

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

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

1. Professional Service:

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

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

2. Contract Labor:

a. The City will solicit three proposals for all contract work over \$10,000.

b. A report to the governing body shall be required for all expenditures over \$1,500 not pertaining to the regular function and daily maintenance involved in the basic operations of the City and previously allocated in the Current City Budget. Expenditures over \$1,500 may be subject to approval by the governing body.

c. A W-9 is required from all contractors and will be furnished prior to the start of work.

d. All contractors are required to provide proof of liability insurance, have the necessary professional licenses should there be any required and show proof of such, and provide for the compensation of all workers under their supervision. Work shall not begin, and no payment will be processed without all proper documentation on file with the City.

e. The City will not be held liable for unpaid labor under a contractors' supervision during work or after final payment has been released to the contractor. It is the sole responsibility of the contractor to carry worker's compensation, adequate liability insurance, and full compensation for work provided by their staff. The City shall require a document stating these provisions be signed by the contractor thus waiving their rights to claim otherwise.

f. Initial payments to begin work shall not exceed two-thirds of the final total bill. The final payment will only be released upon completion of the work and will require an inspection from the supervising City Official with a satisfactory report.

g. The City Manager shall coordinate with all contract employees but may delegate this duty to a subordinate without relegating their ultimate responsibility of project management including securing proper documentation in advance, final inspections, and the processing of all payments.

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E. Purchase of Equipment: the purchase of all equipment over \$5,000 shall require a minimum of three quotes and approval of the governing body.

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IV. State Law

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

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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

AGENDA ITEM SUMMARY:

Software would assist City Staff with Code Enforcement, Permitting and Financials. Current annual cost for Financials and Payroll is

FINANCIAL IMPACT:

1st Year \$29,250, 2+ years \$13,750. Current Annual fee for financials and Payroll is \$26,118

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/8/2023 11:17:47 AM

Item 10.

FundView Utility Billing

MANAGE | Account | Services & Fees | Aging Details | Transactions | Usage | Service Orders | Containers

Brian Cook • **710 W Washington Ave** Take Payment

710 W Washin...	Whitney, TX 76692	Address Type	Residential	Balance	\$215.52
Account Number	06-0014-11	Pick Up Days	Monday/Thursday	Balance Status	Current
Status	Active	Landlord	Tami Monroe	Deposit Balance	\$100.00
Move In Date	03/12/2021				
Move Out Date					
Account Class	Residential				

Water Usage History

Month	Gallons (gal)
Sep-21	70
Oct-21	80
Nov-21	70
Dec-21	70
Jan-22	90
Feb-22	80
Mar-22	80
Apr-22	110
May-22	90

Actions: Calculate Pending Bill, View Occupants, Bill Detail, Print Document, Add Deposit, Drafts (0), Transfer Unapplied Credit, Refund Credit, Add One-Time Fee, Add Service Order, Statement Group, Notification Settings, Account Correspondence, Edit Dashboard, Exemptions, Payment Plans, Energy Assistance License Upload (1), Add Additional Contact, Past Due Batches, Notes (0), Attachments, History (37)

FundView Software

The New Standard for Local Government Software!!

“

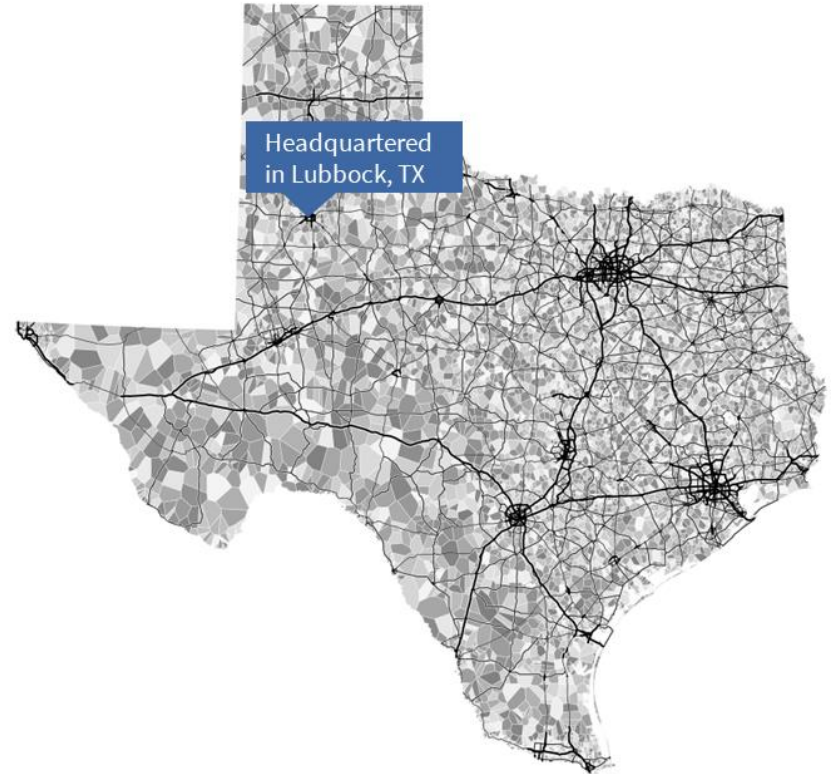
You can change without improving, but you can't improve without changing.
















-Tami Cook, CPA, President

FundView is a cloud ERP suite of solutions designed specifically for local governments. With over seventy-five combined years of local government software experience, our management team has powered the design and development of the user-friendly solutions we deliver.

Our subscription-based software-as-a service model allows your organization to upgrade to our state-of-the-art solutions, experience unparalleled customer support and save money as you better leverage your technology budget. Our services also include managing all software updates and data backups in conjunction with your disaster planning.






With over **140+ Texas Local Governments** and about **4,000 software users** we are committed to serving the needs of the Texas cities.

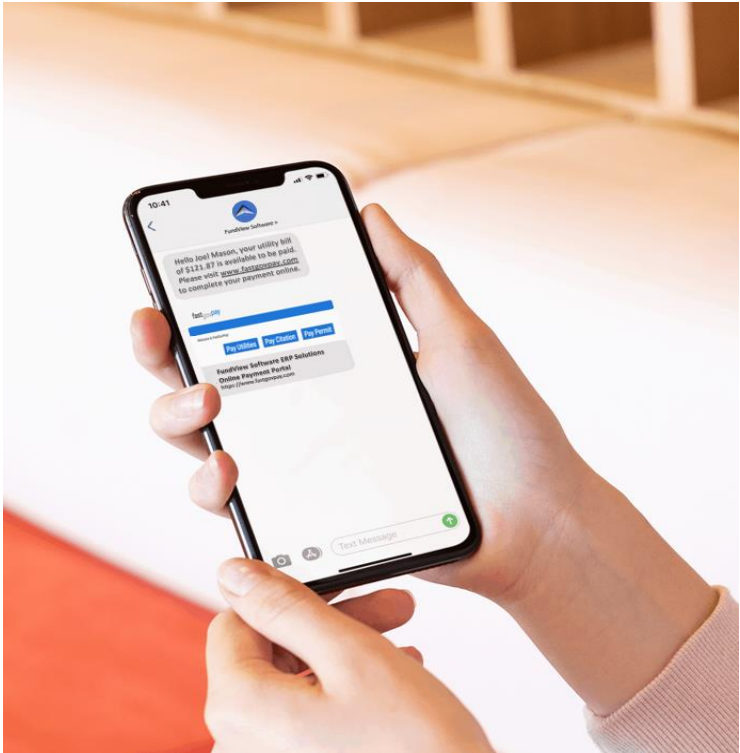


<p>General Ledger </p> <p>General Ledger is the core of your organization’s financial operations. Easily manage your budget process, consolidated cash and reporting requirements using software written specifically to support the fund-accounting.</p>	<p>Accounts Payable </p> <p>Simplified payable processing for vendor management, invoice entry, payment generation and reporting. Ability to scan/attach invoices. Securely sign checks digitally with password protected workflow approvals.</p>	<p>Payroll </p> <p>Complete payroll processing including benefits, accruals, time entry, payment processing, reporting and integrated Accounts Payable generation. Manage all phases of payroll including time entry (remote), payroll processing and benefits management.</p>	<p>Distributed Time Entry </p> <p>Distributed Time Entry allows individual employees and designated department representatives to input time directly to the Payroll module for approval and processing.</p>	<p>Utility Billing </p> <p>Powerful billing and payment processing for metered and nonmetered services, deposit management, usage history and automated account status workflows.</p>
<p>Asset Management </p> <p>Manage and track assets, optimize utilization, reduce maintenance costs, track insurance, calculate depreciation, and improve performance, leading to more efficient operations and mobile audit capabilities.</p>	<p>Purchasing </p> <p>Requisitions/purchase orders with budget validation, encumbrances and user-defined workflow routing. Dashboard with text/email notifications with user-defined approval levels.</p>	<p>Human Resources </p> <p>Provides complete human capital management including new hires, certification tracking, employee reviews, templated communications, disciplinary processes and training management.</p>	<p>Cash Receipting </p> <p>Integrated payment processing solution that provides for multiple users, cash drawers and end-of-day balancing.</p>	<p>Service Orders </p> <p>Service Orders manage new connections, disconnects, re-reads, meter exchanges and reconnects. Complete of orders drives updates in Utility Billing. Real time field access to orders with web-enabled smart device.</p>
<p>Municipal Court </p> <p>Comprehensive case management that streamlines citation import/entry, case management, payment processing and reporting.</p>	<p>Code Enforcement </p> <p>Code enforcement provides complete case management for code violations including inspections, image capture, notifications and administration.</p>	<p>Permits </p> <p>Efficiently manage all phases of applications, communications, approvals, inspections and payment processing.</p>	<p>CityCentral </p> <p>CityCentral serves as a hub for citizens to access their Utility Billing and Municipal Court information quickly and easily, reducing the need for in-person processes while improving efficiencies and transparency.</p>	<p>Text & Email Notifications </p> <p>Improve both internal and external communication FundView’s automated text and email notifications. With full software integration, take the next step to reducing manual processes and improving response times.</p>

FundView - Text & Email Notifications

Item 10.

<p>Improve internal/external communication FundView's automated text and email notifications. With full software integration take the next step to reducing manual processes and improving response times</p>	<p>Municipal Court </p> <p>Violators may receive notifications regarding:</p> <ul style="list-style-type: none"> • Initial Appearance Date • Pre-Disposition Date • Payment Plan Due Date • Final (Closed/Dismissed) Status
<p>Utility Billing </p> <p>FundView Utility Billing Text & Email Notifications solution sends customers a text and/or email when:</p> <ul style="list-style-type: none"> • Posted & ready for payment • Subject to being penalized • Subject to being cut off for non-payment 	<p>Distributed Time Entry </p> <p>Employees may receive notifications regarding:</p> <ul style="list-style-type: none"> • Submittal of a time sheet • Rejection of a time sheet • Approval of a time sheet • If a time sheet is past due
<p>Service Orders </p> <p>Send text & email notifications to your Public Works team to notify them:</p> <ul style="list-style-type: none"> • When a service order has been created • When they have been assigned a service order • When a service order is past due 	<p>Purchasing </p> <p>Approvers may receive a text & email when there is a pending requisition requiring their approval</p> <ul style="list-style-type: none"> • Notification that Requisition has been rejected • Notification that Requisition was approved and Purchase Order has been generated





Mobile Service Orders

Service Orders provides integrated tools to manage tasks such as new connections, meter exchanges, disconnects, re-reads and reconnections. Service Orders are fully integrated with the Utility Billing module and load relevant data from the utility account. Accessing the Service Orders in the field with a web-connected smart device allows for real-time updates to the Utility Billing system and faster response times for the customer and the service team members.



Item 10.

Hi, Brian Cook

Build Route [Clear Routes from Map](#)

Enter Address Here

Service Orders [+ Add Service Order](#)

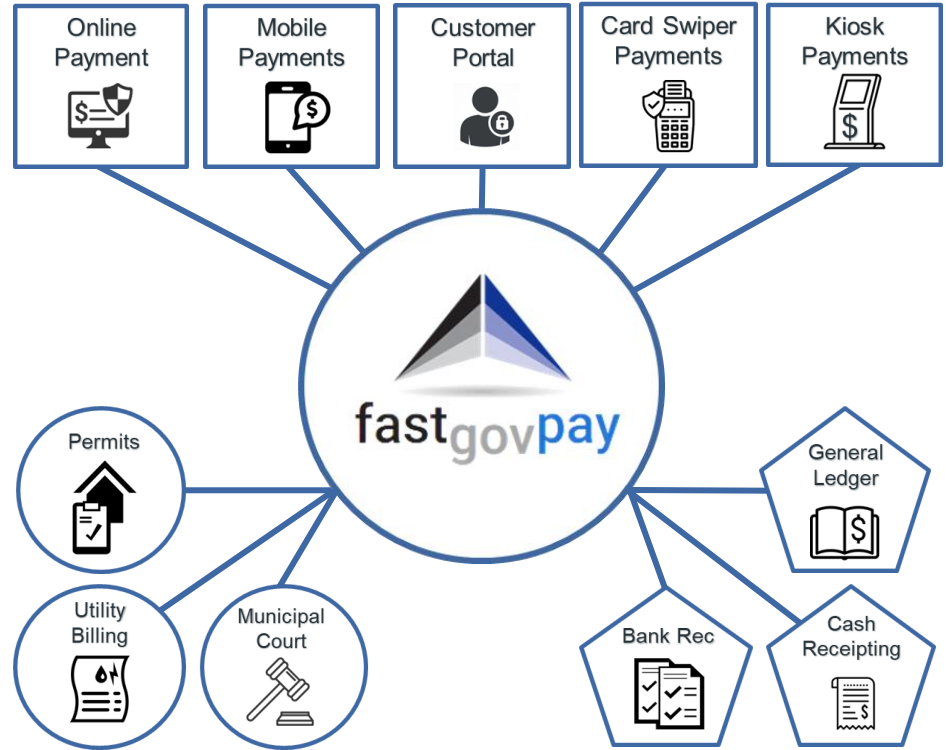
Order #	Service Address	Description	Default Team Member
262	1308 E 12Th	Cutoff - Nonpayment	
285	209 W Colorado	Cutoff - Nonpayment	
339	1413 Lubbock	Cutoff - Nonpayment	

CLOSE ALL TABS | Enter Time | PY Dashboard | SD Service Orders Management

FundView - FASTGovPay Credit Card & Online Payments

Item 10.

FASTGovPay is a cloud-based payment processing solution designed for local governments. With seamless integration to FundView, all payments are automatically reflected within the corresponding solution and financials, reducing the chance of human error. This solution streamlines payment processing for government agencies and provides a convenient and efficient payment experience for their customers.





Looking for a way to streamline your city's utilities and court services? Look no further than **FundView Software's CityCentral!** With this innovative customer portal, citizens can access their Utility Billing and Municipal Court information quickly and easily.

Through **CityCentral's Utility Billing Portal**, citizens can:

- Pay their bills online
- Enroll in bank/credit card drafts
- Access their water usage information
- Download copies of their bills/receipts
- Request service orders
- Manage their text and email notification settings.

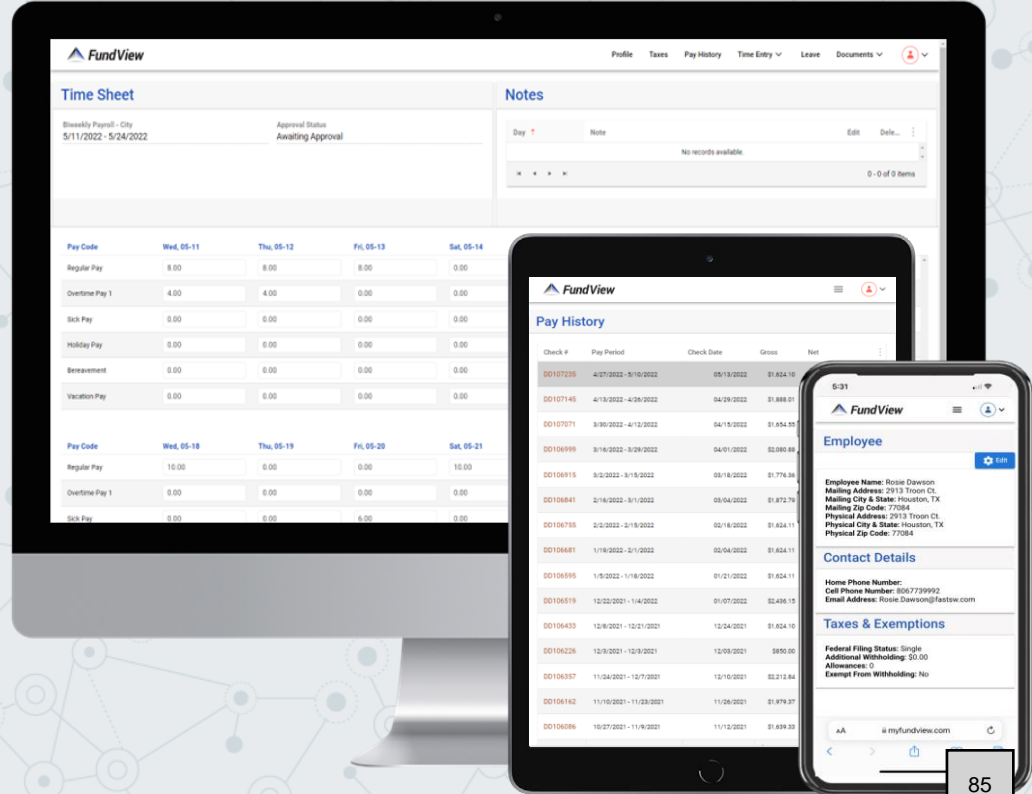
Through **CityCentral's Municipal Court Portal**, violators can:

- Pay for their citations
- View their payment plan
- Enroll in bank/credit card drafts for payment plans
- Manage their text & email notification settings.

FundView - Distributed Time Entry & Employee Portal

Item 10.

Distributed Time Entry allows individual employees and designated department representatives to input time directly to the Payroll module for approval and processing. DTE provides validation of availability of leave/comp time at input. It also allows for time rejection in addition to a complete audit trail of input/related changes. Includes the employee portal for access to payment history, leave accruals, time submittal, payroll-related documents, and historical W2s.





Project Management

By developing a plan of clearly-defined objectives, the implementation team will manage the process and ensure a successful deployment with minimal disruption.



Training

Our Distance Learning model provides online, live interactive sessions with instructors who are well-versed in how to implement and use FundView most effectively.



Data Conversion

Data conversion is a critical element for a successful software implementation project. The FundView conversion team will work closely with you on data extraction, mapping, conversion, and validation.



Data Backup

Our subscription agreement includes comprehensive data and document backups, and freedom from the hardware maintenance required with on-premise offerings.



Customer Support

Customer support at FundView has one level of service – outstanding! Our subscription cost structure provides for unlimited access to our knowledgeable staff to get the right answers you need when you need them.



Updates

Our subscription agreement also includes comprehensive software updates, including all State and Federal updates and reports managed within the software, eliminating the need for manual updates.

On the surface, cloud based software may look similar.
Underneath, there are many added benefits.

Benefits:

- Secure access to software anywhere internet is available
- Automatic updates and backups
- Security: level 3 encryption, and two factor authentication
- Eliminate on-premise servers and related maintenance fee
- Natively scan and attach documents throughout software

Benefits:

- Ability to digitally sign checks and documents securely
- Process and submit required reports directly from the software
- Allow employees to enter time, access pay history, W2s, and leave accruals from smart devices

Contact Us:

Contact us today to schedule an onsite or virtual presentation of our FundView solutions and experience the new standard in local government software!!

(806) 794-3278

www.fastsw.com

sales@fastsw.com

Learn More

Contact Us

Schedule a Demo

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss the Possibility of Creating a Drought Contingency Plan for the City of Woodcreek.

AGENDA ITEM SUMMARY:

This item is to explore what a city is allowed or not allowed when it comes to the creation of a Drought Contingency Plan for the city.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

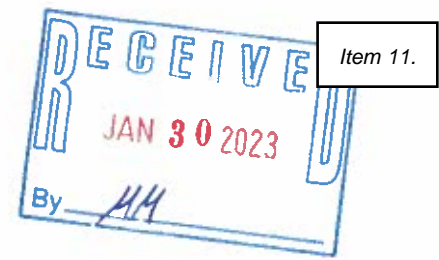
Jeff Rasco

AGENDA TYPE:

New Business

COMPLETION DATE:

6/12/2023 7:52:23 AM



Item 11.

**MANDATORY WATER USE RESTRICTIONS
(STAGE 4)**

**Cardinal Valley (TX1050068), Mountain Crest (TX1050111),
Woodcreek I (TX1050037), & Woodcreek II (TX1050039)**

Dear Aqua Texas Customer:

January 24, 2023

Drought conditions across the region persist and in accordance with the Hays Trinity Groundwater Conservation District’s mandatory restrictions, the Stage 4 restrictions will remain in effect until further notice. Drought conditions are not expected to improve in 2023 at this time. Aqua Texas will continue to monitor the situation and update residents as changes are made. **Please note that these restrictions are being required per regulatory jurisdiction and Aqua Texas cannot be less stringent than the jurisdiction requirements.** More information can be found on the district’s web page at <http://haysgroundwater.com>, by calling the district at (512) 828-9253, or by email at Staff3@haysgroundwater.com.

Aqua continues to encourage all customers to visit the Texas Water Development Board’s (TWDB) website for water conservation and sustainability resources at www.twdb.texas.gov/publications/brochures/conservation/. TWDB also provides information on water smart landscape design, rainwater harvesting, and much more.

Outside watering of lawns with irrigation systems, hose-end sprinklers, and hand-held hoses is prohibited during Stage 4 Restrictions.

Permissible Outside Watering Activities:

- Watering landscaped areas and potted plants by hand-held hose with an automatic shut off device/nozzle or watering can is permissible by following the schedule below for your day of the week.
- The use of soaker hoses for foundations is permissible by following the schedule below for your day of the week.
- For any newly planted trees or shrubs you may use soaker bags or watering cans on any day of the week.

**ONCE WEEKLY WATERING SCHEDULE FOR PERMISSIBLE ACTIVITIES DURING STAGE 4
(Please use the last number in your street address to find your ONE designated watering day.)**

House # ends in 0 or 1	House # ends in 2 or 3	House # ends in 4 or 5	House # ends in 6 or 7	House # ends in 8 or 9
Monday	Tuesday	Wednesday	Thursday	Friday
7 a.m. to 9 a.m. or 7 p.m. to 9 p.m.	7 a.m. to 9 a.m. or 7 p.m. to 9 p.m.	7 a.m. to 9 a.m. or 7 p.m. to 9 p.m.	7 a.m. to 9 a.m. or 7 p.m. to 9 p.m.	7 a.m. to 9 a.m. or 7 p.m. to 9 p.m.

Required customer water use restrictions

The following activities are prohibited at all times during Stage 4 Restrictions:

- Automatic Irrigation systems
- Hose-end sprinklers
- The use of soaker hoses for anything other than foundations
- Filling/refilling pools, ponds, fountains, waterfalls, or other aesthetic water features
- The use of fountains, waterfalls, or other aesthetic water features
- Car washing or power washing

Requirements

1. First violation: If your lawn is lush and green, it will be apparent to all. We regret that restrictions must be so severe, but we must severely limit usage to ensure sufficient water is available for essential uses.

For any violation of the restrictions, you may receive a written warning by hanging tag or letter notating the specific violation of required restrictions, reductions, or for excessive usage. The customer will be provided a copy of the User Drought Contingency Plan upon request.

2. Subsequent violations
 - a. If we choose to provide a first written warning for the first violation, Aqua Texas will install a flow-restricting device in the line for a subsequent violation to limit the amount of water that will pass through the meter in a 24-hour period. The flow restrictor may be left in the line for up to 60 days or until the district requirements are ended. Aqua Texas may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00 for installation and \$50.00 for removal. The customer will be provided a copy of the User Drought Contingency Plan.
 - b. If the customer violates the required reductions after installation of a flow restrictor, Aqua Texas may discontinue service at the meter for up to 7 days. The customer will be charged a \$50 reconnect fee for restoration of service. Further violations will result in disconnection and additional reconnect fees. When service is reconnected a flow restrictor may be installed.
 - c. If a customer violates the restrictions again after having a flow restrictor installed and removed, Aqua Texas may either reinstall a flow restrictor as described in (a) above or, at its option, disconnect service for up to 7 days. When service is reconnected a flow restrictor may be installed.

If you have questions concerning these restrictions, please contact Lauren Savior, Compliance Specialist at (512) 990-4400 ext. 56112 during regular business hours.

Voluntary Practices to Reduce Water Consumption

- Draw less water for bath or reduce shower time.
- Do not let water run while shaving, dish washing, brushing teeth, etc.
- Keep pools covered if not used on a daily basis.
- Use water displacement device in toilet tank.
- Install aerators on faucets.
- Utilize water reuse where possible.
- Replacement or retrofits with low flow or ultra-low flow fixtures.
- Visit the Water Sense web site at <http://www.epa.gov/WaterSense>.



**MANDATORY WATER USE RESTRICTIONS
(Aqua Texas Stage 3)**

All Aqua Systems in the Hays Trinity Groundwater Conservation District for the Jacobs Well Groundwater Management Zone: Woodcreek Section 1 TX1050037 & Woodcreek Section 2 TX1050039 and Mountain Crest TX1050111

Dear Aqua Texas Customer:

April 20, 2022

Aqua Texas has been given notification that Stage 3 Drought has been declared by the Hays Trinity Groundwater Conservation District for the Jacobs Well Groundwater Management Zone. As a result of this declaration, Aqua Texas is required to implement water restrictions to reduce demand by 30%. We realize the challenge this can create in maintaining lawns and landscaping. Though we have the capacity to provide for normal usage, we are required by rule to implement these restrictions. More information can be found on the district’s web page at <http://haysgroundwater.com>, by calling the district at (512) 828-9253, or by email at Staff3@haysgroundwater.com. Aqua also encourages all customers to visit the Texas Water Development Boards (TWDB) website for water conservation and sustainability resources at www.twdb.texas.gov/conservation/resources/index.asp. TWDB also provides information on water smart landscape design, rain water harvesting and much more.

Mandatory Stage 3 water use restrictions are effective immediately. These restrictions provide you with an opportunity to water one day a week during specific early morning and late evening hours. Studies have shown that watering once a week is adequate to maintain your lawns and landscapes even in our hot Texas summers, though some turf grasses may yellow. Please only water if necessary. It is critical to adjust irrigation systems, so water is not wasted and remains in the area to be irrigated. Water shall not be allowed to spray or run on hard surfaces such as sidewalks, driveways, or streets.

The Stage 3 requirements and limitations are listed below and include once a week watering schedule based on the last number of your physical address. Please note that you may only water with automatic irrigation systems or hose end sprinklers on your designated watering days. If you have an automatic sprinkler system, please adjust the timer to meet the requirements. There are also schedules for soaker hoses and hand-held hoses which will allow you to water early morning and late evening during times when less water loss will occur through evaporation. Watering days are shown on the table below.

Please use the last number in your street address to find your designated watering day.

**ONCE WEEKLY WATERING SCHEDULE
(Applicable During Stages 3)**

House No. Ends In 2 or 9	House No. Ends In 1 or 5	House No. Ends In 6 or 7	House No. Ends In 0 or 3	House No. Ends In 4 or 8
Monday	Tuesday	Wednesday	Thursday	Friday

Required customer water use restrictions:

- Automatic Irrigation systems
Designated watering days – (Midnight to 4:00 a.m.) & (8:00 p.m. to Midnight).
- Hose end sprinklers
Designated watering days – (Midnight to 9:00 a.m.) & (7:00 p.m. to Midnight).
- Hand held hose are permitted for watering landscaped areas (not lawns)
Designated watering days – (7:00 a.m. to 9:00 a.m.) & (7:00 p.m. to 9:00 p.m.).
Please do not leave your hose unattended because that is a violation of Stage 3 restrictions.
- Soaker hoses may be used for Landscaped areas (not lawns) and foundations
Designated watering days – (7:00 a.m. to 9:00 a.m.) & (7:00 p.m. to 9:00 p.m.).

- No washing of cars, boats or other vehicles.
- Filling, or refilling of pools is not permitted. Topping off existing pools is allowed on designated watering days during designated hours for irrigation systems.
- No washing of driveways, sidewalks, or streets. Please use a broom or blower.

PENALTIES OR CONSEQUENCES FOR NOT FOLLOWING RESTRICTIONS

Enforcement

1. First violation:
Stage 3 - The customer will be notified by written notice, hanging tag or letter, of their specific violation of required restrictions, reductions or for excessive usage. The customer will be provided a copy of the User Drought Contingency Plan.
2. Subsequent violations:
 - a. After the first written notice, Aqua Texas may install a flow-restricting device in the line to limit the amount of water that will pass through the meter in a 24-hour period. The flow restrictor may be left in the line for up to 60 days or until the wholesale provider or district requirements are ended. Aqua Texas may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00 for installation and \$50.00 for removal. The customer will be provided a copy of the User Drought Contingency Plan.
 - b. If the customer violates the required reductions after installation of a flow restrictor, Aqua Texas may discontinue service at the meter for up to 7 days. The customer will be charged a \$50 reconnect fee for restoration of service. Further violations will result in disconnection and additional reconnect fees. When service is reconnected a flow restrictor may be installed.
 - c. If a customer violates the restrictions again after having a flow restrictor installed and removed, Aqua Texas may either reinstall a flow restrictor as described in (a) above or, at its option, disconnect service for up to 7 days. When service is reconnected a flow restrictor may be installed.

Exemptions or Variances

Aqua Texas may grant any customer an exemption or variance from the UDCP for good cause upon written request. Aqua Texas will treat all customers equally concerning exemptions and variances and will not discriminate in granting exemptions and variances. No exemption or variance will be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Response Stages

Unless there is an immediate and extreme reduction in an aquifer level; water availability or production; critical system capacity; or other absolute necessity to declare an emergency or severe condition, Aqua Texas will progress sequentially from Stage 1 through more restrictive stages. If, after a reasonable period of time, demand is not reduced enough to alleviate the conditions that initiated restrictions or to comply with restrictions required by a court, district, government agency, wholesale provider or other authority, some outdoor water use provisions in a particular Stage may be modified or further restricted or more restrictive Stages implemented as necessary to achieve the necessary reductions. In addition to restricted watering times, maximum monthly or weekly customer usage targets may be implemented and enforced in the same manner as the restrictions listed below. Notice of any modified restrictions or of a more stringent stage will be provided to customers at least 72 hours prior to implementation. **To comply with the requirements of an underground district, wholesale provider or other authority, Aqua Texas may skip a less restrictive stage and immediately implement more restrictive stages.**

If you have questions concerning these restrictions or variances, please contact Joaquin Montes, Compliance Coordinator at (512) 990-4400 ext. 56109 during regular business hours.

WATER CODE
TITLE 2. WATER ADMINISTRATION
SUBTITLE B. WATER RIGHTS
CHAPTER 11. WATER RIGHTS
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

(b) The wholesale and retail public water suppliers and irrigation districts shall provide an opportunity for public input during preparation of their drought contingency plans and before submission of the plans to the commission.

(c) By May 1, 2005, a drought contingency plan required by commission rule adopted under this section must include specific, quantified targets for water use reductions to be achieved during periods of water shortages and drought. The entity preparing the plan shall establish the targets.

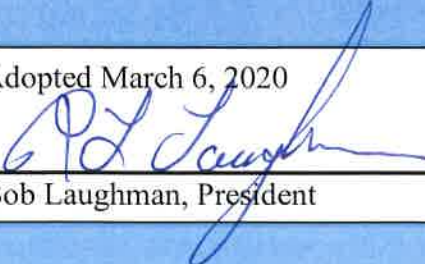
(d) The commission and the board by joint rule shall identify quantified target goals for drought contingency plans that wholesale and retail public water suppliers, irrigation districts, and other entities may use as guidelines in preparing drought contingency plans. Goals established under this subsection are not enforceable requirements.

(e) The commission and the board jointly shall develop model drought contingency programs for different types of water suppliers that suggest best management practices for accomplishing the highest practicable levels of water use reductions achievable during periods of water shortages and drought for each specific type of water supplier.

AQUA TEXAS, INC

**Applies to all Public Water Systems Owned and
Operated by Aqua Texas, Inc.**

*Developed to Meet Requirements
Outlined in 30 TAC § 288.20 and § 288.22*

5/2/20
Adopted March 6, 2020

Bob Laughman, President

USER DROUGHT CONTINGENCY PLAN (UDCP) All Public Water System Owned and Operated by Aqua Texas, Inc.

Introduction

Aqua Texas, Inc. (Aqua Texas) has developed this User Drought Contingency Plan (UDCP) to enable it to manage its water systems and water resources during drought conditions, periods of abnormally high usage, system contamination, and extended reduction in ability to supply water due to equipment failure or other emergencies in a conscientious, fair, and appropriate manner. It is not designed to punish, stigmatize, or criticize anyone about their usage of water. Its sole intent is to maintain an adequate supply of water during the various stages of drought conditions or other water supply emergencies, which may occur from time to time and to enable Aqua Texas to comply with the requirements of a court, government agency, ground water district, wholesale provider or other authority.

Aqua Texas believes that significant reductions in water usage can be achieved through voluntary efforts by customers. Implementation of voluntary water conservation measures and conscientious water use practices are encouraged at all times; however, additional water use restrictions are required in cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure.

SECTION 1 Declaration of Policy, Purpose, and Intent

Aqua Texas, in its continuing effort to maintain an adequate supply of high quality water, has prepared this User Drought Contingency Plan (UDCP or plan). In order to maintain supply, storage, and pressure or to comply with regulatory requirements, temporary restrictions may be necessary to limit non-essential water usage. This UDCP has been guided by TCEQ Requirements & Rules.

SECTION 2 Public Education

Aqua Texas will periodically provide customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the water use restrictions to be implemented in each stage. Drought plan information will be provided by:

- utility bill inserts; or,
- other direct mail notices will be provided if necessary, to provide timely information.
- Additional information will be posted on the company website under “Alerts & Outages”

SECTION 3 Notice Requirements

Written notice will be provided to each customer by mail or hand delivery prior to implementation or termination of each stage of the water restriction program. Notice will be mailed to each customer at least 72 hours prior to the start of new or modified water use restrictions. If notice is hand delivered, Aqua Texas will not enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. the date restrictions will begin,
2. the circumstances that triggered the restrictions,
3. the stages of response and explanation of the restrictions to be implemented, and,
4. an explanation of the consequences for violations.

The notice when it is necessary to move to Stage III or Stage IV will inform customers that violating the restrictions on sprinklers, automatic irrigations systems or use of other unauthorized irrigation may result in installation of a flow restrictor without a prior separate written notice.

Notification to the TCEQ by telephone at (512) 239-4691, or electronic mail at PDWS@tceq.texas.gov prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC - 155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. A status report of the restriction program is required to be filed with the TCEQ at the initiation and termination of mandatory water use restrictions (i.e., Stages III and IV).

SECTION 4 Violations of Mandatory Restrictions: Stage I, Stage II or Stage III

- 1. First violation:
 - Stage I or Stage II - The customer will be notified by written notice, hanging tag or letter, of their specific violation of required restrictions, reductions or for excessive usage. The customer will be provided a copy of the User Drought Contingency Plan.
 - Stage III or IV - Aqua Texas may install a flow restricting device as described below without a prior written notice for violation of restrictions on sprinklers, automatic irrigation systems or use of hoses.
- 2. Subsequent violations:
 - a. After the first written notice, Aqua Texas may install a flow-restricting device in the line to limit the amount of water that will pass through the meter in a 24-hour period. The flow restrictor may be left in the line for up to 60 days or until the wholesale provider or district requirements are ended. Aqua Texas may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00 for installation and \$50.00 for removal. The customer will be provided a copy of the User Drought Contingency Plan.
 - b. If the customer violates the required reductions/restrictions after installation of a flow restrictor, after written notice, Aqua Texas may discontinue service at the meter for up to 7 days, or until the end of the calendar month, whichever is less. The customer will be charged a \$50 reconnect fee for restoration of service. Further violations will result in disconnection and additional reconnect fees.

SECTION 5 Exemptions or Variances

Aqua Texas may grant any customer an exemption or variance from the UDCP for good cause **upon written request**. A customer who is refused an exemption or variance by Aqua Texas may appeal the denial in writing to the TCEQ. Aqua Texas will treat all customers equally concerning exemptions and variances and will not discriminate in granting exemptions and variances. No exemption or variance will be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

SECTION 6 Response Stages

Unless there is an immediate and extreme reduction in an aquifer level; water availability or production; critical system capacity; or other absolute necessity to declare an emergency or severe condition, Aqua Texas will progress sequentially from Stage I through more restrictive stages. If, after a reasonable period of time, demand is not reduced enough to alleviate the conditions that initiated restrictions or to comply with restrictions required by a court, district, government agency, wholesale provider or other authority, some outdoor water use provisions in a particular Stage may be modified or further restricted or more restrictive Stages implemented as necessary to achieve the necessary reductions. In addition to restricted watering times, maximum monthly or weekly customer usage targets may be implemented and enforced in the same manner as the restrictions listed below. Notice of any modified restrictions or of a more stringent stage will be provided to customers in accordance with Section 3. **In order to comply with the requirements of an underground district, wholesale provider or other authority, Aqua Texas may skip a less restrictive stage and immediately implement a more restrictive stage.**

STAGE I – MANDATORY WATER RESTRICTIONS – See Chart on Page 5

STAGE II – MANDATORY WATER RESTRICTIONS – See Chart on Page 5

STAGE III – MANDATORY WATER RESTRICTIONS - CRITICAL STAGE – See Chart on Page 5

STAGE IV – MANDATORY WATER RESTRICTIONS - SEVERE STAGE – See Chart on Page 5

SECTION 7 Drought, Demand & Critical System Capacity Stage Triggers

Water System Supply Contamination or Outage: In the event of system supply contamination or system outage, Aqua Texas may immediately implement the response measures of **Stage IV**. Notification to TCEQ shall be made immediately by calling (512) 239-4691, or electronic mail at *PDWS@tceq.texas.gov*. The appropriate regional office shall also be notified.

If any single demand based trigger condition is met for a given restriction stage, then most restrictive stage triggered will be evaluated for implementation.

Demand Based Triggers:

<u>Trigger</u>	<u>Stage I Mandatory</u>	<u>Stage II Mandatory</u>	<u>Stage III Mandatory</u>	<u>Stage IV Mandatory</u>
Percent of water treatment capacity reached for 3 or more days in a week	75 %	85 %	90 %	95 %
Total daily demand as % of pumping capacity for 3 or more days in a week	75 %	85 %	90 %	95 %
Storage capacity	Storage Tank Level drops within 4 ft. of low level lock out 3 or more days in a week.	Storage does not refill prior to 6 pm or tank drops within 3 ft. of low level lock out 3 or more days in a week.	Low level lock out is reached more than once in a week.	Low level lock out is reached more than twice in a week.
Well Pump Runs ___ hours per day more than 3 days per week	16 hrs	18 hrs.	20 hrs.	22 hrs.

Supply or water demand management measures including, but not limited to, pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in with Texas Water Code §11.039 may be implemented by the Director of Operations as authorized in Section 12 of this plan.

Supply Based Triggers - For those systems where Aqua Texas pumps water from a ground water district or purchases water from wholesalers, the district or wholesale supplier will formally notify Aqua Texas of one or more precipitating events triggering a stage of the district or wholesaler’s drought contingency plan. Upon enactment of a stage in the district, authority or wholesaler’s drought contingency plan, Aqua Texas will correspondingly implement the same or equivalent stage in its service area. Aqua Texas can modify its plan to match the watering schedules, daily watering hours or other specific restrictions of a wholesaler, district or other authority if asked to do so. Aqua Texas will notify customers of any changes in days, hours or other provisions

prior to enforcing provisions of the plan. When Aqua Texas must self regulate to comply with ground water permit limitations, water restrictions may be enacted to ensure compliance with permit limits.

Specific triggers for systems utilizing water managed by LCRA as a source are included in Appendix B of this plan. These triggers shall supersede any other criteria listed within this plan when the criterion within Appendix B initiates a more restrictive water conservation stage.

SECTION 8 Non Drought Related Conservation Awareness

Aqua Texas will voluntarily perform the following actions during late Spring and Summer as an integral part of the UDCP when there is no declared drought or other water supply emergencies:

- Aqua Texas will operate its system under normal conditions.
- Aqua Texas will ensure that each operator has received a copy of the UDCP.
- Aqua Texas will encourage customers to follow water conservation practices at all times.
- Aqua Texas will urge customers to water lawns on the conservation awareness schedule, avoid unnecessary and excessive watering and to keep evaporative losses to a minimum.
- Aqua Texas will seek to identify and repair leaks in a timely fashion. Customers will be encouraged to notify Aqua Texas of any known or observed leaks.

SECTION 9 Water Conservation Awareness Period – Voluntary Restrictions

Goal – 5 % Reduction in usage

Aqua Texas will encourage customers to follow the voluntarily conservation awareness practices below between May and September when not already in a declared drought or mandatory water restriction period. **For systems utilizing water managed by LCRA as a source, the landscape irrigation restrictions in this section are required to be observed at all times.** Customers will be notified in writing each spring that Voluntary Restrictions are in place and encouraged to follow water conservation practices.

Voluntary Practices to Reduce Water Consumption

- Follow the suggested twice weekly schedule for lawn watering as contained in Section 10 with hose end sprinklers or automatic irrigation systems and water between the following times:

Midnight to 10:00 a.m. & 8:00 p.m. to Midnight on the designated watering day.

- Water garden, trees, flowers or other landscaped areas with handheld hose, a faucet filled bucket or watering can any day between 6:00 p.m. – 10:00 a.m. but avoid unattended hoses.
- Soaker Hoses – Anywhere except lawns 8 p.m. – 10:00 a.m. any day
- Car washing with bucket or hand-held hose with automatic shut-off.
- Draw less water for bath or reduce shower time.
- Do not let water run while shaving, dish washing, brushing teeth, etc.
- Keep pools covered if not used on a daily basis.
- Use water displacement device in toilet tank.
- Install aerators on faucets.
- Utilize water reuse where possible.
- Replacement or retrofits with ultra low flow fixtures is encouraged.
- Do not use hose to wash off driveways, sidewalks, or streets. Use a broom or blower.
- Use Commercial Car Washes that Recycle Water.

SECTION 10 MANDATORY WATER RESTRICTIONS

<u>Stage I – Mandatory Restrictions</u>	<u>Stage II – Mandatory Restrictions</u>	<u>Stage III– Mandatory Restrictions Critical Stage</u>	<u>Stage IV– Mandatory Restrictions Severe Stage</u>
Goal - 10 % Reduction	Goal - 20 % Reduction	Goal - 30 % Reduction	Goal - ≥40 % Reduction
If the triggers identified in the UDCP are met or critical system capacities are being threatened, Aqua Texas will activate Stage I . Comply with TWICE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever production or critical system capacity triggers are reached, Aqua Texas will activate Stage II measures of its UDCP. Comply with TWICE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever system failures are a concern or the possibility of outages exists, <i>Aqua Texas</i> will activate the Stage III measures of its UDCP. Comply with ONCE WEEKLY lawn watering schedule: DESIGNATED DAYS & HOURS ONLY	Whenever system failures are imminent or there are outages, <i>Aqua Texas</i> will activate the Stage IV measures of its UDCP. LAWN WATERING PROHIBITED
<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and promptly fix leaks. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation Systems WATERING SCHEDULES Midnight to 10 a.m. & 8:00 p.m. to Midnight Hose End Sprinkler– <u>Same as above</u> Handheld Hose, faucet filled bucket or watering can - Watering landscape areas allowed ANY DAY at <u>designated hours</u>. No unattended hoses. Midnight to 10:00 a.m. 7:00 p.m. to Midnight Soaker Hoses – Landscaped areas, ANY DAY from: Midnight to 10:00 a.m. 8:00 p.m. to Midnight Car washing - bucket or hand-held hose with automatic shut-off; 1 time every other week or use a commercial car wash. No washing of driveways, sidewalks, or streets. No new filling or refilling of pools but topping off of existing pools allowed. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System WATERING SCHEDULES Midnight to 4:00 a.m. 8:00 p.m. to Midnight Hose End Sprinkler – Midnight to 9:00 a.m. 7:00 p.m. to Midnight Handheld Hose, faucet filled bucket or watering can - Watering landscape areas allowed ANY DAY at <u>designated hours</u>. No unattended hoses. 7:00 a.m. to 10:00 a.m. 7:00 p.m. to 10:00 p.m. Soaker Hoses – Landscaped areas, no lawns, ANY DAY from: Midnight to 10:00 a.m. 8:00 p.m. to Midnight No washing of cars, driveways, sidewalks, or streets. No new filling or refilling of pools but topping off of existing pools allowed on designated days. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System WATERING SCHEDULES Midnight to 4:00 a.m. 8:00 p.m. to Midnight Hose End Sprinkler – Midnight to 9:00 a.m. 7:00 p.m. to Midnight Handheld , faucet filled bucket or watering can - Landscaped areas, pot plants & Lawns – ONLY DESIGNATED DAYS No unattended hoses. 7:00 a.m. to 9:00 a.m. 7:00 p.m. to 9:00 p.m. Soaker Hoses – FOUNDATIONS ONLY DESIGNATED DAYS 6:00 a.m. to 9:00 a.m. 7:00 p.m. to 10:00 p.m. No washing of cars, drives, streets, sidewalks. No new filling or refilling but topping off of existing pools allowed on designated days. 	<p><u>Actions required of Customers</u></p> <ul style="list-style-type: none"> Continued water conservation practices and voluntary reductions in water use in general. Mandatory compliance with “Required Reductions” listed below. <p><u>Actions initiated by Aqua Texas</u></p> <ul style="list-style-type: none"> Flushing is limited to dead end mains and then only to maintain water quality. Check for and fix leaks promptly. <p><u>Required Customer Restrictions</u></p> <ul style="list-style-type: none"> Automatic Irrigation System Prohibited at all times! Hose End Sprinklers- Prohibited at all times! Handheld Hose – Prohibited at all times! Watering Can - Landscaped areas & pot plants – ONLY DESIGNATED DAY 7:00 a.m. to 9:00 a.m. 7:00 p.m. to 9:00 p.m. Soaker Hoses – FOUNDATIONS ONLY DESIGNATED DAY 6:00 a.m. to 9:00 a.m. 7:00 p.m. to 10:00 p.m. No washing of cars, drives, streets, sidewalks. No new filling, refilling, or topping off of pools. No non-essential use, i.e., decorative fountains. Newly planted trees or shrubs ANY DAY: soaker bag or watering can.

<u>Stage I – Mandatory Restrictions</u>	<u>Stage II – Mandatory Restrictions</u>	<u>Stage III– Mandatory Restrictions Critical Stage</u>	<u>Stage IV– Mandatory Restrictions Severe Stage</u>
<p><u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.</p>	<p><u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.</p>	<p><u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.</p>	<p><u>Customer Consumption Limit:</u> Aqua Texas can establish a monthly customer consumption limit if necessary, to ensure meeting required reduction.</p>
<p><u>Penalties or Consequences</u></p> <ul style="list-style-type: none"> • Warnings for excessive consumption. • Installation of flow restrictors for <u>2nd violation</u> of Stage I Restrictions. • Service cutoff & reconnection fee for <u>3rd violation</u> of Stage I Restrictions 	<p><u>Penalties or Consequences</u></p> <ul style="list-style-type: none"> • Warnings for excessive consumption. • Installation of flow restrictors for <u>2nd violation</u> of Stage II Restrictions. • Service cutoff & reconnection fee for <u>3rd violation</u> of Stage II Restrictions 	<p><u>Penalties or Consequences</u></p> <ul style="list-style-type: none"> • Installation of flow restrictors for <u>1st violation</u> of Stage III Restrictions. • Service cutoff & reconnection fee for <u>2nd violation</u> of Stage III Restrictions 	<p><u>Penalties or Consequences</u></p> <ul style="list-style-type: none"> • Installation of flow restrictors for <u>1st violation</u> of Stage IV Restrictions. • Service cutoff & reconnection fee for <u>2nd violation</u> of Stage IV Restrictions.

TWICE WEEKLY WATERING SCHEDULE

(Applicable During Conservation Awareness or Stages I or II)

House No. Ends In 2 or 9	House No. Ends In 1 or 5	House No. Ends In 6 or 7	House No. Ends In 0 or 3	House No. Ends In 4 or 8
Monday Thursday	Tuesday Friday	Wednesday Saturday	Thursday Sunday	Friday Monday

ONCE WEEKLY WATERING SCHEDULE

(Applicable During Stage III– Mandatory Restrictions)

House No. Ends In 2 or 9	House No. Ends In 1 or 5	House No. Ends In 6 or 7	House No. Ends In 0 or 3	House No. Ends In 4 or 8
Monday	Tuesday	Wednesday	Thursday	Friday

The above watering schedules may be modified from time to time based on the affected area and the numbering of addresses. This is done to more evenly distribute the number of connections permitted to water on a given day providing better control of peaking demands. This is most commonly necessary in small water systems. Other variations may be used including but not limited to named areas, street names, utilization of a different digit within the house number, etc.

SECTION 11 Criteria for Termination of Restrictions

The termination, lifting, or partial lifting of a restriction level will be evaluated on a case by case basis. Any reduction in restriction level will occur only when in the opinion of the Director of Operations, the Operations Area Manager or their designee determines conditions warrant such a change. Customers will be informed of any such change as soon as possible in a manner consistent with Section 2 of this plan.

SECTION 12 Wholesale Contract Provisions

New wholesale contracts shall include standard language requiring the customer adhere to the Aqua Texas’s mandatory drought reduction goals. Aqua Texas will include a provision in every wholesale water contract

entered into or renewed after adoption of the plan, in case of shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code §11.039.

In the event that pro rata curtailment is deemed necessary, the Director of Operations or his designee is hereby authorized to initiate allocations of water supplies in accordance with Texas Water Code §11.039.

Enforcement actions for non-compliance with either pro rata water reductions by wholesale customers will vary according to the specifics of each wholesale customer's contract.

SECTION 13 Coordination with Regional Planning Groups (RPG)

Aqua Texas, Inc. has provided a copy of this Plan to all RPGs in which it owns and operates public water systems. A copy of the transmittal letter to the planning group is provided in Appendix A.

SECTION 14 TCEQ Notification

Aqua Texas shall notify the executive director of the Texas Commission on Environmental Quality within five (5) business days of the implementation of any mandatory provisions of the Drought Contingency Plan.

SECTION 15 Public Participation

Aqua Texas has met with homeowners' associations at several water systems in the past susceptible to drought to discuss specific drought restrictions and the plan in general. Aqua Texas will continue to meet with homeowner groups and other customer associations on request to further provide opportunity for customer input. Aqua Texas shall make the plan available to any customer upon request and share its content in education materials prepared as part of but not limited to the educational activities outlined in Section 2 of this plan.

SECTION 16 Plan Review and Updates

This Plan was developed to meet the requirements in 30 TAC § 288.20 and § 288.22 to submit a Drought Contingency Plan and provide the community and water customers with essential drought contingency response information, regulations, and services. The Plan will be reviewed at minimum every five (5) years and updated as needed based on major developments in Aqua Texas's water service areas. The next scheduled plan review and update will occur in 2025.

Appendix A

RPG Notification Cover Letter

Sent to Regions: B, C, D, F, G, H, I, J, K, L, M, N & P



March 6, 2020

Regional Water Planning Group Chair:

The enclosed Drought Contingency Plan, which updates the previously adopted 2015 Drought Contingency Plan, was developed by the Aqua Texas to fulfill Texas Commission on Environmental Quality (TCEQ) requirements for retail and wholesale water providers as outlined in Texas Administrative Code Title 30, Chapter 288. It is being forwarded to TCEQ.

If you have any questions on the enclosed plan please contact me at 512-990-4400 x56101.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scot W. Foltz". The signature is stylized and fluid.

Scot W. Foltz
Aqua Texas Water
Environmental Compliance Manager

LCRA Drought Level Triggers Addendum

To be used for any system utilizing water from a source under the authority of LCRA.

Aqua Texas Area shall monitor water supply and demand conditions on a regular basis and shall determine when conditions warrant initiation and termination of each stage of this Plan in accordance with LCRA's Water Management Plan. Water supply conditions will be determined by the source of supply, system capacity, and weather conditions. Water demand will be measured by the peak daily demands on the system.

Public notification of the initiation or termination of drought response stages shall be by a variety of ways, examples include direct mail, e-mail and automated telephone calls, signs posted at entry points to the service area or a combination of these methods.

The following triggering criteria shall apply to Aqua Texas system(s) and customer service area utilizing water under the authority of LCRA:

7.1 *Triggering Criteria for Initiation and Termination of Drought Response Stages*

1. STAGE 1 - Mild Water Shortage Conditions

- A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 1 Drought Response Measures when one or a combination of such triggering criteria occurs:
1. Treatment Capacity:
 - For surface water plants when total daily water demand equals or exceeds 75 percent of the total operating system treatment capacity for three consecutive days, or 85 percent on a single day; or
 2. Water Supply:
 - Combined storage of Lakes Travis and Buchanan reaches 1.4 million acre-feet in accordance with the LCRA Drought Contingency Plan for Firm Water Customers (DCP).
- B. **Requirements for termination** - Stage 1 of the plan may be rescinded when:
1. Treatment Capacity:
 - The water treatment plant capacity condition listed above as a triggering event for Stage 1 has ceased to exist for five consecutive days; or
 2. Water Supply:
 - LCRA announces that voluntary restrictions by its firm raw water customers are no longer needed in accordance with the LCRA DCP.

2. STAGE 2 - Moderate Water Shortage Conditions (Mandatory Measures)

Item 11.

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 2 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 85 percent of the total operating system treatment capacity for three consecutive days, or 95 percent on a single day; or

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 900,000 acre-feet in accordance with the LCRA DCP.

B. **Requirements for termination** - Stage 2 of the Plan may be rescinded when:

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event for Stage 2 has ceased to exist for five consecutive days.

2. Water Supply:

- LCRA announces that voluntary compliance to implement a utility's mandatory water restrictions are no longer needed in accordance with the LCRA DCP.

Upon termination of Stage 2, Stage 1 becomes operative.

3. STAGE 3 - Severe Water Shortage Conditions (Mandatory Measures)

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 3 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 90 percent of the total operating system treatment capacity for three consecutive days, or 97 percent on a single day.

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 750,000 acre-feet, in accordance with the LCRA DCP, **or**
- The LCRA Board declares a drought worse than the Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies.

B. **Requirements for termination** - Stage 3 of the Plan may be rescinded when:

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event for Stage 3 has ceased to exist for five consecutive days.

2. Water Supply:

- LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 3, Stage 2 becomes operative.

4. STAGE 4- Critical Water Conditions

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 4 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- For surface water systems, when total daily water demand equals or exceeds 95 percent of the total operating system treatment capacity for three consecutive days, or 97 percent on a single day.

2. Water Supply:

- Combined storage of Lakes Travis and Buchanan reaches 600,000 acre-feet, in accordance with the LCRA DCP, **or**
- The LCRA Board declares a prolonged drought worse than the Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies at a level more severe than in Stage 3.

B. **Requirements for termination** - Stage 4 of the Plan may be rescinded when:

1. Treatment Capacity:

- The water treatment plant capacity condition listed above as a triggering event for Stage 4 has ceased to exist for five consecutive days; or

2. Water Supply:

- LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 4, Stage 3 becomes operative.

5. Emergency Water Conditions

A. **Requirements for initiation** - Customers shall be required to adhere to the Stage 5 Drought Response Measures when one or a combination of such triggering criteria occurs:

1. Treatment Capacity:

- Major water line breaks, loss of distribution pressure, or pump system failures that cause substantial loss in its ability to provide water service.

2. Water Supply:

- Natural or man-made contamination of the water supply source; or
- Any other emergency water supply or demand conditions that the LCRA general manager or the LCRA Board determines that either constitutes a water supply emergency or is associated with a prolonged drought worse than

the Drought of Record requiring the mandatory curtailment of firm water supplies at a level more severe than in Stage 4. Item 11.

B. Requirements for termination – Emergency Water Conditions may be rescinded when:

1. Treatment Capacity:
 - The water treatment plant capacity condition listed above as a triggering event has ceased to exist for five consecutive days; or
2. Water Supply:
 - LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 5, Stage 4 becomes operative.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action to Nominate a Full Member to the Platinum Panel

AGENDA ITEM SUMMARY:

A member has resigned and a vacancy remains for Councilmember Hines to nominate.

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

6/14/2023 3:01:03 PM

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY

Item 12.

Application for Appointment to the Woodcreek Roads "Platinum Panel"

The Woodcreek Roads "Platinum Panel" is a select group of citizens working with the City Council to review options and make recommendations to the Planning and Zoning Commission and City Council on street repair, reconstruction, maintenance, drainage, alternative modes of transportation, traffic calming options, and possible funding mechanisms. The Woodcreek Roads Platinum Panel consists of five members and two alternates appointed by the City Councilmembers, and is subject to the Texas Open Meetings Act.

Name: CRAIG E. BIGGS

Residence Address: 8 GARRISON TRAIL WIMBERLEY TX 78676

Mailing Address: SAME

Telephone Number(s): Home: _____ Cell: 512-304-5212

E-Mail Address: cbiggs121@gmail.com

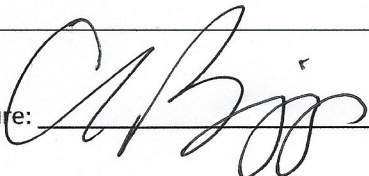
Number of Years Living in Texas: 14 Number of Years Living in Woodcreek: 1 1/2 YRS

Do you want your phone number(s)/email released in a Public Information Request? Yes No

Do you or your employer have any business or other dealings with the City of Woodcreek which may present a conflict of interest? Yes No If "Yes", please explain:

Describe any qualifications, credentials or special interests that relate to your possible appointment. Attach additional sheet(s) as needed.

RETIRED BUSINESS EXECUTIVE WITH SEVERAL
YEARS OF PROJECT MANAGEMENT AND REVIEW.

Signature: 

Date: 6-2-23

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss Council Meeting Options Including an Additional Regular Meeting, Special Meetings, and Work Sessions

AGENDA ITEM SUMMARY:

There is some confusion over ability to take action (vote on an item) during a workshop. Our new regularly scheduled workshops may not really be being held for their original purposes, such as to group comment and discuss legislation. In addition, being special meetings, they require a super majority for quorum. We have options such as having two regular meetings scheduled, with work sessions and special meetings called as needed. Workshops can certainly be held within a regular or special meeting.

FINANCIAL IMPACT:

Possible staff overtime and printing

SUBMITTED BY:

Jeff Rasco

AGENDA TYPE:

New Business

COMPLETION DATE:

6/14/2023 4:48:15 PM

From TML “2019 Handbook for Mayors and Councilmembers”

Council Work Sessions

Informal work sessions (sometimes called “workshops”) of the council may be needed from time to time to study certain matters in detail. These are most often held in conjunction with budget review, since regular council meetings do not provide enough time to consider the budget in detail. Work sessions also are useful when major policy questions must be decided or when a complicated ordinance, such as a building code, comes before the council.

The Texas Open Meetings Act applies to all council meetings, whether formal or informal. Notices of workshop meetings therefore should be posted in the same manner as notices of regular council meetings. Also, minutes or a recording must be made of the meetings.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on Updating a Draft Permit and Draft Ordinance to Regulate Short-term Rentals in the City of Woodcreek

AGENDA ITEM SUMMARY:

The purpose of this agenda item is to revise and provide feedback on a permit and ordinance to regulate short-term rentals giving direction to legal counsel and staff for the creation of final drafts for the upcoming Council public hearing date and time to be determined based on location availability but projected for late July.

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

6/14/2023 8:22:04 PM



Woodcreek's
**Planning & Zoning
 Commission**

**Report to City Council
 regarding STR
 Recommendations.**

RATIONALE FOR STR RECOMMENDATIONS BY P&Z

Greetings City Council,

At our March 1st P&Z meeting, our commission concluded work on Short Term Rentals (STRs) within the City of Woodcreek and submitted our recommendations to you for consideration. Council took up our recommendations at your meeting on March 8, 2023, but immediately went into executive session and returned only to make a motion instructing staff/city attorney to "set up a regulatory permitting process for residential short term rentals". Though we have no knowledge of your executive session, we too have had multiple executive sessions with two City Attorney's and can imagine the discussions were likely similar. Regardless, your response to our recommendation was unexpected and our concern is that we may not have provided you sufficient background to adequately express the rationale for our recommendations and for the documents we've created. To remedy this we've done our best to summarize our sentiment here. We ask that you review this supplemental information and to then reconsider your course of action, to be certain it is the best course for long-term management of STRs in Woodcreek.

Summary of Recommendations

It may have been our lack of experience formulating motions, but what we intended to recommend does not seem to have translated correctly into what was actually recommended and acted upon by City Council.

We intended the following:

1. Recommend that City Council amend current City Code §156.062 & §156.064 as per the Proposed Amendment dated 10/30/22.
2. Recommend that City Council finalize DRAFT - STR Ordinance 230113 as written by P&Z.
3. Recommend that City Council finalize the 1) STR Application, 2) STR FAQs, 3) STR Inspection Checklist, and 4) STR Maps drafted by P&Z.
4. Recommend that City Council prioritize enforcement plans and measures (establishing a municipal court) to enforce all city ordinances.

Of the six documents we prepared for you, it appears as though only one may actually have been presented / included in your Agenda Packet. We include all six with this report for your review.

Process Logic

We are all acutely aware that everything about STRs is contentious and prone to legal action. To that end we started our process with the assumption that our product would be legally challenged. Our premise then, was to create the most “legally robust” and “legally defensible” product for the long-term. We determined the best way for us (with limited legal experience) to go about this would be to review instances where STR regulations worked and instances where they failed. For the ones that failed, we should understand the issues that cause them to fail and then mitigate those issues in our product as best possible. There may be other issues, but at least we can defend against the ones that are known to have caused other cities to fail. And for the ones that worked, we should use those as a model to create our own.

A Model that Works

The model we chose for one that’s been working since 2019 is Arlington, Texas.

- Court upholds Arlington ban on most Airbnb and other short-term rentals (<https://www.dallasnews.com/news/2021/07/23/court-upholds-arlington-ban-on-most-airbnb-and-other-short-term-rentals/>)
- RAWNDA DRAPER, MARK SCOTT, MEGAN SCOTT, JEREMY FENCEROY, AND BRADLEY HERBERT, Appellants V. CITY OF ARLINGTON, TEXAS, AND W. JEFF WILLIAMS, MAYOR OF THE CITY OF ARLINGTON, Appellees (<https://search.txcourts.gov/SearchMedia.aspx?MediaVersionID=8a441c34-f0a5-4b39-a1c6-b6112520cfac&coa=coa02&DT=Opinion&MediaID=4cf743a9-fb56-4bc8-8667-ba77d5333b09>)

Indeed, you’ll see that our products looks strikingly similar (i.e. copied directly and then tweaked to meet the needs of Woodcreek) to those created by Arlington! This is a model that has worked, is currently working, and has survived legal challenge.

(https://www.arlingtontx.gov/city_hall/departments/planning_development_services/land_development/commercial_site_plan_public_improvements/short_term_rentals)

Models that did NOT Work

City Attorney Gordon addressed us at our P&Z meeting in January 2023. He indicated his hesitancy about prohibiting STRs. He provided us two cases from the Second and Third Court of Appeals that were favorable to STRs. At the same time, he conceded that our circuit court had not yet addressed the issue, it’s possible they could agree with our model, and that he’d be happy to “fight the good fight with us” if that was our recommendation (at least that’s the message I heard).

- From the Third Court of Appeals, the 2019 opinion in Ahmaad Zataari vs. City of Austin (<https://cases.justia.com/texas/third-court-of-appeals/2019-03-17-00812-cv.pdf?ts=1574860549>):
 - The Texas Constitution prohibits retroactive laws. The State contends that the ordinance provision terminating all type-2 operating licenses is retroactive because it “takes away the fundamental and settled property right” to lease one’s real estate under the most desirable terms. While disagreeing on the effect, the City conceded the ordinance retroactively cancels existing leases. Not all retroactive laws are

unconstitutional. The Court held the regulation operates to eliminate well-established and settled property rights that existed before the ordinance's adoption.

- **If we allow STRs now, we will have the same issue with “retroactive laws” and “retroactively canceling existing leases”.**
- **As of now, “well-established and settled property rights that existed before the ordinance’s adoption” does not apply to us as there are no STRs.**
- Further, for four years the City did not issue a single citation to a licensed short-term rental owner or guest for violating the City’s noise, trash, or parking ordinances. The purported public interest served by the ordinance’s ban on type-2 short-term rentals cannot be considered compelling.
 - **We must have enforcement**
 - **We have no citations/complaints because it is understood (by most) that STR’s are not currently allowed.**
- Based on the practices performed in Austin over the years, short-term rentals have a settled interest and place in the City. The City’s ordinance eliminates the right to rent property short term if the property owner does not occupy the property. As a result, the regulations are unconstitutionally retroactive.
 - **If we allow STRs now, we will face this same problem in the future when STRs here have a “settled interest in the place in the city”.**
- From the Second Court of Appeals, the 2019 opinion in City of Grapevine v. Ludmilla B. Muns, et al (<https://law.justia.com/cases/texas/second-court-of-appeals/2021/02-19-00257-cv-0.html>):
 - the City argued that STRs do not fit within the definition of a “single-family detached dwelling” under its zoning code because STRs are not occupied by a single-family but are occupied by groups of people. However, the City’s code defines the word “family” in such a way that it does not require that the people living as a “single housekeeping unit” be related by blood or marriage. It also has no duration of occupancy limit. As a result, by its own wording, the code does not prohibit STRs as long as the occupancy fall within the common and ordinary meaning of “family.”
 - **We have definitions in our code currently: 156.009 (see Definitions below)**
 - **Our definitions seem better prepared for a defense but could/should be refined with STRs in mind.**
 - This, along with the fact the court found that STRs were not expressly prohibited by the wording of the ordinance, creates a fact issue...
 - **The wording in our ordinance expressly ALOWS STR’s in SF4 and is meant to IMPLY that they are not allowed in other zones. Clearly this is legally insufficient which is why we need to expressly prohibit them now as was asked of us in April 2022.**

Definitions

- Definitions (<https://www.epa.gov/smartgrowth/codes-support-smart-growth-development>)
 - Unified Development Code — A single document that includes all development-related regulations, including zoning and subdivision regulation. We don't have this, but we should (instead of having definitions scattered in various ordinances).
 - Zoning Overlay — A set of zoning ordinances, optional or required, specifying land use and/or design standards for a designated portion of the underlying zoning within a defined district; typically used to keep architectural character and urban form consistent, make adjacent uses compatible, or accelerate the conversion of non-conforming land uses. (See Texas State Code Sec. 211.005 below.)
 - **We HAVE definitions.** § 156.009 - DEFINITIONS.
 - Dwelling (Single-Family) - A detached building having accommodations for occupancy by not more than one family.
 - Family - Any number of individuals living together as a single housekeeping unit, in which not more than three individuals are unrelated by blood, marriage, adoption or guardianship, and occupying a dwelling unit.
 - District - A zoned section or sections of the City for which regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform.
 - Short Term Rental - A rental of a residential structure or part of a residential structure for fewer than 30 consecutive days.
 - Single-Family Dwelling - A building designed for or occupied exclusively by one household. See Single-Family, Detached.
 - § 110.02 - DEFINITIONS
 - Hotel - Any building or buildings in which members of the public may, for a consideration, obtain sleeping accommodations, including hotels, motels, tourist homes, houses or courts, lodging houses, inns, rooming houses, bed and breakfast or other buildings where rooms are furnished for a consideration. The term does not include hospitals, sanitariums, nursing homes or dormitories or housing facilities owned or leased and operated by an institution of higher education or a private or independent institution of higher education, as defined by the State Education Code, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution.
 - Our Draft STR Ordinance
 - **Short-term rental (STR)** means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days. The definition of short-term rental does not include a **Bed and Breakfast** as defined in the Unified Development Code as, "A private, owner-occupied residence that offers sleeping accommodations to not more than 10 lodgers. A bed and breakfast home is not a single-family house".
 - We reference: "allowed by the most current copy of the International Residential Code on file in the office of the City Secretary" - we have a 2015 copy.

- International Residential Code® (IRC®)
 - Internationally, code officials recognize the need for a modern, up-to-date residential code addressing the design and construction of one- and two-family dwellings and townhouses not more than three stories above grade. The International Residential Code is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities, large and small.
 - This comprehensive, stand-alone residential code establishes minimum regulations for one- and two-family dwellings and townhouses using prescriptive provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs.

Texas State Code

We were reminded several times that “State code overrides local codes”. We were also advised to reference State Code section 211 (<https://statutes.capitol.texas.gov/SOTWDocs/LG/htm/LG.211.htm>).

Specifically: Sec. 211.005. DISTRICTS.

(b) Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. The regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.

- **This was one of the justifications for restricting STRs to zones while disallowing them in others. If we allow one STR in SF1 (for example), we can't not allow another. If we allow NONE in SF1, but any in SF4, we are justified. This is what the City of Arlington did and it works (for them).**

Zoning Considerations (where STRs are and are not allowed)

We started out considering a complete ban on STRs everywhere. However, given that STRs are and have been allowed in SF4, disallowing them retroactively could present a “chink in the armor” of our legal defense. Furthermore, it was suggested to us that we would have a stronger legal defense by having selected zone(s) in the city where STRs are allowed as opposed to a blanket city-wide ban with no recourse for someone wanting to own an STR in Woodcreek. Just like Arlington.

The Woodcreek Apartment complex was selected to allow STRs with intention. To clarify this, allow me to use a home in SF4 as an example first. The owner of a home in SF4 may live in their home and/or lease their home. Should they elect to lease their home, they may select a long term lease or a short term lease and the owner becomes the Lessor. The Lessor signs a Lease Agreement with the Lessee (the tenant, or person leasing the home) detailing the terms of the lease. This Lease Agreement almost certainly has a clause that forbids the Lessee from leasing out the home themselves (subletting) to someone else. The OWNER may lease the property (as an STR), but by the terms of the Lease Agreement, the tenant may not lease the property to someone else (as an STR or otherwise).

This is the same for the Woodcreek Apartments. The Lease Agreement signed by the tenants living in the apartment forbids the tenant from leasing out the apartment to someone else. Here’s the clause:

Woodcreek Apartment Lease Agreement Excerpt:

17. Assignments and Subletting. You may not assign this Lease or sub- let your apartment. You agree that you won’t rent, offer to rent or license all or any part of your apartment to anyone else unless other- wise agreed to in advance by us in writing. You agree that you won’t accept anything of value from anyone else for the use of any part of your apartment. You agree not to list any part of your apartment on any lodging or short-term rental website or with any person or service that advertises dwellings for rent.

However, the OWNER of the apartment absolutely may lease out their unit(s) as an STR. This is exactly what they did in 2019. Business was slow, not all of the units were filled, so the owner designated one of their units as an STR and brought in a management company to oversee it. Once business picked back up they discontinued the STR and all units are currently listed for long-term rentals. But allowing STRs in the Woodcreek Apartments allows the owners to again elect to list their units as STRs should they want/need. It also bolsters the City of Woodcreek’s openness to allowing STRs, albeit in specified zones and under solid (and enforced!) regulation. Disallowing STR’s there could present an additional legal obstacle.

Amend current City Code §156.062 & §156.064 Now

Having “short-term rentals allowed” under the definition of SF4 within City Code §156.062 (as it is currently) implies (to everyone common person I’ve asked) that STRs must not be allowed in the other zones. Legal has told us that this interpretation is not correct: STRs ARE allowed in all zones unless the code specifies “short-term rentals are not allowed”.

There is NOTHING stopping STRs right now other than the erroneous assumption that STRs are not allowed anywhere except SF4.

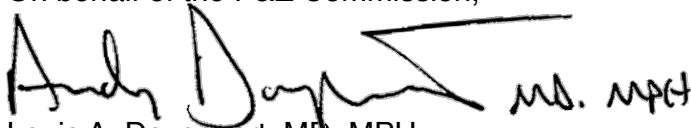
- Were I interested in my property being an STR’s I would establish myself as one right now and register for the hotel occupancy tax. This action would “settle my property right” as of now which would then have to be retroactively undone. I would advise everyone else to do the same so that they’ll “have the option” down the road if regulations ever do manifest.
- There is no rule that says this can’t be done now.
- There is no enforcement of any rules.

This was the basis for our recommendation to go ahead and change the wording now. At least it would then be clear.

SUMMARY

P&Z has been working on STR solutions for our city since at least 2019 (likely earlier!). Our current commission has made this issue our priority focus for the past 11 months. What we have produced and recommended to you has been put together thoughtfully, methodically, with legal consultation, with public input, and has been done to the best of our abilities. It is our opinion that these recommendations establish a clear and definitive position and process for STRs in Woodcreek that is as legally robust as possible. It is our hope that providing you some background information and rationale will allow you to reconsider your position or at least provide you the information to make an informed decision despite our recommendations.

On behalf of the P&Z Commission,



Louis A. Davenport, MD, MPH
P&Z Chairman



Woodcreek's
**Planning & Zoning
 Commission**

STR History with P&Z
 230324

HISTORY OF SHORT TERM RENTAL PROCEEDINGS WITH P&Z

On September 12, 2019 the City Council discussed and took appropriate action on an Ordinance of the City Council of the City of Woodcreek, Texas repealing ordinance No. OO-65P Special Use Permit #4 – Island House and revoking the Special Use Permit of 155 Champions Circle (Woodcreek Section 4-A, Lot 1 8), Removing all references in the City of Woodcreek Zoning Code authorizing a Special Use Permit for 155 Champions Circle (Woodcreek Section 4-A, Lot 18), Providing for severability, Providing an effective date, and Providing for proper notice and an Open Meeting. This action concluded the only legally-sanctioned STR within the City of Woodcreek.

On October 12, 2021 the Planning and Zoning Commission discussed and took appropriate action on a referral from the City Council of the City of Woodcreek for Discussion and Take Appropriate Action on a Short-Term Rental Ordinance. After discussion, a motion was made by Vice-Chairperson Maldonado to refer this item to the City Council for them to do an official proposal and hear from citizens on this issue.

On April 20, 2022 the Planning and Zoning Commission was tasked to, "Discuss and Take Appropriate on the First Draft of Short Term Rental Regulations and Application Document". The topic was tabled and sent back to City Council asking for legal input.

On October 5, 2022 the Planning and Zoning Commission requested the presence of the City Attorney to provide the legal input requested at their 4/20/22 meeting. The City Attorney called in and would only speak in Executive Session. The Planning and Zoning Commission was directed to draft appropriate STR documents that were legally defensible and in coordination with legal review, to obtain Ordinance Review Committee input for conflict and integration to existing ordinances, and to hold a public hearing for input in order to then draft a "final" proposal to submit to City Council.

On November 2, 2022 the Planning and Zoning Commission undertook discussions and consideration on a proposal to amend the City's Code of Ordinances concerning the use of short-term rentals (STR), including consideration of draft documents created by P&Z including a revision to current City Code §156.062 & §156.064, STR regulatory Ordinance, STR Application, STR Inspection Checklist ,STR Map, and STR Frequently Asked Questions (FAQs),

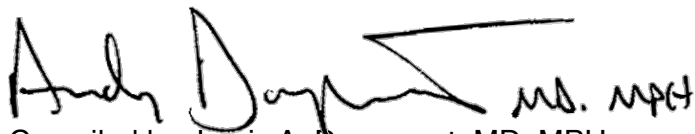
On December 1, 2022, City Engineer Brandon Melland of K. Friese & Assoc. submitted a report with feedback on proposed revisions to the Code of Ordinances concerning STRs and minimum lot sizes.

On January 4, 2023 the Planning and Zoning Commission held further discussions and consideration on proposed changes to the Code of Ordinances concerning STRs. City staff was instructed to prepare all necessary documents for the Commission to discuss and take possible action on a recommendation to City Council at the next regular meeting.

On February 8, 2023 the Planning and Zoning Commission received a report from the Ordinance Review Committee concerning minimum lot sizes and short-term rental regulations. The Commission heard, discussed and considered a proposed calendar for scheduling of public hearings by the Planning and Zoning Commission to be held Wednesday, March 1, 2023, and a final hearing by the City Council prior to the effective date of any proposed changes. The Commission voted to proceed with the public hearing after which a Final Report will be prepared recommending the proposed STR regulations/documents to the City Council for consideration.

On March 1, 2023 the Planning and Zoning Commission held a Public Hearing on the proposed regulation of short term rentals. Following the Public Hearing and discussion, the Commission voted to submit our recommendations unchanged but with an amendment requesting an expedited process for enforcement of all ordinances to City Council for consideration.

On March 8, 2023 City Council, upon reaching our recommendation, retired to Executive Session and returned with a motion that instructed staff/city attorney to "set up a regulatory permitting process for residential short term rentals". City Attorney Gordon made a brief statement that he's recommending against P&Z's proposal of prohibiting STRs anywhere at this time, and instead advising a step-by-step process that begins with creating regulations, allowing short term rentals everywhere, and gathering additional data. This plan was unanimously agreed upon by City Council.

A handwritten signature in black ink, appearing to read "Andy Davenport" with "ms. MPH" written below it.

Compiled by: Louis A. Davenport, MD, MPH
P&Z Chairman

CITY LOGO REMOVED

**PLANNING & ZONING (P&Z) COMMISSION
§ 156.062 & § 156.064 PROPOSED AMENDMENT**

§ 156.062 CHART 1: RESIDENTIAL ZONING DISTRICTS.

(A) *General.*

- (1) All floor space is calculated exclusive of garage, porches, patios, driveways, terraces and other similar additions. Maximum building height for all structures is 30 feet.
- (2) Bi-level buildings shall have a minimum living area as calculated at the midpoint between the requirements of one and two stories.

(B) *Districts.*

- (1) *SF-1, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum square feet living area:
 1. One story: 1,500 square feet; and
 2. Second story: 500 square feet,
 - (b) Minimum setbacks:
 1. Front and back: 25 feet
 2. Interior sides: seven and one-half feet; and
 3. Side street: ten feet.
 - (c) Two-car garage, not less than 400 square feet (20x20).
 - (d) Short-term rentals are not allowed.**
- (2) *SF-2, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
 - (a) Minimum square feet living area:
 1. One story: 1,000 square feet:
 2. Second story: 500 square feet
 - (b) Minimum setbacks:
 1. Front: 25 feet;
 2. Interior sides: seven and one-half feet; and
 3. Side street: ten feet.
 - (c) Two-car garage, not less than 400 square feet (20x20)
 - (d) Short-term rentals are not allowed.**
- (3) *SF-3, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:

- (a) Minimum square feet living area:
 - 1. One story: 1,000; and
 - 2. Second story: 200 square feet.
 - (b) Minimum setbacks:
 - 1. Front: ten feet;
 - 2. Rear: 15 feet;
 - 3. Interior lot lines: zero;
 - 4. Side street: five feet.
 - (c) Two-car garage, not less than 400 square feet (20x20)
 - (d) Short-term rentals are not allowed.**
- (4) *SF-4, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
- (a) Minimum square feet living area: 900;
 - (b) Minimum setbacks: zero lot lines;
 - (c) No garage required; and
 - (d) Short-term rentals allowed.
- (5) *SF-5, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
- (a) Minimum square feet living area: 1,000;
 - (b) Minimum setbacks:
 - 1. Front: 20 feet;
 - 2. Rear: 15 feet;
 - 3. Side: seven and one-half; and
 - 4. Side street: ten feet.
 - (c) One-car garage not less than 200 square feet (10x20).
 - (d) Short-term rentals are not allowed.**
- (6) *SF-6, Single-Family Residence.* One-family dwelling with no more than one residence per lot occupied by no more than one family:
- (a) Minimum square feet living area: 1,000;
 - (b) Minimum setbacks:
 - 1. Front: 25 feet;
 - 2. Rear: 25 feet;
 - 3. Side: five feet; and
 - 4. Side street: ten feet.
 - (c) Two-car garage not less than 400 square feet (20x20).

(d) Short-term rentals are not allowed.

(7) *TH/C, Townhouse and Condominium Residence.* Multiple-dwelling units with one family per dwelling unit. Zoning can include single-family dwelling, duplex, townhouses, condominiums:

- (a) Minimum square feet living area:
 1. One story: 1,000 feet; and
 2. Two story: 1,200 feet.
- (b) Minimum setbacks:
 1. Front and back: 25 feet;
 2. Interior lot lines: seven and one-half feet; and
 3. Side street: 15 feet.
- (c) Two-car garage not less than 400 square feet (20x20).

(d) Short-term rentals are not allowed.

(8) *DU-1, Two-Family Duplex.* Two single-family dwelling units limited to no more than one building per lot occupied by no more than two families. Zoning can include single-family dwelling or two-family duplex:

- (a) Minimum square feet living area per individual unit:
 1. One story: 1,000 feet; and
 2. Two story: 1,200 feet.
- (b) Minimum setbacks:
 1. Front and back: 25 feet;
 2. Interior: seven and one-half feet; and
 3. Side street: 15 feet.
- (c) One car garage not less than 200 square feet (10x20) per individual unit

(d) Short-term rentals are not allowed.

(9) *4PLX, Four-Plex.* Four single-family dwelling units limited to no more than one building per lot occupied by no more than four families. Zoning can include single-family dwelling, two-family dwelling or four-family four-plex:

- (a) Minimum square feet living area per individual unit: 800;
- (b) Minimum setbacks:
 1. Front and back: 25 feet;
 2. Interior lot lines: seven and one-half feet; and
 3. Side street: 15 feet.
- (c) One-car garage per individual unit not less than 200 square feet (10x20).

(d) Short-term rentals are not allowed.

(10) *Multi-Family Residences.* (See § 156.064 of this chapter for additional information on multi-family residences.)

(11) *MF-1, Multi-Family Residence.* Maximum units per acre: 14.

- (13) *MF-2, Multi-Family Residence*. Maximum units per acre: 16.
- (14) *RR, Rural Residence District*. One-family dwelling with no more than one residence per lot occupied by no more than one family:
- (a) Minimum lot: one acre;
 - (b) Minimum square feet living area:
 1. One story: 1,500; and
 2. Two story: 2,000.
 - (c) Minimum setbacks:
 1. Front and back: 25 feet;
 2. Interior sides: seven and one-half; and
 3. Side street: 15 feet.
 - (d) Two-car garage not less than 400 square feet (20x20).
- (d) Short-term rentals are not allowed.**
- (15) *PUD, Planned Unit Development*. Planned unit development with planned diverse land uses, such as housing, recreation and shopping in one contained development, and allowing for cluster development and alternative design standards. Minimum site areas: inside City, ten acres recommended.
- (16) *MH-1, Manufactured Housing Subdivision*.
- (a) Minimum lot: 7,200 feet;
 - (b) Minimum square feet living area: 1000;
 - (c) Minimum setbacks:
 1. Front and back: 25 feet;
 2. Interior lot lines: seven and one-half feet; and
 3. Side street: 15 feet.
 - (d) Property and areas of the City zoned MH-1 may be planned, used, approved, platted and occupied as a manufactured housing subdivision with lots sold and conveyed to individual lot owners. Land and areas of the City zoned MH-1 and having an approved subdivision plan may be used for manufactured housing.
- (e) Short-term rentals are not allowed.**
- (17) *Personal care facility*. See § 156.065 of this chapter.

(Ord. 00-65N, 6-1-2005; Ord. 19-255, 3-13-2019)

§ 156.064 CHART 3: MULTI-FAMILY REQUIREMENTS, MF-1 AND M-2 ZONES.

(A) *Purpose.*

- (1) To provide a buffer use between the high traffic of RR12, which makes development of land abutting RR12 unattractive for single-family housing, and the single-family development of interior land; and
- (2) To permit higher density development of property not suitable for single-family development, but to protect adjacent single-family development from any negative impact of the higher density use.

(B) *Permitted uses.*

- (1) Single-family homes, duplex units, four-plex units or apartment complexes meeting the minimum requirements of this zone. All uses within this zone shall require approval of a site plan by the Planning and Zoning Commission and City Council prior to the issuance of a building permit; and
- (2) Use of the land for purposes secondary to the primary residential use, such as swimming pools, basketball courts or similar uses, shall require that adjacent property be sheltered from noise and light resulting from said uses. Review of said shelter shall be a part of the site review required before a building permit is granted.

(3) Short-term rentals allowed.

- (C) *Requirements.* The intent of the following requirements is to require yard setbacks which are directly related to the height of the buildings developed on the property and thereby to mitigate the effect of higher buildings upon adjacent single-family properties.

% masonry required	55%
Front yard (on primary access street)	25' or the height of the closest building on the property, whichever is greater
Maximum density	
MF-1	14 units per acre
MF-2	16 units per acre
Maximum height	2 stories or 30', whichever is less
Maximum impermeable coverage	55%
Minimum floor area per unit	
1 BR	500 sq. ft.
2BR	850 sq. ft.
3 BR	1,000 sq. ft.
Parking spaces required/units	
1 BR	1.5
2 BR	2.5
Rear yard (abutting single-family residential property)	25' or the height of the closest building on the property, whichever is greater

Rear yard (not abutting single-family residential property)	25' or ½ the height of the closest building on the property, whichever is greater
Side yard (abutting single-family residential property)	15' or the height of the closest building on the property, whichever is greater
Side yard (abutting street)	15' or the height of the closest building on the property, whichever is greater
Side yard (not abutting single-family residential property)	7.5' or ½ the height of the closest building on the property, whichever is greater

(Ord. 00-65N, 6-1-2005; Ord. 19-255, 3-13-2019)

DRAFT



Woodcreek's
**Planning & Zoning
 Commission**

DRAFT - STR Ordinance
 230113

Ordinance No. XX-XXXX

An ordinance creating the “Short-term Rental” Regulation within Chapter 156: Zoning, of the Code of Ordinances City of Woodcreek Texas, 2022 (156:066 - Short Term Rentals); providing regulations for residential property rented for time periods of less than a month; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date

WHEREAS, the increase in the number of persons or entities desiring to rent their residential properties has led to the proliferation of transient and vacation rental uses within neighborhoods previously planned, approved and constructed for use as single-family residences; and

WHEREAS, the use of single-family residences by individuals for short periods of time may negatively impact the residential character of many neighborhoods by reducing communication and accountability between permanent residents by partially substituting permanent residents with transient visitors; and

WHEREAS, the regulation of the use and operation of such “short-term rental” property is intended to prevent the further erosion of pre-existing and stable single-family Zoning Districts, and further advance the City Council’s objective of

championing great neighborhoods; and

WHEREAS, the rise of substitute land uses for residential property contributes to the shortage of affordable housing, both ownership and long-term rental; and

WHEREAS, the Residential Requirements and Limitations did not allow the use of property zoned residential to be used for transient, short-term stays for less than 30 days in any zone excepting SF-4; and

WHEREAS, the enforcement of land use regulations in residential property poses unique enforcement difficulties and merits a stand-alone ordinance to provide clear rules for such rentals; and

WHEREAS, the City Council reviewed and studied a variety of possible regulations for short-term rentals, and determined that said temporary use should be restricted to nonresidential, mixed-use and multi-family zoning use districts (Multi-Family), and to the single-family zoning use district (SF-4) designed specifically to support the Quicksand at Woodcreek Golf Resort of the City of Woodcreek; and

WHEREAS, the requirement of an annual short-term rental permit that could be suspended or revoked in the event of repeated nuisance violations related to noise, trash, parking, etc.; and

WHEREAS, City Council finds that regulating the short-term rental of residential property is necessary for the health, safety and welfare of the general public, the promotion of consistent land uses and development, and the protection of landowners and residents of the City of Woodcreek;

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

1.

That the **“Short-term Rental”** Regulation within Chapter 156: Zoning, of the Code of Ordinances City of Woodcreek Texas, 2022 (156:066 - Short Term Rentals), is hereby established and shall read as follows:

ARTICLE I GENERAL PROVISIONS

Section 1.01 Title

This Regulation within Chapter 156: Zoning, of the Code of Ordinances City of Woodcreek Texas, 2022 (156:066 - Short Term Rentals) is hereby designated and shall be known and referred to as the “Short-term Rental” Regulation of the Code of Ordinances City of Woodcreek.

Section 1.02 Purpose

The purpose of this Regulation is to safeguard the life, health, safety, welfare, and property of the occupants of residential dwelling units, the neighbors of said occupants, and the general public, through the regulation of short-term rental residential property. The intent of this Section is to preserve the neighborhood character of residential zones within the City of Woodcreek and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.

Section 1.03 Applicability

The provisions of this Regulation shall apply to all existing and future residential properties, both primary and accessory structures, and any portions thereof.

Short-term Rentals shall only be permitted in Zones SF-4, and “Multi-Family”. Short-term Rentals are prohibited in any floodway located within the city limits, regardless of zoning district.

ARTICLE II DEFINITIONS

Section 2.01 Definitions

Administrator means the Director of the department designated by the City Manager to enforce and administer this Regulation, including the Director’s designees.

Advertise means the act of drawing the public’s attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code.

Booking Service means any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

Hosting Platform means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer premises for an occupant on a short-term basis. Hosting Platforms usually, though not necessarily, provide Booking Services through an online platform that allows an Owner to advertise the premises through a website provided by the Hosting Platform and the Hosting Platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the Owner or to the Hosting Platform.

Occupant means any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Premises means property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Short-term rental (STR) means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days. The definition of short-term rental does not include a Bed and Breakfast as defined in the Unified Development Code as, “A private, owner-occupied residence that offers sleeping accommodations to not more than 10 lodgers. A bed and breakfast home is not a single-family house”.

ARTICLE III

GENERAL REGULATIONS

Section 3.01 Unpermitted short-term rentals prohibited

- A. It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any residential premises to be operated or used as an unpermitted Short-term Rental.
- B. It shall be an affirmative defense to a violation of this Regulation that the occupant is a party to the sale of the premises and was occupying the premises pursuant to a written post-closing occupancy agreement.

Section 3.02 Requirements for hosting platforms

- A. All Hosting Platforms shall provide the following information in a notice to any owner listing a Short-term Rental located within the City of Woodcreek through the Hosting Platform's service. The notice shall be provided prior to the owner listing the premises and shall include the following information: THE "SHORT-TERM RENTAL" REGULATION OF THE WOODCREEK CITY CODE PROHIBITS THE SHORT-TERM RENTAL OF RESIDENTIAL PREMISES WITHIN THE CITY OF WOODCREEK WITHOUT AN ACTIVE SHORT-TERM RENTAL PERMIT.
- B. Notwithstanding any other provision of this Regulation, nothing shall relieve any owner, person, occupant, or Hosting Platform of the obligations imposed by the applicable provisions of state law and the Woodcreek City Code, including but not limited to, those obligations imposed by the Tax Code. Further, nothing in this Regulation shall be construed to limit any remedies available under the applicable provisions of state law and the Woodcreek City Code.

Section 3.03 Short-term rental permit required

An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental. Upon application to the City, a short-term rental permit shall be approved by Administrator, or designee, if the application satisfies all the conditions of this Regulation, the “Taxation” Chapter, the “General Design Principles and Objectives” Chapter, and all pertinent Chapters of the Woodcreek City Code. The Administrator may place reasonable conditions on a short-term rental permit to ensure compliance with the provisions of this Regulation.

Section 3.04 Expiration of permit; renewals

A short-term rental permit shall expire on the last day of the month one year after the date of issuance. No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. If the renewal application satisfies all the conditions of this Regulation and all other applicable City Code provisions, an application for the renewal of a short-term rental permit shall be approved by the Administrator, or designee. The Administrator may place reasonable conditions on a short-term rental renewal permit to ensure compliance with the provisions of this Regulation.

Section 3.05 Requirements of application

- A. Except as provided in this Regulation, every complete application for a short-term rental permit shall include the following information with such detail and in a form approved by the Administrator:
1. The name, address, contact information and authenticated signature for the owner of the premises;
 2. The name, address and contact information of the operator, agent if any, and designated local responsible party as required in Section 3.06;

3. The City registration number for Hotel Occupancy Tax;
 4. A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 5. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
 6. Proof of insurance as required in Section 3.07;
 7. The name and contact information for the property owner's association, if any, of which the premises is covered by the dedicatory instruments;
 8. A copy of the proposed host rules for the short-term rental; and
 9. Such certifications deemed necessary and proper to ensure compliance with this Regulation.
- B. An application for a short-term renewal permit may be filed beginning thirty (30) days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. The permit holder shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete. The Administrator may require such certifications deemed necessary and proper to ensure continuing compliance with this Regulation.
- C. An application for a short-term rental renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in subsection A of this Regulation.
- D. If a complete application for a short-term renewal permit is submitted less than thirty (30) days prior to expiration of the current permit, the Administrator in his or her sole discretion may grant a

one-time extension of the current permit not to exceed ten (10) days.

Section 3.06 Designation of local responsible party required

An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to and shall be present at the premises within one (1) hour of call. A local responsible party must be authorized to make decisions regarding the premises and its occupants. A local responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release owner of any liability under this Regulation.

Section 3.07 Proof of insurance required

It shall be unlawful for the owner of premises operating as a short-term rental to operate without host protection or other liability insurance commensurate with the operations of the short-term rental that provides coverage of up to \$1 million per occurrence. A certificate of insurance must be on file with the Administrator. Proof of insurance shall be required at the time of application and notice of cancelation of insurance must be made to the Administrator within 30 days.

Section 3.08 Inspection required

No permit or renewal permit shall be approved for a short-term rental until the City has inspected the premises and found the premises to be in compliance with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a re-inspection fee may be charged for each subsequent inspection in accordance with the fee established by resolution.

Section 3.09 Permit fees

A fee established by resolution of the City Council will be charged to reimburse the City for all costs associated with the administration of this Regulation.

Section 3.10 Hotel occupancy taxes; Request for occupancy history

It shall be unlawful for an owner of premises used for a short-term rental to fail to pay hotel occupancy taxes required under State law and the Taxation Chapter of the Woodcreek City Code. Upon request of the Administrator or the City Manager of the City of Woodcreek, the owner of a premises used as a short-term rental shall remit, within 30 days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor. It shall be unlawful for a person to fail to provide said information requested in a timely manner.

Section 3.11 Short-term rental permit nontransferable

A short-term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity. Any attempt to transfer a permit or attempt to use another person's permit may be grounds for revocation of said permit.

Section 3.12 Restrictions on number of occupants

- A. It shall be unlawful for an owner or person to rent, allow, provide, or advertise for more than two (2) persons per bedroom, plus two (2) additional persons, when using the premises as a short-term rental.
- B. Regardless of the number of bedrooms at the premises, it shall be unlawful:
 - 1. For more than ten (10) persons (including children), to occupy a short-term rental at any one time; or
 - 2. For the owner or operator to allow, suffer or permit the number of occupants living, sleeping within or possessing a

short-term rental to exceed the maximum occupancy shown on the short-term rental permit or renewal permit.

- C. A visual inspection of more than ten (10) persons by a city employee at the premises either in person or through recorded media is prima facie evidence of and shall be probable cause to issue a citation for a violation of this Regulation.

Section 3.13 Parking restrictions

The maximum amount of motor vehicles allowed at a short-term rental shall be limited to the number of available off-street parking spaces. It shall be unlawful for an owner or person to permit, allow or advise occupants to park more vehicles on the premises than the available off-street parking spaces, or to suffer or permit parking of vehicles on an unapproved surface. It shall be unlawful for an occupant of a short-term rental to park a motor vehicle on a residential street near a short-term rental. It shall be unlawful for an occupant of a short-term rental, or an owner thereof to allow an occupant, to park or occupy a motor home, recreational vehicle, boat, commercial vehicle, or otherwise prohibited motor vehicle on the premises of a short-term rental or on a residential street near a short-term rental. Existing Parking Ordinances shall apply to and supersede this Regulation.

Section 3.14 Minimum stay required

It shall be unlawful for an owner to rent or lease a short-term rental for a period of less than 24 hours.

Section 3.15 Physical conversion of premises prohibited

- A. It shall be unlawful for an owner or person to convert a garage to living space, remodel, renovate, enlarge or otherwise modify premises to add additional bedrooms for use as a Short-term Rental.

2. It shall be unlawful for an owner or person to pave or otherwise cover pervious soil to create additional on-premise parking without prior approval from the City of Woodcreek.

Section 3.16 Noise restrictions

Excessive noise or other disturbance outside the short-term rental is prohibited in accordance with § 97.03 - GENERAL PROHIBITIONS; QUIET HOURS. This includes, but is not limited to, decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas.

It shall be unlawful for an owner or occupant of a short-term rental to use or allow the use of amplified sound equipment in accordance with § 97.04 - RESTRICTIONS ON AMPLIFIED SOUND.

Section 3.17 On-premise curfew requirements

It shall be unlawful for an owner or person to allow the congregation of occupants outside at the premises between the hours of 10:00 p.m. and 9:00 a.m. This includes, but is not limited to, decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas.

Section 3.18 Trash pickup requirements

It shall be unlawful for an owner or occupant to place, or allow to be placed, trash on the premises before 7:00 PM the evening prior to scheduled pickup or on a day not scheduled for pickup by the City or its authorized solid waste transportation vendor.

Section 3.19 Advertising, promoting or allowing of special events prohibited

- A. It shall be unlawful for an owner or occupant to advertise or promote a special event, or allow the advertising and promotion of a special event (e.g. banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or any similar activity that would assemble large numbers of invitees) to be held on the premises (i.e.

utilize the premises as a ‘banquet hall’ as defined in the Unified Development Code).

- B. It shall be unlawful for an owner or occupant to allow, suffer or permit a banquet hall or special event as described to be held on the premises.

Section 3.20 Notice to occupants of short-term rentals

An owner or person operating a short-term rental shall provide a notice of instructions (also known as “host rules”) to occupants staying at the premises in a form developed by the Administrator. The notice shall instruct the occupants as to all applicable city regulations pertaining to short-term rentals. These include, but are not limited to:

- (A) Maximum number of occupants.
- (B) Location of required off-street parking, other available parking, and prohibition of parking on landscaped areas.
- (C) Quiet hours, curfews, and noise restrictions.
- (D) Restrictions of outdoor facilities.
- (E) 24-hour designated local contact person and phone number.
- (F) Property cleanliness requirements.
- (G) If pets are allowed, a pet policy that includes responsibility for noise, waste removal and disposal, and damages.
- (H) Trash pick-up requirements, including location of trash cans.
- (I) Flooding hazards and evacuation routes. Including information on the emergency siren system.
- (J) Emergency numbers.
- (K) Notice that failure to conform to the occupancy and parking requirements is a violation of the City Code and occupant or visitor can be cited.
- (L) Other useful information about the community.

Section 3.21 Permit to be displayed

A copy of the approved short-term rental permit shall be posted at a conspicuous location inside the front entrance(s) to the short-term rental.

Section 3.22 Use of assigned permit number required

It shall be unlawful for an owner or person to advertise a short-term rental in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application without including the current permit number assigned by the Administrator.

Section 3.23 Use of unauthorized permit number prohibited

It shall be unlawful for an owner or person to use, advertise or promote or allow the use, advertisement or promotion of a short-term rental using a permit number not assigned to the owner or person, or to a different address, or to a different dwelling unit.

ARTICLE IV**ADMINISTRATIVE PROCEDURES****Section 4.01 Revocation of permit**

- A. Grounds. Any permit issued hereunder may be revoked by the Administrator if the permit holder has:
- (1) received more than two citations for violations of this Regulation or any other provision of this Code of Ordinances within the preceding 12-month time period; or
 - (2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten (10) days after being notified in writing of such non-compliance; or

- (3) knowingly made a false statement in the application; or
 - (4) otherwise become disqualified for the issuance of a permit under the terms of this Article.
- B. Notice. Notice of the revocation shall be given to the permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address. The revocation shall become effective the day following personal service or if mailed, three (3) days from the date of mailing.
- C. Appeal; hearing. The permit holder shall have ten (10) days from the date of such revocation in which to file notice with the Administrator of their appeal from the order revoking said permit. The Administrator shall provide for a hearing on the appeal in accordance with the provisions of this Article.
- D. One-Year Waiting Period. In the event an owner's short-term rental permit is revoked by the Administrator, no second or additional permit shall be issued for a short-term rental on the premises for at least one year of the date such permit was revoked.

Section 4.02 Administrative appeals of denial or revocation of permit

- A. Upon denial or revocation of a permit, the Administrator, or his designee, shall notify the applicant or permit holder, in writing, of the reason for which the permit is subject to denial or revocation. To contest the denial or revocation of a permit, the applicant or permit holder shall file a written request for a hearing with the Administrator within ten (10) days following service of such notice. If no written request for hearing is filed within ten (10) days, the denial or revocation is sustained.

- B. The appeal shall be conducted within twenty (20) days of the date on which the notice of appeal was filed with the Administrator.
- C. The hearings provided for in this Regulation shall be conducted by the Administrator or a designated hearing officer at a time and place designated by the Administrator or the hearing officer. Based upon the recorded evidence of such hearing, the Administrator or the designated hearing officer shall sustain, modify or rescind any notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the applicant or permit holder requesting the hearing.
- D. After such hearing, an applicant or permit holder whose permit was denied or revoked by the Administrator may appeal to the City Appeal Officer or Commission designated by the City Manager to hear such appeals.
- E. An appeal shall not stay the denial or suspension of the permit unless otherwise directed by the Administrator.

Section 4.03 Appeals of Administrator decision

- A. All appeals to the City Appeal Officer or Commission must be made in writing and received no less than ten (10) days after any final decision made by the Administrator or the designated hearing officer in accordance with above.
- B. The City Appeal Officer or Commission shall schedule the appeal hearing within twenty (20) days from receipt of the appellant or permit holder's appeal request.
- C. If the City Appeal Officer or Commission finds by preponderance of the evidence that the denial or revocation of the permit was necessary to protect the health, safety, or welfare of the general public, the City Appeal Officer or Commission shall affirm the denial or revocation of appellant's application or permit.

- D. The City Appeal Officer or Commission may consider any or all of the following factors when reaching a decision on the merits of the appeal:
1. The number of violations, convictions, or liability findings;
 2. The number of previous permit revocations;
 3. The number of repeat violations at the same location;
 4. The degree to which previous violations endangered the public health, safety or welfare; and
 5. Any pending action or investigation by another agency.
- E. After the hearing, the City Appeal Officer or Commission shall issue a written order. The order shall be provided to the appellant by personal service or by certified mail, return receipt requested.
- F. The City Appeal Officer or Commission may affirm or reverse the denial or revocation of the permit. If affirmed, the order issued must state that the appellant is not eligible to receive a new permit for a short-term rental on the premises sooner than one year after the date of the order. If reversed, the permit shall be reinstated immediately, in the case of a revocation, or the permit shall be issued within three (3) business days, in the case of a denial.
- G. The determination of the City Appeal Officer or Commission shall be final on the date the order is signed.
- H. An appeal to the City Appeal Officer or Commission does not stay the effect of a denial or revocation or the use of any enforcement measure unless specifically ordered by the Administrator or the City Appeal Officer or Commission.

ARTICLE V

ENFORCEMENT

Section 5.01 Discontinuance

- A. The owner of a short-term rental use that was not registered with the City of Woodcreek for hotel occupancy tax prior to January 01, 2023, and who is unable to obtain a permit for said use or fails or refuses to obtain a permit for the use following the effective date of this Regulation, shall discontinue the short-term rental use no later than July 1, 2023.
- B. The owner of a short-term rental use that was registered with the City of Woodcreek for hotel occupancy tax prior to January 01, 2023, and who is unable to obtain a permit for said use or fails or refuses to obtain a permit for the use following the effective date of this Regulation, shall discontinue the short-term rental use no later than April 30, 2023.
- C. If the permit for a short-term rental use is not renewed, the owner shall discontinue the use no later than the date on which the existing permit or any extension thereof expires.

Section 5.02 Penalties

- A. A person who violates any provision of this Regulation by performing an act prohibited or by failing to perform an act required is guilty of a misdemeanor. Each day on which a violation exists or continues to exist shall be a separate offense.
- B. If the definition of an offense under this Regulation does not prescribe a culpable mental state, then a culpable mental state is not required. Such offense shall be punishable by a fine not to exceed Five Hundred Dollars and No Cents (\$500.00). Although not required, if a culpable mental state is in fact alleged in the charge of the offense and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, such offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).

- C. If the definition of an offense under this Regulation prescribes a culpable mental state and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, then a culpable mental state is required and the offense shall be punishable by a fine not to exceed Two Thousand Dollars and No Cents (\$2,000.00).
- D. Prima facie proof of violation of this section is established if it is shown that visual inspection was made by a code enforcement officer, building inspector, fire inspector or police officer at a unit. Establishment of a prima facie level of proof in this subsection does not preclude a showing of violations of a dwelling by a person in any other manner.

1.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

2.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Woodcreek; and this ordinance shall not operate to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

4.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Woodcreek in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

5.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Woodcreek in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Woodcreek.

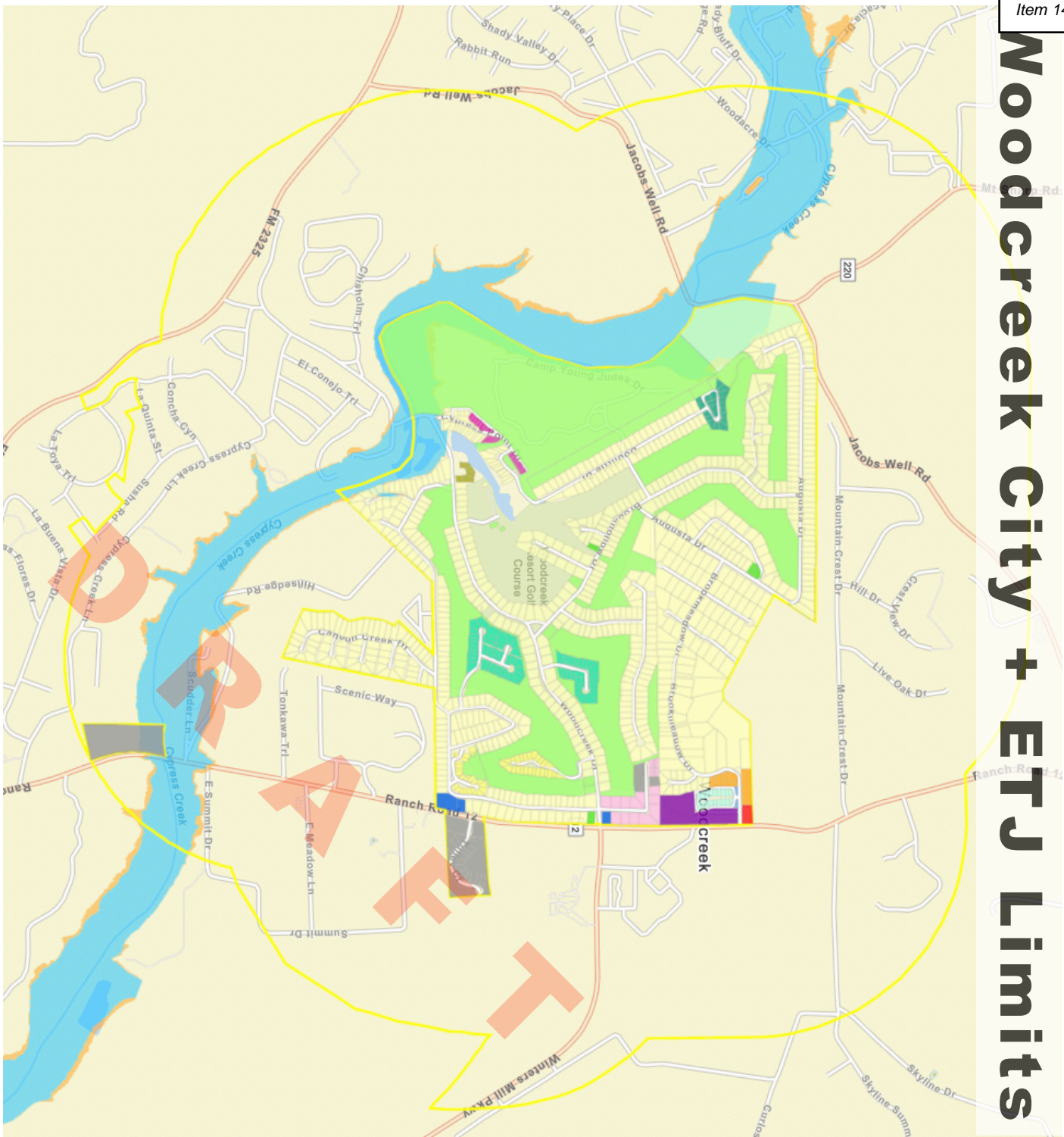
6.


The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Woodcreek, Texas, in compliance with the provisions of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

7.























This ordinance shall become effective on January 1, 2023.

Woodcreek City + ETJ Limits

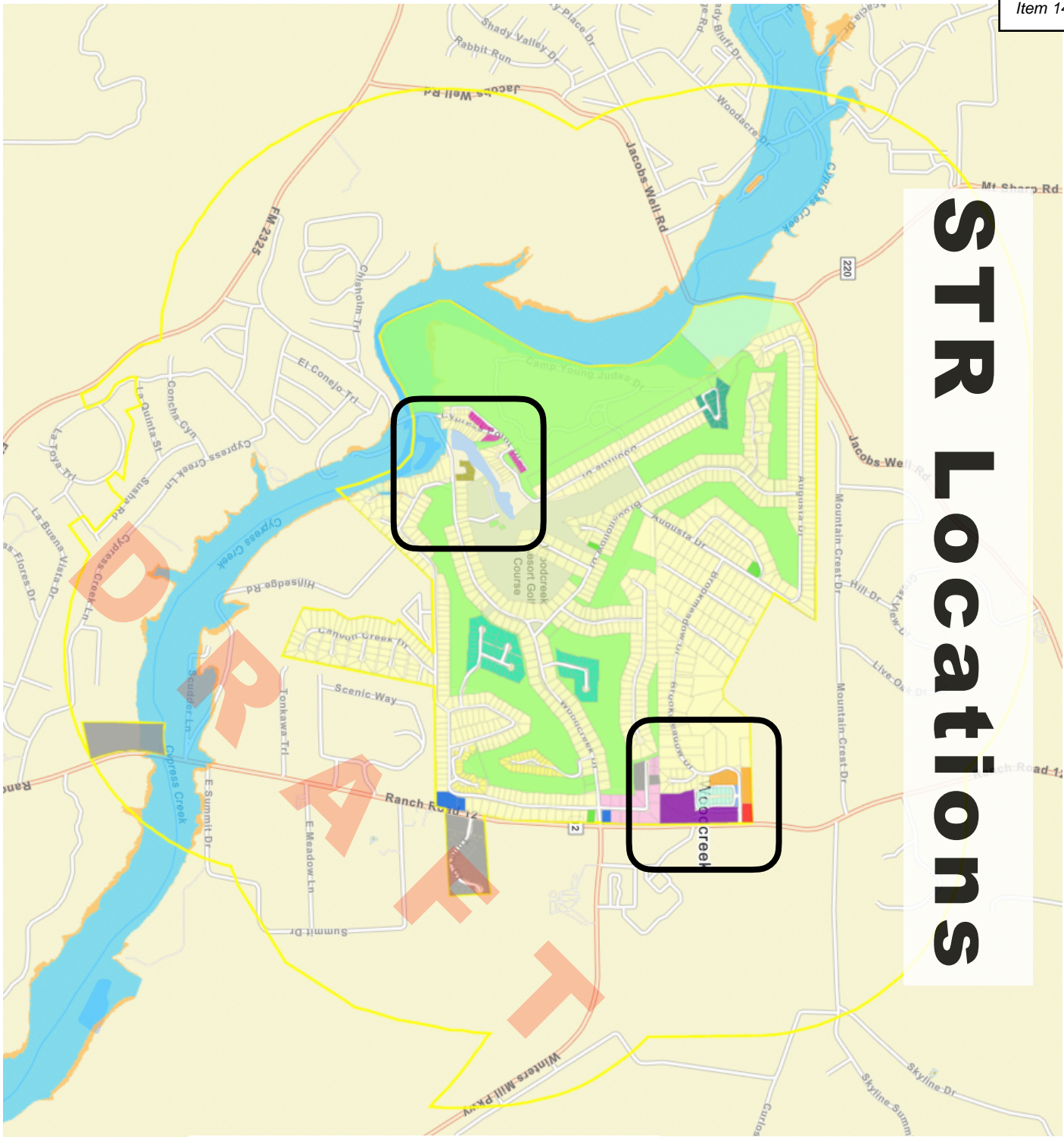


 City of Woodcreek City Limits


 City of Woodcreek Zoning 2019


-  Single Family 1
-  Single Family 2
-  Single Family 3
-  Single Family 6
-  Townhouse/Condo
-  Four Plex
-  Planned Development District
-  Recreational
-  Single Family 5
-  Single Family 4
-  Two-Family Duplex
-  Utility
-  Government
-  Multi-Family
-  Public Park
-  Greenbelt
-  Natural Preserve
-  Neighborhood Comm.
-  City of Woodcreek ETJ Boundary
-  Proposed Cypress & Blanco Rivers 100 and 500 year FEMA Flood Zones (ABFE layer)
-  100
-  500


STR Locations





 City of Woodcreek City Limits

 City of Woodcreek Zoning 2019

 Single Family 1


 Single Family 2

 Single Family 3


 Single Family 4


 Single Family 5


 Single Family 6


 Townhouse/Condo


 Four Plex

 Planned Development District

 Recreational

 Single Family 5

 Single Family 4

 Single Family 3

 Single Family 2


 Single Family 1

 Utility

 Government


 Multi-Family


 Public Park

 Greenbelt

 Natural Preserve

 Neighborhood Comm.

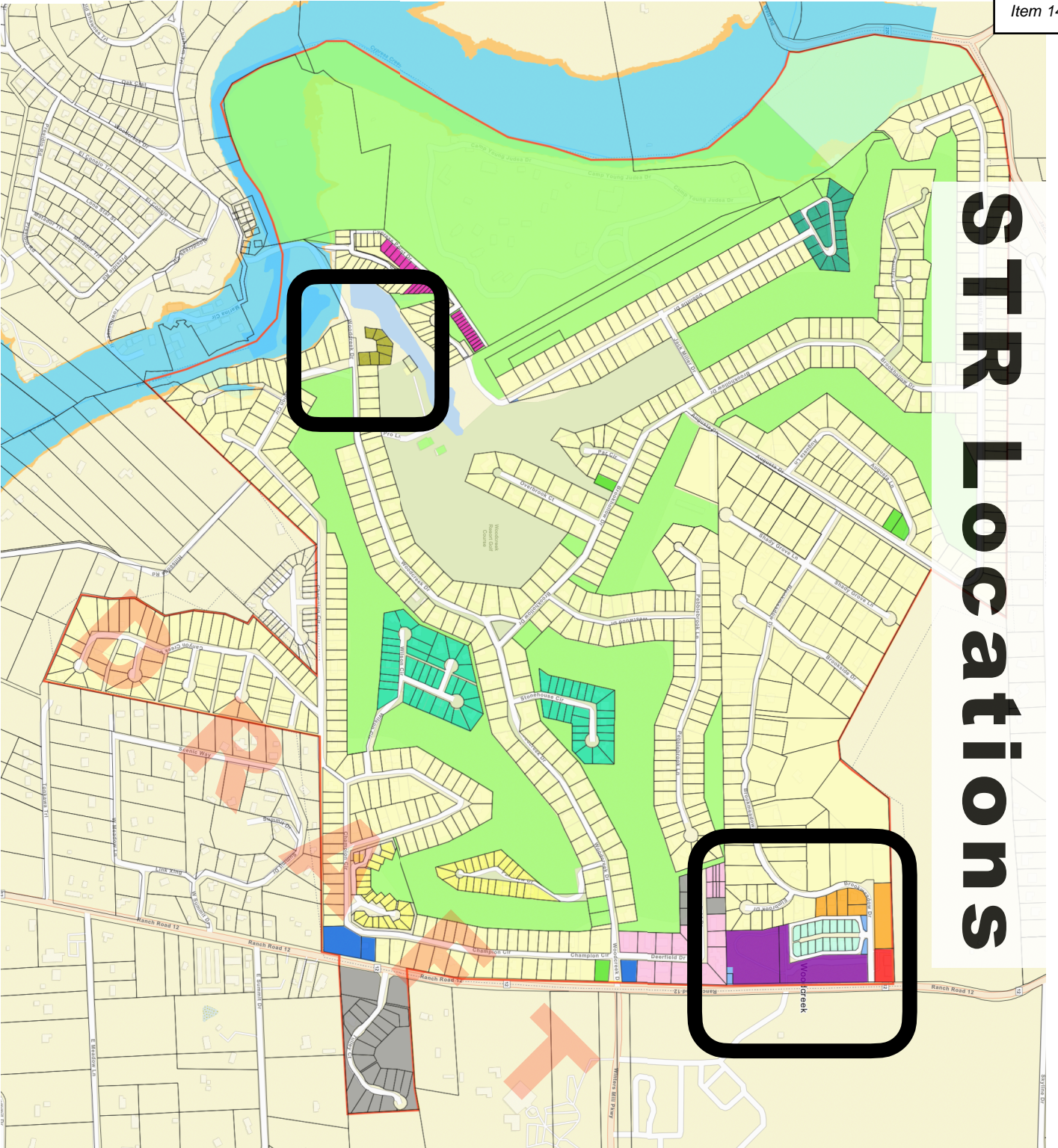
 City of Woodcreek ETJ Boundary

 Proposed Cypress & Blanco Rivers 100 and 500 year FEMA Flood Zones (ABFE layer)

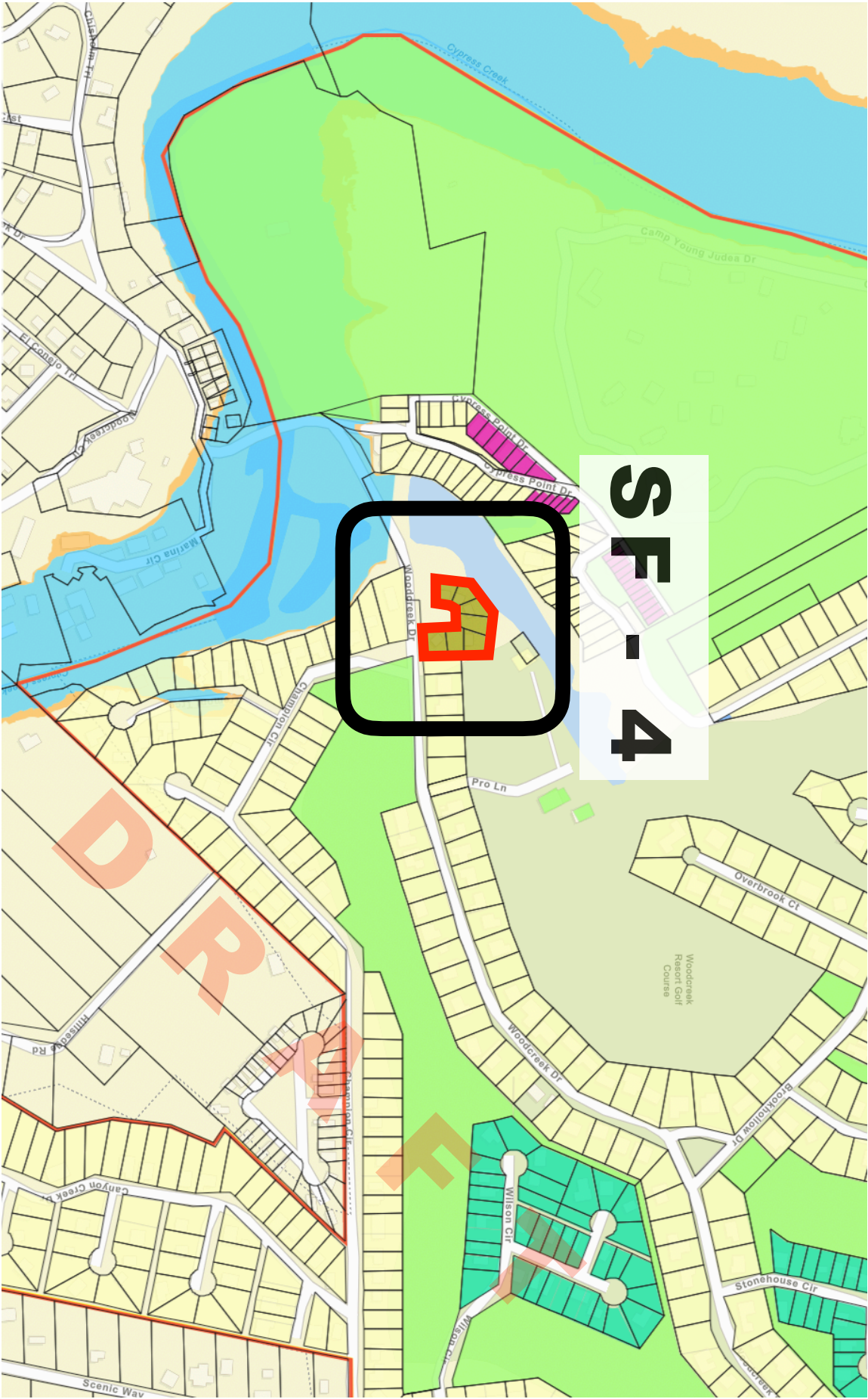
 100

 500

STR Locations



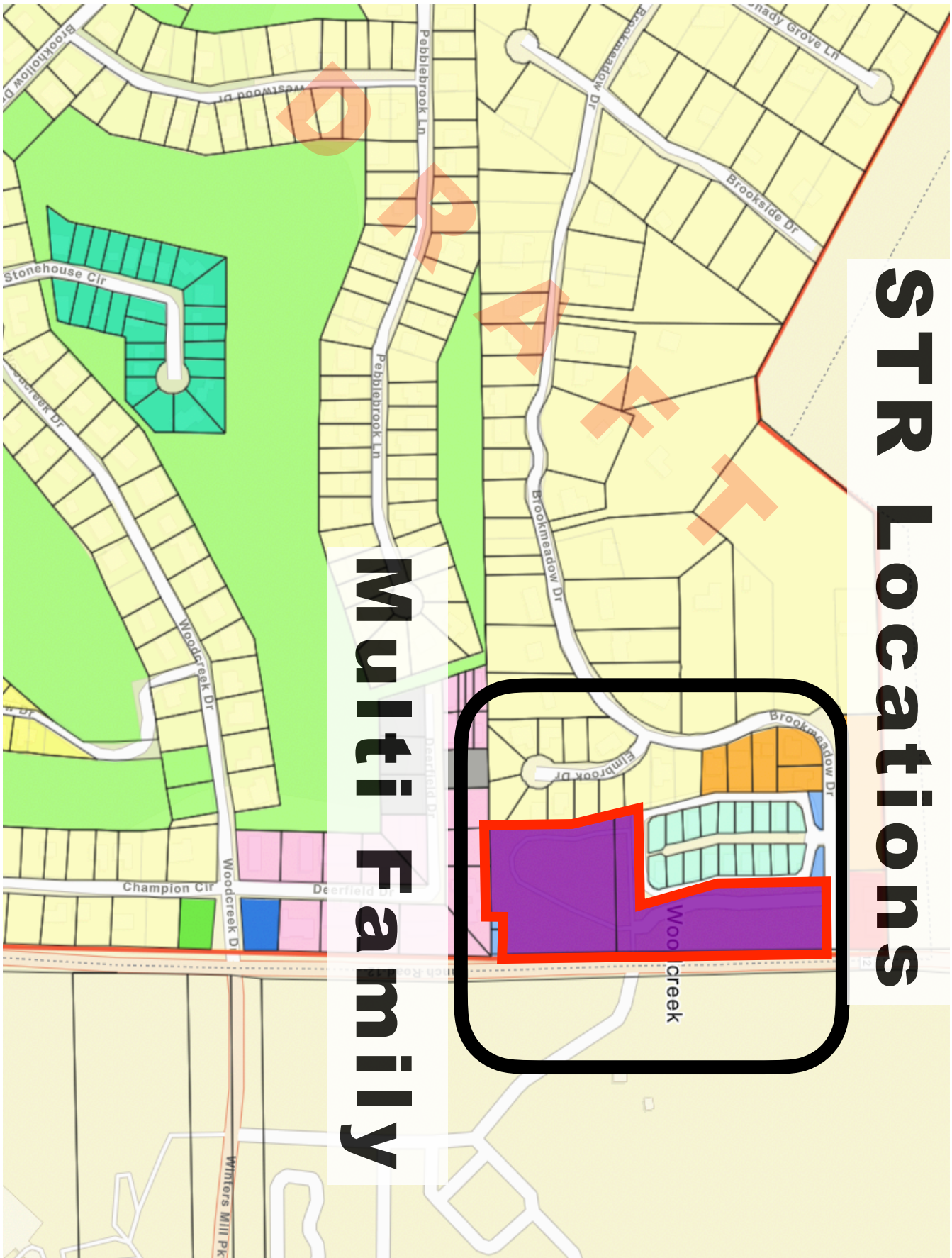
-  City of Woodcreek City Limits
-  City of Woodcreek Zoning 2019
-  Single Family 1
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-  Utility
-  Government
-  Multi-Family
-  Public Park
-  Greenbelt
-  Natural Preserve
-  Neighborhood Comm.



STR Locations

STR Locations

Multi Family





PLANNING & ZONING (P&Z) COMMISSION
DRAFT - STR APPLICATION - 221017

Application must be completed fully, signed, and submitted with all required documents and fees attached.

Requirements Checklist

- | | |
|---|---|
| <input type="checkbox"/> No External Signage | <input type="checkbox"/> Sample Informational Brochure |
| <input type="checkbox"/> Working Smoke Alarms | <input type="checkbox"/> General Liability Insurance ² |
| <input type="checkbox"/> Working Carbon Monoxide Alarms | <input type="checkbox"/> Maximum Number of Occupants Permitted ³ |
| <input type="checkbox"/> Working Fire Suppression System (Sprinkler) | <input type="checkbox"/> Floor Sketch Plan with Room Dimensions / Evacuation routes |
| <input type="checkbox"/> Working Fire Extinguisher (5lbs., ABC rated) | <input type="checkbox"/> Site Plan or Survey Showing Parking Areas/ Spaces ⁴ |
| <input type="checkbox"/> 24/7 Contact Individual | <input type="checkbox"/> Pet Policy |
| <input type="checkbox"/> Proof of Hotel Occupancy Tax Compliance ¹ | |

1. *V.T.C.A., Tax Code Chapter 351*
2. *Commercial General Liability Insurance Policy with limits of \$1,000,000 per occurrence.*
3. *Occupancy limit – no more than two adults per bedroom plus two additional adults with a maximum of 10 person’s total, including adults and children.*
4. *Vehicle limits: There shall be no more than four vehicles, without encroaching onto streets, sidewalks or alleys; other public rights-of-way or public property.*

Property Address _____
of the Short-Term Rental: _____

Property Owner Information

Name _____

Mailing Address _____

Telephone # _____ Cellphone # _____

24-Hour Contact # _____

Email Address _____

Operator/Designated Local Individual - 24-hour/day Contact

Name _____

Mailing Address _____

Telephone # _____ Cellphone # _____

24-Hour Contact # _____

Email Address _____

I certify that I am the property owner or authorized Agent. I will provide an informative brochure to guests that includes my 24-hour contact information and a local 24-hour contact number who can be on site within 1 hour, pertinent neighborhood information (such as noise and curfew restrictions, trash collection schedules) and information to assist guests in case of emergencies. I understand that I shall include the correct limits of guests and vehicles when advertising the property as a short-term rental based on the Ordinance and will include the prohibition against the use of the property for having a party in any advertisement, listing or other publication offering the premises for rent and will include the permit number assigned to the property by the City of Woodcreek as a short-term rental in all advertisements. I understand that a Certificate of Occupancy will be issued upon completion of the inspection. I confirm that I have met and will continue to comply with the standards and other requirements of the City's STR ordinance _____. I understand that my application is not complete until I have submitted the completed application form, all required documents, paid all applicable fees, and passed all necessary inspections.

Date of Application Signature

CITY LOGO REMOVED

PLANNING & ZONING (P&Z) COMMISSION
DRAFT - INSPECTION CHECKLIST - 221017

Short-term rentals (STRs) are regulated by the City of Woodcreek through Ordinance XX-XXXX. Prior to operation, the owner of an STR must have a valid permit from the City, and a City inspection will be performed once an application for permit has been submitted. The following items will be used as a checklist during the performance of this inspection. Additional information regarding STRs may be found on the City's website at https://library.municode.com/tx/woodcreek/codes/code_of_ordinances?nodet=TITXVLAUS_CH156ZO.

LIFE SAFETY:

1. All exterior egress doors must be fully functioning. Locks that require a key or special knowledge to unlock from the inside are prohibited (such as a double cylinder deadbolt). *Section R311.2, International Residential Code (IRC)*
2. At least one window or exterior door from each bedroom must be operable for emergency escape and rescue purposes. The window opening shall be at least 5.0 sq. ft. on the ground floor and at least 5.7 sq. ft. on all other floors. *Section R310, IRC*
3. Smoke alarms are required in each bedroom, in the immediate vicinity outside of each bedroom, and on all habitable floors. Smoke alarms may be powered by the main electrical system or battery powered. Smoke alarms must not have exceeded manufacturer's life expectancy. *Section R314, IRC*
4. If the STR contains gas appliances or has an attached garage, carbon monoxide alarms are required outside of each bedroom. Carbon monoxide alarms shall be powered

by the main electrical system or battery powered. *Section R315, IRC*

5. A properly maintained and fully charged fire extinguisher (minimum 2A:10B:C) shall be provided in a readily visible location. *Section 906, International Fire Code*
6. If fire sprinklers are installed, they must be properly functioning and have been inspected and labeled within the past 12 months by an approved fire sprinkler contractor. *Chapter 4, NFPA 25*
7. All stairs and handrails (both exterior and interior) must be maintained, in good working order, and defect free. *Section R311.7, IRC*

MECHANICAL, ELECTRICAL, AND PLUMBING:

1. The electrical panel shall be complete (no missing breakers, filler plates, or cover) and properly fused and labeled. The panel shall be readily visible and not concealed in any manner. A clear working space of 30" wide by 36" deep is required around the panel from the floor to a height of 6'-6". *Section E3405.2, IRC*
2. No temporary wiring may be used (other than approved extension cords), all outlet covers shall be in place, and no electrical wiring may be exposed. *Section E3909.1, IRC; Section E4002.13, IRC*
3. Receptacles in bathrooms and kitchens shall be GFCI protected. *Section E3902.1, IRC; E3902.6, IRC*
4. The temperature & pressure relief valve on all water heaters shall discharge to the exterior of the building or other approved location. *Section P2804.6.1, IRC*

5. Water heaters shall not be located in any bedroom or bathroom. *Section M2005.2, IRC*
6. Every habitable room shall be provided with heating facilities capable of maintaining a temperature of at least 68° F. Space heaters are not allowed to be used to meet this requirement. *Section R303.10, IRC*

OPERATION:

1. The property address must be posted in a location visible from the street with each number not less than 4" in height. *Section R319, IRC*
2. A floor plan indicating fire exits and escape routes must be posted in a visible location. *Section 3.05, Ordinance XX-XXXX*
3. The name and contact information of the local responsible party who can be contacted at all times while occupants are on the premises shall be provided. *Section 3.06, Ordinance XX-XXXX*
4. A copy of the host rules shall be displayed on site in a readily available location. At a minimum, host rules shall include:
 - Restrictions on the number of occupants
 - Limits on parking
 - Trash pickup days and rules
 - Prohibitions on special events
 - Limits on noise
 - Curfew times (Section 3.20, Ordinance XX-XXXX)
5. Property must be free of any outstanding property maintenance violations.

CITY LOGO REMOVED

PLANNING & ZONING (P&Z) COMMISSION
DRAFT - FAQs - 221017

Frequently Asked Questions

SHORT-TERM RENTALS

1. **What is a short-term rental?**

A short-term rental, or STR, is any portion of a residential premises used for lodging accommodations for occupants for a period of less than thirty (30) consecutive days. It may include the entire dwelling unit, one room in the dwelling unit, or just a bed or couch within the unit. An STR does not include a Bed and Breakfast as defined in the Unified Development Code.

2. **Do I need a permit to operate a short-term rental in Woodcreek?**

Yes. Starting January 1, 2023, the owner/operator of a short-term rental must apply for and obtain a permit to operate the STR.

3. **Is there a fee for a short-term rental permit?**

A non-refundable fee of \$500 is paid at the time you submit a permit application or apply for a renewal permit. Your application will not be reviewed until the fee is paid.

4. **Are there any restrictions on where short-term rentals can be located?**

Yes. Ordinance No. XX-XXX authorizes an STR as an allowed land use only within the following zoned districts: SF-4 (single-family), Multi-Family, non-residential, and mixed-use zoned districts. STRs are prohibited in all other zoned districts within the City.

- 5. My proposed short-term rental is located within a Planned Development (PD) zoning district. Are STRs allowed in a PD?**

Most residential planned developments have low housing densities and are not appropriate locations for a short-term rental. However, if the ordinance that established the PD allows for a housing density of 12 units per acre or greater, an STR will be permitted.
- 6. Since STRs are allowed in non-residential zoning districts, does that mean I can conduct a short-term rental in my office building or warehouse?**

No. A short-term rental must be conducted within a residential structure. In addition, a new residential structure cannot be built in a non-residential zoning district for the purpose of conducting an STR.
- 7. I began operating a short-term rental before the City of Woodcreek adopted the STR ordinances. Do I still need to obtain an STR permit?**

Yes. Short-term rentals existing prior to the January 1, 2023 effective date are not “grandfathered.” All the requirements for permitting, location and rules of operation apply to both new and existing STRs.
- 8. My STR is also my principal residence. Do the short-term rental ordinances still apply to me?**

Yes. Unlike some cities, the short-term rental ordinances in Woodcreek do not distinguish between an owner-occupied STR and an investor-owned STR. It doesn’t matter whether you live in your STR, or you are an absentee owner living in another state, or you are a corporation that buys homes for the sole purpose of operating them as STRs. The location, permitting and operational rules apply equally to all situations.
- 9. How do I apply for a short-term rental permit?**

All applications for STR permits will be processed at City Hall. There you can apply and provide documents necessary for the City to review

your application.

10. I live in an apartment. Can I use my apartment as a short-term rental?

An apartment may be used as an STR if the landlord agrees and it meets all other requirements of City ordinances. During the application process, you will be asked to declare whether the proposed short-term rental is a single-family unit or a multi-family unit. If the proposed STR is part of a multi-family building, you will be required to provide documentation that the landlord consents to the use of the premises for a short-term rental. The apartment must be located within Woodcreek's Multi Family zone where STR's are authorized.

11. Why does the City need to see a copy of the host rules for my STR?

Although the City has adopted regulations related to STR operation, it is your responsibility as the host to convey those regulations and other information to your guests. Host rules for every STR must include contact information for the Local Responsible Party and provide occupants with notice of the City's regulations on parking, noise, curfew, and trash, and the penalties for violating those regulations.

12. Is there a cap on the number of short-term rental permits that the City will issue?

No. All properties in the eligible zoning districts have the same opportunity to receive a short-term rental permit. There is no maximum on the number of STR permits that may be approved in a neighborhood, census tract or any other geographical area within the city, provided the area is within the eligible zoning districts.

13. I notice that my STR permit is valid for only one year. How do I renew my permit?

Thirty to sixty days prior to the expiration of your STR permit, you will

receive a reminder from the City that it is time to renew. To renew, return to City Hall and complete a renewal application. You will be asked to provide the same documents as the initial application, with updates, if any. The fee for a renewal permit is \$500.

14. My hosting platform offers liability insurance coverage for my STR operation. Is that coverage acceptable?

Yes, provided it satisfies the requirement to maintain coverage of \$1 million per occurrence and the insurer is licensed to conduct business in the State of Texas. To be accepted, a certificate of coverage is required. Promotional materials or screenshots from the hosting platform's website are not sufficient. The certificate must include the name of the carrier, limits of liability, and effective dates, and the certificate must be submitted with all other documentation at the time of application.

15. I received a notice that my insurance coverage has lapsed. What should I do?

You are required to maintain liability coverage while your STR permit is active. You should present to City Hall to update information about your insurance renewal and provide the renewal certificate of coverage. Failure to provide current insurance information may result in revocation of the STR permit.

16. Since I own the property where my STR is located, don't I have the right to conduct a short-term rental regardless of the City's ordinances, rules and regulations?

The ordinances adopted by the City Council regulating STRs, draw a reasonable balance between the rights of property owners who wish to conduct an STR and the rights of nearby property owners who may be impacted by operations of the STR. This is no different than every other parcel of land in the City. Depending upon where the parcel is located, some uses are appropriate, while others are not.

17. How many persons may occupy my short-term rental unit at one time?

A maximum occupancy will be established during the review of your permit application. Occupancy is a factor of the number of bedrooms and is calculated as follows: Two persons per bedroom, plus two additional persons. For example, a three-bedroom STR would have a maximum occupancy of (2 persons x 3 bedrooms) + 2 persons = 8 persons maximum. Regardless of the size of the STR, the maximum occupancy cannot exceed 10 persons. Allowing more persons to occupy the STR than the maximum will subject the owner/operator to a citation.

18. Is my short-term permit transferable in the event I sell my house or move my STR operation to another location?

No. An STR permit is both owner and location specific. The permit is non-transferable and non-assignable. A new permit will be required for the new owner of the house and you must obtain a new permit for a different location. Any attempt to transfer a permit or attempt to use another person's permit may be grounds for revocation of a permit.

19. Why does the City of Woodcreek require an inspection of the premises to receive a permit?

The City is concerned for the safety of your guests and wants to be sure guests are aware of the rules for operating an STR. All short-term rentals must be equipped with basic emergency systems such as smoke detectors, multiple ways to exit rooms in the event of fire, and a fire extinguisher. The STR must be free of potential hazards like exposed electrical wiring or unapproved modifications to a breaker box. The Code Compliance Officer inspecting the premises will also expect to see a copy of your host rules posted for your guests to let them know about restrictions on noise, parking, curfew, and trash disposal. A complete STR inspection checklist can be provided by City Hall.

20. **If I cannot use my premises for a short-term rental unit, may I lease it for longer than 30 days?** The City of Woodcreek does not regulate the long-term leasing of residential premises. No permit is required. However, as with a short-term rental, be sure to review all city ordinances for any special covenants and restrictions that govern the use of your premises.
21. **The host platform that I use for listing my short-term rental already collects hotel occupancy tax when someone books my unit. Do I still need to register with the City of Woodcreek for hotel occupancy tax?** Yes. Some of the host platforms such as Airbnb have contracts with the State of Texas to collect and remit hotel occupancy tax on behalf of STR operators. However, none of the platforms have a contract with the City of Woodcreek. It is the responsibility of the STR operator to register with, and submit tax reports to, the City of Woodcreek for the City's 9 percent hotel occupancy tax.
22. **I currently operate a short-term rental, but I am unable to obtain a permit due to the location of my STR or other reasons. May I continue to operate, and if so, for how long?** Ordinance No. XX-XXX provides a grace period to January 31, 2023, for the owner of an existing STR that was registered with the City of Woodcreek for hotel occupancy tax prior to April 30, 2022, but who is unable to obtain a permit. During that time, the owner should wind down operations of the STR. Existing STRs that registered for hotel occupancy tax after April 30, 2022 must discontinue operations by January 1, 2023, unless they are able to obtain a permit. There is no grace period for unregistered STRs, and they must cease operations once they have exhausted their opportunity to apply for a permit, but in no case later than January 1, 2023.
23. **Is the information I submit for my permit a matter of public record?** Most, but not all, of the information you provide when obtaining an STR

permit is public record. The City maintains an interactive map of all approved permits, which includes basic data such as the name of the permittee, the location, date of issuance, and the number of approved parking spaces. The map is viewable by anyone requesting access. Also, the City often receives open records requests from members of the public seeking data on specific STRs. The City is required by law to respond to those requests but does not provide data that is protected from public disclosure.

24. I received an Order of Revocation in the mail. What does that mean, and what rights do I have if I disagree with the Order?

An STR permit may be revoked for any of the following reasons if the permit holder:

- i. Received more than two citations for violations of the short-term rental ordinances or any other ordinance of the City within the preceding 12-month time period; or
- ii. Failed or refused to comply with an express condition of the permit and remains in non-compliance ten (10) days after being notified in writing of the non-compliance; or
- iii. Knowingly made a false statement in the permit application; or
- iv. Otherwise becomes disqualified for issuance of a permit under terms of the STR ordinances.

An Order of Revocation takes effect three days after mailing. If you disagree with the reasons stated in the Order, you must act quickly to preserve your right to appeal. Within ten days, present to City Hall for filing an appeal. You will be notified of a hearing date. At the hearing, you will have the opportunity to present testimony or other evidence to demonstrate that the reasons given in the Order are incorrect. The hearing officer will either sustain, modify, or rescind the Order of Revocation. You may have further rights, which the hearing officer will explain at the time of the hearing.

APPLICATION FOR SHORT-TERM RENTAL (STR) PERMIT

City of Woodcreek, 41 Champions Cir., Woodcreek, TX 78676 O: 512.847.9390 E: permit@woodcreektx.gov

1. APPLICANT INFORMATION

Applicant's Name:	
Trade Name:	
Applicant's Address:	
Telephone:	Email:

OWNER INFORMATION *Same as Applicant*

Owner's Name:	
Owners' Address:	
Telephone:	Email:

PROVIDE NAMES AND ADDRESSES OF ALL REGISTERED AGENTS SHOULD OWNER BE A BUSINESS ENTITY. PROVIDE PROOF OF OWNERSHIP (e.g., DEED), WITH YOUR APPLICATION. IF THE PROPERTY IS OWNED BY AN ORGANIZATION OR ENTITY, PLEASE SUBMIT, WITH THIS APPLICATION, THE COMPANY FORMATION DOCUMENTS REGISTERED WITH THE APPROPRIATE SECRETARY OF STATE.

LIST ALL ON SEPARATE PAGE IF NECESSARY.

OWNER INFORMATION *Additional*

Owner's Name:	
Owners' Address:	
Telephone:	Email:

OPERATOR'S INFORMATION *Same as Applicant*

Operator's Name:	
Operator's Address:	
Telephone:	Email:

LOCAL CONTACT PERSON'S INFORMATION

Local Contact Person's Name:	
Local Contact Person's Address:	
24 Hour Telephone:	Email:

2. HOTEL OCCUPANCY TAX ACCOUNT INFORMATION

Provide the Hotel Occupancy Tax Account Number for the property _____

For more information: <https://comptroller.texas.gov/taxes/hotel>

3. PREMISES INFORMATION

Physical address of Short-Term Rental:

Street Address _____ Unit Number (if applicable) _____ Zoning District _____

Type of Structure:

Residential (Single Family) Residential (Two Family/Multi) Accessory Dwelling
Apartment or Unit in Multi-Family/Multi-Unit Building

Total number of units located on property: _____

4. NUMBER OF BEDROOMS PER EACH UNIT (SHALL NOT INCLUDE AREAS INITIALLY DESIGNED AS OFFICE/ LIBRARY /DEN SPACE; DINING ROOMS; ENTERTAINMENT AREAS; COMMON AREAS, MUD ROOMS/FOYERS/ENTRIES; CLOSET/STORAGE ROOMS; HOBBY/READING/BREAKFAST NOOKS; GARAGES; ATTICS; CABANAS/POOL HOUSES; ETC.) _____

5. MAXIMUM OCCUPANCY PER UNIT (THE MAXIMUM OCCUPANCY SHALL BE TWO PERSONS PER BEDROOM, PLUS TWO ADDITIONAL PERSONS.) _____

6. MAXIMUM NUMBER OF ON-SITE PARKING SPACES ON IMPROVED SURFACES _____

7. DO YOU HAVE A FIRE PIT? NO _____ YES _____ IF YES, PLEASE BE ADVISED IT IS ILLEGAL TO HAVE AN OPEN FIRE UNATTENDED

8. LIST ALL ADVERTISED HOSTING SITES _____

Do you currently have this property declared to be your homestead? ___Yes ___No

As owner of the Short-Term Rental, for the location included in this application, I acknowledge receipt of the City of Woodcreek Short-Term Rental Ordinance.

Acknowledgement Signature

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

Permit Fee: \$		Payment Type:		Payment Date:	
-------------------	--	---------------	--	---------------	--

Permit #: _____

Applicant/Owner states that to the best of their knowledge, the Property meets the requirements of the City of Woodcreek for a Short-Term Rental

(Please initial each applicable statement as evidence of fact and compliance)

- _____ The designated operator shall be available by phone at all times the Short-Term Rental is in use.
- _____ The unit has a working smoke detector and carbon monoxide detector in or outside of sleeping areas, and on all habitable floors.
- _____ The unit has a properly maintained, charged, and inspected "2A:10BC" fire extinguisher
- _____ The unit provides a posting and/or information providing emergency contact information and a floor plan indicating fire exits and escape routes, which shall be posted prominently
- _____ Every sleeping area has at least one operable emergency escape and rescue opening
- _____ There is no overnight sleeping in outdoor areas (i.e., no camping)
- _____ The Short-Term Rental has a registered account with the State of Texas Comptroller for the purpose of collection of hotel-occupancy taxes required by law
- _____ The unit provides a posting and/or information of any off-site and off-site parking spaces
- _____ Certification of the presence of full-sized trash containers with information on pick-up dates
- _____ Submit a sketch floor-plan of the Short-Term Rental with dimension layout
- _____ Submit a site plan / survey of the property showing the maximum number of vehicles that may be legally parked without encroaching onto the street, sidewalks, alleys, or other public rights-of-way/public property
- _____ Owner must submit a complete and current list of all rentals within the City of Woodcreek with advertising on publicly-available websites (ex: AirBnB, VRBO, etc)

I hereby certify under penalty of perjury that the information included in this application is true to the best of my knowledge, and I have checked to confirm that no deed restrictions or restrictive covenants apply to this property that conflict with this request.

Applicant(s) Printed Name

Applicant(s) Signature

Operator(s) Printed Name

Operator(s) Signature

Owner(s) Printed Name

Owner(s) Signature

REVISION SUGGESTIONS – May 30, 2023 Workshop

Items below were voiced during discussion. Some items listed are duplicates or need additional information for placement within the application or for completeness.

1. Permit applies to SF-4 only;
2. Explicitly for use in SF-4 and does not imply possibility of permitting in any other area of the City [*place this where in the application?*]
3. Approved STR Permit must be posted;
4. Homeowner Contact Information must be made available to surrounding homeowners, renters, and City Staff;
5. List of websites used for advertising [*already on pg. 2*]
6. Annual permit fee of \$5,000;
7. Parking rules, relative to available improved surface [*already on pg. 2*]
8. No home businesses;
9. Binder for each home that includes:
 - a. “Rules of the House”
 - i. Homeowner Contact Information,
 - ii. Copy of Proof of Insurance Coverage of \$1 million;
 - iii. Copy of Certificate of Inspection by Fire Marshall and City Staff;
 - iv. Property Cleanliness [*no specifics provided*];
 - v. Cleaning Hours [*no specifics provided*];
 - vi. Copy of Noise Ordinance;
 - vii. 20 Guest Party;
 - viii. No one under the age of 18 can rent the STR, adult must be on-site;
 - ix. Disorderly Conduct, ex. Golf Course [*no other specifics provided*]
10. Violations can revoke permit;
11. Sprinkler system required;
12. Parking maximum is relative to available improved surface [*already on pg. 2*]

STR PERMIT AND ORDINANCE PROPOSAL FROM COUNCILMEMBER HINES:

- 1) USE THE PERMIT DRAFT EDITED BY COUNCIL IN THE MAY WORKSHOP, WRITTEN BY STAFF AND LEGAL COUNSEL, WHICH INCORPORATES THE P&Z REPORT AND SUBMISSION MATERIALS.

(Updated Copy to be provided by Staff)

- 2) WRITE ORDINANCE WITH THE FOLLOWING SUGGESTED EDITS TO CODE:

Chapter 156.009 Zoning Definitions:

Short-Term Rental. The provision of a room or space intended for dwelling, sleeping or lodging purposes for fewer than 30 consecutive days in exchange for a charge for occupancy.

Residential Short-Term Rental. The provision of a room or space intended for dwelling, sleeping or lodging purposes for fewer than 30 consecutive days in exchange for a charge of occupancy that is specifically part of or the whole of a residential structure that is located inside any of the single-family residential zoning districts inside the city limits.

Chapter 156.062: Under ALL zoning districts (excluding SF-4 and Multi-Family) add the following statement(s):

Residential short-term rental use is prohibited.

Chapter 156.062 and 156.064: Under SF-4 and Multi-Family (M1 & M2) zoning districts add the following statement(s):

Residential short-term rentals must have a valid permit to operate and be in good standing with the City of Woodcreek for all fees, necessary documentation, and on-site postings. Regulations, fees, and required safety inspections for residential short-term rentals are outlined in the permit.

AND

If a short-term rental permit is denied or revoked in accordance with the City of Woodcreek's regulatory permit process, the provisions of this section do not grant or imply any vested right to any landowner or operator of a residential property for short-term rental occupational use.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on the Creating a Citizen Survey

AGENDA ITEM SUMMARY:

Walking trail alternatives vs property owner rights

FINANCIAL IMPACT:

estimated cost \$1,000

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/15/2023 11:37:12 AM

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on the creation of a 2023 Citizen Survey Part 2

AGENDA ITEM SUMMARY:

Council discussed in the May workshop how to best address pedestrian safety/mobility and it was determined needed more information from residents. In addition, Planning and Zoning has decided it would be best to poll the citizens on above ground pool proposed code changes. Thus, we have a collections of questions to consider for a survey.

FINANCIAL IMPACT:**SUBMITTED BY:**

Debra Hines

AGENDA TYPE:

New Business

COMPLETION DATE:

6/15/2023 10:22:12 AM

Citizen Survey Questions

1. Do you think it is right to use the 15' utility easement located between the street and homeowners' front yards to build sidewalks?
 Yes
 No

2. Do you think it right to take down trees to build sidewalks?
 Yes
 No

3. Do you think it right to take down mailboxes to build sidewalks?
 Yes
 No

4. Do you think homeowners should be reimbursed for the taking of 15' feet from their front yards in order to build sidewalks?
 Yes
 No

5. Would you like to have an alternate walking trail solution?
 Yes
 No

Please select the appropriate age range

- less than 21 years old
 between 22 and 55 years old
 greater than 55 years old

Number of members in your household?

- 1
 2
 3
 4
 more than 5

6. Do you think that research of pathways and sidewalks should be referred to **The Platinum Roads Panel**, in accordance with Chapter 30 of the City of Woodcreek, and the approved 2022 Comprehensive Plan?
 Yes
 No

2023 Citizen Survey - Part 2

(DRAFT)

The City of Woodcreek is seeking to address pedestrian safety/mobility, frequently listed in surveys as an area of concern with a call for action. Funding for such projects will be sought through grants, but will likely require the allocation of tax dollars. The following questions pertain to this topic and seek to gather a better understanding of what citizens are seeking from the City to address this need.

- 1) Please rate the following roads in priority for addressing pedestrian mobility.

1 is the top priority, please rate ALL options

_____ Woodcreek Drive

_____ Brookhollow Drive

_____ Augusta Drive

_____ Brookmeadow Drive

_____ Champion Circle

_____ None / Do nothing

_____ A road of your choice – write in response _____

- 2) To address pedestrian mobility there are an array of options for design. Please rate your preference and do keep in mind that the costs may vary significantly between choices.

1 is the most preferred, please rate ALL options

_____ ADA compliant concrete sidewalks, one side of the road in City easement

_____ ADA compliant crushed granite walking trails, one side of the road in City easement

_____ Striping (paint) to create a designated walking area on the edge of the existing road

_____ None / Do nothing

_____ A design of your choice – write in response _____

**(PLACE HOLDER FOR QUESTIONS ABOUT ABOVE GROUND POOLS WITH INTRODUCTION PARAGRAPH –
P&Z IS WORKING WITH STAFF TO PRODUCE AND APPROVE THESE)**

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on a Part Time Code Administrator

AGENDA ITEM SUMMARY:

FINANCIAL IMPACT:

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/15/2023 4:07:09 PM



Request for Proposals for a Part Time Code Administrator

The City of Woodcreek was incorporated in Hays County, Texas as a City in 1984 and became a Type-A General Law City in 1989. It governs according to state statutes and its legislative body consists of a Mayor and five (5) Council Members. This small and prosperous City encompasses approximately 696 acres of land, including approximately 900 housing units and a population of 1,700 residents.

Scope of Services:

The Code Administrator will have responsibility for ensuring that the Woodcreek Code of Ordinances, Hays County laws and Texas State regulations are maintained in the City of Woodcreek. This will be accomplished by enforcing city ordinances and investigating and resolving violations. The Code Administrator will perform a variety of code enforcement duties such as: writing and delivering citations, obtaining and providing information regarding ordinances, resolving violations, maintaining records, assisting the general public, appearing in Municipal Court, obtaining necessary information from other cities and interfacing with other city employees and citizens. They will enforce all ordinances consistently.

Skills and Ability Requirements:

- Must have skill in interpreting and applying statutes, ordinances, codes, and regulations.
- Must know traffic laws.
- Must be able to deal tactfully and courteously with citizens, especially angry people.
- Must be able to communicate effectively verbally and in writing.
- Must be able to work without close supervision.
- Willingness to work with local and county law enforcement agencies.
- Must maintain cooperative working relationship with co-workers.
- Demonstrate discretion and confidentiality.
- Demonstrate sensitivity to cultural and social differences.
- Must maintain accurate and timely records and files for potential court cases. Must be able to operate standard office equipment including a PC and its software.

Qualifications:

- High School Diploma or GED.
- Valid Texas Driver's License.
- Able to work in all weather conditions.
- Able to respond after hours, including weekends.
- Ability to pass a background check.

Duties:

- Perform a variety of code enforcement inspections and research complaints and citizen inquiries.
- Enforce all ordinances that relate to code enforcement.
- Compose correspondence and monthly reports.
- Provide excellent customer service and public relations.
- Perform all other duties and special projects as directed by the City Manager.
- Attend and assist in city-wide events as needed.
- Other assigned duties by the City Manager and/or City Secretary

Proposal Format:

Proposals should include the following information:

- A letter of introduction, including qualifications.
- Provide a flat rate fee for the aforementioned Code Administrator duties.

Evaluation Criteria and Selection Process:

The selection of the *Part-Time Code Administrator* will be awarded based on the candidate's qualifications, program work and approach, competitive fees and rates, work history and references. The City of Woodcreek reserves the right to reject any incomplete proposals.

All inquiries regarding the RFP should be directed to:

City of Woodcreek

Kevin Rule, City Manager

41 Champions Circle

Woodcreek, TX 78676

(Office): 512-847-9390

(Cell): 512-878-9102

(Email): Manager@WoodcreekTX.gov

Proposals must be received no later than **5:00p.m. on July 7, 2023:**

City of Woodcreek

Attn: Kevin Rule, City Manager

41 Champions Circle

Woodcreek, TX 78676

Disclaimer: The City of Woodcreek prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. The City of Woodcreek conforms to the spirit as well as to the letter of all applicable laws and regulations.

**REQUEST FOR PROPOSAL
CITY OF WOODCREEK, TEXAS
RFP NO. 2023-01**

CITY ATTORNEY SERVICES

Request For Proposals (RFP) shall be submitted in sealed envelopes clearly marked with RFP NO. 2023-01, CONTRACT FOR CITY ATTORNEY SERVICES and addressed to The City of Woodcreek, ATTN: Kevin Rule, City Manager, and will be received at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas, 78676 until 2:00 PM, Friday July 21, 2023, and at which time the RFP'S will be publicly opened and read.

The City of Woodcreek Reserves the right to reject any and all RFPs and to waive any informality in RFPS received. The City of Woodcreek pays for goods and service according to the provisions of Chapter 2251 of the government code.

RFP documents are available for review/inspection or can be picked up during regular business hours at City of Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas. RFP documents can be sent via email by sending a request to the following email address: manager@woodcreektx.gov.

Please contact the city offices for additional information at 512-847-9390.

**City of Woodcreek, Texas
Request for Proposals
City Attorney Services**

Proposal Due Date: November 13, 2019

The City of Woodcreek invites proposals for contracted City Attorney services. Sealed proposals are due to the City Manager's Office by 2:00 p.m. CST Friday, July 21, 2023. Proposals provided through facsimiles or emails will **not** be accepted by the City of Woodcreek. The City seeks services encompassing the traditional scope of work including legal counsel and rendering of opinions to the City Council and staff, and consultation and coordination with special counsel. Attendance at a variety of meetings will be required, including staff meetings and Council meetings as specified. A more detailed statement of the services expected is provided in the scope of work, described below.

Background Information.

The City of Woodcreek is a General Law Type A city, incorporated in 1984. Woodcreek is a Council/Manager form of government, where the Mayor and City Council are the policy making body for the city and the City Manager is the administrative head of the city. The City Manager, Municipal Court Judge and City Attorney are directly responsible to and appointed by the Mayor and City Council.

Woodcreek is located in western Hays County with an estimated population of 1,700 residents. Woodcreek is conveniently located 18 miles west of San Marcos, 34 miles southwest of Austin, and 60 miles northeast of San Antonio. Woodcreek is surrounded by creeks, live oaks and abundant wildlife; Woodcreek is located in the midst of the Texas Hill Country. It has the best of two worlds - a peaceful rural setting with starlit skies at night and a residential neighborhood intertwined with an 18-hole golf course.

If it is anticipated that more than one attorney from the successful respondent may work on some City projects, depending on workload requirements and areas of expertise. The designated City Attorney will maintain central responsibility.

Communications.

All communications related to responding to this Request for Proposals are to be directed through the City Manager's Office.

Scope of Work

1. Provide legal advice, counsel, training, consultation, and opinions to the City Manager, City Council, Planning and Zoning Commission, and all levels of the City Government, on a wide variety of civil assignments including, but not limited to: land use planning, employment law, labor law, construction of public works, purchasing and procurement, purchase and sale of property, interlocal agreements, and public disclosure issues. The City Attorney's advice includes methods of effectively avoiding civil litigation.
2. When requested, furnish legal representation at City Council meetings, Planning and Zoning Commission meetings, and at other meetings.
3. Appear before courts and administrative agencies to represent the City's interests.
4. Prepare and review ordinances and resolutions, contracts, and other documents for legal correctness when requested by the City Council or staff.
5. Work cooperatively with special legal counsel retained by the City for special projects.
6. Coordinate with other special counsel as needed to ensure proper management of legal issues and proper coordination and transition of legal issues among legal counsel.
7. Assist City officials and staff to maintain awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions, and appearance of prohibited transactions.
8. Assist City officials and staff to understand the legal roles and duties of their respective offices and interrelationships with other jurisdictions.
9. Provide the Mayor and City Council with guidance as to Robert's Rules of Order and related procedural matters relating to Council meetings.
10. Performs other legal services and tasks as assigned by the City Council and staff.
11. The City Attorney, either in person or by deputy, shall as required by the City Council from time to time, represent the city in the prosecution of each and every complaint, and for such representation there may be taxed and collected as cost by the Clerk of

the Municipal Court the same fees as are allowed in a like case to the County Attorney by the statutes of the state.

12. The City Attorney, either in person or by deputy, may also be required by the City Council from time to time to represent or advise the City in the prosecution or defense of actual or threatened civil litigation.

Avoidance of Conflict of Interest

As part of the exchange of value between the City of Woodcreek and the selected legal services provider, and in pursuit of implementing a "best practices" philosophy, the City wants its legal support to be free of conflicts of interest in fact and in appearance. As such, responders are requested to answer the following question so that the City may determine the degree of separation between clients the firm is willing to achieve to fulfill this City goal. This answer shall be provided as Attachment G in the written response to this Request for Proposal (see page 6 below). In answering this question, please identify those steps, if any, the firm would be willing to undertake to eliminate or reduce the potential for conflict of interest. As an example, please identify how the firm would handle a situation where one attorney in the firm represents the City as the contract City Attorney, and another attorney in the same firm represents a developer seeking approval of a project within the city limits of Woodcreek.

1. How would your firm handle representation of any other client engaged in development activity within Woodcreek or its Extraterritorial Jurisdiction (ETJ)?

In responding to the foregoing question, please be aware that the City of Woodcreek does not contemplate granting any release that would waive restraint from participation in a conflict of interest situation.

Specifications

1. The City Attorney may be asked to attend City Council meetings. These are typically scheduled on the second Wednesday of each month beginning at 6:30 p.m. until the meeting is adjourned.
2. The City Attorney may be asked to attend City Council work sessions, which typically occur during regular business hours on varying days.
3. The City Attorney may be asked to attend Planning and Zoning Commission meetings. These are typically scheduled on the third Wednesday of each month beginning at 5:00 p.m. until the meeting is adjourned.
4. The City Attorney may be called upon to attend occasional community

meetings and may be called upon to attend meetings related to specific projects in which the City is involved.

5. The City Attorney must be available by phone, cell phone, and e-mail.

Timeliness of response and accessibility to the City Attorney by the Woodcreek Mayor and City Manager is an important aspect of the service. Accessibility and responsiveness for the proposed designated City Attorney is of greatest importance.

Accessibility includes the ability to be generally available to attend meetings in person on short notice and the ability to be reached promptly by telephone. The City does not offer space for offices in a City location. The City Attorney is expected to coordinate with the staff in a way that will promote efficient and effective production of work.

Term

The duration of the engagement is “at-will” and is within the discretion of the Woodcreek Mayor and City Council. It may be terminated, with or without cause, by either party upon thirty (30) day written notice. Termination by the City will require only a majority vote of the City Council at a properly called regular or special meeting.

Schedule

The City provides the following anticipated schedule for completion of this process. This anticipated schedule is for information purposes only and may be adjusted as needed by the City.

RFP Release Date:	June 20, 2023
RFP Submission Date:	July 21, 2023, 2:00p.m. CST

How to Respond.

One (1) copies of sealed proposals must be submitted in writing (no facsimiles, please) and one (1) electronic copy (on flash drive) on or before 2:00 p.m. CST on July 21, 2023, to Kevin Rule, City Manager at the following address:

City of Woodcreek
41 Champions Circle
Woodcreek, TX 78676
Telephone: 512-847-9390

City of Woodcreek
RFP 2023-01
City Attorney Services

The electronic copy only does not solely meet the conditions of the proposal. The preferred format for the electronic copy is Microsoft Word or as a .pdf file by the aforementioned deadline.

The sealed envelope must clearly state that it is a proposal for **RFP NO. 2023-01**.

Please provide one (1) copy of a written response per sealed proposal submitted, responding to each inquiry in the order presented below.

1. Scope of Work: Include as Attachment A
Identify any or all of the City's outlined 'Scope of Work' (page 3-4 above) that will be provided.
2. Vendor Business History: Include as Attachment B
Provide a narrative description of the firm's business history. Complete and submit "Business Statement."
3. Firm experience: Include as Attachment C
Provide a narrative description of the firm.
Identify other municipal clients the firm or attorneys in the firm have had.
Identify experience with municipal law issues, including land use, zoning, growth management, contract law (including interlocal agreements), election issues, Open Meetings Act, public information requests, personnel and other municipal specialties.
4. Proposed City Attorney, Team: Include as Attachment D
Name and describe the attorney(s) and/or team proposed, including the designated City Attorney.
For each attorney on the team proposed, please identify the law school attended, year of graduation, and year in which each passed the bar examination in Texas.
Provide a resume for each team member, with considerable detail in the experience and qualifications of the designated City Attorney, and any significant assisting attorneys.
If specialty attorneys or additional resources are available through your firm (in addition to the named team) to meet special needs, please identify them and their specialties as well.
5. Accessibility and responsiveness: Include as Attachment E

Identify the accessibility of the proposed designated City Attorney, and the response time that the individual offers to the City. Specifically identify the lead time required for attending scheduled or ad-hoc meetings.

Identify the physical location of the City Attorney's primary offices.

6. Proposed fee structure: Include as Attachment F

Propose a compensation package, inclusive of all service costs. The City is open to a variety of approaches, including hourly rates or a flat monthly rate with add-ons. The City will select the finalist by considering the proposed compensation as a "best and final offer," although the City reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the City, including cost.

7. Avoidance of Conflict of Interest: Include as Attachment G

Answer the following question:

How would your firm handle representation of any other client engaged in development activity within Woodcreek?

In answering this question, please identify how the firm would handle a situation where one attorney in the firm represents the City as the contract City Attorney, and another attorney in the same firm represents a developer seeking approval of a project within the city limits of Woodcreek.

In answering this question, please identify those steps, if any, the firm would be willing to undertake to eliminate or reduce the potential for conflict of interest.

8. References: Include as Attachment H

Provide three references for the designated City Attorney.

Please note that the City prefers references relating to municipal experience. Naming of a reference is considered permission to contact the reference. The City may contact outside individuals, whether offered as references or not. The City retains the right to use such information in its decision. Submittal of a proposal is agreement that the City may contact and use such information.

Evaluation and Selection.

Evaluation process - The city reserves the right to award the contract to that proposal that best meets the needs and interests of the City. The following steps are anticipated:

Step 1. Receive and review of qualifications and written proposals

Step 2. Initial reference and information check

Step 3 City interview of finalists

Step 4. Approval of contract by City Council

Evaluation of the written proposal - Written proposals will be evaluated by the City as set forth immediately below.

1. Applicable experience of proposed designated City Attorney
2. Depth and stability of firm or practice
3. Interpersonal match and philosophical concurrence with City core beliefs, practices and personnel
4. Accessibility and responsiveness of both the proposed designated City Attorney and any assisting attorneys
5. Cost

The City will identify and notify those applicants that will be invited to interview. The City reserves the right to utilize new or revised evaluation criteria.

Interviews - Interviews will be held at the sole option of the City. If interviews are conducted, firms should plan to have key personnel on their interview teams who will be assigned to the work specified in the proposal. "Short listed" firms may be asked to provide supplemental or additional information for review by the City prior to the interviews.

Contract negotiations - The City of Woodcreek reserves the right to negotiate all elements which comprise the apparent successful proposal. City representatives and the selected finalist will review in detail all aspects of the requirements and the proposal. During the review of the apparent successful proposal, the respondent may offer, and the City may accept revisions to the proposal, although such suggestions are not favored.

Rejection of proposals - The City reserves the right to reject any or all proposals, portions or parts thereof. Without limiting the generality of the foregoing, the City may reject any proposal which is incomplete or not responsive.

Attachment B

BUSINESS STATEMENT

Please complete and submit with your proposal response.

1. Name of Business: _____

2. Business Address: _____

3. Phone: _____ Email: _____

4. Business Classification (check all that apply)

Individual _____ Partnership _____ Corporation _____

5. Federal Tax Number (SSN or UBI Number): _____

6. Name of Owner: _____

7. Does the firm maintain insurance in amounts specified by the City Contract:

(General liability insurance of at least \$1,000,000 per occurrence, \$2,000,000 aggregate, Combined Single Limit (CSL); Automobile Liability of at least \$1,000,000 per accident CSL; Professional Liability of at least \$1,000,000 per occurrence.)

If no, then describe the differences: _____

Are there claims pending against this insurance policy? Yes _____ No _____

If yes, explain the nature of the claims. If necessary, attach additional sheets:

8. Has the firm or any attorney in the firm ever been disqualified or terminated by any public agency? Yes _____ No _____

9. Is each proposed attorney accredited and in good standing with the Texas State Bar Association? Yes ____ No ____

10. Have any attorneys proposed for this contract been the subject of any bar complaints to the Texas Bar Association? Yes ____ No ____

If yes, please explain. If necessary, attach additional sheets:

11. Proposal offers shall be good and valid until the City completes the award or rejects the proposals. Failure to concur with this condition may result in rejection of the offer. Does the firm accept this condition? Yes ____ No ____

FIRM NAME: _____

FEDERAL ID#: _____

I certify that to the best of my knowledge, the information contained in this proposal is accurate and complete, and that I have the legal authority to commit this Firm to a contractual agreement.

SIGNATURE: _____ DATE: _____

PRINTED NAME AND TITLE OF SIGNER: _____

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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

AGENDA ITEM SUMMARY:

Once the City Council has had the opportunity to review and provide feedback on this proposed Policy, which is a fairly standard policy giving the City Manager control over the City's social media accounts, my office can prepare a Resolution adopting the policy for the Council's June meeting.

THIS APPROACH IS CONSISTENT WITH HOW WORKSHOPS TYPICALLY FUNCTION - WITH THE DISCUSSION, DEBATE, AND "MOLDING OF THE CLAY" OCCURRING DURING THE WORKSHOP AND VOTING/DISCUSSION ON FINAL RESOLUTIONS/ORDINANCES OCCURRING DURING REGULAR MEETINGS.

The Council is free to tweak, revise, strengthen, weaken or take whatever steps to provide feedback prior to the preparation of the final resolution for consideration at a future date.

FINANCIAL IMPACT:**SUBMITTED BY:**

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/15/2023 4:22:31 PM

CITY OF WOODCREEK
[DRAFT] SOCIAL MEDIA/COMMUNICATIONS POLICY
June 20, 2023

1. Purpose.

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

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

2. Policy

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

3. Emergency Services Requests

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

4. Non-Public Forum Status

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

5. Authority of City Manager

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

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

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

6. Privacy

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

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

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

7. Final Decision

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

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Provide Guidance to Staff Concerning the FY 2023-24 Budget

AGENDA ITEM SUMMARY:

FINANCIAL IMPACT:

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

COMPLETION DATE:

6/15/2023 4:27:38 PM