
MEETING NOTICE

The City Council of the City of Woodcreek, Texas will conduct a meeting at Camp Young Judeaa, 121 Camp Young Judeaa Dr., Woodcreek, TX 78676. The meeting will be held on Wednesday, April 12, 2023 at 6:30 PM. All attendees are encouraged to wear face coverings when a minimum of six-foot social distancing cannot be maintained. Smoking is not allowed anywhere on the property of City Hall.

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

<https://zoom.us/j/91901227351?pwd=NjRYTFZDeDRNaHdDR1ZwNEtBd0NqQT09>

Meeting ID: 919 0122 7351; Passcode: 432154

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

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

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

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

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

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

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

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

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

AGENDA

CALL TO ORDER

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PUBLIC COMMENTS

CONSENT CALENDAR

- [1.](#) Approval of Regular 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.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

Report by Ordinance Review Committee Liaison.

Report by Parks and Recreation Board Liaison.

Report by Platinum Roads Panel Liaison.

Report by Tree Board Liaison.

Report by City Manager.

- [4.](#) Report by H.O.T. Committee Liaison.

SPECIAL ORDERS

UNFINISHED BUSINESS AND GENERAL ORDERS

NEW BUSINESS

- [5.](#) Presentation and Discussion on Plan of Finance by Stifel, with Guest Speaker Brad Angst. *(Rule)*
- [6.](#) Report from Planning and Zoning Chair Andy Davenport. *(Grummert)*
- [7.](#) Discuss and Take Possible Action Regarding Presentation on 2023 Winter Event and Future City Emergency Preparedness Suggestions. *(Rule)*
8. Executive Session Under Government Code 551.072, Deliberation Regarding Real Property
- [9.](#) Discussion on "La Rocca" with Possible Action to Follow. *(Hines)*
- [10.](#) Discuss and Take Appropriate Action on the Creation of a Storm Response Relief Program for Citizens. *(Rule)*
- [11.](#) Discuss and Take Appropriate Action on the City of Woodcreek's Emergency Management. *(Grummert)*

- [12.](#) Approval of Financial Statements for February 2023. *(Rule)*
- [13.](#) Discuss and Take Possible Action Regarding the Update of City Applications and Forms. *(Rule)*
- [14.](#) Discuss and Take Appropriate Action on Removing the Prohibition of Above Ground Swimming Pools for the City of Woodcreek. *(Grummert / Hines)*
- [15.](#) Discuss and Take Possible Action on Providing New Direction to the Ordinance Review Committee. *(Hines)*
- [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)*
- [17.](#) Discuss and Take Action on the 2023 Citizen Survey Results. *(Hines)*
- [18.](#) Discuss and Take Action Providing Direction on the new Tree Trimming Application to Address Concerns Over Additional Requirements. *(Hines)*
- [19.](#) Discuss and Take Appropriate Action to Accept an Edit the Oak Wilt Assistance Application. *(Hines)*
- [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)*

ANNOUNCEMENTS

ADJOURN

POSTING CERTIFICATION

I certify that the above notice was posted on the **7th day of April, 2023 at 09:00AM**

By: 
Suzanne J. MacKenzie, City Secretary

CITY COUNCIL MEETING (CITY HALL)
February 08, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

Mayor Jeff Rasco Called the Meeting to Order at 6:34P

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
Interim City Attorney, Roger Gordon

PUBLIC COMMENTS

No Public Comments were offered.

CONSENT CALENDAR

(5:30) Council Member Hines stated that she would like to pull Items 1-3 for discussion. Council Member Bailey was in agreement. No roll call vote was taken.

- 1. Approval of Regular City Council Meeting Minutes from November 9, 2022.**
Page 5 in the packet, #2 – “geobonds” is “G.O. Bonds”.
- 2. Approval of Regular City Council Meeting Minutes from January 11, 2023.**
Page 14 in the packet, last sentence – “15” is “157”;
Page 17 in the packet, #7 – “Suzie Hall” is “Suzie Hald”
- 3. Approval of Special City Council Meeting Minutes from January 25, 2023.**
Page 22 in the packet, “Report on Par View Greenspace Beautification Project”, Add text at the end that will be provided by Council Member Hines.

Page 24 in the packet, #5 – The name of the company listed as “Hill Country Land” is actually “Hill Country Land Improvement.”

Council Member Hines made a motion that we approve the amended minutes as corrected in this meeting. (8:52) Council Member Hambrick seconded the motion.

A roll call vote was held.

Voting Yea: Mayor Pro Tem Brent Pulley, Council Member Bob Hambrick, Council Member Linnea Bailey, Council Member Debra Hines, Council Member Chrys Grummert.

Motion passed: 5-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

PZ made a motion to request Council to fund a Public Hearing to review the Short-Term Rental documents pending the final draft approval by Planning and Zoning.

Report by Ordinance Review Committee Liaison.

Final draft of "Important Woodcreek Ordinances" Document is ready to finalize at March meeting; Chair and Vice-Chair elections will also occur at the March meeting; Chapter 34 Emergency Management update is tabled until the larger Emergency Plan at County Level is completed; City Manager Rule clarified that ORC tasks are directed by Council only; He also recommended that Council specify sections of the Code versus the directive for a full review.

Report by Parks and Recreation Board Liaison.

Board met a couple weeks ago to assess all three parks and decide the next steps. Survey for Creekside Park has been received. Waiting on decision for fence placement from Golf Course.

Report by Platinum Roads Panel Liaison.

Timeline for Chip Seal Project: 10th goes to Civcast; letters go out on the 15th to midsize paving and chip seal contractors, has a list of about 15 contractors within 50 miles.

Report by Tree Board Liaison.

Next Monday the 13th. Nothing to report, other than to make a note about the Oak Wilt Application in the meeting packet.

Report by City Manager.

Busy week. Wanted to thank everyone for helping each other and those who brought brush to the Neighbor Day Event. Volunteers were busy all day. Trash pick-up has been delayed two days due to difficulty getting through the City roads. The first Waste Connections brush truck will begin pick up on Monday – second in a couple of weeks. Vendors [tree trimming companies] have been coordinated to clean-up our rights of way and make them safe. Our TDEM representative was impressed with the way that the City has coordinated brush and limb cleanup. Wimberley will also be contacting Waste Connections to coordinate brush clean up.

Report by City Secretary.

Presented to Council the information sheets that vendors are giving residents on behalf of the City. The sheets contain the new City email address Assistance@WoodcreekTX.gov that can be used to request volunteers for basic clearing of their property.

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

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

Found out that an RFP is not required. Also found out that the City did not meet the financial threshold. Because this is the case, the Committee has been closed.

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

Second draft of Chapter 154 is complete. Committee will not meet this week due to the storm event. New member, James Miller will join the next meeting. Environmental Chapter, first draft is ready; Subdivision first draft should be ready next week. On track for February deadline.

SPECIAL ORDERS

UNFINISHED BUSINESS AND GENERAL ORDERS

NEW BUSINESS

4. Presentation of the Spirit of Woodcreek Award to the Parks and Recreation Board Membership (past and present) For Their Work on the Spooktacular Events and the Recent POSAC Grant Award. *(Pulley)*

He would like to recognize to the entire Board with this Award.

Council Member Hines made a motion to postpone the award of the Spirit of Woodcreek Award to Parks and Rec Board at the next meeting, Special or Regular. (32:35) Motion was seconded by Council Member Pulley.

A roll call vote was taken.

Voting Yea: Council Member Hambrick, Council Member Bailey, Council Member Hines, Council Member Grummert, Mayor Pro Tem Pulley
Motion Passed 5-0-0.

5. Discuss and Take Possible Action on A Resolution Establishing Schedule for Submission of Certain Applications to the City of Woodcreek. *(Rule/Gordon)*

Due to changing legislation, cities now operate under a short shot clock. As a result, a resolution can be passed with a calendar with a of certain weeks that are identified for accepting development applications. Invited Council to review document on page 28.

Motion was made by Council Member Hines to add a Section 4 to state what types of permits this [calendar] is applicable to (43:35). Motion was seconded by Council Member Bailey.

Attorney Gordon encouraged the City to follow the Attorney General recommendations.

A roll call vote was taken.

Voting Yea: Council Member Bailey, Council Member Hines, Council Member Grummert, Mayor Pro Tem Pulley, Council Member Hambrick
Motion Passed 5-0-0.

Motion was made by Debra Hines that Interim City Attorney Gordon adjust the language on Section 1 to address City procedures with administratively complete application and the shot clock to bring it into alignment with City procedures and state law. (54:29) Motion was seconded by Council Member Grummert.

A roll call vote was taken.

Voting Yea: Council Member Hines, Council Member Grummert, Mayor Pro Tem Pulley, Council Member Hambrick, Council Member Bailey
Motion Passed 5-0-0.

Motion was made by Council Member Hines that one(1) subdivision over three(3) acres with new construction per application period be accepted. Motion was seconded by Council Member Grummert.

A roll call vote was taken.

Voting Yea: Council Member Grummert, Mayor Pro Tem Pulley, Council Member Hambrick, Council Member Bailey, Council Member Hines
Motion Passed 5-0-0.

6. Discussion and Take Possible Action on A Resolution to Possibly Extend the Declaration of Winter Disaster for the City of Woodcreek. (Rasco/Gordon)

Interim City Attorney Gordon stated that the Declaration, which expired today, affords the homeowner and the City expanded opportunities during the brush and limb clean-up. The Governors Declaration supersedes the City so the City won't have to take action on this item. Tracking of volunteer hours can be tracked in a QR code and individual structural property damage can be reported in iSTAT.

No action was taken on this item.

7. Discuss and Take Appropriate Action on Naming Remaining Members to the Ordinance Review Committee. (Rasco)

Council Member Grummert made a motion that Council approves the recommendation on naming the members for the Ordinance Review Committee, his recommendation is to make Joe Branco a regular member.(1:18:48) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion Passed 5-0-0.

8. Consider and Take Possible Action on Proposed Oak Wilt Assistance Application from the Tree Board. (Pulley)

Motion was made by Mayor Pro Tem Pulley to approve the proposed Oak Wilt Assistance Application that the Tree Board has reviewed and approved. (1:20:30) Motion was seconded by Council Member Grummert.

Discussion of questions posed by Tree Board:

- a. What is the maximum reimbursement allowed per household? No single household will receive more than one quarter of the funds.
- b. Does the application apply to all trees? Only oak trees at this time.
- c. Who makes the decision on what applications receive funding, with Tree Board recommendations? City Staff.

Motion was made by Council Member Hines to edit this and then approve it with minor amendment [to page 33 in packet] that funds will be issued if all requirements are met and funds are available. (1:26:41). Motion was seconded by Council Member Grummert.

A roll call vote was taken on amendment.

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

Motion Passed 5-0-0.

Motion was made by Mayor Pro Tem Pulley replace the word "trees" with "oak" on second check box of application. (1:31:26) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion Passed 5-0-0.

A roll call vote was taken on main motion.

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

Motion Passed 5-0-0.

9. Discuss and Take Possible Action on Amendments to Zoning Regulations Concerning Short-Term Rentals. (Grummert)

No motion was made for this item.

10. Discuss and Take Appropriate Action on Considering a Re-Codification and Restructuring of the City of Woodcreek Code of Ordinances. (Hines)

Motion was made by Council Member Hines to approve moving forward with drafting a proposal for the restructuring of the Code in anticipation of a full recodification and authorize the Ad Hoc Work Group overseeing Chapters 154+ to begin work on this effort thus approving the structure as outlined in the agenda packet as the initial starting point for this effort. (1:35:45) Motion was seconded by Council Member Grummert.

Recess began at 8:11p; Recess ended at 8:17p.

Discussion after introduction included a question as to when legal would be included in this process. Interim City Attorney Gordon stated that recodification of Ordinances is one of the most complex tasks that a City Council can do as it is a recitation of the City's laws. There is a challenge of readability versus completeness. Certain topics must be reviewed by professionals. They must be strong enough to protect the City.

Amended motion was made by Council Member Hines to authorize consultation with Interim City Attorney Gordon throughout the process. (2:20:50) Motion was seconded by Council Member Grummert.

A roll call vote was taken on the amended motion.

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

Motion Passed 5-0-0.

A roll call vote was taken on main motion.

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

Motion Passed 5-0-0.

11. Discuss and Take Possible Action to Approve the Verbiage in the Proposed Citizen Survey. (Hines)

No motion was made for this item.

12. **Discuss and Take Appropriate Action to Approve the 2023 Citizen Survey Final Draft to be Mailed and Shared As An Online Survey and Set A Date for Closure of Survey and Final Day to Submit.** *(Hines)*

Motion was made by Council Member Hines to approve the final draft of the 2023 Citizen Survey exactly as attached in the packet with a final return and closure date thus directing Staff to execute distribution. (2:30:00) Motion was seconded by Council Member Grummert.

Discussion about the survey contents and tallying of the results.

City Manager Rule stated that the results of the survey would be presented at the Council Meeting on April 12th, unless a Special Meeting is called.

An amended motion was made by Council Member Hines to set the completion date for March 8 for the survey. (2:44:10) Motion was seconded by Council Member Grummert.

A roll call vote was taken on amended motion.

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

Motion Passed 5-0-0.

Interim City Attorney Gordon suggested that by combining notices would be beneficial. Discussion commenced.

ANNOUNCEMENTS – None

ADJOURN

Mayor Jeff Rasco Adjourned the Meeting at 9:21PM.

Jeff Rasco, Mayor

Suzanne MacKenzie, City Secretary

**SPECIAL CITY COUNCIL MEETING (CITY HALL)
February 21, 2023; 3:00 PM
Woodcreek, Texas**

MINUTES

CALL TO ORDER

Mayor Rasco called the Meeting to Order at 3:05P.

MOMENT OF SILENCE

PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Mayor Pro Tem Brent Pulley
Council Member Linnea Bailey
Council Member Chrys Grummert
Council Member Debra Hines

ABSENT

Council Member Bob Hambrick

STAFF PRESENT

City Manager, Kevin Rule
City Secretary, Suzanne Mac Kenzie

PUBLIC COMMENTS

No Public Comments were offered.

CONSENT CALENDAR

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison. – None Offered.

Report by Ordinance Review Committee Liaison. – None Offered.

Report by Parks and Recreation Board Liaison. – None Offered.

Report by Platinum Roads Panel Liaison. – None Offered.

Report by Tree Board Liaison. – None Offered.

Report by City Manager. – None Offered.

Report by City Secretary. – None Offered.

REPORT OF SPECIAL (Select or Ad Hoc) COMMITTEES

Ad Hoc Workgroup, Chapters 154-157 (Development Workgroup) – None Offered.

SPECIAL ORDERS

UNFINISHED BUSINESS AND GENERAL ORDERS

NEW BUSINESS

Discussion before workshop was to hold regular, future workshops the Tuesday after the Regular Council Meetings, which will reduce the length of discussions that normally occur during Council Meetings.

Official time to submit items for agendas is 1P on Monday before week of the meeting, by Resolution. Workshop will be an open-ended discussion about where we are now; not about finger pointing or blame; regroup as a team and as a family. The goal is to get everyone on the same page (Council, Citizens, Staff). We need to communicate well and often to be successful.

1. Workshop to Discuss Policies, Procedures, Roles and Legislation.

Mayor Rasco opened the Workshop at 3:22P.

Important to focus on Comprehensive Plan to achieve goals. The more we can focus on policy and strong committees to carry out our vision, we will be our best Council. Staff, Council and Committees continue to take classes to learn and become better at what we do. (Mayor Rasco)

- i. Woodcreek is an aldermanic, Type A General Law City. (pg. 4), chartered in the '80s [1984].

Attention was brought to page 96 in the packet, Resolution 2021-12-22-01 that governs how Council operates. Not included [provided for] the packet is the Resolution to Add Location for Meetings.

NEW STAFF ITEM: Council would like ALL Resolutions added to City Website.

Discussion that the City Website needs an overhaul.

NEW STAFF ITEM: Council Member Hines would like a list of Staff Responsibilities.

- a) *Emails:* City Manager Rule stated that recipients listed on the "TO" line are expected to respond/take action and the "CC" line does not expect a response. He is creating a delineation of job duties, and will provide within the next month, a list of duties for the City Secretary and Office Admin/Receptionist. (all emails previously sent to both)

Files: Mayor Rasco mentioned that Staff is trying to organize many years of files from previous Staff [electronic and physical].

- b) Discussion of the triage of Council's "To Do" list for Staff, quarterly, with the first discussion to be held on March 14th. City Manager Rule suggested Council provide guidance for prioritizing tasks from Council, in addition to their own list. Mayor Rasco agreed. City Manager Rule stated he is in the process of reviewing the list that was submitted to him and updating it with the project/item status. Items supplied by Council will only be added with the consensus of the Council as a whole.

Council Member Hines asked if the items could be added to a Survey Monkey survey for Council Members to rank the importance, to save time in a workshop/meeting.

- c) Council Member Grummert asked about “Local Government Code 21.003 Members of Municipal Governing Bodies May Volunteer”.

Roger Gordon stated that if a volunteer opportunity is not funded by the City, then individuals can volunteer wherever we want. Don't need permission from the City to volunteer.

- ii. Council Member Hines expressed concern that soft deadlines aren't giving Staff enough time to prepare agendas. Mayor Rasco stated a full staff will help.

NEW STAFF ITEM:

Mayor Rasco would like Staff to send Council an invite in Outlook after every meeting is set.

Council Member Grummert referenced “Council Liaison 411” document in relation to when committees should provide agenda items.

NEW ITEM: Clarify language in the “Council Liaison 411” document.

NEW STAFF ITEM:

Policy for Advisory Boards direction, similar to the “Council Liaison 411” document.

City Manager Rule stated that he has informed all Advisory Boards that their agenda deadline for agenda items is the same as Council's, Monday before week of their meeting, and they have all been advised, but Staff does not always receive information.

NEW ITEM:

Chairs of Advisory Boards, moving forward, are to copy their liaison on agenda submissions to Staff, but not create the agenda.

- iii. (Covered in “ii”, above)
- iv. Discussion of who should write Resolutions, Ordinances, etc. Mayor Rasco expressed that we should use everyone in their respective positions. Purpose is to get our citizens what they need.

Mayor Pro Tem Pulley summarized that a simple fix in the Code could potentially be handled at Council level but as the complexity increases, Code should be sent to professionals. Everyone has an entrepreneurial spirit to fix things, but not necessarily the experience.

City Manager Rule said that Staff is bound to adhere to motions made by the Advisory Boards, but the City Administrator should have some type of authority to limit communications between Advisory Boards and Vendors as there are multiple communications to the vendors by members of the same Advisory Board(s).

Roger Gordon stated that Council Liaison Policy could be cleaned up before passed.

Additional discussion on how to create policies.

Mr. Gordon stated that there are several policy areas that can be revisited: agendas, tasking and funding.

Mr. Gordon stated that typically policies are defined by Resolutions.

Mayor Rasco made a suggestion to combine with the Liaison 411, a Body/Chair 411 document that becomes resolution that is the policy for how liaisons work with the Bodies and how everything works with the Council.

City Manager Rule summarized that there is a difference between policies and procedures. Procedures are internal details on how to perform a task. Policies would go in front of City Council. An Ordinance would be on the books for a long time; Resolutions are short-term laws; and then there are procedures, such as a Policy Manual.

Council Member Hines stated that her understanding from the discussions that Resolutions are actually needed for: Social Media Policy, Liaison Policy, and Fund Balance Policy.

City Manager Rule says that by doing this, it makes everything cleaner administratively. He restated that the need to go through the "To Do" lists.

Mayor Rasco closed the Workshop at 5:24P.

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

Motion was made by Council Member Hines to add to the Communication Policy that we directed the City Attorney Mr. Gordon and City Manager Rule to write, I would like for them to create a broadened Communications Policy, to include the Social Media Policy, the existing 411 and add a portion for the Advisory Bodies. (2:24:04)

Motion was seconded by Council Member Grummert.

A roll call vote was held.

Voting Yea: Mayor Pro Tem Brent Pulley, Council Member Linnea Bailey,
Council Member Chrys Grummert, Council Member Hines

Motion Passed: 4-0-0.

ANNOUNCEMENTS

Mayor Rasco announced the prepared Proclamation.

Motion was made by Council Member Grummert that Council pass the Proclamation naming March 2023 as Woodcreek Emergency Preparedness Month. Motion was seconded by Council Member Hines.

A roll call vote was held.

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

Motion Passed: 4-0-0.

ADJOURN

Mayor Rasco Adjourned the Meeting at 6:27P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

CITY COUNCIL MEETING (CYJ)
March 08, 2023; 6:30 PM
Woodcreek, Texas

MINUTES

CALL TO ORDER

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

MOMENT OF SILENCE
PLEDGES

ROLL CALL and ESTABLISH QUORUM

PRESENT

Mayor Jeff Rasco
Councilmember Linnea R. Bailey
Councilmember Chrys Grummert
Councilmember Bob Hambrick
Councilmember Debra Hines

ABSENT

Mayor Pro Tem Brent H. Pulley

STAFF PRESENT

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

PUBLIC COMMENTS

Public Comments were offered by Anita Collins, the Community Liaison for the Hays County Judge. She provided a contact information sheet for Hays County Staff.

CONSENT CALENDAR

1. Approval of Regular Meeting Minutes from February 8, 2023.
2. Approval of Special Meeting Minutes from February 21, 2023.

Motion was made by Council Member Hambrick to approve the consent agenda as it is. (6:27)
Council Member Hambrick withdrew his motion at 7:17.

Motion was made by Council Member Grummert to move approve the minutes until the next regular council [meeting]. (7:35) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion passed 4-0-0.

REPORTS FROM OFFICERS AND COUNCIL LIAISONS

Report by Planning and Zoning Committee Liaison.

After March 1, the Panel has made two(2) recommendations to Council will are part of this agenda: Items 14 and 15.

Report by Ordinance Review Committee Liaison.

Important Woodcreek Ordinances document complete. A committee was formed to review Health and Sanitation Code. Reviewed briefly the ordinances for Business Use Home Occupation and Personal Care facilities and will explore that their next meeting. Waiting on communication for flow of communications regarding work designations.

Report by Parks and Recreation Board Liaison.

Parks met and discussed in Walking Workshop at all three parks solutions for spaces. They continue to price playground equipment that is feasible to purchase. A considerable cost savings on a surface underlayment may be provided by Chair Abney.

Report by Platinum Roads Panel Liaison.

The Pre-Bid Meeting for the Chip Seal Project was on the 27th. No bidders came, but that is not unusual. Bids will be accepted and reviewed on March 15th by City Manager Rule, Chair Abney, Council Liaison Bailey and Ryan Thomas.

Report by Tree Board Liaison.

Mayor Pro Tem Pulley asked Mayor Rasco to report that Woodcreek was approved by Tree City USA as a Tree City. Also working on a survey to assess what changes to the previous survey have occurred since the freeze.

Report by Hotel Occupancy Tax Liaison.

First meeting was on March 1st, mostly organizational. Next meeting will be on March 21st at 10A. Scott Joslove of the Texas Hotel and Lodging Association will be guest speaker.

Report by City Manager.

Brush pick up continues as Waste Connections moves through the City. They have already removed 100 dumpsters. A more in-depth report will be provided at the next meeting.

Tree permits will begin again on March 15th.

Municode has been contacted for website issues.

March 14th-Workshop for Council – all are welcome.

March 25th-Emergency Preparedness Fair at the VFW with booths, food and activities from 10a-2p. This is a county-wide effort with lots of agency participation.

Videos are available immediately on YouTube and were downloaded to our website at 5P today.

Report by City Secretary. – No report was offered.

REPORT OF SPECIAL (Select or Ad Hoc) Committees

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

Chapters 154-157 complete; Environmental Code is in draft and will be available next week; Subdivisions and ETJ regulations will be brought to Council for next steps; Zoning is separate. Goal is to be done in March with Chapter reviews.

Recodification has been postponed until these chapters are complete.

SPECIAL ORDERS

3. Approval of Financial Statements for December 2022. (Rule)

Introduction by Mayor Rasco that City Manager Rule has worked on the documents to make them easier to read and understand.

City Manager Rule stated that using Pooled System Accounting, the reports look different but the previous format of the information is in the packet if it needs to be referenced to compare numbers. His next step is to reclassify expenses and revenue into appropriate categories.

He has already reallocated underutilized monies of Interest Income to take advantage of an increased interest rate of 4.8%, thus showing an increase in Interest Income.

Council Member Hines asked him to restructure the standard formatting of the reports to have the most recent information closest to the line item.

Other Items:

- a. Pg 9 - Change Name to Transfer to Capital Fund.
- b. Pg 13 - Questioned Interest Risk Pool increase - Increases every year.
- c. Pg 14 - Projects – Comp Plan didn't fall under last year. Request to break items out.
- d. Pg 53 - What on Blade Group – Vendor for asphalt.

City Manager has signed the Engagement Letter to have the City's financials audited.

Question on Engineering line. Bill from K.Friese. City Manager Rule has requested that K.Friese submit more detailed bills.

Motion was made by Council Member Bailey to accept the Financial Statements for December 2022. (37:00) Motion was seconded by Council Member Grummert.

Amended motion was made by Council Member Hines to include January 2023. (37:54) Council Member Grummert seconded the motion.

Council Member Bailey accepted the amendment.

A roll call vote was taken.

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

Motion passed 4-0-0.

4. **Approval of the Financials for January 2023.** (Rule)

Motion was addressed in Item #3, above.

5. **Discuss and Take Possible Action to Approve A Special Event Permit for Colorful Changes, F.K.A. Life Changes Estate Sales.** (Rule)

Motion was made by Council Member Hines to approve the Special Use Permit. (39:11)
Motion was seconded by Council Member Grummert.

A roll call vote was taken.

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

Motion passed 4-0-0.

UNFINISHED BUSINESS AND GENERAL ORDERS – None

NEW BUSINESS

6. **Presentation of the Spirit of Woodcreek Award to the Parks and Recreation Board Membership (past and Present) For Their Work on the Spooktacular Events and the Recent POSAC Grant Award.** (Pulley)

No formal action taken. Pictures were taken from 7:15P-7:23P.

7. **Discussion and Take Possible Action Regarding Report On Traffic Enforcement Activities in the City of Woodcreek.** (Pulley)

Motion was made by Council Member Grummert to accept the Traffic Report. (47:00) Motion was seconded by Council Member Hines.

Discussion of report: any speed over 30mph should get ticket; some of the addresses are in Eagle Rock; would like to increase patrols, but Hays County Sheriff is short staffed.

A roll call vote was taken.

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

Motion passed 4-0-0.

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

City Manager Rule was tasked with reviewing contracts with the City. The oldest contract has been held by the City's Financial Advisor, which ends at the end of the month. If not reviewed, it auto renews for another year.

Financial Advisors assist with the issuance of bonds and also assist with the reporting requirements with the state. Based on previous experience with larger cities and bond dollars, and his experience with several Financial Advisors, he recommends the approval of the agreement with Stifel, with Council approval.

Interim City Attorney Gordon stated that state law prohibits requesting RFQs for this service.

Motion was made by Council Member Grummert to postpone this item until the Workshop. (1:12:02) Motion was seconded by Council Member Hambrick.

A roll call vote was taken.

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

Motion passed 4-0-0.

9. Discuss and Take Appropriate Action On The Creation of A Storm Response Relief Program For Citizens. (Hines)

Motion was made by Council Member Hines to approve the authorizing the creation of such program by Staff and to authorize an amount to be spent total with a cap per household and to outline other details, like waivers, percent match and how to find a company to contract with, etcetera. (1:14:55) Motion was seconded by Council Member Grummert.

Discussion of program included the approval of the concept, but a review of the funds available in the budget and how it would be funded would be needed. Program should include damage to homes, not just trees (insurance claims)

Motion was made by Council Member Hines to use the Assistance@WoodcreekTX.gov email address to seek input on a disaster relief financial assistance fund would be needed. (1:29:20)

Council Member Hines withdrew her first motion at 1:29:51.

An amendment was made by Council Member Grummert to have the wording updated to state that Council authorize the creation of such program. (1:60:51) Motion was seconded by Council Member Hines.

A roll call vote was taken on the amended motion.

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

Motion passed 4-0-0.

A roll call vote was taken on the second motion. [made by Council Member Hines]

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

Motion passed 4-0-0.

10. Discuss and Take Appropriate Action Regarding A Review and Report of Pending Business With City Staff. (Hines)

This item was moved to the Council Workshop on March 14th.

No action was taken.

11. Discuss and Take Possible Action on the Approval of the Purchase of A ColorTrac SmartLF Scanner - 36Inch for the Purpose of Accurate Records Management, Safety and the Reduction of Fire Hazards within City Hall and It's Storage Shed. (Rasco/Rule)

Motion was made by Council Member Hines to approve the scanner purchase. (1:36:50) Motion was seconded by Council Member Hambrick.

City Manager Rule stated that a budget amendment will have to be done. Mayor Rasco stated we tried to get this item through last year when there was money in the budget.

A roll call vote was taken.

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

Motion passed 4-0-0.

12. Discuss and Take Appropriate Action on the Adoption of An Application Resolution Authorizing A Texas Community Development Block Grant Program Application; Appropriate Action to Adopt the Required CDBG Civil Rights Policies; and Appropriate Action to Adopt A Citizen Participation Plan for the City of Woodcreek. (Grummert)

Motion was made by Council Member Grummert to adopt the application resolution authorizing a Texas Community Development Block Grant (CDBG) program application, the required CDBG Civil Rights Policies and the Citizen Participation Plan for the City of Woodcreek. (1:43:24) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion passed 4-0-0.

13. Discuss and Take Appropriate Action To Adopt A Resolution Designating Authorized Signatories for the Texas Community Development Block Grant Program. (Rule)

Motion was made by Council Member Grummert to adopt the resolution authorizing signatories for the Texas Community Development Block Grant Application. (1:50:45) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion passed 4-0-0.

- 14. Discuss and Take Appropriate Action on the Recommendation from the Planning and Zoning Commission To Adopt An Ordinance Amending Various Sections of Chapter 155, "Subdivisions", of the Code of Ordinances, City of Woodcreek, Texas, The Same Being Known As The Subdivision Ordinance, For The Purpose of Implementing An Amendment Increasing Minimum Lot Size Requirements For Wastewater and Water Connections for New Subdivision Application. (Grummert)**

Motion was made by Council Member Grummert to accept the recommendation from Planning and Zoning regarding minimum lot sizes to be included in the Subdivision Code and moved to a set Public Hearing date for Council on a decision. (1:52:15) Motion was seconded by Council Member Hines.

Copies of the Planning and Zoning Report, which was received the day of the meeting by the City Manager, were distributed to Council Members for review.

Council Member Grummert withdrew his motion at 2:00:27

Council Member Grummert made a motion to accept Planning and Zoning's Report.(2:00:36) Motion was seconded by Council Member Hines.

A roll call vote was taken.

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

Motion passed 4-0-0.

Executive Session began at 8:30P.

Executive Session ended at 9:19P

No action was taken during Executive Session.

- 15. Discuss and Take Appropriate Action on the Recommendation From the Planning and Zoning Commission To Adopt An Ordinance Amending Chapter 156, "Zoning", of the Code of Ordinances, City of Woodcreek, Texas, The Same Being Known as the Zoning Ordinance, Specifically Section 156.026, to be Titled "Short-Term Rentals" (STRs) for the Purpose of Implementing Regulations for Zoning Districts In Which STRs Will Be Prohibited: SF-1, SF-2, SF-3, SF-5, SF-6, TH/C, DU-1, 4PLX and RR; With Regulations Concerning Inspections, Fees and Permits Required for Authorized STR Use in Districts SF-4, MF-1 and MF-2, With the Additional Recommendation That Council Re-Establish A Municipal Court To Properly Enforce This Ordinance. (Grummert)**

Motion was made by Council Member Hines to direct Staff and Mr. Gordon to set up a regulatory permit process for residential short-term rentals. (2:51:12) Motion seconded by Council Member Grummert.

Interim City Attorney clarified that the recommendation from the Planning and Zoning Commission was for an Ordinance which would create a blanket prohibition on short-term rentals in certain sections of the City. After looking at case law and legislation at the Capitol and have advised the

City that there is a bit of uncertainty, as of today, regarding the validity of ordinances which create a blanket prohibition on short-term rentals. He is also advising the City to take the incremental step, before the adoption of an outright ban, to create a permitting program. He will take the opportunity to create some draft documents and bring them back to Council for review

A roll call vote was taken.

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

Motion passed 4-0-0.

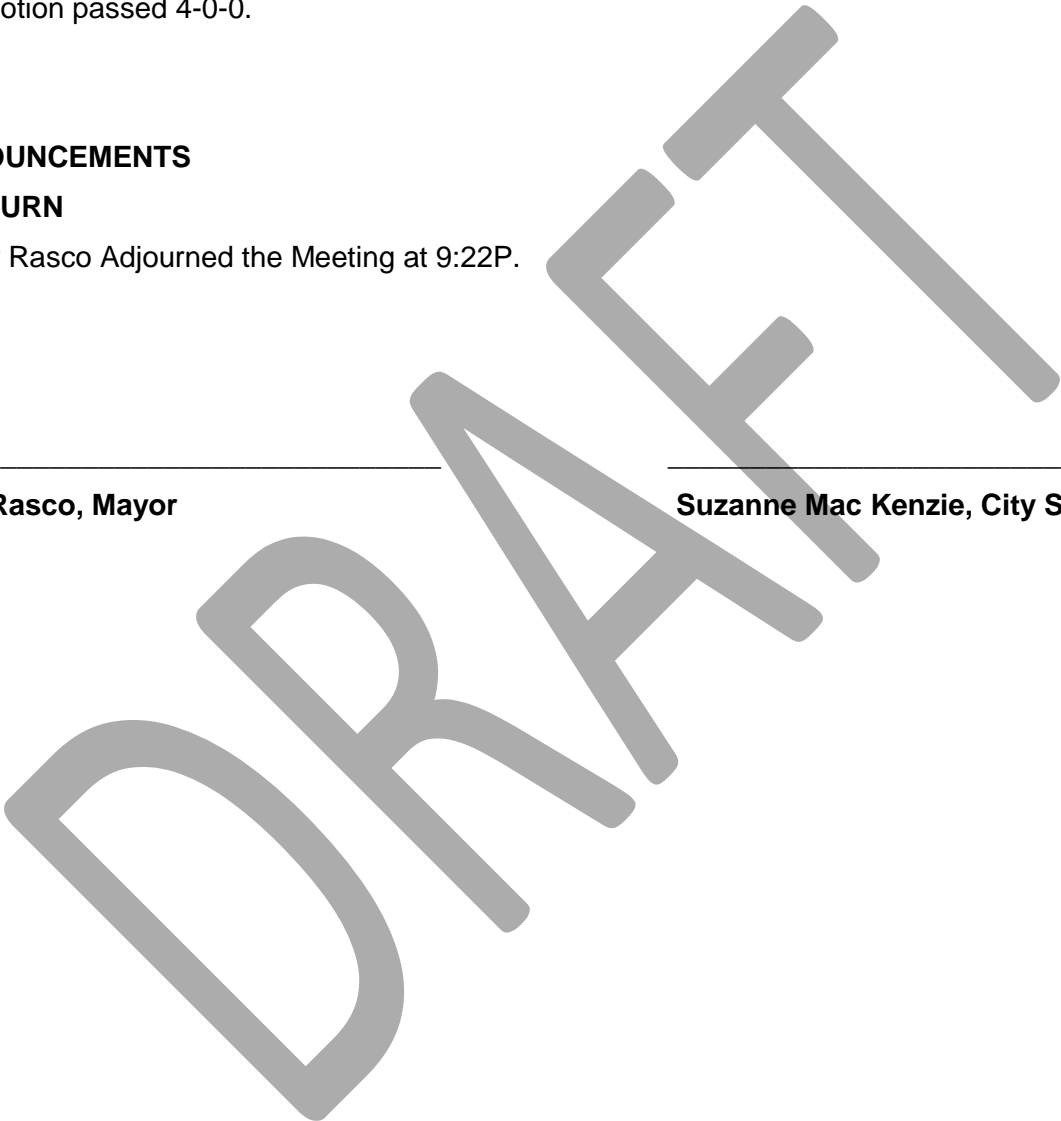
ANNOUNCEMENTS

ADJOURN

Mayor Rasco Adjourned the Meeting at 9:22P.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary





Hotel Occupancy Tax Committee

Report to City Council

HOT Committee Recommendation

MEETING DATE: March 21, 2023

SUMMARY:

The Hotel Occupancy Tax (HOT) Committee submits this report to the Woodcreek City Council with recommendations on whether to increase the current Hotel Occupancy Tax above 0%. The Committee also agreed to remain in place as the HOT Committee of Woodcreek and to meet again in the first quarter of 2024. At that time, the Committee will make an assessment as to whether there have been material changes in the past 12 months that would warrant revisiting the question of increasing the tax or leaving the tax at 0%.

HISTORY:

On April 9, 2008 the Woodcreek City Council passed Ordinance No. 08-113 by a 5-0 vote approving a 7% Hotel Occupancy Tax (HOT). The Ordinance became effective on May 1, 2008.

On May 12, 2010 the Woodcreek City Council passed Ordinance No. 10-141 by a 5-0 vote approving a 5% Hotel Occupancy Tax (HOT). The Ordinance became effective on July 1, 2010.

On April 10, 2013 the Woodcreek City Council passed Ordinance No. 13-178 by a 5-0 vote approving a 4% Hotel Occupancy Tax (HOT). The Ordinance became effective on July 1, 2013.

On April 10, 2013 the Woodcreek City Council passed Ordinance No. 13-178 by a 3-0-1, Mayor Pro Tem Britner abstained, vote approving a 0% Hotel Occupancy Tax (HOT). The Ordinance became effective on January 1, 2014.

On November 9, 2022 the Woodcreek City Council directed staff to post an application form for membership to the HOT Committee for both lodging and the non-lodging owners. Membership to serve on the committee was not limited to residents of the City due to the nature of the HOT. The application was placed in the newspaper, Wimberley View, on November 24, 2023. The application was also placed on the City's web page.

On February 22, 2023 City of Woodcreek Mayor Rasco, HOT Committee Chair Konradi, met with Creekhaven Inn & Spa owner Helena Hauk and Wimberley Tourism Director Leanne Kirby to discuss the HOT implemented in Wimberley.

On March 1, 2023 the Hotel Tax Occupancy Tax Committee conducted its first meeting. The committee discussed (1) the governing Ordinance for the City of Woodcreek (Chapter 110) (2) HOT laws and Uses of HOT Funds (3) Creation of a Mission Statement for the HOT Committee (4) Schedule and agenda content for the next meeting.

On March 21, the Hotel Tax Occupancy Tax Committee had a video conference with Scott Joslove Esq., President and CEO of the Texas Hotel and Lodging Association. The committee

was able to discuss a Hotel Occupancy Tax and current viable options available to spend funds. The committee also looked at the result from the City Council survey, "should the City raise Hotel Occupancy Tax to promote and support local businesses in the area? Funds collected under this tax are restricted for certain purposes", recently conducted.

RECOMMENDATION ONE – LEAVE HOTEL OCCUPANCY TAX AT 0%:

The Advisory Committee recommends the Hotel Occupancy Tax should remain at 0%.

RECOMMENDATION TWO – DO NOT REMOVE HOT FROM CODE OF ORDINANCES:

The Advisory Committee recommends that the Hotel Occupancy Tax Ordinance should remain in the City of Woodcreek’s Code of Ordinances.

By: Ann Tyler Konradi

Ann-Tyler Konradi
Chairperson, Hotel Occupancy
Tax Advisory Committee
City of Woodcreek, Texas

04/01/23

Date

Received By: [Signature]
CITY MANAGER

04/03/23
Date

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Presentation and Discussion on Plan of Finance by Stifel

AGENDA ITEM SUMMARY:

On March 22, 2023 the City entered into a Municipal Advisory Services Agreement with Stifel. Brad Angst, our Financial Advisor, will introduce himself and update Council on the Plan of Finance.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Report from Planning and Zoning Chair Andy Davenport

AGENDA ITEM SUMMARY:

Report from Planning and Zoning regarding Draft Ordinance sent to council.

FINANCIAL IMPACT:

n/a

SUBMITTED BY:

Chrys Grummert

AGENDA TYPE:

Report from Chair of Planning and Zoning



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.

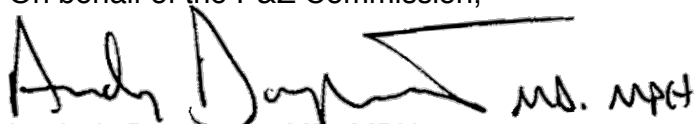
- Were I interested in my property being an STR’s I would establish myself as one right now and register for the hotel occupancy tax. This action would “settle my property right” as of now which would then have to be retroactively undone. I would advise everyone else to do the same so that they’ll “have 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),

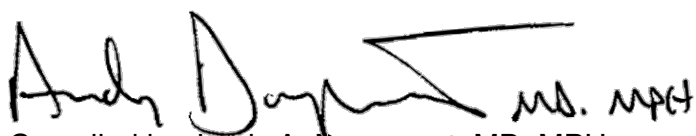
On December 1, 2022, City Engineer Brandon Melland of K. Friese & Assoc. submitted a report with feedback on proposed revisions to the Code of Ordinances concerning STRs and minimum lot sizes.

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 to the right.

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.

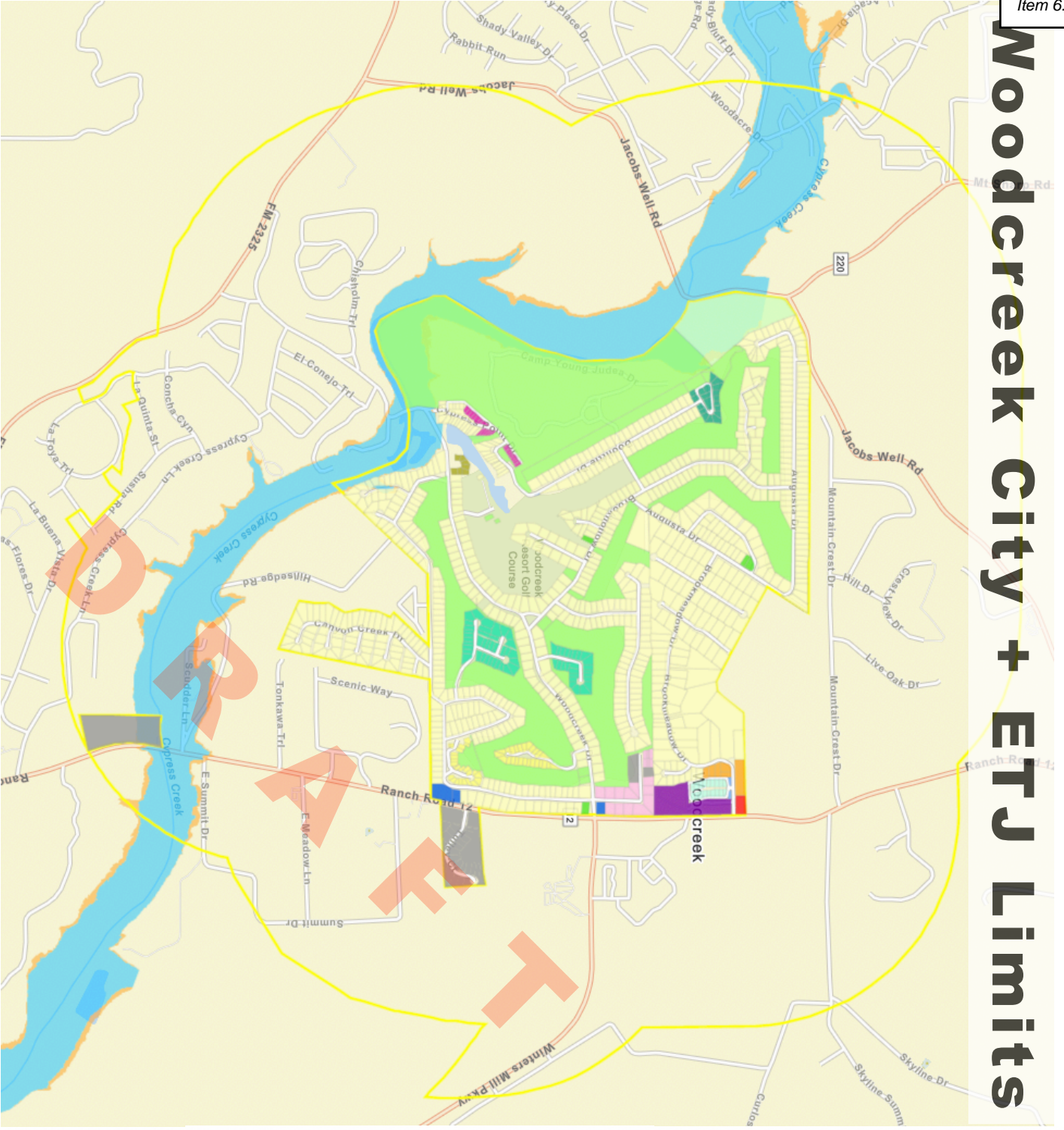
6.

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

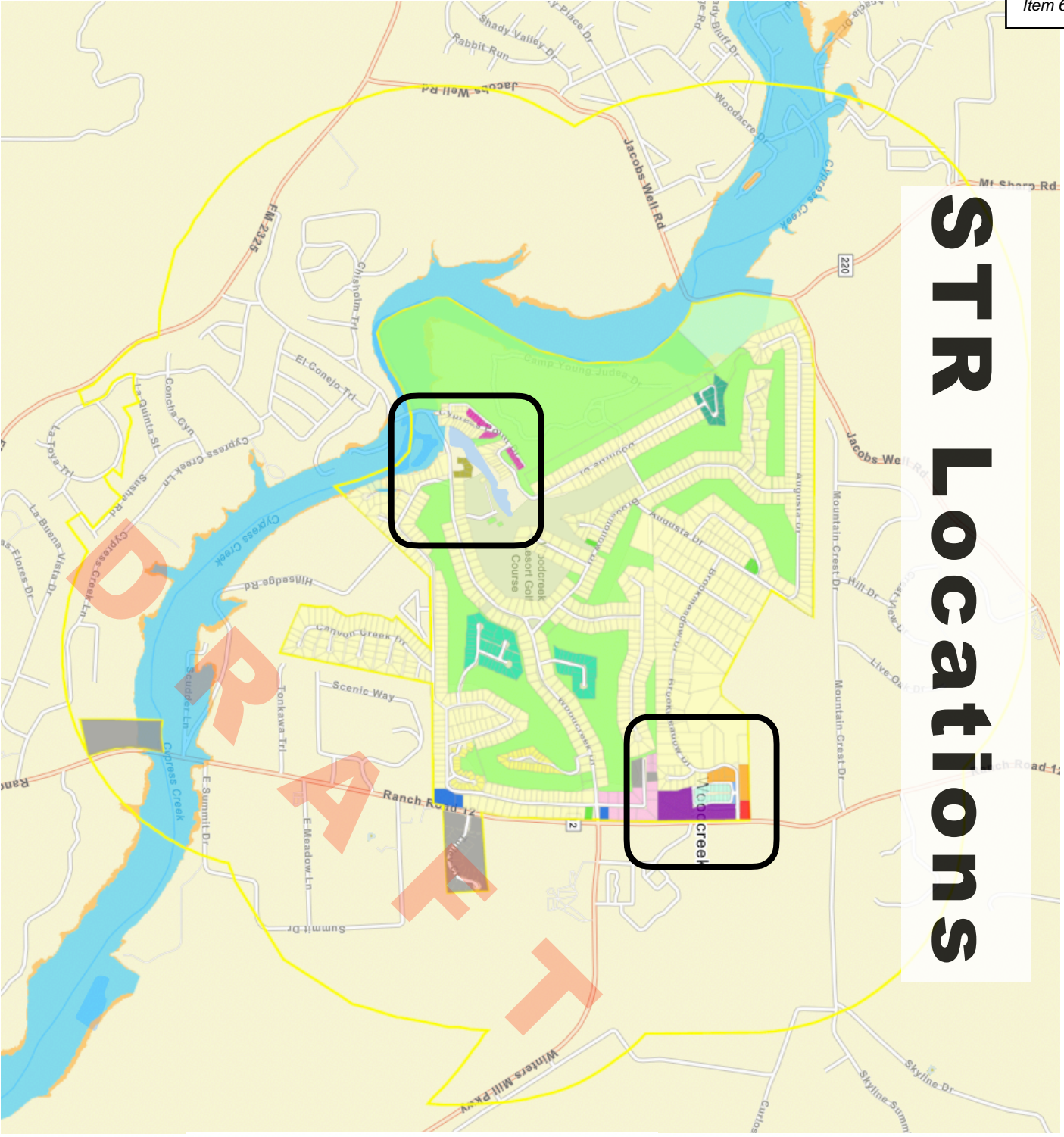






























 City of Woodcreek City Limits

 City of Woodcreek Zoning 2019

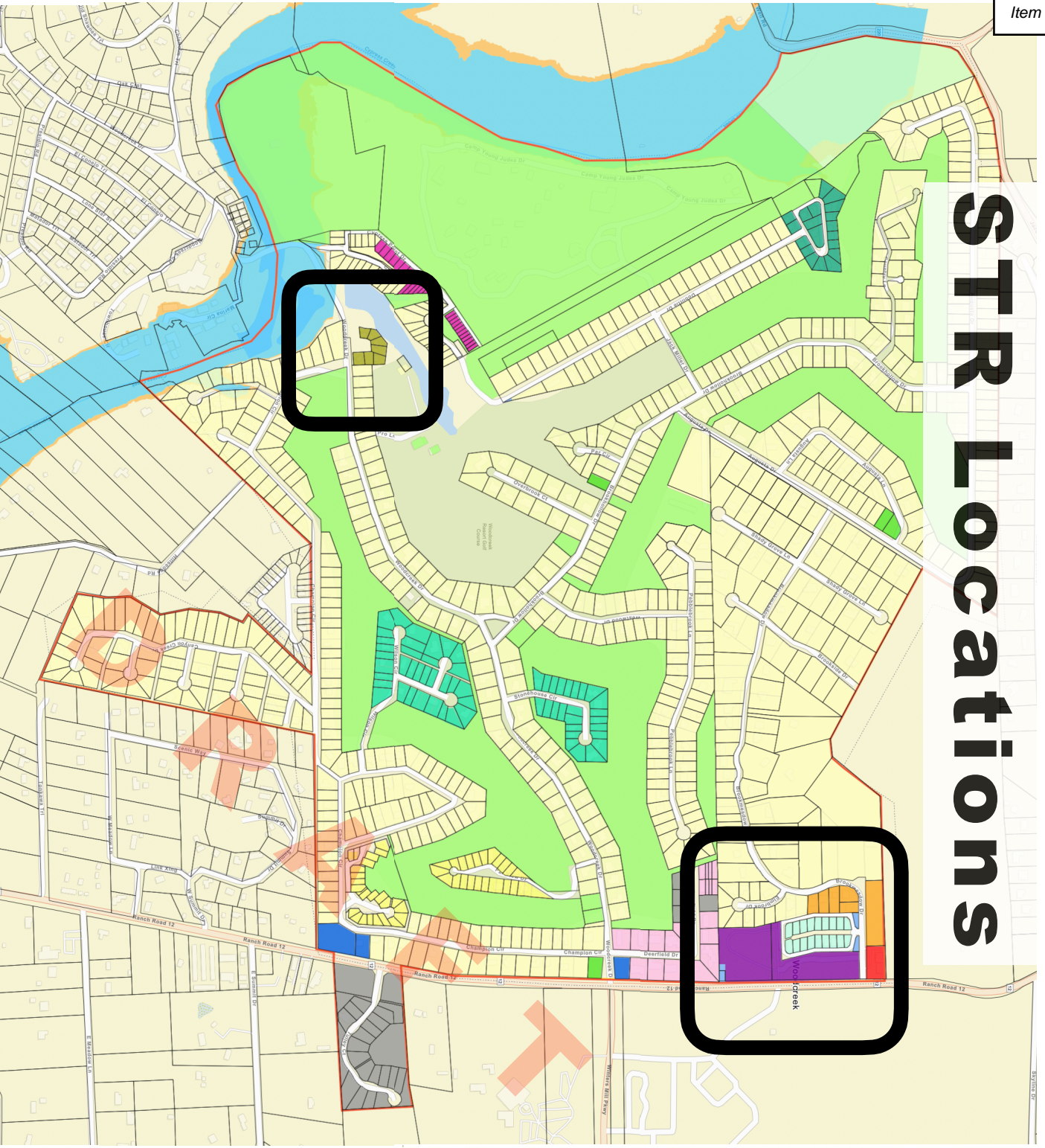
-  Single Family 1
-  Single Family 2
-  Single Family 3
-  Single Family 6
-  Townhouse/Condo
-  Four Plex
-  Planned Development District
-  Recreational
-  Single Family 5
-  Single Family 4
-  Two-Family Duplex
-  Utility
-  Government
-  Multi-Family
-  Public Park
-  Greenbelt
-  Natural Preserve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

STR Locations



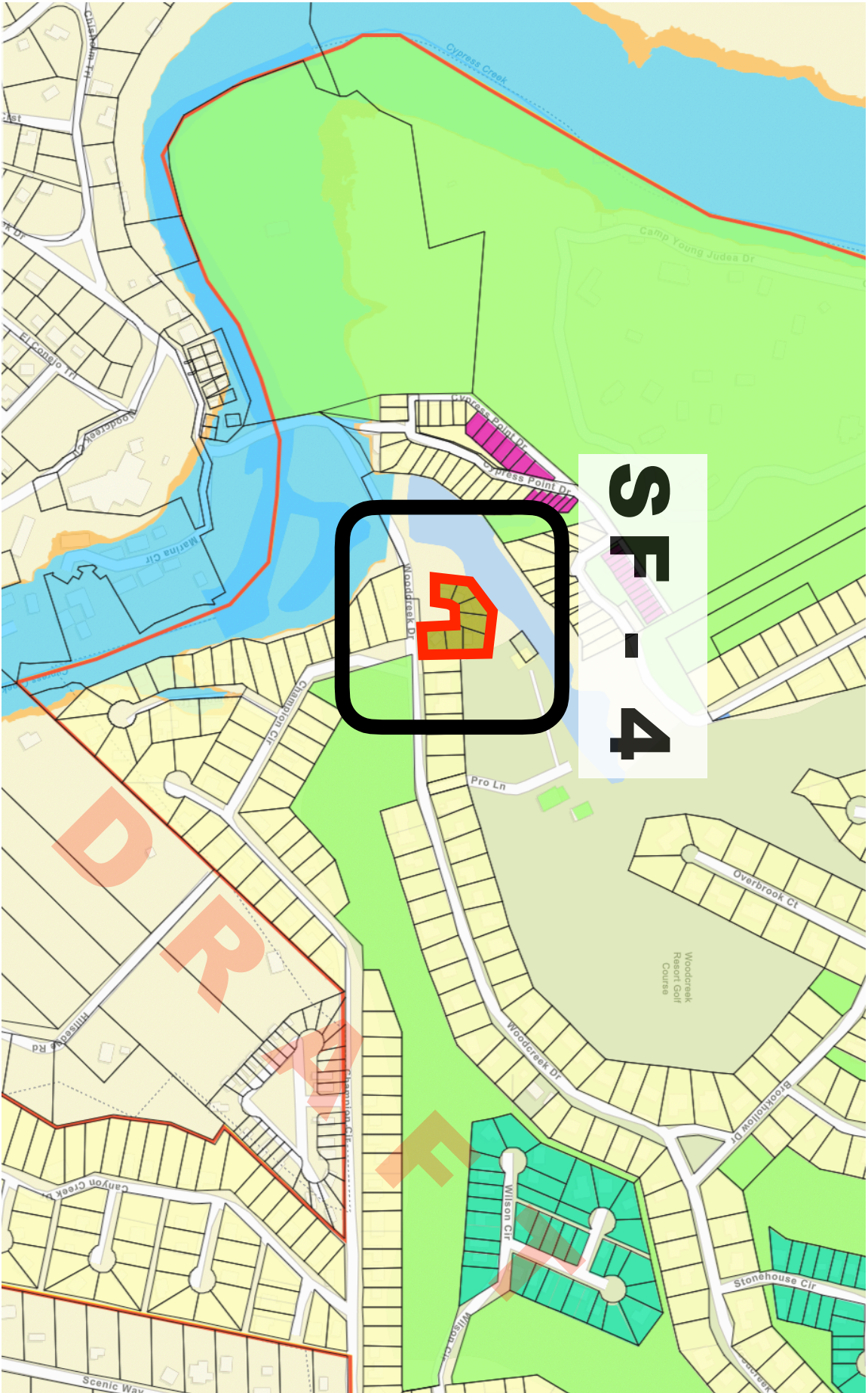
-  City of Woodcreek City Limits
-  City of Woodcreek Zoning 2019
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-  100
-  500

STR Locations



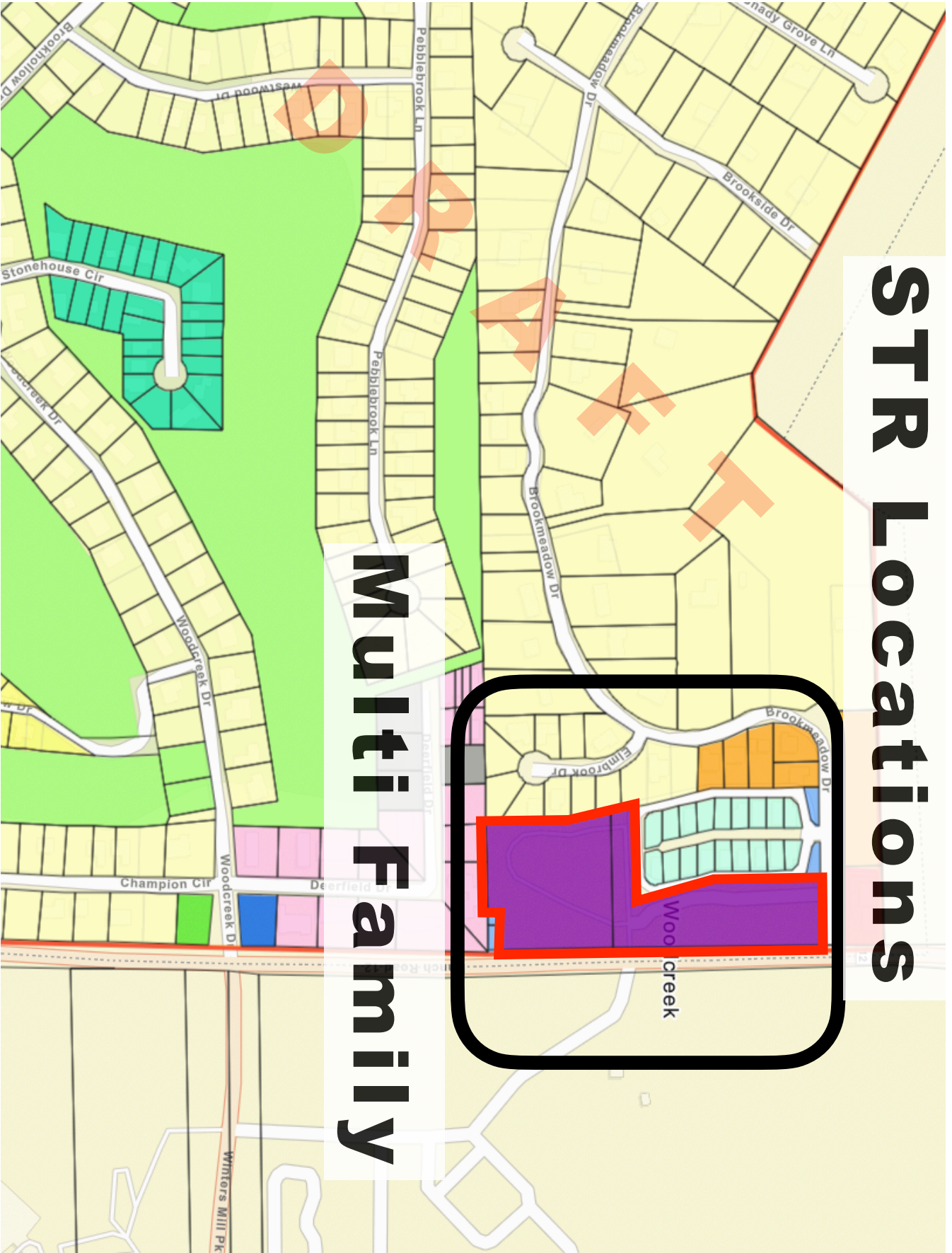
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-  Greenbelt
-  Natural Preserve
-  Neighborhood Comm.

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

- No External Signage
- Working Smoke Alarms
- Working Carbon Monoxide Alarms
- Working Fire Suppression System (Sprinkler)
- Working Fire Extinguisher (5lbs., ABC rated)
- 24/7 Contact Individual
- Proof of Hotel Occupancy Tax Compliance¹
- Sample Informational Brochure
- General Liability Insurance²
- Maximum Number of Occupants Permitted³
- Floor Sketch Plan with Room Dimensions / Evacuation routes
- Site Plan or Survey Showing Parking Areas/ Spaces⁴
- Pet Policy

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.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Possible Action Regarding Presentation on 2023 Winter Event and Future City Emergency Preparedness Suggestions

AGENDA ITEM SUMMARY:

City Manager Rule has created a Timeline of Events Coordinated by City Staff for Post-Ice Storm Clean-Up and preparation ideas for future emergency events.

FINANCIAL IMPACT:

Unknown

SUBMITTED BY:

Kevin Rule

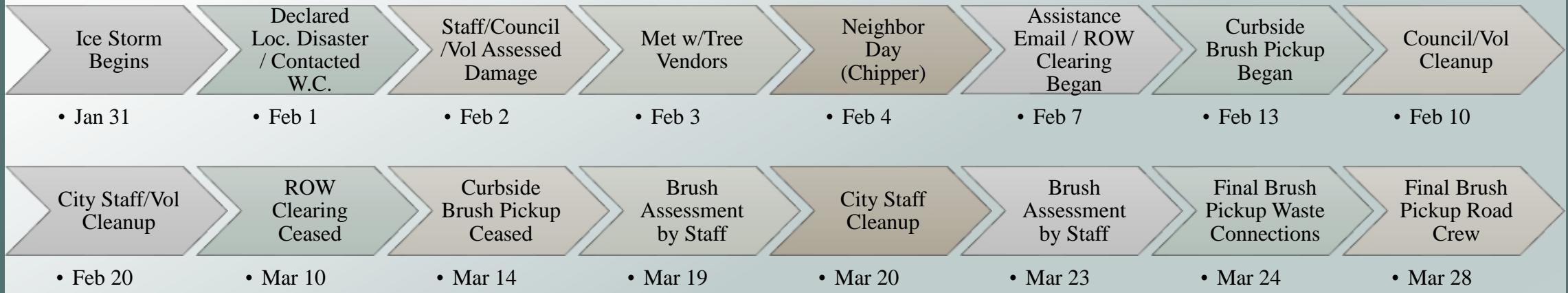
AGENDA TYPE:

New Business



2023 ICE STORM RECAP
APRIL 12, 2023

Timeline of Events



Recommendations

- Develop a City of Woodcreek Emergency Operations Plan
- Redesign City's web page with a City of Woodcreek app
- Establish Neighbor to Neighbor (N2N) Network
- Establish emergency coordination between Double J Golf Ranch Club and Camp Young Judaea
- Establish Volunteer Emergency Responders (VER)
- Develop a 72 Hour Preparedness Kits for City Hall
- Purchase a generator for City Hall – This will provide a “Command Post” in the event of loss of electricity
- Purchase a City Vehicle – 4x4 P/U

FUN FACTS

- Waste Connections worked 29 days with Grappler Trucks on the City's Streets
- Averaged 8 loads a day
- 232 dumpsters filled and taken to Hays Country Transfer Station
- 6,700 cubic yards removed by Waste Connections
 - One cubic yard is the size of one washing machine
- Estimated cost \$210,000



Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discussion on "La Rocca" with Possible Action to Follow

AGENDA ITEM SUMMARY:

The recent citizen survey showed citizens would like to keep "La Rocca" open for public use. It is however a private property with a private drive. This creates limitations for traffic safety control and police patrol and enforcement. Council should consider requesting an easement on the deed of this land creating a covenant that would transfer on sale and exist for the life of the plat for that property. This could provide for the installation of traffic control measures. The City should consider approaching the owner to seek a gift of the thoroughfare to allow for city funds to be used for improvements and maintenance and to ensure access for public use. The gate should be removed so that no private individual can shut the road down without notice or consent as occurred in the fall of 2021.

FINANCIAL IMPACT:

unknown at this time

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

April 18 Workshop



SCREENSHOT Document provided by Council Member Hines was a “.png” file, which Municode does not accept.

SCREENSHOT image was copied onto a Word document and converted to Adobe for upload into the agenda packet.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on the Creation of a Storm Response Relief Program for Citizens

AGENDA ITEM SUMMARY:

At the March 8, 2023 City Council Meeting, staff was directed to send out an email asking Woodcreek residents their opinion on creating a Storm Response Relief Program for Citizens. This Program would financially assist residents of Woodcreek to clean up tree storm damage. The details of the program would be developed if Council determined by the citizens responses that a program was desired. An email was sent out on March 27, 2023, as well as a link on the City's web page asking residents to send in their feedback concerning the Storm Response Relief Program to the assistance@woodcreektx.gov email address. The City received 16 responses.

FINANCIAL IMPACT:

Unknown

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

- I don't think that is a good idea.
- Sounds like a good idea, provided it has a per incident cap as well as an overall limited budget. I presume this will involve having to make some budgetary line item adjustments? Also, to the extent that it can be determined, I think it prudent for the benefit of all Woodcreek residents that the need for assistance is not the result of personal carelessness or forgetfulness, if that makes sense.
- I think it's a wonderful idea. Where would the funds come from?
- From where will this money come? City will apply for a grant? Will this be donated money? Or, will this money come from already existing city revenue? If this money comes from already existing funds, I would rather the funds go toward fixing the roads which are in disrepair!
- I think it's a wonderful idea. Where would the funds come from?
- I believe that there is a real need for this program, Many residents m especially the elderly and low income were not able to afford cleanup costs after the ice storm, I know several residents who still have storm damaged trees that need removal. Please give strong consideration to helping our neighbors who can least afford it
- We support this measure for Woodcreek. Thank you.
- YES please! Obviously, you will have full transparency into funding and recipient selection. Suggestions, allow for recipient “nominations” & donations.
- I would think it would be very beneficial for those who are disabled or couldn't do the work themselves.
- Woodcreek should absolutely help anyone who needs help with debris removal due to the recent ice storm.
- Does this proposal include raking leaves?!!
- I think this program would be a good thing for residents. I would vote yes.
- There are several organizations* that assist without the City offering financial aid. *Carpenters Helpers @ First Baptist Wimberley Samaritans Purse
- I vote for it!!
- A noble concept but I'm against the program. It will be difficult to judge and award "deserving" folks with legitimate reasons, beyond their control, as to why they could not complete their cleanup like everyone else. It very likely will reward the homeowners we should least be doing so and set a bad precedent.
- I am in favor of such a program.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on the City of Woodcreek's Emergency Management.

AGENDA ITEM SUMMARY:

This item is to discuss and take action on any improvements, details or requirements related to the city's emergency management.

FINANCIAL IMPACT:

unknown at this time

SUBMITTED BY:

Chrys Grummert

AGENDA TYPE:

New Business

Emergency Management Legal Q&A

Prepared by TML Staff

Questions? Contact Evelyn Njuguna, Assistant General Counsel, at evelyn@tml.org

Updated March 13, 2020

Disaster Management

Q. What is a disaster?

- A. State law defines a disaster as an “occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, other public calamity requiring emergency action, or energy emergency [a temporary statewide, regional, or local shortage of petroleum, natural gas, or liquid fuel energy supplies that makes emergency measures necessary to reduce demand or allocate supply].” Tex. Gov’t Code §§418.004(1), (3). Effective September 1, 2019, a disaster shall also include a “cybersecurity event.” *Id.* §418.004(1).

Q. What steps is a city required to take to prepare for a disaster?

- A. Each city is required to maintain its own emergency management agency or participate in a local interjurisdictional emergency management agency. *See* 37 TAC §7.1. The mayor is required to notify the Texas Division of Emergency Management (TDEM) of the manner in which the city is providing an emergency management program and the person designated to head that program. *Id.* §7.3.

A city must also prepare, keep current, and distribute to appropriate officials a local emergency management plan or an interjurisdictional emergency management plan that is developed in conjunction with another city or county. *Id.* §7.12. The purpose of an emergency management plan is to provide for disaster mitigation, preparedness, response, and recovery. *See* Tex. Gov’t Code §418.106(a). Each emergency management plan must be signed by the mayor, and must include, at a minimum: (1) wage, price, and rent controls and other economic stabilization methods; (2) curfews and other movement restrictions; (3) limitations on utility use in areas affected by a disaster; and (4) rules governing entrance to and exit from the affected area, and other security measures. *Id.* §418.106(b); 37 TAC §7.12.

The mayor, as the emergency management director of the city, may designate a person to serve as the emergency management coordinator. *See* Tex. Gov’t Code §418.1015. In many cities, the emergency management coordinator is responsible for developing the emergency management plan and coordinating emergency management training. TDEM provides plan documentation templates and guidelines for each plan and annex at: <https://www.dps.texas.gov/dem/Preparedness/plansUnit.htm>. The plan, and any changes, must also be sent to TDEM. 37 TAC §7.12. Each plan must be reviewed annually and

updated at least once every five years. *Id.* For more information on emergency management, city officials may review TDEM's [Texas Emergency Management Executive Guide](#).

As a condition to receiving federal funds, grants, training, and reimbursement of disaster recovery costs, a city must also adopt and implement the National Incident Management System (NIMS) as its incident management system. *See id.* §7.13. NIMS is an incident management system that enables organizations across the country to work together during incidents of all kinds and sizes.

Additionally, upon the issuance of an annual proclamation by the governor before hurricane season, each city shall conduct, to the extent practicable, community outreach and education activities on hurricane preparedness between May 25 and May 31 of each year. Tex. Gov't Code §418.127. (Effective September 1, 2019.)

Q. Who is required to complete disaster management training?

- A. An elected law enforcement officer, or an appointed public officer of a city, who has management or supervisory responsibility is required to complete emergency management training if the officer: (1) has a position description, job duties, or assignment that include emergency management responsibilities; or (2) plays a role in emergency preparedness, response, or recovery. *See Tex. Gov't Code §§418.005(a), (b).* The League has interpreted this provision to mean that police chiefs and marshals, as well as a fire chief whose office is created by a home rule charter, should complete the training. Other fire chiefs may also wish to take the training out of an abundance of caution or after consultation with the city attorney. Any other city officer should take the training if his or her position is created by a home rule charter and the officer's job description has specific emergency management duties.

The training must be not less than three hours and must be completed before the 180th day after the public officer takes the oath of office, if required, or when the person assumes his or her responsibilities as a public officer. *See id.* §418.005(b). The mayor or the person serving as the emergency management coordinator is also required to complete disaster management training. *Id.* §§418.101(b), 418.1015(c).

Additionally, city personnel with a direct role in emergency preparedness or incident management or response are required to complete certain NIMS training depending on their incident command system role. *See 37 TAC §7.12.*

Q. Where can a city official get training in emergency management?

- A. The Texas Division of Emergency Management (TDEM) provides emergency management training. Regional liaison officers are also available to assist city officials with their training and other emergency management needs. Currently, TDEM provides these classes at no charge and will pay for a city official's travel expenses to attend one of its classes. A certificate of course completion shall be provided to each public officer who completes the training. Tex. Gov't Code §418.005(e). Such certificate shall be maintained and made available for public inspection. *Id.*

Training on NIMS is also offered by TDEM and may be taken in-person or online. A list of NIMS classes can be found at: <https://tdem.texas.gov/training/>

Local Authority

Q. Who can declare a local state of disaster?

- A. The mayor is authorized to declare a local state of disaster if a disaster has occurred or is imminent. Tex. Gov't Code §418.108(a). An order or proclamation declaring, continuing or terminating a local disaster must be given prompt general publicity and must be promptly filed with the city secretary. *Id.* §418.108(c). The declaration of a local disaster activates applicable provisions of local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. *Id.* §418.108(d). The chief administrative officer of a joint board has exclusive authority to declare that a state of disaster exists within the boundaries of an airport operated or controlled by a joint board, regardless of whether the airport is located in or outside the boundaries of a city. *Id.* §418.108(e). A disaster declaration lasts for no more than seven days unless continued or renewed by city council or a joint board, as applicable. *Id.* §418.108(b).

Additionally, the chief executive officer of a city or the governing body of a city may request, during an emergency, that the governor proclaim a state of disaster and designate the area involved. *Id.* §433.001. For purposes of a request to the governor, an emergency exists in the following situations: (a) a riot or unlawful assembly by three or more persons acting together by force or by violence; (b) if a clear and present danger of the use of violence exists; or (c) a natural or man-made disaster. *Id.* Once a State of Disaster is declared, the applicable provisions of the State Emergency Plan are activated. *Id.* §418.015(b).

Q. What authority does a mayor or city council have during a declared state of disaster?

- A. The mayor may order the evacuation of all or part of the population from a stricken or threatened area within the city limits if the mayor believes it is necessary for the preservation of life or other disaster mitigation, response or recovery. Tex. Gov't Code §418.108(f). The mayor may compel persons who remain in the evacuated area to leave and authorize the use of reasonable force to remove persons from the area. *Id.* §418.185(b). A person who knowingly disobeys a mandatory evacuation order, and who engages in or fails to take action that a reasonable person would have taken and that results in the undertaking of a governmental rescue effort is civilly liable for the cost of the rescue to a governmental entity that conducts the rescue. *Id.* §418.185(d). The mayor is also authorized to control access to and from a disaster area that is under the mayor's jurisdiction and to control movement of persons and occupancy of premises in such area. *Id.* §418.108(g).

The chief executive officer or governing body of a city may request the governor to provide state military forces to aid in controlling conditions in the city that the officer or

governing body believes cannot be controlled by the local law enforcement agencies alone. *Id.* §433.005(a).

A city may temporarily or permanently acquire, by lease, purchase, or other means, sites required for installation of temporary housing units or emergency shelters for disaster victims. *Id.* §418.020(c). A city may also enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges. *Id.*

The mayor also serves as the governor's designated agent in the administration and supervision of disaster management duties set out in state law and may exercise the same powers granted to the governor under the Texas Disaster Act (Chapter 418 of the Government Code) on an appropriate local level. Tex. Gov't Code §418.1015(b). Accordingly, the mayor may commandeer or use any private property if the mayor finds it necessary to cope with a disaster, subject to compensation requirements. *Id.* §418.017(c). The mayor may also suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles. *Id.* §418.019.

During a declared state of disaster and the 90-day period following the expiration or termination of the disaster declaration, the mayor of a city subject to the declaration may request the attorney general provide legal counsel to the city on issues related to disaster mitigation, preparedness, response, and recovery applicable to the area subject to the disaster declaration. *Id.* §418.193.

Q. What powers does a municipality have to protect the public health?

- A. The governing body of a municipality may enforce any law that is reasonably necessary to protect the public health. Tex. Health & Safety Code §121.003.

With respect to disease management, a Type A general law city can take any action that is necessary or expedient to promote health or suppress disease, including: (1) preventing the introduction of a communicable disease into the city, including stopping, detaining, and examining a person coming from a place that is infected or believed to be infected with a communicable disease; (2) establish, maintain, and regulate hospitals in the city or in any area within five miles of the city limits; or abate any nuisance that is or may become injurious to the public health. *Id.* §122.005(a). Additionally, a Type A general law city may adopt rules: (1) necessary or expedient to promote health or suppress disease; or (2) to prevent the introduction of a communicable disease into the city, including quarantine rules, and may such rules in the city and in any area within 10 miles of the city. *Id.* §122.005(b). A Type A general law city also has the authority to fine a person who fails or refuses to observe the orders and rules of the health authority. *Id.* §122.005(c). A home rule city may adopt rules to protect the health of persons in the city, including quarantine rules to protect the residents against communicable disease, and also provide for the establishment of quarantine stations, emergency hospitals, and other hospitals. *Id.* §122.006.

Additionally, a city may activate its emergency management powers by declaring a state of local disaster under Chapter 418 of the Government Code. Each city is required to have a local emergency management plan that contains information on addressing a health risk to the city, including the outbreak of a communicable disease.

Q. What is the role of a local health authority?

- A. A local health authority (LHA) is a competent and reputable physician licensed to practice medicine in Texas who is appointed by a municipality or county to administer state and local laws relating to public health within the appointing authority's applicable jurisdiction. Tex. Health & Safety Code §§121.002; .022. Cities that have established local health departments, public health district, or that receive grants from DSHS for essential public services are required to appoint an LHA. *Id.* §§121.028(b); .033; .041. In a city that has a local health department, the local health department director serves as the city's LHA, provided that the director is a physician. *Id.* §121.033(d). If the local health department director is not a physician, he or she is required to appoint a physician as the LHA, subject to approval by the DSHS and city council. *Id.* A city that does not have a local health department may appoint an LHA. *Id.* §121.028(a).

An LHA has supervisory authority and control over the administration of communicable disease control measures within his or her jurisdiction unless specifically preempted by the state. *Id.* §81.082. The LHA is also authorized to perform each duty that is necessary to implement and enforce a law to protect the public health or prescribed by DSHS, including the right of entry to real property and a right of access to an individual that is in isolation or quarantine. *Id.* §§121.024; 81.065. The LHA's responsibilities also include, among others: (1) establishing, maintaining, and enforcing quarantine in the LHA's jurisdiction; (2) aiding DSHS with local quarantine, inspection, disease prevention and suppression, birth and death statistics, and general sanitation within the LHA's jurisdiction; (3) reporting the presence of contagious, infectious, and dangerous epidemic diseases in the city; (4) reporting to the DSHS on any subject on which it is proper for a report to DSHS to be made; and (5) aiding DSHS in enforcing proper rules, requirements, ordinances, sanitation laws, quarantine rules, and vital statistics collection. *Id.* §121.024.

Q. What happens if a municipal court cannot conduct its proceedings due to a disaster?

- A. If a disaster precludes a municipal court (or a municipal court of record) from conducting its proceedings at the location assigned for the proceedings, the presiding judge of the administrative judicial region, with the approval of the judge of the affected municipal court, may designate an alternate location for the proceedings: (1) in the corporate limits of the city; or (2) the outside the corporate limits of the city at the location the presiding judge of the administrative judicial region determines is closest in proximity to the city that allows the court to safely and practicably conduct its proceedings. Tex. Gov't Code §§29.015(a); 30.000123(a). Additionally, if a disaster precludes a municipal court (or a municipal court of record) from holding its terms, the presiding judge of the administrative judicial region, with the approval of the judge of the affected municipal court, may designate the terms and sessions of court. *Id.* §§29.015(b); 30.000123(b).

Q. Can the enforcement of city ordinances be suspended during or after a disaster?

- A. The mayor may suspend the provisions of any regulatory ordinances if strict compliance with the provisions, orders or rules, would in any way prevent, hinder or delay necessary action in coping with a disaster. Tex. Gov't Code §§418.016; 418.1015(b).

The governor may also temporarily suspend or modify, for a period of not more than 60 days, any public health, safety, zoning or intrastate transportation, or other law or regulation if by proclamation the governor considers the suspension or modification essential to provide temporary housing or emergency shelter for disaster victims. *Id.* §418.020(c). Additionally, upon declaration of a state of disaster, enforcement of the regulation of on-premise outdoor signs by a city located in a county within or adjacent to a county within a disaster area specified by the declaration is suspended to allow certain insurance carriers or licensed agents to erect temporary claims service signage. *Id.* §418.016(b). The signage may be erected for not more than 30 days or until the end of the disaster declaration, whichever is earlier, and must be removed at the end of this time period. *Id.* A temporary claims service sign shall: (1) be less than forty square feet in size; (2) be less than five feet in height; and (3) not be placed in the right of way. *Id.* §418.016(c).

Q. Can a city suspend deadlines imposed on the city by its ordinances?

- A. Yes. The mayor or the city's governing body, in the absence of the mayor, may issue a proclamation suspending the deadlines imposed by a local law on the city if: (a) the city is unable to comply with a deadline imposed by the ordinance on the city due to a disaster, including a deadline related to a budget or property tax; and (b) the territory of the city is wholly or partly located in the area of a disaster declared by the president of the United States or the governor. Tex. Gov't Code §418.1075(a). The deadline may not be suspended for more than 30 days after the date the mayor or the governing body, as applicable, issues the proclamation. *Id.* §418.1075(b).

Q. May a city prohibit a person from carrying a handgun during a disaster?

- A. Effective September 1, 2019, a person, regardless of whether the person holds a license to carry a handgun, may carry a handgun if: (a) the person carries the handgun while evacuating from an area following the declaration of a state or local disaster with respect to that area or reentering that area following the person's evacuation; (b) not more than 168 hours have elapsed since the state of disaster was declared, or more than 168 hours have elapsed since the time the declaration was made and the governor has extended the period during which a person may carry a handgun; and (c) the person is not prohibited by state or federal law from possessing a firearm. Tex. Penal Code §46.15(k).

Additionally, a person may carry a handgun, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on an otherwise prohibited premise that is operating as an emergency shelter during a declared state or local disaster if: (a) the owner, controller, or operator of the premises, or a person acting with apparent authority, authorizes the carrying of the handgun; (b) the person carrying the handgun complies with any rules and regulations of the owner, controller, or operator of the premises; and

(c) the person is not prohibited by state or federal law from possessing a firearm. *Id.* §46.15(l).

However, a peace officer who is acting in the lawful execution of the officer's official duties during a state of emergency may disarm an individual if the officer reasonably believes it is immediately necessary for the protection of the officer or another individual. Tex. Gov't Code §433.0045(b). The peace officer is required to return a firearm and any ammunition to an individual disarmed before ceasing to detain the individual unless the officer: (a) arrests the individual for engaging in criminal activity; or (b) seizes the firearm as evidence in a criminal investigation. *Id.* §433.0045(c).

Emergency Meetings

Q. What is the legal standard for holding an emergency meeting?

A. In an emergency or when there is an urgent public necessity, a governmental body may conduct a meeting without providing the 72-hour notice requirement that is generally required to conduct a meeting under the Open Meetings Act.

An emergency or urgent public necessity exists only if immediate action is required of a governmental body because of: (1) an imminent threat to public health and safety; or (2) a reasonably unforeseeable situation. *See* Tex. Gov't Code §551.045(b). S.B. 494, effective September 1, 2019, expands the definition of a "reasonable unforeseeable situation" to include: (a) a fire, flood, earthquake, hurricane, tornado, or wind, rain or snow storm; (b) a power failure, a transportation failure, or interruptions of communication facilities; (c) an epidemic; or (d) a riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence. *Id.* §551.045(b)(2). Additionally, an "imminent threat to public health and safety," shall include a threat described above, if imminent. *Id.* §551.045(b)(1). The sudden relocation of a large number of residents from the area of a declared disaster to a governmental body's jurisdiction is also considered to be a reasonably unforeseeable situation for a reasonable period immediately following the relocation. *Id.* §551.045(e).

Q. What action or deliberation may take place at a properly posted emergency meeting?

A. At an emergency meeting, city council may only deliberate or take action on: (1) a matter that directly relates to responding to the emergency or public necessity identified in the notice of the meeting or supplemental notice; or (2) an agenda item listed on a meeting notice before the supplemental notice was posted. *Id.* §551.045(a-1).

Q. Is a quorum needed to conduct an emergency meeting?

A. A quorum is generally required at an emergency meeting before city council can conduct any city business. However, a quorum is not required if: (1) the city is wholly or partly located in the area of a disaster declared by the president of the United States or the

governor; and (2) a majority of the members of city council are unable to be present at a meeting of city council as a result of the disaster. *See* Tex. Gov't Code §418.1101.

Q. What notice must the city provide for an emergency meeting?

- A. A city must post notice of an emergency meeting, or the supplemental notice to add an emergency item to an already existing agenda of a properly posted meeting, at least one hour before the meeting is convened. Tex. Gov't Code §551.045(a). The notice must clearly identify the emergency or urgent public necessity justifying calling the emergency meeting or adding the item to the agenda of a previously scheduled meeting. *Id.* §551.045(c). The notice of the emergency meeting must specify the location of the meeting as the same place where the meetings of the city council are usually held. *Id.* §552.125(d).

The presiding officer or member of a governing body who calls an emergency meeting or adds an emergency item to an existing agenda of a properly posted meeting shall provide notice of the emergency meeting or emergency item to members of the news media who have previously filed with the city a request to receive the notice and agreed to reimburse the city for the cost of providing the notice *Id.* §§551.047(a), (b). Such notice must be provided by telephone, fax, or e-mail, at least one hour before the meeting is convened. *Id.* §551.047(c).

Q. Where must notice of an emergency meeting be posted?

- A. Notice for an emergency meeting must be posted on a physical or electronic bulletin board at a place convenient to the public in city hall. Tex. Gov't Code §551.050(b). A city that maintains an internet website must also concurrently post notice of an emergency meeting notice on the city's website. *Id.* §§551.043(b), 551.056(b). A city with a population of 48,000 or more is also required to concurrently post the agenda of the emergency meeting on the city's internet website. *Id.* §551.056(c).

Q. Can an emergency meeting be conducted via telephone conference?

- A. A city council may hold a meeting via telephone conference if: (1) an emergency or public necessity exists; and (2) it is impossible or difficult for a quorum of the city council to meet at one location. *See* Tex. Gov't Code §551.125(b). The meeting must be set up to provide two-way communication during the entire meeting and the identity of each speaker must be clearly stated prior to the speaker speaking. *Id.* §551.125(f). Additionally, all portions of the meeting, other than closed executive sessions, must be audible to the public at the location of the meeting, must be recorded, and the recording must be made available to the public. *Id.* §551.125(e). Also, the notice of the emergency meeting need not specify that the meeting will be held by telephone conference. *See* Tex. Att'y Gen. Op. No. JC-352 (2001).

Q. Can an emergency meeting be conducted via videoconference call?

- A. Yes. A member of a governmental body or a city employee may participate remotely in an open or closed meeting of the governmental body, including an emergency meeting, by means of a videoconference call. Tex. Gov't Code §551.127(a-1); *see also id.* §551.127(a) (providing for a city council meeting via videoconference call). However, a quorum of the city council must be present at one physical location. *Id.* §551.127(b). The procedures and requirements that a city must follow in order to use a videoconference call may be found [here](#).

Additionally, a governmental body may allow a member of the public to testify at a meeting from a remote location by videoconference call regardless of whether a member of the governmental body is participating in a meeting from a remote location by videoconference call. *Id.* §551.127(k). The Open Meetings Act does not expressly require any special notice of this type of remote participating by a member of the public.

Q. Can city council make announcements regarding emergencies at a meeting without posting notice of such announcements?

- A. Yes. During a meeting, a quorum of city council may receive announcements of an imminent threat to the public health and safety of people in the city that has arisen after the posting of the agenda, without giving prior notice of the subject of the announcements and provided that no action is taken. *Id.* §551.0415(a).

Q. Can a city council meet in a closed session to discuss matters related to emergencies and disasters?

- A. Chapter 418 of the Government Code allows a governmental body to meet in a closed session to deliberate information that is made confidential under specific sections of Chapter 418. *See* Tex. Gov't Code §418.183(f). Accordingly, the following matters may be discussed in closed session: (1) information that relates to physically or mentally disabled individuals or other individuals with special needs and that is maintained for purposes of emergency management or disaster planning (*Id.* §418.175); (2) information collected, assembled or maintained by or for a governmental entity for purposes of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and that relates to information maintained by emergency response providers, including staffing requirements, tactical plans, or contact information of the provider (*Id.* §418.176); (3) certain information relating to an assessment of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity (*Id.* §418.177); (4) certain information relating to construction or assembly of weapons (*Id.* §418.178); (5) certain information related to encryption codes and security keys for a public communication system (*Id.* §418.179); (6) certain information prepared for the federal government related to an act of terrorism or related criminal activity that is required to be kept confidential by law or to obtain federal funding (*Id.* §418.180); (7) information in the possession of a governmental body if it identifies the technical details of particular vulnerabilities of critical infrastructure to an act of terrorism (*Id.* §418.181); and (8) certain information relating to specifications,

operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity (*Id.* §418.182).

A city council that meets in closed session to deliberate the above-listed information must keep a tape recording of the proceedings of the closed meeting. *Id.* §418.183(f).

Q. What if a disaster prevents a city council from holding a meeting that was otherwise properly posted?

- A. If a catastrophe prevents a city council from holding an otherwise properly posted meeting, the council may convene at a convenient location within 72 hours of the properly posted meeting if the action is taken in good faith and not done to circumvent the Open Meetings Act. *See* Tex. Gov't Code §551.0411(b). A catastrophe is defined as a condition or occurrence that interferes physically with the ability of a governmental body to conduct a meeting, including a fire, flood, earthquake, hurricane, tornado, wind, rain, snow storm, power failure, transportation failure, interruption of communication facilities, epidemic, riot, civil disturbance, enemy attack or other actual or threatened act of lawlessness or violence. *Id.* §551.0411(c). If the city council is unable to convene the meeting within 72 hours, it may only subsequently convene the meeting if it provides 72-hour notice of the meeting. *Id.* §551.0411(b).

Q. What happens if the city must cancel its noticed meeting for adopting the budget and tax rate due to a disaster?

- A. Texas law contains no specific disaster-related exceptions from the general process of adopting city budgets and tax rates. However, a city may request the governor waive or suspend any budget and tax rate deadlines imposed by state law. *See* Tex. Gov't Code §418.016(e). The governor is authorized to waive or suspend such deadlines if the waiver or suspension is reasonably necessary to cope with a disaster. *Id.* If a local law, such as a charter requirement, ordinance or resolution, imposes a budget or tax rate adoption deadline on the city, the mayor may suspend such deadline if: (1) the city is wholly or partially located in an area declared as a disaster by the United States president or the governor; and (2) the mayor (or the governing body in the absence of a mayor) proclaims the city is unable to comply with the requirement because of the disaster. *Id.* §418.1075(a). The deadline may not be suspended for more than 30 days after the date the mayor or the governing body, as applicable, makes the proclamation. *Id.* §418.1075(b).

Public Information

Q. May a city temporarily suspend the requirements of the Texas Public Information Act during a disaster?

- A. Beginning on September 1, 2019, a governmental body that is currently impacted by a catastrophe that interferes with the ability of the governmental body to comply with the

requirements of the Texas Public Information Act (Act) may suspend the applicability of the requirements of the Act. For purposes of the suspension of the Act, a catastrophe is defined as a condition or occurrence that interferes with the ability of a governmental body to comply with the requirements of the Act, including: (1) a fire, flood, earthquake, hurricane, tornado, or wind, rain or snow storm; (2) power failure, transportation failure, or interruption of communication facilities; (3) epidemic; or (4) riot, civil disturbance, enemy attack, or other actual or threatened act of lawlessness or violence. Tex. Gov't Code §552.233(a).

A governmental body that elects to suspend the requirements of the Texas Public Information Act must provide notice to the office of the attorney general that the governmental body is currently impacted by a catastrophe and has elected to suspend the applicability of the Act during the suspension period and the extension period. *Id.* §552.233(c). Notice must be provided in a form promulgated by the attorney general. *Id.*

Q. For how long can the requirements of the Act be suspended?

- A. The governmental body may suspend the applicability of the requirements of the Act for an initial suspension period that does not exceed seven consecutive days. Tex. Gov't Code 552.233(d). The initial suspension period must occur during the period that: (a) begins not earlier than the second day before the date the governmental body submits the notice to the office of the attorney general; and (b) ends not later than the seventh day after the governmental body submits the notice. *Id.*

A governmental body may extend an initial suspension period, one time, if the governing body determines that the governing body is still impacted by the catastrophe on which the initial suspension period was based. *Id.* §552.233(e). The initial suspension period may be extended for not more than seven consecutive days that begin on the day following the day the initial suspension period ends. *Id.*

Q. Where and for how long must a suspension notice be posted?

- A. A city that suspends the applicability of the Act must provide notice to the public of the suspension in a place that is readily accessible to the public and in each other location the governmental body is required to post notice of a meeting under the Open Meetings Act. Tex. Gov't Code §552.223(f). This means that the notice must be posted on a physical or electronic bulletin board at a place convenient to the public in city hall (*Id.* §551.050(b)); on a city's website if the city maintains an internet website (*Id.* §§551.043(b), 551.056(b)); and, if the city has a population of 48,000 or more, the agenda of the emergency meeting must be concurrently posted on the city's internet website (*Id.* §551.056(c)). The notice of suspension must be maintained during the suspension period. *Id.* §552.223(f).

Q. What happens to requests for public information that are received before or during a suspension period(s)?

A. The requirements of the Act related to a request for public information that was received before the initial suspension period begins are tolled until the first business day after the date the suspension period ends. Tex. Gov't Code §552.223(h). A request that is received during a suspension period is considered to have been received by the city on the first business day after the date the suspension period ends. *Id.* §552.223(g).

Q. Can a member of the public view a city's emergency management plan or disaster-related information maintained by the city?

A. An emergency management plan is confidential if it contains sensitive information relating to critical infrastructure or facilities and the safety or security of such infrastructures or facilities could be jeopardized by disclosure of the emergency management plan. *See* Tex. Gov't Code §418.106(e). Additionally, the following information is deemed confidential:

- (a) Any information maintained by the city for purposes of emergency management or disaster planning that relates to physically or mentally disabled individuals or individuals with special needs is also confidential. *Id.* §418.175.
- (b) Information that is collected, assembled or maintained by or for a city for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and: (1) relates to the staffing requirement of an emergency response provider, including a law enforcement agency, a fire-fighting agency, or an emergency services agency; relates to a tactical plan of the provider; or (2) consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider. *Id.* §418.176.
- (c) Information collected, assembled or maintained by or for a city for the purpose of prevention, detecting or investigating an act of terrorism or related criminal activity and relates to an assessment of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity. *Id.* §418.177.
- (d) Information related to the construction or assembly of an explosive weapon or a chemical, biological, radiological or nuclear weapon of mass destruction or indicates the specific location of a chemical, biological agent, toxin or radioactive material that is more than likely to be used in the construction or assembly of such weapon or unpublished information relating to a potential vaccine or a device that detects biological agents or toxins. *Id.* §418.178.
- (e) Encryption codes and security keys for a public communication system if the information is collected for the purpose of preventing, detecting or investigating an act of terrorism or related criminal activity. *Id.* §418.179.
- (f) Information, other than financial information, in possession of the city that is: (1) a part of a report to an agency of the United States; (2) relates to an act of terrorism or related criminal activity; and (3) is specifically required to be kept

confidential by federal law, an information sharing agreement or to obtain federal funding. *Id.* §418.180.

- (g) Information that identifies the technical details of particular vulnerabilities of critical infrastructure to an act of terrorism is confidential. *Id.* §418.181.
- (h) Information, including access codes and passwords, that related to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity. *Id.* §418.182.
- (i) The following information that is maintained by a governmental body: (1) the name, social security number, house number, street name, and telephone number of an individual or household that applies for state or federal disaster recovery funds; (2) the name, tax identification number, address, and telephone number of a business entity or an owner of a business entity that applies for state or federal disaster recovery funds; (3) any other information the disclosure of which would identify or tend to identify a person or household that applies for state or federal disaster recovery funds; and (4) the street name and census block group of and the amount of disaster recovery funds awarded to a person or household before the date on which disaster recovery funds are awarded to the person or household. *Id.* §§552.160(b), §552.160(c). (Effective September 1, 2019.)
- (j) Information collected or maintained in the state's disaster case management system that could identify a person affected by a disaster except that such information may be disclosed to a governmental body for the purpose of disaster relief or recovery. *Id.* §418.054 (d). (Effective September 1, 2019.)
- (k) Information contained in a notice that is provided to a city related to a report of a release of a radioactive substance in the environment, including the name, quantity, and state of matter of the radioactive substance released, if known. *See* Tex. Health & Safety Code §501.0245(c).

Purchasing Procedures

Q. What is the process for procuring goods or services during or after a disaster?

- A. Generally, a city must competitively procure goods or services that require an expenditure of more than \$50,000. Tex. Local Gov't Code §252.021(a). However, state law allows a city to procure goods or services without following a competitive procurement process if: (1) the procurement is made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the city's residents or to preserve the property of the city; (2) the procurement is necessary to preserve or protect the public health or safety or the city's residents; or (3) the procurement is necessary because of unforeseen damage to public machinery, equipment or other property. *Id.* §252.022(a)(1)-(3).

Although Section 252.022 of the Local Government Code relieves the city from complying with the regular competitive procurement process, it does not exempt the city from complying with the requirements related to performance and payment bonds. Performance bonds are required for construction projects that exceed \$100,000, and payment bonds are required for construction projects that exceed \$50,000. Tex. Gov't Code §2253.021.

Q. Are purchases made in response to a disaster eligible for reimbursement?

- A. To be eligible for reimbursement, purchases made by a city must comply with federal procurement laws. Although a city may procure goods and services without competitive bidding as an emergency under state law, such exception does not necessarily result in compliance with federal procurement rules. Federal law may be more stringent than state law with respect to procurement and emergency exceptions. The Federal Emergency Management Agency's (FEMA) [Procurement Disaster Assistance Team](#) (PDAT) provides assistance with adhering to federal procurement standards and FEMA policies and guidance associated with FEMA's Public Assistance grants. If a city plans on filing a reimbursement claim with FEMA, the city should work with FEMA and its city attorney to competitively procure goods and services in accordance with federal regulations to reduce the likelihood of disallowance of such claim.

Q. What purchases may the city make through the State Department of Information Resources?

- A. A public safety entity, including a city, may purchase information technology commodity items through the Department of Information Resources (DIR) if the entity finds the purchase of those commodities will assist the entity in providing disaster education or preparing for a disaster. Tex. Gov't Code §418.193 (Effective September 1, 2019.) Additionally, the city may contract with DIR for use of state consolidated telecommunications systems if the entity finds that use of the system will assist the entity in providing disaster education or preparing for a disaster. *Id.* §418.194. (Effective September 1, 2019.)

Mutual Aid

Q. May a city request emergency assistance from or provide emergency assistance to another local government?

- A. Texas law allows local government entities to provide emergency assistance to one another under mutual aid agreements or the Texas Statewide Mutual Aid System (the "System"). *See* Tex. Gov't Code §§418.107(c); 791.027. A city may provide emergency assistance to another local government, whether or not the local governments have previously agreed to contract to provide that kind of assistance if: (1) in the opinion of the presiding officer of the requesting local government, a state or civil emergency exists in the local government that requires assistance and the presiding officer requests the

assistance; and (2) before the emergency assistance is provided, the governing body of the local government providing the assistance authorizes that local government to provide assistance by resolution or other official action. *Id.* §791.027(a). A “local government entity” is a county, incorporated city, independent school district, public junior college district, emergency services district, other special district, joint board, or other entity defined as a political subdivision under Texas law that maintains the capability to provide mutual aid.” Tex. Gov’t Code §418.004(10). “Mutual aid” refers to any activity related to the prevention or discovery of, response to, or recovery from a terrorist attack, a natural or manmade disaster, hostile military or paramilitary action, or extraordinary law enforcement emergency performed under the System or a written mutual aid agreement. *See id.* §§418.004(11); 421.001(3).

A request for mutual aid assistance may be submitted verbally or in writing, but if made verbally, it must be confirmed in writing. *Id.* §418.115(a). If a request for mutual assistance is made to a city, the city manager or the highest ranking officer of the city, with the approval and consent of the mayor or the mayor’s designee, may provide the requested assistance in accordance with the polices, ordinances, and procedures established by the city’s governing body. *Id.* §418.115(b). Further, a person assigned, designated or ordered to perform duties by the governing body of a city employing the person in response to a request under the System is entitled to receive the same wages, pension, and other compensation and benefits, including injury or death benefits, disability payments, and workers’ compensation benefits for the performance of the duties as though the services were rendered for the entity employing the person. *Id.* §418.116. The city employing the person is responsible for the payment of wages, salary, pension, and other compensation and benefits associated with the performance of duties.

Q. What financial resources are available to cities to aid in the recovery process?

- A. A city is expected to use its own resources and the resources available to it through mutual aid assistance before requesting assistance from the state. 37 TAC §7.23. A city may need to tap into reserve funds if appropriations for disaster preparation or recovery were not included in the city’s original budget. To add funds to the original budget, a city would need to amend its budget. State law allows a city to increase its budget only if there a “grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention. . .” Tex. Local Gov’t Code §102.009(b) (note that under section 102.101 of the Local Government Code, a city may amend its budget at any time for city purposes, provided total budget expenditures under the budget are not increased). If the city amends its original budget to authorize an emergency expenditure, the city must file a copy of the order or resolution amending the budget with the city secretary, and attach such order or resolution to the original budget. *Id.* §102.009(c). The amended budget must also be filed with the county clerk office. *Id.* §102.009(d).

If local resources are exhausted and assistance is needed outside a mutual aid agreement, the mayor is authorized to request such resources from other political subdivisions or the state. *See* 37 TAC §§7.23; 7.25. Before a city can request assistance from the state, a city

must request assistance from the county where the city is located. *See id.* §7.23. Additionally, the mayor must have declared a local state of disaster before she or he can request disaster recovery assistance from the state. *Id.* §7.41. An estimate of the extent of damages sustained to public and private property, including homes and business and data on the number of people who are deceased, injured or displaced must be attached to the request for assistance along with a copy of the declaration of a local disaster. *Id.* §7.43.

A city that participates in disaster preparation or disaster recovery is eligible for funding from the state disaster contingency fund to pay for costs incurred by the city in preparing for and recovering from a disaster. Tex. Gov't Code §418.073(c). A city that receives funding from the disaster contingency fund to pay for costs associated with disaster recovery and that subsequently receives reimbursement from the federal government, an insurer, or another source shall reimburse the disaster contingency fund. *Id.* §418.073(f). A city that is experiencing financial hardship as a result of a disaster may also use funds provided to the city from the disaster contingency fund for purposes of providing local matching funds for FEMA qualifying projects. *Id.* §418.073(h).

Additionally, a city that is the locus of temporary housing or emergency shelters for persons moved or evacuated by recommendation or order of the governor may be assisted by any resource available to the state, including the disaster contingency fund, to ensure the political subdivision receives an advance or reimbursement: (a) of all expenses, including lost revenue, incurred by the city associated with the use of public facilities for temporary housing or emergency shelters; and (b) of the amounts paid for salaries and benefits of permanently employed, straight-time, and regular-time personnel of the city who perform duties associated with the movement or evacuation of persons into, out of, or through the city. *Id.* §418.020.

In addition, on the governor's determination that a city has suffered or will suffer a substantial loss of tax or other revenue from a major disaster and has demonstrated a need for financial assistance to perform its governmental functions, the governor may apply to the federal government on behalf of the city for a loan and may receive and disburse the proceeds of an approved loan to the city. *Id.* §418.021(a). Based on the governor's review, the governor may recommend to the federal government the cancellation of all or part of repayment of the loan if in the first three full fiscal years following the major disaster the revenues of the city are insufficient to meet its operating expenses, including additional disaster-related expenses of a municipal operation character. *Id.* §418.021(c).

Personnel

Q. Is the city required to pay employees while the city is closed due to a disaster?

- A. The answer depends on whether the employee is an exempt employee or nonexempt employee under the Fair Labor Standards Act (FLSA). Generally, the FLSA does not require employers to pay nonexempt employees for hours they did not work. As a result, whether the city is closed for part of a day, part of a week, or a full week or more, the FLSA does not require the city to pay nonexempt employees for time they did not work even if such employees would normally be scheduled to work if the city were open.

However, in instances where a nonexempt employee receives a fixed salary for fluctuating workhours (i.e. an employee who has agreed to work an unspecified number of hours for a specified salary), the city must pay the employee his or her full weekly salary for any week in which any work was performed. *See* 29 C.F.R. §778.306.

The city is required to pay an exempt employee his or her full salary if the employee works any part of a workweek in which the city is closed or cannot be reopened due to inclement weather or disaster for less than a workweek. *See* 29 C.F.R. §541.602. For example, if the city is closed for only part of a week, and the exempt employee worked during that any part of that week, the city is required to pay an exempt employee the employee's full salary if the employee's worksite is closed or cannot be reopened due to inclement weather or disaster for less than a full workweek. *Id.* If the city is closed for a full workweek and an exempt employee performs no work during that workweek, the city is not required to pay the exempt employee. *Id.*

Q. Can city penalize an employee who leaves his place of employment to participate in an emergency evacuation order?

- A. Texas law prohibits an employer from discharging or discriminating against an employee who leaves the employee's place of employment to participate in a general public evacuation ordered under an emergency evacuation order or a local disaster declaration. *See* Tex. Lab. Code §22.002. An employer who violates this provision is liable for any loss of wages and employer-provided benefits incurred by the employee as a result of the violation. *Id.* §22.003. However, this provision does not apply to emergency services personnel, including fire fighters, police officers, emergency medical technicians, and other individuals who are required to provide services for the benefit of the general public in emergency situations, provided that adequate emergency shelter is provided for such individuals. *Id.* §22.004.

Records Management

Q. What happens if city records are destroyed during a disaster?

- A.* If records are maintained electronically, hopefully backups can be brought online and computer equipment can be salvaged or replaced quickly. In the case of physical records, it is essential to examine the condition of offices, warehouses, and other locations where records are stored as soon as possible. Unfortunately, some physical records just aren't going to be salvageable or will be too costly to send to a conservation lab for restoration. For some ideas on how to begin triaging records, the Texas State Library and Archives Commission (TSLAC) has a [webinar](#) with some suggestions. In cases where the records cannot be recovered, city officials need to document the types of records affected, the volume of records lost, and when the records were due for destruction. For non-permanent records, this internal documentation is sufficient. But for any permanent records, TSLAC will need to be notified. City officials should submit an [SLR 501: Request for Authority to Destroy Unscheduled Records](#) to TSLAC. It is helpful to

TSLAC if the city can include photos, a letter describing the circumstances that lead to the damage, or any other evidence that supports the information you will provide on the form.

Now, the INTENDED use for these forms is either to obtain permission and legal authority to destroy unique records that do not appear on a local government's approved retention schedule, which otherwise would be permanent OR to request permission from TSLAC to destroy the paper original of a record a local government wants to microfilm.

That being said, if permanent records are damaged/rendered unsalvageable from conditions beyond your control, submit this form to TSLAC in order to officially document and note the event, any pertinent details, and number/ type of records that were destroyed.

This does not absolve you of legal responsibility for following the retention period set by your schedules; it just provides evidence about the nature of the records' destruction. By doing this in the normal course of business, it shows that information was not intentionally withheld or destroyed.

If you have any questions about our forms or the process, please contact TSLAC at 512-463-7610 or slrminfo@tsl.texas.gov.

***Via, the Texas Record (Sep. 6, 2017)**



Citizens Emergency Management Advisory Committee Report (CEMAC)

05.07.2021

City of Woodcreek
41 Champions Circle
Woodcreek, TX 78676-3327

Overview

This report covers the work of the Citizen Emergency Management Advisory Committee (CEMAC) formed in March, 2021 in response to the prolonged sub-freezing temperatures which resulted in rolling blackouts directed by the Electric Reliability Council of Texas (ERCOT-Texas's power grid) and implemented by our electrical utility provider, Pedernales Electric Cooperative (PEC). The rolling blackout impacted both Woodcreek's water utility, Aqua Texas and the electrical utility, Pedernales Electric Cooperative. This resulted in a majority of citizens not having water, ranging from several days to four days, as well as little to no electricity. This is just one type of emergency that this report addresses, but the catastrophic combination of no electricity and no water in temperatures below freezing underlined the vulnerability of our city's systems whether they be utilities or communications. We were fortunate that a number of Woodcreek citizens stepped up and helped those affected.

On March 3, 2021, the City Council approved Mayor Whitehead's recommendation to form CEMAC to establish a timeline of events, including the preparation by the City, solicit comments from citizens, communicate with surrounding cities for their pre/post planning and experiences, develop a pre/post checklist for citizens and City staff, reaffirm points of contact between the City and Utilities, discuss and revise, if necessary, the standard operating procedure for City Staff to release information to the public and any other items the Committee determines essential. The main thrust of this effort centered around three principal areas: 1) Communications, 2) Utilities and 3) Preparation. The Committee was composed of Woodcreek citizens Jack Boze, Nancye Britner and Pat Rawlings. An email address emergencymanagement07@gmail.com, was established to receive citizen comments. The committee received suggestions and observations on preparations, communications, and utilities from citizens via Nextdoor, Facebook, comments to the City Council, comments at Mayor's Coffee discussing CEMAC, and the email suggestion mailbox listed above. The CEMAC Committee appreciates the input and has addressed or incorporated these suggestions as much as possible.

Goals

The goal of this effort is to collect and document information from Woodcreek's citizens, public officials, utility providers, and first responders in order to help them better prepare for future events. Completion of this effort was expected within 60 days.



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1 The Big Freeze

State Wide Impact

In February 2021, the state of Texas suffered a major power crisis, which came about as a result of three severe winter storms sweeping across the United States on February 10–11, 13–17, and 15–20; a massive electricity generation failure in the state of Texas; and resultant shortages of water, food, and heat. More than 4.5 million homes and businesses were left without power, some for several days.

Inadequately winterized natural gas equipment was the primary cause. Also, most of Texas had isolated its power grid from the two major national grids, making it difficult for the state to import electricity from other states.

Federal regulators ten years earlier had warned Texas its power plants would fail in sufficiently cold conditions

The crisis drew much attention to the state's lack of preparedness for such storms, and to a report from U.S. Federal regulators ten years earlier that had warned Texas its power plants would fail in sufficiently cold conditions. Damages from the blackouts were estimated at \$195 billion, making them the costliest disaster in Texas history. According to the Electric Reliability Council of Texas (ERCOT), the Texas power grid was "seconds or minutes away from" complete failure when partial grid shutdowns were implemented. *From Wikipedia*



Impact in Woodcreek

Although local meteorologists had warned us that this winter storm would be worse than what we had experienced before, we were largely unprepared for the unprecedented, continuously-below-freezing temperatures, days-long duration and completely unprepared for the rolling blackouts imposed by ERCOT which crippled our transportation, water supply, and communications infrastructures. While some had filled tubs with

water in anticipation of the freeze, they still expected the interruption to be similar to others they had experienced before.

No one expected the temperatures to stay at or below freezing for 144 hours.

The combination of ice and the initial 6” of snow that fell here rendered our narrow, hilly roads impassable for most passenger vehicles. Even some 4 wheel drive vehicles had difficulty. Most people hunkered down and tried to stay warm and conserve water. A number of citizens were caught off guard and had insufficient food, water, and firewood. The expectation of most was that we would have a freeze, the roads would thaw in the sun the next day, and they could go get more provisions within 24 hours. No one expected the temperatures to stay at or below freezing for 144 hours. The coordination and communication between the City staff, Council members, utilities and citizens were strained because of impassable roads, internet outage, cell phone disruption, and the lack of a suitable gathering facility because utilities were out at the City office. Thus, sometimes real time communications were developed on the fly.

2 Timeline of City activities during the 3 winter storms:

After Action Report — Winter Weather Event beginning February 14, 2021

The following documented communications by the City Staff, Council Members and Utility companies represents the attempts to keep the public informed of events and to coordinate power and water system recoveries.

Friday, February 12

- City issues lengthy email blast/text about Winter Weather Advisory and how to be prepared for winter weather, as well as utility emergency contacts and waste collection delay. This was also published on the city website. (12:35 pm)
- City issues email blast/text about Winter Storm Warning, delay in waste Collection.

Saturday, February 13

- Freezing rain and ice on roads
- Staff continues to monitor predicted winter weather

Sunday, February 14

- Start of widespread snow
- City issues email blast/text about hazardous road conditions (11:39 am)
- **Rolling black-out notices issued by ERCOT (5:38 pm)**

Monday, February 15

- **Rolling blackouts begin**
- City Manager contacts PEC emergency number to confirm (approximately 9:15 pm)

Tuesday, February 16

- City Manager contacted PEC regarding rolling blackouts
- Reported areas without power — possible equipment failure
- City Manager contacts Aqua Texas concerning water system

Wednesday, February 17

- City Manager contacts Aqua Texas concerning low water pressure
- Loss of water service occurs
- City Manager emails Bob Laughman, Aqua Texas's President, regarding update on Woodcreek water situation
(8:40 am)
- Bob Laughman responds to City Manager email (12:20 pm)
- PEC Issues service interruption statement
- Aqua Texas issues possible loss of water statement
- Waste Connections issues collection service interruption
- City Issues email blast/text regarding PEC, Aqua Texas, Waste Connections statements (1:17 pm)
- City Issues email Blast/text of Mayor Whitehead issues Disaster Declaration (3:11 pm)

Thursday, February 18

- City Issues email blast/text statement regarding possible boil water notice (10:51 am)
- Statement included small amount of bottled water available at City Hall (City Manager and Staff distributes Water)
- City Issues email blast/text statement regarding all available bottled water has been distributed (11:52 am)

- City Manager meets with Aqua Texas System operator on water situation
- City Manager drives streets assisting Aqua Texas in leak detection, assists stranded motorist
- City Staff meets Dripping Springs EMC at Veterans Memorial Plaza to receive 70 large bottles of water from Hays County
- City Issues email blast/text statement regarding bottles of water available (5:53 pm) (City Manager and Staff distributes Water)
- City email blast/text statement regarding all bottles of water has been picked up and includes statement reminding the boil water notice (6:04 pm)
- City Manager drives streets assisting Aqua Texas in leak detection
- City email blast/text statement regarding all bottles of water has been picked up and includes statement reminding the boil water notice (6:14 pm) (City Manager and staff distribute water)
- City email blast/text statement regarding Waste Connections possible garbage collection on 2/19/2021 (8:58 pm)
- City email blast/text statement regarding Waste Connections possible garbage collection on 2/19/2021 (9:39 pm)

Friday, February 19

- City Secretary emails 4 residents to determine if water service had been restored (11:03-11:17am)
- City email blast/text statement regarding water pressure being restored, limited resources, and streets are improving but may be hazardous (11:52 am)
- City Manager drives streets assisting Aqua Texas in leak detection
- City email blast/text statement regarding water system almost fully pressurized, contact Aqua if you don't have water. (5:30 pm)
- City email blast/text statement regarding asking residents to contact City Manager if still without running water (10:00 pm)
- City Manager emails Bob Laughman regarding properties without water service (10:51pm)

Saturday, February 20

- City Manager calls and emails several residents to confirm water had been restored (all had been) (9:00 am)
- City email blast/text statement regarding Hays County had delivered a limited quantity of bottled water and it was available to be picked up and reminder to report water

outage to Aqua and to email City Manager regarding outage (11:00 am) (City Manager and Staff distributes Water)

- City Manager contacts Aqua Texas System operator as emails regarding no water are received
- City email blast/text statement regarding bottled water at City Hall has been depleted (12:08 pm)
- City email blast/text statement regarding Hays County had delivered a limited quantity of bottled water and it was available to be picked up (2:35 pm) (City Manager and staff distributes Water)
- City email blast/text statement regarding bottled water distribution is completed (3:50 pm)
- City Manager drives streets assisting Aqua Texas in leak detection (locates water main leak on Canyon Creek Drive and reports to Aqua)
- City email blast/text statement regarding potable water is available at VFW Post 6441 from 10:00 am to 6:00 pm (6:22 pm)

Sunday, February 21

- City email blast/text statement regarding 8 pallets of water available at Woodcreek City Hall delivered by Aqua Texas. (12:07 PM) (Water distributed by elected officials, City Manager and staff, and Aqua Texas Representatives)
- Water distribution ceased approximately 5:00 pm
- City email blast/text statement regarding Boil Water Notice Still in Effect (8:05 pm)

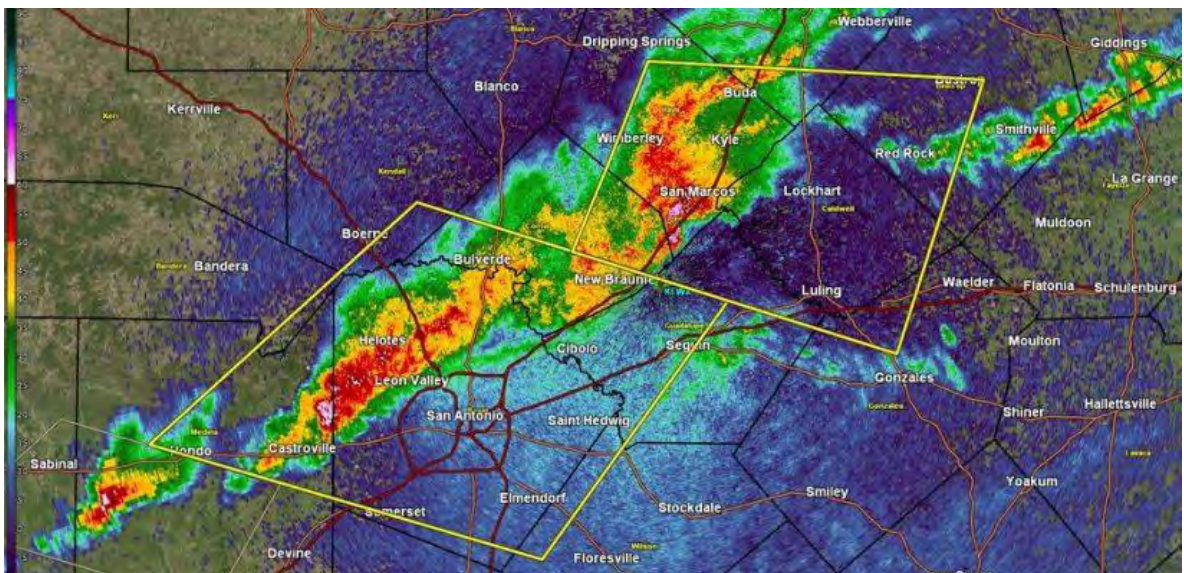
Monday, February 22

- City email blast/text statement regarding Aqua Texas Lifted Boil Water Notice (11:44 am) Throughout winter weather event, City Manager was in contact by telephone, text, and email with various City and County Officials, City Staff, and utility provider representatives too numerous to list.



3 Will it Happen Again? Will it be the same?

Will it happen again? Probably, but the duration and continuously low temperatures are impossible to predict. The consensus of this committee, the City and others we have talked to is that this sort of emergency will certainly occur again. This emergency and the awareness it heightened led the Mayor to form this Citizen Advisory Committee. In addition to considering the ramifications of this event, we were also encouraged to include other possible emergencies in our considerations.



4 Is it the Worst Thing that Could Happen?

The chart below lists possible disasters that could occur in the city of Woodcreek:

Types of Disasters	Impacted Areas							
	Roads	Aqua	PEC	Spectrum	EMS	Property Damage	Cell Service	Health
Winter Storm	X	X	•	•	•	X	•	X
Severe Storm	•		X		•	X		
Tornado	X	X	XX	X	X	XX	X	X
Flood	X	•	•	•	X	XX		X
Wildfire	•	•	X	X	X	XX		X
Heat			•		X	XX		X
Hazardous Spill (RR 12)	X				XX			X

IMPACTED - • SEVERE IMPACT - X EXTREME IMPACT - XX

The winter storm we experienced in February 2021, was bad, but a wildfire or tornado could be much more devastating. In all instances the following apply:

- Being prepared with your personal emergency preparedness kit(s)
- Having plans for what to do and where to go in an emergency
- Paying attention to emergency communications

All can make an important and potentially lifesaving difference.

SEVERE STORMS - While we usually know these are on the way, we don't know exactly where they are going to hit and whether they are just a lot of sound and fury or a rain "bomb" (19" fell in 24 hours in Marble Falls), extreme lightning, severe straight line winds, damaging hail, or even a tornado. We see a lot of these in Central Texas and monitoring emergency alerts, TV weather forecasts, or even smartphone alerts can help you stay safe.

TORNADO - Of all the emergencies we can have here, tornados have the most potential impact. There isn't a single category of impacted areas that it misses. Fortunately, for most of us, these are a once in a lifetime, if ever, event that we hopefully will not have to experience.

FLOOD- The Hill Country is the epicenter of flash flooding in Texas. Even though we weren't hit by the tragic flooding of the Blanco River in 2015, later that year we had substantial street and low water crossing flooding on Halloween of the same year. With Hog Creek threading through our city, surrounded by tall hills we could still have much worse flooding if hit by a rain "bomb". On June 27, 2007 Marble Falls had over 19" of rain in one day which did millions of dollars worth of damage to the city and wastewater treatment facilities were overwhelmed and did not function properly.



WILDFIRE- Woodcreek is surrounded by rural areas with heavy thickets of highly flammable Ashe Juniper or Mountain Cedar, tall weeds and dry underbrush. During periods of drought, 100° days and high wind, this is the perfect formula for a brush wildfire which can consume many acres within a short period of time. Fortunately, much of the cedar has been removed from the central portion of the city, but certain areas on the edges and areas with a high density of cedars are vulnerable.

HEAT- During the summer months, many 100° days cause Texas' power grid to react as it did during the freeze and have rolling brownouts. This can affect our water system, cause homes to become unbearably hot and affect persons with medical conditions. Having water on hand is a continuing theme with emergencies.

HAZARDOUS SPILL-Tanker trucks are responsible for transporting a wide variety of liquid substances across Texas and the United States. Like regular run-of-the-mill tractor-trailers, tanker trucks can cause significant damage when a traffic accident occurs. The large size and weight lead to more severe bodily injury and a higher likelihood of fatalities, especially at high speeds.



Yet, many tankers carry hazardous materials making them ticking time bombs on wheels, which can explode causing catastrophic injuries in a matter of seconds. Dangerous chemicals, when leaked, can spread through the air and affect persons with vulnerable

respiratory systems and cause long term physical damage.

With RR 12 adjacent to our eastern city boundary, trucks often pass through the Winters Mill Intersection or make tight turns.

OTHER EMERGENCIES- Events such as active shooter situations, car chases, fugitives from the law, and other first-responder-related incidents will be highly fluid and will rely to a great extent on their location, the length of the event and whether the situation is a threat to our citizens. These situations happen so quickly that Hays County Sheriff's text alerts, email from the city and social media will probably be the best way to let people know quickly. If someone uses social media, they need to make certain that the information they are conveying is accurate to the best of their knowledge.

The **Neighbor to Neighbor** network and the **Neighborhood Watch** programs can be very helpful here. If you can collect your group of Neighbors as a cell phone group, you can quickly text them an alert when something happens and help them to keep up with official sources of information.

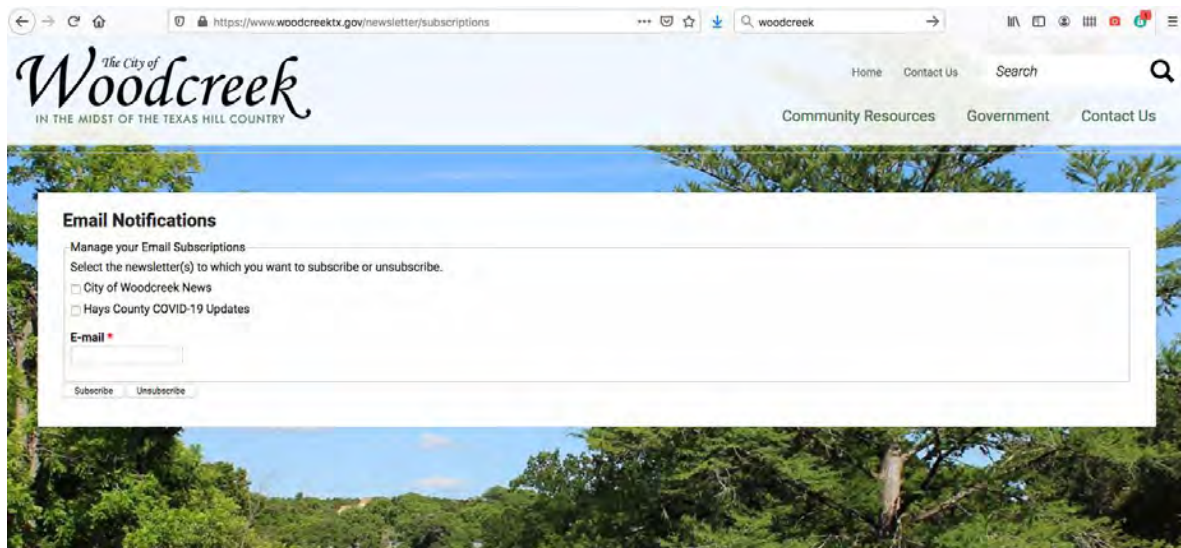
5 Communications

We now live in an era where we are immersed in multiple forms of communication. The question, during an emergency, is which sources provide you with both the best and fastest forms of communication?

Official sources of information are the best.

City of Woodcreek Sources

On the City of Woodcreek website (<https://www.woodcreektx.gov/>) you can **subscribe to City email notifications**. The form is under **Community Resources**.



The screenshot shows the City of Woodcreek website's "Email Notifications" page. The page header includes the city logo "The City of Woodcreek IN THE MIDST OF THE TEXAS HILL COUNTRY" and navigation links for Home, Contact Us, Search, Community Resources, Government, and Contact Us. The main content area is titled "Email Notifications" and contains the following text:

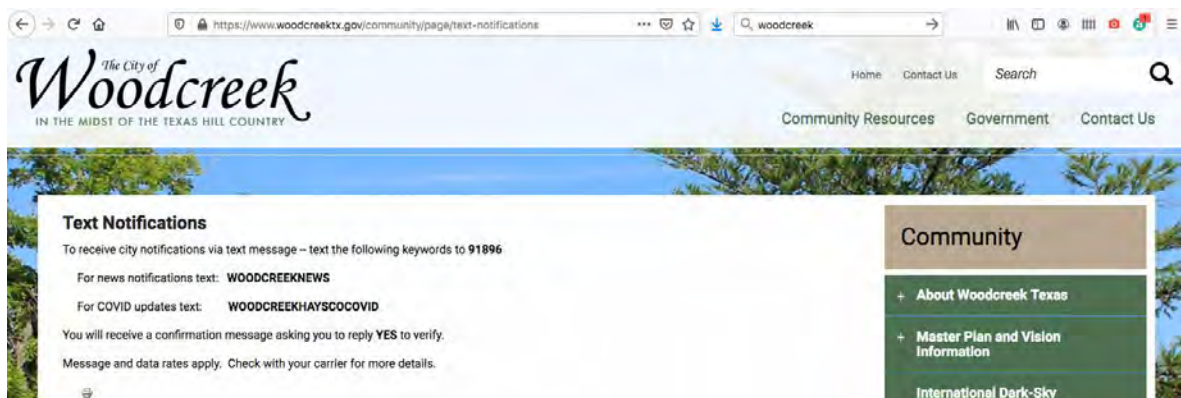
Manage your Email Subscriptions
 Select the newsletter(s) to which you want to subscribe or unsubscribe.

City of Woodcreek News
 Hays County COVID-19 Updates

E-mail *

Subscribe Unsubscribe

On the City of Woodcreek website (<https://www.woodcreektx.gov/>) there is information on how you can subscribe to **text notifications**. The information is under **Community Resources**.



The screenshot shows the City of Woodcreek website's "Text Notifications" page. The page header is identical to the previous screenshot. The main content area is titled "Text Notifications" and contains the following text:

To receive city notifications via text message – text the following keywords to **91896**

For news notifications text: **WOODCREEKNEWS**
 For COVID updates text: **WOODCREEKHAYSCOCOVID**

You will receive a confirmation message asking you to reply **YES** to verify.
 Message and data rates apply. Check with your carrier for more details.

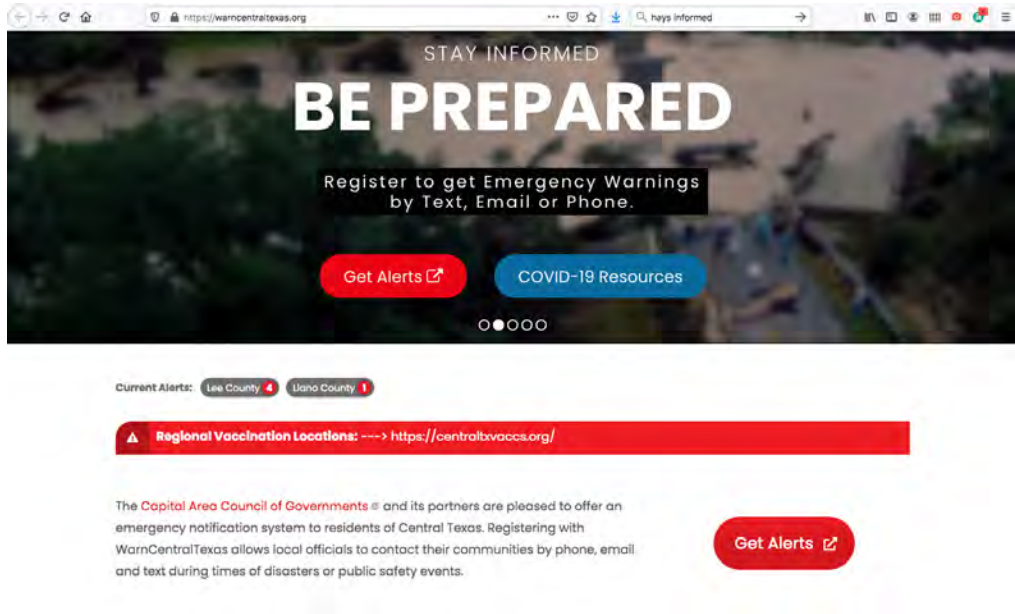
On the right side of the page, there is a "Community" sidebar with the following links:

- About Woodcreek Texas
- Master Plan and Vision Information
- International Dark-Sky

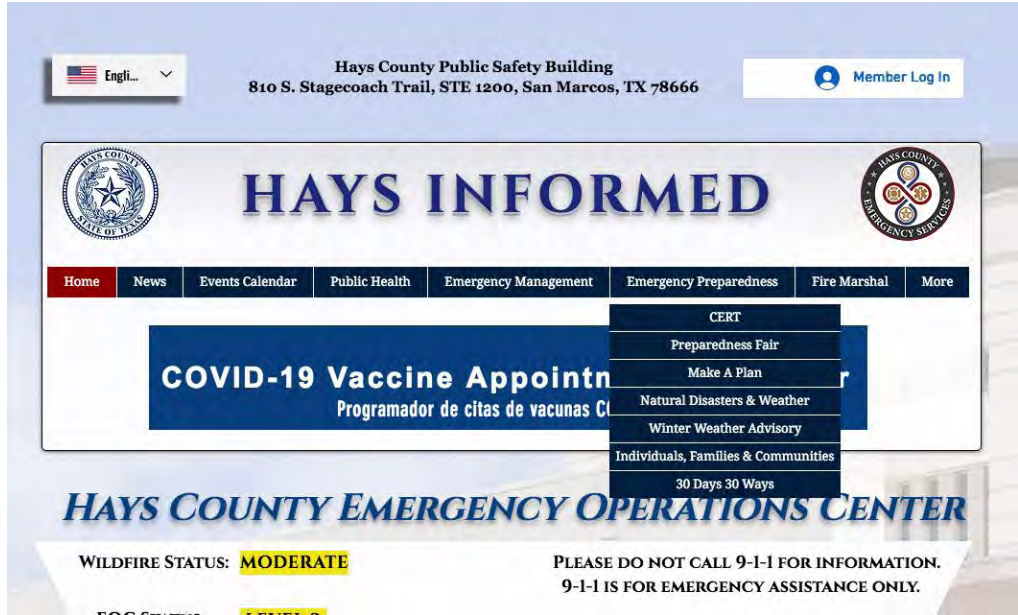
Hays County/Central Texas Sources

Sign up for text, email and phone warnings at:

<https://warncentraltexas.org>



Hays Informed is also a wealth of information on resources, links, instructions and emergency contacts <https://www.haysinformed.com/>



Nextdoor

Nextdoor's hyperlocal network of neighbors is an unfiltered source of communication that allows you to make requests for information, assistance and to report information such as water and power outages to one another (but unfortunately not to providers). As it is unfiltered it can have varying levels of reliability, but when you need help it is often the easiest way to appeal to a large group of folks nearby.



During the freeze there were numerous appeals for food, water, firewood that enabled some of our more enterprising neighbors to reach out and help. When it works this way it's great. Just remember it is unfiltered so some information might be inaccurate or biased.

Facebook

There are several Facebook groups dedicated to Woodcreek and Wimberley that share information about our city and the Wimberley valley. Just search for "Woodcreek" on facebook and you will find them. Just remember they are unfiltered so some information might be inaccurate or biased.

twitter

Hays County Emergency Management Services has a twitter account that posts very current information before, during and after emergencies. Follow them at:

@hays_oem



Local TV station meteorologists also maintain 24/7 updates on twitter during weather emergencies.

@KXAN_Weather, @KVUE_Weather, @AustinWeatherare other good twitter sources

KWVH -Wimberley Valley Radio 94.3

Often, a local radio station is a great source of a variety of information that you might not hear elsewhere. Candid conversations with City, County and law enforcement officials happen here regularly. During the freeze the main station had difficulty with fluctuating power so Production Director, Brach Thomas, grabbed a plastic bin full of equipment and hitched a ride to Woodcreek where the station broadcast for 3 days



Local Television Broadcasts and Apps

Many of the local network affiliates, in addition to their broadcasts, have smartphone apps that give very up-to-date forecasts. Go to the Android or Apple App stores to download.

Cell Phones

Cell phones, and especially smartphones, can be incredibly useful during emergencies. They have internet browsers, text, online radio and TV and can take photographs. The main problem is that the phones and the cell towers have to have power. Some citizens said that even though they had power on their phones that the cell service (towers) were interrupted by power outages. If you have a cell phone that can be plugged into a power port on your car, it is a good way to charge it and to either warm up or cool down, depending upon the type of emergency -**DO NOT START YOUR CAR IN A CLOSED AREA.** You can also buy supplementary powerpacks that can power your cell phone. Many smartphones also allow you to use them as a **wireless (WIFI) hotspot**. This way, if your internet provider (Spectrum, Frontier, Grande) goes down, this is a way to stay online. Go into settings and turn it on. It will give you a password that is required to link to it.

New Communication Methods

Neighbor-to-Neighbor

As mentioned before, the **Neighbor to Neighbor** program that the city is starting creates "nodes" or "blocks" of neighbors with a block captain who helps organize and connect the group. The exchange of email addresses, phone numbers and other pertinent information will help people within short walking distance of each other share resources and information in the event of an



emergency. Either sign up as a block captain or find out who your block captain is by contacting councilmember Bob Hambrick via email - bob.hambrick@woodcreektx.gov

Warning System-

Many Texas cities of Woodcreek's population and physical size have a siren system to alert citizens of imminent severe weather, such as a tornado or hailstorm and other events including a chemical spill. Ten minutes of warning for a hailstorm blowing in might save people or property and wake folks up in the middle of the night to seek shelter from a tornado.

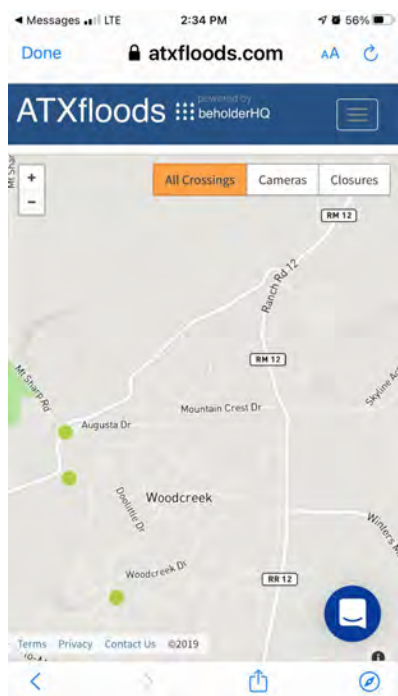


Direct Telephone Call

Systems such as Dialmycalls:

<https://www.dialmycalls.com/emergency-notification/weather-alerts>

Can in a very brief period notify all citizens that sign up of an impending emergency. We recommend the City investigate using this or a similar system.



ATXFloods.com

In the Austin and Central Texas area ATXFloods maintains a website which shows what areas have flooded. The Wimberley Valley is included in this as you can see on the right. During a severe weather event you can refer to this website to help plan your route out of Woodcreek and away from the area. Other sites such as Waze and Google Maps also sometimes have this information.

6 Preparation

Emergencies arise from natural and man-made causes, they can happen at any time, anywhere, and involve anything. The best possible way to handle an emergency is to be prepared for it. The key to surviving a major crisis is individual preparation. A **72 Hour Preparedness Kit** will give you a good start in being prepared, and you may be surprised to find some things you never thought of. The location of items for a kit should be memorized so that little time is lost trying to acquire them. Unprepared citizens pose a burden on neighbors who are struggling with their own circumstances. You can create this kit on your own or buy premade kits as shown below.



72 Hour Preparedness Kits

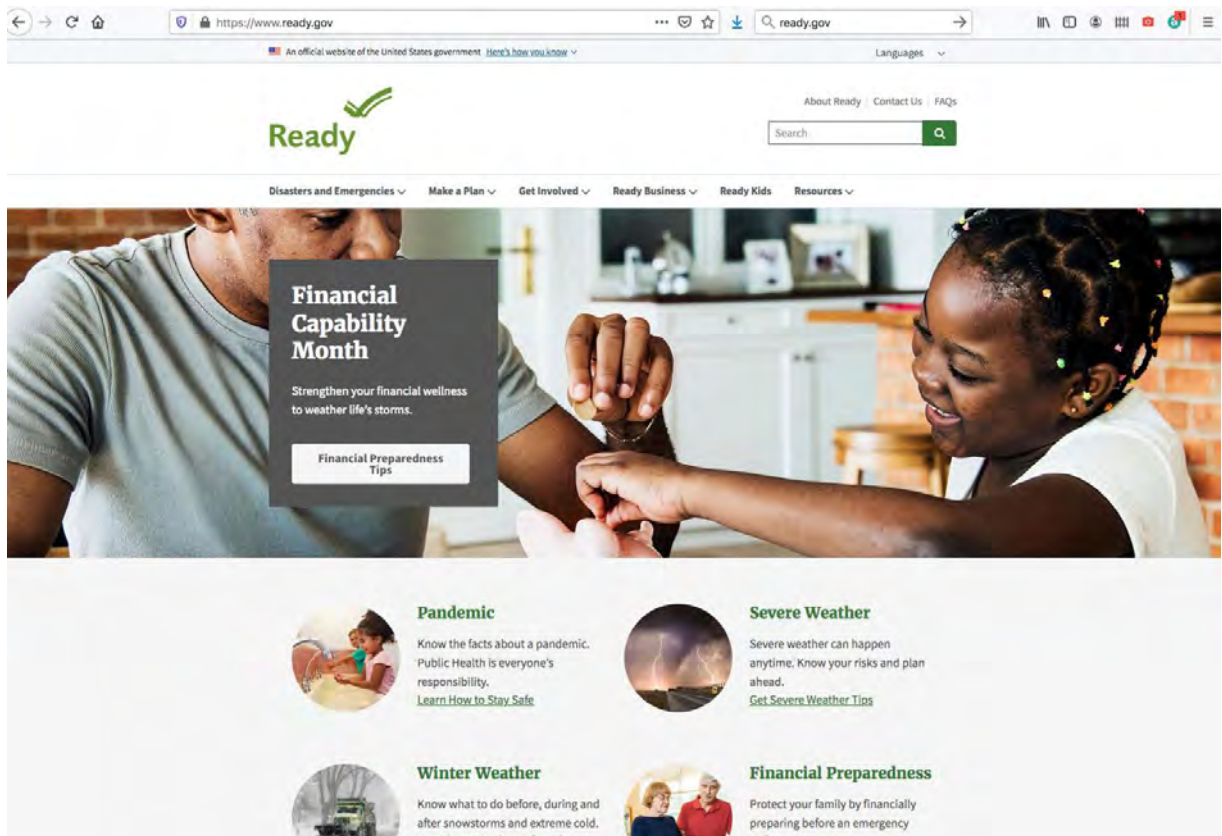
- Prepare a family disaster/survival kit
- Maintain a list of emergency telephone numbers
- Keep a number of a non-local family member you can contact that can notify other family members of your status (It helps to keep telephone calls to a minimum in an emergency)
- Three-day (72 hours) supply of drinking water
- Canned or non perishable food
- Manual can opener
- One change of clothing and footwear per person
- One blanket or sleeping bag per person
- First aid kit that includes critical family member prescription medications
- Flashlight with extra batteries
- Battery operated radio/hand crank radio
- Special items for infant, elderly, or disabled family members
- Sanitation supplies
- Cash or traveler's checks
- Extra set keys

Preparedness Checklist

- Show family members how to turn off water, gas, and electricity in the case of an emergency
- Teach family members how to use your home fire extinguisher
- Check on elderly/disabled neighbors
- Agree upon a meeting place for your household
- Put important papers in a secure plastic bag
- Charge your phone - have an extra car charger
- Move your car under cover if possible
- Secure your outdoor furniture before severe storms.
- Bring your pets indoors before imminent danger.
- Identify the safest room in the house away from windows
- Close your blinds
- Know exactly what your insurance policies do and don't cover
- Fill bath tub for toilet flushing and other uses
- Have sufficient cash because banks and ATM machines may be inoperative
- Firewood

Ready.gov

Launched in February 2003, Ready is a National public service campaign designed to educate and empower the American people to prepare for, respond to and mitigate emergencies, including natural and man-made disasters. The goal of the campaign is to promote preparedness through public involvement.



Ready and its Spanish language version Listo ask individuals to do four key things:

- (1) stay informed about the different types of emergencies that could occur and their appropriate responses
- (2) make a family emergency plan and
- (3) build an emergency supply kit, and
- (4) get involved in your community by taking action to prepare for emergencies.

What is my shelter place?

Camp Young Judaea (CYJ) recently contacted the city to offer their facilities to accommodate, with bedding, 400 to 500 people, including food supplies for several days. In the future the city will notify citizens when the (CYJ) facilities are available. During the February weather event, no power was lost at the Camp, but that is no assurance that it will not occur in the future. If power is lost, shelter would occur in the main and dining rooms but a generator is required.

What is my evacuation plan/route?

Familiarize yourself with the main arteries that feed out of Woodcreek and think about how they might be impacted by the event. Flooding will definitely cut off the Cypress Falls route out of the city.

Traffic apps like Waze, or Google maps are available for your smartphone, can give you guidance on the best routes on a minute-minute basis:

<https://www.waze.com/>



<https://www.google.com/maps/>

Your car radio, tuned to a local station, is also a great source for local traffic information during an emergency.

What is my family/household communication plan?

Coordinate with all members of your household on how you intend to communicate, whether cell phone, email, text, etc. Often, during an emergency, cell phone networks are either damaged or overloaded. Texts use much less bandwidth than voice and will send more easily over a weak network. Agree on a central location in the house where you will post notes on your plans or status. This way, if someone in your family comes in to look for you, they will know your condition and won't waste time trying to find out the information. Check in!

7 Utilities

Aqua Texas (Now Essential Utilities)

Aqua Texas, a private company, provides potable and hydrant water and a wastewater treatment facility to the city through a network of company owned pipes, two wells, a water tower and a wastewater treatment plant. The tower which is located adjacent to the city's office on Champion Circle, provides water to meters located within the City limits and several adjacent areas. The wastewater treatment plant, located on FM 2325, provides treatment for both the City of Woodcreek and Woodcreek North as well as other Wimberley areas.



In event of an electrical power loss, the tower, which holds 125,000 gallons of water, may provide, under normal usage, water for approximately 24 hours before the system is depleted and a water recharge is necessary. Depending upon which supply well is selected, the recharge may take 3 to 10 hours before adequate water flow is obtained. As specified in Texas Commission on Environmental Quality (TCEQ) document RG-195, Rev 12/2019, Rules and Regulations for Public Water Systems, water systems are characterized as either non-elevated or elevated. Those that are elevated do not require emergency or standby power, if they meet certain requirements, because they will offer, through gravity, enough water pressure and flow for a typical 24 hour water usage. Non-elevated water storage must have emergency power if the system does not offer gravity flow. For example, Wimberley has six wells and storage water facilities (1.2 million gallons) and of the six, five are gravity flows from high locations within the Wimberley valley. A water tower is considered elevated if it is at least 80 feet above the highest water tap. The Woodcreek water tower, at a height of 137 feet, permits a gravity pressure of 60 pounds per square inch (PSI) at its base. The TCEQ RG-195, §290.45(b)(1)(D)(iv)(Appendices B) and §290.45(b)(1)(D)(v)(Appendices B) specifies that if an elevated tower holds enough gallons of water to accommodate the sum product of 100 gallons times the number of water taps, then emergency or standby power is

not required. The Aqua Texas elevated tower meets this requirement, therefore standby generator power is not required.

To enhance the city's water storage, Aqua Texas has firm plans, within the next year, to replace the 22,000 gallon water storage at well#1, located at the end of Doolittle Street, with a 125,000 gallon storage tank.

Hydrant Water

The functional water hydrants located throughout the city, support both line flushing and firefighting and should provide at least a minimum flow of 250 gallons per minute (GPM). Most hydrants will fall in the range of 800 to 1000 GPM. The hydrants are tested and flushed every year by Aqua Texas. They are painted black because they do not technically meet all of the requirements of a fire flow system, such as 1000 GPM for two hours. This requirement alone would drain the entire water storage in the tower. If the hydrant GPM flow is too low during a firefighting event, water will be extracted from the hydrant and passed through the fire truck's booster pump. A memorandum of understanding (MOU) between Aqua Texas and the Wimberley Fire and Rescue (WFR) states that WFR will accept whatever pressure and flow exists at a hydrant. This is a common legal arrangement between Texas private water systems and volunteer fire departments. A fire department annex is located within 2 miles of the city and the fire department's Public Protection Classification is a 5, which is a good rating.

Wastewater Treatment Facility

The wastewater treatment facility holds 21 million gallons of processed wastewater and an average of about 155,000 gallons of effluent water is sprayed daily on to the Woodcreek golf course and other acreage. As required by TCEQ, a standby generator was on site, but the combination of low temperatures and rolling blackouts caused some system components to freeze, however, no safety measures were compromised.

Big Freeze Effect

The weather event of February 2021, coupled with electrical rolling blackouts proved devastating to Aqua Texas. During the initial ice/snow days, Aqua Texas made several attempts to relocate standby generators to the water tower, but the road conditions were impassable. As a last resort, Aqua Texas moved a standby generator from their wastewater treatment facility to the water tower, but it took several hours for an electrical technician from San Marcos to hook up the generator to the tower electrical panel. Following about 8 hours the generator became inoperative and the electrical disconnect took an additional several hours. When the National Weather Service and



local Austin TV station meteorologists began alerting the public about severe weather conditions days before the beginning of the cold weather, Aqua Texas applied additional insulation and electrical wrap cords to the most critical piping, valves and pumps. But the rolling power blackouts caused a series of cascading events which led to some frozen and ruptured pipes and frozen valves and pumps.

Aqua Texas attempts to issue a boiling water notice several hours before adequate water pressure is obtained. This is a judgement call because they don't want to issue it too far in advance as it could lead a customer to think that adequate water flow is imminent. Thus, a customer may receive a Robo boiling notice even though no water is flowing through the system. When citizens attempted to call Aqua Texas for status, many calls were routed to call centers that were not even aware of the Texas weather event. In addition, calls were dropped out leading to further frustration.

Some cities and master planned communities such as Wimberley, Round Rock and Steiner Ranch, which had rolling blackouts, experienced less water flow interruption because they have vastly different water distribution systems than Woodcreek. Those include massive non-elevated gravity flow storage facilities, large backup generators in the million dollar class and real time PEC circuit dedication. Woodcreek's water outage was experienced by approximately 530 water systems in 153 Texas counties.

Pedernales Electric Cooperative (PEC)

PEC had to comply with the Electric Reliability Council of Texas (ERCOT) directive to implement service interruptions to ensure stability across the entire statewide power grid. Some grid feeders are exempt from power interruption if they are on a Critical Load Program (CLP) registry. These feeders serve critical infrastructure and critical safety and health operations. Since Aqua Texas is a private company, the City cannot make a direct request to PEC for inclusion in the CLP registry; the request must come first from Aqua Texas and then can be supported by the City.

The rotating power outage, commonly called a rolling blackout, is usually a "20-40 minutes" event, but the cold weather required longer outages and more frequency. PEC was not immune to outages because some of their operations were lost to internet services, phone service and SmartHub functionality. The extremely large increase in reported outages overwhelmed the Outage Tracker map, causing PEC to remove the map so that customers could receive timely and accurate information by email, PEC's website and social media. But many customers became confused as to where to look and what to believe and calls to PEC proved of little value.

A dialogue has been established with PEC and the Committee is hopeful that they will provide the following:

- 1) Can you reveal what happened in the Woodcreek area, 2) Why did some citizens experienced rolling blackouts while others either experienced total power loss or no power interruption, 3) Has Aqua Texas submitted to PEC a request for dedicated power circuits and 4) What is your forecast of improvements to minimize future power outages.

PEC may be limited to their ability to provide detailed replies because of US Homeland Security restrictions.

8 Wimberley Valley Resources

Stores- All of the stores quickly ran out of water and other supplies during the freeze as their resupply trucks weren't able to navigate the icy hills leading into the valley. Anticipate what you will need and stock up on drinking water.

Wimberley EMS had extended response times to all calls during the freeze. They also utilized 4 wheel drive vehicles and had chains on one of our ambulances.

Wimberley Fire and Rescue- the trucks had chains and were able to make calls.

Hays County Sheriff's Department - the following was posted on their twitter account during the freeze:

Instructions for Stranded Motorists in Hays County. The Hays County Sheriff's Office and local first responders are pleading with the citizens of Hays County to NOT DRIVE during this weather event. We are receiving reports of stranded motorists who cannot be reached by either fire, EMS, or deputies due to the hazardous roadways. Every effort is being made to reach the motorists but, in some cases, it may be impossible due to the ice on the roadway. If you must drive due to extenuating circumstances and become stranded, Hays County dispatch will be asking the following questions:

- *What is your vehicle description?*
- *How many occupants are with you?*
- *How much gas does your vehicle have?*
- *Do you have access to a cell phone charger?*

They will dispatch first responders to you but there is no guarantee that they can reach you. If you choose to abandon your vehicle, try to get it off the roadway as best as possible and remove all your personal belongings. Call dispatch back to let them know that you are leaving your vehicle. Do not ask dispatch whether you should abandon your vehicle. The decision must be made by you. Please do not drive until the conditions have been deemed safe. Continue monitoring local media, the Hays County Sheriff's App, or the Hays Informed website for updates.

Download the Hays County Sheriff's App here: <https://www.haysinformed.com/>

Hays County Sheriff's Office dispatch: 512.393.7896

Sheriff Gary Cutler wants everyone to do whatever it takes to stay safe; this includes checking up on our neighbors. If you have an elderly family living next door, give them a call just to make sure they are okay. We must rely on each other until we can get a break from this extreme winter storm.

9 Citizen Response

Many of our citizens were left without water and electricity for several days. It varied by location. A few homes in the lower portions of Woodcreek still had some water, but most did without. As you can see from the timeline water was delivered on several occasions, but not in large amounts. As the stores were out of water as well, Aqua Texas had difficulty finding sufficient amounts.

As batteries on cell phones ran down, and cell towers failed for either cold or rolling blackouts, people became more isolated and ran out of resources. Those that did have mobility, whether it be 4 wheel drive vehicles or UTVs helped transport food, water and firewood to those in need.

The **Nextdoor** app on cell phones and computers became a lifeline between neighbors and enabled those in need to appeal for help. Even if the families didn't have electricity, often a neighbor would have a functioning cell phone that they could use to share their situation. This situation functioned in a very similar manner to Woodcreek's **Neighbor to Neighbor (NTN)**. Council person Bob Hambrick is coordinating this effort and can be emailed at Bob.Hambrick@woodcreektx.gov. Each NTN "captain" is charged with forming an informal network of approximately 10 neighbors that can help each other out during emergencies or otherwise. Please consider becoming a NTN "captain" by contacting Bob at the address above. Many of you may already be informally acting as a captain.

The stories of neighbors helping neighbors on social media were too numerous to capture and many helped without folks hearing about it online. Woodcreek is fortunate to have had an informal Neighbor to Neighbor program for many years. Our neighborhood is a very special place where most people look for opportunities to volunteer and help others. The Neighbor to Neighbor program will just help us all fill the gaps and give us some additional ability to get the word out in times of need. **Please sign up as a block Captain!**

10 Recommendations

City

1. This emergency advisory board strongly urges the Mayor and Council to appoint Brenton B. Lewis, city manager, as our Emergency Management Coordinator. This will enable the city to have two resources, being Hays County and also direct access to the State of Texas Emergency Management.
2. A propane fueled generator of adequate size (20 to 25 kw) to provide electrical power to the city office should be permanently located on site. This will provide a "Command Post" environment for the city staff, council members and advisors during times of electrical interruptions.
3. A siren(s) of sufficient size to reach all boundaries of Woodcreek, Including Tulley Court, should be procured to provide a warning system for severe weather and other events that are harmful to the citizens. Sirens can be controlled by many means such as radio, ethernet, cellular, satellite, manually, etc and automated for NOAA alerts or mass notifications. Many sirens were discarded in the 90's due to maintenance costs, but the technology is now vastly improved which has significantly reduced recurring costs.
4. Acquire extended hand held radios and supplementary batteries for key personnel (Mayor, City Manager, City Staff, and City Council Members). Keep these radios charged and available at key personnel's residences. During the recent freeze cell phones either had network issues or dead batteries
5. Request from FEMA or other Government funding sources an appropriate propane fueled generator to provide backup power to Camp Judaea's main and dining rooms. Camp Judaea is a non profit organization.
6. Identify the citizens who do not have internet capability so that other informative communication means may be provided.
7. In the event of total communication failures, have a bull horn of sufficient power that can be used from a vehicle to warn or instruct citizens.
8. Install reflective water hydrant road markers that are missing on some City streets.
9. Systems such as Dialmycalls:
<https://www.dialmycalls.com/emergency-notification/weather-alerts> can in a very brief



period notify all citizens that sign up of an impending emergency. We recommend the city investigate using this or a similar system.

10. Citizens with personal vehicles that are willing to volunteer could register them for planning purposes. Quarterly, that registry can be updated via auto-email reminder.
11. The city should consider using their Nextdoor account for both emergencies and general information. When posting, the comments should be turned off to avoid conflicts with the Open Meetings Act. Content from the email blast can be quickly copied and pasted into these accounts in order to minimize impact on staff during emergencies. This will improve access by all citizens to critical information. At the end of these posts you could also provide a link to the City website's email signup in order to get more citizens connected..

Utilities

AQUA TEXAS

1. While a few hours of inadequate water flow, due to power interruptions, may be an inconvenience to residents, the lack of water and sewage treatment for a prolonged period may present both serious health and waste water disposal issues. Therefore, the Committee recommends that Aqua Texas submit to the Texas Public Commission (PUC) an application for dedicated electrical circuits.
2. Aqua Texas is not required to provide either emergency or standby power because they meet specified conditions for an elevated tower. While City Ordinance §52.02 (Appendices C) states that Aqua Texas must provide standby electrical power at the tower location, the ordinance should be revised to reflect current conditions. Weather extremes will most likely lead to future cold and hot spells and possible rolling blackouts. Additionally, hazardous road conditions caused by ice/snow or high winds will impact the transport of a generator. Therefore, Aqua Texas is strongly encouraged to permanently locate a standby generator at a selected well site.
3. The Committee analyzed an option whereby the city would purchase, for Aqua Texas's use, a generator for permanent location at a well site, but the costs (About \$70,000 for a 125kw generator turn key installation), yearly maintenance and the legal and contract issues involving the use of city owned equipment by a profit making company did not warrant further consideration.
4. The transfer of electrical power from a standby generator to a well site should be dramatically reduced from several hours.
5. Portions of both Aqua Texas's potable water and wastewater treatment systems failed due to extremely low temperatures which restricted the continuous flow of water.

Aqua Texas is encouraged to implement hardened devices to minimize the failure of components due to cold temperatures.

6. City Ordinance §51.01 (appendices D) should be revised to only reflect that Aqua Texas must properly maintain and yearly flow test all city hydrants.
7. Aqua Texas should provide a contact phone number that is manned by a knowledgeable operator that can provide up to date system status. Additionally, Aqua Texas should place timely Robo calls to alert citizens of system status and boiling water instructions.
8. As Aqua Texas is responsible for supplying bottled potable water during a water outage, Aqua Texas should provide a 5 gallon collapsible container to each residence. These containers can be filled in anticipation of a prolonged outage caused by a major regional or statewide freeze. If the freeze is local to Woodcreek, Aqua Texas can provide bottled water as the local stores can provide the resources.

PEC

1. PEC should be informed that their Website Outage Tracker must reflect both current outage information and an estimated time for the power to resume.
2. PEC should provide a contact phone number that is manned by a knowledgeable operator and place Robo calls to alert citizens of system status.
3. PEC and Aqua Texas should jointly agree to establish dedicated power circuits for both potable water distribution and wastewater processing.

Citizens

1. Create a **72 Hour Preparedness Kit** (see section 6 Preparation).
2. Citizens should maintain **3 days of water** storage (2 cases) in their homes with supplemental from Aqua Texas. The storage of large quantities of potable water on city property is not recommended because a separate environmentally controlled building is required. The current city shed will only store about eight cases. Adequate storage at Camp Judaea is not available.
3. Locate your **Neighbor to Neighbor Block Captain** and exchange contact information.
4. Make sure you always have at least **half a tank of fuel** in your vehicle.

- 
5. Sign up for **robo calls from Utilities (Aqua, PEC)**.

<https://www.aquaamerica.com/customer-service-center/watersmart-alerts/watersmart-alerts-verification.aspx>

6. Sign up for **City emails and eblasts**.
7. **Sign up for Nextdoor** in order to be able to quickly network with neighbors. Access to Nextdoor during the freeze enabled families to access much needed food, water, firewood, and information.
8. For those that have disabilities and need assistance, **signup for State of Texas Emergency Assistance Registry (STEAR)**.
9. **Signup through Hays County Office of Emergency Management**, to attend a course to learn about Community Emergency Response Team (CERT). This course outlines how to volunteer for disaster preparedness, fire suppression, disaster medical aid and light search and rescue.

11 Appendices

A. Important Contact Information- Phone Numbers, Websites, Addresses

FROM:

<https://www.woodcreektx.gov/community/page/useful-links>

Water/Sewer	Aqua Texas Online	877-987-2782
Cable	Spectrum	855-243-8892
Trash & Recycling	Waste Connections	210-658-0487
Electric - Pedernales Electric Coop	<p>PEC For outages, call this number--></p> <p>To speak to a rep, call this number--></p>	<p>888-883-3379</p> <p>888-554-4732</p>
Wimberley Post Office	111 Joe Wimberley Blvd.	512-847-2623
Wimberley View	<p>Weekly newspaper</p> <p>www.wimberleyview.com</p>	512-847-2202
Hays County Sheriff's Office	Emergency	911
Regional Notification System Signup	<p>Sign up for emergency notifications at: www.WarnCentralTexas.org or call (866)-939-0911</p>	

B. Texas Commission on Environmental Quality (TCEQ): Rules and Regulations for Public Water Systems (RG-195 Rev 12/2019)

§ 290.45(b)(1)(D) for more than 250 connections, the system must meet the following requirements:

§ 290.45(b)(1)(D)(iv) an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection.

§ 290.45(b)(1)(D)(v) emergency power for systems which serve more than 250 Connections and do not meet the elevated storage requirement.

C. Woodcreek Ordinance Chapter 52.- Minimum Standards for Water Service

§ 52.02(E) Backup power must be available at all times in order to instantaneously, or as close to instantaneously as possible, restore service in the event of power outage or interruption.

D. Woodcreek Ordinance Chapter 51- Fire Hydrants

§ 51.01(C) Minimum requirements. A utility providing service in a residential area located in the City of Woodcreek or the City's ETJ must maintain a minimum sufficient water flow and pressure to fire hydrants. In addition to a utility's maximum daily demand, the utility must provide , for purposes of emergency fire suppression.

§ 51.01(C)(1) a minimum sufficient water flow of at least 250 gallons per minute for at least two hours; and

§ 51.01(C)(2) a minimum sufficient water pressure of at least 20 psi.

E. CITY ORDINANCE ON EMERGENCY MANAGEMENT

- CHAPTER 34: - EMERGENCY MANAGEMENT
- § 34.01 - ORGANIZATION.

(A) There exists the Office of Emergency Management Director of the City, which shall be held by the Mayor in accordance with state law.

(B) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director.

(C) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this chapter. He or she may delegate authority for execution of these duties to

the Coordinator, but ultimate responsibility for such execution shall remain with the Director.

(D) The Operational Emergency Management Organization of the City shall consist of the officers and employees of the City so designated by the Director in the Emergency Management Plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management Plan.
(Ord. 89-31A, 8-23-2000)

- § 34.02 - EMERGENCY MANAGEMENT DIRECTOR; POWERS AND DUTIES.
- The duties and responsibilities of the Emergency Management Director shall include the following:
 - (A) Conduct an on-going survey of actual or potential hazards which threaten life and property within the City and an on-going program of identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur;
 - (B) Supervision of the development and approval of an Emergency Management Plan for the City, and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan;
 - (C) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of seven days, except by or with the consent of the City Council. Any order or proclamation declaring, continuing or terminating a local state; of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary;
 - (D) Issuance of necessary proclamations, regulations or directives which are necessary for carrying out the purposes of this chapter. Such proclamations, regulations or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary;
 - (E) Direction and control of the operations of the City Emergency Management Organization as well as the training of emergency management personnel;
 - (F) Determination of all questions of authority and responsibility that may arise within the Emergency Management Organization of the City;

(G) Maintenance of liaison with other municipal, county, district, state, regional or federal emergency management organizations;

(H) Marshaling of all necessary personnel, equipment or supplies from any department of the City to aid in carrying out of the provisions of the Emergency Management Plan;

(I) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the state and of other local political subdivisions of the state, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the county, for the county-wide coordination of emergency management efforts;

(J) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the City;

(K) Authorizing of agreements after approval by the City Attorney, for use of private public shelter and other purposes;

(L) Survey of the availability of existing personnel, equipment, supplies and services which could be used during a disaster, as provided for herein; and

(M) Other requirements as specified in State Disaster Act 1975 (Tex. Gov't. Code § 418.001 et seq.).

(Ord. 89-31A, 8-23-2000)

- § 34.03 - INTERJURISDICTIONAL PROGRAM.

The Mayor is hereby authorized to join with the County Judge and the mayors of the other cities in said county in the formation of an Emergency Management Council for the county and shall have the authority to cooperate in the preparation of a joint Emergency Management Plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a county-wide program of emergency management insofar as said program may affect the City.

(Ord. 89-31A, 8-23-2000)

- § 34.04 - OVERRIDE.

At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede and override all existing ordinances,

orders, rules and regulations insofar as the latter may be inconsistent therewith.
(Ord. 89-31A, 8-23-2000)

- § 34.05 - LIABILITY.

(A) This chapter is an exercise by the City of its governmental functions for the protection of the public peace, health and safety and neither the City, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, association or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to persons as the result of said activity.

(B) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City a license of privilege, or otherwise permits the City to inspect, designate and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending or practice enemy attack or natural or human-made disaster shall, together with his or her successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

(Ord. 89-31A, 8-23-2000)

- § 34.06 - COMMITMENT OF FUNDS.

No person shall have the right to expend any public funds of the City in carrying out any emergency management activity authorized by this chapter without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement or otherwise without prior specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life or property.

(Ord. 89-31A, 8-23-2000)

- § 34.07 - LIMITATIONS.

This chapter shall not be construed so as to conflict with any state or federal statute or with any military or naval order, rule or regulation.

(Ord. 89-31A, 8-23-2000)

- § 34.99 - PENALTY.

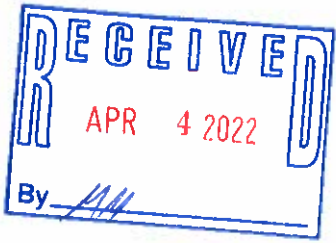
(A) It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the Emergency Management Organization in the enforcement of any rule or regulation issued pursuant to this chapter, or to do anything forbidden by any rule or regulation issued pursuant to the authority contained in this chapter.

(B) It shall likewise be unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the Emergency Management Organization of the City, unless authority to do so has been granted to such person by the proper officials.

(C) Any unauthorized person who shall operate a siren or other device so as to simulate a warning signal, or the termination of a warning, shall be deemed guilty of a violation of this chapter and shall be subject to the penalties imposed by this chapter.

(D) Convictions for violations of the provisions of this chapter shall be punishable by fine not to exceed \$100.00.

(Ord. 89-31A, 8-23-2000)



March 28, 2022

City of Woodcreek
41 Champions Circle
Woodcreek, TX 78676

Re: 2022-2024 HPP Participating Agency Agreement

Dear Brenton B. Lewis:

The Capital Area of Texas Regional Advisory Council (CATRAC) would like to thank you for your organization’s continued partnership to improve surge capacity and enhance community and healthcare preparedness for healthcare emergencies. Since July 1, 2017, CATRAC has served as the lead performing agency with the Texas Department of State Health Services (DSHS) for the Hospital Preparedness Program (HPP) in Trauma Service Areas (TSA) L, M, N, and O.

The current Participating Agency Agreement is set to expire in June 2022 for the HPP fiscal year 2018-2022. The attached is an updated 2-year continuation of the agreement which outlines the responsibilities of each participating agency as a condition for HPP grant funds for the development of coordinated health and medical preparedness and response. The HPP funds are used to establish healthcare coalitions and develop strategies in the DSHS designated Trauma Service Areas of L, M, N, and O as well as the development of the Emergency Medical Task Force (EMTF) program.

The Participating Agency Agreement does not supersede or replace any individual agreement with your Regional Advisory Council. The documents herein are specific to the HPP and EMTF programs and required for continued participation and retention of HPP assets.

Sincerely,

Douglas Havron, RN, BSN, MS
Executive Director

Cc:



**PARTICIPATING AGENCY / SUBCONTRACTOR AGREEMENT ASPR HOSPITAL /
HEALTHCARE PREPAREDNESS PROGRAM –
DSHS Years FY18 – FY24, July 1, 2017 – June 30, 2024**

**Participating Agency / Subcontractor Agreement
Between**

**“CATRAC”
Capital Area of Texas Regional
Advisory Council
4100 Ed Bluestein Blvd Suite 200
Austin, TX 78721**

and

**City of Woodcreek
41 Champions Circle
Woodcreek, TX 78676**

BACKGROUND

As part of the U.S. Health and Human Services, the Office of the Assistant Secretary for Preparedness and Response (“ASPR”), Hospital Healthcare Preparedness Program (“HPP”), the Capital Area Trauma Regional Advisory Council (“CATRAC”) is the Performing Agency under that certain agreement with the Texas Department of State Health Services (“DSHS”)/Community Preparedness Section, effective July 1, 2017, until June 30, 2024. CATRAC is known by its assumed name the Capital Area of Texas Regional Advisory Council or, by its legal name, the Capital Area Trauma Regional Advisory Council.

CATRAC, as the Performing Agency (defined by DSHS), has been awarded funds for the Hospital / Healthcare Preparedness Program on behalf of trauma service areas (TSA) L, M, N, and O. The Trauma Service Areas are designated by the DSHS Office of EMS/Trauma Systems Coordination and are made up of the following counties:

- TSA L: Bell, Coryell, Hamilton, Lampasas, Milam, and Mills
- TSA M: McLennan, Bosque, Falls, Hill, and Limestone
- TSA N: Brazos, Burleson, Grimes, Leon, Madison, Robertson, and Washington
- TSA O: Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, San Saba, Travis, and Williamson.

CATRAC, in accordance with DSHS contractual requirements, shall be responsible for all planning, implementation, and fiduciary activities; including, but not limited to the implementation of critical benchmarks, planning, coordination with regional response partners, execution of the HPP work plan, distribution and expenditure of HPP funding, equipment, and supplies within TSA L, M, N, and O. CATRAC staff will provide support for the region’s planning and decision-making processes. CATRAC will work with all applicable regional planning and response partners to fulfill HPP work plan.

CATRAC Responsibilities:

1. Serve as the contractual and lead agency between DSHS and the regional Hospital Preparedness Program (HPP); Health Care Coalitions (HCCs) in TSA L, M, N, and O and Emergency Medical Task Force (EMTF) regional component development.
2. Administer the HPP funds and expenditures for the Health Care Coalitions (HCCs) in Trauma Service Areas L, M, N, O as well as the regional Emergency Medical Task Force (EMTF) to enhance the ability of hospitals and healthcare systems to prepare for health and medical emergencies and disasters.
3. Administer the Work Plan to ensure that all funds are allocated and all approved equipment and supplies are purchased and inventoried for ASPR.
4. Provide an assigned liaison to partner with and assist in the coordination activities of the HPP program.
5. Monitor implementation of the HPP in TSA L, M, N, and O. Participating Agency/Subcontractor in accordance with DSHS contract requirements.
6. Make Participating Agency/Subcontractor aware of any unused funds and reallocate such funds, if any, to Participating Agency/Subcontractor to meet cost overruns or additional equipment and supply needs. CATRAC may review all requests for additional funds by Participating Agency/Subcontractor, to determine the appropriate distribution of the unused funds, and to reallocate such funds until all funds are exhausted.
7. Comply with all applicable federal and state laws, rules, regulations, standards and guidelines associated with the Hospital Preparedness Program grant, including, but not limited to, DSHS Contractors Financial Procedure Manual and General and Special Provisions.
8. As the contractor, CATRAC shall comply with, and shall require its Participating Agencies/Subcontractors to comply with, the requirements of DSHS rules of general applicability and other applicable state and federal laws and regulations. Regulations and rules currently exist and may be lawfully amended. The DSHS rules are located in the Texas Administrative Code, Title 25 ("Rules"). To the extent this Participating Agency/Subcontractor Agreement imposes a higher standard, or additional requirements beyond those required by applicable statutes, regulations or the Rules, the terms of this Agreement shall control. Access to appropriate sections of the HPP contract, references, statutes, regulations, rules, and program guidance documents is located on the DSHS website.
9. Ensure compliance with the DSHS HPP contract, including monitoring of the progress of preparedness and response capabilities including performance measures.
10. Coordinate with local, regional, and state agencies during planned events and emergencies.

11. Represent as the lead HPP representative to appropriate Disaster District Chair (DDC), Emergency Operations Center (EOC), Regional Health Medical Operations Center (RHMOC), or Multi-Agency Coordination Center (MACC).
12. Disseminate HPP preparedness and response information in a timely manner.

Participating Agencies / Hospital / Healthcare System Responsibilities:

1. Utilize regionally prescribed crisis management information systems such as EMResource and WebEOC in order to affect uniform situational awareness as well as common command, control, communications and information access prior to, during and after an emergency and/or disaster.
2. Appoint a primary contact person to serve in the capacity of hospital/agency representative to the HCC. This individual will actively participate in HCC meetings and provide a conduit to the facility concerning regional planning and response issues. Active participation in Coalition meetings is defined as attending 75% of the scheduled HCC meetings within their respective Trauma Service Area.
3. Properly store, monitor and maintain all equipment purchased with HPP funds according to the conditions, terms, and requirements of the HPP contract.
4. Indicate acceptance of, and incorporation of Participating Agency/Subcontractor Mutual Aid Memorandum of Understanding ("MOU").
5. In the event of a regional activation, said facility agrees to provide a staff member to the Regional Medical Operations Center (RMOC) if needed. These individuals will be trained yearly on RMOC, WebEOC, and EMResource and must have ICS 100,200,700 & 800.
6. Maintain an inventory of all equipment, supplies, and services received via HPP funding for all years of participation in the HPP in accordance with DSHS inventory management and disposition requirements. Equipment and supplies shall be made available for inspection and audit to CATRAC, DSHS, and/or federal personnel, as applicable, to ascertain participating agency compliance with ASPR and DSHS requirements.
7. For hospital agencies, maintain a minimum level of preparedness of PPE and decontamination capability as outlined in the most current *OSHA Best Practices for Hospital-Based First Receivers of Victims for Mass Casualty Incidents Involving the Release of Hazardous Substances*, as may be required by DSHS and/or as required in response to the agencies Hazard Vulnerability Assessments (HVA) that reflect the need for such capability.
8. Provide CATRAC with agencies' Hazard Vulnerability Assessments (HVA) upon request and participate in the Regional Healthcare HVA.

9. Participate and report in a timely manner any surveys, assessments, or other data collection tools as requested by CATRAC and/or DSHS.
10. Incorporate NIMS (National Incident Management System) into the agencies' incident command and response structure. At CATRAC's request, show documentation of staff members' participation in NIMS compliant courses.
11. Identify a Point of Contact for notification in the event of an emergency/disaster situation.
12. Participate in discussion-based and/or operations-based exercises (e.g., tabletop exercises, drills, functional exercises, full scale exercises) per contract year as specified in that respective year's CATRAC contract with DSHS. Exercise participation requirements may be waived following submission of appropriate documentation, including after action reports and corrective action plans, which reflect participation in actual emergencies or disasters. Submit after action reports to CATRAC after completion and as requested.
13. Participate in the integration of local and regional emergency preparedness and response activities during planned events and emergencies.
14. Receive patients that are appropriate for classification and capabilities.
15. Provide CATRAC a copy of organization's emergency management and response plans, upon request.
16. Comply with all applicable federal and state laws, rules, regulations, standards, and guidelines governing the ASPR HPP Participating Agency's / Subcontractor's operations.
17. Participating Agency/Subcontractor to the CATRAC Participating Agency/ Subcontractor Agreement, shall comply with the requirements of DSHS' rules of general applicability and other applicable state and federal laws and regulations. Regulations and rules currently exist and may be lawfully amended. The DSHS rules are located in the Texas Administrative Code, Title 25 ("Rules"). To the extent this Participating Agency/Subcontractor Agreement imposes a higher standard, or additional requirements beyond those required by applicable statutes, regulations or the Rules, the terms of this Agreement shall control. Access to appropriate sections of the HPP contract, references, statutes, regulations, rules, and program guidance documents is located on the DSHS website.

Additionally, if an agency is a hospital, the hospital must:

1. Report bed availability in a timely manner using EMResource, WebEOC, and/or other appropriate documentation means as specified by CATRAC, DSHS, or ASPR.
2. Continue to maintain medical surge capacity and isolation capacity above 20% staffed bed capacity.

3. Receive patients that are appropriate for classification and capabilities.

MISCELLANEOUS

1. The Parties hereto warrants and represents the Party is not currently excluded, debarred, suspended or otherwise ineligible to participate in any federal or state health care programs or procurement or non-procurement programs nor is it in imminent danger of such exclusion, debarment, suspension, or other ineligibility. The Parties agree that the foregoing representation and warranty shall remain true and correct throughout the duration of this Agreement.
2. This Agreement contains the entire agreement of the Parties and supersedes any and all prior agreements, contracts and understandings, whether written or otherwise, between the Parties relating to the subject matter herein.
3. Participating Agency / Subcontractor may not assign any of its rights or obligations under this Agreement without the prior written consent of CATRAC.
4. This Agreement shall be governed by the laws of the U.S. Department of Health and Human Services, Office of Assistant Secretary for Preparedness and Response ("ASPR"), Hospital Preparedness Program ("HPP") guidance and the State of Texas.
5. The ASPR funds awarded to CATRAC must be matched by costs or third-party contributions that are not paid by the Federal Government under another award, except where authorized by Federal regulation to be used for cost sharing or matching. The non-federal contributions (i.e. "match") may be provided directly or through donations from public or private entities and may be in cash or in-kind donations, fairly evaluated, including plant, equipment, or services. The costs that the contractor and/or "Participating Agency/Subcontractor" incurs in fulfilling its matching or cost-sharing requirement are subject to the same requirements, including the cost principles, that are applicable to the use of Federal funds, including prior approval requirements and other rules for allowable cost described in 45 CFR 74.23 and 45 CFR 92.24.

CATRAC may be required to provide matching funds for ASPR funds not less than 10% of such costs (For example, \$1 for each \$10 of federal funds provided to the HPP Contractor "CATRAC" by DSHS). While it is not an anticipated event, CATRAC shall make reasonable efforts to match these funds. Otherwise, CATRAC may pass down these requirements to any Participating Agency/Subcontractor per written request. Documentation of the match, including methods and sources, may be required in the ASPR allocation budget and/or reimbursement requests. Each subcontractor must follow procedures for generally accepted accounting practices and meet audit requirements. Specific requirements for subcontractor's non-federal contributions to fulfilling its match requirement shall be specifically identified in the ASPR 16 thru 20 funding allocation letter by CATRAC to the Participating Agency/Subcontractor.

- 6. Participating Agency/Subcontractor will indemnify CATRAC, its directors, employees, agents and representatives (the "CATRAC Indemnitees") and hold the CATRAC Indemnitees harmless against any damage, claims, suits, actions, liabilities, losses, penalties, costs and expenses, including, without limitation, reasonable attorneys' fees arising out of:
 - i. A breach of any of the representatives, warranties or obligations of this Agreement by the Participating Agency/Subcontractor; or
 - ii. The negligent acts or omissions of Participating Agency/Subcontractor or any of its employees, agents, or representatives in their performance of the Participating Agency/Subcontractor's obligations under this Agreement or the Hospital Preparedness Program.

To the extent permitted by law, CATRAC will indemnify Participating Agency/Subcontractor, its directors, officers, employees, agents and representatives (the "Participating Agency/Subcontractor Indemnitees") and hold the Participating Agency/Subcontractor Indemnitees harmless against any damages, claims, suits, actions, liabilities, loss, penalties, costs and expenses including, without limitation reasonable attorney's fees, arising out of CATRAC's negligent acts or omissions related to the Hospital Preparedness Program or otherwise arise under this Agreement. Notwithstanding the foregoing, the indemnifications contained in this Section shall not apply if the indemnified party is found by a trier of fact to be negligent or otherwise at fault.

- 7. All reasonable efforts shall be made in good faith by the Parties to amicably resolve any dispute, controversy or disagreement arising out of or relating to this Agreement. If any such controversy, dispute or disagreement is not resolved within ten (10) days after the start of negotiations, then within five (5) days immediately after the expiration of the aforesaid ten (10) day period, the Parties shall attempt to agree upon an independent mediator. If the Parties are unable to reach an agreement on an independent mediator within such five (5) day period, then either Party shall be entitled to request that the American Health Lawyers Association ("AHLA") appoint an independent mediator who shall serve as mediator for all purposes hereof. The mediation shall be conducted in accordance with the rules set forth by the AHLA. Each Party shall pay one-half (1/2) of the cost of the mediator's services, in advance upon request by the mediator or either Party. Within ten (10) days after selection of the mediator, the mediator shall call for and set a meeting among the Parties and the mediator for the purpose of mediating the dispute. If the Parties are unable to resolve the dispute within thirty (30) days after the start of mediation, then the Parties shall be permitted to pursue any other legal remedy provided for under law. The foregoing provisions of this Section E(8) shall not be interpreted to restrict either Party's right to terminate this Agreement in accordance with Section A(2).

TERMS AND TERMINATION

The Participating Agency/Subcontractor Agreement may be amended:

- Upon agreement between both signatory parties,
- When the HPP contractual obligations change due to DSHS and/or ASPR directive(s),
- And/or changes in the HPP capabilities.

The term for this Participating Agency/Subcontractor Agreement will commence with the DSHS annual HPP contract budget beginning on July 1, 2017. The annual budget periods are July 1-June 30 of each calendar year.

Both parties reserve the right and privilege to terminate and cancel this Agreement if either party deems this to be in its best interest. The notice of termination shall be in writing and shall provide the other party with a minimum of thirty (30) days written notice prior to intended date of termination.

A change in Signatory Authority of the Participating Agency may be made by mutual agreement between CATRAC and the Participating Agency upon 60 days written notice.

Termination of this agreement can occur if the Participating Agency fails to meet annual minimum participation requirements. To meet participation requirements, a representative from the participating agency must attend 75% of the scheduled Healthcare Coalition (HCC) meetings within their respective Trauma Service Area.

Upon termination of this agreement by the participating agency, all equipment and supplies associated with HPP funds shall be returned in a timely manner, if such return is in the best interest of the emergency response capability of the TSA region. Return of HPP funded equipment and supplies will be under guidance of DSHS in collaboration with CATRAC.

Participating Agencies that cease operations, including business closure and/or bankruptcy proceedings, shall notify CATRAC, and arrange for the transfer or return of all funds, equipment, and supplies associated with the HPP. Such transfer of equipment and/or supplies shall be accompanied by closure inventory and transfer documentation. Contact information for closeout coordination will be supplied to CATRAC.

I understand that signatories to the Agreement are subject to Federal A-133 audits and other performance measures related specifically to expenditures of the ASPR funds.

By my signature, I attest to understanding the goals of the ASPR Hospital Preparedness Program (HPP), and as one of the participating agencies, will support and comply with the HPP capabilities as displayed in this Agreement and attachments.

IN WITNESS WHEREOF, Participating Agency / Subcontractor and CATRAC have duly executed this Agreement effective as of the Effective Date.

Please mark one option below:

___ I wish to continue to participate in regional efforts AND accept/retain federal program funds, equipment, and/or supplies if available.

___ I wish to continue to participate in regional effort BUT NOT receive/retain federal program funds, equipment, and/or supplies if available. NOTE: Participating Agency/Subcontractor selecting this option must provide a detailed inventory of all equipment and supplies to date for redistribution.

PARTICIPATING AGENCY / SUBCONTRACTOR

Facility/Agency Name: City of Woodcreek

Title: Administrator/CEO (required)

Printed Name: _____

Signature: _____

E-mail: _____

Phone: _____

Date: _____

Title: Designated Emergency Preparedness contact (required)

Printed Name: _____

Signature: _____

E-mail: _____

Phone: _____

Date: _____

CATRAC

By: _____

(Signature)

Printed Name: Douglas Havron, RN, BSN, MS
CATRAC Executive Director/CEO

CITY OF WOODCREEK

FUND BALANCE POLICY

OBJECTIVE

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

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

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

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

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

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

GENERAL FINANCIAL GOALS:

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

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

COMPREHENSIVE FUND BALANCE POLICIES

1) Policy on Commitment of Funds

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

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

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

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

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

2) Policy on Expenditure of Committed Funds

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

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

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

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

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

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

4) Policy on Acceptable Minimal Level of Net Fund Balance

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

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

5) Fund Balance Classifications

A) General Fund Balance:

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

B) Capital Improvement Projects Funds:

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

C) Debt Service Funds:

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

D) Special and Restricted Revenue Funds:

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

E) Net Fund Balance:

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

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Approval of Financial Statements for February 2023

AGENDA ITEM SUMMARY:

Financials for February 2023

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

**GENERAL FUND
SUMMARY OF REVENUES AND EXPENDITURES**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	2/28/2022	
				YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE	\$ 1,373,668	\$ 1,415,051	\$ 1,126,565	1,126,565	
Revenues					
Ad Valorem Taxes	337,235	357,479	364,500	302,480	82.98%
Sales Taxes	95,923	89,871	81,200	40,828	50.28%
Franchise Fees	186,706	193,311	175,660	135,758	77.28%
Reimbursements	11,285	2,061	10,500	-	0.00%
Development Revenue	77,068	26,731	25,700	35,774	139.20%
Permits	1,630	2,013	1,600	145	9.06%
Other	31,016	22,608	14,000	31,953	228.24%
Total Revenues	740,863	694,074	673,160	546,938	81.25%
Other Funding Sources					
Fund Balance	-	288,485	236,950	-	0.00%
Total Other Funding Sources	-	288,485	236,950	-	0.00%
TOTAL RESOURCES	\$ 740,863	\$ 982,559	\$ 910,110	\$ 546,938	60.10%
Expenditures					
Personnel Services	233,781	245,621	208,600	68,824	32.99%
Office Expenses	40,399	36,865	39,300	24,761	63.01%
Professional Services	192,947	206,323	173,157	92,206	53.25%
Area Care & Maintenance	42,344	42,587	98,453	11,003	11.18%
Other Operating Expenses	26,356	30,864	28,800	17,774	61.72%
Utility Expenses	10,895	11,644	11,050	4,441	40.19%
Municipal Court	5,111	-	6,750	-	0.00%
Other	147,649	408,656	50,000	78,227	156.45%
Total Expenditures	699,481	982,560	616,110	297,236	48.24%
Other Financing Uses					
Transfer to Capital	-	-	294,000	-	0.00%
Total Other Financing Uses	-	-	294,000	-	0.00%
TOTAL EXPENDITURES	\$ 699,481	\$ 982,560	\$ 910,110	\$ 297,236	32.66%
ENDING FUND BALANCE	\$ 1,415,051	\$ 1,126,565	\$ 889,615	\$ 1,376,267	

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

				2/28/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
Ad Valorem Taxes					
Current	334,890	354,040	360,000	301,244	83.68%
Delinquent	2,345	3,439	4,500	1,236	27.48%
Penalty and Interest	-	-	-	-	
Total Ad Valorem Taxes	337,235	357,479	364,500	302,480	0.00%
Sales Taxes					
Sales Tax	94,412	88,478	80,000	40,389	50.49%
Mixed Beverage Tax	1,511	1,393	1,200	439	36.60%
Total Sales Taxes	95,923	89,871	81,200	40,828	50.28%
Franchise Fees					
Electric Franchise Fees	31,404	31,877	31,000	18,837	60.76%
Cable Franchise Fees	33,260	34,779	30,000	17,073	56.91%
Water Franchise Fees	99,351	100,581	90,000	85,356	94.84%
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	135,758	77.28%
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	2,918	41.69%
Inspections -Residential	22,214	8,299	7,000	5,844	83.48%
Commercial	3,250	3,234	500	-	0.00%
Other	725	-	200	50	25.00%
Subdivisions/Plats/Replats	13,750	-	5,000	25,962	519.24%
Total Development Revenue	77,068	26,731	25,700	35,774	139.20%
Permits					
Liquor License	1,310	1,388	1,250	-	0.00%
Sign Permits	320	625	350	95	27.14%
Other Permits	-	-	-	50	0.00%
Total Permit Fees	1,630	2,013	1,600	145	9.06%

**GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE**

				2/28/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
Other					
Interest Income	1,259	9,339	2,500	26,698	1067.93%
Miscellaneous	9,581	12,369	10,000	5,255	52.55%
Municipal Court Revenue	2,293	901	1,500	-	52.55%
TDEM DR - 4485	12,883	-	-	-	0.00%
Donations	5,000	-	-	-	0.00%
Total Other	31,016	22,608	14,000	31,953	228.24%
TOTAL REVENUES	\$ 740,863	\$ 694,074	\$ 673,160	\$ 546,938	81.25%

**GENERAL FUND
EXPENSES**

				2/28/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
PERSONNEL SERVICES					
5000.01 Salaries	184,271	196,403	170,000	51,979	30.58%
5000.04 Overtime	-	-	-	3,575	0.00%
5000.02 Group Insurance	8,615	6,958	6,000	1,590	26.50%
5000.40 Retirement Plan	19,409	21,562	18,100	5,998	33.14%
5000.23 Worker Compensation	-	539	-	-	0.00%
5000.22 Unemployment Insurance	601	918	1,100	27	2.45%
5000.21 Social Security	14,885	14,591	13,400	4,463	33.30%
5000.03 Car Allowance	6,000	4,650	-	1,192	0.00%
Total Personnel Services	233,781	245,621	208,600	68,824	32.99%
OFFICE EXPENSES					
5500.10 City Hall Maintenance/Repair	4,040	2,545	2,000	2,275	113.77%
5500.20 Cleaning	1,500	1,575	1,800	776	43.09%
5500.30 IT Expenses	10,668	10,421	10,000	2,273	22.73%
5500.50 Office Supplies	3,561	6,154	4,500	1,843	40.95%
5500.60 Postage	2,025	2,312	3,000	1,076	35.85%
5500.61 Printing	4,183	4,091	4,500	532	11.83%
5500.62 Advertising	1,560	396	1,500	89	5.95%
5500.80 Software/Subscriptions	12,861	9,370	12,000	15,898	132.48%
Total Supplies	40,399	36,865	39,300	24,761	63.01%
PROFESSIONAL SERVICES					
6000.01 Audit Expense	9,896	11,990	12,000	-	0.00%
6000.10 Codification	3,239	2,831	2,750	-	0.00%
6000.11 Contract Labor	6,105	-	-	2,545	0.00%
6000.15 Engineering	12,611	11,967	20,000	19,337	96.68%
6000.16 Engineering Mapping	-	-	3,000	-	0.00%
6000.17 Engineering Reimbursable	5,946	9,905	8,000	3,138	39.22%
8900.30 Engineering - Street Projects	-	21,588	-	31,252	0.00%
6000.21 Legal - General	23,985	26,370	20,000	9,762	48.81%
6000.22 Legal - Reimbursable	2,980	3,380	2,500	2,500	100.00%
6000.23 Legal - Litigation	46,368	7,520	5,000	-	0.00%
6000.25 Legal - Special Cases	7,778	38,288	30,000	3,295	10.98%
6000.26 Legal - Elected Body	-	10,270	5,000	1,250	25.00%
6000.30 IT Services	13,804	13,262	15,500	1,201	7.75%
6000.40 Accounting	13,383	16,160	25,000	10,203	40.81%
6000.50 Law Enforcement	15,913	16,809	12,500	4,978	39.82%
7000.01 AD Valorem Tax	3,824	4,100	4,407	932	21.15%
7000.02 Building Inspections	27,114	11,110	7,000	1,815	25.93%
7000.03 Code Compliance	-	774	500	-	0.00%
Total Contractual Services	192,947	206,323	173,157	92,206	53.25%

**GENERAL FUND
EXPENSES**

				2/28/2022	
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
AREA CARE & MAINTENANCE					
6500.01 Deer Removal	825	1,650	1,750	975	55.71%
6500.15 Mowing	575	2,625	2,750	475	17.27%
6500.20 Oak Wilt Containment	-	3,085	15,000	-	0.00%
6500.21 Greenspace Maintenance	3,342	-	6,000	2,391	39.84%
6500.22 Landscape Maintenance	6,000	9,170	9,000	1,425	15.83%
6500.23 Contract Services	703	-	-	-	0.00%
6500.24 Parks & Playground Maintenance	-	-	13,453	-	0.00%
6500.25 ROW Tree Trimming	15,150	945	11,000	-	0.00%
6500.26 Holiday Decorations	1,693	262	500	650	130.00%
6500.30 Street Maintenance	10,791	16,361	30,000	3,838	12.79%
6500.31 Street Signs	1,726	5,496	6,000	119	1.98%
6500.50 Equipment Maintenance	196	2,373	2,000	362	18.08%
6500.60 Water Quality Testing - CCWPP	1,344	620	1,000	769	76.90%
Total Area Care/Maintenance	42,344	42,587	98,453	11,003	11.18%
OTHER OPERATING EXPENSES					
7000.04 Dues/Memberships	2,436	2,411	1,750	515	29.45%
7000.05 Election Expense	2,124	1,065	2,750	-	0.00%
7000.06 TML Dues	591	591	600	632	105.33%
7000.15 Meeting Expense	4,458	6,768	3,000	907	30.24%
7000.20 Public Notices	1,690	1,195	1,200	6,353	529.43%
7000.30 Travel/Vehicle Expense	1,253	4,743	2,000	102	5.12%
7000.31 Elected Official Travel	-	667	500	-	0.00%
7000.41 Training/Development - Elected Body	3,915	1,795	2,500	838	33.54%
7000.42 Training/Development - Staff	3,272	2,729	4,000	1,259	31.47%
7000.43 Training/Development - Boards	-	-	-	133	0.00%
7000.50 Community Relations	3,204	4,846	7,000	1,941	27.73%
7600.01 Insurance Risk Pool	3,413	4,053	3,500	5,093	145.52%
Total Other Operating Expenses	26,356	30,864	28,800	17,774	61.72%
UTILITY EXPENSES					
7500.11 Electric - City Hall	1,809	1,972	2,100	677	32.23%
7500.12 Water - City Hall	1,431	1,427	1,500	593	39.53%
7500.21 Electric - Outdoor	1,281	1,318	1,350	589	43.60%
7500.22 Water - Outdoor	1,620	1,615	1,600	652	40.72%
7500.30 Internet/Phone	4,753	5,312	4,500	1,931	42.91%
Total Utility Expenses	10,895	11,644	11,050	4,441	40.19%

**GENERAL FUND
EXPENSES**

	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	2/28/2022	
				YTD 2022-2023	% of BUDGET
MUNICIPAL COURT					
8020.20 Judge	3,600	-	4,800	-	0.00%
8020.00 Misc. Court Cost	150	-	150	-	0.00%
8020.30 Prosecutor	880	-	1,500	-	0.00%
8020.40 State Comptroller Costs	481	-	300	-	0.00%
Total Utility Expenses	5,111	-	6,750	-	0.00%
OTHER					
8900.20 Contingency Reserve	-	-	50,000	-	0.00%
8900.25 2023 Ice Storm	-	-	-	46,975	
8900.30 Comprehensive Plan	50,200	20,740	-	31,252	0.00%
9015.00 Bond Issuance	-	-	-	-	0.00%
9800.12 Woodcreek Dr Street Project	97,449	387,916	-	-	
Other Expenses	147,649	408,656	50,000	78,227	156.45%
TOTAL EXPENSES	\$ 699,481	\$ 982,560	\$ 616,110	\$ 297,236	48.24%

**RESERVE FUND
SUMMARY OF REVENUES AND EXPENSES**

	2/28/2022				
	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**

	2/28/2022				
	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	180,408	80.26%
Total Revenue	215,651	216,085	224,793	180,408	80.26%
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	\$ 180,408	80.11%
Expenditures					
Principal	195,000	207,000	219,000	219,000	0.00%
Interest	12,153	9,195	5,793	3,811	0.00%
Fees	400	400	400	-	0.00%
Total Expenditures	207,553	216,595	225,193	222,811	0.00%
Other Financing Uses					
Bond Refunding	-	-	-	-	0.00%
Total Other Financing Uses	-	-	-	-	0.00%
TOTAL EXPENDITURES	\$ 207,553	\$ 216,595	\$ 225,193	\$ 222,811	0.00%
ENDING FUND BALANCE	\$ 33,146	\$ 32,636	\$ 32,236	\$ (9,767)	0.00%

ARP FUNDS
SUMMARY OF REVENUES AND EXPENSES

	2/28/2022				
	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

	2/28/2022				
	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**

	2/28/2022				
	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**

	2/28/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of BUDGET
BEGINNING FUND BALANCE			\$19	\$19	
Revenues					
MC Security Fees	-	-	-	-	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	-	-	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ -	\$ -	0%
Expenditures					
Security Expense	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
Other Financing Uses					
Transfer to Capital	-	-	-	-	0%
Total Other Financing Uses	-	-	-	-	0%
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	0%
ENDING FUND BALANCE	\$ -	\$ 19	\$ 19	\$ 19	0%

**COURT TECHNOLOGY
SUMMARY OF REVENUES AND EXPENSES**

2/28/2022

	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	-	-	-	-	#REF!
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

	2/28/2022				
	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	3,415	0%
Interest	-	-	-	-	0%
Total Revenue	-	-	6,650	3,415	0%
Other Funding Sources					
Fund Balance	-	-	-	-	0%
Total Other Funding Sources	-	-	-	-	0%
TOTAL RESOURCES	\$ -	\$ -	\$ 6,650	\$ 3,415	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	\$ 17,386	0%

**CAPITAL FUND
SUMMARY OF REVENUES AND EXPENSES**

	2/28/2022				
	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	200,000	100.00%
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	\$ 200,000	21.75%
TOTAL RESOURCES	\$ -	\$ -	\$ 919,624	\$ 200,000	21.75%
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	\$ -	\$ -	\$ -	\$ 200,000	0.00%

**CAPITAL FUND
EXPENSES**

	2/28/2022				
	ACTUAL 2020-2021	ACTUAL 2021-2022	BUDGET 2022-2023	YTD 2022-2023	% of 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 - February 2023

Item 12.

Percent Complete: 41.67%

	2022-2023			2021-2022			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Feb-23	Feb-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	301,244	360,000	84%	300,327	349,000	86%	102,462	84,511	17,951
3000.02 Delinquent Ad Valorem Tax	1,236	4,500	27%	1,375	-	n/a	664	588	76
3000 Ad Valorem Tax Revenue	302,480	364,500	83%	301,701	349,000	86%	103,126	85,099	18,027
3005 State Sales Tax Revenue	40,389	80,000	50%	37,776	80,000	47%	11,475	10,023	1,452
3010 Mixed Beverage Tax & Fees Rev	439	1,200	37%	510	1,500	34%	65	103	(38)
3020 Electric Franchise Fee Revenue	18,837	31,000	61%	13,244	34,000	39%	-	-	-
3030 Cable Services Franchise Rev	8,517	30,000	28%	17,544	30,000	58%	-	8,770	(8,770)
3030.1 PEG - Cable Revenue	11,971	6,650	180%	3,503	6,000	58%	10,268	1,754	8,514
3030 Cable Services Franchise Rev	20,488	-	-	21,047	-	#DIV/0!	10,268	10,524	(257)
3040 Water Service Franchise Revenue	85,356	90,000	95%	81,036	100,000	81%	-	9,815	(9,815)
3050 Disposal Service Franchise Rev	14,421	24,000	60%	11,853	25,000	47%	-	6,056	(6,056)
3060 Telephone Franchise Revenue	71	160	44%	81	200	40%	35	40	(5)
3070 Golf Course Franchise Revenue	-	500	0%	500	500	100%	-	500	(500)
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%	1,000	5,000	20%	-	-	-
3090.012 Other Permits	2,918	7,000	42%	4,517	11,000	41%	-	375	(375)
3090.013 Inspections	5,844	7,000	83%	5,126	17,000	30%	390	61	330
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	50	-	n/a	-	-	n/a	50	-	50
Total 3090 Development Revenue	35,774	25,700	139%	13,877	43,080	32%	440	436	5
3093 Liquor License Revenue	-	1,250	0%	-	1,310	0%	-	-	-
3095 Sign Fees	95	350	27%	215	700	31%	-	-	-
4000 Interest Income	26,698	2,500	1068%	305	1,000	31%	6,369	78	6,290
4010 Other Revenue	5,255	10,000	53%	7,200	700	1029%	5,202	5,210	(8)
4010.1 Coupons	-	-	n/a	-	-	n/a	-	-	-
4010 Other Revenue	5,255	10,000	53%	7,200	700	1029%	5,202	5,210	(8)
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	212,600	-	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	-	-	-
Billable Expenditure Revenue	-	-	n/a	-	-	n/a	-	-	-
Markup	-	-	n/a	-	-	n/a	-	-	-
Services	-	-	n/a	-	-	n/a	-	-	-
Shipping Revenue	-	-	n/a	-	-	n/a	-	-	-
Uncategorized Revenue	-	-	n/a	-	-	n/a	-	-	-
Total Revenue	552,803	691,510	80%	705,286	686,670	103%	136,979	127,885	9,094
Expenditures									
5000 Personnel Services	-	-	n/a	-	-	n/a	-	-	-
5000.01 Salaries and Wages	55,554	170,000	33%	87,285	208,500	42%	13,741	16,208	(2,467)
5000.02 Health Insurance Stipend	-	6,000	0%	3,679	8,600	43%	-	763	(763)
5000.03 City Manager Vehicle Reimburse	2,782	-	n/a	2,500	6,000	42%	1,077	500	577
5000.05 Elected Official Pay	-	-	n/a	-	-	n/a	-	-	-
5000.20 Payroll Tax Expense	-	-	n/a	-	-	n/a	-	-	-
5000.21 FICA/OASDI	4,463	13,400	33%	6,878	16,410	42%	1,105	1,278	(174)
5000.22 Unemployment Insurance	27	1,100	2%	781	500	156%	6	194	(188)
5000.20 Payroll Tax Expense	4,490	14,500	31%	7,659	16,910	45%	1,110	1,472	(362)
5000.40 Retirement	5,998	18,100	33%	9,400	22,190	42%	1,443	1,621	(178)
Total 5000 Personnel Services	68,824	208,600	33%	110,523	262,200	42%	17,372	20,564	(3,192)
5500 Office Expenses	-	-	n/a	-	-	n/a	-	-	-
5500.05 Bank Fees & Charges	-	-	n/a	-	-	n/a	-	-	-
5500.10 City Hall Maintenance / Repairs	2,275	2,000	114%	201	4,000	5%	(70)	-	(70)
5500.20 Cleaning Costs	776	1,800	43%	625	1,500	42%	300	125	175
5500.30 IT & Radio Expenses	2,273	10,000	23%	10,346	15,000	69%	1,794	-	1,794
5500.40 Newsletter	-	-	n/a	-	-	n/a	-	-	-
5500.50 Office Supplies	1,826	4,500	41%	2,028	4,000	51%	245	604	(359)
5500.60 Postage & Shipping	1,076	3,000	36%	959	2,100	46%	161	193	-

	2022-2023			2021-2022			Y/Y Monthly Comp		Item 12.
	YTD	Budget	%	YTD	Budget	%	Feb-23	Feb-22	
5500.61 Printing & Reproduction	532	4,500	12%	1,612	4,000	40%	532	305	227
5500.62 Printing Cost Newspaper	89	1,500	6%	54	2,000	3%	-	54	(54)
5500.70 Storage Rental	-	-	n/a	-	-	n/a	-	-	-
5500.80 Software & Subscriptions	15,898	12,000	132%	2,967	15,000	20%	178	1,441	(1,263)
Total 5500 Office Expenses	24,745	39,300	63%	18,793	47,600	39%	3,140	2,723	416
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	2,545	-	n/a	-	6,500	0%	1,180	-	1,180
6000.15 Engineering	19,337	20,000	97%	5,815	10,000	58%	-	1,661	(1,661)
6000.16 Mapping	-	3,000	0%	-	-	n/a	-	-	-
6000.17 Engineering Reimbursable	3,138	8,000	-	2,510	4,000	-	-	888	(888)
6000.15 Engineering	22,474	31,000	72%	8,324	14,000	59%	-	2,549	(2,549)
6000.20 Legal Expenses	3,540	-	n/a	-	-	n/a	-	-	-
6000.21 General	6,222	20,000	31%	18,980	65,000	29%	3,842	7,000	(3,158)
6000.22 Legal Reimbursable	2,500	2,500	100%	1,800	3,000	60%	-	-	-
6000.23 Litigation	-	5,000	0%	7,320	15,000	49%	-	620	(620)
6000.25 Special Cases	3,295	30,000	11%	4,950	22,000	23%	-	1,320	(1,320)
6000.26 Elected Body Legal	1,250	5,000	25%	-	-	n/a	1,250	-	1,250
6000.20 Legal Expenses	16,807	62,500	27%	33,050	105,000	31%	5,092	8,940	(3,848)
6000.30 IT Services	1,201	15,500	8%	6,198	14,500	43%	-	3,791	(3,791)
6000.40 Accounting	10,203	25,000	41%	6,091	15,000	41%	2,223	1,160	1,063
6000.50 Law Enforcement	4,978	12,500	40%	-	8,160	0%	1,920	-	1,920
Total 6000 Professional Services	58,207	161,250	36%	53,662	179,160	30%	10,415	16,440	(6,025)
6500 Area Care/Maintenance	-	-	n/a	-	-	n/a	-	-	-
6500.01 Deer Removal	975	1,750	56%	1,050	1,000	105%	-	225	(225)
6500.15 Mowing	475	2,750	17%	750	2,000	38%	-	375	(375)
6500.20 Oak Wilt Containment	-	15,000	0%	-	15,000	0%	-	-	-
6500.21 Greenspace Maintenance	2,391	6,000	40%	600	-	n/a	-	-	-
6500.22 Landscape Maintenance	1,425	9,000	16%	4,385	10,000	44%	-	1,750	(1,750)
6500.23 Contract Services	-	-	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%	388	2,000	19%	-	-	-
6500.30 Street Maintenance	3,838	30,000	13%	4,796	20,000	24%	-	110	(110)
6500.31 Street Signs	119	6,000	2%	2,185	4,000	55%	-	121	(121)
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%	303	4,000	8%	-	-	-
6500.60 Water Quality Testing CCWPP	769	1,000	77%	620	2,000	31%	-	310	(310)
Total 6500 Area Care/Maintenance	11,003	98,453	11%	15,077	100,500	15%	-	2,891	(2,891)
7000 Other Operating Expenses	-	-	n/a	-	-	n/a	-	-	-
7000.01 Ad Valorem Tax Expense	932	4,407	21%	1,103	4,060	27%	-	-	-
7000.02 Building Inspections	1,815	7,000	26%	5,700	12,550	45%	-	990	(990)
7000.03 Code Compliance	-	500	0%	774	1,500	52%	-	-	-
7000.04 Dues & Membership	415	2,500	17%	966	3,000	32%	-	-	-
7000.05 Election Expense	-	2,000	0%	1,065	1,200	89%	-	1,065	(1,065)
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%	5,244	5,000	105%	-	4,848	(4,848)
7000.20 Public Notices	4,589	1,200	382%	526	3,000	18%	54	179	(126)
7000.30 Travel & Vehicle Exp Reimb.	102	2,000	5%	4,342	5,000	87%	-	124	(124)
7000.31 Elected Official Travel	-	500	0%	-	2,000	0%	-	-	-
7000.40 Training & Prof Development	-	-	n/a	-	-	n/a	-	-	-
7000.41 Elected Body	838	2,500	34%	975	2,500	39%	-	450	(450)
7000.42 Staff	1,259	4,000	31%	3,091	5,000	62%	1,244	125	1,119
7000.43 Boards/Committees	133	-	n/a	-	-	n/a	83	-	83
7000.50 Community Relations	1,932	7,000	28%	1,490	6,000	25%	-	-	-
Total 7000 Other Operating Expenses	13,556	37,207	36%	25,868	51,410	50%	1,381	7,782	(6,401)
7500 Utilities	-	-	n/a	-	-	n/a	-	-	-
7500.10 City Hall Utilities	-	-	n/a	-	3,500	0%	-	-	-
7500.11 Electric	677	2,100	32%	740	-	n/a	114	167	(52)
7500.12 Water	593	1,500	40%	600	-	n/a	120	118	2
7500.10 City Hall Utilities	1,270	3,600	35%	1,340	3,500	38%	234	285	(50)
7500.20 Outdoor Utilities	-	-	n/a	-	4,250	0%	-	-	-
7500.21 Electric	589	1,350	44%	550	-	n/a	121	112	9
7500.22 Water	652	1,600	41%	679	-	n/a	131	134	(4)
7500.20 Outdoor Utilities	1,240	2,950	42%	1,229	4,250	29%	252	246	5
7500.30 Telephone & Internet	1,931	4,500	43%	2,456	6,200	40%	379	844	(465)
Total 7500 Utilities	4,441	11,050	40%	5,026	13,950	36%	865	1,375	(510)
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	-	-	-

	2022-2023			2021-2022			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Feb-23	Feb-22	Item 12.
8020.20 MC Judge	-	4,800	0%	600	3,600	17%	-	-	-
8020.25 Misc. Court Costs	-	150	0%	-	2,500	0%	-	-	-
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%	-	5,000	(5,000)
8900.10 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-
8900.20 Contingency Reserve	-	50,000	0%	-	50,000	0%	-	-	-
8900.25 Ice Storm 2023	46,975	-	n/a	-	-	n/a	46,975	-	46,975
8900.30 Projects	31,252	-	n/a	7,883	-	n/a	-	-	-
8900.40 Engineering Services – Street Projects	-	-	n/a	14,589	15,000	97%	-	-	-
Total 8900 Miscellaneous	78,227	125,200	62%	27,471	185,650	15%	46,975	5,000	41,975
9077 General Fund Accrual	-	-	n/a	-	(169,150)	0%	-	-	-
Unapplied Cash Bill Payment Expenditure	-	-	n/a	-	-	n/a	-	-	-
Uncategorized Expenditure	-	-	-	-	-	-	-	-	-
Total Expenditures	264,196	691,510	38%	264,176	686,670	38%	80,147	56,775	23,372
Net Operating Revenue	288,607	-	n/a	441,111	-	n/a	56,832	71,110	(14,278)
Other Revenue	-	-	n/a	-	-	n/a	-	-	-
4019 Proceeds from Capital Leases	-	-	n/a	-	-	n/a	-	-	-
9810.01 Sinking Fund Revenue	180,408	224,793	80%	182,363	-	n/a	61,508	51,436	10,072
8500 Capital Improvement Income	200,000	227,000	88%	0	-	n/a	-	0	(0)
Total Other Revenue	380,408	451,793	84%	182,363	-	n/a	61,508	51,436	10,072
Other Expenditures	-	-	n/a	-	-	n/a	-	-	-
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	-	19,396	(19,396)
9810.02 Sinking Fund Interest & Fees	3,811	5,793	66%	5,384	-	n/a	-	-	-
9810.03 Sinking Fund Principal	219,000	219,000	100%	207,000	-	n/a	-	-	-
9800.02 Other Miscellaneous Expenditure	-	-	n/a	(410,634)	-	n/a	-	(19,396)	19,396
9888 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-
Total Other Expenditures	224,575	451,793	50%	189,666	-	n/a	-	-	-
Net Other Revenue	155,833	-	n/a	(7,303)	-	n/a	61,508	51,436	10,072
Net Revenue	444,440	-	n/a	433,808	-	n/a	118,340	122,546	(4,206)

The City of Woodcreek

Item 12.

Statement of Financial Position

As of February 28, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1003.1 Municipal Court Petty Cash	100.00
1007 Operating (TRB 3061)	883,160.21
1011 Payroll (TRB 3819)	10,000.00
1020 Investment Account - Class 0001	489,588.38
1021 App Fund - Class 0002	426,289.99
1022 Tree Fund - Class 0003	4,758.01
1023 Parks Fund - Class 0004	3,682.91
1024 MC Security Fund - Class 0005	19.46
1025 MC Tech Fund - Class 0006	25.89
1026 PEG Funds - Class 0007	14,147.69
1027 GF Reserves - Class 0008	168,529.69
Total Bank Accounts	\$2,000,302.23
Other Current Assets	
1120 Delinquent Taxes Receivable (CPA)	9,191.35
1120.01 1120.01-CPA Debt Service	3,634.21
1121 Allowance for Uncollectible (CPA)	-1,378.65
1121.01 1121.01-CPA Debt Service	-545.58
1124 Sales Tax Receivable (CPA)	13,189.82
Total Other Current Assets	\$24,091.15
Total Current Assets	\$2,024,393.38
Fixed Assets	
1200 Office Furniture / Equipment	35,704.46
1225 Land	37,850.00
1226 Building & Improvements	130,602.00
1226.1 Cedar Fence/Enclosure (in svc 10/21/21)	7,702.50
1227 Street Pavement 2013	144,126.00
1228 Street Improvements 2017	1,489,691.00
1229 Street Improvements 2021	409,930.76
1231 Storage Building	9,055.00
1235.1 Kawasaki Mule 2016	7,840.64
1240 Accumulated Depreciation - All	-195,372.00
Total Fixed Assets	\$2,077,130.36
Other Assets	
1250 Deferred Revenue (CPA)	-7,813.11
1250.01 1250.01-CPA Debt Service	-3,088.63
1599 1599-CPA Due From General Fund	25,047.75
Total Other Assets	\$14,146.01
TOTAL ASSETS	\$4,115,669.75

LIABILITIES AND EQUITY

Liabilities

Current Liabilities

Other Current Liabilities

1900.5 Accounts Payable (Auditor Adjustments)	19,168.60
2021 Accrued Wages Payable (Audit Adjs CPA)	9,176.37
2030 TMRS Payable	2,480.54
2599 2599-CPA Due To Debt Service Fund	25,047.75

Total Other Current Liabilities	\$55,873.26
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Total Current Liabilities	\$55,873.26
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Total Liabilities	\$55,873.26
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Equity

9997 Net Investment In Capital Assets	144,132.96
9998 Opening Balance Equity	333,537.47
9999 Retained Earnings	3,120,511.49
9999-debtvc-cpa Retained Earnings Debt Svc Audit CPA	17,174.31
Net Revenue	444,440.26

Total Equity	\$4,059,796.49
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TOTAL LIABILITIES AND EQUITY	\$4,115,669.75
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The City of Woodcreek
Check Register
February 2023

Date	Num	Name	Amount
02/01/2023	13106	Pitney Bowes Global Financial Services LLC	-152.40
02/01/2023		Government Treasurers' Organization Of Te	-350.00
02/01/2023		Hilton	-537.91
02/01/2023	6913	Atteign LLC	-162.50
02/01/2023	6993	Atteign LLC	-1,995.00
02/01/2023	RB9942696666	Atteign LLC	-228.00
02/02/2023		Hilton	-258.58
02/02/2023	RB9946748730	Kwik Chek	-4.32
02/02/2023		TMRS	-2,763.58
02/03/2023		Payroll Account	-7,577.33
02/03/2023	478892	Kwik Chek	-16.76
02/03/2023		HEB	-23.32
02/03/2023		Pizza Hut	-112.50
02/09/2023		United States Postal Service	-8.13
02/09/2023		Zoom Video Communications	-15.98
02/10/2023		HEB	-12.93
02/10/2023	13107	Sherry Rogers & Co.	-150.00
02/13/2023		US Federal Contractor Registration (USFCR	-599.00
02/14/2023		Walmart	-53.69
02/16/2023	13117	Xerox Financial Services	-341.68
02/16/2023	13115	Paula Pulley	-55.00
02/16/2023	13116	San Marcos Daily Record	-53.69
02/16/2023	13114	Maureen Mele (reimbs)	-28.95
02/16/2023	13113	Law Office of Roger Gordon	-5,091.60
02/16/2023	13112	Joshua Evans	-200.00
02/16/2023	13111	Hays County Traffic Enforcement	-160.00
02/16/2023	13110	Debra Hines	-36.94
02/16/2023	13108	Ace Hardware	-109.35
02/16/2023	13109	Adam Halstead	-600.00
02/17/2023	13123	Tex Star Trees and Landscapes	-2,000.00
02/17/2023		HEB	-23.38
02/17/2023	13122	Simple Leaf Tree Care	-2,371.25
02/17/2023	13119	Debra Hines	-45.90
02/17/2023	13120	Jeff Rasco (v)	-97.21
02/17/2023		Payroll Account	-7,342.89
02/17/2023		Spectrum Business	-212.43
02/17/2023	13121	Sean Rawlings	-575.00
02/17/2023	13124	The Bush Barber LLC	-15,400.00
02/18/2023	13118	Sherry Rogers & Co.	-150.00
02/22/2023		AquaTexas, Inc.	-43.65

02/22/2023		AquaTexas, Inc.	-44.03
02/22/2023		AquaTexas, Inc.	-120.03
02/22/2023		AquaTexas, Inc.	-42.92
02/23/2023		Double J Ranch Golf Club	-63.00
02/23/2023		Home Depot	-213.51
02/24/2023	16929106	PEC - Utilities	-114.44
02/24/2023	2216930	PEC - Utilities	-121.05
02/24/2023		Gumroad, Inc.	-75.00
02/26/2023	RB9964016818	Walmart	-24.33
02/26/2023	13133	Verizon	-166.38
02/26/2023	13126	Ace Hardware	-48.92
02/26/2023	13127	Adam Halstead	-800.00
02/26/2023	13132	The Bush Barber LLC	-26,400.00
02/26/2023	13128	CivicPlus (Municode Corporation)	-1,195.00
02/26/2023	13129	Hays County Traffic Enforcement	-160.00
02/26/2023	13130	ODP Business Solutions LLC	-78.64
02/26/2023	13131	Sean Rawlings	-605.00
02/26/2023	13125	Xerox Financial Services	-190.63
02/27/2023		HEB	-8.11
02/28/2023	773135 A	Embassy Suites Hotels	-97.42
TOTAL			#####

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Possible Action Regarding the Update of City Applications and Forms.

AGENDA ITEM SUMMARY:

Provide appropriate information to residents regarding application for City Business Operations.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Kevin Rule

AGENDA TYPE:

New Business

Property Address: _____ Date: _____

Project Name: _____

Applicants requesting review of submitted construction drawings and a building permit for construction in the City of Woodcreek must read and acknowledge the following items relating to the City's Code of Ordinances. All references to the City's Code of Ordinances can be found on the City's website at www.woodcreektx.gov

Instructions: All three parties are asked to confirm their understanding of the code requirements listed below where applicable. The Architect (when applicable) should initial in section A, the contractor/builder should initial in section B, and the property owner/client in Section C. If the item is not relevant to the proposed project, check "Not Applicable," and still initial. If your project is not compliant with the item and you intend to request a variance to that requirement, check "Requesting A Variance," (with separate form) and also initial. All three parties should print and sign their name at the bottom of the form.

1. Impervious cover: (Woodcreek Code Sections 50.37 and 156.063)

- a) Impervious cover varies with the lot size. For your project, have you correctly determined the allowable percentage of impervious cover?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- b) Have you correctly determined what various materials/conditions constitute impervious cover: concrete, asphalt, pavers, swimming pools, crushed gravel and granite, decking materials, etc.?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

2. Setbacks: (Woodcreek Code Sections 155.43 (SF Residential), 156.057, -.062, -.063, and -.064)

- a) Setbacks are determined by the lot size. Have you correctly determined the setbacks for your project?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- b) If the property fronts one or more streets, each setback along those streets must conform to the 155.43 setback requirements. Have you checked your project for this condition?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- c) Roof eaves and overhangs are not allowed in the building setbacks. Have you verified that the project's roof eaves and overhangs are not within the setbacks?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- d) Have you insured that no building, accessory building, or structure is located within the setback? This requirement includes but is not limited to retaining walls, patios, fountains, air conditioning pads, pool equipment, pergolas and arbors.
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- e) Do your project's driveways meet the driveway setback requirements?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- f) Do you understand that no site disturbance (cutting, filling, grading, etc.) is allowed in the setback?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

3. Structure height: (Woodcreek Code Sections 156.062, -.063, and -.064)

- a) Has a current, topographic ground survey with 1-foot contour lines produced by a licensed surveyor been submitted? Your height calculations must be determined from this survey.
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- b) Has the correct methodology as defined in the code, been used to calculate the height of your project?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- c) Do you understand that the height restriction includes all roof appurtenances and building materials?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

4. Trees and vegetation: (Woodcreek Codes Chapters 50, 91, 154 & 156. Staff can offer to assist.)

- a) Has a current and certified tree survey been submitted to the City?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- b) Do you understand that no site clearing, brush/undergrowth removal, or tree removal can be done until a tree permit and building permit have been issued by the City?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- c) Do you understand that NO tree with a diameter greater than or equal to 19 inches can be removed without first obtaining a variance from the City?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- d) Do you understand that all tree replacement must be completed before a certificate of occupancy will be issued?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

5. Additional considerations:

- a) If required, have you reviewed the steep slope restriction for construction? (Woodcreek Code Section 50.42 (Non-Residential))
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- b) If required, will your septic system comply with State minimum standards to obtain a permit? (Woodcreek Code Section 151.05)
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- c) Does your site plan show all of the structures, hardscape elements such as retaining walls and planters, patios, decks, sidewalks, driveways, water tanks, pool equipment and other items? Please note that such items are not allowed in the setbacks and may not be installed later without City approval. ?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- d) Do you understand that no work (including but not limited to mailbox construction or placement, planting, grading, landscaping, etc.) may be done in the City Right of Way without City approval?
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance
- e) Do you understand that a certification letter from a septic designer must be submitted if an existing septic system is being utilize
A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- f) Do you understand that your project may require a tree permit in addition to a building permit? (Woodcreek Code Chapter 91)
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- g) Do you understand that if your project is in an Aquifer Recharge and/or Contributing Zone, you may be required to submit a Water Pollution Abatement Plan? (State requirement)
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- h) Do you understand that a separate permit must be obtained for fence construction and that the requirements in Woodcreek Code Chapters 151, 154 & 156 must be followed? Do you understand that unique or irregularly-shaped yards with fences have special requirements?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- i) Do you understand that a variance and separate permit may be required for a swimming pool and that the requirements of Woodcreek Code must be followed?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- j) Do you understand that if any professional services (attorneys, engineers, surveyors, etc.) are required to be used by the city that those fees will be passed-through and will be the responsibility of the applicant?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- k) Do you understand and have correctly identified any and all nonconforming uses and structures through a meeting with City staff?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- l) Have you correctly verified if you project is located within the floodplain and obtained the necessary permits if it is?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

- m) Have you correctly verified that the proposal conforms to any variance and site plan approvals if applicable?
 A: _____ B: _____ C: _____ Not Applicable Requesting A Variance

I hereby acknowledge that I have read and understand the requirements listed above. I further understand that nothing in this document relieves me of my legal responsibility to comply with any and all relevant West Lake Hills Ordinances regarding this project including the requirements referenced in this document.

<u>NAME</u>	<u>SIGNATURE</u>	<u>DATE</u>
A: Architect: _____	_____	_____
B: Builder/Contractor: _____	_____	_____
C: Property Owner/Client: _____	_____	_____

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action on Removing the Prohibition of Above Ground Swimming Pools for the City of Woodcreek.

AGENDA ITEM SUMMARY:

Currently Woodcreek prohibits above ground swimming pools in its zoning code. The International Swimming Pool and Spa Code can be found at...<https://codes.iccsafe.org/content/ISPSC2021P2>

FINANCIAL IMPACT:

n/a

SUBMITTED BY:

Chrys Grummert

AGENDA TYPE:

New Business

§ 156.058 ABOVE-GROUND POOLS.

Above-ground pools are not permitted in any zoning district.

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

Cross reference(s)—Penalty, see § 156.999

March 28th, 2023

Dear Mayor and the City Council:

I am writing to extend my warmest congratulations to the city for the many civic improvement projects that you all are considering in the upcoming years. As a resident of Woodcreek, I am thrilled to see the positive changes that will be taking place. Thank-you, Jeff, Brent, Linnea, Chrys, Bob, Debra, Suzanne, and Kevin. My family and I are truly grateful for the hard work and dedication of all those involved.

To keep that improvement spirit going, I am writing to express my support for lifting the current restrictions on above ground pools in our community. To that effect, let me address concerns that some may have.

What about other Cities?

If you check, you will find out that **none of the cities** surrounding us like San Marcos, Dripping Springs, Wimberley, Austin, San Antonio, and so on, have any specific prohibition against above ground pools. Essentially all the neighboring Texas cities do not have restrictions against above ground pools. By contrast, our community's current restrictions limit our ability to engage in a popular summer activity that is enjoyed by many families and individuals.

As representatives of the residents here, do you believe that the **people of Woodcreek should have the same freedoms and opportunities** as nearby cities that allow above ground pools? As a resident, I believe we should have that same freedom and I hope you do, too.

What about Safety?

Concerns for safety are important and these concerns can be addressed with appropriate regulations and guidelines. Other cities have developed regulations to promote safety and ensure that pools are installed properly and securely, and our community can follow suit. For instance, Chapter 3 of International Swimming Pool and Spa Code 2015 Edition, *already incorporated into the City of Woodcreek's Code of Ordinances*, addresses safety concerns with Barrier Requirements (section 305) for both above ground pools ("onground storable residential swimming pools") and permanent in ground residential swimming pools; as well as comprehensive safety requirements for ladders, signage, and more.

The simplest thing is to simply strike out section § 156.058 prohibiting above ground pools entirely, or amend the wording of this section as follows: "Above-ground pools are permitted in any zoning district. Above-ground pools must comply with the International Swimming Pool and Spa Code 2015 Edition; or the most current edition on file in the Office of the City Secretary." Note that pool safety concerns for both above ground and in ground pools are already addressed by the International Swimming Pool and Spa Code 2015 Edition, incorporated by the City of Woodcreek in Section § 151.06.

What about Real Estate Prices?

There is no proof that an above ground pool has any impact on real estate prices of other houses. In depth discussions with our own realtor Chris as well as realtors living here in Woodcreek (one across the way and one several blocks over from our house) have reached the same conclusions. In summary, the impact of pools (in ground or above ground) on nearby real estate values is minimal to non-existent. Families looking for houses are more concerned with how good the schools are in the area, locations of nearby parks and medical services, traffic congestion, types of stores available, etc., than they are with whether the neighbor has a pool or not.

On the other hand, these restrictions may discourage potential homebuyers from choosing to live in our community, as they may prefer to reside in an area that allows for above ground pools. This could have negative consequences for our community's property values and overall attractiveness. In terms of aesthetic impact, many modern above ground pools are designed to be stylish and visually appealing, and can enhance the overall look of a property. Moreover, the installation of a pool can increase property values, which can be beneficial to both homeowners and the community as a whole.

Also, just because the City of Woodcreek lifts the ban on above ground pools, does not mean residents can simply place one anywhere. In Texas pools are generally not permitted in the front yard, and because above ground pools will be treated the same as other swimming pools they will have to comply with the same set of regulations, including section 50.37 - Impervious Cover.

What about the Drought?

Our community is currently suffering from a drought, and water conservation is important. Droughts happen in cycles, and do not last forever. When the day comes that this drought is in the past, it will be good to know that our city regulations have already been modernized to treat above ground and in ground pools the same.

As for our current drought condition, today's stage three water conservation measures currently restrict water usage and apply equally to people with in ground and above ground pools. Just as one cannot fill up an in ground pool today, the same restriction extends to above ground pools during this water conservation period. In other words, the current drought is no reason to prevent the city from allowing Woodcreek residents to have the option of an above ground pool because rules are already in place to conserve water. Using our drought as an excuse not to lift the ban on above ground pool from our city's Code of Ordinances neglects the understanding that independent water conservation measures exist and already apply to all pool owners.

The mayor and the city council are meant to look to the future of Woodcreek. Certainly, there is a future when drought condition is over. A future when those residents who wish to can have an above ground pool as a valuable addition to their homes, especially during the hot summer months of Texas when their families and children look for ways to stay cool and enjoy the outdoors. Please make it possible for them to have this future.

In Conclusion, I am writing to urge you to remove section § 156.058 from Woodcreek's code of ordinances and to allow above ground pools in our community. Pool safety concerns are addressed by the International Swimming Pool and Spa Code 2015 Edition currently incorporated into Woodcreek's city code of ordinances. Furthermore, allowing above ground pools can benefit the community as a whole by providing a safe and enjoyable recreational activity for residents, particularly those who may not have access to other amenities like community pools or public beaches.

Overall, I believe that lifting the current restrictions on above ground pools would be a positive step forward for our community. It would align us with neighboring cities, promote property values, and provide a popular recreational activity for residents.

Thank you for considering our perspective on this matter. Our family appreciates you.

Sincerely,

Joseph & Nikki Smith

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Possible Action on Providing New Direction to the Ordinance Review Committee

AGENDA ITEM SUMMARY:

The ORC has recently finished pending business and appointed new leadership. They have collectively voiced interest in getting new direction from Council on what direction to take or what ordinances to focus on next. The requests should focus on ordinances that impact citizens most where a citizen committee could be most effective at providing review and feedback.

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

April 18 Workshop

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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

AGENDA ITEM SUMMARY:

The Ad Hoc Work Group is nearing completion of a packet of work including proposed updates to Chapters 154+ covering site development, subdivision. adding an ETJ regulations and environmental chapter. There has been much discussion on where this packet of information should travel to next. The governing body has not collectively voted on the next step for this work.

FINANCIAL IMPACT:

Possible costs in legal review

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

April 18 Workshop

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Action on the 2023 Citizen Survey Results

AGENDA ITEM SUMMARY:

Review the Survey Results and Discuss

FINANCIAL IMPACT:

none

SUBMITTED BY:

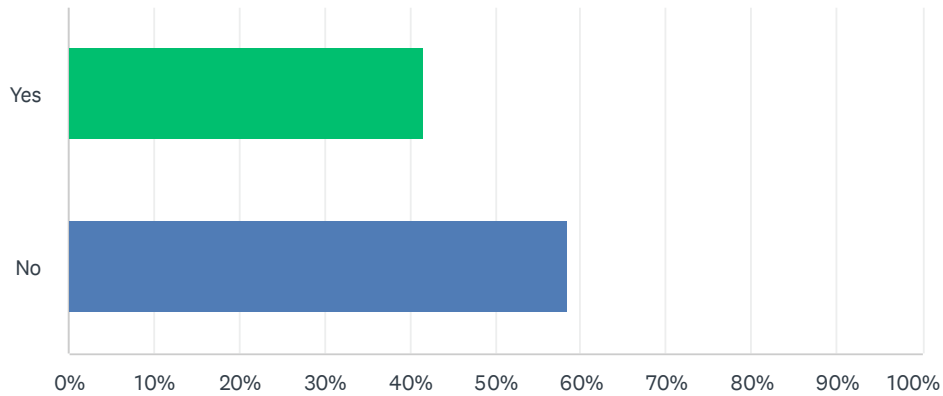
Debra Hines

AGENDA TYPE:

New Business

Q1 Should the City raise the Hotel Occupancy Tax to promote tourism and support local businesses in the area? Funds collected under this tax are restricted for certain purposes.

Answered: 337 Skipped: 11



ANSWER CHOICES	RESPONSES
Yes	41.54% 140
No	58.46% 197
TOTAL	337

#	ADDITIONAL COMMENTS:	DATE
1	Taxing a tourist might drive them away	3/15/2023 5:14 PM
2	Too many taxes on travelers!	3/15/2023 5:14 PM
3	According to comptroller.texas.gov the state hotel tax is 6%. Looks like HOT was raised to 7% in 2022 for Wimberley. What do the local hotels want?	3/15/2023 5:10 PM
4	no useful funds	3/15/2023 5:06 PM
5	Very little in ETJ. None in city limits. Why spend time & money on this? Very important to end research	3/15/2023 5:04 PM
6	Tax can't be used for useful city purposes. An attempt by Debra Hines to support STR's.	3/15/2023 5:01 PM
7	Public local business with added tax	3/15/2023 4:58 PM
8	No hotels hopefully!	3/15/2023 4:53 PM
9	We aren't a city but a residential community. What do we have to promote tourism and local businesses?	3/15/2023 4:50 PM
10	Woodcreek doesn't need more traffic.	3/15/2023 4:24 PM
11	Raising taxes isn't the answer to promoting tourism	3/15/2023 4:23 PM
12	This has been tried before unsuccessfully. We suspect the limited funds raised would not be spent wisely. -leave as the status quo- no action.	3/15/2023 3:58 PM
13	This was decided ten years ago. Leave it alone. It gives us nothing.	3/15/2023 2:53 PM
14	Maybe If they develop a marketing plan that increases (word that cannot be read ____ nights)	3/15/2023 2:44 PM

Citizen Survey 2023

Item 17.

	over previous year	
15	encourage industry (we don't have much) (sic)	3/15/2023 2:33 PM
16	no new taxes	3/15/2023 2:25 PM
17	people can't afford to travel now.	3/15/2023 2:21 PM
18	none	3/15/2023 2:18 PM
19	Don't want more traffic in Woodcreek	3/15/2023 2:17 PM
20	Not sure	3/15/2023 12:47 PM
21	What would you do with it	3/15/2023 12:42 PM
22	"certain purposes"= too vague	3/15/2023 12:35 PM
23	We only have 2 businesses - liquor store & aprts. There is no area for other businesses. If the money went to Park development, that would be a different issue.	3/15/2023 12:24 PM
24	Too many taxes already on citizens.	3/15/2023 12:02 PM
25	"What is the current HOT tax rate?"	3/15/2023 11:57 AM
26	Perhaps establish it at zero percent. Then raise it as need arises.	3/15/2023 11:21 AM
27	Overdevelopment will tend distroy the unique chractor of our rustic area. It happened at at the Iowa Great Lakes where we lived for 32 years. (sic)	3/15/2023 11:14 AM
28	What are the restricted purposes	3/15/2023 11:03 AM
29	Totally puzzling - this was settled long ago.	3/15/2023 10:44 AM
30	this is a residential neighborhood	3/15/2023 10:33 AM
31	I wasn't aware there was a hotel in Woodcreek. Who would pay these taxes. I think taxes in Woodcreek are high enough. Reappears if hotel is built.	3/15/2023 10:27 AM
32	If we know how the funds can be effective. Do it or not but make a decision	3/15/2023 10:22 AM
33	Seems like there is plenty of tourism already	3/13/2023 2:03 PM
34	Unless committee can think of uses of the tax	3/13/2023 12:05 PM
35	Don't raise taxes	3/8/2023 8:17 PM
36	Do we really need to promote tourism in a bedroom community?	3/8/2023 4:06 PM
37	Little to no need in a city of our size with very few tourist attractions.	3/8/2023 8:02 AM
38	Although I do not know how much is reasonable. Since tourists may negatively impact our community while they are here, I think they should have a taxes to offset the impact on our community - this amount is usually passed on directly to the consumer which seems reasonable.	3/7/2023 4:39 PM
39	Only if you allow STRs. Otherwise this seems just aimed at the Falls and kind of weird.	3/6/2023 10:16 PM
40	We don't really have "hotels" in our area in the normal sense of that word, and I don't believe the small rental places in either the city or ETJ would generate enough to make the record-keeping and enforcement hassle worthwhile.	3/6/2023 8:28 PM
41	Before committing any of the funds collected a detailed development plan must be presented and approved by the council. Failure to agree on a clear plan BEFORE raising the HOT rate should derail any plans to take more money from visitors just because the city can.	3/6/2023 4:44 PM
42	Please - no more tourism in the area. We're a quiet bedroom community and that's what we love about the neighborhood.	3/4/2023 8:15 PM
43	With the understanding that there is no negative financial consequence for residents.	3/4/2023 1:18 PM
44	we don't need tourists in Woodcreek	3/4/2023 12:05 PM
45	No more taxes. No more tourism. Stop trying to make us into Dripping Springs or Austin.	3/4/2023 11:03 AM

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	Enough already.	
46	Don't want more tourism and I hate taxes.	3/4/2023 10:46 AM
47	Nonsense. No more taxes of any kind. No more tourism.	3/4/2023 10:43 AM
48	We don't want more tourism and traffic	3/3/2023 2:01 PM
49	It doesn't seem to be needed since Woodcreek is essentially a subdivision, without hotels or short term rentals.	3/3/2023 11:11 AM
50	the uses are too restrictive and do not directly benefit the local residents plus we do not need more tourism.	3/2/2023 4:23 PM
51	The attractions of this area are not in the city limits. the funds would not benefit the homeowners in the city.	3/1/2023 8:46 AM
52	Don't know enough to comment.	2/28/2023 11:58 AM
53	This does not say how much, so hard to answer	2/28/2023 11:40 AM
54	With the funds used appropriately to market the city and not just add to the general fund	2/28/2023 9:30 AM
55	This does not say how much, so hard to answer	2/27/2023 12:34 PM
56	No new taxes!	2/26/2023 12:16 PM
57	What are the certain purposes?	2/26/2023 8:54 AM
58	An effort by a few council members to push if STR	2/25/2023 4:08 PM
59	funds will not support useful city projects and adds additional burden on the city staff	2/25/2023 11:19 AM
60	No idea. I personally need way more information. Who is impacted by this and what is the current city rate? State of Texas has a 6% tax rate and cities can increase above that. Do we already tax above the 6%? What do these funds go to? More information needs to be provided.	2/23/2023 1:52 PM
61	It's unclear without a pros/cons discussion how the funds would be used to benefit businesses. The B&Bs and Tavern stay pretty well booked.	2/22/2023 6:21 PM
62	This seems like an obvious money grab from the Lodge.	2/22/2023 12:37 PM
63	Yes, but only if Airbnb's are allowed.	2/20/2023 3:14 PM
64	Woodcreek is a family community with no hotels and a HOT is an unnecessary tax.	2/20/2023 10:31 AM
65	The City is technically not raising the HOT but considering implementing HOT. Although the use of HOT income is restricted to specific activities, there would be opportunities to use the funds to improve public areas.	2/19/2023 2:19 PM
66	There is a hotel in Woodcreek?	2/19/2023 1:37 PM
67	Taxing something does not encourage it, it discourages it.	2/19/2023 1:00 PM
68	We should no tax any businesses outside of our city limits. There is no way for example, to tell what direct benefits those businesses offer Woodcreek. In addition, we only have the golf course as a major business/employer in Woodcreek. Why jeopardize our growing relationship with them.	2/19/2023 12:59 PM
69	These funds would be particularly useful if they could be used to build walking paths.	2/19/2023 6:34 AM
70	Yes, provided the taxes are used to improve the city.	2/18/2023 11:27 AM
71	In no rush, as limits on spending may be relaxed by the legislature	2/18/2023 9:34 AM
72	Wimberley/woodcreek is plenty busy and needs no promoting. If the taxes are used to maintain infrastructure then maybe.	2/18/2023 9:28 AM
73	Work overload for small city staff. Funds can't be use for useful city needs.	2/18/2023 9:04 AM
74	No where to spend the money	2/18/2023 8:21 AM
75	Taxes are too high already in this "town."	2/17/2023 7:40 PM

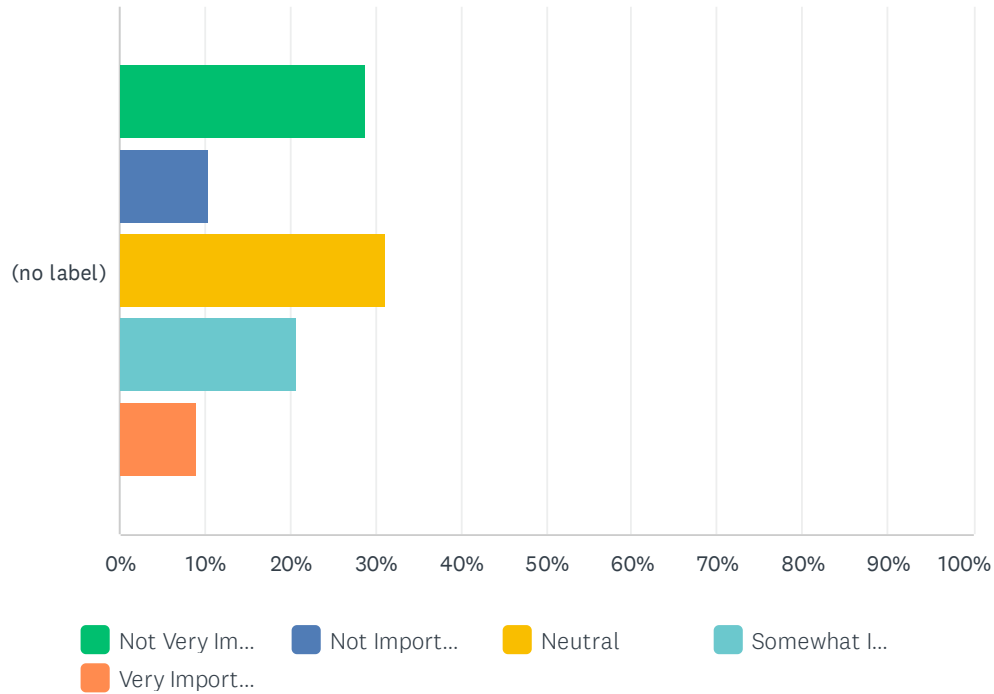
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76	It might help The Lodge fix their portion of the road.	2/17/2023 6:49 PM
77	It has been proven that it is not needed in this City. Learn from past council history.	2/17/2023 5:11 PM

Q2 How important is it to you that the City take action on the consideration of a Hotel Occupancy Tax? (Select one)

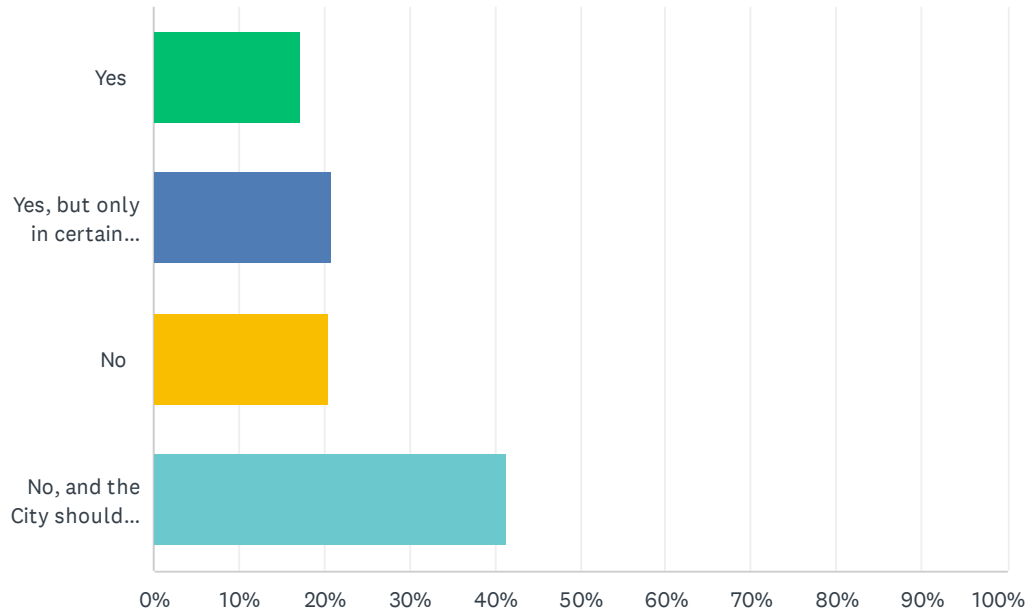
Answered: 334 Skipped: 14



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	28.74% 96	10.48% 35	31.14% 104	20.66% 69	8.98% 30	334	2.71

Q3 Should homeowners be able to rent their homes out as short-term rentals (defined as less than 30 days at a time)?

Answered: 346 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	17.34%	60
Yes, but only in certain areas and with strong regulations.	20.81%	72
No	20.52%	71
No, and the City should take steps to ban them entirely.	41.33%	143
TOTAL		346

#	ADDITIONAL COMMENTS:	DATE
1	Only benefits the owner	3/15/2023 5:14 PM
2	Insane to allow this	3/15/2023 5:14 PM
3	neighbor to neighbor destroyed (sic)	3/15/2023 5:06 PM
4	This was surveyed before with strong opposition! You should as elected City Council remember the terrible experience for the Davenport family! Very important to ban entirely	3/15/2023 5:04 PM
5	STR's only benefits the home owner, while causing havoc within within the city. The Champions Circle pulled STR is an excellent case study.	3/15/2023 5:01 PM
6	w/ strong regulations Who will regulate these?	3/15/2023 4:53 PM
7	We've been through this before and denied STR's. Why do we bring it up again?	3/15/2023 4:50 PM
8	Woodcreek is a residential community not an AirBnB	3/15/2023 4:47 PM
9	Only w/ proper enforcement of existing laws + regulations.	3/15/2023 4:42 PM

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10	Short term only	3/15/2023 4:36 PM
11	only individuals, no corps. Bad Idea-but freedom	3/15/2023 4:24 PM
12	Some constraints regs might be needed	3/15/2023 4:23 PM
13	Very important- no city taxes. The revenue generated by the homeowners should stay in the community- so persons living outside should not enjoy this privilage.(sic) The City already has highly restrictive rules. Citizens should be able to use their property as they see fit as long as they follow the rules. Lift current restrictions on zoning use limitations, but restrict activities to local owners.	3/15/2023 3:58 PM
14	Only in the small area that is zoned already. This is a private residential community. Rentals short term will reduce our values & bring in those who don't care about our neighborhood.	3/15/2023 3:17 PM
15	Absolutely not- decide & stop discussing please.	3/15/2023 3:15 PM
16	I can't choose without knowing which areas and what regulations (yes and yes with regulations were both selected)	3/15/2023 2:55 PM
17	current zoning excludes them.	3/15/2023 2:53 PM
18	Except where already zoned to permit	3/15/2023 2:49 PM
19	(ban them entirely - "yes" written next to it)	3/15/2023 2:44 PM
20	(no was also selected) RESIDENTIAL AREA	3/15/2023 2:33 PM
21	This would likely affect the peaceful use of our property.	3/15/2023 2:29 PM
22	Pandora's box	3/15/2023 2:21 PM
23	none	3/15/2023 2:18 PM
24	(No and No...ban them entirely selected)	3/15/2023 2:17 PM
25	not important and important selected below	3/15/2023 12:33 PM
26	(comment made next to answer section of "with strong regulations) - and enforced! I see this as a way people can raise money to pay their expenses. (next to "very important") it is creating negative PR for the City	3/15/2023 12:24 PM
27	(also chose 'No' as an answer)	3/15/2023 12:22 PM
28	(written next to ban them entirely) Not possible	3/15/2023 11:42 AM
29	Only in existing / legally grandfathered sections but if a home in a grand fathered area goes 12 months without being rented, they lose their grandfathered status.	3/15/2023 11:21 AM
30	60 day minimum. With limits I think owners should be secure with thier property with minimum government intervention. (sic)	3/15/2023 11:14 AM
31	In no way do str's benefit the neighborhood!	3/15/2023 10:55 AM
32	STR's invite trouble!	3/15/2023 10:53 AM
33	OPENS THE DOOR for iNAPPROPRIATE Conduct. Neighbor Problems	3/15/2023 10:45 AM
34	Where is the enforcement? We have ordinance. Not currently allowed - w exceptions no action needed except enforce!	3/15/2023 10:44 AM
35	Visitors adhere to speed limits + curfew times. No children driving golf carts on streets	3/15/2023 10:36 AM
36	Would we get more rentals - look what a mess with have now - with rental homes - ie 6-8 cars in one home, poor maintenance, increase in crime	3/15/2023 10:31 AM
37	Should be licensed - may be revoked with repeated complaints of rowdiness	3/15/2023 10:30 AM
38	Limit number of people. Explain who would pay for enforcement.	3/15/2023 10:27 AM
39	I know of homes in upscale areas that do AirBnB rentals without problems and do no harm to neighborhood. City should develop standards that owners should meet. Get a dication (sic) done!	3/15/2023 10:22 AM

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40	takes away from the community long term relationships	3/15/2023 10:01 AM
41	AirBNB type rentals for a couple or family only	3/13/2023 2:03 PM
42	No large groups	3/8/2023 6:04 PM
43	No large groups	3/8/2023 5:32 PM
44	STR should not be in Woodcreek. STR will ruin Woodcreek as they have in other areas. Investors purchase homes turn them into STR turning neighborhoods into destinations. Families can't afford to purchase homes in the area, property taxes increase and soon there is no neighborhood just vacation rentals. I have seen this happen in Hawaii and Florida when I lived in those places.	3/8/2023 1:29 PM
45	minimum 6mos - prefer one year	3/8/2023 12:54 PM
46	Very little enforcement. Would very likely decrease property values and lower the standard of living for Woodcreek citizens.	3/8/2023 8:02 AM
47	I don't want them. Loud	3/8/2023 7:47 AM
48	We had an illegal STR next to our home when we moved in a few years ago. It was an AWFUL experience. The homeowner did not live on the property and then was deceitful in regards to claiming that she lived on the property & that it was friends/family only staying in the home. There were loud parties at all hours that kept us & our children awake routinely, even on school/work nights. New groups would come in every few days. There was no way for me to know if the renters were convicted felons or sex offenders, so this limited the movement of my children in their own neighborhood. Without any clear regulations, it was up to us as the impacted neighbors to gather evidence to make our case (primarily because the owner was deceitful in regards to her living arrangement). No home owners in Woodcreek should have to endure this experience. We should do all we can to prohibit STRs in our community.	3/7/2023 4:39 PM
49	We are here to live and retire we are not retired yet, but close and I fear as the older people sell out to younger generations that in 5-10 years our neighborhood could become overrun by STR. (bringing in strangers, traffic, parties)	3/7/2023 7:22 AM
50	If it's possible to ban them, then ban them. We were in a neighborhood prior to this that allowed them and they were an incredible nuisance (noise, trash, overcrowding, traffic, parking, property damage, etc).	3/6/2023 8:28 PM
51	A clear STR policy must be adopted, and an enforcement method created since the HCSO WILL NOT enforce local ordinances. In case a clear, enforceable STR policy cannot be drafted and approved, short-term rentals should be banned, although that may not be possible based on some legislative work in the current session	3/6/2023 4:44 PM
52	If there are issues with owners who do not control their STRs, take action against those owners. It seems punitive to restrict what others are doing who are responsible.	3/6/2023 11:15 AM
53	We like to know our neighbors and don't want a revolving door of strangers	3/4/2023 8:15 PM
54	People should be allowed to make decisions for their own property regardless of being in a "certain area," but there should definitely be restrictions (noise, parking, possible occupancy limit, etc.)	3/4/2023 1:18 PM
55	STR's are the last thing we need in our peaceful community	3/4/2023 12:05 PM
56	Residential only!	3/4/2023 11:03 AM
57	Absolutely not.	3/4/2023 10:46 AM
58	Residential, not commercial.	3/4/2023 10:43 AM
59	I'm against full short term rentals of entire houses ... where the houses become party houses. Short term rental of rooms, where owners are present should be okay.	3/3/2023 11:11 AM
60	My own experience with STRs is that they can pose serious disruption to neighborhoods. With new renters checking every few days, neighbors don't know neighbors; even when there are noise rules and parking and occupancy limits, short-term renters often pay no attention to those rules. The city of Woodcreek has no way to respond to abuses that happen at night or on weekends, and residents are burdened with calling law enforcement - the result being that the residents' lives are disrupted and sleep is disturbed in any case. Frankly, law enforcement	3/1/2023 4:57 PM

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has better things to do than come to Woodcreek and measure noise levels. Absent home owners do not care about the effects on neighbors because their priority is maximizing income from the rentals. I see no advantage to our community in allowing STRs to operate here, and I strongly oppose allowing them to operate here.

61	This has been discussed several times and the citizens are not in favor of STR neighbors	3/1/2023 8:46 AM
62	I'm torn on this. The taxes to the city is great but do we want them here. Although the clientele probably would be respectful and not a lot of party people.	2/28/2023 4:10 PM
63	Would turn the neighborhood into something else entirely	2/28/2023 11:40 AM
64	Having investor owned homes with remote ownership would exacerbate the progression of oak wilt, and potentially cause disturbances with rowdy renters	2/28/2023 9:30 AM
65	Would turn the neighborhood into something else entirely	2/27/2023 12:34 PM
66	It'll destroy the city	2/25/2023 4:08 PM
67	serves only the home owner while causing serious neighbor problems	2/25/2023 11:19 AM
68	The current allowance of STRs in SF-4 only has been successful. Allowing STRs in other areas (with the exception of Recreational) destroys the neighborhood feel by encouraging out-of-area investments. Many, many towns and cities are battling STRs. Woodcreek is one of the few affordable, low-crime, beautiful areas in the Hill Country to live and raise a family. Allowing STRs would ruin it. Please don't let greedy people prevail.	2/24/2023 1:35 PM
69	Data shows that short term rentals has negative impact on local communities. Major ones are increased crime and significantly more city upkeep due to damages. This is from research into the results of retirement/tourist areas and impact of short term rentals over a 5 year period.	2/23/2023 1:52 PM
70	This should be in predetermined, defined areas. For instance, those by the river in the lodge area, but not in primary residential areas.	2/23/2023 10:01 AM
71	This was a huge problem in a former neighborhood in which we lived	2/22/2023 6:21 PM
72	Homeowners should have the freedom to do what they want	2/22/2023 12:37 PM
73	That is how we lose community	2/21/2023 8:11 PM
74	There is nothing good about STR's in my opinion. Leasing is fine but 2-3 day rentals cause way too many problems.	2/20/2023 3:33 PM
75	Woodcreek is a family community and should remain so. STRs will increase traffic and noise in the community.	2/20/2023 10:31 AM
76	Some neighborhoods in the City are not suitable for STR's due to lack of parking and small lots, and these issues should be taken into consideration. Strong regulations are important, but only if the City increases its resources for Code compliance. We no longer have the services of the Costable, and the part-time officer has not been replaced. We see the effects of this lack of compliance in my neighborhood where 3 homes are in violation of the Code. One specifically presents a hazard to the neighbors.	2/19/2023 2:19 PM
77	All we need do is survey the media for the major problems cities like Austin have had trying to manage STRs. We are a residential community.	2/19/2023 12:59 PM
78	STRs would be disruptive to neighborhood lifestyles.	2/19/2023 6:34 AM
79	STRs will ruin our neighborhoods.	2/18/2023 2:44 PM
80	As a homeowner I would not want people that I do not know coming and going next door to me. (safety & noise issue)	2/18/2023 11:27 AM
81	Champions Circle STR is an example of problems created by allowing STR's. Can't consider a next door STR as a neighbor.	2/18/2023 9:04 AM
82	None of your business.	2/17/2023 7:40 PM
83	I've been the President of two HOA's when this came up and renting out homes for short terms always led to problems.	2/17/2023 7:25 PM
84	Absolutely not. That's a terrible idea	2/17/2023 7:16 PM

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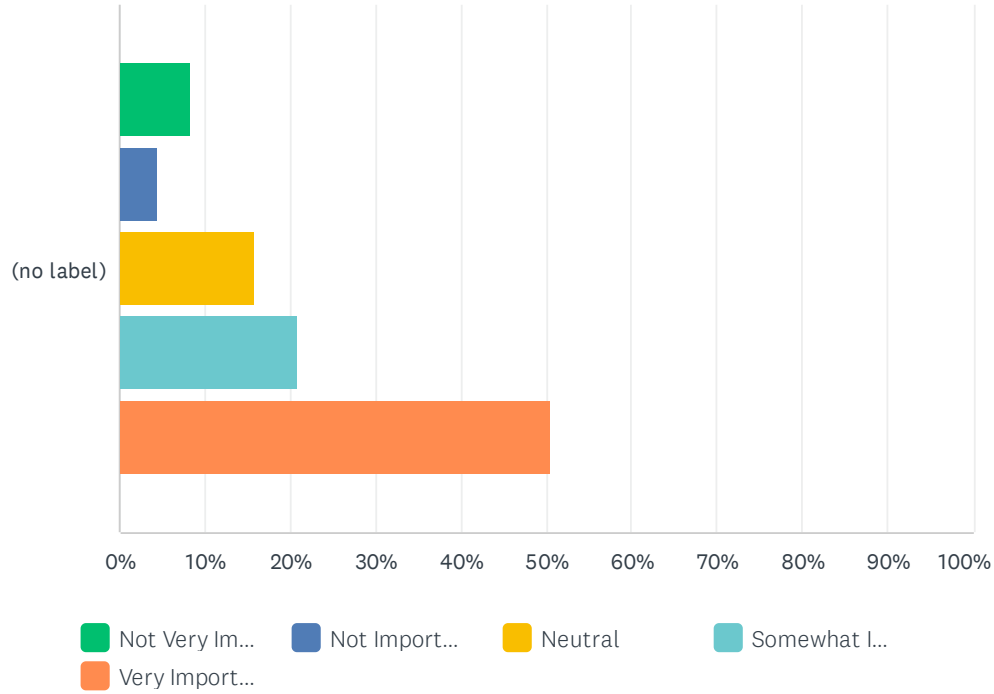
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85	This is entirely unacceptable and can severely damage home values.	2/17/2023 5:49 PM
86	It is a nuisance for the neighbors to have to put up with weekend crazies.	2/17/2023 5:11 PM
87	Didn't know this was occurring	2/17/2023 4:03 PM

Q4 How important is it to you that the City take action on short-term rental regulation? (Select one)

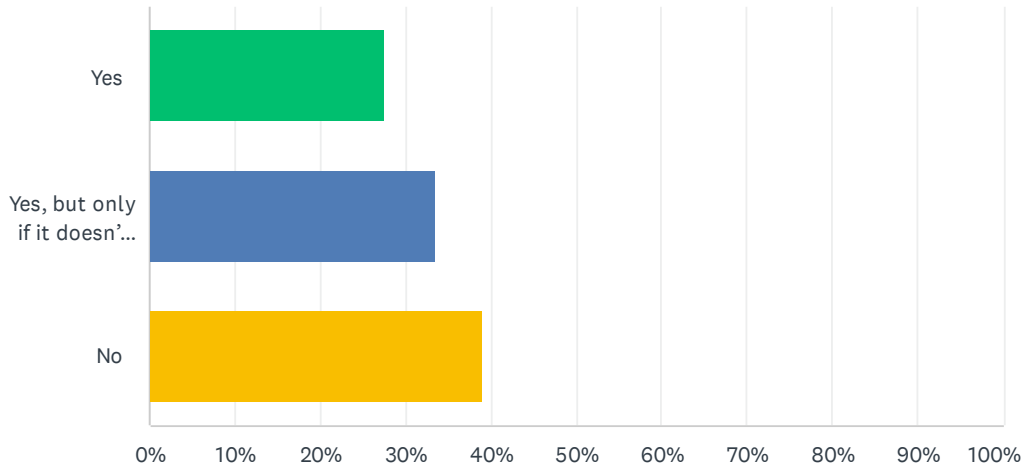
Answered: 340 Skipped: 8



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	8.24% 28	4.41% 15	15.88% 54	20.88% 71	50.59% 172	340	4.01

Q5 Should the City consider investing in more land for additional parks and/or greenspaces?

Answered: 346 Skipped: 2



ANSWER CHOICES	RESPONSES
Yes	27.46% 95
Yes, but only if it doesn't raise my property taxes.	33.53% 116
No	39.02% 135
TOTAL	346

#	ADDITIONAL COMMENTS:	DATE
1	Costs too much	3/15/2023 5:14 PM
2	Where is the money coming from!	3/15/2023 5:14 PM
3	Plenty of parks and open spaces nearby.	3/15/2023 5:10 PM
4	Take better care of existing park areas. There are plenty in surrounding area too	3/15/2023 5:04 PM
5	The city will be cash strapped after limb pickup and roads resurfacing.	3/15/2023 5:01 PM
6	Stop spending money on thing no one wants	3/15/2023 4:58 PM
7	Your taxes are going up anyway	3/15/2023 4:53 PM
8	Fix the roads!	3/15/2023 4:50 PM
9	Develop existing parks/greenspaces	3/15/2023 4:47 PM
10	Walking trails would be nice	3/15/2023 4:42 PM
11	greenspace is always good	3/15/2023 4:24 PM
12	What money are you investing? Don't raise my taxes for this purpose	3/15/2023 4:23 PM
13	Not at this time - more important issues now	3/15/2023 4:08 PM
14	We already live in a greenspace community.	3/15/2023 3:58 PM

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15	Waste of money - no use	3/15/2023 3:57 PM
16	Old residents - kids & phones	3/15/2023 3:54 PM
17	Social media - baccha (sic) ball - wasted money	3/15/2023 3:21 PM
18	We don't need to spend the \$. We have parks all around in the area.	3/15/2023 3:17 PM
19	use the ones previously designated	3/15/2023 3:15 PM
20	I would like the activities at park to be free & accessible (neighborhood pool, tennis courts, pickleball, etc)	3/15/2023 2:55 PM
21	DEVELOP WHAT WE HAVE	3/15/2023 2:33 PM
22	Don't we have properties that could be improved for parks?	3/15/2023 2:29 PM
23	who uses them?	3/15/2023 2:21 PM
24	YOU CAN'T get them off phones	3/15/2023 2:14 PM
25	Its a retirement community.	3/15/2023 2:13 PM
26	Including Lake at end of Woodcreek Dr	3/15/2023 12:25 PM
27	Too high property taxes already	3/15/2023 12:02 PM
28	Utilize what we currently have	3/15/2023 11:51 AM
29	The status quo seems appropriate (sic)	3/15/2023 11:14 AM
30	Restrict future housing, protet (sic) water supply	3/15/2023 11:03 AM
31	3 parks as currently designated is enough	3/15/2023 10:55 AM
32	3 DESIGNATED AREAS ARE ENOUGH	3/15/2023 10:45 AM
33	How is this financed?	3/15/2023 10:44 AM
34	Sidewalks or walking paths along streets needed more than parks, etc.	3/15/2023 10:36 AM
35	If you maintain the parks!	3/15/2023 10:31 AM
36	If the pond is left in its natural state and doesn't add maintenance costs to Woodcreek tax payers. How does City plan to guarantee property tax would not go up and that the will be no eminent domain exercised by the counsel.	3/15/2023 10:27 AM
37	Not at this time. Let's use and improve what we've got. There is only one bench at Woodcreek and Brookhollow. I hate NEVER seen anyone using the park.	3/15/2023 10:22 AM
38	think we are good	3/15/2023 10:03 AM
39	Space/Land not available in the City	3/13/2023 12:05 PM
40	Only if connected to existing green space. We don't need a bunch of unconnected 1/2 acre parks.	3/8/2023 8:17 PM
41	Why add the additional expense & liability to this community? Blue hole park is close by. Just because you can get the help of grants to purchase land doesn't mean its a good policy.	3/8/2023 1:29 PM
42	Is there land available?	3/7/2023 7:29 PM
43	I do not mind paying more in property taxes if we can have more communal spaces; however, in addition to parks/greenspaces, we need to have ways to access these spaces without driving a car. Right now, my family & I routinely risk our lives if we want to ride our bikes or walk as a family along our streets, including Woodcreek Drive that was recently repaved. Our streets are very narrow and there isn't a pedestrian or golf cart lane, so my kids can hardly bike (because they frequently have to pull over for vehicular traffic to pass) & we are forced to walk single file if we are out on a family walk . . . so, currently, it would be difficult to access the parks/greenspaces on foot if we develop them.	3/7/2023 4:39 PM
44	We have parks that are not full?? I live on Augusta lane and have NEVER seen anyone in the existing park. Spend my money on fixing our roads.	3/7/2023 7:22 AM

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45	Consider it, but make wise decisions about cost/benefit and available funds. We have problems that haven't been addressed due to apparent lack of sufficient funds (street repair!)	3/6/2023 8:28 PM
46	If the city's fiscal situation improves significantly it might be appropriate to revisit this issue in 24 to 36 months, but at this point I am opposed	3/6/2023 4:44 PM
47	we have enough	3/4/2023 12:05 PM
48	We don't need more of anything. We just need to make better use of what we have.	3/4/2023 11:03 AM
49	No.	3/4/2023 10:46 AM
50	We have plenty. Not even used or well maintained.	3/4/2023 10:43 AM
51	The developers of Woodcreek unfortunately didn't allocate much land for parks & recreation facilities. Trying to force in facilities that only have minimal use doesn't seem to be cost effective. City of Wimberley has facilities that Woodcreek residents should be able to use.	3/3/2023 11:11 AM
52	The park land we have not is little used and a waste of our tax dollars. MMaintain what we have but don't add anything.	3/2/2023 4:23 PM
53	I would love a dog park. Most nicer communities have one.	3/1/2023 3:53 PM
54	A community pool would be the number one thing I would love to have in this community.	3/1/2023 11:09 AM
55	I suspect that the percent of park land to the percentage of total land in the city is high in comparison to other cities.	3/1/2023 8:46 AM
56	Can we utilize the green belts the golf course owns? Maybe incorporate into hike and bike trails. We now have fire hazards after the ice storm next to our houses.	2/28/2023 4:10 PM
57	Woodcreek is well behind the power curve for a city of its size on publicly accessible spaces which contribute to social interaction and community unity. The city has demonstrated that it can leverage a small investment with outside grants	2/28/2023 9:30 AM
58	updating existing pars would suffice	2/26/2023 12:16 PM
59	No one that I know thinks of going to a park in Woodcreek. We live in an area with so many better options- wasted money if spent on developing a park!!!!!!!	2/26/2023 11:12 AM
60	There are a lot of younger families moving together and gathering places for kiddos allows communities to blossom.	2/26/2023 8:54 AM
61	Roads first then maybe think about this	2/25/2023 4:08 PM
62	property not available at a reasonable price and city funds should be earmarked for roads	2/25/2023 11:19 AM
63	The city needs to spend it's limited funds on roads, drainage and infrastructure.	2/24/2023 1:35 PM
64	Again additional information on a plan would be helpful. Greenspaces/parks are not going to result in additional revenue. Right now outside of golf course and the liquor store there is very little to no sales tax income to City of Woodcreek. Even if you state, "not going to raise taxes," the long-term result is taxes will be raised because you are reducing land that you receive property taxes on, and Woodcreek currently has no land that can be used to increase sales tax income. Tax wise providing land for business rentals would be more economically beneficial to the city.	2/23/2023 1:52 PM
65	There is plenty of US government funding available for such infrastructure in the IIJA and IRA - we should tap these funds before ever considering raising our property taxes.	2/23/2023 10:50 AM
66	I don't think much of the existing parks but I like keeping green spaces instead of more development	2/22/2023 12:37 PM
67	Insuring we have green spaces and abundant trees is not only enjoyable for residents, but for birds and other wildlife, as well as good for the environment.	2/21/2023 4:26 PM
68	Yes. I think this is a good idea and would strongly suggest a more aggressive marketing campaign to use Woodcreek address on purchases vs. Wimberley. Few people realize our tax dollars are going to the wrong city based on USPS address verification standards but can easily be overridden. With the constant stream of UPS, Amazon and FedEx trucks in the neighborhood this could be a huge windfall for the City.	2/20/2023 3:33 PM

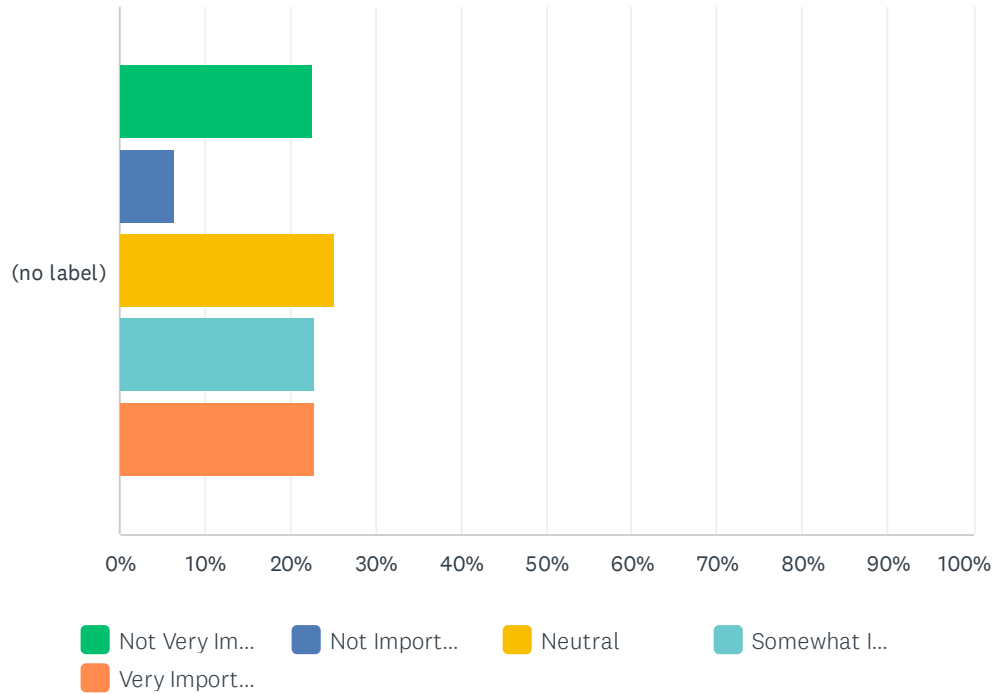
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69	Not sure where this would even be as there is hardly any open space left.	2/20/2023 3:14 AM
70	Build a playground for kids on land already owned by the City.	2/20/2023 10:31 AM
71	Yes, but these should be planned to serve all ages in the City. I would like to see "Art in Park" activities. This was done one year during the Garden Tour, and it was very popular. Before the FDIC sold the Resort, we had 4th of July concerts/picnics at the Pavillion -- these brought the community together.	2/19/2023 2:19 PM
72	We have no public part land along the Champion Circle corridor. It's time for developmental equity.	2/19/2023 12:59 PM
73	Green spaces contribute to overall quality of life.	2/19/2023 6:34 AM
74	Can we plan for better walking neighborhoods?	2/18/2023 2:44 PM
75	Road resurfacing will deplete funding reserves	2/18/2023 9:04 AM
76	We have no extra money	2/18/2023 8:21 AM
77	The current ones are not being used now, why build more.	2/17/2023 8:17 PM
78	STOP trying to spend more money. Plenty of space for recreation here.	2/17/2023 7:40 PM
79	Please build a community pool.	2/17/2023 6:36 PM
80	We have enough "green space".	2/17/2023 5:11 PM

Q6 How important is it to you that the City take action on buying more land for parks and/or greenspaces? (Select one)

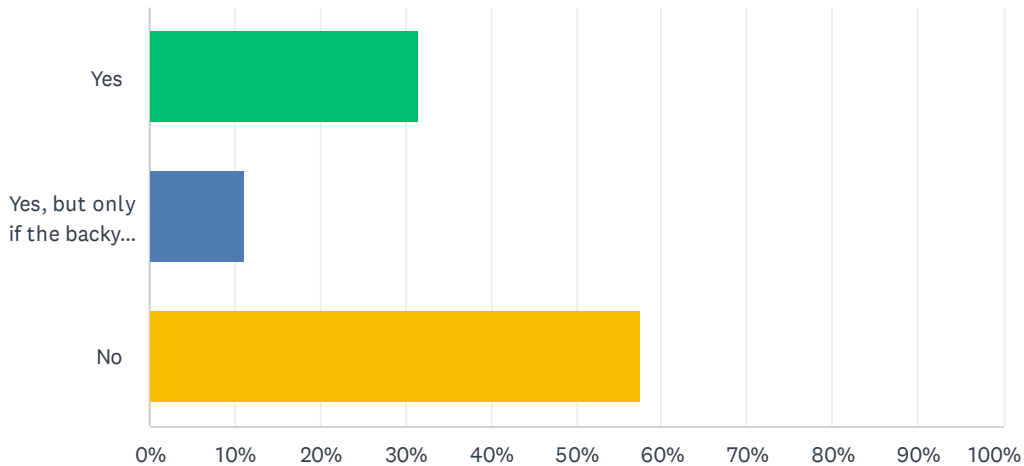
Answered: 341 Skipped: 7



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	22.58% 77	6.45% 22	25.22% 86	22.87% 78	22.87% 78	341	3.17

Q7 Should residents, occupying homes in single-family residential zoning, be able to own up to six hens (no roosters) in fully enclosed runs/cages in the backyard, with guidelines on setbacks from neighbors, minimum lot sizes, minimum enclosure sizes, etc.?

Answered: 346 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	31.50%	109
Yes, but only if the backyard does not border the golf course.	10.98%	38
No	57.51%	199
TOTAL		346

#	ADDITIONAL COMMENTS:	DATE
1	Hell no!	3/15/2023 5:14 PM
2	are you joking. Chickens belong on a farm!	3/15/2023 5:14 PM
3	Houses too close	3/15/2023 5:06 PM
4	This was surveyed before with strong opposition	3/15/2023 5:04 PM
5	Chicken owners will not be able to care for the animals during extreme weather events. Will the owner have a coup in their living room?	3/15/2023 5:01 PM
6	Don't need noise and smell	3/15/2023 4:58 PM
7	Woodcreek is a residential community not a farm	3/15/2023 4:47 PM
8	Producing our own food increases resiliency	3/15/2023 4:42 PM
9	ABSOLUTELY NO! NO! NO!	3/15/2023 4:42 PM
10	I would want to see the guidelines before committing	3/15/2023 4:23 PM
11	I want to support folks using their homestead as they wish, but we know there is no enforcement of guidelines. (except the neighbor)	3/15/2023 4:13 PM

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12	Absolutely not!!	3/15/2023 4:11 PM
13	Would bring in predators	3/15/2023 4:08 PM
14	This is not a farm	3/15/2023 3:57 PM
15	Too much mess	3/15/2023 3:54 PM
16	Too cruel to birds	3/15/2023 3:21 PM
17	Smelly, noisy, brings in more vermin and small animals that would be predators	3/15/2023 3:17 PM
18	Decide once and for all. If you want chickens move out of Woodcreek	3/15/2023 3:15 PM
19	NO!!!	3/15/2023 2:56 PM
20	Wild cats will follow.	3/15/2023 2:53 PM
21	NO CHICKENS	3/15/2023 2:49 PM
22	THOSE THAT WANT GO BUY FARM LAND (-4 written next to not important)	3/15/2023 2:33 PM
23	We are very concerned that this could attract vermin, and predators. It could smell bad, be noisy, and affect our peaceful residential community. We live too close together to have chickens.	3/15/2023 2:29 PM
24	no hens ever	3/15/2023 2:25 PM
25	At best could be a nuisance- at worst a health hazard	3/15/2023 2:21 PM
26	defintely (sic) "not"	3/15/2023 2:18 PM
27	Absolutely no!! Properties are too small for chickens. If youo want them, buy some acres.	3/15/2023 2:13 PM
28	Absolutely not!!! So irritating for neighbors	3/15/2023 2:13 PM
29	NO!	3/15/2023 12:34 PM
30	I do not believe most "city" people have any idea about how to take care of chickens. They require a great deal of responsibility. Solve this issue once and for all -	3/15/2023 12:24 PM
31	?lol	3/15/2023 12:18 PM
32	Feral cats, fox, raccoons could be a problem for chickens	3/15/2023 11:52 AM
33	no no no	3/15/2023 11:51 AM
34	WHY IS THIS EVEN ON TO BE QUISTED? WE ARE NOT IN THE "COUNTRY" (sic)	3/15/2023 11:37 AM
35	No livestock	3/15/2023 11:21 AM
36	We are not in the country - chickens can bring diseases	3/15/2023 10:57 AM
37	attracts flies, creates smell ABSOLUTELY NOT	3/15/2023 10:55 AM
38	There is an ordinance against chickens. Retain it.	3/15/2023 10:53 AM
39	ABSOLUTELY NOT!	3/15/2023 10:45 AM
40	You know the answer! No city action needed - already have ordinance against farm animals. Enforce!	3/15/2023 10:44 AM
41	minimum lot size of 1 acre	3/15/2023 10:30 AM
42	Absolute not. Chickens carry diseases, draw in preditors will cost tax payers money for enforcement See attached articles. They would pose a threat to our natural bird population, especially raptors (hawks) & wild geese	3/15/2023 10:27 AM
43	Not too keen on this idea, but we are moving into different times and values. Don't think it will hurt.	3/15/2023 10:22 AM
44	Pedators increase order and noise	3/13/2023 12:05 PM
45	PRO CHICKENS	3/8/2023 8:17 PM

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46	Likely offensive to close neighbors in their backyards. Isn't it already prohibited?	3/8/2023 5:32 PM
47	Chickens stink; we are not living on a farm	3/8/2023 2:09 PM
48	ABSOLUTELY NO!!! Chickens will attract more predators to Woodcreek. More snakes, coyotes, fox, raccoons. They are not easy to take care of. They are loud and it is hard to tell hen from roosters when they are young. The lots in Woodcreek are not large enough. It is not ok that neighbors would have to put up with the smell & noise since the lots are too small. Woodcreek is a residential neighborhood not an agricultural neighborhood. And who will enforce having only 6 hens.. Are you planning on having chicken squad to inspect all the backyard coops to make sure only 6 hens and no rosters.	3/8/2023 1:29 PM
49	Who will enforce the restrictions? How will they be monitored?	3/8/2023 9:53 AM
50	This is not a farm community. Strong likelihood tat chickens would attack predators and cause foul odors.	3/8/2023 8:02 AM
51	More than six would be fantastic!	3/7/2023 7:29 PM
52	This would attract more coyotes and Fox to our neighborhood. We have a cat that we let out periodically.	3/7/2023 7:22 AM
53	Yes, but...rigorous setbacks need to be established. Any problems with noise or smell should be addressed in any ordinance, and a method to handle complaints must be established. We are in an area of small lots with minimal side clearance; adequate setbacks would be hard to establish in some areas of Woodcreek.	3/6/2023 8:28 PM
54	Absolutely not. Chickens = chicken litter = big increase in flies and an odor problem. I was raised around chickens and have no desire to "enjoy" that again	3/6/2023 4:44 PM
55	The questions about "how important" are confusing at best. Answering "not important" suggests a "NO" isn't important answering "very important" suggests the opposite regardless of whether you are for or against the main issue. It presents itself as a game politicians love to play.	3/6/2023 11:33 AM
56	if you want chickens move out of the city	3/4/2023 12:05 PM
57	their land..	3/4/2023 11:03 AM
58	Yes.	3/4/2023 10:46 AM
59	they own their property.	3/4/2023 10:43 AM
60	The developers of Woodcreek packed the houses on to lots so closely that raising chickens is not a reasonable option. Someone wanting chickens should have a minimum of five acres and not be allowed to put the chickens near their property lines. Too many negatives in this tight space.	3/3/2023 11:11 AM
61	but no barking dogs	3/2/2023 4:23 PM
62	I don't see why residents whose property borders the golf course should have to abide by different rules than the rest of us.	3/1/2023 4:57 PM
63	We already have enough wildlife without adding temptation for more. While we are in a more rural setting, it is a higher density area.	3/1/2023 8:46 AM
64	Absolutely not	2/28/2023 4:10 PM
65	This is not a rural community.	2/28/2023 11:15 AM
66	It is evident that there isn't a uniform level of civic responsibility on maintaining property and allowing chickens, which at best could still be an annoyance in the areas of smell, attracting predators and noise is irresponsible	2/28/2023 9:30 AM
67	Within reasonable guidelines for all. A committee and discussions should proceed before any official action taken to vote for or against.	2/26/2023 12:16 PM
68	OMG!!!!!! I would consider moving out of Woodcreek is we do this. LOW RENT comes to mind.	2/26/2023 11:12 AM
69	A push by several council members to turn the city into farm land	2/25/2023 4:08 PM

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70	plain dumb	2/25/2023 11:19 AM
71	Absolutely not. Chickens attract predators and interfere with neighbors' enjoyment of their own property. Once the family loses interest in chickens, the structures become unsightly.	2/24/2023 1:35 PM
72	Why give the coyotes another reason to enter our yards. We are missing enough cats already. Plenty of stray dogs and deer are being attacked on a regular basis.	2/23/2023 6:03 PM
73	I am torn on this. I see both arguments and would fill out unknown if an additional option.	2/23/2023 1:52 PM
74	Even as enticing as it is with egg prices! Privacy fences should be required for any livestock IMO.	2/22/2023 7:31 PM
75	We had a neighbor who had them in Austin years ago. Even in 2+ acre lots, it could get noisy. I think many who don't disapprove might feel differently if it was their next door neighbor.	2/22/2023 6:21 PM
76	Concern is that it will invite more predators i.e., foxes, racoons, etc.	2/22/2023 10:46 AM
77	No chickens!	2/21/2023 3:42 PM
78	This is a horrible idea that seems to keep coming up. Chickens are messy and hard hard to manage. I think it would turn into a public nuisance.	2/21/2023 2:41 PM
79	NO. NO. NO. Can I be any clearer?	2/20/2023 7:24 PM
80	NO, NO, NO It's unsanitary and will attract unwanted critters to the area.	2/20/2023 3:57 PM
81	As much as I would like this idea I just don't think it is appropriate within Woodcreek.	2/20/2023 3:33 PM
82	Absolutely NOT! Move to the country...I have had them at my ranch and it will devalue our community in a HUGE way!	2/20/2023 1:13 PM
83	Woodcreek is a family community with houses on very small lots. No wild animals should be allowed. Several residents don't respect others by keeping their dogs on a leash and they shouldn't be allowed to own other animals. This question is ridiculous.	2/20/2023 10:31 AM
84	My family owned chickens - we had a large property and a protected, professionally-built structure, and we had help cleaning and maintaining the structure, which was large. Six chickens would not generate the waste our large hen family did, but the smell the waste generates is very potent if not cleaned promptly. With the increase in urban chickens, we are seeing an increase in the chickens being abandoned. Sanctuaries are running out of space to house them. Rescuers said there has been a 40% jump in neglected and abandoned chickens in recent months as compared to previous years. This informaton is as of November 2022. Noise compliants arising from chickens in backyards are also on the rise. Government agencies and town councils received nearly 1,500 complaints in 2021 -- across both public and private housing -- is the City of Woodcreek prepared to handle these issues?	2/19/2023 2:19 PM
85	No! No! They want chickens , then move to a farm or ranch.	2/19/2023 1:37 PM
86	Doesn't fit with the resort image the city is trying to maintain.	2/19/2023 1:00 PM
87	We already have a growing problem with predators in Woodcreek. Why invite more into our pet-intensive community.	2/19/2023 12:59 PM
88	I wouldn't personally have hens, but I support people having the autonomy to use their owned property as they wish	2/19/2023 11:39 AM
89	NO, NO, NO! I worry that would increase predators. Please move out of Woodcreek and find a more suitable place.	2/18/2023 3:16 PM
90	Help us fight eggflation! Thanks	2/18/2023 2:44 PM
91	Only on large lots, subject to noise, odor, sanitation requirements, and with approval of neighbors within 100 feet.	2/18/2023 11:55 AM
92	ABSOLUTELY NOT!!! They will lure predators to my doorstep. It can be especially dangerous for families with children.	2/18/2023 11:27 AM
93	Chickens can't survive harsh summers and winters if left in a outside coup. Will owner bring them into their house?	2/18/2023 9:04 AM
94	Collects preditors	2/18/2023 8:21 AM

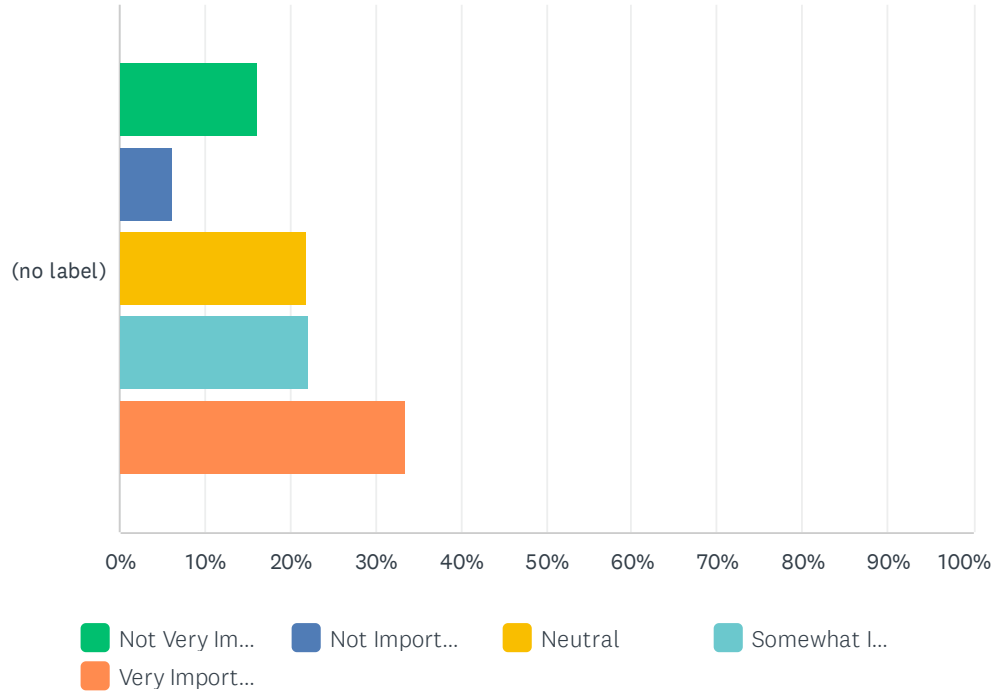
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95	Potential to draw in more foxes and we have already had instances of rabies in the last year. Cages are not always fox proof no matter how well they are made.	2/18/2023 2:58 AM
96	Do not consider this issue any longer; table it and do not consider it again.	2/17/2023 8:17 PM
97	It is egregious--even evil--that you bar people from providing for themselves. I have lived in much bigger towns and always chickens were allowed. Forget the guidelines. You people are such busybodies. Let people work things out on their own.	2/17/2023 7:40 PM
98	No way. I don't care to live on a farm. I moved here from Austin for the peace and quiet of a small town	2/17/2023 7:16 PM
99	They attract predators.	2/17/2023 6:49 PM
100	They bring in predators! They smell!	2/17/2023 5:11 PM
101	As long as chicken rules are followed	2/17/2023 4:03 PM

Q8 How important is it to you that the City take action on an ordinance concerning backyard chickens? (Select one)

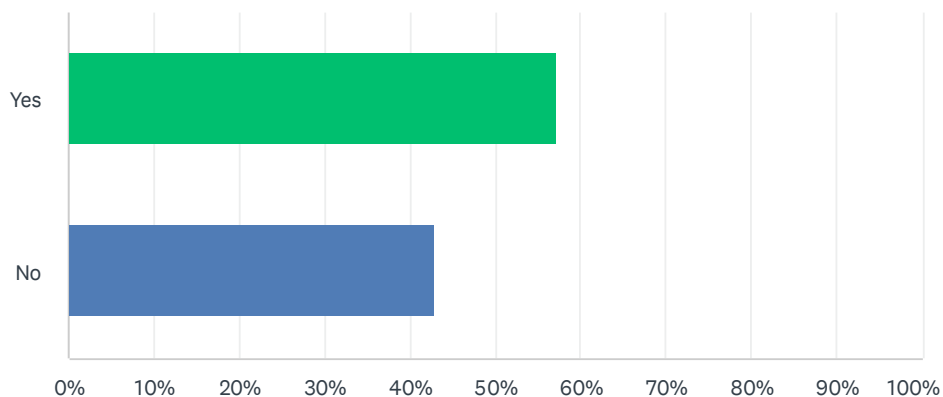
Answered: 338 Skipped: 10



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	16.27% 55	6.21% 21	21.89% 74	22.19% 75	33.43% 113	338	3.50

Q9 Should Woodcreek incorporate traffic calming measures throughout the city, especially as part of road projects in the near future? These measures could include street plantings, speed cushions/tables acceptable to first responders, raised golf cart paths where they cross streets, additional stop signs, etc.

Answered: 339 Skipped: 9



ANSWER CHOICES	RESPONSES
Yes	57.23% 194
No	42.77% 145
TOTAL	339

#	ADDITIONAL COMMENTS:	DATE
1	Trees will cause accidents, bump will piss citizens off	3/15/2023 5:14 PM
2	hire cops	3/15/2023 5:14 PM
3	speeding not an issue	3/15/2023 5:06 PM
4	This has also been on past surveys	3/15/2023 5:04 PM
5	NO planting, NO signs, cushions already in road plan	3/15/2023 4:58 PM
6	Just to keep people to slow down	3/15/2023 4:53 PM
7	Along Woodcreek Drive	3/15/2023 4:50 PM
8	Especially on Brookmeadow on both sides of Brookside	3/15/2023 4:47 PM
9	Plantings are nice but traffic is acceptable currently.	3/15/2023 4:42 PM
10	Don't like it, but slow down traffic!!!	3/15/2023 4:24 PM
11	Where would the money come from? Do not raise my taxes for this purpose	3/15/2023 4:23 PM
12	Plantings & speed cushions MOST important	3/15/2023 4:08 PM
13	Ticket violators	3/15/2023 4:03 PM
14	Important to NOT take action and further restrict local traffic.	3/15/2023 3:58 PM

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15	Outside traffic - construction damage	3/15/2023 3:54 PM
16	Save our streets - protect residents and children	3/15/2023 3:21 PM
17	(struck through street plantings, speed cushions/tables acceptable to first responders, raised golf cart paths where they cross streets, additional stop signs, etc.) Comment: Only on Woodcreek Drive and Brookhollow.	3/15/2023 3:17 PM
18	The only thing that will work is a 1. ----- 2. full-sized speedbump (4") anything 3. less is a waste of \$	3/15/2023 3:15 PM
19	ONLY on major access roads	3/15/2023 2:49 PM
20	WITHIN REASON	3/15/2023 2:33 PM
21	We agree that traffic needs to slow down, but we are very opposed to traffic bumps/cushions. Would prefer stop signs to speed cushions. Most of the speeders we have observed, often the worst offenders, are travelling the entire Woodcreek Dr. from Cypress Falls area to RR12.	3/15/2023 2:29 PM
22	Speed cushions on busy streets	3/15/2023 2:25 PM
23	Anything to slow traffic	3/15/2023 2:18 PM
24	Speed bumps on Augusta Dr.	3/15/2023 2:08 PM
25	(next to yes response) - yes, to measures - but no to some mentioned above (trees in streets) The speed sign that has been on Brookmeadow in February has been effective, I believe.	3/15/2023 12:24 PM
26	only on Woodcreek Drive	3/15/2023 12:16 PM
27	No to the underlined above (then points to...) "street plantings,"" raised golf cart paths"	3/15/2023 12:15 PM
28	Too many taxes already.	3/15/2023 12:02 PM
29	Cars continue to speed on Brookmeadow & Woodcreek, despite posted speed limits	3/15/2023 11:52 AM
30	Brookhollow and Woodcreek Drive are dangerous for pedestrians	3/15/2023 11:42 AM
31	Very dangerous speeding!	3/15/2023 11:42 AM
32	How about more stop signs on Woodcreek & Brookmeadow	3/15/2023 11:21 AM
33	Fix existing roads. "raised golf cart paths where they cross streets," ? Really bad idea	3/15/2023 11:03 AM
34	Speeding has become a real hazard in Woodcreek	3/15/2023 10:55 AM
35	Will HELP STOP SPEEDERS	3/15/2023 10:45 AM
36	Traffic / speeding not a problem - Enforce! We need repairs to roads no fluff	3/15/2023 10:44 AM
37	Yes!!, on Brookhollow PLEASE! curtail speeding by residents and contractors. Current monitoring not working.	3/15/2023 10:36 AM
38	Have local police start ticketing	3/15/2023 10:31 AM
39	Great quality Speed cushions along Woodcreek Dr. & Brookhollow	3/15/2023 10:27 AM
40	I drive the streets every day and do not see a big problem. Maybe Woodcreek Dr. has more traffic and speeders. I affixed my sticker by the way!	3/15/2023 10:22 AM
41	Raised golf cart path no necessary. Curved streets should be striped to make aware of crossover.	3/15/2023 10:16 AM
42	NO Roads are fine	3/15/2023 10:12 AM
43	The "City," the "county" should take action again Cypress Falls Event Center for disregarding pertinent (sic) street problems that are dangerous to all!!!	3/15/2023 10:11 AM
44	if possible within current budget	3/15/2023 10:03 AM
45	Speeding is an issue Need heightened awareness for pedestrians	3/13/2023 2:03 PM
46	No street plantings. Yes on speed humps and the like	3/8/2023 8:17 PM

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47	Must be acceptable to all first-responder groups.	3/8/2023 6:04 PM
48	If done, they MUST be acceptable to first responders.	3/8/2023 5:32 PM
49	need enforcement!	3/8/2023 12:54 PM
50	Speed humps at city entrances to discourage cut through traffic, and variable speed bumps to slow down traffic on main streets.	3/8/2023 8:02 AM
51	Speed bumps, raised golf cart crossings NO STOP SIGNS	3/8/2023 7:47 AM
52	Wish the speed limit could be lowered to 15... folks drive way too fast!	3/7/2023 7:29 PM
53	I welcome a bike/pedestrian lane as well.	3/7/2023 4:39 PM
54	Please repair our roads. We already have stickers in our car windows which slow down traffic.	3/7/2023 7:22 AM
55	Speeding is a problem.	3/6/2023 8:28 PM
56	Especially the hill from Woodcreek to the bridge over Cypress Creek as it is super dangerous, especially as many potholes and people rushing down the hills	3/6/2023 4:50 PM
57	Any tools deployed must be reviewed with EMS and Fire to be certain we do not have a repeat of Wimberley's fiasco on Las Flores and elsewhere	3/6/2023 4:44 PM
58	Very important to me. Raised golf paths where they cross streets sounds like an excellent idea. And speed cushions could be just enough to slow traffic down without being onerous	3/6/2023 2:33 PM
59	Traffic "calming" measures!? You mean people driving too fast and recklessly down our streets? You wonder why people don't trust you and/or your agendas. Talk like people, NOT politicians.	3/6/2023 11:33 AM
60	We should focus on repairing the condition of the roads first.	3/6/2023 11:15 AM
61	about time.	3/4/2023 11:03 AM
62	Yes.	3/4/2023 10:46 AM
63	Long overdue and needed. Its discussed all the time but nothing is ever done.	3/4/2023 10:43 AM
64	I don't like a lot of these measures, but speeding is still an issue on the main streets. I support stronger rules favoring golf carts, bicycles & walking. It's unfortunate the Woodcreek developers didn't allow more room along our streets for this.	3/3/2023 11:11 AM
65	Not in favor of raised golf cart paths.	3/2/2023 9:31 AM
66	People who say speed bumps are not effective should go drive back and forth a few times in front of the high school - they will quickly find out that speed bumps do work!	3/1/2023 4:57 PM
67	This is of moderate importance. I live on Brookhollow and most of the traffic is within the speed limit	2/28/2023 9:30 AM
68	By our home on Woodcreek Drive there we just a few speeding cars periodically. We do not need traffic slowing humps or other things to slow traffic. 25mph is slow and MOST folks observe this.	2/28/2023 8:12 AM
69	The priorities should be speed control on the Woodcreek roads and road repair. There are currently many speeders and potholes on Champions Circle.	2/26/2023 11:05 PM
70	The traffic coming from and going to Cypress Creek and Woodcreek Drive has almost doubled since we moved here in 2016. Would like to see something to slow down the traffic coming through. Especially the hill at the end Woodcreek Drive coming from Cypress Creek.	2/26/2023 7:09 PM
71	speed bumps would help a lot curbing speeders	2/26/2023 12:16 PM
72	Top priority is stopping our neighborhood from being a pass-through from 2325 to Winter's Mill, especially for school drop-offs	2/26/2023 11:12 AM
73	Present evidence that there is a traffic problem. Only accidents that I am aware of occurred by those with medical issues.	2/25/2023 4:08 PM
74	an outside source should determine whether the city has a traffic issue	2/25/2023 11:19 AM

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75	Something especially needs to be done on Augusta Drive if the gate is to remain open.	2/24/2023 5:57 AM
76	An exception would be adding sidewalks/bike lanes. Otherwise, we don't have the funds to waste on ineffective measures for such a minor problem.	2/24/2023 1:35 PM
77	Yes, but golf course crossings should not be constructed for a for-profit company such as the golf course in Woodcreek. We should allow them to build them, not the city.	2/24/2023 8:37 AM
78	Not needed	2/23/2023 6:03 PM
79	I live on a major street in Woodcreek and my family walks often. We don't see issues with speeding or unsafe driving.	2/23/2023 1:52 PM
80	No, the city should purchase traffic enforcement cameras (to the extent permitted by TX law) to fine speeders, not punish the entire community with speed bumps and other "calming measures".	2/23/2023 10:50 AM
81	My observation is what is in place is adequate.	2/23/2023 10:01 AM
82	But not speed bumps	2/23/2023 7:07 AM
83	These are (can be) relatively cheap, and a great impact to lower traffic speed and increase safety. Maintenance dept hate them, but being in the PW Management industry they are not that troublesome TBO as long as constructed properly. Personally witnessed a person driving down Augusta Dr on a motor bike driving twice speed limit many times thanks to the temp radars. Im sure the City has that data.	2/22/2023 7:31 PM
84	The higher speeds not only raise safety issues, but they expedite the deterioration of the roads.	2/22/2023 6:21 PM
85	Yes to plantings. No, if it is speed bumps	2/22/2023 12:37 PM
86	Stricter enforcement by constable/sheriff is preferable	2/22/2023 10:46 AM
87	Yes, please. Especially along major thoroughfares were people often drive 45 mph	2/20/2023 3:33 PM
88	We need new roads before any other improvements.	2/20/2023 3:14 PM
89	Use bond funds for road repairs only. Woodcreek does not have many traffic accidents.	2/20/2023 10:31 AM
90	Focus on collector streets - leave the smaller streets alone.	2/19/2023 2:19 PM
91	Let's consider all of the above interesting and promising options.	2/19/2023 12:59 PM
92	Most of Woodcreek's streets are too narrow for foot traffic. That would be a better use of funds to widen the road or add a small foot path. I absolutely do not want speed bumps	2/19/2023 11:39 AM
93	Safe quiet streets contribute to a neighborly atmosphere leading to increased property values. Cut through traffic leads to speeding, noise, litter, and thief.	2/19/2023 6:34 AM
94	Explore modern methods	2/18/2023 4:52 PM
95	Major streets maybe	2/18/2023 3:14 PM
96	Incorporate walking paths too.	2/18/2023 2:44 PM
97	Repair and improve existing streets first.	2/18/2023 1:50 PM
98	Speed bumps are very undesirable. More speed traps.	2/18/2023 11:55 AM
99	The city is growing, so safety precautions are always important.	2/18/2023 11:27 AM
100	Temporary speed cushions ASAP replaced by permanent solutions as roadwork is done	2/18/2023 9:34 AM
101	Radar traffic data does not show a speeding issue. Have a traffic engineer, EMS and Fire officials address the Council	2/18/2023 9:04 AM
102	Speeding traffic has increased and is a danger to residents and wildlife.	2/18/2023 8:40 AM
103	EM services would be hindered	2/18/2023 8:21 AM
104	Cite Speeders.	2/17/2023 9:47 PM
105	No opinion other then STOP TRYING TO SPEND MY MONEY.	2/17/2023 7:40 PM

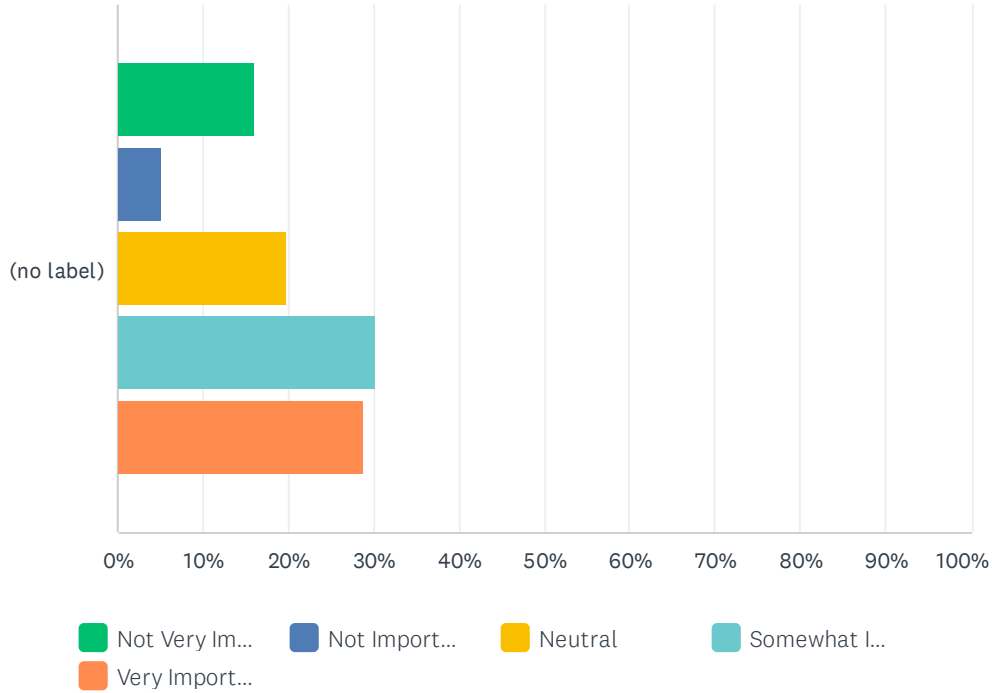
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106	Not if they include speed bumps.	2/17/2023 7:25 PM
107	The roads are doing it just fine.	2/17/2023 7:17 PM
108	These measures are preferred to police patrol and speed gauges.	2/17/2023 6:36 PM
109	Why should the city foot the bill for raised golf cart paths?	2/17/2023 5:49 PM
110	Dont spend our money on things we dont need.	2/17/2023 5:11 PM
111	There are other means of traffic control besides "bumps"	2/17/2023 4:03 PM

Q10 How important is it to you that the City take action on implementing traffic calming measures throughout the City with future road improvements? (Select one)

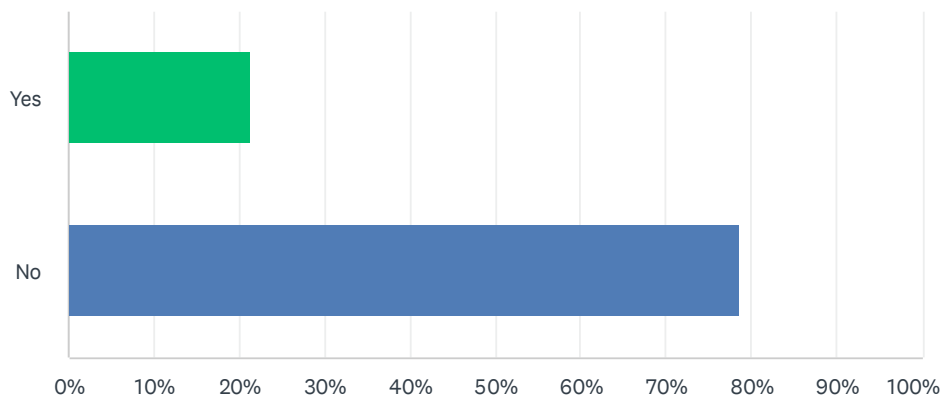
Answered: 337 Skipped: 11



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	16.02% 54	5.04% 17	19.88% 67	30.27% 102	28.78% 97	337	3.51

Q11 Should the City consider taking measures to close public access to the private drive known as “La Rocca Lane,” which is currently being used as a public road providing ingress and egress to the city?

Answered: 318 Skipped: 30



ANSWER CHOICES	RESPONSES
Yes	21.38% 68
No	78.62% 250
TOTAL	318

#	ADDITIONAL COMMENTS:	DATE
1	Where is this?	3/15/2023 5:14 PM
2	Why shut an entry to the city?	3/15/2023 5:14 PM
3	I don't know anything about this.	3/15/2023 5:10 PM
4	Mayor's private street	3/15/2023 5:06 PM
5	No opinion	3/15/2023 5:04 PM
6	Traffic is no worst on Augusta Drive than other parts of the city. So why close it? The Mayor's private street!!	3/15/2023 5:01 PM
7	Access saves time & \$; relieves traffic Brookmeadow	3/15/2023 4:58 PM
8	Saves a lot of traffic at Brookmeadow-RR12 intersection which is dangerous already	3/15/2023 4:47 PM
9	no opinion (sic)	3/15/2023 4:24 PM
10	We don't know where this is and didn't find it on GPS. If it connects Jacobs Well to Augusta, keep it :)	3/15/2023 4:13 PM
11	Doesn't it belong to the golf course?	3/15/2023 4:11 PM
12	Undecided	3/15/2023 4:08 PM
13	That part of Augusta Dr. is public same as it is on other parts of Augusta Dr. It is not a private street for residents living down there...keep the gate open!!!	3/15/2023 4:03 PM
14	City documents refer to this road as "important for EMS and emergency access."	3/15/2023 3:58 PM

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15	Put in a electronic gate Remotes to EMS-Fire-etc	3/15/2023 3:57 PM
16	Eliminate outside traffic	3/15/2023 3:54 PM
17	Look at Augusta Dr. - it's dangerous	3/15/2023 3:21 PM
18	Electronic gate for those who need to use. Key cards issued at City Hall with \$ deposit to obtain. Only for Woodcreek property owners.	3/15/2023 3:17 PM
19	La Rocca access allows a lot of trucks & tialers (sic) to come through the neighborhood causing noise and wear & tear on Augusta. If we had sidewalks we could walk safely- 2. Without sidewalks we are forced to walk in the streets- unsafe for pets & people. 3. Why do we have a "NO OULET sign at Brookhollow/Augusta if La Rocca was intended to be open? For years La Rocca was kept closed and opened only for emergencies (i.e. flooding) continued...When Brookhollow was under construction for over a year La R. was opened to help traffic flow and we were told it would be closed after the construction was finished. That promise was not kept. There are 3 other entrances & exists from Woodcreek- We do not need four (La Rocca) We don't need more traffic diverted from Jacob's Well Rd for non-resident cars	3/15/2023 3:15 PM
20	NO!! NO!! I understand city does not own this - how can you screw w/ something you do not own. Oh yes! Look at the council we have!!	3/15/2023 2:56 PM
21	I would need more info. If a resident owns it it is between resident's city. We don't need to vote. If it is private, they can fence it (gate) If it is emergency egress City for have a key.	3/15/2023 2:55 PM
22	It is a private road & it's up to the owners to decide its use. How would you like it if the city decided you couldn't use your own driveway? If the city wants to mess with private property, it should acquire the west end of Woodcreek Drive from the Lodge and then pave it.	3/15/2023 2:53 PM
23	that property is not City owned	3/15/2023 2:49 PM
24	very important not to take action	3/15/2023 2:44 PM
25	I think it is important to maintain multiple accesses because of need in case of fire, floods, etc.	3/15/2023 2:36 PM
26	DANGEROUS INTERSECTION ONTO/EXIT JACOBS WELL (if not widen road!)	3/15/2023 2:33 PM
27	We use this road occasionally, but understand and its residents nearby experience crime due to that ingress/egress.	3/15/2023 2:29 PM
28	ask the residents who live there	3/15/2023 2:25 PM
29	There is no reason to close this access! It also reduces traffic on Woodcreek Dr.	3/15/2023 2:21 PM
30	none	3/15/2023 2:18 PM
31	Close La Rocca or speed bumps on Augusta Dr. if can't close it!	3/15/2023 2:08 PM
32	Texas laws requires two exits to a subdivision.	3/15/2023 12:31 PM
33	NA	3/15/2023 12:25 PM
34	We need more access points to get back & forth.	3/15/2023 12:24 PM
35	We need La Rocca Ln open for safety	3/15/2023 12:16 PM
36	I'm not familiar with this public road	3/15/2023 12:13 PM
37	It's so very convenient.	3/15/2023 11:57 AM
38	But if stays opeb need traffic calming so that non-residents find the "cut through" less appealing.	3/15/2023 11:42 AM
39	Very helpful - Though used at cutthrough	3/15/2023 11:42 AM
40	YES BUT LIMITS EMS -	3/15/2023 11:37 AM
41	has increased traffic as a cut through to new school. provide access to gate to all emergency services.	3/15/2023 10:55 AM
42	A public road is a public road. Period.	3/15/2023 10:53 AM

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43	Provided That ALL EMERGENCY SERVICES ARE GIVEN MEANS FOR ACCESS. IT APPEARS THAT IT IS USED AS A "CUT THROUGH" FOR NONRESIDENTS RATHER THAN ACCESS FOR RESIDENTS	3/15/2023 10:45 AM
44	How many times has this been asked? City needs no action on this	3/15/2023 10:44 AM
45	People speed down the street every day and there doesn't appear to be any effort to stop them. No traffic enforcement by radar or policing.	3/15/2023 10:37 AM
46	Please leave this access open!	3/15/2023 10:36 AM
47	Poll the residents who are impacted by this.	3/15/2023 10:27 AM
48	Why?	3/15/2023 10:22 AM
49	taking no action would leave status quo or access	3/15/2023 10:16 AM
50	Keep it open	3/15/2023 10:12 AM
51	do not know where is	3/15/2023 10:03 AM
52	I don't know this, New to area	3/13/2023 2:03 PM
53	Additional emergency exit, it also helps avoid construction on RR12	3/13/2023 12:05 PM
54	What is the benefit??	3/8/2023 8:17 PM
55	For this resident, La Rocco Lane is convenient, saves gas, saves time, saves money, reduces auto exhaust pollution. It is necessary in case of emergency evacuation. Please Do Not close it!	3/8/2023 9:53 AM
56	Access important to citizens in north side of the city. If closed drivers will use Brookmeadow as their main thoroughfare into and out of the city.	3/8/2023 8:02 AM
57	If it is closed, there will be more traffic on Woodcreek Dr. We need access.	3/8/2023 7:47 AM
58	I am conflicted on this one - I assume this is the road with the one way bridge? If there were an emergency, we would need public access to safely exit the community in 2 directions. I personally like having ease of access to the schools going over the bridge; however, if we think it will slow traffic in our city, then I am willing to add drive time each day to go around.	3/7/2023 4:39 PM
59	assuming this the cut through of off Augusta drive. it saves a lot of time driving to sonny gold field several times/week but not the end of the world if closed	3/7/2023 8:41 AM
60	It provides one additional point of egress in the event of emergency evacuation or fire (and we are in a fuel-rich area). It likely provides convenient access to those living nearby but seems inconvenient for much of the rest of Woodcreek, so it's hard to imagine that it is currently carrying much traffic.	3/6/2023 8:28 PM
61	This has been debated for years, and the convenience of being able to get out to RR-12 and FM-2325 quickly is the deciding issue. In the event of an emergency - fire, flood, etc. - this access to Jacobs Well Rd is important. If anything should be done it would be improving the La Rocca Ln/Jacobs Well intersection to make it more visible	3/6/2023 4:44 PM
62	The more entrances and exits into and out of Woodcreek, the better. For safety and traffic reasons. My question would be: Who wants it closed and Why?	3/6/2023 2:33 PM
63	The next question on "how important" is exactly what I previously wrote about. What do I answer if I DON'T think it should be closed?	3/6/2023 11:33 AM
64	Assuming this is the road coming in from Jacob's Well (would have been good to provide more info in the question). If this is correct, closing it up creates a safety issue - I this daily coming and going to Woodcreek North to avoid having to get out on RR12 - particularly late at night.	3/6/2023 11:15 AM
65	But, what if closing it only increases the Woodcreek Drive cut-through traffic?	3/5/2023 4:00 PM
66	We're more neutral on this but it's either yes or no	3/4/2023 8:15 PM
67	having it open has reduced the traffic on Brookhollow	3/4/2023 12:05 PM
68	not needed.	3/4/2023 11:03 AM

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69	No.	3/4/2023 10:46 AM
70	not needed.	3/4/2023 10:43 AM
71	I am against the city taking action to close La Rocca Lane.	3/3/2023 11:11 AM
72	Open only for occasional special access needs	3/3/2023 8:53 AM
73	It is useful to residents and does NOT encourage pass through traffic. Only a fool would use this serpentine route over a bumpy concrete street. The elimination is one man's crusade.	3/2/2023 4:23 PM
74	My understanding is that residents in that area were PROMISED by our city that gate would remain closed except to emergency vehicles. There was never a good reason for Woodcreek to go back on that promise after the paving of Brookhollow was completed. The golf course did not care about having it open before that, and I don't believe they cared about it afterwards either. I have no proof, but my own personal opinion is that our former city manager wanted that gate to remain open, so he made a sweetheart deal with Jason to say the golf course wanted the gate open in spite of the vote by City Council to close it.	3/1/2023 4:57 PM
75	I think if there was ever a city-wide emergency such as fire for flooding, that as many possible exits be available for people to evacuate.	3/1/2023 11:09 AM
76	The argument for closing this road has always been selfish comments for the residences on this street wanting a quiet street instead of diverting some traffic from other streets. There is more traffic on the north end of Brookhollow when La Rocca is closed, this negates the argument of cut through traffic.	3/1/2023 8:46 AM
77	I live on Augusta Dr between La Rocca and Brookmeadow and have NOT seen a serious issue with speeding cars cutting through the neighborhood.	2/28/2023 6:29 PM
78	I don't really know	2/28/2023 4:54 PM
79	I am assuming this is the one off of Augusta to Jacobs well. We need that exit.	2/28/2023 4:10 PM
80	It has been so nice to have another option to get out of the city. It is very important to me that it not be closed.	2/28/2023 11:58 AM
81	Woodcreek needs that option	2/28/2023 11:40 AM
82	Cutting off this 3rd pressure valve to increasing traffic flow will just add to increased speed and volume on the other 2 exits from the city. People will have farther to go to access RR 12 and accordingly will speed	2/28/2023 9:30 AM
83	It is used by many, many people and should be left open. From Woodcreek Proper it is a must to get to Woodcreek North rather than trying to get on or get off of RR12 or the Blanco highway.	2/28/2023 8:12 AM
84	Woodcreek needs that option	2/27/2023 12:34 PM
85	I don't know.	2/26/2023 11:05 PM
86	Would like to know how many vehicles average per day access that egress going out and in city.	2/26/2023 12:16 PM
87	We allow CYJ to use our roads, inconveniencing residents on Doolittle Drive. If CYJ isn't going to be stopped, why stop LaRocca??????	2/26/2023 11:12 AM
88	I don't know where La Roca Lane is located. The residents living there or near should decide if closure is warranted	2/25/2023 6:18 PM
89	Nope. Use this entry quite often	2/25/2023 4:08 PM
90	why close an avenue to the city	2/25/2023 11:19 AM
91	There is entirely too much speeding traffic coming to and from that gate.	2/24/2023 5:57 PM
92	I live practically across the street from it and have suffered no ill effects from it being open. It's very convenient for those of us in the very back of the neighborhood and has cut down on the traffic through the neighborhood	2/24/2023 2:05 PM
93	Absolutely not. If La Rocca is closed, there are only 3 exits for the 1700 plus residents in an emergency. Also, closing La Rocca increases traffic on Brookmeadow and Woodcreek Drive	2/24/2023 1:35 PM

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as those are the only other ways to exit the city.

94	I live down the street from LaRocca Lane and have not observed any negatives with it being open over the past many months. And I would hate to lose the convenience of having quick access to this road. Question #12 that follows is worded to highlight CLOSING LaRocca. It is very important to me that the City take action on keeping public access to LaRocca open.	2/24/2023 9:04 AM
95	We need the access from the back of the neighborhood. It is a safety issue. The few people complaining can get over it like the rest of us.	2/23/2023 6:03 PM
96	Absolutely not! We live on Augusta Drive and this road makes our life significantly better. If you close this then we only have one way out. Numerous times we have been unable to get down Augusta due to construction and this has provided as an alternate route in and out. It also allows us a much faster path to school and work. Once again we live right here and are out playing with kids often. We have not had any ill effects from this road being open. This also provides as an alternative in case of an emergency. I sincerely hope this does not get closed because it provides us a lot of benefits including ones of safety.	2/23/2023 1:52 PM
97	Where is La Rocca Lane?	2/23/2023 10:50 AM
98	This is one of the only easy accesses to Jacob's Well, Phase II, and adjacent areas. I think the gate should even be removed.	2/23/2023 10:01 AM
99	Would it still be available as an emergency exit or for first-responder use? I guess I would lean heavily to the feelings of those on the adjacent/intersecting street.	2/22/2023 6:21 PM
100	This is a road we use frequently and would hate to see it closed	2/22/2023 12:37 PM
101	Having this drive open is a HUGE benefit for anyone living in this part of Woodcreek. Our children go to Danforth and Jacob's Well. Without access here this adds 10+ minutes to our drive time. Driving to Woodcreek North... 10+ minutes is added. Making everyone drive all the way around the entire neighborhood is ridiculous and absolutely unnecessary.	2/22/2023 11:30 AM
102	Multiple egress/ingress is important!	2/22/2023 10:46 AM
103	I think it encourages cut-thru traffic	2/21/2023 4:26 PM
104	Like it when it is closed. Less traffic & speeding	2/21/2023 2:42 PM
105	It has been a convenience to citizens.	2/21/2023 2:41 PM
106	Ingress and egress should NOT be restricted.	2/20/2023 7:24 PM
107	Keep this open	2/20/2023 3:36 PM
108	There are very few entrances in Woodcreek and closing one to satisfy a few residents that are politically connected is not prudent.	2/20/2023 10:31 AM
109	This exit is used by residents of neighborhoods in that area. If the gate is closed, these residents would have to cross the City to leave. The RR 12 entrance/exit is already a challenge. I urge City officials to spend time at that entrance/exit in the early morning, mid afternoon, and evening rush hour. It is more than an issue of traffic congestion and delays, but pollution through emissions of cars idling while waiting to move. Closing the back entrance will increase this problem.	2/19/2023 2:19 PM
110	If this is the short street between Augusta Dr and Jacobs Well Rd, definitely no. I find that useful and do not see a problem with it.	2/19/2023 1:00 PM
111	Closing La Rocca Lane would only increase traffic in our other main traffic corridors.	2/19/2023 12:59 PM
112	I am not aware of this road	2/19/2023 11:39 AM
113	Closing La Rocca Lane would be an inexpensive method to eliminate some of the cut through traffic.	2/19/2023 6:34 AM
114	It plays an important emergency function.	2/18/2023 3:16 PM
115	In the event of flood or other disaster, the street provides necessary egress.	2/18/2023 1:50 PM
116	No idea where this is. That information would help!	2/18/2023 12:44 PM
117	We need an another way out of the city	2/18/2023 12:14 PM

225

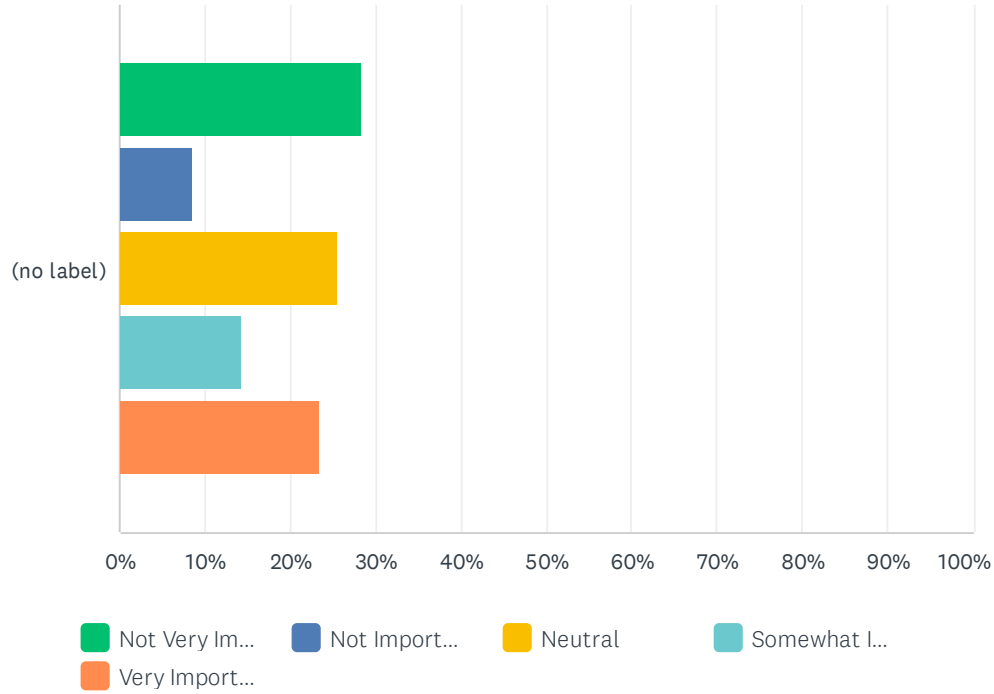
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118	La Rocca is a legitimate and important entrance. We should have measures to control speeders just like any other street. Only people who live nearby hate it.	2/18/2023 11:55 AM
119	Closing this entry will narrow the city entries to two because the entry on the Woodcreek west road is not suitable because of its roughness. Traffic is no worst on Augusta Drive than other parts of the city.	2/18/2023 9:04 AM
120	LaRocca Lane was closed for years and only opened if warranted by emergencies.	2/18/2023 8:40 AM
121	Emergency vehicle access and evacuation routes are critical for every community. Perhaps as a compromise, one way gates could be installed with a function break/push plate	2/18/2023 6:21 AM
122	I understand the concern for safety but if steps are taken to reduce speed in the way of speed bumps or similar, it is a moot point.	2/18/2023 2:58 AM
123	1. One reason Quicksand wanted LaRocca open was to let Jason Donaldson (superintendent) a short cut to his home in Woodcreek North. He has now resigned from Double J Ranch Golf Club, and will not need a short cut. 2. With the gate open, too many cars utilize it for schools on RR 2325. 3. With the gate open, too many service trucks with trailers, use it to enter Woodcreek. 4. With the gate open, too many none residents of Woodcreek cut through to get to schools on RR 2325.	2/17/2023 8:17 PM
124	No opinion.	2/17/2023 7:40 PM
125	Please don't close it.	2/17/2023 6:36 PM
126	I don't know much about this issue	2/17/2023 5:26 PM
127	We need another way out. Not city property.	2/17/2023 5:11 PM
128	Was closed prior to construction of new road on Brookhollow Drive	2/17/2023 4:03 PM

Q12 How important is it to you that the City take action on closing public access to La Rocca? (Select one)

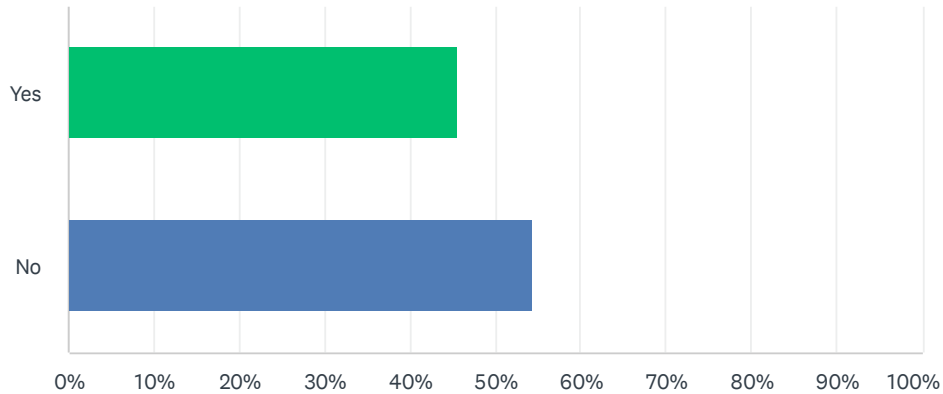
Answered: 329 Skipped: 19



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	28.27% 93	8.51% 28	25.53% 84	14.29% 47	23.40% 77	329	2.96

Q13 Should the City consider some remodeling of City Hall? (Examples: replacement of carpet, repaint interior, extension of meeting room)

Answered: 326 Skipped: 22



ANSWER CHOICES	RESPONSES	
Yes	45.71%	149
No	54.29%	177
TOTAL		326

#	ADDITIONAL COMMENTS:	DATE
1	City Manager decision - not a citizen	3/15/2023 5:14 PM
2	dumb question	3/15/2023 5:14 PM
3	silly question	3/15/2023 5:06 PM
4	Don't bother citizens with this type of question. Let city staff make suggestions to the city council; leave us out of such discussion.	3/15/2023 5:01 PM
5	CYJ available for lg meeting; Stop spending money	3/15/2023 4:58 PM
6	If needed then do it. Not sure meeting room size needs extention if meetings are before 5:30 who makes it to them?	3/15/2023 4:53 PM
7	Neutral	3/15/2023 4:47 PM
8	I understand the budget of this city. No more taxes or bonds.	3/15/2023 4:23 PM
9	Ask for resident volunteers to help (cut costs)	3/15/2023 4:08 PM
10	1. You already appropriated \$6000 for mold remediation. This includes paint & carpets. 2. If City Hall is too hazardous, tear it down & put up a new appropriate building.	3/15/2023 3:58 PM
11	If needed	3/15/2023 3:57 PM
12	If necessary	3/15/2023 3:54 PM
13	If needed	3/15/2023 3:21 PM
14	Only paint when really needed. Not enough tax base to fund. Meetings could continue to be held at Camp Young Judaea.	3/15/2023 3:17 PM
15	Not at this time	3/15/2023 2:56 PM

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16	Only if you follow the same rules that are required of residents (Ex. your"temp" shed violates the regs.)	3/15/2023 2:55 PM
17	What do the needs dictate?	3/15/2023 2:53 PM
18	consider soundproofing insulation	3/15/2023 2:49 PM
19	AS NEEDED	3/15/2023 2:33 PM
20	it's too small	3/15/2023 2:21 PM
21	streets first	3/15/2023 2:21 PM
22	The city should present apositivley (sic) and well kept image	3/15/2023 2:18 PM
23	ITS OK AS IS	3/15/2023 2:14 PM
24	EXTENION / EXPANSION / ENLARGEMENT OF MEETING ROOMS	3/15/2023 2:02 PM
25	"extension of meeting room" circled	3/15/2023 12:47 PM
26	checked "yes" and "no"	3/15/2023 12:45 PM
27	if needed	3/15/2023 12:31 PM
28	NA	3/15/2023 12:25 PM
29	Necessary maintenance of property is important	3/15/2023 12:24 PM
30	!	3/15/2023 12:15 PM
31	undecided (I've never been inside the City Hall)	3/15/2023 12:13 PM
32	All property needs to be maintained. But not meeting room extension.	3/15/2023 11:57 AM
33	P.A. System	3/15/2023 11:49 AM
34	But only to allow for greater occupancy for hearings.	3/15/2023 11:42 AM
35	Is there a need?	3/15/2023 11:37 AM
36	Carpet - yes Repaint - yes Expand meeting room ->Why?	3/15/2023 11:21 AM
37	We are a small community, don't need a lot of "bling'	3/15/2023 11:14 AM
38	Not important	3/15/2023 11:04 AM
39	Is it warrented (sic), given the few hours of operation	3/15/2023 11:03 AM
40	Need larger meeting room	3/15/2023 10:57 AM
41	as finances allow.	3/15/2023 10:55 AM
42	How can we afford this?	3/15/2023 10:44 AM
43	Maybe. Within reasonable cost + not raise property tax	3/15/2023 10:36 AM
44	volunteers can do the work	3/15/2023 10:35 AM
45	can not afford.	3/15/2023 10:33 AM
46	Quit spending money, except on road. All past surveys have indicate this is the most important issue	3/15/2023 10:27 AM
47	We're still too small. Like so many, make do with what you have. Normal painting, carpet replacement, as needed, YES.	3/15/2023 10:22 AM
48	not at this time	3/15/2023 10:03 AM
49	If needed	3/13/2023 2:03 PM
50	Minor, like carpets	3/13/2023 12:05 PM
51	Need for bigger meeting room is reasonable	3/8/2023 8:17 PM

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52	Possibly increase the size of the meeting room.	3/8/2023 5:32 PM
53	As long as no tax increase	3/8/2023 12:54 PM
54	Looked super cute when I was there :-)	3/7/2023 7:29 PM
55	It has been awhile since I have been in person to City Hall. It was very outdated while I was there & could probably use a reasonably priced fix up. I am curious if we could save \$ and make this a community project utilizing experience within the community.	3/7/2023 4:39 PM
56	Yes but with common sense. Carpet, paint, updating: yes. Significant remodel, replacement or large expansion, no. Construction is expensive. Frankly, I'd rather see our long-ignored streets repaired before any expensive remodel takes place.	3/6/2023 8:28 PM
57	There are funding needs that are more pressing than fresh feathering for the council and city manager's nest	3/6/2023 4:44 PM
58	Extension of meeting room for sure	3/6/2023 2:33 PM
59	Again, since my answer is "NO" what do I answer in the next question?	3/6/2023 11:33 AM
60	When really needed for aging/wear-and-tear or really needed for office functioning.	3/5/2023 4:00 PM
61	No need. It's perfectly functional	3/4/2023 8:15 PM
62	only if necessary	3/4/2023 12:05 PM
63	not needed. Use what you have and be happy.	3/4/2023 11:03 AM
64	No.	3/4/2023 10:46 AM
65	Why do you need this? You don't even have people attend City Council meetings. Stop wasting money on yourselves. Do the peoples work.	3/4/2023 10:43 AM
66	If last remodel was more than 10 years ago	3/4/2023 7:13 AM
67	Maintenance as needed ... nothing excessive. Access to meeting facilities at Camp Young Judea and locations in Wimberley are better options that spending a lot of money to build our own.	3/3/2023 11:11 AM
68	If needed, yes. However, it would seem that the capacity is very limited for larger meetings	3/3/2023 8:53 AM
69	only if necessary to maintain a safe location	3/2/2023 4:23 PM
70	Only if necessary.	3/1/2023 8:46 AM
71	Hall should be an attractive part of city but any major updates should not come at the expense any road projects	2/28/2023 4:10 PM
72	General maintenance should always be available.	2/28/2023 11:58 AM
73	Cannot answer since have not been in there recently. These questions are too vague in general	2/28/2023 11:40 AM
74	It's too little and we need a space that accommodate larger meetings	2/28/2023 9:30 AM
75	If needed	2/28/2023 8:12 AM
76	Cannot answer since have not been in there recently. These questions are too vague in general	2/27/2023 12:34 PM
77	I am all for this if it means meetings will not be held at CYJ!!!!'	2/26/2023 11:12 AM
78	Why should a citizen be asked this?	2/25/2023 4:08 PM
79	city staff matters-not citizens	2/25/2023 11:19 AM
80	The carpet is many years past it's life expectancy. The city needs a meeting room large enough for the public and officials to participate safely in city government.	2/24/2023 1:35 PM
81	If repairs/updates are needed, then of course.	2/24/2023 9:04 AM
82	Limited updates. Tile or industrial vinyl instead of carpet. Budget friendly furnishings	2/23/2023 7:05 PM
83	Once again additional information would be beneficial. Upgrades or maintenance needs to happen overtime. What is the budget being proposed to these items? Are we talking super	2/23/2023 1:52 PM

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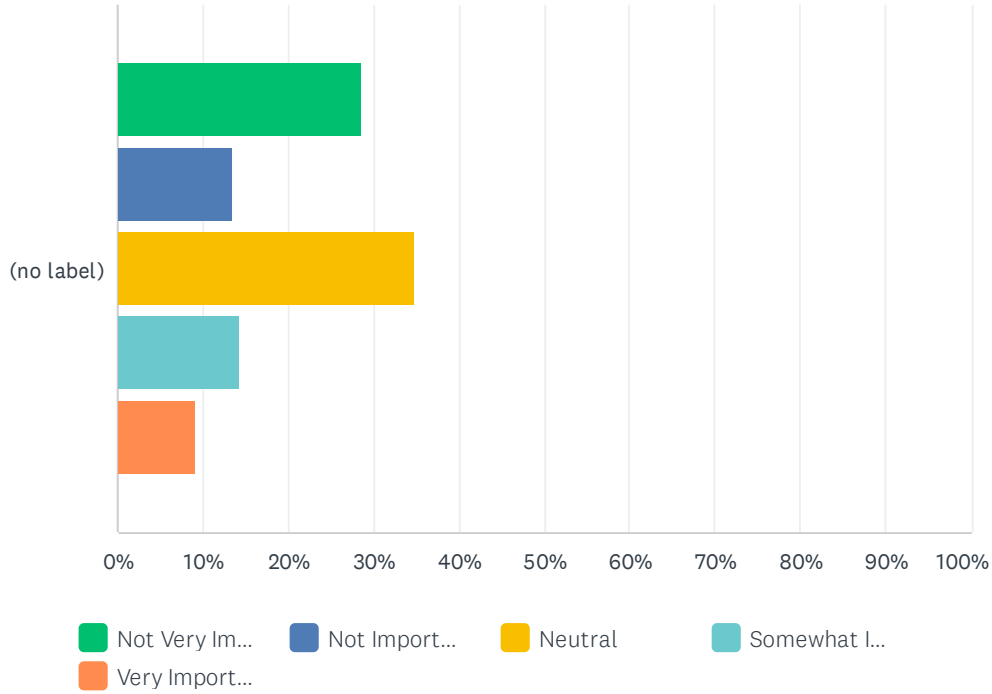
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high-end carpet or a reasonable replacement? Please provide more information on these items because I would be more supportive.

84	The caveat is how much remodeling NEEDS to be done and at what capped budget? Most likely the meeting room needs extending, but having never been, I can only guess.	2/23/2023 10:01 AM
85	As the city has grown, the need for a larger meeting space is becoming more necessary. It would be nice to have it spiffed up a bit.	2/22/2023 9:37 PM
86	Ive lived here 5+yrs, am involved in City Management nearby, Where the hell is City Hall anyway?? Not important for this community, thats not the fabric of this community and please dont make it that way.	2/22/2023 7:31 PM
87	Fresh paint or carpet, ok. Not reconstruction/expansion.	2/22/2023 6:21 PM
88	I'd prefer you fix the ridiculous potholes in the neighborhood first.	2/22/2023 11:30 AM
89	I would say important to do up keep on the building but don't think expansion is necessary	2/22/2023 7:51 AM
90	Simply do necessary maintenance to keep in good condition	2/21/2023 3:43 PM
91	If it needs it	2/21/2023 2:42 PM
92	As needed. All property needs regular upkeep and can be done at minimum cost if done correctly.	2/20/2023 4:44 PM
93	But this is not a question for the citizens or the Council. IF the city manager and secretary feel that they need painting, recarpeting, then they should make that happen within budgeted.	2/20/2023 3:57 PM
94	Use the funds to improve roads first.	2/20/2023 3:14 PM
95	Modest improvements to ensure mold is remediated should be made within existing budget constraints.	2/20/2023 10:31 AM
96	Yes, City Hall is small and crowded, but it is not a priority. There are other needs, such as road repair or replacement, code compliance, safety and protection of residents, that take precedence.	2/19/2023 2:19 PM
97	We need to raise additional funds to build a new larger and more efficient city hall/city center.	2/19/2023 12:59 PM
98	Minimum repairs and improvements to City Hall are appropriate. The focus of the council should be serving the citizens by improving roads, parks, and walking paths.	2/19/2023 6:34 AM
99	Hire Woodcreek-Wimberley contractors and vendors when possible.	2/18/2023 2:44 PM
100	Budget appropriately first based on solid planning	2/18/2023 9:34 AM
101	Why get the citizens involved in this type of decision?	2/18/2023 9:04 AM
102	NO extra money	2/18/2023 8:21 AM
103	NO NO NO. Stop trying to spend more money. Haven't you people noticed that the cost of living is skyrocketing?	2/17/2023 7:40 PM
104	Expand city hall...yes , there is room. Carpet...yes.	2/17/2023 5:11 PM
105	If necessary, do it	2/17/2023 4:03 PM

Q14 How important is it to you that the City take action on City Hall improvements or an expansion of the meeting room? (Select one)

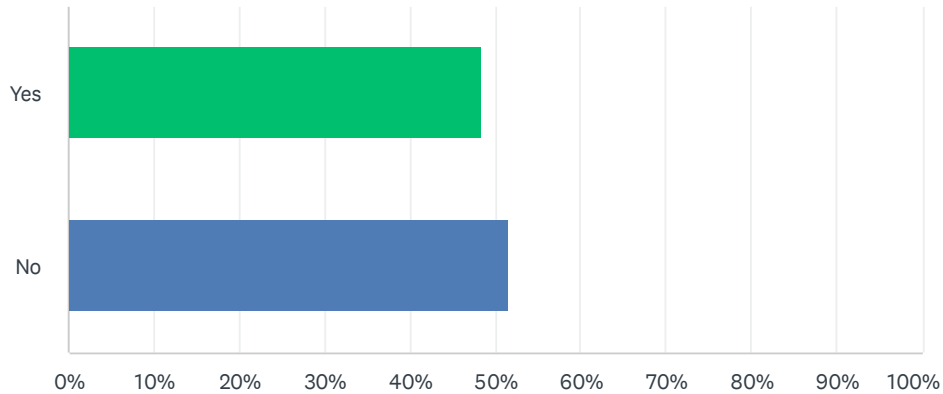
Answered: 330 Skipped: 18



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	28.48% 94	13.33% 44	34.85% 115	14.24% 47	9.09% 30	330	2.62

Q15 Should the City hold more Community Events?

Answered: 322 Skipped: 26



ANSWER CHOICES	RESPONSES
Yes	48.45% 156
No	51.55% 166
TOTAL	322

#	IF YES, WHAT KINDS OF EVENTS?AND/OR ADDITIONAL COMMENTS?	DATE
1	Don't have the time	3/15/2023 5:14 PM
2	We are adjacent to Wimberley with more events to attend	3/15/2023 5:04 PM
3	Free concert in park, citizen recognitions	3/15/2023 4:58 PM
4	Community is important good job so far & no ideas on type of event. Volunteerism is encouraged & will help society does not do all the work.	3/15/2023 4:53 PM
5	Get together in the parks quarterly	3/15/2023 4:47 PM
6	Music, education/lectures, nature walks	3/15/2023 4:42 PM
7	Spring Market - Music on the Creek (Stage Setup by the Square) - Bat Day - Hike Wimberley Day - Thanksgiving Day Parade - Celebrate Wimberley Business Parade	3/15/2023 4:36 PM
8	knowing neighbors is important	3/15/2023 4:24 PM
9	Similar to pre-election gathering	3/15/2023 4:11 PM
10	Undecided, but beneficial to know your neighbors	3/15/2023 4:08 PM
11	Parties. Preferably events for children as well as for adults.	3/15/2023 3:58 PM
12	?? Must be of interest to residents	3/15/2023 3:54 PM
13	We have enough	3/15/2023 3:17 PM
14	Depends on what it cost	3/15/2023 2:56 PM
15	Hold events at times that working people can attend. Not everyone is retired. :) Neighborhood block parties, outdoor concerns, movie nights.	3/15/2023 2:55 PM
16	Social/educational Observe Arbor on Arbor Day (April 28) Return National Night Out to its intended purpose.	3/15/2023 2:53 PM

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17	social get togethers	3/15/2023 2:44 PM
18	events that would allow community to interact with Mayor & Council members.	3/15/2023 2:36 PM
19	Maybe Develop, up grade what we have	3/15/2023 2:33 PM
20	quit wasting money	3/15/2023 2:25 PM
21	coffee/wine happy hour none	3/15/2023 2:18 PM
22	Sing Alongs	3/15/2023 2:08 PM
23	"yes or no"	3/15/2023 2:02 PM
24	Mayor Whitehead's breakfasts with the Mayor went well.	3/15/2023 12:45 PM
25	The only public event I would like is coffee with the Mayor like Mayor Whitehead had.	3/15/2023 12:42 PM
26	?	3/15/2023 12:25 PM
27	I think Halloween & Christmas (luminarias), 4th of July & the mentioned City-wide garage sale are sufficient.	3/15/2023 12:24 PM
28	anything nature related, community garden Celebrating neighbors	3/15/2023 12:13 PM
29	Citywide Garage Sale	3/15/2023 11:57 AM
30	4th of uly holiday events by golf course + parks	3/15/2023 11:51 AM
31	A few more city wide "gettogethers" would be nice (sic)	3/15/2023 11:14 AM
32	Would be very hard to monitor outside interference from non residents.	3/15/2023 10:55 AM
33	IT WILL BECOME POLITICAL AND SET NEIGHBOR AGAINST NEIGHBOR	3/15/2023 10:45 AM
34	At what cost?	3/15/2023 10:44 AM
35	N/A	3/15/2023 10:36 AM
36	2 x year Easter/July 4	3/15/2023 10:31 AM
37	Let the golf course and Camp Young Judea sponsor a few	3/15/2023 10:27 AM
38	However, a volunteer group could try hosting an occasional event at a park with music, a food truck, etc to see if residents will participate. Attendees would pay for food and drink and, if it works may eventually pay some amount for better musicians.	3/15/2023 10:22 AM
39	It's very difficult to have a community participate in events and turn out would be low vs. effort put forth to organize.	3/15/2023 10:16 AM
40	Social gatherings	3/13/2023 2:03 PM
41	Date of City's birthday	3/13/2023 12:05 PM
42	As long as expenses are low	3/8/2023 8:17 PM
43	Educational family events like Arbor Day—teaching tree planting, care, trimming; trash pick up and recycling; bicycling and walking safety; Dark Sky Community efforts; Water conservation; gardening; wildflower growing; attracting bees and butterflies; chicken raising responsibly; how to deal with deer population and other wildlife	3/8/2023 9:53 AM
44	Adequate at this time.	3/8/2023 8:02 AM
45	Doing pretty good already.	3/8/2023 7:47 AM
46	Loved the night out and Halloween one too ;-)	3/7/2023 7:29 PM
47	Woodcreek Day was nice Maybe a community garage sale a couple of times a year where people rent spaces and the rent proceeds go to a fund for other projects	3/7/2023 5:02 PM
48	I am appreciative of the community events that we are already holding for example, the Halloween event. Truthfully with our kids in school, we are pretty overextended participating in WISD events and it is difficult to make additional time to participate locally.	3/7/2023 4:39 PM

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49	Halloween parade and Meet the Neighbors very good!	3/7/2023 3:35 PM
50	family mixers at the new park? events at golf course for those interested?	3/7/2023 8:41 AM
51	We are a part of a wonderful community of Wimberley and access to tons of events there. Spend money on our roads within Woodcreek please.	3/7/2023 7:22 AM
52	Music and arts	3/6/2023 10:50 PM
53	More days at CYJ—so fun!	3/6/2023 10:16 PM
54	The seasons and various holidays seem ripe for events. We enjoyed the Arbor Day gathering with its fun plus the educational presentations and helpful handouts. Halloween was fun. Those are already established and should continue. Other options: St. Patrick's, Springtime, Stargazing during one of the annual meteor showers, FireWise presentation by local fire departments with handouts for adults and a fire engine for the kids to see. Because summer is so darned hot, it's not compelling to do anything too active in the heat. No need to overdo community events, though. Fewer events may equal greater anticipation and participation compared to overly frequent.	3/6/2023 8:28 PM
55	Safety, cleanliness, dealing with out of town people visiting the area, theft, drugs, etc.	3/6/2023 4:50 PM
56	See the previous point about funding.	3/6/2023 4:44 PM
57	We have other more important items to attend to.	3/6/2023 4:27 PM
58	I don't attend many of these, but I know a lot of people who enjoy them.	3/6/2023 2:33 PM
59	Again, for the next question what do I answer?	3/6/2023 11:33 AM
60	But only if the costs are minimal and there continues to be good citizen turnout.	3/5/2023 4:00 PM
61	there are enough	3/4/2023 12:05 PM
62	we have plenty of non-profits doing this already. No City involvement, please.	3/4/2023 11:03 AM
63	No.	3/4/2023 10:46 AM
64	Last thing we need is for the City to get involved.	3/4/2023 10:43 AM
65	4th of July fireworks	3/4/2023 7:13 AM
66	Community events that assist neighbors in getting to know each other is good (residents evening out, etc.). I believe we are a golfing community. Woodcreek officials & residents should work closely with Double J Ranch GC management in supporting each other.	3/3/2023 11:11 AM
67	Yes, but limited	3/3/2023 8:53 AM
68	The cost the majority and only satisfy a small minority	3/2/2023 4:23 PM
69	Anything our town does to foster community is good for Woodcreek and for everyone who lives here. The Spooktacular is an excellent event.	3/1/2023 4:57 PM
70	Holiday events	3/1/2023 11:09 AM
71	Food truck nights, weekend Farmer's Market, summer movie night outside	3/1/2023 10:39 AM
72	Neighborhood celebrations of holidays	2/28/2023 6:29 PM
73	Camp young Judea fun! Meeting other neighbors bbqs & (holiday stuff)	2/28/2023 4:54 PM
74	Anything that can bring us together socially without any political undertones or having people highjack the event to promote their agenda.	2/28/2023 4:10 PM
75	They build unity. The best ones are cross generational	2/28/2023 9:30 AM
76	I'm not sure what community events we have now & I've lived here for 20 years!!!!	2/26/2023 11:12 AM
77	Expand Halloween streets throughout the community, maybe a fair of some kind	2/26/2023 8:54 AM
78	Too many already	2/25/2023 4:08 PM
79	have enough	2/25/2023 11:19 AM

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80	Culture art music	2/24/2023 11:29 AM
81	Don't feel qualified to answer.	2/24/2023 9:04 AM
82	The National night out has been good, more items such as that (not golf centered events)	2/24/2023 8:37 AM
83	For me the answer is no purely out of schedule availability. With four kids and companies I dont have time to devote to attending events. Nice idea i am sure for some in the community.	2/23/2023 1:52 PM
84	Annual events around holidays, including in the summer, and events that appeal to adults and families alike.	2/23/2023 10:50 AM
85	Swimming at Camp Young Judaea (CYJ Retreat Center!)! Whole family BBQ's! Wine tastings! Crawfish boils!	2/23/2023 10:40 AM
86	I'm all for events, but I fine the way things are.	2/23/2023 10:01 AM
87	Live music and more stuff at the camp with pool. Tree stuff - like planting them Clean up parks	2/23/2023 7:07 AM
88	The Spooktacular and National Night Out events seem popular. These types of events give the community a chance to meet other residents and become more involved with the city.	2/22/2023 9:37 PM
89	Not an expert in this category (or any for the most part), but yes, they are appreciated and bring small knit communities together. Thanks for everything you do as a public servant, they are not appreciated enough.	2/22/2023 7:31 PM
90	Sure. Live music and cookouts.	2/22/2023 6:21 PM
91	Once a month community get togethers. Outdoor concerts Meet and greets Family walks	2/22/2023 4:17 PM
92	We would love ways to get to know others in the community and see the neighborhood become more lively.	2/22/2023 11:30 AM
93	The Arbor Day was a great family event	2/21/2023 4:26 PM
94	Meet and Greet Pot lucks	2/21/2023 3:03 PM
95	Benefits to support food bank, other needs in the area. Give to the greater community.	2/21/2023 10:50 AM
96	Picnic gatherings.	2/21/2023 7:31 AM
97	Similar to the pre-election gathering at a city park.	2/20/2023 7:24 PM
98	Encouraging volunteers to clean up trash all throughout the city. Organizing volunteer cleanup activities for the elderly who can't afford to keep up their yards. Family picnics Family movie night in the park	2/20/2023 5:11 PM
99	Annual city wide garage sale Enhance decorations for entrance based on major holiday or event Enhance holiday lights and decorations at entrance	2/20/2023 4:44 PM
100	Community events should be under the Parks and Recreation Committee.	2/20/2023 3:57 PM
101	I am neutral on this	2/20/2023 3:33 PM
102	The current committee does an awesome job and should be tasked for ideas for new events. Events should not be political.	2/20/2023 10:31 AM
103	Veterans' Day Observance at the Veterans' Memorial would be nice. Art in the Parks, in coordination with the Garden Club and Art League. CYJ City Day - include demonstrations on areas of interest: oak wilt prevention, waterwise landscaping, health screenings are just a few examples. These will improve attendance.	2/19/2023 2:19 PM
104	4th of July; Easter Egg Hunt; Christmas Lighting Contest.	2/19/2023 1:37 PM
105	But only if they generate some revenue for the city or a particular project, e.g., "Children's Playground Equipment BBQ", or "City Hall Remodel Social".	2/19/2023 1:00 PM
106	We need more/any activities related to the arts/music. A city center would help facilitate this.	2/19/2023 12:59 PM
107	Outdoor concert/picnic	2/19/2023 11:39 AM
108	Holiday, neighbor meet, etc.	2/19/2023 6:54 AM

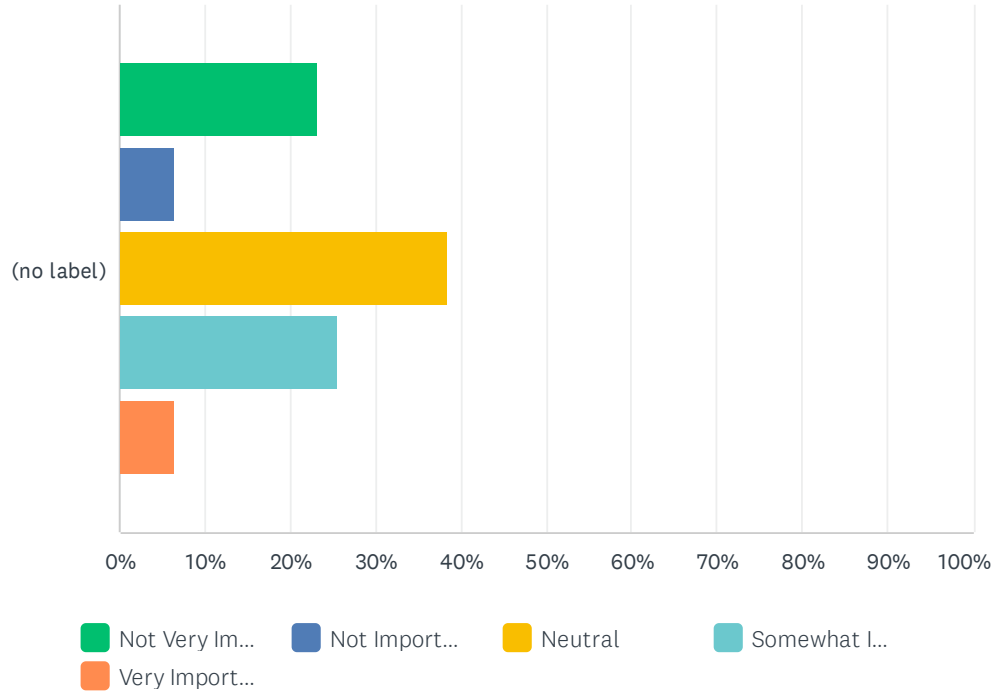
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109	Spooktacular has been a very successful event, Luminaries, National Night Out, and Arbor Day have also been successful building neighbor relationships and spirit. It would be great if Camp Judaea would open their facilities up more often for the community to enjoy.	2/19/2023 6:34 AM
110	The ones we have are good. More would be better.	2/18/2023 11:55 AM
111	Greet and Meet socials.	2/18/2023 11:27 AM
112	Do we have community events?	2/18/2023 10:45 AM
113	Holiday decoration contests.	2/18/2023 10:31 AM
114	Bocce and golf tournaments (informal). More gatherings at the Camp and golf course. Music in the parks. Citywide volunteer cleanups, followed by food, fun and drinks	2/18/2023 9:34 AM
115	Neighborhood block parties, or fun get togethers at Augusta Park. (Bocce ball tournaments with teams formed from "street gangs" like the "Woodcreek Wildcats" vs. the "Augusta Avengers", or cornhole tournaments. Fun events that help people meet one another.	2/18/2023 8:40 AM
116	No extra money	2/18/2023 8:21 AM
117	Clean ups, kid related events, golf tournaments, fundraisers, meet and greets, bbq parties, support businesses within the neighborhoods etc	2/18/2023 8:17 AM
118	Maybe a mini festival? Spring or fall.	2/18/2023 2:58 AM
119	Sure, without spending money. This is the best way to develop a community atmosphere. Better yet, simply encourage others to do it. STOP LOOKING TO SPEND MORE MONEY!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!	2/17/2023 7:40 PM
120	The cookout in Augusta Park was fun. I like the Halloween parade.	2/17/2023 6:49 PM
121	Neighborhood days or nights at the swimming hole with a small private area. Movie screenings under the stars at the golf course.	2/17/2023 6:36 PM
122	Family gatherings are important to build sense of community.	2/17/2023 5:49 PM
123	You are not here to entertain us.	2/17/2023 5:11 PM

Q16 How important is it to you that the City take action on adding more community events? (Select one)

Answered: 328 Skipped: 20



	NOT VERY IMPORTANT	NOT IMPORTANT	NEUTRAL	SOMEWHAT IMPORTANT	VERY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	23.17% 76	6.40% 21	38.41% 126	25.61% 84	6.40% 21	328	2.86

Q17 Please list other items you'd like to see in future Citizen Surveys:

Answered: 138 Skipped: 210

#	RESPONSES	DATE
1	Two council members want STR Hot taxes an chickens- what a waste of city money to send this out for their desires! Sad sad sad	3/15/2023 5:14 PM
2	Should the city consider eliminating / decreasing # of staff positions? Combining some job descriptions: give to other staff members? decreasing city manager salary? (place hold on it until new city manager hired.) Consider volunteers to answer phones; clerical duties.	3/15/2023 5:10 PM
3	Suggestion box at city hall. Shorten CC meetings; administration items last. Items of interest to citizens first. Lower taxes.	3/15/2023 4:58 PM
4	Stop trying to change Woodcreek!! If I wanted to close to chickens I would not have bought in a subdivision, I would have bought a FARM! That's where chickens belong. They will devalue our places and our community as a whole!! You will also have problems with people's dogs barking at the chickens. Then you'll have disagreements with pet owners and chicken owners.	3/15/2023 4:42 PM
5	-Improve Woodcreek Entrance - Plants etc. & benches -Fix the pot holes on the streets! -Cut back the overgrowth on the sides of street so widen the lanes - some are very narrow - example: like on Champion Circle	3/15/2023 4:36 PM
6	I moved here because I wanted to live comfortably & affordably in retirement. Many of the residents in this city live on fixed incomes. Most of the questions raise \$\$\$\$. If I had wanted to pay more taxes I would not have moved here. There were plenty where I came from.	3/15/2023 4:23 PM
7	Thank you for all your work!	3/15/2023 4:13 PM
8	Thanks for the great job done following the ice storm!	3/15/2023 4:11 PM
9	Roads please NOW	3/15/2023 4:08 PM
10	We would like to see efforts to have the new golf course owners interact with the residential community.	3/15/2023 3:58 PM
11	Let's take action on these first	3/15/2023 3:54 PM
12	Statement on cover sheet: This should be property owners only. "La Rocca" question ranked "3 to 4." Only accredited property owners should participate in surveys for the survey to be accurate and a true survey. No more "informal" surveys where numbers can be skewed to favor some political agenda.	3/15/2023 3:17 PM
13	Something assessing the depth of interest in the city's acquisition of the west end of Woodcreek Drive (and perhaps even the low water crossing bridge).	3/15/2023 2:53 PM
14	nature trail	3/15/2023 2:44 PM
15	I would like to thank the city for the great and fast response to the freeze and tree damage.	3/15/2023 2:21 PM
16	Setting limit on number of vehicles in driveways - some have 3 or more and its an eyesore	3/15/2023 2:17 PM
17	A compliance officer is needed to enforce rules. Cars are parked in front yards almost to their front door, Christmas decorations + lights still up, yards are not mowed for months, potholes everywhere. Makes the city of Woodcreek look terrible!!!	3/15/2023 2:13 PM
18	Thanks for the survey!	3/15/2023 2:08 PM
19	Prohibit parking vehicles in front yards/lawns	3/15/2023 12:42 PM
20	Council meetings are too long. Ordinances are becoming restrictive except STR's Ordinances are invasive to natural laws & property rights. STOP SPENDING MONEY WE DONT HAVE!	3/15/2023 12:42 PM
21	Current status of the Brookmeadow proposed new small lots at 7 Brookmeadow??	3/15/2023 12:39 PM

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22	Solicit volunteers committed to participating in neighbor to neighbor plans & the emergency preparedness plans.	3/15/2023 12:24 PM
23	Road repairs to Champion circle	3/15/2023 12:15 PM
24	No more building in the city	3/15/2023 12:08 PM
25	Political signs on the front yards and golf course are ugly and unnecessary. Politics are toxic. We don't need more reminders.	3/15/2023 12:02 PM
26	PLACE AN ORDANCE WHERE BY THE CITY CAN NOTIFY PROPERTY OWNERS TO "CLEAN UP" YARDS & MANY CARS PARKED IN DRIVEWAYS - LIMIT SOME SEEM TO NEVER MOVE!!! - IS THERE AN ORDANCE AS TO HOW MANY FAMILIES CAN RESIDE IN ONE HOME?? PLEASE PUBLISH RESULTS OF THIS SURVEY!!	3/15/2023 11:37 AM
27	This survey is well intentioned to be sure, however, no mention is made of what I consider our greatest need. At the very minimum "dusk to dawn" law enforcement. For our little community there is, in my opinion, far too much vandalism, late night door bell ringing, porch pirates and car prowlings. I am concerned about an event that might be brought on by a homeowners over reaction to an incident. I served on the Okoboji, Iowa City Council and was the long time Assistant Fire Chief, as such I feel that I have a bit of an insight. (sic)	3/15/2023 11:14 AM
28	Bring up to fire department standards all fire hydrants Spend money to repair all road pot holes Do not spend money we do not have - no debt	3/15/2023 10:57 AM
29	1. Address issue of cars parking on lawns. to many cars visible. 2. Parking commercial vehicles in driveways, on roads & grass that belong to residents businesses. 3. Excessive store of visible items! junk on outside of house or garage, creating a trashy looking neighborhood.	3/15/2023 10:55 AM
30	None.	3/15/2023 10:53 AM
31	THANK YOU FOR THIS SURVEY - MY ONLY CONCERN IS THAT SOME FOLKS WILL FILL OUT MORE THAN ONE SURVEY AND LEAD THE CITY TO BELIEVE THAT SOME ISSUES ARE GIVEN MORE ATTENTION. HOPEFULLY THIS WON'T HAPPEN. THANKS AGAIN.	3/15/2023 10:45 AM
32	Please, none, no more Enough of this wasted staff and survey costs. City action on these items is not needed. Please work on Road Repairs and keep our city fiscally healthy. Stop the endless meetings and surveys. You could ask what we think about lack of enforcement of existing ordinances & how to improve our property values and way of life.	3/15/2023 10:44 AM
33	Safe walking paths / sidewalks along streets.	3/15/2023 10:36 AM
34	more transparency - with "Rulers"	3/15/2023 10:33 AM
35	1. Homeowners need to maintain their homes and clean up their yards. Get a committee of homeowners to start fining home owners. 2. Entry ways to our neighbor (sic) need cleanup and improvement...not more signs. 3. Paving roads comes first 4. Beautify development 5. Trash needs to be picked up on Highway 12 6. Rental property owners need to clean up their properties and told no more than (2) vehicles per home old fences need to be removed and replaced 7. Use the Federal (sic) Funds for flooding and improve areas and reduce flooding in the future - start with the creeks in our development.	3/15/2023 10:31 AM
36	Find a way to buy out Aqua OOPS - \$40mill?? - I guess not.	3/15/2023 10:30 AM
37	Focus on the roads and handling emergencies that come up. You did an excellent job on debris removal after the ice storm. Thank you PS Have people who take these surveys put their name, physical address and contact information including phone number on their survey. This will make it easier to verify that the survey is valid.	3/15/2023 10:27 AM
38	We're small. Let's keep it simple S_ _ _ _ _!	3/15/2023 10:22 AM
39	LEAVE the Roads alone No Speed Bumps	3/15/2023 10:12 AM
40	The gold course should give Woodcreek discounts on golf. They use our resources the least they could do is lower prices for residents	3/13/2023 2:03 PM
41	Deer population control Trail system > more parks Support and encourage local biz, don't tax more. Period.	3/8/2023 8:17 PM
42	Better control of pot holes on streets.	3/8/2023 6:04 PM

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43	Should repair/prevent potholes BEFORE they get into the road base.	3/8/2023 5:32 PM
44	New front entry signage / landscaping is needed! (Current version is dated / tired.)	3/8/2023 5:01 PM
45	Maintenance of existing streets to prevent further unnecessary deterioration. More expensive concrete is not the answer if we just take care of what we have in a timely manner. Case in point is the pot holes on Brookmeadow.	3/8/2023 4:06 PM
46	Road repairs	3/8/2023 2:49 PM
47	Folks that are completely against STRs, ask them when they vacation, do they stay in hotels or use VRBO/AIR BnB.... 😊	3/7/2023 7:29 PM
48	None right now	3/7/2023 5:02 PM
49	I can't think of anything pressing. Thank you for offering an opportunity to share opinions.	3/7/2023 4:39 PM
50	Maybe FAQs on items/ordinances like dogs on leashes, rules on fencing, parking, RVs/boats on property, etc.	3/7/2023 3:35 PM
51	the city should take action on oak wilt. drilling into the trees/injecting them with chemicals only delays the death of the of them. the city and golf course should negotiate a preferred rate with the below company which has a guarantee and can help our little city defeat oak wilt for good with the right approach. https://biogreentrecare.com/	3/7/2023 8:41 AM
52	Please fix the roads. I don't understand why this isn't even a question on this survey.	3/7/2023 7:22 AM
53	Should the city invest in a generator that will allow city hall to become a safety destination during protracted power outages, keeping people cool or warm during emergencies and enabling people to recharge devices as needed for emergency communication?	3/6/2023 8:28 PM
54	n/a	3/6/2023 7:40 PM
55	fireworks, animal issues to help protect wildlife and pets, noise.	3/6/2023 4:50 PM
56	Walking trail extensions, working with the existing Hays County trails vision plan	3/6/2023 2:33 PM
57	Condition of properties in the city. Creating more walkable space along the streets.	3/6/2023 11:15 AM
58	Street repairs - Very Important	3/6/2023 10:24 AM
59	N/A	3/5/2023 11:24 PM
60	Consideration of a dog park....at the southwest corner at the entrance to Woodcreek is a piece of land which can't be used for much else. All it would take is a fence and some volunteers for upkeep.	3/5/2023 4:00 PM
61	Would love to see a discussion of pedestrian walkways in the neighborhood and interconnectivity with other area trails.	3/4/2023 1:18 PM
62	Pickle ball courts would be amazing.	3/4/2023 11:49 AM
63	Can't think of anything other than traffic control.	3/4/2023 11:03 AM
64	Nothing.	3/4/2023 10:46 AM
65	City transparency. You are all working on your personal agenda. You need to work on the residents agenda. Otherwise, you will never be re-elected, again.	3/4/2023 10:43 AM
66	Improving road conditions	3/4/2023 7:13 AM
67	Support Woodcreek as a golfing community ... work closely with City of Wimberley officials and with Camp Young Judea officials.	3/3/2023 11:11 AM
68	Fix the potholes. Not suggesting wholesale repaving. Just fix the potholes	3/3/2023 8:53 AM
69	Process of home improvement.	3/1/2023 1:36 PM
70	Community pool. Currently we drive to the YMCA in DS for our children to use their pool. It would be amazing to have a local pool for people of all ages to cool off and use for exercise. I wouldn't mind paying a per-usage fee.	3/1/2023 11:09 AM

Citizen Survey 2023

Item 17.

71	Thank you for this survey! I appreciate yall	2/28/2023 4:54 PM
72	Utilization of green belts behind our properties.	2/28/2023 4:10 PM
73	Limiting number of houses on 1-acre tracts.	2/28/2023 12:40 PM
74	More specific questions so we know what we are actually responding to on a survey. Budget, timeline all make a difference as to the answers. Turning the neighborhood into a bunch of B & B houses should not be the future of this area.	2/28/2023 11:40 AM
75	As much as we need citizen engagement, I'm not sure agenda driven surveys are the answer	2/28/2023 9:30 AM
76	More specific questions so we know what we are actually responding to on a survey. Budget, timeline all make a difference as to the answers. Turning the neighborhood into a bunch of B & B houses should not be the future of this area.	2/27/2023 12:34 PM
77	Speed control on the roads of Woodcreek should be the highest priority. The second priority should be street repair. Thank you!	2/26/2023 11:05 PM
78	Please require residents to pour concrete or asphalt driveways. The new house at the corner of Jack Miller & Brookhollow looks bad/unfinished. We live on a golf course with more than enough green-space for water absorption.	2/26/2023 11:12 AM
79	Sidewalks and road repair	2/26/2023 8:54 AM
80	Dark sky compliancy	2/24/2023 11:29 AM
81	Exterior appearances of aged homes/yards needing to be improved.	2/24/2023 7:33 AM
82	Main thing is more information. Some of these items I am a "no" out of lack of information. Truthfully I am not available to attend the city council meetings to get the additional information. A few more details on current rates, who is impacted, proposed costs, and conceptual ideas would be greatly beneficial in trying to assist with my feedback.	2/23/2023 1:52 PM
83	Create a larger dog park, please!	2/23/2023 10:50 AM
84	Thank y'all very much for your good work. Lisa Wilkinson 76 Woodcreek Drive	2/23/2023 10:40 AM
85	Always the roads, but I know that's already a priority. THANK YOU for always asking for input! No matter the outcome, it's highly appreciated and validating as a citizen. :)	2/23/2023 10:01 AM
86	Community pool Walking trails on major roads: wood creek dr, champions, brookhollow, brookmeadow, Augusta dr	2/23/2023 7:07 AM
87	Communication - it would be nice to have an idea where most people get their city information. Texts, emails, social media, etc.	2/22/2023 9:37 PM
88	Obviously this survey is simple and does not include big ticket items involved in most City surveys, but infrastructure improvements and planning, long term city planning, code enforcement, etc could be included in my humble opinion. Thank you.	2/22/2023 7:31 PM
89	More recycling projects, including brush and composting materials	2/22/2023 7:19 PM
90	Enforcement/Restriction of the # of vehicles that can be parked in driveways / yards.	2/22/2023 6:21 PM
91	above ground swimming pools	2/22/2023 4:51 PM
92	Signs for bikeways to navigate the neighborhood.	2/22/2023 4:17 PM
93	None I can think of at this time	2/22/2023 11:30 AM
94	Road up keep	2/22/2023 7:51 AM
95	I would like to see more child focused spaces and activities such as bike trails and public swimming spaces.	2/21/2023 6:29 PM
96	Anything that promotes transparency within the City of Woodcreek.	2/21/2023 6:11 PM
97	None	2/21/2023 3:43 PM
98	N/A	2/21/2023 3:42 PM
99	Making sure neighbors abide by turning off bright outdoor lights that ruin the dark sky.	2/21/2023 7:31 AM

Citizen Survey 2023

Item 17.

100	-	2/20/2023 7:53 PM
101	NA	2/20/2023 7:24 PM
102	I'm not sure how they can do it but provide some method of walking around our city without having to walk in the roads.	2/20/2023 6:56 PM
103	More money allocated to fix ALL the roads in Woodcreek. So many are in such bad shape. And maybe some options about tree trimming and oak wilt in the area. After the freeze it's obvious more needs to be done about the lack of tree care in our city. So much of our city is basically a tinder box for fires if this doesn't get remedied.	2/20/2023 5:11 PM
104	Volunteer opportunities or needs	2/20/2023 4:44 PM
105	More information on getting Woodcreek addresses on online purchases.	2/20/2023 3:33 PM
106	Enforce city ordinances!!	2/20/2023 11:31 AM
107	Ask citizens if they think the Woodcreek governing environment is too political, and if so for suggestions to make it less political.	2/20/2023 10:31 AM
108	Pickle ball courts	2/20/2023 12:50 AM
109	Noise guidelines and curfews	2/19/2023 6:34 PM
110	Interest in making Woodcreek a walkable neighborhood. Relocated here in 2020 and have been extremely disappointed in how challenging it is to walk in the neighborhood.	2/19/2023 4:52 PM
111	Raising the impervious coverage to 40%	2/19/2023 4:11 PM
112	Na	2/19/2023 2:40 PM
113	I would like to see a focus on specific needs of our community. Although we see more younger families, children, and younger retirees join our City, the median age of our population is 59+. What do we know about this population? Are our services accessible? Is there a plan to assist in an emergency?	2/19/2023 2:19 PM
114	A survey item related to the inequities in the establishment and maintenance of city services and facilities.	2/19/2023 12:59 PM
115	Short term rental, property owner rights	2/19/2023 11:39 AM
116	Road repairs and drivers speeding	2/19/2023 11:18 AM
117	The present city council is doing an excellent job addressing the needs of the Woodcreek citizens. The only additional things I can think of that need to be discussed are oak wilt and controlling the deer population.	2/19/2023 6:34 AM
118	It seems that a walking trail or sidewalks would address multiple concerns and is more important to our community than a park, (although I think I park would be wise for property values as well). Perhaps a gravel trail could be incorporated with the edges of the golf course and solve some of their issues with cart paths and some of the city issues with pedestrians and speed concerns.	2/18/2023 7:30 PM
119	Walking paths. Can get Hays county to lower speed limit on RR 12 to 45 mph starting at Brookmeadow Dr to Cyress Creek?	2/18/2023 2:44 PM
120	Biking and hiking trails/paths	2/18/2023 11:05 AM
121	Thank you for providing an opportunity for citizens to give input!	2/18/2023 10:31 AM
122	Fenced dog park would be a wonderful addition for our city!	2/18/2023 9:29 AM
123	None	2/18/2023 9:28 AM
124	Road improvements in Woodcreek NOW!!! Very important!	2/18/2023 9:20 AM
125	No spending anymore money	2/18/2023 8:21 AM
126	Road improvements, yard work insensitive, home improvement guides, additional parks, water management, garage sale guidelines, neighbors in need of help/assistance etc	2/18/2023 8:17 AM
127	More road safety options	2/18/2023 2:58 AM

Citizen Survey 2023

Item 17.

128	1. Dogs Barking. 2. Dog owners do not pick up after their dogs. It makes a mess when I track their excrement into my house. 3. Close all HOA's and then the city take over their road maintenance.	2/17/2023 9:47 PM
129	From my cursory glance at the various regulations, this town is worse than any hoa i've ever lived under, both in terms of busy bodying everything and in terms of the cost. How about you roll back some of the regs? Find something else to do with your time, like, oh, read a book, start a garden, make something with your own hands... anything productive instead of bugging the rest of us.	2/17/2023 7:40 PM
130	I thought we had addressed some of the issues before but perhaps this will be a final go-round.	2/17/2023 7:25 PM
131	Repair of roadways, the bumps and potholes are ridiculous. Changing of the golf course into park & greenspace	2/17/2023 7:24 PM
132	Savings instead of spending	2/17/2023 7:16 PM
133	A community pool!	2/17/2023 6:54 PM
134	A community pool.	2/17/2023 6:36 PM
135	Noise control. There are some folks who tend to allow their dogs to bark all night and day.	2/17/2023 5:26 PM
136	Dont need surveys. You're going to do what you want anyway. Just quit spending money you dont have. Do what is right for all, not just a few.	2/17/2023 5:11 PM
137	Golf course Marshall Some golfers have been drunk and urinate off the path and take zero accountability for their damages	2/17/2023 4:30 PM
138	Items that would impact property owners.	2/17/2023 4:03 PM

2023 CITIZEN SURVEY REPORT

235 digital responses

113 paper submissions

348 TOTAL SUBMISSIONS

Calculate your sample size

Population Size ⓘ	Confidence Level (%) ⓘ	Margin of Error (%) ⓘ
<input type="text" value="1863"/>	<input type="text" value="95"/>	<input type="text" value="5"/>
Sample size		
319		

There were 113 digital responses removed.

From that number of digital submissions removed, over 70 came from Quebec Canada. The rest came from 2 companies: Data Camp Limited /S.R.O and IPXO with IP addresses located in Dallas, New York, Las Vegas and Washington.

We have a list of IP addresses we can ban from future surveys to continue to ensure the legitimacy of our community surveys moving forward.

THANK YOU TO EVERYONE FOR PARTICIAPTING AND STAYING ENGAGED!

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Action Providing Direction on the new Tree Trimming Application to Address Concerns Over Additional Requirements

AGENDA ITEM SUMMARY:

The new tree trimming permit seeks to regulate trimming on trees under 19-inches in diameter which is not regulated by the ordinance beyond no trimming in the Oak Wilt season. Additionally, it seems to require documentation for each branch to be trimmed which in practice is over regulation. The purpose of this item is to discuss the trimming permit and its application to alter the permit process so as to more properly align with the new Chapter 91 tree ordinance.

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

April 18 Workshop

CITY OF WOODCREEK, TEXAS**AMENDMENT TO TITLE IX GENERAL REGULATIONS OF THE CODE OF ORDINANCES****AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE IX ("GENERAL REGULATIONS"), CHAPTER 91 ("TREES") PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.**

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

WHEREAS, the City Council finds that the preservation of tree inventory is environmentally beneficial and contributes to the overall aesthetics and natural beauty of the City; and

WHEREAS, the City Council recognizes that trees, if properly cared for, are assets that enhance property values but can quickly become liabilities if they are not monitored and protected; and

WHEREAS, the City Council recognizes that a single tree's lifespan is greater than any one property owner, and so therefore the City has a duty to protect the trees of the community for generations to come by enacting reasonable regulations for the care and protection of trees under the City's jurisdiction; and

WHEREAS, The City Council finds that the potential for development to negatively impact the City of Woodcreek's tree inventory, including the largest and most significant trees, requires reasonable regulations; and

WHEREAS, the City Councils finds the creation of this ordinance aligns with the best interests of its citizens and is for good government and order of the City.

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

1. FINDINGS OF FACT

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

2. ENACTMENT

The Code of Ordinances of the City of Woodcreek is amended at Title IX ("General Regulations"), Chapter 91 ("Trees") so as to read in accordance with Attachment A attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

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

4. SEVERABILITY

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

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Title IX, Chapter 91, as written by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

PASSED & APPROVED this, the ___ day of August 2022, by a vote of ____ (ayes) to ____ (nays) and ____ (abstentions) of the City Council of Woodcreek, Texas.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

Attachment "A"

City of Woodcreek

CODE OF ORDINANCES

TITLE IX: GENERAL REGULATIONS

CHAPTER 91: TREE PROTECTIONS

SCHEDULE 1: TREES WITHIN CITY LIMITS

SCHEDULE II: TREES IN THE EXTRATERRITORIAL JURISDICTION

91.01 TITLE

This chapter may be known and cited as the "Tree Ordinance."

91.02 INTENT AND PURPOSE

(A) The tree code regulations protect the health, safety, and general welfare of the citizens of Woodcreek.

(B) The appearance of the city is enhanced, property values are protected, and the important ecological, cultural, and economic resources are preserved for the benefit of the city's residents, businesses, and visitors by implementing protections for trees within the jurisdiction of the city.

(C) The sections within this chapter address trees in both development and non-development situations and seek to enhance the quality of the tree canopy, optimize the benefits that trees provide, and avoid unnecessary reductions in the tree inventory of the community.

(D) For new development situations, additional requirements are designated to promote tree preservation and protect existing trees throughout the construction process.

91.03 DEFINITIONS

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the chapter and not defined herein shall have their ordinarily accepted meaning.

ACCREDITED, CERTIFIED, AND/OR LISCENSED ABORIST is a tree care professional who has tested and received an accreditation through the Internal Society of Arboriculture (ISA) and is recognized for good practice with the Tree Care Industry Association (TCIA). This is not to be confused with an Oak Wilt specialist which is a separate qualification process.

CEDAR (Juniperus) STAND A group of cedars where 65% are over ten (10) feet tall and range over an area at least ten (10) feet wide.

CRITICAL ROOT ZONE An area of land surrounding the trunk of the tree for which the roots extend underground. It is typically measured as 1 inch in radius per 1 inch in diameter of the tree.

DEVELOPER A person, contractor, corporation, or other legal entity with legal control over a property for the purpose of making improvements upon the land such as clearing, installation of utilities, or the building of a structure who may or may not occupy or live upon the property in question.

DBH (diameter at breast height). The tree trunk diameter of an existing tree measured in inches at a height of 4.5 feet above the ground. If a tree splits into multiple trunks below 4.5 feet, the trunk is measured at its narrowest point beneath the split.

DIAMETER Is circumference divided by Pi (3.14)

DISEASED TREES Oaks infected by the fungus *Ceratocystis fagacearum*. Other trees infected by any disease rendering them unsustainable.

ESCROW A deposit of a cash bond with the city in accordance with this article.

FUNGICIDE A chemical treatment used on non-symptomatic or slightly symptomatic trees within the trench line that could be vulnerable to infection of oak wilt.

HERITAGE TREE A tree that has a trunk of twenty-four (24) inches in diameter or greater measured at DBH; or a multi-trunked hardwood tree having a total trunk DBH of thirty (30) inches or more (not counting trunks that are eight (8) inches or less in diameter); And is one of the following species:

- Ash, Texas
- Cypress, Bald
- Elm, American
- Elm, Cedar
- Madrone, Bigtooth
- All Oaks
- Pecan
- Walnut, Arizona
- Walnut, Eastern Black

This list of eligible heritage tree species may be supplemented, but not reduced, as prescribed by rule.

LION TAILING A pruning method where all the interior branches are removed, leaving only tufts of leaves and small branches at the ends of the large limbs. It damages the health and structural stability of the tree.

LIVE OAKS Members of a distinct group of the genus *Quercus* characterized by the leathery oval leaves that includes two Texas species: plateau live oak (*Quercus fusiformis*) and coastal live oak (*Quercus virginiana*).

NATURAL AREA An area where the naturally grown landscaping is left primarily undisturbed, except for removal of poison ivy, greenbrier, and similar vegetation, invasive species, oak wilt removal and/or prevention measures, and allowing for maintenance of the trees to maintain vigorous growth.

OAK WILT A vascular wilt disease of oaks. The fungus responsible, *Ceratocystis fagacearum*, invades the water-conducting tissues of oak roots, trunks and limbs. *Ceratocystis fagacearum* does not actively grow anywhere in nature except in oak trees. Spores of this fungus can be moved around by certain insects and by humans.

OAK WILT CENTER A site where the oak wilt fungus is spreading through the roots of diseased trees to infect healthy oaks, creating an area of sick, dead and dying oaks.

OAK WILT SPECIALIST a tree care professional that has received special training and qualification to identify, diagnose, and treat Oak Wilt through the International Society of Arboriculture (ISA).

RESIDENT A person with legal control over the property in question, to include lessees, owners, and all other occupants who may make alterations to the landscape of the property or hire someone to do the same.

PREVENTATIVE MEASURES Actions that prevent the spread of oak wilt from diseased to healthy oaks, including but not limited to oak wilt suppression trench installation and the removal and destruction of diseased oaks and firewood from diseased oak.

PROTECTED TREE A tree with a diameter of nineteen (19) inches in diameter or greater measured at DBH. Or, Cedar Stands as defined in this ordinance.

RED OAKS Members of a distinct group of the genus *Quercus* characterized by lobed leaves tipped by small soft spines, including but not limited to Texas red oak (*Quercus texana*, also called *Quercus buckleyi*), shumard oak (*Quercus shumardii*), southern red oak (*Quercus falcata*), and blackjack oak (*Quercus marilandica*). These trees are highly susceptible to Oak Wilt, and can spread it naturally.

REMOVAL Means an act that causes or may be reasonably expected to cause a tree to die, including uprooting, severing the main trunk; damaging the root system; and/or excessive pruning.

SUBSTANTIALLY DEAD TREE Tress in which 90% or more of the previously healthy branches have died due to any cause, or which have been certified by an arborist as substantially dead.

SUSCEPTIBLE SPECIES All varieties of the genus *Quercus* that may be infected and killed by *Ceratocystis fagacearum*, including live oaks and all species of red oak.

TOPPING The practice of removing the top of a central stem, or leader, on a tree and the upper main branches. It damages the health and structural stability of the tree.

TREE BOARD The City of Woodcreek Tree Board.

TRENCHING Short for OAK WILT SUPPRESSION TRENCHING INSTALLATION, a method used to isolate the infected area between healthy and diseased trees. Trenching equipment is used to cut connecting roots so that fungus cannot spread between trees.

WOODY DEBRIS Branches and limbs smaller than two inches in diameter cut from diseased trees; also, such branches and limbs from an unknown source that may potentially harbor the oak wilt fungus.

91.04 TREE FUND

(A) A fund is hereby created in which any/all cash-in-lieu paid to the City pursuant to the mandates of this chapter shall be deposited.

(B) The Fund will be administered by the City Council who may designate this responsibility to the Tree Board and may be drawn upon to implement landscaping improvements on city parks, city-controlled public right-of-way greenspaces, and other public land.

SCHEDULE I: TREES WITHIN CITY LIMITS

91.05 JURISDICTION

Under the authority of sections 212.002 and 212.003 of the Local Government Code, Chapter 91: Trees Protections, is applicable to:

- (1) City Limits of Woodcreek.
- (2) All residential and commercial properties.
- (3) New development including but not limited to planned development districts, planned unit districts, municipal utility districts, subdivisions, and all other residential, commercial, and nonresidential lot improvements.
- (4) Existing residences and commercial properties.
- (5) Clearing of any land regardless of zoning with, or without, a primary structure.
- (6) Industrial zoning and development should it occur
- (7) Agriculture lands
- (8) Recreational properties not owned by the city or designated as public parks, greenspaces, or other public lands.

91.06 TREE TRIMMING PERMIT REQUIRED

(A) No property owner, resident, person, individual, firm, corporation, contractor, landscape contractor, developer, tree trimmer, builder, utility service or any other type of business entity shall trim, prune, or remove any tree within the city without having first obtained the appropriate permit from the city.

(B) Permits shall be issued based on the current fee schedule.

(C) Permits shall be effective for 30 days from the date of issuance and shall apply only to the lot or parcel of land for which it is issued.

(D) Pruning in excess of 25% of the canopy of trees under 19 inches in diameter is discouraged. Pruning in excess of 25% of the canopy of Protected and Heritage Trees is prohibited at all times.

(E) Pruning or cutting of oak trees shall be prohibited in the spring months of February through June when fungal spore formation and beetle activity are highest unless such activities are completely unavoidable to protect the safety of people and property or the health of the tree. A permit from the City must be secured prior to pruning or cutting in this situation.

(F) Pruning or cutting of oaks is permitted from July through January. Pruning apparatus should be disinfected between trees.

(G) Regardless of the time of year that the wound occurs, black tree wound dressing must be applied immediately to all wounds of any size on susceptible oaks, including the cut surface of healthy oak stumps, pruning cuts, construction damage, or any spot where the bark has been removed to expose the wood beneath, to discourage potential insect/disease contamination. Failure to seal any wound immediately upon creation is an unlawful violation of this chapter. This includes trunks of any oak trees fully removed where the trunk portion is left behind. A \$500 fee will be charged for each tree placed at risk should a responsible party be caught not immediately applying black tree wound dressing to live cuts and other wounds.

(H) The permit shall be posted in a place where it can be seen from the nearest street while the work is in process.

(I) Residents are encouraged to seek professional services from a licensed arborist for all tree-trimming and/or removals for all trees, but a certified arborist is required for the trimming of all trees designated as Heritage and all Protected Oak trees.

(J) It is the responsibility of the property owner to secure the proper permits.

(K) The practices of "lion tailing" and "topping," as described in the definitions in section 91.04 of this chapter, are prohibited for all protected and heritage trees. Use of these practices by a resident or developer or conducted by hired help under the supervision and employment of the resident or developer may result in fines up to \$250 per Protected Tree and \$500 for each Heritage Trees harmed with these prohibited practices.

(L) There will be a separate permit process (91.08) for tree removal for all existing and new development within the city limits to establish the species of a tree and if it is a Protected or Heritage or nuisance tree. See section 91.07 of this chapter for more information on Protected and Heritage Trees, section 91.10 for nuisance trees, and section 91.11 for diseases and infestations other than Oak Wilt.

(M) The following trees may require a permit but do not require mitigation to meet the objectives of invasive species management efforts of the City of Woodcreek.

Chinaberry (*Melia azedararach*)
 Chinese parasol tree (*Firmiana simplex*)
 Chinese pistache (*Pistache chinensis*)
 Chinese tallow (*Sapium sebiferum*)
 Golden Rain Tree (*Koelreuteria paniculata*)
 Ligustrum, wax leaf (*Ligustrum japonicum*)
 Ligustrum, Japanese (*Ligustrum lucidum*)
 Lilac chaste (*Vitex agnus-castus*)
 Mimosa, non-native (*Albizzia julibrissin*)
 Mulberry, paper (*Broussonetia papyrifera*)
 Mulberry, white (*Morus alba*)
 Nandina (*Nandina domestica*)
 Photinia, Chinese (*Photinia, spp.*)
 Privet, common (*Ligustrum sinense, Ligustrum vulgare*)
 Pyracantha (*Pyracantha spp.*)
 Russian olive (*Elaeagnus angustiflora*)
 Siberian Elm (*Ulmus pumila*)
 Tamarisk, salt cedar (*Tamarix spp.*)
 Tree of Heaven (*Ailanthus altissima*)

(N) As a result of a storm or fire, a person may, without a permit, trim, prune or remove a storm damaged tree that is an imminent hazard to life or property if the tree is removed within seven days of being damaged by the event.

(1) Photos of the damaged tree and a written explanation showing the imminent hazard will be provided to the city within fifteen days of the event.

(2) If imminent hazard is not shown to have existed, the city may impose fines or fees for the removal of said damaged tree without having first obtained a permit.

(3) The city manager or their designee may extend these deadlines for widespread and extensive storm damage.

(4) This exception is extended to cover Protected and Heritage Trees should a storm damage them significantly and they pose a serious immediate hazard to persons or property. No fee will be assessed nor replacements required for Protected and Heritage trees that have been damaged in a natural event for which full removal is suggested or

required. If the tree is designated as Protected or Heritage and was removed, and it is determined that full removal was not necessary by city officials and a certified arborist, then the appropriate replacement costs will be imposed.

(O) Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct view of any street intersection and so that there shall be a clear space of eight feet (8') at the property line, above a public walkway, or in the City right-of-way easements. The City shall maintain right-of-way clearance overhanging the public rights-of-way at a minimum of fourteen feet (14'), trimming at a minimum of sixteen feet (16') when the work occurs.

(1) Said owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public.

(2) The City shall have the right to prune any tree or shrub on private property when it interferes with the visibility of any traffic control device or sign.

(3) The City will notify citizens of intent to prune trees or shrubs at least seven (7) days in advance of commencing this work.

(4) This work shall follow Oak Wilt guidelines as described in this chapter and the City will follow proper procurement procedures for all contracted workers utilized for right-of-way clearance.

(P) Any tools used for pruning on trees should be cleaned between each use and between separate trees during use to prevent the spread of disease and infestation.

91.07 PROTECTED AND HERITAGE TREES

(A) **Protected Trees** as defined in this chapter are trees with a trunk diameter of 19 inches and greater and they are not listed as invasive in section 91.06 (M) of this chapter.

(1) Trees designated as protected are considered to be highly desirable, and private landowners and developers are encouraged to preserve these trees through proper care and maintenance.

(2) A certified arborist is recommended but not required for trimming on protected trees except all Oak species. Protected size trees of the Oak species will require a certified arborist for trimming. Trimming in excess of 25% of the canopy of a Protected Tree is prohibited at all times.

(3) If removal of a protected tree is desired, then the landowner or responsible party of existing lots and/or new development must request a permit for removal and they must provide replacement tree at a ratio of 1:1, or cash-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, not to exceed one hundred dollars (\$100.00) per diameter inch lost or 20% of the current value of the property, not including any structures built upon the lot, as assessed in the most current county appraisals.

(4) Homeowners may offset costs by 100% with a tree replacement, non-resident developers may offset costs by 50% with a tree replacement but are subject to pay the

remaining fee, and commercial developers allowed 40% offset with planting and then are subject to pay the remaining fees.

(B) **Heritage Trees** as defined in this chapter are trees with a trunk of twenty-four (24) inches in diameter or greater measured at DBH; or a multi-trunked hardwood tree having a total trunk DBH of thirty (30) inches or more (not counting trunks that are eight (8) inches or less in diameter); And is one of the species listed in section 91.04 under the Heritage Tree definition.

(1) Trees designated as heritage are hereby prohibited from removal.

(2) A certified arborist is required for all trimming on Heritage Trees. Trimming in excess of 25% of the canopy of a Heritage Tree is prohibited at all times.

(3) Property owners, residents, and developers who wish to remove a Heritage Tree must request a variance. They must show proof that there is substantial reason to remove a Heritage Tree and placement of a desired structure is not considered to be reason enough to remove a Heritage Tree.

(4) If a removal variance is granted, a replacement must be provided at a ratio of 1:1, or cash-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, not to exceed one hundred dollars (\$100.00) per diameter inch lost or 20% of the current value of the property, not including any structures built upon the lot, as assessed in the most current county appraisals.

(5) Homeowners may offset costs by 100% with a tree replacement, non-resident developers may offset costs by 50% with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40% offset with planting and then are subject to pay the remaining fees.

(C) **Prohibited and Harmful Trimming Practices on Protected and Heritage Trees** such as “lion tailing” and “topping,” as described in the definitions in section 91.03 of this chapter, may result in fines up to \$250 per Protected Tree and \$500 for each Heritage Trees harmed with these prohibited practices.

(D) **Diagnosed Oak Wilt in Protected and Heritage Trees** may result in their removal. If Oak Wilt is detected and it is substantial enough to warrant removal or has caused significant structure damage or death of large portions of the tree, as diagnosed by a certified arborist, these trees are exempt from replacement requirements and removal fees imposed by the City. Residents are still encouraged to replace trees and the City offers financial assistance for replacement of trees lost due to Oak Wilt in section 91.09 (E).

91.08 TREE REMOVAL

(A) All tree removals must go through a permit process separate from the tree trimming process. This is to determine the species, Protected or Heritage tree status, or if there is a public hazard or nuisance.

(B) Removal of Protected Trees should be avoided. In the case of bug infestation or disease, besides Oak Wilt, treatments should be pursued before removal if possible. Protected trees should be replaced following the procedures outlined in section 91.07 (A).

(C) Removal of Heritage Trees is prohibited. A variance must be requested, significant proof is needed for approval to remove beyond placement of a desired structure alone, and the replacement procedures outlined in section 91.07 (B) apply.

(D) Removal of trees listed in 91.06 (M) is permitted and no replacement procedure is required. The permit in this case is simply to establish the tree type.

(E) Residents are highly encouraged to use a licensed and insured tree care professional for all removals as they can pose a serious risk to life and property.

91.09 OAK WILT

(A) Reporting. Any person who discovers or suspects the presence of oak wilt infestation or an oak wilt infected tree shall report that information to the City Manager/Administrator within ten (10) business days.

(B) Inspections and Notice to Owner

(1) The City of Woodcreek is authorized and empowered to send a representative from city staff, the Tree Board, Texas A&M Forest Service, or a certified arborist to enter upon any lot or parcel of land in the city or its ETJ at any reasonable hour for the purpose of inspecting any oak tree(s) or dead oak wood situated thereon.

(2) Every reasonable effort shall be made to contact the owner, resident, or other persons who may have charge or control of the lot or parcel in advance to notify them of the inspection and to request entry.

(3) If there is a living structure on premise, or it is established by observation that the parcel or lot is occupied at the time of the inspection, the aforementioned personnel shall first present credentials, alert the occupant of their intention to enter the property for inspection purposes, and request entry.

(4) Owners and occupants shall provide reasonable cooperation for the entry and inspection of their property for the purpose of dealing with this public nuisance. While permission from the resident, owner, or occupant is necessary for entry, if such entry is refused and the City has probable cause to believe that there exists on the premises a public nuisance such as oak wilt, the city shall go before the Municipal Court Judge to seek and obtain a search warrant. The purpose of this warrant is to determine the presence of oak wilt and to obtain samples.

(C) Confirmation of Oak Wilt and Notice to Owner:

(1) If, on laboratory analysis of specimens removed from any red oak tree, it is determined that such tree is infected with Oak Wilt, or if it is determined that any dead or substantially dead red oak tree, is infected with Oak Wilt then it must be fully removed and all wood taken from the property and disposed of properly. Tools used

should be cleaned immediately and shall not be used on other trees until they have been properly sanitized.

(2) If, on laboratory analysis of specimens removed from any species of oak tree other than red oak, it is determined that such tree is infected with Oak Wilt, and it is determined that the tree should be removed by a certified arborist because abatement measures to contain the Oak Wilt and/or prolong the tree's lifespan are determined to be insufficient or cost prohibitive for the owner, or it is determined the structural damage to the tree is significant enough to make it a public health hazard then it must be fully removed and all wood taken from the property and disposed of properly.

(3) It is determined that any such tree, dead or alive, infected with Oak Wilt should be removed, the city may serve or cause to be served a written notice upon the owner of record and upon all lienholders of the lot or parcel of land on which the tree or dead oak wood is located, requiring such owner to comply with the provisions of this chapter.

(4) Diagnosis will be obtained via laboratory verification by the Texas A&M Forest Service or through a field survey by trained personnel.

(5) Service of notice provided for in this chapter shall be by certified mail to the owner's address as listed on the Hays County Appraisal District's tax roll. Notice to a lienholder or its agent may be made by personal service or by certified mail. Certified mail returned as "unclaimed" or "refused" shall be deemed delivered.

(6) If, on laboratory analysis of specimens removed from any species of oak tree other than red oak, it is determined that such tree is infected with Oak Wilt, and it is determined that the tree could benefit from abatement and treatment efforts and that these efforts could effectively contain the Oak Wilt and prolong the tree's life as diagnosed by a certified arborist with a specialization in Oak Wilt, then the owner may take these preventive measures at their own expense.

(D) Abatement or Removal Required:

(1) Upon receipt of written notice by the city as described in 91.09 (C) it shall be unlawful for any owner of any lot or parcel of land within the jurisdiction of the City of Woodcreek to permit or maintain on any such lot or parcel any dead oak wood or oak tree which is a public nuisance as defined in this chapter, and it shall be the duty of the owner of such to promptly remove and destroy such oak tree by cutting the tree off at ground level and removing all dead oak wood and woody debris as directed by the city.

(2) Should the property owner fail to abate the public nuisance within sixty (60) days following the receipt of notification, the city shall have the right to cause the removal and destruction of the diseased trees. The full cost of such removal and destruction shall be assessed to the property owner. Should the property owner fail to pay the city within thirty (30) days from the date of invoicing the city may, at its discretion, file a lien against the property in the amount of all costs incurred by the city, plus interest. The assessment of expenses and lien shall follow the procedures established in Tex. Health and Safety Code Ch. 342.

(3) Oaks known or suspected to have died of oak wilt may not be retained for firewood under any circumstances due to the elevated risk of fungal mat formation and insect transmission.

(4) It shall be unlawful for any person to sell firewood within the city that was taken from oak trees known or suspected to be infected by the oak wilt fungus.

(5) Pruning or cutting of oak trees shall be prohibited in the spring months of February through June when fungal spore formation and beetle activity are highest unless such activities are completely unavoidable to protect the safety of people and property or the health of the tree. A permit from the City must be secured prior to pruning or cutting in this situation.

(6) Pruning or cutting of oaks is permitted from July through January. Pruning apparatus should be disinfected between trees.

(7) Regardless of the time of year that the wound occurs, black tree wound dressing must be applied immediately to all wounds of any size on susceptible oaks, including the cut surface of healthy oak stumps, pruning cuts, construction damage, or any spot where the bark has been removed to expose the wood beneath, to discourage potential insect/disease contamination. Failure to seal any wound immediately upon creation is an unlawful violation of this chapter. This includes trunks of any diseased oak trees fully removed where the trunk portion is left behind. Residents are encouraged to fully remove the stump of diseased oak trees as they can still spread oak wilt.

(8) If any owner, resident, or responsible party including the City fails to address Oak Wilt once confirmed by laboratory specimen and it can be reasonably proven that the Oak Wilt has since spread to other nearby properties as a result of this negligence, as determined by a certified arborist specializing in Oak Wilt, the property owner or responsible party of the Oak Wilt center may be liable for the damages to surrounding properties and subject to no less than half of the fees associated with removal, containment, abatement, and/or replacement of the trees on property surrounding the Oak Wilt Center.

(a) These are not fees due to the City for permitting purposes, as there are none in the case of Oak Wilt. These are the fees incurred by other surrounding private land holders adjacent to the Oak Wilt center for the purpose of hiring professionals to contain, remove, and replace the diseased trees.

(b) For liability purposes, reasonable proof must exist that the owner was notified of confirmed Oak Wilt and that no action was taken to contain and/or remove the diseased trees. If action was taken, and Oak Wilt still spread as diagnosed by a certified arborist specializing in Oak Wilt, then the property owner for which the Oak Wilt center was located is not liable for any spreading that may occur after reasonable efforts have been made to contain and/or remove the Oak Wilt from the property.

(E) City Sponsored Replacement Program and Oak Wilt Abatement and Prevention Efforts:

- (1) The City shall appropriate funds as deemed appropriate by the City Council for oak wilt suppression on private and public lands within the city limits. Funds for this effort will come from the Oak Wilt Containment budget.
- (2) The City has no obligation to pay for preventive measures on any private property. However, to encourage participation by property owners, the City may enter into written agreements with certain property owners to pay for all or part of the costs of preventive measures.
- (3) The City may enter into an agreement with the property owner(s) for cost-sharing of trenching or removal of dead oaks.
- (4) The City may enter into an agreement with the property owner(s) for cost-sharing of replacement trees for Protected and Heritage trees lost to Oak Wilt. Residents are encouraged, but not required, to replace trees lost by Oak Wilt.
- (a) The City will offer to cover 50% of the cost of the replacement tree, or up to \$600 in matching funds, to replace any protected or heritage tree that has died or must be removed due to Oak Wilt as diagnosed by a certified arborist and confirmed by the City.
- (b) Trees smaller in diameter and younger in age than a designated protected or heritage tree but afflicted by Oak Wilt as diagnosed by a certified arborist and confirmed by the City, will be grouped into sets of 5 to determine a funding match from the City; for every five smaller trees a resident may receive \$600 and for every three smaller trees a resident may receive half value at \$300 in matching funds.
- (c) The resident will be reimbursed upon the confirmed planting of the replacement tree. Trees must be planted in the fall, not during a drought, and the resident must provide an exact match of funds from the city to purchase a tree of advanced age and suitable durability to survive transplantation.
- (d) The City will not cover costs to plant the tree and no portion of the match funds may be used for planting services. The match funds shall be solely used for the purchase of the tree.
- (e) Trees selected for planting may not be susceptible to Oak Wilt and residents should reference the Texas A&M Forrester Service guidelines for appropriate trees to plant in this area that Oak Wilt cannot infect.
- (f) Residents that show proof the replacement tree planted has survived after three years will receive an additional \$100 per tree. This must be documented via photos and the tree must still be alive and thriving at the time the City sends out a representative to confirm in person.
- (F) Fungicide treatment for non-symptomatic or slightly symptomatic trees or removal of infected or dead trees shall be the responsibility of the landowner.

(G) If an owner of any private land, regardless of zoning or development status, fails to remove, trench, and treat confirmed Oak Wilt then the City may remove the trees at the owner or responsible person(s) expense and may impose additional fines as described in this chapter.

~~(H) During the months of July to January if any tree worker, landscaper, property owner, developer or otherwise authorized responsible party is caught not properly cleaning and sanitizing tools between their use on different trees they will be subject to a \$500 fine per tree placed at risk by these actions. Spraying live Oak cuts are year-round practices required on all oak species and are subject to a \$500 fine per tree placed at risk by not doing so.~~

91.10 CERTAIN TREES DECLARED A PUBLIC NUISANCE AND NOT SUBJECT TO REPLACEMENT REQUIREMENTS AND/OR REMOVAL FEES

(A) Any tree which is in an unsafe condition or which by reason of its nature or growth is injurious to sewers, power lines, gas lines, water lines or other public improvements and measures to save the tree while eliminating the public risk would be cost prohibitive or unlikely to be effective as assessed by a certified arborist may be removed and is not subject to replacement requirements or removal fees to be paid to the City.

(B) Residents and property owners must submit a permit for removal request. In the event of an emergency, and it is unreasonable for a property owner to wait for permit approval, they shall follow the process outline in section 91.06 (M) for submitting required information to the City after removal.

(C) All red oak diseased trees, alive, dead or substantially dead, and all wood from red oak trees to which any bark is still attached.

(D) All species and varieties of diseased oak trees that are dead or substantially dead, and all dead diseased oak wood to which the bark is still attached, which, because of its condition, may serve as a breeding place for any carrier of oak wilt disease.

(E) Any diseased tree that is dead or substantially dead.

(F) Any tree with substantial bug infestation which has resulted in significant structural damage, as determined by a certified arborist, and treatment would be unable to save or preserve the tree and thus the tree constitutes as a hazard to the public if not immediately removed.

(G) A living, dying, or dead tree or limb or shrub on a right-of-way, or adjacent to a right-of-way but on private property, if it obstructs streetlights, traffic signs, or the free and safe passage of pedestrians and vehicles, or poses a hazard to life or property. A representative of the City may meet with the property owner to discuss such a tree, and the city may give notice to the property owner to remedy such nuisance at the owner's expense.

(H) A living, dying, or dead tree or limb or shrub on a right-of-way, or anywhere on private property, that harbors an infestation or fungus or disease which a certified arborist determines is a contagious communicable threat to other trees within the city. Owners are encouraged to report such nuisances to the city. A representative of the City may meet with the property owner to discuss such a nuisance. The city may give notice to the property owner that it intends to remediate such nuisance for the owner at the owner's expense and proceed to do so. The

owner shall cooperate with the city's remediation. Remediation may include various measures as determined by a certified arborist, such as spraying, injecting, trimming, or removing.

91.11 GUIDELINES FOR DISEASED OR INFESTED TREES OTHER THAN FROM OAK WILT

(A) Inspections for all trees

(1) Homeowners, residents, and all others in charge of or care over any property within the city limits of Woodcreek or its ETJ are encouraged to conduct annual tree inspections of their property. If Oak Wilt is suspected, please contact the City immediately to receive assistance in properly diagnosing diseased trees.

(2) Additional inspections to consider would be for bug infestations, diseases other than oak wilt, excess ball moss growth, girdling, buried root crowns, blight, and erosion. The City encourages residents, property owners, and developers to seek regular inspections and to pursue proper tree care but will not provide compensation outside of the programs listed in this chapter or any other official city sponsored events that may occur.

(3) It is the financial responsibility of private landowners and residents to properly inspect and care for their trees per the guidelines in this chapter to ensure the trees located within their property lines are safe and healthy, thus protecting residents' assets and property values.

(4) If there is a suspected contagious disease or bug infestation, the City may send a city representative, member of the Tree Board, or other licensed professional to inspect and diagnose trees in question or determined at risk pursuant to the guidelines as described in section 91.09 (B).

(B) Notice to owner for diseased and infested trees

(1) If, on laboratory analysis of specimens or upon the diagnosis by a certified arborist, that any species of tree under the city's jurisdiction is determined that such tree is a public nuisance, as provided in this chapter, or if it is determined that any dead or substantially dead tree, is a public nuisance, as provided herein, and if it is determined that any such tree should be removed, the city may serve or cause to be served a written notice upon the owner of record and upon all lienholders of the lot or parcel of land on which the tree or dead wood is located, requiring such owner to comply with the provisions of this chapter.

(2) Diagnosis may be obtained via laboratory verification by the Texas A&M Forest Service or through a field survey by trained personnel.

(3) Service of notice provided for in this chapter shall be by certified mail to the owner's address as listed on the Hays County Appraisal District's tax roll. Notice to a lienholder or its agent may be made by personal service or by certified mail. Certified mail returned as "unclaimed" or "refused" shall be deemed delivered.

(4) Once notice has been issued, action must be taken to treat or remove the public nuisance

(C) Costs for treatment, removal, and replacement

(1) The City shall appropriate funds as deemed appropriate by the City Council for suppression of infectious diseases or bug infestations that pose a threat to the greater community.

(2) The City has no obligation to pay for preventive measures on any private property. However, in order to encourage participation by property owners, the City may enter into written agreements with certain property owners to pay for all or part of the costs of preventive measures.

(3) The City may enter into an agreement with the property owner(s) for cost-sharing of treatments deemed necessary by a certified arborist.

(4) The City may enter into an agreement with the property owner(s) for cost-sharing of replacement trees.

(5) Fungicide treatment for non-symptomatic or slightly symptomatic trees or removal of infected or dead trees shall be the responsibility of the landowner.

(6) Owners who neglect to contain, remove, or treat contagious disease or spreadable infestation may be liable for costs incurred by the City or other private landowners for mitigation purposes.

91.12 TREE PROTECTION REQUIREMENTS FOR NEW DEVELOPMENT OR NEW CONSTRUCTION ON EXISTING DEVELOPMENT WITHIN CITY LIMITS

(A) A "Grading and Tree Survey" shall be submitted with all new commercial and residential building and/or subdivision development site plans within the city's jurisdiction. This includes development or building on lots with existing structures.

(1) The Tree Survey shall include all existing, live, healthy trees with a fourteen (14) inch or larger DBH in diameter. The Survey shall indicate the size (DBH) and species of tree. Trees observed to be distressed will be indicated with an asterisk on the tree list. Trees shall be represented by circles using the formula of one (1) foot of radius diameter for every one (1) inch of trunk diameter. Unbroken circles indicate trees that are to remain. Dashed circles indicate trees that are to be removed (including trees identified to be distressed).

(2) Healthy designated Protected Trees that require removal to accommodate the development shall be replaced at a ratio of 1:1, or cash-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, not to exceed one hundred dollars (\$100.00) per diameter inch lost for the entire Site, or 20% of the current value of the entire property without the value of any structures on the land as assessed by the most current county appraisal records (before subdivision, if being

divided). Non-resident developers may offset costs by 50% with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40% offset with planting and then are subject to pay the remaining fees. Trees identified as diseased, infested, containing Oak Wilt, or with substantial structure failure as diagnosed by a certified arborist may be exempt from replacement requirements if it is determined the tree would not naturally survive without extensive and cost-prohibitive intervention.

(3) Healthy designated Heritage Trees are prohibited from removal. A variance for removal must be requested from the City and proof that there is substantial reason to remove a Heritage Tree is required. Placement of a desired structure alone is not considered to be reason enough to remove a Heritage Tree. If the variance to remove a Heritage Tree is granted, then a replacement tree must be planted at a ratio of 1:1, or cash-in-lieu may be paid to the City Tree Fund in the amount equal to the cost of nursery stock required to replace the diameter amounts lost and the cost of installation on a per unit basis, not to exceed one hundred dollars (\$100.00) per diameter inch lost for the entire Site, or 20% of the current value of the entire property without the value of any structures on the land as assessed by the most current county appraisal records (before subdivision, if being divided). Non-resident developers may offset costs by 50% with a tree replacement but are subject to pay the remaining fee, and commercial developers allowed 40% offset with planting and then are subject to pay the remaining fees. Trees identified as diseased, infested, containing Oak Wilt, or with substantial structure failure as diagnosed by a certified arborist may be exempt from the variance and replacement requirements if it is determined that the tree could not first be preserved through treatment and mitigation.

(4) Pre- and post-construction fertilization is required for existing trees that will be, or have been, disturbed by construction activities, including disturbance of the critical root zone. All fertilizers must be phosphate-free. Receipts from this treatment must be provided to the City Manager, or their designee, prior to a certificate of occupancy issuance.

(5) The planting, preserving and maintaining of trees, which are contagiously diseased trees, or the storage of cut oak, unless first determined by a certified arborist to be devoid of oak wilt or properly treated, shall be deemed to be a Public Nuisance and is prohibited.

(6) During construction, measures must be taken to protect all trees; including, but not limited to: rigid fencing, shielding, and signage, as necessary. The level of protection for each tree shall be subject to determination by the City Manager or their designee prior to acceptance and approval of the grading and tree survey.

(a) Factors considered in this determination include, but are not limited to: proximity to construction, construction design plans, size of tree, route of construction vehicles on and off property, parking during construction, and utility line access.

(b) If it is determined rigid fencing is needed to protect the critical root zone of a tree, it shall be placed with a radius of ½ ft per 1 inch in diameter from the trunk unless property lines or other features prohibit a complete radius. Rigid fencing should be not less than four (4) feet high and the material shall be sufficient to deter damage to the tree or compaction of its root system. Trees under 19 inches in diameter may be exempt from fencing.

(c) All Protected and Heritage Trees must be protected with rigid fencing per the guidelines for placement listed above. Development and construction inside the critical root zone of Protected and Heritage Trees shall be avoided. Variances may be requested and are subject to approval after assessment by a certified arborist is performed and it is determined there is no significant risk to the tree by proposed construction designs.

(d) The City Manager or Designee shall inspect and approve installed tree protection before the issuance of any permit to commence with any construction activity.

(e) Tree protection shall remain in place until final landscaping installation is approved by the City Manager or designee.

(f) The parking or storage of vehicles, equipment or materials within the critical root zone of Protected and Heritage Trees is prohibited.

(7) Any trenching that must occur during or post construction around Protected and Heritage Trees must have the plan reviewed by a certified arborist. If it is determined the trenching will occur in a critical root zone, then the work must be conducted by a certified arborist.

(8) Proposed pruning in excess of 25% of the canopy on Protected and Heritage Trees is prohibited. In trees under 19 inches in diameter, pruning in excess of 25% of the canopy must be reported in the "Grading and Tree Survey" and measures should be taken to avoid whenever possible.

(9) A minimum of 50% of the critical root zone of all Protected and Heritage Trees must be preserved at natural grade with natural ground cover. No cut or fill greater than 4 inches allowed within ½ of the critical root zone. No Impact is allowed within ¼ of the critical root zone.

(B) For all new commercial and residential developments or subdivisions or new construction on existing development, during extreme drought classifications for this region as determined by the National Drought Mitigation Center, the City Manager, or designee, may:

(1) Accept a fiscal deposit in the amount equal to the cost of purchasing and installing the trees, and other required landscaping, into the City's Tree Fund in lieu of the installation of trees, and other required landscaping, required by this chapter for the issuance of a Certificate of Occupancy Permit; OR

(2) The City Manager, or designee, may accept an escrow equal to the cost of purchasing and installing the trees, and other required landscaping. The City shall only accept the Fiscal Deposit or Escrow if an Erosion Control Plan has been reviewed and accepted by the City Manager, or Designee. Failure to maintain and adhere to an approved Erosion Control Plan during periods of an extreme drought classification shall be deemed a violation. Such a violation will result in fines and penalties being applied.

(3) The escrow may be drawn upon by the City to implement tree requirements for the depositing property owner, or the funds shall be released to the depositing property owner to implement tree requirements within thirty (30) days when after the Drought Mitigation Center determines that this region is no longer in an extreme drought condition or higher classification. Failure to implement the tree requirements within thirty (30) days of the release of the fiscal deposit to the depositing property owner shall be deemed a violation and the fines and penalties of this article shall apply.

(C) Fiscal deposit or cash accepted in lieu of replacement of trees

(1) Persons requesting that the City accept an in lieu Fiscal Deposit to the Tree Fund shall provide the City with written documentation from an entity that sells trees providing the estimated cost of purchasing and installing the trees and other landscaping required by this chapter.

(2) If no estimated cost for the installation of the trees required by this chapter is provided to the City, the City shall require a sixty-six (66) percent of the cost of the tree to be paid as the installation cost in addition to the cost to purchase the tree.

(3) Any fiscal deposits for trees paid to the City pursuant to this section shall be held in the Tree Fund and used as designated in section 91.04 of this chapter.

(4) Replacement fees for Protected and Heritage Trees are outlined in section 91.07 of this chapter.

SCHEDULE II: TREES IN THE EXTRATERRITORIAL JURISDICTION (ETJ)

91.13 JURISDICTION

Under the authority of sections 212 Government Code, Chapter 91: Tree Protections, is applicable to the following:

(1) Subdivision and plating for residential, commercial, agricultural, and industrial properties

(2) New development including but not limited to planned development districts, planned unit districts, municipal utility districts, subdivisions, and all other residential, commercial, and nonresidential lot improvements.

(3) Clearing of any land regardless of zoning with, or without, a primary structure prior to development plans submitted to the City of Woodcreek.

91.14 TREE PROTECTION REQUIREMENTS FOR NEW DEVELOPMENT OR NEW CONSTRUCTION ON EXISTING DEVELOPMENT IN THE ETJ

(A) Land owners and developers shall follow the development regulations as outlined in section 91.12 of this ordinance.

(B) These requirements apply to land clearing prior to the submission of development plans to the City of Woodcreek and are applicable to all circumstances listed in 91.13 as under the jurisdiction of the City within the ETJ.

(C) These requirements will be enforced for the purposes of protection of water quality, pollution abatement and flooding mitigation as described in the Water Code § 26.177.

91.15 PROTECTED AND HERITAGE TREES IN THE ETJ

(A) Removal of Protected Trees is regulated and removal of Heritage Trees is prohibited with guidelines outlined in section 91.12 (numbers 2 and 3) of this ordinance. Removal of a Heritage Tree would require the variance process and a public hearing.

(B) Trimming of canopies of Protected and Heritage Trees in excess of 25% is prohibited at all times.

91.16 OAK WILT IN THE ETJ

(A) Oak Wilt reporting is not required, but is encouraged in the ETJ. Property owners are encouraged to utilize the guidance on Oak Wilt procedures outlined in section 91.09 (D) Abatement and Removal. There is no official City sponsored program for Oak Wilt in the ETJ.

91.17 ENFORCEMENT OF SCHEDULES I AND II

The City Manager or their designee is charged with the enforcement of the provisions of this chapter.

91.18 PENALTY FOR SCHEDULES I AND II

It shall be unlawful for any person, firm or corporation to violate the provisions of this chapter. Any person violating any provision hereof shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every such violation and for each and every day or portion thereof during which any such violation continues or occurs. Upon the conviction of such violation, such offense shall be punishable by fine which shall not exceed \$500 for each separate offense.

(A) Compliance. Violators of this article will be required to come into compliance within sixty (60) days, unless a variance has been approved by the city. Compliance with this article may be grounds for withholding of other related pending permits for the project by the city.

(B) Enforcement. The city shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to a stop work order, suit for injunctive relief, and/or prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance. Any violation of this article may serve as grounds to withhold or delay issuance of other permits and revocation of a certificate of occupancy.

(C) Civil remedies. Nothing in this article shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including but not limited to the following:

- (1) Injunctive relief. Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article;
- (2) Civil penalty. A civil penalty up to five hundred dollars (\$500.00) a day to be deposited in the City Tree Fund, when it is shown that the defendant was notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article, and other available relief; and
- (3) Stop work order. In the event work is not being performed in accordance with this article, the city shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

Discuss and Take Appropriate Action to Accept an Edit the Oak Wilt Assistance Application

AGENDA ITEM SUMMARY:

Council approved the Oak Wilt assistance program and the subsequent application form. Some review of the application occurred by Council and the Tree Board. Discussion around how to manage available funds and what to allow residents showed concerns over the messaging in the application. Ultimately it was approved as it was. However, in retrospect a single word should be adjusted. See attached proposal. The word "budgeted" is in red and has replaced the word "available."

FINANCIAL IMPACT:

none

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

April 18 Workshop



CITY OF WOODCREEK

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

Date of Application Submission: _____

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

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

Checklist of Items to Include with this Application:

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

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

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

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

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

Woodcreek@WoodcreekTX.gov

Guidelines of the Assistance Program:

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

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

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

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

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

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

Applications may go before the Tree Board for review and are subject to approval by staff. Funds will be issued if all requirements are met and funds are available.

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

Council Meeting Agenda Item Cover Sheet

AGENDA ITEM SUBJECT/ TITLE:

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")

AGENDA ITEM SUMMARY:

Council passed an ordinance to amend the traffic controls of the Woodcreek code ordinances to add stop signs at the intersection of Augusta Drive and Brookhollow for traffic regulation purposes to promote pedestrian safety and better regulate traffic in a staggered 4-way stop.

FINANCIAL IMPACT:

codification and filling fees - additional fees for road striping or additional signs if approved

SUBMITTED BY:

Debra Hines

AGENDA TYPE:

New Business

ORDINANCE NO. _____

CITY OF WOODCREEK, TEXAS

AMENDMENT TO CHAPTER 70 OF THE CODE OF ORDINANCES TRAFFIC SCHEDULES ORDINANCE

AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF ORDINANCES AT TITLE VII ("TRAFFIC CODE"), CHAPTER 70 ("TRAFFIC SCHEDULES"), SCHEDULE II ("STOP AND YIELD INTERSECTIONS"); PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 311.002, a municipality has exclusive control over highways, streets and alleys of the municipality and may regulate a street; and

WHEREAS, pursuant to Texas Transportation Code 544.002, municipalities have the authority to place and maintain traffic control devices on streets under their jurisdiction; and

WHEREAS, the City Council finds that controlling and managing the flow of traffic on its major through streets protects the welfare and safety of its citizens and their personal property and that this regulatory behavior is for good government and order of the City.

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

1. FINDINGS OF FACT

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

2. ENACTMENT

Chapter 70 ("TRAFFIC SCHEDULES") of the Code of Ordinances of the City of Woodcreek is amended at Schedule II.-Stop and Yield Intersections so as to read in accordance with Attachment A, which are attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

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

4. SEVERABILITY

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

5. CODIFICATION

The City Secretary is hereby authorized and directed to record and publish the language of Title VII, Chapter 70, Schedule II as amended by this Ordinance, in the City's Code of Ordinances.

6. EFFECTIVE DATE

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

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was attended by a quorum of the City Council, was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. 27

PASSED & APPROVED this, the ___ day of April 2023, by a vote of ____ (ayes) to ____ (nays) and ____ (abstentions) of the City Council of Woodcreek, Texas.

Jeff Rasco, Mayor

Suzanne Mac Kenzie, City Secretary

Attachment "A"

City of Woodcreek

CODE OF ORDINANCES

TITLE VII: TRAFFIC SCHEDULES

SCHEDULE II. - STOP AND YIELD INTERSECTIONS

(A) Traffic-control signs and devices. The City Council hereby orders and directs that the traffic-control signs hereinafter set forth herein be placed, installed and erected at the locations designated, and that such sign and device be hereafter maintained and enforced by the City:

<i>Sign</i>	<i>Location of Sign</i>	<i>Street and Traffic Controlled</i>
Stop	2 on Augusta Lane, north and south, at Augusta Drive	Controls Augusta Lane at both ends
Stop	Augusta Drive at Brookhollow Drive	Controls Augusta Drive (south intersection)
Stop	2 1 on Brookhollow Drive, going northwest and southeast, at Augusta Drive	Controls Brookhollow at the south intersection of Augusta Drive and Jack Miller
Stop	1 on Brookhollow Drive, going southeast, Jack Miller	Controls Brookhollow at the south intersection of Augusta Drive and Jack Miller
Stop	2 on Brookhollow Drive at Woodcreek Drive, going northeast and at Brookhollow for going southwest	Controls Brookhollow Drive
Stop	Brookhollow Drive at Par Circle	Controls Par Circle
Stop	Brookhollow Drive at Augusta Drive	Controls Brookhollow Drive (north intersection)
Keep Right	Island at 66 Brookhollow Drive	Controls Brookhollow Drive southbound traffic
Stop	Brookmeadow Drive at RR 12	Controls Brookmeadow Drive
Stop	Brookmeadow Drive at Elmbrook Drive	Controls Elmbrook Drive
Stop	Brookmeadow Drive at Augusta Drive	Controls Brookmeadow Drive
Stop	2 on Brookside Drive, north and south, at Brookmeadow Drive	Controls Brookside Drive
Stop	Canyon Creek Drive at Champions Circle	Controls Canyon Creek Drive
Stop	2 on Champions Circle, east and west, at Woodcreek Drive	Controls Champions Circle at both intersections

Stop	Champions Court at Champions Circle	Controls Champions Court
Stop	Country Lane at Brookhollow Drive	Controls Country Lane
Stop	Cypress Point Drive at Woodcreek Drive	Controls Cypress Point Drive
Yield	Cypress Point Drive at Cypress Point private alley, across from southwest corner of Lot 57	Controls private alley
Stop	Cypress Point Drive at Cypress Point Drive, northeast corner of Lot 59	Controls Cypress Point Drive
Stop	Cypress Point Drive at Cypress Point private alley, northeast corner of common area adjacent to Lot 43	Controls private alley
Stop	Cypress Point Drive at Cypress Point private alley, across from southwest corner of Lot 41	Controls private alley
Stop	Deerfield Drive at Woodcreek Drive	Controls Deerfield Drive
Stop	Doolittle Drive at Wildwood Circle	Controls Doolittle Drive
Stop	East Villa Meadow Drive at Brookmeadow Drive	Controls East Villa Meadow Drive
Stop	Jack Miller Drive at Doolittle Drive	Controls Jack Miller Drive
Stop	Jack Miller Drive at Brookhollow Drive	Controls Jack Miller Drive
Stop	LaRocca Lane, back exit at Jacobs Well Road	Controls LaRocca Lane
Stop	LaRocca Lane, back entrance at Augusta Drive	Controls LaRocca Lane
Stop	Overbrook Court at Brookhollow Drive	Controls Overbook Court
Stop	Overlook Circle at Champions Circle	Controls Overlook Circle
Stop	Overlook Court at Palmer Lane	Controls Overlook Court
Stop	Palmer Lane, a circle, on west side at Champions Circle	Controls Palmer Lane
Stop	Palmer Lane, the east side of a circle, at Champions Circle	Controls Palmer Lane
Stop	Par View Drive at Woodcreek Drive	Controls Par View Drive
Keep Right	Island on Par View Drive	Controls Par View Drive southbound traffic

Stop	Pro Lane at Woodcreek Drive (3-way stop)	Controls Pro Lane
Stop	2 on Shady Grove Lane, north and south, at Brookmeadow Drive	Controls Shady Grove Lane
Stop	Stonehouse Circle at Woodcreek Drive	Controls Stonehouse Circle
Stop	Tremont Trace at Champions Circle	Controls Tremont Trace
Stop	Westwood Drive at Pebblebrook Lane	Controls Westwood Drive
Stop	Westwood Drive at Brookhollow Drive	Controls Westwood Drive
Stop	Wilson Circle at Palmer Lane	Controls Wilson Circle
Stop	2 on Woodcreek Drive at Brookhollow Drive, going northeast and southwest on Woodcreek Drive	Controls Woodcreek Drive
Stop	Woodcreek Drive at RR 12	Controls Woodcreek Drive
Stop	Woodcreek Drive going west at Pro Lane (3-way stop)	Controls Woodcreek Drive
Stop	Woodcreek Drive going east at Pro Lane (3-way stop)	Controls Woodcreek Drive
Traffic signal	Woodcreek Drive at RR 12	Controls Woodcreek Drive

(B) Violations and penalties. It is a violation of this schedule to enter a location controlled by a stop or yield sign from a street controlled by a stop or yield sign without stopping or yielding right-of-way as required. Any person, who tampers with, alters, removes, destroys or covers or hinders the visibility of any traffic-control device of the City in a manner which is inconsistent with its use as a traffic-control device violates this schedule. This schedule shall also apply to the taping of signs on the post portion of the stop or yield sign that does not hinder or affect the visibility of the sign itself or the intersection. Any person who violates this schedule or part thereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$1.00 and not to exceed \$200.00. Each incident of violation of this schedule shall constitute a separate offense.

(Ord. 11-159, 12-14-2011; Ord. 14-200, 9-10-2014)

**VISUAL AIDS FOR MARKING AND SIGN CONSIDERATIONS FOR NEW STOP SIGN PROPOSAL FOR
AUGUSTA DRIVE AND BROOKHOLLOW**

