

City of Woodcreek City Council Meeting
February 10, 2016: 6:30 p.m.
41 Champions Circle
Woodcreek, Texas 78676

Minutes

- 1.) **Call to Order:** Mayor Eskelund called the meeting to order at 6:30 p.m.
- 2.) **Invocation**
- 3.) **Pledge**
- 4.) **Roll Call. Present:** Mayor Eric C. Eskelund, Mayor Pro Tem Nancye Britner, Councilmember William Scheel, Councilmember Jerry Moore, Councilmember Gordon Marsh, Councilmember Judy Brizendine, Interim City Manager Paul Brandenburg, Woodcreek Attorney Roger Gordon, Director of Public Works Frank Wood, City Treasurer Gene Golembiewski, City Financial Coordinator Liane Parks. **Absent:** None.
- 5.) **Public Comments:** Jeffrey A. Thornton chose to speak during item 9E.
- 6.) **Citizen Communications:**
 - A. Karen Riordan gave a short presentation explaining a new, non-profit, transportation program for residents called Wimberley on Wheels.
- 7.) **Report Items:**
 - A. Director of Public Works Wood reported that a meeting has been scheduled with FEMA to show representatives 15 road locations damaged in recent flooding.
 - B. City Treasurer Golembiewski reported year-to-date revenues of \$225,199.00 and \$87,924.00 in expenditures.
 - C. City Manager Brandenburg presented his Monthly Public Report.
- 8.) **Consent Agenda:**
 - A. Approval of the minutes of the Regular Woodcreek City Council meeting of January 13, 2016.
 - B. Approval of Treasurer's Report for January, 2016.
 - C. Approval of Revised Right-of-Way Ordinance No. 16-219 to replace Ordinance No. 15-217 which had a scrivener's error.

Mayor Pro Tem Britner moved to accept the Consent Agenda in its entirety. The motion was seconded by Councilmember Moore, which passed with a vote of 5-0-0.
- 9.) **Regular Agenda**
 - A. Mayor Eskelund administered the Oath of Office to Roger Gordon who was sworn into office as City Attorney.

B. City Attorney Gordon reported on how provisions of new state laws regarding Open Carry and an attorney general opinion affect the Woodcreek City Hall. He explained Resolution 16-021001 and options for City Council. After discussion, Councilmember Moore moved to adopt Resolution 16-021001 regarding firearms and signage at City Hall. The motion was seconded by Councilmember Marsh, which passed with a vote of 5-0-0.


C. Interim City Manager Brandenburg presented the City's updated Transportation Improvement Plan and commended the community for the years of work developing the plan. Staff recommended approval. After discussion about developing future policies, funding method and implementation administration, Councilmember Moore moved to approve the updated Transportation Improvement Plan. The motion was seconded by Councilmember Brizendine, which passed with a vote of 5-0-0.

D. City Attorney Gordon and Interim City Manager Brandenburg explained the need for Resolution 16-021002 allowing staff to negotiate an amended task order for engineering services with Rogers Design Services associated with the Transportation Improvement Plan. The amount would not exceed \$25,500 to be paid with funds from the dedicated capital account for road improvements. After discussion, Councilmember Scheel moved to approve Resolution 16-021002. The motion was seconded by Councilmember Moore, which passed with a vote of 5-0-0.

E. Interim City Manager Brandenburg reported the history of Woodcreek's commitment and funding of the Cypress Creek Watershed Protection Plan (CCWPP). Jeff Thornton, Watershed Coordinator for The Meadows Center, presented a report explaining that the CCWPP has been approved by the E.P.A. and T.C.E.Q. and presented options for the City Council for future projects and implementation. After discussion, Councilmember Brizendine moved to allow the City Manager to work on an Interlocal Agreement for further study of the CCWPP. The motion was seconded by Councilmember Moore, which passed with a vote of 3-0-2 (Abstaining – Councilmember Marsh and Mayor Pro Tem Britner).

F. Mayor Eskelund recommended naming the Wimberley View as the City's official newspaper per Chapter 52, Section 4, of the Texas Local Government Code. After discussion, Councilmember Brizendine moved to name the Wimberley View as the City's official newspaper. The motion was seconded by Councilmember Moore, which passed with a vote of 5-0-0.

12.) Adjourn: There being no further business, Mayor Eskelund adjourned the meeting at 8:09 p.m.



Eric C. Eskelund, Mayor



Paul E. Brandenburg, Interim City Manager

RESOLUTION NO. 16-021001

A RESOLUTION AUTHORIZING THE CITY TO POST NOTICES AT THE ENTRANCES TO BUILDINGS OWNED OR LEASED BY THE CITY OF WOODCREEK PROHIBITING CONCEALED OR OPENLY CARRIED HANDGUNS AS PROVIDED BY STATE LAW AND TO POST NOTICES ADVISING THE PUBLIC OF THE PROHIBITION OF CARRYING A HANDGUN IN CITY FACILITIES THAT HOUSE THE MUNICIPAL COURT AND COURT OFFICES.

WHEREAS, the City Council finds that the State of Texas has passed House Bill 910 which became effective January 1, 2016 allowing the concealed or open carrying of handguns by license holders, allowing license holders to carry handguns in public areas to include buildings owned or leased by a governmental entity; and

WHEREAS, the City Council finds that Texas Penal Code Section 30.06 and 30.07 provide statutory notice that a license holder they may not carry a handgun either concealed or openly carried into any room which houses a meeting of a governmental entity that is subject to the Open Meetings Act if notices are properly posted; and

WHEREAS, the City Council finds that Texas Penal Code 46.03 also permits the City of Woodcreek (City) to prohibit a handgun license holder from carrying a handgun in portions of a building utilized by a government Court or offices which are essential to the Court operations and to make the determination as to which portions of the building are essential; and

WHEREAS, the City Council finds that the Texas Attorney General has determined the new regulations require the City to confer with the Municipal Court about which portions of the building are essential for the Court and Court offices; and

WHEREAS, the City Council finds it is beneficial for the safety of all participants and attendees to prohibit the carrying of handguns in the Municipal Court, Court Offices or a Governmental Meeting that is subject to the Open Meetings Act and place such statutory notices in compliance with the new laws at all the relevant locations in the City; and,

WHEREAS, the City Council finds it is beneficial for the safety of all participants and attendees to place signs designating areas where handguns are prohibited pursuant to Texas Penal Code 46.03;

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

Section 1. The City recognizes Penal Code 30.06, 30.07 and 46.03 as the applicable state statutory regulations governing the possession of handguns in municipal buildings.

Section 2. The City hereby prohibits handgun license holders from carrying in City courtrooms, Court offices and portions of the building identified as essential to the function of the Court and Court offices as identified in the schematic attached hereto as Exhibit A.

Section 3. The City shall post signs to be located at the doors to the building(s) and areas within any building which house City courtrooms, Court offices and those areas identified as essential to the function of the Court and Court offices stating:

Essential Court Facilities
Weapons Prohibited
Texas Penal Code §46.03

Section 4. The City also prohibits handgun license holders from carrying handguns in rooms during meetings that are subject to the Open Meetings Act as identified in the schematics in Exhibit A. The City shall erect signs to be located at the doors to the building(s) that reflect the specific statutory language for the signage and shall post the signs before the building is open to the public prior to any applicable meeting. At all other times, the signs shall be removed.

Section 5. The City expressly permits handgun license holders from carrying handguns in rooms that are otherwise subject to the Open Meetings Act during non-governmental or social gatherings provided the rooms are not being used for governmental purposes at that time; for example, coffee groups or bridge clubs.

Section 6. The City Council directs the City Manager or his designee to post and remove the requisite signs as stated above.


Section 7. This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution

PASSED & APPROVED this, the 10th day of February, 2016, by a vote of 5 (ayes) to 0 (nays) and 0 (abstentions) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:


Mayor Eric C. Eskelund

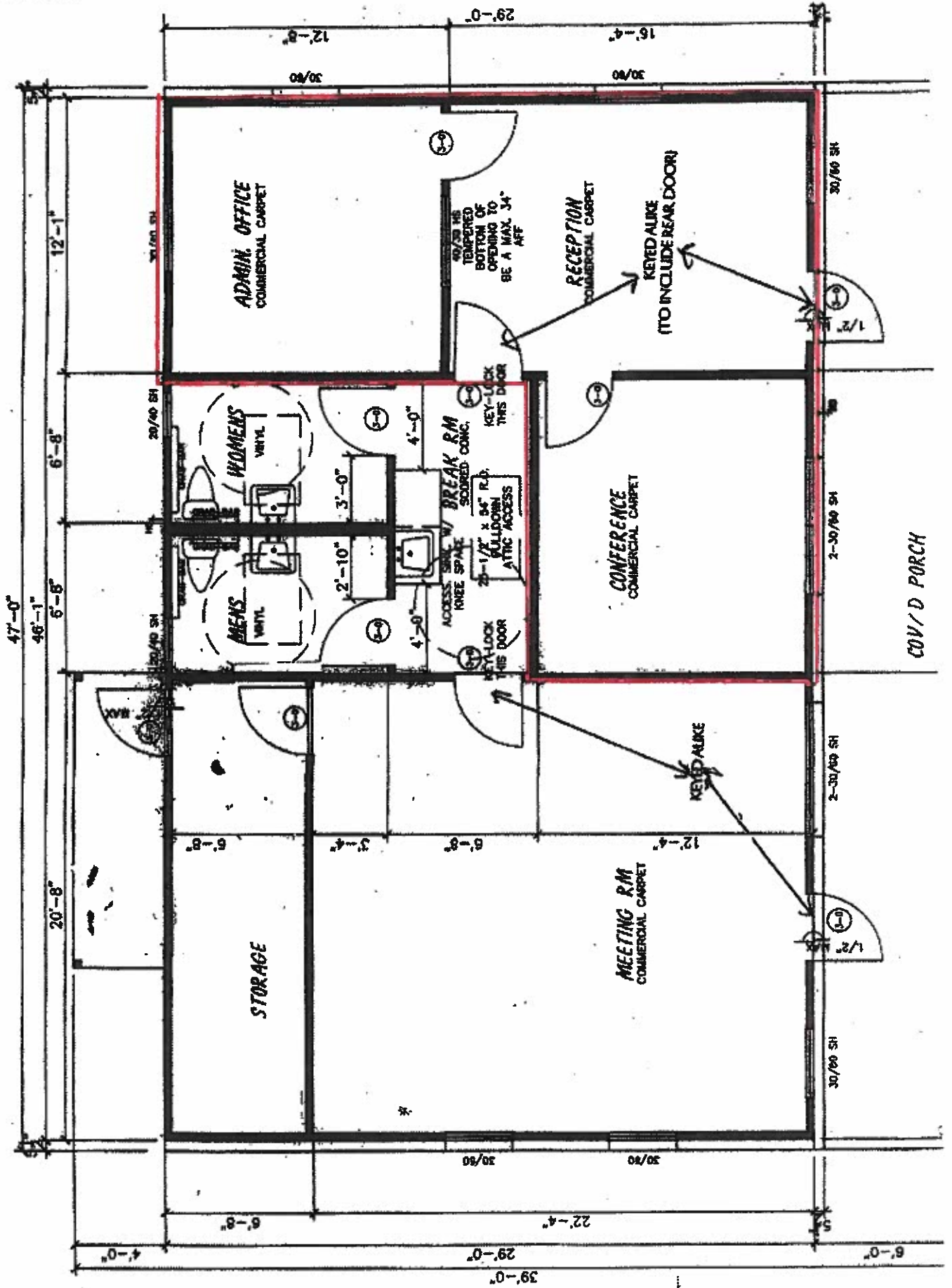
ATTEST:


Paul Brandenburg, City Manager

APPROVED AS TO FORM:

The Law Office of Roger Gordon

EXHIBIT A



RESOLUTION NO. 16-021002

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND PRESENT TO THE CITY COUNCIL AN AMENDED TASK ORDER WITH ROGERS DESIGN SERVICES FOR NECESSARY ENGINEERING SERVICES ASSOCIATED WITH THE CITY OF WOODCREEK TRANSPORTATION IMPROVEMENT PLAN IN AN AMOUNT NOT TO EXCEED \$25,500.00 TO BE PAID FOR WITH FUNDS FROM THE DEDICATED CAPITAL ACCOUNT FOR ROAD IMPROVEMENTS.

WHEREAS, the City of Woodcreek has an extensive road network that has been maintained at City expense; and

WHEREAS, the City Council has held numerous public hearings and adopted a Transportation Improvement Plan to address repairs and additions to the City's road network in the coming years; and

WHEREAS, the City Council has funds available in an existing separate capital improvement account for the specific purpose of road improvements; and

WHEREAS, the City Council has an existing Master Service Agreement for Professional Services with Dan Rogers of Rogers Design Services, and the City Council has expressed their desire to consider an additional task order for necessary engineering services for the implementation of the City's Transportation Improvement Plan; and

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

Section 1. The City Manager is instructed to coordinate with Rogers Design Services for the preparation of a new Task Order to authorize the expenditure of no more than \$25,500.00 for necessary engineering services.

Section 2. The City Manager is instructed to coordinate with Rogers Design Services for the preparation of a new Task Order to authorize the expenditure of no more than \$25,500.00 for necessary engineering services.

Section 3. The City Attorney is instructed to review the proposed Task Order and present his findings to the City Manager or City Council as may be directed.

Section 4. This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution

PASSED & APPROVED this, the 10th day of February, 2016, by a vote of 5 (ayes) to 0 (nays) and 0 (abstentions) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:


Mayor Eric C. Eskelund

ATTEST:


Paul Brandenburg, City Manager

APPROVED AS TO FORM:

The Law Office of Roger Gordon