

City of Woodcreek Special City Council Meeting

July 17, 2019; 6:30 p.m.

Woodcreek, Texas

Notice of Agenda

This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551). The Woodcreek City Council will hold a Special Council Meeting on July 17, 2019, at 6:30 p.m. at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas at which time the following items will be considered:

- 1. Call to Order**
- 2. Invocation**
- 3. Pledge of Allegiance:**
 - A. To the Flag of the United States of America**
 - B. To the Flag of the Great State of Texas**
- 4. Roll Call**
- 5. Proclamation Recognizing the Hays County Master Naturalists – 20th Anniversary**
- 6. Public Comments:**

Interested persons are required to sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak. Speakers shall refrain from offensive comments or comments regarding the character of staff, elected official, or council appointed committee membership. Delegations of more than five persons shall appoint one person to present their views before the City Council. The City Council may not discuss comment, except to direct information to the appropriate channels for resolution. Comments will be limited to three (3) minutes per speaker.
- 7. Citizen Communications:**
- 8. Consent Agenda: All the following items are considered self-explanatory by the Council and may be acted upon with one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests. For a Citizen to request removal of an item from the Consent Agenda, a written request must be completed and submitted to the City Manager.**
 - A. Approval of the Minutes of the City Council Meeting of June 12th, 2019 and Special City Council Meeting of June 25th, 2019**
 - B. Approval of Financial Statements for June 2019**
- 9. Regular Agenda:**
 - A. Discussion and/or Take Appropriate Action on Procedures for Amending and/or Repealing Ordinance No. 00-65P-Special Use Permit #4-Island House for 155 Champions Circle**
 - B. Discuss and Take Appropriate Action on a Resolution Cancelling the Regular City Council Meeting of October 9th, 2019 and Scheduling a Special City Council Meeting on October 16th, 2019 (Mayor Pro-Tern Britner)**
 - C. Discussion and Take Appropriate Action on Authorizing the Purchase of One (1) Trailer Mounted Modular Battery and/or Solar Powered Speed Radar Sign (Mayor Pro-Tern Britner)**

- D. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 157 – Parks and Recreation; to Establish Policies for Appointments: Terms, Qualifications, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting (Mayor Pro-Tem Britner)**
- E. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 152 – Signs; Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting (Councilmembers LeBrun and Jackson)**
- F. Discussion and Take Appropriate Action on an Ordinance Establishing the Creation of a Noise Ordinance Known as Chapter 97: Noise Under Title IX: General Regulations; Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting (Councilmember Jackson)**
- G. Discussion and Possible Appropriate Action regarding the City of Woodcreek 2030 Comprehensive Plan Goals, Objectives, & Strategies (Councilmember Jackson)**
- H. Discussion and possible action on committee assignments for Wimberley Valley tasks forces. (Councilmember Jackson)**
- I. Consider and Take Appropriate Action on an Ordinance Calling and Ordering the General Election to be Held on November 5th, 2019 for the Purpose of Electing a Mayor and Two Councilmembers (City Manager Lewis)**
- J. Consider and Take Appropriate Action on a Change in Scope of Services Provided by HOT IT to the City of Woodcreek (City Manager Lewis)**
- K. Consider and Take Appropriate Action on Trimming of Trees on all Streets Within the City of Woodcreek (City Manager Lewis)**
- L. Discussion and Take Appropriate Action on the Possible Modifying of the Guardrail Fencing at the Box Culverts on Brookhollow Drive (City Manager Lewis)**
- M. Consider and Take Appropriate Action on an Ordinance to Amend the 2018-2019 Fiscal Year Budget (City Manager Lewis)**
- N. Discussion and Take Appropriate Action on Transparency Stars, Additional Costs, and Requiring Pay Checks be Direct Deposit Only (City Manager Lewis)**
- O. Consider and Take Appropriate Action on a Resolution Establishing a City of Woodcreek Payroll Bank Account and Designating Authorized Signatures (City Manager Lewis)**
- P. Consider and Take Appropriate Action on House Bill Number 2439 as it Relates to Chapter 151: Building Regulations; Construction and Chapter 156: Zoning - Masonry Requirements (City Manager Lewis)**
- Q. Hold an Executive Session to Consult with the City Attorney Regarding City Council Responsibilities and Reporting Pursuant to Seciotn551.071 of the Government Code, Consultation with the City Attorney**
- R. Discuss and/or Take Appropriate Action Regarding City Council Responsibilities and Reporting**

10. Report Items:

- A. Director of Public Work's Monthly Report (Director of Public Works Frank Wood)
- B. City Manager's Monthly Public Report (City Manager Brenton Lewis)
- C. Council Responsibilities Reports
 - i City Hall (Mayor Scheel)
 - ii Planning & Development (Councilmember LeBrun)
 - iii Public Safety (Mayor Pro-Tem Britner)
 - iv Communications (Councilmember Tilley)
 - v Community Affairs (Mayor Scheel)
 - vi Infrastructure (Councilmember LeBrun)
 - vii Parks and Recreation (Councilmember Tilley)
 - viii Executive/Administrative (Mayor Scheel)

11. Adjourn

Executive sessions held during this meeting will generally take place in the City Manager's office, at the discretion of the City Council.

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. 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.


Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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.

I certify that the above notice was posted on the 12th day of July, 2019 at 3:07 p.m.

By: 
Brenton B. Lewis, City Manager

Proclamation

Hays County Master Naturalists – 20th Anniversary

WHEREAS; the City of Woodcreek is pleased to recognize the Hays County Master Naturalists on the occasion of their 20th Anniversary, which is being celebrated at Dripping Springs Park Ranch on August 10, 2019; and

WHEREAS; the City of Woodcreek acknowledges the importance of conserving, restoring, and protecting our natural resources for the benefit of generations to come; and

WHEREAS; the Hays County Master Naturalists are dedicated to the beneficial management of natural resources and natural areas within our communities through public education, outreach, service, cooperative efforts with land management organizations, universities, and government agencies; and

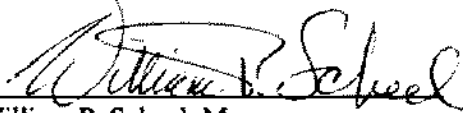
WHEREAS; Hays County Master Naturalists have in the past 20 years achieved the following:

- 53 Projects in Hays County, including several within the Woodcreek city limits and extra-territorial jurisdiction
- 160,950 Volunteer Service Hours (average \$25.43 hourly rate = \$44,093,676.58 in value)
- 210 Currently active members + 41 trainees
- 474 Inactive beneficiaries of the training program

WHEREAS; Hays County Master Naturalists are truly deserving of special recognition for their efforts in protecting and nurturing our central Texas landscape, watersheds, flora, and fauna.

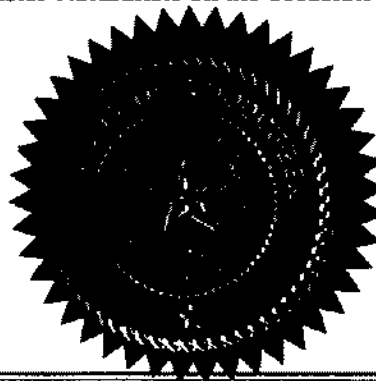
NOW, THEREFORE, BE IT PROCLAIMED; that the City of Woodcreek hereby commends Hays County Master Naturalists on their commitment to beneficial management of natural resources and natural areas throughout Hays County and extends to its members and supporters best wishes for a memorable 20th anniversary celebration.

NOW, THEREFORE, I, William P. Scheel, by virtue of the authority vested in me as Mayor of the City of Woodcreek, Texas recognize the Hays County Master Naturalists on the occasion of their 20th Anniversary.



William P. Scheel, Mayor
City of Woodcreek

July 17, 2019
Date



City of Woodcreek Regular City Council Meeting

June 12, 2019; 6:30 p.m.

Woodcreek, Texas

Minutes

1. **Call to Order:** Mayor Scheel called the meeting to order at 6:30 p.m.
2. **Invocation**
3. **Pledge of Allegiance:**
 - A. **To the Flag of the United States of America**
 - B. **To the Flag of the Great State of Texas**
4. **Roll Call: Present:** Mayor William P. Scheel, Mayor Pro Tem Nancy Britner, Councilmember Aurora LeBrun, Councilmember Ray Don Tilley, Councilmember Cyndi Jackson, Councilmember Eric Eskelund, City Manager Lewis, Woodcreek Attorney Casandra Cascos Ortiz, Director of Public Works Frank Wood, Administrative Assistant Maureen Mele, City Secretary Linda Land
Absent: None
5. **Public Comments:**

Beth McJunkin spoke against allowing short term rentals and also spoke in support of City Manager Lewis

Kathy Maldonado spoke in support of City Manager Lewis

Judy Brizendine spoke in support of City Manager Lewis

Suzanne Gordon spoke in support of City Manager Lewis and also spoke against allowing short term rentals

Lydia Johns spoke in support of City Manager Lewis and also spoke against allowing short term rentals

Pam Bostic thanked City Council for more communications and transparency and noted that social media comments need to be respectful. She also spoke against allowing short term rentals

Sybil Patterson spoke in support of City Manager Lewis

Jane Little spoke in support of City Manager Lewis

Charles and Pam LeCompte chose not to speak

Brent Pulley presented a petition from the Woodcreek Traffic and Safety Alliance. He also spoke in favor of City Manager Lewis.

Frank Silberlicht chose not to speak

Tom Gillespie spoke about the guardrail in front of his property on Brookhollow

Jim Satterwhite spoke in support of City Manager Lewis and also spoke against allowing short term rentals

Perry Satterwhite spoke in support of City Manager Lewis and also spoke against allowing short term rentals

Linda Lang spoke in support of the new radar sign and in support of the Constable's office who have been stopping speeders

James Arntson spoke against speeders on Augusta Drive
6. **Citizen Communications:** The following written communications were received and noted:

Jack Boze – support for City Manager Lewis

Katherine Evans – support for City Manager Lewis

Bill Tarwater – support for City Manager Lewis

Jim McJunkin – support for City Manager Lewis

Joe and Polly Kotarba – support for City Manager Lewis

Gerald and Kathy Simandl – support for City Manager Lewis

Mayor Scheel rearranged the Agenda to the following order:

9. Regular Agenda

J. Discussion and Take Appropriate Action on the Possible Modifying of the Guardrail Fencing at the Box Culverts on Brookhollow Drive. City Manager Lewis explained the process for guardrail installation. Kent O'Brian, Jones/Carter, answered questions about options. After discussion Councilmember Tilley moved to have Jones/Carter provide an estimate for only the Gillespie end of the guardrail. The motion was seconded by Councilmember Eskelund. After discussion, the motion passed with a vote of 5-0-0.

K. Discussion and Take Appropriate Action on Professional Engineering Services Proposal for Roads Advisory Work Group Support
Councilmember LeBrun explained the progress of the Roads Advisory Work Group. After discussion, Councilmember LeBrun moved to approve the proposal from Jones/Carter for consolidation of findings and to develop priorities, not to exceed \$4925. The motion was seconded by Councilmember Jackson and passed with a vote of 4-1-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson, Councilmember Eskelund. The following voted Nay: Mayor Pro Tem Britner. The following Abstained: None.

A. Executive Session – Pursuant to the Texas Government Code Section 551.074 – Evaluation, Compensation, and Employment Agreement of the City Manager Brenton Lewis.

Adjourn into Executive Session: 7:39 p.m.

Return to Regular Session: 8:35 p.m.

B. Discussion and Take Appropriate Action on the Evaluation, Compensation, and Employment Agreement of the City Manager Brenton Lewis. No action was taken.

C. Discussion and possible decision on the termination of City Manager Brenton Lewis and procedures regarding administration of duties and/or filling position of City Manager, if necessary. Councilmember Jackson withdrew the item.

7. Report Items:

- A. Director of Public Work's Monthly Report (Director of Public Works Frank Wood)
- B. Financial Report for May 2019 (City Manager Brenton Lewis)
- C. City Manager's Monthly Public Report (City Manager Brenton Lewis)
- D. Council Responsibilities Reports
 - i City Hall (Mayor Scheel)
 - ii Planning & Development (Councilmember LeBrun)
 - iii Public Safety (Mayor Pro-Tem Britner)

- iv Communications (Councilmember Tilley)
- v Community Affairs (Mayor Scheel)
- vi Infrastructure (Councilmember LeBrun)
- vii Parks and Recreation (Councilmember Tilley)
- viii Executive/Administrative (Mayor Scheel)

8. Consent Agenda:

- A. Approval of the Minutes of the City Council Meeting of May 8th, 2019
- B. Approval of Financial Statements for May 2019
- C. Approval of Camp Young Judaea Fireworks Displays for 2019 – July 4th (Independence Day), August 4th (Last Night of Camp) and Oct. 19th (Bar Mitzvah)

Mayor Pro Tem Britner moved to approve the Consent Agenda in its entirety with a correction to Item 10D in the Minutes. Councilmember Jackson moved to remove Item C from the Consent Agenda. The motion was seconded by Councilmember Tilley. Mayor Pro Tem Britner withdrew her motion. The motion was approved with a vote of 5-0-0. Mayor Pro Tem Britner moved to accept the Consent Agenda Items A and B with the correction to the Minutes. The motion was seconded by Councilmember Jackson and passed with a vote of 5-0-0. Councilmember Jackson moved to approve the Fireworks Displays for the dates shown in Item C. Mayor Pro Tem Britner seconded the motion. After discussion, the motion was passed with a vote of 5-0-0.

9. Regular Agenda:

- D. Discussion and possible action on obtaining the Tree City USA designation for the City of Woodcreek. After discussion, Councilmember Jackson moved that the City obtain a Tree City USA designation. The motion was seconded by Councilmember LeBrun and passed with a vote of 3-0-2. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: None. The following Abstained: Mayor Pro Tem Britner, Councilmember Eskelund.
- H. Discussion and Commence action to modify 156.063 CHART 1 RESIDENTIAL ZONING DISTRICTS, and adopt STR Requirements to be added to the Ordinances, along with a permit application to be used for STR applications. After discussion, no action was taken.

Mayor Scheel left at this point of the meeting and Mayor Pro Tem Britner began serving in his place.

- E. Discussion and Take Appropriate Action on Recommended Amendments to Chapter 91 of the Woodcreek Texas Code of Ordinances. Kathy Maldonado expressed concerns about the changes to ordinances as proposed. After discussion, no action was taken.
- F. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 91 – Trees; to Establish Policies for Dealing with Oak Wilt, Public Nuisance Trees, Inspection of Trees within the City, Abatement Requirements, Tree-Trimming, and Costs, Defining of Term, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting. No action was taken.
- G. Discussion and Take Appropriate Action on Policy recommendation that all meetings held by Council members at City Hall be listed on the City Website calendar. Councilmember Jackson moved to create a policy to direct

staff to list any meetings held by a councilmember at City Hall that a councilmember asks to be listed on the City Website shall be listed there. The motion was seconded by Councilmember LeBrun. Councilmember Tilley proposed an amendment to leave off "create a policy". Councilmember Jackson withdrew the motion and Councilmember LeBrun withdrew the second. Councilmember Jackson moved to instruct staff to list any meetings held by Councilmembers at City Hall on the city website upon Councilmembers' request. The motion was seconded by Councilmember LeBrun. The motion passed with a vote of 5-0-0.

- I. Discussion and Take Appropriate Action on adoption of a Noise Ordinance CHAPTER 97: NOISE.** Kathy Maldonado expressed her concern that there is no way to measure the noise level. Councilmember Jackson moved to accept the Noise Ordinance as written with the modification that under 97.03 it says "11:00 p.m. to 8:00 a.m." and for City Manager Lewis to bring it back to Council ready to be codified. The motion was seconded by Councilmember LeBrun and passed with a vote of 5-0-0.
- L. Discussion and Possible Action on an Alternate Member to the Planning & Zoning Commission.** After discussion, Councilmember Jackson moved to accept Kathy Maldonado as an Alternate on the Planning & Zoning Commission. The motion was seconded by Councilmember Tilley and passed with a vote of 4-0-1. The following voted Aye: Mayor Pro Tem Britner, Councilmember Tilley, Councilmember Jackson, Councilmember Eskelund. The following voted Nay: None. The following Abstained: Councilmember LeBrun.
- M. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 90 – Animals; to Establish Policies for Types of Animals Allowed, Control of Animals, Behavior Outside of the Home, Feeding of Wild Animals Within the City, and Interference with Trapping, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting.** After discussion, Councilmember Jackson moved to approve the ordinance as presented with corrections to numbering. Councilmember Eskelund seconded the motion which passed with a vote of 5-0-0.
- N. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 93 – Fire Prevention and Protection; to Establish Policies For: The Reward for Identifying Arsonists, Open Burning Rules Along with Fire Pits and Chiminea; Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting.** After discussion, Councilmember Tilley moved to change 93.01 A from \$250 to \$500. Councilmember Jackson seconded the motion which passed with a vote of 3-2-0. The following voted Aye: Councilmember LeBrun, Councilmember Tilley, Councilmember Jackson. The following voted Nay: Mayor Pro Tem Britner, Councilmember

Eskelund. The following Abstained: None. Mayor Pro Tem Britner made a motion to pass Item 9N. The motion was seconded by Councilmember Jackson and passed with a vote of 5-0-0.

- O. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 94 – Fireworks,; To Establish Policies for the Prevention of the Sale and Use of Fireworks Along with Who Is Granted the Authority to Enforce the Fireworks Rules, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting.** Councilmember Jackson moved to accept Item 9O. The motion was seconded by Mayor Pro Tem Britner. After discussion, the motion passed with a vote of 5-0-0.
- P. Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 95 – Health and Sanitation, to Establish policies Promoting Public Health and Sanitation through the Regulation of Private Sewage Treatment Facilities, Stagnant Filth, Carrion, Weeds, Dangerous Vegetation and Other Unhealthy, Unsanitary and Wholesome Conditions in the City, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting.** After discussion and a request that the item be returned next month with changes, no action was taken.
- Q. Discussion and Take Appropriate Action on Developing of a Budget Calendar for Fiscal Year 2019-2020.** After discussion, Councilmember Tilley moved to adopt July 26th as a Budget Workshop beginning at 10 a.m. The motion was seconded by Councilmember Jackson and passed with a vote of 5-0-0.
- R. Executive Session – Pursuant to the Texas Local Government Code Section 551.072 – Purchase or Sale of Real Property.** This item was removed from the Agenda.
- S. Discussion and Take Appropriate Action on the Purchase or Sale of Real Property.** This item was removed from the Agenda.
- T. Adjourn.** There being no further business, the meeting was adjourned at 9:07 p.m.

William P. Scheel, Mayor

Linda Land, City Secretary

City of Woodcreek Special City Council Meeting
June 25, 2019; 1:30 p.m.
Woodcreek, Texas
Minutes

1. **Call to Order:** Mayor Pro Tem Britner called the meeting to order at 1:30 p.m.
2. **Roll Call. Present:** Mayor Pro Tem Nancy Britner, Councilmember Aurora LeBrun, Councilmember Cyndi Jackson, Councilmember Eric Eskeland, City Manager Brenton B. Lewis, Administrative Assistant Maureen Mele, City Secretary Linda Land
Absent: Mayor William P. Scheel, Councilmember Ray Don Tilley, Woodcreek Attorney Casandra Cascos Ortiz, Director of Public Works Frank Wood
3. **Public Comments:** None
4. **Regular Agenda:**
 - A. **Executive Session – Pursuant to the Texas Government Code Section 551.074 – Evaluation, Compensation, and Employment Agreement of the City Manager Brenton Lewis**

Adjourn into executive session: 1:32 p.m.
Return to regular session: 2:37 p.m.
5. **Adjourn.** There being no further business, the meeting was adjourned at 2:37 p.m.

William P. Scheel, Mayor

Linda Land, City Secretary

The City of Woodcreek

STATEMENT OF FINANCIAL POSITION

As of June 30, 2019

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1003.1 Municipal Court Petty Cash	100.00
1007 TX Regional 061, Operating	330,563.07
1007.5 Municipal Court Funds In Operating Account	-18,291.46
1007.51 MC General Fund	18,284.46
1007.52 MC Security Fund	3.00
1007.53 MC Tech Fund	4.00
Total 1007.5 Municipal Court Funds In Operating Account	0.00
Total 1007 TX Regional 061, Operating	330,563.07
1008 TX Regional 053, Investment	0.00
1008.2 PEG Funds	36,500.59
1008.3 Reserve Funds	543,614.34
Total 1008 TX Regional 053, Investment	580,114.93
1009 TX Regional 095, Bond Proceeds	143.93
1010 Petty Cash	-41.00
1011 TX Regional 819, Payroll Account	10,000.00
1020 Investment Account - Class 0001	468,468.45
Total Bank Accounts	\$1,389,349.38
Accounts Receivable	
1120 Delinquent Taxes Receivable	7,987.61
Total Accounts Receivable	\$7,987.61
Other Current Assets	
1121 Allowance for Uncollectible	-3,676.26
1121.01 1121.01-CPA Debt Service	-716.93
Total 1121 Allowance for Uncollectible	-4,393.19
1124 Sales Tax Receivable	9,124.68
1125 Franchise Fees Receivable	85,302.58
1150 Due From Capital Project Funds To Operating	167,425.08
Total Other Current Assets	\$257,459.15
Total Current Assets	\$1,654,796.14
Fixed Assets	
1200 Office Furniture / Equipment	35,704.46
1225 Land	37,850.00
1226 Building & Improvements	130,602.00
1227 Street Pavement	144,126.00
1228 Street Improvements 2017	1,479,824.71
1231 Storage Building	9,055.00
1233 Radar Sign	3,633.00

	TOTAL
1235.1 Kawasaki Mule 2016	7,840.64
1240 Accumulated Depreciation - All	-195,372.00
Total Fixed Assets	\$1,653,263.81
Other Assets	
1250 Deferred Revenue	-3,008.25
1250.01 1250.01-CPA Debt Service	-586.58
Total 1250 Deferred Revenue	-3,594.83
1599 1599-CPA Due From General Fund	9,017.86
Total Other Assets	\$5,423.03
TOTAL ASSETS	\$3,313,482.98
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
1901 Accts Payable At Year-End	211,712.66
1902 Municipal Court Funds Payable To State	48.80
2000 Payroll Tax Payable	3,460.42
2020 State Unemployment Liability	14.22
2021 Accrued Wages Payable	6,430.99
2400 Due To Operating From Capital Project Funds	167,425.08
2599 2599-CPA Due To Debt Service Fund	9,017.86
Total Other Current Liabilities	\$398,110.03
Total Current Liabilities	\$398,110.03
Total Liabilities	\$398,110.03
Equity	
9997 Net Investment In Capital Assets	144,132.96
9998 Opening Balance Equity	333,537.47
9999 Retained Earnings	2,290,571.18
Net Revenue	147,131.34
Total Equity	\$2,915,372.95
TOTAL LIABILITIES AND EQUITY	\$3,313,482.98

Treasurer's Report

For the Period: October 2018 - June 2019

Percent Complete: 75%

	2018-2019			2017-2018			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Jun-19	Jun-18	Difference
Revenues									
3000 Ad Valorem Tax Revenue	267,213	280,000	95%	279,312	280,000	100%	3,926	3,379	547
3005 State Sales Tax Revenue	42,476	50,000	85%	36,266	50,000	73%	3,990	4,236	(247)
3010 Mixed Beverage Tax & Fees Rev	501	1,000	50%	458	1,000	46%	-	-	-
3020 Electric Franchise Fee Revenue	26,741	34,000	79%	16,949	34,000	50%	-	-	-
3030 Cable Services Franchise Rev	29,979	30,000	100%	19,533	39,000	50%	-	-	-
3040 Water Service Franchise Revenue	82,638	96,000	86%	18,316	95,000	19%	-	-	-
3050 Disposal Service Franchise Rev	12,069	14,500	83%	13,732	16,800	82%	-	-	-
3060 Telephone Franchise Revenue	941	1,500	63%	883	2,000	44%	-	-	-
3070 Golf Course Franchise Revenue	500	500	100%	500	500	100%	-	-	-
3080 Reimbursements	338	-	n/a	-	-	n/a	-	-	-
3090 Development Revenue	-	15,000	0%	-	-	n/a	-	-	-
3090.01 Residential	12,407	-	n/a	17,145	-	n/a	1,978	3,871	(1,893)
3090.02 Commercial	612	-	n/a	9,631	-	n/a	-	-	-
3090.03 Other	804	-	n/a	3,500	38,000	9%	600	-	600
Total 3000 Development Revenue	13,822	15,000	92%	30,276	38,000	80%	2,578	3,871	(1,293)
3093 Liquor License Revenue	560	-	n/a	-	-	n/a	560	-	560
3095 Sign Fees	220	500	44%	700	940	74%	35	70	(35)
4000 Interest Income	25,019	29,500	85%	4,185	8,000	52%	2,782	980	1,802
4010 Other Revenues	771	2,500	31%	2,320	3,000	77%	524	50	474
4015 Oak Wilt Containment	-	-	n/a	-	-	n/a	-	-	-
4020 Municipal Court Revenue	637	3,000	21%	1,439	3,000	48%	-	-	-
4040 Donations Received	6,000	6,000	100%	-	5,000	0%	-	-	-
4050 General Fund Transfer	-	113,550	0%	-	-	n/a	-	-	-
Uncategorized Revenue	-	-	n/a	-	-	n/a	-	-	-
Total Revenues	\$10,433	677,550	75%	424,363	576,240	74%	14,354	12,586	1,768

Expenses									
5000 Personnel Services	-	-	n/a	-	-	n/a	-	-	-
5000.01 Salaries and Wages	112,707	166,180	68%	94,903	143,900	66%	11,628	11,479	149
5000.02 Ins Expense Reimbursement	5,968	7,200	83%	900	-	n/a	663	100	563
5000.03 City Manager Vehicle Reimburse	6,263	8,350	75%	6,263	8,350	75%	696	696	-
5000.05 Elected Official Pay	630	840	75%	670	840	80%	70	70	-
5000.20 Payroll Tax Expense	9,261	11,500	81%	10,485	11,900	88%	950	947	2
5000.40 Retirement	9,867	13,600	73%	6,962	9,370	74%	1,028	998	29
5000.50 Direct Deposit Expense	-	-	n/a	-	-	n/a	-	-	-
5000.51 Health Insurance Stipend	-	-	n/a	-	3,600	0%	-	-	-
Total 5000 Personnel Services	144,696	208,890	69%	120,182	177,960	68%	15,035	14,291	744
5500 Office Expenses	-	-	n/a	-	-	n/a	-	-	-
5500.05 Bank Fees & Charges	(216)	-	n/a	42	-	n/a	-	-	-
5500.10 City Hall Maintenance / Repairs	1,590	5,000	32%	1,467	2,000	73%	-	25	(25)
5500.20 Cleaning Costs	1,125	1,500	75%	1,000	1,500	67%	125	125	-
5500.30 IT & Radio Expenses	701	650	108%	69	700	10%	216	-	216
5500.40 Newsletter	-	-	n/a	-	-	n/a	-	-	-
5500.50 Office Supplies	3,456	2,500	138%	1,556	2,000	78%	152	60	92
5500.60 Postage & Shipping	690	1,800	38%	755	1,800	42%	-	-	-
5500.61 Printing & Reproduction	3,546	5,000	71%	4,248	6,000	71%	231	305	(74)
5500.70 Storage Rental	108	110	98%	863	1,250	69%	-	108	(108)
5500.80 Software & Subscriptions	5,000	7,000	71%	4,696	8,300	57%	219	219	-
Total 5500 Office Expenses	16,000	23,560	68%	14,697	23,550	62%	943	842	100
6000 Professional Services	-	-	n/a	-	-	n/a	-	-	-
6000.01 Audit Expense	9,860	9,860	100%	9,100	9,100	100%	-	-	-
6000.10 Codification	1,384	4,000	35%	828	3,000	28%	-	100	(100)
6000.11 Contract Labor	-	3,000	0%	-	500	0%	-	-	-
6000.15 Engineering	13,691	20,000	68%	6,575	10,000	67%	-	-	-
6000.20 Legal Expenses	30,130	18,000	167%	15,482	20,000	77%	4,785	372	4,412
6000.30 IT Services	6,016	8,000	75%	6,097	8,500	72%	679	712	(33)
6000.40 Accounting	7,001	10,000	70%	6,608	10,000	66%	866	645	221
Total 6000 Professional Services	68,081	72,860	93%	44,790	61,100	73%	6,330	1,829	4,501
6500 Area Care/Maintenance	-	-	n/a	-	-	n/a	-	-	-
6500.01 Deer Removal	900	1,000	90%	525	1,000	53%	225	150	75
6500.15 Mowing	1,018	4,000	25%	960	1,200	80%	325	-	325
6500.20 Oak Wilt Containment	-	-	n/a	-	-	n/a	-	-	-
6500.21 Outdoor Beautification	7,730	30,000	26%	5,680	15,000	38%	374	34	340

	2018-2019			2017-2018			Y/Y Monthly Comparison		
	YTD	Budget	%	YTD	Budget	%	Jun-19	Jun-18	Difference
6500.25 ROW Tree Trimming	-	10,000	0%	1,500	12,000	13%	-	-	-
6500.30 Street Maintenance	45,453	150,000	30%	46	1,300	4%	44,167	-	44,167
6500.31 Street Signs	2,522	6,000	42%	30	750	4%	641	-	641
6500.35 Storm Damage Reserve	-	1,000	0%	-	7,000	0%	-	-	-
6500.40 Tree Limb Pick-Up	-	-	n/a	-	-	n/a	-	-	-
6500.50 Equipment Maintenance	1,485	2,500	59%	285	-	n/a	-	273	(273)
Total 6500 Area Care/Maintenance	59,107	204,500	29%	9,026	38,250	24%	45,732	456	45,276
7000 Other Operating Expenses	-	-	n/a	-	-	n/a	-	-	-
7000.01 Ad Valorem Tax Expense	2,270	2,500	91%	2,317	3,100	75%	685	678	7
7000.02 Building Inspections	7,255	6,500	112%	3,865	6,500	59%	670	1,305	(635)
7000.03 Code Compliance	-	1,500	0%	1,898	2,000	95%	-	-	-
7000.04 Dues & Membership	2,472	3,000	82%	2,548	3,000	85%	-	100	(100)
7000.05 Election Expense	3,552	3,560	100%	-	-	n/a	-	-	-
7000.10 Depreciation Expense	-	-	n/a	-	-	n/a	-	-	-
7000.15 Meeting Expense	990	500	198%	1,034	1,600	65%	40	8	32
7000.20 Public Notices	3,395	1,500	226%	891	2,000	45%	99	99	-
7000.30 Travel & Vehicle Exp Reimb.	1,255	1,500	84%	3,401	4,000	85%	420	473	(53)
7000.31 Elected Official Travel	931	3,000	31%	-	-	n/a	-	-	-
7000.40 Training & Prof Development	-	-	n/a	2,557	5,000	51%	-	-	-
7000.41 Elected Body	1,010	3,500	29%	-	-	n/a	50	-	50
7000.42 Staff	3,347	3,000	112%	-	-	n/a	-	-	-
7000.50 Community Relations	1,900	3,000	63%	-	-	n/a	-	-	-
Total 7000 Other Operating Expenses	28,378	33,060	86%	18,511	27,200	68%	1,914	2,662	(749)
7500 Utilities	-	-	n/a	-	-	n/a	-	-	-
7500.10 City Hall Utilities	2,289	3,000	76%	2,105	3,200	66%	380	243	137
7500.20 Outdoor Utilities	2,456	4,000	61%	2,573	4,000	64%	368	247	121
7500.30 Telephone & Internet	2,302	4,000	58%	3,102	4,000	78%	284	278	7
Total 7500 Utilities	7,047	11,000	64%	7,780	11,200	69%	1,032	768	265
7600 Insurance	3,514	3,500	100%	3,288	3,500	94%	-	22	(22)
8020 Municipal Court Costs	-	-	n/a	-	-	n/a	-	-	-
8020.20 MC Judge	2,700	3,600	75%	2,250	3,500	64%	300	250	50
8020.25 Misc. Court Costs	6,087	8,000	76%	4,395	5,000	88%	1,926	-	1,926
8020.30 Prosecutor	5,419	1,000	542%	4,425	6,000	74%	1,313	972	340
8020.40 State Comptroller Costs	372	700	53%	302	700	43%	-	54	(54)
8020.41 Supplies	-	200	0%	47	200	24%	-	-	-
8020.40 Public Safety	31,826	56,680	56%	21,255	30,000	71%	-	7,085	(7,085)
Total 8020 Municipal Court Costs	46,404	70,180	66%	32,674	45,400	72%	3,539	8,361	(4,823)
8900 Miscellaneous	-	-	n/a	47	-	n/a	-	-	-
8900.10 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-
8900.20 Contingency Reserve	-	50,000	0%	-	-	n/a	-	-	-
Total 8900 Miscellaneous	-	50,000	0%	47	-	n/a	-	-	-
9077 General Fund Accrual	-	-	n/a	-	-	n/a	-	-	-
Unapplied Cash Bill Payment Expenditure	-	-	n/a	-	-	n/a	-	-	-
Total Expenditures	373,238	677,550	55%	250,995	388,100	65%	76,575	29,231	45,343
Net Operating Revenue	137,195	-	n/a	173,874	188,080	92%	(60,181)	(16,645)	(44,096)
Other Revenue	-	-	-	-	-	-	-	-	-
4010 Proceeds from Capital Leases	-	-	n/a	-	-	n/a	-	-	-
6500 Capital Improvement Income	144	-	n/a	3,677	-	n/a	0	102	(102)
Other Expenditures	-	-	-	-	-	-	-	-	-
8500.25 Capital Improvement Expense	-	-	n/a	-	-	n/a	-	-	-
9001 Capital Lease Principal	-	-	n/a	-	-	n/a	-	-	-
9002 Interest on Capital Lease	-	-	n/a	-	-	n/a	-	-	-
9005 Bond Interest Paid	-	-	n/a	-	-	n/a	-	-	-
9000.01 Capital Expenditures - CY	3,633	-	n/a	7,811	20,000	39%	-	-	-
9000.1 Capital Project Expenditures - FY	-	-	n/a	-	-	n/a	-	-	-
9000.11 2017 Street Improvements	208,183	-	n/a	1,007,760	-	n/a	-	9,306	(9,306)
9000.12 2017 Street Improvements Lease	-	-	n/a	20,969	-	n/a	-	-	-
9010.01 Sinking Fund Revenue	(191,356)	-	n/a	(147,109)	-	n/a	(2,767)	(2,166)	(601)
9010.02 Sinking Fund Interest	9,564	-	n/a	7,529	-	n/a	-	-	-
9010.03 Sinking Fund Principal	172,000	-	n/a	143,000	-	n/a	-	-	-
9000.02 Other Miscellaneous Expenditure	(211,816)	-	n/a	(1,179,540)	-	n/a	-	(9,306)	-
9000 Reconciliation Discrepancies	-	-	n/a	-	-	n/a	-	-	-
Net Other Revenue	9,936	-	n/a	143,257	(20,000)	-716%	2,767	2,268	9,805
Net Revenue	147,131	-	n/a	317,131	168,080	189%	(57,414)	(14,377)	(43,037)

CITY OF WOODCREEK, TEXAS

Quarterly Inventory Report

As of 06/30/19

Purchase Date	Security	Coupon or Avg Rate	Maturity Date	Yield	Par	Days to Maturity	Beginning Book	Beginning Market	Ending Book	Ending Market	Period Earnings
Bank Checking Accounts											
04/01/19	TX Regional Bank 061 Operating	2.45%	07/01/19	2.34%	n/a	1	407,517.48	407,517.48	382,093.69	382,093.69	2,381.34
Subtotal Bank Accounts							407,517.48	407,517.48	382,093.69	382,093.69	2,381.34
Bank CD											
Subtotal CDs							0.00	0.00	0.00	0.00	0.00
Investments											
04/01/19	Texas Class	2.55%	07/01/19	2.55%	n/a	1	465,501.76	465,501.76	468,468.45	468,468.45	2,966.69
04/01/19	TX Regional Bank 053 Reserves	2.45%	07/01/19	2.41%	n/a	1	594,630.62	594,630.62	580,114.93	580,114.93	3,577.87
04/01/19	TX Regional Bank 095 Construction	2.46%	07/01/19	2.43%	n/a	1	143.06	143.06	143.93	143.93	0.87
TOTALS							1,467,792.92	1,467,792.92	1,430,821.00	1,430,821.00	8,926.77

Average Weighted Maturity	1 days
Average Weighted Yield	2.37 %

This quarterly report has been prepared in compliance with the Public Funds Investment Act and the City's Investment Policy.


Brenton Lewis, City Manager

**Note: Funds are being left in the bank to pay for banking fees. The Earning Credit Rate at which the City earns to pay for banking services is .25 % but no interest is paid directly to the City but the City is earning at that rate to pay our banking services.*

885

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and/or Take Appropriate Action on Procedures for Amending and/or Repealing Ordinance No. 00-65P-Special Use Permit #4-Island House for 155 Champions Circle

Item Summary:

This item is to provide the procedures for amending and/or repealing Ordinance No. 00-65P. The City of Woodcreek has received a formal complaint regarding the operation of the STR at 155 Champions Circle.

The steps to be taken are the same as in any change in zoning requests, with staff requesting a public hearing to be held at the August 14th, 2019 Council meeting. Staff has placed the item on the P&Z agenda to discuss and take appropriate action.

Staff will present a detailed calendar and steps to be taken at the meeting.

Financial Impact:

Cost of Notification

Recommendation:

None

Attachments:

Ordinance No. 00-65-P

Submitted By:



 **COPY**

City of Woodcreek

July 29, 2013

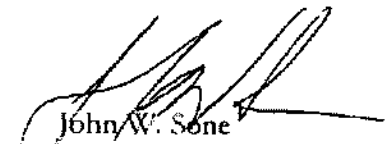
H. Winston Ault
201 Blue Hole Ln
Wimberley, TX 78676

Dear Mr. Ault:

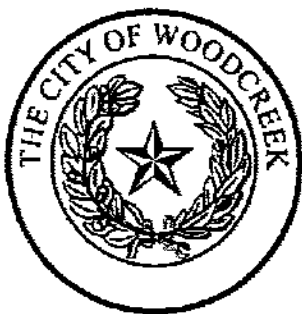
The City of Woodcreek Board of Adjustment convened on July 22, 2013, to consider your request for a Special Use Permit to allow your property at 155 Champions Ci (doing business as Island House) to be used for day rental and overnight lodging.

The City approved the attached ordinance, a copy of which will be placed into the permanent record for 155 Champions Circle.

Sincerely,


John W. Sone
City Manager

 COPY




THE STATE OF TEXAS §

COUNTY OF HAYS §

I, John W. Sone, City Manager of the City of Woodcreek, Texas, do hereby certify that the foregoing instrument is a true and correct copy of City of Woodcreek Ordinance No. 00-65P consisting of two (2) pages, as approved by the City Council of Woodcreek, Texas, at a Called Meeting on the 22nd day of July 2013, as on file at the Woodcreek City Hall.

WITNESS my hand and official seal of the City of Woodcreek at Woodcreek, Texas, this 29th day of July 2013.



JOHN SONE
CITY MANAGER
CITY OF WOODCREEK, TEXAS

**ORDINANCE NO. 00-65P
SPECIAL USE PERMIT #4 – ISLAND HOUSE**

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, AMENDING THE ZONING ORDINANCE BY ISSUANCE OF A SPECIAL USE PERMIT FOR A TRACT OF LAND WHICH PERMIT SHALL BE IN ADDITION TO THE CURRENT ZONING OF THE LAND; MAKING FINDINGS OF FACT AND PROVIDING FOR RELATED MATTERS

WHEREAS, the owner of the Property described hereinafter (“the Property”) has requested that the Property be rezoned, amending a Special Use Permit currently applicable to the Property; and

WHEREAS, the Property is zoned “Residential Single Family 1”, and has operated as an overnight rental business for three years, without a Special Use Permit (the “Permit”), not subject to the conditions established by the governing body; and

WHEREAS, after the Planning and Zoning Commission reviewed this Special Use Permit request and forwarded its recommendations to the City Council, and after giving ten days’ written notice to the owners of land within two-hundred feet of the Property, City Council held a public hearing on the proposed Special Use Permit; and

WHEREAS, after publishing notice of a public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance 00-650, as amended, the City of Woodcreek Zoning Ordinance (the “Zoning Ordinance”), is hereby modified and amended by issuing a Special Use Permit permitting additional and conditional uses of the Property, as set forth in Section 3.

Section 3. Property Granted a Special Use Permit. The subject Property is located:

155 Champions Circle, Woodcreek, Texas (Woodcreek Section 4-A Lot 18)

Ordinance 00-65P, Special Use Permit 155 Champions Circle

is and shall remain zoned as Single Family 1. The Zoning Ordinance allows for additional or conditional uses to be permitted that are in addition to the current zoning, through a Special Use Permit. The Property is accordingly hereby granted a Special Use Permit to allow for the following additional and conditional uses, in addition to the uses permitted in the current zoning district in which property is located, to-wit: commercial use for day rental and overnight lodging.

Section 4. Special Use Permit Conditions. The Special Use Permit authorized herein shall be effective upon passage. The terms and conditions for the Special Use Permit conditions are:

Occupants for overnight rental are not to exceed six (6) guests (two per bedroom). No more than four (4) cars may be parked on the premises at one time. No fireworks or firearms will be allowed on the premises. Guests must maintain a quiet noise level appropriate to a residential neighborhood. No additional commercial uses are permitted on this property, including but not limited to food preparation and service. The property must be insured as a day rental operation. Violations of City Ordinances and/or State Law by tenants and/or their guests may result in citations being issued to the property owner. Violations of City Ordinances and/or State Law may result in the termination of this Special Use Permit.

Section 5. Revocation. The City may terminate or revoke the Permit for failure to comply with the terms and conditions herein stated. Upon notice to the owner of a violation on the Property, the City Council may hold a public hearing to immediately revoke the permit authorized herein.

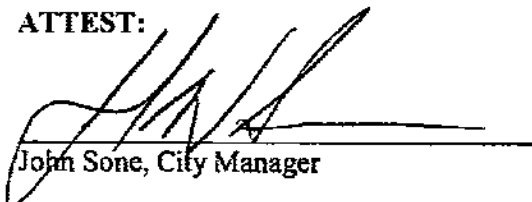
Section 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meeting Act, Chapt. 551, Loc. Gov't Code.

PASSED AND APPROVED this, the 22nd day of July, 2013, by a 3 (ayes) to 0 (nays) and 0 (abstentions) vote of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK


Eric C. Eskelund, Mayor

ATTEST:


John Sone, City Manager

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discuss and Take Appropriate Action on a Resolution Cancelling the Regular City Council Meeting of October 9th, 2019 and Scheduling a Special City Council Meeting on October 16th, 2019

Item Summary:

This item was placed on the agenda to cancel the regular City Council of October 9th, 2019 and scheduling a Special City Council Meeting on October 16th, 2019. The Annual Texas Municipal League Conference begins on the morning of Wednesday October 9th and continues through noon on Friday October 11th, 2019. The cancelling of the regular meeting of October 9th and scheduling a Special City Council Meeting on October 16th, 2019 will allow City Representatives to attend the annual conference.

Financial Impact:

None

Recommendation:

Changing the Regular City Council Meeting of October 9th, 2019 to a Special City Council Meeting on October 16th, 2019

Attachments:

Proposed Resolution

Submitted By:

Mayor Pro-Tem Nancye Britner

RESOLUTION NO. 2019-07-17-1

**A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS CANCELLING THE OCT. 9TH, 2019
REGULAR COUNCIL MEETING AND SCHEDULING A SPECIAL CITY COUNCIL MEETING ON
OCT. 16TH, 2019**

WHEREAS, the City Council of the City of Woodcreek has established, by Resolution, the second Wednesday of each month as the regular City Council Meeting; and

WHEREAS, the City Council of City of Woodcreek shall take action by Resolution to change a regular Meeting; and

WHEREAS, the City Council of City of Woodcreek has determined the need to cancel the regular meeting of Oct. 9th, 2019.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WOODCREEK HEREBY ADOPTS THE FOLLOWING RESOLUTION THAT:

Section 1.

The City Council of the City of Woodcreek does hereby cancel the Regular City Council Meeting of Oct.9th, 2019.

Section 2.

The City Council of the City of Woodcreek does hereby schedule a Special City Council Meeting on Oct. 16th, 2019 at 6:30pm.

Section 3.

This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the 17th day of July 2019, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) to _____ (absent and not voting) of the City Council of Woodcreek, Texas.

City of Woodcreek:

By: _____
Mayor William P. Scheel

Attest:

By: _____
Linda Land, City Secretary

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Take Appropriate Action on Authorizing the Purchase of One (1) Trailer Mounted Modular Battery and/or Solar Powered Speed Radar Sign

Item Summary:

This item is to consider approving of a trailer mounted speed radar sign. The City of Woodcreek purchased a portable battery operated speed radar sign and began using it on 5/06/2019 on the south bound lane of Brookhollow Drive immediately before the culvert crossing. The speed radar sign was placed on an existing pole, and on 6/21/2019 the speed radar sign was placed on Woodcreek Drive to record data for west bound traffic.

With the use of the portable sign there has been an increase of citizens that have requested a radar sign be placed on their streets. Because of the requests, staff has taken an inventory of existing poles that can be used to accommodate the portable sign. The inventory of poles has revealed there are eight areas where poles would be feasible to be used for that can be used, but not all areas are not in areas of the requested areas. (see attached map) Pole installation with bracket is \$500 per pole. Instead of installing several poles throughout the City, the use of a trailer mounted sign would be the most beneficial.

The current radar sign is a TC400 and was purchased at a cost of \$3,633.00 on 3/21/2019.

The purchase of a sign could also provide data on the use of the streets for cut through traffic by strategically placing the trailer sign and the portable sign to compare data received. This data would also be helpful after the opening of the new school.

Staff has received three quotes on signs as shown in the financial impact.

Financial Impact:

Wanco Speed Trailer	\$10,800
Stalker Sam-R Trailer	\$ 7,295
Stalker Sam Trailer	\$ 8,295
TC1000 Trailer	\$ 8,470 (product flyer will be presented at the meeting)

Recommendation:

Authorize the purchase of a TC1000 Trailer Mount Speed Radar Sign.

Attachments:

Quotes, Product Flyers, and areas where poles are located

Submitted By:

Mayor Pro-Tem Nancye Britner



Quote

Centerline Supply, Inc.
9484 Corporate Dr.
Selma, TX 78154
United States
P: (210) 224-4600

Quote Number: QTE0000493
Quote Date: 06/21/19

Prepared By: RREYNOSA

BILL TO:

WOODCREEK, CITY OF
41 CHAMPIONS CIRCLE
WOODCREEK TX 78676

SHIP TO:

WOODCREEK, CITY OF
41 CHAMPIONS CIRCLE
WOODCREEK TX 78676

Notes:

Customer P.O.	Ship VIA	Terms	Shipping Terms		
BRENTON	BESTWAY	COD	Freight Destination		
Item Number	Ordered	Unit	Price	Extended Price	
90900-QUOTE WANCO RADAR SPEED TRAILER MOUNT	1	EA	\$9,225.00	\$9,225.00	
90900-QUOTE TRAFFIC DATA CLASSIFIER SYSTEM	1	EA	\$2,775.00	\$2,775.00	

Quotations are valid for 30 days from the date of quotation.

Signature: _____

Printed Name: _____

Net Order:	\$12,000.00
Discount %:	10%
Less Discount:	\$1,200.00
Freight:	\$0.00
Sales Tax:	\$0.00
Order Total:	\$10,800.00

WE NOW OFFER CUSTOM VINYL DECALS, FLEET GRAPHICS, WINDOW PRINT FILMS, AND MORE!
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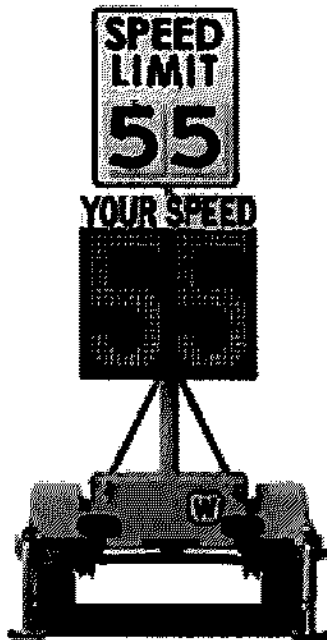
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[\(HTTPS://TRANSLINEINC.COM/PRODUCTS/\)](https://translineinc.com/products/) / [TRAFFIC CALMING SOLUTIONS](https://translineinc.com/product-category/traffic-calming-solutions/)

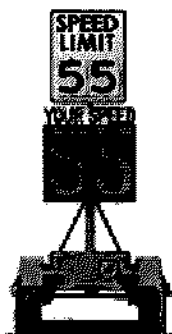
[\(HTTPS://TRANSLINEINC.COM/PRODUCT-CATEGORY/TRAFFIC-CALMING-SOLUTIONS/\)](https://translineinc.com/product-category/traffic-calming-solutions/) / [RADAR SPEED SIGN TRAILER](#)



[.https://translineinc.com/wp-](https://translineinc.com/wp-)

[content/uploads/2017/10/0002626_radar-speed-sign-trailer-1.jpg](https://translineinc.com/wp-content/uploads/2017/10/0002626_radar-speed-sign-trailer-1.jpg)

Radar Speed Sign Trailer



We're away. But Leave us a message!

RADAR SPEED SIGN TRAILER

Radar-speed trailer with full-matrix display features the largest portable speed sign available today. Visible over a standard Jersey barrier traffic divider, the giant display shows motorists' speed in 26-inch characters, warning motorists to slow down by flashing their excessive speed.

Features

- Extra-large full-matrix display
- Optical lenses and sun shades over 26-inch LED characters
- Selectable speed-limit setting
- Clearly displays speed in mph (one or two digits) or km/h (up to three digits —see international model)
- Software-controlled selection of speed units, mph or km/h
- 24×30-inch regulatory speed-limit sign included, other sizes available
- Regulatory sign has changeable speed-limit numbers
- Approach-only K-band radar measures speeds from 5 to 150 mph (8 to 240 km/h), at a distance of up to 1500 feet (450 meters)
- Radar unit is CE compliant, FCC approved
- Extended height increases visibility
- Streamlined see-through design
- Compact and easily portable, 5-minute setup
- Under 900 pounds (400kg), can be towed by most vehicles
- Standard 2-inch ball coupler tow-hitch
- Regulatory speed-limit sign
- Battery powered & solar charging
- Locking control box and battery compartment



We're away, But Leave us a message!

STALKER radar

applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Inside Sales Partner: Ed Kosanke
972-801-4818

QUOTE

2029664

Page 1 of 1

Date: 06/19/19

Reg Sales Mgr: Bill Switzer - S TX
972-837-3434

Effective From : 06/19/2019

Valid Through: 09/17/2019

Lead Time: 32 working days

Bill To: Woodcreek 41 Champion Circle Woodcreek, TX 78676	Customer ID: P28046 Accounts Payable	Ship To: Woodcreek 41 Champion Circle Woodcreek, TX 78676	Deliver City Manager Brenton Lewis
---	---	---	---

Grp	Qty	Package	Description	Wmty/Mo	Price	Ext Price
1	1	821-0310-00	Stalker SAM-R Trailer	24	\$7,295.00	\$7,295.00
Ln	Qty	Part Number	Description		Price	Ext Price
1	1	015-2532-61	[253261] SAM-R Trailer, Rotatable w/ Speed Sign			\$0.00
2	1	200-1229-00	Traffic Stats Sensor, 2-Comm Ports, USB, Open Frame			\$0.00
3	1	015-2354-39	[235439] SAM-R Trailer Solar Panel			\$0.00
4	1	015-2328-62	[232862] Red LED Light Bar-SAM/SAM-R			\$0.00
5	1	015-2354-40	[235440] Blue LED Light Bar-SAM/SAM-R			\$0.00
7	1	200-1173-00	Stalker Traffic Analyst App, Thumb Drive, Manual			\$0.00
8	1	011-0218-00	Stalker SAM/SAM-R Trailer User Manual			\$0.00
9	1	006-0569-00	Certificate of Accuracy, Speed Sensor II			\$0.00
10	1	060-1000-24	24-Month Warranty			\$0.00
Group Total						\$7,295.00

Product	\$7,295.00	Sub-Total:	\$7,295.00
Discount	\$0.00	Sales Tax 0%	\$0.00
Payment Terms: Net 30 days		Shipping & Handling:	\$0.00
		Total: USD	\$7,295.00

Stalker SAM-R Speed awareness trailer with Solar Panel, Violater Alert lights and Data Collection/Statistics Package
FREE DATA COLLECTION AND TRAFFIC ANALYST SOFTWARE PROMO THRU AUGUST 31st

001

Warranties:

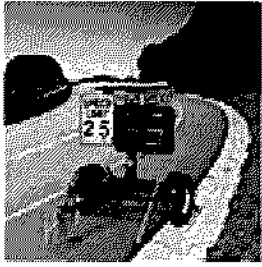
Battery: 1 year
Trailer hardware: 2 Years
Solar Panel: 5 Years

Free Delivery and Product Training in Texas and Louisiana!

Any questions? Contact Ed Kosanke at 972.801.4818 or Bill Switzer at 972-837-3434

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.

905



SAM-R | Rotatable Speed Alert Monitor

STALKER SAM-R

The Stalker SAM-R trailer takes all of the features our customers have asked for and put them into one efficient, versatile, and heavy duty package.

The Stalker Rotatable Speed Alert Monitor (SAM-R) features 18-inch amber LED characters that are visible at up to 1000 feet. A convenient hand-held controller, Stalker K-Band Doppler radar, and an 8- to 10-day battery round out its standard configuration. Its rotating display and small footprint make towing and deployment easy enough for one person. Plus, optional equipment includes solar panels, a traffic statistics package, and programmable LED violator alerts. It's a versatile, lightweight speed alert trailer rugged enough for continuous duty.

STALKER K-BAND DOPPLER RADAR

Pure Stalker - Accurate and durable with greater range, sensitivity and tracking.

HAND-HELD CONTROLLER

Provides programming and diagnostic functions.



18" AMBER LED CHARACTERS

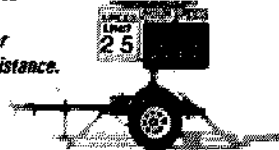
Legible at up to 1000 ft.

GROUP 27 - 12-VOLT BATTERY

Provides 8 - 10 days of continuous operation.

TRAVEL CONFIGURATION

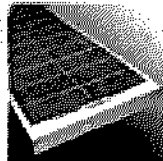
The display panels rotate and lock for easier towing and improved wind resistance.



OPTIONAL:

SOLAR PANELS

Recharge a day's worth of battery use with only 2.5 to 3 hours of sunlight allowing for long-term field operation.

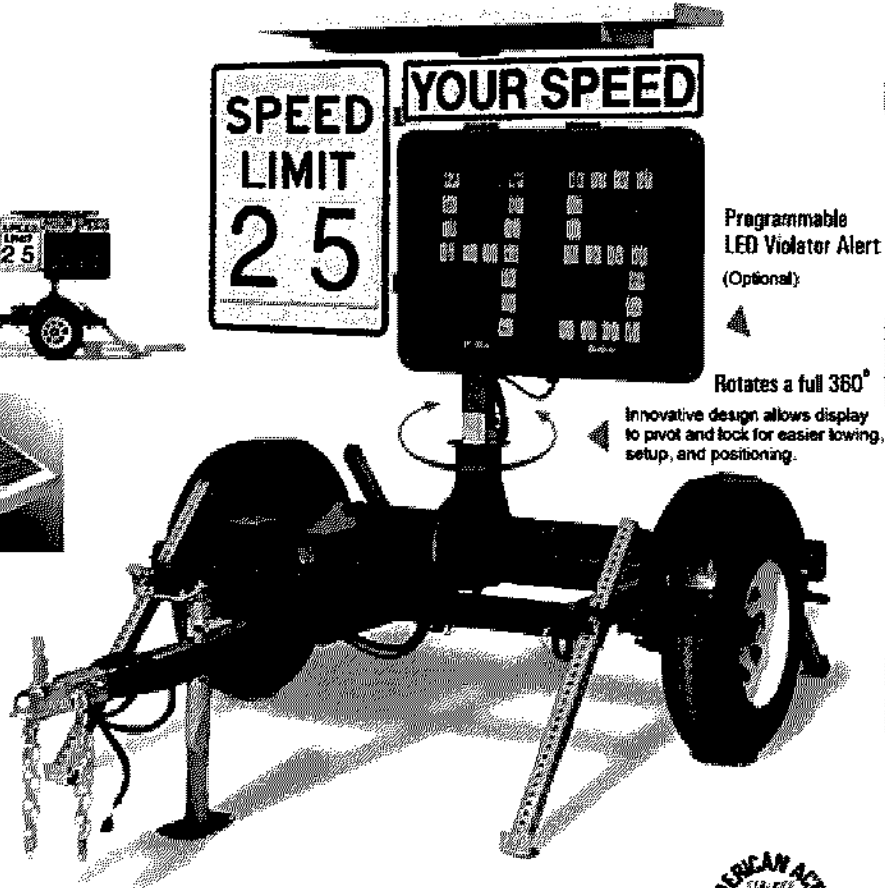


STATISTICAL PACKAGE

Gathers valuable traffic data for improved grant writing support and verification of the sign's impact on traffic speeds.

PROGRAMMABLE LED VIOLATOR ALERT

(3) User-programmable settings in choice of red/blue or white/white.



Programmable LED Violator Alert (Optional)

Rotates a full 360°

Innovative design allows display to pivot and lock for easier towing, setup, and positioning.



stalkerRadar.com

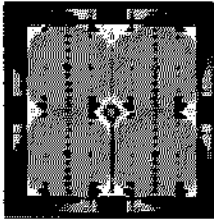
STALKER®

Power to Enforce.

LED Lamp Matrix and Pulse Modulation

At the heart of the Stalker SAM-R is Precision Solar Control's LED Lamp Matrix and LED Pulse Width Modulation. The LED Lamp Matrix concentrates and focuses the LEDs' light, allowing the motorist to see the sign at a greater distance and, thus, act on the speed warning more quickly.

LED Pulse Width Modulation significantly increases the time between battery charges and powers the LEDs so that they remain at a consistent brightness throughout the battery's discharge cycle.



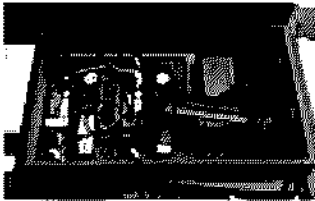
Stalker Traffic Speed Sensor K-Band Radar

The speed measurement component is pure Stalker - accurate and durable. Stalker's Stationary Speed Sensor II radar has greater range, sensitivity, and tracking when compared to competitive signs' radar.

Group 27 12-volt battery Provides 8-10 days of continuous operation yielding longer operational time between battery charges - longer time with 2nd battery installed.

Graffiti-resistant paint

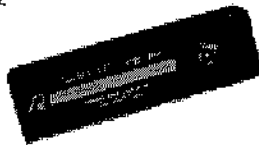
The finish keeps the trailer looking clean and neat for a professional department image, while its all steel construction provides a sturdy



platform and reduces damage sustained in the field.

Dedicated hand-held controller

Complete programming and diagnostic functions in the palm of your hand.



Four stabilizing/leveling supports

One officer can position the SAM-R on nearly any type of terrain.

Removable tongue

Options:

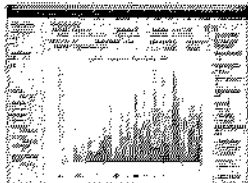
Top-mounted solar panel

recharges a day's worth of battery use with only 2.5 to 3 hours of sunlight allowing for long-term field operation.



Programmable Violator LED Alert

High powered LED Violator Alert flashes to warn motorists when they have exceeded a pre-set speed. Three (3) different user-programmable settings and choice of blue/red or white/white LEDs.



Integrated statistical package gathers valuable traffic data for improved grant writing support and verification of the sign's impact on traffic speeds.

Additional Group 27 battery

STALKER SAM-R

Rotatable Speed Alert Monitor

Specifications:

TRAILER

Width	68" (1.73m)
Length	110" (2.8m) tongue in travel position 57 1/2" (1.5m) tongue removed
Height	76" (1.93m) with solar option
Weight	680 lbs. (308 kg)
Main Frame	2" x 4" x .120" Steel Tubing

DISPLAY CABINET

Material Thickness	.156" ABS Plastic
Width	36" (.91m)
Height	25 1/2" (.65m)
Depth	5 1/4" (.13m)
Lexan® Window Thickness	.125"
Cabinet Temperature Delta	± 20°

ENERGY SOURCE

Battery Bank	Group 27 12-volt Battery 8-10 days @ 78°F (25°C)
--------------	---

RADAR - STALKER STATIONARY SPEED SENSOR II - 24.125 GHz

Detection Distance	Up to 1,200' (365 m)
Beam Width	30° x 32°

Accessories:



Wheel Lock



Coupler Lock

Also Available

- Spare Tire
- 2nd Battery

STALKER®

Power to Enforce.

applied concepts, inc.
2609 Technology Drive ■ Plano, Texas 75074
972.398.3780 ■ Fax 972.398.3781

008-8804-08 Rev C

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800-STALKER

9C7



QUOTE #2029663

applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Page 1 of 1

Date: 06/19/19

Inside Sales Partner: Ed Kosanke
972-801-4818

Reg Sales Mgr: Bill Switzer - S TX
972-837-3434

Effective From : 06/19/2019

Valid Through: 08/30/2019

Lead Time: 32 working days

Table with columns: Bill To, Customer ID, Ship To, Deliver. Includes addresses for Woodcreek, TX 78676.

Table with columns: Grp, Qty, Package, Description, Wmty/Mo, Price, Ext Price. Row 1: 1, 1, 821-1000-00, Stalker SAM Trailer, 24, \$8,295.00, \$8,295.00

Table with columns: Ln, Qty, Part Number, Description, Price, Ext Price. Lists accessories like Solar Panel, LED Light Bars, and manuals.

Summary row: Group Total \$8,295.00

Summary table with columns: Product, Price, Sub-Total, Discount, Sales Tax, Shipping & Handling, Total: USD \$8,295.00

Stalker SAM Speed awareness trailer with Solar Panel, Violater Alert lights and Data Collection/Statistics Package
FREE DATA COLLECTION AND TRAFFIC ANALYST SOFTWARE PROMO THRU AUGUST 31st

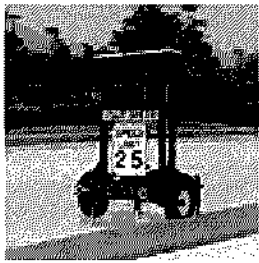
Warranties:
Battery: 1 year
Trailer hardware: 2 Years
Solar Panel: 5 Years

Free Delivery and Product Training in Texas and Louisiana!

Any questions? Contact Ed Kosanke at 972.801.4818 or Bill Switzer at 972-837-3434

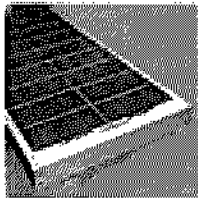
This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.

9C8



Stalker SAM | Speed Awareness Monitor

Stalker's SAM trailers are powered by Precision Solar Controls and feature Stalker speed measurement accuracy in a rugged, dependable trailer platform.



■ Optional Solar Panels

■ 18" Amber LED characters - legible at up to 1000 ft.

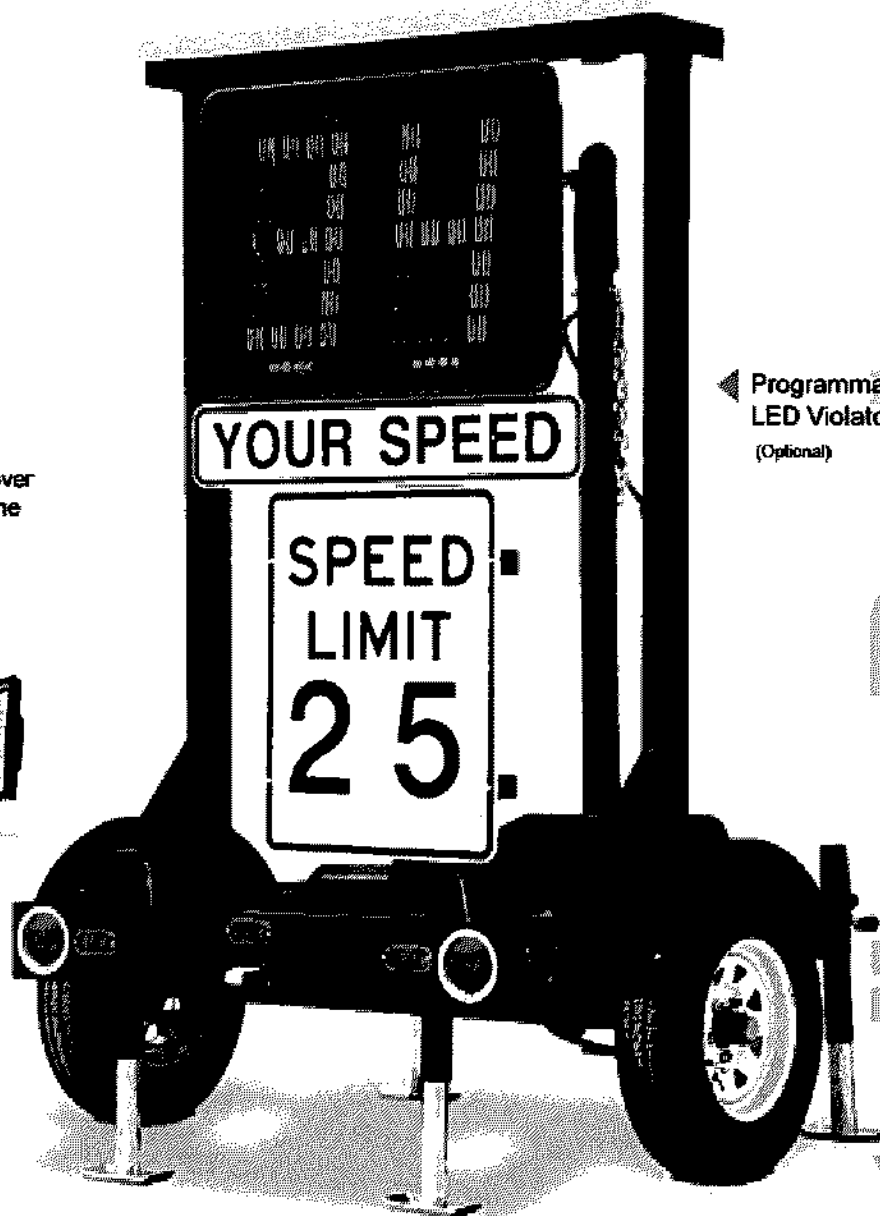
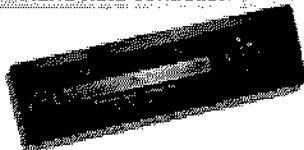
■ 4D Deep-cycle battery - provides over 18 days of operation and longer time between charges

■ Stalker K-Band Doppler Radar

■ New Optional Programmable LED Violator Alert

■ Optional Integrated Statistics Package

■ Hand-held controller



◀ Programmable LED Violator Alert (Optional)



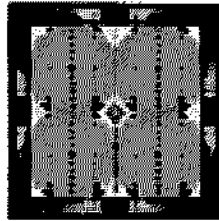
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Power to Enforce.

StalkerRadar.com

LED Lamp Matrix and Pulse Modulation

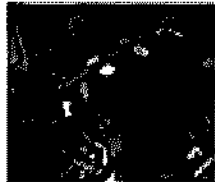
At the heart of the Stalker SAM is Precision Solar Control's LED Lamp Matrix and LED Pulse Width Modulation. The LED Lamp Matrix concentrates and focuses the LEDs' light, allowing the motorist to see the sign at a greater distance and, thus, act on the speed warning quicker.



LED Pulse Width Modulation significantly increases the time between battery charges and powers the LEDs so that they remain at a consistent brightness throughout the battery's discharge cycle.

Stalker K-Band Radar

The speed measurement component is pure Stalker - accurate and durable. Stalker's Stationary Speed Sensor II radar has greater range, sensitivity, and tracking when compared to competitive signs' radar.



4D Deep-cycle 12-volt battery Provides over 18 days of continuous operation yielding longer operational time between battery charges.

Graffiti-resistant paint

The finish keeps the trailer looking clean and neat for a professional department image, while its all steel construction provides a sturdy platform and reduces damage sustained in the field.

Dedicated hand-held controller

Complete programming and diagnostic functions in the palm of your hand.



Four stabilizing/leveling jacks

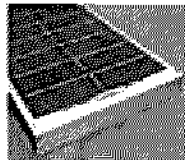
aid in proper placement and stability while allowing one officer to position the SAM on nearly any type of terrain.

Retractable/Removable tongue

Options:

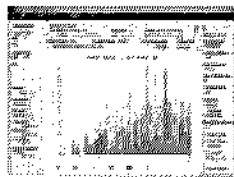
Top-mounted solar panel

The panels recharges a day's worth of battery use with only 2.5 hours of sunlight allowing for "infinite" field operation.



New Programmable LED Violator Alert

High powered LED Violator Alert flashes to warn motorists when they have exceeded a pre-set speed. Three (3) different user-programmable settings and choice of blue/red or white/white.



Integrated statistical package

gathers valuable traffic data for improved grant writing support and verification of the sign's impact on traffic speeds.

STALKER SAM

Specifications:

TRAILER

Width	64" (1.63m)
Length	116" (2.95m) tongue in travel position 57 1/2" (1.5m) tongue in display position
Height	91" (2.31m)
Weight	700 lbs. (317.5kg)
Main Frame	2" x 4" x .120" Steel Tubing

DISPLAY CABINET

Material Thickness	.168" ABS Plastic
Width	36" (.91m)
Height	26 1/2" (.66m)
Depth	5 1/2" (.13m)
Lexan Window Thickness	.125"
Cabinet Temperature Delta	±20°

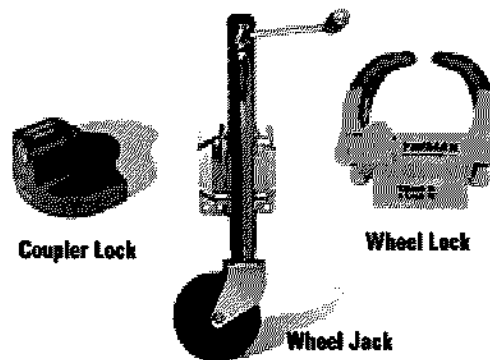
ENERGY SOURCE

Battery Bank	4D Deep-Cycle Battery 18 days @ 78°F (25°C)
--------------	--

RADAR - STALKER STATIONARY SPEED SENSOR II - 24.125 GHz

Detection Distance	Up to 1,200' (365 m)
Beam Width	38° x 32°

Accessories:



Coupler Lock

Wheel Lock

Wheel Jack

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Power to Enforce.

applied concepts, inc.
855 East Collins Blvd. ■ Richardson, Texas 75081
972.398.3780 ■ Fax 972.398.3781



006-0465-00 Rev F

800-STALKER

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9 C 10



Quote

Centerline Supply, Inc.
9484 Corporate Dr.
Selma, TX 78154
United States
P: (210) 224-4600

Quote Number: QTE0000668
Quote Date: 07/09/19

Prepared By: JBARRETT

BILL TO:

WOODCREEK, CITY OF
41 CHAMPIONS CIRCLE
WOODCREEK TX 78676

SHIP TO:

WOODCREEK, CITY OF
41 CHAMPIONS CIRCLE
WOODCREEK TX 78676

Notes:

Customer P.O.	Ship VIA	Terms	Shipping Terms		
	BESTWAY	COD	Prepaid & Add		
Item Number	Ordered	Unit	Price	Extended Price	
90900-QUOTE TC1000 TRAILER RADAR SIGN	1	EA	\$7,720.00	\$7,720.00	

Quotations are valid for 30 days from the date of quotation.

Signature: _____

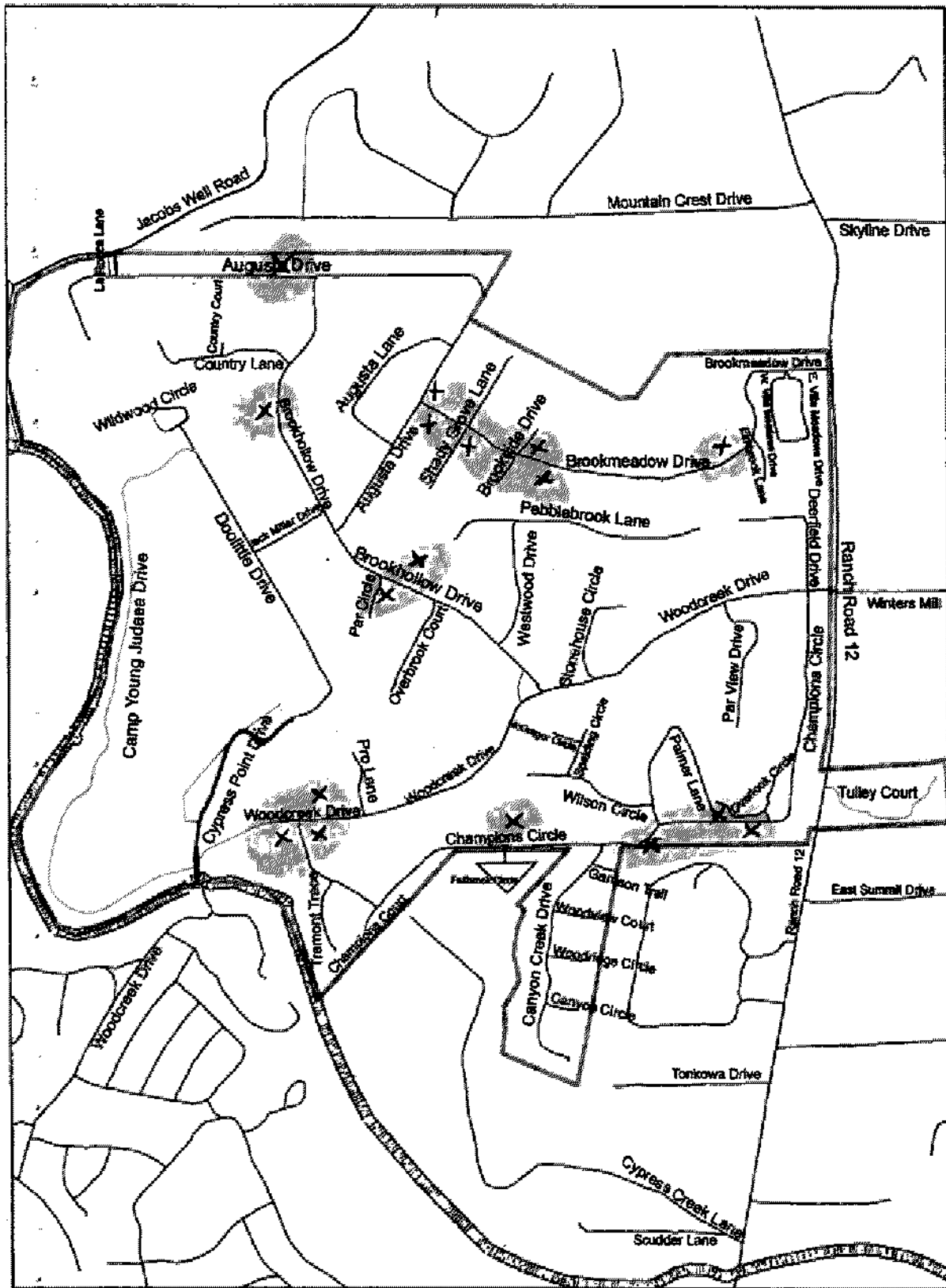
Printed Name: _____

Net Order:	\$7,720.00
Discount %	0%
Less Discount:	\$0.00
Freight:	\$750.00
Sales Tax:	\$0.00
Order Total:	\$8,470.00





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1.5% FINANCE CHARGE FOR INVOICES OVER 30 DAYS. Terms & Conditions Apply.
CENTERLINE SUPPLY, INC. - TOLL FREE (800) 321-1751 - SASALES@CLSUSA.COM

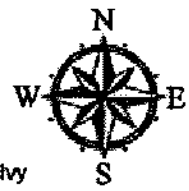
9C11

City of Woodcreek Street Map



Legend

-  Woodcreek City Limits
-  Woodcreek Streets
-  Private Streets
-  Cypress Creek



Created: 5/31/2011 by Jeff Ivy

9C12

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Take Appropriate Action on an Ordinance Establishing an Amendment for the City of Woodcreek Code of Ordinances Amending Chapter 157 – Parks and Recreation; to Establish Policies for Appointments: Terms, Qualifications, Defining Terms, Providing Penalties, and Providing for Enactment, Repealer, Severability, Codification, and Effective Date, and Finding Proper Notice and Meeting

Item Summary:

Currently, the City of Woodcreek has in place for Planning and Zoning Commission members a procedure for required attendance at meetings, however Chapter 157 – Parks and Recreation does not set forth any requirements. Therefore, it is being recommended to establish a procedure, as with the P&Z Commission to have a procedure for required attendance.

Financial Impact:

Cost of Re-Codification

Recommendation:

Adoption of Amendment

Attachments:

Draft Ordinance

Submitted By:

Mayor Pro-Tem Nancye Britner

ORDINANCE NO. _____

CITY OF WOODCREEK, TEXAS

AMENDMENT TO CHAPTER 157 – PARKS AND RECREATION OF THE CODE OF ORDINANCES

AN ORDINANCE OF THE CITY OF WOODCREEK ESTABLISHING A CHANGE TO THE CODE OF ORDINANCES AMENDING CHAPTER 157 – PARKS AND RECREATION TO SPECIFY REMOVAL OF MEMBERS OF THE BOARD FOR UNEXCUSED ABSENCE OF MEETINGS; PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Woodcreek ("City Council") has determined that the public welfare would be best served by creating and defining a Park and Recreation Board composed of Woodcreek citizens;

WHEREAS, the City Council has general authority to adopt the regulations herein relating to the Parks and Recreation Board including the removal of members for unexcused attendance of meetings,

WHEREAS, the City Council being a general-law municipality, the City has exclusive control to regulate the Parks and Recreation Board working for and within the City limits,

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

1. FINDINGS OF FACTS

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

2. ENACTMENT

Chapter 157: Parks and Recreation of the Code of Ordinances of the City of Woodcreek is amended as to read as Attachment A, which is 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 Chapter 157, 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.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed and 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.

PASSED & APPROVED this, the _____ day of July, 2019, by a vote ofof the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

William P. Scheel, Mayor

ATTEST:

Linda Land, City Secretary

Attachment A
City of Woodcreek - Code of Ordinances

CHAPTER 157: PARKS AND RECREATION

Section

157.001 Parks and Recreation Board created; duties; plan

157.002 Appointments; terms; qualifications

§ 157.001 PARKS AND RECREATION BOARD CREATED; DUTIES; PLAN.

- (A) There is hereby created a Parks and Recreation Board for the city, consisting of five members.
- (B) The board shall generally advise the Mayor and City Council on matters pertaining to city parks and recreation areas, including:
- (1) The acquisition, development, improvement, equipment, and maintenance of city parks and public playgrounds;
 - (2) The future development of the city parks, playgrounds, and recreational facilities, and the purchase of additional land for those purposes; and
 - (3) Improvements in the maintenance, operation, and general welfare of the city's parks, playgrounds, and recreational facilities and their use by the public.
- (C) The board shall deliberate and draft a general Parks and Recreation Plan for the development of new parks and playgrounds, including landscaping, roads, trails, buildings, and equipment. That plan shall be submitted to the Mayor and City Council for review and further elaboration.
- (D) After approval by the City Council of the Parks and Recreation Plan any subsequent evaluations or reviews of the same may be submitted to the board for consideration and advice.

§ 157.002 APPOINTMENTS; TERMS; QUALIFICATIONS.

- (A) The Parks and Recreation Board membership shall include residents of the city who are interested in public parks and public recreation. The Mayor, City Administrator/Manager or designee, and the City Attorney are ex officio, non-voting members of the board.

(B) Members of the Parks and Recreation Board shall be appointed by the Mayor and serve terms of two years, and may be reappointed with no limitation on the number of terms one may serve. Terms will begin on January 1 and end on December 31, two years thereafter, except that:

(1) For the board members first appointed after the effective date of this chapter, the period of time from their initial appointment to the end of the year of their appointment will be added to their term; and provided further, that:

(2) After the effective date of this chapter the Mayor shall initially appoint three board members for two year terms and two board members for three year terms, and after such initial appointments all appointments shall be for two year terms.

(3) Members of the Parks and Recreation Board may be removed from office at any time by a simple majority vote of the full City Council either upon its own motion or upon recommendation of the Commission. Failure to attend two consecutive scheduled meetings or attendance at less than 50% of scheduled meetings within a year (consecutive year, not calendar year) shall be deemed as neglect and cause for removal from office, unless such absences were due to unusual circumstances beyond the member's control such as sickness of the member or someone within the member's immediate family, or if the Commission or Council approves the absence(s) as excused. A vote to remove a Commission member shall be placed on the appropriate agenda as a regular item, and shall be voted upon accordingly.

Council Meeting Date: 7/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Final adoption of changes to the Sign Ordinance. CHAPTER 152:

Item Summary:

With proper codification added; approved in May

Financial Impact:

Cost of re-codifying

Recommendation:

Adoption of this ordinance.

Attachments:

Ordinance amendment

Submitted By:

Councilmember Jackson; Councilmember LeBrun

ORDINANCE NO. _____

CITY OF WOODCREEK, TEXAS

REVISIONS OF CHAPTER 152 - SIGNS OF THE CODE OF ORDINANCES

AN ORDINANCE ESTABLISHING REVISIONS TO THE CITY OF WOODCREEK CODE OF ORDINANCES CHAPTER 152 – SIGNS. SUCH REVISIONS AS: TO ESTABLISH THE PURPOSE OF SIGNS AND THEIR REGULATIONS, TO MANAGE THE DIRECTION AND STRENGTH OF THE ILLUMINATION OF SIGNS TO COMPLY WITH WOODCREEK'S DARK SKY INITIATIVE, TO MODIFY DEFINITIONS, AND TO EXPAND THE PLACEMENT OF RIGHT-OF-WAY SIGNS; DEFINING TERMS, PROVIDING PENALTIES, AND PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Woodcreek ("City Council") desires to keep the City an aesthetically pleasing community;

WHEREAS, the City Council has general authority to adopt the regulations herein relating to the display of signs within the City limits and the Extraterritorial Jurisdiction (ETJ),

WHEREAS, the City Council being a general-law municipality, the City has exclusive control to regulate the signs and their display within the City limits,

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

1. FINDINGS OF FACTS

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

2. ENACTMENT

Chapter 90: Animals of the Code of Ordinances of the City of Woodcreek is amended as to read as Attachment A, which is 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 Chapter 90, 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.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed and 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.

PASSED & APPROVED this, the ____ day of _____, 2019, by a vote of

___ Nays ___ Ayes ___ Absent and Not Voting

CITY OF WOODCREEK

ATTEST:

William Scheel, Mayor

Linda Land, City Secretary

City of Woodcreek - Code of Ordinances

CHAPTER 152: SIGNS

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GENERAL PROVISIONS

§ 152.01 POPULAR NAME.

This chapter shall be commonly cited as the "Sign Ordinance".
(Ord. 08-118, passed 11-12-2008)

§ 152.02 JURISDICTION.

The provisions of this chapter shall apply within the city limits and extraterritorial jurisdiction (ETJ) of the city as defined by state law.

(Ord. 08-118, passed 11-12-2008)

§ 152.03 PURPOSE.

Signs are an important medium of political, religious, or personal messages for which there are no exact alternatives. A sign, unlike handbills or newspapers, readily identifies the "speaker." Signs may be subject to a regulation by a municipality, such as the City of Woodcreek, but such regulation must be consistent and not outweigh the rights to free speech. This Ordinance follows this principle and the mandates of the U. S. Supreme Court as it relates to free speech while providing for an orderly process and uniform standards.

(A) *General.* This chapter is adopted to provide for the orderly construction, erection, repair, demolition, maintenance, removal and relocation of signs within the corporate boundaries and extraterritorial jurisdiction of the city. These rules and regulations are designed to provide uniform sign standards and to promote a positive city image reflecting order, harmony and pride. More specific objectives include the following.

(B) *Safety.* To promote the safety of persons and property by providing signs that:

- (1) Do not create a hazard due to collapse, fire, collision, decay or abandonment;
- (2) Do not obstruct services by first responders or law enforcement
- (3) Do not create a traffic hazard by impairing the driver's ability to see other vehicles, pedestrians, street signage, or obstacles on the road.

(C) *Communications efficiency.* To promote the efficient transfer of information by providing for signs that:

- (1) Give priority to messages and information most needed and sought by the public;
- (2) Allow businesses and services to identify themselves;
- (3) Allow customers and other persons to locate a business or service;
- (4) Do not arbitrarily deny any person or group the use of the lines of vision from the public right-of-way; and
- (5) Do not overwhelm persons by the number of messages presented or do not inhibit the observer's freedom of choice to observe or ignore said messages, according to the observer's purpose.

(D) *Landscape quality and preservation.* To protect the public welfare and to enhance the appearance and economic value of the city, by providing those signs that:

- (1) Do not interfere with scenic views;
- (2) If illuminated and containing 1 or more lamps and include any lenses, reflectors, and shields designed to direct the light in a defined manner comply with the City's Dark Skies Ordinance, Chapter 156.042
- (2) Do not create a nuisance or present a hazard to persons using the public rights-of-way;
- (3) Do not create a nuisance to occupants of any property by their brightness, size, height or movement; and
- (4) Do not diminish or are not detrimental to land or property values.

(Ord. 08-118, passed 11-12-2008)

§ 152.04 COMPLIANCE REQUIRED.

No person may construct, place, erect, repair, maintain or use a sign after the effective date of this chapter unless such erection, construction, reconstruction, repairs, maintenance or use meets all the provisions of this chapter, and all other applicable

ordinances adopted by the City Council.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.05 DEFINITIONS.

(A) *Interpretation.* Words and phrases not defined in this chapter shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only. Unless otherwise expressly indicated, references to state and federal laws, final regulations and formal guidance shall refer to the then current enactment of such laws, final regulations and formal guidance, as they are amended from time to time.

(B) *General definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AREA. As applied to any sign, means the square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. The area to be measured encompasses the extreme limits of the writing, representation, emblem or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign material from the backdrop or structure against which the sign is placed, but excludes any sign supports or supporting framework. In cases where a sign, or a portion of a sign, is composed only of letters, figures or other characters standing against no sign face background, then the sign face **AREA** is the area of the smallest simple imaginary figure (circle, triangle, rectangle or other) which fully contains the sign content. The **AREA** of a sign with more than one face is the sum of the areas of all sign faces visible from any one point. However, a sign structure with two faces back-to-back, oriented in opposite directions and separated by not more than three feet, with the same copy on both sides, shall be counted only as the **AREA** of one face.

AVERAGE ILLUMINATION. As applied to any sign means the calculated average value of the maximum illumination and the minimum illumination ((maximum illumination + minimum illumination) / 2).

CITY. The City of Woodcreek, a duly incorporated municipality located in Hays County, Texas.

CITY COUNCIL. The governing body of the City of Woodcreek.

CITY LIMITS. The corporate municipal boundaries. The term does not include the city's extraterritorial jurisdiction, as that term is defined by state law.

CITY MANAGER. The administrative officer appointed by the City Council, or a city official designated by Council.

COMMERCIAL COMPLEX. Any development such as a shopping center, office park or industrial park, that consists of two or more establishments on a single platted lot, or that is designed, developed and managed as a unit.

DIRECT ILLUMINATION. As applied to any sign means that illumination arriving directly from a light source without reflection from other objects.

ESTABLISHMENT. A building on any land used for any purpose regardless of the commercial, non-profit or public nature of the activity, but excluding a building used

solely as a residence.

FIXTURE. An assembly of one or more light sources and related components.

FOOT CANDLE. A standard unit of illumination (engineering term) defined as one lumen per square foot.

HEIGHT. As applied to any sign, the vertical distance between the highest attached component(s) of the sign or of its supporting structure, whichever is higher, and the average established ground level beneath the sign. The established ground level beneath the sign is the lower of the existing grade prior to construction of the sign or the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign, unless the curb elevation at the street in front of the sign is higher than the established ground level, in which case the **HEIGHT** shall be measured from curb level.

ILLUMINATION. As applied to any sign, the intensity or brightness of light expressed in foot candles that are in compliance with the City's Outdoor Lighting Regulations at Chapter 156.042, qw follows. The maximum illumination on any outdoor surface or object, including signs, from all fixtures or light sources, whether installed before or after the effective date of this section, including lighting of externally illuminated and internally illuminated signs, shall not exceed:

(a) Six footcandles in districts SF-1 through SF-6, TH/C, DU-1, 4PLX, MF-1, MF-1 A, MF-2, RR, PUD, MH-1, and unzoned tracts where a residence exists;

(b) Eighteen footcandles in other districts and unzoned tracts where a business exists and is open; or

(c) Three footcandles in other districts and unzoned tracts where a business is closed or does not exist;

LENS. As applied to any sign, a transparent or translucent material enclosing, surrounding or placed between a light source and the area it illuminates.

LIGHT SOURCE. As applied to any sign, any construction, including a primary transparent or translucent envelope, that emits light; such as but not limited to an incandescent lamp, an arc lamp, a fluorescent tube or a neon tube.

LINE OF SIGHT. As applied to a light source used to illuminate any sign, a straight line from the eye of an observer three feet or more above the ground to the light source and/or its lens and/or an intended or incidental specular reflecting surface.

LUMEN. A standard unit (engineering term) of light flux defined as the flux emitted by a light source of one candle.

MAXIMUM ILLUMINATION. As applied to any sign, the illumination at the point on the sign having the greatest illumination.

MINIMUM ILLUMINATION. As applied to any sign, the illumination at the point on the sign having the least illumination.

NON-RESIDENTIAL SIGN DISTRICT. Any lot or tract of land located inside the city limits or in the city's extraterritorial jurisdiction, and which is not within a Residential Sign District.

PERSON. Any human individual or corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership,

association and any other legal entity; this term includes a responsible party.

PUBLIC RIGHT-OF-WAY. The area on, below, above or bordering a public roadway, highway, street, sidewalk, alley, water way or easement, in which the city, any other governmental entity or any public utility has an interest.

REFLECTED ILLUMINATION. As applied to any sign, the light from a light source used to illuminate the sign reflected from any surface.

RESIDENTIAL SIGN DISTRICT. Any lot or tract of land which is located inside the city limits or in the city's extraterritorial jurisdiction, and which:

- (a) Is vacant;
- (b) Is in any form of agricultural use;
- (c) Has a residence as the principal use; or
- (d) Is zoned for residential use, including multi-family residential of any form.

RESPONSIBLE PARTY or PARTY RESPONSIBLE. The person, firm, organization or other entity whose establishment, product, service, activity or enterprise of any character is announced or advertised by the sign, or whose message is carried by the sign, and the owner of the land upon which the sign is located and the owner of the sign. The term expressly includes a tenant/lessee who exercises control or authority over a sign.

SIGN. Any structure, display, light device, figure, painting, drawing, message, plaque, poster, billboard, letter or series of letters, symbol, trademark, logo or device designed, intended or used to advertise, inform, convey or attract the attention of people to the subject matter thereof, including an individual, firm, profession, business, organization, institution, commodity, product, service, activity, cause or purpose. This term includes signs that, as part of a Holiday Display, are designed to attract the attention of people to a specific subject matter, including a cause or purpose. This term does not include a traffic-control device erected or maintained by a governmental entity.

SPECULAR REFLECTING SURFACE. Any mirror-like surface, whether part of a fixture or not, that reflects an image (no matter how imperfect or distorted) of a light source.

WAIVER. A deviation or departure from a strict standard, or application of one or more specific provisions in this chapter.

(C) *Types of signs.* Particular types of signs are defined by their purpose or use, by their location, and by the nature of their construction, and therefore any one actual sign may be encompassed by multiple definitions and subject to the regulations in multiple sections of this chapter. Types of signs that are regulated by this chapter are defined as follows.

ATTACHED SIGN. All wall signs, awning signs, canopy signs and projecting signs.

AUXILIARY SIGN. A sign of any construction, not exceeding one square foot in area, which is not part of another sign and which is customarily secondary and incidental to the principal use of any non-residential premises, such as one indicating hours of operation, credit cards accepted or restrictions of sale to minors, or which is customarily secondary and incidental to a residence, such as "no soliciting" or "beware of the dog".

AWNING SIGN. A sign painted on or attached to the outside of an awning, canopy or any similar structure such as is typically extended in front of a window or door or over a patio, deck or walkway as a protection from the sun or rain, regardless of whether the

structure is retractable. A sign which is suspended from or projects into the space beneath an awning, canopy or similar structure, or which is painted on, attached to or suspended from interior surface, so as to be read from within the area enclosed by the structure, is a canopy sign.

BALLOON. A flexible bag, cylinder, or other device regardless of material, designed to be inflated with hot air or with a gas, such as helium, that is lighter than the surrounding air, causing it to rise and float in the atmosphere.

BANNER. A sign intended to be hung either with or without frames, made of paper, plastic, fabric or any other flexible material, and which is used by its colors, characters, lettering, illustration or ornamentation to call attention to an establishment, product or event on the site thereof or which is a community service sign. Flags are distinguished from **BANNERS** for the purposes of this chapter.

BEACON. Any light with a beam directed into the atmosphere or directed at a point which is not on the same lot or tract of land as the light source or a light with one or more beams that rotate or move.

BILLBOARD. Any sign which is used or designed to be used to advertise, inform or call attention to any product, commodity, real estate or service which is to be obtained or is located at a place other than on the premises on which the sign is located, or to advertise or call attention to any establishment, business or activity which is not located on the same premises as the sign. The term includes what is commonly referred to as an **OFF-PREMISES SIGN**.

BULLETIN BOARD. A sign that is principally devoted to posting announcements of interest to the members or clientele of an organization concerning the activities of the organization, such as is customarily erected by a governmental entity, church, social club, society, school or charitable organization.

CANOPY SIGN. A sign that is suspended from the underside of an awning or canopy structure or which projects into the space enclosed within or beneath an awning or canopy structure. A sign which is painted on or attached to the outside of an awning or canopy structure is an awning sign.

CHANGEABLE COPY SIGN. A sign or part of a sign on which characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign, such as a theater marquee, a gasoline price sign or a sign identifying the occupants of a shopping center. A sign on which the only copy that changes is a matter of general public information, such as the current time and temperature or an index of stock market averages, and which contains no other commercial message, is a public service sign. Any sign other than a public service sign on which the message changes more than once per day is a flashing sign.

COMMERCIAL SIGN. Any sign, regardless of its location or construction, whose wording or other contents, directly or indirectly, names, advertises or calls attention to any business, product, service, institution, organization, event, purpose or other activity.

COMMUNITY SERVICE SIGN. A sign which solicits support for or participation in a non-profit, non-political, community, public or social purpose, cause, event or activity, such as one marking a holiday or holiday season, or one supporting school activities, charitable programs, religious activities or events of community interest.

CONSTRUCTION SIGN. A sign placed on a construction site identifying or announcing the character of the project and/or the names of the owners, developers, financiers, architects, engineers, contractors, leasing agents and others associated with

the project.

DIGITAL SIGNS. An illuminated sign that displays digital images or wording that are changed by a computer every few minutes. A digital sign may be permanent, integrated to the building, or portable.

DIRECTIONAL SIGN. A sign which is separate from other signs, incidental and secondary to the principal use of the land on which it is located, and whose primary purpose is to give directions such as to parking lots, exits, entrances or drive-through windows, or directives such as "no parking" or "loading only".

DRIVE-THROUGH WINDOW SIGN. A sign which is secondary to the principal use on the premises of an establishment having a drive-through window for customer service, devoted to informing customers approaching the drive-through window of information such as the menu, services available or prices at the establishment.

EVENT SIGN, OFF-SITE. A sign giving directions to an occasional event at another location, other than a business event at an establishment, such as directions to a civic or other non-commercial ceremony, to an event for the members of an organization, or to an event at a residence such as a garage sale, home for sale, real estate open house or private party.

EVENT SIGN, ON-SITE. A sign which is placed to advertise or mark the location of an occasional event on the same site, other than a business event at an establishment, such as a civic or other non-commercial ceremony, an event for the members of an organization, or an event at a residence such as a garage sale, home for sale, real estate open house or private party.

FACILITIES LOCATION SIGN. A sign which is placed to provide directions to either the entrance of a facility within the city, such as Quicksand Golf Course and Camp Young Judaea, each constituting a major facility within the city limits.

FLAG. A piece of fabric of distinctive design of any governmental jurisdiction or a piece of fabric of distinctive design adopted by a business, institution or other organization and containing only the name, logo or other symbolic emblem of that business, institution or organization.

Flags include "feather flags" or "banners" use in advertising which are traditionally large, flexible flags designed to attract attention of drivers and passersby.

FLASHING SIGN. A sign with flashing, blinking, moving, rotating or traveling lights, or with lights that change in color or intensity, whether the sign is an illuminated sign or not, or a sign which uses lights to form traveling messages or messages which change more than once per day. This term does not include a public service sign. A flashing sign must meet the requirements of Chapter 156.042, Outdoor Lighting Regulations.

FREESTANDING SIGN. A sign that is attached to a self-supporting structure. A freestanding sign may be a pole or monument sign. ... Any sign, other than a freestanding pole sign, placed upon or supported by the ground independently of any other structure.

GARAGE or YARD SALE SIGN. A sign that advertises the location, time and/or date of a garage sale (sale of individual items) at a residence within the city limits or ETJ.

ILLUMINATED SIGN. A sign illuminated in any manner by an artificial light source of any kind, either detached from the sign or a part thereof. Signs that are only incidentally and indirectly illuminated as a result of a lighting plan primarily designed as security lighting or landscape lighting are not **ILLUMINATED SIGNS**. Illuminated Signs

must meet the requirements of Chapter 156.042, Outdoor Lighting Regulations as to size, intensity, design, and must not constitute a public nuisance or public safety issue.

INTEGRAL SIGN. A sign indicating the name of a building, as distinct and clearly distinguished from the name of a business, institution or other entity occupying the building, or indicating the date or other information of historical interest about the building's construction, when such sign is cut or molded into a masonry surface which forms part of a wall of the building or when it is constructed as a plaque or tablet of bronze or other incombustible material and permanently mounted on the face of the building.

LEGAL NON-CONFORMING SIGN. A sign that lawfully existed as of 4-11-2007 (the original adoption date of this chapter), but does not conform to all of the regulations contained in this chapter upon the effective date of the amendments to this chapter. This term does not include signs that existed as of 4-11-2007, on trees, utility poles or pedestals or on public land or public rights-of-way without the express consent of the owner of such property.

MODEL HOME SIGN. A sign that is located on the same lot as a model home in a residential subdivision and which calls the attention of prospective buyers to the model home.

MONUMENT SIGN. A sign that is built as a monument directly on the ground. This term does not include a self-supported sign.

MONUMENT SIGN, CHANGEABLE COPY. A monument sign that incorporates a changeable copy feature into the sign.

MOVING SIGN. A sign or any part of a sign which rotates, moves or uses lighting to simulate motion or animation.

NAME PLATE. A sign, mounted flat against the wall of a building and not projecting more than one inch from the face of the wall, indicating the name and/or address of the building, and/or the name of an occupant thereof, and/or the practice of a permitted home occupation therein.

PET SIGN (LOST/FOUND). A sign that provides notice that a pet (e.g., dog or cat) has been lost or found. Such signs provide information regarding the pet's name and description, as well as relevant contact data.

POLITICAL SIGN. A sign that supports or opposes any candidate for public office or any proposition to be voted upon at an election, or which makes a political or ideological statement in the nature of constitutionally protected non-commercial free speech.

PORTABLE SIGN. Any sign that is not permanently attached to the ground or to a permanent structure, or a sign designed to be transported, whether on attached wheels or otherwise. This term does not include construction signs, on-site event signs, off-site event signs, realty signs, sidewalk signs and political signs.

PROJECTING SIGN. Any sign whose outside edge extends more than 12 inches from the face of a wall to which it is attached, or which extends at any point above or beyond the end of a wall to which it is attached. This term does not include an awning sign or canopy sign.

PROMOTIONAL SIGN. Any generic sign promoting a product or service by brand name and that is not specific to the establishment displaying the sign. Such signs are typically provided to vendors by distributors or manufacturers and can be used by any vendor of such products or services.

PUBLIC SERVICE SIGN. A sign or part of a sign that is devoted to messages of general public information without other commercial content, such as the current time and temperature, the location of an event, services being provided by the City or other public entity within the City and its ETJ, such as a school, Church, or community center.

REALTY SIGN. A sign which advertises the property on which it is located for sale, lease or rent.

RESIDENTIAL DEVELOPMENT SIGN. A sign at the entrance to a residential development within the City, such as a series of townhouses, an apartment complex or a residential subdivision, that identifies the name and/or the address of the residential development.

ROOF SIGN. Any sign that is mounted on or above the roof of a building or is supported by or painted on or applied to the roof of a building. This term does not include a projecting sign whose principal support fixtures are attached to a wall.

SELF-SUPPORTED SIGN. A permanent sign above the ground that is erected on supports placed on or anchored in the ground, and which is independent of any other structure for its support. This term does not include a monument sign.

SIDEWALK SIGN. A sign, regardless of its construction, that is designed to be placed temporarily on the ground or sidewalk adjacent to or in the immediate vicinity of an establishment in order to advertise or call attention to the goods or services offered at that establishment.

SINGLE-FAMILY ADDRESS SIGN. A sign that identifies the name of the occupants and/or the address of a single-family or duplex residence. This term does not include any commercial sign or a name plate.

VEHICULAR SIGN. A vehicle, whether motorized on a trailer, that is mounted above the ground as a sign or part of a sign, or any sign attached to or painted on such a vehicle, including a digital or changeable sign, which is mounted above the ground or which is parked so as to be visible from a street when such vehicle is not actually used for transportation in the day-to-day affairs of its owner, as evidenced by current license plates and a current state inspection sticker. This term also includes signs in a vehicle advertising the vehicle itself for sale.

WALL SIGN. A sign painted on or mounted parallel to a wall of any building; provided that, the sign does not project over any public land or street right-of-way, or extend more than 12 inches from the face of the wall to which the sign is mounted, or extend at any point above or beyond the end of such wall. This term does not include a name plate or an integral sign. This term includes any sign which is painted on or placed inside or upon a door or window, or another opening in such wall or which is placed inside a building and oriented so as to be read from any such opening.

WALL SIGN, CHANGEABLE COPY. A wall sign, which incorporates a changeable copy feature into the sign. This term includes any sign which is painted on or placed inside or upon a door or window, or another opening in such wall, or which is placed inside a building and oriented so as to be read from any such opening.

(Ord. 08-118, passed 11-12-2008)

§ 152.06 SIGN MAINTENANCE.

(A) *Maintenance required.* All signs must be maintained in a structurally safe condition, freshly painted and/or in good repair. The City Manager shall notify, by

certified mail, the responsible party for any sign not so maintained, and the responsible party shall be required to perform the necessary maintenance or repairs within 30 days of the postmark on the notice. Any sign not repaired within the allotted time may be removed by the city and the actual cost of such removal shall be charged to the responsible party for the sign. If a sign is removed by the city and remains unclaimed for a period of more than 30 days, the city may destroy, sell or otherwise dispose of the sign.

(B) *Removal of hazardous signs.* Any sign which, in the judgment of the City Engineer, has become an imminent hazard to public safety, either because it causes a traffic hazard or because of neglect that makes it unsafe, shall be repaired or removed by the responsible party within 72 hours of notice. If, in the judgment of the City Engineer, the sign presents an immediate risk, the sign may be removed by the City with notification to the sign owner. . Notice of the existence of the hazard shall specify the maximum time which may be allowed for repairs or removal in order to ensure public safety, and the notice may be served upon the responsible party by any means available. A hazardous sign which is not repaired or removed within the time specified in the notice shall be removed by the city and the cost of such removal shall be charged to the responsible party. If a sign has been removed by the city as a hazardous sign and the sign remains unclaimed for a period of more than 30 days, the city may destroy, sell or otherwise dispose of the sign.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.07 LEGAL NON-CONFORMING SIGNS.

(A) *Continuation in use.*

(1) Legal non-conforming signs may be continued in use. However, if the use of a legal non-conforming sign is discontinued because it does not contain any message for a continuous period of 90 days or more, then the sign must be removed or brought into full compliance with this chapter by the responsible party. Any future use of the sign must be in full compliance with this chapter.

(2) A legal non-conforming sign must be removed or brought into full compliance with this chapter if the sign names, advertises or calls attention to a business, service, institution, purpose, organization, cause or activity that was in existence on or before the original adoption of this chapter on 4-11-2007, but subsequently ceased existence or has been discontinued for a continuous period of 90 days or more. The owner of a legal non-conforming sign in existence on or before the original adoption of this chapter must provide proof of prior acceptance or approval by the city for the legal non-conforming sign. Proof of prior acceptance or approval must be provided to the City Manager/Administrator. Acceptable forms of proof include, but are not limited to permits, receipts, letter from the city and the like. An owner of a legal non-conforming sign that is unable to provide proof of prior acceptance or approval by the city for the legal non-conforming sign must apply for a waiver from the city, according to § 152.08 of this chapter.

(3) The lighting installation for a legal non-conforming illuminated sign shall be brought into conformity with this Chapter and the City's Dark Skies Ordinance (cite here) within a period of three years from the effective date of the ordinance.

(B) *Limitations on modification.* No legal non-conforming sign may be enlarged in area, increased in height, expanded, moved, altered or remodeled in any respect unless

and until a responsible party applies for and receives a sign permit and is in all respects brought into conformity with this chapter. However, subject to division (C) below, a legal non-conforming sign may be repainted or repaired, provided that no other change is made in the construction of the sign. Legal non-conforming signs that are prohibited by §§ 152.41 and 152.42 of this chapter may not be enlarged in area, increased in height, expanded, moved, altered or remodeled in any respect. Legal non-conforming signs enlarged in area, increased in height, expanded, moved, altered or remodeled without a sign permit shall lose its legal non-conforming status and be subject to enforcement pursuant to this chapter.

(C) *Removal of destroyed signs.* A legal non-conforming sign shall be considered destroyed if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location. A destroyed sign must be removed by the responsible party without compensation by the city and within 30 days of the damage. A legal non-conforming sign that has been destroyed may not be replaced or rebuilt, except by a sign which is constructed and located in full conformity with this chapter. (Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.08 WAIVERS.

(A) *Presumption.* There is a presumption against the granting of waivers to this chapter.

(B) *Timing.* A waiver request will be reviewed more favorably when submitted concurrently with one of the following applications:

- (1) Plat;
- (2) Building permit;
- (3) Rezoning; or
- (4) Site development.

(C) *Application and fee required.* A waiver is a written approval to depart from the strict application of one or more specific provisions of this chapter. Any person, business or other organization desiring to continue a use, construction or placement of any sign which does not conform to the provisions of this chapter may make an application to the City Council for a waiver allowing the continued use, construction or placement of such a sign. The application shall be filed with the City **designated City Staff** accompanied by the appropriate fee established by the Master Fee Schedule and include a drawing or sketch with sufficient detail to determine the location and type of construction for the proposed sign.

(D) *Standards for waivers.* The City Council may approve a waiver only if it makes affirmative findings, reflected in the minutes of the City Council's proceedings, as to all of the following:

- (1) The waiver will not authorize a type of sign which is specifically prohibited by § 152.41 of this chapter;
- (2) The waiver will not authorize a type of sign which is prohibited by § 152.42 of this chapter;
- (3) The waiver is not contrary to the public interest;
- (4) Due to special conditions, a literal enforcement of this chapter would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement.

(5) The spirit and purpose of this chapter will be observed and the design guidelines set forth in §§ 152.20 through 152.25 of this chapter are substantially met and substantial justice will be done.

(E) *Conditions of waivers.* The City Council may impose such conditions or requirements in a waiver as are necessary, in the City Council's judgment, to protect the overall character of the community and to achieve the fundamental purposes of this chapter. A violation of such conditions or requirements shall constitute a violation of this chapter. A waiver if granted, shall be for a specific event, use or other application of a business and shall not continue with the property. If a waiver is granted and the sign so authorized is not substantially under construction within six months of the date of approval of the waiver, the waiver shall lapse and have no force or effect.

(F) *Master sign plan.* Any project seeking city approval of more than three signs that require waivers must submit to the city a master sign plan.
(Ord. 08-118, passed 11-12-2008)

DESIGN GUIDELINES

§ 152.20 POLICY.

It is the policy of the city to encourage signage which is appropriate to the hill country setting and the rural scale of the city and the county, and to discourage signs which are in conflict with the established character of the community. To this end, all sign owners are required to conform to the following guidelines for sign location, configuration, placement, materials and lighting.

(Ord. 08-118, passed 11-12-2008)

§ 152.21 LOCATION.

Signs shall be located with sensitivity to preserving the natural landscape, and scenic setting, or environment. Signs shall be incidental complements to the principal use of a site, and should never be allowed to visually dominate a site.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.22 CONFIGURATION.

The height, width and area of a sign must all be in proportion to the dimensions of a building to which the sign is attached and in architectural harmony with surrounding structures. Sign dimensions should respect the size, scale and mass of a building facade, the height of the building and the rhythms and sizes of window and door openings.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.23 PLACEMENT.

No sign should be placed upon a building or structure in any manner that would disfigure, damage or conceal any significant architectural feature or detail of the building.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.24 MATERIALS.

Sign materials shall be predominantly natural, such as native stone, rough cedar, pine or other types of wood, metal or materials that simulate natural materials and sign colors should be in harmony with the natural surroundings.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.25 LIGHTING.

Lighting shall be no brighter than is necessary to permit the sign to be read from a

reasonable distance and shall be compliant with the City Dark Skies Ordinances (cite here).

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.26 RIGHT-OF-WAY SIGNS.

(A) *Ratification and confirmation.* The installation, placement and erection of signs within the city rights-of-way as set forth hereto in division (C) below are hereby confirmed and ratified by the City Council.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

RIGHT-OF-WAY. The right of way (ROW) is the area owned and/or controlled by the City and typically includes the street surface, sidewalks, and grassy areas between pavement and property lines. **SIGN.** Any structure, display, light device, figure, painting, drawing, message, plaque, poster, billboard, letter or series of letters, symbol, trademark, logo or device designed, intended or used to advertise, inform, convey or attract the attention of people to the subject matter thereof, including an individual, firm, profession, business, organization, institution, commodity, product, service, activity, cause or purpose. This term does not include a traffic-control device erected or maintained by a governmental entity.

WAIVER. A departure or deviation from a strict standard, or application of one or more specific provisions of this section.

(C) *Right-of-way signs.* For the purpose of advertising or messaging, including but not limited to, public service messages, garage, yard, open house and estate sales within the city, public events, the City Council hereby orders and directs that the City Manager authorize and implement the following provisions governing the placement of signs in the city's rights-of-way at the locations designated, and that such signs and devices be hereafter maintained and enforced by the city.

(1) The City Manager is hereby instructed to implement the construction and placement of removable weather-proof sign holders at each of the following locations,

- (a) Northwest corner of Ranch Road 12 and Brookmeadow Drive;
- (b) Northeast corner of Deerfield Drive and Woodcreek Drive;
- (c) Northeast corner of Triangle Park;
- (d) Northwest corner of Triangle Park; and
- (e) Southwest corner of Woodcreek Drive and Ranch Road 12.
- (f) Intersection of Brookmeadow Drive and Augusta Drive
- (g) Entrance to Cypress Point at Intersection with Woodcreek Drive

(2) The sign holders shall be constructed in a manner to allow the placement of a sign no larger than 24 inches wide by 30 inches high.

(3) In no instance shall the maximum height of any sign or sign holder exceed 36 inches above ground level.

(4) Written applications to place signs at the designated locations shall be submitted to the City Manager no earlier than 30 days in advance of the date for which the sign placement is requested.

(5) Applicants must submit a permit application, along with a \$25 application fee for the first sign, to the City Manager in a timely fashion as described above. Signs at each additional location require an additional \$10 fee per location.

(6) Signs shall be considered on a first-come, first-serve basis,

(7) No more than three signs are permitted at any one location at any one time.

(8) Signs shall be limited to 72 hours total placement time before removal. The City Manager may authorize an extension of up to 48 additional hours.

(9) In no instance shall streamers, balloons, strobe lights, or any other attachment to the signs be permitted..

(10) In the event the signs are not removed by the applicant or applicant's agent by the date and time set forth on the approved application and permit, the city may remove and dispose of the sign.

(Ord. 12-164, passed 7-11-2012; Ord. 13-177, passed 2-13-2013; Ord. 14-204, passed 9-10-2014; Ord. 16-222, passed 7-13-2016) Penalty, see § 152.99

PROHIBITIONS AND RESTRICTIONS

§ 152.40 EXEMPTIONS FOR CERTAIN SIGNS.

The following types of signs are exempt from regulation under this chapter:

(A) Any sign inside a building, not attached to a window or door and not oriented so as to be read from outside the building;

(B) Commemorative plaques and historical markers mounted on the face of a building or erected on a site as a freestanding monument, when placed by a governmental entity, historical society or religious organization to commemorate a person, event or other matter of historical interest; and

(C) Any sign erected or required to be erected by any governmental entity or public utility to give information, directions or warnings to the general public, regardless of the sign's location on public or private property.

(Ord. 08-118, passed 11-12-2008)

§ 152.41 PROHIBITED SIGNS GENERALLY.

No person shall construct, place, erect or use signs of the following nature on any property within the city limits or extraterritorial jurisdiction of the city:

(A) Balloons;

(B) Beacons;

(C) Billboards;

(D)

(D) Flashing signs;

(F)E Moving signs;

(G) F Portable signs;

(H) G Promotional signs, except those located on or inside of a window of an establishment;

(I) H Roof signs;

(J) I Sidewalk signs;

(K) J Vehicular signs, other than one sign advertising the vehicle itself for sale not to exceed one and one-half square feet in area in the window of the vehicle;

(L) K Posters, pennants, ribbons, streamers, strings of light bulbs, spinners or other similar devices. Flags and banners, as regulated elsewhere in this chapter, are not included in this prohibition. This provision does not apply to temporary strings of light bulbs used solely in celebration of religious or cultural holidays, or to strings of "miniature Christmas tree type" white lights attached to an establishment for a period not to exceed 60 days;

(M) L Signs that contain statements, words or pictures of an obscene, indecent or immoral character or which offend public morals or decency;

(N) M Signs that the City Engineer identifies as constituting a hazard to vehicular or pedestrian traffic either because their location interferes with or obstructs the view of a traffic sign, signal or device or because their design or content may be confused with or construed as a traffic sign, signal or device;

(N) Commercial signs of any character, in any form of construction, and at any location except as permitted by this chapter;

(P) O Signs whose wording or other contents, directly or indirectly, names, advertises or calls attention to any business, product, service, institution, organization, event, cause, purpose or activity that has ceased to be in operation for more than 30 days; and

(Q) Directional signs that direct motorists to park or not park on public property or public right-of-way. This provision does not apply to the particular governmental entity that is the owner, custodian, trustee or manager of the public land or public rights-of-way. An exception to this requirement shall be made for community events, such as the Annual Home Tour and other events benefitting the community.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.42 PROHIBITED SIGNS IN RESIDENTIAL DISTRICTS.

In addition to the types of signs enumerated in § 152.41 of this chapter, no person shall construct, place, erect or use any of the following types of signs in a Residential Sign District within the city limits or the city's extraterritorial jurisdiction:

- (A) Attached sign;
- (B) Auxiliary sign;
- (C) Awning sign;
- (D) Banner;
- (E) Canopy sign;
- (F) Changeable copy sign;
- (G) Commercial sign;
- (H)
- (I)
- (J) Drive-through window sign;
- (K)
- (M)
- (N) Monument sign, changeable copy;
- (O) Moving sign;
- (P) Projecting sign;
- (Q) Promotional sign;
- (R)
- (S) Roof sign;
- (T) Sidewalk sign;
- (U) Wall sign; and
- (V)

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.43 RESTRICTIONS ON CERTAIN SIGNS.

No person shall construct, place or erect the following signs, except as provided in this chapter.

(A) *Attached signs.* In aggregate, the area of attached signs in a Non-Residential Sign District cannot exceed the lesser of 10% of the area of the wall to which they

relate, including windows and doors, or 30 square feet.

(B) *Auxiliary signs.* The aggregate area of all auxiliary signs on any establishment shall not exceed two square feet.

(C) *Awning signs.* Awning signs may not exceed 16 square feet in area.

(D) *Banners.* Banners must be securely attached to a building or other permanent structure and must be kept in good repair throughout the time of their display. No establishment may display more than two banners at any one time. Banners, including community service signs, shall not exceed 12 square feet in area and they shall not be erected for more than 30 days in succession. They shall be removed by the responsible party within no more than three days following any event to which they relate and they shall not be placed on any site more than three times within a 12-month period.

(E) *Bulletin boards.* A bulletin board may be located only on the premises of the institution or organization to whose activities it pertains. A bulletin board may not exceed 16 square feet in area.

(F) *Canopy signs.* Only one canopy sign may be permitted per establishment. No canopy sign may extend beyond an edge of the canopy structure to which it is attached. Except at a corner, no canopy sign may be closer than five feet from the end of the longer side of the canopy structure. A canopy sign which is perpendicular to a building face may not exceed two-thirds of the width of the canopy structure or exceed eight square feet in area. A minimum spacing of ten feet must be provided between such canopy signs. A canopy sign which is parallel to a building face may not exceed two-thirds of the length of the canopy structure or exceed 16 square feet in area. No canopy sign may extend more than two feet either above or below the horizontal underside of the canopy structure. No canopy sign shall be less than seven feet from ground clearance.

(G) *Community service signs.* A community service sign may be erected only by a unit of government, school, chamber of commerce, religious organization or other non-profit agency. The area of a community service sign may not exceed six square feet in area in a Residential Sign District or 14 square feet in a Non-Residential Sign District. A community service sign that promotes any particular event may not be erected more than 30 days in succession or for more than 14 days prior to the event, and all such signs must be removed by the responsible party not more than three days after the event. Community service signs that are banners are further controlled by the provisions herein relating to banners.

(H) *Construction signs.* The area of a construction sign may not exceed eight square feet and the height may not exceed four feet. Only one construction sign may be permitted per street fronting a building or other project under construction, reconstruction or repair; except that, one additional sign, not exceeding three square feet in area, may be placed on the site by any individual contractor or subcontractor working on the project and not acknowledged on the principal sign. No part of a construction sign may exceed a height of six feet. Construction signs which are larger than three square feet in area and not securely mounted on a wall shall be set back at least ten feet from the property line or edge of the right-of-way. Within the city limits, a construction sign may not be erected before the city has issued a building permit for the project to which the sign refers, and all such signs must be removed within 15 days after the city issues a certificate of occupancy for the project. In the city's extraterritorial

jurisdiction, a construction sign may not be erected before the start of actual construction of the project to which the sign refers, and all such signs must be removed within 15 days after the completion of the project post-approval of site plan (if required).

(I) *Directional signs.* A directional sign may not contain any commercial message, except the name, logo or other symbolic identification of the establishment to which the sign is secondary. The area of a directional sign may not exceed six square feet. Directional signs must be located solely on the premises of the establishment to which they relate.

(J) *Drive-through window signs.* The area of a drive-through window sign may not exceed ten square feet.

(K) *Event signs, off-site.* Off-site event signs may not exceed an area of three square feet and may not be illuminated signs. Such signs may be placed only on private property and only with the consent of the owner of the property. No more than three such signs may be used to give directions to the same event. Such signs may not be placed more than 14 days prior to the event, and all such signs must be removed by the responsible party within one day after the conclusion of the event.

(L) *Event signs, on-site.* An on-site event sign may not exceed an area of three square feet at a residence or 16 square feet at any other location. Such sign may not be placed more than 14 days prior to the event, and it must be removed by the responsible party within one day after the conclusion of the event. There shall be no more than three on-site event signs for any event.

(M) *Flags.* Except for flags that are located on public land, no flagpole may be higher than 20 feet. At any establishment, the entire area of all flags (other than governmental flags) shall be counted toward the limit on the area of a self-supported sign on the premises. Except for governmental flags, no flags may be illuminated.

(N) *Freestanding signs.* Only one freestanding sign may be permitted per individual freestanding establishment. Only one freestanding sign may be permitted for a commercial complex; except that, a commercial complex with a land area of two acres or more may have one such free standing sign along each street which borders the complex for a distance of 200 feet or more. Such sign or signs may only identify the name and/or address of the complex and the individual tenants in the complex. If the structure of a freestanding sign contains or supports more than one sign, then each such sign must be of the same construction, coloring, design and style. A separate free standing sign for an individual establishment located within a commercial complex may be permitted only if the establishment meets both of the following conditions:

(1) The establishment is located along a street bordering the complex and in a separate building from the principal building of the complex; and

(2) The establishment has a separate driveway from the principal driveway entrance of the complex, and a separate parking area from the principal parking area of the complex, which may connect with the principal parking area, but is visually set off from that area by fencing or landscaping. If a landscaped area is installed at the base of a freestanding sign, this landscaped area shall be protected from damage by pedestrian and vehicular traffic by a retaining wall or other barrier or method of separation acceptable to the City Manager/Administrator. The plants in such landscaped area shall be maintained in a healthy condition, and the area shall be kept free of weeds, trash and debris by the responsible party.

(O) *Facilities location signs.* Facilities location signs designed to provide directions to the golf course (e.g., the Quicksand at Woodcreek Golf Club Pro Shop) and to the entrance to Camp Young Judea, are subject to the following requirements.

(1) *Location and number of signs.* There shall be a maximum of four facility direction signs for the golf course facility. Two of the signs shall be permitted on the property owned by the city at the RR 12 entrance to the city. One sign shall be permitted on the city right-of-way at the Woodcreek Drive west entrance to the city. One sign shall be permitted on the city-owned right-of-way at the intersection of Woodcreek Drive and Pro Lane. There shall be a maximum of two facilities directions signs for Camp Young Judea. One sign shall be permitted on city-owned property at the intersection of Brookhollow Drive and Woodcreek Drive, and one sign shall be permitted on city-owned right-of-way at the intersection of Brookhollow Drive and Jack Miller Drive.

(2) *Construction and materials.* Sign materials shall be predominately natural, such as stone, cedar or other types of wood or materials that simulate natural materials. The RR 12 signs may have directional copy on both sides, as they will be perpendicular to the street. All signs shall be a maximum of three feet in height and five feet in width. The maximum distance between the bottom of the sign and the ground shall be two feet.

(3) *Approval and removal.* The City Council shall have right of approval of the design of such signs and shall require a permit for them, prior to installation. It shall be the responsibility of the owners/management of the facilities to install and maintain the signs in good condition. In the event that the signs are no longer needed or not maintained in good condition, the city may require removal of the signs, at the expense of their owners.

(P) *Garage sale signs.* Garage sale signs shall not be posted on any property within the city limits or the ETJ, other than the posting locations designated by the City and the property that is the site of the garage sale. A permit is required to post in any or all of the locations designated by the City. The application for the permit may be found on the City's website. A garage sale sign may not exceed four square feet and may be erected no more than two days prior and one day after the garage sale.

(Q) *Illuminated signs.* Illuminated signs that are internally illuminated, other than residential development signs and single-family address signs, may only be illuminated during the related establishment's hours of operation and for a period of no more than one hour afterward. Such internally illuminated signs may be illuminated on days that the establishment is not open for business for no longer than they are illuminated during a normal business day. The area of an illuminated sign which is internally illuminated may not exceed 18 square feet. The illumination from an illuminated sign which is internally illuminated may not exceed four foot candles at a distance of eight feet. The area of an illuminated sign, other than freestanding signs permitted in commercial complexes, may not exceed 24 square feet. Neon signs are prohibited except for signs no greater than four and one-half square feet in area located on or inside of a window of an establishment. No illuminated sign shall be illuminated to such intensity or in such a manner as to cause glare or brightness to a degree that it constitutes a hazard or nuisance. Illuminated signs that are illuminated by mercury arc or mercury vapor light sources are prohibited. The maximum illumination of any illuminated sign shall not exceed 40 foot candles in a Non-Residential Sign District or 20 foot candles in

Residential Sign Districts. The average illumination of an illuminated sign shall not exceed 20 foot candles in a Non-Residential Sign District or ten foot candles in a Residential Sign District. All light sources used with illuminated signs shall be shielded so that light is confined below the horizontal plane of the light source; except that, upward directed light may be used to illuminate governmental flags; provided, said illumination is confined to the area of the flag. There shall be no line of sight of any length from any point off the property on which a light source used to illuminate an illuminated sign is situated. Trespass illumination from all light sources on a property on which an illuminated sign is situated shall not exceed 0.1 foot candle. The measurement of trespass illumination shall be made at a point three feet above finished grade and four feet inside the boundary of the property on which the trespass illumination occurs. The measurements of the illumination of an illuminated sign shall be made at the surface of the sign. Illuminated signs not conforming to the illumination standards set forth above shall constitute a hazard and a nuisance.

(R) *Integrated signs.* The area of an integrated sign shall not be counted toward the limit on the area of wall signs on the same wall; provided that, the integrated sign contains no commercial message substantially duplicating another sign.

(S) *Model home signs.* A model home sign may be erected only on the actual site of a model home, and only one such sign may be erected on the site. The area of a model home sign may not exceed eight square feet, and the height of a model home sign may not exceed six feet. A model home sign may not be an internally illuminated sign, but may be externally lighted until 10:00 p.m. All model home signs must be removed within 30 days after 90% of the homes in the subdivision are sold.

(T) *Monument signs.* The area of a monument sign for an individual establishment may not exceed 24 square feet in any Non-Residential Sign District. The area of a monument sign for a commercial complex may not exceed 12 square feet. The height of a monument sign may not exceed eight feet.

(U) *Monument sign, changeable copy.* The changeable copy portion of the sign shall not exceed six square feet in area.

(V) *Name plates.* The area of a name plate may not exceed one square foot in a Residential Sign District or two square feet in a Non-Residential Sign District. Only one name plate may be permitted per residence or establishment.

(W) *Pet signs (lost/found).* Pet signs may be placed only at the public bulletin board located at the Triangle Park at the intersection of Woodcreek Drive and Brookhollow Drive. Persons wishing to post a pet sign must contact the city Administrator during normal business hours for approval. The city shall automatically remove pet signs from the public bulletin board 15 days after posting.

(X) *Political signs.* Political signs may be placed only on the premises of a person or entity upon receipt of that person's or entity's express authorization. No political sign may be placed in, on or over any public right-of-way or publicly-owned land. Political signs may not have an effective area greater than 36 feet, be more than eight feet high, be illuminated or have any moving parts.

(Y) *Projecting signs.* Only one projecting sign may be permitted per establishment; except that, in an establishment which is located on the corner of a street intersection or at the end of a building in a commercial complex, the establishment may have one projecting sign on the front wall and one projecting sign on the side wall of the building.

The area of a projecting sign may not exceed 12 square feet. No projecting sign may exceed a height of 12 feet. No projecting sign may extend above any roof line of the wall of the building to which it is attached, nor beyond the end of the wall to which it is attached. A projecting sign attached to a building on private property may not extend over any public land, except a sidewalk adjacent to a building which is lawfully built up to the public right-of-way.

(Z) *Public service signs.* A public service sign may be placed only in a Non-Residential Sign District and only on the same lot or tract of land as the establishment sponsoring the sign. The area of a public service sign may not exceed 12 square feet, regardless of whether the public service sign is a separate sign or integrated as a component of another sign. Residents are allowed to post public service signs, including signs supporting political candidate, charities, or political organizations on their private property.

(AA) *Realty signs.* Realty signs may be placed only upon the premises to which they refer, and only one such sign may be permitted per street fronting the lot or tract. The area of a realty sign may not exceed eight square feet and the height may not exceed four feet. For properties on the golf course, an additional sign may be placed on the area of the property fronting the golf course.

(BB) *Residential development signs.* In addition to the name and/or the address of the residential development, a residential development sign may incorporate incidental leasing information and/or the contents of a directional sign. A residential development may have no more than one residential development sign for each street fronting such development. For a residential development with six or fewer residential units, the area of a residential development sign may not exceed eight square feet. For a residential development with more than six residential units, the area of a residential development sign may not exceed the smaller of either two square feet per residential unit or 16 square feet in total. For a residential development sign in a condominium development or in a subdivision in which the sign is common property of the subdivision homeowners, the condominium regime or restrictive covenants must provide adequate assurance, in the judgment of the City Manager/Administrator, that the landscaped area, if present, at the base of the sign will be properly maintained by the condominium owners' association or homeowners' association.

(CC) *Self-supported signs.* The area of a self-supported sign for a single establishment may not exceed three square feet in a Residential Sign District or 24 square feet in a Non-Residential Sign District. The area of a self-supported sign for a commercial complex may not exceed 12 square feet in a Residential Sign District or 64 square feet in a Non-Residential Sign District. For a commercial complex in a Non-Residential Sign District with a land area of two acres or more and frontage of 200 feet or more on each of two or more streets and more than one self-supported sign, the total area of all self-supported signs may not exceed 100 square feet. The height of a self-supported sign may not exceed ten feet for a single establishment or 12 feet for a commercial complex in a Non-Residential Sign District or four feet in a Residential Sign District.

(DD) *Single-family address signs.* In addition to the name of the occupants and/or the address of the residence, a single-family address sign may contain an incidental personal message from the occupants, but it may not contain any commercial sign. The

area of a single-family address sign may not exceed three square feet.

(EE) *Wall signs.* A wall sign which is not painted directly on the surface of a wall must be securely mounted to and supported by the wall throughout the length and width of the sign. Only one wall sign may be permitted per establishment. The area of a wall sign on any single wall may not exceed an area greater than 3% of the area of that wall, including windows and doors, or 30 square feet, whichever is less. The changeable copy portion of any wall sign shall not exceed eight square feet in area.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.44 UNIFORM SIGN RESTRICTIONS.

(A) No person shall construct, place, erect or use a sign anywhere in the city limits or the city's extraterritorial jurisdiction, except in accordance with city ordinances.

(B) No sign may be placed on or attached to any tree.

(C) No sign may be placed on or attached to any utility pole or pedestal, except by a utility company owning the pole or pedestal or operating facilities mounted on the pole or in the pedestal.

(D) Signs no longer in use must be removed if the sign's name advertises or calls attention to a business, service, product, institution, purpose, organization, cause or activity that has been discontinued, ceased operation, has not been offered on the site or is out of existence for a continuous period of 30 days or more.

(E) No sign or part of a sign, including mounting fixtures and supporting structures, may be located on or above any public land or public rights-of-way, except in areas designated by the City and with the proper permit or permission. of this chapter. This provision does not apply to the particular governmental entity that is owner, custodian, trustee or manager of the public land or public rights-of-way.

(F) No sign or part of a sign, including mounting fixtures and supporting structures, which is mounted above or projects over any sidewalk, street, drive or parking area, whether on public or private land, may be hung with less than seven feet of vertical clearance above the sidewalk or less than 15 feet of vertical clearance above the street, drive or parking area.

(G) No sign may be located on any sidewalk or in any unpaved walkway intended for public use.

(H) No sign or part of a sign frame may be located between two feet and ten feet above the established ground level within the area of a clear sight triangle for traffic extending 25 feet in each direction from the point of a street intersection.

(I) No sign may be located closer than six feet laterally to a secondary power line or closer than ten feet laterally to a primary power line.

(J) No illuminated sign, and no permanent sign, except a directional sign, may be mounted or placed on or extend above the side wall or rear wall of any building, or be located in the side yard or rear yard of any lot or tract of land, when such sign faces upon and is visible from a contiguous Residential Sign District.

(K) No part of a sign attached to a building shall extend beyond any roof line of the portion of the building to which it is attached.

(L) A person may not place, maintain or display on or in view of a public street a sign, signal, marking or device that:

- (1) Imitates or resembles an official traffic-control device or railroad sign or signal;
- (2) Attempts to direct the movement of traffic; or

(3) Hides from view or hinders the effectiveness of an official traffic-control device or railroad sign or signal.

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

PERMITS

§ 152.55 PERMIT AND FEE REQUIRED.

Except as provided in § 152.57 of this chapter, no person may construct, place, erect, install, alter, repair or relocate any sign without first obtaining a sign permit from the designated City Staff. Applications for a sign permit shall be submitted in conjunction with any required building permit or prior to the construction, placement, erection, installation, alteration, reparation or relocation of any sign, except as provided in § 152.57 of this chapter. Each application for a sign permit must be accompanied by the appropriate fee established in the City's Master Rate Schedule ([link here](#)).

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.56 PERMIT APPLICATION.

The application for a sign permit shall include a completed sign application form; complete information on all aspects of the proposed sign, including type, dimensions, design, content, purpose, placement; a sample set of the proposed materials and/or paint colors; construction plans; and such drawings, descriptions and specifications as are reasonably determined by the City Manager/Administrator to be necessary for proper review of the application. Any other documentation, including photographs and catalogs, which may further support the application, is encouraged to be included. For temporary signs, such as estate or garage sales, the applicant may present a the sign(s) for posting at the time of application.

(Ord. 08-118, passed 11-12-2008)

§ 152.57 PERMIT EXEMPTIONS.

The following types of signs are exempt from the requirement to obtain a sign permit; provided, the signs are not illuminated signs, either internally or externally, and provided the signs comply with all other provisions of this chapter and other applicable codes:

(A) Auxiliary signs, such as signs providing general information such as pricing, official notices or services required by law, or signs giving directions to offices, restrooms, exits and like facilities;

(B) ;

(C) Flags of governments, churches or schools;

(D) Name plates;

(E) Political signs;

(F) Pet signs (lost/found);

(G) Realty signs;

(H) Single-family address signs;

(I) Religious signs or signs expressing support for a religious or political cause

(J)

(Ord. 08-118, passed 11-12-2008)

§ 152.58 ACTIONS EXEMPT FROM PERMIT.

The following actions are also exempt from the requirement of a sign permit:

(A) Repainting, rearranging or replacing letters or characters on an existing sign; provided that, the area of the sign is not enlarged, the height of the sign is not increased, the location of the sign is not changed and/or no other change is made to the

sign;

(B) Changing the copy on a bulletin board or changeable copy sign; or

(C) Replacing the fabric or other material of an awning sign when no other change is made to the sign.

(Ord. 08-118, passed 11-12-2008)

§ 152.59 EXPIRATION OF PERMITS.

All sign permits shall be for a specified term. A sign permit for any sign which use is limited to a time period specified by this chapter, or which removal is required at a certain time by this chapter, must be for a specified term that does not exceed the time limit established by this chapter. The specified time limit for the construction of a sign under a sign permit shall not exceed three months. If substantial progress has not been achieved within threemonths, the permit shall automatically expire. Substantial progress shall include good faith initiation of construction of the sign or significant expenditures of funds toward sign construction.

(Ord. 08-118, passed 11-12-2008)

§ 152.60 MODIFICATIONS.

After a sign permit has been issued by the City it shall be unlawful to change, modify, alter or otherwise deviate from the terms and conditions of the permit without prior approval by the City

(Ord. 08-118, passed 11-12-2008) Penalty, see § 152.99

§ 152.99 PENALTY.

(A) (1) . The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person violating any provision of this chapter is subject to suit for injunctive relief as well as civil action to to enforce the provisions of this Chapter and seek remedies.

(2)

(2) *Civil remedies.* Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to, the following:

(a) Injunctive relief to prevent specific conduct that violates the chapter or to require specific conduct that is necessary for compliance with the chapter; and

(b) A civil penalty up to \$500 a day when it is shown that the defendant was actually notified of the provisions of the chapter and after receiving notice committed acts in violation of the chapter or failed to take action necessary for compliance with the chapter; and other available relief.

3) *Notice and removal.* In addition to remedies otherwise provided in this chapter, whenever the City has evidence of a sign which after the effective date of this chapter was erected, constructed, altered, repaired, relocated or changed in violation hereof, or is otherwise in violation hereof, the City shall require the party responsible for such sign to remove it. If the responsible party fails to remove the sign within 72 hours after being notified to do so, or if the sign poses an immediate danger to the public, then such sign may be removed by the city and the city's actual cost of removal shall be charged to the responsible party. Any sign so removed shall be impounded and shall not be returned to the party responsible until all applicable charges are paid. If any sign remains unclaimed for a period of more than 30 days, the city may destroy, sell or otherwise dispose of the sign.

(4) *Immediate removal.* The city shall have the authority to immediately remove and dispose of signs deemed in violation of this chapter if such signs are placed on or attached to trees, utility poles or pedestals, or located on any public land or public rights-of-way. The city may enforce this section without notice and without returning the removed signs to the responsible party.

(B) It is a violation of § 152.26 of this chapter to place or otherwise locate a sign upon the city's rights-of-way without express written authorization as set forth herein. Any person who violates § 152.26 of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$1 and not to exceed \$200. Each incident of violation of § 152.26 of this chapter shall constitute a separate offense.

(Ord. 08-118, passed 11-12-2008; Ord. 12-164, passed 7-11-2012; Ord. 13-177, passed 2-13-2013)

Council Meeting Date: 7/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Final adoption of a Noise Ordinance. CHAPTER 97: NOISE

Item Summary:

With proper codification added

Financial Impact:

Cost of re-codifying

Recommendation:

Adoption of this ordinance.

Attachments:

Ordinance amendment

Submitted By:

Councilmember Jackson

ORDINANCE NO. 19-259

CITY OF WOODCREEK, TEXAS

CREATION OF CHAPTER 97 – NOISE TO THE CODE OF ORDINANCES

AN ORDINANCE OF THE CITY OF WOODCREEK ESTABLISHING THE CREATION OF A NOISE ORDINANCE KNOWN AS CHAPTER 97: NOISE UNDER TITLE IX: GENERAL REGULATIONS; PROVIDING FOR ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE, AND FINDING PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Woodcreek ("City Council") has determined that the public welfare would be best served by creating an ordinance limiting and providing guidelines for outdoor noise in the areas of the City of Woodcreek;

WHEREAS, the City Council has general authority to adopt the regulations herein relating to the outdoor noise levels affecting the citizens of Woodcreek;

WHEREAS, the City Council being a general law municipality, the City has exclusive control to regulate the outdoor noise levels within the City limits;

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

1. FINDINGS OF FACTS

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

2. ENACTMENT

The addition of Title IX: General Regulations, Chapter 97: Noise, to the Code of Ordinances of the City of Woodcreek is created to read as Attachment A, which is 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 Chapter 97, 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.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed and 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.

PASSED & APPROVED this, the _____ day of July, 2019, by a vote ofof the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

William P. Scheel, Mayor

ATTEST:

Linda Land, City Secretary

Attachment A
City of Woodcreek – Code of Ordinances

CHAPTER 97: NOISE

Section

- 97.01 Popular name
- 97.02 Purpose
- 97.03 General prohibitions; quiet hours
- 97.04 Restrictions on amplified sound
- 97.99 Penalty

§ 97.01 POPULAR NAME.

This chapter shall be commonly referred to as the city's "Noise Ordinance."

§ 97.02 PURPOSE.

This chapter is adopted so the City Council may promote the enjoyment, safety and general welfare within the city through the regulation of noise within the city. By establishing certain guidelines and limitations while respecting the Texas Constitution's regulations, the City Council seeks to protect property values and the quiet nature of our City neighborhoods

§ 97.03 GENERAL PROHIBITIONS; QUIET HOURS

- (A) Quiet hours in residential neighborhoods are defined as:
 - (1) 10:00 p.m. to 7:00 a.m. Sunday evening through Friday morning
 - (2) 11:00 p.m. to 8:00 a.m. Friday evening through Sunday morning;

(B) Any noise of such character, intensity or continued duration which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.

(C) Any noise of such character, intensity or continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance and is hereby prohibited.

This section shall not apply to any athletic event, cultural event or concert authorized by the city.

§ 97.04 RESTRICTIONS ON AMPLIFIED SOUND

- (A) The limitations in this section apply to all permits for the use of sound equipment authorized by the City.
- (B) No amplified sound equipment shall be allowed within 100 feet of property zoned and used as residential.
- (C) The City Manager may issue a permit for use of sound equipment, as

authorized by this chapter, for property that is:

- (1) beyond 100 feet but within 600 feet of property that is zoned and used as residential, between:
 - (a) 10:00 a.m. and 8:00 p.m. on Monday through Thursday;
 - (b) 10:00 a.m. and 9:00 p.m. on Friday or Saturday; or
 - (c) 11:00 p.m. and 8:00 p.m. on Sunday
- (D) Other than in cases of emergency, amplified sound equipment will not produce sound in excess of 45 decibels at the property line of nearby residences.

§ 97.99 PENALTY.

(A) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person violating any provisions of this chapter is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this chapter is hereby declared to be a nuisance.

(B) Any person violating any provision of this chapter shall be subject to a fine upon conviction in Municipal Court or another court of competent jurisdiction, of not more than \$100, and each day of violation of this chapter shall constitute a separate offense. An offense under this chapter is a misdemeanor.

(Ord. 19-259, passed 7/10/2019)

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Council Meeting Date: 7/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Possible Action regarding the City of Woodcreek 2030 Comprehensive Plan Goals, Objectives, & Strategies

Item Summary:

Comprehensive plan

Financial Impact:

Recommendation:

Council adopt the City of Woodcreek 2030 Comprehensive Plan Goals, Objectives, & Strategies

Attachments:

City of Woodcreek 2030 Comprehensive Plan Goals, Objectives, & Strategies

Submitted By:

Councilmember Jackson

ORDINANCE NO. _____

CITY OF WOODCREEK, TEXAS

ADOPTION OF CITY OF WOODCREEK'S VISION 2030 MASTER PLAN

AN ORDINANCE OF THE CITY OF WOODCREEK ADOPTING THE CITY OF WOODCREEK'S VISION 2030 MASTER PLAN. THE CITY COUNCIL WILL BE RESPONSIBLE FOR IMPLEMENTING AND PERIODICALLY UPDATING THE VISION 2030 MASTER PLAN TO MEET THE CONTINUING NEEDS OF THE CITY OF WOODCREEK IN THE FUTURE.

WHEREAS, the Texas Local Government Code Chapter 213 provides that a governing body may have a comprehensive or long-term master plan for the development of the municipality;

WHEREAS, Woodcreek's Vision 2030 Master Plan has been developed and reviewed by the Planning and Zoning Commission and in their judgment and the judgment of the City Council this plan provides benefits and meets the needs of the citizens of Woodcreek,

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

1. FINDINGS OF FACTS

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

2. ENACTMENT

The City of Woodcreek will adopt the Woodcreek's Vision 2030 Master Plan as written by the Planning and Zoning Commission and as reads in Attachment A, which is 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 the Woodcreek's Vision 2030 Master Plan, 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.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed and 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.

PASSED & APPROVED this, the ____ day of _____, 2019, by a vote of ____ Ayes to ____ Nay and ____ Abstentions of the City Council of Woodcreek, Texas.

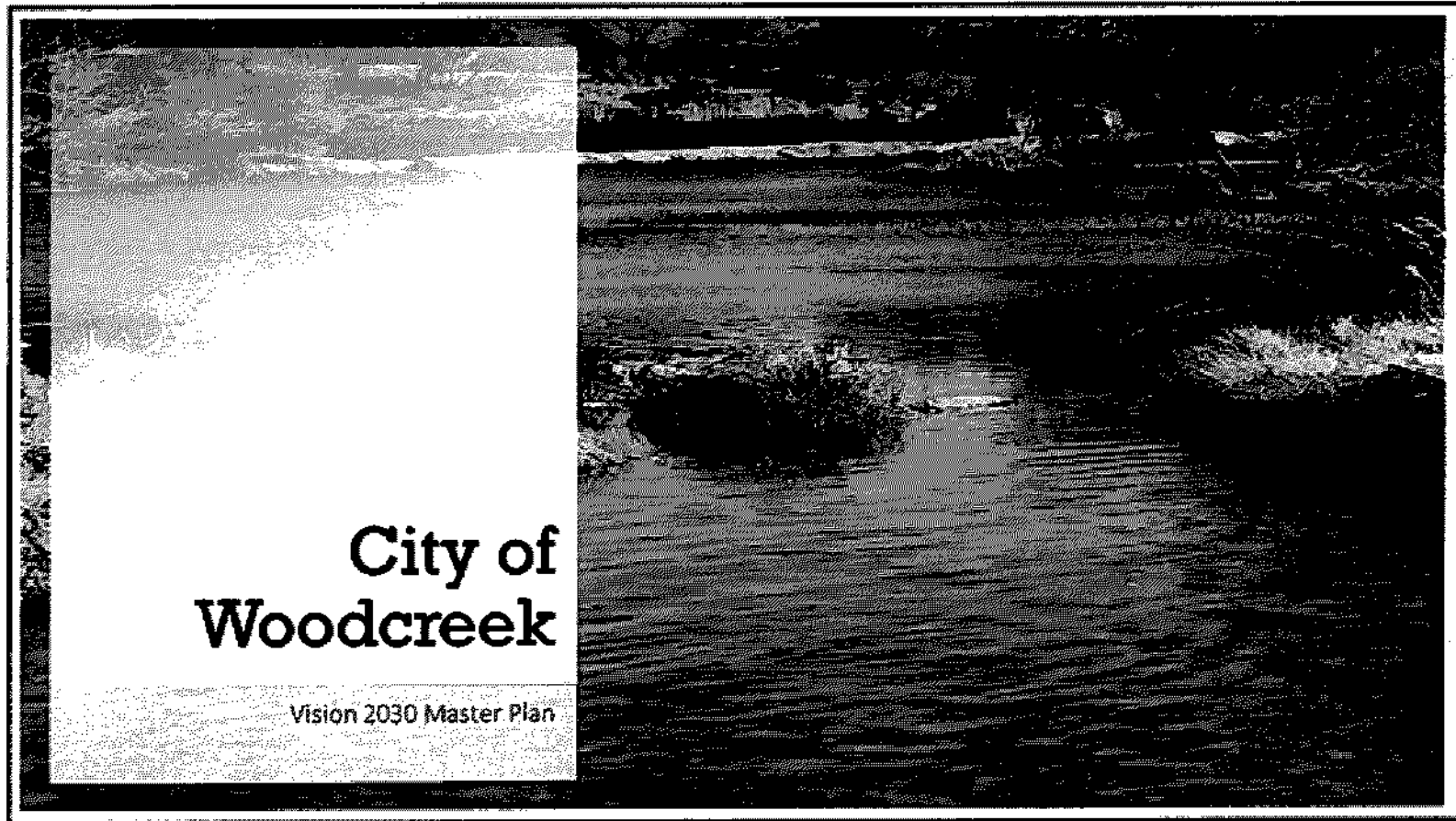
CITY OF WOODCREEK:

William P. Scheel, Mayor

ATTEST:

Linda Land, City Secretary

City of Woodcreek – Vision 2030 Master Plan

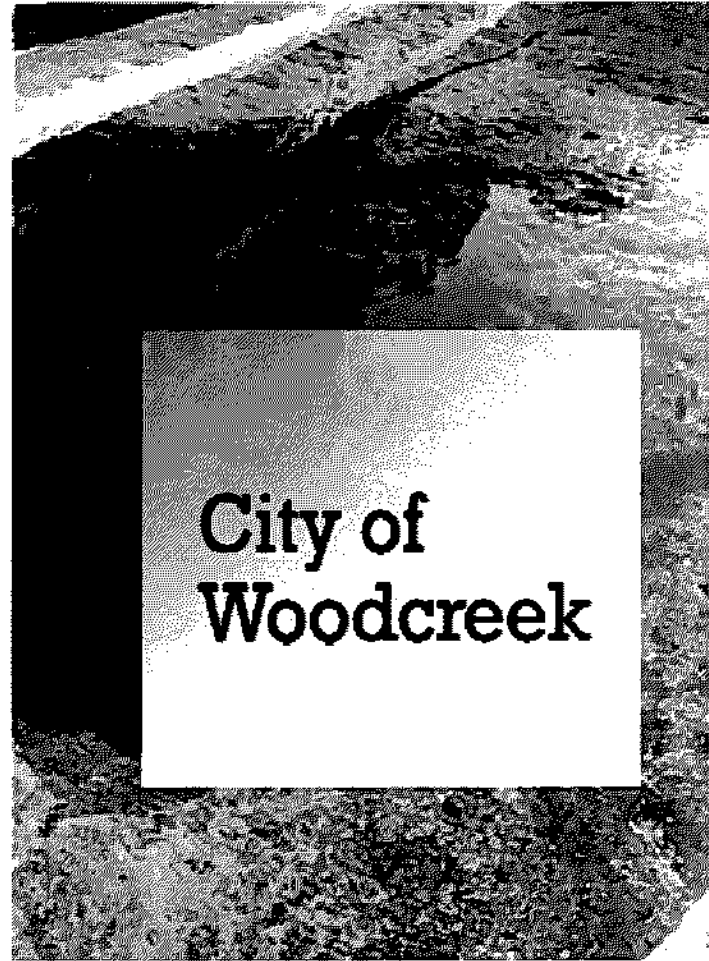


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Vision 2030 Master Plan - City of Woodcreek



Background

Vision 2030 Master Plan

The first Master Plan for the City of Woodcreek, "Vision 2020" was completed in August 1999. The original plan called for citizens and council members to conduct a periodic review of the document. Accordingly, a subsequent plan review was submitted to the City Council by a citizens committee in October 2004.

In June 2009, Mayor Eric Eskelund called for the update of the Master Plan. This effort went beyond the review conducted in 2004 and included an in-depth analysis of conditions in the community gathered through a survey of citizens.

In 2015, Mayor Eskelund called for update of the Master Plan and charged Councilmembers Jerry Moore and William Scheel with the process of updating the 2009 Master Plan. Council members Moore led the effort supported by a citizens committee and fellow Councilmember Scheel. They conducted a survey of citizens, reviewed goals and objectives, developed updates for those goals and objectives, and conducted a community meeting that set the foundation for the plan update.

Councilmember Scheel became Mayor in December 2017 and in the Spring of 2018 Councilmember Aurora LeBrun was appointed to fill this vacancy. Mr. Moore did not complete the Plan update prior to retiring from Council in November 2018. Newly-elected Councilmember Cyndi Jackson replaced Mr. Moore as Chair of the Committee.

The final draft of the document was presented to the Planning & Zoning Commission for review and recommendations. A public hearing was held by the Planning & Zoning Commission on March 20, 2019. City Council approved the final document on (date here) after a Public Hearing on May 8, 2019.



Process

Vision 2030 Master Plan

PLANNING AND EXECUTION

Applications were accepted from interested citizens and a 2030 Committee was formed. In the first meeting of the Committee, duties and responsibilities were outlined, as follows:

- Update the design of the comprehensive plan to meet current and future needs of the community on a long term basis.
- Seek and consider input from the community at large by developing a community survey.
- Develop new goals and objectives for the City based upon public input received from the community, survey, and public forums.
- Make periodic progress reports to the City Council throughout the update process.

Committee members were also charged with responsibilities for:

- Validation of the survey instrument
- Assessment of achievement of past goals and objectives

The Committee used the data reflected in the community survey and information received in the public meeting to assess the validity of the goals and objectives within the 2020 Vision Plan.

While the Committee found little change in the survey results conducted now 10 years later, they did see a dramatic shift in new residents in the Community. Additionally, the focused interest in parks and green space and continued concern with condition of the City's infrastructure became the cornerstone of the recommendations made.

9
6
7

Current Conditions

Vision 2030 Master Plan

Introduction

The City of Woodcreek, Texas, is a small, wooded, mostly-residential community located in the Texas Hill Country with a population of nearly 1,500 people within Hays County. Woodcreek is situated between Cypress Creek, which forms the western city limit, and Ranch Road 12, which forms the eastern city limit. Woodcreek is less than three miles directly northwest of Wimberley, Texas; ten miles directly south of Dripping Springs, Texas; and approximately 30 miles southwest of Austin, Texas. The Woodcreek community was incorporated in 1984 and was developed around a semi-private 18-hole golf course facility, presently called "Quicksand at Woodcreek" golf course.

The Existing Conditions Report details an inventory of current (2017) conditions in Woodcreek including the following topics: City Government; Population; Land Use and Zoning; Public Infrastructure and City Services; Economic Development (2018); Housing; Environment; and Parks and Open Spaces.

City Government

The City of Woodcreek is a Type-A General Law Municipality, according to the Texas Local Government Code, Chapter 6, meaning that the city has a population over 600 people and operates without a charter but according to the state statutes prescribing the city's powers, duties and limitations. Woodcreek is led by a City Council which consists of the Mayor, Mayor Pro-Tem, and four Councilmembers, all of which are elected to two-year terms. City staff consists of a City Manager, City Secretary, Director of Public Works, City Engineer, and Assistant Administrator.

Each Councilmember (including Mayor and Mayor Pro-Tem) and city staff play important roles in the function of the City, including a focus on the following responsibilities: City Hall; Planning; Public Safety; Development; Infrastructure; Open Spaces; and Executive/Administrative topics. There are a few City committees that act as subcommittees to the City Council to address specific topics such as: Planning and Zoning; the Parks and Recreation Board; the Roads and Streets Committee; and the Vision Update Committee.



Current Conditions

Vision 2030 Master Plan - City of Woodcreek

The City of Woodcreek is a member jurisdiction of the following state and regional agencies and organizations:

CAMPPO - The Capital Area Metropolitan Planning Organization

<http://www.campopo.net/>

Cypress Creek Watershed Protection Plan

<http://www.cwp.org/protected/plan.htm#page1>

TAMU - The Texas Municipal League

<http://www.tml.org>

CAPCOG - Capital Area Council of Governments

<http://www.capcog.org/>

Wanderley Valley Chamber of Commerce

<http://www.wanderley.org/>

Population

The City of Woodcreek has a population of 1,457 according to the latest Census (2010). The 2014 Texas State Data Center population estimates show the estimated population for Woodcreek to be 1,461, with a 0.3% increase in that four-year time period. The next Census will not take place until 2020. The table below shows the population changes between the 2000 and 2010 Census for Woodcreek.

2000 and 2010 Population for Woodcreek, Texas

Census Year	Population	Change (Range)
2000	1,274	
2010	1,457	+14.34%

The City of Woodcreek has a unique population compared to an average city, which presents unique needs. The table on the next page shows demographic and social characteristics of the City of Woodcreek's population and also how these characteristics compare to those of the United States as a whole.

Demographic and Social Characteristics		City of Woodcreek vs. United States		
Characteristic	2020 US Census	City of Woodcreek	US Census	% Diff.
2020 US Census				
Total Population	3,424	450	100	
Male	1,660	443	44.2	
Female	1,764	407	23.1	
Median Age (Years)	37		37.5	
Under 5 Years	50	14	3.2	
5-14 Years	1,130	146	12.9	
15-24 Years	640	57	8.9	
25-34 Years	1,440	190	13.2	
White	3,016	372	12.3	
Black or African American	0	0	0.0	
American Indian and Alaska Native	0	0	0.0	
Asian	0	0	0.0	
Native Hawaiian and Other Pacific Islander	0	0	0.0	
Some other race	408	78	19.1	
Hispanic or Latino	0	0	0.0	
Hispanic or Latino	0	0	0.0	
Household Population	1,360	150	11.0	
Family Households	1,000	100	10.0	
Total Housing Units	1,360	150	11.0	
Owner-Occupied Units	1,000	100	10.0	
Renter-Occupied Units	360	50	13.9	
Seasonal Housing Units	0	0	0.0	
Median Household Income	110,000	130,000	118.2	
High School Graduate or Higher	92.0	92.0	100.0	
Bachelor's Degree or Higher	30.0	30.0	100.0	
U.S. born citizens, children of U.S. born	100.0	100.0	100.0	
Married Status	50.0	50.0	100.0	
Married	0	0	0.0	



Figure 1
Demography compared to United States

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Current Conditions

Vision 2030 Master Plan

Land Use and Zoning

The city limit of Woodcreek is approximately 1.06 square miles. The Extraterritorial Jurisdiction (ETJ) extends 0.5 miles from the current city limits. The ETJ currently abuts the City of Wimberley city limits and the City of Wimberley ETJ currently abuts the majority of the southern boundary of the Woodcreek ETJ. The Woodcreek ETJ is 4.3 miles from the ETJ of Dripping Springs.

The community is made up mostly of residential land uses (single-family and multi-family residences), with some recreational land uses (the Quicksand Golf Course and Camp Young Judaea), some commercial/retail (a liquor store), and a nature preserve located on private property.

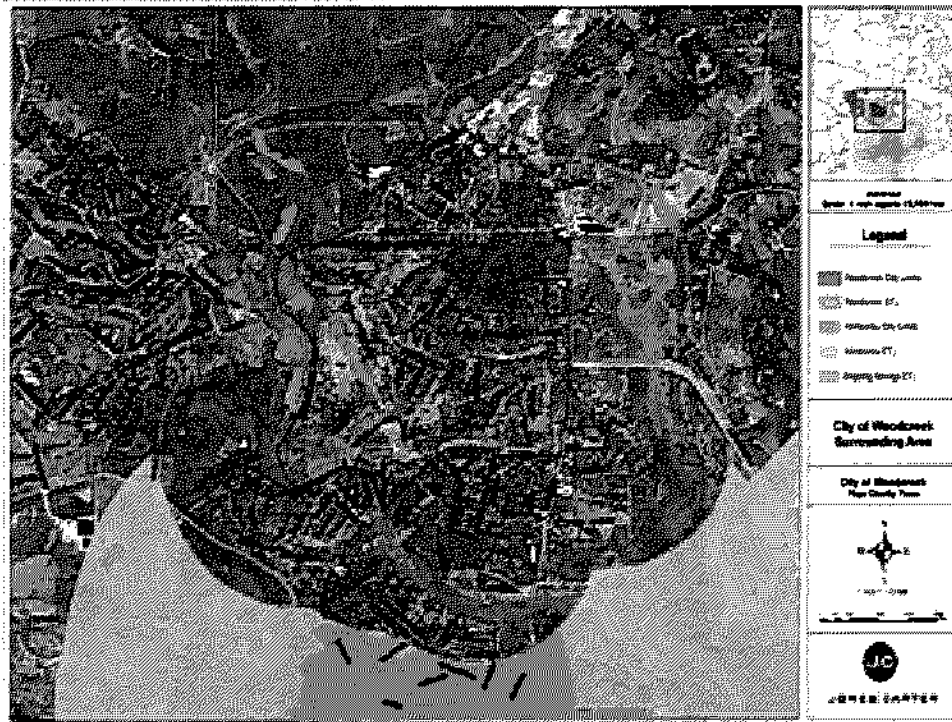


Figure 2
City of Woodcreek City Limit & ETJ Map

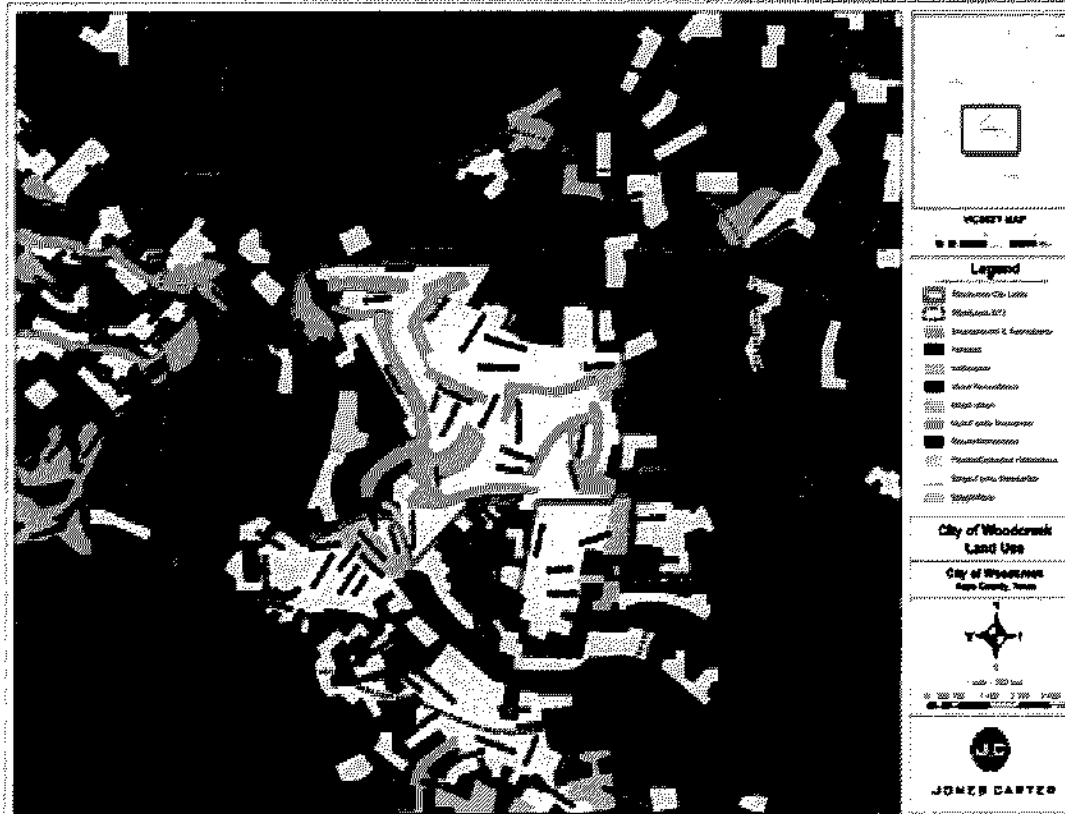
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Current Conditions

Vision 2030 Master Plan

Figure 3

City of
Woodcreek Land
Use Map



Vision 2030 Master Plan - City of Woodcreek

Current Conditions

The categories and descriptions of the City of Woodcreek's zoning ordinance are outlined below. The Zoning map for Woodcreek that corresponds to this list can be seen on the next page.

City of Woodcreek Zoning Categories:

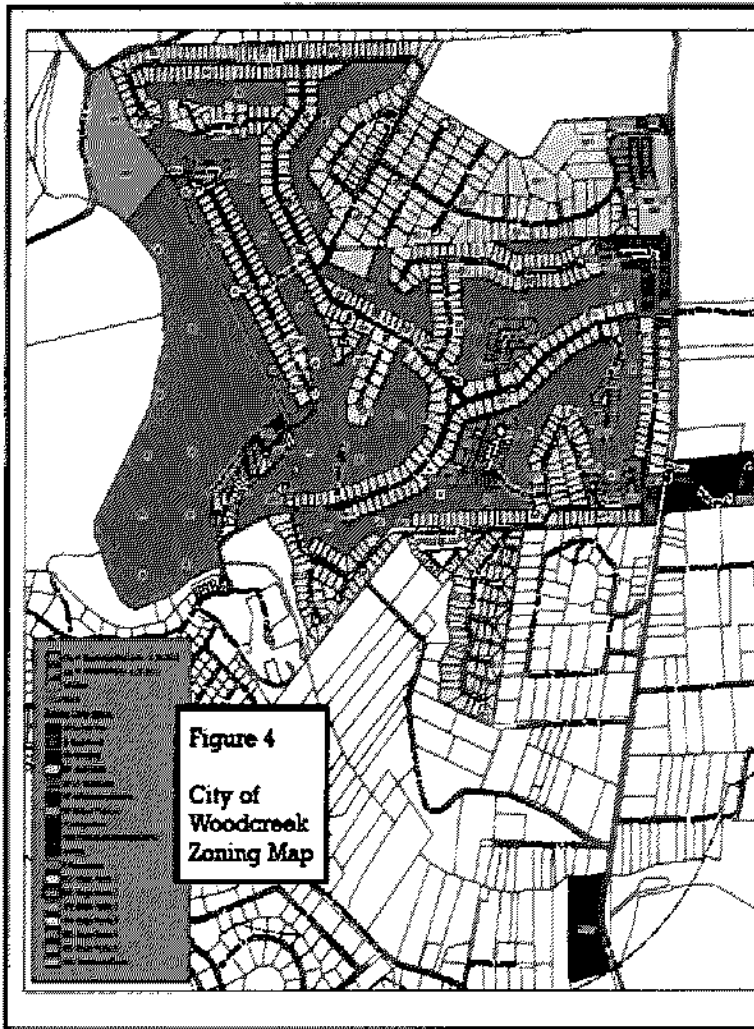
- 4PLX – Four Plex: Four single-family dwelling units limited to no more than one building per lot
- G – Governmental Services: Intended to provide appropriate areas for uses that provide important community services. (Facilities owned or leased by the federal, state, city, or city government; and churches, schools, either or public or private non-profit, and libraries)
- GB – Greenbelt District: Intended to establish and preserve peaceful, attractive, natural or undisturbed areas adjacent to residential districts (hiking, jogging, and non-motorized biking, and nature trails)
- MF-1 – Multi-Family: Single-family homes, duplex units, four-plex units, or apartment complexes having the number of units, but no more than 14 units per acre
- MF-2 – Multi-Family: Single-family homes, multi-family: Duplex units, four-plex units, or apartment complexes having the number of units, but no more than 16 units per acre
- MF-1A – Multi-Family: Duplex units, four-plex units or apartment complexes having the number of units, but no more than 14 units per acre
- NC – Neighborhood Commercial: Intended to provide sites for retail and service businesses or other such businesses
- NWP – Natural Wildlife Preserve: Privately owned land established to preserve open space and wildlife
- P-1 – Public Park: Intended to establish and preserve peaceful and attractive parcels of land as a place for public recreation (public open and natural areas surrounded or partly surrounded by woodlands or grassland)

Current Conditions

The categories and descriptions of the City of Woodcreek's zoning ordinance are outlined below. The Zoning map for Woodcreek that corresponds to this list can be seen on the next page.

City of Woodcreek Zoning Categories.

- PUD – Planned Unit Development: Planned diverse land uses, such as housing, recreation, and shopping in one consolidated development, and allowing for cluster development and alternative design standards.
- R – Recreational: Intended to establish and preserve attractive recreational facilities including golf courses and youth camp facilities.
- SF1 – Single Family 1: One-family dwelling with no more than one residence per lot (minimum square feet for one story: 1,500, for two story: 2,000)
- SF2 – Single Family 2: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000)
- SF3 – Single Family 3: One-family dwelling with no more than one residence per lot (minimum square feet for one story: 1,000, for two story: 1,200)
- SF4 – Single Family 4: One-family dwelling with no more than one residence per lot (minimum square feet: 900); short-term rentals allowed
- SF5 – Single Family 5: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000); one-car garage
- SF6 – Single Family 6: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000); two-car garage
- TH/C – Townhouse/Condo: Multiple-dwelling units with one family per dwelling unit
- U – Utility: Intended for uses required for both public and private utilities and commercial wireless communications systems



Current Conditions

Public Infrastructure and City Services

An inventory of the existing public infrastructure and city services for Woodcreek is presented in the list below including the name or entity of the service provider.

Service:	Provided By:
Water	Aqua Texas – Privately owned and operated
Wastewater	Aqua Texas – Privately owned and operated
Electricity	Pedernales Electric Cooperative, Inc. – Privately owned and operated
Telephone	Frontier
Internet	Charter Spectrum
Cable	Charter Spectrum
Fire	Wimberley Fire Rescue – volunteer fire department for the Wimberley Valley that serves Woodcreek
Police	Hays County Precinct 3 Constable's Office – Contracted with City of Woodcreek
EMT/Ambulance	Hays County
Emergency Management (Flood, Hazard, Homeland Security)	Hays County

Current Conditions

Vision 2030 Master Plan

Economic Development

Currently, the sales tax that is brought in for city purposes mostly originates with the golf course and the liquor store. While there are some home-based businesses in Woodcreek, none contribute a significant value to the tax base. The primary tax base for the City of Woodcreek is residential property tax. The City's 2018 total adopted ad valorem tax rate is \$0.2235/\$100 valuation including: \$0.1362/\$100 valuation for maintenance and operation and \$0.0873/\$100 valuation for principal and interest for debt service.

Woodcreek is beginning to focus on economic development, voluntary annexation, and ETJ development in order to bring in a stronger tax base for the community and to attract and retain residents to live, shop, and work in the community. An assessment of the potential to develop a stronger tax base may be explored in the future.

Housing

The City of Woodcreek has a mix of housing options, including single family and multifamily, however, the majority of housing is single family. As outlined in the Land Use and Zoning section, there are a variety of types of single family and multifamily housing uses permissible within the City of Woodcreek.

As of the 2010 Census, there were 783 total housing units in the City of Woodcreek, 712 of which were occupied. Of the 71 vacant housing units, which comprise 9.1% of all housing units, 1.1% were for rent, 0.1% were rented, but not occupied, 2.8% were for sale, and 0.3% were sold, but not occupied. As of the 2010 Census, there were 24 housing units that are for seasonal, recreational, or occasional use. The homeowner vacancy rate is 3.6% and the rental vacancy rate is 6.9%. These numbers will have changed since the 2010 Census, but no survey or reporting has been done to inventory this same information since then.

There are no current plans for future development at this time. In order for the City of Woodcreek to gain more residential housing developments, annexation would be necessary.

9416

Current Conditions

Vision 2030 Master Plan



Environment

Woodcreek is a heavily wooded community and wishes to maintain a healthy tree canopy. The City keeps record of any reports of "oak wilt" and notifies all adjacent properties to the diseased trees to assist with mitigation and tree mortality. In April 2015, the City produced a map illustrating locations of tree mortality or known tree disease centers of oak wilt in order to keep track of any issues and mitigate future problems and prevent further tree loss.

Other hazard prevention and environmental awareness efforts include a permanent ban on burning, feeding deer, and fireworks. The City has also adopted a Water Quality Protection Ordinance limiting impervious cover to 30% to assist with runoff and flooding.

Vision 2030 Master Plan - City of Woodcreek

14

9617

Current Conditions

Vision 2030 Master Plan

Parks and Open Spaces

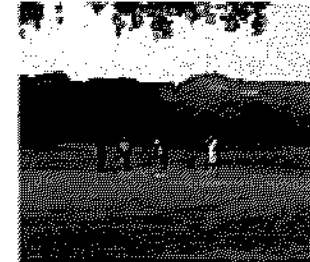
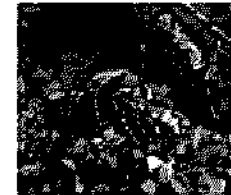
The City of Woodcreek currently maintains two parks: Augusta Park and the Memorial Plaza. The City maintains a beautification budget to trim trees on public lands, plant flowers/greenery, and maintain the parks and city-owned greenspace. Public Park zoning districts are intended to preserve parcels of land for public recreation. The Augusta Park and Veteran's Memorial Plaza, are currently the only parcels with this designation in Woodcreek.

Augusta Park is a beautiful half-acre park with a bocce ball court and picnic tables. There is also an educational rain garden to provide visitors with information on native plants. This park was partially funded by the LCRA/PEC Community Grant Program in 2015. Augusta Park is located toward the northern city limits of Woodcreek at 90 Augusta Drive.

Veteran's Memorial Plaza is an open space park located by the main entrance to the City of Woodcreek on the northwest corner of Ranch Road 12 at Woodcreek Drive. The Plaza includes flag poles, parking, picnic area, and a memorial for United States Veterans.

In addition, numerous roadways in the City feature tree islands that double as traffic calming devices as well as aesthetically pleasing natural features. The feel of the City is rural.

There is a Nature Preserve located in the northwest vicinity of Woodcreek that is privately owned land. The majority of the open and green space in the City of Woodcreek is designated as Recreational. This district establishes and preserves recreational facilities, such as the golf course and Camp Young Judaea youth camp facility.



Survey Responses

Vision 2030 Master Plan

While survey responses were relatively low compared to those of ten years ago, one thing is clear, the population is changing rapidly. A full 65% of respondents have been in the City for less than 10 years. Timely then, this survey asked why respondents selected Woodcreek. Not surprisingly, the rural setting continues to be a population driver.

Woodcreek, 2030 Comprehensive Plan Survey

Q2. How long have you lived in Woodcreek?

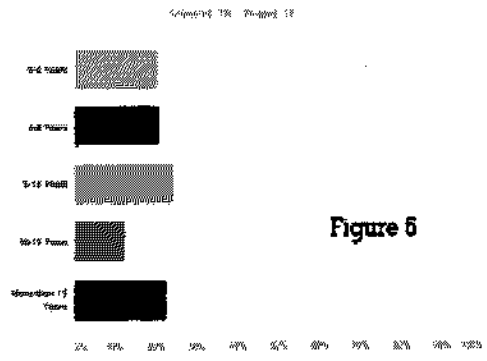


Figure 5

Answer Choice	Response	Count
0-4 Years	35.0%	36
4-8 Years	25.0%	26
5-10 Years	25.0%	26
10-15 Years	10.0%	10
More than 15 Years	5.0%	5
Total		103

Woodcreek, 2030 Comprehensive Plan Survey

Q3. If you moved to the City of Woodcreek from another community, why did you select it as your new home? Check all that apply.

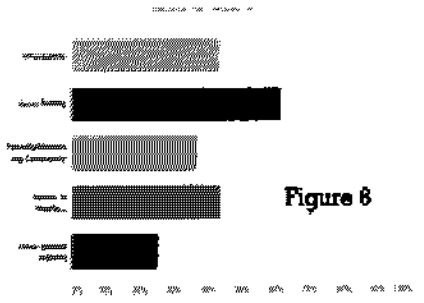


Figure 6

Answer Choice	Response	Count
Woodcreek	45.0%	46
Rural Setting	40.0%	41
Proximity to another Community	25.0%	26
Quality of Life	20.0%	21
Other (please specify)	10.0%	10

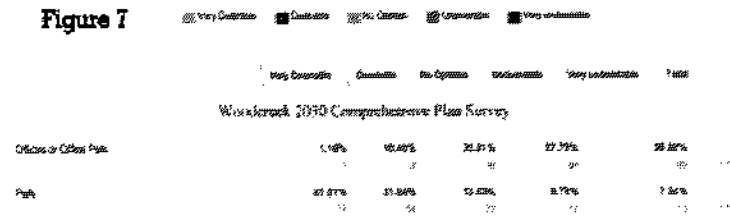
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Survey Responses

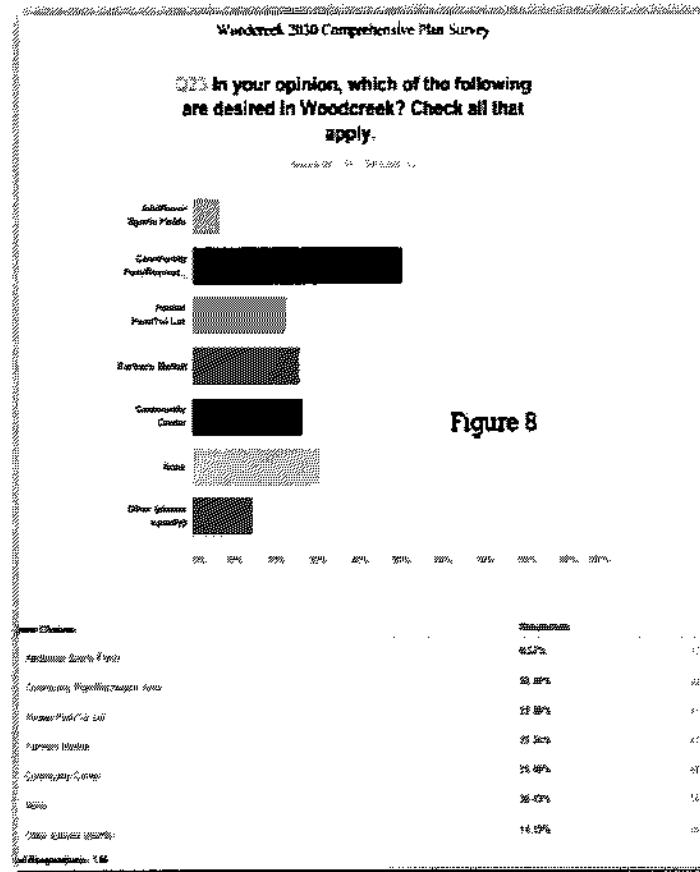
Vision 2030 Master Plan

The focus on a rural setting dominates the wish-list responses, with community and recreational space chosen as a priority. Park space was also given highest marks for desired land use.

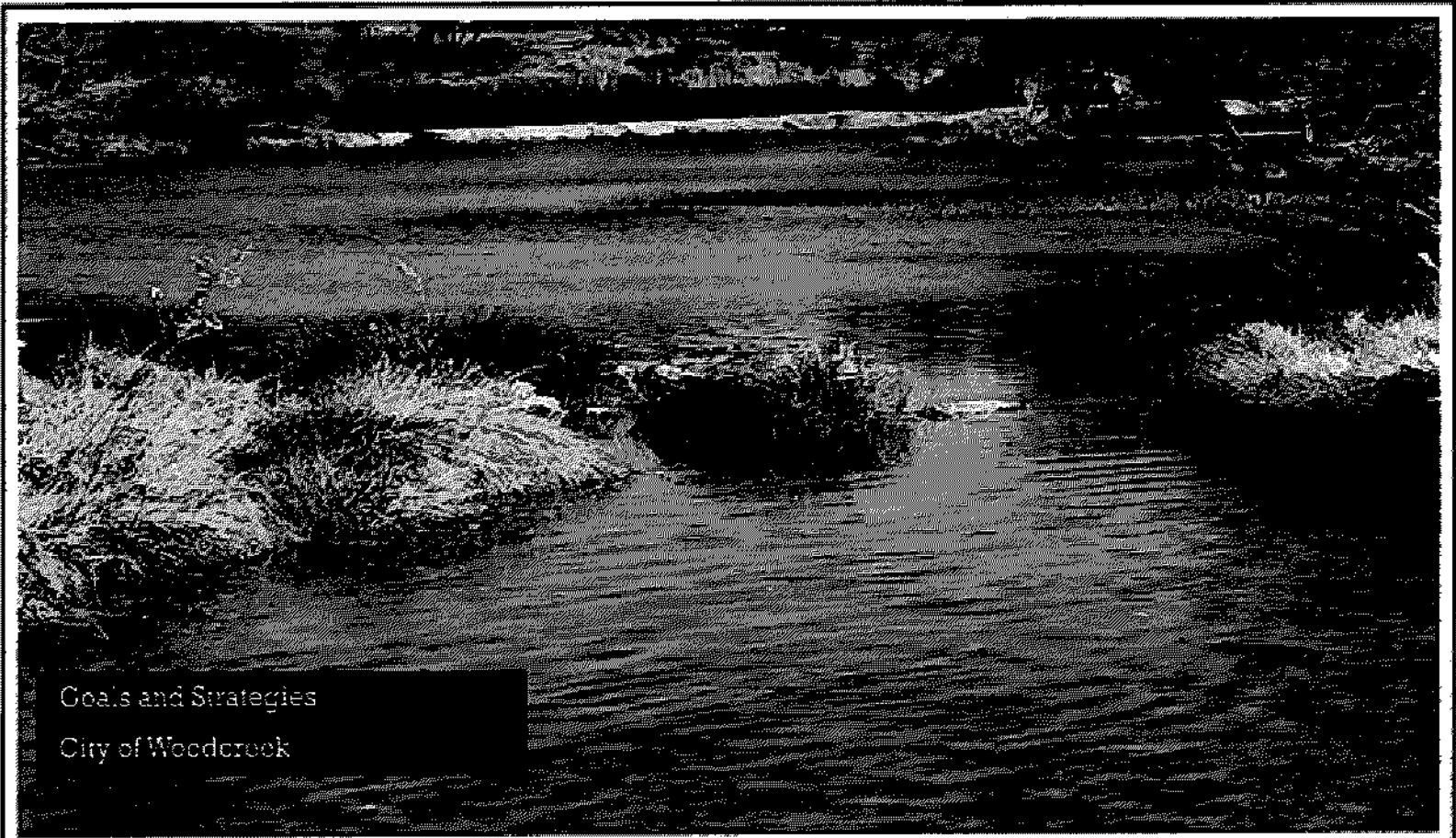
Figure 7



Vision 2030 Master Plan - City of Woodcreek



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Vision 2030 Master Plan - City of Woodcreek

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Goals

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Goal 3: Ensure proper fiscal discipline and develop strategies to generate revenue to fund necessary capital projects.

Goal 4: Review land use policies to ensure the success of Woodcreek by attracting potential residents and providing for future needs.

Goal 5: Ensure the city's municipal government serves the needs of a growing city.

Goal 6: Create a specific and compelling brand for Woodcreek and promote the community to potential residents.

9622

Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.1: Upgrade collector roads by 2022 and all roads by 2030.

Strategy 1.1.1: Improve existing asphalt road surfaces. Collector roads will be prioritized first (Woodcreek Drive, Brookhollow Drive, Brookmeadow Drive, Augusta Drive, and Champions Circle)

Objective 1.2: Address vehicular traffic concerns around volume, speed and noise; to increase safety to pedestrian and bicycle traffic; in order to preserve the essentially residential nature of Woodcreek.

Strategy 1.2.1: Consider ways to reduce cut-through traffic.

Strategy 1.2.2: Work with Camp Young Judaea to create new entrance for truck and bus access.

Strategy 1.2.3: Research and adopt traffic calming measures.

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Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.3: Incentivize investments by potential water service customers and or service providers to enhance long-term operations and maintenance.

Strategy 1.3.1: Encourage rainwater collection and water saving landscape techniques throughout the city to reduce water consumption. Council support by modifying existing ordinances and offering a reference of acceptable architectural solutions.

Strategy 1.3.2: Evaluate short- and long-term benefits of municipal ownership of water and sewer systems.

Objective 1.4: Review access to new dry utility (cable, telephone, etc.) providers to create competition among providers by January 2030.

Strategy 1.4.1: Contact potential providers for cable, internet, and telephone services to discuss extension of services. Evaluate new technologies that may benefit the city such as broadcast WIFI

Objective 1.5: Maintain high level of public safety services by conducting annual review of quality of service and potential improvements.

Strategy 1.5.1: Review relationships with Wimberley Fire Rescue, Hays County Precinct 3 Constable's Office, and Hays County EMT/Ambulance services.

9524

Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.6: Monitor flood mitigation issues with biennial report.

Strategy 1.6.1: Seek state and federal funding to address flood prone areas, such as Bull Creek, Hog Creek, and Cypress Point Pond.

Strategy 1.6.2: Increase partnership Cypress Creek Watershed Association

Strategy 1.6.3: Consider use of bioswailes and natural retention in areas of the City with poor drainage.



Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.1: increase public park space by 50% by 2028

Strategy 2.1.1: By 2020: Designate Par View triangle as a sustainable city green space, subject to landscaping and maintenance with a water meter.

Strategy 2.1.2: By 2021: Enhance Triangle Park with park benches, a drinking fountain, and decorative elements. Modifications could range from sculptures, graphic elements, interpretive signage for native plants and could even incorporate a small gazebo. Explore parking space for users of Triangle park that do not encroach on the central portion of the space (bicycles and golf carts).

Strategy 2.1.3: By 2021: Enhance Veterans' Memorial Park and the Woodcreek entrance spaces on the north and south sides of Woodcreek Dr. Incorporate the existing signage and modify the landscaping for ease of maintenance while maintaining an inviting appearance. On the south side add picnic tables and landscaping.

Strategy 2.1.4: By 2021: Enhance Augusta Park with nature play equipment and an appropriately sized playscape adjacent to the bocce ball court. Enhance the nature trail and native plant signage around the existing rain garden.

Strategy 2.1.5: By 2023: Develop the Brookhollow city property adjacent to Hog Creek with an all-inclusive playscape. This will provide a centrally located park to most of Woodcreek. Add appropriate signage for protection of Cypress Creek watershed and safety of citizens.

9526

Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.1: Increase public park space by 50% by 2028

Strategy 2.1.6: By 2023: Begin development of a trail system that could incorporate the Hog Creek waterway, Veterans' Park, and the area around the water tower that would connect with the Winter's Mill Trail at RR 12. Work with the Quicksand Golf Course and Camp Young Judaea on their property adjacent to the creek.

Strategy 2.1.7: By 2025: Develop a Central Park. This park will require joint cooperation with property owners, Quicksand Golf Course, and Hays County to reclaim Hog Creek's natural wetland environment from the current retention pond and dam at Cypress Point, as it feeds into Cypress Creek at Cypress Falls. The dam will be removed and the bridge and roadway upgraded, so that the waterway can be restored within engineering limitations for public safety, watershed protection, and property rights. The northern half of the resulting park will be developed for ball fields, playground, trails, and other people uses, while the southern half is reserved for wetland habitat, restoring a natural environment and enhancing Cypress Creek's beauty, biology, and hydrology.

Strategy 2.1.8: 2019 through 2030: Acquire land for public parks as soon as practicable. Potential sites include, but are not limited to, Wildwood Circle, LaRocca Lane, Brookmeadow Drive and Cypress Point. Recommend that the council enact guidelines or ordinance to require trails and parks in future residential and commercial developments.

Strategy 2.1.9: By 2030: Develop a Nature Research Center adjacent to Cypress Creek in partnership with Texas State University or similar institution that focuses on the preservation of Cypress Creek and the Wimberley Valley.

Strategy 2.1.10: Consider partnership with Camp Young Judaea for community use.

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Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.2: Explore programs with Texas State or similar organizations for the study of ex-urban life, culture, and the sustainability of the environment. Look at opportunities to encourage and celebrate volunteerism.

Objective 2.3: Monitor environmental concerns with bi-annual report.

Strategy 2.3.1: Create a Woodcreek Environmental Committee comprised of citizens in 2019.

Strategy 2.3.2: Identify and protect natural springs and other natural water sources within City and ETJ. Meet with interested groups (Master Naturalists, etc.) and identify these.

Strategy 2.3.3: Create a natural buffer zone between Woodcreek and "non-conforming" development by annexing surrounding hills and vacant land along Winters Mill Parkway and Ranch Road 12.

Strategies

City of Woodcreek

Goal 3: Ensure proper fiscal discipline and develop strategies to generate revenue to fund necessary capital projects.

Objective 3.1: Explore financial prospects with quarterly report

Strategy 3.1.1: Research potential funding from grants, donations, estate bequests or private foundations.

Objective 3.2: Enhance operating capital to fund needed capital improvement projects.

Strategy 3.2.1: Expand tax base through annexation of existing ETJ.

Strategy 3.2.2: Educate the citizens on the needs of the City and the correlation between the cost of capital improvements and funding sources.

9929

Strategies

City of Woodcreek

Goal 4: Review land use policies to ensure the success of Woodcreek by attracting potential residents and providing for future needs.

Objective 4.1: Develop a strategy for annexation of areas within the existing Woodcreek ETJ.

Strategy 4.1.1: Expand City Limits to include the current ETJ.

Strategy 4.1.2: Formulate strategies to encourage ETJ adoption.

Objective 4.2: Encourage development of housing for senior living.

Strategy 4.2.1: Attract developers to construct senior-appropriate housing, such as patio homes, independent living, and/or assisted living.

Objective 4.3: Improve and expand housing stock by encouraging new types of housing in appropriate locations by 2030.

Strategy 4.3.1: Allow high quality, environmentally sustainable single-family residential housing, with permeable cover limit and runoff impact assessment.

Strategies

City of Woodcreek

Goal 5: Ensure the city's municipal government serves the needs of a growing city.

Objective 5.1: Monitor the growth rate of the City and prepare accordingly for any necessary legislative action.

Objective 5.2: Increase city outreach.

Strategy 5.2.1: Hold town hall events every quarter and ensure city council members attend

Strategy 5.2.2: Sponsor other events (Christmas, Halloween, 4th of July, Farmers Market, "Woodcreek Day" at Camp Young Judaea, Coffee with the Mayor)

Strategy 5.2.3: Conduct straw polls and other informal surveys at events.

Strategy 5.2.4: Support the development of annual community events.

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Strategies

City of Woodcreek

Goal 6: Create a specific and compelling brand for Woodcreek and promote the community to potential residents.

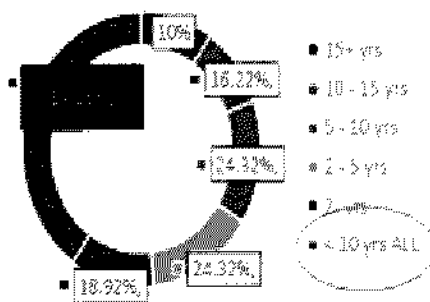
Objective 6.1: Create a new city motto and logo by 2022.

Strategy 6.1.1: Explore resources to create a motto and logo with public input.

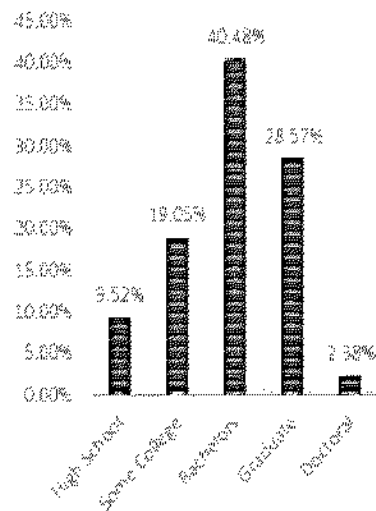
Strategy 6.1.2: Promote the community by enhancing communication among all available stakeholders.

Charting some survey statistics

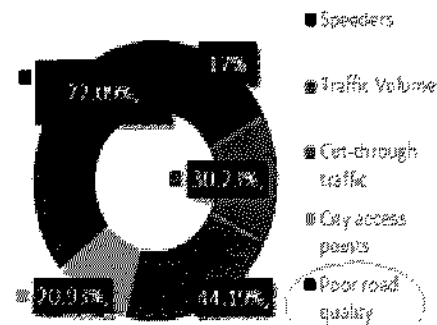
LENGTH OF RESIDENCE



LEVEL OF ATTAINED EDUCATION



TRANSPORTATION ISSUES



9633



CITY OF WOODCREEK

2020 VISION MASTERPLAN

FIVE YEAR REVIEW



SEPTEMBER 2010

ADOPTED DECEMBER 8, 2010

GOALS AND OBJECTIVES

The end product of a community master plan document is typically a list of community *goals* and *objectives*. Community *goals* are typically defined as desired end states or results. *Objectives*, on the other hand, are typically considered the means for furthering or achieving the goals.

In the final analysis, 11 goals were formulated, 10 of them representing a re-statement of earlier plan goals that had yet to be realized. The material that follows presents the final goals and objectives in no particular order of priority.

Goal #1: Assure adequate public safety services for the City of Woodcreek.



1. Establish official law enforcement in the City of Woodcreek, utilizing:
 - a. Hays County Sheriff's Department
 - b. Precinct Constable.
2. Develop a plan to increase Woodcreek's autonomy in meeting its own public safety needs.
3. Adopt and enforce strict ordinances promoting public safety.
4. Develop a neighborhood watch program.
5. Review existing building codes for all new construction, remodeling, and renovation projects, with an eye to updating when necessary.
6. Develop a plan to control water runoff (street gutters, curbs, holding pond areas).
7. Annually review public safety service records of the Fire Department, Emergency Medical services (EMS), Sheriff's Department, and Precinct Constable to assess emerging needs.
8. Investigate the feasibility of employing a part-time City Marshall.

Goal #2: Assure availability of quality utility services (water, sewer, cable, telephone, Internet and wireless Internet, electricity, garbage collection and recycling) for the City.

2-2-01

- 1. Require service providers to survey customer satisfaction every other year and provide survey results to the City for monitoring.**
- 2. Assure State and County specifications are met by service providers.**
- 3. Include standards of customer service in all franchise agreements that detail expectations which must be met to retain the franchise and conduct annual audits of same.**
- 4. Utilize new technology as it evolves.**
- 5. Appoint a committee of council members and citizens to undertake a systematic review of existing utility services and rates and offer recommendations as needed.**

Goal # 3: Preserve, protect, and enhance the residential character of the City.

~~20-6~~

1. Within the existing boundaries of Woodcreek, the City will, maintain the current balance between residential and non-residential land uses and zoning (ratio of acres, square footage, etc.) while taking into consideration the need for growth in recreational facilities.
2. Update and enforce existing ordinances and develop new ordinances as needed and as they apply to residential development.
3. Review anti-blight ordinances in place in other municipalities and consider adoption of a similar ordinance for Woodcreek.

Goal # 4: Assure an adequately maintained, safe network of streets throughout the City.



1. Adopt stringent traffic control ordinances and implement a zero-tolerance policy of enforcement.
2. Explore traffic calming options.
3. Continue agreements with Hays County for maintenance of City streets.
4. Complete the development of repair standards including a permit process which must be followed by service providers making street cuts.
5. Establish engineering specifications for street improvements and new construction, including drainage, runoff management and water quality.
6. Following the completion of the flood plan study, identify flood-prone street sections and develop strategies to minimize or eliminate these problems.
7. Utilize technology developments in street maintenance.

Goal # 5: Promote, encourage, and adopt a comprehensive, dynamic program of land use.



Review, revise, and adopt ordinances to cover the following:

- 1. Zoning**
- 2. Landscaping in non-residential areas**
- 3. Planned Unit Development (PUD)**
- 4. Operation of non-residential land uses.**
- 5. Noise management**
- 6. Parking and traffic control**
- 7. Annexed property (annex as Single Family Residence or PUD)**
- 8. Handling non-conforming uses**
- 9. Management of water runoff and water quality**
- 10. Fences**
- 11. Parking in residential areas**
- 12. Parking of recreational vehicles, boats, and campers**
- 13. Parking of commercial vehicles**
- 14. Nuisances**
- 15. Impervious cover standards**

Goal #6: Preserve, protect, and enhance the natural environment of the City.



1. Clear and maintain all creek beds, water ways, and any drainage ditches or structures.
2. Monitor oak wilt and, if necessary, revise ordinances to require treatment, prevention, as well as establishing a penalty structure.
3. Develop a wildflower seeding program.
4. Aggressively seek donations of open space areas.
5. Promote creation of a "Keep Woodcreek Beautiful" organization.
6. Promote the creation of a beautification program and officially recognize worthy beautification projects.
7. Adopt an ordinance establishing time limits for clean up and removal of debris following fires, floods or storms.

Goal #7: Aggressively pursue sources of additional revenue for the City.



1. Establish utility company franchise fees in line with other similarly-sized cities.
2. Identify all service providers in the City, including utility companies, and require them to collect and remit the 1% City sales tax.
3. In concert with the land use survey that was completed as part of the plan update process (see TABLE 7) aggressively seek opportunities to develop ETJ areas with land uses that will produce sales tax revenue.
4. Consider the use of special assessments to meet unique City needs.
5. Explore the possibility of acquiring a postal code for the City of Woodcreek to assure collection of sales tax revenue.

Goal #8: Encourage the development of expanded recreational opportunities in the City.



1. **Develop a community center for Woodcreek that may include day care, swimming pool, tennis court, lawn bowling, hike and bike trail, or other amenities.**
2. **Acquire flood plain land for use as public parks or green belts.**
3. **Identify and promote opportunities for "vest pocket" park land.**
4. **Continue work with Camp Young Judaea regarding community use of its facilities.**

Goal #9: Promote and encourage opportunities for citizen participation in all facets of community life in the City.



1. Develop and maintain a network of results-oriented volunteers interested in advancing the quality of life in the community, for example, beautification, recreation, public safety, citizen communication, and similar.
2. Continue the use of volunteer teams to complete selected City projects in a timely manner.
3. Encourage Woodcreek activities, such as Christmas caroling, Neighborhood Night Out, Fourth of July parade, and similar activities.
4. Officially recognize individuals involved in community service.
5. Encourage open communications from citizens in the community.
6. Schedule periodic town hall community meetings.
7. Appoint an *ad-hoc* committee to review the Woodcreek Master Plan every two (2) years and to update it every five (5) years.
8. Explore new technologies for increased communication within the community.

Goal #10: Encourage and support voluntary annexation requests.



1. **Publicize positive actions taken by the City to improve the quality of life for Woodcreek residents.**
2. **Involve ETJ residents in City projects.**
3. **Explore mechanisms for informing ETJ residents about City business.**
4. **Provide information and material, i.e., an annexation kit, to ETJ residents concerning voluntary annexation, including an outline of relevant State statutes and required forms for petition and submission of requests.**

Goal #11: Review the current status of ordinances.



1. The City Council should review the current status of ordinances and the extent to which they represent a comprehensive system of ordinances.
2. A committee with representatives from both the City Council and citizenry should be appointed to undertake the task noted above.
3. The committee should review all existing ordinances with an eye toward adequacy of existing ordinances and areas that need to be covered by additional ordinances.
4. The committee should give particular attention to the matter of ordinances that are or could be designed to enhance the overall appearance of the community.
5. Review existing ordinances regarding land use, zoning, development, etc., with an eye toward their sensitivity to issues of scale.

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and possible action on committee assignments for Wimberley Valley tasks forces.

Item Summary:

Lon Shell is coordinating a Valley wide planning effort. Woodcreek Council should stay involved as should our City Manager. I propose we select committee assignments for this endeavor

Financial Impact:

0

Recommendation:

4 Committees:

Transportation and traffic: Aurora LeBrun/Eric Eskelund

Development and ordinances: Nancye Britner/Brenton Lewis

Water Resources and wastewater: Cyndi Jackson/Aurora LeBrun

Parks, Open Space and Conservation: Ray Don Tilley/Linda Land

(Ideas, not set in stone by any means....)

Attachments:

N/A

Submitted By:

Councilmember Jackson

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Consider and Take Appropriate Action on an Ordinance Calling and Ordering the General Election to be Held on November 5th, 2019 for the Purpose of Electing a Mayor and Two Councilmembers

Item Summary:

The City is directed by the Texas Election Code Ann. Section 3.0004(a) to call and order the general election for November 5, 2019. For the November 5th election there will be the position of Mayor and two positions for Councilmember. The filing date to be placed on the November 5th, 2019 ballot begins July 20th, 2019 and ends August 19th, 2019 with the filings being accepted during regular office hours.

Financial Impact:

Cost of Election

Recommendation:

Adoption of Proposed Ordinance

Attachments:

Proposed Ordinance

Submitted By:

City Manager Lewis

ORDINANCE NO. _____

AN ORDINANCE CALLING AND ORDERING THE GENERAL ELECTION FOR CITY OFFICERS TO BE HELD ON NOVEMBER 5th, 2019, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCILMEMBERS, FOR THE CITY OF WOODCREEK, TEXAS, TO SERVE TWO YEAR TERMS; AND REQUIRING COMPLIANCE WITH APPLICABLE STATE LAW.

WHEREAS, The Texas Election Code Ann., Section 3.0004(a) directs the governing body of the City of Woodcreek shall order the general election for City Officers.

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

Section I. That there shall be an election held in the City of Woodcreek on the 5th day of November 2019 for the purpose of electing a Mayor and (2) Councilpersons to serve on the City Council of the City of Woodcreek, Texas.

Section II. That the Notice of Election ordered herein, be given in the manner prescribed by the Texas Election Code Ann., Section 4.003, 4.004, 4.007, and 4.008, and a record of notice of the election be retained as provided in Texas Election Code Section 4.005.

Section III. That said election shall be held in accordance with the Election Code of this State and only resident, qualified voters of said City shall be eligible to vote at said election.

PASSED & APPROVED this, the 17th day of July 2019, by a vote of ___ (ayes) to ___ (nays) and ___ (abstentions) of the City Council of Woodcreek, Texas.

William P. Scheel, Mayor
City of Woodcreek, Texas

ATTEST:

Linda Land, City Secretary
City of Woodcreek, Texas

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Consider and Take Appropriate Action on a Change in Scope of Services Provided by HOT IT to the City of Woodcreek

Item Summary:

The City of Woodcreek information technology service provider has provided a proposal to increase service and security in several areas. Attached is a comparison of current services compared to proposed services. The additional proposed services will entail a monthly increase of about \$380 per month.

Financial Impact:

\$4560 per year

Recommendation:

Authorize the increase in service

Attachments:

Comparison

Submitted By:

City Manager Lewis

Does "Managed IT Services" represent moving from an as-needed basis to an indefinite ongoing monthly service?

Yes, Managed IT Services means that you have an ongoing monthly agreement with us (month to month) at some level or another, the three levels are Protection, Remote or Premium. When you have managed services you are getting some level of support, a HOT IT support agent on your machines to monitor and allow us to login and managed endpoint protection (antivirus). Then from there those packages each have their own products or support levels assigned.

You would be moving from an as-needed to managed. You have always been managed and had all your remote support included along with the other benefits. You would just be going up a level to include onsite support as well along with a long list of products for your organization.

Under the "Business Premium Service Highlights," who is covered as a "User"? City staff? Council? This applied to the "Office 365 mailbox included" and "Email Journaling and OneDrive backup," too. You all are a little different than most, you have always paid for your Office licensing separately from your agreement with us. You had the account you brought from previous IT and we just left that in place and took delegation control so we can manage it for you. One of two things could happen here, we can leave it as is and I can work out a credit on your invoice for what you would have received on our side (basically a credit for each licensed user's mailbox) or we can move it all over to us, just include in your monthly bill and give you the appropriate charges based on the agreement.

Email boxes would be included for each included user. An included user is the number of Endpoints that you have. In your case, Brenton, Linda, Secretary, etc. You are also a little different in that you have more machines that need to be covered than users. I would also be willing to work in a credit to cover up to 6 mailboxes (one for each covered machine) even if a couple of those boxes are council or whomever. The remaining boxes would just be billed at an a la carte rate so that all users have email accounts but you aren't being charge a full \$125 managed fee for them.

Likewise, who is covered by the "Anti-Phishing" training, and is that a one-time, or periodic program?

Once your organization is enrolled in Anti-Phishing all email accounts in the org will be included as part of that service. We start the campaign and can let it run as long as you'd like. You can give it an end date and turn it on and off or it can just always stay on, and the system actually does the work, sending out random phishing to different users at different times.

What exactly do "Hard Drive Encryption Management," "Network Security Audit," "Anti-Spam Service," and "Dark Web Monitoring" entail?

This may need to be part of a bigger discussion to dig into details here, but here is the short version.

Hard Drive Encryption Management - We encrypt the hard drive of all covered machines, then we manage that encryption, it's keys and the admin side of it. So that once it is encrypted we are able to manage your keys, and access in case of an issue.

Network Security Audit - We have tools that can assess your whole environment and it's data. They will report back where any sensitive data lives, (credit card numbers, SS numbers, a number of things) and identify where that data lives so you are not guessing. There are other items it does as well, but that is the short answer. On Premium this service is included and you are not billed extra for the hours it takes to complete.

Anti Spam Service – This is a third party add-on to your email subscription to filter and managed spam. Helps with one, not getting the usual amounts of spam, but also filtering out many emails that would be identified as threats anyway before they even hit your inbox. This would be included for all covered users. Again like the other products because you all have more users than machines, the remaining accounts would just be added a la carte. (This may need to be reviewed, I don't know that I have that on there correctly for all users.

Dark Web Monitoring – is actually already included in the Remote Package you are on as of July. It monitors your company's email domain on the dark web and notifies anytime one of your accounts have had their credentials breached. I can go into more detail later about how this works and why it is so valuable these days. When a user's credentials get breached, many times they hit the dark web and other pay for them. Then they take those credentials and with automated systems go try thousands of other sites, bank, office depot, whatever with the same logins, because they know ppl use the same thing for everything. Long story short, it is continuous monitoring of your organizations credentials and real time notifications if anything is detected.

“Server Backup” seems clear enough, but offsite storage of 200GB seems limiting. Do we just add 100GB increments as needed?

Yes, on Premium we cover the first 200GB for you and then you would just add them in increments of 100GB at \$15 each increment.

I checked <https://heartoftexasit.com/msp>, but there was no further detail on the checklist there.

We are working on revamping this page and our entire site as we speak. We have made many changes in recent months and are catching up on the display of that to the world. I was probably a little overzealous putting that link in the document. But didn't remove it either, because it will be up soon.

Under the line-item detail, who/what are the 6 “Managed Endpoints”? Does the 0 for “Managed Servers” mean no charge or not provided? Same question goes for the 0 quantity items under “Add On Services.”

6 Endpoints are the user machines we have covered with agents and protection as explained above. Servers is 0 because you don't have any machines with a server operating system. Those are licensed differently. On Premium you wouldn't typically have any Add-On Services it would all be included for covered users. However after typing this email out I have realized I need to revisit that to account for these products that are needed for users that aren't covered. I'll review that and make adjustments. Whatever difference that is shouldn't be a big dollar amount. The products that you are needing to add on are fairly inexpensive per user.

What are the 2 “Onboarding One-Time Setup Fees”?

Onboarding is a one time service fee to setup, configure and deploy all the additional accounts you will have on the Premium Package.

What is the 4 quantity for “Disaster Recovery Backup...” based on?

We are backing up all 4 full time user machines. Unlike a company that has a file server and a central place to hose files. COW wasn't setup like that day one so we agreed to give them a bit of a discount on the usual DR pricing and backup all 4 of their machines.

“Offsite Backup Storage” appears to be \$15/100GB/month. Is that correct?

Yes

"Email Journaling and OneDrive Backup" and "Anti-Spam" quantities are 8. Who/what are those? Also, I understood from our May 22 discussion that this was already being provided as of "two months ago," so roughly March 22. Correct? Help us understand what was before, where we are, and what the proposal changes.

Yes, Email Journaling and OD Backup were added a couple of months back to your monthly invoice. Those services are being provided right now on an a la carte basis. Quantity is 8 because 6 of the 14 licenses would be covered under the Premium users, the other 8 would be billed a la carte.

I see hardware and software are not included, but installation costs are discounted. What costs can be anticipated annually for these items, whether provided by HoT IT or not?

I can only speak for the items we would provide. Hardware such as new desktops, laptops, etc you would obviously pay for the devices, but under Premium, any setup/config time, migration, etc would all be included. The only time you might inquire some charges is if it was some large scale project like a new server, network, etc. I do not foresee those type of items coming down the pipe for COW.

In your annual account review we go over what hardware, network, software changes you can expect and how to budget and plan for them. However Brenton has done a pretty good job over the last year or more to get desktops upgraded, laptops upgraded, new network hardware and clean up. Many things have been done there to improve the technology landscape, so I don't anticipate any reason for this. But it is a disclaimer for us. We would always discuss and plan these items on the front end with you. We don't like to play surprise if we can help it.

Last, you mentioned a difference of \$379/month, if we adopt the HoT IT proposal. I take that to mean current services are \$569/month (\$948/month proposal minus \$379). If possible, we could sure use a table that shows columns for easy comparison/understanding:

I will pull this table together for you. The short story is right now, you have 6 users all protected and covered for all remote support. We back up 4 of the 6 PCs. You have Dark Web Monitoring for your org. And you have Email Journaling and backup.

Going to Premium those 6 users will receive all remote and onsite support included. Plus the users and organization as a whole will receive all the other products listed as part of the Premium offering and discussed above.

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Consider and Take Appropriate Action on Trimming of Trees on all Streets Within the City of Woodcreek

Item Summary:

The City periodically contracts to trim the trees on the major streets to enable the safe passage of high profile vehicles. The cost to trim the trees usually is about less then \$10,000 on the major streets. The City has received numerous complaints regarding high profile vehicles hitting branches on less traveled streets. Therefore, staff is in the process of receiving quotes from tree trimming businesses, that have arborist on staff, to trim the trees on all streets to allow for a safe passage of 16 foot above the street. The quotes received will be provided at the meeting.

Financial Impact:

Budget amendment of costs over \$10,000 if necessary.

Recommendation:

Authorize staff to enter into an agreement with lowest responsible provider of tree trimming service.

Attachments:

None

Submitted By:

City Manager Lewis

9K1

Council Meeting Date: 7/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Take Appropriate Action on the Possible Modifying of the Guardrail Fencing at the Box Culverts on Brookhollow Drive

Item Summary:

At the June meeting Council received a cost estimate to modify the guardrail fencing on the box culverts on Brookhollow Drive for the remaining three corners. After discussion the engineer was directed to prepare an estimate for the northeast corner only.

Financial Impact:

Cost of modifying guardrail fencing has not been received as of the time of preparing Council packet

Recommendation:

none

Attachments:

none

Submitted By:

City Manager Lewis

ORDINANCE NO.

CITY OF WOODCREEK

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS AMENDING THE CURRENT 2018-2019 FISCAL YEAR BUDGET; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I.

The 2018-2019 Fiscal Year Budget of the City of Woodcreek, Texas, Amending Ordinance 19-253, is hereby amended in the following manner:

The attached budget amendment reflects actual increases and decreases in transfers from reserves, sales tax collection, interest income, and miscellaneous revenues for a total increase in revenues of \$21,470. Increased allocations and decreases are made for office expenses, professional services, area care and maintenance, city hall maintenance and repairs, professional services, area care and maintenance, other operating expenses, and municipal court costs. For a total increase in expenses of \$21,470. The total budget amendment allocation amount does not exceed projected receipts of revenue.

SECTION II.

The invalidity of any part of this Ordinance shall not invalidate any other part thereof. The terms and provisions of this Ordinance shall be deemed to be severable, and if any section, subsection, sentence, clause or phrase of this Ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Ordinance.

SECTION III.

This Ordinance shall be effective immediately upon its enactment by the City Council of the City of Woodcreek, Texas.

PASSED AND APPROVED this, the 17th day of July 2019, by a vote of ___ (ayes) to ___ (nays) with ___ (abstentions) and ___ (absent and not voting) of the City Council of Woodcreek, Texas.

CITY OF WOODCREEK:

By: _____
Mayor William P. Scheel

ATTEST:

Linda Land

	Revenues/Expenses as of 6/30/2019	2018-2019 Budget Amendment #1	2018-2019 Budget Amendment #2	Variance
REVENUE				
Transfers from reserves		113,500	135,460	21,910
Reimbursement	338		500	500
Liquor License Revenue	560		560	560
Municipal Court Revenue	637	3,000	1,500	-1,500
Net Amendment				21,470

Expenditures:				
Salaries and Wages	112,707	166,180	150,700	-15,480
FICA/OASDI	9,227	12,540	11,760	-780
Bank Fees & Charges	-216		-220	-220
City Hall Maintenance/Repairs	1,590	5,000	2,500	-2,500
IT & Radio	701	650	1,000	350
Office Supplies	3,456	2,500	4,500	2,000
Postage & Shipping	690	1,800	1,500	-300
Legal Expenses		18,000	40,000	22,000
Deer Removal	900	1,000	1,200	200
Mowing	1,018	4,000	3,000	-1,000
ROW Tree Trimming		10,000	15,000	5,000
Street Signs	2,522	6,000	4,000	-2,000
Building Inspections	7,255	6,500	8,000	1,500
Training & Prof Development		0		
Elected Body	1,010	3,500	2,500	-1,000
Staff	3,347	3,000	4,000	1,000
Telephone & Internet	2,302	4,000	3,200	-800
TML Insurance	3,514	3,500	3,520	20
Misc. Court Costs	6,087	8,000	8,500	500
Prosecutor	5,419	1,000	7,000	6,000
Law Enforcement	31,826	56,680	63,660	6,980
Net Amendment				21,470

Total Revenues for Fiscal Year 2018-2019 = \$699,020

Total Expenses for Fiscal Year 2018-2019 = \$699,020

9 M 2

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Discussion and Take Appropriate Action on Transparency Stars, Additional Costs, and Requiring Pay Checks be Direct Deposit Only

Item Summary:

At the February 13th, 2019 Regular City Council Meeting Council took the following action: on a 5-0-0 vote to adopt the Transparency Stars Program with the goal of within 6 months. Staff has been working toward meeting the goal by having the July 2019 Financials being presented in the format as required.

To meet the requirements there will be an estimated one hour per month for the City's accounting firm to prepare financials that meet the requirements, with an estimated yearly cost of \$800.

The second necessary change is to open a payroll bank account to ensure the City is not in violation of the Privacy Act as it relates to employee payroll. Currently the City does direct deposit for employee checks and cuts payroll checks for the elected officials and the director of public works. If Council action is to have all payroll checks be direct deposit there will not be a cost, however if some payroll checks are to be issued, then the City will have the cost of new checks with seven checks being issued per month.

Financial Impact:

Accounting Firm additional cost (\$800 per year), employee time posting to website, new checks for payroll account

Recommendation:

Approval of additional cost of accounting firm and employee time

Attachments:

None

Submitted By:

City Manager Lewis

Authorization for Direct Deposit

I authorize _____ to deposit my pay automatically to the account(s) indicated below and, if necessary, to adjust or reverse a deposit for any payroll entry made to my account in error. This authorization will remain in effect until I cancel it in writing and in such time as to afford _____ a reasonable opportunity to act on it.

Name on bank account: _____

Bank account number: _____ Checking ___ Savings ___

Bank routing number: _____

Amount: \$ _____ or entire paycheck: _____

***Balance of pay to:**

_____ Manual (paper check)

_____ Account described below

***Note:** Split payments are not available for contractors.

Name on bank account: _____

Bank account number: _____ Checking ___ Savings ___

Bank routing number: _____

Important: Please attach a voided check for each bank account to which funds should be deposited.

Employee/Contractor signature: _____

Date: _____

Payers: Do not send this form with your Direct Deposit enrollment. Keep for your records.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF WOODCREEK, TEXAS ESTABLISHING A WOODCREEK PAYROLL BANK ACCOUNT AND DESIGNATING AUTHORIZED SIGNATURES FOR THIS ACCOUNT

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

WHEREAS, the City Council of the City of Woodcreek desires to comply with the Federal Privacy Act of 1974, 5 U.S.C. §552a, and to maintain the privacy of its employees,

WHEREAS, the City Council of the City of Woodcreek desires to pursue the Transparency Stars designation,

WHEREAS, the City Council of City of Woodcreek shall take action by Resolution to create a new Woodcreek Payroll Bank Account and establish the account's designated signatures,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WOODCREEK HEREBY ADOPTS THE FOLLOWING RESOLUTION THAT:

Section 1.

The City Council of the City of Woodcreek will create a Woodcreek Payroll Bank Account.

Section 2.

The City Council of the City of Woodcreek establishes designated signatures on this Payroll Bank Account as the Mayor William P. Scheel, the Mayor Pro-Tem Nancye Britner, and the City Manager Brenton B. Lewis,

Section 3.

This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the ____ day of _____, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) to _____ (absent and not voting) of the City Council of Woodcreek, Texas.

City of Woodcreek:

By: _____
Mayor William P. Scheel

Attest:

By: _____
Linda Land, City Secretary

Council Meeting Date: 07/17/2019

AGENDA ITEM COVER SHEET

Subject/Title:

Consider and Take Appropriate Action on House Bill Number 2439 as it Relates to Chapter 151: Building Regulations; Construction and Chapter 156: Zoning - Masonry Requirements

Item Summary:

This item is to address HB 2439 and the effect on Masonry requirements in Chapters 151 and 156 of the Woodcreek Ordinances. HB 2439 is the No More Brick Exteriors Bill and relates to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial structures. Passed the House. As passed, the bill would – with certain exceptions – prohibit a city from mandating any building materials that are more stringent than those in a building code.

The Bill specifically states:

CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

As adopted, the City of Woodcreek can no longer enforce the 55% masonry requirement on construction. The bill goes into effect on September 1, 2019.

Financial Impact:

None

Recommendation:

Discontinue the enforcement of the 55% masonry requirement on any new construction permits or existing permits where the construction project will be completed on or after September 1, 2019.

Attachments:

HB 2439

Submitted By:

City Manager Lewis

AN ACT

relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle Z to read as follows:

SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN GOVERNMENTAL ACTIONS

CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND COMMERCIAL CONSTRUCTION

Sec. 3000.001. DEFINITIONS. In this chapter:

(1) "National model code" has the meaning assigned by Section 214.217, Local Government Code.

(2) "Governmental entity" has the meaning assigned by Section 2007.002.

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Insurance Code;

(3) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that:

(A) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program; or

(B) applies to outdoor lighting within five miles of the boundary of a military base in which an active training program is conducted;

(4) an ordinance or order that:

(A) regulates outdoor lighting; and

(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone; and

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

(d) A municipality that is not a municipality described by Subsection (c)(5)(A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002.

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code, or Section 775.045(a)(1), Health and Safety Code.

Sec. 3000.005. SEVERABILITY. If any provision of a rule, charter provision, ordinance, order, building code, or other regulation described by Section 3000.002(a) is held invalid under this chapter, the invalidity does not affect other provisions or applications of the rule, charter provision, ordinance, order, building code, or other regulation that can be given effect without the invalid provision or application.

and to this end the provisions of the rule, charter provision, ordinance, order, building code, or other regulation are severable.

SECTION 2. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2439 was passed by the House on April 30, 2019, by the following vote: Yeas 124, Nays 21, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2439 on May 23, 2019, by the following vote: Yeas 133, Nays 9, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2439 was passed by the Senate, with amendments, on May 19, 2019, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____

Date

Governor

Infrastructure Responsibilities

Roads Advisory Workgroup: The Roads Advisory Workgroup met July 2. The main objective for this meeting was to receive the priority assessment compiled by Jason Baze, Consultant to the Group, as to roads rated most critical for repairs, rebuilding, or replacement. The assessment, resulting from review of on-site evaluations of all roads in the City, determined five roads to be in most critical need – at this time there is no priority ranking within those five: **Woodcreek Drive, Augusta Drive, Champions Circle, Jack Miller, and Brookside.** Roads were assessed on a scale of 1 to 5 with 1 being “poor” and 5 being “good.” Ranking Categories included: Condition, Safety, Site Obstructions, Drainage, Width, Pothole, Surface Cracks, and Alligator Cracks.

Three of the roads listed as Priority 1 are collector roads: Woodcreek Drive, August Drive, and Champions Circle.

Of the other two, although not a collector road, **Jack Miller** is the main entrance to Camp Young Judaea and sees heavy traffic during camp sessions and other events. This road was rated poor for safety, potholes, and surface cracks. The road is narrow and the on-site assessment team also recommended widening the street and addressing drainage issues at the intersection of Jack Miller and Doolittle Drive.

The second non-collector road, **Brookside**, received ratings of “1” or less. It was found to be very narrow and in very poor condition. The on-site assessment team concluded all portions of this road need to be rebuilt and noted the low water crossing is very narrow and unmarked.

Augusta Drive was rated a “2” for Safety, “1” for potholes, and the team noted severe damage and washout to north edge of road at #165 through #179. The team also noted runoff has washed out the street road base at two different locations. The team further noted the street has had too many potholes and street edge repairs and will continue to deteriorate if water drainage from Mountain Crest and a seasonal spring are not diverted.

Woodcreek Drive (East Section) was rated a “1” for drainage, particularly at the intersection with Champions Circle. The **West Section** was rated a “3” overall but the team noted Woodcreek Drive to be “extremely bad” from Champions Circle intersection to City limits due to pavement being wavy and cracking.

Champions Circle was found to be in good shape from Tremont Trace to Woodcreek Drive except for multiple cracks caused by past road cuts that allow water entry under the road. Conditions at Tremont Trace and Champions Circle present a safety issue that will be addressed separately.

Comparing the results of the on-site assessment with the recommendation of the previous Roads Advisory Committee, which was approved by Council on December 12, 2018, we find that two of the streets in the previous recommendation, Jack Miller and Brookside, are also in the priority list resulting from the on-site assessments. Two of the streets previously recommended for repair, Wildwood Circle and Brookmeadow are not.

Wildwood Circle received "4" ratings in all categories, except for alligator cracks which received a "3" rating. **Brookmeadow** received "5" ratings except for "4" in site obstruction caused by landscaping at intersection with August Drive.

Three streets not included in the previous recommendation, Woodcreek Drive, Augusta Drive, and Champions Circle, were found to be a priority for repair or reconstruction by the on-site assessments. Repairs completed in early spring 2019 may have resulted in improvements to Wildwood Circle and Brookmeadow. At the same time, after very heavy rains in the spring, drainage and runoff may have caused further deterioration to Augusta Drive, Woodcreek Drive, and Champions Circle which suffer from drainage and runoff issues, some severe.

Next steps for the Workgroup is to work with Hays County, Precinct 3 Roads Supervisor, to have the County, in coordination with Jason Baze, Roads Engineer, conduct an assessment of the five roads listed as priority and determine a priority ranking. At the same time, they will be asked to review Wildwood Circle and Brookmeadow to confirm the on-site assessment team recommendations. The Workgroup is scheduled to meet on July 24 to receive this second assessment. Recommendations and options will be presented to Council no later than the regular meeting of August 14, 2019.

Report presented by Council Member Aurora F. LeBrun