

City of Woodcreek City Council Meeting
August 10, 2016; 6:30p.m.
Woodcreek, Texas

NOTICE/ AGENDA

This notice 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 Council Meeting on August 10, 2016, 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**
- 4. Roll Call**

- 5. Public Comments:** Members of the Public may sign up at the City Council meeting to address the City Council. Comments will be limited to three (3) minutes per speaker.

- 6. Citizen Communications: General:** Members of the Public who have submitted a written request to address the City Council on specific issues. Comments will be limited to five (5) minutes per speaker.

- 7. Report Items:**
 - A. DPW Monthly Report (Director of Public Works Frank Wood)
 - B. Treasurer's Report for July, 2016 (City Treasurer Gene Golembiewski)
 - C. City Manager's Monthly Public Report (City Manager Brenton Lewis)

- 8. Consent Agenda: All of the following items are considered to be 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 Regular City Council Meeting of July 13, 2016.
 - B. Approval of Treasurer's Report for July, 2016.

- 9. Regular Agenda**
 - A. Consider and take appropriate action on Engineering Firm for Street Maintenance and authorizing the mayor and staff to negotiate fees and services, and enter into the agreement. (City Manager Lewis)
 - B. Discussion and possible action to authorize City Attorney to draft a Dark Skies Initiative Ordinance. (City Manager Lewis)
 - C. Discussion and action to Order the General Election of November 8, 2016. (City Manager Lewis)
 - D. Discussion and possible action on Memorial Plaza Signage and Pavement Markings. (City Manager Lewis)



- E. Discussion and update on Woodcreek 2030 Vision Masterplan. (Councilmember Scheel)
- F. Discussion and possible action on 30.06 signage at City Hall. (City Manager Lewis)
- G. Discussion and possible action on approval of City Manager's Letter of Engagement. (Mayor Eskelund)

10. 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 6th day of August, 2016 at 3:00 p.m.

By: 
Brenton B. Lewis, City Manager



The City of Woodcreek Transaction List by Date July 2016

08/05/16

Type	Date	Num	Name	Memo	Account	Split	Debit	Credit
Jul 16								
Liability Check	07/01/2016		QuickBooks Payroll Service	Created by Payroll Service on 06/30/2...	1000 - Operating - Br...	-SPLIT-		4,210.32
Bill	07/01/2016	Jul 1 16	Law Office of Roger Gordon		1900 - Accounts Paya...	6000.21 - General		2,865.84
Check	07/01/2016	Debit	USPS	Invoice #0004629	1000 - Operating - Br...	5500.60 - Postage ...		6.47
Check	07/01/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		213.63
Paycheck	07/05/2016	Dir Dep	Linda L Land	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Paycheck	07/05/2016	Dir Dep	Barbara J Grant	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Paycheck	07/05/2016	Dir Dep	Brenton B Lewis	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Deposit	07/05/2016			Deposit	1000 - Operating - Br...	-SPLIT-	717.50	
Bill	07/06/2016	1219	Peterson CPA Solutions, PL...		1900 - Accounts Paya...	6000.11 - Contract ...		1,166.16
Bill	07/06/2016	124608	Garrett Allen		1900 - Accounts Paya...	6500.01 - Deer Re...		75.00
Check	07/06/2016	Debit	The Back Porch		1000 - Operating - Br...	7000.15 - Meeting ...		93.28
Deposit	07/06/2016			Deposit	1000 - Operating - Br...	3000 - Ad Valorem ...	5,417.53	
Deposit	07/06/2016			Deposit	1000 - Operating - Br...	3005 - State Sales ...	3,676.01	
Deposit	07/06/2016			Deposit	1000 - Operating - Br...	3010 - Mixed Beve...	186.10	
Check	07/06/2016	Debit	HEB	Office Supplies	1000 - Operating - Br...	7000.15 - Meeting ...		16.34
Deposit	07/07/2016			VOID: Deposit	1000 - Operating - Br...	-SPLIT-	0.00	
Bill	07/07/2016	Jul 7 16	Garrett Allen		1900 - Accounts Paya...	6500.01 - Deer Re...		75.00
Bill Pmt -Check	07/07/2016	10251	Dahill	WC44:40G975	1000 - Operating - Br...	1900 - Accounts P...		80.10
Bill Pmt -Check	07/07/2016	10252	Garrett Allen		1000 - Operating - Br...	1900 - Accounts P...		150.00
Bill Pmt -Check	07/07/2016	10253	HCS Technical Services	On site service	1000 - Operating - Br...	1900 - Accounts P...		582.49
Bill Pmt -Check	07/07/2016	10254	Hill Country Trophy		1000 - Operating - Br...	1900 - Accounts P...		39.15
Bill Pmt -Check	07/07/2016	10255	John Young		1000 - Operating - Br...	1900 - Accounts P...		290.00
Bill Pmt -Check	07/07/2016	10256	Kelly Clements	Mowing services on 5/4 and 5/18	1000 - Operating - Br...	1900 - Accounts P...		400.00
Bill Pmt -Check	07/07/2016	10257	Law Office of Roger Gordon		1000 - Operating - Br...	1900 - Accounts P...		2,865.84
Bill Pmt -Check	07/07/2016	10258	Peterson CPA Solutions, PL...		1000 - Operating - Br...	1900 - Accounts P...		1,166.16
Bill Pmt -Check	07/07/2016	10259	San Marcos Daily Record	Acct # RA1906	1000 - Operating - Br...	1900 - Accounts P...		264.42
Bill Pmt -Check	07/07/2016	Debit	Tech Checks, Inc.		1000 - Operating - Br...	1900 - Accounts P...		49.90
Bill Pmt -Check	07/07/2016	10261	Lower Colorado River Autho...	Cust ID 000105913 - Radio Service	1000 - Operating - Br...	1900 - Accounts P...		478.80
Liability Adjust	07/07/2016		Brenton B Lewis		5000.40 - Retirement	2030 - TMRS Paya...		20.84
Liability Adjust	07/07/2016			Change in salary - adjust to calculate...	5000.40 - Retirement	2030 - TMRS Paya...		13.34
Liability Check	07/07/2016	10262	TMRS	01409	1000 - Operating - Br...	-SPLIT-		759.50
Check	07/07/2016	Online	PEC - Utilities		1000 - Operating - Br...	-SPLIT-		230.67
Bill	07/07/2016	573203	Xerox Financial Services		1900 - Accounts Paya...	5500.61 - Printing ...		113.20
Check	07/07/2016	10260	Tech Checks, Inc.	VOID:	1000 - Operating - Br...	5500.50 - Office S...		0.00
Check	07/08/2016	Online	AquaTexas - Outdoor	9374970672071,9760590700920,974...	1000 - Operating - Br...	7500.03 - Outdoor ...		45.30
Check	07/08/2016	Online	AquaTexas - Outdoor	9374970672071,9760590700920,974...	1000 - Operating - Br...	7500.03 - Outdoor ...		55.41
Deposit	07/10/2016			Interest	1023 - Pioneer Bank #...	4000 - Interest Inc...	124.02	
Check	07/11/2016	Online	AquaTexas - Outdoor	9374970672071,9760590700920,974...	1000 - Operating - Br...	7500.03 - Outdoor ...		45.30
Bill	07/11/2016	707708	Hill Country Springs		1900 - Accounts Paya...	5500.50 - Office S...		2.74
Bill	07/11/2016	124612	Garrett Allen		1900 - Accounts Paya...	6500.01 - Deer Re...		75.00
Bill	07/11/2016	552892/1	Ace Hardware	Batteries	1900 - Accounts Paya...	5500.50 - Office S...		16.37
Credit	07/11/2016	0006155	HCS Technical Services	On site service	1900 - Accounts Paya...	5500.10 - City Hall ...	389.97	
Check	07/11/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		16.45
Deposit	07/11/2016			Deposit	1000 - Operating - Br...	-SPLIT-	120.00	
Deposit	07/11/2016			Deposit	1000 - Operating - Br...	3090 - Developme...	60.00	
Deposit	07/11/2016			Deposit	1000 - Operating - Br...	-SPLIT-	5,175.00	
Bill	07/12/2016	7-12-16	John Young		1900 - Accounts Paya...	6500.15 - Mowing ...		850.00
Bill	07/13/2016	850627...	Office Depot	Paper	1900 - Accounts Paya...	5500.50 - Office S...		508.99
Check	07/14/2016	Debit	wimberley Cafe		1000 - Operating - Br...	7000.03 - Code Co...		20.00
Check	07/14/2016	Debit	HEB	Office Supplies	1000 - Operating - Br...	5500.50 - Office S...		25.11
Bill	07/14/2016	I-665205	ATS Engineers	80 Augusta Dr - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		45.00
Bill	07/14/2016	I-665362	ATS Engineers	172 Tulley Court - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		45.00
Bill	07/14/2016	I-666519	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00
Bill	07/14/2016	I-6	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00
Bill	07/14/2016	I-666042	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00
Deposit	07/14/2016			Deposit	1000 - Operating - Br...	-SPLIT-	120.00	
Deposit	07/14/2016			Deposit	1000 - Operating - Br...	3040 - AquaTexas ...	8,512.48	
Check	07/14/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		7.41
Deposit	07/14/2016			Deposit	1000 - Operating - Br...	3020 - PEC Franch...	6,162.94	
Liability Check	07/15/2016	EFTPS	United States Treasury	74-2386731	1000 - Operating - Br...	-SPLIT-		2,638.32
Check	07/15/2016	Debit	Texas Municipal League	Member # 16222	1000 - Operating - Br...	7000.04 - Dues & ...		60.00
Bill	07/15/2016	5648	Myers Concrete Constructio...		1900 - Accounts Paya...	6500.30 - Street M...		22,294.00
Deposit	07/16/2016			Interest	1021 - Reserved Fund...	4000 - Interest Inc...	80.85	
Check	07/18/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		3.76
Liability Check	07/19/2016		QuickBooks Payroll Service	Created by Payroll Service on 07/15/2...	1000 - Operating - Br...	-SPLIT-		4,477.93
Check	07/19/2016	Debit	The Back Porch		1000 - Operating - Br...	7000.15 - Meeting ...		104.03
Check	07/19/2016	Debit	Texas Municipal League	Contract# 8627	1000 - Operating - Br...	7000.40 - Training ...		370.00
Paycheck	07/20/2016	Dir Dep	Barbara J Grant	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Paycheck	07/20/2016	Dir Dep	Linda L Land	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Paycheck	07/20/2016	Dir Dep	Brenton B Lewis	Direct Deposit	1000 - Operating - Br...	-SPLIT-		0.00
Check	07/21/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		1.41
Deposit	07/21/2016			Deposit	1000 - Operating - Br...	-SPLIT-	355.00	
Bill	07/21/2016	I-666883	ATS Engineers	3 Cypress Point - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		45.00
Bill	07/21/2016	I-667206	ATS Engineers	80 Augusta Dr - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		45.00
Bill	07/21/2016	I-667120	ATS Engineers	182 Augusta Dr - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		45.00
Bill	07/21/2016	I-667243	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00
Check	07/22/2016	Online ...	PEC - Utilities		1000 - Operating - Br...	-SPLIT-		230.67
Check	07/22/2016	Online ...	Time Warner Cable	302013901	1000 - Operating - Br...	7500.02 - Telepho...		243.74
Check	07/22/2016	Online ...	Time Warner Cable	302013901	1000 - Operating - Br...	7500.02 - Telepho...		243.74
Liability Check	07/25/2016	ACH	Texas Workforce Commission	99-882080-4	1000 - Operating - Br...	2020 - State Unem...		190.64
Bill Pmt -Check	07/25/2016	10278	Ace Hardware	Batteries	1000 - Operating - Br...	1900 - Accounts P...		16.37
Bill Pmt -Check	07/25/2016	10279	American Legal Publishing ...		1000 - Operating - Br...	1900 - Accounts P...		79.80
Bill Pmt -Check	07/25/2016	10280	ATS Engineers		1000 - Operating - Br...	1900 - Accounts P...		645.00
Bill Pmt -Check	07/25/2016	10281	Garrett Allen		1000 - Operating - Br...	1900 - Accounts P...		75.00
Bill Pmt -Check	07/25/2016	10282	John Young		1000 - Operating - Br...	1900 - Accounts P...		850.00
Bill Pmt -Check	07/25/2016	10283	Myers Concrete Constructio...		1000 - Operating - Br...	1900 - Accounts P...		22,294.00
Bill Pmt -Check	07/25/2016	10284	Office Depot	Paper	1000 - Operating - Br...	1900 - Accounts P...		506.99
Bill Pmt -Check	07/25/2016	10285	Xerox Financial Services		1000 - Operating - Br...	1900 - Accounts P...		113.20
Bill	07/25/2016	I-667825	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00

08/05/16

The City of Woodcreek Transaction List by Date July 2016

Type	Date	Num	Name	Memo	Account	Split	Debit	Credit
Bill	07/25/2016	I-667633	ATS Engineers	16515 RR 12 - Woodcreek	1900 - Accounts Paya...	7000.02 - Building ...		65.00
Check	07/26/2016	Debit	Texas Municipal League	Contract# 8627	1000 - Operating - Br...	7000.40 - Training ...		180.00
Bill	07/26/2016	Q2 Enf...	Hays County	City of Woodcreek	1900 - Accounts Paya...	6020.60 - Traffic E...		7,085.00
Paycheck	07/27/2016	10277	Eric C Eskelund		1000 - Operating - Br...	-SPLIT-		9.23
Paycheck	07/27/2016	10276	Frank Wood		1000 - Operating - Br...	-SPLIT-		9.23
Paycheck	07/27/2016	10275	Gene Golembiewski		1000 - Operating - Br...	-SPLIT-		9.23
Paycheck	07/27/2016	10274	Gordon Marsh		1000 - Operating - Br...	-SPLIT-		9.23
Paycheck	07/27/2016	10273	Judy L Brizendine		1000 - Operating - Br...	-SPLIT-		9.23
Paycheck	07/27/2016	10272	Nancye K Britner		1000 - Operating - Br...	-SPLIT-		9.24
Paycheck	07/27/2016	10286	William Scheel		1000 - Operating - Br...	-SPLIT-		9.23
Check	07/27/2016	Debit	USPS		1000 - Operating - Br...	5500.60 - Postage ...		0.47
Deposit	07/27/2016			Deposit	1000 - Operating - Br...	-SPLIT-	153.00	
Bill	07/28/2016	2016-0...	WishList Direct / VoterDirect...		1900 - Accounts Paya...	-SPLIT-		1,092.16
Deposit	07/28/2016			Deposit	1000 - Operating - Br...	-SPLIT-	8,459.02	
Deposit	07/28/2016			Deposit	1000 - Operating - Br...	3095 - Sign Fees	10.00	
Bill	07/28/2016	0111650	American Legal Publishing ...		1900 - Accounts Paya...	6000.10 - Codificat...		72.00
Bill	07/29/2016	092618	Kelly Clements	Mowing services on 7/5 and 7/29	1900 - Accounts Paya...	6500.21 - Outdoor ...		400.00
Bill	07/31/2016	073116	San Marcos Daily Record	Acct # RA1906	1900 - Accounts Paya...	7000.20 - Public N...		63.18
Deposit	07/31/2016			Interest	1020 - Investment Acc...	4000 - Interest Inc...	14.04	
Deposit	07/31/2016			Interest	1022 - Crockett Natio...	4000 - Interest Inc...	142.11	

Jul 16

City of Woodcreek City Council Meeting
July 13, 2016: 6:30 p.m.
41 Champions Circle
Woodcreek, Texas 78676

Minutes

- 1.) **Call to Order:** Mayor Pro Tem Britner called the meeting to order at 6:30 p.m.
- 2.) **Invocation**
- 3.) **Pledge**
- 4.) **Roll Call.** Present: Mayor Pro Tem Nancye Britner, Councilmember William Scheel, Councilmember Jerry Moore, Councilmember Gordon Marsh, Councilmember Judy Brizendine, City Manager Brenton Lewis, Director of Public Works Frank Wood City, Treasurer Gene Golembiewski, City Attorney Roger Gordon, City Accountant Derek Peterson, Assistant Administrator Linda Land, City Clerk Barbara Grant. **Absent:** Mayor Eric C. Eskelund
- 5.) **Public Comments:** Jackie Maloy reported that during rain storms flooding at 9 Westwood Dr. increased after the neighbor added a gravel parking spot. Mary J. Cureton stated her concerns about the enforcement of the Non-conforming structure ordinance, saying that it violates due process. Joel Ray withheld comments for Agenda Item 9 C, at which time he stated that he would like to be able to rent the apartment above his garage at 142 Augusta Drive to offset his mortgage payment. Sybil Patterson expressed her opinions about the condition of Augusta Park.
- 6.) **Citizen Comments:** A presentation about CASA of Central Texas was given by CASA Development Director Tricia Schneider.
- 7.) **Report Items:**
 - A. Director of Public Works Wood reported that the City is still waiting for the check from FEMA that will used to pay for storm damage repairs. He added that pothole repairs are in progress and, weather permitting, will be finished the end of the week.
 - B. City Treasurer Golembiewski reported year-to-date revenues of \$388,163.00 and \$210,164.00 in expenditures.
 - C. City Manager Lewis presented his Monthly Public Report. He introduced Derek Peterson, the new City Accountant.
- 8.) **Consent Agenda:**
 - A. Approval of the minutes of the Regular City Council Meeting of June 8, 2016, Special City Council meeting of June 27, 2016, and Special City Council Meeting of July 6, 2016.
 - B. Approval of Treasurer's Report for June 2016.

Councilmember Marsh moved to accept the Consent Agenda in its entirety. The motion was seconded by Councilmember Moore, which passed with a vote of 5-0-0.

9.) Regular Agenda

A. Discussion and possible action on establishing an Emergency Notification System. Scott Tidwell of SenText Solutions gave a presentation of his text message notification system, including cost options. After discussion, no action was taken.

B. Discussion and possible action on adopting an Amending Ordinance as it relates to Chapter 152 Signs of the Municipal Code regarding permitting, fees and placement of signs. After discussion, Councilmember Brizendine moved to accept Amendment option "A", allowing for permitting and placement of signs within the public right-of-way, with an application fee of \$25.00 for the first sign and an additional \$10.00 fee per location. The motion was seconded by Councilmember Moore, which passed with a vote of 4-1-0. Councilmember Scheel voted Nay.

C. Consider amending the City of Woodcreek Code or Ordinances at Title XV ("Land Usage"), Chapter 156 ("Zoning"), to create a new subheading ("Conditional Use Permits"), a new section 156.091 ("Application and Procedure"), and a new section 156.092 ("Conditional Use Permits"), to establish policies, procedures, and applications for a resident seeking a conditional use permit, to identify uses eligible for such permits in particular zoning districts; to establish notification requirements, providing for a permitting process, defining terms, providing penalties, and providing for enactment, repealer, severability, codification, and effective date, and finding proper notice and meeting. Recommendations from Planning and Zoning Commission. After discussion, no action was taken, pending further information from Planning and Zoning Commission.

D. Discussion and possible action on City Council pay schedule. After discussion, Councilmember Brizendine moved to change Council pay from a monthly schedule to a semi-annual pay schedule. There being no second to the motion, no action was taken.

E. Discussion and possible action to begin the City of Woodcreek 2030 Vision Masterplan. After discussion, Councilmember Scheel was given authorization by Council to Chair and organize the 2030 Vision Masterplan process.

F. Discussion and possible action on approval of City Manager's Letter of Engagement.

no action taken.

Council Convened into Executive Session at 7:18 p.m.

Discussion related to the City Manager's Letter of Engagement.

Council reconvened into Open Session at 8:48 p.m.

10.) Adjourn: There being no further business, Mayor Pro Tem Britner adjourned the meeting at 7:53 p.m.

Nancye Britner, Mayor Pro Tem

Brenton B. Lewis, Interim City Manager

Council Meeting Date: 8/10/2016

AGENDA ITEM COVER SHEET

Subject/Title:

9. A. Consider and take appropriate action on Engineering Firm for Street Maintenance and authorizing the mayor and staff to negotiate fees and services, and enter into the agreement.

Item Summary:

Staff sent out RFQ's to eight engineering firms and received notification from three firms they would be submitting RFQ's. Of the three firms, two submitted RFQ's and a third submitted without notification. The interviews of the three engineering firms that have submitted RFQ's were held on Wednesday, August 3rd, with representatives from Jones/Carter, M&S Engineering, and Doucet & Associates attending the interview process. The interview committee was composed of the Council Responsibilities Committee for Infrastructure of Brizendine and Marsh, Mayor Eskelund, and myself. All firms had the strengths and weaknesses, however after rankings were made all three elected officials ranked the firm of Jones/Carter as their top firm. The next step is to enter into negotiations with the firm selected to determine a fee schedule and engineering cost.

Financial Impact/Financial Information:

Dependent on fee schedule

Comments/Recommendation:

Motion to accept the RFQ from Jones/Carter and authorize the Mayor and City Manager, and to begin and finalize negotiations.

Attachments:

Score Sheets and RFQ's that had not been issued.

Submitted By:

Brenton B. Lewis, City Manager

Evaluation Criteria - Woodcreek RFQ for Municipal Engineering

Score between 1 (lowest) and 5 (best)	Jones/Carter	Notes:	M&S	Notes:	Doucet	Notes:
Staff Availability & Partners	5		4		3	
Design for Public Works	4		4		4	
Construction Management for Public Works	5		3		3	
Regulation Compliance Projects	5		4		4	
Reasonable Rates						
References	5		5		5	
Relevant Experience:						
Development Plan Review	5		4		3	
Plans (including Comp Plan)	5		3		3	
Improvement Bond Estimation	4		3		3	
Preparation of Constr Docs	5		3		3	
Construction Management	5					
Total Points	48		36		34	

$$\frac{16}{28}$$

$$\frac{21}{34}$$

Evaluation Criteria - Woodcreek RFQ for Municipal Engineering

Score between 1 (lowest) and 5 (best)	Jones/Carter	Notes:	M&S	Notes:	Doucet	Notes:
Staff Availability & Partners	5	Large Firm	3		4	
Design for Public Works	5	broad experience	3		4	
Construction Management for Public Works	4		3		4	
Regulation Compliance Projects	5		4		4	
Reasonable Rates	3	not sure	3	not sure	3	
References	4		4		4	
Relevant Experience:						
Development Plan Review	4				4	
Plans (including Comp Plan)	5		3		4	
Improvement Bond Estimation	5	helpful re options	3		4	
Preparation of Constr Docs	4		4		4	
Construction Management	5	good			4	
Total Points	49		38		43	

21

Council Meeting Date: 8/10/2016

AGENDA ITEM COVER SHEET

Subject/Title:

9. B. Discussion and possible action to authorize City Attorney to draft a Dark Skies Initiative Ordinance.

Item Summary:

Dr. Shoulters

Brent Pulley and other representatives of the Wimberley Valley Dark Night Sky initiative will be in attendance to request the City Council to adopt an Ordinance that addresses outdoor lighting in compliance with the dark night sky initiative. The ordinance would be an integral part of having the area designated as a Dark Night Sky area. As was discussed in the March 9th, 2016 meeting, the Dark Night Sky Initiative is to save the night sky from light pollution. The residents and visitors of Texas Hill Country are beginning to lose the ability to view the various bodies that can be seen by the naked eye at night, this is due to light pollution from our metro areas to the east. The Dark Night Sky Initiative is an effort to limit the light pollution through education and adaptation of new and existing light fixtures. The Mayor and Council passed and adopted Ordinance 00-65N on June 1, 2005 to protect the citizens and visitors of the City of Woodcreek from light trespass. This ordinance states, in part, that lights shall be shielded to prevent light being emitted from fixtures designed or installed as to cause light to fall on neighboring property, motor vehicle drivers' eyes or upward, illuminating the sky. Within the packet is an ordinance for the City of Wimberley, that meets the Dark Night Sky Initiative. I have underlined areas that I have noted as needing to be changed. In addition, the most economical way to address lighting that is not in compliance is to inspect the lighting at the time of sale of the property, and also when a complaint is filed.

Financial Impact/Financial Information:

Cost of City Attorney for drafting of an ordinance.

Comments/Recommendation:

Direction to City Attorney and Staff to prepare a draft ordinance for consideration at the next Council meeting.

Attachments:

Wimberley Ordinance

Submitted By:

Brenton B. Lewis, City Manager

ORDINANCE NO. 2016-014

all needs to be changed

CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, AMENDING ORDINANCE NO. 2001-025, OUTDOOR LIGHTING, AS AMENDED BY ORDINANCE NO. 2004-007, TO UPDATE VARIOUS DEFINITIONS, AND ESTABLISH STREET LIGHT REQUIREMENTS; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS

WHEREAS, the City Council of the City of Wimberley ("City Council") is aware that outdoor lighting is necessary for the safety and welfare of the public and for the safe and effective conduct of business and that a business might desire to use various forms and types of lights to attract the attention of passersby and that public events may require illumination for night time activity and that residents may wish to install or maintain lights to provide for security; and

WHEREAS, the City Council has adopted a Vision Statement and a Comprehensive Plan that require the preservation of Wimberley's "small town" attributes and the integrity of the natural environment including a dark sky at night; and

WHEREAS, the City Council has observed that these attributes are diminished by lighting of urban intensity and finds that such lighting creates glare and sky glow and contrasts unreasonably with the moderate illumination suitable for a small town; and

WHEREAS, the City Council has considered that such lighting creates glare and visual clutter that can distract the attention of drivers of motor vehicles and thereby pose a risk to public safety; and

WHEREAS, the City Council finds that its citizens have the right to property free from unwanted illumination; and

WHEREAS, the City Council has observed a variety of outdoor lighting situations and has determined which uses of lighting and reasonable lighting intensity levels are consistent with the preservation of these attributes while affording sufficient light for security and safety; and

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

Section 1. Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Amendment.

Title XV (Land Usage), sections 151.60, *et seq.* (Outdoor Lighting) are hereby amended as follows:

“OUTDOOR LIGHTING

§ 151.60 COMPLIANCE REQUIRED.

All outdoor lighting fixtures and installations in the city shall conform to the following provisions.

§ 151.61 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BULB. A light-emitting device or a structure containing a light source. This includes but is not limited to a lamp.

CORRELATED COLOR TEMPERATURE. The specification of the color appearance of light emitted by a lamp, relating its color to the color of light from a reference blackbody source when heated to a particular temperature, measured in degrees Kelvin (K).

DIFFUSING LENS. A translucent enclosure which surrounds a light source and through which there can be seen no semblance of an image of the light source. To provide a sufficiently wide distribution of light, a lens meeting this definition shall have a minimum cross-section, as seen from any angle, of not less than 0.125 square inch per lumen of enclosed light source emission.

EFFICACY EFFICIENCY. As an engineering term, the emission of light by a light source expressed in lumens per watt. In the absence of manufacturers' ratings, or at the discretion of the city, the *EFFICACY EFFICIENCY* and light emission of lamps shall be calculated as follows:

- (1) Common tungsten incandescent: 12 lumens per watt;
- (2) Halogen incandescent: 18 lumens per watt;
- (3) Metal halide: 82 lumens per watt;
- (4) High pressure sodium: 82 lumens per watt; ~~and~~
- (5) Fluorescent tubes: 75 lumens per watt; and
- (6) LED: 50-150 lumens per watt.

FIXTURE. An outdoor lighting assembly containing 1 or more lamps and including any lenses, reflectors, and shields designed to direct the light in a defined manner.

FOOTCANDLE. As an engineering term, a unit of light intensity equal to 1 lumen per square foot, which applies to the brightness of light on a surface or at a point in space.

FULL HORIZONTAL CUT-OFF FIXTURE. A fixture that confines the light entirely below a horizontal plane running through the lowest of: the lowest point from which light is emitted, or the lowest part of any lens, or the lowest point of any specular reflector.

GLARE. The effect of light shining directly in the eyes such as occurs when there is a line of sight to the light source.

INITIAL LUMENS. The manufacturer-specified number of lumens of light generated by a lamp at the beginning of its service lifetime, not accounting for losses associated with lamp age.

LAMP. A light-emitting device or a structure containing a light source. This includes but is not limited to a bulb.

LIGHT SOURCE. Any device or element which emits light.

LIGHT STRING. Any number of bulbs connected with wire in a linear or 2-dimensional array, not contained in the structure of a fixture, used either for illumination or decoration, and supported in any manner.

LIGHT TRESPASS. Any horizontal or vertical illumination on a property from light sources on another property that exceeds 0.1 footcandles on a residential or unzoned district or 0.5 footcandles on a non-residential district. The measurement shall be made 4 feet above the ground at a point 4 feet inside the property line.

LIGHTING INSTALLATION. All outdoor lighting fixtures and light sources on a property.

LINE OF SIGHT. As it applies to the visibility of a light source, a straight unobstructed line from any point on a property 4 feet or more above the ground to a light source on another property.

LUMEN. As an engineering term, a unit of light flux, which applies to the amount of light emitted by a lamp.

LUMENS PER ACRE. The total number of initial lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

SPECULAR REFLECTOR. A reflector which has a mirror-like surface that reflects an image (no matter how imperfect or distorted) of a light source.

§ 151.62 SHIELDING, SPECTRUM AND CURFEWS.

(A) Any fixture installed in the city, including municipally-owned street lights, having ~~total electric consumption in excess of 150 watts or total light emission in excess of 1,580 initial lumens, except those illuminating a flag of a state or nation,~~ shall be shielded in a manner that:

- (1) Confines the light so that it falls entirely on a wall or sign, or confines the light entirely below ~~an angle 15 degrees below~~ a horizontal plane at the level of the

lowest of: the lowest point of the fixture at which light is emitted, the lowest part of any lens, or the lowest point of any specular reflector; and

(2) Prevents a line of sight from any point off the property on which the fixture is situated to a light source, its surrounding non-diffusing lens, or a specular reflector within or incidental to the fixture. ~~A line of sight shall be deemed not to exist for a light source of 3,600 lumens or less if it is enclosed in a diffusing lens.~~

(B) No property in the city shall have fixtures that are not included in, or do not conform to division (A), which collectively have ~~total electric consumption exceeding 600 watts or~~ total light emission exceeding 7,200 initial lumens.

(C) No fixture may be installed employing a lamp whose correlated color temperature exceeds 3000 Kelvins.

(D) New street lighting installed after the effective date, other than fixtures at the intersection of roadways, shall utilize half-night photocells or timers to turn off the lights halfway between dusk and dawn.

~~(C) Lighting on a property shall not create light trespass on another property.~~

§ 151.63 SITE LUMEN LIMITS.

zoning areas to be eliminated
(A) The total outdoor light output (excluding municipally-owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities) in both shielded and unshielded fixtures on any nonresidential property in districts RA, R-1 to R-5, MF-1, MF-2, NS and unzoned tracts where a residence exists shall not exceed 20,000 initial lumens per net acre, or 40,000 initial lumens per net acre in other districts and unzoned tracts, in any contiguous illuminated area. These lumen per net acre values are upper limits and not design goals; design goals should be the lowest levels that meet the requirements of the task.

(B) Total outdoor light output (excluding municipally-owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities) in unshielded fixtures on any nonresidential property in districts RA, R-1 to R-5, MF-1, MF-2, NS and unzoned tracts where a residence exists shall not exceed 6,000 initial lumens per net acre, or initial 15,000 lumens per net acre in other districts and unzoned tracts, in any contiguous illuminated area.

§ 151.64 REDIRECTION AND REMOVAL OF ADJUSTABLE FIXTURES AND BULBS.

(A) *Redirection.* Any fixture existing on the effective date of this subchapter which does not conform to § 151.62 of this code and which can be re-aimed shall be re-aimed in a manner that reduces the degree of non-compliance so it fully conforms with § 151.62;

~~(2) The optical axis is at an angle not less than 60 degrees below the horizontal;~~
or

~~(3) The optical axis is at the lowest angle permitted by the nature of the fixture and existing or available mounting hardware.~~

~~(B) shall be removed, or the number of bulbs reduced sufficiently to comply with §.~~

(B) *Removal.* A light string that does not conform to § 151.62 shall be removed, or the number of bulbs reduced sufficiently to comply with § 151.62.

§ 151.64-65 ILLUMINATION.

(A) *Limitation per fixture.* 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 subchapter, including lighting of externally illuminated and internally illuminated signs, shall not exceed:

(1) Six footcandles in districts RA, R-1 to R-5, MF-1, MF-2, NS and unzoned tracts where a residence exists;

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

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

(B) *Measurement.*

(1) On any surface, except signs, the maximum illumination shall be measured at the point of highest illumination but no closer than 6 feet from the center of the nearest fixture.

(2) On any surface of an externally illuminated sign, the maximum illumination shall be measured at the center of the sign.

(3) On any surface of an internally illuminated sign, the maximum illumination shall be measured at the point of highest illumination.

(4) On any surface illuminated by an internally illuminated sign, the maximum illumination shall be measured at the point of highest illumination, but no closer than 6 feet from the center of the sign.

(C) *Re-lamping.* Any fixtures existing on the effective date of this subchapter which do not conform to this section, which require lamp replacement and which will support lamps of lower emission, shall be re-lamped with lower emission lamps in order to:

(1) Achieve compliance with this section; or

(2) Approach compliance with this section to the greatest possible degree.

§ 151.65-66 PROHIBITED LIGHTING FORMS.

The installation or replacement of a mercury arc or mercury discharge lamp of any size or kind is prohibited.

§ 151.66-67 REMOVAL OF NON-CONFORMING FIXTURES.

Non-conforming fixtures, except those of a public entity, existing within the city on ~~October 5, 2001~~ the effective date of this ordinance, shall be removed or disconnected no later than ~~October 5, 2011~~ seven years from the effective date. Any change of use of a property, or renovations to the structures on a property constituting more than 25% of their value, shall result in the removal or replacement of any non-conforming fixtures on those structures.

§ 151.67-68 REPLACEMENT OF FIXTURES; CONFORMANCE REQUIRED.

Time frame

Any fixture that is replaced, whether or not it conforms to this subchapter, shall be replaced only with a fixture that conforms to all provisions of this subchapter.

§ 151.68-69 PUBLIC SAFETY AND PUBLIC NUISANCE.

(A) The City may install new public outdoor lighting, including street lighting and lighting on other public property and rights-of-way, after the effective date only upon the determination of the City Manager that a clear public safety threat exists in the space to be lit, and that the hazard can only be effectively mitigated through the use of outdoor lighting.

(AB) Notwithstanding the provisions of § 151.67, the city may require the modification or removal or limited operation of lighting fixtures found to be a public hazard or public nuisance according to the following criteria.

(1) Criteria for finding illumination to be a public hazard:

(a) Light trespass or glare which is sufficiently intense or contrasts excessively with surrounding illumination, regardless of the intensity of the surrounding illumination, in a manner to cause impairment of visual performance or to distract from or impair the safe operation of a vehicle; or

(b) Light trespass or glare that impairs a person's visual performance or ability to avoid obstacles in his or her path.

(2) Criteria for finding illumination to be a public nuisance:

(a) Light trespass or glare that deprives an owner or occupant of usual and reasonable use and enjoyment of a property;

(b) A high frequency or duration of periods when light trespass or glare is sufficient to interrupt or interfere with usual and reasonable use and enjoyment of a property; or

(c) Light trespass or glare that causes visual discomfort or impairment of visual performance in a manner that deprives any citizen of the city from the usual and reasonable enjoyment of a property.

(BC) Benefit to the general public welfare may be found to mitigate a finding of a public nuisance but may not be found to mitigate a finding of a public hazard.

§ 151.69-70 EXCEPTIONS.

The city may grant an exception to some of the provisions of this subchapter for certain fixtures if the city finds the exception to be in the interest of public health, safety, and welfare and under the following conditions.

(A) For the illumination of city streets, parking lots, areas of public activity, and yard security, a non-conforming fixture which is granted an exception may be installed and the fixture and its light shall be exempt from the provisions of §§ 151.62, 151.65(A)(3), and 151.67 of this code except as set forth below if:

(1) No alternative lighting design or location using fully conforming fixtures is reasonably applicable to the physical conditions of the site, and the asserted need for a non-conforming fixture is not solely for the purpose of achieving an illumination level in excess of the provisions of § 151.64(A)(3) of this code;

(2) A fully conforming fixture with or without auxiliary shielding is unavailable from manufacturers of fixtures or is unavailable for mounting on a pole of the public electric utility;

(3) The fixture has a full horizontal cut-off design, and has total light emission not exceeding 8,500 initial lumens;

(4) A fixture is mounted no higher than:

(a) Sixteen feet above the ground when mounted on a privately owned pole; or

(b) The lowest point consistent with public electric utility requirements when mounted on a pole which is the property of the public electric utility.

(5) No excepted fixture is located closer to another such fixture on 1 or separate properties than a distance equal to 3 times the average mounting height of the fixtures, nor closer to property lines of adjoining or facing residential property than a distance equal to 2 times the height of the fixture above the ground;

(6) No more than 1 excepted fixture is located on a residential property;

(7) No more than 2 excepted fixtures are located on a non-residential property for security purposes where there is no night time public activity;

(8) The maximum illumination due to all fixtures on the ground or any other surface does not exceed 6 footcandles; and

(9) The light from all excepted fixtures conforms to the provisions of §§ 151.62(A)(2) and 151.62(C) of this code so far as it affects any adjoining residential property.

use the use of proper (tight) or lowering of flag(s) at dusk and raising at dawn

(10) The lighting illuminates the flag of *state of Texas and/or United States* ~~any state or nation~~, provided that *8 ft*

(a) Flagpoles illuminated from below are limited to a height of 25 feet above ground level, and are illuminated with a single spot-type fixture whose *30 ft*

maximum initial output is 75 lumens per foot of height, measured from the light fixture to the top of the flagpole. The fixture must be mounted so that the lens is perpendicular to the flagpole.

(b) Flagpoles illuminated from above utilize a single light fixture, not to exceed 800 initial lumens, attached to the top of the flagpole or a fixture mounted above the top of the flagpole on a structure within 15 feet of the flagpole.

(B) Decorative light strings displayed during the seasonal holiday period from November 1 to January 15 of the next year are exempt from the provisions of this subchapter; provided that:

- ~~—(1) No bulb in the string has electric consumption exceeding 5 watts; and~~
- ~~—(2) The light string does not contribute to light trespass on an adjacent residential property.~~

§ 151.70-71 APPLICABILITY; ADMINISTRATION AND ENFORCEMENT.

(A) All lighting installations or additions to lighting installations made after the original effective date of this subchapter shall conform to this subchapter and shall be subject to inspection by the Building Official or his or her designee.

(B) An outdoor lighting plan shall be included as part of the documentation for a permit application. The outdoor lighting plan shall show the bulb type and electric power of all proposed and existing outdoor bulbs and fixtures in the lighting installation, and provide sufficient detail with respect to location, height, and aiming and shielding of the fixtures to demonstrate that the proposed lighting installation complies with this subchapter.

(C) If the Building Official or his or her designee finds that an outdoor lighting fixture does not comply with this subchapter, the owner shall be notified and shall be allowed 30 days from the date of the notification to remedy the non-compliance or to demonstrate that a violation does not exist.

(D) This subchapter shall not be construed to require or allow any act which is prohibited by any other ordinance or code provision.”

Section 3. Except as expressly amended herein, the Wimberley Code of Ordinances shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

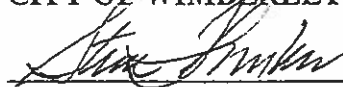
Section 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Section 7. 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, Chapter 551, Texas Government Code.

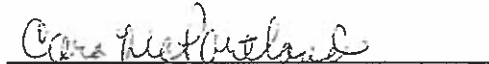
PASSED AND APPROVED this 21st day of April, 2016, by a vote of 4 (Ayes) to 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY, TEXAS



Steve Thurber, Mayor

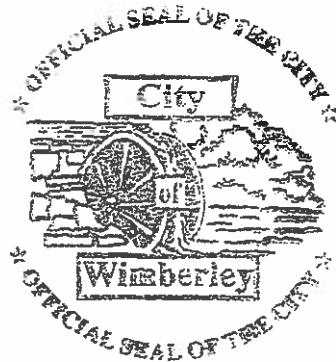
ATTEST:



Cara McPartland, City Secretary

APPROVED AS TO FORM:

City Attorney



1

2014

Council Meeting Date: 8/10/2016

AGENDA ITEM COVER SHEET

Subject/Title:

9. C Discussion and action to Order the General Election of November 8, 2016

Item Summary:

This item is to Call the General Election of November 8, 2016

Financial Impact/Financial Information:

~~Cost of Signage and work on transition area~~

Comments/Recommendation

Adoption of Ordinance

Attachments:

Draft Ordinance

Submitted By:

Brenton B. Lewis, City Manager

Council Meeting Date: 8/10/2016

AGENDA ITEM COVER SHEET

Subject/Title:

9. D. Discussion and possible action on Memorial Plaza Signage and Pavement Markings

Item Summary:

*curb
steps*

A concrete pad was constructed for parking for use by persons accessing the Memorial Plaza. Staff has been reviewing the situation and how the pad can be marked and signed to have the pad used for Memorial Plaza parking. As everyone is aware, there has been in the past, vehicles parked on the pad that the persons are not accessing the Plaza. Within the Code of the City of Woodcreek, the area has been designated as 2-hour parking limit and vehicles can be towed at the expense of the owner. Staff had a temporary 2-hour parking sign placed at the pad, to address parking during the interim period of having permanent signage and pavement markings. During the review it was noted the pad has the dimensions of 19 feet deep and 27 feet wide. These dimensions would accommodate one 9-foot-wide regular parking space, and a van accessible parking space that is 18 foot wide. Also noted the transition area from the concrete to the grass area needs to have a smoother transition. Staff believes placing a Memorial Plaza 2 Hour Parking sign from here to corner (with arrow) at the north east corner of the pad will suffice. In addition to the afore-mentioned, the placement of a Handicap Parking sign would be necessary. As a side note, there are two avenues that can be pursued for enforcement, the first would be to have the Constables office ensure enforcement, with the second being time stamped photographs of the vehicle and a complaint being filed in the court system.

Financial Impact/Financial Information:

Cost of Signage and work on transition area

Comments/Recommendation:

Direction to staff

Attachments:

Photograph indicating possible signage

Submitted By:

Brenton B. Lewis, City Manager

Council Meeting Date: 8/10/2016

AGENDA ITEM COVER SHEET

Subject/Title:

9. F. Discussion and action on 30.06 signage at City Hall.

Item Summary:

This item is to discuss any current issues with the 30.06 signage at City Hall. City Attorney Gordon will carry the majority of the discussion.

Financial Impact/Financial Information:

N/A

Comments/Recommendation

None

Attachments:

None

Submitted By:

Brenton B. Lewis, City Manager

MEMORIAL PLAZA
PARKING ONLY
2 HOUR LIMIT
FROM HERE TO CORNER
VOLUNTEERS WILL
BE TOWED AT
OWNER'S EXPENSE
City of Houston
Ordinance No. 15287

HANDICAP
PARKING
ONLY

Regular Parking

HANDICAP PARKING

HANDICAP PARKING
LOADING
AND UNLOADING ZONE

9 FEET

9 FEET

9 FEET

NOT TO SCALE

