

May 25th Special Meeting of the Woodcreek City Council

Submitted by Councilmember Debra Hines and approved by Mayor Jeff Rasco

Consent Agenda:

Item 1: Financial Reports for April 2022

Requested by Councilmember Grummert to be moved to Regular Agenda for discussion and unanimously approved by Council.

Regular Agenda:

Item 1: Financial Reports for April 2022

Discussion on this item surrounded reductions in the projected income for the City for the year and how this might impact the budget. Sales tax revenue is significantly lower than the anticipated amount budgeted by the previous Council. Councilmember Brizendine expressed concerns over expected legal fees involved with negotiations of the Aqua Tx contract with the City. City Manager Brenton Lewis confirmed that some additional legal fees were anticipated and that they would be significant. Clarification was made that the elected body legal fees shown in the spreadsheet only reflect the totals spent from Feb 2022 to the current date, as the previous expenses were lumped together with other legal fees prior to the Council decision to separate them out. Councilmember Hines showed that even with removing the restricted American Rescue Act Funds located on budget line item 4035 TDEM that the City is still sitting with a surplus of over \$200,000 for the year in the net revenue. Vigilance and restricted spending will be needed in the final months of the fiscal year to ensure the City maintains this surplus.

Item 2: Presentation of “Road Updates and Funding Survey” Results

Results of this survey were approved by Council and sent to the Platinum Panel for review and consideration. Council has asked that the Platinum Panel provide Council with a timeline and next steps for making the road updates and funding decision. Councilmember Hines gave a brief presentation on how the results were validated and how the sample size present can be viewed as significant and reflective of the whole population. To review that information or the survey results read pages 9-28 of the agenda linked here: <https://mccmeetings.blob.core.usgovcloudapi.net/woodcreek-pubu/MEET-Packet-ca7c031ef13c420384ef442d4a99ce9c.pdf>

Item 3: Review of Projects to be Covered by the American Rescue Plan Act of 2021 Funds

Funds from the American Rescue Act must be designated by a specific project by 2024 and must be spent by 2026. The City has already received a portion of these funds to begin work. The use of these funds is restricted to certain public goods and drainage has been identified as a priority for the use of these funds. This is supported by the 2021 Comprehensive Plan Survey Results. Mayor Pro Tem LeBrun, who is also the liaison for the Platinum Panel, sponsored this item and has identified two areas that experience significant flooding and drainage issues. Council unanimously passed sending this information to the Platinum Panel for review and consideration. Council has requested that the Panel make a recommendation back as to the use of these funds and on which areas to focus. It is understood

that the Platinum Panel may produce other recommendations beyond the scope of work or areas identified in this proposal by Mayor Pro Tem LeBrun.

Item 4: Application to the US Department of Transportation for Possible Funding Related to Connectivity

Council unanimously approved asking that the Platinum Panel work with staff to research and apply for the various grants provided through TxDot from Federal programs shown in the agenda packet. The focus of this presentation from Councilmember Grummert centered around connectivity, trails, and mobility. City Manager Brenton Lewis explained that the City does have designated grant writers and that he has reached out to them. He further explained that grant writers are only paid if the project gets funded.

Item 5: Discussion of Parks Board to consider a grant application with the LCRA

Council unanimously approved directing the Parks Board to consider a grant application for the Lower Colorado River Authorities Community Development Project. Funds can be used to purchase new park lands or improve existing parks. This grant application, if pursued by the Parks Board, would need to be written quickly as the deadline to apply is in July. Cities can apply for a maximum of \$50,000.

Item 6: Traffic Signs (adding, removing, changing)

Council unanimously decided to send this item, with a reduced and more focused packet provided by Councilmember Grummert who sponsored this item, to the Platinum Panel for consideration during their planning. They will consider how to improve pedestrian safety with the use of signs to amplify the City's entrances which serve to alert drivers to the fact that this is a residential area with pedestrian traffic. They will consider the use of signs to control speed including the location and design of signs in addition to the consideration for the placement of more three-way stop signs throughout the City. Once Council has their recommendations it was discussed that then the City engineers should review the scope of work being proposed and provide a cost. It was clarified by City Manager, Brenton Lewis, that an ordinance is only needed for regulatory sign placement such as, but not limited to, stop signs and speed limits. Other signs like "pedestrian crossing" could be installed with Council approval and at the Mayor's discretion.

Item 7: Update of Chapter 91 Tree Ordinance

An update to the existing Tree Ordinance was reviewed by Council and unanimously sent to the Tree Board for additional review and input. City Secretary Suzanne Mac Kenzie presented a public comment as a citizen on this item. She expressed concern over any potential fees for protected and heritage trees needing to be removed because of Oak Wilt. Councilmember Hines made a statement of fact in response to the comment that the proposed ordinance does not penalize residents in this manner, and that fees for replacement or removal may be waived in the case of Oak Wilt. Councilmember Brizendine requested that penalties be assessed for tree workers who fail to properly clean tools, and spoke in favor of expanding the City's matching funds in response to citizens replacing trees due to Oak Wilt loss. Other comments provided by Councilmember Pulley during this discussion involved increasing the regulations for new development and strengthening them, while simultaneously adjusting the requirements for existing residencies. A revised version with Council edits will appear in a future Tree Board agenda. To review the ordinance and read a summary of the changes proposed in this ordinance

review pages 113-135 in the agenda linked here:

<https://mccmeetings.blob.core.usgovcloudapi.net/woodcreek-pubu/MEET-Packet-ca7c031ef13c420384ef442d4a99ce9c.pdf>

Item 8: Greenspace Ordinance

Designed to protect trees and other vegetation on public lands, this ordinance passed unanimously. It establishes a permit process for working on city-owned trees, prohibits their removal, and created a way for citizens to officially adopt and care for areas. Questions arose as to whether the City would be required to reimburse citizens for plants and care provided, and the ordinance states “no” unless approved by Council (or a designated board) in advance. City Manager Brenton Lewis reminded Council that to preserve some street trees while looking at city-wide road updates, it may mean that the shape of the streets will change and, in some cases, widen into the right-of-way easements on either side of the road.

Item 9: Requesting an Inventory of Trees on City-Owned Property by Tree Board

Passed unanimously, this item directs the Tree Board to begin their city-wide tree inventory with public lands such as parks, street trees, medians, and public right-of-way greenspaces. They shall mark the location, size and species of all trees located on public land.

Item 10: Procurement Policy Update

Passed unanimously with minor edits. Discussion occurred surrounding the fact that the purchase of all goods is reviewed and approved by the City Manager and so excess language under that item could be removed. Councilmember LeBrun added “Emergency Services” as an item under regular business and maintenance that may not need reporting. Major changes in this document from its previous version established that no unbudgeted funds could be spent without Council approval, the maximum that could be spent without requesting three quotes would now be \$300, and that any amount of budget funds spent totaling over \$1500 would now be subject to a report to Council.

Item 11: City Fund Balance Policy Update

Passed unanimously with minor edits. Discussion occurred designating that the Comprehensive Fund Balance should not fall below one-half million. This edit was made per a suggestion by Councilmember Brizendine and supported by Mayor Rasco. Updates made in this new version involved making the policy more applicable to the City of Woodcreek and its actual financial practices. Councilmember Hines stated that having a strategic long-term approach to finance, and it being clearly written so all can understand, is essential. This document is meant to be informative and to guide policy and decisions.

Item 12: Discussion of 65+ or Disabled Tax Exemption

Council voted unanimously to request a report from the Hays Country Tax Assessor-Collector Jennifer O’Kane on how this additional homestead exemption could impact the tax rate and revenue for the City. Concerns remain on how this will interact with the Interest and Sinking (debt service) rate as well. Staff was directed to inquire about the impact of a \$20,000 proposed tax exemption for the appraised home values specifically. Councilmember Grummert and Hines spoke in favor of the item and presented estimates on the impact this could have on the City’s budget in the meeting.

Item 13: Roads and Finance Packet to be Sent to the Platinum Panel

Councilmember Hines removed this item as the packets were already sent to the Platinum Panel on their first agenda.

Item 14: Nominations to Boards, Commissions, and/or Committees

Dorothy Tasian was appointed unanimously to the Tree Board as a full member.

Nan Simpson was named as a Tree Board alternate by a majority vote, Councilmember Judy Brizendine voting “nay.”