

Agenda

City of Hudson Oaks
210 Hudson Oaks Drive
Hudson Oaks, Texas 76087
Regular City Council Meeting

Thursday
February 22, 2018

CITY COUNCIL SESSION 7:00 P.M.

Call to order

INVOCATION

PLEDGES OF ALLEGIANCE

1. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.
2. Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

A. CITIZEN COMMENTS AND ANNOUNCEMENTS

B. ITEMS OF COMMUNITY INTEREST

Items of community interest include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognitions of city officials, employees or citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or employee; and announcements involving imminent threats to the public health and safety.

C. CONSENT AGENDA

1. Consideration of the regular City Council meeting minutes for January 25, 2017
2. Consideration of Minute Order 2018-04, excusing Council Members Brian Lixey and Marty Schrantz from the January 25, 2018 regular City Council meeting

D. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consideration of Ordinance 2018-02, amending Article 4.06 "Peddlers and Solicitors" of the Hudson Oaks City Code
2. Consideration of Minute Order 2018-05, awarding a bid for the materials, construction, and installation of one public water supply well and the closure of an existing public supply well

E. STAFF/COUNCIL REPORTS

1. Staff Report on Ordinances addressing trash, filth, and outdoor storage
2. Monthly Police Report
3. Police Department 2017 Racial Profiling Report
4. Financial Dashboard

F. EXECUTIVE SESSION

Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive legal advice from its attorney on any posted agenda item as permitted by law, or to discuss the following:

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071
2. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072
3. Deliberation regarding gifts or donations to the City pursuant to Section 551.073
4. Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment or duties, discipline or dismissal of a public officer or employee)
5. Deliberation regarding security pursuant to Section 551.076
6. Deliberation regarding economic development negotiations pursuant to Section 551.087

G. DISCUSSION/ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

H. FUTURE AGENDA ITEMS

In compliance with the Texas Open Meetings Act, Council Members may request that matters of public concern be placed on a future agenda. Council Members may not discuss non-agenda items among themselves. In compliance with the Texas Open Meetings Act, city staff members may respond to questions from Council members only with statements of factual information or existing city policy.

I. ADJOURNMENT

I, Shelley Scazzero, hereby certify that notice of the above meeting was posted on the front door of the City Hall of the City of Hudson Oaks, a place readily accessible to the public at all time, on the 16th day of February, 2018 at 5:00 p.m., and it remained continuously posted for at least seventy-two (72) hours immediately preceding said meeting, and that said meeting and that said notice was posted in accordance with Chapter 551 of the Texas Government Code.

This facility is wheelchair accessible and accessible parking spaces are available, requests for accommodations or interpretive services must be made forty-eight (48) hours prior to this meeting, please contact the city secretary at 682-229-2400 or email shelley.major@hudsonoaks.com for more information. The city attorney reserves the right to take agenda item(s) into executive session.

Shelley Scazzero
City Secretary

City Council Meeting Staff Agenda Report



Consideration of the regular City meeting minutes for January 25, 2018		
Meeting date: February 22, 2018	Agenda Item #: C1	Action being considered: Approval of Minutes

Staff Recommendation:

Review and approve the minutes of the January 25, 2018 City Council regular meeting.

Prior Board or Council Action:

Council has not previously acted on this item.

Background Information/Analysis:

The City Council regular meeting was held at 7:00 p.m. on Thursday, January 25, 2018, at Hudson Oaks City Hall.

Financial Considerations:

None

Attachments:

DRAFT Minutes

Staff Contact:

Patrick Lawler, city administrator
682-229-2408
patrick.lawler@hudsonoaks.com

Shelley Scazzero, city secretary
682-229-2411
shelley.major@hudsonoaks.com



HUDSON OAKS

MINUTES

HUDSON OAKS CITY COUNCIL
REGULAR MEETING
THURSDAY, JANUARY 25, 2018

STATE OF TEXAS §
 §
COUNTY OF PARKER §

MEMBERS PRESENT:

Mayor Pat Deen
Mayor Pro-Tem Tom Fitzpatrick
Council Member Tom Marquardt
Council Member Marc Povero

MEMBERS ABSENT:

Council Member Brian Lixey
Council Member Marty Schrantz

STAFF PRESENT:

Patrick Lawler, City Administrator
Chad Janicek, Assistant City Administrator
Joni May, Operations Coordinator
Michael Baldwin, Police Chief

CALL TO ORDER

With a quorum present, the Regular Meeting of the City Council was called to order by Mayor Pat Deen at 7:04 p.m. on Thursday, January 25, 2018 in the Council Chamber, Hudson Oaks City Hall, 210 Hudson Oaks Drive, Hudson Oaks, Texas, 76087.

A. CITIZEN COMMENTS AND ANNOUNCEMENTS

Lila Deakle, candidate for Parker County Clerk introduced herself to Council and residents.

Paula Durant, candidate for Parker County Clerk introduced herself to Council and residents.

B. ITEMS OF COMMUNITY INTEREST

Patrick Lawler, City Administrator commented on the response to the Willow Park grass fires; noting that he and the Police Department assisted but the City of Willow Park and City Manager, Bryan Grimes, did an excellent job. He also reminded Council that we are still under high fire danger.

C. CONSENT AGENDA

1. Consideration of the regular City Council meeting minutes for November 16, 2017
2. Consideration of Minute Order 2018-01, approving the surplus of communication equipment
3. Consideration of Minute Order 2018-02, approving the surplus of Police Department TASER X26 CEWs to Parker County District Attorney's Office Investigators
4. Consideration of Minute Order 2018-03, approving the purchase of a new utility vehicle
5. Consideration of Resolution 2018-01, calling a May 5, 2018 General Election to elect officers; designating polling places; appointing election judges; providing procedures for the conduct of the election; approving a joint election with Parker County, and providing an effective date

ACTION: A motion was made by Council Member Marquardt and seconded by Mayor Pro-Tem Fitzpatrick to approve the consent agenda items. The motion passed unanimously (3-0).

D. PUBLIC HEARING AND RELATED ITEMS

1. Public hearing and consideration of Ordinance 2018-01, on a request for a Specific Use Permit to allow for a mother in law quarters/guesthouse on a 1.020 acre tract of land being Lot 35, Block F, Red Eagle Ranch Addition, 410 Golden Grove Court, Hudson Oaks, Parker County, Texas

Mayor Deen opened the public hearing at 7:13 p.m.

No citizen comment.

Mayor Deen closed the public hearing at 7:13 p.m.

ACTION: A Motion was made by Mayor Pro-Tem Fitzpatrick and seconded by Council Member Povero to approve Ordinance 2018-01, as recommended by the Planning and Zoning Commission. The motion passed unanimously (3-0).

E. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consideration of Resolution 2018-02, authorizing publication of Notice of Intention to issue certificates of obligation to finance certain street and utility improvements.

ACTION: A Motion was made by Mayor Pro-Tem Fitzpatrick and seconded by Council Member Marquardt to approve Resolution 2018-02. The motion passed unanimously (3-0).

F. STAFF/COUNCIL REPORTS

1. Police Department monthly activity report was presented by Chief Michael Baldwin. Chief Michael Baldwin also announced that a new police officer has been hired.
2. Use of Force reporting was presented by Chief Michael Baldwin.
3. Chad Janicek, Assistant City Administrator was available to answer questions regarding the financial dashboard.

G. EXECUTIVE SESSION

Executive Session convened at 7:26 p.m.

Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting to receive legal advice from its attorney on any posted agenda item as permitted by law, or to discuss the following:

- 1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071**
- 2. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072**
- 3. Deliberation regarding gifts or donations to the City pursuant to Section 551.073**
- 4. Personnel matters pursuant to Section 551.074 (to deliberate the appointment, employment, evaluation, reassignment or duties, discipline or dismissal of a public officer or employee)**

5. Deliberation regarding security pursuant to Section 551.076

6. Deliberation regarding economic development negotiations pursuant to Section 551.087

- a. Bonner Carrington
- b. Marline Fourteen LLC

Regular session reconvened at 8:17 p.m.

H. DISCUSSION/ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

No action taken.

I. FUTURE AGENDA ITEMS

No items.

J. ADJOURNMENT

There being no further business, Mayor Pat Deen adjourned the regular meeting of the City Council at 8:20 p.m., on Thursday, January 25, 2018.

Pat Deen, Mayor

ATTEST:

Shelley Scazzero, City Secretary

City Council Meeting Staff Agenda Report



Consideration of Minute Order 2018-04, excusing Council Members Brian Lixey and Marty Schrantz from the January 25, 2018 regular City Council meeting		
Meeting date: February 22, 2018	Agenda Item #: C2	Action being considered: Approval of Minute Order 2018-04

Staff Recommendation:

Adopt Minute Order 2018-04, excusing Council Member absences from the January 25, 2018 regular meeting.

Prior Board or Council Action:

Council has not previously acted on this item.

Background Information/Analysis:

Council Member Brian Lixey was absent from the January 25, 2018 regular meeting due to family related obligations.

Council Member Marty Schrantz was absent from the January 25, 2018 regular meeting due to work related obligations.

Per Texas Local Government Code, the City Council must take action considering formally excusing absences from meetings for any reason other than a council member's illness.

Financial Considerations:

None

Attachments:

None

Staff Contact:

Patrick Lawler, city administrator
682-229-2408
patrick.lawler@hudsonoaks.com

Shelley Scazzero, city secretary
682-229-2411
shelley.major@hudsonoaks.com

City Council Meeting Staff Agenda Report



Consideration of Ordinance 2018-02, amending Article 4.06 “Peddlers and Solicitors” of the Hudson Oaks City Code		
Meeting date: February 22, 2018	Agenda Item #: D1	Action being considered: Adoption of Ordinance 2018-02

Staff Recommendation:

Recommend approval of Ordinance 2018-02, amending Article 4.06 “Peddlers and Solicitors.”

Prior Board or Council Action:

The original ordinance adopting regulations regarding Peddler and Solicitors was adopted by City Council on June 22, 1998.

Background Information/Analysis:

Staff requested that the City Attorney review and recommend changes to the current ordinance to bring it into compliance with recent Supreme Court rulings in the area of solicitation. The ordinance on this agenda currently meets those requirements.

Financial Considerations:

None

Attachments:

DRAFT Ordinance
Red line Ordinance

Staff Contact:

Patrick Lawler, city administrator
682-229-2408
patrick.lawler@hudsonoaks.com

Shelley Scazzero, city secretary
682-229-2411
shelley.major@hudsonoaks.com

ORDINANCE NO. 2018-02

AN ORDINANCE OF HUDSON OAKS, TEXAS AMENDING ARTICLE 4.06 “PEDDLERS AND SOLICITORS” OF THE HUDSON OAKS CITY CODE IN ITS ENTIRETY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hudson Oaks, Texas is a Type A general-law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Council previously adopted regulations regarding peddlers and solicitors in the City, codified as Article 4.06 “Peddlers and Solicitors” of the Hudson Oaks Code of Ordinance; and

WHEREAS, the City Council has determined that it is necessary to revise multiple provisions of Article 4.06, and therefore desires to repeal Article 4.06 in its entirety and adopt a new Article 4.06 regulating peddlers and solicitors in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUDSON OAKS, TEXAS:

SECTION 1.

That Article 4.06 “Peddlers and Solicitors” of the Hudson Oaks Code of Ordinances is hereby repealed in its entirety and is replaced with the following new Article 4.06 “Peddlers and Solicitors” to read as follows:

“ARTICLE 4.06 PEDDLERS AND SOLICITORS

Division 1. Generally

Sec. 4.06.001 Definitions

The following words, terms, and phrases, and their derivations, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contribution. Includes the words “alms,” “money,” “subscription,” and “property” or any donations under the guise of a loan of money or property.

Peddler. Any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, carrying or transporting goods, wares, merchandise or personal property of any nature and offering the goods, wares, merchandise, or property for sale. This definition also includes any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme to evade the provisions of this article.

Peddling. Includes all activities ordinarily performed by a peddler as indicated under the definition of “peddling” in this section.

Person. A natural person or any firm, corporation, association, club, society or other organization.

Solicitation. Includes all activities ordinarily performed by a solicitor as indicated under the definition of “solicitor” in this section.

Solicitor. Any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares, or other personal property of any nature for future delivery, or for services to be performed in the future. This definition also includes any person who, without invitation, goes upon private property to request contribution of funds or anything of value.

Sec. 4.06.002 Penalty; civil remedies

- (a) Violation of any of the provisions of this article shall be treated as an infraction, and shall, upon conviction, be punishable by a fine as provided in section 1.01.009 of this code.
- (b) In addition to any criminal enforcement, the city or any individual may pursue any available civil remedies deemed appropriate and necessary.

Sec. 4.06.003 Claims of exemption

Any person claiming to be legally exempt from the regulations set forth in this article, or from the payment of a permit fee, shall cite to the city secretary the statute or other legal authority under which exemption is claimed and shall present to the city secretary proof of qualification.

Sec. 4.06.004 Entry upon signed premises

It shall be unlawful for any person, whether licensed or unlicensed, while conducting the business of a peddler or solicitor, to enter upon any residential premises in the city where the owner, occupant or person legally in charge of the premises has posted, at the entry to the premises, or at the entry to the principal building on the premises, a sign bearing the words “No Peddlers,” “No Solicitors,” or words of similar import.

Sec. 4.06.005 Hours of operation

No person, while conducting the activities of a peddler or solicitor, whether licensed or unlicensed, shall enter upon any private property, knock on doors or otherwise disturb persons in their residences between the hours of 9:00 p.m. and 9:00 a.m.

Sec. 4.06.006 Solicitations and sales in certain locations

(a) It shall be unlawful for any person to distribute, sell or offer for sale or distribution any goods, wares, merchandise or service, or solicit a ride, employment, donations, contributions or business within a roadway, or on any median or traffic island within the right-of-way of any street or highway within the city.

(b) It shall be unlawful for any person to distribute or sell or offer for sale or distribution any goods, wares or merchandise, or solicit a ride, employment, donations or contributions by a direct transaction or exchange with the occupant of any vehicle stopped or traveling on any street or highway within the city.

(c) An offense under this subsection occurs when the offer, solicitation or distribution is made regardless of whether a transaction is completed.

(d) For purposes of subsection (a), "roadway" is defined as that portion of a street or highway designed, improved or ordinarily used for vehicular travel, typically delineated by curbs, edgelines or the edge of pavement.

Secs. 4.06.007–4.06.030 Reserved

Division 2. Permit

Sec. 4.06.031 Required; exemptions

It shall be unlawful for any person eighteen (18) years of age or older to engage in peddling or solicitation activities within the city without first obtaining a permit issued by the office of the city secretary; provided, however, that the following are exempted from the provisions of this section:

- (1) Any solicitation made upon premises owned or occupied by an organization upon whose behalf the solicitation is made;
- (2) Any communication by an organization soliciting contributions solely from persons who are members of the organization at the time of such solicitation; or

- (3) Any solicitation in the form of a collection at a regular meeting, assembly or service of a charitable person.

Sec. 4.06.032 Permit for sponsoring juvenile peddlers or solicitors

- (a) No person under the age of eighteen (18) shall be permitted to engage in peddling or solicitation except as provided in this section.
- (b) A permit shall be obtained by a sponsoring person, company or organization for the conduct of any peddling or solicitation activities involving, in whole or in part, a sales force of one (1) or more persons under eighteen (18) years of age.
- (c) The sponsor shall be responsible for supervising and controlling the conduct of all persons, including juveniles, peddling or soliciting under the sponsor's permit.
- (d) The sponsor shall provide to each individual in its sales force a badge or other easily readable form of identification which identifies the name of the sponsor and the name of the individual. The sponsor shall require all individuals in its sales force to wear such identification so that it is clearly visible at all times when the individuals are peddling or soliciting.
- (e) The sponsor shall comply with the requirements of the state Youth Employment Act.
- (f) A person wishing to comply with this section by getting a permit for sponsoring juveniles must make application at least 48 hours before the permit is needed.

Sec. 4.06.033 Application

Every person subject to the provisions of this article shall file with the city secretary an application in writing on a form to be furnished by the office of the city secretary, which shall provide the following information:

- (1) Proof of age, address and identification of the applicant, to be provided through the applicant's driver's license, articles of incorporation (for sponsors), or other legally recognized form of identification.
- (2) A brief description of the business or activity to be conducted.
- (3) The hours and location for which the right to peddle or solicit is desired.
- (4) If employed, the name, address and telephone number of the employer, or, if acting as an agent, the name, address and telephone number of the principal who is being represented, with credentials in written form establishing the relationship and the

authority of the employee or agent to act for the employer or principal, as the case may be.

(5) A statement as to whether the applicant has been convicted of a felony, misdemeanor or ordinance violation (other than traffic violations), the nature of the offense or violation, the penalty or punishment imposed, the date when and place where such offense occurred, and other pertinent details thereof.

(6) Proof of possession of any license or permit which, under federal, state or local laws or regulations, the applicant is required to have in order to conduct the proposed business.

(7) Two (2) photographs of the applicant which shall have been taken within sixty (60) days immediately prior to the date of filing of the application. The photographs shall measure 1-1/2 inches by 1-1/2 inches and show the head and shoulders of the applicant in a clear and distinguishing manner.

(8) The state driver's license number of all persons who will operate a motor vehicle for the permittee must be provided.

(9) Proof of liability insurance (as required by state law) must be provided at the time of request for this permit. Such proof shall be in a format permitting retention by the city secretary.

(10) A copy of a limited sales tax permit issued by the state, or proof that the goods sold are not subject to such sales tax.

(11) A statement of the type of goods or wares to be sold.

(12) The fingerprints of each agent selling within the city.

(13) A copy of a current health certificate if merchandise of edible quality is to be sold; provided, however, this shall not apply to the sale of candy, nuts or other edibles prepared and packaged by a nationally recognized manufacturer or a state manufacturer meeting standards imposed by state and local health codes, if such packages are unbroken.

Sec. 4.06.034 Fee

At the time the application is filed with the department, the applicant shall pay a fee to cover the cost to the city of processing the application and investigating the facts stated therein. The application fee shall be ten dollars (\$10.00) for each solicitor or peddler and shall not be refundable.

Sec. 4.06.035 Issuance

- (a) Upon receipt of an application, the city secretary, or authorized representative, shall review the application. Within thirty days of receipt of the application, the city secretary shall approve the application and upon payment of the prescribed fee, issue the permit to the applicant unless a grounds for denial exists under section 4.06.036.
- (b) The permit shall show the name, address and photograph of the permittee, the class of permit issued, the kind of goods or services to be sold or delivered, the date of issuance, and the length of time that the permit shall be in effect. The permit shall also show the permit number and identifying description of any vehicle to be used in carrying on the business for which the permit is issued.
- (c) A record of all permits issued shall be maintained by the department for a period of at least two (2) years.

Sec. 4.06.036 Denial

- (a) Upon the city secretary's review of the application, the city secretary shall refuse to issue a permit to the applicant under this article for any of the following reasons:
 - (1) An investigation reveals that the applicant falsified information on the application;
 - (2) The applicant has been convicted of a felony, misdemeanor or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property, such conviction being entered within the five (5) years preceding the date of application;
 - (3) The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit or misrepresentation has been entered within the five (5) years immediately preceding the date of application;
 - (4) There is no proof as to the authority of the applicant to serve as an agent to the principal; or
 - (5) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the city secretary that the reasons for such earlier denial no longer exist.
- (b) The city secretary's disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that this application is disapproved and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address. The notice of denial shall be mailed within thirty (30) days of the receipt of the application.

Sec. 4.06.037 Expiration

All permits issued under the provisions of this article shall expire one (1) year from the date of issuance.

Sec. 4.06.038 Identification badge

At the same time the permit is issued, the city secretary shall issue to each permittee a badge, which shall be worn by the permittee in such a way as to be conspicuous at all times while the permittee is soliciting or peddling in the city.

Sec. 4.06.039 Exhibition

Every person required to obtain a permit under the provisions of this article shall exhibit the permit when requested to do so by any prospective customer or peace officer.

Sec. 4.06.040 Transfer

It shall be unlawful for any person other than the permittee to use or wear any permit or badge issued under the provisions of this article.

Sec. 4.06.041 Grounds for revocation or suspension

Any permit issued under this article may be revoked or suspended by the city secretary, after notice and hearing, for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for a permit;
- (2) Fraud, misrepresentation or false statement made by the permittee in the course of conducting solicitation or peddling activities;
- (3) a plea or conviction of a crime described in section 4.06.036(a)(2);
- (4) a judgment involving a matter described in section 4.06.036(a)(3);
- (5) the type of solicitation activity requires a bond, and the bond requirements have not been complied with or the bond has expired or is no longer valid; or
- (6) a violation of any of the regulations set forth in this article.

Sec. 4.06.042 Revocation procedure

Notice of a hearing for revocation or suspension of a permit issued under this article shall be provided in writing and shall set forth specifically the grounds for the proposed revocation or suspension and the time and place of the hearing. Notice shall be mailed, postage prepaid, to the permittee at the address shown on the permit application or at the last known address of the permittee.

Sec. 4.06.043 Appeals

- (a) Any person aggrieved by the action or decision of the city secretary to deny, suspend or revoke a permit applied for under the provisions of this article shall have the right to appeal such action or decision to the city administrator within fifteen (15) days after the notice of the action or decision has been mailed to the person's address as shown on the permit application form, or to his last known address.
- (b) An appeal shall be taken by filing with the city secretary a written statement setting forth the grounds for the appeal.
- (c) The city secretary shall transmit the written statement to the city administrator within ten (10) days of its receipt and the city administrator shall set a time and place for a hearing on the appeal.
- (d) A hearing shall be set not later than twenty (20) days from the date of receipt of the appellant's written statement.
- (e) Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of action or decision.
- (f) The decision of the city administrator on the appeal shall be final and binding on all parties concerned."

SECTION 2. CUMULATIVE

This Ordinance shall be cumulative of all provisions of ordinances and the Code of the City of Hudson Oaks, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and Code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

SECTION 3. SEVERABLE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.
PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than \$2000.00 for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined \$500.00 for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.
SAVINGS**

All rights and remedies of the City of Hudson Oaks are expressly saved as to any and all violations of the provisions of the Hudson Oaks City Code or any other ordinances regulating solicitation that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.
PUBLICATION**

The city secretary of the City of Hudson Oaks is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance one time in the official newspaper of the City, as authorized by Section 52.011 of the Local Government Code.

**SECTION 7.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 22nd DAY OF FEBRUARY, 2018.

Pat Deen
Mayor

Attest:

Shelley Scazero
City Secretary

DRAFT

Division 1. Generally

Sec. 4.06.001 Definitions

The following words, terms, and phrases, and their derivations, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~Charitable. Includes the words “patriotic,” “philanthropic,” “social service,” “health,” “welfare,” “benevolent,” “educational,” “civic,” “cultural” and “fraternal,” either actual or purported.~~

Contribution. Includes the words “alms,” “money,” “subscription,” and “property” or any donations under the guise of a loan of money or property.

~~Department. The office of the city secretary.~~

~~Director. The city secretary.~~

Peddler. Any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, carrying or transporting goods, wares, merchandise or personal property of any nature ~~and~~ offering the goods, wares, merchandise, or property for sale. This definition also includes any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme to evade the provisions of this article.

Peddling. Includes all activities ordinarily performed by a peddler as indicated under the definition of “peddling” in this section.

Person. A natural person or any firm, corporation, association, club, society or other organization.

Solicitation. Includes all activities ordinarily performed by a solicitor as indicated under the definition of “solicitor” in this section.

Solicitor. Any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares, or other personal property of any nature for future delivery, or for services to be performed in the future. This definition also includes any person who, without invitation, goes upon private property to request contribution of funds or anything of value, ~~or sell goods or services for political, charitable, religious, or other purposes.~~

(Ordinance 1998-05, sec. 1, adopted 6/22/98)

Sec. 4.06.002 Penalty; civil remedies

(a) Violation of any of the provisions of this article shall be treated as an infraction, and shall, upon conviction, be punishable by a fine as provided in section 1.01.009 of this code.

(b) In addition to any criminal enforcement, the city or any individual may pursue any available civil remedies deemed appropriate and necessary.

Sec. 4.06.003 Claims of exemption

Any person claiming to be legally exempt from the regulations set forth in this article, or from the payment of a permit fee, shall cite to the city secretary the statute or other legal authority under which exemption is claimed and shall present to the city secretary proof of qualification.

Sec. 4.06.004 Entry upon signed premises

It shall be unlawful for any person, whether licensed or unlicensed, while conducting the business of a peddler or solicitor, to enter upon any residential premises in the city where the owner, occupant or person legally in charge of the premises has posted, at the entry to the premises, or at the entry to the principal building on the premises, a sign bearing the words "No Peddlers," "No Solicitors," or words of similar import.

Sec. 4.06.005 Hours of operation

No person, while conducting the activities of a peddler or solicitor, whether licensed or unlicensed, shall enter upon any private property, knock on doors or otherwise disturb persons in their residences between the hours of 9:00 p.m. and 9:00 a.m.

Sec. 4.06.006 Solicitations and sales in certain locations

(a) It shall be unlawful for any person to distribute, sell or offer for sale or distribution any goods, wares, merchandise or service, or solicit a ride, employment, donations, contributions or business within a roadway, or on any median or traffic island within the right-of-way of any street or highway within the city.

(b) It shall be unlawful for any person to distribute or sell or offer for sale or distribution any goods, wares or merchandise, or solicit a ride, employment, donations or contributions by a direct transaction or exchange with the occupant of any vehicle stopped or traveling on any street or highway within the city.

(c) An offense under this subsection occurs when the offer, solicitation or distribution is made regardless of whether a transaction is completed.

(d) For purposes of subsection (a), "roadway" is defined as that portion of a street or highway designed, improved or ordinarily used for vehicular travel, typically delineated by curbs, edgelines or the edge of pavement.

Secs. 4.06.007–4.06.030 Reserved

Division 2. Permit

Sec. 4.06.031 Required; exemptions

It shall be unlawful for any person eighteen (18) years of age or older to engage in peddling or solicitation activities within the city without first obtaining a permit issued by the office of the city secretary; provided, however, that the following are exempted from the provisions of this section:

- (1) Any solicitation made upon premises owned or occupied by an organization upon whose behalf the solicitation is made;
- (2) Any communication by an organization soliciting contributions solely from persons who are members of the organization at the time of such solicitation; or
- (3) Any solicitation in the form of a collection at a regular meeting, assembly or service of a charitable person; ~~or~~
- ~~(4) Any solicitation for the relief of any individual specified by name at the time of the solicitation where the solicitor represents in each case that the entire amount collected shall be turned over to the named beneficiary.~~

(Ordinance 1998-05, sec. 2, adopted 6/22/98)

Sec. 4.06.032 Permit for sponsoring juvenile peddlers or solicitors

- (a) No person under the age of eighteen (18) shall be permitted to engage in peddling or solicitation except as provided in this section.
- (b) A permit shall be obtained by a sponsoring person, company or organization for the conduct of any peddling or solicitation activities involving, in whole or in part, a sales force of one (1) or more persons under eighteen (18) years of age.
- (c) The sponsor shall be responsible for supervising and controlling the conduct of all persons, including juveniles, peddling or soliciting under the sponsor's permit.
- (d) The sponsor shall provide to each individual in its sales force a badge or other easily readable form of identification which identifies the name of the sponsor and the name of the individual. The sponsor shall require all individuals in its sales force to wear such identification so that it is clearly visible at all times when the individuals are peddling or soliciting.
- ~~(d)~~
- (e) The sponsor shall comply with the requirements of the state Youth Employment Act.
- (f) A person wishing to comply with this section by getting a permit for sponsoring juveniles must make application at least ~~21 days~~ 48 hours before the permit is needed.

Sec. 4.06.033 Application

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Every person subject to the provisions of this article shall file with the city secretary an application in writing on a form to be furnished by the office of the city secretary, which shall provide the following information:

- (1) Proof of age, address and identification of the applicant, to be provided through the applicant's driver's license, articles of incorporation (for sponsors), or other legally recognized form of identification.
- (2) A brief description of the business or activity to be conducted.
- (3) The hours and location for which the right to peddle or solicit is desired.
- (4) If employed, the name, address and telephone number of the employer, or, if acting as an agent, the name, address and telephone number of the principal who is being represented, with credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or principal, as the case may be.
- (5) A statement as to ~~whether or not~~whether the applicant has been convicted of a felony, misdemeanor or ordinance violation (other than traffic violations), the nature of the offense or violation, the penalty or punishment imposed, the date when and place where such offense occurred, and other pertinent details thereof.
- (6) Proof of possession of any license or permit which, under federal, state or local laws or regulations, the applicant is required to have in order to conduct the proposed business, ~~or which, under any such law or regulation, would exempt the applicant from the licensing requirements of this article.~~
- (7) Two (2) photographs of the applicant which shall have been taken within sixty (60) days immediately prior to the date of filing of the application. The photographs shall measure 1-1/2 inches by 1-1/2 inches and show the head and shoulders of the applicant in a clear and distinguishing manner.
- (8) The state driver's license number of ~~any and all~~ [persons] who will operate a motor vehicle for the permittee must be provided.
- (9) Proof of liability insurance (as required by state law) must be provided at the time of request for this permit. Such proof shall be in a format permitting retention by the city secretary.
- (10) A copy of a limited sales tax permit issued by the state, or proof that the goods sold are not subject to such sales tax.
- (11) A statement of the type of goods or wares to be sold.
- (12) The fingerprints of each agent selling within the city.

(13) A copy of a current health certificate if merchandise of edible quality is to be sold; provided, however, this shall not apply to the sale of candy, nuts or other edibles prepared and packaged by a nationally recognized manufacturer or a state manufacturer meeting standards imposed by state and local health codes, if such packages are unbroken.

Sec. 4.06.034 Fee

At the time the application is filed with the department, the applicant shall pay a fee to cover the cost to the city of processing the application and investigating the facts stated therein. The application fee shall be ten dollars (\$10.00) for each solicitor or peddler and shall not be refundable.

Sec. 4.06.035 Bond

~~(a) All solicitors requiring cash deposits or taking orders for cash on delivery purchases (COD) or who require a contract or agreement to finance the sale of any goods, services, or merchandise for future delivery, or for services to be performed in the future, shall furnish the department a bond in the amount determined by subsection (c) of ten thousand dollars (\$10,000.00).~~

~~(b) If a person is engaging in solicitation activities through one or more agents, employees, or volunteers only one bond is required for the activities of all the agents, employees or volunteers.~~

~~(c) The amount of the bond is determined by the number of solicitors or peddlers as follows:~~

- ~~(1) 1 to 3 solicitors \$ 500;~~
- ~~(2) 4 to 6 solicitors \$ 750;~~
- ~~(3) 7 or more solicitors \$ 1000.~~

Sec. 4.06.036 Issuance

~~(a) (a) Upon receipt of an application, the city secretary, or authorized representative, shall review the application as deemed necessary to ensure the protection of the public health, safety and general welfare.~~

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~~(b) (a) If within thirty days of receipt of the application, the city secretary finds the application to be satisfactory, the city secretary shall endorse her approval on the application and shall, upon payment of the prescribed fee, deliver issue the required permit to the applicant unless a grounds for denial exists under section 4.06.037.~~

~~(b) (b) The permit shall show the name, address and photograph of the permittee, the class of permit issued, the kind of goods or services to be sold or delivered, the date of issuance, and the length of time that the permit shall be in effect. The permit shall also show the permit number and identifying description of any vehicle to be used in carrying on the business for which the permit is issued.~~

~~(c)~~ A record of all permits issued shall be maintained by the department for a period of at least two (2) years.

Sec. 4.06.037 Denial

(a) Upon the city secretary's review of the application, the city secretary ~~may~~shall refuse to issue a permit to the applicant under this article for any of the following reasons:

~~(1) — The location and time of solicitation or peddling would endanger the safety and welfare of the solicitors, peddlers or their customers;~~

~~(2)~~(1) An investigation reveals that the applicant falsified information on the application;

~~(3)~~(2) The applicant has been convicted of a felony, misdemeanor or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property, such conviction being entered within the five (5) years preceding the date of application;

~~(4)~~(3) The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit or misrepresentation has been entered within the five (5) years immediately preceding the date of application;

~~(5)~~(4) There is no proof as to the authority of the applicant to serve as an agent to the principal; or

~~(6)~~(5) The applicant has been denied a permit under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the city secretary that the reasons for such earlier denial no longer exist.

(b) The city secretary's disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that this application is disapproved and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address. The notice of denial shall be mailed within thirty (30) days of the receipt of the application.

Sec. 4.06.038 Expiration

All permits issued under the provisions of this article shall expire one (1) year from the date of issuance, ~~unless an earlier expiration date is noted on the permit.~~

Sec. 4.06.039 Identification badge

At the same time the permit is issued, the city secretary shall issue to each permittee a badge, which shall be worn by the permittee in such a way as to be conspicuous at all times while the permittee is soliciting or peddling in the city.

Sec. 4.06.040 Exhibition

Every person required to obtain a permit under the provisions of this article shall exhibit the permit when requested to do so by any prospective customer or ~~department employee peace officer~~.

Sec. 4.06.041 Transfer

It shall be unlawful for any person other than the permittee to use or wear any permit or badge issued under the provisions of this article.

Sec. 4.06.042 Grounds for revocation or suspension

Any permit issued under this article may be revoked or suspended by the city secretary, after notice and hearing, for any of the following reasons:

(1) Fraud, misrepresentation or false statement contained in the application for a permit;

(2) Fraud, misrepresentation or false statement made by the permittee in the course of conducting solicitation or peddling activities;

~~(3) Conducting peddling or solicitation activities contrary to the provisions contained in the permit;~~

~~(3) a plea or conviction of a crime described in section 4.06.037(a)(2); Conviction for any crime involving moral turpitude; or~~

~~(4) a judgment involving a matter described in section 4.06.037(a)(3);~~

~~(5) the type of solicitation activity requires a bond, and the bond requirements have not been complied with or the bond has expired or is no longer valid; or~~

~~(6) a violation of any of the regulations set forth in this article,~~

~~(4)~~

~~(5) Conducting peddling or solicitation activities in such a manner to create a public nuisance, constitute a breach of the peace or endanger the health, safety or general welfare of the public.~~

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Sec. 4.06.043 Revocation procedure

Notice of a hearing for revocation or suspension of a permit issued under this article shall be provided in writing and shall set forth specifically the grounds for the proposed revocation or suspension and the time and place of the hearing. Notice shall be mailed, postage prepaid, to the permittee at the address shown on the permit application or at the last known address of the permittee.

Sec. 4.06.044 Appeals

- (a) Any person aggrieved by the action or decision of the city secretary to deny, suspend or revoke a permit applied for under the provisions of this article shall have the right to appeal such action or decision to the city administrator within fifteen (15) days after the notice of the action or decision has been mailed to the person's address as shown on the permit application form, or to his last known address.
- (b) An appeal shall be taken by filing with the city secretary a written statement setting forth the grounds for the appeal.
- (c) The city secretary shall transmit the written statement to the city administrator within ten (10) days of its receipt and the city administrator shall set a time and place for a hearing on the appeal.
- (d) A hearing shall be set not later than twenty (20) days from the date of receipt of the appellant's written statement.
- (e) Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of action or decision.
- (f) The decision of the city administrator on the appeal shall be final and binding on all parties concerned.

City Council Meeting Staff Agenda Report



Consideration of Minute Order 2018-05, awarding a bid for the materials, construction, and installation of one public water supply well and the closure of an existing public supply well.		
Meeting date: February 22, 2018	Agenda Item #: D2	Action being considered: Adoption of Minute Order 2018-05

Staff Recommendation:

Staff will provide a recommendation after bid opening on February 22, 2018.

Prior Board or Council Action:

None

Background Information/Analysis:

Due to future demand needs and the expected timeline to complete the Fort Worth water transmission line, staff asked our water resource engineer to design and seek approval for a new water well on the property across the street from city hall. At the end of December, the City received approval from the Texas Commission on Environmental Quality and the Upper Trinity Groundwater Conservation District to drill a new well. The new well will be funded using existing capital project funds from the 2012 Water System Certificate of Obligation. According to the water resource engineers, it is possible to drill a trinity well in this area and by doing so it will greatly increase production and offset wholesale water costs. If we are unable to get production in the Trinity, the bottom formation will be capped and a Paluxy well installed. If the well produced 60 gallons per minute, it would offset approximately \$30,000 per year in wholesale expenses during the peak summer season.

Financial Considerations:

Staff is requesting funding allocation from the 2012 Water CO.

Attachments:

None

Staff Contact:

Patrick Lawler, city administrator
682-229-2408
patrick.lawler@hudsonoaks.com

Chad Janicek, assistant city administrator
682-229-2407
chad.janicek@hudsonoaks.com

City Council Meeting Staff Agenda Report



Staff Report on Ordinances addressing trash, filth, and outdoor storage		
Meeting date: February 22, 2018	Agenda Item #: E1	Action being considered: None

Staff Recommendation:

None

Prior Board or Council Action:

A Councilmember requested staff make a presentation during a previous meeting.

Background Information/Analysis:

Staff will make a presentation and answer Council questions on current Ordinances and enforcement of filth, trash, and outdoor storage regulations.

Financial Considerations:

None

Attachments:

Code of Ordinance citations on trash, filth, and outdoor storage.

Staff Contact:

Patrick Lawler, city administrator
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Chad Janicek, assistant city administrator
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**ARTICLE 6.04 STAGNANT WATER, WEEDS, RUBISH OR OTHER
OBJECTIONABLE MATTER ON LOTS**

Sec. 6.04.004 Carrion, filth or other unwholesome matter prohibited

It shall be unlawful for any person, firm or corporation who shall own or occupy any lot, tract or parcel of land within the corporate city limits to permit or allow any carrion, filth or other impure or unwholesome matter to accumulate or remain thereon. (Ordinance 8-87-1, sec. III, adopted 8/24/87)

CITY OF HUDSON OAKS LAND USE TABLE

Residential						Land Use Designation	Nonresidential			Special Conditions
SF-2A	SF-1AP	SF-32	SF-15	MF	MH		RC	GC	I	
						Storage			P	a, c, g

Section 34 Screening Devices and Fence Regulations

34.1 SCREENING REQUIREMENTS

G. Screening Requirement for Outside Storage. In all zoning districts where outside storage of equipment, material, goods and supplies is allowed, all outside storage shall be screened from the view of any adjacent public street by a screening wall not less than eight feet in height.

- a. Any portion of the storage yard adjacent to or fronting a street shall be screened with an eight-foot decorative fence.
- b. Materials and supplies may not be stacked higher than the height of the fence.
- c. Other portions of the storage yard not adjacent to or fronting a street may be fenced with a solid, opaque fence.
- d. This provision does not apply to display of goods for sale incidental to a retail use, plant nursery, sales and rental of motor vehicles, mobile homes, boats or trailers.

City Council Meeting Staff Agenda Report



Police Department monthly report		
Meeting date: February 22, 2018	Agenda Item #: E2	Action being considered: None

Staff Recommendation:

None

Prior Board or Council Action:

None

Background Information/Analysis:

Parker County has not provided dispatch statistics at the time of this submission.

Financial Considerations:

NA

Attachments:

- Monthly Activity Report for January 2018
- Animal Control Report for January 2018

Staff Contact:

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682-229-2421
Michael.baldwin@hudsonoaks.com

Patrick Lawler, City Administrator
682-229-2408
patrick.lawler@hudsonoaks.com

Hudson Oaks Police Department
Monthly Activity Report
January 2018

Calls Dispatched	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 13-14	102	121	91	114	98	104	110	303	283	X	X	X	1,326
FY 14-15	X	X	X	X	X	58	76	70	59	68	84	72	487
FY 15-16	76	61	71	57	85	92	90	107	94	107	80	105	1,025
FY 16-17	90	109	111	102	73	124	140	124	158	177	165	157	1,530
FY 17-18	130	145	170	151									596

Self-Initiated Calls	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 13-14	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
FY 14-15	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
FY 15-16	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
FY 16-17	NA	NA	148	115	114	162	131	141	265	373	350	297	2,096
FY 17-18	334	286	271	242									1,133

Incidents Reported	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 13-14	35	26	15	29	36	29	28	27	14	34	51	21	345
FY 14-15	23	28	29	42	24	22	18	19	16	31	36	21	309
FY 15-16	22	21	17	30	25	30	29	26	17	24	19	16	276
FY 16-17	34	16	34	25	51	45	25	40	40	53	55	48	466
FY 17-18	38	33	49	31									151

Arrests Made	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 13-14	23	16	7	18	19	15	22	16	13	10	24	14	197
FY 14-15	16	15	14	21	13	7	9	7	6	12	23	13	156
FY 15-16	10	5	9	18	5	9	12	12	14	10	10	9	123
FY 16-17	17	11	20	8	18	8	8	23	9	15	10	4	151
FY 17-18	6	2	6	5									19

Accidents Worked	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 13-14	13	20	13	10	10	10	18	12	16	12	17	9	160
FY 14-15	18	17	10	12	16	11	16	18	10	16	15	8	167
FY 15-16	11	7	9	8	19	12	17	24	6	12	15	30	170
FY 16-17	9	19	28	17	6	11	27	17	21	22	24	26	227
FY 17-18	32	18	8	11									69

Code Enforcement	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Total
FY 15-16	1	0	0	4	0	0	14	7	9	2	0	3	40
FY 16-17	5	0	1	1	1	0	4	0	3	4	7	5	31
FY 17-18	1	1	0	1									3

Monthly Call/Incident Frequency		
<i>Call Type</i>	<i>January</i>	<i>December</i>
Alarms	20	15
Animals	7	2
Disturbances	4	4
DWI	0	0
Assault	0	0
Burglary	2	16
Drug Offense	1	2
Agency Assist	58	41
Animal Shelter	6	5

Community Outreach/Public Education Programs Held

City Council Meeting Staff Agenda Report



Police Department Annual Racial Profiling Report		
Meeting date: February 23, 2017	Agenda Item #: E3	Action being considered: None

Staff Recommendation:

None

Prior Board or Council Action:

None

Background Information/Analysis:

On September 1, 2001, The Texas Legislature enacted Articles 2.131 - 2.134 of the Texas Code of Criminal Procedure which prohibited racial profiling and established certain criteria and reporting requirements.

The Hudson Oaks Police Department collects and reports data for identifying and addressing any areas of concerns regarding racial profiling. The department is committed to providing exemplary service to our citizens and visitors, and we hope that the findings of this report reflects our commitment to comply with the Texas Racial Profiling statutes.

Financial Considerations:

None

Attachments:

2017 Racial Profiling Report

Staff Contact:

Michael R. Baldwin, Chief of Police
682-229-2421
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Patrick Lawler, City Administrator
682-229-2408
patrick.lawler@hudsonoaks.com

City Council Meeting
Staff Agenda Report



Partial Exemption Racial Profiling Reporting			
Tier 1			
Hudson Oaks Police Department			
Module(s): All			
Call Type(s): All			
Date Range: From 1/1/2017 To 12/31/2017			
Number of motor vehicle stops:			
	1.	156 citation only	
Mark only 1 category per vehicle stop	2.	15 arrest only	
	3.	0 both	
			4. 171 Total
Race or Ethnicity:			
	5.	8 African	
	6.	0 Asian	
	7.	119 Caucasian	
	8.	43 Hispanic	
	9.	1 Middle Eastern	
	10.	0 Native American	
			11. 171 Total
Race or Ethnicity known prior to stop?			
	12.	18 Yes	
	13.	153 No	
			14. 171 Total
Search conducted?			
	15.	12 Yes	
	16.	159 No	
			17. 171 Total
Was search consented?			
	18.	5 Yes	
	19.	7 No	
	20.	12 Total Must equal #15	

City Council Meeting
Staff Agenda Report



	HAZARDOUS TRAFFIC				Search Type						Disposition Type								
	Ethnicity / Sex		Known Prior		No Search		Consent		Non-Consent		Arrested		Citation		Warning		Released		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
African		16	5.0	0	0	16	5.0	0	0	0	0	0	0	6	1.9	10	3.1	0	0
	M	11	3.5	0	0	11	3.4	0	0	0	0	0	0	3	0.9	8	2.5	0	0
	F	6	1.9	0	0	5	1.5	0	0	0	0	0	0	3	0.9	2	0.6	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asian		2	0.6	0	0	2	0.6	0	0	0	0	0	0	0	0	2	0.6	0	0
	M	1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	F	1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Caucasian		245	75.9	7	2.2	241	74.6	2	0.6	2	0.6	4	1.2	57	17.6	184	57.0	4	1.2
	M	137	42.4	4	1.2	135	41.8	1	0.3	2	0.6	3	0.9	38	11.8	96	30.5	2	0.6
	F	108	33.4	3	0.9	106	32.8	1	0.3	0	0	1	0.3	19	5.9	88	28	2	0.6
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hispanic		55	17.0	1	0.3	54	16.7	0	0	1	0.3	2	0.6	24	7.4	29	9.2	2	0.6
	M	41	12.7	1	0.3	40	12.4	0	0	1	0.3	2	0.6	17	5.3	22	7	1	0.3
	F	14	4.3	0	0	14	4.3	0	0	0	0	0	0	7	2.2	7	2.2	1	0.3
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Middle Eastern		5	1.5	0	0	5	1.5	0	0	0	0	0	0	1	0.3	4	1.2	0	0
	M	3	0.9	0	0	3	0.9	0	0	0	0	0	0	1	0.3	2	0.6	0	0
	F	2	0.6	0	0	2	0.6	0	0	0	0	0	0	0	0	2	0.6	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Native American		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total		323		8	2.5	318	98.5	2	0.6	3	0.9	6	1.9	88	27.2	229	70.9	6	1.9
	M	192	60.1	5	1.5	190	58.8	1	0.3	3	0.9	5	1.5	59	18.3	129	41	3	0.93
	F	131	39.8	3	0.9	128	39.6	1	0.3	0	0	1	0.3	29	9.0	100	31.8	3	0.93
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

City Council Meeting
Staff Agenda Report



NON-HAZARDOUS TRAFFIC				Search Type								Disposition Type							
	Ethnicity / Sex		Known Prior		No Search		Consent		Non-Consent		Arrested		Citation		Warning		Released		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
African		13	4.7	0	0	13	4.8	0	0	0	0	0	0	2	0.7	11	4	0	0
	M	8	2.9	0	0	7	2.6	0	0	0	0	0	0	2	0.7	6	2.2	0	0
	F	5	1.8	0	0	6	2.2	0	0	0	0	0	0	0	0	5	1.8	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asian		1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	M	1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Caucasian		212	78.2	5	1.8	208	76.7	2	0.7	2	0.7	4	1.4	48	17.7	158	58.3	6	2.2
	M	140	51.6	4	1.4	136	50.1	2	0.7	2	0.7	3	1.1	32	11.8	105	38.7	4	1.4
	F	72	26.5	1	0.3	72	26.5	0	0	0	0	1	0.3	16	5.9	53	19.5	2	0.7
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hispanic		44	16.2	3	1.1	44	16.2	0	0	0	0	1	0.3	15	5.5	28	10.3	1	0.3
	M	34	12.5	1	0.3	34	12.5	0	0	0	0	0	0	12	4.4	22	8.1	1	0.3
	F	10	3.6	2	0.7	10	3.6	0	0	0	0	1	0.3	3	1.1	6	2.2	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Middle Eastern		1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	M	1	0.3	0	0	1	0.3	0	0	0	0	0	0	0	0	1	0.3	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Native American		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Unknown		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total		271		8	2.9	267	98.5	2	0.7	2	0.7	5	1.8	65	23.9	199	73.4	7	2.6
	M	184	67.8	5	1.8	179	66.4	2	0.7	2	0.7	3	1.1	46	16.9	135	49.8	5	1.8
	F	87	32.1	3	1.1	88	32.1	0	0	0	0	2	0.7	19	7	64	23.6	2	0.7
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

City Council Meeting Staff Agenda Report



OTHER CRIMINAL INVESTIGATIONS						Search Type						Disposition Type								
	Ethnicity / Sex		Known Prior		No Search		Consent		Non-Consent		Arrested		Citation		Warning		Released			
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		
African		1	4.3	0	0	1	4.3	0	0	0	0	0	0	0	0	0	1	4.3	0	0
	M	1	4.3	0	0	1	4.3	0	0	0	0	0	0	0	0	0	1	4.3	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asian		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Caucasian		19	82.6	2	8.6	16	69.5	1	4.3	2	8.6	4	17.3	2	8.6	10	43.5	7	30.4	
	M	14	60.8	2	8.6	11	47.8	1	4.3	2	8.6	4	17.3	1	4.3	4	17.4	7	30.4	
	F	5	21.7	0	0	5	21.7	0	0	0	0	0	0	1	4.3	6	26.1	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Hispanic		3	13.0	0	0	3	13	0	0	0	0	0	0	1	4.3	1	4.3	1	4.3	
	M	2	8.6	0	0	2	8.6	0	0	0	0	0	0	1	4.3	0	0	1	4.3	
	F	1	4.3	0	0	1	4.3	0	0	0	0	0	0	0	0	1	4.3	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Middle Eastern		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Native American		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Unknown		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	M	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	F	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total		23		2	8.6	20	86.9	1	4.3	2	8.6	4	17.3	3	13	12	52.2	8	34.7	
	M	17	73.9	2	8.6	14	60.8	1	4.3	2	8.6	4	17.3	2	8.6	5	21.7	8	34.7	
	F	6	26	0	0	6	26	0	0	0	0	0	0	1	4.3	7	30.4	0	0	
	U	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

City Council Meeting Staff Agenda Report



SUMMARY						Search Type						Disposition Type							
	Ethnicity / Sex		Known Prior		No Search		Consent		Non-Consent		Arrested		Citation		Warning		Released		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
African		30	4.9	0	0.0	30	4.9	0	0.0	0	0.0	0	0.0	8	1.3	22	3.6	0	0.0
	M	20	3.2	0	0.0	19	3.1	0	0.0	0	0.0	0	0.0	5	0.8	15	2.4	0	0.0
	F	11	1.8	0	0.0	11	1.8	0	0.0	0	0.0	0	0.0	3	0.5	7	1.1	0	0.0
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Asian		3	0.5	0	0.0	3	0.5	0	0.0	0	0.0	0	0.0	0	0.0	3	0.5	0	0.0
	M	2	0.3	0	0.0	2	0.3	0	0.0	0	0.0	0	0.0	0	0.0	2	0.3	0	0.0
	F	1	0.2	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0	1	0.2	0	0.0
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Caucasian		476	77.1	14	2.3	465	75.4	5	0.8	6	1.0	12	1.9	107	17.3	352	57.1	17	2.8
	M	291	47.2	10	1.6	282	45.7	4	0.6	6	1.0	10	1.6	71	11.5	205	33.2	13	2.1
	F	185	30.0	4	0.6	183	29.7	1	0.2	0	0.0	2	0.3	36	5.8	147	23.8	4	0.6
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hispanic		102	16.5	4	0.6	101	16.4	0	0.0	1	0.2	3	0.5	40	6.5	58	9.4	4	0.6
	M	77	12.5	2	0.3	76	12.3	0	0.0	1	0.2	2	0.3	30	4.9	44	7.1	3	0.5
	F	25	4.1	2	0.3	25	4.1	0	0.0	0	0.0	1	0.2	10	1.6	14	2.3	1	0.2
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Middle Eastern		6	1.0	0	0.0	6	1.0	0	0.0	0	0.0	0	0.0	1	0.2	5	0.8	0	0.0
	M	4	0.6	0	0.0	4	0.6	0	0.0	0	0.0	0	0.0	1	0.2	3	0.5	0	0.0
	F	2	0.3	0	0.0	2	0.3	0	0.0	0	0.0	0	0.0	0	0.0	2	0.3	0	0.0
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Native American		0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Unknown		0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	M	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	F	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total		617		18	2.9	605	98.1	5	0.8	7	1.1	15	2.4	156	25.3	440	71.3	21	3.4
	M	393	63.7	12	1.9	383	62.1	4	0.6	7	1.1	12	1.9	107	17.3	269	43.6	16	2.6
	F	224	36.3	6	1.0	222	36.0	1	0.2	0	0.0	3	0.5	49	7.9	171	27.7	5	0.8
	U	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

City Council Meeting Staff Agenda Report



Staff report on the City's Financial Dashboard		
Meeting date: February 22, 2018	Agenda Item #: E4	Action being considered: None

Staff Recommendation:

None

Prior Board or Council Action:

The financial dashboard is presented to the City Council monthly.

Background Information/Analysis:

The reported dashboard is for the period ending January 31, 2018.

The financial dashboard includes:

- Summary of general revenue and expenditures;
- Summary of water and wastewater use and revenues. Consumption information is not available. The dashboard was done before consumption numbers could be finalized for the month.
- Summary of investment activities;
- Summary of revenue and expenses for the Dyegard water system and Deer Creek investment revenue.

Financial Considerations:

None

Staff Contact:

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Doug Martella, finance analyst
682-229-2412
doug.martella@hudsonoaks.com



City of Hudson Oaks FY18 Dashboard

Financial Overview: General Fund
 Period Ending: January 31, 2018

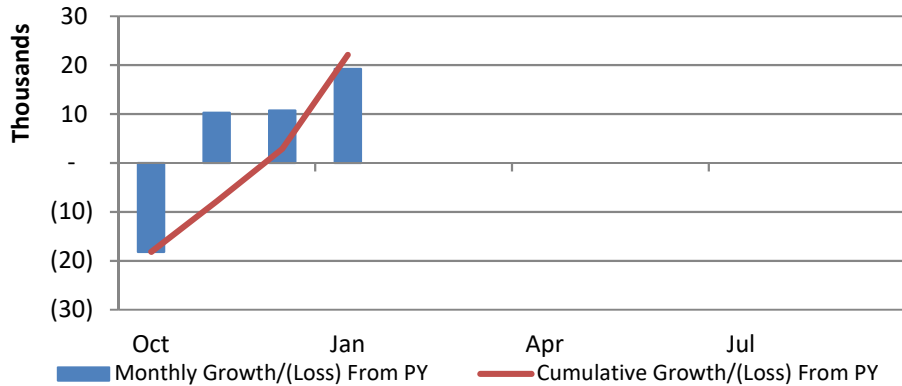
Revenue Summary

Past 12 Months	Budget	YTD	% of budget
Administration	\$ 2,413,133	\$ 709,585	29%
Municipal Court	75,412	9,088	12%
Parks & Recreation	-	-	0%
Planning & Development	518,200	40,381	8%
Public Safety	33,255	10,880	33%
Total Revenue	3,040,000	769,933	25%

Expenditure Summary

Past 12 Months	Budget	YTD	% of budget
Administration	\$ 683,798	\$ 278,385	41%
Mayor & Council	6,000	2,541	42%
Municipal Court	61,867	15,057	24%
Parks & Recreation	58,177	27,098	47%
Planning & Development	256,000	23,014	9%
Public Safety	1,249,831	578,341	46%
Public Works	724,327	184,479	25%
Total Expenditures	3,040,000	1,108,915	36%

Sales Tax Summary



Key Revenue Sources

Past 12 Months	YTD	Budget	% of budget
Local Sales & Use Tax	\$ 658,201	\$ 2,170,000	30%
Franchise Fees	20,449	170,000	12%
Court Fines & Fees	9,088	75,412	12%
Licenses & Permits	40,006	518,200	8%

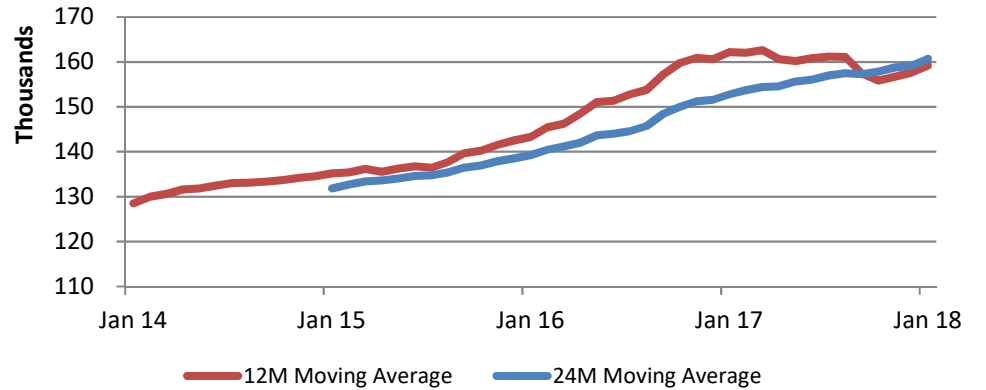
Moving Average Comparisons

12 Month Moving Average	Jan 2018	Jan 2017	% Change
Local Sales & Use Tax	\$ 159,226	\$ 162,198	-1.8%
Franchise Fees	14,577	17,323	-15.9%
Court Fines & Fees	5,398	5,974	-9.6%
Licenses & Permits	17,051	26,427	-35.5%

Permit Summary

Past 12 Months	FY18	FY17	Five Year Average
Residential	0	2	7
Commercial	1	5	3

Sales Tax Historical Moving Averages





City of Hudson Oaks FY18 Dashboard

Financial Overview: Enterprise Fund
 Period Ending: January 31, 2018

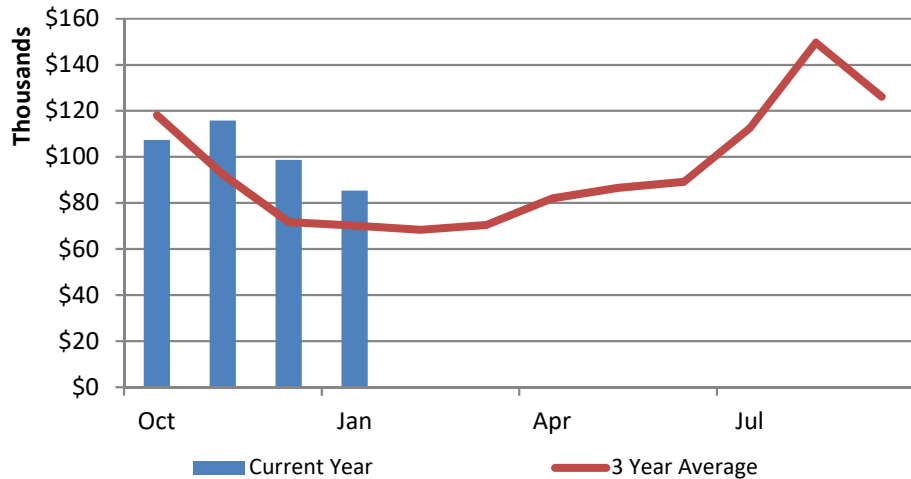
Revenue Summary

Past 12 Months	Budget	YTD	% of budget
Water Sales	\$ 1,281,000	\$ 407,099	32%
Charges for Services	59,000	14,795	25%
Wastewater Charges	345,000	124,191	36%
Other Wastewater	-	-	0%
Total Revenue	1,685,000	546,086	32%

Expenses Summary

Past 12 Months	Budget	YTD	% of budget
Personal & Professional	\$ 485,700	\$ 195,940	40%
Supplies	48,500	44,355	91%
Operations	633,300	152,726	24%
Maintenance & Repairs	62,500	18,387	29%
Debt Service	375,000	124,800	33%
Total Expenditures	1,605,000	536,208	33%

Historical Water Sales



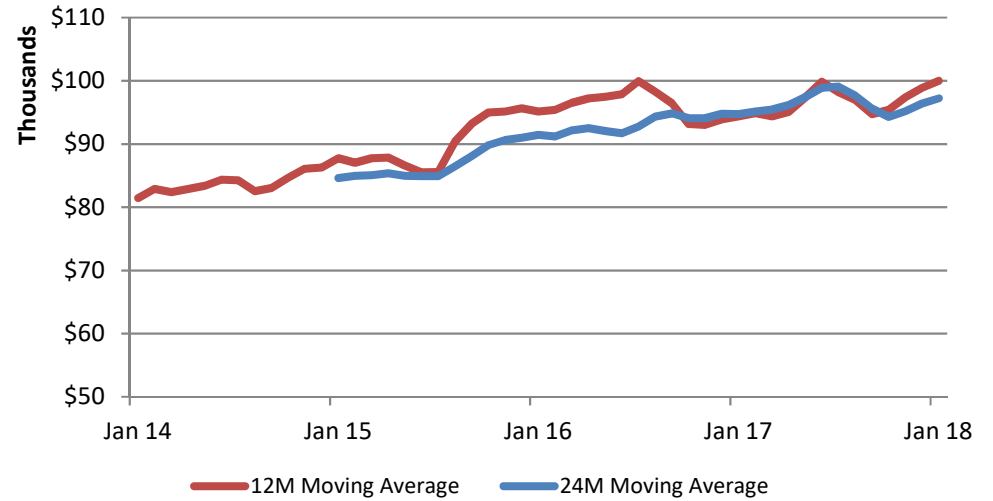
Key Indicators Summary

Past 12 Months	YTD	Three Year Hist Average	% Change
Water Sales	\$ 407,099	\$ 352,430	16%
Wastewater Charges	\$ 124,191	\$ 29,637	319%
Gallons Pumped*	41,723,000	50,556,933	-17%
Gallons Sold	39,008,400	43,553,560	-10%

Moving Average Comparisons

12 Month Moving Average	Jan 2018	Jan 2017	% Change
Water Sales	\$ 100,005	\$ 94,390	6%
Sewer Sales	\$ 30,669	\$ 27,168	13%
Gallons Pumped*	15,359,158	15,645,292	-2%
Gallons Sold	14,171,167	14,308,358	-1%
Water Loss	-8%	-9%	

Water Sales Historical Moving Averages





City of Hudson Oaks FY18 Dashboard

Financial Overview: Dyegard Fund, Deer Creek Fund, & Stormwater Fund

Period Ending: January 31, 2018

Dyegard Fund

Revenue Summary

Past 12 Months		Budget	YTD	% of budget
	Water Sales	\$ 265,000	\$ 87,829	33%
	Charges for Services	2,000	1,064	53%
	Total Revenue	267,000	88,893	33%

Expenditure Summary

Past 12 Months		Budget	YTD	% of budget
	Professional Services	\$ 6,900	\$ 1,090	16%
	Supplies	7,100	-	0%
	Operations	11,000	1,579	14%
	Maintenance & Repairs	12,000	28,437	237%
	Debt Service	230,000	63,400	28%
	Total Expenditures	267,000	94,505	35%

Deer Creek Fund

Revenue Summary

Past 12 Months		Budget	YTD	% of budget
	Annetta Contract	\$ 240,752	\$ 77,584	32%
	Reimbursements	\$ -	\$ 3,281	-
	Total Revenue	240,752	80,864	34%

Expenditure Summary

12 Month Moving Average		Budget	YTD	% of budget
	Personal Services	\$ 127,143	\$ 42,639	34%
	Professional Services	39,557	180	0%
	Supplies	1,300	3,740	288%
	Maintenance & Repairs	10,500	5,842	56%
	Debt Service/Transfers	8,000	8,166	102%
	Total Expenditures	186,500	60,567	32%

Stormwater Fund

Revenue Summary

Past 12 Months		Budget	YTD	% of budget
	Stormwater Sales	\$ 170,000	\$ 54,879	32%
	Charges for Services	-	-	0%
	Grant Revenue	-	-	0%
	Total Revenue	170,000	54,879	32%

Expenditure Summary

Past 12 Months		Budget	YTD	% of budget
	Professional Services	\$ -	\$ -	-
	Supplies	-	-	-
	Operations	-	-	-
	Maintenance & Repairs	60,000	-	0%
	Debt Service	36,000	7,763	22%
	Total Expenditures	96,000	7,763	8%



City of Hudson Oaks FY18 Dashboard

Financial Overview: Investment Report

Period Ending: January 31, 2018

HUDSON OAKS

Investment Report

Reserve Funds	Beginning	Interest	Ending
Reserve	Balance	Earned	Balance
TexPool General Reserve	\$ 99,422	\$ 109.66	\$ 99,532
TexPool Sales Tax Reserve	160,741	177.31	160,919
TexPool Enterprise Reserve	88,705	97.88	88,803
TexStar General Reserve	409,570	448.71	410,019
TexStar Capital Projects Reserve	1,774,810	1,944.47	1,776,754
TexStar Wastewater Reserve	200,543	219.72	200,763
<i>Total</i>	<i>2,733,791</i>	<i>2,998</i>	<i>2,736,789</i>

Investments

Vehicle	Principle	Rate	Balance
13-month PlainsCapital CD (Mar 2017)	\$ 215,563	1.26%	\$ 215,563
<i>Total</i>	<i>215,563</i>		<i>215,563</i>

Deposits/Withdrawals

Investment officer authorized signature