



City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
John Barnes, Mayor Pro Tem
John Bertini, Councilmember
Clay Brett, Councilmember
Kalie Rainsberger, Councilmember

STAFF

David Beach, City Manager
Loren Smith, Olson & Olson, City Attorney
Tracylynn Garcia, City Secretary

City Council Meeting Agenda

Notice is hereby given of a **Regular Meeting** of the West University Place City Council to be held on **August 25, 2025**, beginning at **6:30 p.m.** in the **Municipal Building, located at 3800 University Boulevard**, for the purpose of considering the agenda of items listed.

The public can attend in-person, by telephone, or via Zoom. **Be advised that the public attending via Zoom will have only the ability to listen to the meeting.**

To attend the meeting via telephonic means, please call [346-248-7799](tel:346-248-7799) or you can join at <https://us02web.zoom.us/j/88084429035>. The Meeting ID Number is [880 8442 9035](tel:88084429035).

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and, if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Violation of the rules of procedure does not invalidate an action unless a point of order is raised before the end of the next regular meeting.

1. Call Meeting to Order

2. Pledge of Allegiance

3. Public Comments

This is an opportunity for citizens to speak to the Council relating to agenda and non-agenda items. Speakers are required to register in advance and must limit their presentations to three minutes each. If the topic the speaker wishes to address is on the agenda, the speaker may either speak at this time or defer his/her comments until such time the matter is discussed.

4. Electronic Riding Toys and Small Motorized Vehicles in Parks

Matters related to amending Chapter 58 "Parks and Recreation" to prohibit the use of some electric riding toys from Parks and Recreation facilities. *Recommended Action: Adopt Ordinance 3089 amending Chapter 58 "Parks and Recreation" Section 58-81 of the City's Code of Ordinances as presented on the first of two readings.* **Ms. Susan White, Parks and Recreation Director and Stephanie Magers, Board Chair** [See Agenda Memo 4]

5. Recreation Center Improvements Update

Matters related to a presentation on the West University Recreation Center Improvements Update. *Recommended Action: Staff recommend that City Council discuss and provide staff with feedback and direction.* **Ms. Susan White, Parks and Recreation Director and Justine Markowski, Consultant-PGAL** [See Agenda Memo 5]

6. City Council Rules of Procedures

Matters related but not limited to updates to Council Rules and Procedures Rules 5, 9, 11 12 & 25. *Recommended Action: Staff recommends that the City Council approve Ordinance 3094 adopting changes Sec. 2-1 of the Code of Ordinances and Rules 5, 9, 11 12 and 25 of the Council Rules of Procedure on the first of two readings.* **Mr. Dave Beach, City Manager** [See Agenda Memo 6]

7. Urban Forest Preservation and Enhancement (Chapter 82)

Matters related to Chapter 82 (Urban Forest Preservation and Enhancement) of the Code Ordinances and its application regarding the tree topping at 3837 Rice Blvd. and the tree replacement requirements as outlined under Chapter 82 and Appendix E Fees and Charges, Section F.019 Trees. *Recommended Action: Discuss and take any desired action.* **Mayor Sample and Councilmember Rainsberger** [See Agenda Memo 7]

8. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and be considered in its normal sequence on the agenda.

A. City Council Meeting Minutes

Matters related to approving the City Council Minutes of August 11, 2025, Special and Regular Meetings. *Recommended Action: Approve Minutes of the August 11, 2025, Special and Regular meetings.* **Ms. Tracylynn Garcia, City Secretary** [See Agenda Memo 8A]

B. Friends Board Appointment/Reappointment

Matters related to Appointment of Members to the Friends of West University Parks Fund. *Recommended action: Staff recommends the City Council approve Resolution No.2025-12 appointing Nancy Kate Prescott, position 3 and reappointing Kelly Beth Haggood, position 14, Sarah Covington, position 12, Mary Frances DuMay, position 13, Christine Parker, position 5, and Kimberly Eads, position 4 with terms expiring August 31, 2028.* **Ms. Donna LaMond, Friends Executive Director** [See Agenda Memo 8B]

9. Adjourn Regular Meeting

In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Tracylynn Garcia at 713.662.5813 at least 3 business days prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is accessible by wheelchair from the west entrance and specially marked parking spaces are available in the southwest parking area.

I certify that this notice and agenda of items to be considered by the West University Place City Council on August 25, 2025, was posted on the Municipal Building bulletin board on August 21, 2025, by 6:30 p.m.

Attest:

Tracylynn Garcia, TRMC, MMC, CPM
City Secretary



AGENDA MEMO

Business of the City Council
 City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	4
Approved by City Manager	Yes	Presenter(s)	S. White, Director and S. Magers, Board Chair
Reviewed by City Attorney	Yes	Department	Parks and Recreation
Subject	Electric Riding Toys and Small Motorized Vehicles in Parks		
Attachments	Ordinance 3089		
Financial Information	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

Executive Summary

Over the past few years, the use of small, motorized riding toys and electric vehicles in City parks, has increased, prompting resident complaints about the noise and safety. In response, City staff and the Parks and Recreation Board evaluated the issue, noting safety concerns with devices reaching speeds of 20 mph or more.

On April 2, 2025, Parks and Recreation Board recommended amending Chapter 58 “Parks and Recreation” Section 58-81 of the City’s Code of Ordinances. The proposed changes would prohibit certain electric riding toys and small motorized vehicles at parks and recreational facilities. At the Council meeting on May 12, 2025, Council requested the Parks and Recreation Board revisit the speed listed for small ride on toys. At their meeting on May 28, 2025, the Board recommended that the “not to exceed” speed be changed from three (3) miles per hour to (6) miles per hour.

Recommended Action

Staff recommends that City Council adopt Ordinance 3089 amending Chapter 58 “Parks and Recreation” Section 58-81 of the City’s Code of Ordinances as presented on the first of two readings.

City of West University Place
Harris County, Texas

ORDINANCE NO. 3089

AN ORDINANCE AMENDING THE CITY OF WEST UNIVERSITY PLACE BY ADDING SECTION 58-81, ELECTRIC RIDING TOYS AND SMALL MOTORIZED VEHICLES PROHIBITED TO ARTICLE IV, REGULATIONS IN PARKS TO CHAPTER 58, PARKS AND RECREATION; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR PENALTY; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of West University Place finds that the use of electric riding toys and small motor vehicles in public parks causes a risk of injury for the operators and the other citizens using the parks and desires to minimize public and private injury and losses due to the operation of electric riding toys and small motor vehicles in public parks;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 58-81, Electric Riding Toys and Small Motorized Vehicles Prohibited, shall be added to Article IV, Regulations in Parks, of Chapter 58, Parks and Recreation, of the City's Code of Ordinances by adding hereby the language underlined below:

“Sec. 58-81. – Electric Riding Toys and Small Motorized Vehicles Prohibited

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Electric Riding Toy means any electric bicycle as defined by Chapter 664 of the Texas Transportation Code, electric skateboard, ride on toy, and/or electric scooter. This does not include an electric personal assistive mobility device as defined by Chapter 551 of the Texas Transportation Code.

Electric scooter means a scooter assisted by an electrical source or battery that allows for self-propulsion.

Electric skateboard means a skateboard assisted by an electrical source or battery that allows for self-propulsion.

Ride on Toy means any small, rideable vehicle, whether designed to resemble a car, truck, sports utility vehicle, go-cart, tractor, or any other vehicle, that is powered by an electric source or battery that allows for self-propulsion of six (6) miles per hour or

greater.

Small motored vehicle means any Moped as defined by Chapter 541 of the Texas Transportation Code, a motor-assisted scooter as defined by Chapter 551 of the Texas Transportation code, and/or a pocket bike as defined by Chapter 551 of the Texas Transportation Code.

- (b) It shall be unlawful for any person to operate an electric riding toy or small motorized vehicle within any of the following area:
- (1) The area within the perimeter fencing at Judson Park;
 - (2) The area within the perimeter fencing at Wier Park;
 - (3) The area within the perimeter fencing at Whitt Johnson Park;
 - (4) The perimeter pathway and area within the inside edge of the perimeter pathway at Colonial Park (such pathway being formed by the concrete track segments parallel to Byron, Academy and Case Streets);
 - (5) The HISD Licensed Area, as defined by Section 58-1;
 - (6) The area within the perimeter fencing at the West University Recreation Center;
 - (7) The area within the perimeter sidewalk along Milton Street and College Avenue at Huffington Park;
 - (8) The area within the perimeter sidewalk along Rice Avenue and Auden Street at Friends Park;
 - (9) The area within the perimeter fencing at Jennie Elizabeth Hughes Park; or
 - (10) The area designated as Liberty Hill Park at the intersection of College Avenue and Bissonnet Street.
- (c) Any violation of this ordinance by a minor shall, upon conviction, result in a fine to be paid by the parent, guardian, or legal custodian of said minor."

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 4. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine in an amount not to exceed two thousand dollars (\$2,000) for any violation hereof, with each day of violation constituting a separate violation.

Section 5. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section, or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

PASSED, APPROVED, AND ADOPTED ON FIRST READING on the ____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED ON SECOND READING on the ____ day of _____, 2025.

SIGNED:

Susan Sample, Mayor

ATTEST:

Tracy Garcia, City Secretary

RECOMMENDED:

Dave Beach, City Manager

REVIEWED:

Olson & Olson, LLP, City Attorney
By Loren Smith



AGENDA MEMO
Business of the City Council
City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	5
Approved by City Manager	Yes	Presenter(s)	S. White, PARD Director and J. Markowski, Architect
Reviewed by City Attorney	N/A	Department	Parks and Recreation PGAL Architects
Subject	Recreation Center Improvements Update		
Attachments	Presentation		
Financial Information	Expenditure Required:	None	
	Amount Budgeted:	None	
	Account Number:	None	
	Additional Appropriation Required:	None	
	Additional Account Number:	None	

Executive Summary

At the July 14, 2025, meeting, Council requested an update on the proposed Recreation Center Improvements to better understand the Capital Improvement Program funding requests for this project. Pierce Goodwin Alexander and Linville (PGAL), design architects for the Recreation Center (Phase II of the Facilities Master Plan), will provide an update on the project process, proposed improvements, budget estimates and discuss next steps with Council.

Recommended Action

Staff recommends that City Council discuss and provide staff with feedback and direction.

City of West University Place
West U Recreation Center Improvements
August 25, 2025

Meeting Agenda

- **Review timeline of community engagement and feedback**
- **Review of existing Recreation Center conditions**
- **Review of proposed improvement areas**
- **Review of project budgets for proposed improvement areas**
- **Next steps**

Public Engagement Timeline:

2024

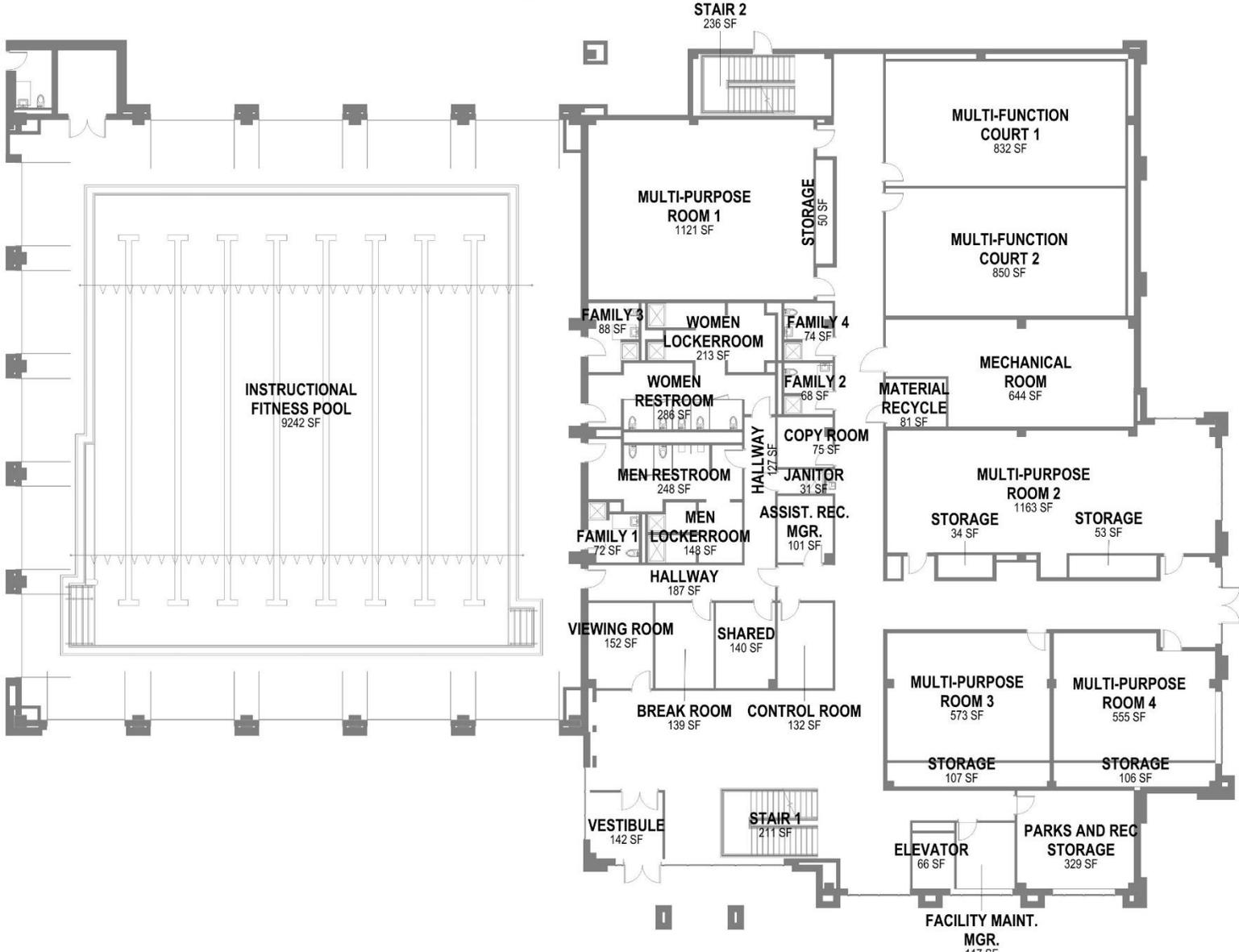
- **May 1** – Parks & Rec Board: Facilities Master Plan Update
- **June 3** – Staff and PGAL attend site tours in DFW area
- **June 5** – Parks & Rec Board: Facilities Master Plan Phase II Update
- **August 12** – City Council Urban Planning Workshop: Recreation Center Timeline Presented: PGAL
- **Sept 4** – Parks & Rec Board: Facilities Master Plan Phase II Update
- **Oct 1** – Parks & Rec Board – Facilities Master Plan Phase II Update: PGAL Presentation
- **Nov. 12** – Phase II Town Hall Meeting: PGAL
- **Dec 4** – Parks & Rec Board – Recreation Center Update: PGAL Presentation

Public Engagement Timeline:

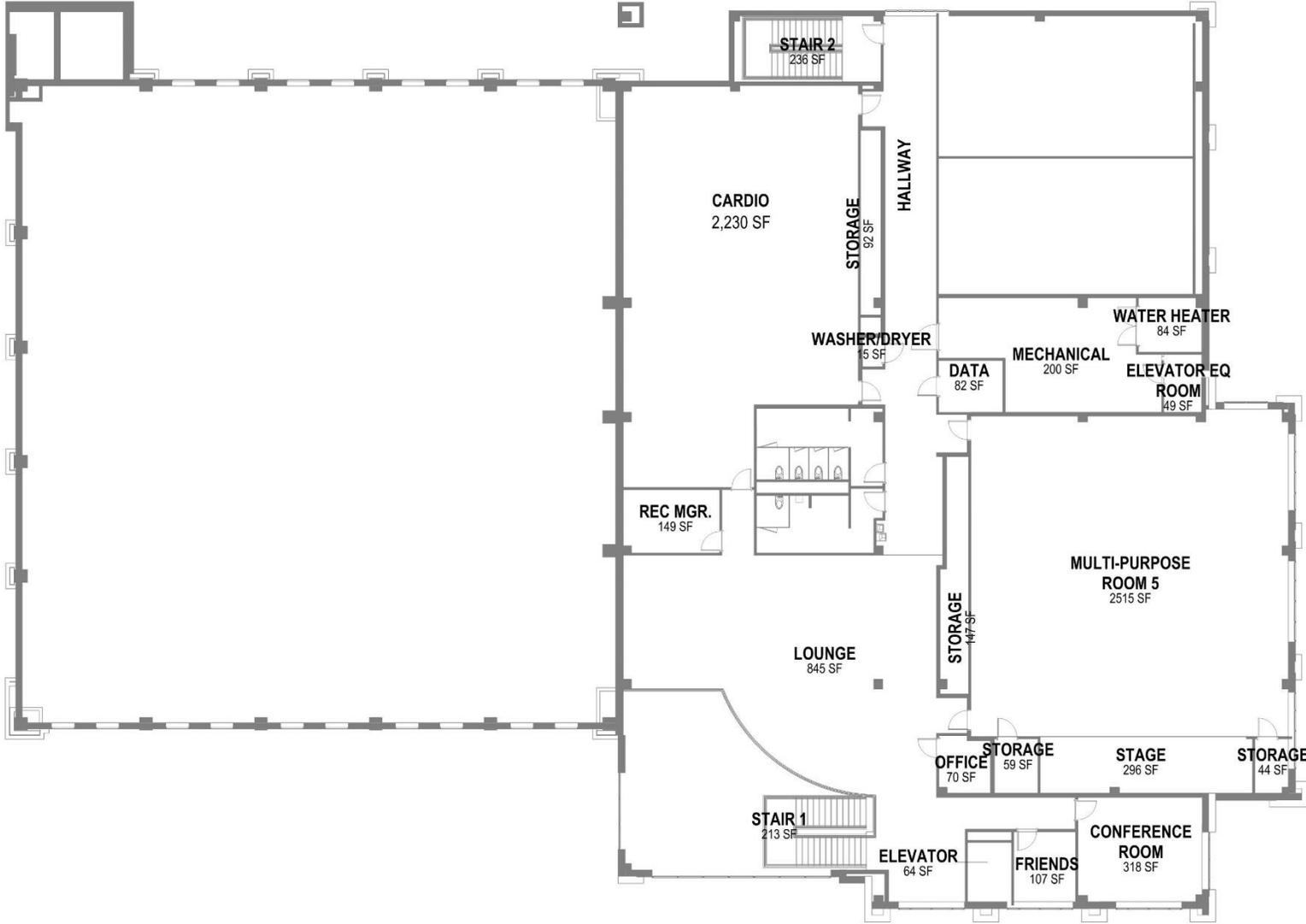
2025

- **Jan 8** – Parks & Rec Board – Recreation Center Design Update and Potential Survey Questions - PGAL
- **Feb 5** – Parks & Rec Board – Survey Development: OnPointe Insights Consultants.
- **Feb 5** – Parks & Rec Board – Recreation Center Design Update: PGAL
- **Feb 11-25** – Rec Center Design Update and Tennis/Pickleball Survey opens to the public.
- **Feb 27** – Parks & Rec Board – Survey Results OnPointe Insights Presentation and Recreation Center Update: PGAL
- **Summer 2025 City Currents and PARD Activity Guide** – Survey results information.
- **April 2** – Parks & Rec Board – Recreation Design Update: PGAL

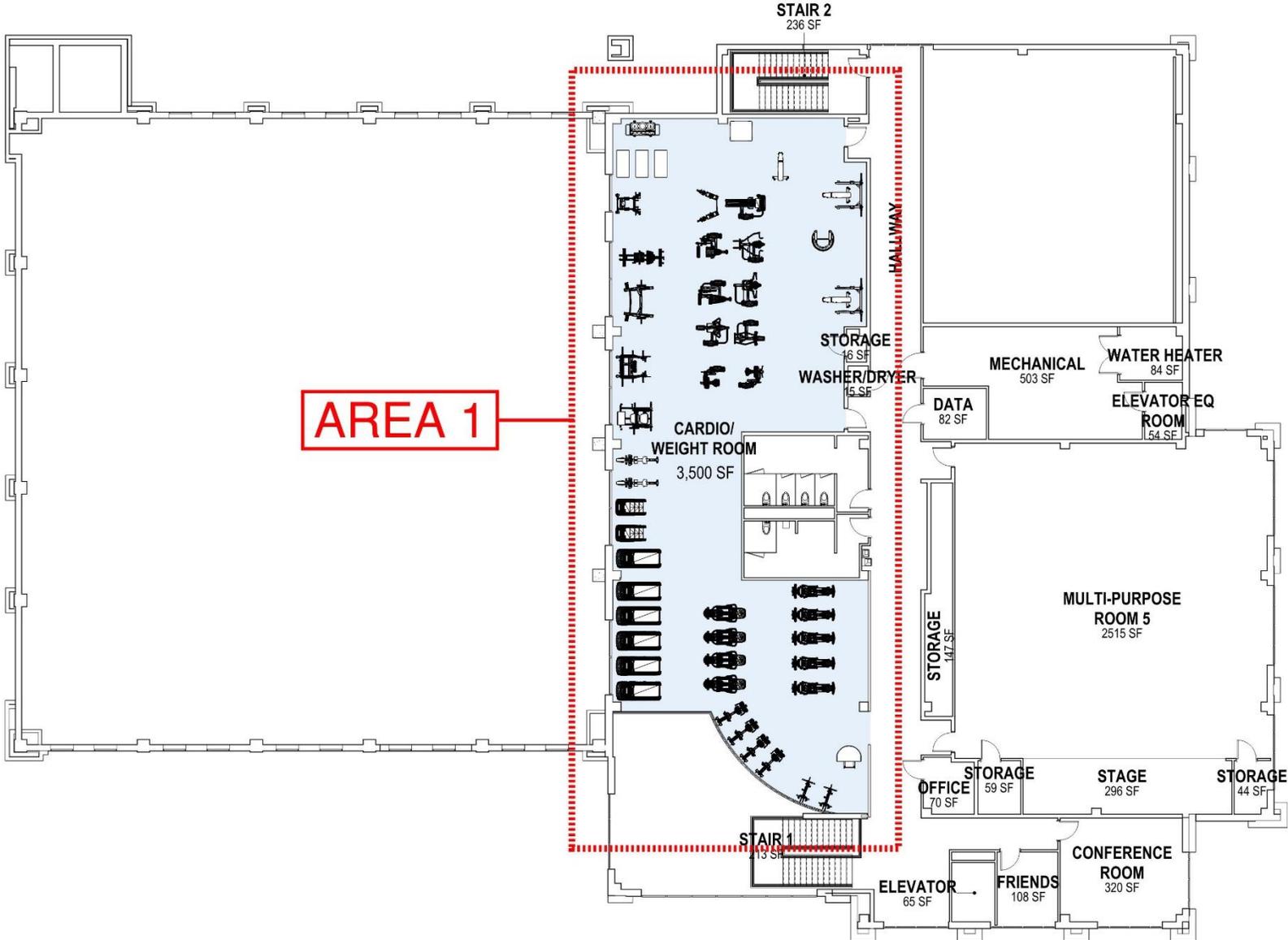
Recreation Center – Existing Conditions (Level One)



Recreation Center – Existing Conditions (Level Two)



Proposed Improvement Areas

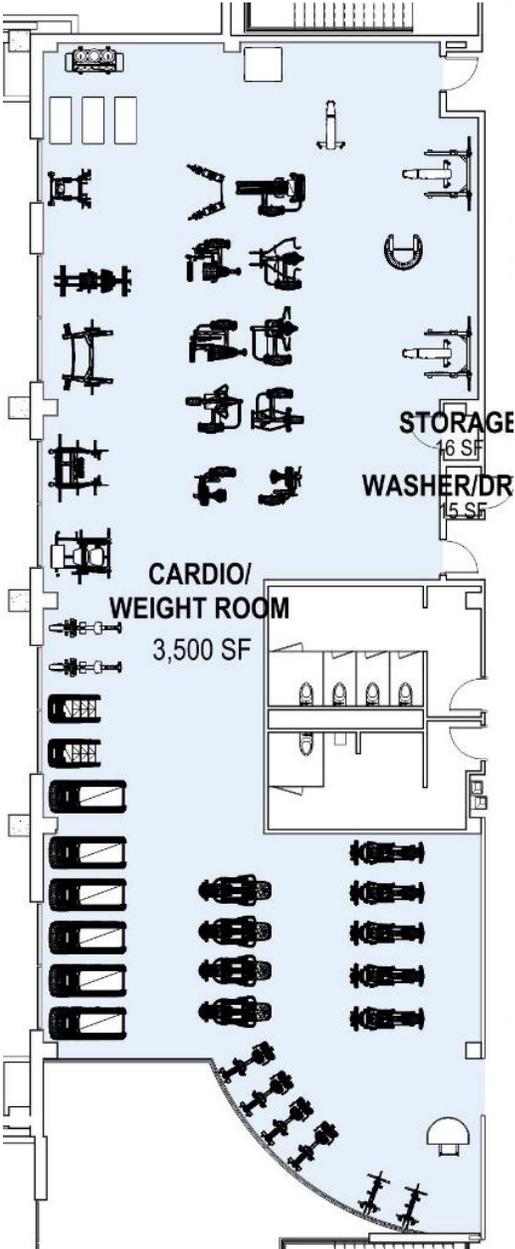


Area 1 – Cardio/ Weight Room

AREA 1:

WEIGHT AND CARDIO ROOM EXPANSION

- INTERIOR DEMOLITION
- UPDATED CEILING WITH FIXTURES
- NEW EQUIPMENT



Area 1 – Cardio/ Weight Room



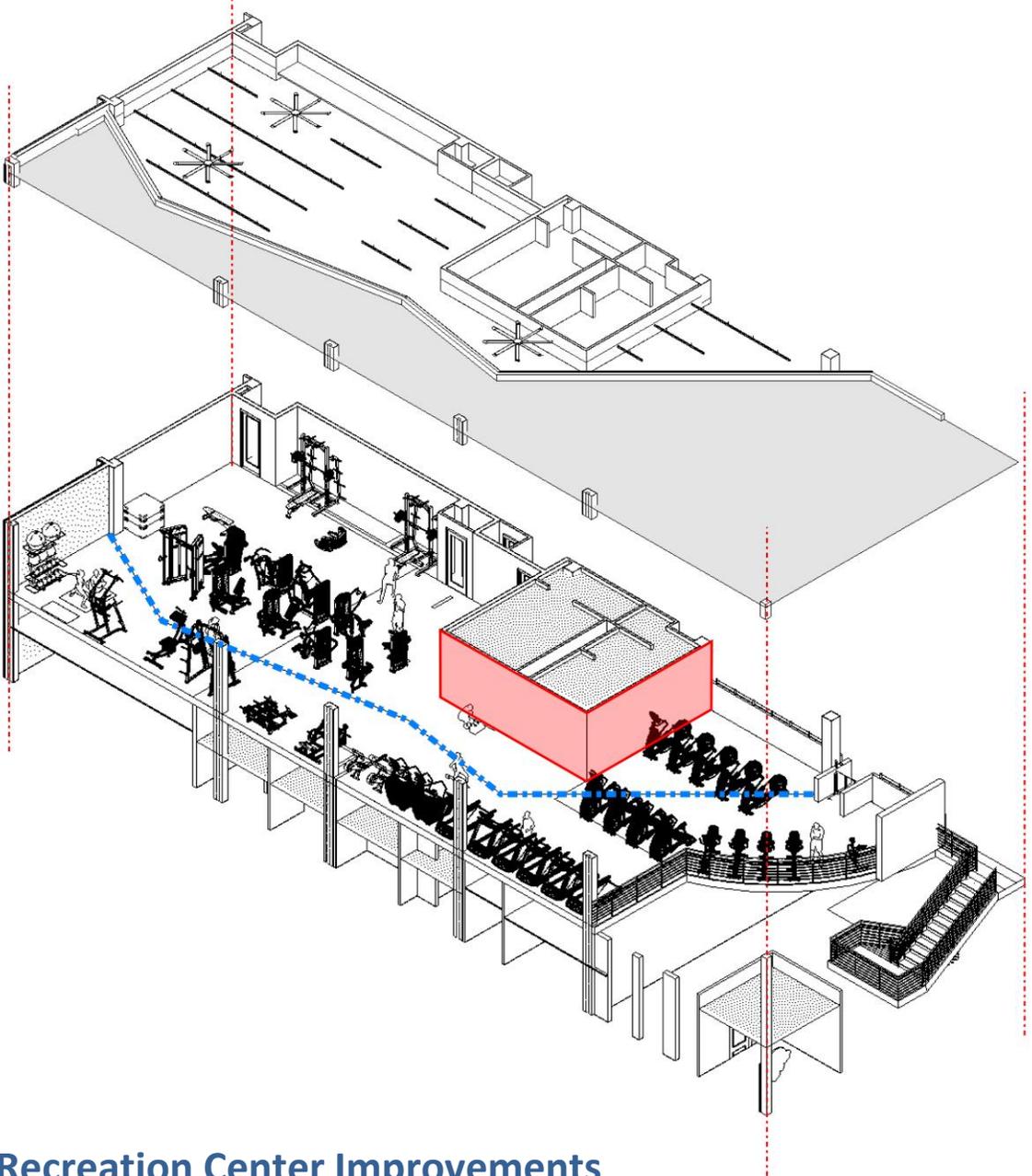
Area 1 – Cardio/ Weight Room



Area 1 – Cardio/ Weight Room

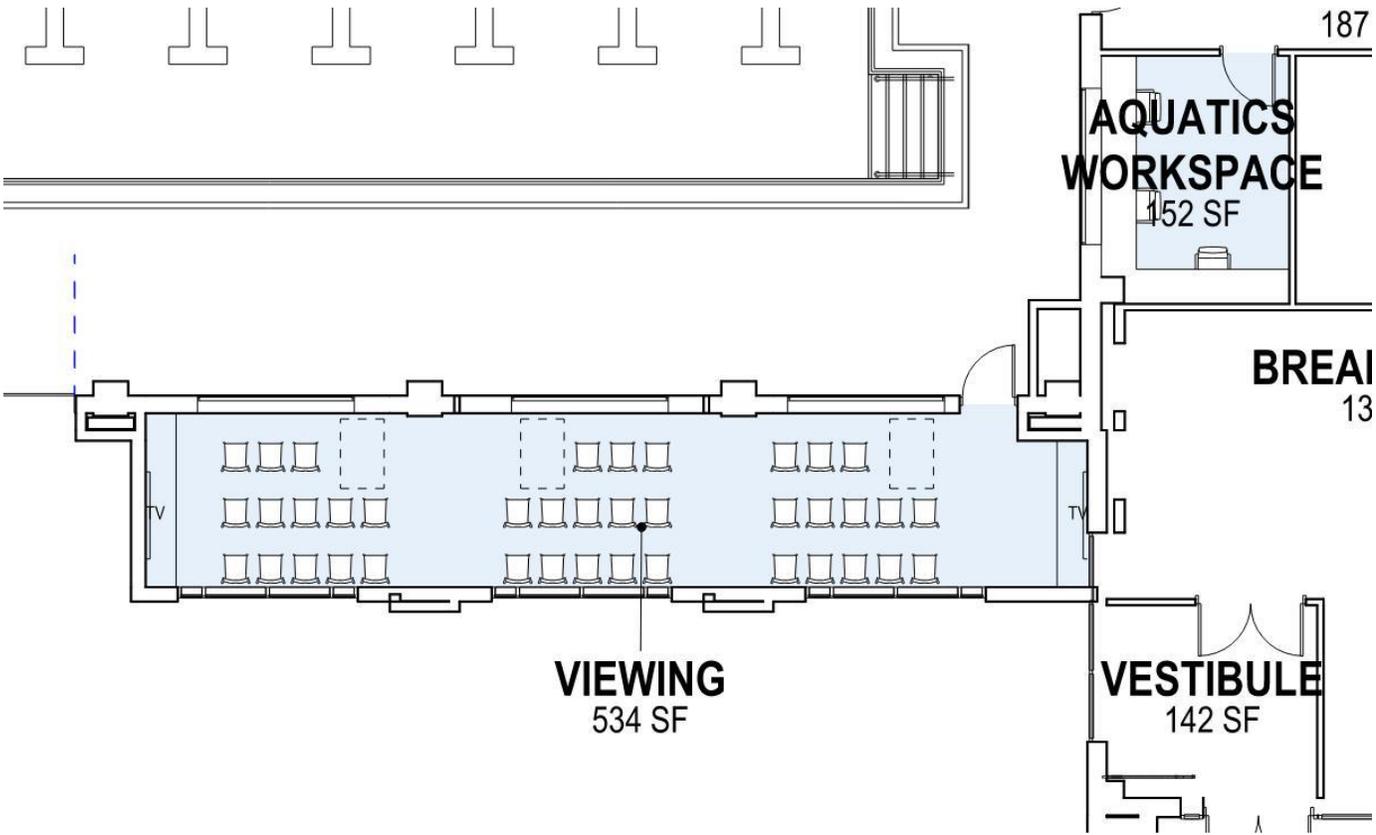


Area 1 – Cardio/ Weight Room



Area 2 – Viewing Room Expansion and Aquatics Workspace

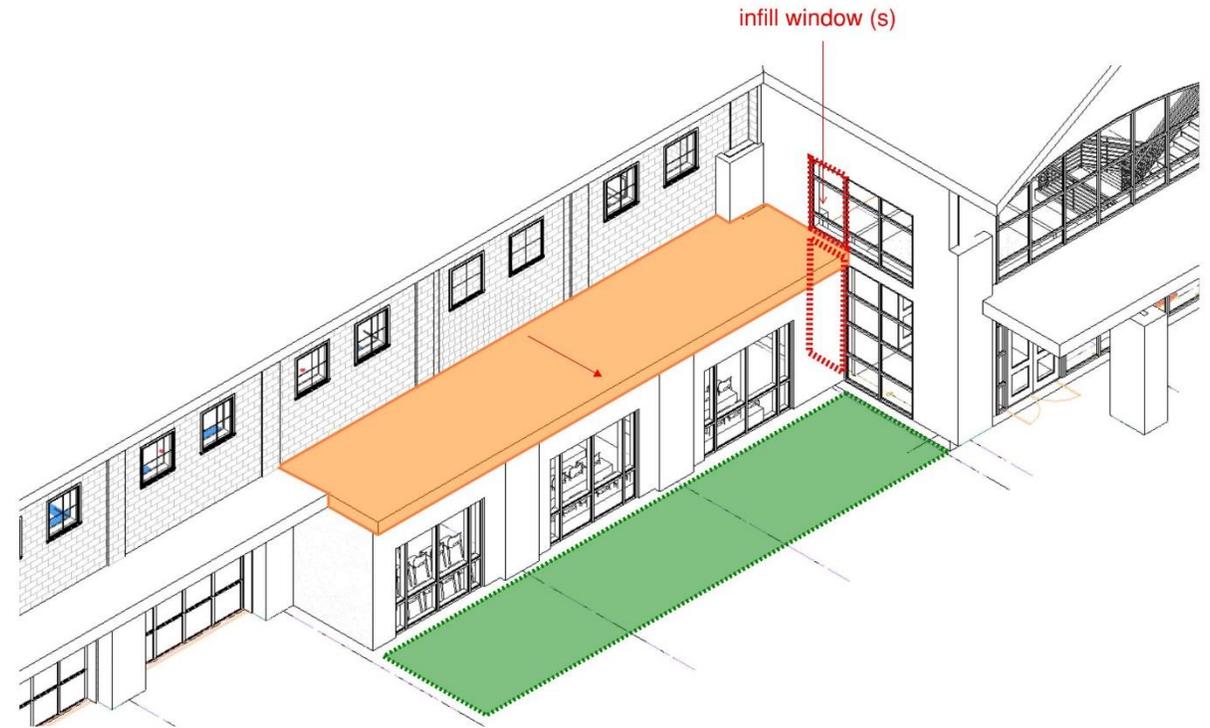
AREA 2: VIEWING ROOM EXPANSION AND AQUATICS WORKSPACE



AREA 2:

VIEWING ROOM EXPANSION AND AQUATICS WORKSPACE

- SITE LANDSCAPING
- ADDITIONAL ROOFING ELEMENT
- WINDOW COVERAGE



AREA 2:

VIEWING ROOM EXPANSION AND AQUATICS WORKSPACE

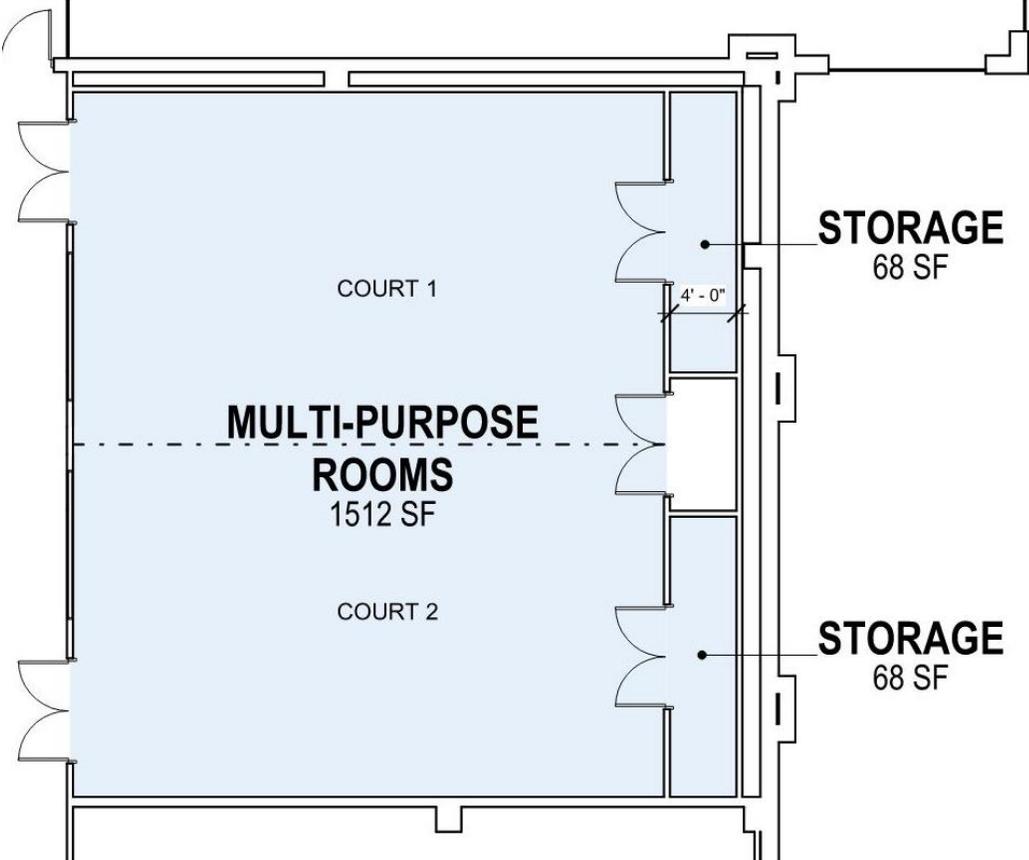


Area 3 – Multi-function Courts

AREA 3:

MULTI-FUNCTION COURTS

- INTERIOR DEMOLITION
- INTERIOR RENOVATION
- NEW STORAGE ROOMS
- OPERABLE PARTITION

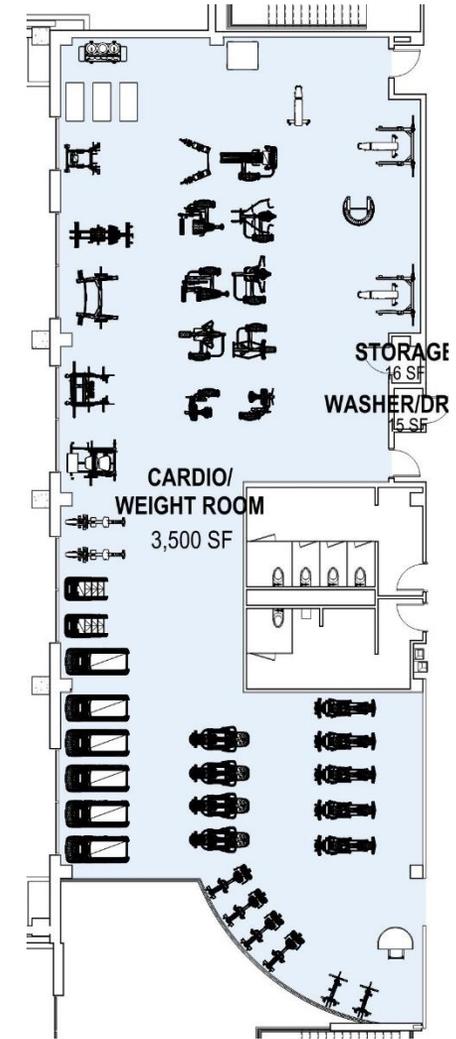


West U Area 1 Weight and Cardio Room Expansion

Notes:
 All costs are listed in 2025 Dollars and escalated to 2026 at the mid point of construction
 Refer to Plan Exhibits for additional information

Projected Budget

	Square Feet	Cost/SF	Subtotal
Interior Demolition - Second Floor	400	\$ 20.00	\$ 8,000.00
Cardio Improvements Existing Space	1,800	\$ 95.00	\$ 171,000.00
Cardio Improvements Expansion	1,700	\$ 180.00	\$ 306,000.00
Second Floor Ceiling Improvements	3,500	\$ 30.00	\$ 105,000.00
Second Floor Wall Coverings	600	\$ 15.00	\$ 9,000.00
Second Floor New Lighting	3,500	\$ 15.00	\$ 52,500.00
Attendant Station	70	\$ -	\$ 5,000.00
New Cardio Equipment			\$ -
Design Contingency (5%)			\$ 24,500.00
Subtotal			\$ 681,000.00
All Permit Fees			\$ -
Construction Subtotal			\$ 681,000.00
GC General Conditions (5.5%)			\$ 37,455.00
GC Fees (10.5%)			\$ 75,437.78
Construction Total			\$ 793,892.78
Total Construction Cost per Square Foot			
Soft Cost (15%)			\$ 119,083.92
FFE (5%)			\$ 39,694.64
Owners Contingency (10%)			\$ 79,389.28
Land Costs			\$ -
2025 Project Budget			\$ 1,032,060.61
2026 Escalation (4%)			\$ 41,282.42
2026 Project Budget			\$ 1,073,343.03



AREA 1:

2026 Project Budget: \$1,073,343.00

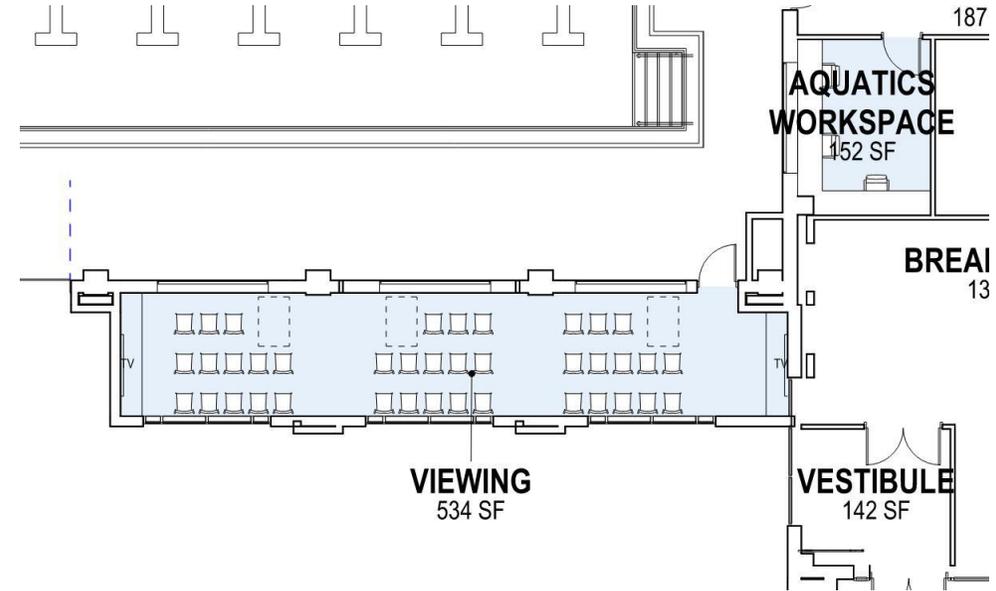
West U Area 2 New Exterior Viewing Room

Notes:

All costs are listed in 2025 Dollars and escalated to 2026 at the mid point of construction
 Refer to Plan Exhibits for additional information

Projected Budget

	Square Feet	Cost/SF	Subtotal
Interior Office	152	\$ 100.00	\$ 15,200.00
New Viewing Room	630	\$ 1,250.00	\$ 787,500.00
Design Contingency (5%)			\$ 39,375.00
Subtotal			\$ 842,075.00
All Permit Fees			\$ -
Construction Subtotal			\$ 842,075.00
GC General Conditions (5.5%)			\$ 46,314.13
GC Fees (10.5%)			\$ 93,280.86
Construction Total			\$ 981,669.98
Total Construction Cost per Square Foot			
Soft Cost (15%)			\$ 147,250.50
FFE (5%)			\$ 49,083.50
Owners Contingency (10%)			\$ 98,167.00
Land Costs			\$ -
2025 Project Budget			\$ 1,276,170.98
2026 Escalation (4%)			\$ 51,046.84
2026 Project Budget			\$ 1,327,217.82



AREA 2:

2026 Project Budget: \$1,327,217.00

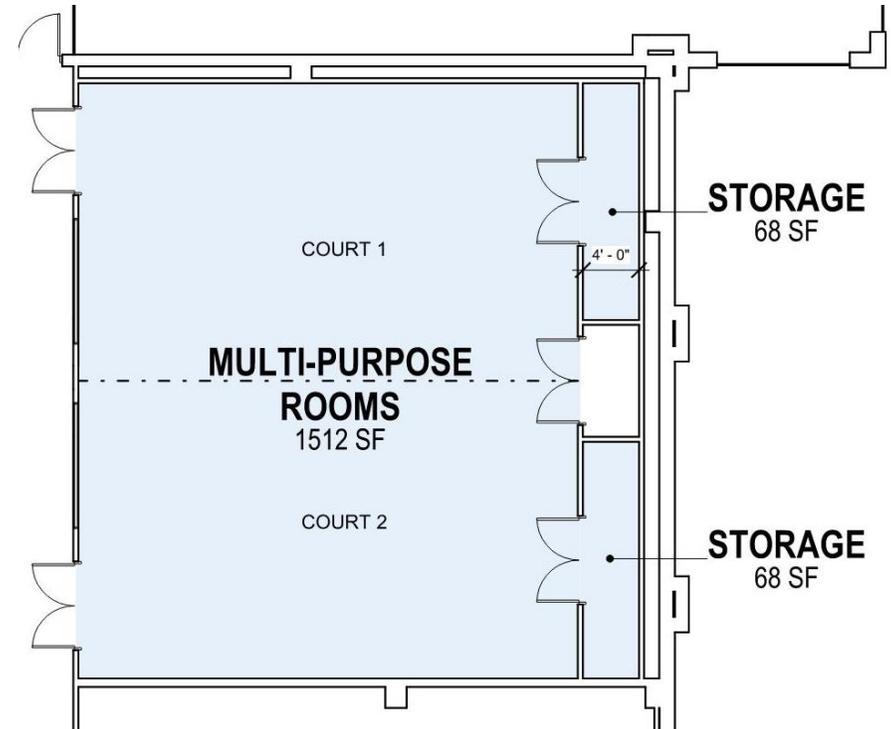
West U Area 3 Multi-Function Rooms

Notes:

All costs are listed in 2025 Dollars and escalated to 2026 at the mid point of construction
 Refer to Plan Exhibits for additional information

Projected Budget

	Square Feet	Cost/SF	Subtotal
Interior Demolition	1,697	\$ 8.50	\$ 14,424.50
Interior Renovation Multipurpose Rooms	1,512	\$ 25.00	\$ 37,800.00
New Storage Rooms	150	\$ 200.00	\$ 30,000.00
Folding Partition			\$ 100,000.00
Design Contingency (5%)			\$ 7,221.23
Subtotal			\$ 189,445.73
All Permit Fees			\$ -
Construction Subtotal			\$ 189,445.73
GC General Conditions (5.5%)			\$ 10,419.51
GC Fees (10.5%)			\$ 20,985.85
Construction Total			\$ 220,851.09
Total Construction Cost per Square Foot			
Soft Cost (15%)			\$ 33,127.66
FFE (5%)			\$ 11,042.55
Owners Contingency (10%)			\$ 22,085.11
Land Costs			\$ -
2025 Project Budget			\$ 287,106.42
2026 Escalation (4%)			\$ 11,484.26
2026 Project Budget			\$ 298,590.67



AREA 3:

2026 Project Budget: \$298,590.00

West U Recreation Center Renovation Master Plan Total

Notes:

All costs are listed in 2025 Dollars and escalated to 2026 at the mid point of construction
 Refer to Plan Exhibits dated 04/16/2025 for additional information

Projected Budget

	Square Feet	Subtotal
Interior Demolition	1,697	\$ 14,424.50
Interior Renovation Multipurpose Rooms	1,512	\$ 37,800.00
Interior Office and Storage	253	\$ 15,200.00
New Storage Rooms	150	\$ 30,000.00
Folding Partition		\$ 100,000.00
New Viewing Room	630	\$ 787,500.00
Interior Demolition - Second Floor	400	\$ 8,000.00
Cardio Improvements Existing Space	1,800	\$ 171,000.00
Cardio Improvements Expansion	1,700	\$ 306,000.00
Second Floor Ceiling Improvements	3,500	\$ 105,000.00
Second Floor Wall Coverings	600	\$ 9,000.00
Second Floor New Lighting	3,500	\$ 52,500.00
Attendant Kiosk	70	\$ 5,000.00
Design Contingency (5%)		\$ 71,096.23
Subtotal		\$ 1,712,520.73
All Permit Fees		\$ -
Construction Subtotal		\$ 1,712,520.73
GC General Conditions (5.5%)		\$ 94,188.64
GC Fees (10.5%)		\$ 189,704.48
Construction Total		\$ 1,996,413.85
Total Construction Cost per Square Foot		
Soft Cost (15%)		\$ 299,462.08
FFE (5%)		\$ 99,820.69
Owners Contingency (10%)		\$ 199,641.38
Land Costs		\$ -
2025 Project Budget		\$ 2,595,338.00
2026 Escalation (4%)		\$ 103,813.52
2026 Project Budget		\$ 2,699,151.52

ALL AREAS TOTAL:
 2026 Project Budget: \$2,699,151.00



QUESTIONS/ FEEDBACK?



AGENDA MEMO

Business of the City Council
City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	6
Approved by City Manager	YES	Presenter(s)	D. Beach, City Manager
Reviewed by City Attorney	YES	Department	Administration
Subject	Council Rules of Procedure		
Attachments	Ordinance No. 3094		
Financial Information	Expenditure Required:		Not applicable
	Amount Budgeted:		Not applicable
	Account Number:		Not applicable
	Additional Appropriation Required:		Not applicable
	Additional Account Number:		Not applicable

Executive Summary

The City Council adopts by ordinance the City Council’s Rules of Procedure that establish the General Provisions, Agenda that govern the conduct of the Council. Based upon discussion and feedback from Council’s July 28, 2025, staff is proposing changes to following Rules of Procedure and Section 2-1 of the Code of Ordinances to reflect voter approved changes to the Charter, State Law and Council direction:

RULES OF PROCEDURE:

- Rule 5: Regular Meetings.**
 The City Council shall meet in regular session on each second Monday in each calendar month beginning at 6:30 p.m. The City Council may meet in regular session on each fourth Monday in each calendar month beginning at 6:30 p.m. The City Council, by motion, resolution or ordinance, may reschedule any regular meeting. If a regular meeting falls on a legal holiday, it is automatically rescheduled for the ~~following~~preceding Monday, unless rescheduled by the City Council.
- Rule 9: Preparation of Agenda: Requests**
 As a general rule the City Manager creates each City Council agenda. The City Secretary prepares, posts and distributes notices of meetings and assembles the agenda package. The City Manager is responsible for approving each agenda package before posting. The City Manager must place a subject on ~~the~~ a future agenda if the subject is requested by the Mayor or by two or more Council Members, the provisions of Rule 12 notwithstanding.
- Rule 11: Agenda Deadline.**
 All requests to place a subject on the agenda must be provided to the City Secretary or City Manager by 12:00 noon on the ~~fifth~~ eighth ~~calendar~~ business day preceding a meeting.



AGENDA MEMO

Business of the City Council
City of West University Place, Texas

- **Rule 12. Requests to Include.**

Each request to include an agenda item shall be forwarded to all members of the Council at the time the request is submitted to the City Secretary or City Manager. When a Council Member will be absent from a meeting, the Council Member may request that an item not be included ~~and such request shall not be unreasonably denied~~ on the agenda for the meeting at which the Council Member will be absent unless the delay would render the agenda item moot. The agenda item may not be moved more than two meetings from the original requested date.

- **Rule 25. Public Participation.**

Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers should register in advance and should limit their presentations to three minutes each. Speakers should direct all remarks and questions to the Council. The presiding officer may refer a matter for investigation, response or other action. Public comments by a speaker relating to a non-agenda item shall be heard after the pledges at the beginning of a meeting. For comments relating to an agenda item, the speaker has the option of speaking during the Public Comment Period or may defer his/her remarks until the subject agenda item is addressed by Council. Council members may ask questions of a speaker or discuss a matter raised by a speaker if the matter is included as an item on the agenda. The Mayor may request a staff report or comments on an agenda item before calling for public comments. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council. This law may prevent the Council from considering a subject raised by a member of the public. In this case, the presiding officer may refer the matter, and the Council may direct that the matter be placed on the agenda for an upcoming meeting.

Written Comments received prior to the City Council meeting or provided by public speakers during the City Council meeting will be included as attachments to the City Council minutes. Written comments must be received no later than 3:00 PM on the day of the City Council meeting for the name of the person submitting written comments read aloud during the public comment portion of the meeting. Additionally, City Council will receive an electronic and hard copy of all written comments received no later than 3:00 PM on the day of the City Council meeting. Written comments received after the deadline will be included as an attachment to the minutes.

CODE OF ORDINANCES:

Section 2-1, City Council Meetings; Dates, Article I, In General, of Chapter 2, Administration and Finance of the City's Code of Ordinances shall be amended by removing the language stricken out below, which removes duplication and conflict with Council Rules of Procedure Rule 5.

Sec. 2-1. – City council meetings; dates.

Regular meetings. The City council shall meet in regular session on each second Monday in each calendar month beginning at 6:30 p.m. The City council may meet in regular session on each fourth Monday in each calendar month beginning at 6:30 p.m. The city council, by motion, resolution or ordinance, may reschedule any regular meeting. ~~If a regular meeting falls on a legal holiday, it is automatically rescheduled for the following Monday, unless rescheduled by the city council.~~

Recommended Action

Staff recommends that the City Council approve Ordinance 3094 adopting changes Sec. 2-1 of the Code of Ordinances and Rules 5, 9, 11, 12 and 25 of the Council Rules of Procedure on the first of two readings.

CITY OF WEST UNIVERSITY PLACE
HARRIS COUNTY, TEXAS

ORDINANCE NO. 3094

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS AMENDING APPENDIX B, RULES OF PROCEDURE, OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS; AND AMENDING SECTION 2-1, CITY COUNCIL MEETINGS OF CHAPTER 2, ADMINISTRATION AND FINANCE OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE; PROVISIONS RELATED TO THE SAME; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:

SECTION 1. Appendix B, Rules of Procedure, of the Code of Ordinances of the City of West University Place, Texas, is amended by adding the language to herein underlined and removing the language from herein struck through as attached as **Exhibit A**, attached hereto. All other portions of Appendix B of the Code not specifically amended as contained in **Exhibit A** hereby remain in full force and effect.

SECTION 2. Section 2-1, City Council Meetings; Dates, Article I, In General, of Chapter 2, Administration and Finance of the City's Code of Ordinances shall be amended by removing the language struck through and adding the language underlined below:

“Sec. 2-1. – City council meetings; dates.

- (a) *Regular meetings.* The City council shall meet in regular session on each second Monday in each calendar month beginning at 6:30 p.m. The City council may meet in regular session on each fourth Monday in each calendar month beginning at 6:30 p.m. The city council, by motion, resolution or ordinance, may reschedule any regular meeting. If a regular meeting falls on a legal holiday, it is automatically rescheduled for the following Monday, unless rescheduled by the city council.
- (b) *Other meetings.* Other meetings shall be called as provided in the city charter.
- (c) *Notices.* The city secretary shall prepare, post and distribute notices of meetings and the assembled agenda packages.
- (d) *Agendas.* The city manager is responsible for assembling the agenda package for each meeting. The city manager must place a subject on the agenda if the subject is requested by the mayor or by two or more council members. Other persons may request the city manager to place an item on the agenda. All requests to place a subject on the agenda must be in writing (including fax or e-mail) and provide to the city secretary or city manager by 125:00 p.m. noon on the eighth fifth calendar-business day preceding the meeting. Agendas may include groups of routine or similar items which will be considered as a group, unless any single council member requests separate consideration for an item.

- (e) *Attendance.* All members are expected to attend all meetings on time, except with a good excuse. Good excuses are determined by the city council. The council may cause the attendance record of all members to be posted or published.
- (f) *Formal and informal segments; “workshop.”* Meeting may include both formal and information segments, and they may be held in different rooms. Informal segments may be conducted as “workshops” with relaxed rules of procedure.

SECTION 3. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

SECTION 4. If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, not the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

SECTION 5. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 6. This Ordinance takes effect immediately upon its passage and adoption on second reading.

PASSED, APPROVED, AND ADOPTED ON FIRST READING on the ____ day of _____, 2025.

PASSED, APPROVED AND ADOPTED ON THE SECOND READING, AND SIGNED, on the _____ day of _____, 2025.

FOR THE CITY

Susan Sample, Mayor

ATTEST:

Tracylynn Garcia, City Secretary

Exhibit A

Rule 5. - Regular Meetings.

The City Council shall meet in regular session on each second Monday in each calendar month beginning at 6:30 p.m. The City Council may meet in regular session on each fourth Monday in each calendar month beginning at 6:30 p.m. The City Council, by motion, resolution or ordinance, may reschedule any regular meeting. If a regular meeting falls on a legal holiday, it is automatically rescheduled for the ~~following~~ preceding Monday, unless rescheduled by the City Council.

Rule 9: Preparation of Agenda Requests.

As a general rule the City Manager creates each City Council agenda. The City Secretary prepares, posts and distributes notices of meetings and assembles the agenda package. The City Manager is responsible for approving each agenda package before posting. The City Manager must place a subject on ~~the~~ a future agenda if the subject is requested by the Mayor or by two or more Council Members, the provisions of Rule 12 notwithstanding.

Rule 11: Agenda Deadline.

All requests to place a subject on the agenda must be provided to the City Secretary or City Manager by 12:00 noon on the ~~fifth~~ eighth ~~calendar~~ business day preceding a meeting.

Rule 12. Requests to Include.

Each request to include an agenda item shall be forwarded to all members of the Council at the time the request is submitted to the City Secretary or City Manager. When a Council Member will be absent from a meeting, the Council Member may request that an item not be included ~~and such request shall not be unreasonably denied~~ on the agenda for the meeting at which the Council Member will be absent unless the delay would render the agenda item moot. The agenda item may not be moved more than two meetings from the original requested date.

Rule 25. Public Participation.

Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers should register in advance and should limit their presentations to three minutes each. Speakers should direct all remarks and questions to the Council. The presiding officer may refer a matter for investigation, response or other action. Public comments by a speaker relating to a non-agenda item shall be heard after the pledges at the beginning of a meeting. For comments relating to an agenda item, the speaker has the option of speaking during the Public Comment Period or may defer his/her remarks until the subject agenda item is addressed by Council. Council members may ask questions of a speaker or discuss a matter raised by a speaker if the matter is included as an item on the agenda. The Mayor may request a staff report or comments on an agenda item before calling for public comments. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council. This law may prevent the Council from considering a subject raised by a member of the public. In this case, the presiding officer may refer the matter, and the Council may direct that the matter be placed on the agenda for an upcoming meeting.

Written Comments received prior to the City Council meeting or provided by public speakers during the City Council meeting will be included as attachments to the City Council minutes. Written comments must be received no later than 3:00 PM on the day of the City Council meeting for the name of the person submitting written comments read aloud during the public comment portion of the meeting. Additionally, City Council will receive an electronic and hard copy of all written comments received no later than 3:00 PM on the day of the City Council meeting. Written comments received after the deadline will be included as an attachment to the minutes.



AGENDA MEMO
Business of the City Council
City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	7
Approved by City Manager	Yes	Presenter(s)	Mayor S. Sample and Councilmember K. Rainsberger
Reviewed by City Attorney	Yes	Department	City Council
Subject	Urban Forest Preservation and Enhancement (Chapter 82-City Code of Ordinance)		
Attachments	1. Chapter 82 – City Code of Ordinance 2. Appendix E – Fees and Charges, Section F.019		
Financial Information	Expenditure Required:		Not Applicable
	Amount Budgeted:		Not Applicable
	Account Number:		Not Applicable
	Additional Appropriation Required:		Not Applicable
	Additional Account Number:		Not Applicable

Executive Summary

This agenda item is to discuss Chapter 82 of the City of West University Place Code of Ordinance (Urban Forest Preservation and Enhancement) and its application regarding the recent tree topping at 3837 Rice Blvd. and associated tree replacement and/or tree trust requirements.

Recommended Action

Discuss and take any desired action.

Chapter 82 - URBAN FOREST PRESERVATION AND ENHANCEMENT

Sec. 82-1. - Purpose; findings.

- (a) *Purpose.* The purpose of this chapter is to preserve and enhance the urban forest of the city.
- (b) *Findings.* The city council has determined the following: The urban forest is of great value in the maintenance of public health and welfare. The urban forest can aid in the conservation of vital energy resources and natural resources and in the preservation of the city's heritage and quality of life. Trees are a valuable amenity to the urban environment, creating greater human comfort by providing shade, cooling the air through evaporation, restoring oxygen to the atmosphere, reducing glare, reducing noise levels, providing an ecological habitat for songbirds and other animal and plant species, providing for more effective transitions between different land uses and breaking the monotony of urbanized development, pre-development, or construction. The urban forest of the city should be preserved and enhanced, to the maximum extent feasible, consistent with the property rights of its citizens.

(Code 2003, § 22.001)

Sec. 82-2. - Definitions.

Unless the context otherwise clearly requires a different meaning, the following terms, as used in this chapter, shall have the meanings indicated below.

Circumference of a tree means the circumference of its trunk, measured as prescribed in the criteria manual and in figure 1 attached to the criteria manual. For conversion to diameter, the circumference can be divided by 3.142.

Criteria manual means the "criteria manual" dated February 1994, a copy of which is on file in the office of the city secretary, which is hereby approved, adopted and incorporated into this chapter by reference.

Critical root zone means, for any given tree, the area within a circle centered on the trunk location. The circle's diameter is one-half the sum of the broadest and the narrowest drip line diameters. See figure 1b attached to the criteria manual.

Damage a tree means to take any action which could result in a tree's death, either immediately or at any time within two years following the action. Some examples of such action, which are not intended to limit this definition, are as follows: severing the main trunk or large branches or large roots, girdling, poisoning, carving, mutilating, touching with live wires, piercing with nails or spikes, crushing or exposing the roots, digging or drilling any hole larger than three cubic feet (or a trench) within the critical root zone, covering a substantial part of the critical root zone or compacting a substantial part of the soil in the critical root zone.

Driveway visibility triangle means the area within a triangle beginning at the intersection of the edge of a driveway and the inside edge of a sidewalk (i.e., the edge farthest from the roadway). From the intersection point, the first side of the triangle extends five feet inward (away from the roadway) along the edge of the driveway, the second side of the triangle extends five feet along the edge of the sidewalk away from the driveway, and the third side is a straight line connecting the extended ends of the first two sides. If there is no sidewalk, the building official shall designate the probable location of a future sidewalk, which shall then be used as if it were an existing sidewalk. A typical driveway will have two such triangles, one on each side. The visibility triangle may include both public and private property. The building official may prepare example diagrams showing driveway visibility triangles.

Fence-like hedge as used in this chapter has the same meaning defined in appendix A, section 2-102 of the Code (zoning ordinance).

Front yard means the setback area required by the zoning ordinance and measured from the front street side of a building site or potential building site.

Large tree means a tree with a circumference of 19 inches or more. In case a tree is removed, it is presumed to have been a large tree if the diameter of the stump is six inches or greater, measured in any direction.

Located. A tree is "located" within an area if any part of its trunk is within the area at ground level.

Low-value tree means a tree included in "class IV" of the criteria manual (see appendix) which is evaluated by the urban forester under the criteria manual and assigned a total rating less than 30 (out of 40 possible points).

Minimum planting standard means the minimum standard for total number of trees which must be present on a site regardless of the number of pre-existing or replacement trees, as set forth in the criteria manual.

Multiple-trunk tree means a tree with two or more trunks visibly connected above the ground.

Protected tree includes:

- (1) A significant tree anywhere in the city;
- (2) A large tree located within any of the following:
 - a. A front yard;
 - b. A street side yard (of corner sites); or
 - c. A right-of-way area ; and
- (3) When there is a permit in effect for development or pre-development activity on any subject site, "protected tree" includes all large trees located on that subject site.

Qualified tree means any tree listed in Class I or II of the criteria manual which has a trunk diameter of at least two inches, measured six inches above the ground.

Remove means to cut down, or remove a tree by any other means.

Replacement tree means a tree meeting the minimum criteria for replacement trees as set out in the criteria manual and this chapter.

Right-of-way area includes all parts of a street area, including:

- (1) The paved or improved roadway;
- (2) The sidewalks;
- (3) The curbs or ditches; and
- (4) All other paved or unpaved areas in the street area. The "right-of-way area" for an individual site includes only the area between the property line of the site and the centerline of the street area (i.e., the directly abutting area in the street area). A corner site has a right-of-way area both in front and on the side.

Significant tree means a large tree with circumference of 36 inches or more. In case a tree is removed, it is presumed to have been a significant tree if the diameter of the stump is 12 inches or greater, measured in any direction (Also see definition of large tree.).

Street gutter flow line means the street gutter flow line of the curb adjacent to and bordering upon a visibility triangle. If there is no curb, the height restrictions set forth in this chapter shall be based upon the actual level of the street area adjacent to and bordering upon the visibility triangle.

Street side yard means the setback area required by the zoning ordinance and measured from the side street line of a building site or a potential building site.

Street visibility triangle means the area at a street corner lying within a triangular area beginning at the intersection point of the curbs of the two streets forming the corner (which will normally be a tangent point on a curved curb-line). Sides of the triangle extend 20 feet along each curb line (away from the intersection point, following any curves in the curb). The third side is a straight line connecting the extended ends of such 20-foot curb-line sides. If there is no curb on such a street, the central flow line of the gutter or ditch is used instead. The triangle may include both public and private property. The building official may prepare example diagrams showing street visibility triangles.

Subject site, for any given development or pre-development activity, includes:

- (1) The building site or other site, upon which the development or pre-development activity would occur; plus
- (2) The right-of-way area for that site.

Tree means a woody plant having one well-defined stem or trunk, a defined crown and a mature height of at least eight feet.

Tree disposition conditions means conditions approved by the urban forester pertaining to the disposition and protection of trees when development or predevelopment activity occurs. See [section 82-3](#).

Tree permit means a valid permit issued by the building official authorizing removal of or damage to a protected tree.

Tree survey is an on-the-ground survey containing the location of trees, their circumferences, types (species), crown areas (drip line) and other data, all as more particularly described in the criteria manual. Unless otherwise indicated in the criteria manual, the tree survey must depict for any given subject site:

- (1) Every large tree located in the subject site; and
- (2) Every large tree located elsewhere which has 30 percent or more of its critical root zone in such subject site.

Tree trust means any person or entity which meets all of the following criteria:

- (1) It is operated on a profit-making or not-for-profit basis;
- (2) The urban forester has determined that it has the resources, organization and expertise to plant and maintain trees successfully in an urban setting and in compliance with certificates issued to the city; and
- (3) The urban forester's determination has not been revoked or suspended.

Urban Forest Enhancement Fund or "UFEF" means the fund established as such by this chapter.

Urban forester means a person so designated and acting under this chapter.

Visibility area includes a street visibility triangle and a driveway visibility triangle.

Visibility triangle includes a street visibility triangle and a driveway visibility triangle.

(Code 2003, § 22.002; Ord. No. 1772, app. A, 8-16-2004; Ord. No. 1925, § 1(Exh. A), 8-9-2010; Ord. No. [2044](#), § 1(Exh. A), 1-22-2018)

Sec. 82-3. - Tree disposition; surveys.

- (a) *General requirement.* Every permit for development or predevelopment activity must contain tree disposition conditions meeting the requirements of this section.
- (b) *Essential and mandatory conditions.* Tree disposition conditions are the most important means of protecting the urban forest of the city from unreasonable harm during development and predevelopment activity. Tree disposition conditions shall:
 - (1) Prohibit removal of or damage to any large tree, except:
 - a. Removal of a tree which is diseased, severely damaged or dead may be authorized;

- b. Damage to or removal of a tree which causes an unreasonable impediment to the use and enjoyment of the applicant's property may be authorized; and
 - c. Damage to or removal of a low-value tree may be authorized.
- (2) Require replacement trees, to the extent provided in the criteria manual, for any large trees authorized to be damaged or removed. Exception: No replacement is required for low-value trees.
 - (3) Require protection for large trees (and critical root zones). The conditions may specify the methods of protection to be used.
 - (4) Require that any authorized damage to trees be minimized and mitigated. The conditions may specify methods of mitigation to be used.
 - (5) Require, if there is major development, that the affected subject site attain a minimum planting standard of tree density as set forth in the criteria manual.
- (c) *Procedure.* The building official shall not issue any permit for any development or predevelopment activity unless all of the following have first occurred:
- (1) *Tree survey.* The applicant must have filed a tree survey, and the urban forester must have approved it for compliance with this chapter.
 - (2) *Tree disposition conditions.* Tree disposition conditions approved by the urban forester must have been inserted into the permit. The urban forester may require all persons owning land where a tree is located to agree to any removal of or damage to the tree authorized by the conditions.
- (d) *"Low-impact" exception.* Except for the requirement to insert the mandatory conditions, this section does not apply to a subject site, project or other activity that will not have any significant, adverse effect upon any large tree, as determined by the urban forester.

(Code 2003, § 22.003)

Sec. 82-4. - Tree permits.

- (a) *Permit required.* A tree permit is required for removal of or damage to any protected tree, unless the damage is separately authorized by tree disposition conditions as described above. See [section 18-5](#) for a more particular description of the requirement for a tree permit.
- (b) *Criteria for issuance of permits.* The building official shall only issue a tree permit if subsections (1) and either (2) or (3) are present:
 - (1) *Application.* An application for the permit must be filed by the owner of the area where the tree is located. If the tree is located on a property boundary, all owners must join in the application.
 - (2)

Tree in poor condition; hazards; low-value trees. The tree in question is diseased, severely damaged or dead, or the tree creates a hazard to human life or an existing building, or the tree is a low-value tree. In any of these cases, the permit shall be issued without special conditions or replacement requirement.

- (3) *Tree as impediment to proposed use of the subject site.* The tree in question causes an unreasonable impediment to use and enjoyment of property. Any permit issued in this case shall be reviewed by the urban forester and shall require that any replacement trees required by this chapter be planted. If replacement trees are to be located on a subject site controlled by the permittee, the permit shall also require that they be thereafter maintained. If the permit would authorize damage to a protected tree, but not removal, the permit must contain conditions reasonably calculated to minimize the damage to the protected tree (and may require replacement trees).

(Code 2003, § 22.004)

Sec. 82-5. - Replacement trees.

- (a) *Number of replacement trees.* Tree disposition conditions and tree permits authorizing removal of or damage to large trees or protected trees shall normally require replacement by one or more newly-planted trees on the same subject site according to the "replacement inch" stipulations in the criteria manual. To the extent on-site replacement is not feasible, the permittee may choose to:

- (1) Plant and maintain off-site replacement trees within 1,000-feet of the subject site, subject to the provisions of the criteria manual;
- (2) Provide a replacement-inch certificate from a tree trust or the UFEF, as provided in this section and the criteria manual; or
- (3) Provide replacement inches by some combination of the foregoing methods.

Regardless of the method or methods chosen, the number of replacement inches planted on the subject site, plus those provided by alternate methods, must equal or exceed the number calculated according to the replacement inch stipulations in the criteria manual.

- (b) *Minimum size; species; diversity.* Replacement trees must normally have a trunk diameter of at least two inches measured six inches from the ground. If ten inches or more of replacement inches are required by a permit, one replacement tree for each ten inches must have a trunk diameter of at least four inches, measured six inches from the ground. Example: If 24 replacement inches are required, there must be at least two replacement trees with a trunk diameter of four inches or more. The urban forester may prescribe proportionally smaller trunk diameters for species of trees typically smaller than normal. Replacement trees must be class I or class II, according to the list in the criteria manual. However, on each subject site, trees must be

selected and planted to achieve diversity, so that no more than 30 percent of the trees on the site belong to any single genus. *Exception:* If necessary to achieve a matched or paired planting, two trees may belong to the same genus.

(c) *Qualified trees under zoning ordinance.* To be a "qualified tree" under the zoning ordinance, a tree must comply with the definition of "qualified tree" set out in section 82-2, and must meet the same criteria as replacement trees.

(d) *Growth space, etc.* Each replacement tree and qualified tree must be planted in a growth space which:

- (1) Contains at least 200 square feet, contiguous, with no dimension smaller than ten feet;
- (2) Can absorb at least three inches of water per hour (over the whole area);
- (3) Does not contain any compacted, stabilized, paved or solid material, at any level; and
- (4) Otherwise supports tree establishment and growth.

Grout-free stones or pavers are not prohibited in a growth space, if the space meets all such criteria. No more than one shade tree may be planted per 200 square feet of such growth space. The urban forester shall use reasonable best efforts to determine the type and number of trees and growth space in an attempt to minimize any undue burden resulting from this chapter.

(d) *Standard of review.* The urban forester shall use reasonable best efforts to determine the type and number of replacement trees required in an attempt to minimize any undue burden resulting from this chapter.

(e) *Trees in street areas.* Before authorizing the establishment or maintenance of a tree or decorative landscaping (or any related appurtenances such as lighting or a watering system) in a street area, the building official must:

- (1) Be satisfied that V.T.C.A., Transportation Code ch. 316 has been complied with; and
- (2) Determine there would be no violation of the provisions of this chapter relating to visibility triangles.

The building official is designated by the city council to make the determinations contemplated by V.T.C.A., Transportation Code § 316.003.

(f) *Replacement inch certificates.* If a tree trust or the UFEF issues an effective "replacement inch" certificate to the city, as provided in the criteria manual, the "replacement inches" described in the certificate are treated the same as replacement tree inches actually planted as of the date of the certificate.

(g)

Replacement inch credits. An owner of a site in the city who plants a class I or class II tree on that site is eligible to receive a credit for future "replacement inches." The owner may use the credit to offset the number of "replacement inches" assessed for protected trees removed from the same site at any time in the future. Credits are subject to the following:

- (1) *Issuance.* Credits are only available for trees registered with the urban forester within 30 days following the day they are planted. Registration requires application and proof of planting. The registration form shall specify the size and species of each tree planted and its location on the site.
 - (2) *Measurement.* The number of replacement inches actually credited is determined by the urban forester at the time an offset is requested, based on the health and size of the previously-registered trees and applying the provisions of the criteria manual regarding calculation of replacement inches.
 - (3) *Transferability.* Credits are not transferable to another site but may be claimed by subsequent owners of the same site.
 - (4) *Records.* The city is not responsible for keeping registration or other records of credits. A person claiming a credit must present documents to show that the credit is available and applicable.
- (h) *Urban Forest Enhancement Fund.* The urban forest enhancement fund (UFEF) of the city is hereby established. The UFEF is subject to all restrictions on public funds and other funds of the city, including the requirement for annual budgeting. However, money in the UFEF may only be budgeted and spent for the following purposes:
- (1) Purchasing, planting or otherwise providing trees in public spaces, in the front yard of all building sites or in the side street yard of corner building sites in the city;
 - (2) Maintaining or otherwise enhancing trees in public spaces in the city; or
 - (3) Matters necessary or incidental to the above.

Deposits may be made into the UFEF by gift or other transfer. The director of finance is authorized to accept such deposits on behalf of the city and to issue:

- (1) Acknowledgments in the name of the city; and
- (2) "Replacement inch" certificates as provided in the criteria manual.

(Code 2003, § 22.005; Ord. No. 1772, app. A, 8-16-2004; Ord. No 1929, § 1(a), 9-13-2010; Ord. No. 2044, § 1(Exh. A), 1-22-2018)

Sec. 82-6. - Protective fencing.

- (a) *Fences required.* Unless otherwise specified in the applicable tree disposition conditions, each protected tree to be preserved must be fenced during development or predevelopment activity.

- (b) *Fence criteria.* The tree disposition conditions shall specify protective fencing of the critical root zone whenever reasonably practicable, unless a different area is prescribed in accordance with the criteria manual. Unless the tree disposition conditions specify otherwise:
- (1) A six-foot or higher fence must surround each protected tree or group of protected trees, effectively preventing people, machinery, trash, material and other items from occupying the area within the protective fencing;
 - (2) The fence must be constructed of durable, highly visible materials supported on poles firmly set in the ground;
 - (3) The fence must be able to resist intrusions and impacts likely to be encountered on a construction site;
 - (4) The fence may incorporate existing fences or walls as well as temporary fencing; and
 - (5) Each fence must display a prominent warning sign as set forth in the criteria manual.
- (c) *Fence permit.* A separate fence permit is not required for construction of a fence under this section, if a permit for the work is in effect and includes tree disposition conditions.
- (d) *Trash, storage prohibited.* It shall be unlawful for any person to use the area within the protective fencing, required by this section, for trash disposal, storage, vehicle parking or any other use that could adversely affect tree roots.

(Code 2003, § 22.006)

Sec. 82-7. - Visibility triangle areas; trees, hedges, etc.

- (a) *Obstructions prohibited.* Obstructions are prohibited in visibility areas as indicated in the following table:

Area	Obstructions prohibited	Point for vertical measurement
Driveway visibility triangles	Any part of a fence, wall, plant or other thing above three feet.	Adjacent grade level at the intersection of the driveway and sidewalk.
Street visibility triangles	Tree branches or foliage below 13 feet 6 inches and any part of any other plant or other thing above three feet.	Centerline of the street.

- (b) *Conduct unlawful.* It shall be unlawful for any person to: (i) plant, grow, construct, install or maintain any obstruction prohibited by this section, or (ii) allow any such obstruction on property the person owns or controls.
- (c) *Certain trees.* It is an affirmative defense to prosecution for a tree in a driveway visibility area that the tree was planted before July 1, 1992 and has no limbs or foliage below six feet.
- (d) *Prior nonconforming status of certain fence-like hedges.* It is an affirmative defense to prosecution related to a fence-like hedge that:
 - (1) The hedge was in existence and not in compliance with chapter 82 on December 1, 2009,
 - (2) The hedge was not located in a visibility area, and
 - (3) The hedge has never been altered or maintained to conform to this section.
- (e) *Enforcement.* The city may enter a visibility area and remove any growth prohibited by this section, and the city shall have no liability for taking or not taking such action.
- (f) *Termination.* Notwithstanding anything to the contrary contained in subsection (d), all fence-like hedges must be made compliant with the Code no later than December 1, 2014, at which time subsections (d) and (f) of this section 82-7 shall be of no further force or effect and the same may be removed from this section without further action.

(Code 2003, § 22.007; Ord. No. 1925, § 1(Exh. A), 8-9-2010)

Editor's note— Ord. No. 1925, § 1(ex. A), adopted Aug. 9, 2010, changed the title of § 82-7 from "visibility triangles" to "visibility triangle areas; trees, hedges, etc." See also the Code Comparative Table.

Sec. 82-8. - Administration; appeals, etc.

- (a) *Urban forester.* The city manager shall appoint an experienced and qualified person to be chief urban forester for the city. The city manager may designate one or more other urban foresters to act in the absence of the chief; persons so designated may not necessarily be employees of the city, but the city manager shall make an adequate provision for obtaining their services by contract if they are not city employees. A person designated as urban forester must hold at least a bachelor's degree from an accredited four-year college or university in urban forestry or arboriculture or must have equivalent skills and experience.
- (b) *Referral; duties.* The building official shall refer tree surveys, tree disposition conditions and applications for tree permits to a designated urban forester, who shall work with the applicant and other city departments as required to administer the provisions of this chapter. The urban forester may establish categories of simple, routine or low-risk surveys, plans and applications, which may be handled summarily, without submission to the urban forester. The fees for such applications may be reduced accordingly, if so provided in the fee schedule.

- (c) *Applicability to city projects.* For all city projects that may impact large trees, the appropriate documents (tree permits, tree surveys and tree disposition conditions) shall, whenever practicable, be submitted to the urban forester for evaluation and recommendations, prior to public hearings (if held) or final decisions taken by city council or city staff. City approval of a city-owned subject site or project shall constitute approval for actions affecting the trees. City-owned subject sites or projects shall follow the same guidelines for tree replacement as private subject sites or projects, except as authorized by the city council.
- (d) *Reference and training.* The city manager is authorized to obtain training and reference materials for the building official and other city staff members who may be called upon to enforce this chapter. The building official is authorized to maintain reference materials on file and to make them available, without charge, to persons who request information in connection with construction or other activities within the city that could affect the urban forest.
- (e) *Cooperation.* It is the desire of the city to establish a cooperative working relationship with persons seeking to improve property within the city. Interested persons are invited and encouraged to meet and confer with city staff and to retain the services of expert foresters to provide advice and assistance to themselves and the city. The urban forester shall use reasonable best efforts to determine the type and amount of replacement trees required in an attempt to minimize any undue burden resulting from this chapter.
- (f) *Decisions and appeals.* When making decisions or performing other duties under this chapter, the urban forest and the building official both shall be subject to the standards and procedures generally applicable to the building official under this chapter. Appeals of decisions made by either the building official or the urban forester, and applications for variances, are heard by the building and standards commission, in accordance with this chapter. Notwithstanding any other provision to the contrary, the commission, when considering an application for a variance:
 - (1) Shall take into account efforts to avoid or mitigate removal of and damage to trees, particularly trees highly-evaluated under the criteria manual; and
 - (2) May take into account the financial cost of compliance with this chapter, particularly as it compares to the cost of other work the applicant may be proposing.

(Code 2003, § 22.008; Ord. No. 1826, § 1(app. A), 4-24-2006)

Sec. 82-9. - Violations.

- (a) *Removal, damaging, killing of protected trees.* Except as authorized by a tree permit, it shall be unlawful, within the city:
 - (1) For a person to remove or damage a protected tree intentionally or knowingly;
 - (2)

For a person, who owns or controls any site, intentionally or knowingly to cause or allow a protected tree to be removed or damaged, if it is located within that site or the right-of-way area of that site.

- (b) *Affirmative defenses.* It shall be an affirmative defense to prosecution under this chapter for removing, damaging or killing a tree, that:
 - (1) Tree disposition conditions (contained in a building or other permit) authorized the conduct in question;
 - (2) All of the following four circumstances were present:
 - a. Immediate action to remove, damage or kill the tree in question was necessary to prevent harm to people or property;
 - b. A permit application was filed within ten days thereafter;
 - c. An appropriate permit or amendment was obtained; and
 - d. There was full compliance with all conditions of the permit or amendment.
- (c) *Conditions.* It shall be unlawful for any person who applies for or receives a permit regulated by this chapter to fail or to refuse to comply with a condition of the permit or this chapter. Any related permit for the subject site in question may be withheld until the condition is complied with to the satisfaction of the urban forester, building official or any other city staff members who are called upon to enforce this chapter. All permits are subject to revocation or suspension as provided for in chapter 18.

(Code 2003, § 22.509)

Sec. 82-10. - Other regulations; conditions.

- (a) *Conflicts with other regulations.* In any case where another city ordinance, rule or regulation would require the removal, damage or death of a large tree, under circumstances where this chapter would prohibit such action, it is the intent of the city council that all of the applicable regulations shall be read together and harmonized so that, if reasonably practicable, the large tree is not removed, damaged or killed.
- (b) *Liberal interpretations authorized.* All city officials, boards and commissions are authorized and encouraged to interpret other ordinances, rules and regulations liberally in order to minimize conflicts with this chapter and to protect existing large trees, except in circumstances where there might be hazards to persons or property.
- (c) *Variances.* The need to protect or preserve a large tree shall be considered a sufficient "hardship" in all cases where a hardship is required for the issuance of a variance under city ordinances, unless additional grounds are required by state law.

(Code 2003, § 22.510)

F.019 - TREES

	FY2024	FY2025	
Replacement Planting Fee per Caliper Inch	\$ 250.00	\$ 250.00	Fee for replacement trees when planting on site is not an option.
Permit transfer fee	N/A	\$ 100.00	
Removal permit fee	\$ 100.00	\$ 100.00	Exception: There is no fee for dead, dying, [or] diseased.
Low impact evaluation fee	\$ 100.00	\$ 100.00	Nonstructures such as patios, irrigation systems, etc.
Survey and disposition review fee (major construction)	\$ 250.00	\$ 250.00	Includes new construction including residential, commercial, pools, major additions, etc.
Survey and disposition review fee (minor construction)	\$ 150.00	\$ 150.00	Includes demolitions, garages, alterations and renovations.



AGENDA MEMO

Business of the City Council
City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	8A
Approved by City Manager	YES	Presenter(s)	T. Garcia, City Secretary
Reviewed by City Attorney	N/A	Department	Administration
Subject	City Council Meeting Minutes		
Attachments	Meeting Minutes		
Financial Information	Expenditure Required:	Not Applicable	
	Amount Budgeted:	Not Applicable	
	Account Number:	Not Applicable	
	Additional Appropriation Required:	Not Applicable	
	Additional Account Number:	Not Applicable	

Executive Summary

Attached are the Minutes of the Special and Regular City Council Meeting held on August 11, 2025.

Recommended Action

Staff recommend that the City Council approve the Minutes of the Special and Regular City Council Meetings held on August 11, 2025.



City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
John Barnes, Mayor Pro Tem
John Bertini, Councilmember
Clay Brett, Councilmember
Kalie Rainsberger, Councilmember

STAFF

David Beach, City Manager
Loren Smith, Olson & Olson, City Attorney
Tracylynn Garcia, City Secretary

City Council Meeting Minutes

The City Council of the City of West University Place, Texas, met on **Monday, August 11, 2025**, at **6:00 p.m.**, in the Municipal Building at 3800 University Boulevard, for the purpose of considering the agenda of items listed. The meetings were held in person and were also available via Zoom.

SPECIAL MEETING (6:00 PM)

1. Call Meeting to Order

Mayor Sample called the meeting to order at 6:00 p.m. The Council in attendance were Mayor Pro Tem Barnes, Councilmembers Brett (zoom), Bertini and Rainsberger.

Staff member in attendance were City Manager Beach, City Secretary Garcia, and City Attorney Smith (Olson and Olson), Police Chief Ratliff, Finance Director Kalka, Parks & Recreation Director White, Finance Manager Walker, Assistant to the City Manager Bishop, and Plant Supervisor Wahlstrom.

2. Recess Special Meeting and Convene Executive Session

The City Council recessed to convene an executive session as authorized by Title 5, Chapter 551, Texas Government Code, for the following purposes: Sec. 551.071 Consultation with City Attorney regarding a matter which the Attorney's duty requires to be discussed in closed session.

3. Adjourn Executive Session and Reconvene Special Meeting

Mayor Pro Tem Barnes motioned to adjourn the executive session and reconvened the special meeting, seconded by Councilmember Rainsberger.

Motion passed unanimously.

4. Adjourn Special Meeting and Convene Regular Meeting

Mayor Pro Tem Barnes motioned to adjourn the special meeting and convene the regular meeting, seconded by Councilmember Rainsberger.

Motion passed unanimously.

REGULAR MEETING (6:30 PM)

5. Call Meeting to Order

Mayor Sample called the regular meeting to order at 6:31 p.m.

6. Pledge of Allegiance

Pledge was led by Boy Scout Kian Izaddoost – Boy Scout Troop 55 West University.

7. Public Comments

This is an opportunity for citizens to speak to the Council relating to agenda and non-agenda items. Speakers are required to register in advance and must limit their presentations to three minutes each. If the topic the speaker wishes to address is on the agenda, the speaker may either speak at this time or defer his/her comments until such time the matter is discussed.

Bill May, 3701 Rice Blvd, spoke on brick wall maintenance. (audio unavailable)

Bruce Beneke, defer his comments for item # 14

Robin Burkes, 3214 Plumb, expressed concern that the recent election and its aftermath have undermined trust in city officials and staff. They also commended the mayor's responsiveness on social media, noting that her quick engagement has helped resolve issues before they escalate, and encouraged other council members to adopt a similar approach.

W. Elbel, 3743 Georgetown, provided feedback on the City Manager, noting that while the master plan has been the focus for the past two years, other responsibilities such as ordinance enforcement and staff turnover have been neglected. He highlighted concerns over misleading communication about new facilities, citizen opposition to the fire station location, and examples of mismanagement like the slow Kirby repaving project. Looking ahead, they urged that the City Manager's contract renewal depend on progress in addressing enforcement and turnover issues, while suggesting that complex water conservation pricing measures be postponed in favor of pressing city priorities.

Stephen Damiani, 3746 Georgetown, emphasized that despite being heavily outspent and facing a city-backed campaign, the election produced a clear mandate rooted in public distrust of the city's messaging. They urged the new leadership to act quickly on campaign promises, warning that time is limited. Specifically, they proposed relocating the senior center to the public works building, repurposing staff functions to City Hall, and using the freed space to expand the library—stressing that both projects should be completed before the next election cycle.

Sonia Meyers, 2602 Werlein, chose not to speak.

Sharon Turner, 3001 Amherst, urged the Mayor and City Council to reconsider a \$31,000 fine issued to a longtime resident's estate for tree trimming, arguing that the penalty is excessive, morally questionable, and contrary to the spirit of the tree ordinance. They noted that the trees still show healthy growth, the ordinance was meant to curb developers rather than punish residents, and the homeowner acted in good faith by hiring a reputable company. They concluded by calling the fine punitive, pointing out inconsistent code enforcement elsewhere, and suggesting a grandfather clause to prevent similar situations in the future.

Lauren Sanders, 4227 Southwestern St., announced the 100th anniversary of University Elementary School, noting their role as Centennial Chair and inviting the community to join in the yearlong celebrations. Events include a kickoff parade on August 23, a tailgate before the Rice football game on September 13, a teacher and staff reunion on February 27, and a Centennial Gala on April 18. They encouraged community participation, shared that invitations were being distributed by students and alumni, and expressed gratitude for support in celebrating "100 Years of Excellence."

Sherry Yarbor, 2629 Werlein, criticized City Management for inconsistent enforcement of zoning regulations on rotated corner lots, accusing them of favoring developers over community standards. They argued it makes no sense that the first house on such a lot requires a 15-foot setback, but a replacement house only needs a 6-foot setback, calling this interpretation illogical and harmful to neighborhood character. They urged the City Council to enforce zoning codes consistently and warned that, without corrective action, residents may be forced to pursue lawsuits or organize for accountability.

Dick Yehle, 6401 Rutgers, defer his comments for item #15.

8. 100th Anniversary – West U Elementary

Matters related to proclaiming August 11th, 2025, as West University Elementary School 100th Anniversary Day. *Recommended Action: Proclaim August 11th, 2025, as West University Elementary School 100th Anniversary Day.* **Ms. Tracylynn Garcia, City Secretary** [See Agenda Memo 8]

Mayor Sample presented a Proclamation and declared August 11, 2025 as West University Elementary School 100th Anniversary Day in the City of West University Place.

9. Capital Project Funding

Matters related to Capital Project Funding Discussion. *Recommended Action: Discuss capital project funding and provide staff with feedback and direction.* **Ms. Marie Kalka, Finance Director** [See Agenda Memo 9]

Ms. Marie Kalka, Finance Director and Mr. John Robuck, City’s Financial Advisor with BOK Financial Securities, presented on the Capital Project.

Council provided feedback and direction.

10. Receipt of Certified Estimate, Tax Assessor – Collector Certification of Collection Rate and Tax Rate Calculations

Matters related to Resolution 2025-10 accepting the 2025 Certified Estimated Taxable Value, accepting the Certification of Estimated Collection Rate from Harris County Tax Assessor – Collector and accepting the 2025 Tax Rate Calculation Worksheet as calculated by the Harris County Tax Assessor – Collector based on the certified estimated taxable value. *Recommended Action: Approve Resolution No. 2025-10 reviewing and accepting the 2025 Certified Estimated Taxable Value, the 2025 Certification of Estimated Collection Rate from Harris County Tax Assessor- Collector and the 2025 Tax Rate Calculation Worksheet as calculated by the Harris County Tax Assessor-Collector based on the Certified Estimated Taxable Value.* **Ms. Marie Kalka, Finance Director** [See Agenda Memo 10]

Mayor Pro Tem Barnes motioned to approve Resolution No. 2025-10, seconded by Councilmember Bertini.

Motion passed unanimously.

11. Record Vote on 2025 Property Tax Rate

Matters related to Resolution 2025-11 approving Record Vote on proposed 2025 Property Tax Rate. *Recommended Action: Approve Resolution No. 2025-11 by record vote proposing the “not to exceed” tax rate of \$0.229441.* **Ms. Marie Kalka, Finance Director** [See Agenda Memo 11]

Councilmember Brett motioned to approve Resolution No. 2025-11, seconded by Councilmember Bertini.

Councilmember Bertini	Aye
Councilmember Rainsberger	Aye
Mayor Sample	Aye
Mayor Pro Tem Barnes	Aye
Councilmember Brett	Aye

Motion passed unanimously.

12. Schedule Public Hearing for the 2026 Budget and 2025 Tax Rate

Matters related to scheduling public hearings to relating to 2026 Budget and 2025 Tax Rate. *Recommended Action: Set the date for the Public Hearings for September 15, 2025.* **Ms. Marie Kalka, Finance Director** [See Agenda Memo 12]

Mayor Pro Tem Barnes motioned to set the date for the PH's for the 2026 Budget and 2025 Tax Rate to September 15, 2025, seconded by Councilmember Bertini.

Motion passed unanimously.

13. Concrete Maintenance Services Contract

Matters related to awarding a contract for Concrete Maintenance Services Bid (PW25-04) to H&N Contractor Management Services, LLC. *Recommended Action: Staff recommends the City Council approve the contract with H&N Contractor Management Services, LLC., in the amount not to exceed \$350,000.00 and to authorize the City Manager to execute the contract.* **Mr. Michael Leech, Public Works Director** [See Agenda Memo 13]

Councilmember Rainsberger motioned to approve contract, seconded by Councilmember Bertini.

Motion passed unanimously.

14. Westside Roadway Reconstruction – Phase 1 Design Services (CIP ST2503)

Matters related to awarding a professional service agreement with IDS Engineering for design services for Westside Roadway Reconstruction Phase 1 (CIP ST2503). *Recommended Action: Staff recommends the City Council approve a professional service agreement with IDS Engineering Group in the amount of \$216,840.00 for engineering design for Westside Roadway Reconstruction Phase 1 (CIP ST2503) and authorize the City Manager to execute the agreement.* **Mr. Michael Leech, Public Works Director** [See Agenda Memo 14]

Bruce Beneke, 2704 Tanglely Rd., expressed strong frustration with the prolonged and poorly managed roadway construction on Rice from Kirby to Wake Forest, calling it a disgrace and ongoing annoyance. They urged the City to ensure better project management and oversight from IDS Engineering, emphasizing that issues should be addressed during the design phase with clear specifications and contractor selection.

Mayor Pro Tem Barnes motioned to approve contract, seconded by Councilmember Brett.

Motion passed unanimously.

15. City Council Rules of Procedure

Matters related but not limited to updates to Council Rules and Procedures Rules 5, 9, 11 & 12. *Recommended Action: Staff recommends the following actions: (1)Approve the ordinance adopting changes Sec. 2-1 of the Code of Ordinances and to Rules 5, 9, 11 and 12 of the Council Rules of Procedure on the first of two readings, and (2)Discuss and provide feedback on any additional changes to the Rules of Procedure* **Mr. Dave Beach, City Manager** [See Agenda Memo 15]

Dick Yehle, 6401 Rutgers, suggested revising how public comments are accepted, noting concerns from a prior meeting about written versus spoken comments. They proposed that non-attendees should submit comments via Zoom, with visible identification, instead of only written submissions, to ensure accountability and avoid repetitive statements. They emphasized that in-person and Zoom comments promote self-discipline and efficiency, while written comments risk redundancy and lack the same level of engagement.

Council provided feedback and direction. No action was taken.

16. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and be considered in its normal sequence on the agenda.

A. City Council Meeting Minutes

Matters related to approving the City Council Minutes of July 28, 2025. *Recommended Action: Approve Minutes of July 28, 2025.* **Ms. Tracylynn Garcia, City Secretary** [See Agenda Memo 16A]

B. May 2025 Monthly Financial Report

Matters related to the May 2025 Monthly Financial Report. *Recommended action: Staff recommends the City Council receive the City's May 2025 Monthly Financial Report.* **Ms. Marie Kalka, Finance Director** [See Agenda Memo 16B]

C. Waste Management Contract

Matters related to awarding the contract for the processing and sale of recycling materials to Waste Management. *Recommended Action: Staff recommends the City Council award a contract with Waste Management for the recycling processing and sale of recycling material for a term of two (2) years and authorize the City Manager to execute the contract.* **Mr. Michael Leech, Public Works Director** [See Agenda Memo 16C]

Mayor Pro Tem Barnes motioned to approve Consent Agenda items, seconded by Councilmember Bertini.

Motion passed unanimously.

17. Adjourn Regular Meeting

Motion made by Mayor Pro Tem Barnes to adjourn the meeting, seconded by Councilmember Bertini.

Motion passed unanimously.

Prepared by: Tracylynn Garcia, TRMC, CPM, MMC
City Secretary

Council Approved:



AGENDA MEMO

Business of the City Council
 City of West University Place, Texas

Meeting Date	08.25.2025	Agenda Item	8B
Approved by City Manager	Yes	Presenter(s)	D. LaMond, Executive Director
Reviewed by City Attorney	N/A	Department	Friends of West University Parks Fund
Subject	Appointment of Members to the Friend of West University Parks Fund Board		
Attachments	<ol style="list-style-type: none"> 1. Resolution No. 2025- 12 2. NK Prescott Application 		
Financial Information	Expenditure Required:	None	
	Amount Budgeted:	None	
	Account Number:	None	
	Additional Appropriation Required:	None	
	Additional Account Number:	None	

Executive Summary

The Friends of West University Parks Fund Board (Board) is requesting that City Council approve the appointment of Nancy Kate Prescott, position 3, to the Board effective 9.1.25 replacing Katie Hill who is rolling off the board on 8.31.25. This applicant has already demonstrated her ability to contribute to the Friends board by chairing Park Lovers’ Ball in the past.

The Board is also requesting that City Council approve the reappointments of Kimberly Eads, position 4, Christine Parker, position 5, Sarah Covington, position 12, Mary Frances DuMay, position 13, and Kelly Beth Hapgood, position 14.

The Friends executive committee highly recommends this appointment and the reappointments to the Friends of West University Parks Fund Board.

Recommended Action

Staff recommends that City Council approve Resolution No. 2025-12 appointing Nancy Kate Prescott, position 3, and reappointing Kimberly Eads, position 4, Christine Parker, position 5, Sarah Covington, position 12 Mary Frances DuMay, position 13, and Kelly Beth Hapgood, position 14 with their terms expiring August 31, 2028.

City of West University Place
Harris County, Texas

RESOLUTION NUMBER 2025-12

A RESOLUTION APPOINTING MEMBERS TO THE BOARD OF THE FRIENDS OF WEST UNIVERSITY PARKS FUND, INC., A NON-PROFIT CORPORATION

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:

Section 1. That the following member is appointed to serve as a member on the Board of the Friends of West University Parks Fund, Inc., a non-profit corporation, for the specific terms of the specific positions indicated below:

<u>APPOINTEE</u>	<u>EFFECTIVE DATE</u>	<u>POSITION</u>	<u>TERM ENDING</u>
Nancy Kate Prescott	September 1, 2025	Position 3	August 31, 2028

<u>REAPPOINTEES</u>	<u>EFFECTIVE DATE</u>	<u>POSITION</u>	<u>TERM ENDING</u>
Kelly Beth Hapgood	September 1, 2025	Position 14	August 31, 2028
Sarah Covington	September 1, 2025	Position 12	August 31, 2028
Mary Frances DuMay	September 1, 2025	Position 13	August 31, 2028
Christine Parker	September 1, 2025	Position 5	August 31, 2028
Kimberly Eads	September 1, 2025	Position 4	August 31, 2028

Section 2. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflicts only.

Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section or other part of this resolution to any other persons or circumstances shall not be affected thereby.

Section 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED AND APPROVED this _____ day of _____, 2025.

ATTEST:

SIGNED:

Tracylynn Garcia, City Secretary

Susan V. Sample, Mayor

(SEAL)

RECOMMENDED BY:

APPROVED AS TO FORM:

David J. Beach, City Manager

City Attorney, Olson and Olson, LLP



Board of Directors Application

Name: Nancy Kate W. Prescott Cell Phone: [REDACTED]

Home Address: [REDACTED] Houston, TX 77005 Home Phone: _____

Email Address: _____

Employed By/Retired From: Annunciation Orthodox School
(Please Circle One)

Spouses Name: Mark Prescott Office Phone: _____

Education: BA, Vanderbilt University; MA/MBA, SMU

Background, Experience, Special Skills, etc. (Please include resume if possible)
fundraising, bookkeeping

Previous Board or Commission Experience: _____
Breakthrough Houston

Any Particular Area(s) of Interest Park Lovers' Ball Fathers & Flashlights Other _____

Why are you interested in serving on this board?
Help with treasurer tasks

Limitations on Availability: daytime meetings during the week

References (optional): _____

Date Application Submitted: 7/23/25

Please return completed application to Friends Executive Director Donna LaMond by mail at 4210 Bellaire Boulevard, Houston, Texas 77025 or by email to diamond@westutx.gov.

FOR INTERNAL USE ONLY:

Date Interviewed: _____

Date Appointed: _____