

DISCUSSION DRAFT
Minimum standard for reconstruction of streets
7/24/2012

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS TO PROVIDE MINIMUM DESIGN STANDARDS FOR THE REPLACEMENT OR RECONSTRUCTION OF EXISTING PUBLIC STREETS; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council desires to establish minimum design standards for the replacement or reconstruction of existing streets;

WHEREAS, the City Council is of the opinion that establishing minimum design standards for the reconstruction or replacement of existing public streets is necessary to provide consistency in the construction of public facilities and to promote public health and safety.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:

Section 1. Chapter 34, Article I, of the Code of Ordinances of the City of Hunters Creek Village, Texas is amended to add a new Division 2 to read as follows:

DISCUSSION DRAFT
Minimum standard for reconstruction of streets
7/24/2012

“Division 2. Minimum design standards.

Sec. 34-10. Purpose.

The purpose of this Division is to provide minimum design standards for the replacement or reconstruction of existing public streets.

Sec. 34-11. Minimum design standards for replacement or reconstruction of existing streets.

The following minimum design standards shall apply to the reconstruction or replacement of existing streets.

- (a) The minimum pavement width shall be ____ feet or the width of the preexisting street, whichever is greater, provided that the existing public street right of way is sufficient to accommodate the pavement and associated drainage facilities. The width of the pavement shall be measured from the inside edge of the curbs.
- (b) The paved street surface must be constructed of _____.
- (c) Sidewalks?
- (d) Drainage?
- (e) Curb types?
- (f) Other standards?

Section 2. In the event any clause, phrase, provision, sentence, or part of this Ordinance, or its application to any person or circumstance, shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or

DISCUSSION DRAFT
Minimum standard for reconstruction of streets
7/24/2012

provision hereof other than the part declared to be invalid or unconstitutional; and the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2012.

David A. Wegner
Mayor

ATTEST:

Deborah L. Loesch, TRMC
City Administrator/City Secretary

DISCUSSION DRAFT
Citizen Input Policy for Street Projects
7/24/2012

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS TO ADD A NEW DIVISION 1 TO ARTICLE I OF CHAPTER 34 TO PROVIDE A PROCESS FOR SOLICITING AND RECEIVING CITIZEN INPUT IN THE DESIGN AND IMPLEMENTATION OF STREET RECONSTRUCTION PROJECTS; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council desires to establish policies and procedures to encourage and facilitate citizen input into the process of designing and implementing street reconstruction projects;

WHEREAS, the City Council believes that the establishment of a formal process and procedure for soliciting and receiving citizen input on street reconstruction projects would simplify and clarify the process and provide the citizens with a clear understanding of how they can communicate their concerns to the City Council; and

WHEREAS, the City Council values the opinions of the citizens and desires to have the benefit of those opinions when making legislative decisions on the design and implementation of street reconstruction and improvement projects;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTERS CREEK VILLAGE, TEXAS:

DISCUSSION DRAFT
Citizen Input Policy for Street Projects
7/24/2012

Section 1. Chapter 34 of the Code of Ordinances of the City of Hunters Creek Village, Texas is amended to change the title of Article I to “Street Reconstruction Projects” and to add a new Division 1 to Article I to read as follows:

“Article I. Street Reconstruction Projects.

Division 1. Procedures for receiving citizen input.

Sec. 34-1. Purpose.

The purpose of this Division is to provide a consistent and effective process for receiving citizen input on the design and implementation of street reconstruction and improvement projects.

Sec. 34-2. Statement of policy.

The City Council’s responsibilities, as the governing body of the City, include making legislative decisions concerning the construction and maintenance of the City’s public infrastructure including its streets, sidewalks, and drainage improvements. The City Council believes that it is important in making those decisions to consider not only information concerning engineering and public safety issues but also information concerning the expectations and desires of the citizens who are served by those facilities. With that end in mind, it is the City Council’s policy to actively encourage citizen input into decisions regarding the reconstruction and improvement of existing City streets.

Sec. 34-3. Definitions.

The following words and phrases, when used in this Article, shall have the specialized meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- (a) ‘Street Project’ or ‘Project’ means a project calling for the substantial reconstruction or improvement of the public facilities in an existing street right of way that is

DISCUSSION DRAFT
Citizen Input Policy for Street Projects

7/24/2012

located within the City and over which the City has jurisdiction. The terms “Street Project” or “Project” shall not include minor projects involving the repair or maintenance of existing streets or public facilities.

- (b) ‘Public Facilities’ mean paved or improved traffic lanes, shoulders, sidewalks, drainage facilities or other public improvements located within a public street right of way.

Sec. 34-4. Public Hearing Process Guidelines.

- (a) The following process shall be followed by the City in considering the design of a proposed street project, unless the City Council takes affirmative action by motion, resolution, or ordinance to exempt a specific street project from the process.
- (b) Prior to authorizing the final engineering design of a Street Project the City Council shall schedule a public hearing on the project and shall direct the City Secretary to prepare a notice to the public containing the following information: i) the name and location of the streets or portions of a street that are to be reconstructed or improved; ii) a general description of the scope and nature of the reconstruction or improvement that is contemplated including, at a minimum the proposed width of the pavement sections, the type of pavement, and the type of drainage; iii) an estimated schedule for beginning and completing the street project; iv) an invitation from the City Council for comments and input from citizens stating that comments will be accepted in writing or in person at the hearing; and v) the date, time, and place for which the public hearing is scheduled.
- c) At least fourteen calendar days before the scheduled hearing, the City Secretary shall: 1) post a copy of the notice on the City’s website, 2) mail a copy of the notice, by regular mail, to all property owners who own property that abuts the Street Project, as shown in the records of the Harris County Appraisal District,

DISCUSSION DRAFT
Citizen Input Policy for Street Projects

7/24/2012

and 3) shall post at least one sign, containing a brief notice of the public hearing, on the public right of way in the immediate vicinity of the proposed Project location.

- d) At the public hearing before the City Council, a description of the proposed Street Project shall be provided and members of the public attending the meeting shall be given an opportunity to express their opinions on any matter related to the proposed Project. The City Council shall also receive into the record of the public hearing any written communications received from citizens on or prior to the date of the hearing. Such input may be in the form of letters, petitions, emails, surveys or any other form of written communication.
- e) At the conclusion of the public hearing, the City Council may: i) vote to authorize the final engineering design of the Project with such changes, if any, as may be desired; ii) call for and schedule additional public hearings; or iii) take any other action it deems appropriate.

Sec. 34-5. City Council retains its discretion.

Decisions concerning the City's expenditure of public funds, construction of public works projects, and similar issues are left to the sole discretion of the City Council. Nothing in this Division or Article is intended to limit the authority of the City Council to take whatever action it deems to be necessary to promote public health, safety, and welfare. The provisions of this Division governing public input are for the benefit of the City Council and the public in general and are not intended to create any private right or property interest. Any failure by the City to comply with any of the requirements of this Division shall not affect the validity of any action the City Council or the City takes with regard to a Street Project or the improvement of Public Facilities.

Section 2. In the event any clause, phrase, provision, sentence, or part of this Ordinance, or its application to any person or circumstance, shall for any reason

DISCUSSION DRAFT
Citizen Input Policy for Street Projects
7/24/2012

be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2012.

David A. Wegner
Mayor

ATTEST:

Deborah L. Loesch, TRMC
City Administrator/City Secretary