

CITY OF HORSESHOE BAY
CITY COUNCIL MEETING
MINUTES

The City Council of the City of Horseshoe Bay held a Public Meeting at City Hall March 15, 2016, beginning at 3:00 p.m. in accordance with duly posted notice of said meeting with the following members present:

Stephen T. Jordan, Mayor
Craig Haydon, Mayor Pro Tem
Cynthia Clinesmith, Council Member
Jerry Gray, Council Member
Reagan Lambert, Council Member
David Pope, Council Member

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda item number and subject shown preceding the applicable paragraph.

1. Call the Meeting to Order and Establish a Quorum: Mayor Jordan called the meeting to order at 3:00 p.m. stating a quorum was present. He said copies of the agenda were available on the podium and asked that anyone who would like to make comments please sign the sheet on the podium and go to one of the podium microphones when it was their turn to speak.
2. Invocation: Garry Kesler, Minister of Music at the Church at Horseshoe Bay gave the invocation.
3. Pledges to the Flags: Mayor Jordan led the pledges of allegiance to the United States flag and the Texas flag.
4. Public Comments: Elise Reid, Horseshoe Bay resident, spoke regarding deer trapping done by the City and that she would like the City to continue to seek a more humane process to thin the deer herds in the City. She presented an informal petition to Mayor Jordan that included 330 signatures. Mayor Jordan reported the City had formed a Deer Study committee consisting of Texas Parks and Wildlife, the current deer trapper, current meat processor and City residents in order to research the current process used as well as alternatives. Rick Prekup, Horseshoe Bay resident and Deer Study committee member spoke requesting the Council not reallocate the remaining funds in the Deer Management line item at this time because he felt these funds might be needed to purchase equipment recommended by the Deer Study committee.
5. Staff Recognition:
 - a. Service Awards:
 - i. Shelly Linder – 20 Year Service Award
 - b. Introduction of New Employee

i. Dane Bybee

Director of Community Services Jeff Koska presented Shelly Linder with a plaque for her service. He said Shelly was the second longest tenured employee at this time and first worked for Lake LBJ Municipal District.

City Manager Stan Farmer introduced the new Community Services Field Operations Supervisor Dane Bybee. Dane came to the City from Brenham with a total of 31 years' experience and holds an A license in Water Treatment.

6. Discuss, Consider and Take Action Regarding Ordinance to Annex Areas in the City's Extraterritorial Jurisdiction into the City Limits: There was no action taken on this item.
7. Discuss, Consider and Take Action Regarding Annexation of Various Areas in the ETJ: There were six properties from the February 16, 2016 annexation that were noticed incorrectly causing the need for the process on those six properties only to be started over. Council Member Gray made the motion to initiate action on the annexation of these properties, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).
8. Items to be removed from the Consent Agenda: Council Member Clinesmith requested that item 9b, be removed from the consent agenda.
9. Consent Agenda Items:
 - a. Approve Minutes of the February 15, 2016 Public Meeting
 - c. Approve Amendment to Agreement with Llano County Providing for Subdivision Regulation within the ETJ Jurisdiction of the City
 - d. Approve Amendment to the Annual Contract to Provide Fire Fighting Services Between the City of Horseshoe Bay and Llano County ESD#4, Llano County MUD #1, The Hills Section I & II POA, The Hills Section III POA and Deerhaven Water Control and Improvement District Removing The Hills Section I & II POA and The Hills Section III POA
 - e. Approve Resolution Providing for the Sale of Lot K1059, Horseshoe Bay South, City of Horseshoe Bay, Burnet County to J. Bradley and Rachel M. Horner
 - f. Approve Resolution Providing for the Sale of Lot K15040, Plat K15, Horseshoe Bay South, City of Horseshoe Bay, Burnet County to David and Jeannie Slocum
 - g. Approve Interlocal Agreement with Burnet County for Chip Sealing of Roads in HSB South

Mayor Pro Tem Haydon made the motion to accept all consent agenda items except 9b, seconded by Council Member Pope. Motion passed unanimously (5-0).

- b. Approve Ordinance for a FY 2016 General Fund Budget Amendment in the Amount of \$29,200 to Transfer Funds from Tree Removal and Deer Management Line Items to Advisory Committee Line Item for Long Range Planning Advisory Committee Consultant

City Manager Farmer reported this is a continuation of what the Council requested last month in order to pay for the consultant requested by Long Range Planning Advisory Committee at a cost of \$29,200. This ordinance will formalize that request. Mr. Farmer added he thought

it was premature to honor Mr. Prekup's asking the Council to vote to appropriate money for something that has not been approved yet. Mr. Farmer recommended waiting until the Deer Study group comes back to Council with a recommendation and if the Council agrees then the City can appropriate funds during next year's budget process. Mr. Prekup stated some of the recommendations might require lead time on some of the equipment which would fall in this fiscal year. Mr. Farmer said he anticipated the Study group to report to the Council in April or May which would lead into the budget process. Council Member Gray asked the amount of money that the Study group might request. Mr. Prekup said it was close to \$21,000. Council Member Gray said the Council would have the option to use other funds in this year's budget if necessary. Elise Reid asked if the contract for deer trapping was on a year to year basis. Mr. Farmer said the City has never bid this in the past because it is a service and it is a per deer charge. Council Member Pope made the motion to approve Item 9b as recommended, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).

10. Monthly Statistical Departmental Data Reports:

a. City Manager; Administration; Community Services; Development Services; Fire Dept.; and Police Dept.

Development Services Director Eric Winter reported on the progress of Tuscan Village stating the project was still moving along and he had been told that closing on the property should take place next month with infrastructure development to begin in May. He said the first work would be the grading of the property. Engineer Tony Plumlee would be submitting drawings for infrastructure permits in sections rather than all at one time with the first to be submitted sometime in May.

Mr. Winter reported Siena Grove developer Mike Walsh has secured a second operator for all of the assisted living facilities and that operator conducted a market study that led to some changes to the mix of the Planned Development. The three story independent living building adjacent to FM 2147 had been eliminated, in its place are five rental duplexes of 1500 square feet each. He added now there are also 11 single-family units of 2500 square feet. Mr. Winter stated they would be adding a third story to the memory care building since the study indicated there was a larger market opportunity for additional units in that building. He said due to all of the changes the developer will be required to bring back an amended concept plan for consideration by the Planning and Zoning Commission and the City Council. Mr. Winter reported the project costs have increased from \$31M to \$55M based on these changes and the developer was currently working on financing.

Mr. Winter reported engineer Don Sherman delivered the preliminary and final plat drawings for the Hidden Cove Planned Development located on Faultline Drive, Diagonal and Echo for City review. Mr. Sherman has also been working on the Planned Development concept plan and once submitted, the City's design review committee would meet with Mr. Sherman, Tony Plumlee and Sam Boyd to address comments regarding preliminary and final plats and the concept plan. They had requested all of these items be on the P & Z April 5 meeting agenda.

Mr. Winter reported the Texan Mart improvements are almost complete. They are waiting for installation of their underground diesel tanks and have had trouble finding a contractor. After the tanks are installed the parking lot will be repaved and striped and new pumps installed. They have met all other ACC requirements for the repairs.

City Manager Farmer reported the Long Range Planning survey is out and over 550 responses have been received to date. He said a link to the survey was on the City's website and could be accessed using the link at the top of each page and boxes to drop off paper surveys had been placed around town and are located at the four banks, City Hall, Quail Point, Bay Pharmacy and Bay Side Fresh market.

Mr. Farmer said he had talked to Texas Parks and Wildlife and the spray applicator hired through Texas P & W last year had agreed to work directly with the City this year at the same price as last year. It would be about a two week turnaround time when there was enough need to begin treatment. Mr. Farmer said he surveyed the waterfront areas three weeks ago and there was nothing there yet. He reported LCRA had not volunteered to spend any funds this year so the cost would have to be paid by the City and/or waterfront property owners; however, the City did not budget anything for this fiscal year. Mayor Jordan reported some of the waterfront POAs had already committed to partnering with the City on the treatment.

Mr. Farmer reported the City was mowing in the Uplands and HSB South. Due to the number of lots in that area it was done on a different schedule than the remainder of the City. Next, Mr. Farmer reported a contractor was spraying for weeds and scraping between the new ribbon curbs and the asphalt.

Mr. Farmer reported new mulch for the playground area in the park which would be installed later in March. The mulch would be the same type as was currently in the park and provided by Game Time who supplied the equipment and the mulch initially.

The LCRA Steps Forward Day is set for April 1, 2016 and volunteer LCRA employees will be cleaning up the west side of the Slick Rock Creek adjacent to Martin Park.

Mr. Farmer reported the Deer Study group would meet for the third time later this week and hoped to be ready bring a proposal to the Council in April.

Lastly, Mr. Farmer reported the HSB POA and the City had been working closely getting ready for Earth Day. The HSB POA, the Business Alliance and the City were working together to provide a new format for Earth Day. The City's role has been to help find vendors and speakers to take part in the Earth Day Expo. The keynote speaker will be architect Peter Pfeiffer who will discuss green building techniques and products. From 10:00 am to 11:15 Elias Guerrero from the Lady Bird Johnson Wildlife Center will talk about drought tolerant planting, and Luke Furfey will talk about recycling. From 11:15 am to 1:00 pm there will be a free shredding event and a variety of vendors with information, demonstration and products on display in the driveway at Quail Point. There will be free hot dogs and cold drinks.

11. Discuss, Consider and Take Action Regarding Bid Package for Annual Seal Coating Project Per the Policy for Maintaining Streets: City Manager Farmer said the Council packet includes a four year capital improvement for seal coating. The areas to be seal coated this fiscal year are the areas north and south of 2147 with an estimated budget of \$631,000 based on historical seal coat expenditures. He said these two areas cover a total of 13.37 miles and the project would need to be noticed and advertised under the competitive sealed bid process. Staff was seeking Council approval to simply start the bid process and after the bid opening Council would be asked to consider and approve awarding the bid. Mr. Farmer said if this item was approved to today staff should be able to hold the bid opening prior to the April 19th Council meeting allowing Council to consider awarding the bid at that meeting. The money would come from the Street Improvement Project Fund by way of the Rate Stabilization

Fund; however, the Finance Director and City Manager would provide an update of the Fund Balance and funding of Capital Projects at the March 29th workshop. Mr. Farmer explained the City completed 53 miles of new roads in the City and in order to keep the roads in good condition seal coating would have to be done on a regular schedule. Mayor Pro Tem Haydon made the motion to instruct staff to move forward with requesting bids for the seal coating project, seconded by Council Member Gray. Motion passed unanimously (5-0).

12. Discuss, Consider and Take Action Regarding Award of Contract for Fire Station #1 Building Repairs: City Manager Farmer reported bids had been received for building repairs to the central fire station next to City Hall. This would accomplish one of the needs established by new Fire Chief Morris. He determined the tile roof should be removed, hauled off and replaced with a 30 year standing seam metal roof to match City Hall and remove and replace existing siding with Hardie concrete siding to include all trim and fascia boards, prime and paint exterior of building. Staff recommended that Council award the bid to Cactus Companies who had completed significant projects in the City including rehabilitation of The Lighthouse, replacement of the HSB POA roof and installation of fencing around Martin Park and they were the lowest competitive bid for a total of \$56,000. Mr. Farmer said this expenditure would come from the Maintenance and Repair-Building line item in the General Fund but would make the line item exceed budget; however, the Administration Department budget would not be exceeded at the end of the fiscal year. Chief Morris reported they had performed an examination of the building and there was extensive rotting of the siding. There were also misplaced tiles on the roof and when they were examined it was discovered there were large holes in the roof decking. He said the building had to be repaired if the City intended to keep it. Council Member Pope made the motion to approve awarding the contract as described to Cactus Companies for the amount of \$56,000, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0). Council Member Gray complimented Chief Morris for the improvements made to the West Fire Station done with the help of the fire fighters for the low cost of \$1,000.
13. Discuss, Consider and Take Action Regarding Amendment to Chapter 3 Building Regulations, Article 3.06 Signs, Section 3.06.016 Signs Exempt from Regulation: City Manager Farmer reported Council Member Gray had requested staff to prepare an ordinance amendment to address among other things the abundance of sign exemptions. The Development Services Director and City Manager worked on this along with a review of the existing ordinance and improved some of the content to make it more user-friendly. The changes were reviewed with Council Member Gray for his suggestions and approval. Council Member Gray made the motion to approve the ordinance as presented, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).
14. Discuss, Consider and Take Action on Amendment to Chapter 4 Business Regulations Creating New Article 4.07 Portable On-Demand Storage Structures: Development Services Director Winter reported to the Council that there were two of these structures that had been in the City for some time. Staff had received complaints in the past; however, the City's ordinances did not allow enforcement of any regulations for these structures. Council Member Gray made the motion to approve this ordinance as presented, seconded by Mayor Pro Tem Haydon. It was determined that a variance could be granted by the City Manager. Motion passed unanimously (5-0).

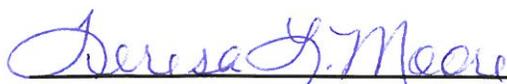
15. Discuss, Consider and Take Action Regarding Amending Public Notice Requirements for Planning and Zoning Matters: Development Services Director Winter reported this item was on the agenda to consider requiring a broader public notice requirement. This action today would result in Staff preparing an ordinance amendment and sending to the Planning and Zoning Commission for consideration and a recommendation for Council consideration. Councilmember Gray said he felt the recommended changes were a good approach and made the motion to send the request to the Planning and Zoning Commission, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).
16. Discuss, Consider and Take Action Regarding Progress Report by Builder on Construction at 312 and 316 Nattie Woods and Issuing Building Re-permits: Development Services Director Eric Winter reported the 60-day repermit on these two houses expired on February 16, 2016. At the December 15, 2015 meeting Council had approved this 60-day permit. Due to the expired permits a stop work order was issued. Mr. Winter said only five of the total 18 required inspections requested to date for both houses. At the December 15 Council meeting it was determined if work was not completed and another request was made for re-permits for these homes the cost could be \$5,000 per house. Contract Doug Jaffe apologized and said he had grossly underestimated the cost to build these houses and when the re-permits were issued in December about the difficulty scheduling subs due to the fact that larger building firms with much more work kept them busy and it was difficult to get them to return to his job. Mr. Jaffe reported he has the funds set aside to finish these two houses. Mr. Jaffe asked the Council to consider lowering the \$5,000 re-permit fee for each house. He reported he believed the two houses could be completed within 90 days at a cost of an additional \$400,000 and that included partially furnishing the houses. Mr. Jaffe said this money had been set aside with IBC Bank. Council Member Pope made the motion to issue the re-permits for 90 days at a cost of \$5,000 each for a total of \$10,000 with the understanding that if the houses are completed and have a Certificate of Occupancy issued within the 90 days the City would refund \$8,000 and keep only \$2,000; however, if they are not completed the City would keep the entire \$10,000, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).
20. Adjournment: Mayor Pro Tem Haydon made the motion to adjourn at 4:21 p.m., seconded by Council Member Pope. Motion passed unanimously (5-0).

APPROVED this 19th day of April, 2016.

CITY OF HORSESHOE BAY, TEXAS


Stephen T. Jordan, Mayor

ATTEST:


Teresa L. Moore, TRMC
City Secretary

