

**CITY OF HORSESHOE BAY**  
**CITY COUNCIL MEETING**  
**MINUTES**

The City Council of the City of Horseshoe Bay held a Public Meeting at City Hall July 19, 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

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. Council Member Pope was absent. The Mayor 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: Francie Dix and Mike Brittain thanked the City for their participation and sponsorship for the Boogie in the Bay series of five concerts sponsored by the Horseshoe Bay Business Alliance. They also thanked the Council Members that attended as well as Police Chief Wardlow for the assistance of the Police Department. Council Member Lambert complimented the HSB Business Alliance on the event. Sam Morrison HSB POA President of the Board of Directors introduced the new general manager of the POA Sandra Moravitz who came from Weslaco where she had gained experience in HOA, housing and golf course management.
5. Staff Recognition:
  - a. Service Awards:
    - i. Cliff Grant – 10 Year Service Award

Fire Chief Joe Morris presented Fire Department Engineer with a plaque in appreciation for his service to the City.

6. Discuss, Consider and Take Action Regarding Ordering the November 8, 2016 General Election for Three Places on City Council: Mayor Jordan reported the election would be for three Council Member positions on the Council currently held by Jerry Gray, Craig Haydon and David Pope. City Secretary Teresa Moore reported candidate packets were available in her office and the first day to file for a place on the ballot was Monday, July 25 at 8:00 a.m. and the last day was Monday, August 22 prior to 5:00 p.m. Mayor Pro Tem Haydon made the motion to approve this item, seconded by Council Member Gray. Motion passed unanimously (4-0).
7. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.
8. Consent Agenda Items:
  - a. Approval of Minutes of the June 21, 2016 Regular Meeting and the June 28, 2016 Workshop Meeting
  - b. Approve a Resolution Approving a Private Bond-Financed Project as Required by State Statute Within the City Limits that has no Effect on City Finances
  - c. Approve Request by Council Member Clinesmith to attend the Texas Municipal League Conference and Exhibition, October 4-7 in Austin

Mayor Pro Tem Haydon made the motion to approve the consent agenda as presented, seconded by Council Member Gray. Motion passed unanimously (4-0).

9. Monthly Statistical Departmental Data Reports
  - a. City Manager; Administration; Community Services; Development Services; Fire Dept.; and Police Dept.

City Manager Farmer reported the Council prior to the meeting he had handed out the updated review process for the Comprehensive Plan 2016 to the Council. He stated the milfoil treatment done about a month ago had shown good results and cost approximately \$8,500 for the one treatment. Mr. Farmer said he would reassess in late August to see if another treatment was needed later in the summer. Mr. Farmer said Fire Chief Morris and he would be attending a CAPCOG Conference on terrorism and mass shooting incidents in September in Austin. He thanked the Business Alliance for the great job they did on the Boogie on the Bay event as well as the City staff that took part. Mr. Farmer said the staff was working on the next draft of the budget for review by Council Member Pope and Mayor Jordan prior to the required filing with the City Secretary on August 12. There are workshops scheduled for August 30 and September 6 where additional changes could be made prior to adoption on September 20. Mr. Farmer said 13 miles of seal coating was just completed in the areas north and south of Hwy 2147. Mayor Jordan thanked Tim Foran for the great job he did managing this project. Mr. Farmer said in the 2013 Parks Master Plan the committee called for the creation of a 501(c)3 corporation to accept donations. Mr. Farmer reported he had been working with the Chairman of the Park Committee Michael Widler to set up a separate "Friends of the Parks" bank account in lieu of a 501(3)c entity so people could donate money directly for the development and benefit of the City's parks. Development Services Director Eric Winter reported the Council's approval of a longer advance period for public notices resulted in there not being enough time for the notices to be published prior this meeting so he had no agenda items this month. He updated the Council on the normal procedure for zoning newly annexed areas which resulted in the properties

being annexed as R-1 single family residential for developed properties and A-1 Recreational for vacant properties. He added the next step would be for the Planning and Zoning Commission to consider appropriate zoning regulations for the area. Mr. Winter said that was the process they were using for The Hills. P & Z at their August 16 meeting would consider new zoning regulations for The Hills to be called Zone 17 as it encompasses three subdivisions, The Hills Sections One, Two and Three, Quail Ridge and Golf View Estates. He said for Zone 17 the P & Z would be looking at zoning regulations that are essentially the same as are in their subdivision's Conditions, Covenants and Restrictions (CCRs). Mr. Winter said P & Z would also be considering an amendment to the existing zones and classifications of the ordinance to add the zoning classifications of Zone 12 Summit Rock, Zone 14 Horseshoe Bay Corridor and Zone 17 The Hills. He said additionally P & Z would also be considering two other zoning ordinance amendments. The first would be Zone 16 Lake Area to establish regulations for boat slips on vacant properties which would not allow boat slips that do not have residences and the second an amendment to the planned development section to provide consistent and streamlined regulations including eliminating some requirements that are no longer necessary. Mr. Winter reported P & Z would also be considering a subdivision ordinance amendment which also dealt with planned development zones and to provide consistent and streamlined regulations including eliminating duplicate requirements and others which are no longer necessary. Next, Mr. Winter reported the Gynergy developer had been working on financing but still did not have sufficient funds for the project. He said the developer had located three lots in HSB West zoned R-4 multi-family and he wanted to put seven units on those lots as a project to show the viability of multi-family development in Horseshoe Bay to his partners. Mr. Winter said those plans would have to go through the HSB Architectural Control Committee for approval prior to the City issuing a building permit. Mr. Winter reported he had talked to developer Mike Walsh regarding his Siena Grove assisted living project and Mr. Walsh said he was in the process of changing the location because the development plans had taken longer than the seller had agreed to hold the property. Mr. Walsh had stated the project was still viable but would be in a different location. Mr. Winter reported the infrastructure permit for Hidden Coves had been issued following the pre-construction meeting. He added the plat had been recorded and the cost of the utilities and streets plus 10% had been escrowed with Highland Lakes Title Company and Wade Hutto. The water and wastewater services agreement was being prepared and construction of the infrastructure had begun. Mr. Winter added plans had been prepared for the entrance gate and the boat house on lot 21, but no permit applications had been submitted. Mr. Winter said final notice had been sent by certified and regular mail, posted on the container and published in The Highlander stating that the City would remove the shipping container located on Deep Canyon in HSB West 10 days after receipt of the letter by the owner and place a lien on the property for the costs. Council Member Clinesmith asked the status of the repairs to Texan Mart and Mr. Winter replied they still plan but do not need to replace the tanks and canopy as well as additional improvements to the interior. He added they are working with a branded supplier for fuel and then lighting and signage would need approval. Council Member Gray asked if there was any news on Tuscan Village. Mr. Winter reported the property was scheduled to be sold to the Tuscan Village developer on July 29 and the loan had been approved.

10. Discuss, Consider and Take Action Regarding Award of Contract for Solid Waste Collection: City Manager Stan Farmer reported the agreement with the current provider expires September 30 and the City advertised for requests for proposal and had received bids from Progressive and Republic, the two area solid waste disposal providers. He said the

overwhelming percentage of customers were residential as opposed to commercial so a great weight was given to the residential amount quoted in the bids. The less expensive bid for residential services was from Republic with a cost to the City of \$13.60 per month vs. \$14.00 from Progressive. He said the current charge by Progressive was \$12.15 therefore, with the \$1.45 increase in the amount plus sales tax the increase to the City would be \$1.57 per month with Republic. Mr. Farmer reported he had contacted all the references given by Republic and all were good. He added when they previously provided to the City prior to 2012 they were a good provider. Mr. Farmer said staff recommended that the contract be awarded to Republic and that Council approve the Mayor, City Attorney and City Manager complete and negotiate the contract for the Mayor's signature. Council Member Gray asked what happened if the situation came up where the containers provided by Republic were not big enough. Dwight Batch with Republic Services in Marble Falls reported they use a side load automated system. They provide all households with a 95 gallon container which belonged to Republic and they would have the liability to keep them maintained with two wheels, an attached lid and no holes. The resident would place the container street side on the day of pickup; however, they also provide back door or VIP service for residents who for some reason cannot reasonably get their container to the street. Through notification to the City, Republic workers would go get the container, bring it to the street for the resident, service it and return it to where ever it was kept. These containers are designed for an average family of four and customers rarely have problems. He said on holidays Republic acknowledged there would be additional trash and they would provide extra service during 4<sup>th</sup> of July, Memorial Day, Thanksgiving and Christmas. Mr. Batch said if someone consistently had more trash than would fit in one container Republic would provide a second cart at a much reduced rate so all the trash would be contained. Council Member Gray asked about additional trash outside the container and Mr. Batch reported on a weekly basis service would be for cart contents only with exception of holidays. Mr. Batch said ideally boxes and packaging that would not fit in the container could be taken to the City's Recycle Center by the resident. Mr. Batch explained Republic's proposal was a cart contents only style of service; however, if they were awarded the contract they could discuss a bulk cleanup situation and the schedule of that as well. Council Member Clinesmith asked about a Friday bulk pickup which was determined was in the current contract, but not in the proposed contract with Republic. City Manager Farmer said that he wanted to negotiate that type of thing. Mayor Jordan said he had heard concern regarding how additional trash would be handled and they did need to address that up front. Council Member Clinesmith also asked about the ability to bundle limbs for pickup by Republic. Mr. Farmer said what was furnished in the Council packet was a cleaned up version of the existing contract he would use as a starting point for the contract with Republic. Council Member Gray questioned what the motion would be for and City Manager Farmer stated the motion would be to award the contract and to approve the Mayor, City Attorney and City Manager to negotiate the final contract for the Mayor's signature. Mayor Pro Tem Haydon made the motion to award the contract to Republic and to approve the Mayor, City Attorney and City Manager to negotiate the final contract, seconded by Council Member Clinesmith. Motion passed unanimously (4-0).

11. Discuss, Consider and Take Action Regarding Award of Contract for Improvements to the City's West Water Treatment Plant: Community Service Director Jeff Koska reported that over the past year the staff and engineer had designed and developed plans for the expansion and upgrade of the West Water Treatment Plant. He said the project would provide double the current 1 million gallon capacity per day and would update the treatment type to the same

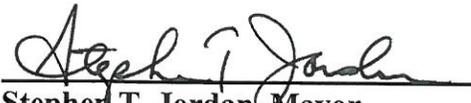
technology utilized at the Central Water Treatment Plant. Mr. Koska said the project would provide 2 million gallon capacity and allow future expansion of the capacity to 3 million gallons with little additional construction to the plant. He said in addition they were converting the plant to membrane technology which would by the pore size restrict bacteria like cryptosporidium which would make the treatment more fool proof and safer for the population. Mr. Koska reported the project was advertised for bids throughout the month of June and they were read out loud on July 8 at 2:00 p.m. Qualified bidders were reviewed by staff and the engineer for completeness of bids, quality of past work and on price to complete project. He said the results were in the Council packets and staff concurred with the engineer's recommendation of Payton Construction of Wimberley as the lowest qualified bidder with a bid of \$3,498,000 plus alternative A at \$4,900 for a total of \$3,502,900. The project would begin in August and be operationally completed within 285 days or May 2017 and finally completed with cleanup work and finalized in June 2017. Mr. Koska said engineering, pre-payment on membrane equipment, minor electrical service work and material testing was expected to cost close to \$700,000 for a total project expense of \$4.2 million. Council Member Gray asked if there was a penalty clause for completion and Mr. Koska said there was and also a penalty for the manufacturer of the equipment, both were \$500 per day. Mayor Pro Tem Haydon made the motion to award the contract to Payton Construction in the amount of \$3,502,900, seconded by Council Member Gray. Motion passed unanimously (4-0).

12. Public Hearing, Discuss, Consider and Take Action Regarding Approval of Ordinance to Amend City Code Section 8.04.038 Triennial Review of Juvenile Curfew: Mayor Jordan convened the public hearing at 3:50 p.m. He asked if there were any comments, there were none and he adjourned the public hearing. Police Chief Rocky Wardlow explained this was a sunset review of this ordinance and must be reconsidered every three years to prevent expiration. Council Member Gray made the motion to approve the ordinance as presented, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (4-0).

13. Adjournment: Mayor Pro Tem Haydon made the motion to adjourn the meeting at 3:52 p.m., seconded by Council Member Gray. Motion passed unanimously (4-0).

APPROVED this 30<sup>st</sup> day of August, 2016.

CITY OF HORSESHOE BAY, TEXAS

  
Stephen T. Jordan, Mayor

ATTEST:

  
Teresa L. Moore, TRMC  
City Secretary

