

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING

January 20, 2009

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, January 20, 2009, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
John Bird, Alderman
Claudia Haydon, Alderwoman
Jeff Robinson, Alderman
Steve Spence, Alderman

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 subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present.
2. Invocation: Reverend Pete Christy of the Church at Horseshoe Bay led the invocation.
3. Pledges to the Flags: Mayor Lambert led the pledge of allegiance to the United States flag and the Texas flag. He welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium. Mayor Lambert announced Teresa Moore was unable to attend today's meeting and thanked Toni Vanderburg, the City's first City Secretary for coming out of retirement and helping out today.
4. Public Comments (those speaking are asked to limit their comments to three minutes): There were no public comments.
5. Recognition of Hill Country 100 Awards:
 - a. Barry Moore – Police Department
 - b. Stephanie Black – Fire Department

Jeff Robinson, member of the Board of Directors of the Hill Country 100 Club explained the Hill Country 100 Club immediately aids the families of any police, fire, or EMS personnel that are killed or severely injured. He said they held their annual meeting last week and honored thirty-three (33) police, fire, and EMS personnel from Burnet, Llano, and Blanco counties. This was the first year for Blanco County to be part of the group. He then recognized Stephanie Black, Assistant Fire Chief as Firefighter of the Year in HSB and Barry Moore, as Police Officer of the Year in HSB.

6. Home Rule Charter Prepared by the Horseshoe Bay Charter Commission for Submission to Qualified Voters of the City at the May 2009 Election: Mayor Lambert said this charter was prepared by the Home Rule Charter Commission and is unanimously recommended by all eighteen (18) members of the Commission for submission to the voters of Horseshoe Bay at the election in May, 2009. The City Council cannot make changes to the charter and can only choose to accept or refuse the Charter today. If accepted there will be an item on the February agenda to consider officially calling the election. Horseshoe Bay resident, Bill Gaylord had signed up to speak regarding the charter. He complemented the team that put the charter together stating that it is easily understood and a layman can understand it. He added that he thought if the fact sheet was going to be distributed with the charter to the citizens that there should be revisions made addressing the what it would cost the City to change to a Home Rule city and to amend the word about the effect the legislature has on a General Law city. Mayor Lambert said these suggestions would be addressed and he also felt that the commission did a very thorough job. Alderwoman Haydon complemented the commission. Alderman Spence said the commission held several public meetings in order to get input from the citizens and at the last meeting the suggestion was made to add an ethics clause which they did. Alderman Babcock made the motion to accept the charter as submitted. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).
7. Items to be Removed from Consent Agenda: Mayor Lambert asked if there were any items the Council wanted to remove from the Consent Agenda. There were none.
8. Consent Agenda Items:
 - a. Minutes of the December 16, 2008 Public Meeting
 - b. Sign Ordinance Variance Request for American Bank Located at 6905 RM 2147 West
 - c. General Fund Budget Amendment for Line Item Transfer of \$16,108.34 from Contingency to Capital Outlay for Completion of the Acquisition of One Lot in Llano County by the City Manager for City Purposes, as Authorized by the Council Under Item 15, City Council Agenda of November 18, 2008
 - d. Financial Advisory Services Agreement with Specialized Public Finance, Inc.
 - e. Interlocal Agreement for Fire Department to Administer Federal Assistance to Firefighter's Grant for Communication Equipment
 - f. Update Skywater Public Improvement District Assessment Rolls for 2009

Alderman Spence asked if there was an annual fee for the financial services agreement with Specialized Public Finance, Inc. Mayor Lambert said they only get paid based on a transaction. Alderman Robinson made the motion to approve the consent agenda. The motion was seconded by Alderman Spence. The motion passed unanimously (5-0).

9. City Manager Reports:
 - a. Healthcare Benefit Report
City Manager Stan Farmer reported the status of the healthcare benefit report. The City received updated quotes during the budget writing process last year from its insurance agent, Dale Sands. The quotes included renewal quotes from the current provider Blue Cross/Blue Shield, TML and Scott and White. The renewal from BCBS was at a zero increase; however later in the process BCBS came back with an 8% decrease in premiums. After explaining to the city employees the three possible choices of BCBS and two United Healthcare options

and what the cost savings would be to them, the employees were asked to complete a survey on their choice of providers. All but two employees chose to stay with BCBS. They were told the ultimate decision would be the Council's. With an 8% decrease in the BCBS premium and no increase in the dental premium, the staff recommends no changes at this time.

b. Report on Code Violations in Horseshoe Bay West

City Manager Stan Farmer presented an update on the status of code violations reported by Dale Rodman at the December Council meeting. He stated there is an amendment to the Building Permit Ordinance later on this agenda that will require removal of portable toilets and dumpsters if the building permit has expired. Mayor Lambert thanked Mr. Rodman for bringing these items to the attention of the City. Mayor Lambert asked Development Services Manager, Eric Winter to research the possibility of requiring proof of financial security to build residential property.

10. Departmental Reports:

- a. Administration Department Monthly Statistical Data
- b. Community Services Department Monthly Statistical Data
- c. Development Services Department Monthly Statistical Data
- d. Fire Department Monthly Statistical Data
- e. Police Department Monthly Statistical Data

City Manager Stan Farmer thanked all of the department heads for the fine work they do. He added he is a part of the Marble Falls/Lake LBJ Chamber of Commerce Leadership Class and on February 11th the agenda is city government and he has asked them to come here for a presentation and a tour of the central water plant. They will eat lunch in the city and then go on to Burnet for a presentation on county government. He added that the Energy Reduction Committee has met and will have a presentation for the next council meeting showing recommendations as well as the payback time it will take on some really good ideas they have come up with.

11. The City Council, meeting as the Board of Adjustment, will Conduct a Public Hearing and Possible Action Regarding:

- a. Request for Variance from Section 3.2.1 (e) of the Zoning Ordinance to Allow a Maximum 16 Foot Encroachment into the 25 Foot Front Yard Setback for a 5 Foot High Stone Wall on Lot No. 41040, Horseshoe Bay Plat No. 41.1 (115 Dalton Circle)

Mayor Lambert 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. Mayor Lambert said there was a problem getting the required notices published and this will need to be continued until February 17, 2009. Alderwoman Haydon made the motion to continue this item as stated. The motion was seconded by Alderman Robinson. The motion passed unanimously (4-0).

12. Conduct a Public Hearing and Consideration of Preliminary Plats:

- a. Replat of Lot Nos. 47-B through 56-C of Escondido, Plat No. 1.16, to be known as Escondido, Plat No. 1.17, Horseshoe Bay, Llano County, Texas (Encantada)

- b. Replat of Lot No. 12038-A Horseshoe Bay, Plat No. 12.20, and 0.02 Acres out of the Nicholas Mendez Survey Abstract No. 506, to be known as Plat No. 12.38 Horseshoe Bay, Llano County, Texas (400 Block Lighthouse Dr.)
- c. Replat of Lot No. C32001-A, Horseshoe Bay Plat No. 32.4, to be known as Horseshoe Bay Plat No. 32.5, Horseshoe Bay, Llano County, Texas (Village Square at Hi Circle South and 15th Green Drive)
- d. Replat of Lot Nos. 11-B and 12-A, Applehead Island Plat No. 7.13A to be known as Applehead Island, Plat No. 7.13-B, Llano County, Texas (12 Applehead Island Drive)

Mayor Lambert convened the Public Hearing at 3:51 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said there was a problem getting the required notices published for Item #12 c. and this will need to be continued. Alderman Robinson made the motion to continue this item until February 17, 2009. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0). Alderman Robinson made the motion to approve the remaining three items. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0).

13. Amendment to Building Permit Ordinance No. 06-08-18D to Amend Section II(b) Definitions to add Definitions for Dumpster, Portable Toilet and Stop Work Order, to Amend Section VI(b)(2) to add a New Section (J) to Require Deductions from the Building Permit Deposit for Keeping a Portable Toilet and a Dumpster on a Construction Site when a Stop Work Order has been Issued or the Building Permit has Expired, to Amend Section VII(a) Inspectors, and to Amend Section VII (c)(1) to Require a \$500 Fine for not Following the Building Inspection Procedure: This amendment is to address the problem as discussed in Item 9b. on this agenda. The Council requested the definition of *dumpster* be amended to show the dumpster and be “pulled off” not just “emptied into a garbage truck”. Alderwoman Haydon made the motion to approve the amendment with the change to the definition of dumpster as stated. The motion was seconded by Alderman Spence. The motion passed unanimously (5-0).

14. City/POA, City/Amenities Owner and City/Declarant Agreements Regarding City Streets: Mayor Lambert said he has provided the Council a status report regarding the streets. The HSB POA sent the mayor a draft of a letter about two weeks ago referencing an attached revision to the agreement. The POA is having problems getting their attorney to prepare a revised draft of the agreement. He has since received the revised draft and the City Attorney, Monte Akers, also has a copy. The POA requested the mayor review the revised draft and then meet with the president of the POA who is out of town this week. They plan to meet early next week to discuss the proposal and then the POA will finalize their draft proposal. Mayor Lambert hopes to have another workshop of the city council prior to the next regular meeting. He has also met with Doug Jaffe and Ron Mitchell and feels they all have a good understanding of the issues. The Amenities owner has recently hired an attorney to work with them and he has already met with City Attorney, Monte Akers. Alderman Babcock said in the past the council had discussed possibly putting in a ¼ cent sales tax to fund the streets. He asked what the dates were to call the election and also to cancel the election and if the City could hold the election for the sales tax if they do not own the streets yet. City Attorney Akers said he did not feel you could have a contingent item on the ballot.

