

CITY OF HORSESHOE BAY
CITY COUNCIL PUBLIC MEETING
MINUTES

February 16, 2010

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, February 16, 2010, 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
Claudia Haydon, Councilperson
Phillip Lee, Councilperson
Jeff Robinson, Councilperson
Steve Spence, Councilperson

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: Larry Sherwood with The Church at Horseshoe Bay gave 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.
4. Public Comments: Craig Haydon stated Verizon DSL is now available in parts of HSB West and it is his understanding that it is still the intention of Verizon to make this service available to approximately 80% of HSB West. Mr. Drew Crosby a HSB business owner representing the HSB Business Alliance said they are having a meet and greet at the Taste of Thyme the last Wednesday of each month. He invited the Council and City leaders to attend.
5. Staff Recognition:
 - a. Toni Vanderburg – 10 Year Service Award
 - b. Introduction of New Employees:
 - i. T.J. Cox-Police Officer

Mayor Lambert presented Toni Vanderburg HSB Administration Manager with a plaque in appreciation for her service to the City.

Police Department Training Coordinator Chip Leake introduced new Police Officer T.J. Cox.

6. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.
7. Consent Agenda Items:
 - a. Minutes of the January 25, 2010 Special Meeting and the January 26, 2010 Public Meeting
 - b. Final Plats:
 - i. Replat of Lots 23042 and 23043 of Horseshoe Bay Plat No. 23.4, to be known as Horseshoe Bay Plat No. 23.45, Horseshoe Bay, Llano County, Texas (1505 Lake)
 - ii. Replat of Lots 27047 and 27048 of Horseshoe Bay Plat No. 27.1, to be known as Horseshoe Bay Plat No. 27.2, Horseshoe Bay, Llano County, Texas (719 Buck)
 - iii. Replat of Lots W21037 and W21038 of Horseshoe Bay West Plat No. W21.1 to be known as Horseshoe Bay West Plat No. 21.4, Horseshoe Bay, Llano County, Texas (905 Sun Ray)
 - c. City Attorney Invoices
 - d. Proclamation Designating February 20, 2010 as Spay Day USA in Horseshoe Bay
 - e. Annual Racial Profiling Statistics Report for 2009
 - f. Resolution Supporting Grant for Police Department Marine Initiative Project

Councilperson Lee made the motion to approve the Consent Agenda. The motion was seconded by Councilperson Spence. The motion passed unanimously (5-0).

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

City Manager Stan Farmer gave the Council an update on current Capital Improvement Projects and the annual deer trapping project.

9. Possible Acquisition of Airport by City of HSB: Mayor Lambert said the main item for consideration today is to appoint a committee to analyze the feasibility of the City making such an acquisition. He said there are 16 people that have expressed an interest in serving on this committee, and he appreciates these very qualified people volunteering. Mayor Lambert said he would go through general instructions for the committee and then the Council would need to decide how large they would like the committee to be and the selection process. Mayor Lambert listed his recommendations for the committee. A copy of which is hereby attached and made a part of these minutes. Councilperson Lee made the motion for the committee to follow these guidelines as presented by Mayor Lambert. The motion was seconded by Councilperson Babcock. The motion passed unanimously (5-0). The Council consensus was that committee should have seven members. They hoped that the committee members might possibly reach out to the volunteers that were not selected to serve on the committee for assistance with some research. The Council stated they would like to allow the Mayor to vote on this selection. Each Councilperson voted for seven people and signed their ballot. City Secretary Teresa Moore tabulated the votes and retained the ballots. Mayor Lambert announced the Council had selected Evan Roberts, J.T. McMahon, Jim Long, Jim

Thorne, Bob Mark, John Bird and Ken Lindgren as committee members. He thanked this group for volunteering to serving as well as the other nine applicants. Mayor Lambert said the first meeting would be scheduled as soon as it was possible to coordinate a time with all of the members.

10. Award of Contract for Construction of Slick Rock Lift Station Improvements: Utilities Director Jeff Koska said this lift station is on the banks of Slick Rock Creek off of Hwy. 2147 and takes approximately half the flow of HSB. It has been in the ground about 25 years and was last upgraded in 1986. Over the last five years they have been experiencing more and more maintenance issues. It is on the banks of the creek and because of the public and environmental impact if this lift station were to go down the decision was made to expand the lift station and replace most equipment. Staff has worked with the engineer over the last five months. The lowest qualified bid was for \$1.137 million from J.S. Haren Company of Athens, Tennessee. Staff is asking that the Council accept this bid. The engineer has checked the qualifications of this firm. Councilperson Spence made the motion to approve awarding the contract to J.S. Haren Company. The motion was seconded by Councilperson Haydon. The motion passed unanimously (5-0). Councilperson Spence added that the Council is looking to the future and in the last 3-4 months has approved about \$3.6 million in utility projects for the City. The first being a 1 million gallon elevated storage tank in West at a cost of around \$1.5 million. The second project was a transfer line to move water from the Central Water Plant to HSB West costing \$500,000-\$600,000. The line allows the transfer of almost twice the volume of water from the central plant to the elevated storage tank. The third is this item, the Slick Rock Lift station. He thanked Utilities Manager Koska for this work on these projects.

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

- a. Request for 6 1/2 Foot Variance in the 25 Foot Front Yard Setback Requirement of Sec. 14.02.406 (b) (3) (A) of the Zoning Chapter of the City Code to Allow Construction of a Garage Addition on Lot No. 17015 of Horseshoe Bay Plat No. 17.1 (111 Nimrod)

Mayor Lambert convened a Public Hearing with the City Council meeting as the Board of Adjustment at 3:40 p.m. He asked if there were any comments. Property owner Mr. Guido Hanak explained this variance would allow him to build an addition onto his garage. Mayor Lambert adjourned the Public Hearing at 3:41 p.m. Councilperson Haydon made the motion to approve the variance as presented. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

12. Public Hearing and Consideration to Determine Whether the Following Structures Should Have Repairs Ordered Under the Substandard Building Code Section 3.04.006:

- a. 101 Jade, Lot No. W1092 of Horseshoe Bay West Plat No. W1.2, Horseshoe Bay, Llano County, Texas
- b. 3206 Douglas Dr., Lot No. A3040 of Horseshoe Bay Applehead Plat No. 3.1, Horseshoe Bay, Llano County, Texas
- c. 3212 Douglas Dr., Lot No. A3037 of Horseshoe Bay Applehead Plat No. 3.1, Horseshoe Bay, Llano County, Texas

- d. 3305 Douglas Dr., Lot No. A1020 of Horseshoe Bay Applehead Plat No. 1.1, Horseshoe Bay, Llano County, Texas
- e. 3327 Bay West Blvd., Lot No. A3024 of Horseshoe Bay Applehead Plat No. 3.1, Horseshoe Bay, Llano County, Texas

Mayor Lambert convened a Public Hearing at 3:43 p.m. and said Joseph Wrubleski had asked to speak on behalf of Whitney Bank. Mr. Wrubleski said Whitney Bank had a process that they generally go through when they come into ownership of collateral real estate. He said the bank would first need to get title to the property. Next they would secure the property and then arrange for inspection by construction people to estimate what needs to be done to preserve the integrity of the property make whatever repairs that needs to be done so the property does not deteriorate further. They would then get a current appraisal of the property in order to market it. Next they will list the property for sale "as is". Mayor Lambert adjourned the Public Hearing at 3:47 p.m. Mr. Wrubleski asked whether there are any violations regarding the prior work to the property or any inspection issues that are open. City Manager Stan Farmer said staff has given him copies of all their inspections to date. The Council took no action on this item at this meeting but asked for a monthly progress report on these properties.

- 13. Amendment of Article 3.06 Signs, Section 3.06.015 (c) of the Building Chapter of the City Code to Clarify the Requirements for Subdivision Architectural Control Committee Approval of a Construction Identification Sign: City Manager Stan Farmer said this item is to make it administratively easier for both the builder and City staff. All the City needs is to see the appropriate ACC approval and the builder will be able to put up his sign. Councilperson Lee made the motion to approve the amendment. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).
- 14. Continuation of Public Hearing and Consideration Regarding Permanent Zoning Classifications for Newly Annexed Tracts R, S, T & U of Horseshoe Bay West Plat No. 1.2, Horseshoe Bay, Llano County, Texas (Northeast and Northwest Corners of Bay West Blvd. and FM 2147, Median Strip of Bay West Blvd. and Tract on West Side of Bay West Blvd., North of FM 2147: Mayor Lambert convened the continuation of a Public Hearing at 3:55 p.m. He asked if there were any comments. There were none, and he adjourned the Public Hearing at 3:56 p.m. Councilperson Haydon made the motion to approve the zoning classification as recommended by the Planning and Zoning Commission. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).
- 15. Public Hearing and Consideration Regarding Permanent Zoning Classifications for the North Parts of Lot Nos. 12038-C and 12039-B of Horseshoe Bay Plat No. 12.39 (500 Lighthouse Dr.): Mayor Lambert convened a Public Hearing at 3:56 p.m. He asked if there were any comments. There were none, and he adjourned the Public Hearing at 3:57 p.m. Councilperson Spence made the motion to approve the zoning classification as recommended by the Planning and Zoning Commission. The motion was seconded by Councilperson Babcock. The motion passed unanimously (5-0).

16. Annexation of Lake Areas beyond the 825 foot Contour Line and 100 Feet Beyond the Shoreline of Oakridge Estates and the LCRA Power Plant Property to the ETJ Line of the City: Mayor Lambert explained this has been on the agenda several times and this step is the formal annexation. Councilperson Lee made the motion to approve the annexation and the zoning of the property as recommended by staff. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

17. Public Hearing and Consideration Regarding Amendment to the Zoning Chapter of the City Code Section 14.02.406 (i) by Adding New Subsection (10) Development Standards for Manufactured Homes on Lots Classified M-1 Mobile Home in Zone 4B Horseshoe Bay South: Mayor Lambert convened a Public Hearing at 3:59 p.m. He asked if there were any comments. There were none and he continued the Public Hearing to the March 16, 2010 meeting.

Executive Session: At 4:00 p.m., Mayor Lambert announced that the Council would go into Executive Session regarding agenda item 18 pursuant to Sections GC §551.071 of the Texas Open Meetings Act.

18. Employment of a New City Attorney:

Regular Meeting Resumed: At 4:10 p.m., the Executive Session having ended, Mayor Lambert resumed the Regular Meeting and announced that no action or votes had been taken in the Executive Session.

18. Employment of a New City Attorney: Councilperson Lee made the motion to engage Rex Baker as City Attorney. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0). City Manager Stan Farmer was asked to work on an agreement to be formalized at the March Council meeting.

19. Management of City Attorney: No action was taken on this item. Mayor Lambert said this would be on the March agenda for further consideration.

20. Agreement and Amendment between SW Ownership, LLC and the City: Mayor Lambert stated that at separate meetings during the past week the Council had met with Larry Rutherford regarding basic terms of an interim agreement. He said he would like to go over the draft he had prepared to see if the Council is in agreement and then it could be forwarded to Mr. Rutherford for his approval. Council reviewed and discussed the draft agreement. No action was taken on this item.

21. Infrastructure Utility Permit for Skywater Pod 3: Councilperson Haydon made the motion to approve the permit until March 18th. The motion was seconded by Councilperson Robinson. The motion passed unanimously (5-0).

22. Adjournment: Councilperson Haydon made the motion to adjourn the meeting at 5:27 p.m. The motion was seconded by Councilperson Lee. The motion passed unanimously (5-0).

