

# CITY OF HORSESHOE BAY

## CITY COUNCIL PUBLIC MEETING

March 17, 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, March 17, 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 Johnny White, Pastor at 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.
4. Public Comments (those speaking are asked to limit their comments to three minutes): There were no public comments.
5. Introduction of New Police Officer: Officer Mike Cochran was unable to attend the meeting.
6. PEC Presentation of \$1,000 Light the Way Grant: Clay Simpson and Wayne Haass presented Fire Chief Jim Fiero and Mayor Bob Lambert with a check for \$1,000 Light the Way Grant.
19. Broadband Update: Mayor Lambert asked if there were any objections to moving this item up on the agenda. There were none. Alderman Jeff Robinson said they had been working on getting Verizon's attention for awhile and about 10 days ago Senator Troy Fraser was contacted by Carl Erhart, President of the Southwest Region of Verizon informing him that Verizon is planning an extensive upgrade to service in the Hill Country. He also contacted Alderman Robinson personally who invited him to the April 21, 2009 City Council meeting.

Alderman Robinson also introduced Eric Hughes, a senior site acquisition representative with a company hired by AT&T. Mr. Hughes outlined plans for installation of a new 100 foot mono tower to replace the two current outdated towers. This should greatly improve the 3G capability in Horseshoe Bay. They are ready to begin work and as soon as they receive approval, they will provide timelines for this project.

12. Resolution and Agreement to Exchange Extraterritorial Jurisdiction (ETJ) with City of Granite Shoals – For Discussion Only: Mayor Lambert explained that a city's ETJ is the area immediately around the city where they have a certain amount of influence over what happens, but receive no taxes or other revenue from them. It is possible that some of the ETJ of Granite Shoals extends to the Horseshoe Bay side of Lake LBJ in some unincorporated areas and the City of Horseshoe Bay's ETJ does extend to the Granite Shoals side of the Lake to an area including the subdivision of Wilderness Cove. There has been an ongoing discussion between Granite Shoals and the City to redraw the ETJ boundaries of each to the original river channel of Lake LBJ. Wilderness Cove HOA President, Gene Glaeser and property owner, Georgie Brochstein, spoke in opposition to this exchange due to the fact that property owners in Wilderness Cove would like to remain in the HSB ETJ to avoid possible annexation by Granite Shoals. Mayor Lambert said no decision would be made on this item today and further study would be done in an attempt to find a resolution acceptable to all parties.
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. Alderwoman Haydon asked to remove item 8e.

8e. Ordinance Cross Connection Control and Backflow Prevention

Community Services Director Jeff Koska said the proposed ordinance is actually a continuation and expansion of a current program the City has in place. Cross Connection Control regulates a connection between two sources of water; one being the City and the other being something the City does not have control over. He added the backflow is when you have an overpressure in the system or if you have a line break that generally causes negative pressure which will usually cause a vacuum in the system. TCEQ mandates these devices, but they do not mandate recurring maintenance which is what this program does. This would require testing a maximum of once every three years and the higher risk units would require testing every year. The ordinance would give the City the compliance and enforcement language to enforce these requirements. Mayor Lambert asked the Council if they would like to communicate this to the community to allow for feedback prior to Council adopting this requirement and the response was yes. Mayor Lambert said that item 8e will be deferred at this time.

8. Consent Agenda Items:
  - a. Minutes of the February 17, 2009 Special Meeting and the February 17, 2009 Regular Public Meeting
  - b. Final Plats:
    - i. 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 15<sup>th</sup> Green Drive)

- ii. Replat of Lots W25030 and W25031, Horseshoe Bay Plat No. 25.1, to be known as Horseshoe Bay West Plat No. 25.8 (211 Big Sky)
- c. Interlocal Agreement with the City of Marble Falls for Automatic Mutual Aid, Fire Protection and Emergency
- d. Renewal of Llano County MUD Maintenance Contract
- f. Ordinance Amendment to Building Permit Ordinance 06-04-18D to Amend Section II(b) to Specify the Type of Dumpsters that may be placed at a Construction Site
- g. Annual Racial Profiling Statistics Report for 2008
- h. Bilingual Exemption Resolution
- i. State of Texas COOP BuyBoard Inter-local Agreement and Resolution
- j. Resolution in Support for City of Marble Falls for the Texas Department of Transportation's U.S. Highway No. 281 Upgrade
- k. Proclamation for National Day of Prayer May 9, 2009
- l. Authorization for Annual Destruction of City Records as Prescribed in the City's Records Management Plan
- m. Amendment to Records Management Program Ordinance
- n. General Fund Budget Amendment for Line Item Transfer not to exceed \$15,000.00 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
- o. Ordinance Approving and Authorizing a First Supplemental Indenture Relating to the Escondido Public Improvement District of the City of Horseshoe Bay, Texas Special Assessment Revenue Bonds, Series 2008

Alderman Haydon made the motion to approve the remainder of the Consent Agenda. The motion was seconded by Alderman Bird. The motion passed unanimously (5-0).

9. Monthly Statistical Departmental Data Reports

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

City Manager Stan Farmer said the City received the preliminary audit report on February 24<sup>th</sup>; it was reviewed by Mayor Lambert, Toni Vanderburg, and Stan Farmer. The final audit report was delivered on March 13<sup>th</sup> and the City received an unqualified opinion and there were no findings of material weaknesses. Each member of the Council received a copy of the final audit report. Mr. Farmer said last month the Council saw the consultant's report on the fire system ISO report. He added he has met with Community Services Director Jeff Koska and Fire Chief Jim Fiero and asked them to come up with an answer on these concerns and how to quickly and feasibly tackle all or some of these items. They have provided this to Mr. Farmer and he is currently reviewing it. He will have it ready to hand out to the Council in a couple of weeks. Mr. Farmer asked that everyone visit the City's website. City Secretary Teresa Moore has made several updates to the website and all of the department heads have provided her with information to make the site more appealing to the community. He stated everyone had done a great job. There are community pictures also on the new Community Events page and also an addition of Frequently Asked Questions regarding Building Permits that is very user friendly. Mr. Farmer then reviewed the monthly financial sheets included in the Council packet.

10. Energy Reduction Committee Proposal: City Manager Stan Farmer stated the committee met to find ways to reduce the City's power consumption. The Council previously approved \$75,000 to spend on items related to energy savings. The items recommended today total approximately \$11,000 and include replacing the lights in the truck bays at Fire Station No. 1, installing solar shades on the windows and tinting on the doors at the Central Water Plant Administration Building and the Slick Rock Maintenance Facility. The third item is to install motion sensor switches in all the restrooms in City Hall, Fire Station #1, Police Station, and the Central Water Plant Administration Building. The final item was to switch the faucets in the restrooms in the Council Chambers, Police Department, and at Martin Park. Alderman Robinson made the motion to approve the suggested items. The motion was seconded by Alderman Spence. The motion passed unanimously (5-0).
  
11. Revisions to Exhibit A of the Compensation Policy for Salary Range Assignments and Job Titles: Police Chief Bill Lane stated that in the middle of last year he implemented a program where he identified three specialty positions on a trial basis. He identified three officers that had particular skills, backgrounds, and training and put them into positions to try to help out with some issues in the department in order to become more efficient and productive in certain areas. All these new positions require that the officer maintain his regular duties as well. The first position was a Training Coordinator that oversees all department training as well as temporary supervisory capability when the supervisor is not on duty due to vacation or some other reason. That program has proven very successful. The other position is that of Investigative Specialist. The two officers in this new position have backgrounds in this prior to coming to Horseshoe Bay. This allows them to take on some of the lesser crime case load to allow the regular Investigators more time to work on the more serious investigations. He said this program has also been very successful. Chief Lane said he wanted to test this program to see if it would work prior to coming to Council with this request. At this time he would like to add a position titled Police Specialist at a range 53 which would indicate a 5% increase for these three officers and make it effective April 1. This will not create a budget shortfall due to vacancies in the department that were not immediately filled. Alderwoman Haydon made the motion to approve this item. The motion was seconded by Alderman Spence. The motion passed unanimously.
  
13. State Of Texas Procurement Card Program Agreement and Presentation: City Manager Stan Farmer stated he feels this is a great program which is basically a regular credit card that will allow the City to issue cards to individual employees that need to use them on a regular basis and set a specific limit for each of those employees. There are no fees for this card. It will allow us to get rid of the two MasterCard/Visa cards we currently have as well as the Wal-Mart, Office Depot, and Home Depot cards and replace them with one account. There will be enhanced reporting and accountability with better tracking ability. There is reduced risk because with the cards being in an individual's name, J.P. Morgan will insure each card for up to \$100,000 if lost or stolen. There is also a rebate available. If you spend \$125,000 then you receive an annual rebate. Staff would like to use the card to pay as many City bills as possible. The PEC and LCRA water bill are two items staff is researching to see if this is allowed. Alderwoman Haydon made the motion to approve this item. The motion was seconded by Alderman Bird. Alderman Spence stated he would like to run this program for six months or so to see how it works prior to giving authorization for increasing the credit limit total to \$200,000. Mayor Lambert suggested leaving the limit at \$25,000 and if approval is received from LCRA and PEC to pay by credit card and J.P. Morgan agrees to

increase the credit limit on the card then staff can come back to Council to request the increase at that time. The motion was revised to state the City Manager is authorized to sign the agreement, initiate the program, and assign the credit card limit to a maximum of \$25,000 per month. The motion passed unanimously as revised (5-0).

14. Conduct a Public Hearing and Consideration of Preliminary Plat:

a. Replat of Lots W30024 and W30025 of Horseshoe Bay West Plat No. W30.1, to be known as Horseshoe Bay West Plat No. W30.5, Horseshoe Bay, Llano County, Texas (3000 Driftwood): Mayor Lambert convened the Public Hearing at 4:39 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Development Services Manager Eric Winter gave a brief presentation on the requested change. He stated there are four items listed on the blue sheet in the Council packet that need to be corrected on the surveyor's plat prior to final approval by the Council. Surveyor Charles Calhoun suggested removing the change requested in item no. 3 due to the lot being on the waterfront where no setbacks are required. Item No. 4 will change the front yard setback on the newly created lot (W30025-A) to 20 feet for new construction. Mayor Pro Tem Jim Babcock made the motion to approve the item with the above changes. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

15. Consideration of Final Plat of The Enclave Subdivision Phase I, a 29 lot subdivision in Horseshoe Bay, Llano County, Texas (The Enclave Condominiums and Adjacent Property - 250 Bay West Blvd.): Mayor Lambert convened the Public Hearing at 4:42 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Alderman Robinson made the motion to approve the item. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).

16. Zoning Ordinance Amendment for the Village Square Planned Development (Hi Circle South and 15<sup>th</sup> Green Drive): Mayor Lambert said after last month's Council meeting, Mayor Pro Tem Babcock and he met with Development Services Manager Eric Winter and City Manager Stan Farmer and reviewed the comments Mr. Winter had listed for review with the Village Square representatives. They then communicated their suggestions in writing to the Village Square architect, Marley Porter. The staff also engaged a firm to conduct a traffic plan. All of this has been communicated with the architect and is under review by both parties. Mayor Lambert complimented Architect Marley Porter for the advertisement placed in the HSB Beacon as requested by the City Council. He hopes to have everything completed and on the agenda for consideration at the April Council meeting. This item was continued to the next meeting.

17. City/POA, City/Amenities Owner and City/Declarant Agreements Regarding City Streets: Mayor Lambert said the Council held a Streets workshop this morning and an agreement was reached with the HSB POA pending verification of typing as well as the exhibits to the agreement. There will be another workshop in April and the hope is that all three agreements will be considered for final approval at the April 21, 2009 regular Council meeting. Council agreed to hold the workshop at 9:00 a.m. on April 14<sup>th</sup>. He anticipates documents going to the Council for their review as they become available.

