

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING

May 19, 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, May 19, 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: Larry Sherwood from 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. Staff Recognition:
 - a. Teresa Moore – 5 year Service Award
Mayor Lambert presented Teresa Moore Horseshoe Bay City Secretary with a plaque in appreciation of five years of service to the City.
6. Update from Dr. Ryder Warren, Marble Falls ISD Superintendent: Dr. Warren gave an update on the 2008-2009 accomplishments of the students as well as the 2006 Building Bond as it nears completion. They anticipate completion of six of the seven projects by mid-June.
7. Items to be removed from the Consent Agenda: Alderman Spence asked that Items 8(c) and 8(e) be removed from the consent agenda for discussion. Alderman Spence asked on Item 8c. to change the first page of the Investment Policy to read “will provide a high investment return with the maximum security”. On Item 8e. Resolution Authorizing the Investment of City Funds in Certificate of Deposits Alderman Babcock suggested adding language “so long

as the certificates of deposits are collateralized in the same manner as the City's existing accounts at American Bank". Alderman Robinson suggested staggered maturity dates for the certificates of deposits in order to maximize the return. This item will be on the June agenda for consideration.

8. Consent Agenda Items:

- a. Minutes of the April 14, 2009 Special Meeting and the April 21, 2009 Special Meeting and the April 21, 2009 Public Meeting
- b. Final Plats:
 - i. Replat of Lot Nos. 1 and 2, Jonathon Cove 4, Horseshoe Bay Plat No. 37.7, to be known as Horseshoe Bay Plat No. 37.51, Horseshoe Bay, Burnet County, Texas (5330 FM 2147 West)
 - ii. Replat of Lot Nos. 17030 and 17031, Horseshoe Bay Plat No. 17.1 to be known as Horseshoe Bay Plat No. 17.22, Horseshoe Bay, Llano County, Texas (113 Boot Hill)
 - iii. Replat of Lot Nos. W27014 and W27015, Horseshoe Bay West Plat No. W27.1, to be known as Horseshoe Bay West Plat No. 27.5, Horseshoe Bay, Llano County, Texas (100 Block Long Mountain)
- c. Resolution Conducting the Annual Review of the City's Investment Policy and Adopting Amendments Thereto
- d. Resolution Conducting a Review of the Fiscal Administration Policy and Adopting Amendments Thereto
- e. Resolution Authorizing the Investment of City Funds in Certificates of Deposit at American Bank of Texas, N.A.
- f. Authorization to Close the Utility Fund Capital Improvement Project for the Pond Liner Replacement and Transfer the Remaining Funds in the amount of \$133,091.51 from the FY2007 Capital Carry-forward Fund to the Utility Rate Stabilization Fund.
- g. General Fund Budget Amendment to Increase the Police Department Miscellaneous Revenue by \$17,456.77, the Capital Outlay Expense by \$7,650.20, and the Operating Expense by \$9,806.57 to Utilize Insurance Claim Funds for the Emergency Purchase of a Replacement Patrol Unit and Equipment
- h. Resolution Authorizing an Interlocal Contract with Llano County for the Collection and Assessment of Taxes and Imposing Additional Penalty for 2008 and Subsequent Years Delinquent Taxes
- i. Request by Ms. Ricky Maveety of 111 Christine Circle for an Exemption from Article XV (a) (2) of the Animal Control Ordinance #ORD 07-10-16A, as Amended, Limiting the Number of Animals to 4 Total, to Allow the Keeping of 18 Cats and 2 Dogs

Alderman Babcock pointed out in Item 8d. under the Responsibility section of the Fiscal Administration Policy, that due to the Charter adoption, the City Manager will now serve as the Budget Officer for the City instead of the Mayor and this needs to be changed prior to adoption.

Alderman Bird made the motion to approve the Consent Agenda with the above changes to Items 8(c) and 8(d) and removing Item 8(e) for consideration at a later meeting. The motion was seconded by Alderman Robinson. 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 gave an update pertaining to work on the services that came to the City from the HSB POA. He added that the City had wireless service with Alltel and since their sale to Verizon Wireless the City now has a new agreement with Verizon that will save approximately \$2,000 annually and there is no annual contract. City staff has met with the engineering firms working on the three CIP projects approved by the Council and Mr. Farmer has met with Jennifer Douglas, the City's financial advisor who will be working on the debt issuance process for the bonds. He is also sending each Department Head a letter of instruction to begin work on the budget. Utilities Director Jeff Koska discovered an error where LCRA was not giving the City credit for raw water for Oak Ridge and Sandy Harbor on our wholesale water invoice. LCRA has corrected this and the City is due a credit of approximately \$35,000. Mayor Lambert said there is a workshop on streets scheduled for 9:00 a.m. on June 16, 2009 and he would like to expand the agenda to cover other items included in the services transferred from the HSB POA to the City. Alderman Spence complimented City Manager Stan Farmer for his quick response getting to work on the potholes. Mr. Farmer reviewed the year-to-date revenue and expenses stating both are lower than budgeted amounts.

10. Public Hearing and Consideration of a Zoning Ordinance Amendment Creating a Planning and Zoning Commission: Mayor Lambert convened the Public Hearing at 3:48 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Mayor Lambert said the recommended deadline for items submitted to the Planning and Zoning Commission for consideration has been changed to two weeks before the P & Z meeting. Development Services Manager Eric Winter stated the P & Z Commission will look at subdivision plats and rezonings only as required by state law. When a rezoning is under consideration, a public hearing will be held at the P & Z meeting first and then another at the City Council meeting. Alderman Spence made a motion to approve the Zoning amendment as presented. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

Regarding the formation of the Planning and Zoning Commission Mayor Lambert suggested that the nominee who received the most votes from the Council serve an initial two year term and would be Chairman. The nominee receiving the second highest number of votes also serve an initial two year term with the nominee receiving the least amount of votes from the Council serve an initial one year term. He asked that the Council nominations be sent to City Secretary Teresa Moore within the next 2 to 3 weeks and she will advise the Council when each nomination is received.

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

- a. Replat of Lot Nos. W5012 and W5013 Horseshoe Bay West Plat No. W5.1 and a 0.20 Acre Tract out of the Levi Mercer Survey No. 1 outside the City, to be known as Horseshoe Bay West Plat No. W5.8, Horseshoe Bay, Llano County, Texas (311 Up There West)

- b. Replat of Lot Nos. 1T-1A and 1T-2A, Applehead Island Plat No. 11.6T and a 0.061 Acre Tract out of the Robert Bratton Survey No. 1, to be known as Applehead Island Plat No. 11.8T, Horseshoe Bay, Llano County, Texas (1T-1A Dominion Drive)
- c. Replat of Lot Nos. 41057 & 41058 of Horseshoe Bay Plat No. 41.1 to be known as Horseshoe Bay Plat No. 41.57, Horseshoe Bay, Llano County, Texas (Hi Ridge)

Mayor Lambert convened the Public Hearing at 4:08 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Jim McNabb, President of Applehead Island POA had a question regarding the survey of Item 11b. Development Services Manager Eric Winter said he had checked with the surveyor and was told the surveyor's stake Mr. McNabb was referring to was a reference point only and did not mark a boundary of the property.

Mayor Lambert said the replat for Item 11a. includes a 0.20 acre tract of land that was formerly the golf course and was outside the city limits. The property owners are going to request annexation of this area.

- 12. Canvass and Tabulate Votes from the May 9, 2009 Special Election and Adopt an Ordinance Declaring the Results of the Election: Mayor Lambert said the Council needs to officially canvass and tabulate the votes from the May 9, 2009 Special Election. He stated the final vote count was 392 for and 134 against. Alderman Robinson made the motion to approve the ordinance as written. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).
- 13. Ordinance to Adopt a Home Rule Charter for the City of Horseshoe Bay: Alderman Bird asked that the fourth Whereas clause in the ordinance be changed to read "Whereas a majority of the qualified voters voting in the election voted to adopt the home rule charter; and". Alderman Bird made the motion to approve the ordinance with the change. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0). Mayor Lambert said that City Secretary Teresa Moore is currently reviewing the City Charter in order to document any necessary actions the Council may need to take in order to meet the requirements of the Charter.
- 14. Annexation Service Plan for Bay West Boulevard ROW and Adjacent Tracts R, S, T, and U of Horseshoe Bay West Plat No. 1.2 and FM 2147 West ROW: See Item 15.
- 15. Schedule two Public Hearings for Annexation of Bay West Boulevard ROW and Adjacent Tracts R, S, T, and U of Horseshoe Bay West Plat No. 1.2 and FM 2147 West ROW: Mayor Lambert said the annexation of the right-of-way area on Bay West Boulevard and the area along Hwy 2147 is a housekeeping matter for the City. Development Services Manager Eric Winter said a petition for annexation has been received from Lake LBJ Improvement Corporation for Tracts R, S, T, and U. Alderwoman Haydon made the motion to approve the service plan as written, to schedule the public hearings for June 16, 2009 at 3:00 p.m. and to instruct staff to place the public notices as required. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

