

CITY OF HORSESHOE BAY
CITY COUNCIL MEETING
MINUTES

September 20, 2011

The City Council of the City of Horseshoe Bay held a Public Meeting at City Hall, September 20, 2011, beginning at 3:00 p.m. in accordance with duly posted notice of said meeting with the following members present:

Robert W. Lambert, Mayor
Claudia Haydon, Mayor Pro Tem
Cynthia Clinesmith, Councilwoman
Phillip Lee, Councilman
Fred Owen, Councilman
Jeff Robinson, Councilman

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 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: Johnny White, pastor of the Church at Horseshoe Bay, gave the invocation.
3. Pledges to the Flags: Mayor Lambert led the pledges of allegiance to the United States flag and the Texas flag. He welcomed everyone to the meeting and asked that anyone who would like to make comments please sign the sheet on the podium.
4. Public Comments (those speaking are asked to limit their comments to three minutes): Johnnie Heck, Llano County Commission Precinct 1, announced he would not be seeking re-election. His term expires December 31, 2012. Mike Montz, from Keyon Communications, an internet provider within the City for almost 10 years, asked for consideration by the City to be allowed to place a transmitter on the City's West Water Tower. Councilman Robinson suggested he contact City Manager Stan Farmer regarding a contract.
5. Staff Recognition:
 - a. Service Awards:
 - i. Barry Moore – 5 Year Service Award

Mayor Lambert presented Police Officer Barry Moore with his 5 year Service Award.

6. Certification of Unopposed Candidates and Ordinance Declaring Unopposed Candidates Elected to Office and Canceling the November 8, 2011 General Election: Mayor Lambert explained that three candidates had filed for three positions on the City Council and the time has passed for anyone else to file as a candidate. Councilwoman Clinesmith made the motion to declare Bob Lambert, as Mayor, and Phillip Lee and Tom Schmersahl, as Councilmen, elected and to cancel the November 8, 2011 election. The motion was seconded by Councilman Robinson. The motion passed unanimously (5-0).
7. Award Contract for Bay West Boulevard Bridge: City Manager Stan Farmer told the Council that sealed bids were opened September 13, 2011. The low bid was provided by Myers Concrete of Wimberly at a cost of \$880,000 for an I-beam bridge. He explained that the Council has the option to award or reject the bid. If Council rejects the bid then the City can re-bid the project at a later date. Based on the bid prices exceeding the engineer's estimate of \$660,000 and the extended proposed street closure time Bury+Partners Engineering recommended rejecting the bids and re-advertising the project. Staff recommended the bid be rejected and to re-advertise based on exceeding the engineer's estimate. Mayor Lambert asked the Council to authorize Stan and him to review the plans in order to determine if there is anything else they can do to get the construction cost down and possibly lengthen the time for bids in order to get better participation in the bidding. Councilman Owen made the motion to reject the bid and to authorize Mayor Lambert and Stan Farmer to review the plans and whatever is necessary to re-bid the project with better participation as soon as possible. The motion was seconded by Councilwoman Haydon. The motion passed unanimously (5-0).
8. Update from Ted Burget on the Development Plan for Midcom Development on Corner of Hwy 71 and RR 2147: Ted Burget gave an update on the planned development of the 112 acres at the corner of Hwy. 71 and RR 2147 which would include approximately 28 acres of parkland.
9. Policy Regarding Maintenance of Street Median Areas Around Trees: Annette Burton and Jim Short addressed the Council regarding a request for the City to develop a policy regarding maintenance of street median areas and to supply water and possibly electricity to these areas. The Council asked that City Manager Farmer prepare a recommended policy which should identify all of these areas within the City along with size of each.
10. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.
11. Consent Agenda Items:
 - a. Minutes of the August 22, 2011 Workshop and Regular Public Meetings, and the September 6, 2011 Special Public Meeting
 - b. Contract for the Provision of Administrative Service of Llano and Burnet County Emergency Services Districts #1

- c. Ordinance Updating the Escondido Public Improvement District of the City of Horseshoe Bay Service and Assessment Plan and Assessment Roll
- d. Engagement Letter with Neffendorf, Knopp, Doss and Company, P.C. to Conduct the FY2011 Audit
- e. Personnel Policy Revisions: Article XIII – Appendix C: Merit Table
- f. A Resolution of the City of Horseshoe Bay, Texas, Conducting the Annual Review of the City's Investment Policy and Strategy and Adopting Amendments Thereto
- g. A Resolution of the City of Horseshoe Bay, Texas, Appointing an Investment Officer
- h. A Resolution of the City Council of the City of Horseshoe Bay, Texas, Approving the Adoption of a Fund Balance Policy in Accordance with GASB 54 Standards and Applications
- i. Five Year Capital Plan
- j. General Fund Budget Amendment for a Line Item Transfer of \$15,000 from the Contingency Fund to the Animal Control Budget

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

- 12. Annual Contract to Provide Fire Fighting Services Between the City of Horseshoe Bay and Oak Ridge POA, Llano County MUD #1, The Hills Section I & II POA, The Hills Section III POA, and Deerhaven Water Control and Improvement District: Councilwoman Haydon made the motion to approve the contracts as presented. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0).
- 13. Public Hearing Regarding Proposed Budget: Mayor Lambert convened a public hearing at 3:55 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing.
- 14. Ordinance to Adopt Budget for Fiscal Year October 1, 2011 through September 30, 2012: Councilman Owen made the motion to approve the ordinance as presented. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (5-0).
- 15. Ordinance to Adopt Tax Rate for 2011: Councilman Robinson made the motion to approve the ordinance as presented. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0). Mayor Lambert said that since incorporation in 2005 the City's tax rate has dropped from \$0.50/\$100 to \$0.222/\$100 due to the utilities becoming self-sufficient, sales tax income and the conservative management by the Council and City Staff. The debt service rate is \$0.028 for the \$6 million in Certificates of Obligation sold earlier this summer. The total rate remains \$0.25/\$100.
- 16. Ordinance to Adopt Revised Schedule for Services and Rates to be Effective October 1, 2011: Councilwoman Clinesmith made the motion to approve the ordinance as presented. The motion was seconded by Councilman Owen. The motion passed unanimously (5-0).

17. Monthly Statistical Departmental Data Reports:

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

City Manager Stan Farmer said the next phase of lot clearing is scheduled to begin Monday and approximately 550 letters have been mailed for the area beginning at Hi-Stirrup eastward towards Highlands Blvd and up towards the airport. Utilities Director Jeff Koska told the Council there has been a significant drop in water usage since the Council implemented the Stage 2 mandatory water restrictions.

18. Public Hearing and Possible Consideration of Preliminary and Final Plats:

- a. Replat of Lot W12063-B of Horseshoe Bay West to Eliminate the Drainage and Utility Easements (200 Broken Hills)

Mayor Lambert convened a public hearing at 4:09 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilwoman Haydon made the motion to approve the replat on both a preliminary and final basis. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0).

19. Public Hearing and Consideration Regarding an Amendment to Chapter 14 Zoning of the City Code and the Zoning Map for Zone 12 Skywater Adding New Exhibit I Summit Rock Golf Pro Shop, Sales Center and Villas Planned Development (Southwest Corner of Skywater Blvd. and Mayapple): Mayor Lambert convened a public hearing at 4:14 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilwoman Haydon made the motion to approve the amendment as presented. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (5-0).

20. Preliminary Plat and Final Plat of Summit Rock Pro Shop, Sales Center and Villas Plat No. 1.1, A One Lot Subdivision in Skywater (Southwest Corner of Skywater Blvd. and Mayapple): Councilwoman Clinesmith made the motion to approve this plat on both a preliminary and final basis. The motion was seconded by Councilman Owen. The motion passed unanimously (5-0).

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

- a. Variance from Section 14.02.402 (j) (3) (C) of the Zoning Chapter of the City Code to Allow the use of Metal Construction Material instead of 100% Masonry on the Rear Wall of the Grocery Store in Horseshoe Bay Center (9720 FM 2147 West)
- b. Variance from Section 14.02.406 (b) (3) (A) of the Zoning Chapter of the City Code to Allow a Sixteen Foot Encroachment in the 25 Foot Front Yard Requirement to Allow Erection of a Fence (100 Moon Rise)
- c. Variance from Section 14.02.402 (b) (14) (A) of the Zoning Chapter of the City Code to Allow the Boat House Roof Ridge Line to Extend to 16 Feet 4 Inches (1313 Apache Tears in Lago Escondido)

