

**CITY OF HORSESHOE BAY**  
**CITY COUNCIL MEETING**  
**MINUTES**

November 29, 2011

The City Council of the City of Horseshoe Bay held a Public Meeting at City Hall, November 29, 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  
Jeff Robinson, Councilman  
Cynthia Clinesmith, Councilwoman  
Phillip Lee, Councilman  
Fred Owen, Councilman  
Tom Schmersahl, 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: Father Ruben Patino, pastor of St. Paul the Apostle Chapel, 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): Councilwoman Cynthia Clinesmith announced she had accepted the position of Superintendent of Schools in Pleasanton, Texas and will be resigning her position on the City Council during December. Mayor Lambert thanked Mrs. Clinesmith for her service. He added that the Charter gives the City Council the authority to appoint a replacement to finish the term or to call an election in May. HSB Business Alliance President Drew Crosby reminded the Council that their Holiday event was scheduled for November 29<sup>th</sup> from 5:00 p.m. until 7:00 p.m. Clayton Leverett introduced himself and announced he will be a candidate for the Llano County Commissioner for Precinct 1.
5. Certificate of Commendation to Rita Kay Kirby: HSB Fire Chief Jim Fiero said on October 27<sup>th</sup> Ms. Kirby discovered a fire on a neighbor's second floor balcony of the Cove West Condos. She called 911 and then kept water on the fire preventing it from entering the roof line until the Fire Department units arrived. Mayor Lambert then presented Ms. Kirby with the Commendation.

6. Staff Recognition:
  - a. Service Awards:
    - i. James Fiero – 5 Year Service Award

Mayor Lambert presented Fire Chief Jim Fiero with his five year service award.

7. Offer of Gift of Parkland: Mayor Lambert introduced Sam Tarbet who said he has worked for the Hurd family for the last 36 years. He explained how important it was to Wayne Hurd that everything be developed harmoniously with his concept of the development and if it was something that was compatible with the community and its needs. With that in mind he was always careful in how he conducted his affairs here. One of the most recent things they had discussed in the last year or so was the need for additional park land giving the residents the ability to get out into nature and to enjoy what the area has to offer. This is what has brought them here today. He then introduced Mrs. Eileen Hurd. Mrs. Hurd said that this park had always been a dream for Wayne and her. She would like to offer this property as a gift to the City. Mayor Lambert reviewed the area being discussed. He said LCRA helped develop a conceptual plan for this area that runs two to three miles from the Mausoleum to Hwy 2147 with parking and restrooms at several areas along the trail. The HSB POA and the Resort each owns a strip of adjoining property and in preliminary discussions have indicated they would consider contributing it for the development of this larger project. Mayor Lambert added that this would be a multi-year project which according to LCRA estimates would cost in the range of \$600,000 but informed the City that Texas Parks and Wildlife offers a \$200,000 per year grant for trails programs which can be received for more than one year. Mayor Lambert added that the deadline for the application is in February and the City has already engaged a grant writer for assistance with the application for this grant for next year.
8. Martin Park Advisory Committee: Chairman of the Parks Advisory Committee Michael Widler told the Council they had received over 300 responses from property owners to their Needs Assessment Survey. He advised the Council many people did not know about facilities available for public use and suggested better signage at Martin Park. The most requested items were trails, playgrounds and picnic areas in that order. Also mentioned were sports courts and a dog park. Other suggestions were to obtain Fox Hollow Springs Park in HSB South from the HSB POA and improve the parking and playground equipment there. The committee also recommended the City form a permanent park committee. Mayor Lambert thanked all the members who served on this committee which was formed specifically for Martin Park. He suggested the permanent park committee be on the December agenda for further discussion.
9. LCRA Transmission Line Upgrades through Horseshoe Bay: Mayor Lambert introduced LCRA Public Affairs Manager Heather Richardson and Asset Development Manager Stewart Nelson. Mr. Nelson is responsible for managing construction projects for LCRA Transmission and Services Corporation which is the transmission subsidiary of LCRA. Mr. Nelson explained their plan to replace the transmission towers and lines from Ferguson Power Plant along Hwy 2147 toward Burnet County.
10. Award Contract for Bay West Boulevard Bridge: Steve Johnson with Bury+Partners Engineers reported to the Council that at the bid opening for the bridge on November 21,

2011. The lowest bid that was received was for \$540,000 from Ross Construction and was for an alternative designed bridge that was based on box culverts. Mr. Johnson stated that he had reviewed the design of the bridge and because of several reasons did not recommend that the City consider this bid and related proposal. The next lowest bid was \$658,000 from Ross Construction for the Alternate One structure which is an arched crossing. Councilman Robinson made a motion to award the contract in the amount of \$658,000 to Ross Construction. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0). Mayor Lambert added that the closure of Bay West Boulevard was scheduled to take place in early to mid January 2012 for approximately 90 to 120 days.

11. Removal of Cedar Trees: Councilman Robinson explained his intention to make a motion to initiate a plan to reduce cedar within the city limits of Horseshoe Bay during the next 3-5 years to be funded by the City subject to cost considerations. He has done research on this topic and explained that experts suggest it is acceptable to leave mature single trunk cedar trees and remove the smaller ones in order to prevent reforestation and conservation of groundwater that would allow native grasses and oak trees to return and become healthy again. Councilman Robinson added that there are still 30% of the lots in the City that have not been cleared under the City's existing ordinance and the existing Lot Clearing Plan and he proposed going forward with his cedar removal plan on these lots and further address the issue of the cost to the City after it is determined what the additional amount would be. Councilman Robinson made a motion to initiate a plan to eradicate cedar within the city limits of Horseshoe Bay during the next 3-5 years to be funded by the City. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0).
20. Property Exchange Agreement Between the City and St. Paul the Apostle Chapel: Mayor Lambert said the Council has been working with St. Paul the Apostle Chapel over several months on their expansion plans and this item and the next item will complete the Council's involvement in these plans. He explained this is basically exchanging an existing street for property owned by the Chapel to create a new street that will in turn be deeded to the City. Councilman Owen made a motion to approve the agreement. The motion was seconded by Councilman Schmersahl. The motion passed unanimously (5-0).
21. Public Hearing and Possible Consideration of Preliminary and Final Plat:
  - a. Replat of Lot Nos. 41022, 41023-B, 1.288 Acres of the John Darlin Survey No. 4, Abstract No. 248, and 0.32 Acres of Adjacent Dalton Circle Right-of-Way (St. Paul Catholic Chapel Parking Lot, 201 Dalton Circle, 203 Dalton Circle and Section of Current Dalton Circle City Right-of-Way)

Mayor Lambert convened a public hearing at 4:28 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilman Schmersahl made a motion to approve the replat on a preliminary and final basis. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0).

The meeting was adjourned for a recess at 4:31 p.m.

The meeting was reconvened at 4:37 p.m. Councilman Robinson was not present.

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

- a. Variance Request for a One Foot Encroachment in the Southeast Utility Easement to Allow Construction of a Porch Foundation on Lot No. 25068 (107 Starboard)

Mayor Lambert convened a public hearing at 4:37 p.m. He asked if there were any comments. There were none, and he adjourned the public hearing. Councilman Lee made a motion to approve the variance. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (4-0).

19. Sign Article Variance Request for an 8 Foot Wide by 4 Foot High Wall Sign at Horseshoe Bay Veterinary Clinic (26407 Highway 71 East in the ETJ): Councilman Owen made a motion to approve the variance. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (4-0).

12. Election of Mayor Pro Tem: Councilman Lee made a motion to elect Councilman Robinson as Mayor Pro Tem. The motion was seconded by Councilman Owen. The motion passed unanimously (4-0).

13. Election of Chief Information Officer: Councilman Lee made a motion to elect Councilman Robinson as Chief Information Officer. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (4-0).

Councilman Robinson returned to the meeting at 4:41 p.m.

14. City Council Meeting Schedule for 2012: Mayor Lambert said the Council tries to meet on the third Tuesday of each month; however, some adjustments are usual to the schedule for holidays or conflicts. After some discussion the Council decided to move the December meeting to the second Tuesday. Councilman Owen made a motion to approve the meeting schedule with the December meeting on the 11<sup>th</sup>. The motion was seconded by Councilman Lee. The motion passed unanimously (5-0).

15. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.

16. Consent Agenda Items:

- a. Minutes of the October 18, 2011 Public Meeting
- b. 2011 Tax Roll submitted by the Llano County and Burnet County Tax Assessor-Collectors
- c. City Holiday Schedule for 2012
- d. Interlocal Cooperation Contract with Llano County Regarding the Cooperative Use of a Radio Communications Tower Located on Lookout Mountain
- e. Renewal of Agreement with Llano County MUD for Backup Water Line Interconnection and Supply
- f. Renewal of Interlocal Agreement with Llano County for Jail Service

- g. Proposed Name Changes for Streets in Summit Rock:
  - i. Skywater Boulevard to Summit Rock Boulevard
  - ii. Summit Rock Drive to Summit House Drive
  - iii. Verbena to Azalea Loop
  - iv. Whitethorn to Azalea Court

Councilman Robinson made a motion to approve the Consent Agenda. The motion was seconded by Councilwoman Clinesmith. 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 told the Council the contractor will start paving the courts in section one of The Fairways on Wednesday and they have started the Bomag process on section two.

18. Policy Regarding Maintenance of Street Median Areas: City Manager Stan Farmer reviewed his draft policy. The Council discussed the possibility of adding a small curb around some of the medians and decided this would be covered by the Street Upgrade Program and decided this would be on the December agenda for further consideration. Councilman Lee made a motion to approve the policy as presented. The motion was seconded by Councilman Robinson. The motion passed unanimously (5-0).

23. Horseshoe Bay Representative to Serve on Llano Central Appraisal District Board of Directors: The Council discussed this item and the decision was made to recruit candidates for this opening in the newspaper and ask anyone interested in serving to contact City Secretary Teresa Moore. The Council decided this would be on the December agenda for further consideration with an appointment likely in January.

24. Resolution Amending Depository Accounts Delegated Authority: Mayor Lambert explained this item addresses a requirement that two Council Members sign checks over a certain amount. Councilman Owen made a motion to appoint Councilmen Lee and Schmersahl. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (5-0).

25. Resolution Amending Authorized Representatives for TexPool: Mayor Lambert explained this is essentially the same requirement as the previous item for the Depository accounts. Councilman Owen made a motion to appoint Phillip Lee and Tom Schmersahl. The motion was seconded by Councilwoman Clinesmith. The motion passed unanimously (5-0).

Executive Session: At 5:05 p.m. Mayor Lambert announced that the Council would go into Executive Session regarding agenda item 26 pursuant to Section 551.071 and 551.087 of the Texas Open Meetings Act.

26. Water and Wastewater Agreement with Summit Rock Communities, LLC:

