

City of Horseshoe Bay
City Council Meeting Minutes
February 15, 2022 at 3:00 PM
City Hall, 1 Community Drive, Horseshoe Bay, Texas

1. Call the Meeting to Order and Establish a Quorum

Mayor Cynthia Clinesmith
Mayor Pro Tem Elsie Thurman
Council Member Jerry Gray
Council Member Frank Hosea
Council Member Randy Rives
Council Member Elaine Waddill

Mayor Clinesmith called the meeting to order at 3:00pm. All present.

2. Invocation - Co-Pastor Rev. Dr. John Duncan from the Church at Horseshoe Bay gave the invocation.

3. Pledges to the Flags - Mayor Clinesmith led the pledges of allegiance to the United States flag and the Texas flag.

4. Proclamations

- A. Proclamation Declaring the Mayor's Monarch Pledge – Mayor Clinesmith read the proclamation aloud and encouraged all citizens to take part in activities which will promote the Monarch's survival.

5. Announcements and Staff Recognition

- A. Joe Bates - 20 Year Service Award – Fire Chief Brent Batla thanked Joe for his service and presented him with a service award.
- B. Recognition of Robert Isaac - Picayune Award – Mr. Isaac was not present due to a family emergency, so he will be recognized in March.

6. Public Comment – Mark Stevens spoke in opposition to the road Legacy is trying to put in place. Donna Carney spoke in opposition to the same road. Mayor Clinesmith clarified that the road in reference is not a city road.

7. Presentations

Informational only; no action to be taken.

- A. Developer Presentation on the Davenport Ranch Public Improvement District (PID) – HighTen Capital provided a presentation on this development. No action taken.

8. Business

Discuss, Consider, and Possibly Take Action Regarding:

- A. Presentation and Acceptance of the Audited Financial Report for the Year Ended September 30, 2021 – Finance Director Margie Cardenas provided a report, which is on file. Jon Watson, of BrooksWatson, presented the auditing firm's findings. Mayor Pro Tem Thurman motioned to accept the audited financial report for the year ended September 30, 2021 as presented. Council Member Hosea seconded. VOTE: 5-0 in favor, motion passed.
- B. Resolution 2022-07: Directing the City Attorney/Prosecutor to Initiate a Petition in the Municipal Court of Horseshoe Bay Regarding a Substandard Building at 2511 Stag – Development Services Director Sally McFeron provided a report, which is on file. Council Member Rives motioned to approve Resolution 2022-07 directing the city prosecutor to file

the petition in municipal court for an order for vacation, demolition, and removal of the structure at 2511 Stag based on staff's recommendation. Council Member Gray seconded. VOTE: 5-0 in favor, motion passed.

- C. Interlocal Agreement with Llano County for ARPA Broadband Infrastructure Funding – City Manager Jeff Koska provided an update on this agreement. No action taken.
- D. City Center Update - City Manager Koska provided an update. No action taken.

9. Consent Agenda

All consent items are considered to be routine and will be enacted by one motion and vote.

- A. Approval of the January 7, 2022 City Council Meeting Minutes
- B. Approval of the January 12, 2022 City Council Meeting Minutes
- C. Approval of the January 17, 2022 City Council Meeting Minutes
- D. Approval of the January 18, 2022 City Council Meeting Minutes
- E. Acknowledgement of the Annual Racial Profiling Statistics Report for 2021
- F. Approval of Resolution 2022-06: Declaring Various Utilities Department Equipment to be Surplus Property and Authorizing the City Manager to Dispose of Such Property in a Manner Which is Beneficial to the City
- G. Approval by City Council for Continued Employment of Spouses
- H. Approval of Ordinance 2022-05: Amending Chapter 3 Building Regulations, Article 3.09 Tree Protection, Section 3.09.002 Definitions, Section 3.09.003 Prohibited Trees, Section 3.09.004 Tree Survey, Section 3.09.006 Tree Removal, Providing for Findings of Fact, Repealer, Severability, Effective Date, and Proper Notice and Meeting
- I. Approval of Ordinance 2022-06: Amending Chapter 13 Utilities, Article 13.12 Irrigation System Installation and Operation, Section 13.12.001 Definitions; Section 13.12.010 Inspection Required; Section 13.12.013 Backflow Prevention Methods and Devices; Section 13.12.014 Specific Conditions and Cross-Connection Control; Section 13.12.016 Landscaping; Section 13.12.017 Irrigation Plan Design; Minimum Standards; Section 13.12.018 Design and Installation; Minimum Requirements; Section 13.12.020 Completion of Irrigation System Installation; Section 13.12.022 Alteration of Existing Landscaping; and Providing for Findings of Fact, Repealer, Severability, Effective Date, and Proper Notice and Meeting
- J. Approval of Ordinance 2022-07: Amending the City's Code of Ordinances by Recodifying Former Articles 9.02 and 9.03 of the Code Regarding the Fire Department and the Police Department; Providing for Inclusion of Said Articles in the Codified Ordinances of the City; Revising Residency Requirements for the Police Chief and the Fire Chief

Council Member Hosea motioned to approve all consent agenda items as presented except items H and I which will be considered separately. Mayor Pro Tem Thurman seconded. VOTE: 5-0 in favor, motion passed.

Consent Item H: This item was not considered at this meeting. No action taken.

Consent Item I: Council Member Hosea motioned to approve Ordinance 2022-06 with the changes presented at this meeting. Mayor Pro Tem Thurman seconded. VOTE: 5-0 in favor, motion passed.

10. Monthly Departmental Reports

Informational reports only; no action to be taken.

- A. Finance, City Secretary, IT, Human Resources, Development Services, Fire, Police, Public Works, Utilities

11. Monthly Updates from City Boards, Commissions and Committees

- A. Planning and Zoning Commission, Board of Adjustment, Broadband Advisory Committee, Communications Advisory Committee, Fuchs House Advisory Committee (Historic Preservation), Parks Advisory Committee, Transportation Advisory Committee

12. Executive Session

- A. Personnel Matters (551.074)
- B. Davenport Ranch Public Improvement District (551.071)
- C. Contract with the City Manager (551.074)

Convened to Executive Session at 5:31pm to discuss Executive Session Items A, B, and C. Present: Mayor Cynthia Clinesmith, Mayor Pro Tem Elsie Thurman, Council Member Elaine Waddill, Council Member Jerry Gray, Council Member Randy Rives, Council Member Frank Hosea, City Manager Jeff Koska, Development Services Director Sally McFeron (Items 12A and 12B only), Police Chief Rocky Wardlow (Item 12A only), Fire Chief Brent Batla (Item 12A only), Finance Director Margie Cardenas (Items 12A and 12B only), Human Resources Director Vicki Briggs (Items 12A only), Special Counsel Dottie Polumbo (Item 12B only) and City Attorney Rex Baker. Reconvened to the open meeting at 6:34pm. After reconvening to the open meeting, the following action was taken:

Executive Session Item 12A: Mayor Pro Tem Thurman motioned to 1) approve a one-time mid-point compensation rate for the Development Services Supervisor/Deputy Building Official as recommended by staff, 2) make an adjustment to seven of the 10 Police Department employees in salary range 59 as recommended by staff, and 3) provide a \$5,000 increase in annual pay for all non-exempt members of the Fire Department as recommended by staff. Council Member Waddill seconded. VOTE: 5-0 in favor, motion passed.

No action was taken on Executive Session Item 12B

Executive Session Item 12C: Council Member Gray motioned to approve the employment contract with City Manager Jeff Koska, with the requirement that the City Manager live within a 10-mile radius from the corporate city limits. Council Member Waddill seconded. VOTE: 5-0 in favor, motion passed.

- 13. **Adjourn** – Council Member Gray motioned to adjourn the meeting. Council Member Hosea seconded. VOTE: 5-0 in favor, motion passed. Meeting adjourned at 6:46pm.