

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
January 14, 2014

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy Mayor
Steve Braasch, Mayor Pro Tem
Zelda Auslander, Council Member
Michelle Bliss, Council member (arrived at 6:05 p.m.)
Bill Goodwin, Council Member
Kara King, Council Member

City Staff:

Frank Salvato, City Manager
Travis Askey, Assistant City Manager
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Lindsey Withrow, Director of Planning and Development
Katherine Griffin, Director of Finance
Russell Pancoast, Police Chief
Giancarlo Patino, City Engineer
Barbara Hathaway, Library Director
Stephen Myrick, Building Official

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, January 14, 2014 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

There were no citizen comments at this time.

Swearing in of Officers and recognition of promotions of the Bee Cave Police Department.

Mayor Murphy administered the Oath of Office to Police Officers Mark Vidal, Eric Cuevas, Christina Millard, Jonathan Wildman and Ronald Dale Bennett.

Council Member Bliss arrived at 6:05 p.m.

Consent Agenda.

- A. Consider approval of minutes of the Regular meeting conducted on December 10, 2013.
- B. Consider approval of the monthly financial and investment reports (November).

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem Braasch, to approve the consent agenda.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

First public hearing regarding the intent of the City of Bee Cave to annex into the city limits approximately 58.637 acres of land which is generally located on Highway 71 East, east of the current city limits adjacent to the Uplands Subdivision.

Mayor Murphy opened the public hearing at 6:11 p.m.

Alex Tradde, 12405 Highway 71 W, stated that he was opposed to the annexation of his property. He commented that this property has a history of having light manufacturing.

There being no other person wishing to speak, the public hearing was closed at 6:13 p.m.

Public Hearing, discussion, and possible action on Ordinance No. 182 amending the Future Land Use Map of Section 8 of the Comprehensive Plan from Medium Density Residential to Neighborhood Service for Lots 1A through 1E, a replat of Lot 1, Block A, Mountain Laurel Subdivision, City of Bee Cave as recorded in Document No. 201300057 of the Official Public Records of Travis, County, Texas to correct errors on the Future Land Use Map.

Mayor Murphy opened the public hearing at 6:14 p.m.

There being no person wishing to speak, the public hearing was closed at 6:15 p.m.

Director of Planning and Development Lindsey Withrow presented this item.

MOTION: A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Bliss, to approve Ordinance No. 182 amending the future land use map of the Comprehensive Plan.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

Public hearing, discussion and possible action on Ordinance No. 183 amending the Planned Development District development standards for Lot 1C, Block A, Mountain Laurel Final Plat (Doc # 201300057, OPRTC).

Mayor Murphy opened the public hearing at 6:17 p.m.

There being no person wishing to speak, the public hearing was closed at 6:18 p.m.

Ms. Withrow presented this item.

Bill Walters, Developer, spoke on this item and fielded numerous questions from the City Council.

Teresa Nations and Debbie Hart with Bright Horizons also spoke on this item.

Exhibit C, Planned Development Standards, was amended as follows:

Section A. (2) c) the hours of operation are between 6:30 am and 6:30 pm Monday through Saturday. **d)** The Day Care Facility shall not be required to comply with Section 32.05.001(d)(5) of the Bee Cave Code of Ordinances **d) i.** Buses and vans shall be parked in designated areas only. **iii.** This section was removed. **New section iv.** is added “ If the day care center ownership changes, no certificate of occupancy will be issued for new ownership unless and until the new day care center demonstrates that it will also operate in accordance with the restriction herein described”. **e)** vinyl coated 6 foot chain link fence is changed to 6 foot wrought iron fencing.

Section A (3) Impervious cover allowable not to exceed 30,567 square feet.

Section B The word Retail is added to identify the project as Office/Retail throughout this section. A single one story office or retail building is authorized. **(1) a)** the maximum square footage of the Office/Retail building foot print shall be 6,925 square feet.

Section B. (2) the impervious cover allowable is 26, 271 square feet.

Section C. (1) Total impervious cover for this property shall not exceed 69.63%

Section C (5) is added “8328 square feet of unused impervious cover remains available for use by the Project described in Ordinance No. 124 with approval of the City Council.

MOTION: A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Auslander, to approve Ordinance No. 183 as amended.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action regarding the approval of the Site Plan and issuance of the Non Point Source (NPS) Pollution Permit for the Mountain Laurel Day Care (Lot 1F Block A) and Retail Project (Lot 1G, Block A) consisting of 1.874 Ac out of the 15.36 Ac Mountain Laurel Subdivision.

City Engineer Giancarlo Patino presented this item.

MOTION: A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Bliss, to approve the site and NPS plan for Mountain Laurel Day Care (Lot 1F Block A) and Retail Project (Lot 1G, Block A).

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

Public hearing, discussion and possible action on a replat of Mountain Laurel Subdivision Lot 1C, a Replat of Lot 1, Block A, Mountain Laurel Subdivision, (located at the northwest intersection of Highway 71 and Bee Cave Parkway) to create two lots.

Mayor Murphy opened the public hearing at 8:12 p.m.

There being no person wishing to speak, the public hearing was closed at 8:13 p.m.

MOTION: A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Auslander, to approve the replat of Mountain Laurel Subdivision Lot 1C, a Replat of Lot 1, Block A, Mountain Laurel Subdivision.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

Presentation by Murfee Engineering for the WTCPUA on a proposed future treated effluent pond on a 17-acres tract of land located on West Hwy. 71 in the City of Bee Cave.

Dennis Lozano with Murfee Engineering Company presented the pre-concept plan for an effluent pond located on Highway 71 within the Bee Cave city limits. The West Travis County Public Utility Agency would like to develop this site for the purpose of providing continued wastewater service for the City of Bee Cave and water service for the greater Bee Cave area.

No action was taken on this item.

Discuss and consider action on a contract with the Regional Notification System provided by CAPCOG.

Police Chief Russell Pancoast presented this item.

MOTION: A motion was made by Council Member Bliss, seconded by Council Member King, to approve the contract with the Regional Notification System provided by CAPCOG.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on a mission statement for the City of Bee Cave.

This item was discussed by the City Council and will be considered at a later date.

Executive Session:

The City Council closed the Open Session at 8:47 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding real property; and Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may adjourn into the Conference Room for the executive session.

- A. Discussion regarding possible acquisition of land for municipal purposes.
- B. Consultation with Attorney regarding Groundwater District litigation with Texas Commission on Environmental Quality.
- C. Consultation with Attorney regarding authority of City to extend its extraterritorial jurisdiction.

The City Council closed the Executive Session at 9:30 p.m. and reconvened in Regular Session in the Council Chambers.

Adjournment

MOTION: A motion was made by Council Member Bliss, seconded by Council Member King, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King
Voting Nay: None
Absent: None

The motion carried.

The City Council adjourned the meeting at 9:30 p.m.

PASSED AND APPROVED THIS ____ DAY OF _____, 2014.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary