

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
March 25, 2014

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Steve Braasch, Mayor Pro Tem
Zelda Auslander, Council Member
Michelle Bliss, Council Member
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
Katherine Griffin, Director of Finance
Russell Pancoast, Police Chief
Lindsey Oskoui, Director of Planning and Development
Giancarlo Patino, City Engineer
Barbara Hathaway, Library Director
David Theriault, Systems Analysis

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, March 25, 2014 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

Steve Albert, 5308 Great Divide, commented that he was concerned about the Lake Pointe neighborhood and the current Board of the West Travis County Public Utility Agency. He also commented that he thought the Resolution approved by the Council had an impact on the development of the Hatchett tract.

Kathleen Young, 12601 Bee Cave Parkway, commented that she was a member of the Friends of the Bee Cave Library and that they were working toward an expansion of the library.

Consent Agenda.

- A. Consider approval of minutes of the Regular meeting conducted on March 11, 2014.
- B. Consider approval of the monthly financial and investment reports (February).
- C. Consider approval of the Police Department annual report.
- D. Consider approval of the Library annual report.
- E. Consider approval of the May 10, 2014 Joint Election Agreement.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Auslander, to approve the consent agenda items B – E.

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.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Goodwin, to approve the minutes of March 11, 2014 (Consent Agenda Item A).

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

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

The motion carried.

Discuss and consider action on Resolution No. 2014-02 consenting to annexation of land into West Travis County Municipal Utility District No. 6.

Jack Creveling with CCNG requested the approval of the annexation of 63.790 acres into MUD 6.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Bliss, to approve Resolution No. 2014-02 consenting to annexation of land into MUD 6.

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 and discussion on Public Improvement District (PID) financing for the Terrace and the Backyard at Bee Cave.

Tom Pollan, Bond Counsel, and Chris Lane, Financial Adviser, gave a presentation on Public Improvement Districts.

Steve Metcalfe with Metcalfe Wolff Stuart & Williams, LLP stated that he was representing the Developer also spoke on this item and answered questions.

John Snyder, IDM Capital, talked about the feasibility of a PID.

Steve Albert, 5308 Great Divide, stated that he was opposed to a PID in Bee Cave. He commented that Bee Cave has no need to provide extra economic incentives to any developer.

John Colman, 5201 Great Divide, commented that the addition of green space, restaurants and improving the Backyard were positives but until some details were provided on the project the request for a PID was premature.

Mike Murphy, 4010 Lochwood Bend, commented that he was a little skeptical but just because the City has not done something before doesn't mean you should just preclude it. He stated that before the Council does anything they need the feasibility study and a lot of deep thought and evaluation. The added public amenities that this will bring outweigh the risk of a possible default.

Maureen Appling, Bee Cave, commented that she was not sure if she was in favor of a PID.

Executive Session:

The City Council closed the Open Session at 7:34 p.m. to convene in Executive Session on the above item in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held on the above item and identified the section 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 551.071 - 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.

The City Council closed the Executive Session at 8:20 p.m. and reconvened in Regular Session in the Council Chambers.

No action was taken on this item.

Discuss and consider quotes received for the fencing around the generator and parking lot at the Police Department.

Police Chief Russell Pancoast stated that the City received four bids on this project with the low bid from Northwest Fence and Iron.

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem Braasch, to award the bid to Northwest Fence and Iron in an amount not to exceed \$30,000.

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 office, duties, bond and performance related to the office of the City Manager to be consistent with the Home Rule Charter.

City Manager Frank Salvato discussed numerous areas in the Code of Ordinances that were not in compliance with the language in the Home Rule Charter regarding the City Manager's responsibilities.

The Staff will create an ordinance for consideration at the next meeting.

Discuss and consider an agreement for the trail extension from Falconhead Boulevard to Bee Cave Parkway including acquisition of access easements.

This item will be discussed in Executive Session along with items A – D below.

Executive Session:

The City Council closed the Open Session at 8:44 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. Consultation with Attorney regarding exchange of real property for economic development.
- B. Consultation with Attorney regarding acquisition of park and trail easements.
- C. Consultation with Attorney regarding petition appealing change of wholesale water rates.
- D. Consultation with Attorney regarding authority of City to extend its extraterritorial jurisdiction.

The City Council closed the Executive Session at 9:53 p.m. and reconvened in Regular Session in the Council Chambers.

Discuss and consider an agreement for the trail extension from Falconhead Boulevard to Bee Cave Parkway including acquisition of access easements.

MOTION: A motion was made by Mayor Murphy, seconded by Council Member King, to postpone this item.

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.

Adjournment

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Goodwin, 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

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Absent: None

The motion carried.

The City Council adjourned the meeting at 9:54 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary