

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
OCTOBER 28, 2014

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Bill Goodwin, Mayor Pro Tem
Michelle Bliss, Council Member
Kara King, Council Member
Marie Lowman, Council Member
Tom Matzen, Council Member

City Staff:

Travis Askey, Interim City Manager
Kaylynn Holloway, City Secretary
Patty Akers, City Attorney
Katherine Griffin, Director of Finance
Gary Miller, Chief of Police
Lindsey Oskoui, Planning and Development
Giancarlo Patiño, City Engineer
Leslie Langford, City Planner

Pledge of Allegiance

Citizen Comments

Carrell Killibrew, 5410 Great Divide Drive, urged the Council to conduct an open hiring process for City Manager.

Consent Agenda

- A. Consider approval of minutes of the Regular meeting conducted on October 14, 2014.
- B. Consider approval of the monthly financial and investment report. (September)
- C. Consider Proclamation recognizing the golfing accomplishments of Kristen Gillman.

MOTION: A motion was made by Council Member King, seconded by Mayor Pro Tem Goodwin, to approve items A & B

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay: None
Absent: None

The motion carried.

Mayor Murphy read the Proclamation and presented it to Kristen Gillman.

MOTION: A motion was made by Mayor Murphy, seconded by Council Member Bliss, to approve item C.

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay: None
Absent: None

The motion carried.

Discussion regarding the RR 620 Corridor Study including an update on current and possible future projects from TXDot Area Engineer Ben Englehardt.

Texas Department of Transportation Area Engineer Ben Englehardt updated the Council on efforts specifically targeted at reducing congestion on the RR 620 Corridor. He also commented and answered questions regarding the on-going project on Hwy 71 West between Hamilton Pool Road and Vail Divide and future projects on Hamilton Pool Road.

No action was taken on this item.

Discuss and consider action regarding the status for the Backyard at Bee Cave development project including possible future public hearings dates.

MOTION: A motion was made by Council Member King, seconded by Council Member Bliss, to send the Backyard development application back to the Planning and Zoning Commission on November 18th or December 2nd.

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action regarding the status for the Terrace at Bee Cave development project including possible future public hearings dates.

MOTION: A motion was made by Council Member King, seconded by Council Member Bliss, to send the Terrace development application back to the Planning and Zoning Commission on November 18th or December 2nd.

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the Site and NPS Plan Amendment for the Resaca Plaza Retail & Office Building, located at 11701 Bee Caves Road.

City Engineer Giancarlo Patino presented this item.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member King, to approve the site and NPS amendment for the Resaca Plaza Retail & Office Building.

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on Site and NPS plan for the Park at Bee Cave located at the northwest corner of RR620 South and SH-71, Bee Cave, Texas.

Mr. Patino reported that the Site plan set meets all requirements of development standards as stated in the applicable sections of PD Ordinance 01-09-11-A. Staff recommended approval subject to the following conditions: submission of approved driveway permit from TXDOT, submission of an updated impervious cover “decrease” plan sheet and submission of an updated lighting plan detail for applicable parking lot light pole pedestals. All of these conditions were met prior to the beginning of the Council meeting.

Brad Walters, Walters Southwest, was present at the meeting.

Danny Miller, LJA Engineering, answered questions about traffic concerns and driveway locations.

The City Council reviewed the allowable uses as stated in Ordinance No. 01-09-11-A and expressed concern about the density of the project and the removal of so many trees.

Mayor Murphy commented that the City of Bee Cave entered into a lawsuit in early 2000 on this property trying to enforce the ordinances that the City had in place. The City lost that lawsuit so this settlement agreement is a result of that lawsuit. The property had a lot of grandfathered rights.

Executive Session:

The City Council closed the Open Session at 7:07 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 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 7:23 p.m. and reconvened in Regular Session in the Council Chambers.

MOTION: A motion was made by Mayor Murphy, seconded by Mayor Pro Tem Goodwin, to approve the Site and NPS plan for the Park at Bee Cave as submitted.

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

Voting Aye:	Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay:	None
Absent:	None

The motion carried.

Executive Session:

The City Council closed the Open Session at 7:24 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 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 551.072 – Deliberation regarding Real Property; Section 551.074 – Personnel; 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.

- Consultation with attorney regarding CCNG/Spanish Oaks Development Agreement.
- Consultation with attorney regarding the Participation Agreement with West Travis County MUD #5 and Hays County on the creation of the West Travis County Public Utility Agency.
- Consultation with Attorney regarding proposed legislation regarding the West Travis County Public Utility Agency.
- Consultation with attorney regarding a strategic partnership in the Extra Territorial Jurisdiction.
- Personnel – to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee. (City Manager and Interim City Manager)

The City Council closed the Executive Session at 11:18 p.m. and reconvened in Regular Session in the Council Chambers.

Adjournment.

A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member Lowman, to adjourn the regular City Council meeting at 11:19 p.m.

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

Voting Aye:	Mayor Murphy, Council Members Bliss, Goodwin, King, Lowman and Matzen
Voting Nay:	None
Absent:	None

The motion carried.

PASSED AND APPROVED THIS ____ DAY OF _____, 2014.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary