

MINUTES OF CITY COUNCIL REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, June 27, 2018
7:00 p.m.

Present: Mayor Linda Anthony, Mayor Pro Tem Jim O'Connor, Councilmembers, Rhonda McCollough, Jim O'Connor, Brian Plunkett, and Darin Walker.

Absent: None.

1. Called to Order by Mayor Linda Anthony at 7:03 pm.
2. Citizens Communications: The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Citizens Communication agenda item or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to matters not listed on the agenda until a future meeting. Speakers must sign up with the City Secretary before speaking. Speakers shall limit their comments to five (5) minutes each.

No one spoke.

3. **CONSENT AGENDA**: The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council Meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or Citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Citizens requesting items be removed from the consent agenda must submit a written Speaker Card to the City Secretary before the meeting begins. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.
 - a. Approval of the June 13, 2018 Regular Meeting Minutes. City Secretary Lacie Hale.
 - b. Land Use: Proposed Monument Sign for Travis County Water District No. 10 at 5324 Bee Cave Road. (Section 32.03.007 of the West Lake Hills Code.) Applicant Rafael Beckman.
 - c. Public Safety: Approval of the Public Safety Report for May 2018. Chief Scott Gerdes.
 - d. ITEM POSTPONED: Land Use: Amendment to The Village of Westlake Uniform Sign Agreement for a Wall Hanging Sign for the Joint Chiropractic at 701 South Capital of Texas Highway, Suite D-475. (Section 32.03.008 of the West Lake Hills Code.) Applicant Kevin Stutz.

**COUNCILMEMBER SOUTH MOTIONED TO APPROVE THE
CONSENT AGENDA. MAYOR PRO TEM O'CONNOR SECONDED THE
MOTION AND IT PASSED BY 5-0 VOTE.**

4. Personnel: Discussion/decision on Wastewater Commission recommendation to appoint John Barzizza to the Wastewater Commission.
 - a. **Staff Briefing. Mayor Anthony explained that Mr. Barzizza graciously volunteered to serve as a commercial business representative on the Wastewater Commission.**
 - b. Public Hearing: No one spoke.
 - c. Deliberation.

Council shared their appreciation for Mr. Barzizza volunteering to serve on the Wastewater Commission.

Oath, to swear in Mr. Barzizza, was administered by Mayor Anthony.

COUNCILMEMBER PLUNKETT MOTIONED TO APPOINT JOHN BARZIZZA TO THE WASTEWATER COMMISSION. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE.

5. Public Works: Discussion/decision to award bids for Reveille and Rocky River Drainage Improvement Projects. City Administrator Robert Wood.
 - a. **Staff Briefing. Mayor Anthony shared that these projects were picked out because they were under the dollar threshold for the Capital Improvement Projects. Travis Kaatz, with K. Friese, explained that they were able to reduce the estimated costs to \$218,000. The project was sent out for bids and the low bid was from Austin Constructors. The amount was \$208,942.00. He reached out to their references and they all have great things to say about them. City Administrator Robert Wood explained that Council received a fiscal note explaining the financial impact of the project.**
 - b. Public Hearing: No one spoke.
 - c. Deliberation.

COUNCILMEMBER McCOLLOUGH MOTIONED TO ACCEPT THE BID FROM AUSTIN CONSTRUCTORS. MAYOR PRO TEM O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

6. Land Use: Proposed Amendment to a Planned Development District for Trinity Episcopal School at 3901 Bee Cave Road. (Article 38.06 of the West Lake Hills Code.) Applicant David Hartman.
 - a. **Staff Briefing. Mayor Anthony explained that since this is such a voluminous request, she asked Trinity Representatives to make their presentation and Council will take a vote at the next meeting. Representatives from Trinity briefly explained the proposed planned development district and traffic issues.**
 - b. Public Hearing:
 - c. **Alan Smith shared that he is in support of the PDD. Its his experience that Trinity and the City has worked well together, in the past. Trinity has helped with traffic issues and installation of the sewer line. Families have brought business to West Lake Hills merchants, so they do impact the economy of**

West Lake Hills. Trinity has been great neighbors to adjoining properties. He believes that the PDD will allow Trinity to fulfill their long term strategic master plan. He doesn't think that any of the code deviations in the PDD will diminish what the passing public will see of Trinity. In closing, he asks that the City and Trinity continue to be great parties as we have in the past and now in the future.

Dan Ahern shared that he and his family are residents of West lake Hills. He spoke in favor of the PDD. He has seen firsthand how the Trinity team has worked together for this project.

d. Deliberation.

Council asked about considering a change in the colors of a few buildings, building height, impact on changing the light signal on Bee Cave Road, traffic patterns, and drainage plan. They shared their concerns about restricting size of the lot, enrollment, building sizes, true traffic impact after the Bee Cave Road project is complete, and need to conserve the commercial base.

No Council action was taken.

7. Administration: Discussion of proposed revisions to ethics ordinance. Topics to be covered at this meeting include 1) Purpose clause, 2) Who should be covered by the ethics ordinance, 3) Creation of an Ethics Complaint form and what it should contain. Mayor Linda Anthony.

- a. Staff Briefing. Mayor Anthony shared that the best way to tackle the proposed changes to the ethics ordinance is to take it in small pieces. She explained the topics she would like to discuss are the purpose clause, who is covered by the ordinance, and the ethics complaint form. The purpose clause lays out the rational and goals behind having an ethics ordinance. The biggest changes is to bring in the City Attorney, Assistant City Attorney, Contractors, and Consultants, under the umbrella of who is covered by the ethics ordinance. The last element, is the form to file an ethics complaint.
- b. Public Hearing: No one spoke.
- c. Deliberation.

Council agreed to adopt the proposed purpose clause and ethics form. They asked city Attorney Alan Bojorquez to suggest language for who should be covered under this ordinance and list everyone who is covered. Council also requested to see a copy of the Police Department's ethics code.

No Council action was taken.

8. Finance: Discussion regarding Mayor Anthony's proposed 2018-2019 City Budget. Mayor Linda Anthony.

- a. Staff Briefing. **Mayor Anthony explained the public works, municipal court, and administration budget items for consideration. City Court Clerk Robert Martinez requested Council to consider purchasing Brazos Ticket Writers.**
- b. Public Hearing: **No one spoke.**
- c. Deliberation and action.

Council thanked staff for their work on the budget.

No council action was taken.

9. Administration: Update on City and other area infrastructure improvement projects including Bee Cave Road, drainage master plan, Water District 10, and Camp Craft Road. City Administrator Robert Wood.
 - a. Staff Briefing.
 - b. Public Hearing: All persons wishing to speak for or against shall be heard.
 - c. Deliberation and action.

Item was not discussed.

10. Public Works: Consider approving and authorizing an amendment to the Agreement for Gift of Real Property with 4238 Bee Cave Road owned by Kay Flowers and which is required for the construction of the proposed Bee Cave Road/RM 2244 roadway improvements, and take other appropriate action (Parcel 14).
 - a. Staff Briefing.
 - b. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
 - c. Public Hearing: **No one spoke.**
 - d. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #10 FROM 10:20 AM TO 11:05 AM.

COUNCILMEMBER PLUNKETT MOTIONED TO EXTEND THE TIMEFRAME BY 2 YEARS, FOR EACH OF THE DEADLINES, AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT. COUNCILMEMBER McCOLLOUGH SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

11. Public Works: Consider approving and authorizing an Agreement for Gift of Real Property with 4700 Bee Cave Road owned by Homayoun Partovi Farsi, Mehrdad Mehrabani-Farsi, Parviz Mehrabani-Farsi and Parviz Mehrabani-Farsi, Trustee of the Mehran Revocable Trust and which is required for the construction of the proposed Bee Cave Road/RM 2244 roadway improvements, and take other appropriate action (Parcel 9).
 - a. Staff Briefing.
 - b. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.

- c. Public Hearing: No one spoke.
- d. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #11 FROM 10:20 AM TO 11:05 AM. NO COUNCIL ACTION WAS TAKEN.

- 12. Land Use and Litigation: Update and possible action on Cause No. D-1-GN-001858, City of West Lake Hills vs. Yaupon Partners, LLC and Ray McMackin; Case No. 12-12734-tmd, In re: Raymond McMackin; and Adversary No. 13-01049-tmd, City of West Lake Hills v. Raymond McMackin. Legal Counsel.
 - a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney regarding status of above-listed litigation and related legal issues.
 - b. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #12 FROM 10:20 AM TO 11:05 AM. NO COUNCIL ACTION WAS TAKEN.

13. Adjourned by Mayor Linda Anthony at 11:06 pm.

Certificate

Linda Anthony

LINDA ANTHONY, MAYOR

ATTEST:

Lacie Hale

LACIE HALE, CITY SECRETARY

