

NOTICE OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
Wednesday, January 9, 2013  
7:05 p.m.

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold Public Hearings and a Regular Meeting on the 9<sup>th</sup> day of January 2013 at 7:05 p.m., or immediately following the Board of Adjustment Meeting in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

1. Call to Order. Mayor Dave Claunch.
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.
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 December 12, 2012 Regular Meeting Minutes. City Secretary Janet Rogers.
  - b. Request to postpone to January 16, 2013 (ZAPCO) and February 13, 2013 (BOA/Council):  
Land Use: Proposed request for a zoning change with variance from R-1 One Family Residential District to O Professional and Office District at 5324 and 5420 Bee Cave Road. Variance is requested to Section 22.03.281 for minimum lot size. Applicant Mack Ray Hernandez. (Chapter 38 of the West Lake Hills Code.) (Note: This item requires dual action. BOA action on the variance and Council action on the zoning change.)
  - c. Request to postpone to January 23, 2013: Land Use: Proposed plat vacation of Lot 1B Wren Valley Section 1A. The property is 3.5 acres and is locally known as 1 Wren Valley Cove. Representative Theran Greer. (Chapter 36 of the West Lake Hills Code.) (Postponed on December 12, 2012.)
4. Land Use: Plat Amendment to adjust a side yard setback and after-the-fact variances to allow a retaining wall and fill to remain in the setback at 1109 Yaupon Valley. Applicant Jeff Taylor. (Section 22.03.281 of the West Lake Hills Code.) (Postponed on December 12, 2012.)
  - a. Staff Briefing.
  - b. Presentation by applicant.
  - c. Public Hearing: All persons wishing to speak for or against shall be heard.
  - d. Deliberation and Action.(Note: This item requires dual action. BOA action on the variances and Council action on the plat amendment.)

NOTICE OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING  
JANUARY 9, 2013  
PAGE TWO

5. Land Use: After the fact variances for fence/wall permit at 809 Cedar Park. Variances are to: 1) exceed the 25% maximum allowable for impervious cover; 2) exceed the 6' maximum allowable height for a rear yard wood privacy fence; 3) allow an accessory structure (stone wall as a fence) that fully encroaches into the 20' side setback; and 4) exceed the 6' maximum allowable height for a front yard fence. Lot size is .4994 acres. Applicant Alexandra Malick. (Sections 22.03.173 and 22.03.281, of the West Lake Hills Code.)
  - a. Staff Briefing.
  - b. Presentation by applicant.
  - c. Public Hearing: All persons wishing to speak for or against shall be heard.
  - d. Deliberation and Action.(Note: This item requires dual action. BOA action on variance 1 and Council action on variances 2, 3, and 4.)
6. Land Use: Discussion/decision on sign application for donor recognition signs at Eanes Elementary School at 4101 Bee Cave Road. Stephanie Kernaghan.
7. Land Use: Ordinance 397, an ordinance annexing territory to the City of West Lake Hills, Travis County, Texas, and extending the boundary limits of the city so as to include said hereinafter described property within the city limits, and granting to said territory and to all current/future inhabitants of said property all of the rights and privileges of other citizens and binding said current/future inhabitants by all of the acts and ordinances of the city. City Administrator Robert Wood.

**Tracts proposed for annexation are:**

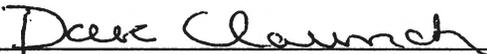
- (1) 912 Beaver Trail - LOT 1 WESTWOOD PARK
  - (2) 913 Beaver Trail - LOT 10 WESTWOOD PARK
  - (3) 914 Beaver Trail - LOT 2 WESTWOOD PARK
  - (4) 915 Beaver Trail - LOT 9 WESTWOOD PARK
  - (5) 1000 Beaver Trail - LOT 3 WESTWOOD PARK
  - (6) 1001 Beaver Trail - LOT 8 WESTWOOD PARK
  - (7) 1002 Beaver Trail - LOT 4 WESTWOOD PARK
  - (8) 1003 Beaver Trail - LOT 7 WESTWOOD PARK
  - (9) 3607 Doe Trail - LOT 6 WESTWOOD PARK
  - (10) And the lot behind 3607 Doe Trail - LOT 11 WESTWOOD PARK
- a. Staff Briefing.
  - b. Public Hearing: All persons wishing to speak for or against shall be heard.
  - c. Deliberation and Action.
8. Fire Safety: Subcommittee report and possible action on discussions with Fire Watch America regarding purchase of wildfire detection equipment. Mayor Dave Claunch.
  9. Public Works: Discussion/possible decision on update regarding Bee Cave Road ROW acquisition. Mayor Dave Claunch.

NOTICE OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING  
JANUARY 9, 2013  
PAGE THREE

10. Public Works: Resolution 2013-1-1 authorizing the City Administrator to accept a warranty deed for right-of-way for a TxDOT project from Belmont Village, L.P., for 4310 Bee Cave Road; authorizing Mayor Claunch to sign the deed and transfer said right of way to TxDot.
  - a. Staff Briefing.
  - b. Public Hearing: All persons wishing to speak for or against shall be heard.
  - c. Deliberation and Action.
  
11. Public Works: Discussion/decision on request from Stan Graham of 201 Allegro Lane to abandon and vacate easement for Mulberry Road. City Administrator Robert Wood.
  - a. Staff Briefing.
  - b. Presentation by applicant.
  - c. Public Hearing: All persons wishing to speak for or against shall be heard.
  - d. Deliberation and Action.
  
12. Administration: Discussion/decision on Amendment 265 to the West Lake Hills Code amending Section 20.03.007, Definitions, changing definition for development review committee. 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.
  
13. Land Use: Request for Council guidance on interpretation of Section 22.03.013, Reflective Exterior Building Materials, and Section 22.03.218, Exterior Surfaces of Nonresidential Structures. City Administrator Robert Wood.
  
14. Public Works: Discussion/decision on paving of Ridgewood Road, Gentry Drive, North Peak Road, Brady Lane, and Sugar Creek Drive, after improvements to the Water District #10 Water System are completed. City Administrator Robert Wood.
  
15. Land Use: Discussion/decision regarding vacation of Amended Plat of Lot 26, Westlake Terrace and the remaining portion of Lot 50, Westlake Park which may include the rescission of the plat vacation. Mayor Dave Claunch.
  - a. Staff Briefing.
  - b. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.
  - c. Deliberation and Action.
  
16. Code Enforcement, Litigation and Land Use: Direction to City Attorney regarding ongoing Code Enforcement actions (civil and criminal) against Mr. Charles Attal for unlawful removal of trees and other vegetation at 102 Skyline Drive without required permits and variances. This item will include discussion of after-the-fact variances related to the vegetation removal and a possible variance to the regular variance process regarding ZAPCO review. City Administrator Robert Wood.
  - a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.
  - b. Deliberation and Action.

NOTICE OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING  
JANUARY 9, 2013  
PAGE FOUR

17. Land Use and Litigation: Update on Cause No. D-1-GN-001858, City of West Lake Hills vs. Yaupon Partners, LLC and Ray McMackin. City Administrator Robert Wood and Legal Counsel.
  - a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.
  - b. Deliberation and Action.
  
18. Land Use and Litigation: Update on Cause No. D-1-GN-12-002699, Lindaura Dasilva vs. City of West Lake Hills. City Administrator Robert Wood and Legal Counsel.
  - a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.
  - b. Deliberation and Action.
  
19. Personnel and Litigation: Update on EEOC Charge No. 451-2012-02784, Dianna Hubenak vs. City of West Lake Hills. City Administrator Robert Wood and Legal Counsel.
  - a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.
  - b. Deliberation and Action.
  
20. Adjournment. Mayor Dave Claunch.

  
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DAVE CLAUNCH, MAYOR  
By Janet Rogers, City Secretary

Certificate

I certify that the above Notice of the January 9, 2013 City Council Public Hearings and Regular City Council Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, January 4, 2013 at 5:00 p.m.

  
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Janet Rogers, City Secretary

*All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).*

*The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at 512-327-3628 at least 48 hours in advance.*