

NOTICE OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
Wednesday, March 13, 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 13<sup>th</sup> day of March 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 February 27, 2013 Regular Meeting Minutes. City Secretary Janet Rogers.
  - b. Acceptance of certification from the City Secretary declaring unopposed status for the General Municipal Election to be held on May 11, 2013. Mayor Dave Claunch.
  - c. Approve Order 2013-3-1, declaring the unopposed candidates elected to the following offices: Linda Anthony for Council Member (Place 1), Stan Graham for Council Member (Place 3), and David Moore for Council Member (Place 5). Mayor Dave Claunch.
  - d. Utilities: Discussion/decision on Ordinance 399, an ordinance establishing the suspension of the Texas Gas Service Company rate increase. City Administrator Robert Wood.
    - 1) Staff Briefing
    - 2) Public Hearing: All persons wishing to speak for or against shall be heard.
    - 3) Deliberation and Action.

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- e. Request to postpone to March 27, 2013 (or April 10, 2013): Land Use: Review of final plat with variances for a subdivision proposal for a 15+ acre tract located at 1005 Old Stonehedge Drive to be known as the Overlook at Butler Cove. Applicant Buster McCall. (Chapter 36 of the West Lake Hills Code.)
  - f. Request to postpone to March 27, 2013: Land Use: Proposed zoning change from "R-1" One Family Residential District to "O" Professional and Business Office District conditional on future approval of final replat to join two lots (.851 acre and 1.124 acres) into one lot (total 1.975 acres) to be known as the Gutierrez Family Group Subdivision at 5324 and 5420 Bee Cave Road to be known as 5324 Bee Cave Road. Applicant Mack Ray Hernandez. (Chapters 36 and 38 of the West Lake Hills Code.)
  - g. Request to postpone to April 10, 2013: Land Use: Variances to encroach into the 50' front setback for a retaining wall and primary structure and to remove trees with a diameter of 14" or greater at 1904 Yaupon Valley Road. Applicant Cherno Njie. (Section 22.03.281 and Section 22.03.304 of the West Lake Hills Code.) (Note: This item requires dual action. BOA action on the setback variances and Council action on the tree removal variance.)
4. Utilities: Wastewater Commission Chairman Steve Hudson.
- a. Wastewater Update.
  - b. Methodology for calculation of reimbursement of expenses paid by Ken Jones and Robert Hearn to construct wastewater mains near Buckeye Trail.
5. 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 and Annexation/Development Agreement. 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

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- a. Staff Briefing.
  - b. Public Hearing: All persons wishing to speak for or against shall be heard.
  - c. Deliberation and Action.
6. Land Use: Amendment to an approved site plan for changing the exterior façade, drive-through access, and eliminating the existing playground at McDonald's located at 3300 Bee Cave Road, Suite 800. Applicant Alex Fazzino. (Chapter 22 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.
7. Land Use: Sign permit application for McDonald's located at 3300 Bee Cave Road, Suite 800. Applicant Alex Fazzino. (Chapter 32.03.007 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.
8. Land Use: Discussion/decision on impervious cover requirements in the West Lake Hills Code. Council Member Taylor Holcomb. (Sections 1.01.003 and Section 22.03.281 of the West Lake Hills Code.)
9. Land Use: Discussion/decision on possible changes to the City Code and/or enforcement policies regarding overnight parking on certain streets in the City. Mayor Claunch. (Section 16.05.068 of the West Lake Hills Code.)
10. Land Use: Discussion/decision regarding minimum slope for new roads in subdivisions. City Administrator Robert Wood. (Section 36.01.008 (Table 36-2 Summary of Street Design Standards) of the West Lake Hills Code.)
11. Fire Safety: Discussion/decision on legislative efforts to improve fire safety. Mayor Dave Claunch.
- a. Staff Briefing.
  - b. Executive Session per Section 551.071 of the Texas Local Government Code for Consultation with Attorney.
  - c. Deliberation and Action.

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12. Legal and Public Safety: Consultation with City Attorney and Chief of Police regarding legal issues involving security matters, including Police Department personnel, training and equipment. Mayor Dave Claunch.
  - a. Staff Briefing.
  - b. Executive Session per Section 551.071, 551.074, and 551.076 of the Texas Local Government Code for Consultation with Attorney.
  - c. Deliberation and Action.
13. Personnel: Discussion/decision regarding ZAPCO appointment to fill vacancy by ZAPCO Member Nesbitt and soon-to-be vacancy by ZAPCO Member Linda Anthony.
14. Public Works: Discussion/possible decision on update regarding Bee Cave Road ROW acquisition. Mayor Dave Claunch.
15. 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.
16. 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.
17. 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 March 13, 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, March 8, 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.*