

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
October 27, 2009

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Jack McCool, Mayor Pro Tem
Chad Bockius, Council Member
Bob Dorsett, Jr., Council Member
Bill Goodwin, Council Member
Mike Murphy, Council Member

City Staff:

Frank Salvato, City Administrator
Travis Askey, Deputy City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Giancarlo Patino, Engineer Associate
Barbara Hathaway, Library Director
Amy Kelley, Systems Administrator
Russell Pancoast, Police Chief

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, October 27, 2009 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

There were not any citizen comments at this time.

Minutes

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the minutes of the Regular Session conducted on October 13, 2009.

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

Voting Aye:	Mayor Pro Tem McCool, Council Members Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None
Abstain:	Council Member Bockius

The motion carried.

Discuss and consider action on an update and report from Municipal Court Judge Jack Stick including court procedures, workload and activity report.

Judge Jack Stick presented the update to the Council.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve the report as presented.

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

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

Discuss and consider action on a Novation of Interlocal Agreement for Emergency Services with Travis County.

Danny Hobby, Executive Manager for Travis County Emergency Services, spoke to the Council about the proposed agreement.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Murphy, to approve the Interlocal Agreement for Emergency Services with Travis County.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the site plan including variance requests to subdivision regulations for Lake Travis Independent School District Transportations and Distribution Center, located at 16101 State Highway 71 West within the City's Extraterritorial Jurisdiction.

Jim Ratcliff of LTISD spoke on this item and answered questions.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the first variance which is to exempt the requirement to post fiscal security and to approve the second variance but limited to the portion of the development being constructed now and depicted by the current site plan.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discussion and presentation by developers on a concept plan for the Cottages at Spillman Ridge (formerly known as Villas at Bee Cave), located at 14501 Falconhead Blvd.

Scott Morledge, President of Ash Creek Homes, Inc., presented the proposed concept plan for Spillman Ridge.

No action was taken at this time.

Discuss and consider action regarding a request from Lake Travis Fire Rescue to install a traffic signal preemption device on the Bee Cave Parkway/Galleria traffic signal.

Robert Abbott, Assistant Fire Chief of the Lake Travis Fire Rescue, spoke on this item.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve the Traffic Signal Preemption Equipment Agreement. The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action regarding funding options for the Bee Cave Central Park including picnic tables, trash cans, pet waste receptacles, electricity and maintenance.

City Administrator Frank Salvato presented this item.

MOTION: A motion was made by Council Member Murphy, seconded by Mayor Pro Tem McCool, to authorize the City Administrator to purchase up to 8 trash cans, 2 dog station receptacles and 8 heavy duty picnic tables for an amount not to exceed \$12,000 and to allow the electricity to remain on in the pavilions.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett and Murphy
Voting Nay: Council Member Goodwin
Absent: None

The motion carried 4 to 1.

Discussion regarding formation and activities of the Bee Cave Arts Committee for support of art projects in the City of Bee Cave.

Council Member Bockius updated the Council on the activities of the Arts Committee.

Discuss and consider action on Resolution No. 2009-09 related to an application for a possible Block Grant for Energy Efficiency and Conservation.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Goodwin, to approve Resolution No. 2009-09 as submitted.

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

Voting Aye: Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay: Mayor Pro Tem McCool
Absent: None

The motion carried 4 to 1.

Discuss and consider action authorizing the Mayor to execute an amended construction agreement and accepting amended conveyances from CCNG to the City for the following:

- First amendment to the Right of Way Deed
- First amendment to the Lateral Support (Slope) Easement

City Attorney Patty Akers reported that CCNG has agreed to extend the deadline for the construction of the portion Bee Cave Parkway and the possibility of reverter clause until March 31, 2010.

MOTION: A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to authorize the Mayor to execute an amended construction agreement and accept amended conveyances from CCNG.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the monthly financial report.

Deputy City Administrator Travis Askey presented the financial report.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve the monthly financial report as presented.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action regarding contract amendment with Freese and Nichols for professional engineering services related to Phase II and Phase III of Bee Cave Parkway.

Mike Nichols of Freese and Nichols, Inc. was present at the meeting to answer questions on this item.

No action was taken on this item.

Discuss and consider action regarding contract with Sledge Engineering for personal services related to construction of Phase II of Bee Cave Parkway.

Casey Sledge of Sledge Engineering presented his proposal for services related to Phase II of Bee Cave Parkway.

The City Attorney suggested changes to the tasks on the proposal.

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Bockius, to approve the contract with Sledge Engineering in the amount of \$21,500 after the included tasks are defined and agreed upon by the City's legal counsel and to require Sledge Engineering to report to Council once a month.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett and Murphy

Voting Nay: Council Member Goodwin

Absent: None

The motion carried 4 to 1.

The City Council recessed at 9:05 p.m. and reconvened at 9:15 p.m.

Discuss and consider action on Ordinance No. 44 related to temporarily lowering the speed limit in the construction zone on State Highway 71 West.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to adopt Ordinance No. 44 temporarily lowering the speed limit in the construction zone on State Highway 71 West.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider approval of amended agreements for Bee Cave Parkway Right of Way and Easement Acquisitions and authorize Mayor to execute documents needed to extend deadlines for commencement of construction.

The City Attorney reported that the documents from Target and Tim and Brenda Skaggs would extend the deadlines for commencement of construction of Bee Cave Parkway until October 31, 2011.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Goodwin, to authorize the Mayor to execute the amended agreements from Target and Skaggs and to accept the amended conveyances.

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

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action regarding construction agreement for certain public improvements and open space dedication agreement with the Falconhead West Partnership.

The City Council convened in Executive Session to discuss the above item.

Executive Session

The City Council closed the Open Session at 9:23 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, the Mayor publicly announced that a closed, executive session would be held and identified the sections of the Open Meetings Law under which the meeting would be held.

Closed Executive Session to be held under, Section 551.071 - Consultation with Attorney and Section 551.072 – Deliberation regarding Real Property.

- LCRA Rate Case litigation
- Consultation with attorney regarding the Hill Country Galleria bankruptcy including conditions and obligations of the Chapter 380 Agreement
- Consultation with attorney regarding the city's obligations under the right of way agreements for Bee Cave Parkway
- Discuss acquisition of open space land from Falconhead West

The City Council closed the Executive Session at 10:04 p.m. and reconvened in Regular Session in the Council Chambers.

Council Members Dorsett and Murphy were away from the dias.

Adjournment

MOTION: A motion was made by Council Member Bockius, seconded by Mayor Pro Tem McCool, to adjourn.

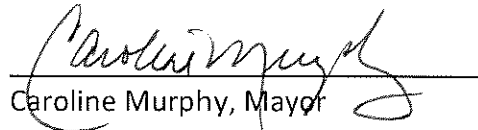
The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius and Goodwin
Voting Nay:	None
Absent:	Council Members Dorsett and Murphy


The motion carried.

The City Council adjourned the Regular Session at 10:04 p.m.

PASSED AND APPROVED this 10th day of November, 2009.


Caroline Murphy, Mayor

ATTEST:


Kaylynn Holloway, City Secretary

[SEAL]

MINUTES OF THE REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
CITY OF BEE CAVE
October 20, 2009

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Terri Wood, Chair
Michelle Bliss, Vice Chair
Judy Fry, Commissioner
Marie Lowman, Commissioner
Jim Norman, Commissioner
Jerry Phillips, Commissioner

City Staff:

Frank Salvato, City Administrator
Travis Askey, Deputy City Administrator
Giancarlo Patino, Engineer Associate
Brooke Winburn, Administrative Associate

Call to Order and Announce a Quorum is Present

With a quorum present, the meeting of the Bee Cave Planning and Zoning Commission was called to order by Chair Wood at 6:02 p.m. on Tuesday, October 20, 2009 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Minutes

MOTION: A motion was made by Commissioner Phillips, seconded by Commissioner Fry, to approve the minutes of the Regular Session conducted on October 6, 2009.

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

Voting Aye:	Commissioners Fry, Phillips, and Lowman
Voting Nay:	None
Abstain:	Commissioner Bliss, Norman and Wood
Absent:	Commissioner Horne

The motion carried.

Discuss and consider action on a site plan including variance requests for Lake Travis Independent School District Transportations and Distribution Center, located at 16101 State Highway 71 West within the City's Extraterritorial Jurisdiction.

MOTION: A motion was made by Commissioner Norman, seconded by Commissioner Fry to recommend approval of the variance related to Fiscal Security.

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

Voting Aye:	Commissioners Bliss, Fry, Lowman, Norman, Phillips and Wood
Voting Nay:	none
Absent:	Commissioner Horne

The motion carried.

MOTION: A motion was made by Commissioner Fry, seconded by Commissioner Phillips to recommend approval of the variance related to the Development Plat with respect to the design as submitted for the Transportation and Distribution Center only.

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

Voting Aye:	Commissioners Bliss, Fry, Lowman, Norman, Phillips, and Wood
Voting Nay:	none
Absent:	Commissioner Horne

The motion carried.

Discussion and presentation by developers of a concept plan for the Cottages at Spillman Ridge (formerly known as Villas at Bee Cave), located at 14501 Falconhead Blvd.

No action taken. Commissioner Phillips stated his concern about traffic impact on the light at Falconhead Blvd and RR 620. All other feedback for the project was favorable.

Discussion and review of the Bee Cave Comprehensive Plan, Chapter 1.

No action taken.

The Planning and Zoning Commission adjourned the meeting at 7:14 p.m.

PASSED AND APPROVED THIS 3rd DAY OF November, 2009.


Terri Wood, Chair

ATTEST:


Brooke Winburn, Administrative Associate