

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
November 28, 2017

STATE OF TEXAS §
COUNTY OF TRAVIS §

Present:

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

City Staff:

Travis Askey, City Manager
Kaylynn Holloway, City Secretary
Patty Akers, City Attorney
Bill Pitmon, Police Lieutenant
Lindsey Oskoui, Director of Planning and Development
Leslie Perez, City Planner
MD Hossain, EIT

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, November 28, 2017 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 no citizen comments at this time.

Discuss and consider approval of minutes of the Regular Session conducted on November 14, 2017.

MOTION: A motion was made by Council Member Parker, seconded by Council Member Lowman, to approve the minutes of November 14, 2017.

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

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

The motion carried.

Discuss and consider action on Ordinance No. 366 authorizing the issuance of \$6,000,000.00 “City of Bee Cave, Texas Tax Note, Series 2017”; authorizing the sale thereof; enacting provisions incident and related to the issuance of said note.

Financial Advisor Chris Lane with SAMCO Capital Markets reported that Broadway National Bank was the low bidder for the tax notes.

Bond Counsel David Mendez and Gregory Miller with Bickerstaff Heath Delgado Acosta, LLP were also present at the meeting.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Mayor Murphy, to approve Ordinance No. 366 authorizing the issuance of \$6,000,000.00 “City of Bee Cave, Texas Tax Notes, Series 2017 and enacting provisions incident and related to the issuance of said notes.

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

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

The motion carried.

Discuss and consider action on the Site and NPS pollution control plan for installation of temporary erosion and sedimentation controls for the Lake Travis ISD Middle School Phase 3A, generally located at 16101 State Highway 71 West, Bee Cave, Texas 78738.

EIT MD Hossain reported that the scope of this application and site plan is limited to installation of erosion and sedimentation controls and tree protection measures. Approval of this permit will allow the applicant to install stabilized construction entrance, silt fence, rock berm, fencing around trees to be preserved, orange fencing for limits of construction, and setting up staging/spoils area. It will not allow them to do any grading (cut and fill) activity or other ground disturbance or utility work. Similarly, no impervious cover is allowed under this site plan.

In addition to installing E&S controls on site, the plan also permits installation of silt fence off-site on the extreme south side of Bella Colinas and near Hamilton Pool Road, in the vicinity of an existing lift station that serves the Bella Colinas subdivision currently and will also serve the school in the future.

MOTION: A motion was made by Council Member King, seconded by Mayor Pro Tem Goodwin, to approve the Site and NPS pollution control plan for installation of temporary erosion and sedimentation controls for the Lake Travis ISD Middle School Phase 3A.

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

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

The motion carried.

Discuss and consider action on the Site plan amendment and variance request regarding lighting modifications for the “Shops at the Galleria” generally located at 12770 Shops Parkway, Bee Cave, Texas 78738.

Mr. Hossain stated that the applicant proposes to convert 242 pole mounted light fixtures (out of a total of 278) within the parking lot from Metal-halide lamp to LED. They also propose to change all 62 existing wall mounted lighting fixtures to LED. The plan will not change the lighting fixtures on remaining 36 poles within Lowe’s parking lot and near Chase bank.

Carroll Killebrew, 5410 Great Divide, commented that he likes that the lights can be dimmed. He inquired about the lumen output in comparison to the existing lights.

MOTION: A motion was made by Council Member Parker, seconded by Council Member Matzen, to approve the Site plan amendment and variance request regarding lighting modifications for the “Shops at the Galleria” with the condition of recording the restrictive covenant document and the conditions noted of dimming the lights to 50% at 11:00 PM and 20% at midnight.

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

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

The motion carried.

Discuss and consider action on City's application for site plan for Gateway to Falconhead trails and to approve acceptance of easements related thereto.

MOTION: A motion was made by Council Member King, seconded by Mayor Pro Tem Goodwin, to postpone this item until the next meeting.

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

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

The motion carried.

Public hearing, discussion, and possible action on Ordinance No. 364 to amend the development standards for zoning district Planned Development Office (PD-O) of The Backyard located at 13801 Bee Cave Parkway, Bee Cave, Texas 78738.

Planning and Development Director Lindsey Oskoui presented this item. The applicant is proposing to amend the following in the development standards: The timing of access requirements to Hwy 71; Remove recording studio as a required use from the project. Retain it as an optional permitted use; Permission for an "accessory medical clinic" within the music venue during an event; and Within the music venue area, minor adjustments to some support building square footage and height.

Mayor Murphy opened the public hearing at 6:32 p.m.

Ed Deshields, 3908 Tordera Drive, asked Council to not open the Backyard without an exit to Highway 71. The traffic along Bee Cave Parkway has grown immensely and this is a quality of life issue.

Paula Boyd, 4408 Tambre Bend, commented that this is a quality of life issue and the project needs the connection to Highway 71. She asked questions about the traffic analysis. She had concerns about the additional developments that occurred after the traffic analysis was completed.

Steve Schmidt, 3703 Tordera Drive, commented that he is the Ladera HOA President. He stated that the Ladera residents are not really against the project but their concern is the traffic.

Brad Bradford, 3916 Vinalopo Drive, stated that public safety is the highest goal for a City's residents and visitors. He wants the additional connection to Highway 71.

Gerhard Golden, 4008 Gandara Bend, commented that making a change to the entertainment venue is not going to make a difference because of the number of office buildings proposed with the development.

Bob Arrona, 5104 Gillians Walk, commented that additional stop lights will cause grid lock. He stated that the Council already voted on it and the project needs two ways in and out.

Carroll Killebrew, 5410 Great Divide, commented that the project has no plans for the traffic jams it is going to create outside the venue. He encouraged the Council to stick with their previous approval.

Veronica Putney, 13308 Overland Pass, commented that even a minor wreck causes backup on Bee Cave Parkway. She is worried about having one way in with this type of crowds creating a dangerous situation.

There being no other person wishing to provide public testimony, the public hearing closed at 6:55 p.m.

Executive Session on above item

The City Council closed the Open Session at 6:55 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 551.071 - 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 adjourned into the Conference Room for the executive session.

The City Council closed the Executive Session at 7:24 p.m. and reconvened in Regular Session.

Continued discussion of above item:

Chris Milam, Project Developer, gave a presentation on this project.

Kerri Collins, Traffic Engineer, was available at the meeting to answer questions.

Members of the Council had numerous questions for both Mr. Milam and Ms. Collins. Council Member Parker read an email that he received from the Fire Chief Robert Abbott regarding the access points.

MOTION: A motion was made by Mayor Murphy, seconded by Council Member Matzen, to approve Ordinance No. 364 amending the development standards for zoning district Planned Development Office (PD-O) of The Backyard

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

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

The motion failed 3-3.

Executive Session

The City Council closed the Open Session at 9:14 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; 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 adjourned into the Conference Room for the executive session.

- A. Consultation with Attorney regarding acquisition of approximately 44 acres of property located on Great Divide Drive and commonly referred to as the Lamar Brown tract.
- B. Consultation with Attorney regarding utilities located within City ROW along Bee Cave Parkway.
- C. Consultation with Attorney regarding Travis County Municipal Utility Districts 3 and 5 and the West Travis County Public Utility Agency participation agreement.

The City Council closed the Executive Session at 9:47 p.m. and reconvened in Regular Session.

Adjournment.

MOTION: A motion was made by Mayor Murphy, seconded by Mayor Pro Tem Goodwin, to adjourn.

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

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

The motion carried.

The City Council meeting adjourned at 9:47 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2017.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary