MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
JULY 13, 2021

STATE OF TEXAS §
COUNTY OF TRAVIS §

Present:

Kara King, Mayor
Andrew Clark, Mayor Pro Tem
Jon Cobb, Council Member
Kevin Hight, Council Member (remote)
Courtney Hohl, Council Member
Andrea Willott, Council Member

City Staff:

Clint Garza, City Manager
Reggie Brooks, Deputy City Secretary
Megan Santee, City Attorney
Megan Will, Planning and Development Director
Kevin Sawtelle, City Engineer
Gary Miller, Police Chief
Brenda Galindo, Finance Manager
Lanie Marcotte, Facilities Manager
Will Taylor, Engineer
Amanda Padilla, City Planner

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 King at 6:00 p.m. on Tuesday, July 13, 2021.

Citizen Comments:

Mary Smith, 13800 Lone Rider Trail, spoke on behalf of the Bee Cave Arts Foundation and their projects and progress.

Ed Krach, 13421 Overland Pass, commented on the removal of Bill Goodwin from the City Council.

Consent Agenda.

A. Consider approval of the minutes of the Regular Session conducted on June 8, 2021.

B. Consider approval of the financial and investment reports. (May)

Mayor King requested to remove Item B from the consent agenda.

MOTION: A motion was made by Council Member Hohl, seconded by Mayor Pro Tem Clark, to approve Item A, minutes of the Regular Session conducted on June 8, 2021.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

City Manager Clint Garza reported on the investment report.

MOTION: A motion was made by Mayor King, seconded by Mayor Pro Tem Clark, to approve Item B, financial and investment reports.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Public Hearing, discussion and possible action on Resolution No. 2021-07, a resolution of the City of Bee Cave, Texas, authorizing and creating the Spanish Oaks Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.

Mr. Garza presented this item.

Jack Creveling, representing CCNG, spoke on this item.

Mayor King called the public hearing to order at 6:32 p.m.

With no persons wishing to provide public testimony, the public hearing closed at 6:32 p.m.

MOTION: A motion was made by Mayor Pro Tem Clark, seconded by Council Member Hohl, to approve Resolution No. 2021-07, a resolution of the City of Bee Cave, Texas, authorizing and

creating the Spanish Oaks Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Discuss and consider action on a Preliminary Plat for The Backyard, approximately 35 acres, located at 13801 Bee Cave Parkway, Bee Cave, TX 78738.

Planning and Development Director Megan Will presented this item.

MOTION: A motion was made by Mayor Pro Tem Clark, seconded by Council Member Hight, to approve a Preliminary Plat for The Backyard, approximately 35 acres, located at 13801 Bee Cave Parkway subject to conditions and exceptions below, as read into the record, and to authorize the City Manager to execute a drainage easement in Bee Cave Central Park when the time is appropriate:
Item #11 –Section 30.02.003(f)(4)
Item #180 –Section 30.05.004(a)
Item #80 – Section 30.03.003(a)

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

The Platting Review Checklist is on file in the Planning and Development Department.

Discuss and consider action on the site development plan for the "Juniper Trace Office", located at 3805 Juniper Trace, Bee Cave, TX 78738.

Engineer Will Taylor presented this item. This site plan proposes development of a two-story office building with driveway and parking lot, and associated infrastructure including drainage, water quality controls, and other utility improvements on a one (1) acre lot. This lot is located at the end of Juniper Trace near the Primrose School. In existing condition, the property is mildly sloped from north to south and has significant vegetation, consisting mainly of Live Oaks and native grasses.

MOTION: A motion was made by Mayor King, seconded by Council Member Cobb, to approve the site development plan for the "Juniper Trace Office", located at 3805 Juniper Trace subject to the following conditions: Posting of new fiscal security in the amount of $ 138,817.00 for NPS Permit; Reissue Cover Sheet signed by Travis County ESD #6 and WTCPUA; and Confirmation the TCEQ Contributing Zone Plan approval is still valid.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Discuss and consider action on a site plan amendment for the Action Behavior Center located at 3526 South FM 620 Bee Cave, Texas 78738

City Engineer Kevin Sawtelle presented this item. The site plan amendment is proposing to install a 4' tall wrought iron fence enclosure around the rear perimeter of the building A within the Gateway to Falconhead development. The business seeking approval is Action Behavior Center (ABC). ABC specializes in Early Intensive Behavioral Intervention for children on the Autism Spectrum. The fencing will provide an enclosed outdoor space that will be utilized throughout business hours.

MOTION: A motion was made by Mayor King, seconded by Council Member Cobb, to approve a site plan amendment for the Action Behavior Center located at 3526 South FM 620.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Discuss and consider action regarding an application from the Bee Cave Art Foundation for use of Hotel Occupancy Tax Funds.

Mr. Garza presented this item.

Deby Childress, 4907 Great Divide Dr., and representing the Bee Cave Arts Foundation presented their budget request for the funds.

Mr. Garza will conduct an audit of the funds before the next budget meeting.

MOTION: A motion was made by Council Member Hohl, seconded by Mayor King, to commit $50,000 now but to consider this item again during the budget process in August.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, and Hohl
Voting Nay:	Council Member Willott
Absent:	None

The motion carried 5-1

Discuss and consider action on an amendment to the Electric Service Franchise Agreement between Austin Energy and City of Bee Cave.

Mr. Garza presented this item.

John Colman, 5201 Great Divide, asked why the City needed to extend the agreement with Austin Energy. He spoke about numerous outages and requested that Austin Energy be required to submit performance standards.

MOTION: A motion was made by Council Member Hight, seconded by Council Member Cobb, to authorize the City Manager to execute an amendment to the Electric Service Franchise Agreement between Austin Energy and City of Bee Cave albeit with the caveat of the intention to increase the amount of the participation that the City has in conjunction with our discussions with our other local neighbor cities.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Discuss and consider action on the formation of a Parks Advisory Body.

Mayor King presented this item.

Dave Ginger, 5000 High Canyon Pass, and member of the Friends of the Parks, would like their group to have time to provide input regarding an Advisory Body. Their intentional goal as members of the Friends is to have representatives from every portion of the City.

No action was taken on this item.

Discussion and possible direction on the proposed FY 2021-2022 Budget.

The Staff and Council discussed the FY 2021-2022 Budget.

Mr. Colman also spoke on this item.

No action was taken.

Discuss and consider action to create a temporary part-time position ending on 9/30/21.

MOTION: A motion was made by Council Member Cobb, seconded by Council Member Hohl, to approve the creation of a temporary part-time position ending on 9/30/21.

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

Executive Session:

The City Council closed the Open Session at 10:24 p.m. to convene in Executive Session.

At this point in the meeting, Mayor King 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.

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. A quorum of the Council was present for the executive session.

A. Consultation with Attorney regarding pending litigation styled *Goodwin v. Kara King, Mayor; Council members Andrea Willott, Jon Cobb, Andrew Clark, Kevin Hight and City of Bee Cave*.

The City Council closed the Executive Session at 11:10 p.m. and reconvened in Regular Session.

Adjournment:

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

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

Voting Aye:	Mayor King, Mayor Pro Tem Clark, Council Members Cobb, Hight, Hohl and Willott
Voting Nay:	None
Absent:	None

The motion carried 6-0.

The City Council meeting adjourned at 11:11 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

_____
Kara King, Mayor

ATTEST:

_____
Kaylynn Holloway, City Secretary