

MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL  
CITY OF BEE CAVE  
February 11, 2014

STATE OF TEXAS       §

COUNTY OF TRAVIS    §

**Present:**

Caroline Murphy, Mayor  
Steve Braasch, Mayor Pro Tem  
Zelda Auslander, Council Member  
Michelle Bliss, Council member  
Bill Goodwin, Council Member  
Kara King, Council Member

**City Staff:**

Frank Salvato, City Manager  
Travis Askey, Assistant City Manager  
Patty Akers, City Attorney  
Kaylynn Holloway, City Secretary  
Lindsey Withrow, Director of Planning and Development  
Katherine Griffin, Director of Finance  
Russell Pancoast, Police Chief  
Giancarlo Patino, City Engineer  
Barbara Hathaway, Library Director

**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 6:15 p.m. on Tuesday, February 11, 2014 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 citizens who wished to speak at this time.

**Minutes**

**MOTION:** A motion was made by Council Member King, seconded by Mayor Pro Tem Braasch, to approve the minutes of January 28, 2014.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Auslander, Bliss, Goodwin and King  
Voting Nay: None  
Absent: None

The motion carried.

**Discussion and consider action regarding a draft letter from TxDOT Area Engineer Ben Engelhardt regarding beautification of medians in TxDOT right-of-way in Hwy. 71 between RR620 and FM2244, including authorizing staff to publicize a Request for Qualification (RFQ) for a Landscape Architect.**

City Manager Frank Salvato presented this item.

The City Council requested that the staff contact the City of San Marcos to see what rules and procedures were put in place by TxDOT for the beautification of their medians.

No action was taken on this item.

Council Member Auslander left the meeting at 6:38 p.m.

**Discuss and consider action on Ordinance No. 189 annexing into the city limits approximately 58.637 acres of land which is generally located south of Highway 71 and east of the current city limits adjacent to the Uplands Subdivision including approval of a service plan.**

Planning and Development Director Lindsey Withrow presented this item.

**MOTION:** A motion was made by Council Member Bliss, seconded by Mayor Pro Tem Braasch, to approve Ordinance No. 189 annexing into the city limits approximately 58.637 acres of land.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider action on approving a letter agreement with the West Travis County Public Utility Agency in lieu of a 5-year maintenance bond, posting of cash, or a letter of credit for the installation of a wastewater force main within Bee Cave Parkway.**

Mr. Salvato stated that at the last meeting the Council took action on the WTCPUA submittal for the installation of a wastewater force main within Bee Cave Parkway that included a five year performance bond. The WTCPUA has requested that the City accept a letter of agreement that the WTCPUA would make repairs and maintenance the portion of Bee Cave Parkway that will be disturbed.

Council Member Goodwin stated that he was opposed to the five year maintenance requirement because the City needed to be consistent with each submittal that comes before the City Council.

**MOTION:** A motion was made by Mayor Pro Tem Braasch, seconded by Council Member Bliss, to approve the maintenance agreement with the West Travis County Public Utility Agency for the installation of a wastewater force main within Bee Cave Parkway.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider action on acceptance of public improvements of Ladera subdivision – phases 3A and 4A.**

City Engineer Giancarlo Patino presented this item.

Adib Khoury of Taylor Morrison and Danny Martin of Malone Wheeler were present at the meeting to answer questions.

Mr. Khoury stated that additional landscaping would be installed as homes are built to create a buffer between Ladera Ranch and Falconhead.

**MOTION:** A motion was made by Mayor Murphy, seconded by Council Member Goodwin, to accept the public improvements for Ladera subdivision Phases 3A and 4A including the two year maintenance bonds.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider action authorizing construction of the relocation of the dog park and trail extension project in Central Park as recommended by the Economic Development Board, including amending the ED Board budget for 2013-14.**

Mr. Salvato reported that the Economic Development Board awarded a contract to Zimmerman Construction in the amount of \$436,706.90 for the dog park and trail extension.

**MOTION:** A motion was made by Mayor Murphy, seconded by Council Member King, to authorize the relocation of the dog park and trail extension as recommended by the Economic Development Board including an amendment to the Board's fiscal year 2013-14 budget.

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

Voting Aye: Mayor Murphy, Council Members Bliss, Goodwin and King  
Voting Nay: Mayor Pro Tem Braasch  
Absent: Council Member Auslander

The motion carried 4-1.

**Discuss and consider action on the Police Chief recruitment and selection process.**

Police Chief Russell Pancoast presented this item.

**MOTION:** A motion was made by Council Member Bliss, seconded by Council Member King, to approve the Police Chief recruitment and selection process and the \$500 fee for the Texas Police Chief's Association.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider action on Resolution No. 2014-01 authorizing the Bee Cave Police Department to obtain and use regular license plates on unmarked police vehicles.**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem Braasch, to approve Resolution No. 2014-01.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider action on Ordinance 186, an ordinance of the City of Bee Cave adopting an amended Fee Schedule and amending various fees charged by the City.**

Ms. Withrow presented this item and recommended amendments to development related fees, primarily to cover costs associated with My Permit Now, which is scheduled to launch in mid-March 2014.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem Braasch, to approve Ordinance No. 186 adopting an amended Fee Schedule as originally proposed and presented.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

**Discuss and consider selection of Council photographs for new website.**

The City Council selected photographs for the new city website.

**Executive Session:**

The City Council closed the Open Session at 8:04p.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 sections 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 may adjourn into the Conference Room for the executive session.

- A. Consultation with Attorney regarding Groundwater District litigation with Texas Commission on Environmental Quality.
- B. Consultation with Attorney regarding exchange of real property for economic development.
- C. Consultation with Attorney regarding acquisition of park and trail easements.

The City Council closed the Executive Session at 9:19 p.m. and reconvened in Regular Session in the Council Chambers.

**Adjournment**

**MOTION:** A motion was made by Mayor Murphy, seconded by Council Member Bliss, to adjourn.

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

Voting Aye: Mayor Murphy, Mayor Pro Tem Braasch, Council Members Bliss, Goodwin and King  
Voting Nay: None  
Absent: Council Member Auslander

The motion carried.

The City Council adjourned the meeting at 9:19 p.m.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Caroline Murphy, Mayor

ATTEST:

\_\_\_\_\_  
Kaylynn Holloway, City Secretary