

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
July 22, 2014

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

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

City Staff:

Frank Salvato, City Manager
Travis Askey, Assistant City Manager
Kaylynn Holloway, City Secretary
Patty Akers, City Attorney
Katherine Griffin, Director of Finance
Vince Montez, Lieutenant
Lindsey Oskoui, Director of Planning and Development
Giancarlo Patino, City Engineer
M.D. Hossain, Engineer in Training
Barbara Hathaway, Library Director
David Theriault, Systems Analysis
Amy Kelley, Chief Information Officer

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 6:07 p.m. on Tuesday, July 22, 2014 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

The City Council recessed the Regular Session at 6:07 p.m. and reconvened at 6:28. All Council Members were present at this time.

Pledge of Allegiance

Citizen Comments

There were no citizen comments at this time.

Consent Agenda

- A. Consider approval of minutes of the Regular meeting conducted on July 8, 2014.
- B. Consider approval of minutes of the Special Session conducted on July 14, 2014.
- C. Consider approval of the monthly financial and investment reports (June).

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member Bliss, to approve the consent agenda.

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

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

The motion carried.

Discussion on the long term plan for the intersections of Highway 71 West/Great Divide Drive and Highway 71 West/Bee Mountain Road.

Mayor Pro Tem Goodwin requested that this item be placed on the agenda. He asked specific questions regarding the recent activity and important issues related to the SH 71 traffic impact and future thoroughfare plan implications.

Ben Englehardt, TxDot Area Engineer, reported that TxDot worked with the developer to construct Bee Mountain between Great Divide and Spanish Oaks. The developer was responsible for plan preparation and construction and TxDot reviewed the plans prior to construction. After receiving concerns from the City and citizens regarding access to Great Divide upon installation of the stripe, TxDot began working with the developer to revise the stripe. Mr. Englehardt stated that it is his responsibility to contact the City and that he had failed to do so. TxDot has no intention of closing off access to Great Divide Drive but will work with the City so that the area is developed properly. As development occurs along SH71, TxDot will review locations that could warrant a signal.

Carroll Killebrew, 5410 Great Divide, commented that he appreciated Mr. Englehardt attending the meeting. He stated that he was still dismayed how they worked with the developer and the Homestead had no input.

Maureen Appling, Roundtop Circle, asked the City to develop an alternate route into the Homestead.

Victoria Winburne, Homestead, wants the City to take a strategic look and be proactive with the development of Highway 71. Safety should be #1.

Discuss and consider action on options for a trail system from Falconhead Boulevard to Bee Cave Central Park.

Stephen Dorman of Sledge Engineering presented his review of three routes for a trail extension from Central Park to Falconhead Boulevard along RR620.

Members of the Council agreed that they preferred option # 1 which commences at Falcon Head Boulevard, continues along Little Barton Tributary (Freitag Creek) and terminates at the Archway and path under Bee Cave Parkway at Central Park.

Council Member Lowman inquired about receiving grant money to help with the construction of the trail and if any of the trail designs would increase that possibility.

Mr. Dorman stated that any of the designs would work to request and possibly obtain grant money.

Scott Morledge of Ash Creek Homes commented that if they wait to acquire the easements it will get more expensive. He suggested that they get a plan, acquire the easements and then get the funding. The developers of Morningside and Gateway to Falconhead will be constructing a portion of the trail, 10 feet wide, on their property.

John Colman, 5201 Great Divide, commented that a weakness to all 3 designs was the lack of shade. He suggested that they redesign the trail to make use of the tree lines. He also did not think it was a good idea to narrow the trail from 10 feet to 6 feet because of the risk of having an accident with runners and bikers.

Council Member King commented that they could create a safety issue for runners if they put the trail along the tree line and out of site.

Mr. Morledge suggested that the Council put together a committee or hire a consultant to develop a network of trails. Developers may be more likely to make a contribution if they had a network.

Ms. Appling agreed that the City should get the easements and have a total picture so the developers will help.

Mr. Killebrew also stated that he was in favor of the trail system that supports bikers and kid safety. He commented that he thought the citizens would support it also.

Mike Murphy, President of the Economic Development Board, stated that he thought the City should pursue the easements, put together the design and the costs and then present it to the EDB because they are currently looking at projects.

The City Council agreed that they would like to pursue option #1 with a 10 foot wide trail design, obtain the needed easements and costs minus the developer's portion and then take it to the EDB.

Discuss and consider action on the Site and NPS Plan amendment for the Spanish Oaks Golf Club Maintenance Facility Expansion, located at 13001 Spanish Oaks Club Blvd.

M.D. Hossain, Engineer in Training, presented this item.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member King, to approve the Site and NPS Plan amendment for the Spanish Oaks Golf Club Maintenance Facility Expansion, located at 13001 Spanish Oaks Club Blvd.

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

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

The motion carried.

Discuss and consider action on the Revision #1 C for the Site and NPS Plan of CCNG Office Expansion, located at 13453 State Highway 71 West.

Giancarlo Patino presented this item.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member Matzen, to approve the Revision #1 C for the Site and NPS Plan of CCNG Office Expansion, located at 13453 State Highway 71 West.

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

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

The motion carried.

Discuss and consider action on Ordinance No. 201, amending Ordinance 12-113, Planned Development-Retail (PD-R), for Hill Country Indoor, located on Lot 1, Block A, HCI Subdivision, City of Bee Cave, Texas, as recorded in document number 201300022 of the official public records of Travis County, Texas, consisting of 8.60 acres generally north of Highway 71, west of Highway 620, and south of Bee Cave Parkway, adjacent to the Backyard property, to

amend the Concept Plan (Exhibit “B”) for location of buildings, site improvements, and building elevations, and to amend the Planned Development Standards (Exhibit “C”).

Planning and Development Director Lindsey Oskoui reviewed the proposed changes to the development standards. Staff recommends approval of HCI’s proposed Concept Plan 2, which resolves previously raised issues about parking and impervious cover. The most significant deviation from previous plans is the relocation of 50 parking spots (plus the addition of two new spots) from the surface lot to underneath “Building 1” (the westernmost bay). By utilizing existing topography, the overall building height will not change.

The fire department provided HCI preliminary approval of removal of the fire lane on the eastern and southern sides of the building, as discussed conceptually at the last Council meeting. With these changes, HCI is at 264 onsite parking spots (which is one above the 263 ‘average demand’ (i.e. non-overflow) parking spots needed according to the methodology from the United States Indoor Sports Association), at 45 percent impervious cover, and able to save twenty five trees in the area where they removed the surface parking. A transfer of impervious cover is no longer necessary.

HCI has agreed to some additional minor modifications to the PDD that address concerns raised by Ladera residents and new issues generated by removal of the field:

- Denser landscaping along Bee Cave Parkway to buffer against headlights and noise
- Boulders bordering the previous field space to prevent it from being used as an overflow parking lot.

Jude Langle, Project Designer and acting General Contractor, talked about the two speakers that they would like to have mounted to the structure to be used as public announcements for games.

Section 6, Noise Standards has been modified so that amplified sound outside of the Indoor Sports building shall be allowed via two (2) loud speakers located on the southern elevation of the building so long as the broadcasts do not exceed 65 decibels and the broadcasts are limited to no more than a couple of announcements per hour. Exact placement and screening of the loud speakers shall be approved by City staff. Loud speakers shall not be operated except between the hours of 7:00 am and 9:00 pm.

Mayor Pro Tem Goodwin commented that the hours of operation that were allowed with the original zoning were 8:00 am to 10:00 pm and this project is now 5:00 am to 12:00 am. The setback for that zoning is 75 feet, this building is 35 feet. The footprint of this building is still at 85,000 square feet and the original zoning allows 35,000 feet. The building is still 50 feet tall and retail zoning allowed is 35 feet maximum.

Council Member King commented that the 50 foot height of the building is for a sports arena so she agrees with this type of variance request.

MOTION: A motion was made by Council Member Bliss, seconded by Council Member King, to approve Ordinance No. 201 as amended.

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

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

The motion carried 5-1.

The City Council recessed at 8:15 p.m. and reconvened at 8:22 p.m.

Pre-concept presentation and discussion of the Village Green at Bee Cave, an approximately five acre mixed use project, located at Gene Butler Drive and Highway 71 West, generally north of the Bee Cave Police Department and Sculpture Park.

Karen Skelton presented a pre-concept presentation of a mixed use project referred to as the Village Green. The Village Green consists of office, restaurant, and hotel uses and one to two live/work units. This project spans four parcels, including a portion of the City owned parcel that includes the Police Department and the sculpture park.

On the zoning map the parcels are depicted as Mixed Use, Public/Semi-Public, and Town Center. Ms. Skelton would like to pursue a Planned Development District rezoning.

City Attorney Patty Akers commented that the tract sizes are a problem. You would either have to own all of the tracts and re-plat or it would need to be done as a master plan among several owners and the only way to do that is with a PDD.

The City Council expressed concern over the swap of the surplus land and the benefit to the City in doing so.

Ms. Akers stated that an appraisal of the property would need to be done to see what the financial impacts are; however, getting the release of the reversionary clause is very significant because the property owned by the City has can only be used for municipal purposes. It would be nice to know that the City has the flexibility to move the criminal justice center to another location in the future if needed.

John Colman commented that turning left into the development would be very dangerous and there could be a public safety issue with the police and fire department located there.

The City Council provided additional feedback on the project. No action was taken.

Discuss and consider action on the nomination of a person to serve as a Trustee on the TML MultiState Intergovernmental Employee Benefits Pool.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member Bliss, to nominate Finance Director Katie Griffin to serve as a Trustee on the TML MultiState Intergovernmental Employee Benefits Pool.

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

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

The motion carried.

Discuss and consider action to assist with replacement of one of the consolettes at the Lakeway dispatch center in the amount of \$ 7,732.69.

Police Lieutenant Vince Montez reported on this item.

MOTION: A motion was made by Mayor Pro Tem Goodwin, seconded by Council Member Matzen, to approve the purchase of one of the consolettes at the Lakeway dispatch center in the amount of \$7,732.69.

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

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

The motion carried.

Discuss and consider action on a preliminary budget forecast of revenue and expense for the FY 2014-15.

The City Council discussed the salary survey and the supplemental requests. Council Member King shared her list of suggested projects.

Mike Murphy, 4010 Lochwood Bend, commented that each of the Council Members ran on a platform of being fiscally conservative. He asked the Council to use restraint on spending.

No action was taken on this item.

Executive Session:

The City Council closed the Open Session at 10:05 p.m. to convene in Executive Session on the above item 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 may adjourn into the Conference Room for the executive session.

- Consultation with attorney regarding CCNG/Spanish Oaks Development Agreement.
- Consultation with attorney regarding non-conforming uses associated with drive through restaurants.
- Consultation with attorney regarding the Participation Agreement with West Travis County MUD #5 and Hays County on the creation of the West Travis County Public Utility Agency.

The City Council closed the Executive Session at 10:51 p.m. and reconvened in Regular Session in the Council Chambers.

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 Bliss, King, Lowman and Matzen
Voting Nay:	None
Absent:	None

The motion carried.

The City Council adjourned the meeting at 10:51 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

Caroline Murphy, Mayor

ATTEST:

MN072214

Kaylynn Holloway, City Secretary