

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF BEE CAVE  
JANUARY 25, 2011

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  
Stephen Myrick, Building Official  
Kevin Arnold, Technical Support  
Barbara Hathaway, Library Director  
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, January 25, 2011 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

**Pledge of Allegiance**

**Citizen Comments**

Erin Hinzmann, 12400 Highway 71, informed the City Council that she wanted Bee Cave to have its own chamber of commerce. She stated that she was asking business owners if they were interested.

**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 January 11, 2011.

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.

**First public hearing on request for annexation of Spillman Ranch Phase I, Section 9 (The Grove at Falconhead).**

Mayor Murphy called the public hearing to order at 6:04 p.m.  
There being no public comments, the hearing closed at 6:04 p.m.

**Discuss and consider action on an update and report from Municipal Court Judge David Garza including request for additional compensation for worked performed during the months of October - January.**

Municipal Court Judge David Garza spoke during this item.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the additional compensation in the amount of \$10,950 as requested and to postpone the discussion on amending the contract.

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 adoption of a street maintenance program recommended by LNV, Engineers.**

Derek Neisar, Vice President of LNV Engineers, presented the proposal for the street maintenance program.

**MOTION:** A motion was made by Council Member Murphy, seconded by Council Member Bockius, to accept the report and to authorize the City staff to develop a proposal for street maintenance for year one as presented in Exhibit C.

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

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

The motion carried.

**Discussion and presentation by developer on a proposed concept plan for Ladera Ranch located on Home Deport Boulevard behind Target including proposed construction of Bee Cave Parkway.**

Amber Rockwell, Landscape Architect with Lee & Associates, and Danny Martin, Engineer, presented this item.

Don Walden, Developer, was also present to answer questions.

This item will be presented to the Planning & Zoning Commission for comments at their next meeting. Public hearings will be held to consider changes to the zoning requirement.

No action was taken by the City Council.

**Discuss and consider approval for funding completion of construction of Bee Cave Parkway including discussion of 2008 Agreement between the City and the Economic Development Board.**

City Administrator Frank Salvato presented this item.

Tom Pollan, Bond Counsel and Chris Lane, Financial Consultant, was present at the meeting.

The City Council expressed an interest in moving forward with the completion of Bee Cave Parkway. The City Staff will prepare a schedule for their approval.

**Discuss and consider action on Ordinance No. 69, an ordinance accepting the petition to annex 13.941 acres out of the J. Beck Survey No. 91, and being part of the 234.807 acres conveyed to Spillman Group, LTD and providing for the notice and holding of two public hearings. (Gateway to Falconhead).**

**MOTION:** A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve Ordinance No. 69 accepting the petition, providing for the notice and setting the public hearings.

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 approving a revised City of Bee Cave Personnel Policy.**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Mayor Pro Tem McCool, to approve the revised Personnel Policy.

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 and investment report.**

Deputy City Administrator Travis Askey presented this item.

**MOTION:** A motion was made by Mayor Pro Tem McCool, seconded by Council Member Goodwin, to approve the monthly financial and investment report.

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 Ordinance No. 70, an ordinance calling the General Election for May 14, 2011.**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Murphy, to approve Ordinance No. 70 calling an election for May 14, 2011.

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.

**Executive Session**

The City Council closed the Open Session at 9:05 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 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. LCRA Rate Case litigation
- B. Consultation with attorney regarding litigation with Browning Construction Company, Freese & Nichols, Inc. and subcontractors for construction of city hall
- C. Consultation with attorney regarding litigation filed against City and Reit Management & Research Trust by Rod-Ave, L.P.
- D. Consultation with attorney regarding litigation relating to the TCEQ’s Executive Director’s petition that recommends that land within the jurisdiction of the City

be included in a ground water district within the Hill Country Priority Groundwater Management Area.

The City Council closed the Executive Session at 9:40 p.m. and reconvened in Regular Session in the Council Chambers.

**Adjournment**

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to adjourn.

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.

The City Council adjourned the Regular Session at 9:41 p.m.

PASSED AND APPROVED this 8<sup>th</sup> day of February, 2011.

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Caroline Murphy, Mayor

ATTEST:

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Kaylynn Holloway, City Secretary  
[SEAL]