

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF BEE CAVE  
OCTOBER 11, 2011

STATE OF TEXAS       §

COUNTY OF TRAVIS   §

**Present:**

Caroline Murphy, Mayor  
Chad Bockius, Council Member  
Bob Dorsett, Jr., Council Member  
Bill Goodwin, Council Member  
Jack McCool, Mayor Pro Tem  
Mike Murphy, Council Member

**City Staff:**

Frank Salvato, City Administrator  
Travis Askey, Deputy City Administrator  
Patty Akers, City Attorney (arrived at 6:10 p.m.)  
Kaylynn Holloway, City Secretary  
Amy Kelley, Systems Administrator  
Giancarlo Patino, Engineer Associate  
Vincent Montez, Police Lieutenant

**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, October 11, 2011 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 not any citizen comments at this time.

**Consent Agenda.**

- A. Consider approval of minutes of the Regular meeting conducted on September 27, 2011.

- B. Proclamation recognizing Lake Travis Independent School District's 30<sup>th</sup> Anniversary.
- C. Proclamation recognizing Chamber of Commerce week of October 17<sup>th</sup> through 21<sup>st</sup>.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the Consent agenda as presented.

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

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

The motion carried.

**Discuss and consider action on the 2011 street maintenance project to include complaints and engineer's update.**

Mayor Murphy reported on the history of the project and the decisions that were made by Council for street maintenance. She also briefly summarized the numerous complaints received by the City Council and Staff.

Derek Naiser, Stephen Stokinger and Susan Smith of LNV Engineering were present at the meeting and available to answer questions.

Mr. Naiser spoke about the job performance of Ramming Construction and the punch list of items that need repair or cleaning.

Leslie Wood, 13429 Saddleback Pass, stated that the roads would never be the same. They do not have sidewalks and the side roads could no longer be used.

Van Russell, 3932 Coopers Hawk, commented that he thought the roads were done by a sub-contractor and were done in haste. He stated that he wanted Falconhead smooth again.

Steve Crownover, 15709 Spillman Ranch Loop, stated that he wanted the roads back to the way they were. He commented that they were aesthetically inconsistent.

Terri Mitchell, 5400 Great Divide, commented that she walks her dogs on the road and they were now a safety hazard. She stated that some of the patches were just oil and no rock at all.

John Zamiska, 14901 Swallowtail Kite, commented that he wanted the roads fixed and returned to their previous condition.

John Hoenig, 13433 Saddleback Pass, stated that the new roads will bring down the value of the homes.

Cliff Dunnegan, 15400 Spillman Ranch Loop, commented that the roads were now like county roads. He stated that he wanted the roads smooth again.

Following a lengthy discussion by the City Council, Mayor Murphy called for a motion.

**MOTION:** A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to authorize the City Staff to seek bids for the 1 inch HMACP overlay on all residential streets as listed and presented.

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 7:39 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 sections of the Open Meeting Law under which the meeting would be held.

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.

- A. LCRA Rate Case litigation
- B. Consultation with Attorney regarding acquisition of LCRA water/wastewater systems, to include possible condemnation of the West Travis County systems.
- C. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises dba Planet K.

- D. Discussion regarding acquisition of real property for possible use as water quality mitigation land.

The City Council closed the Executive Session at 8:44 p.m. and reconvened in Regular Session in the Council Chambers.

**Presentation and discussion by developers on a concept plan to amend the Morningside Development Agreement.**

Scott Morledge Developer for Ash Creek Homes and Jeff Booth, Developer for Embrey, presented a concept plan for Morningside condominiums.

The City Council asked questions and provided feedback on the proposed development.

No action was taken on this item.

**Discuss and consider action on the appointment of a member to the Planning and Zoning Commission.**

**MOTION:** A motion was made by Council Member Bockius, seconded by Council Member Dorsett, to nominate Patrick Flores to serve on the Planning and Zoning Commission.

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 2012 holiday calendar.**

**MOTION:** A motion was made by Council Member Bockius, seconded by Mayor Pro Tem McCool, to approve the 2012 holiday calendar as presented.

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.

**Adjournment**

**MOTION:** A motion was made by Mayor Pro Tem McCool, seconded by Council Member Bockius, 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 9:49 p.m.

PASSED AND APPROVED this 25<sup>th</sup> day of October, 2011.

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Caroline Murphy, Mayor

ATTEST:

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Kaylynn Holloway, City Secretary

[SEAL]