

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, December 13, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:15 p.m.

CITY COUNCIL PRESENT:

Mayor Linda Anthony
Mayor Pro Tem Gordon Bowman
James Vaughan
Brian Plunkett
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Finance Director Vonda Ragsdale
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Patty Akers
City Attorney Josh Brockman-Weber

2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Mayor Anthony opened the meeting for public comments. City Attorney Patty Akers was recognized for her upcoming retirement. Hearing no other comments, the public comment section was closed.

3. Consent Agenda All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Council Member.
- a. Approval of the November 21, 2023 Regular Meeting Minutes.
 - b. Approval of the December 6, 2023 Joint Special Meeting Minutes.
 - c. Approval of the 2024 ZAPCO meeting schedule and timelines for the application process.
 - d. Approval of an Interlocal Agreement with Travis County Emergency Services District (ESD) No. 9 and the City of West Lake Hills for enforcement of the City of West Lake Hills, Texas fire code.

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Bowman, the Council voted five (5) for and none (0) opposed to approve the Consent Agenda as presented. Motion carried.

4. Land Use 434 Brady Lane - Discuss and consider action on proposed variances for the removal of two (2) trees with trunk diameters of 14 inches or greater, a double trunk 14"/19" live oak and an 18" live oak (Section 22.03.304 of the West Lake Hills Code). Applicant Monte Janssen, J5 Homes, LLC.

- Tree # 323 - Double trunk 14" / 19" Live Oak; and
- Tree # 325 - 18" Live Oak.

Director Bills gave a brief summary. Monte Janssen (builder) and Thomas Finsberg (prospective buyer) gave brief statements and answered Council questions.

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember Walker, the Council voted five (5) for and none (0) opposed to approve the variance requests as presented. Motion carried.

5. Land Use 5001 Jeffery Place - Discuss and consider action on variances for 1. A 7-foot encroachment for a fence in a 20-foot fence setback, and 2. To allow 0% transparency, where 80% is required on a corner lot (Section 22.03.173 and Section 22.03.275 of the West Lake Hills Code). Applicants: Huang Lung Wang (Victor) & Elisa Jiang, Property Owners

Director Bills gave a brief summary. Victor Wang and Elisa Jiang (property owners) gave a presentation to Council and answered questions. They stated that the fence transparency request was revised to allow 20% transparency instead of the 0% originally requested.

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember South, the Council voted five (5) for and none (0) opposed to approve the revised variances as presented. Motion carried.

6. Ordinance Discuss and consider action on the approval of Ordinance 2023-013 to adopt a Subdivision Checklist, as required by House Bill 3699, codified in Texas Local Government Code Section 212.0081.

- a. Public Hearing - All persons wishing to speak for or against shall be heard

Director Bills gave a brief summary. Mayor Anthony opened the public hearing for comments. Hearing none, the public hearing was closed.

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Plunkett, the Council voted five (5) for and none (0) opposed to approve the ordinance as presented. Motion carried.

7. Administration Discuss and consider action to approve a Guaranteed Maximum Price (GMP) with SpawGlass for the construction of the new municipal offices to be located at 4010 Bee Cave Road, and authorization for the City Administrator to execute any change orders up to the contingency amount.

City Administrator Fletcher gave a presentation to Council regarding the GMP. Stephen Karp, Tyler Wenzel and Don Greer assisted with the presentation and were available to answer questions.

MOTION: Upon a motion made by Councilmember Bowman and a second by Councilmember Walker, the Council voted five (5) for and none (0) opposed to approve a Guaranteed Maximum Price (GMP) with SpawGlass for the construction of the new municipal offices to be located at 4010 Bee Cave Road, and authorize the City Administrator to execute and change orders up to the contingency amount (with the existing \$50,000 cap limit). Motion carried.

Mayor Anthony summarized the contingency approval process as follows:

- Any items authorized with City Administrator approval will be reported on the Consent Agenda.
 - Any items exceeding the City Administrator's authority will be brought to Council as an action item.
8. Administration Discussion and update on bond items regarding Proposition B (street and drainage projects).

City Administrator Fletcher reviewed the bid schedule with Council. All easements have been acquired. CivCast will be used for the bid process. Two advertisements will be published in January with bids due by February 1, 2024. Recommendations will be made to Council at their February 14, 2024 meeting for consideration. Notice to Proceed should be issued in early April 2024. Camp Craft will be scheduled for summer 2024 while school is not in session.

9. Executive Session In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess in Executive Session (closed meeting) to discuss the following:
- a. Section 551.071 - Consultation with the attorney regarding pending or contemplated litigation, or settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, re: City of West Lake Hills v. the following:
 - 1. Jaffe - 1405 Wildcat Hollow;
 - 2. Alvarez - 1505 Wildcat Hollow;
 - 3. Lambert - 1600 Westlake Drive; and
 - 4. 1836 Real Estate, LLC - 707 Butler Cove.
 - b. Section 551.071 - Consultation with the attorney regarding the tree ordinance.

Council convened into Executive Session at 8:54 p.m.

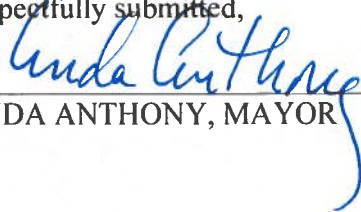
10. Executive Session Reconvene into Open Session and take action if and as deemed appropriate in the City Councils' discretion regarding consultation with attorney.

Council reconvened in Open Session at 9:15 p.m. No action was taken.

11. Adjournment

MOTION: Upon a motion made by Councilmembers Walker and Plunkett with a second by Councilmember Vaughan, the Council voted five (5) for and none (0) opposed to adjourn the meeting at 9:15 p.m. Motion carried.

Respectfully submitted,


LINDA ANTHONY, MAYOR

ATTEST:


Terry Blanchard, TRMC
City Secretary

These minutes were approved on January 10, 2024.

