CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, March 8, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:46 p.m.

CITY COUNCIL PRESENT:	**CITY STAFF PRESENT:**
Mayor Linda Anthony	City Administrator Trey Fletcher
Mayor Pro Tem Gordon Bowman	City Secretary Terry Blanchard
Brian Plunkett	Director of BDS Ashby Grundman
Beth South	Chief of Police Scott Gerdes
Darin Walker	City Attorney Patty Akers

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. Deborah Stewart thanked Council and staff for the tree clean-up and stated that it was very efficient. Suzanne Meade thanked Council for their assistance following the ice storm. She voiced concerns about who would be responsible for the remainder of the lot clean-ups. Austin Energy informed her that some properties were not in compliance and she was concerned about fire safety. Hearing no further 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 February 22, 2023 Regular Meeting Minutes.
   b. Approval of the February 22, 2023 Special Meeting Minutes.

MOTION: Upon a motion made by Councilmember South and a second by Councilmember Walker, the Council voted three (3) for and none (0) opposed with one (1) abstention to approve the consent agenda as presented. Councilmember Plunkett abstained. Motion carried.

4. **Land Use 103 Yaupon Valley:** Discuss and consider action on variances to remove 5 trees

with diameters larger than 14 inches and three building setback encroachments for the construction of a new single family residence (Sections 22.03.304 and 22.03.281 of the West Lake Hills Code). Applicants Ashton and Erica Weinberger.

The updated request is for three (3) tree variances. Erica Weinberger provided revised documents for Council review. Architects Jay Corder and Joseph Skelton discussed the more compact design. Deborah Stewart and Cindy Brandimarte voiced concerns regarding the proposed plans for the property.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember Walker, the Council voted four (4) for and none (0) opposed to approve the revised variance request as presented. Motion carried.

5. Administration Discuss and consider a resolution authorizing the Mayor to execute a Non-Exclusive Public ROW License Agreement with Google Fiber Texas LLC for the installation of Network Facilities.

   MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember South, the Council voted four (4) for and none (0) opposed to approve the agreement as presented. Motion carried.

6. Administration Discuss and consider action on a report from the city administrator regarding contracts and expenditures for debris and brush removal services associated with Winter Storm Mara.

   City anticipates exceeding $1M in clean-up fees. Staff recommends March 18th as the final date for brush removal. A public service call will be placed tomorrow evening with information to citizens regarding the end of city-funded debris removal. Staff will inventory streets still requiring service and work with the contractors to coordinate schedules. Dumpsters will be available for an additional week after debris removal services close.

7. Administration Discuss and consider action to approve a professional services agreement with Walter P. Moore to serve as the City Engineer.

   MOTION: Upon a motion made by Councilmember Bowman and a second by Councilmember Plunkett, the Council voted four (4) for and none (0) opposed to approve the contract and fee schedule with staff requesting additional information on the "flat fee" stated in the agreement. Motion carried.

8. Administration Discuss and consider action to approve a professional services agreement with SpawGlass Contractors, Inc to serve as Construction Manager at Risk for the new Municipal Complex.

   MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember South, the Council voted four (4) for and none (0) opposed to approve the professional service agreement with SpawGlass. Motion carried.

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:

- 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.

Council convened into Executive Session at 8:57 p.m.

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

Council reconvened in Open Session at 9:16 p.m.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember Walker, the Council voted four (4) for and none (0) opposed to authorize the city attorney to explore all reasonable actions and options in pursuing the enforcement of the existing judgment with Jaffe and look at other avenues of relief. Motion carried.

11. Adjournment

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Plunkett, the Council voted four (4) for and none (0) opposed to adjourn the meeting at 9:19 p.m. Motion carried.

Respectfully submitted,

Linda Anthony

LINDA ANTHONY, MAYOR

ATTEST:

Terry Blanchard

Terry Blanchard, TRMC
City Secretary

These minutes were approved on March 22, 2023.

CITY OF WEST LAKE HILLS CORPORATE SEAL TEXAS