Present: Mayor Dave Claunch, Mayor Pro Tern Stan Graham, Councilmembers Linda Anthony, Taylor Holcomb, David Moore and Darin Walker

Absent: None.

1. Called to Order by Mayor Dave Claunch at 7:21 PM.

Mayor Claunch welcomed a local Weebolows Troup to the meeting.

2. Citizens Communications:

Kathy Wirt of 110 Parkwood asked Council to consider putting a law into place, one similar to what Austin recently voted on. She thinks with the amount of traffic congestion problems, the Bee Cave Right of Way, we all know that it is time to consider a similar law. She would like something similar to the hands-free phones that Austin has enacted started in January.

Daryl Wartz asked two questions regarding the Wastewater Project. He asked what the projected completion date is for the wastewater project on Westlake drive and if there is a plan to patch/resurface the road.

City Administrator Robert Wood responded that the contractor stated it would take two weeks and installing the permanent patch is all that is left to do.

3. CONSENT AGENDA: The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council Meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or Citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Citizens requesting items be removed from the consent agenda must submit a written Speaker Card to the City Secretary before the meeting begins. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.
   a. Approval of the October 8, 2014 Regular Meeting Minutes. City Secretary Lacie Hale.
   b. Approval of the October 8, 2014 Special Meeting Minutes. City Secretary Lacie Hale.
   c. Change date of second Council Meeting in November from November 26 to November 25.

COUNCILMEMBER HOLCOMB MOTIONED TO APPROVE THE ITEMS ON THE CONSENT AGENDA. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.
4. **Public Works:** Discussion/possible decision on the previously authorized use of the City’s power of eminent domain to condemn certain property interests from Christopher Ruebush and Geraldine Gusler, located at 100 Westhaven Drive and required for the Bee Cave Road (RM2244) improvement project.
   a. Staff Briefing. Mayor Claunch gave briefing that the Council has already voted to authorize the use of eminent domain. The Council also discussed this item in executive session and asked the Mayor to convey the adjusted offer to the Ruebush’s.
   b. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
   c. Public Hearing:
      Chris Ruebush of 100 Westhaven stated he understands that they have already been approved for condemnation. They did send the city their update, parameters for an offer, last Thursday evening. The Mayor did convey, that Council reviewed the parameters. The Ruebush’s felt that they worked hard to avoid condemnation, feeling that it doesn’t benefit anyone. Time is not on anyone's side, and they have worked very hard to resolve their situation. In recent, the past month, they have very actively worked on finding a replacement home. The Mayor did convey Council’s feedback to their offer, and they will react to it accordingly.
   d. Deliberation and action.

Mayor Claunch stated that Council has tremendous empathy for their situation. Council has been in a position of discussing the acquisition for the last four, five, six months. He understands it is very hard to find a house right now in West Lake Hills. He believes that Council’s offer is a strong good faith effort to recognize the complications that your family are facing. Hopefully we can reach a compromise. We recently confirmed that Austin Energy intends to start moving the power poles in early January. Anything structures in their way will have to be moved, and unfortunately your property is the only one we are acquiring where there is a house in the way. We risk losing funding if we don’t move forward promptly. He thanked the Ruebush’s for being reasonable and collaborative.

No Council action taken.

5. **Public Works:** Discussion/decision regarding cut-through traffic and possible traffic calming measures for Forest View/Oak Ridge/Rocky River area. **Mayor Dave Claunch**
   a. Staff Briefing. Mayor Claunch gave a recap that starting several months ago, Mark Zion started talking to his neighbors about the cut through traffic problem. Council has engaged an engineering firm to study the Westlake Drive and Redbud Trail intersection; to see what possible improvements can be made to move more traffic through it and create less incentive to cut through. Meanwhile Mr. Zion has conducted a survey with his neighbors about things that can create a further disincentive for cut through traffic in that neighborhood. Mayor Claunch is hopeful that a public discussion can be held about what options can be considered and where to place them.
b. Public Hearing:
Mark Zion thanked Council for their work and taking a look at the major streets intersections. Hopefully it will help keep commuter traffic on the streets where it belongs. He really appreciates that Council approved the budget for an additional police officer and vehicle that will be dedicated to enforcing traffic laws within the city. He hopes and understands that the new officer will be patrolling some of the cut through areas. He is here to talk for the 800 block of Forest View Drive. He and his wife started the petition and a lot of people on Oak Ridge, Rocky River, and Forest View responded. As Council starts to look at traffic calming measure, they are very site specific. He won’t presume to make recommendations, in that regard, on the other two streets. He defers to the folks in those neighborhoods. The neighbors on the 800 block of Forest View met, they sent out a one pager to Council. Their discussion was informed by information collected by Susan Flowers, of 804 Forest View. She did her own traffic count. She sat on her front porch on four different weekdays and 375 vehicles an hour, between 5 pm and 6 pm, coming down Forest View. That is a vehicle every 9.5 seconds. It is a lot of volume. It obviously has safety issues. There are people speeding and running stop signs. The conclusions that the neighbors of 800 block of Forest View came to, is that they are in support of reducing the speed limit in that block to 25 miles per hour, installing removable rubber speed cushions midblock on Forest View, adding another patrol officer, and do not want the tubular traffic markers, traffic channelization devices installed on this block.

Bill Skeen of 709 Rocky River Road thanked Council for letting residents come and comment. From the intersection of Oak Ridge and Rocky River back up to where Rocky River curves back around is a drag strip. He doesn’t know how fast the cars are going but some of them up to 55-60 miles per house. He thinks that traffic calming devices in this area will help. Overall, a lot of the people that cut through, it is a regular deal. The residents see the same vehicles every evening. The traffic calming devices are a good idea. He thinks that Council should really consider making Forest View Road a one way street going North. Most of the traffic is the coming home traffic in the evening. The City of Austin has done this for a few streets. It would eliminate the people cutting through.

Westley Hook of 500 Rocky River Road stated that he can confirm with what Mr. Skeen said. It is quite a race track. One thing he wanted to point out is that there is a really good circular walking path. People walk their dogs, it’s a nice 2 mile loop. A few suggestions that he made for Council to consider were to look at the foliage at the 90 degree turn on Rocky River Road, install removable speed bumps at certain spots, and an additional police officer.

Wilfred Navarro of 700 Rocky River stated that he is in favor of traffic calming devices. He is not in favor of the pile on examples. He doesn’t think they fit the residential character of the neighborhood. Reducing the speed limit is fine, but it requires more enforcements. Same thing for stop signs. As a practical matter it leaves rubber speed cushions. Reducing the speed limit doesn’t cause an inconvenience for the cut through traffic. He thinks that
speed bumps accomplish this. Speed is an issue and there are quite a bit pedestrians. As far was Rocky River is concerned, they are very much in favor of speed cushions. He understands that it also addresses the emergency vehicle issue. They can pass over the speed cushions without a problem. It really addresses the traffic problem, and on his street that is what they are in favor of.

John Barr of 710 Rocky River Road gave a brief history of how this is not the first time this has been done. It was done roughly eight to ten years ago, and they got a stop sign. At the time they were begging for speed humps. A car took out fencing on his property, about eight years ago, and a tree was hit on his neighbor’s property (Bill Skeen), about five years ago. Last week an agave was taken out. He likes the speed humps, doesn’t think stop signs work. This is a big issue around the world and some of it is really strange. The idea is to get into the mindset of a driver. He encouraged Council to do some research. A sidewalk was installed on Reveille and there are sidewalks on Bee Cave Road. They are not nice for pedestrians because they do not feel separation from traffic. When you put in a sidewalk that is the same level of the road, it is just a wider road. It does not make a pedestrian feel safe. A sidewalk should be raised and separated. He concluded that there is smiley face research out there, but supposedly it is better than a speed limit. The stop signs do not work or it would have worked eight years ago. Speed humps are a way to make some physically stop.

Alejandra Fernandez of 809 Redbud Trail she agrees with the assessment of how many cars go through. She said some people stop but most people roll through it. The thing that makes her nervous is that the people on the T have the idea that the other people are stopping. That is the part where a stop sign is a little complicated.

Tina Shehene of 608 Rocky River Road is in full support of three or more speed bumps. She has experienced the same problems as everyone else. She is a big walker. One of her concern is that it is not just the one curve, it is really dangerous, but it is the other curve too. They both are really sharp. The other curve, cars really don’t expect pedestrians, there aren’t a lot in that area. The really bad curve, the shrubs that need be trimmed are on both sides of the street. Pedestrians have nowhere to stand except the street. Her other concern is the effect that the Bee Cave Road construction will have on Rocky River Road and Forest View.

Randy Lee of 6 Rocky River Cove stated he walks quite a bit every day and it is fierce over there. He gave the example of Windcrest, down by San Antonio, and how the entire city is 20 miles per hour with strict enforcement, zero tolerance. He knows it costs money, but it is something to look at. He agreed with a previous speaker, in regards to stop signs. Mr. Lee considered it to be a start sign not a stop sign. He watched one stop sign and out of ten cars, two didn’t even stop. He doesn’t think additional stop signs would help but maybe consider a flashing stop sign. The foliage on the corner, he comes out of the cove every morning and has almost been popped a few times because
of how dark it is. Sidewalks would be nice. He asked about no thru truck signs. He concluded with the issue of trying to turn left on Forest View from Redbud and how if a traffic circle was installed at Westlake Drive and Redbud. There would be a continuous flow of traffic with no breaks.

Dooley Navarro of 700 Rocky River supports installing three or more speed cushions. She agrees with putting them of Forest View, as well, and install more stop signs. She feels that it might deter people from coming through there at all. The corner is very dangerous. There are people texting while taking that corner. One of her neighbors was almost hit there yesterday while walking her dog, because someone was texting and driving. She thinks that something needs to be done, and it may take multiple things to do it. That might be the plan, keep putting things up until it stops people from getting through. It is dangerous.

Jeff Cook of 801 Rock Creek Drive uses all of the avenues, Rocky River, Forest View out to Reveille, every day. He doesn't use Cedar Park. He continued by stating the stress here is that Council has stated that the speed bumps are removable. He asked when has a law ever been repealed, and stated that they are going to be stuck with the speed bumps. They are going to stay. He does agree that there is a dangerous curve and he hates driving it. The more plugging that is done, though it might deter people, the residents are going to have to be stuck with it for the rest of their time here. He has been a resident for 13 years, but he wants everyone to realize that they will be stuck with whatever is installed. He is sure some people are comfortable with it but he is not. Instead of making new laws, we should be enforcing existing laws. Enforce the speed limits. Fix the intersection at Redbud and Westlake, it may help. He just wanted to point out that even though the speed cushions are removable, they are not going to be removed.

c. Deliberation and action

Mayor Claunch made some suggestions for the next step. They included putting a radar speed sign, to catch people as they enter West Lake Hills, with 25 mile per hour speed limit signs with red borders. Councilmember Moore added that we also need to focus on getting the additional police officer hired to patrol these type areas. He thinks that instead of red bordered speed limit signs, it should have red flags. Council concluded with instructing staff to place a radar speed sign. Also, meet with the Klotz Associates to conduct a study for recommendations to place speed humps and conduct a full traffic calming study for the neighborhood.

6. Land Use: Final Plat for 7-lot residential subdivision located on a 15.76 acre tract at 806 Redbud Trail to be known as Juniper Ridge Subdivision. (Section 36). Applicant Mitch Johnson.

a. Staff Briefing. City Administrator Robert Wood gave briefing that the main chance, since the last time Council has seen this plat, is that there is one less lot. It was done at the request of the developer, from a potential buyer. Otherwise it is the same general design they saw before.
b. Presentation by applicant. Applicant Mitch Johnson highlighted some of the minor changes that are more visible. Lot #6 used to be Lots #6 and #7, they have been combined into one lot. Additionally, they changed the T intersection, Sweet Sky Road and Valbella Road, to a butterfly intersection. This will decrease site disturbance and tree removal needs. Sweet Sky Road was shortened 40 feet because the lots were combined. Additionally, they listed the plat note for dark sky lighting and requirement to install sprinkler systems. To add to their own benefit and the benefit of the valley. Lastly, Chief Mike Lacey has reviewed the new project and changes. He has signed off and approved safety measures for required turnaround points for emergency vehicles.

c. Public Hearing:
No one spoke.

d. Deliberation and action.

Councilmember Walker asked what the fire flow registered that was close to the subdivision and what does it equate to general house size. Applicant Mitch Johnson responded that it was approved above minimum standards by Chief Mike Lacey. He couldn’t give an effective number because he didn’t have his notes, but estimated 1200.

Mayor Claunch clarified that the dark sky compliance, at the Council’s request, or sprinkler system requirement was not required of the applicant. He thanked the applicant for their efforts and being sensitive to the concerns in the community.

COUNCILMEMBER HOLCOMB MOTIONED TO APPROVE THE FINAL PLACE FOR 7-LOT RESIDENTIAL SUBDIVISION LOCATED ON A 15.76 ACRE TRACT AT 806 REDBUD TRAIL TO BE KNOWN AS JUNIPER RIDGE SUBDIVISION. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

7. Land Use: Request for a variance to encroach into the front-yard fence setback for a fence at 5000 Jeffery Place. (Section 22.03.173 of the West Lake Hills Code). Applicant J. Silva.

   a. Staff Briefing. City Planner Ashby Grundman gave briefing that the applicant is in the final stages of the project.

   b. Presentation by applicant. Applicant J. Silva summarized the formal presentation that was included in the Council packets. They are remodeling the backyard and the current chain link fence is not in compliance with the ordinance. They are asking to replace the chain link fence with a more modern secured rod iron fence in the same location. The current fence was constructed prior to the ordinance change, in 2010, which provides the encroachment requirement. It is considered a front yard fence but since it is offset by Ridgewood Drive, it encloses the backyard. Mr. Silva noted that the hardship is that it is an irregularly sized corner lot. The lot size is .4 acres.

   c. Public Hearing:
   No one spoke.

   d. Deliberation and action.
Council deliberated and concluded that it was a reasonable request.

COUNCILMEMBER MOORE MOTIONED TO APPROVE A VARIANCE TO ENCROACH IN THE FRONT-YARD SETBACK FOR A FENCE AT 5000 JEFFREY PLACE. COUNCILMEMBER ANTHONY SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

8. **Personnel:** Discussion/decision on Wastewater Commission recommendation to appoint Larry Hanrahan to the Wastewater Commission.
   a. **Staff Briefing.** Mayor Clauch explained that Larry Hanrhan has been recommended to serve on the Wastewater Commission.
   b. **Public Hearing:**
      No one spoke.
   c. Deliberation and action

   MAYOR PRO TEM GRAHAM MOTIONED TO APPOINT LARRY HANRAHAN TO THE WASTEWATER COMMISSION. COUNCILMEMBER MOORE SECONDED THE MOTION AND IT PASSED BY 4-0 VOTE. COUNCILMEMBER ANTHONY STEPPED AWAY FROM THE DIAS DURING THIS VOTE.

9. **Utilities:** Update on Wastewater System expansion on project on Westlake Drive, Hull Circle, and Hidden Cove. Wastewater Commission, Chairman Steve Hudson.
   a. **Staff Briefing.** City Administrator Robert Wood gave update that it should take two more weeks. They are going to pressure test the lines, and then patch the road.
   b. **Public Hearing:**
      No one spoke.
   c. Deliberation and action.

   No Council action was taken.

10. **Land Use:** Application for Planned Development District/Master Plan for Blue Ridge Terrace to be located on two tracts (0.7118 acres) of land at the Northwest Corner of Blue Ridge Trail and Bee Cave Road. Application will include:
    a. Zoning change from R-2 Multi-Family Residential District and R-1 One-Family Residential District to PD Planned Development District;
    b. Master Plan designation of Area 2A (Multi-Family Residential) area; and
    c. Site plan approval.
       i. **Staff Briefing.** City Administrator Robert Wood stated it is the same document that Council previously reviewed. The main thing that they went back and reviewed was the landscape and tree replacement plan.
       ii. Presentation by Applicant.
       iii. **Public Hearing:** No one spoke.
       iv. Deliberation and action

   COUNCILMEMBER HOLCOMB MOTIONED TO APPROVE THE PLANNED DEVELOPMENT DISTRICT/MASTER PLAN FOR
BLUERIDGE TERRACE. MAYOR PRO TEM GRAHAM SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

11. Public Safety: Discussion of possible changes to the City Code relating to fire safety, trees and vegetation. Councilmembers Anthony and Moore.

a. Sub-committee Briefing. Mayor Claunch gave briefing that a special Council workshop was held October 14. Excellent testimony was given from four different experts. Subcommittee Councilmembers Anthony and Moore gave briefing of report that was available at the Council meeting. It is basically broken down to the fire buffer zone, liming up invasive species, and then Ashe Junipers. At this time, there are a few recommendations that the subcommittee wanted to knock out. Then they are going to continue their research on invasive and non-invasive species. First, they recommended to allow the 30 foot buffer to include other vegetation, not just cedar trees. It would not require replacement but a free permit. Secondly, allow for more defensible space. Taking the nine foot liming pruning trees from existing nine feet to twelve feet, including in the setbacks. Finally, allow people to prune their trees without a permit. Right now the code states you have to have a permit to prune more than one branch on one tree. As long as people are following the Code of Ordinances, it is felt that there is no reason for them to have a permit to prune their trees. As far as, the very complex topic of how they are going to thin out native and non-native invasive species, they need more time. Their goal is to get the remaining issues resolved before the end of the year.

b. Public Hearing:
Kathy Wirt of 110 Parkwood thanked the subcommittee for coming back so quickly on this and listening to the experts. There were some clear consensus and it was nice to see that the subcommittee came to an agreement. She supports the report, particularly the fire safety zone and the responsibility is given back to the homeowners. People are not going to cut nice trees that give a lot of home value. She appreciates that it is written in a way that is simple to understand and clear to execute on. It really is saying you have 30 feet, which is the buffer safety zone, leave it to the homeowners and their best judgment to decide what they want to do with it. She fully supports this and the part of trimming more than one tree without a permit. It is a pain to get a permit. She would love to move forward and have Council vote on it tonight. She asked Council, if they don’t feel like they can do that then at least vote on the intent and then implement the language. She would like to see the Council come back with a vote and hear everyone’s vote yay or nay on if the intent of A and B, they find acceptable so they can move forward. Her concern is if Council doesn’t at least vote on the intent, then we get into this endless iteration and back and forth. She thinks it is great that it was timely, and reflects a lot of appreciation for the experts, the consensus, the questions asked, and she would love to see Council move forward on it.

Wilfred Navarro thinks that everything that has been done is great. He agrees with the previous speaker, especially about the fire safety buffer zone. His only request is that he doesn’t see the sense in requiring a free permit. If you are going to allow homeowners to be responsible for a 30 foot buffer, put
it in the ordinance, however you choose to do it. He doesn’t think it should require a free permit. It doesn’t provide a revenue for the city and so if we are going to try to deregulate a little than this is a way you should do it. You are not going to require permitting for pruning trees, which he agrees with. He asked what the point of a free permit is. It is just another way to keep the city involved in a homeowner’s business. If you are going to allow for a fire safety buffer, than allow it with no permit required.

Angela Hovis of Madrone Road generally agrees with the recommendations. Unless she is misreading it, it looks like a permit is needed to remove any vegetation, including bushes, scrub brush or current understory. She doesn’t understand this. If she has this bush where the branches are growing in her driveway, and she needs to trim them to get her car in and out, it just seems like an undue burden on City Inspector Christy Shull. She thinks that Council should think about if someone really needs a permit to trim back some of their bushes as needed. Concluded that City Inspector Christy Shull will need more help.

John Barr of Rocky River Road stated that he is a gardener. When they had the fire out in Steiner Ranch, it was wooden fences attached to people's houses. It was the primary means for fire to reach the houses and burn them down. Mayor Claunch stated that fence requirements do not allow for wooden fences. Mr. Barr continued by stating he disagrees with the recommendations. He thinks that the nature of West Lake Hills is important. It is very private. He thinks that Council is drastically changing the nature of the City of West Lake Hills. The idea of pruning anything and limb up, he feels that a can of worms will be opened and change the nature of the city.

Alejandra Fernandez of 809 Redbud stated that she is grateful to all the residents that they are willing to participate in this important discussion. In her opinion this issue is not really about trees and vegetation. It is a debate between the cedar loving and cedar hating faction. It does a disservice to the real discussion. She believes that it puts neighbors against one another in a divisive manner that is incredibly unhelpful to the angle. As she understands it, it is a debate between people who genuinely believe the threat of wildfire is eminent and people who genuinely believe the threat, while a possibility, is not actually a probability. Both sides have merit. She believes that both sides are informed by an important human element that has yet to be discussed. If you have ever been fortunate enough not to experience a profound tragedy, in your life, in which you wondered whether you could have done something to prevent it, it is easy to assume those that fear wildfire enough, want to mitigate against any possible risk, are merely being hysterical. If you have been unfortunate enough to experience a tragedy of this nature, then it is easy to assume that those who are not as fearful, as simply living in denial. Neither side is right or wrong. She believes that both sides inform their opinions by life experiences and are not motivated by an intent to harm one another. She asked that everyone is who generously involved in this discussion start getting curious about the other sides reasons for believing so strongly in their opinions and stop reacting to the content. We might all find
that there is actually a reasonable solid ground. While she has never been a victim of a wildfire, she has had a house burn down in the middle of the night. She has found herself worried during these discussions that the notion that we will all be fortunate enough to have a fire start in the middle of the day, like the fire on Spillar Lane, the assumption for these discussions. Having had firefighters telling her that the next day, that the burn rate, plastic and chemicals would have suffocated everyone in under ten minutes, while they were sleeping, had someone not been awake when it started. It still echoes in her head, while she is listening to these discussions. She is concerned about the fire safety routes. She heard the Chief say last week that he ideally wanted ten feet on both sides of the roads. She doesn’t know what is reasonable given the Master Plan. She would ask, to consider, what an escape plan would look like in a worst case scenario and start form there. She is not worried about her stuff. It can always been replaced. She desperately wants to know that her family can get out to start over if they have to. What she has learned over these important discussions is that there is not one global definitive answer from all of the experts. In the absence of that, she hopes that these discussions will continue to take place in a productive manner with the assumed trust that people with opposing opinions are merely trying to protect something they love in the best way they know how.

Jane Noble of Yaupon Valley Road commended Council for this process. She doesn’t think that anyone would deny that is has been unbelievably informative. She gave special kudos to the subcommittee. She generally supports the intent of the proposal. Being one of those people who have had someone trespass and cut 12 feet for a length of 20 feet of her vegetation, she thinks the permitting process is there to protect the residents. It is not to just give the residents a hard time. Had she not been able to call City Inspector Christy Shull, she didn’t know how long it would have gone on or how many feet they would have been into her property. When someone comes in and cuts down what you have grown for five years, it is not replaceable in a minutes. It is replaceable in five or eight years. There is a benefit to a permit. It is the spirit of cooperation. If we all work together to see that we are just trimming the things that should be trimmed, within what the rules are. That is what a free permit can do. It can help and not just hurt. She would like to see more discussion if the size of the tree, in the 30 feet buffer zone. She knows that the experts talked about cutting more than cedars but she is not sure if it supposed to be absolutely everything. She would also like to see more discussion on whether pruning is allowed, of live limbs, anywhere on the property. It is grounded in what the experts told us.

Catherine O’Connor thanked Council for the work they have done. She is appreciative as a member of the community. She supports what the subcommittee is proposing. She thinks it is wise and responsible. She thinks that the issue of new development versus existing should be clarified within the code. It is an open window, potentially. She doesn’t think it is in the intent of what the subcommittee is proposing.
Lee Thompson Yaupon Valley Road thanked Council and the subcommittee for what they have done. She is delighted and pleased with the intent of the recommendations. She thinks that a permit can serve a very valuable purpose. She does have concern about the diameter of trees within the 30 foot zone. There are some big magnificent ones in the 30 feet that it might be unfortunate to lose. She can't wait for the subcommittee to get to the invasive species, she wants to add Hackberries to the list. She does hope that the Council and Community put as much energy into getting the water flow and pressure up to standard, as we have put into the tree ordinance. She feels that this is something that should be addressed with Water District #10, at the policy or legal level. It is a huge factor in firefighting and something that has gone on too long.

Julie Kameda of 304 Bent Tree thanked the Council and subcommittee. She loves the fact that it was done efficiently and quickly. Also, bringing in the experts. Overall it is a thoughtful recommendation. She echoed Mr. Navarro's comment about the permit. She would prefer, for the fire safety zone, if we could not have a permit. She thinks it would be great. A lot of residents in the community have a lot of consensus about this now. It is ok, at the end, if we do not get 100% yes. She thinks that at a certain point for some of the things that are important, and we do need to act with a sense of urgency. She would like to see that Council move forward with a vote and not unanimous agreement. Rather than continual delay and renegotiations and water down the proposal, that most people think is very good.

Tim Nutt of Westhaven Drive made a few brief suggestions. First, he stated that it seems that we lump invasive species and Ashe Junipipers together, we lose a little bit of information. He realizes that there is some question about how to handle junipers in the best way, and what you do about that. When it comes to invasive species, unless you are dealing with an entire hillside of augustrum or something like that, it seems, giving people the ability to cut the Chinaberry down is pretty simple and straight forward. He encouraged Council that when they get to the invasive species, he is in favor of making it pretty simple and straight forward. A previous speaker brought up understory and a lot of people rely on understory for privacy. He is not going to get a permit for understory and he cuts it every couple of months. It occurred to him, that one way you can handle a question like that, is through zoning. He doesn't know how much of a pain it would be to group the neighborhoods and zone them. He thinks that there are sometimes, in these meetings, where people talk past each other. It seems that the rules do not need to be the same. Trimming a bush at his house is an unimportant event but if someone cut down two acres of bushes then you know people would be upset. Maybe there should be a different rule based on what neighborhood you live in. People have also raised the question of cutting down a 300 years old oak tree, because it is ten feet from the house, as much as he is in favor of homeowner rights, he even says that, he doesn't think that they should. He would be less inclined to give people in the suburban type neighborhoods to cut down the big oak tree in the front yard, then he would the people who are truly enclosed.
c. Deliberation and action.

Councilmember Moore explained a few changes to the proposal that were based on public feedback. In 3(a) fire safety buffer zone, of the report, within 30 feet a homeowner may remove any vegetation less than 14 inches diameter.

Council deliberated and concluded by instructing City Attorney Alan Bojorquez to bring draft ordinance language, based on the report and what was discussed, back to the November 25, 2014, Council meeting.

No Council action was taken.

12. Personnel: Discussion/decision on complaint filed by Jeff and Carrie Peace on September 24, 2014 regarding former City Planner, former Council Member, City Administrator, City Attorney, Mayor and ZAPCO Secretary. (Article 2.05 West Lake Hills Code).
   a. Subcommittee briefing. Mayor Pro Tem Graham gave briefing that a subcommittee, Councilmembers Anthony and Walker, has been designated to handle the investigation. Councilmember Anthony gave update that they have found an attorney, Frank Garza from San Antonio, to help with the complaint. His rates are reasonable.

   City Council Executive Session per Section 551.074 of the Texas Government Code for Consultation with Attorney.
   b. Public Hearing:

   Carrie Peace stated that the Attorney’s name sounds familiar. She asked if he was the same attorney that represented Amy Hovis at one time.

   City Staff confirmed that it was another individual with the last name Garza.

c. Deliberation and action

   Councilmember Anthony is going to reach out to Frank Garza to determine the scope of work and how best to proceed.

   COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #12 FROM 10:16 P.M. to 10:25 P.M. NO COUNCIL ACTION WAS TAKEN.

   COUNCILMEMBER HOLCOMB MOTIONED TO APPROVE HIRING FRANK GARZA FOR THIS ETHICS COMPLAINT. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

   Mayor Claunch stepped down from the dais during this agenda item.

13. Administration: Discussion/possible decision regarding staffing and other required resources for recent Public Information Requests.
a. Staff Briefing. Mayor Claunch gave briefing that the city has received large Open Records Requests and staff has put together an estimate of time to gather all this information. It is a big number. We can accommodate with existing staff but a lot of other stuff will get pushed. He worries about customer service. He is seeking Council's guidance to allocate funds to hire temporary personnel to help with this. He is not making any judgment on people's rights to submit Open Records Requests.

City Administrator Robert Wood added that staff has received a couple of requests lately that the volume of the requests have increased greatly. It is not even the volume but the size of the request. He also gave an update on the timeline for the large Open Records Request, and costs associated.

Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney.

b. Public Hearing:
No one spoke.

c. Deliberation and action

Council instructed staff to set a timeline and schedule that only uses staff resources.

No Council action taken.

14. Public Works: Discussion/decision regarding approval of interlocal agreement with City of Rollingwood regarding pavement overlay for Jeffrey Place, Gregory Place, and Sugar Shack. Mayor Dave Claunch.

a. Staff Briefing. City Administrator Robert Wood gave briefing that this item was discussed at the last meeting. We had asked Rollingwood to add three streets, Jeffrey Place, Gregory Place, and Sugar Shack for the paving project we are working on with them. We asked for the costs to add these street and they said the milling and paving is going to cost roughly $50,000. After the City of Rollingwood and contractor looked at the streets and based on the repairs, they came back saying it is going to be $122,000.

b. Public Hearing:
No one spoke.

c. Deliberation and action.

Council deliberated and decided that they still wanted to move forward with this project.

COUNCILMEMBER ANTHONY MOTIONED TO AUTHORIZE SPENDING $122,000 ON ROAD IMPROVEMENTS FOR JEFFREY PLACE, GREGORY PLACE AND SUGAR SHACK. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

15. Public Works: Discussion/possible decision on update regarding Bee Cave Road ROW acquisition. Mayor Dave Claunch.
a. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.

b. Public Hearing: No one spoke.

c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #15 FROM 10:50 P.M. to 11:45 P.M. NO COUNCIL ACTION WAS TAKEN.

16. Public Works: Consider approval and authorization of the execution of an Agreement for Gift of Real Property with Mark D. Blake and Paige K. Blake for the acquisition of certain property interests located at 102 Blueridge Trail and necessary for the construction of proposed improvements to Bee Cave Road/RM2244, and take other appropriate action. (Parcel 42)
   a. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
   b. Public Hearing: No one spoke.
   c. Deliberation and action.

COUNCILMEMBER HOLCOMB MOTIONED TO APPROVE AND AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR GIFT OF REAL PROPERTY WITH MARK D. BLAKE AND PAIGE K. BLAKE FOR 102 BLUERIDGE TRAIL. COUNCILMEMBER MOORE SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

17. Public Works: Consider approving and authorizing the execution of an Agreement for Gift of Real Property with Jancar Holdings, LLC to acquire certain property interests located at 3316 Bee Cave Road and required for construction of the Bee Cave Road/RM 2244 improvement project, and take other appropriate action. (Parcel 51)
   a. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
   b. Public Hearing: All persons wishing to speak for or against shall be heard.
   c. Deliberation and action.

Item was not discussed and postponed.

18. Public Works: Consider approving and authorizing the execution of an Agreement for Gift of Real Property with Ton Hein Huynh to acquire certain property interests located at 3437 Bee Cave Road and required for construction of the Bee Cave Road/RM 2244 improvement project, and take other appropriate action. (Parcel 53)
   a. Executive Session per Texas Government Code, Section 551.071 for Consultation with Attorney and 551.072 Deliberation Regarding Real Property.
   b. Public Hearing: No one spoke.
   c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #18 FROM 10:50 P.M. to 11:45 P.M.

COUNCILMEMBER MOORE MOTIONED TO APPROVE AND AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR GIFT OF
REAL PROPERTY WITH TON HEIN HUYNH FOR 3437 BEE CAVE ROAD. COUNCILMEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 5-0 VOTE.

   a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney regarding status of above-listed litigation and related legal issues.
   b. Public Hearing: All persons wishing to speak for or against shall be heard.
   c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #19 FROM 10:50 P.M. TO 11:45 P.M. NO COUNCIL ACTION WAS TAKEN.

   a. Executive Session per Section 551.071 of the Texas Government Code for Consultation with Attorney regarding status of above-listed litigation and related legal issues.
   b. Public Hearing: All persons wishing to speak for or against shall be heard.
   c. Deliberation and action.

COUNCIL HELD AN EXECUTIVE SESSION ON ITEM #20 FROM 10:50 P.M. TO 11:45 P.M. NO COUNCIL ACTION WAS TAKEN.

21. Adjourned by Mayor Dave Claunch at 11:46 PM

Certificate

[Signature]

DAVE CLAUNCH, MAYOR

[Signature]

LACIE HALE, CITY SECRETARY

MINUTES OF CITY COUNCIL PUBLIC HEARINGS AND REGULAR MEETING
OCTOBER 22, 2014