

**City of Horseshoe Bay
City Council Meeting Minutes
September 20, 2022 at 3:00 PM
City Hall, 1 Community Drive, Horseshoe Bay, Texas**

1. Call the Meeting to Order and Establish a Quorum

Mayor Cynthia Clinesmith
Mayor Pro Tem Elsie Thurman
Council Member Jerry Gray
Council Member Frank Hosea
Council Member Randy Rives
Council Member Elaine Waddill

Mayor Clinesmith called the meeting to order at 3:00pm. All present except Council Member Waddill.

2. Invocation - Senior Pastor Rev. Dr. Malcolm McQueen, Church at Horseshoe Bay, gave the invocation.

3. Pledges to the Flags - Mayor Cynthia Clinesmith led the pledges of allegiance to the United States flag and the Texas flag.

4. Proclamations

- A. Proclamation Declaring Sept. 25 - Oct. 1, 2022 as "Source Water Protection Week" – Mayor Clinesmith read aloud the proclamation.

5. Announcements and Staff Recognition

- A. Cole Reasor - 5 Year Service Award – Police Chief Rocky Wardlow and Assistant Police Chief Jason Graham thanked Cole for his service and presented him with an award.
- B. Joel Green - 5 Year Service Award – Utilities Director Rick Williams and Plant Operations Supervisor Dane Bybee thanked Joel for his service and presented him with an award.
- C. Christina Reinhardt - 5 Year Service Award – Development Services Director Sally McFeron thanked Christina for her service and presented her with an award.
- D. Recognition of the HSB Resort for Donation of a Ford Bronco to the Police Department – Mayor Clinesmith, Police Chief Wardlow, and City Manager Jeff Koska thanked the HSB Resort, Doug Jaffe (Owner) and Ron Mitchell (President and CEO) for the donation.
- E. Applications being accepted for City Boards, Commissions, and Committees for appointments to be made in Dec 2022 - Deadline to apply is Nov 1, 2022 – Mayor Clinesmith announced that applications will be accepted until November 1, 2022 and appointments will be made at the December 6, 2022 Council meeting.

6. Public Comment – Matt Myers from Waste Management introduced himself as the new Public Sector Rep for the area.

7. Public Hearing Items

Public Hearing and possible action regarding:

- A. Public Hearing on the Adoption of the Proposed Fiscal Year 2022-2023 Budget for the City of Horseshoe Bay, Texas - Mayor Clinesmith opened the public hearing at 3:26pm. No one spoke. Mayor Clinesmith closed the public hearing at 3:27pm. No action taken.

8. Business

Discuss, Consider, and Possibly Take Action Regarding:

- A. Ordinance 2022-21: Adopting a Budget for the Fiscal Year Beginning 10-1-2022 and Ending 9-30-2023 in Accordance with the Laws of the State of Texas, Appropriating the Various Amounts Thereof, and Repealing All Ordinances in Conflict Therewith – Mayor Pro Tem Thurman motioned to approve Ordinance 2022-21 and to set and approve the municipal budget for the 2023 fiscal year. Council Member Gray seconded. ROLL CALL VOTE: Mayor Pro Tem Thurman – Aye,

Council Member Gray – Aye, Council Member Hosea – Aye, Council Member Rives – Aye. VOTE: 4-0 in favor, motion passed.

- B. Ratify the Property Tax Revenue Increase Reflected in the Adopted Annual Budget for Fiscal Year 2023 - Council Member Gray motioned to ratify the property tax increase reflected in the adopted annual budget for fiscal year 2023. Council Member Hosea seconded. VOTE: 4-0 in favor, motion passed.
- C. Ordinance 2022-22: Levying Ad Valorem Taxes for the Use and Support of the Municipal Government of the City of Horseshoe Bay, Texas, and Providing for the Interest and Sinking Fund for the Fiscal Year 2022-2023; Directing the Collection Thereof; and Providing for the Time of Paying the Ad Valorem Taxes Levied and Providing that Taxes Become Delinquent If Not Paid - Council Member Rives motioned to approve Ordinance 2022-22 and that the property tax rate be increased by the adoption of a tax rate of 0.27000 per one hundred dollars of assessed value, which is effectively a 21.08% increase in the tax rate. Mayor Pro Tem Thurman seconded. ROLL CALL VOTE: Mayor Pro Tem Thurman – Aye, Council Member Gray – Aye, Council Member Hosea – Aye, Council Member Rives – Aye. VOTE: 4-0 in favor, motion passed.
- D. Five-Year Capital Improvement Plan – City Manager Koska provided a report, which is on file. Council Member Hosea motioned to approve the Five-Year Capital Improvement Plan. Council Member Gray seconded. Vote: 4-0 in favor, motion passed.
- E. Resolution 2022-14: Authorizing Publication of Notice of Intention to Issue Certificates of Obligation – Finance Director Margie Cardenas provided a report, which is on file. Council Member Gray motioned to approve Resolution 2022-14 authorizing publication of notice of intention to issue City of Horseshoe Bay, Texas, certificates of obligation series 2022. Council Member Hosea seconded. VOTE: 4-0 in favor, motion passed.

9. Consent Agenda

All consent items are considered to be routine and will be enacted by one motion and vote.

- A. Approval of City Council Meeting Minutes: August 16, 2022
- B. Approval of City Council Budget Workshop Minutes: August 30, 2022
- C. Approval of City Council Meeting Minutes: August 30, 2022
- D. Approval of the Updated Summit Rock Public Improvement District Assessment Roll
- E. Approval of Ordinance 2022-24: Approving the 2022-23 Annual Service Plan Update to the Service and Assessment Plan and Roll for the Escondido Public Improvement District in Accordance with Chapter 372, Texas Local Government Code
- F. Approval of Resolution 2022-15: Amending the Purchasing Policy and Procedures Manual
- G. Approval of Personnel Policy Revisions: Article VII. Leaves of Absence, Section 2 Holiday Leave for Firefighters
- H. Approval of Personnel Policy Revisions: Article V. The Compensation Plan, Section 3 and Article XIII Appendix B: Salary Table and Incentive Pay
- I. Approval to Award a Contract for Sludge Removal at Effluent Pond #2 and Storage Bags to Wastewater Transport Solutions
- J. Approval to Award a Banking Services Agreement to First United Bank
- K. Approval of Ordinance 2022-23: Amending Appendix A Fee Schedule of the City of Horseshoe Bay's Code of Ordinances, Articles A8.01 Water Service Rates, A8.02 Sewer Service Rates and Conditions, A8.04 Garbage Collection Rates, and A8.05 Grounds Maintenance Waste Service (Commercial Customers)
- L. Approval of Ordinance 2022-25: Amending Ordinance 2021-11 the Temporary Moratorium for Any Development Related Activities Solely for Zone 13 Cap Rock and Tract BBB-2A of Horseshoe Bay West Plat No. W15.67 Within the City Limits, Until February 20, 2024 to Remove Zone 13 Cap

Rock from the Temporary Moratorium

Council Member Gray motioned to approve all consent items as presented except Item L which will be considered separately. Council Member Rives seconded. VOTE: 4-0 in favor, motion passed.

Development Services Director McFeron provided a report on Item L, which is on file. Mayor Pro Tem Thurman motioned to approve Item L, Ordinance 2022-25, as presented. Council Member Gray seconded. VOTE: 4-0 in favor, motion passed.

Mayor Pro Tem Thurman motioned to reverse the approval of the consent agenda (except Item L whose separate approval is still valid). Council Member Gray seconded. VOTE: 4-0 in favor, motion passed.

Mayor Pro Tem Thurman motioned to approve the consent agenda except for Item I. (The approval of Item L separately is still valid.) Council Member Gray seconded. VOTE: 4-0 in favor, motion passed.

Mayor Pro Tem Thurman motioned to approve consent agenda Item I by awarding the contract to replace effluent pond #2 synthetic liner and removal of associated sludge to Austin Engineering Co. Inc. for a total contract cost not to exceed \$1,100,000, as recommended by staff. Council Member Hosea seconded. VOTE: 4-0 in favor, motion passed.

10. Monthly Reports

Informational reports only; no action to be taken.

- A. Finance, City Secretary, IT, Human Resources, Development Services, Fire, Police, Public Works, Utilities
- B. Planning and Zoning Commission, Board of Adjustment, Broadband Advisory Committee, Communications Advisory Committee, Historic Preservation Advisory Committee, Parks Advisory Committee, Transportation Advisory Committee

11. Executive Session

- A. Consultation with City Attorney Regarding Pending Litigation: *Civil Action No. 1-21-cv-1156-RP, Legacy Housing Corporation v. the City of Horseshoe Bay, Texas, the Horseshoe Bay Property Owners Association, Inc. and Jaffe Interests, LP f/k/a Horseshoe Bay Resort, LTD f/k/a Horseshoe Bay Resort, Inc. (551.071)*
- B. Annual Evaluation of the City Manager by City Council and Contract with the City Manager (551.074)

Convened to Executive Session at 4:01pm to discuss Executive Session Items A and B. Present: Mayor Cynthia Clinesmith, Mayor Pro Tem Elsie Thurman, Council Member Jerry Gray, Council Member Randy Rives, Council Member Frank Hosea, City Manager Jeff Koska, and City Attorney Rex Baker. Reconvened to the regular meeting at 4:36pm. No action was taken.

- 12. **Adjourn** - Mayor Pro Tem Thurman motioned to adjourn the meeting. Council Member Gray seconded. VOTE: 4-0 in favor, motion passed. Meeting adjourned at 4:37pm.