

Horseshoe Bay Council Comments
by Council Member Elaine Waddill

The Horseshoe Bay City Council monthly meeting was held Tuesday, August 24, 2021 at 3:00 p.m. in the City Council Chambers. Mayor Cynthia Clinesmith welcomed those in attendance and Reverend Dr. Malcolm McQueen gave the invocation. Those in attendance recited the pledges to the American Flag and the State of Texas Flag.

Mayor Clinesmith opened the floor for Public Comment. Horseshoe Bay resident, Dennis Jensen, discussed a need for a walking path on FM 2147 and Bay West Blvd. He indicated that adequate road space is available to make white lines or even a cart path. He also stated that it would provide boundaries on the roadway to encourage people to stay between the white lines and pay attention while driving.

The first item on the Council agenda was a Public Hearing regarding the Proposed 2021 Ad Valorem Tax Rate. The Maximum Tax Rate proposed is not to exceed \$0.28261 Assessed Value of all taxable property within the corporate limits of the City of Horseshoe Bay. A recommendation has been made to maintain the current tax rate of \$0.2700 for the coming year. The floor was opened for discussion and comment but there were no comments so Mayor Clinesmith closed the hearing.

Mr. Herron, of Herron CPA, requested an appeal to the Development Review Committee's Administrative decision to deny a building permit application at 8170 W. FM 2147 until TXDOT approval was attained. The request was reviewed by City Attorney Rex Baker, and a recommendation for denial was made at this time. The denial was based on lack of control and ownership of the easement property and the language of the TXDOT Channel Easement. If for some reason, Mr. Herron were unsuccessful in obtaining the easement, the community would be left with an unfinished project along the major corridor of our city. After the appropriate reviews have been completed and approved by TXDOT, Mr. Herron may resubmit his request for a Building Permit. The City Council did not take action.

Director of Development Services, Sally McFeron, presented recommendations for an Amendment to the Major Development Project Review Guide Policy that was instituted in 2019. After working with the new framework for two years, the DCR recommended several updates to address changes in the building environment of our city and related costs. The City Council reviewed the recommendations and The Ordinance presented. After careful review and discussion, the Council voted to approve the changes. The changes will be posted to the City of Horseshoe Bay website and go into effect immediately.

For many years Northland Cable and now Vyve Broadband have charged their subscribers in HSB a 1% fee for Public Educational and Governmental programming (PEG) and a 5% Cable Franchise Fee. These fees are submitted to the City of Horseshoe Bay quarterly and to date the city has received a total amount of \$69,645 in PEG fees alone. The PEG revenue is restricted revenue and has limitations for use of the funds.

During the budget workshop in July, staff and council discussed the possibility of eliminating the 1% PEG Fee altogether, since the city does not have future plans to include a PEG access channel. After speaking to the Vyve Broadband, they agreed to eliminate the PEG fee charged to subscribers and suspend the 5% Cable Franchise Fee beginning on or around September 1, 2021. The city can retain the \$69,645, currently designated as PEG fees and treat as franchise fee credits to customers and the city until the corresponding payments equal the amount of franchise fee credits. After that time the suspension will be lifted and only the 5% franchise fee will resume. After the approximate two-year time period, the current \$69,645 restricted PEG Fee balance will slowly become unrestricted to be used to supplement the City's FY22 & 23 budgets (revenue). After review of the information the Council voted to approve the action.

Recently it was discovered that the City is the owner of a piece of property (a lot) in Pecan Creek Subdivision at the end of Creek Lane where the back gate into Pecan Creek is located. The street was deeded to the City from the POA a number of years ago as a part of a larger portion of land involved in the transaction. Over the years after the transaction, it was assumed that the POA still owned the property. A current homeowner residing next to the lot has requested to purchase the property. Rather than the city selling directly to this homeowner, it has been recommended that the lot be surveyed and a deed transfer be made back to the POA. It was never the intention when the city was given the streets that this lot was to become a city property instead of remaining a POA property. After careful review the City Council voted to complete the process to return the property to the Pecan Creek POA.

The terms of five members of the Board of Directors of the Burnet Central Appraisal District will expire at the end of this year. The City of Horseshoe Bay may nominate one candidate, for each of the five positions to be filled, by written resolution on or before October 15, 2021. The current Burnet CAD Board of Directors are: Gene Broadway, Dave Kithil, Bruce Jones, Phillip Thurman, and Darlene Oostermeyer. The Burnet CAD is requesting Council to nominate up to five members for the Board. The council may choose to nominate the current members of the Board or new individuals who qualify to serve. This action will serve to nominate members only. Burnet CAD will provide an official ballot for voting to City Council later this year. The Council addressed the issue of nominating individuals to serve on the Burnet Central Appraisal District Board of Directors for the years 2022-2023 and approved the slate of candidates presented.

The City Manager, Stan Farmer, provided an update on various outstanding items currently in progress. He also thanked each of the Departments for doing an outstanding job gathering information and developing a very thorough budget to be presented to Council for consideration.

Mayor Clinesmith and the entire City Council expressed appreciation for the many hours spent researching and working to develop a budget that takes care of our residents and honors the conservative principles and values of the community. The entire City of Horseshoe Bay staff should take a bow for their dedication and excellence!

Our next City Council meeting will be September 21, 2021 in the Council Chambers. We invite you to join us and look forward to hearing your thoughts and ideas of how to take care of our wonderful Horseshoe Bay family.