

CITY OF ROLLINGWOOD  
403 NIXON DRIVE, ROLLINGWOOD, TEXAS 78746  
CITY COUNCIL MEETING  
Wednesday, March 19, 2014

## **MINUTES**

The City Council of the City of Rollingwood, Texas met in the Regular City Council Meeting on Wednesday, March 19, 2014, in the City Council Chambers of the Rollingwood Municipal Building located at 403 Nixon Drive, Rollingwood, Texas. Mayor Barry Bone called the meeting to order at 7:01 p.m. those present were:

Mayor Barry Bone, Mayor Pro Tem Sara Hutson, Alderman Joe Basham,  
Aldерwoman Amy Pattillo, Alderman Jay Jayakumar,  
City Secretary Robyn Ryan,  
Public Works Director Jackie Bob Wright, and  
City Attorney Doug Young

### **2. CITIZEN COMMENTS**

Resident Shanthi Jayakumar talked about Mayor Bone's statements in a recent Westlake Picayune newspaper article regarding the back yard water line project and the bond election FAQ's the city sent to residents.

### **3. PRESENTATIONS, ANOUNCEMENTS, PROCLAMATIONS**

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ROLLINGWOOD NEIGHBORHOOD ASSOCIATION (RNA) EGG - STRAVAGANZA ON SATURDAY, APRIL 19, 2014, BEGINNING AT 9 A.M. AT THE ROLLINGWOOD CITY PARK - RNA Representative

Marnie Fitzgerald representing the Rollingwood Neighborhood Association, requested approval of the RNA Egg-Stravaganza on April 19<sup>th</sup> at the Rollingwood Park. Mayor Pro Tem Hutson moved to approve the motion as stated, Alderman Basham seconded; the motion passed 4 to 0.

PRESENTATION OF THE FISCAL YEAR END 2013 INDEPENDENT AUDIT BY PAT WAGNER OF ALONZO BACARISSE, IRVINE & PALMER, P.C.

Pat Wagner of Alonzo, Bacarisse, Irvine & Palmer, P.C., presented the 2013 Fiscal Year Ending financial audit to the city council. Ms. Wagner answered written questions previously submitted to her by Alderman Jayakumar. Mayor Pro Tem Hutson asked a question about investments.

DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE 2013 FYE INDEPENDENT AUDIT

There was a motion by Alderman Basham and second by Aldерwoman Pattillo to accept the 2013 FYE Independent audit. The motion passed with 3 voting yes, and 1 abstention by Alderman Jayakumar.

REPORT BY THE MAYOR REGARDING A PROPOSED AGREEMENT BETWEEN THE OWNER OF THE ROLLINGWOOD TOWN CENTER PUD AND ADJACENT OWNER FOR A SHARED PARKING STRUCTURE TO SERVE BOTH PROPERTIES, AND CONDITIONAL DEVELOPMENT RIGHTS AFFECTED THEREBY

For the record of the meeting: Jason Thumlert from Endeavor was present. Mayor Bone gave a brief report; stating the agenda item was presented to the council and to the public as informational only. The proposed agreement would be a part of the Endeavor PUD, and with the church, to share the parking structure which would allow the building next to the parking structure to increase the square footage of each floor by 4,000 square feet. The church would use the parking at different times from office building, enabling both to share the parking structure. Endeavor would move forward with an agreement with the church.

**17. OLD BUSINESS** – The item was moved up on the agenda to accommodate the requestor.  
DISCUSSION AND POSSIBLE ACTION TO AMEND PREVIOUS ACTION BY THE CITY COUNCIL ON FEBRUARY 19, 2014, REGARDING THE MOTION TO CALL LOT (1) INWOOD COVE (Ballard, Vol. 2305, Pg. 269) #1 INWOOD COVE AND TO CHANGE THE ADDRESS TO #5 INWOOD COVE

After a briefing by Mayor Bone, Alderman Basham moved to amend the previous action, and to re-number lot 1 Inwood Cove to #5 Inwood Cove, the motion was seconded by Alderman Jayakumar, the motion passed 4 to 0.

**4. BACK YARD WATER LINES AND STREET PAVING**

Mayor Bone made a statement to discuss many of the back yard water line issues which would include legal matters in open session. There was a discussion among council as well as suggestions and questions from residents in the audience: Thom Farrell, Chinna Natesan, David Holland, John Saba, and Wendy Hundley spoke on the subject of back yard lines.

DISCUSSION AND POSSIBLE ACTION TO CONSIDER AND APPROVE ALTERNATIVES TO CITY'S CURRENT PLAN FOR IMPROVEMENT OF WATER SYSTEM SO AS TO AVOID ALTERATION OF FACILITIES ON THE CUSTOMER SIDE OF EXISTING WATER METERS - Jay Jayakumar

After a brief discussion, Alderwoman Pattillo requested the council go into executive session for the purpose of consultation with legal counsel regarding the agenda item.

**EXECUTIVE SESSION** - Mayor Bone called the meeting into **Executive Session** at 8:35 p.m. for the purpose of consultation with legal counsel pursuant to Chapter 551.074 of the Texas Government Code.

The meeting was called back into regular session at 8:49 p.m. by Mayor Bone. No action was taken in the executive session.

The discussion continued, and Mayor Bone made additional comments. Thom Farrell, Leland Copeland, Jerod Neas, Anton Kenezovich, Shanthi Jayakumar, Amy Rung, Dana Hollingsworth were allowed to speak regarding the back yard lines.

DISCUSSION AND POSSIBLE ACTION TO CONSIDER AND APPROVE ALTERNATIVES TO CITY'S CURRENT PLAN FOR IMPROVEMENT OF WATER SYSTEM SO AS TO AVOID ALTERATION OF FACILITIES ON THE CUSTOMER SIDE OF EXISTING WATER METERS - Jay Jayakumar

There was a motion by Alderman Jayakumar to table the agenda item until the next regular scheduled council meeting. There was no second; the motion failed.

DISCUSSION AND POSSIBLE ACTION TO REVIEW DIFFERENT APPROACHES PROPOSED IN THE PUBLIC HEARING OF THE FEBRUARY COUNCIL MEETING TO DECIDE ON A PLAN OF ACTION TO IMPROVE WATER SYSTEM THAT WILL NOT FINANCIALLY PENALIZE AFFECTED

HOMEOWNERS, WHILE PROVIDING THEM WITH THE SAME QUALITY OF SERVICE AS OTHER CITIZENS - Jay Jayakumar  
After a discussion the item was tabled.

DISCUSSION AND POSSIBLE ACTION TO APPROVE A CITY COUNCIL POLICY TO FINANCE THE RESIDENTS' COST TO CONNECT TO NEWLY CONSTRUCTED WATER LINES AND TO DISCUSS ALTERNATIVES THAT WOULD ALLOW THE CITY TO PAY THE COSTS

Alderman Basham moved for the Utility Commission to take up the alternatives for connecting homes to new water mains, and to make a recommendation at the next regular city council meeting, the motion was seconded by Mayor Pro Tem Hutson; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE LNV, INC. TO BID THE 2012 BOND PROGRAM WATER LINE PROJECTS

Alderman Jayakumar made a motion to direct the city engineer to correct the errors bestowed by the city council members and to resubmit the engineers bid with respect to the water projects, the resubmitted bid must be dated, sealed, and signed by a professional engineer, and provide it one week before action is taken by city council. There being no second, the motion failed.

Mayor Pro Tem Hutson moved to defer the bid until the next council meeting, to update the bid documents to remove Ridgewood line, leave the South Crest line in as an alternate, to change the wording, **instead of relocating the meters**, use ***"stub- out of the new meters"***, and to not move the existing meters; council to take action at the next meeting. There was a second by Alderman Basham, the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO USE THE EXISTING INTERLOCAL AGREEMENT WITH TRAVIS COUNTY RELATING TO APPROVAL OF A LIST OF STREETS TO BE SUBMITTED IN APRIL FOR THE 2014 BID PROCESS IN LIEU OF SERVICES OF THE CITY ENGINEER TO THE MAXIMUM EXTENT POSSIBLE - Jay Jayakumar

Alderman Jayakumar moved to authorize the city administrator to send a list of streets including measurements to Travis County for the 2014 bid process. Mayor Pro Tem Hutson seconded for the purpose of discussion. After a lengthy discussion, a vote was called; the motion passed 4 to 0.

DISCUSSION AND POSSIBLE ACTION TO REQUEST STREET PAVING THROUGH TRAVIS COUNTY FOR ALL REMAINING STREETS IN ROLLINGWOOD THAT HAVE NOT BEEN RECENTLY PAVED, AND WITH AN ALTERNATE TO EXCLUDE STREETS THAT WILL BE AFFECTED BY FUTURE WATER PROJECTS

This item being similar to agenda item 4.05; the item was pulled from the agenda.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE USCA MUNICIPAL ADVISORS, LLC (FINANCIAL ADVISOR) AND ANDREWS KURTH (BOND COUNSEL) TO PREPARE ALL DOCUMENTS AND TAKE ALL ACTIONS NECESSARY, INCLUDING BUT NOT LIMITED TO PREPARING A NOTICE OF SALE, BID FORM, AND OFFICIAL STATEMENT, AND ARRANGE FOR A RATING OF BONDS, AND ISSUE A NOTICE OF SALE, ALL IN FURTHERANCE OF A LATER PRESENTATION TO THE COUNCIL TO CONSIDER ONE OR MORE PROPOSED AWARDS OF BONDS APPROVED BY THE VOTERS IN NOVEMBER 2013 FOR WATER SYSTEM AND STREET IMPROVEMENTS

There was no discussion and no action on the agenda item. The agenda item was tabled until the April meeting.

**5. PUBLIC WORKS REPORT**

Public Works Director Jackie Bob Wright reported on activity for the month of February 2014 and presented the "Top 10" residential water users; both reports were included in the council packet.

The AWR Services report for February 2014 was included in the council packet.

## **6. CITY ENGINEER REPORT**

Mayor Bone reported on engineering activity for the month of February 2014; the report was included in the council packet.

**18. NEW BUSINESS** – All items in section 18 were moved forward in the meeting.

### **DISCUSSION ON MAKING THE INTERSECTION OF BETTIS BLVD AND RILEY ROAD AND THE INTERSECTION OF HATLEY DRIVE AND RILEY ROAD FOUR WAY STOPS**

Resident Wendy Hundley addressed the council regarding speeding issues on Riley Road. She read statements from residents in support of a stop sign: John Hundley, Janet and Jim Beneke and Marie Saba and Chinna Natesan. Resident Mark Kreiger addressed the council regarding speeding on Riley Road, and was in support of a stop sign in the area. The agenda item was intended as an informational item only, and would be on the April regular council agenda as an action item.

### **DISCUSSION AND POSSIBLE ACTION TO INITIATE OR JOIN IN A RATE CASE CONTESTING A RATE INCREASE PROPOSED BY TEXAS GAS SERVICE - (GRIP) GAS RELIABILITY INFRASTRUCTURE PROGRAM**

Alderman Basham moved to approve the ordinance contesting a rate increase as proposed, the motion was seconded by Mayor Pro Tem Hutson; the motion passed 4 to 0.

### **DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CITY ATTORNEY AND/OR THE CITY ADMINISTRATOR TO DRAFT A GOLF CART ORDINANCE FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING** - Amy Pattillo

Alderwoman Pattillo moved to authorize the City Attorney and/or City Administrator draft a golf cart ordinance for consideration at the April city council meeting. The motion was seconded by Mayor Pro Tem Hutson; the motion passed with 3 voting *yes* to the motion and Alderman Basham voting *no* to the motion.

### **DISCUSSION AND POSSIBLE ACTION TO APPROVE A NOISE ORDINANCE VARIANCE, IN ORDER TO MAKE REPAIRS DURING WEEKEND HOURS TO THE AIR CONDITIONING SYSTEM AT THE ARISE AUSTIN MEDICAL CENTER - 3003 BEE CAVES ROAD**

There were brief comments, no discussion and no action on the agenda item. Item tabled until requested to bring back to council. Applicant information was never received.

### **DISCUSSION OF TXDOT MEETING AND STATE REQUIREMENTS TO CLOSE STATE HIGHWAYS**

Mayor Bone gave a short briefing on the agenda item.

### **DISCUSSION AND POSSIBLE ACTION TO REQUIRE FINAL ENGINEERING PLANS AND DESIGNS, DATED, SEALED, AND SIGNED BY A PROFESSIONAL ENGINEER, FINAL BID DOCUMENTS AND OTHER SUPPORTING DOCUMENTATION, TO BE MADE AVAILABLE TO MEMBERS OF THE CITY COUNCIL AT LEAST ONE WEEK PRIOR TO CITY COUNCIL ACTION TO AUTHORIZE BIDDING ON A CONSTRUCTION PROJECT** - Jay Jayakumar

After a discussion among council members; **it was decided to have a draft of design documents from the city engineer, the Wednesday before the next council meeting.** There was no formal action.

### **DISCUSSION OF THE ADOPTION OF REGULATIONS CONTROLLING ELECTRONIC COMMUNICATIONS TO MEMBERS OF THE CITY COUNCIL BY ANY ONE COUNCIL MEMBER TO ENSURE COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT AND TO ENSURE THAT COUNCILMEMBERS COMPRISING LESS THAN A QUORUM MAY COMMUNICATE WITH EACH OTHER BETWEEN COUNCIL MEETINGS**

City Attorney Doug Young briefed the council on the regulation regarding electronic communication; *“the common policy is for all communication from council members, go through the city administrator or the city secretary for distribution to the council”*. *“The council needs to be on high alert when you participate in a communication outside of the regulation”*.

**Council members wanting to communicate to all council members thru email communication are to send their comments/email to the city secretary for distribution, during council packet week only.**

DISCUSSION AND POSSIBLE ACTION TO CLARIFY THAT THE CITY AND ITS AGENTS AND EMPLOYEES MAY SPEND MUNICIPAL FUNDS ONLY IN STRICT COMPLIANCE WITH THE CITY'S BUDGET AND THE BUDGET MAY BE AMENDED ONLY AS PER CITY ORDINANCES - Jay Jayakumar  
After a lengthy discussion, it was stated for the record; **nothing can be spent without a budget amendment by council action**. There was no formal action taken on the agenda item.

#### **7. CITY ADMINISTRATOR REPORT**

There was no formal report on City activity for the month of February 2014; the written report was included in the council packet.

#### **8. CITY SECRETARY REPORT**

There was no formal report on Administrative activity for the month of February 2014; the written report was included in the council packet.

#### **9. POLICE DEPARTMENT REPORT**

There was no formal report from the police department. The written report summarizing activity and report of service calls for the month of February 2014 was included in the council packet.

#### **10. COURT REPORT**

The report from the Municipal Court summarizing activity for the month of February 2014; was included in the council packet.

#### **11. FINANCIALS**

City Stats, City Financials, and RCDC Financials for period ending February 28, 2014 were included in the council packet, as well as invoices from LNV Inc., City Engineer, Professional Design Group, Building Official, and Scanlan, Buckle & Young, City Attorney.

DISCUSSION AND POSSIBLE ACTION TO EXPLORE METHODS TO MAXIMIZE REVENUES FROM SALES TAX - Jay Jayakumar

Alderman Jayakumar talked about revenue from outside of Rollingwood. Sales from i.e.; Amazon or other outside internet purchases, that the city should be receiving tax revenue on those sales. There was a discussion among council members. The city administrator would look into this issue. There was no formal action taken.

**12. UTILITY COMMISSION REPORT** - There was no March meeting and no report.

**13. PLANNING AND ZONING COMMISSION REPORT** - There was no March meeting and no report.

**14. PARK COMMISSION REPORT** - Meeting on March 17, 2014, there was no report.

**15. ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION REPORT**

Meeting on March 20, 2014, there was no report.

**16. OTHER ITEMS**

**DISCUSSION AND POSSIBLE ACTION TO MAKE APPOINTMENT(S) TO BOARDS AND COMMISSIONS**

There was no discussion and no action on the agenda item.

**19. CONSENT AGENDA**

**DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MINUTES FROM THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 19, 2014**

Mayor Pro Tem Hutson and Alderman Jayakumar each requested one correction to the minutes. There was a motion by Alderman Basham to approve the consent agenda with stated corrections, Mayor Pro Tem Hutson seconded and the motion passed 4 to 0.

**21. OTHER REPORTS**

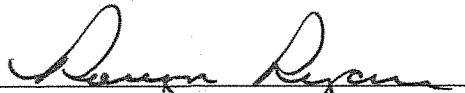
The Travis Central Appraisal District report was not received in time for the council packet. Professional Design Group and Texas Gas Service reports were included in the council packet.

**22. ADJOURNMENT**

There was a motion by Mayor Pro Tem Hutson and second by Alderwoman Pattillo to adjourn the meeting. The meeting ended at 12:01 p.m. on March 20, 2014.

Adopted on 16<sup>th</sup> day of April, 2014

  
Barry M. Bone, Mayor

ATTEST:   
Robyn Ryan, City Secretary